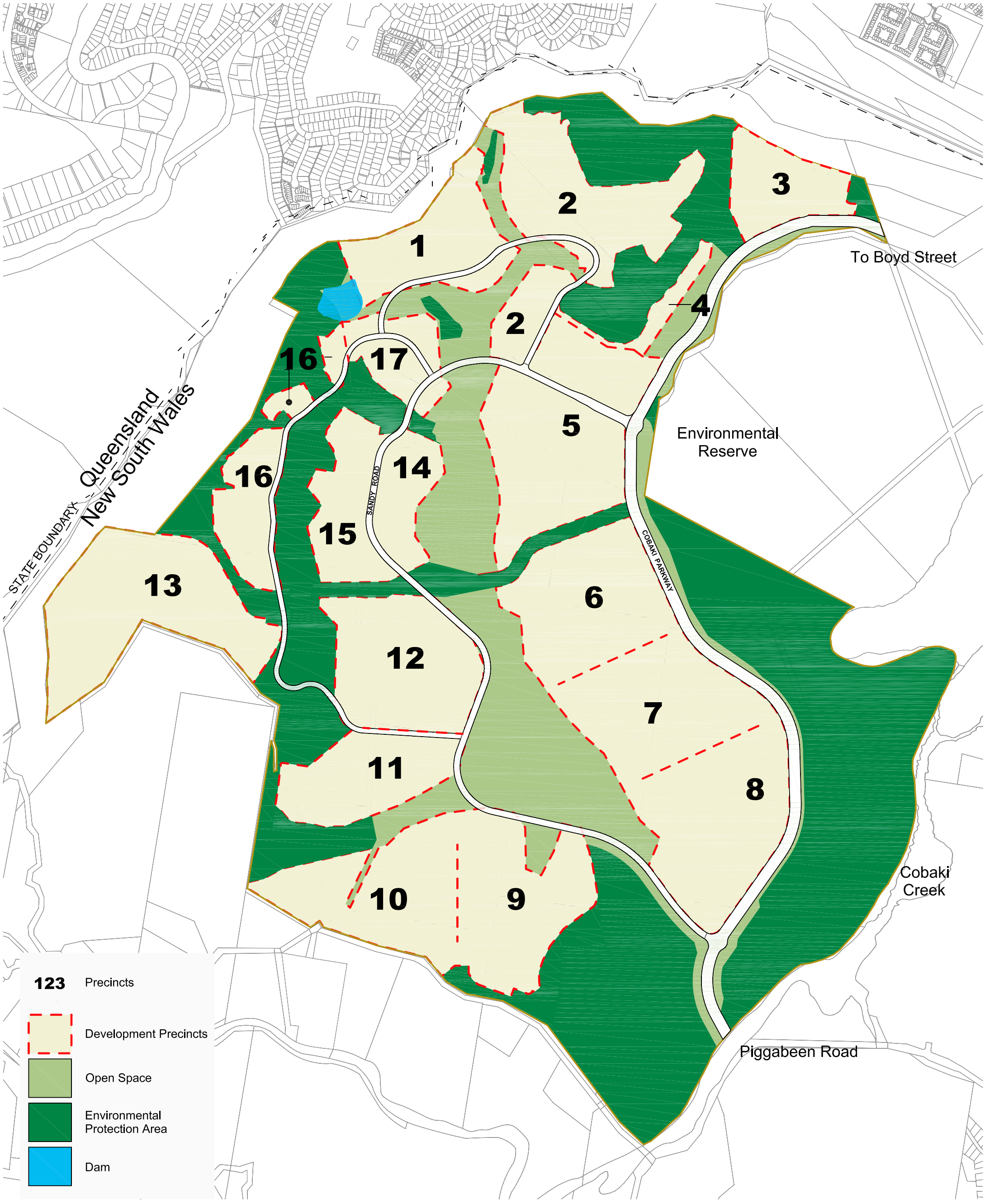
Appendix 3.2.5A. Development Location Plan

Appendix 3.2.5(a) Development Location Plan

Appendix 3.2.5B. Development Precinct Master Plan

Precinct Location Plan



0 500m 1000m

PROJECT TITLE: COBAKI	
NAME: PRECINCT LOCATION PLAN 01	
SCALE: 1:12000 AT A3	DATE: JUNE 2016
DESIGN: JB	CHECKED: BS
DRAWN: JB	DRAWING REF: SK0109_B

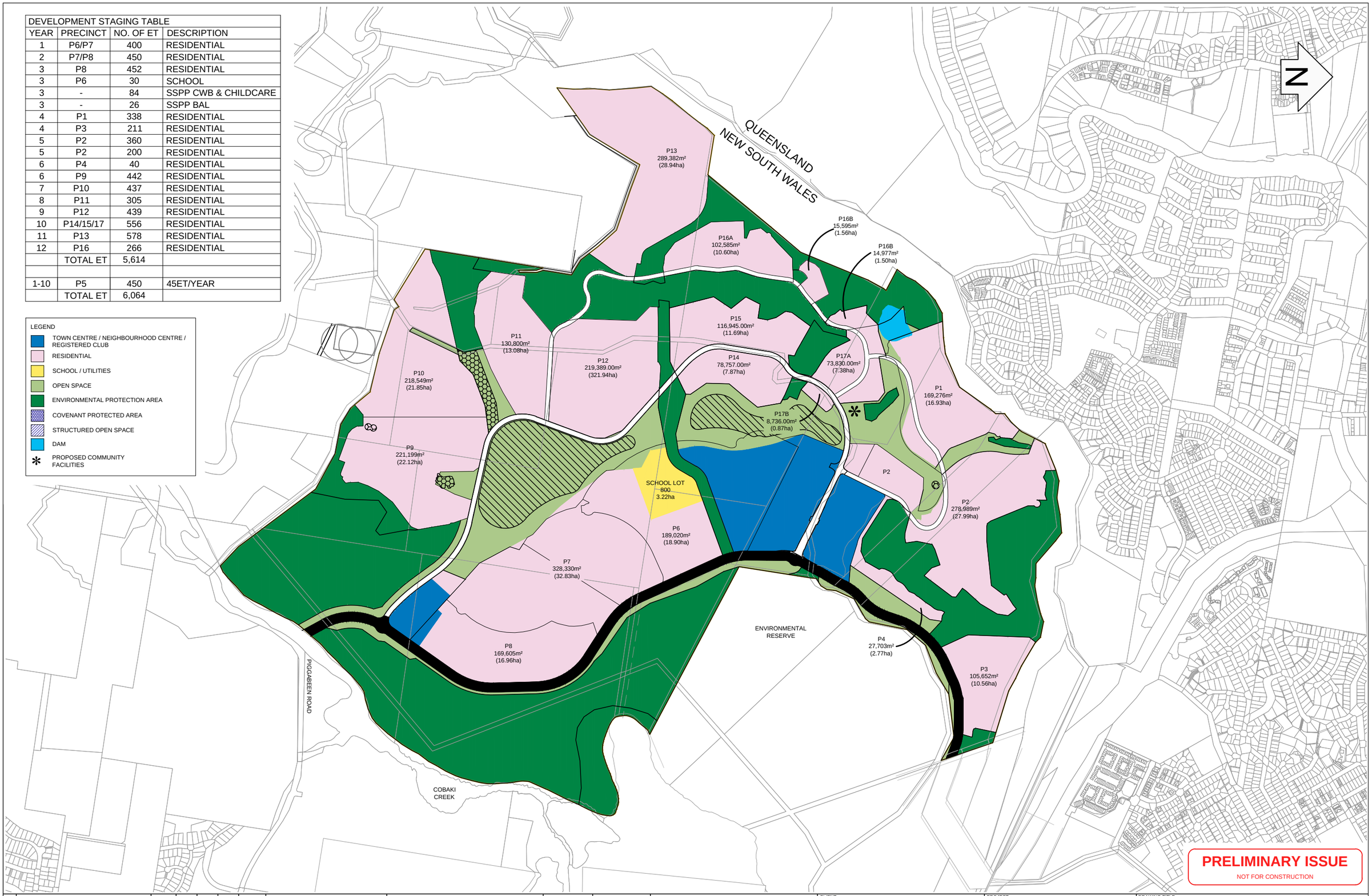
NO	DATE	REVISION	BY

NWS NORTHERN WATER SOLUTIONS

PLANIT CONSULTING

Appendix 3.2.5C. Development ET Table and Master Plan

DEVELOPMENT STAGING TABLE			
YEAR	PRECINCT	NO. OF ET	DESCRIPTION
1	P6/P7	400	RESIDENTIAL
2	P7/P8	450	RESIDENTIAL
3	P8	452	RESIDENTIAL
3	P6	30	SCHOOL
3	-	84	SSPP CWB & CHILDCARE
3	-	26	SSPP BAL
4	P1	338	RESIDENTIAL
4	P3	211	RESIDENTIAL
5	P2	360	RESIDENTIAL
5	P2	200	RESIDENTIAL
6	P4	40	RESIDENTIAL
6	P9	442	RESIDENTIAL
7	P10	437	RESIDENTIAL
8	P11	305	RESIDENTIAL
9	P12	439	RESIDENTIAL
10	P14/15/17	556	RESIDENTIAL
11	P13	578	RESIDENTIAL
12	P16	266	RESIDENTIAL
	TOTAL ET	5,614	
1-10	P5	450	45ET/YEAR
	TOTAL ET	6,064	



REV	DESCRIPTION	DATE	DRAWN	DESIGN	CHECK	APPROVED
A	ISSUED FOR INFORMATION	07-07-2016	DH	-	AW	-
B	ISSUED FOR INFORMATION	30-08-2016	CW	-	AW	-

SCALES:

0 5 10 20 30

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PROJECT:
COBAKI ESTATE
PIGGABEEN ROAD
NSW

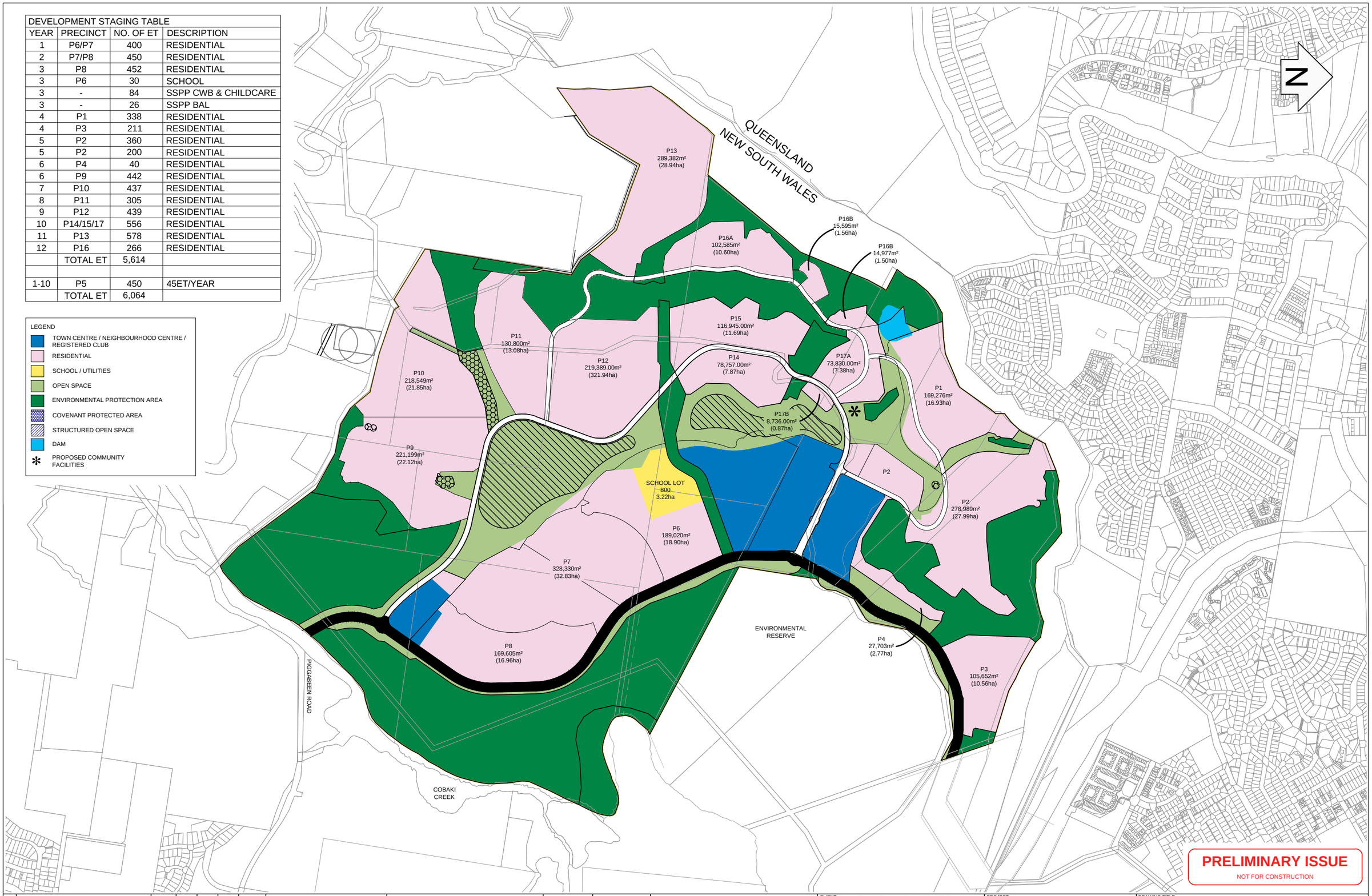
TWEED SHIRE COUNCIL

DRAWING TITLE:
DEVELOPMENT STAGING PLAN
WATER AND SEWER SERVICING

ORIGINAL SIZE:	WGM JOB No.:	DRAWING No.:	REV:
A1	J116	0001	B

Appendix 3.2.5D. Development Staging Plan and Table

DEVELOPMENT STAGING TABLE			
YEAR	PRECINCT	NO. OF ET	DESCRIPTION
1	P6/P7	400	RESIDENTIAL
2	P7/P8	450	RESIDENTIAL
3	P8	452	RESIDENTIAL
3	P6	30	SCHOOL
3	-	84	SSPP CWB & CHILDCARE
3	-	26	SSPP BAL
4	P1	338	RESIDENTIAL
4	P3	211	RESIDENTIAL
5	P2	360	RESIDENTIAL
5	P2	200	RESIDENTIAL
6	P4	40	RESIDENTIAL
6	P9	442	RESIDENTIAL
7	P10	437	RESIDENTIAL
8	P11	305	RESIDENTIAL
9	P12	439	RESIDENTIAL
10	P14/15/17	556	RESIDENTIAL
11	P13	578	RESIDENTIAL
12	P16	266	RESIDENTIAL
	TOTAL ET	5,614	
1-10	P5	450	45ET/YEAR
	TOTAL ET	6,064	



REV	DESCRIPTION	DATE	DRAWN	DESIGN	CHECK	APPROVED
A	ISSUED FOR INFORMATION	07-07-2016	DH	-	AW	-
B	ISSUED FOR INFORMATION	30-08-2016	CW	-	AW	-

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PROJECT:
COBAKI ESTATE
PIGGABEEN ROAD
NSW

TWEED SHIRE COUNCIL

DRAWING TITLE:
DEVELOPMENT STAGING PLAN
WATER AND SEWER SERVICING

ORIGINAL SIZE:	WGM JOB No.:	DRAWING No.:	REV:
A1	J116	0001	B

Appendix 3.4.3B Drinking Water Boundary Conditions (Table of Contents Only)

Cobaki Estate - Drinking Water Boundary Conditions Report

Northern Water Solutions Pty Ltd

WGM Consulting

Date: September 2016

Document No.: J116 – RPT003 – Rev04

Document Status

Version	Document type	Reviewed by	Checked by	Date Issued
Rev 01	Report	S Robinson	A.Wells	14/07/2016
Rev 02	Report	W Williamson	A Wells	18/07/2016
Rev 03	Report	W Williamson	A Wells	30/08/2016
Rev 04	Report	W Williamson	A Wells	07/09/2016

Project Details

Project Name:	Cobaki Estate – Drinking Water Boundary Conditions Report
Client	Northern Water Solutions Pty Ltd
CEO	Wayne Williamson
Authors	Andrew Wells
WGM Reference:	J116

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(Table of Contents Only)

Prepared by

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Offices also at Gold Coast, Darwin, Lennox Head and Geelong

Document Control

File name	01992 Report REF		
Report name	Cobaki WWTP – Review of Environmental Factors		
Document version	E		
Prepared by:	Adam Smith	Date:	26th October 2016
	Adam Smith	Date:	1st November 2016
	Adam Smith	Date:	14th November 2016
	Adam Smith	Date:	22nd November 2016
	Adam Smith	Date:	10th March 2017

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Appendix 3.5.1B. Cobaki Estate Integrated Water Management Plan IWMP (Table of Contents Only)

Cobaki Estate Tweed Heads NSW

Integrated Water Management Plan

October 2016

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Appendix3.5.1C. Planning Modifications

Appendix P

Existing Consents & Proposed Modifications

Development Consent 10/800

Council Reference: DA10/0800 LN20960
Your Reference:

TWEED
SHIRE COUNCIL

30 May 2011

Customer Service | 1300 292 872 | (02) 6670 2400

tsc@tweed.nsw.gov.au
www.tweed.nsw.gov.au

Fax (02) 6670 2429
PO Box 816
Murwillumbah NSW 2484

Please address all communications to the General Manager

ABN 90 178 732 496

Leda Manorstead Pty Ltd
PO Box 1914
SURFERS PARADISE QLD 4217

RECEIVED
2 JUN 2011
BY:

Dear Sir/Madam

Development Application DA10/0800 - Cobaki Estate subdivision of precinct 1 and 2 comprised of 475 residential lots (including 1 residual lot) and lots for drainage, open space and urban infrastructure (JRPP) at Lot 1 DP 562222; Lot 2 DP 566529; Lot 1 DP 570077; Lot 1 DP 823679; Lots 46, 54, 55, 199, 200, 201, 202, 205, 206, 209, 228, 305 DP 755740, No. 73 Sandy Lane; Lot 1 DP 570076 Piggabeen Road, Cobaki Lakes

Reference is made to your Development Application regarding the above. Please find enclosed Development Consent No. DA10/0800.

Your attention, in particular, is drawn to Condition Nos. 110 & 111 of the attached Consent, which requires the payment of applicable contributions prior to the issue of a subdivision certificate.

For further information regarding this matter please contact Rowena Michel on (02) 66702468.

Yours faithfully

Lindsay McGavin
Manager Development Assessment

Enc

TWEED
SHIRE COUNCIL

NOTICE NO. DA10/0800
Environmental Planning and Assessment Act 1979

NOTICE OF DETERMINATION OF A DEVELOPMENT APPLICATION

To: Leda Manorstead Pty Ltd
PO Box 1914
SURFERS PARADISE QLD 4217

Pursuant to Section 81(1)(a) of the Act, notice is hereby given of the determination by the Tweed Shire Council of Development Application No. **DA10/0800** relating to land described as:-

Lot 1 DP 562222; Lot 2 DP 566529; Lot 1 DP 570077; Lot 1 DP 823679; Lots 46, 54, 55, 199, 200, 201, 202, 205, 206, 209, 228, 305 DP 755740, No. 73 Sandy Lane; Lot 1 DP 570076 Piggabeen Road, Cobaki Lakes

to be developed in accordance with plans and details submitted for the purpose of –

COBAKI ESTATE SUBDIVISION OF PRECINCT 1 AND 2 COMPRISED OF 475 RESIDENTIAL LOTS (INCLUDING 1 RESIDUAL LOT) AND LOTS FOR DRAINAGE, OPEN SPACE AND URBAN INFRASTRUCTURE (JRPP)

The Development Application has been determined by the granting of consent subject to the conditions described below:-

GENERAL

1. The development shall be carried out and completed in accordance with the following Plans and Reports listed below except where varied by the conditions of this consent.

   PLANS

   - Master Plan Precinct 1 & 2 prepared by Design Forum Architects dated 15/03/2011.
   - Precinct 1 & 2 Plan prepared MPS Architects dated March 2011
   - Plan of Development prepared MPS Architects dated March 2011
   - Precinct 1 POD Detail 1 prepared MPS Architects dated March 2011
   - Precinct 1 POD Detail 2 prepared MPS Architects dated March 2011
   - Precinct 2 POD detail 1 prepared MPS Architects dated March 2011
   - Precinct 2 POD detail 2 prepared MPS Architects dated March 2011
   - Precinct 2 POD detail 3 prepared MPS Architects dated March 2011
   - Access Network Plan Precincts 1 & 2 prepared MPS Architects dated March 2011
   - Cobaki Design Guidelines Precincts 1 & 2 March 2011

- Site Plan of Cobaki Precincts 1 & 2 Proposed Lots 215, 216 & 217 Plan No. 6400-220 Issue A prepared by Michel Group Services dated 3/12/2010.
- Plan of Proposed Subdivision Precincts 1 & 2 Plan No. 6400-221 Issue A prepared by Michel Group Services dated 3/12/2010
- Plan of Proposed Subdivision Precincts 1 & 2 Stages 1A, 1B, 1C, 1D, 1E, 2A, 2B, 2C, 2D & 2E, 2F, 2G, 2H, 2i, Sheet Numbers 2 to 15 Issue A.
- Plan of Proposed Subdivision Precincts 1 & 2 Drainage Reserves and Parks Plan No. 6400-222 Issue A prepared by Michel Group Services dated 3/12/2010
- Plan of Temporary Service EMTS Stage 2A, Plan No. 6400-223 Issue A prepared by Michel Group Services dated 3/12/2010
- Park Dedication Master Plan (Precinct 1, 2 and 6) drawing number YC0229-1P1-SK04 Revision B prepared by Yeats Consulting Engineers
- Park Dedication Detailed Plan (Precinct 1 and 2) drawing number YC0229-1P1-SK06 Revision A prepared by Yeats Consulting Engineers.

REPORTS

- Statement of Environmental Effects prepared by Darryl Anderson Consulting Pty Ltd dated December 2010
- Response to Information Request & Amendment of Development Application No.DA10/0800 prepared by Darryl Anderson Consulting Pty Ltd dated March 2011
- Ecological Assessment Cobaki Lakes Precincts 1 & 2 James Warren and Associates December 2010
- Bushfire Risk Management Plan Bushfire Safe Pty. Ltd. December 2010
- Cobaki Estate Affordable Housing Study (Final Version print date 14.1.2011) prepared for Leda Manorstead Pty Ltd by Hill PDA and dated November 2010.
- Traffic Noise Assessment dated 17 November 2010 prepared by CRG.
- Master Plan Traffic Planning Assessment dated 16 March 2011 prepared by CRG.
- Landscape and Open Space Document Precinct 1 &2 prepared by Planit Consulting March 2011 Drawing No's. 1 to 22
- Cultural Heritage Management Plan April 2010 Everick Consultants Pty Ltd
- Engineering Services Report Cobaki Precinct 1 & 2 March 2011 Revision 02.

Inconsistency between documents

In the event of an inconsistency between the conditions of this consent and the plans and reports referred to above the conditions of this consent prevail to the extent of the inconsistency. In the event of an inconsistency between the Statement of Environmental Effects prepared by Darryl Anderson Consulting Pty. Ltd. dated December 2010 and the Response to Information Request & Amendment of Development Application No.DA10/0800 prepared by Darryl Anderson Consulting Pty. Ltd. dated March 2011 the Response to Information Request & Amendment of

Development Application No.DA10/0800 prepared by Darryl Anderson Consulting Pty. Ltd. dated March 2011 prevails to the extent of the inconsistency.

[GEN0005]

2. The use of crushing plant machinery, mechanical screening or mechanical blending of materials is subject to separate development application.

[GEN0045]

3. The subdivision is to be carried out in accordance with Tweed Shire Council's Development Control Plan Part A5 - Subdivision Manual and Council's relevant Development Design and Construction Specifications unless otherwise altered by the provisions of the Cobaki Estate Development Code.

[GEN0125]

4. Approval is given subject to the location of, protection of, and/or any necessary approved modifications to any existing public utilities situated within or adjacent to the subject property.

[GEN0135]

5. Council advises that the site is flood liable with Design Flood Levels as illustrated on the 0.1m contour Cobaki Design Flood Level Map Q100 Event (Including Climate Change), Drawing YC0229-11M4-SK10 Rev C.

   The minimum habitable floor level for dwellings within Precincts 1 and 2 is 500mm above the determined flood level as defined by the 0.1m contour Design Flood Level Map, current at the time, unless notified otherwise by Council.

   The Design Flood Level Map shall be updated to include Works As Executed levels for bulk earthworks and any other works that may affect flood behaviour and submitted to Council prior to issue of a subdivision certificate for each stage.

[GEN0195]

6. The proposed traffic signals at the Sandy Road / Cobaki Parkway intersection and at the first intersection on Sandy Road west of Cobaki Parkway must be approved by the Roads and Traffic Authority of NSW, prior to Council endorsing associated Construction Certificate approval for such works. Should such approvals not be obtained, roundabout intersection treatments must be considered.

[GENNS01]

7. This consent is subject to the fulfilment of all relevant, existing Deeds of Agreement requirements.

[GENNS02]

8. Should connection to gas be required for the subdivision, an amendment or separate application will be made to provide relevant details and gain approval for those works.

[GENNS03]

9. Prior to the issuing of a Construction Certificate under DA10/0800, all existing consents over the Cobaki Estate applicable to Precinct 1 & 2, must be modified where relevant, pursuant to Section 80A(1) of the EP&A Act 1979 (as amended) and Regulation, to be consistent with this consent.

[GENNS04]

10. In accordance with Condition 38 of Project Application MP08_0200, no works shall be undertaken within the Precinct 1 and 2 area that may impact upon (or contribute to an impact upon) the freshwater wetlands and associated downstream Wallum Froglet

habitat area until an appropriate agreement is entered into between the Proponent and the Office of Environment and Heritage that offsets the project's impact on biodiversity. This agreement shall include provision for alternative offsets to be delivered should monitoring indicate than an appropriate wetland environment is not achieved after an appropriate time. Evidence of such an agreement shall be forwarded to the Director General no later than 5 working days prior to works commencing in those areas.

11. No works may be undertaken within areas adjacent Precinct 1 and 2 that will result in removal of native vegetation from Environmental Protection zoned land.

12. Development must be undertaken in accordance with the requirements of any approved Site Regeneration and Restoration Plans, Habitat Restoration Plans, Threatened Species Management Plans and all other approved management plans relevant to the Precinct 1 and 2 development.

13. In order to preserve the natural habitat of the site and surrounding areas, no occupant, tenant, lessee or registered proprietor of the site or part thereof may own or allow to remain on the site or any part thereof any cat.

14. Prior to registration of any plan for residential subdivision, the proponent must demonstrate compliance with all matters committed to and all relevant conditions detailed within Concept Plan MP06_0316.

15. Cattle must be removed and fenced out from the site of any proposed vegetation retention, revegetation and restoration works as illustrated in Figure 4 of the *Revised Site Regeneration and Revegetation Plan* by James Warren and Associates dated October 2010, prior to the registration of any plan of residential subdivision for the Cobaki Lakes Estate.

16. Evidence must be submitted to Council prior to the registration of any plan of residential subdivision, demonstrating that works have been undertaken in accordance with the Revised Saltmarsh Rehabilitation Plan by James Warren and Associates dated October 2010 and as specified with Condition 65 of MP08_0200.

17. All personnel involved in initial ground surface disturbance activities shall undergo a Cultural Heritage Induction training session before commencing any construction activities. The induction must be presented by an appropriately qualified person(s) and provide specific information in relation to processes to be followed should any Indigenous items be uncovered as well as the types of and identification criteria for cultural heritage material that may be uncovered. Notwithstanding the above, the induction shall be undertaken in accordance with the terms and requirements of the Final Cobaki Lakes Cultural Heritage Management Plan prepared by Everick Consultants P/I.

18. The proponent must maintain Asset Protection Zones for Precinct 1 and 2 for a period of five years from the date of the issue of the first subdivision certificate for Precinct 1 or 2. The APZs must be regularly slashed to ensure a reduced fuel zone and Council is to be notified on each occurrence. Council will audit APZs annually, prior to the bush fire danger period, to ensure APZs are compliant with Planning for Bush Fire Protection 2006 and in order to meet its reporting requirements under the Rural Fires Act 1997. If APZs are not compliant, the proponent must undertake the necessary works as directed by Council and within the timeframe specified by Council. An unconditional bond will be held in the favour of Council to be utilised in the event of non compliance with this condition. At the completion of the five year maintenance

period the proponent will submit to Council evidence including financial records that the maintenance of the APZ is in accordance with the detailed APZ performance assessment and can be maintained with minimal resources in a cost effective manner without compromise of its function to the satisfaction of the General Manger or delegate. Release of the bond will be dependant upon the performance of the carrying out the requirements of this condition.

19. The applicant shall take and maintain appropriate measures to the satisfaction of Council's General Manager or delegate to restrict and/or prevent access by future residents of Precinct 1 and 2 to areas of potential contamination as identified within the Stage 1 Preliminary Site Contamination Assessment Cobaki Lakes Concept Plan dated May 2008.Such measures shall remain until the Stage 2 Detailed Site Contamination Assessment as recommended within the Preliminary Site Contamination Assessment has been carried out and such areas have been either remediated to an extent suitable for the proposed use of the areas or found to be uncontaminated.

20. All work associated with this approval is to be carried out so as not to impact on the neighbourhood, adjacent premises or the environment. All necessary precautions, covering and protection shall be taken to minimise impact from:

    - Noise, water or air pollution
    - dust during filling operations and also from construction vehicles
    - material removed from the site by wind

21. The recommended strategy contained in the Cobaki Estate Affordable Housing Study (Final Version print date 14.1.2011) prepared for Leda Manorstead Pty Ltd. by Hill PDA and dated November 2010 is to be undertaken.

22. All approvals, licenses and consents from applicable Government Agencies and Authorities are to be obtained where required.

23. The requirements of the Cultural Heritage Management Plan relevant to Precincts 1 and 2 are to be carried out in accordance with the Plan.

PRIOR TO ISSUE OF CONSTRUCTION CERTIFICATE

24. **Prior** to the issue of a Construction Certificate for each stage of development, a cash bond or bank guarantee (unlimited in time) shall be lodged with Council for an amount based on 1% of the value of the works as set out in Council's fees and charges at the time of payment.

    The bond may be called up at any time and the funds used to rectify any non-compliance with the conditions of this consent which are not being addressed to the satisfaction of the General Manager or his delegate.

    The bond can be requested to be refunded, if not expended, when the Subdivision Certificate for that stage of development is issued.

[PCC0275]

25. In accordance with Section 109F(i) of the Environmental Planning and Assessment Act 1979 (as amended), a Construction Certificate for SUBDIVISION WORKS OR BUILDING WORKS shall NOT be issued until applicable long service levy payable under Section 34 of the Building and Construction Industry Long Service Payments Act, 1986 (or where such levy is payable by instalments, the first instalment of the levy) has been paid. Council is authorised to accept payment. Where payment has been

made elsewhere, proof of payment is to be provided.

[PCC0285]

26. Where earthworks result in the creation of batters and/or cuttings greater than 1m high and/or slopes within allotments 17° (1:3.27) or steeper, such slopes shall be densely planted in accordance with a detailed Landscaping Plan endorsed by Council. This Plan shall accompany the Construction Certificate application and shall be consistent with all other Management Plans.

    Such Plans shall generally incorporate the following and preferably be prepared by a landscape architect:

    (a) Contours and terraces where the height exceeds 1m.

    (b) Cover with topsoil and large rocks/dry stone walls in terraces as necessary.

    (c) Densely plant with native species to suit the aspect/micro climate. Emphasis to be on trees and ground covers which require minimal maintenance. Undergrowth should be weed suppressant.

    (d) Mulch heavily (minimum 300mm thick) preferably with unwanted growth cleared from the estate and chipped. All unwanted vegetation is to be chipped and retained on the subdivision.

[PCC0455]

27. All fill is to be graded at a minimum of 1% so that it drains to the street or other approved permanent drainage system.

    Catch drains shall be provided on the top side of all retaining walls in accordance with Council's Development Design Specification D6 – Site Regrading.

    All earthworks shall be contained wholly within the subject land. Detailed engineering plans of cut/fill levels and perimeter drainage shall be submitted with the Construction Certificate application for Council approval.

[PCC0485]

28. Construction Certificates for bulk earthworks and civil works may be issued and the carrying out of bulk earthworks may be commenced prior to the issue of a Construction Certificate for civil works where it can be demonstrated all works are compatible.

[PCC0495]

29. Prior to the issue of a Construction Certificate, documentary evidence shall be submitted to Tweed Shire Council demonstrating that a Controlled Activity Approval (CAA) under the Water Management Act 2000 has been obtained where relevant for works within 40m of waterfront land (as defined under the Water Management Act 2000) or any works that involve an aquifer interference activity as defined under the Water Management Act 2000.

[PCC0575]

30. Site regrading and associated stormwater drainage is to be designed to address internal drainage of the site, as well as the conveyance of external catchments up to the Q100 storm event through the site.

    All major drainage systems shall meet Council and QUDM standards in public areas (roads, open space, pedestrian areas etc), including consideration of surcharge points and drainage relief points associated with the catch drains provided with the northern fire trails.

Detailed engineering plans of fill levels and drainage shall be submitted for Council approval.

[PCC0675]

31. A Traffic Control Plan in accordance with AS1742 and RTA publication "Traffic Control at Work Sites" Version 2 shall be prepared by an RTA accredited person and shall be submitted to the Principal Certifying Authority prior to issue of a Construction Certificate, where relevant. Safe public access shall be provided at all times.

[PCC0865]

32. Prior to the issue of a **Construction Certificate** for civil works the following detail in accordance with Councils Development Design and Construction Specifications shall be submitted to the Principal Certifying Authority for approval.

    (a) copies of compliance certificates relied upon

    (b) four (4) copies of detailed engineering plans and specifications. The detailed plans shall include but are not limited to the following:

    - Earthworks
        - Clearly showing pre and post development levels (spot levels and contours) at a legible scale.
        - Comply with the provisions of Council's Design Specification D6 – Site Regrading.
        - Batter slopes on drain cross sections and in public open space areas shall not exceed 1:4 (v:h), unless otherwise authorised by Council.
        - The maximum disturbed area (that has not been permanently vegetated) at any time shall not exceed 5ha.
    - Roadworks/furnishings
        - Providing road profiles complying with Council's Design Specification D1 – Road Design, unless approved otherwise by Council.
    - Stormwater drainage
    - Water supply works
        - In general accordance with Yeats Consulting Engineers - Water Network Analyses, April 2011, Revision 03, unless modified otherwise by the conditions of this Consent.
    - Sewerage works
        - In general accordance with Yeats Consulting Engineers - Master Sewer Reticulation Plan Revision C, unless modified otherwise by the conditions of this Consent.
    - Landscaping works
    - Sedimentation and erosion management plans
    - Location of all service conduits (water, sewer, electricity supply and telecommunication infrastructure)

The Environmental Planning and Assessment Act, 1979 (as amended) makes no provision for works under the Water Management Act 2000 and Section 138 of the

Roads Act to be certified by an Accredited Certifier.

[PCC0985]

33. Each Construction Certificate Application for Civil Works is to include a detailed stormwater management plan (SWMP) for the occupational or use stage of the proposed development prepared in accordance with Section D7.07 of Councils *Development Design Specification D7 - Stormwater Quality,* following consultation and acceptance with the DECCW and Industry & Investment (Fisheries). Such plans will include measures, monitoring and adaptive management actions to ensure appropriate stormwater quality outcomes are achieved.

    Permanent stormwater quality treatment shall comply with the *Tweed Urban Stormwater Quality Management Plan* and Councils *Development Design Specification D7 - Stormwater Quality*. Variations to these standards shall only be accepted where they are supported by best practice water sensitive urban design principles entailed in the "Water By Design" guidelines (being a program of the South East Queensland Healthy Waterways Partnership).

    All precinct water quality control measures must be located outside of the major central open drain, but may be located within the Central Precinct subject to Council endorsement. Treatment basins must be provided with a facility to bypass major stormwater flow events, or otherwise cater for major storm flows without disturbing captured pollutants or damaging the structure.

    Proposed treatment measures other than "deemed to comply" measures under D7 must be supported by engineering calculations, including MUSIC modelling, to confirm acceptable capacity and efficiency is achieved.

    An operational manual for all stormwater quality control devices shall be provided as part of the SWMP. This manual shall be updated as required during the "on-maintenance" period for the device, and the final version of the manual shall be handed over to Council at the formal commissioning of the device at the completion of the maintenance period ("off maintenance").

[PCC1105]

34. Each Construction Certificate Application must include a detailed erosion and sediment control plan (ESCP), prepared in accordance with Section D7.07 of *Development Design Specification D7 - Stormwater Quality*. The submitted Plan must be consistent with any erosion and sediment control plan approved for the Central Precinct.

    Construction phase erosion and sediment control shall be designed, constructed and operated in accordance with *Tweed Shire Council Development Design Specification D7 - Stormwater Quality* and its Annexure A - "Code of Practice for Soil and Water Management on Construction Works". All sedimentation basins are to be located offline of major storm event flowpaths, unless approved otherwise by Council.

    The ESCP shall address the proposed staging of subdivision earthworks and the intended sequencing of the following house building phase. Staged construction and establishment of sediment control facilities and water quality treatment shall be in accordance with Water By Design - Technical Design Guidelines (Chapter 5.5).

[PCC1155]

35. An application shall be lodged together with any prescribed fees including inspection fees and approved by Tweed Shire Council under Section 68 of the Local Government Act for the installation of any permanent stormwater quality control devices, prior to the

issue of any associated Construction Certificate.

[PCC1195]

36. Where water is to be drawn from Councils reticulated system, the proponent shall:
    - Make application for the hire of a Tweed Shire Council metered standpipe including Councils nomination of point of extraction.
    - Where a current standpipe approval has been issued application must be made for Councils nomination of a point of extraction specific to the development.
    - Payment of relevant fees in accordance with Councils adopted fees and charges.

[PCC1205]

37. An applicable, geotechnical assessment, prepared by a registered Geotechnical Engineer must be submitted to the Principal Certifying Authority, prior to the issue of any Construction Certificate.

[PCCNS01]

38. The access roads servicing proposed Lots 612-614 & 702-704 respectively, shall be public roads, providing;
    - a sealed turnaround facility at the end of each road, suitable to allow a B99 standard vehicle to turn around,
    - a concrete wearing surface (unless approved other wise by Council), and
    - a nominated and registered garbage collection area at the entrance to these public roads.

[PCCNS02]

39. Prior to the issue of a Construction Certificate, Council are to be assured that all essential services for that stage of development are provided for, such that the stage of development being approved does not rely on essential services from future stages.

[PCCNS03]

40. A Sewer Overflow Investigations (Risk Analysis) Report in accordance with Council's Design Specification D12 - *Sewerage System* and the DECCW (NSW EPA) Licensing Guidelines for Sewage Treatment Systems shall be prepared and lodged for Council approval, in conjunction with Construction Certificate applications for the PS2 Sewer Pump Station and LS1 Sewer Lift Station.

[PCCNS04]

41. Engineering details submitted with the Construction Certificate application shall include all traffic calming device details, including location and concept design, in accordance with AUSTROADS and Australian Standard AS1742.13 - Manual of Uniform Traffic Devices. Note that vertical deflection devices (speed humps) are generally discouraged in urban areas. All traffic calming devices shall be clearly shown on the Plan of Development.

[PCCNS06]

42. The locations for bus shelters at appropriate spacings and servicing appropriate pedestrian catchments along identified bus routes in compliance with DCP Section A5 - Subdivision Manual and written concurrence of bus operators for the bus shelter arrangements is to be provided with the Construction Certificate application.

[PCCNS07]

43. Driveway accesses for zero-lot line developments shall provide clear sight triangles at the street frontage in accordance with Council's Driveway Specifications and Australian

Standard AS2890.1:2004 (Figure 3.3).

[PCCNS08]

44. All areas designated for stormwater conveyance and quality control shall be designated and managed separately from land for environmental purposes, habitat offsets, and/or vegetation regeneration/rehabilitation areas.

[PCCNS09]

45. A detailed landscape plan prepared by a qualified landscape architect must be submitted for all areas of casual open space, structured open space, cycleways, pedestrian links and streetscapes to be dedicated to Council. Such a plan must be approved by the General Manager, Tweed Shire Council or delegate. The plan must be consistent with Councils Subdivision Manual (Section A5 of the Tweed Development Control Plan) and Development Design Specification (D14). Where play equipment is installed a minimum area of 10m around the equipment is to be turfed and the remaining area seeded or turfed as appropriate.

    Council has a strong preference for local native species and plant selection must where practical reflect this.

46. Any playgrounds provided must comply with the guidelines established in the 'Playground Audit for Tweed Shire Council' (July 2009). Appendix 3 of this establishes a procedure for assessing nearby hazards and mitigation measures. New subdivisions approved after development of these guidelines must ensure no playground facility has a Facility Risk Rating exceeding 13 as defined in Table 3A7 of that document, unless otherwise approved by the General Manager or delegate.

47. Further consideration is required regarding the grassing or revegetation of the central drain, and the two northern branches of this drain. A consultant skilled in natural area as well as landscape design is to assess the options available and, with particular reference to minimising maintenance requirements and weed incursion, recommend an appropriate planting plan. The plan is to be prepared to the satisfaction of the General Manager or his delegate and incorporated into the amended landscape plans for the public open space. Areas identified for planting or regeneration will require a 3 year maintenance period, and areas to be grassed will require 12 months maintenance after the Subdivision is registered with the Land Titles Office.

48. Public pathways and shared user paths in areas other than road reserves do not require lighting, except where specified by Council. The use of bollard lighting for public areas, including public pathways and shared user paths, is not permitted. This is to be reflected in the landscape plans.

49. No structures or landscaping designed to provide an entry statement is to be located on public land, including road reserves. This is to be reflected in the approved landscape plan.

50. In accordance with Condition C18 of Concept Plan MP06_0316, a detailed description is to be provided to the satisfaction of the General Manger or delegate demonstrating compliance with previous Tweed Shire Council consent conditions intended to preserve wildlife corridors and protect and offset threatened species, populations and ecological communities and their habitats outside of the Concept Plan habitat requirements, or relevant reasons (such as subsequent amendments) as to why

compliance was not required or may be transferred to current DAs. Such description is to include extracts of all relevant plans referred to in the conditions listed below sufficient to understand the land areas of relevance to the conditions and any overlap with current applications. Additional offset must be proposed if clearing of native vegetation has been undertaken not in accordance with the below development consents. Conditions to be addressed are as follows:

(a) D94/0438.04 Conditions 23, 24, 34a, 35, 36a, 37 and 38.

(b) K99/1124.06 Conditions 10, 15A, 30, 31, 41, 81, 83A, 90, 91, 92A, 93, 94A, 95A, 96, 97, 98, 99, 100, 101, 102A, 103, 104, 105, 106, 107, 108, 109 and Schedule B (National Parks imposed conditions via concurrence for Species Impact Statement.

(c) 1262/2001DA.02 Condition 9, 16, 17, 18.

Where required the development consents are to be modified in accordance with Section 80A(1) of the Environmental Planning and Assessment Act and Regulations to be consistent with this consent.

51. One or more detailed Habitat Restoration Plan(s) must be submitted to and approved by Council in accordance with Council's draft guidelines (attached), and in accordance with specific matters listed in Condition C4 of Concept Plan MP 06_0316. Such plan(s) must be prepared for Management Areas 1, 2, 3, 4 and 13 of the *Revised Site Regeneration and Revegetation Plan* by James Warren and Associates dated October 2010 and representing compensatory offset for loss of habitat and Endangered Ecological Communities on the site in areas adjacent to the development. Where offset areas as detailed in the *Revised Site Regeneration and Revegetation Plan* are proposed as an alternate use within the subdivision plan (that is, other than as a an environmental protection area such as park or drainage reserve lots), additional EEC and habitat offset areas must be designated elsewhere in a location suitable to the vegetation community and/or threatened species to be protected and their habitat restored, with such areas totalling at least as committed within Concept Plan MP06_0316. The Habitat Restoration Plan(s) must also include:

(a) a schedule and timing of works to be undertaken

(b) a statement of commitment by the consent holder to funding the proposed works for a minimum 5 year period

(c) a statement of commitment by the consent holder that the works will be completed by qualified and experienced bush regeneration personnel.

(d) a mechanism to fund in perpetuity the ongoing maintenance of the environmental protection land not proposed to be dedicated to Council.

52. In accordance with Condition C4 of MP06_0316, each site specific management plan required below is to be prepared for areas of relevance to Precinct 1 and 2, provide details on timelines for implementation of recommended works including maintenance periods, funding arrangements and measurable performance and completion criteria. Further, each plan is to consider all other existing plans for the site to ensure management strategies do not conflict and each plan can be implemented without negatively impacting on the objectives of the other, including:

a. Site Regeneration and Revegetation Plan

b. Freshwater Wetland Rehabilitation Plan

c. Fauna Management Plan

d. Vegetation Management Plan

e. Landscape Plan

f. Buffer Management Plan

g. Acid Sulfate Management Plan

h. Groundwater Management Plan

i. Stormwater Management Plan

j. Cultural Heritage Management Plan

53. In accordance with Condition B1 of Concept Plan MP06_0316, the proponent must prepare a Flora and Fauna Monitoring report to the satisfaction of Council. The plan must collate and synthesise all monitoring and reporting requirements contained in all documents and management plans as listed in A3 of MP06_0316 of relevance to Precinct 1 and 2 and must satisfy the requirements of Condition B1 of MP06_0316.

54. A detailed Bushfire Management Plan must be provided and approved by Council which demonstrates compliance with *Planning for Bushfire Protection Guidelines 2006* or provides alternate solutions acceptable to Council and sufficient to ensure protection to life, property and environmental areas. The plan must illustrate that compliance with the following specific matters can be achieved or acceptable alternate solutions agreed with Council:

a. All slopes/batters within Precinct 1 and 2 APZs must be less than 18 degrees to ensure APZ maintenance is practical, soil stability is not compromised and the potential for crown fires negated.

b. The 20m wide APZ, excluding the fire trail, is to be grassed or turfed. No trees or shrubs or tussock forming species are to be planted within the 20m wide APZ.

c. Native trees, shrubs and groundcovers may be planted beyond the surveyed and marked 20m wide APZ to provide a buffer to environmental protection areas. Information on plant species, densities and maintenance must be included within the site specific buffer management plan for Precinct 1 and 2.

d. All fire trails must have a minimum width of four metres, with an additional one metre wide cleared area on each side of the trail.

e. All fire trails must have a maximum grade of 15 degrees if sealed and not more than 10 degrees if unsealed. The crossfall of all fire trails must not be more than 10 degrees.

f. All fire trails must have a minimum vertical clearance of four metres to any overhanging obstructions.

g. Reversing bays along all fire trails must be six metres wide and eight metres deep to any gates and with an inner minimum turning radius of six metres and outer minimum radius of 12 metres.

h. All fire trails must be connected to the property access road and/or through road system at intervals of 200m or less.

i. All fire trails must be gated and locked. Gates must be a minimum of 4m wide and must be locked with a key/lock system authorised by Council.

j. Fire trails are not to be promoted/formally used as an "off-road bike trail" as specified in the Planit Consulting "Cobaki Overall Connectivity Network Plan". Informal recreational use of fire trails is acceptable (i.e. walking/bike-riding).

k. All roads, including laneways, must comply with the minimum width and turning circle dimensions as detailed in Table 4.1 of Planning for Bushfire Protection 2006.

l. All roads, including laneways, must not have a crossfall exceeding 3 degrees and must have a maximum grade of 15 degrees.

m. Curves of all roads must have a minimum inner radius of six metres and curves must be minimal in number, to allow for rapid access and egress.

n. All roads, including laneways, must have a minimum vertical clearance to a height of four metres above the road.

o. All dead end roads (shown as road no. 4 and 17 on Yeats drawing YC0229-2M5-D03) must not be more than 200 metres in length and must incorporate a minimum 12 metre outer radius turning circle and must be clearly signposted as a dead end road and direct traffic away from the hazard.

p. Fire hydrant spacing, sizing and pressures must comply with AS 2419.1 - 2005.

q. Fire hydrants must not be located within any road carriageway and must be located outside of parking bays to ensure accessibility to reticulated water for fire suppression.

r. A Monitoring and Fuel Management Program for asset protection zone maintenance in Precinct 1 and 2 must be prepared by the proponent and approved by Council.

55. Asset Protection Zones for Precinct 1 and 2 must be compliant with the acceptable solutions for bush fire protection measures for residential subdivisions as outlined in Section 4.1.3 of Planning for Bush Fire Protection 2006. If APZs are not complaint with acceptable solutions as per Section 4.1.3 of Planning for Bush Fire Protection 2006, then as per the guidelines a detailed performance assessment must be prepared by a Bushfire Planning and Design Certified Practitioner (BPAD) accredited under the Fire Protection Association of Australia and submitted to Council for approval. The performance assessment must include a detailed assessment and demonstration that the APZ can be maintained in the long term with minimal resources in a cost effective manner without compromise of its function to the satisfaction of the General Manger or delegate.

56. The Plans lodged for Construction Certificate must be certified by a Bushfire Planning and Design Certified Practitioner (BPAD) accredited under the Fire Protection Association of Australia as compliant with Planning for Bush Fire Protection 2006

57. Where Acid Sulfate Soils will be disturbed as part of any construction works, an Acid Sulfate Soils Management Plan (ASSMP) shall be prepared for submission to and approval by Council's General Manager or delegate prior to the issue of the construction certificate. The Acid Sulfate Soils Management Plan shall be prepared in accordance with the provisions as set out under section C5 (1) a-e of Part C Requirements for Future Applications Schedule 2 of the Concept Approval dated 6 December 2010.

58. Where the use of groundwater is proposed or where the groundwater table will be

intercepted as part of any construction works, a Site Water and Groundwater Management and Monitoring Plan shall be prepared for submission to and approval by Council's General Manager or delegate prior to the issue of the construction certificate. The Site Water and Groundwater Management and Monitoring Plan shall be prepared in accordance with the provisions as set out under section C5 (2) of Part C Requirements for Future Applications Schedule 2 of the Concept Approval dated 6 December 2010.

59. A staging plan detailing the location, mix and type of dwellings to be provided as affordable rental accommodation is to be submitted to Council in accordance with the recommended strategy contained in the Cobaki Estate Affordable Housing Study (Final Version print date 14.1.2011) prepared for Leda Manorstead Pty Ltd. by Hill PDA and dated November 2010.

60. An unconditional bond based on the cost of maintaining the asset protection zones is to be negotiated with the General Manager or delegate prior to the release of the construction certificate.

PRIOR TO COMMENCEMENT OF WORK

61. All relevant Terms of Approval of the Cobaki Estate Concept Plan (06_0316) approved by the Minister on 2 December 2010, and of Approval of the Cobaki Estate Project Application – Open Space (08_0200) approved by the Minister on 28 February 2011 must be satisfactorily completed, as applicable, prior to bulk earthworks or civil works commencing within areas of Precinct 1 and Precinct 2, as applicable.

[PCWNS01]

62. Prior to commencement of work all actions or prerequisite works required at that stage, as required by other conditions or approved management plans or the like under this development application, shall be installed/operated in accordance with those conditions or plans.

[PCW0015]

63. Prior to the commencement of works, the applicant shall ensure that a Site-Specific Safety Management Plan and Safe Work Methods for the subject site have been prepared and put in place in accordance with either:-

    (a) Occupation Health and Safety and Rehabilitation Management Systems Guidelines, 3rd Edition, NSW Government, or

    (b) AS4804 Occupation Health and Safety Management Systems - General Guidelines on Principles Systems and Supporting Techniques.

    (c) WorkCover Regulations 2000

[PCW0025]

64. Prior to start of works the PCA is to be provided with a certificate of adequacy of design, signed by a practising Structural Engineer on all endorsed retaining walls of combined height in excess of 1.2m in height. The certificate must also address any loads or possible loads on the wall from structures adjacent to the wall and be supported by Geotechnical assessment of the founding material.

[PCW0745]

65. Civil work in accordance with a development consent must not be commenced until:

    (a) a Construction Certificate for the civil work has been issued in accordance with

Councils Development Construction Specification C101 by:

i. the Consent Authority, or

ii. an Accredited Certifier, and

(b) the person having the benefit of the development consent:

i. has appointed a Principal Certifying Authority,

ii. has appointed a Subdivision Works Accredited Certifier (SWAC) accredited in accordance with Tweed Shire Council DCP Part A5 – Subdivision Manual, Appendix C with accreditation in accordance with the Building Professionals Board Accreditation Scheme. As a minimum the SWAC shall possess accreditation in the following categories:

C4: Accredited Certifier – Stormwater management facilities construction compliance

C6: Accredited Certifier – Subdivision road and drainage construction compliance

The SWAC shall provide documentary evidence to Council demonstrating current accreditation with the Building Professionals Board prior to commencement of works, and

iii. has notified the consent authority and the Council (if the council is not the consent authority) of the appointment,

iv. a sign detailing the project and containing the names and contact numbers of the Developer, Contractor and Subdivision Works Accredited Certifier is erected and maintained in a prominent position at the entry to the site in accordance with Councils Development Design and Construction Specifications. The sign is to remain in place until the Subdivision Certificate is issued, and

(c) the person having the benefit of the development consent has given at least 2 days' notice to the council of the person's intention to commence the civil work.

[PCW0815]

66. The proponent shall provide to the PCA copies of Public Risk Liability Insurance to a minimum value of $10 Million for the period of commencement of works until the completion of the defects liability period.

[PCW0835]

67. Prior to commencement of work on the site all erosion and sedimentation control measures are to be installed and operational including the provision of a "shake down" area (where required) to the satisfaction of the Principal Certifying Authority.

[PCW0985]

68. Prior to the commencement of construction works a Construction Environmental Management Plan (CEMP) must be prepared that covers the area of works. The CEMP shall be consistent with the *Guideline for the Preparation of Environmental Management Plans* (DIPNR, 2004). The CEMP shall include details sufficient to understand and avoid, mitigate and remedy all potential environmental impacts of the proposal during construction. The CEMP must include, but not be limited to all matters specified within Condition 25 of Project Application MP08_0200 and be submitted to and approved by the PCA no later than one month prior to commencement of

construction, or within such period otherwise agreed by the General Manger or delegate.

69. In accordance with Condition 26 of Project Application MP08_0200:

    a. An appropriately qualified Environmental Officer(s), that is to receive the prior approval of Council, must be engaged by the proponent for the duration of the construction works as detailed in the approved CEMP. Their role shall be to oversee environmental compliance of the project until completion conditions have been satisfied.

    b. The Environmental Officer shall also act as liaison officer to consult with potentially affected property owners before and during construction works and shall respond to complaints of an environmental impact nature.

    c. The Environmental Officer must submit a compliance report to Council for information at the completion of each earthworks stage detailing the project's compliance with relevant conditions, management plans and progress on-site. The report must be submitted within 3 weeks of the completion of each stage until the works authorised under this approval are complete.

70. A registered Fauna spotter-catcher is to be present during all vegetation clearing works to ensure safe dispersal of fauna.

71. Cattle must be removed and fenced out of Management Areas 1, 2, 3, 4 and 13 as shown in Figure 5 of the *Revised Site Regeneration and Revegetation Plan* by James Warren and Associates dated October 2010 prior to the commencement of works.

72. Environmental safeguards (silt curtains, booms etc.) are to be utilised during reconstruction of the drainage line to ensure there is no escape of turbid plumes into the aquatic environment. Erosion and sediment controls must be in place prior to commencing, during and after works.

73. Sand, gravel, silt, topsoil or other materials must not be stockpiled within 50 metres of any drainage line unless surrounded by sediment control measures sufficient to prevent movement off-site.

DURING CONSTRUCTION

74. All proposed works are to be carried out in accordance with the conditions of development consent, approved management plans, approved Construction Certificate, drawings and specifications.

[DUR0005]

75. During construction, all works required by other conditions or approved management plans or the like shall be installed and operated in accordance with those conditions or plans.

[DUR0015]

76. If during construction works any Aboriginal object or relic is disturbed or uncovered, works are to cease and the Department of Environment, Climate Change and Water are to be notified immediately, in accordance with the provisions of the *National Parks and Wildlife Act 1974*.

[DUR0025]

77. Construction work including the entering and leaving of vehicles is limited to the following hours, unless otherwise permitted by Council:

Monday to Saturday from 7.00am to 6.00pm

No work to be carried out on Sundays or Public Holidays

The proponent is responsible to instruct and control subcontractors regarding hours of work.

[DUR0205]

78. All reasonable steps shall be taken to muffle and acoustically baffle all plant and equipment. In the event of complaints from the neighbours, which Council deem to be reasonable, the noise from the construction site is not to exceed the following:

    A. Short Term Period - 4 weeks.

    $L_{Aeq, 15\ min}$ noise level measured over a period of not less than 15 minutes when the construction site is in operation, must not exceed the background level by more than 20dB(A) at the boundary of the nearest likely affected residence.

    B. Long term period - the duration.

    $L_{Aeq, 15\ min}$ noise level measured over a period of not less than 15 minutes when the construction site is in operation, must not exceed the background level by more than 15dB(A) at the boundary of the nearest affected residence.

[DUR0215]

79. The Principal Certifying Authority is to be given a minimum of 48 hours notice prior to any critical stage inspection or any other inspection nominated by the Principal Certifying Authority via the notice under Section 81A of the Environmental Planning and Assessment Act 1979.

[DUR0405]

80. Proposed earthworks shall be carried out in accordance with AS 3798, "Guidelines on Earthworks for Commercial and Residential Developments".

    The earthworks shall be monitored by a Registered Geotechnical Testing Consultant to a level 1 standard in accordance with AS 3798.

    A certificate from a registered Geotechnical Engineer certifying that the filling operations comply with AS3798 and that the development is suitable for its intended use shall be submitted to the Principal Certifying Authority upon completion.

[DUR0795]

81. The use of vibratory compaction equipment (other than hand held devices) within 100m of any dwelling house, building or structure is strictly prohibited.

[DUR0815]

82. No soil, sand, gravel, clay or other material shall be disposed of off the site without the prior written approval of Tweed Shire Council General Manager or his delegate.

[DUR0985]

83. The surrounding road carriageways are to be kept clean of any material carried onto the roadway by construction vehicles. Any work carried out by Council to remove material from the roadway will be at the Developers expense and any such costs are payable prior to the issue of any Subdivision Certificate.

[DUR0995]

84. All work associated with this approval is to be carried out so as not to impact on the neighbourhood, adjacent premises or the environment. All necessary precautions,

covering and protection shall be taken to minimise impact from:

- Noise, water or air pollution
- dust during filling operations and also from construction vehicles
- material removed from the site by wind

[DUR1005]

85. All practicable measures must be taken to prevent and minimise harm to the environment as a result of the construction and operation of the development.

[DUR1025]

86. Approved concrete footpaths and cycleways are to be constructed on a compacted base in accordance with Council's Development Design and Construction Specifications and Standard Drawing SD013.

    Twenty four (24) hours notice is to be given to Council's Development Engineering Unit before placement of concrete to enable formwork and subgrade to be inspected.

[DUR1735]

87. Where the construction work is on or adjacent to public roads, parks or drainage reserves, the development shall provide and maintain all warning signs, lights, barriers and fences in accordance with AS 1742 (Manual of Uniform Traffic Control Devices). The contractor or property owner shall be adequately insured against Public Risk Liability and shall be responsible for any claims arising from these works.

[DUR1795]

88. Before the commencement of the relevant stages of road construction, pavement design detail including reports from a Registered NATA Consultant shall be submitted to Council for approval and demonstrating.

    (a) That the pavement has been designed in accordance with Tweed Shire Councils Development Design Specification, D2.

    (b) That the pavement materials to be used comply with the specifications tabled in Tweed Shire Councils Construction Specifications, C242-C245, C247, C248 and C255.

    (c) That site fill areas have been compacted to the specified standard.

    (d) That supervision of Bulk Earthworks has been to Level 1 and frequency of field density testing has been completed in accordance with Table 8.1 of AS 3798-1996.

[DUR1805]

89. During the relevant stages of road construction, tests shall be undertaken by a Registered NATA Geotechnical firm. A report including copies of test results shall be submitted to the PCA prior to the placement of the wearing surface demonstrating:

    (a) That the pavement layers have been compacted in accordance with Councils Development Design and Construction Specifications.

    (b) That pavement testing has been completed in accordance with Table 8.1 of AS 3798 including the provision of a core profile for the full depth of the pavement.

[DUR1825]

90. Provision of temporary turning areas and associated signage for refuse vehicles at the end of roads which will be extended in subsequent stages. The temporary turning

areas shall be constructed with a minimum 150mm pavement (CBR 45) and shall have a right of carriageway registered over the turning area until such time as the road is extended.

[DUR1835]

91. Any damage caused to public infrastructure during construction of the development shall be repaired in accordance with Council's Development Design and Construction Specifications prior to the issue of any forthcoming Subdivision Certificates.

[DUR1875]

92. Tweed Shire Council shall be given a minimum 24 hours notice to carry out the following compulsory inspections in accordance with the approved Cobaki Estate Development Code, in conjunction with Tweed Shire Council's Development Control Plan, Part A5 - Subdivision Manual, Appendix D. Inspection fees are based on the rates contained in Council's current Fees and Charges:

Roadworks

(a) Pre-construction commencement erosion and sedimentation control measures

(b) Completion of earthworks

(c) Excavation of subgrade

(d) Pavement - sub-base

(e) Pavement - pre kerb

(f) Pavement - pre seal

(g) Pathways, footways, cycleways - formwork/reinforcement

(h) Final inspections - on maintenance

(i) Off Maintenance inspection

Water Reticulation, Sewer Reticulation, Drainage

(a) Excavation

(b) Bedding

(c) Laying/jointing

(d) Manholes/pits

(e) Backfilling

(f) Permanent erosion and sedimentation control measures

(g) Drainage channels

(h) Final inspection - on maintenance

(i) Off maintenance

Sewer Pump Station and Lift Stations

(a) Excavation

(b) Formwork/reinforcement

(c) Hydraulics

(d) Mechanical/electrical

(e) Commissioning - on maintenance

(f) Off maintenance

Stormwater Quality Control Devices (other than proprietary devices)

For detail refer to Water By Design - Technical Guidelines

(a) Earthworks and filter media

(b) Structural components

(c) Operational establishment

(d) Commissioning - on maintenance

(e) Off maintenance

Others

Council's role is limited to the above mandatory inspections and does **NOT** include supervision of the works, which is the responsibility of the Developers Supervising Consulting Engineer.

The EP&A Act, 1979 (as amended) makes no provision for works under the Water Management Act 2000 to be certified by an "accredited certifier".

[DUR1895]

93. All endorsed retaining walls of combined height in excess of 1.2 metres in height must be certified by a Qualified Structural Engineer verifying the structural integrity of the retaining wall after construction. Certification from a suitably qualified engineer experienced in structures is to be provided to the PCA prior to the issue of the associated Subdivision Certificate.

[DUR1955]

94. The developer/contractor is to maintain a copy of the development consent and Construction Certificate approvals, including plans and specifications on the site at all times.

[DUR2015]

95. The applicant shall obtain the written approval of Council to the proposed road/street names and be shown on the Plan of Subdivision accompanying the application for a Subdivision Certificate.

Application for road naming shall be made on Councils Property Service Form and be accompanied by the prescribed fees as tabled in Councils current Revenue Policy - "Fees and Charges".

The application shall also be supported by sufficient detail to demonstrate compliance with Councils Road Naming Policy.

[DUR2035]

96. Inter allotment drainage shall be provided to all lots where roof water for dwellings cannot be conveyed to the street gutter by gravitational means.

[DUR2285]

97. Drainage Reserve

(a) The proposed drainage reserve is to be incrementally dedicated to Council as applicable, at no cost.

(b) An accurate plan of the proposed drainage reserve shall be submitted to Council 60 days prior to lodgement of Application for Subdivision Certificate (form 13) to allow the land to be classified.

[DUR2295]

98. All stormwater gully lintels shall have the following notice **cast** into the top of the lintel: **'DUMP NO RUBBISH, FLOWS INTO CREEK'** or similar wording in accordance with Councils Development Design and Construction Specifications.

[DUR2355]

99. Regular inspections shall be carried out by the Supervising Engineer on site to ensure that adequate erosion control measures are in place and in good condition both during and after construction.

Additional inspections are also required by the Supervising Engineer after each storm event to assess the adequacy of the erosion control measures, make good any erosion control devices and clean up any sediment that has left the site or is deposited on public land or in waterways.

This inspection program is to be maintained until the maintenance bond is released or until Council is satisfied that the site is fully rehabilitated.

[DUR2375]

100. All waters that are to be discharged from the site shall have a pH between 6.5 and 8.5 and suspended solids not greater than 50mg/l. The contractor shall nominate a person responsible for monitoring of the quality of such discharge waters on a daily basis and the results recorded. Such results shall be made available to Council's Environmental Health Officer(s) upon request.

[DUR2435]

101. The Developer must establish a monitoring program, including reporting to determine the pollutant removal efficiencies of the proposed treatment devices, as per section D7.A12 of the TSC Development Design Specification - D7 Stormwater Quality and if further treatment of the stormwater drainage system is required to ensure the preservation of water quality in Cobaki Creek and Cobaki Broadwater.

Additionally;

- water shall not be released from detention basins until samples have been analysed and shown to meet the criteria outlined in the ESC Program, and.
- regular (three monthly) water quality testing is to be undertaken within the wetland in the vicinity of any discharge points to ensure that acceptable water quality parameters are maintained.

[DURNS01]

102. An accurate plan of the sewage pumping station and lift station sites shall be submitted to Council 60 days prior to lodgement of the Application for Subdivision Certificate to allow the land to be classified.

The Environmental Planning and Assessment Act, 1979 (as amended) makes no provision for works under the Water Supplies Authorities Act, 1987 to be certified by an Accredited Certifier.

[DUR2635]

103. No retaining walls or similar structures are to be constructed over or within the zone of influence of Council's sewer mains, existing or proposed.

[DUR2705]

104. Erosion and Sediment Control

All erosion and sediment control measures are to be effectively implemented and maintained at or above design capacity for the duration of the construction works, and until such time as all ground disturbed by the works has been stabilised and rehabilitated so that it no longer acts as a source of sediment.

All activities on the site shall be undertaken with the objective of preventing discharge of sediment and other pollutants to lands and/or waters (the receiving environment) during construction activities. In particular the proponent shall ensure all practicable measures are taken to prevent contaminated stormwater from adversely affecting the water quality of Cobaki Creek and Cobaki Broadwater.

[DURNS02]

105. All land for residential development is to be filled to a level no less than the next highest 0.1m Design Flood Level contour, as determined from the latest approved Cobaki Design Flood Level Map Q100 Event (Including Climate Change) Plan, unless notified otherwise by Council.

[DURNS03]

106. A copy of the approved and certified plans, specifications and documents incorporating conditions of approval and certification must be kept on site at all times and must be readily available for perusal by any officer of relevant State Government agencies, Council or the PCA.

107. All persons associated with the development of this site and construction of this building/subdivision are prohibited from permitting dogs, cats and other domestic animals to enter this subdivision locality during construction. This prohibition also applies to all contractors, sub-contractors and other trades persons accessing this site.

108. It is the responsibility of the applicant to restrict public access to the construction works site, construction works or materials or equipment on the site when construction work is not in progress or the site is otherwise unoccupied in accordance with WorkCover NSW requirements and Occupational Health and Safety Regulation 2001.

[DUR0415]

PRIOR TO ISSUE OF SUBDIVISION CERTIFICATE

109. Prior to issue of a Subdivision Certificate, all works/actions/inspections etc required by other conditions or approved management plans or the like shall be completed in accordance with those conditions or plans.

[PSC0005]

110. A **certificate of compliance** (CC) under Sections 305, 306 and 307 of the Water Management Act 2000 is to be obtained from Council to verify that the necessary requirements for the supply of water and sewerage to the development have been made with the Tweed Shire Council.

A Subdivision Certificate shall **NOT** be issued unless the Certifying Authority is satisfied provisions pursuant to Section 109J of the EP&A Act, 1979 have been complied with and the Certifying Authority has sighted Councils contributions sheet and Certificate of Compliance signed by an authorised officer of Council.

Annexed hereto is an information sheet indicating the procedure to follow to obtain a Certificate of Compliance:

Stage 1A		
Water DSP3:	48.2 ET @ $11020 per ET	$531,164
Sewer Banora:	49 ET @ $5295 per ET	$259,455
Stage 1B		
Water DSP3:	38 ET @ $11020 per ET	$418,760
Sewer Banora:	38 ET @ $5295 per ET	$201,210
Stage 1C		
Water DSP3:	40 ET @ $11020 per ET	$440,800
Sewer Banora:	41 ET @ $5295 per ET	$217,095
Stage 1D		
Water DSP3:	35.8 ET @ $11020 per ET	$394,516
Sewer Banora:	37 ET @ $5295 per ET	$195,915
Stage 1E		
Water DSP3:	49.6 ET @ $11020 per ET	$546,592
Sewer Banora:	50 ET @ $5295 per ET	$264,750
Stage 2A		
Water DSP3:	50.8 ET @ $11020 per ET	$559,816
Sewer Banora:	52 ET @ $5295 per ET	$275,340
Stage 2B		
Water DSP3:	59 ET @ $11020 per ET	$650,180
Sewer Banora:	60 ET @ $5295 per ET	$317,700
Stage 2C		
Water DSP3:	31.4 ET @ $11020 per ET	$346,028
Sewer Banora:	33 ET @ $5295 per ET	$174,735
Stage 2D		
Water DSP3:	36 ET @ $11020 per ET	$396,720
Sewer Banora:	36 ET @ $5295 per ET	$190,620
Stage 2E		
Water DSP3:	36 ET @ $11020 per ET	$396,720
Sewer Banora:	37 ET @ $5295 per ET	$195,915
Stage 2F		
Water DSP3:	24 ET @ $11020 per ET	$264,480
Sewer Banora:	24 ET @ $5295 per ET	$127,080
Stage 2G		
Water DSP3:	25 ET @ $11020 per ET	$275,500

Sewer Banora:	25 ET @ $5295 per ET	$132,375
Stage 2H		
Water DSP3:	20.4 ET @ $11020 per ET	$224,808
Sewer Banora:	24 ET @ $5295 per ET	$127,080
Stage 2I		
Water DSP3:	1.2 ET @ $11020 per ET	$13,224
Sewer Banora:	1 ET @ $5295 per ET	$5,295

These charges to remain fixed for a period of twelve (12) months from the date of this consent and thereafter in accordance with the rates applicable in Council's adopted Fees and Charges current at the time of payment.

A CURRENT COPY OF THE CONTRIBUTION FEE SHEET ATTACHED TO THIS CONSENT MUST BE PROVIDED AT THE TIME OF PAYMENT

The Environmental Planning and Assessment Act, 1979 (as amended) makes no provision for works under the Water Management Act 2000 to be certified by an Accredited Certifier.

[PSC0165]

111. Section 94 Contributions

Payment of the following contributions pursuant to Section 94 of the Act and the relevant Section 94 Plan.

Pursuant to Section 109J of the Environmental Planning and Assessment Act, 1979, a Subdivision Certificate shall NOT be issued by a Certifying Authority unless all Section 94 Contributions have been paid and the Certifying Authority has sighted Council's "Contribution Sheet" signed by an authorised officer of Council.

A CURRENT COPY OF THE CONTRIBUTION FEE SHEET ATTACHED TO THIS CONSENT <u>MUST</u> BE PROVIDED AT THE TIME OF PAYMENT

These charges will remain fixed for a period of 12 months from the date of this consent and thereafter in accordance with the rates applicable in the current version/edition of the relevant Section 94 Plan current at the time of the payment.

A copy of the Section 94 contribution plans may be inspected at the Civic and Cultural Centres, Tumbulgum Road, Murwillumbah and Brett Street, Tweed Heads.

<u>Stage 1A</u>

(a) Tweed Road Contribution Plan:

308.1 Trips @ $999 per Trips $307,792

($908 base rate + $91 indexation)

S94 Plan No. 4

Sector3_4

(b) Cobaki Lakes - Community Facilities & Open Space:

48.5 ET @ $492 per ET $23,862

($492 base rate + $0 indexation)

S94 Plan No. 10

(c) Shirewide Library Facilities:

48.5 ET @ $792 per ET — $38,412

($792 base rate + $0 indexation)

S94 Plan No. 11

(d) Bus Shelters:

48.5 ET @ $60 per ET — $2,910

($60 base rate + $0 indexation)

S94 Plan No. 12

(e) Eviron Cemetery:

48.5 ET @ $120 per ET — $5,820

($101 base rate + $19 indexation)

S94 Plan No. 13

(f) Extensions to Council Administration Offices & Technical Support Facilities

48.5 ET @ $1759.9 per ET — $85,355.15

($1759.9 base rate + $0 indexation)

S94 Plan No. 18

(g) Cycleways:

48.5 ET @ $447 per ET — $21,680

($447 base rate + $0 indexation)

S94 Plan No. 22

(h) Regional Open Space (Casual)

48.5 ET @ $1031 per ET — $50,004

($1031 base rate + $0 indexation)

S94 Plan No. 26

(i) Regional Open Space (Structured):

48.5 ET @ $3619 per ET — $175,522

($3619 base rate + $0 indexation)

S94 Plan No. 26

Stage 1B

(a) Tweed Road Contribution Plan:

247 Trips @ $999 per Trips — $246,753

($908 base rate + $91 indexation)

S94 Plan No. 4

Sector3_4

(b) Cobaki Lakes - Community Facilities & Open Space:
38 ET @ $492 per ET — $18,696
($492 base rate + $0 indexation)
S94 Plan No. 10

(c) Shirewide Library Facilities:
38 ET @ $792 per ET — $30,096
($792 base rate + $0 indexation)
S94 Plan No. 11

(d) Bus Shelters:
38 ET @ $60 per ET — $2,280
($60 base rate + $0 indexation)
S94 Plan No. 12

(e) Eviron Cemetery:
38 ET @ $120 per ET — $4,560
($101 base rate + $19 indexation)
S94 Plan No. 13

(f) Extensions to Council Administration Offices & Technical Support Facilities
38 ET @ $1759.9 per ET — $66,876.20
($1759.9 base rate + $0 indexation)
S94 Plan No. 18

(g) Cycleways:
38 ET @ $447 per ET — $16,986
($447 base rate + $0 indexation)
S94 Plan No. 22

(h) Regional Open Space (Casual)
38 ET @ $1031 per ET — $39,178
($1031 base rate + $0 indexation)
S94 Plan No. 26

(i) Regional Open Space (Structured):
38 ET @ $3619 per ET — $137,522
($3619 base rate + $0 indexation)
S94 Plan No. 26

Stage 1C

(a)	Tweed Road Contribution Plan:	
	253.5 Trips @ $999 per Trips	$253,247
	($908 base rate + $91 indexation)	
	S94 Plan No. 4	
	Sector3_4	
(b)	Cobaki Lakes - Community Facilities & Open Space:	
	40.375 ET @ $492 per ET	$19,865
	($492 base rate + $0 indexation)	
	S94 Plan No. 10	
(c)	Shirewide Library Facilities:	
	40.375 ET @ $792 per ET	$31,977
	($792 base rate + $0 indexation)	
	S94 Plan No. 11	
(d)	Bus Shelters:	
	40.375 ET @ $60 per ET	$2,423
	($60 base rate + $0 indexation)	
	S94 Plan No. 12	
(e)	Eviron Cemetery:	
	40.375 ET @ $120 per ET	$4,845
	($101 base rate + $19 indexation)	
	S94 Plan No. 13	
(f)	Extensions to Council Administration Offices	
	& Technical Support Facilities	
	40.375 ET @ $1759.9 per ET	$71,055.96
	($1759.9 base rate + $0 indexation)	
	S94 Plan No. 18	
(g)	Cycleways:	
	40.375 ET @ $447 per ET	$18,048
	($447 base rate + $0 indexation)	
	S94 Plan No. 22	
(h)	Regional Open Space (Casual)	
	40.375 ET @ $1031 per ET	$41,627
	($1031 base rate + $0 indexation)	
	S94 Plan No. 26	

(i) Regional Open Space (Structured):
40.375 ET @ $3619 per ET $146,117
($3619 base rate + $0 indexation)
S94 Plan No. 26

Stage 1D

(a) Tweed Road Contribution Plan:
224.9 Trips @ $999 per Trips $224,675
($908 base rate + $91 indexation)
S94 Plan No. 4
Sector3_4

(b) Cobaki Lakes - Community Facilities & Open Space:
36.25 ET @ $492 per ET $17,835
($492 base rate + $0 indexation)
S94 Plan No. 10

(c) Shirewide Library Facilities:
36.25 ET @ $792 per ET $28,710
($792 base rate + $0 indexation)
S94 Plan No. 11

(d) Bus Shelters:
36.25 ET @ $60 per ET $2,175
($60 base rate + $0 indexation)
S94 Plan No. 12

(e) Eviron Cemetery:
36.25 ET @ $120 per ET $4,350
($101 base rate + $19 indexation)
S94 Plan No. 13

(f) Extensions to Council Administration Offices
& Technical Support Facilities
36.25 ET @ $1759.9 per ET $63,796.38
($1759.9 base rate + $0 indexation)
S94 Plan No. 18

(g) Cycleways:
36.25 ET @ $447 per ET $16,204
($447 base rate + $0 indexation)
S94 Plan No. 22

(h) Regional Open Space (Casual)
36.25 ET @ $1031 per ET $37,374
($1031 base rate + $0 indexation)
S94 Plan No. 26

(i) Regional Open Space (Structured):
36.25 ET @ $3619 per ET $131,189
($3619 base rate + $0 indexation)
S94 Plan No. 26

Stage 1E

(a) Tweed Road Contribution Plan:
319.8 Trips @ $999 per Trips $319,480
($908 base rate + $91 indexation)
S94 Plan No. 4
Sector3_4

(b) Cobaki Lakes - Community Facilities & Open Space:
49.75 ET @ $492 per ET $24,477
($492 base rate + $0 indexation)
S94 Plan No. 10

(c) Shirewide Library Facilities:
49.75 ET @ $792 per ET $39,402
($792 base rate + $0 indexation)
S94 Plan No. 11

(d) Bus Shelters:
49.75 ET @ $60 per ET $2,985
($60 base rate + $0 indexation)
S94 Plan No. 12

(e) Eviron Cemetery:
49.75 ET @ $120 per ET $5,970
($101 base rate + $19 indexation)
S94 Plan No. 13

(f) Extensions to Council Administration Offices
& Technical Support Facilities
49.75 ET @ $1759.9 per ET $87,555.03
($1759.9 base rate + $0 indexation)
S94 Plan No. 18

(g) Cycleways:

49.75 ET @ $447 per ET — $22,238

($447 base rate + $0 indexation)

S94 Plan No. 22

(h) Regional Open Space (Casual)

49.75 ET @ $1031 per ET — $51,292

($1031 base rate + $0 indexation)

S94 Plan No. 26

(i) Regional Open Space (Structured):

49.75 ET @ $3619 per ET — $180,045

($3619 base rate + $0 indexation)

S94 Plan No. 26

Stage 2A

(a) Tweed Road Contribution Plan:

322.4 Trips @ $999 per Trips — $322,078

($908 base rate + $91 indexation)

S94 Plan No. 4

Sector3_4

(b) Cobaki Lakes - Community Facilities & Open Space:

51.25 ET @ $492 per ET — $25,215

($492 base rate + $0 indexation)

S94 Plan No. 10

(c) Shirewide Library Facilities:

51.25 ET @ $792 per ET — $40,590

($792 base rate + $0 indexation)

S94 Plan No. 11

(d) Bus Shelters:

51.25 ET @ $60 per ET — $3,075

($60 base rate + $0 indexation)

S94 Plan No. 12

(e) Eviron Cemetery:

51.25 ET @ $120 per ET — $6,150

($101 base rate + $19 indexation)

S94 Plan No. 13

(f) Extensions to Council Administration Offices

	& Technical Support Facilities	
	51.25 ET @ $1759.9 per ET	$90,194.88
	($1759.9 base rate + $0 indexation)	
	S94 Plan No. 18	
(g)	Cycleways:	
	51.25 ET @ $447 per ET	$22,909
	($447 base rate + $0 indexation)	
	S94 Plan No. 22	
(h)	Regional Open Space (Casual)	
	51.25 ET @ $1031 per ET	$52,839
	($1031 base rate + $0 indexation)	
	S94 Plan No. 26	
(i)	Regional Open Space (Structured):	
	51.25 ET @ $3619 per ET	$185,474
	($3619 base rate + $0 indexation)	
	S94 Plan No. 26	

Stage 2B

(a)	Tweed Road Contribution Plan:	
	377 Trips @ $999 per Trips	$376,623
	($908 base rate + $91 indexation)	
	S94 Plan No. 4	
	Sector3_4	
(b)	Cobaki Lakes - Community Facilities & Open Space:	
	59.375 ET @ $492 per ET	$29,213
	($492 base rate + $0 indexation)	
	S94 Plan No. 10	
(c)	Shirewide Library Facilities:	
	59.375 ET @ $792 per ET	$47,025
	($792 base rate + $0 indexation)	
	S94 Plan No. 11	
(d)	Bus Shelters:	
	59.375 ET @ $60 per ET	$3,563
	($60 base rate + $0 indexation)	
	S94 Plan No. 12	

(e) Eviron Cemetery:
59.375 ET @ $120 per ET — $7,125
($101 base rate + $19 indexation)
S94 Plan No. 13

(f) Extensions to Council Administration Offices & Technical Support Facilities
59.375 ET @ $1759.9 per ET — $104,494.06
($1759.9 base rate + $0 indexation)
S94 Plan No. 18

(g) Cycleways:
59.375 ET @ $447 per ET — $26,541
($447 base rate + $0 indexation)
S94 Plan No. 22

(h) Regional Open Space (Casual)
59.375 ET @ $1031 per ET — $61,216
($1031 base rate + $0 indexation)
S94 Plan No. 26

(i) Regional Open Space (Structured):
59.375 ET @ $3619 per ET — $214,878
($3619 base rate + $0 indexation)
S94 Plan No. 26

Stage 2C

(a) Tweed Road Contribution Plan:
193.7 Trips @ $999 per Trips — $193,506
($908 base rate + $91 indexation)
S94 Plan No. 4
Sector3_4

(b) Cobaki Lakes - Community Facilities & Open Space:
32 ET @ $492 per ET — $15,744
($492 base rate + $0 indexation)
S94 Plan No. 10

(c) Shirewide Library Facilities:
32 ET @ $792 per ET — $25,344
($792 base rate + $0 indexation)
S94 Plan No. 11

(d) Bus Shelters:
32 ET @ $60 per ET — $1,920
($60 base rate + $0 indexation)
S94 Plan No. 12

(e) Eviron Cemetery:
32 ET @ $120 per ET — $3,840
($101 base rate + $19 indexation)
S94 Plan No. 13

(f) Extensions to Council Administration Offices & Technical Support Facilities
32 ET @ $1759.9 per ET — $56,316.80
($1759.9 base rate + $0 indexation)
S94 Plan No. 18

(g) Cycleways:
32 ET @ $447 per ET — $14,304
($447 base rate + $0 indexation)
S94 Plan No. 22

(h) Regional Open Space (Casual)
32 ET @ $1031 per ET — $32,992
($1031 base rate + $0 indexation)
S94 Plan No. 26

(i) Regional Open Space (Structured):
32 ET @ $3619 per ET — $115,808
($3619 base rate + $0 indexation)
S94 Plan No. 26

Stage 2D

(a) Tweed Road Contribution Plan:
234 Trips @ $999 per Trips — $233,766
($908 base rate + $91 indexation)
S94 Plan No. 4
Sector3_4

(b) Cobaki Lakes - Community Facilities & Open Space:
36 ET @ $492 per ET — $17,712
($492 base rate + $0 indexation)
S94 Plan No. 10

(c) Shirewide Library Facilities:
36 ET @ $792 per ET — $28,512
($792 base rate + $0 indexation)
S94 Plan No. 11

(d) Bus Shelters:
36 ET @ $60 per ET — $2,160
($60 base rate + $0 indexation)
S94 Plan No. 12

(e) Eviron Cemetery:
36 ET @ $120 per ET — $4,320
($101 base rate + $19 indexation)
S94 Plan No. 13

(f) Extensions to Council Administration Offices & Technical Support Facilities
36 ET @ $1759.9 per ET — $63,356.40
($1759.9 base rate + $0 indexation)
S94 Plan No. 18

(g) Cycleways:
36 ET @ $447 per ET — $16,092
($447 base rate + $0 indexation)
S94 Plan No. 22

(h) Regional Open Space (Casual)
36 ET @ $1031 per ET — $37,116
($1031 base rate + $0 indexation)
S94 Plan No. 26

(i) Regional Open Space (Structured):
36 ET @ $3619 per ET — $130,284
($3619 base rate + $0 indexation)
S94 Plan No. 26

Stage 2E

(a) Tweed Road Contribution Plan:
227.5 Trips @ $999 per Trips — $227,273
($908 base rate + $91 indexation)
S94 Plan No. 4
Sector3_4

(b)	Cobaki Lakes - Community Facilities & Open Space:	
	36.375 ET @ $492 per ET	$17,897
	($492 base rate + $0 indexation)	
	S94 Plan No. 10	
(c)	Shirewide Library Facilities:	
	36.375 ET @ $792 per ET	$28,809
	($792 base rate + $0 indexation)	
	S94 Plan No. 11	
(d)	Bus Shelters:	
	36.375 ET @ $60 per ET	$2,183
	($60 base rate + $0 indexation)	
	S94 Plan No. 12	
(e)	Eviron Cemetery:	
	36.375 ET @ $120 per ET	$4,365
	($101 base rate + $19 indexation)	
	S94 Plan No. 13	
(f)	Extensions to Council Administration Offices & Technical Support Facilities	
	36.375 ET @ $1759.9 per ET	$64,016.36
	($1759.9 base rate + $0 indexation)	
	S94 Plan No. 18	
(g)	Cycleways:	
	36.375 ET @ $447 per ET	$16,260
	($447 base rate + $0 indexation)	
	S94 Plan No. 22	
(h)	Regional Open Space (Casual)	
	36.375 ET @ $1031 per ET	$37,503
	($1031 base rate + $0 indexation)	
	S94 Plan No. 26	
(i)	Regional Open Space (Structured):	
	36.375 ET @ $3619 per ET	$131,641
	($3619 base rate + $0 indexation)	
	S94 Plan No. 26	

Stage 2F

(a)	Tweed Road Contribution Plan:	
	156 Trips @ $999 per Trips	$155,844
	($908 base rate + $91 indexation)	
	S94 Plan No. 4	
	Sector3_4	
(b)	Cobaki Lakes - Community Facilities & Open Space:	
	24 ET @ $492 per ET	$11,808
	($492 base rate + $0 indexation)	
	S94 Plan No. 10	
(c)	Shirewide Library Facilities:	
	24 ET @ $792 per ET	$19,008
	($792 base rate + $0 indexation)	
	S94 Plan No. 11	
(d)	Bus Shelters:	
	24 ET @ $60 per ET	$1,440
	($60 base rate + $0 indexation)	
	S94 Plan No. 12	
(e)	Eviron Cemetery:	
	24 ET @ $120 per ET	$2,880
	($101 base rate + $19 indexation)	
	S94 Plan No. 13	
(f)	Extensions to Council Administration Offices & Technical Support Facilities	
	24 ET @ $1759.9 per ET	$42,237.60
	($1759.9 base rate + $0 indexation)	
	S94 Plan No. 18	
(g)	Cycleways:	
	24 ET @ $447 per ET	$10,728
	($447 base rate + $0 indexation)	
	S94 Plan No. 22	
(h)	Regional Open Space (Casual)	
	24 ET @ $1031 per ET	$24,744
	($1031 base rate + $0 indexation)	
	S94 Plan No. 26	

(i) Regional Open Space (Structured):
24 ET @ $3619 per ET — $86,856
($3619 base rate + $0 indexation)
S94 Plan No. 26

Stage 2G

(a) Tweed Road Contribution Plan:
162.5 Trips @ $999 per Trips — $162,338
($908 base rate + $91 indexation)
S94 Plan No. 4
Sector3_4

(b) Cobaki Lakes - Community Facilities & Open Space:
25 ET @ $492 per ET — $12,300
($492 base rate + $0 indexation)
S94 Plan No. 10

(c) Shirewide Library Facilities:
25 ET @ $792 per ET — $19,800
($792 base rate + $0 indexation)
S94 Plan No. 11

(d) Bus Shelters:
25 ET @ $60 per ET — $1,500
($60 base rate + $0 indexation)
S94 Plan No. 12

(e) Eviron Cemetery:
25 ET @ $120 per ET — $3,000
($101 base rate + $19 indexation)
S94 Plan No. 13

(f) Extensions to Council Administration Offices & Technical Support Facilities
25 ET @ $1759.9 per ET — $43,997.50
($1759.9 base rate + $0 indexation)
S94 Plan No. 18

(g) Cycleways:
25 ET @ $447 per ET — $11,175
($447 base rate + $0 indexation)
S94 Plan No. 22

(h) Regional Open Space (Casual)
25 ET @ $1031 per ET $25,775
($1031 base rate + $0 indexation)
S94 Plan No. 26

(i) Regional Open Space (Structured):
25 ET @ $3619 per ET $90,475
($3619 base rate + $0 indexation)
S94 Plan No. 26

Stage 2H

(a) Tweed Road Contribution Plan:
109.2 Trips @ $999 per Trips $109,091
($908 base rate + $91 indexation)
S94 Plan No. 4
Sector3_4

(b) Cobaki Lakes - Community Facilities & Open Space:
21.75 ET @ $492 per ET $10,701
($492 base rate + $0 indexation)
S94 Plan No. 10

(c) Shirewide Library Facilities:
21.75 ET @ $792 per ET $17,226
($792 base rate + $0 indexation)
S94 Plan No. 11

(d) Bus Shelters:
21.75 ET @ $60 per ET $1,305
($60 base rate + $0 indexation)
S94 Plan No. 12

(e) Eviron Cemetery:
21.75 ET @ $120 per ET $2,610
($101 base rate + $19 indexation)
S94 Plan No. 13

(f) Extensions to Council Administration Offices
& Technical Support Facilities
21.75 ET @ $1759.9 per ET $38,277.83
($1759.9 base rate + $0 indexation)
S94 Plan No. 18

(g) Cycleways:
21.75 ET @ $447 per ET — $9,722
($447 base rate + $0 indexation)
S94 Plan No. 22

(h) Regional Open Space (Casual)
21.75 ET @ $1031 per ET — $22,424
($1031 base rate + $0 indexation)
S94 Plan No. 26

(i) Regional Open Space (Structured):
21.75 ET @ $3619 per ET — $78,713
($3619 base rate + $0 indexation)
S94 Plan No. 26

Stage 2l

(a) Tweed Road Contribution Plan:
6.5 Trips @ $999 per Trips — $6,494
($908 base rate + $91 indexation)
S94 Plan No. 4
Sector3_4

(b) Cobaki Lakes - Community Facilities & Open Space:
1 ET @ $492 per ET — $492
($492 base rate + $0 indexation)
S94 Plan No. 10

(c) Shirewide Library Facilities:
1 ET @ $792 per ET — $792
($792 base rate + $0 indexation)
S94 Plan No. 11

(d) Bus Shelters:
1 ET @ $60 per ET — $60
($60 base rate + $0 indexation)
S94 Plan No. 12

(e) Eviron Cemetery:
1 ET @ $120 per ET — $120
($101 base rate + $19 indexation)
S94 Plan No. 13

(f) Extensions to Council Administration Offices & Technical Support Facilities
1 ET @ $1759.9 per ET $1,759.90
($1759.9 base rate + $0 indexation)
S94 Plan No. 18

(g) Cycleways:
1 ET @ $447 per ET $447
($447 base rate + $0 indexation)
S94 Plan No. 22

(h) Regional Open Space (Casual)
1 ET @ $1031 per ET $1,031
($1031 base rate + $0 indexation)
S94 Plan No. 26

(i) Regional Open Space (Structured):
1 ET @ $3619 per ET $3,619
($3619 base rate + $0 indexation)
S94 Plan No. 26

[PSC0175]

112. The proposed passive parks are to be dedicated as passive open space and suitably embellished at no cost to Council in accordance with the approved landscaping plan.

Where a developer pays Council to acquire and install play equipment, Council will **NOT** install the equipment until a minimum of 20% of the lots in that stage of the development are occupied. Embellishment arrangements shall be in place prior to the issue of a Subdivision Certificate.

[PSC019

113. Prior to the issue of a **Subdivision Certificate**, a defect liability bond (in cash **or** unlimited time Bank Guarantee) shall be lodged with Council.

The bond shall be based on 5% of the value of the associated works (minimum as tabled in Council's fees and charges current at the time of payment) which will be held by Council for a period of 6 months (unless sanctioned otherwise by Council) from the date on which the Subdivision Certificate is issued.

It is the responsibility of the proponent to apply for refund following the remedying of any defects arising within the 6 month period.

[PSC0215]

114. Prior to the issue of a Subdivision Certificate, a maintenance bond equal to 25% of the contract value of the footpath and cycleway construction works shall be lodged for a period of 3 years or until 80% of the lots fronting paved footpaths and cycleways are built on.

Alternatively, the developer may elect to pay a cash contribution to the value of the footpath and cycleway construction works plus 25% in lieu of construction and Council

will construct the footpath when the subdivision is substantially built out. The cost of these works shall be validated by a schedule of rates.

[PSC0225]

115. A bond shall be lodged prior to the issue of the Subdivision Certificate to ensure that the associated landscaping is maintained by the developer for a period of 12 months from the date of issue of a Subdivision Certificate. The amount of the bond shall be 20% of the estimated cost of the landscaping or $3000 whichever is the greater.

[PSC0235]

116. Cash Bond/Bank Guarantee

(a) A Cash Bond or Bank Guarantee to ensure that the approved Site Regeneration and Revegetation Plan (SRRP) is implemented and completed must be lodged with Council prior to the release of the Subdivision Certificate. The amount of such bond will be based on the cost of environmental repair, enhancement and maintenance works to be undertaken in accordance with the approved SRRP. In this regard, two (2) written quotes from suitably experienced and qualified bush regenerators (to the satisfaction of the General Manager or his delegate) must be submitted to Council which detail the cost of all works associated with the SRRP. The amount of the bond will be equivalent to 100% of the estimated cost of works.

(b) One third of the Cash Bond or Bank Guarantee will be refunded one year after the initiation of works on submission of certification by a suitably experienced and qualified bush regenerator stating that works are being satisfactorily undertaken in accordance with the approved SRRP. A further one third of the Bond or Bank Guarantee will be refunded 3 years after the initiation of works on submission of certification by a suitably experienced and qualified bush regenerator stating that works have been satisfactorily reached the defined half-way stage of the SRRP. The final one third of the Bond or Bank Guarantee will be released 5 years after the initiation of works on submission of certification by a suitably experienced and qualified bush regenerator stating that the SRRP has been satisfactorily completed.

(c) Monitoring of the effectiveness of environmental repair, enhancement and maintenance works must be undertaken by an independent and suitably qualified and experienced bush regenerator at yearly intervals following initiation of the Environmental Restoration Plan SRRP works. Reports of this monitoring must provide the basis for the person issuing certification for the bond or bank guarantee refunding stages and must be annually submitted to Council as evidence. Any supplementary or approved adaptive management works deemed necessary by the independent bush regenerator during the life of the SRRP must be undertaken once the need is identified.

[PSC0255]

117. Prior to the issue of a Subdivision Certificate, a certificate of compliance shall be submitted to Council by the Developers Subdivision Works Accredited Certifier (SWAC) or equivalent, verifying that the placed fill has been compacted in accordance with the requirements of AS 3798, "Guidelines on Earthworks for Commercial and Residential Developments" and is suitable for residential purposes.

The submission shall include copies of all undertaken test results.

[PSC0395]

118. All approved landscaping requirements must be completed to the satisfaction of the General Manager or his delegate **PRIOR** to the issue of an associated Subdivision Certificate. Landscaping must be maintained at all times to the satisfaction of the General Manager or delegate.

[PSC0485]

119. Any damage to property (including pavement damage) is to be rectified to the satisfaction of the General Manager or his delegate **PRIOR** to the issue of a Subdivision Certificate. Any work carried out by Council to remove material from the roadway will be at the Developers expense and any such costs are payable prior to the issue of a Subdivision Certificate.

[PSC0725]

120. Prior to the issue of a **Subdivision Certificate**, associated Work as Executed Plans shall be submitted in accordance with the provisions of Tweed Shire Council's Development Control Plan Part A5 - Subdivision Manual and Council's Development Design Specification, D13 - Engineering Plans.

The plans are to be endorsed by a Registered Surveyor OR a Consulting Engineer Certifying that:

(a) all drainage lines, sewer lines, services and structures are wholly contained within the relevant easement created by the subdivision;

(b) the plans accurately reflect the Work as Executed.

Note: Where works are carried out by Council on behalf of the developer it is the responsibility of the <u>DEVELOPER</u> to prepare and submit works-as-executed (WAX) plans.

[PSC0735]

121. All retaining walls with combined height in excess of 1.2m are to be certified by a suitably qualified geotechnical / structural engineer. The certification is to be submitted with the subdivision certificate application and shall state that the retaining walls have been designed and constructed in accordance with AS4678-2002 Earth Retaining Structures and are structurally sound.

[PSC078

122. A Subdivision Certificate will not be issued by the General Manager until such time as all relevant conditions of this Development Consent have been complied with.

[PSC0825]

123. A Section 88B Instrument shall be submitted with the Subdivision Certificate application, for Council's endorsement, for the creation of easements for services, rights of carriageway and restrictions as to user (including restrictions associated with planning for bushfire) as may be applicable under Section 88B of the Conveyancing Act including (but not limited to) the following:

(a) Easements for sewer, water supply and drainage over **ALL** public services/infrastructure on private property.

(b) Easements (including maintenance requirements) over all relevant surface drains, all subsurface drains and inter-allotment drainage, benefiting and burdening the property owners.

(c) The location of zero lot lines.

(d) Restriction as to user prohibiting cats and requiring dogs to be restricted to suitably sized fenced yards.

(e) All bushfire affected lots as shown by hatching on the Cobaki Precinct 1 & 2 Plan of Development are to be encumbered to this effect

Pursuant to Section 88BA of the Conveyancing Act (as amended) the Instrument creating the right of carriageway/easement to drain water shall make provision for maintenance of the right of carriageway/easement by the owners from time to time of the land benefited and burdened and are to share costs equally or proportionally on an equitable basis.

Any Section 88B Instrument creating restrictions as to user, rights of carriageway or easements which benefit Council shall contain a provision enabling such restrictions, easements or rights of way to be revoked, varied or modified only with the consent of Council.

[PSC0835]

124. Council's standard "Asset Creation Form" shall be completed (including all quantities and unit rates) and submitted to Council with all application for Subdivision Certificate.

[PSC0855]

125. Prior to registration of the plan of subdivision, a **Subdivision Certificate** shall be obtained.

The following information must accompany an application:

(a) original plan of subdivision prepared by a registered surveyor and 7 copies of the original plan together with any applicable 88B Instrument and application fees in accordance with the current Fees and Charges applicable at the time of lodgement.

(b) all detail as tabled within Tweed Shire Council Development Control Plan, Part A5 - Subdivision Manual, CL 5.7.6 and Councils Application for Subdivision Certificate including the attached notes.

Note: The Environmental Planning and Assessment Act, 1979 (as amended) makes no provision for works under the Water Supplies Authorities Act, 1987 to be certified by an Accredited Certifier.

[PSC0885]

126. Prior to the application for a **Subdivision Certificate** a Compliance Certificate or Certificates shall be obtained from Council **OR** an accredited certifier for the following:-

(a) Compliance Certificate - Roads

(b) Compliance Certificate - Water Reticulation

(c) Compliance Certificate - Sewerage Reticulation

(d) Compliance Certificate - Sewerage Pump Station/Lift Station

(e) Compliance Certificate – Drainage

Note:

1. All compliance certificate applications must be accompanied by documentary evidence from the developers Subdivision Works Accredited Certifier (SWAC) certifying that the specific work for which a certificate is sought has been

completed in accordance with the terms of the development consent, the construction certificate, Tweed Shire Council's Development Control Plan Part A5 - Subdivisions Manual and Councils Development Design and Construction Specifications.

2. The EP&A Act, 1979 (as amended) makes no provision for works under the Water Management Act 2000 to be certified by an "accredited certifier".

[PSC0915]

127. The six (6) months Defects Liability Period commences upon the registration of the Plan of Subdivision, unless stated otherwise in approved management plans or this consent.

[PSC0925]

128. Prior to the issue of a Subdivision Certificate and also prior to the end of defects liability period, a CCTV inspection of any stormwater pipes and gravity sewerage systems installed and intended to be dedicated to Council including joints and junctions will be required to demonstrate that the standard of the infrastructure is acceptable to Council.

Any defects identified by the inspection are to be repaired in accordance with Councils Development Design and Construction Specification.

All costs associated with the CCTV inspection and repairs shall be borne by the applicants.

[PSC1065]

129. Prior to the release of the Subdivision Certificate the proponent shall:

(a) Dedicate the proposed drainage reserve at no cost to Council.

(b) Submit an accurate plan of the proposed drainage reserve to Council 60 days prior to lodgement of Application for Subdivision Certificate to allow the land to be classified.

[PSC1075]

130. Prior to issuing a Subdivision Certificate, reticulated water supply and outfall sewerage reticulation (including household connections) shall be provided to all lots associated with the subdivision, in accordance with Tweed Shire Council's Development Control Plan Part A5 - Subdivisions Manual, Councils Development Design and Construction Specifications and the Construction Certificate approval.

Fire Hydrants spacing, sizing and pressures shall comply with Council's DCP – Section A5 – Subdivision Manual, associated Development Design and Construction Specifications and AS2419.1-2005.

The Environmental Planning and Assessment Act, 1979 (as amended) makes no provision for works under the Water Management Act, 2000 to be certified by an Accredited Certifier.

[PSC1115]

131. The site of the sewage pumping station and lift station shall be transferred to Council in fee simple, at no cost to Council within 28 days of the date of registration of the plan of subdivision.

[PSC1125]

132. The production of written evidence from the local telecommunications supply authority

certifying that the provision and commissioning of underground telephone supply at the front boundary of all allotments associated with the Subdivision Certificate has been completed.

[PSC1165]

133. **Electricity**

(a) The production of written evidence from the local electricity supply authority certifying that reticulation and energising of underground electricity has been provided adjacent to the front boundary of each allotment; and

(b) The reticulation includes the provision of fully installed electric street lights to the relevant Australian standard. Such lights to be capable of being energised following a formal request by Council.

Should any electrical supply authority infrastructure (sub-stations, switching stations, cabling etc) be required to be located on Council land (existing or future), then Council is to be included in all negotiations. Appropriate easements are to be created over all such infrastructure, whether on Council lands or private lands.

Compensatory measures may be pursued by the General Manager or his delegate for any significant effect on Public Reserves or Drainage Reserves.

[PSC1185]

134. In accordance with the Federal Government's National Broadband Network (NBN) initiatives, the Developer is required (at the Developer's expense) to install a fibre ready, pit and pipe network (including trenching, design and third party certification) to NBN CO's Specifications, to allow for the installation of Fibre To The Home (FTTH) broadband services.

[PSC1205]

135. Prior to issue of a Subdivision Certificate, the Design Flood Level Map shall be updated to include Works As Executed levels for Bulk Earthworks, as well as any other works that may affect flood behaviour and submitted to Council.

[PSCNS01]

136. All water quality control devices require a formal asset handover at the completion of the maintenance period ("off maintenance"), whereby all relevant stakeholders will inspect the device and be issued with a current operational manual for the device.

[PSCNS02]

137. As development occurs, an applicable easement for drainage purposes is to be progressively dedicated along the alignment of the central drainage corridor and existing agricultural drain to Piggabeen Creek, provide an unimpeded conveyance and legal point of discharge across the land for the development.

This easement will be extinguished as necessary following construction and dedication of the ultimate drain.

[PSCNS03]

138. Prior to the issue of a Subdivision Certificate, a certificate from a registered Geotechnical Engineer shall be submitted to the Principal Certifying Authority, certifying that:

- The site is stable,

- 100% of primary consolidation settlement (where applicable) is completed / achieved, and
- The site is now considered suitable for its intended purpose.

[PSCNS04]

139. Prior to the issue of a Subdivision Certificate, all relevant bulk earthworks and drainage works (including the northern Sandy Lane culvert) within the Major Central Open Drain shall be completed in accordance with a separate Construction Certificate approval issued in accordance with Condition 16 of MP08_0200.

[PSCNS05]

140. Prior to the issue of a Subdivision Certificate, all relevant bulk earthworks and drainage works within the Major Central Open Drain, Minor Open Drain 6 and Minor Open Drain 7 shall be completed in accordance with a separate Construction Certificate approval issued in accordance with Condition 16 of MP08_0200.

[PSCNS06]

141. Prior to the issue of a Subdivision Certificate, the low flow component of the Major Central Open Drain and Minor Open Drains 6 and 7, shall be suitably embellished, to the satisfaction of the General Manager or his delegate, at no cost to Council.

    The embellished cross section of the low flow component of the Major Central Open Drain shall generally be grassed / turfed, with a vegetated border to delineate the edge of the rock lined channel (constructed under MP08_0200).

    The embellished cross section of Minor Open Drains 6 and 7 shall generally be grassed / turfed, or low ground covers, subject to a final landscaping plan and consideration of maintenance and flow requirements, to the satisfaction of Council.

[PSCNS07]

142. Dedication of casual open space is to occur as described in the Park Dedication Detailed Plan (precinct 1 & 2) referenced as Yeats YC0229-1P1-SK06 Revision A or in accordance with arrangements agreed to by the General Manager or delegate.

143. Structured open space is to be embellished and dedicated to Council at the rate of 1.7 hectares per 1000 persons or in accordance with arrangements agreed to by the General Manager or delegate.

144. Embellishment of all areas of casual open space, structured open space, cycleways, pedestrian links and streetscapes is to be completed, consistent with the approved landscape plans, to the satisfaction of the General Manager Tweed Shire Council or delegate prior to issue of the Subdivision Certificate. Installation of playground equipment and softfall however will not occur until 20% of the relevant stage's allotments are occupied. The developer must contribute the appropriate financial contribution for these items as a bond prior to the release of the relevant Subdivision Certificate for each stage. Council will undertake the installation at the appropriate time.

145. A management and maintenance plan is to be prepared for the site described as 'vegetation covenant area' within park 2 (Lot 101). This plan is to describe the site, vegetation on the site to be conserved, its significance and hence why it is a 'vegetation covenant area'. The plan shall also specify management and maintenance actions required, and any restrictions to be imposed in terms of maintenance or public

access. The plan must be approved by the General Manager or his delegate.

146. The developer is to undertake maintenance operations on all casual and structured public open space for a minimum of 12 months after the Subdivision is registered with the Land Titles Office. Such maintenance will include all soft landscaping, particularly mowing and weed control. Any power and water consumption costs during this period must also be met by the developer.

147. Work as Executed Plans must be submitted for all landscaped casual and active open space. These must show all underground services, irrigation systems and the location of concrete paths, structures, other park infrastructure and garden bed outlines.

The plans are to be certified by a registered surveyor or consulting engineer.

Two categories of WAX plans are to be provided:

a. the original approved plan with any variation to this indicated.

b. plan showing only the actual as constructed information,

The plans are to be submitted in the following formats:

a. 2 paper copies of the same scale and format as the approved landscape plan.

b. A PDF version on CD or an approved medium.

c. Electronic copy in DWG or DXF format on CD or an approved medium..

148. The physical extent of the 20m-wide Bushfire Asset Protection Zones (APZs) is to be surveyed and permanently marked on the bushfire hazard side of the APZs to ensure APZs are easily identified for future maintenance.

149. The proponent is to submit to Council certification by a Bushfire Planning and Design Certified Practitioner (BPAD) accredited under the Fire Protection Association of Australia that the subdivision as constructed is compliant with Planning for Bush Fire Protection 2006

150. The applicant shall provide certification to Council that remediation of the cattle dip site has been satisfactorily completed to the extent required to enable the proposed use or uses of the site or land on which the cattle dip site was located to be carried out. The certification shall be in the form of a Site Audit Statement (SAS) completed by a NSW EPA Accredited Site Auditor in accordance with the provisions of the Contaminated Land Management Act 1997. The Site Audit Statement (SAS) shall be provided to Council prior to the issue of the first subdivision certificate. Conditions imposed on the SAS shall form part of this consent. Where the SAS conditions, if applicable, are not consistent with this consent, a Section 96 application pursuant to the Environmental Planning and Assessment Act 1979 will be required to ensure the conditions form part of the consent conditions.

151. Suitable restrictions on title, easements and/or enabling instruments must be created for all allotments containing areas designated for environmental restoration and protection in order to give effect to each of the following items:

a. All areas described as Management Areas 1, 2, and 4 as shown in Figure 4 of the

Revised Site Regeneration and Revegetation Plan by James Warren and Associates dated October 2010 or any alternate biodiversity offset sites agreed by Tweed Shire Council must be rehabilitated and maintained in perpetuity in accordance with the Council-approved site specific Site Regeneration and Revegetation Plan (SRRP).

b. In the event the environmental management areas named above are not managed in accordance with the approved Site Regeneration and Revegetation Plan (SRRP), Tweed Shire Council access must be enabled on an ongoing basis for the purpose of undertaking environmental restoration and management works in accordance with the Council-approved site specific Site Regeneration and Revegetation Plan (SRRP).

c. In the event that Council is required to manage any or all of the environmental management areas named above, the owner will be charged for the cost of undertaking environmental restoration and management works at the current market rate.

152. Shared bin collection areas shall be clearly shown on the Plan of Development, and shall achieve the minimum dimensions of 1.0m deep by 2.0m per residence serviced wide.

153. The Plan of Development is to be amended to depict the locations of approved bus shelters.

154. Submission to Council of the bond for the asset protection zone maintenance.

155. The land designated as the community centre site is to be dedicated to Council at no cost in accordance with the Section 94 Plan No. 10 Cobaki Lakes Public Open space and Community Facilities.

The reasons for the imposition of conditions are to minimise any adverse impact the development may cause and to give effect to the objectives of the Environmental Planning and Assessment Act, 1979.

The application was determined on: **26 May 2011**
The consent to operate from: **30 May 2011**
The consent to lapse on 30 May 2016 unless commenced prior to that date.

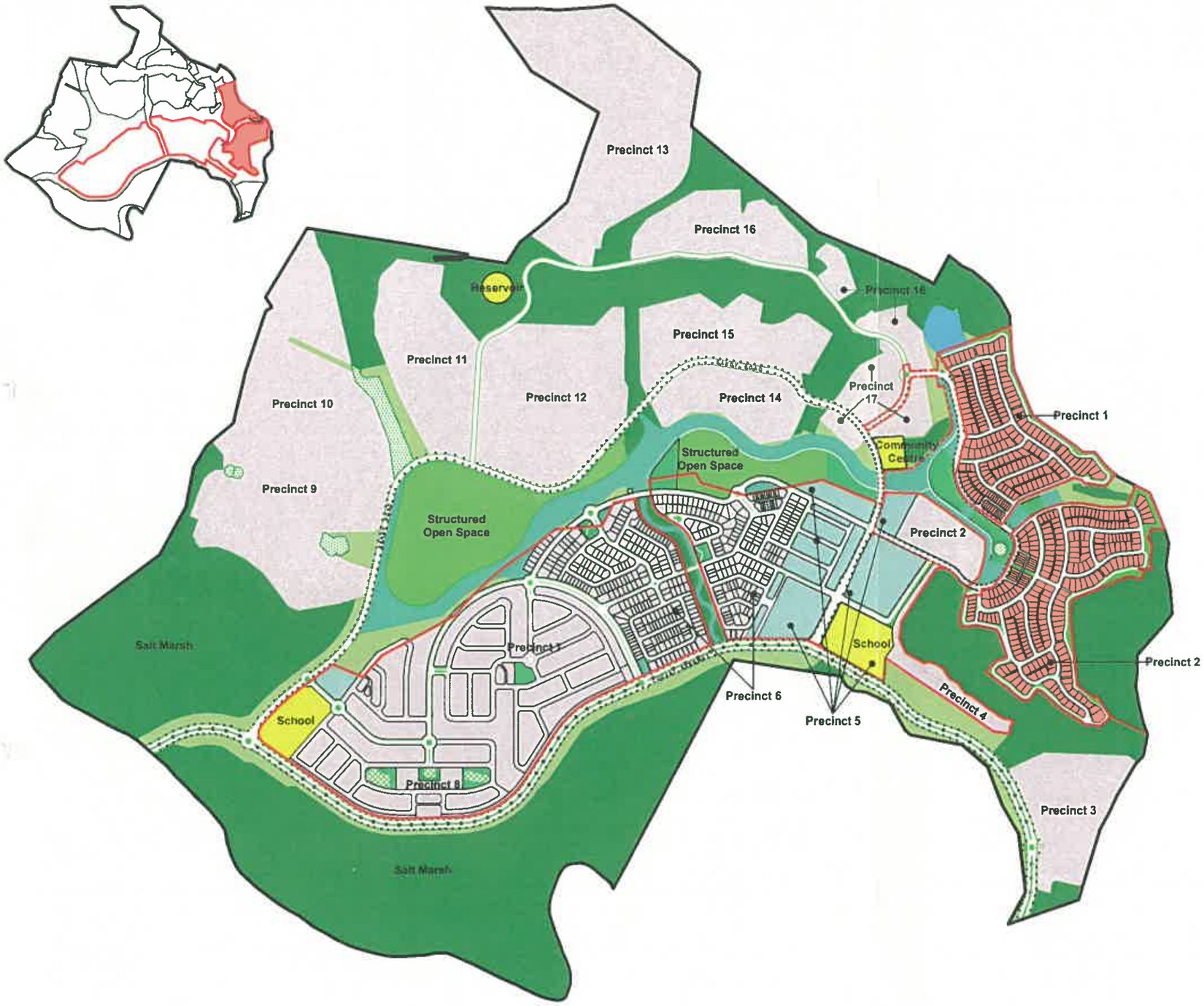
RIGHT OF APPEAL

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.

Signed on behalf of the Tweed Shire Council

Lindsay McGavin, Manager Development Assessment
30 May 2011

PRECINCTS 1 & 2 APPLICATION KEY MAP



LEGEND

- Precinct 1 & 2 Proposed Residential Area (extent of application shown below)
- Precincts 1, 2, 4 and 6 to 8 Zone Boundary
- Extent of PrecinctS 1 & 2 Application
- Future Residential Development
- Future Retail / Commercial / Mixed Use
- Future Community Facilities / Education / Utilities Development
- Existing Water Body
- Stormwater Treatment and Delivery Areas
- Cultural Protected Area
- Covenant Protected Area
- Environmental Protection Area
- Open Space
- Casual Park
- Structured Open Space
- 2.5m Shared User Path / Maintenance Access
- Cobaki Boundary

YIELD AND DENSITY

Precincts	Area (Hectares)		Res Lots	Dwellings	Density (Dwellings per Hectare)		Population (in 1,000's)	Open Space Required (Hectares)		Open Space Provided (Hectares)	
	Gross	Net			Gross	Net		Struct	Casual	Struct	Casual
1 (proposed)	15.9	10.7	206	215	13.5	20.1	0.53	0.89	0.59	0.00	1.75
2 (part) (proposed)	22.9	14.1	269	291	12.7	20.6	0.70	1.19	0.79	0.00	0.30
2 (balance) & 5 (part) (proposed)	5.0	-	1	1	0.2	-	0.00	0.00	0.00	0.00	0.00
6 (existing proposed)	32.7	20.4	441	550	16.8	27.0	1.26	2.15	1.43	6.16	1.49
3-4, 5 (balance), 7-17 (estimated)	244.1	-	-	4443	18.2	-	9.51	16.17	10.75	14.24	10.02
Total (estimated)	320.8	-	-	5500	17.2	-	12.00	20.40	13.56	20.40	13.56

THIS IS THE PLAN REFERRED TO IN THE DEVELOPMENT CONSENT No. DA10/0800.

30 MAY 2011

SIGNED:

LEDA

0 140 280

LED016 DA-100
1:14000 @ A3
B 15/03/2011

DESIGN FORUM architects

Master Plan **Leda Manorstead Pty Ltd** **Cobaki Development Application for Precinct 1 & 2**

GROSS SITE AREA 32.5 ha
DENSITY 15.5 du/ha

TRADITIONAL DWELLINGS

24	20m+ FRONTAGE
74	18m FRONTAGE
55	17m FRONTAGE
57	16m FRONTAGE
57	15m FRONTAGE

ZERO LOT DWELLINGS

126	12.5m FRONTAGE
12	11.0m FRONTAGE
28	**PLEX LOTS (59 dwellings)**
42	**TERRACE DWELLINGS**
1	**SUPER LOT**

476 TOTAL LOTS (506 dwellings + Superlot)

PRECINCT BOUNDARIES

* FOR STAGING REFER MICHEL GROUP SITE PLAN - COBAKI AND YEATS CONSULTING ENGINEERS PRECINCT 1 + 2 STAGING PLAN.

THIS IS THE PLAN REFERRED TO IN THE DEVELOPMENT CONSENT No. DA10/0800
30 MAY 2011
SIGNED

0 50 100 150 200 m
SCALE 1:4000 @ A3 1:2000 @ A1

PRECINCT 1 & 2 PLAN

COBAKI PRECINCT 1 & 2

LEDA MANORSTEAD PTY LTD

LEDA

MPS Architects

MARCH 2011
MPS 2144 DA-101b
© copyright

SITE AREA 32.5 ha
DENSITY 15.5 du/ha

267	TRADITIONAL DWELLINGS
138	ZERO LOT DWELLINGS
28	PLEX LOTS (59 dwellings)
42	TERRACE DWELLINGS
1	SUPER LOT

476 TOTAL LOTS (506 dwellings + Superlot)

STORMWATER TREATMENT AND DELIVERY AREAS

ENVIRONMENTAL PROTECTION AREAS

OPEN SPACE

LOCAL/NEIGHBOURHOOD PARKS

ROAD VERGE/OVERLAND FLOW PATH

CAR PARK LOCATIONS

* DEVELOPMENT ON BUSHFIRE PRONE LAND AS SHOWN ON THE BUSHFIRE PLANNING MAPS HELP BY TWEED SHIRE COUNCIL MUST BE ASSESSED BY A QUALIFIED BUSHFIRE CONSULTANT AT THE CDC OR DA STAGE TO MEET THE MINIMUM REQUIREMENTS FOR PLANNING FOR BUSHFIRE PROTECTION 2006 and AS 3959 2009 CONSTRUCTION OF BUILDING IN BUSHFIRE PRONE ZONES.

20m ASSET PROTECTION ZONE + PUBLIC FOOTWAY/FIRE TRAIL

THIS IS THE PLAN REFERRED TO IN THE DEVELOPMENT CONSENT No. DA10/0800

30 MAY 2011

SIGNED:

0 50 100 150 200 m

SCALE 1:4000 @ A3 1:2000 @ A1

PLAN OF DEVELOPMENT

COBAKI PRECINCT 1 & 2

LEDA MANORSTEAD PTY LTD

LEDA

MPS Architects

MARCH 2011
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DEVELOPMENT CONTROLS

To be read in conjunction with Development Code and Design Guidelines

1. BUILDING ENVELOPE

1.1 Buildings shall conform to the building envelope configuration depicted on the Plan of Development and the setbacks in the Cobaki Estate Development Code.

2. BUILD TO BOUNDARY WALLS

2.1 Lots specified as Zero Lots shall contain a built to boundary wall (where indicated) in accordance with the Development Code.

3. VEHICLE ACCESS POINT

3.1 Vehicle access shall be generally in accordance with the locations indicated on the Plan of Development.

3.2 Alternate driveway solutions may be accepted by the DRP should they comply with the intent of the Code and Design Guidelines. In addition to the DRP Pre-Approval Certificate separate approval is required for all driveway crossovers from Council as the Roads Authority under Section 138 of the Roads Act 1993.

3.3 Clear vehicle and pedestrian sight distances shall not be compromised at any time by any obstruction (refer AS 2890.1-2004 Off street car parking). A 2m (along front boundary) x 2.5m (along driveway) sight triangle is to be maintained either side of the driveway for pedestrian safety.

4. SETBACKS

4.1 Minimum boundary clearances shall conform to the Development Code for each nominated lot and depend on the effective width of the lot as defined by the Code.

5. HEIGHT

Maximum building height is 2 storeys except where a partial (no more than 50% of the gross floor area of the level below) three storey maximum height is noted on the Plan of Development.

6. RESIDENT AND VISITOR CAR PARKING

6.1 Resident and visitor car parking is to be provided in accordance with the Development Code.

7. FENCING

7.1 All fencing is to be in accordance with the provisions of the Code and the Cobaki Precinct 1 & 2 Design Guidelines.

7.2 Frontage boundary fences adjoining a street shall only be permitted where a street front Private Open Space is indicated, shall be setback 0.5m with landscape planting provided between the fence and the street frontage boundary, shall not exceed 50% of the length of the frontage boundary (including any gates) and shall extend along the contiguous shared boundary for 5.5m.

7.3 Solid shared boundary fencing between nominated lots shall be setback 6.0m from a street frontage boundary and 3.0m from an open space frontage boundary.

7.4 All fencing heights are to be measured from the natural surface level.

8. RESIDENTIAL AMENITY

8.1 Private open space shall be located contiguous with principal living areas (refer diagram A).

8.2 Principal living area shall have North and/or East orientation wherever possible and otherwise be in accordance with the provisions of the Code in terms of minimum area and dimension.

8.3 Alternative private open space locations may be accepted by the Design Review Panel.

9. LANDSCAPING

9.1 Consist predominantly of native tree & shrub planting with associated ground covers and mulch.

9.2 A primary tree shall be provided on each lot of 550m2 or more in area.

9.3 Landscape planting shall be provided to the street side of all frontage fencing.

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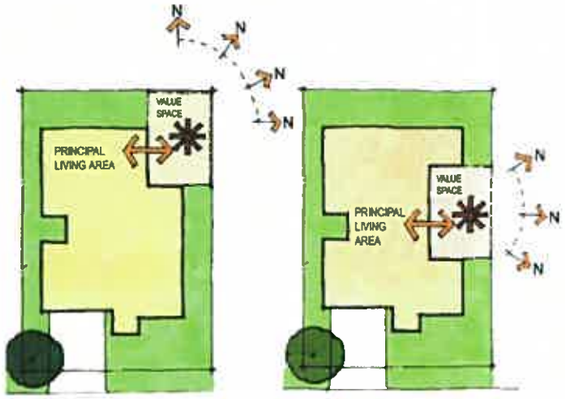

DIAGRAM A: PREFERRED PRIVATE OPEN SPACE

THIS IS THE PLAN REFERRED TO IN THE DEVELOPMENT CONSENT No. DA10/0800

30 MAY 2011

SIGNED:

LEGEND

- LOCATION OF ZERO LOT WALL
- LOCATION OF PARTY/ZERO LOT WALL
- INDICATIVE VEHICULAR ACCESS
- INDICATIVE *SHARED* VEHICULAR ACCESS
- ALTERNATE DRIVEWAY LOCATIONS
- 1200 HIGH TRANSPARENT FENCE
- 1500 HIGH TRANSPARENT FENCE
- 1800 HIGH TRANSLUCENT FENCE
- * PARTIAL 3RD STOREY PERMITTED
- BUSH FIRE PRONE AFFECTED LOTS
- BIN COLLECTION POINT - KERBSIDE CONCRETE PAD 1.0m WIDTH X 2.2m LENGTH PER 2 BINS PER RESIDENCE)
- ELECTRICAL SUBSTATION LOCATION
- P2/6B CODE INDICATES NUMBER OF PLEXES PER LOT (P2)/NUMBER OF BEDROOMS PER LOT (6B)
- INDICATIVE SPEED BUMP LOCATION
- # INDICATIVE DEFLECTED T-JUNCTION

KEY PLAN

0 10 20 40 60 80 100 m

SCALE 1:2000 @ A3 1:1000 @ A1

PRECINCT 1 POD DETAIL 1

COBAKI PRECINCT 1

LEDA MANORSTEAD PTY LTD

LEDA

MPS Architects

MARCH 2011
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DEVELOPMENT CONTROLS

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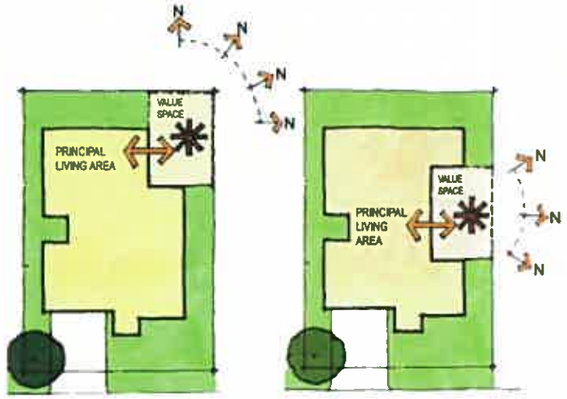

DIAGRAM A: PREFERRED PRIVATE OPEN SPACE

LEGEND

- LOCATION OF ZERO LOT WALL
- LOCATION OF PARTY/ZERO LOT WALL
- INDICATIVE VEHICULAR ACCESS
- INDICATIVE *SHARED* VEHICULAR ACCESS
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- BIN COLLECTION POINT - KERBSIDE CONCRETE PAD 1.0m WIDTH X 2.2m LENGTH PER 2 BINS PER RESIDENCE)
- 15 ELECTRICAL SUBSTATION LOCATION
- P2/6B CODE INDICATES NUMBER OF PLEXES PER LOT (P2)/NUMBER OF BEDROOMS PER LOT (6B)
- INDICATIVE SPEED BUMP LOCATION
- # INDICATIVE DEFLECTED T-JUNCTION

KEY PLAN

THIS IS THE PLAN REFERRED TO IN THE DEVELOPMENT CONSENT No. DA10/0800

30 MAY 2011

SIGNED:

0 10 20 40 60 80 100 m

SCALE 1:2000 @ A3 1:1000 @ A1

PRECINCT 1 POD DETAIL 2

COBAKI PRECINCT 1

LEDA MANORSTEAD PTY LTD

LEDA

MPS Architects

MARCH 2011

MPS 2144 DA-104b

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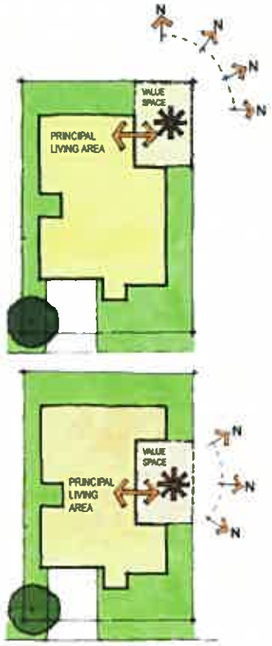

DIAGRAM A: PREFERRED PRIVATE OPEN SPACE

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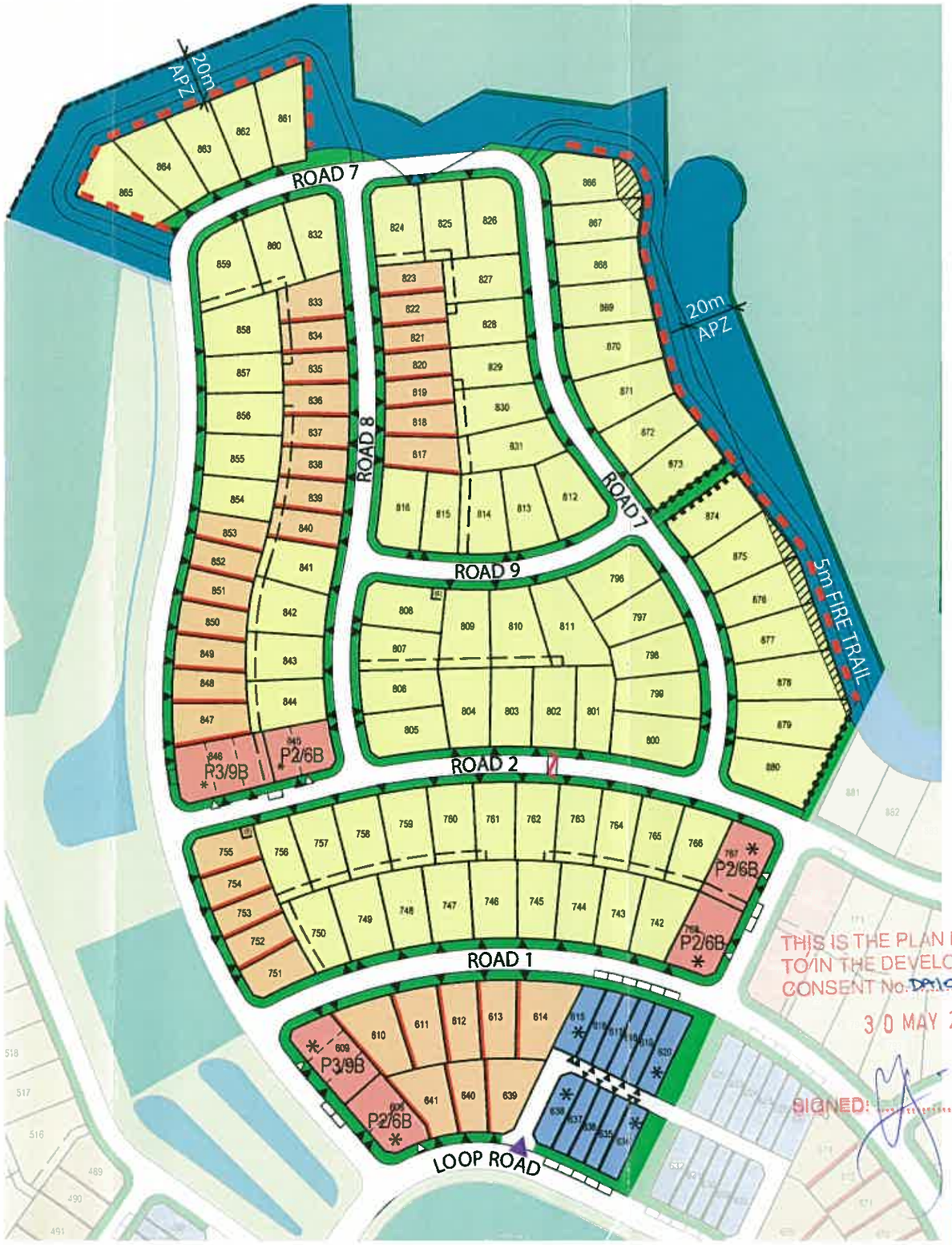
- # INDICATIVE DEFLECTED T-JUNCTION

KEY PLAN



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30 MAY 2011

SIGNED:

0 10 20 40 60 80 100 m

SCALE 1:2000 @ A3 1:1000 @ A1

PRECINCT 2 POD DETAIL 1

COBAKI PRECINCT 2

LEDA MANORSTEAD PTY LTD

LEDA

MPS Architects

MARCH 2011

MPS 2144 DA-105b

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DEVELOPMENT CONTROLS

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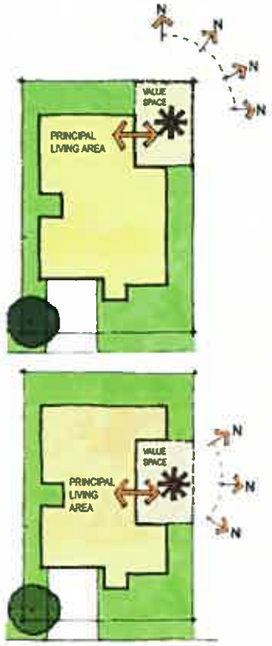

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LEGEND

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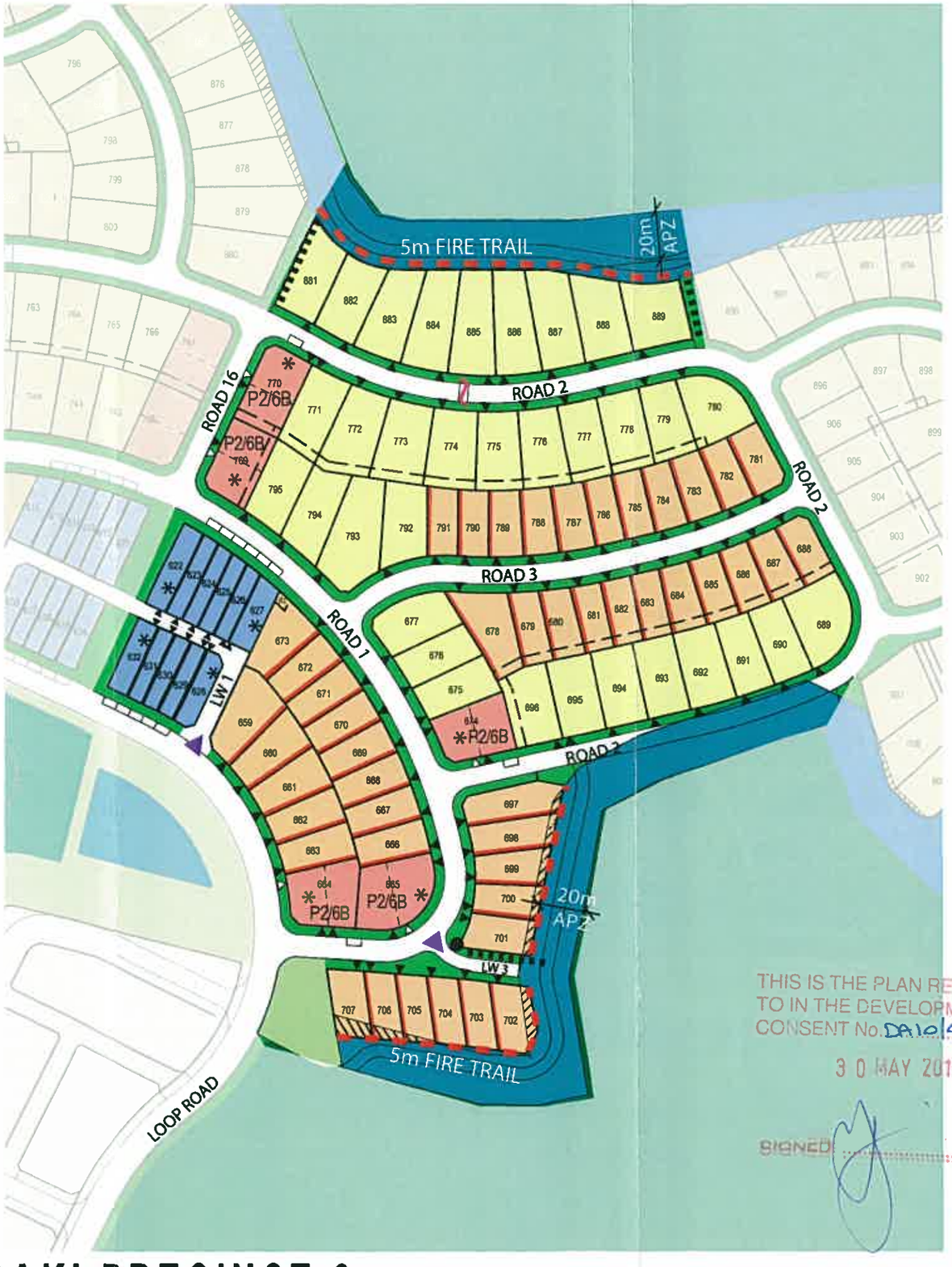
KEY PLAN



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SIGNED

0 10 20 40 60 80 100 m

SCALE 1:2000 @ A3 1:1000 @ A1

PRECINCT 2 POD DETAIL 2

COBAKI PRECINCT 2

LEDA MANORSTEAD PTY LTD

LEDA

MPS Architects

MARCH 2011
MPS 2144 DA-106b
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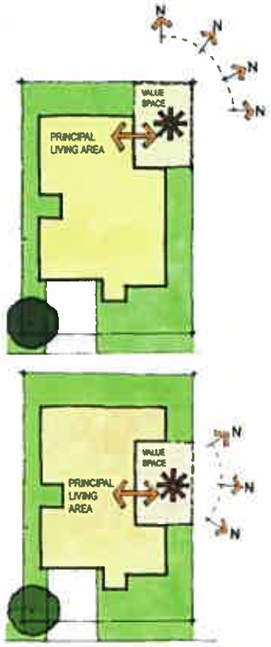

DIAGRAM A: PREFERRED PRIVATE OPEN SPACE

LEGEND

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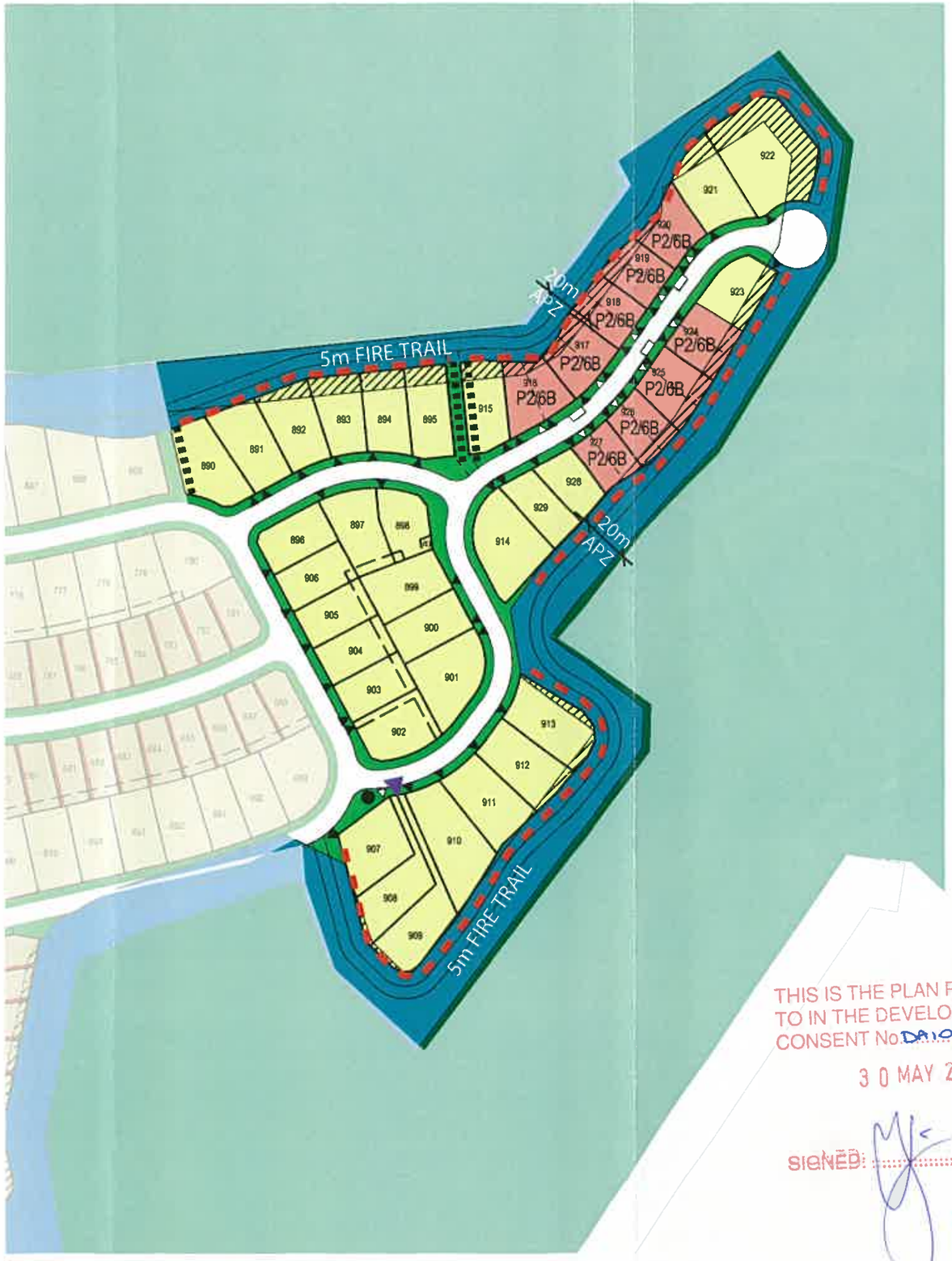
KEY PLAN

0 10 20 40 60 80 100 m

SCALE 1:2000 @ A3 1:1000 @ A1

PRECINCT 2 POD DETAIL 3



THIS IS THE PLAN REFERRED TO IN THE DEVELOPMENT CONSENT No DA10/0800

30 MAY 2011

SIGNED:

COBAKI PRECINCT 2

LEDA MANORSTEAD PTY LTD

LEDA

MPS Architects

MARCH 2011
MPS 2144 DA-107b
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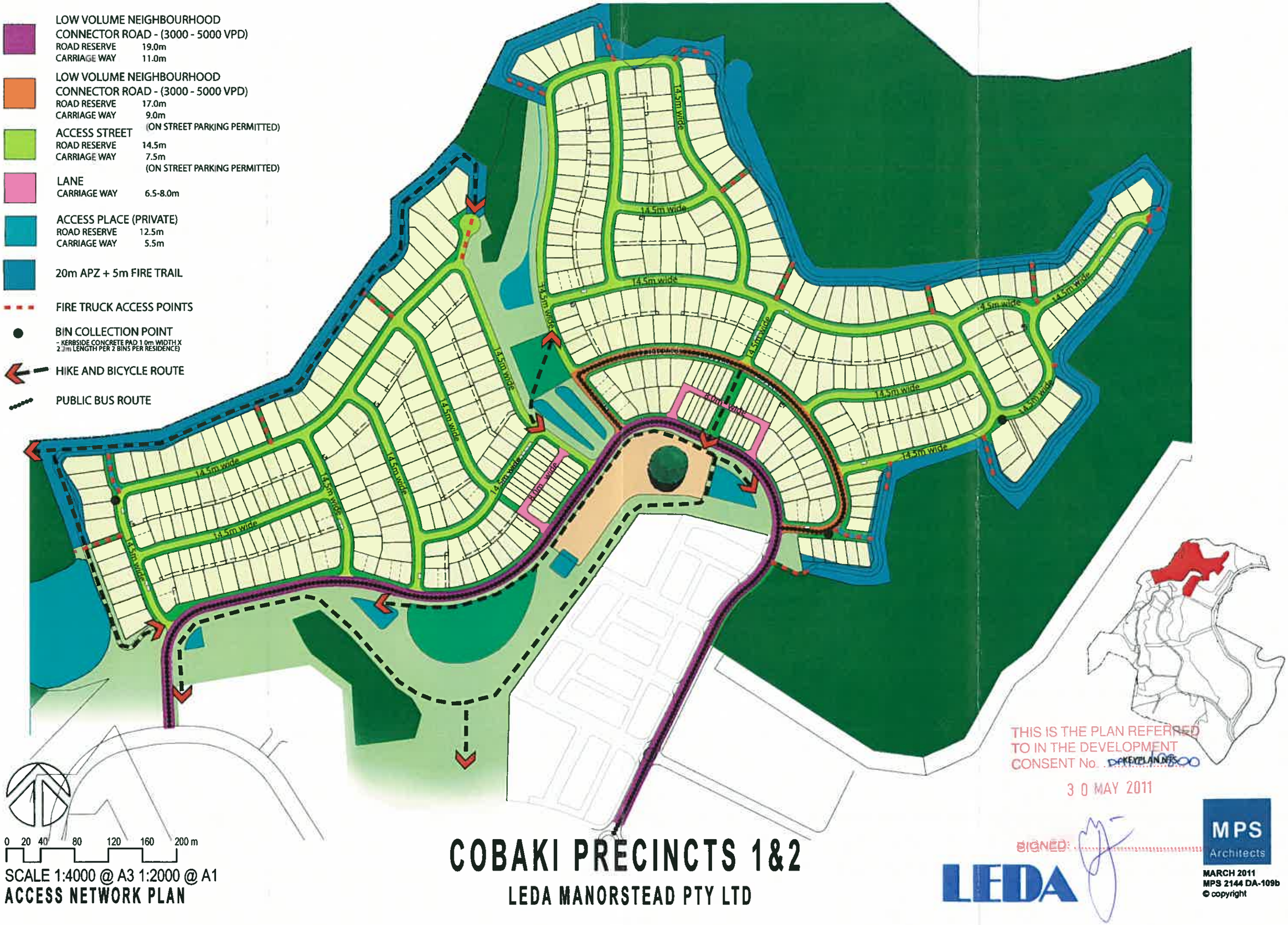
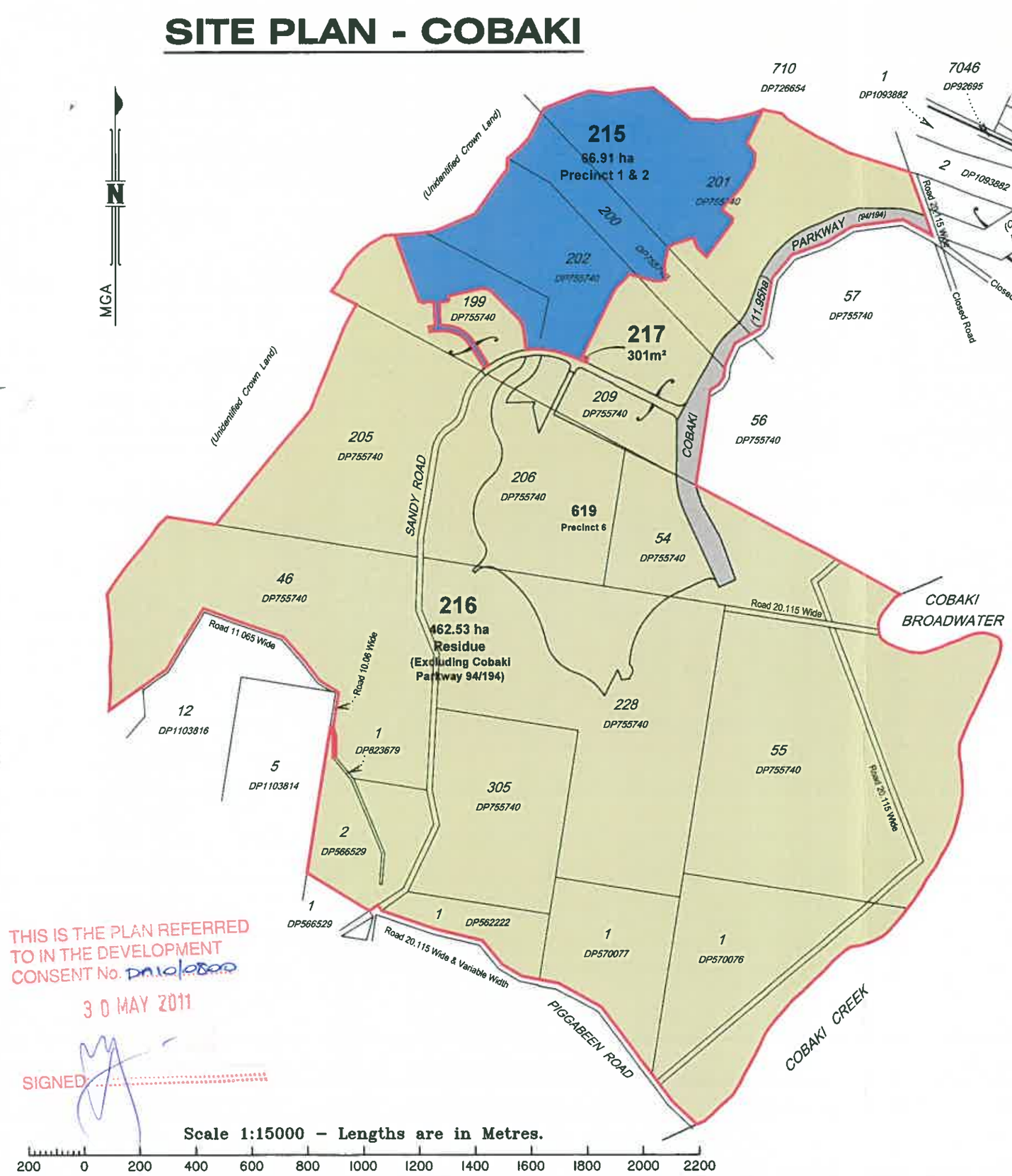


THIS IS THE PLAN REFERRED TO IN THE DEVELOPMENT CONSENT No. DA KEYPLAN NTS

30 MAY 2011

SIGNED:

SITE PLAN - COBAKI



THIS IS THE PLAN REFERRED TO IN THE DEVELOPMENT CONSENT No. DA10/0800

30 MAY 2011

SIGNED .....

Note:
Roads to be Opened and Roads to be Closed
Actions for Sandy Lane in Precincts 1 and 2 will be completed under DA1262/2001 and K99/1124.

DESCRIPTION	AREA(ha) (As Per Title Diagram)
Lot 46 on DP755740	59.89
Lot 54 on DP755740	32.37
Lot 55 on DP755740	86.20
Lot 199 on DP755740	21.95
Lot 200 on DP755740	16.19
Lot 201 on DP755740	54.23
Lot 202 on DP755740	32.98
Lot 205 on DP755740	43.20
Lot 206 on DP755740	37.74
Lot 209 on DP755740	16.19
Lot 228 on DP755740	77.40
Lot 305 on DP755740	31.97
Lot 1 on DP562222	8.277
Lot 2 on DP566529	15.78
Lot 1 on DP570076	37.96
Lot 1 on DP570077	20.70
Lot 1 on DP823679	0.5018
TOTAL	593.53 ha

ISSUE	SUBJECT	BY	DATE
A	LOTS AMENDED	GL	14/3/11

AMENDMENTS

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LEDA

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T 07 5502 2500

PROJECT
COBAKI

CLIENT
LEDA MANORSTEAD PTY LTD

DRAWING TITLE
SITE PLAN OF COBAKI PRECINCTS 1 & 2 PROPOSED LOTS 215, 216 & 217

PARISH: TERRANORA		COUNTY: ROUS
SCALE 1:15000 @ A3	DATE 3/12/2010	DRAWN GL
LEVEL DATUM	LEVEL ORIGIN	ORIGIN RL
AZIMUTH	CO-ORD SYSTEM	CO-ORD ORIGIN
EASTING	NORTHING	SURVEYOR
AUTOCAD FILE 6400-220A	GEOCOMP FILE	JOB No. 6400-01
CHECKED AD	QT	DATE IMAGED 15/3/2011

SHEET NUMBER 1 OF 1

PLAN No. **6400-220** ISSUE **A**

STAGE	SHEET	LOT NUMBERS	NUMBER RESIDENTIAL LOTS	NUMBER OTHERS LOTS
1A	2	451 - 498	47	1
1B	3 & 4	499 - 536	38	-
1C	5	537 - 574	38	-
1D	6	575 - 608	34	-
1E	7	609 - 657	49	-
2A	8	659 - 707	49	-
2B	9	708 - 766	57	2
2C	10	767 - 795	29	-
2D	11	796 - 831	36	-
2E	11	832 - 865	34	-
2F	12	866 - 889	24	-
2G	13	890 - 914	25	-
2H	14	915 - 929	15	-
2I	15	214	-	1
		Total	475	4

Note:
Roads to be Opened and Roads to be Closed
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M G.A.

ISSUE	SUBJECT	BY	DATE
A	LOTS AMENDED	GL	14/3/11

AMENDMENTS

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PROJECT
COBAKI

CLIENT
LEDA MANORSTEAD PTY LTD

DRAWING TITLE
PLAN OF PROPOSED SUBDIVISION PRECINCTS 1 & 2

PARISH: TERRANORA		COUNTY: ROUS
SCALE 1:6000 @ A3	DATE 3/12/2010	DRAWN GL
LEVEL DATUM	LEVEL ORIGIN	ORIGIN RL
AZIMUTH	CO-ORD SYSTEM	CO-ORD ORIGIN
EASTING	NORTHING	SURVEYOR
AUTOCAD FILE 6400-221A	GEOCOMP FILE	JOB No. 6400-01
CHECKED AD	QT	DATE IMAGED 15/3/2011

SHEET NUMBER 1 OF 15

PLAN No. **6400-221** ISSUE **A**

THIS IS THE PLAN REFERRED TO IN THE DEVELOPMENT CONSENT No. DA1262/2001

30 MAY 2011

SIGNED: .....

Scale 1:6000 - Lengths are in Metres.

100 0 100 200 300 400 500 600 700 800 900

M.G.A.

ROAD 12 · ROAD 13 · ROAD 10 · ROAD 11 · LOOP ROAD · 14.5m WIDE · 8m WIDE · 17m WIDE · 19m WIDE · LW 2

PARK · DRAINAGE RESERVE · PASSIVE PARK · COVENANT AREA · ENVIROMENTAL OPEN SPACE

1A

2i

THIS IS THE PLAN REFERRED TO IN THE DEVELOPMENT CONSENT No. DA10/0800
30 MAY 2011
SIGNED

Scale 1:250 - Lengths are in Metres.

(E) .... Denotes Easement for Substation Site 5.4m Wide
(S) .... Denotes Easement to Drain Sewage 3m Wide
(W) .... Denotes Easement to Drain Water 3m Wide
(D) .... Denotes Easement to Drain Sewage & Water 4m Wide

ISSUE	SUBJECT	BY	DATE
A	LOTS AMENDED	GL	14/3/11

AMENDMENTS

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PROJECT
COBAKI

CLIENT
LEDA MANORSTEAD PTY LTD

DRAWING TITLE
PLAN OF PROPOSED SUBDIVISION PRECINCTS 1 & 2 - STAGE 1A

PARISH: TERRANORA		COUNTY: ROUS
SCALE 1:1250 @ A3	DATE 3/12/2010	DRAWN GL
LEVEL DATUM	LEVEL ORIGIN	ORIGIN RL
AZIMUTH	CO-ORD SYSTEM	CO-ORD ORIGIN
EASTING	NORTHING	SURVEYOR
AUTOCAD FILE 6400-221A	GEOCOMP FILE	JOB No. 6400-01
CHECKED AD	QT	DATE IMAGED 15/3/2011

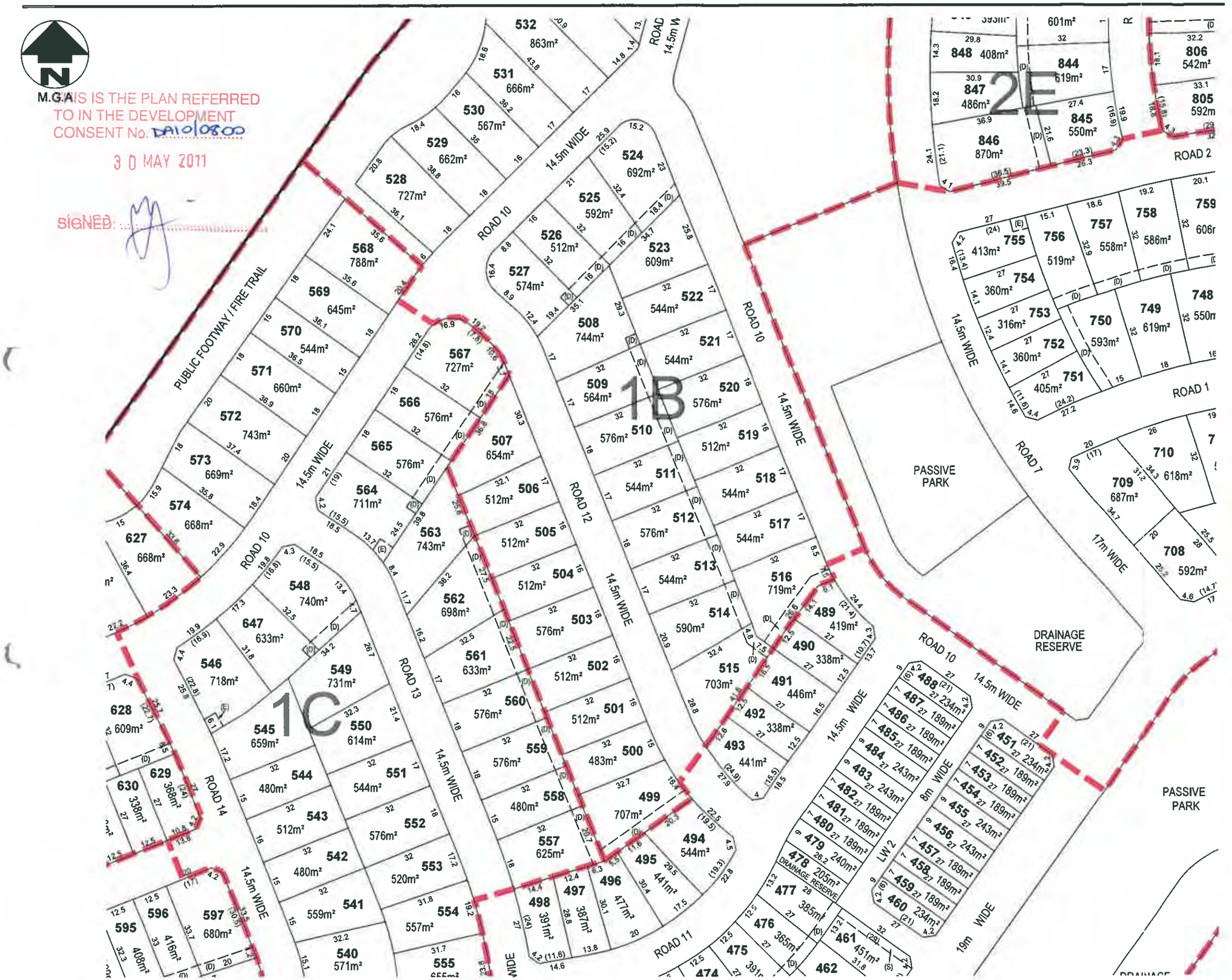
SHEET NUMBER 2 OF 15

PLAN No. **6400-221** ISSUE **A**

M.G.A IS THE PLAN REFERRED TO IN THE DEVELOPMENT CONSENT No. DA10/0800

30 MAY 2011

SIGNED: ...



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ISSUE	SUBJECT	BY	DATE
A	LOTS AMENDED	GL	14/3/11

AMENDMENTS

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PROJECT
COBAKI

CLIENT
LEDA MANORSTEAD PTY LTD

DRAWING TITLE
PLAN OF PROPOSED SUBDIVISION PRECINCTS 1 & 2 - STAGE 1B

PARISH: TERRANORA		COUNTY: ROUS
SCALE 1:1250 @ A3	DATE 3/12/2010	DRAWN GL
LEVEL DATUM	LEVEL ORIGIN	ORIGIN RL
AZIMUTH	CO-ORD SYSTEM	CO-ORD ORIGIN
EASTING	NORTHING	SURVEYOR
AUTOCAD FILE 6400-221A	GEOCOMP FILE	JOB No. 6400-01
CHECKED AD	QT	DATE IMAGED 15/3/2011

SHEET NUMBER 3 OF 15

PLAN No. **6400-221** ISSUE **A**

M.G.A.

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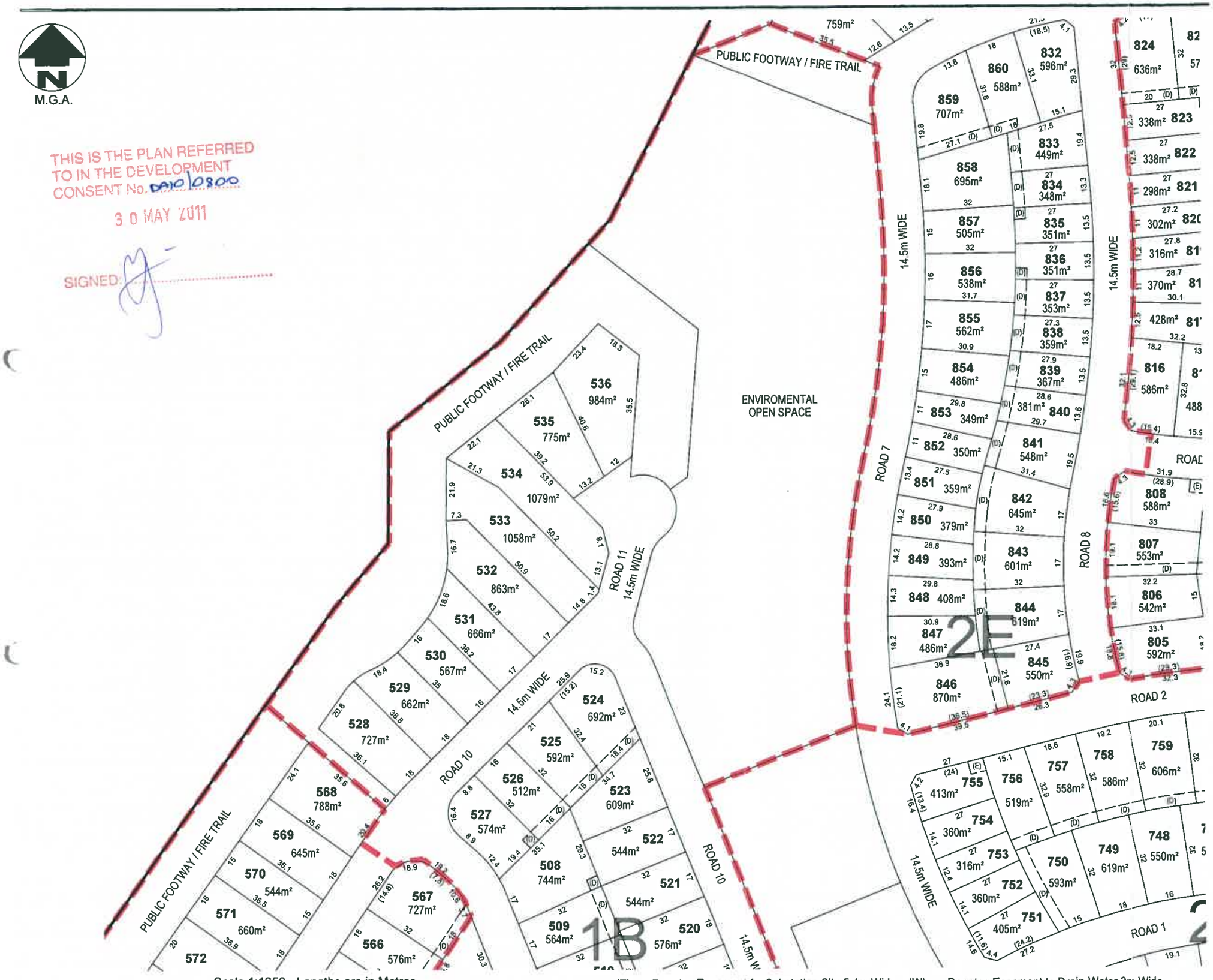
30 MAY 2011

SIGNED:



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(W) .... Denotes Easement to Drain Water 3m Wide
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ISSUE	SUBJECT	BY	DATE
A	LOTS AMENDED	GL	14/3/11

AMENDMENTS

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PROJECT
COBAKI

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LEDA MANORSTEAD PTY LTD

DRAWING TITLE
PLAN OF PROPOSED SUBDIVISION PRECINCTS 1 & 2 - STAGE 1B

PARISH: TERRANORA		COUNTY: ROUS
SCALE 1:1250 @ A3	DATE 3/12/2010	DRAWN GL
LEVEL DATUM	LEVEL ORIGIN	ORIGIN RL
AZIMUTH	CO-ORD SYSTEM	CO-ORD ORIGIN
EASTING	NORTHING	SURVEYOR
AUTOCAD FILE 6400-221A	GEOCOMP FILE	JOB No. 6400-01
CHECKED AD	QT	DATE IMAGED 15/3/2011

SHEET NUMBER 4 OF 15

PLAN No. **6400-221**

ISSUE **A**

M.G.A.

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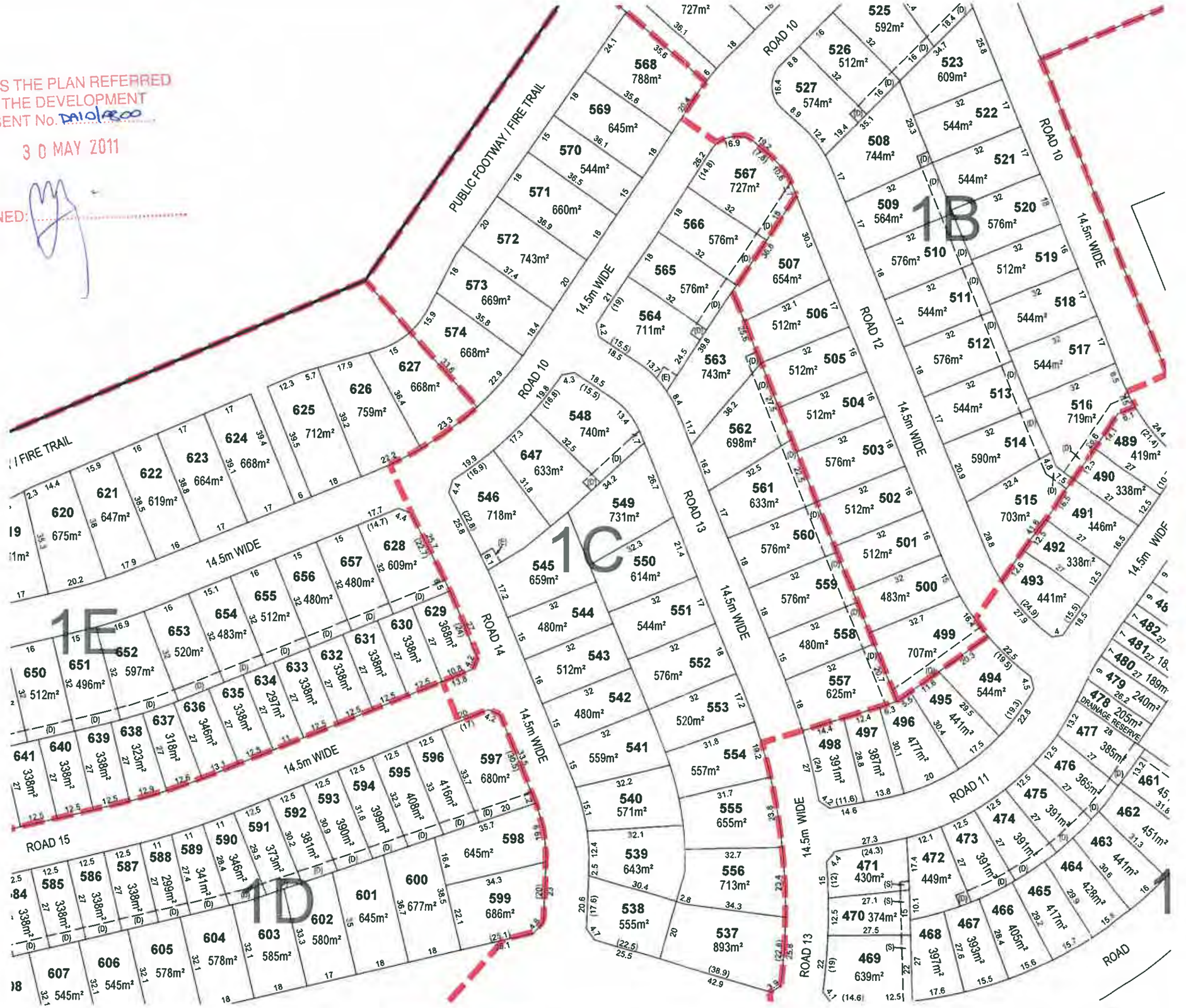

Scale 1:1250 - Lengths are in Metres.

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ISSUE	SUBJECT	BY	DATE
A	LOTS AMENDED	GL	14/3/11

AMENDMENTS

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PROJECT
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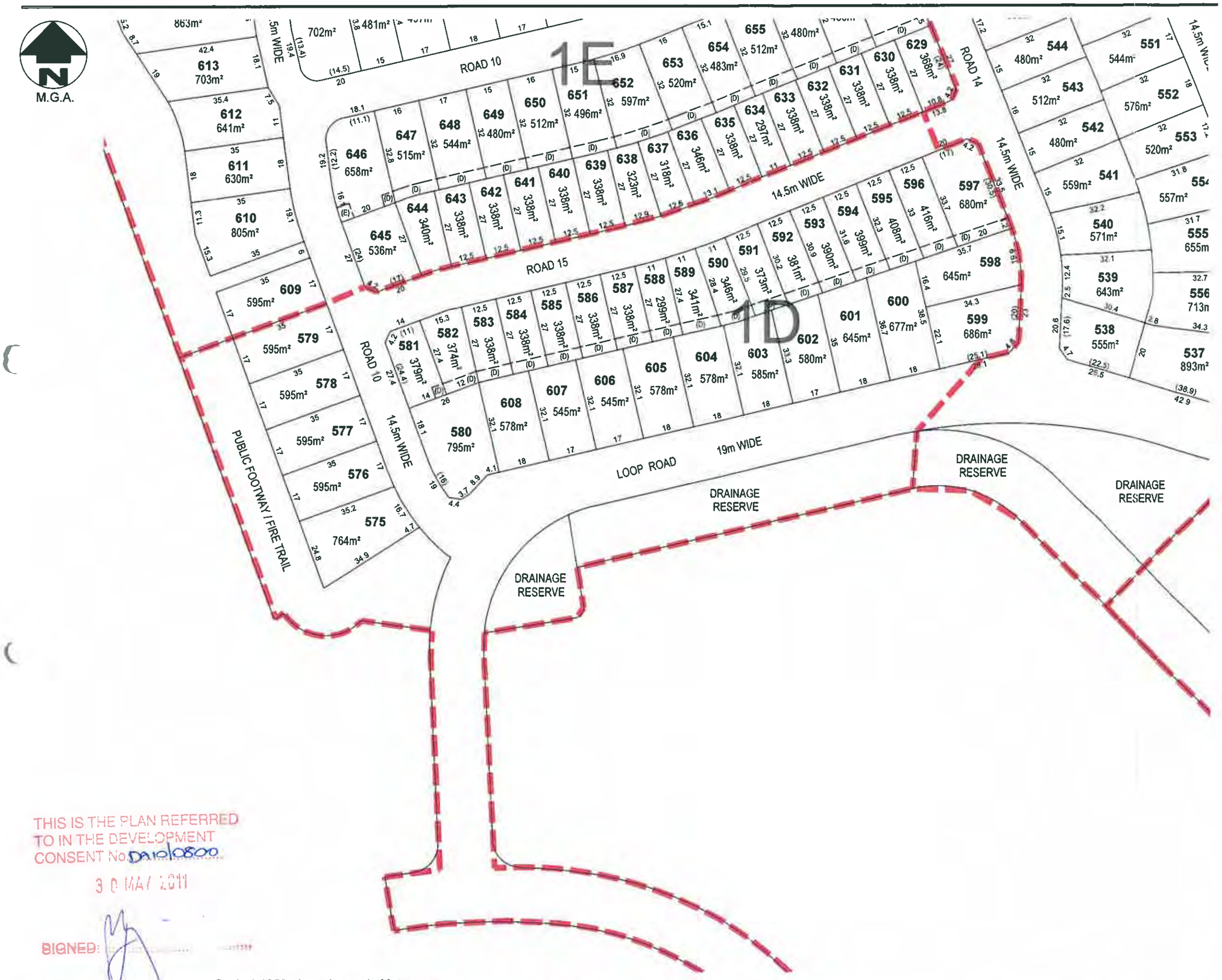
DRAWING TITLE
PLAN OF PROPOSED SUBDIVISION PRECINCTS 1 & 2 - STAGE 1C

PARISH: TERRANORA		COUNTY ROUS
SCALE 1:1250 @ A3	DATE 3/12/2010	DRAWN GL
LEVEL DATUM	LEVEL ORIGIN	ORIGIN RL
AZIMUTH	CO-ORD SYSTEM	CO-ORD ORIGIN
EASTING	NORTHING	SURVEYOR
AUTOCAD FILE 6400-221A	GEOCOMP FILE	JOB No. 6400-01
CHECKED AD	QT	DATE IMAGED 15/3/2011

SHEET NUMBER 5 OF 15

PLAN No. **6400-221**

ISSUE **A**



ISSUE	SUBJECT	BY	DATE
A	LOTS AMENDED	GL	14/3/11

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PROJECT
COBAKI

CLIENT
LEDA MANORSTEAD PTY LTD

DRAWING TITLE
PLAN OF PROPOSED SUBDIVISION PRECINCTS 1 & 2 - STAGE 1D

PARISH: TERRANORA		COUNTY ROUS
SCALE 1:1250 @ A3	DATE 3/12/2010	DRAWN GL
LEVEL DATUM	LEVEL ORIGIN	ORIGIN RL
AZIMUTH	CO-ORD SYSTEM	CO-ORD ORIGIN
EASTING	NORTHING	SURVEYOR
AUTOCAD FILE 6400-221A	GEOCOMP FILE	JOB No. 6400-01
CHECKED AD	QT	DATE IMAGED 15/3/2011

SHEET NUMBER 6 OF 15

PLAN No **6400-221** ISSUE **A**

THIS IS THE PLAN REFERRED TO IN THE DEVELOPMENT CONSENT No. DA10/0800
30 MAY 2011
SIGNED:

Scale 1:1250 - Lengths are in Metres.

10 0 10 20 30 40 50 60 70 80 90 100 110 120 130 140 150 160 170 180 190

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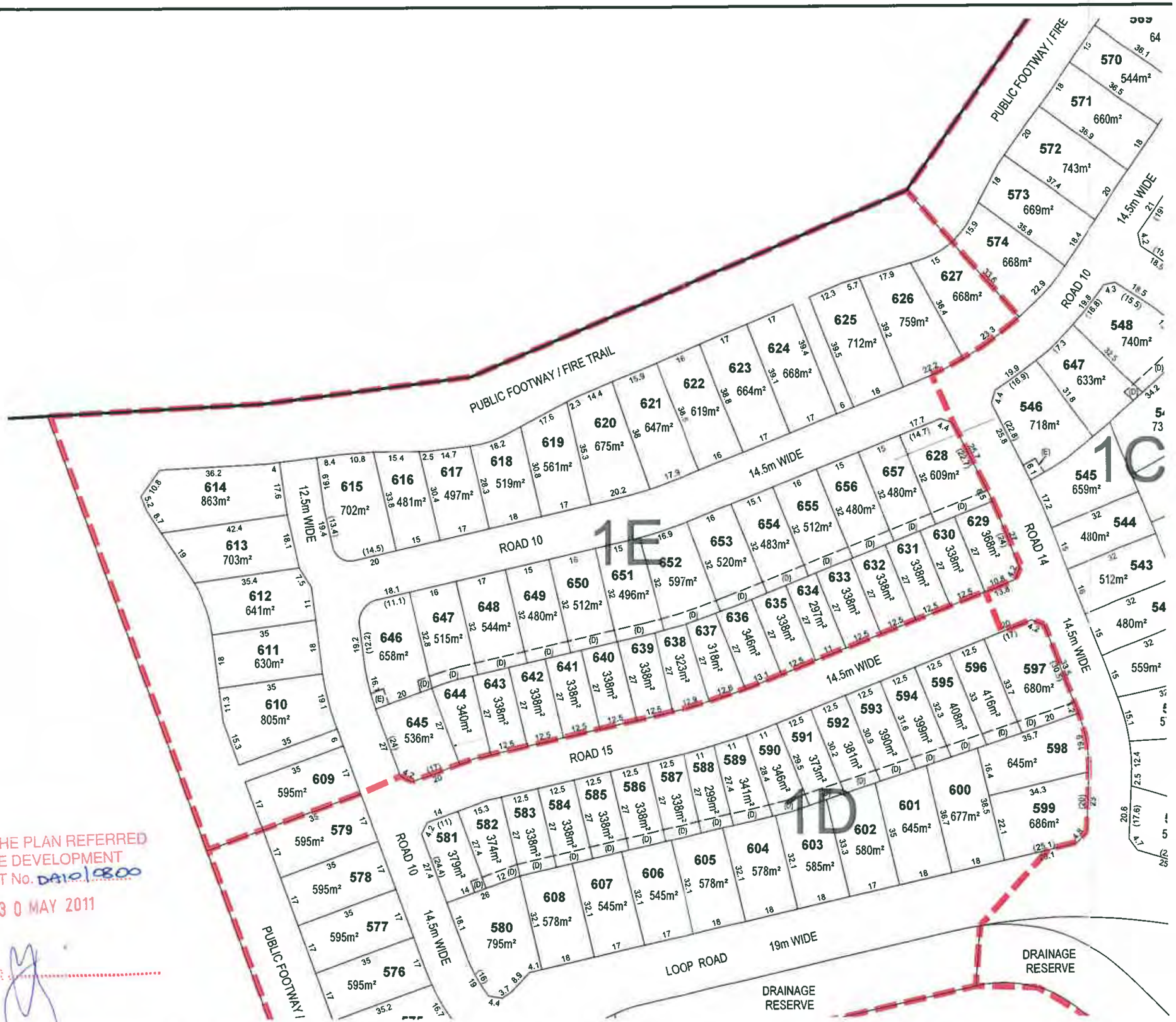
M.G.A.



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ISSUE	SUBJECT	BY	DATE
A	LOTS AMENDED	GL	14/3/11

AMENDMENTS

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PROJECT
COBAKI

CLIENT
LEDA MANORSTEAD PTY LTD

DRAWING TITLE
PLAN OF PROPOSED SUBDIVISION PRECINCTS 1 & 2 - STAGE 1E

PARISH: TERRANORA		COUNTY: ROUS
SCALE 1:1250 @ A3	DATE 3/12/2010	DRAWN GL
LEVEL DATUM	LEVEL ORIGIN	ORIGIN RL
AZIMUTH	CO-ORD SYSTEM	CO-ORD ORIGIN
EASTING	NORTHING	SURVEYOR
AUTOCAD FILE 6400-221A	GEOCOMP FILE	JOB No. 6400-01
CHECKED AD	QT	DATE IMAGED 15/3/2011

SHEET NUMBER 7 OF 15

PLAN No. **6400-221** ISSUE **A**

Scale 1:1250 - Lengths are in Metres.

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ISSUE	SUBJECT	BY	DATE
A	LOTS AMENDED	GL	14/3/11

AMENDMENTS

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PROJECT
COBAKI

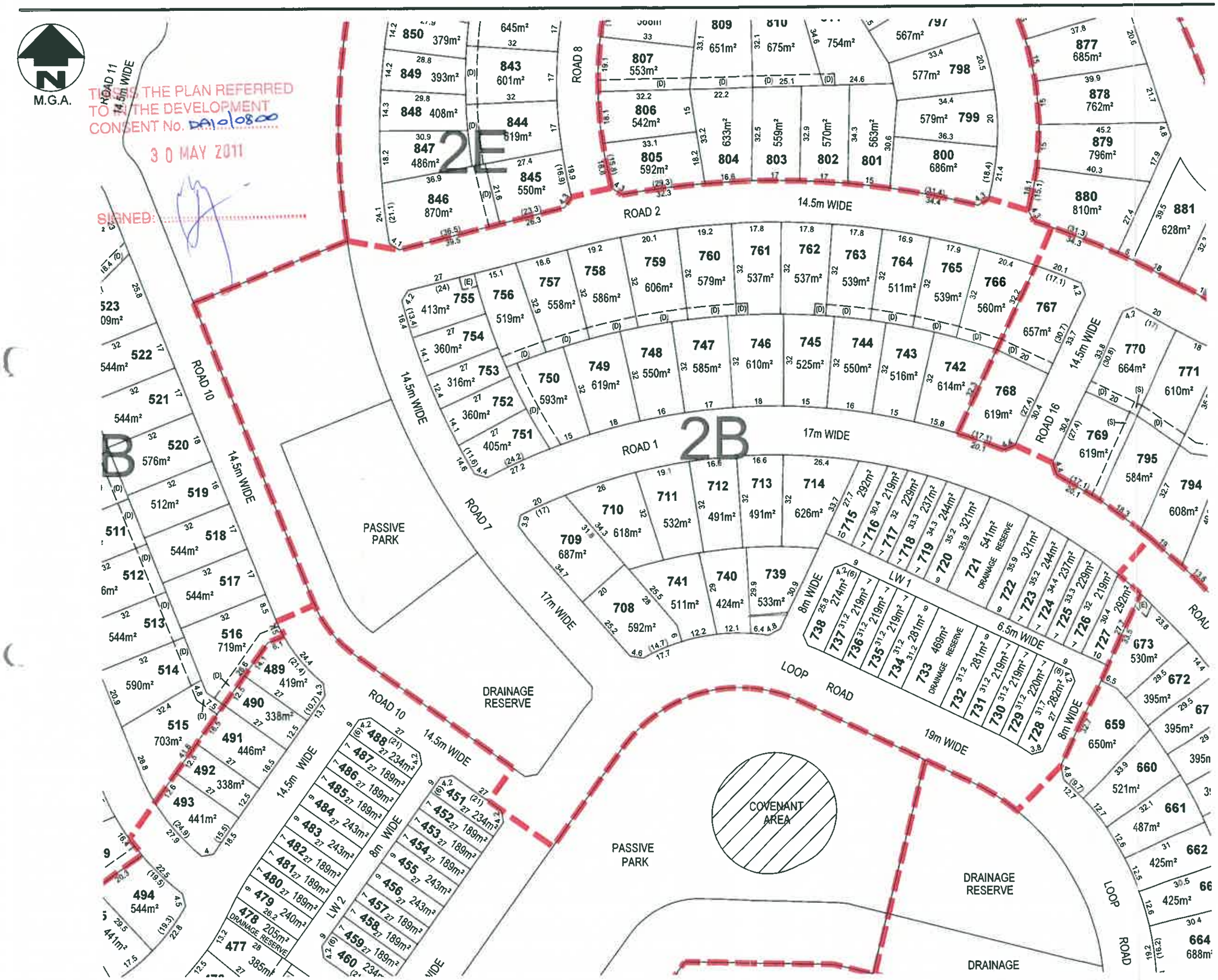
CLIENT
LEDA MANORSTEAD PTY LTD

DRAWING TITLE
PLAN OF PROPOSED SUBDIVISION PRECINCTS 1 & 2 - STAGE 2A

PARISH TERRANORA		COUNTY: ROUS
SCALE 1:1250 @ A3	DATE 3/12/2010	DRAWN GL
LEVEL DATUM	LEVEL ORIGIN	ORIGIN RL
AZIMUTH	CO-ORD SYSTEM	CO-ORD ORIGIN
EASTING	NORTHING	SURVEYOR
AUTOCAD FILE 6400-221A	GEOCOMP FILE	JOB No. 6400-01
CHECKED AD	QT	DATE IMAGED 15/3/2011

SHEET NUMBER 8 OF 15

PLAN No. **6400-221** ISSUE **A**



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ISSUE	SUBJECT	BY	DATE
A	LOTS AMENDED	GL	14/3/11

AMENDMENTS

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PROJECT
COBAKI

CLIENT
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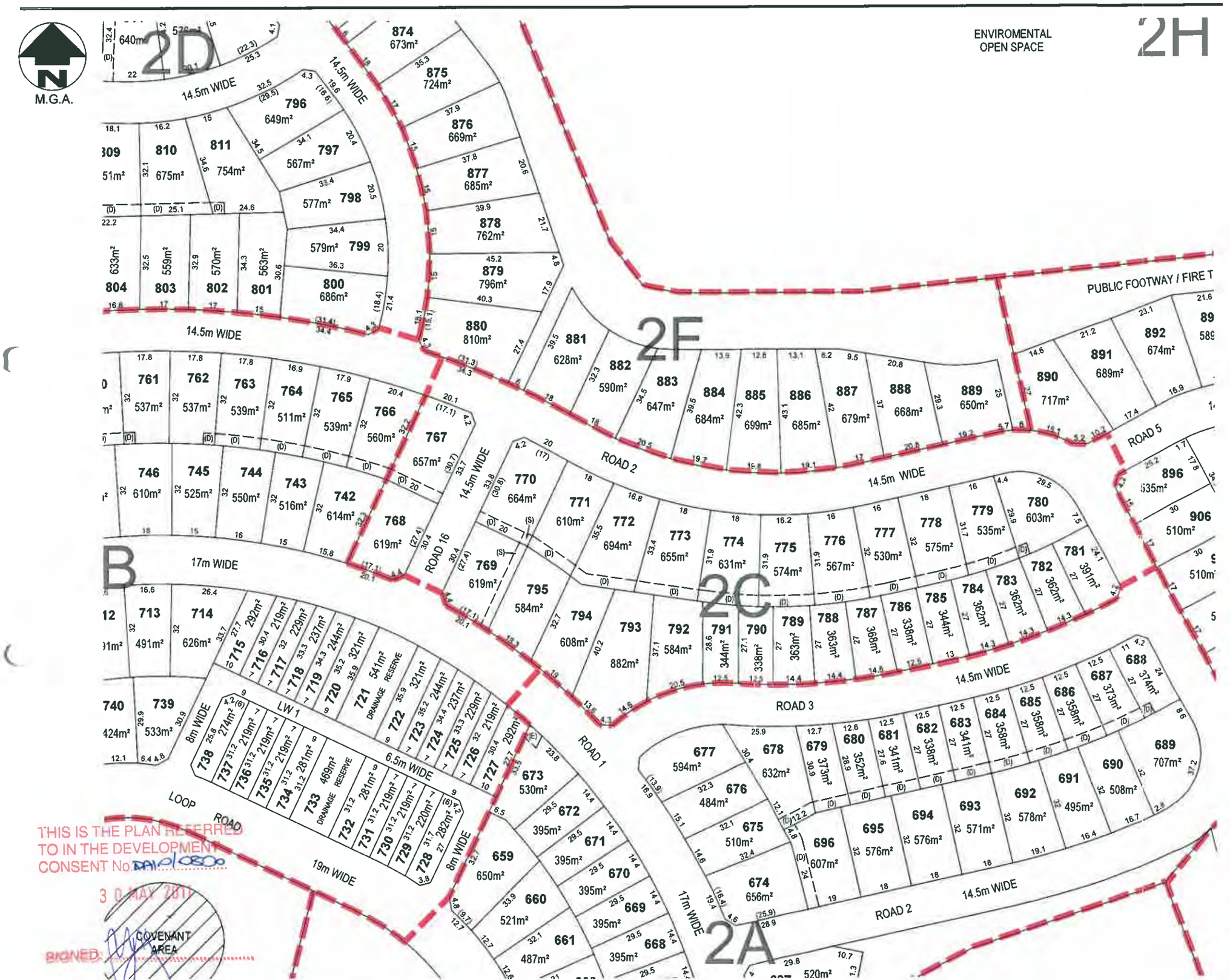
DRAWING TITLE
PLAN OF PROPOSED SUBDIVISION PRECINCTS 1 & 2 - STAGE 2B

PARISH: TERRANORA		COUNTY: ROUS
SCALE 1:1250 @ A3	DATE 3/12/2010	DRAWN GL
LEVEL DATUM	LEVEL ORIGIN	ORIGIN RL
AZIMUTH	CO-ORD SYSTEM	CO-ORD ORIGIN
EASTING	NORTHING	SURVEYOR
AUTOCAD FILE 6400-221A	GEOCOMP FILE	JOB No. 6400-01
CHECKED AD	QT	DATE IMAGED 15/3/2011

SHEET NUMBER 9 OF 15

PLAN No. **6400-221** ISSUE **A**



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(E) .... Denotes Easement for Substation Site 5.4m Wide
(S) .... Denotes Easement to Drain Sewage 3m Wide
(W) .... Denotes Easement to Drain Water 3m Wide
(D) .... Denotes Easement to Drain Sewage & Water 4m Wide

ISSUE	SUBJECT	BY	DATE
A	LOTS AMENDED	GL	14/3/11

AMENDMENTS

NOTES & DISCLAIMERS

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4. This note is an integral part of this plan.

LEDA

MICHEL GROUP SERVICES
A.C.N. 061 750 132
Land & Hydrographic Surveying
Town Planning Services
23 Cotton Street
Nerang, QLD 4211
PO Box 2695
Nerang BC, QLD 4211
F 07 5500 4890
admin@michelservices.com.au
T 07 5502 2500

PROJECT
COBAKI

CLIENT
LEDA MANORSTEAD PTY LTD

DRAWING TITLE
PLAN OF PROPOSED SUBDIVISION PRECINCTS 1 & 2 - STAGE 2C

PARISH: TERRANORA		COUNTY: ROUS
SCALE 1:1250 @ A3	DATE 3/12/2010	DRAWN GL
LEVEL DATUM	LEVEL ORIGIN	ORIGIN RL
AZIMUTH	CO-ORD SYSTEM	CO-ORD ORIGIN
EASTING	NORTHING	SURVEYOR
AUTOCAD FILE 6400-221A	GEOCOMP FILE	JOB No. 6400-01
CHECKED AD	QT	DATE IMAGED 15/3/2011

SHEET NUMBER 10 OF 15

PLAN No. **6400-221** ISSUE **A**

M.G.A.

THIS IS THE PLAN REFERRED TO IN THE DEVELOPMENT CONSENT No. DA10800

30 MAY 2011

SIGNED: .....

Scale 1:1250 - Lengths are in Metres.

(E) .... Denotes Easement for Substation Site 5.4m Wide
(S) .... Denotes Easement to Drain Sewage 3m Wide
(W) .... Denotes Easement to Drain Water 3m Wide
(D) .... Denotes Easement to Drain Sewage & Water 4m Wide

ISSUE	SUBJECT	BY	DATE
A	LOTS AMENDED	GL	14/3/11

AMENDMENTS

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PROJECT
COBAKI

CLIENT
LEDA MANORSTEAD PTY LTD

DRAWING TITLE
PLAN OF PROPOSED SUBDIVISION PRECINCTS 1 & 2 - STAGE 2D & 2E

PARISH: TERRANORA		COUNTY: ROUS
SCALE 1:1250 @ A3	DATE 3/12/2010	DRAWN GL
LEVEL DATUM	LEVEL ORIGIN	ORIGIN RL
AZIMUTH	CO-ORD SYSTEM	CO-ORD ORIGIN
EASTING	NORTHING	SURVEYOR
AUTOCAD FILE 6400-221A	GEOCOMP FILE	JOB No. 6400-01
CHECKED AD	QT	DATE IMAGED 15/3/2011

SHEET NUMBER 11 OF 15

PLAN No. **6400-221** ISSUE **A**

(E) .... Denotes Easement for Substation Site 5.4m Wide
(S) .... Denotes Easement to Drain Sewage 3m Wide
(W) .... Denotes Easement to Drain Water 3m Wide
(D) .... Denotes Easement to Drain Sewage & Water 4m Wide

ISSUE	SUBJECT	BY	DATE
A	LOTS AMENDED	GL	14/3/11

AMENDMENTS

NOTES & DISCLAIMERS

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T 07 5502 2500

PROJECT
COBAKI

CLIENT
LEDA MANORSTEAD PTY LTD

DRAWING TITLE
PLAN OF PROPOSED SUBDIVISION PRECINCTS 1 & 2 STAGE 2F

THIS IS THE PLAN REFERRED TO IN DEVELOPMENT CONSENT No. DA10/0800
30 MAY 2011
SIGNED:

PARISH TERRANORA		COUNTY ROUS
SCALE 1:1250 @ A3	DATE 3/12/2010	DRAWN GL
LEVEL DATUM	LEVEL ORIGIN	ORIGIN RL
AZIMUTH	CO-ORD SYSTEM	CO-ORD ORIGIN
EASTING	NORTHING	SURVEYOR
AUTOCAD FILE 6400-221A	GEOCOMP FILE	JOB No. 6400-01
CHECKED AD	QT	DATE IMAGED 15/3/2011

SHEET NUMBER 12 OF 15

PLAN No. **6400-221** ISSUE **A**

THIS IS THE PLAN REFERRED TO IN THE DEVELOPMENT CONSENT No DA10/0800

30 MAY 2011

SIGNED:

M.G.A.

Scale 1:250 - Lengths are in Metres.

10 0 10 20 30 40 50 60 70 80 90 100 110 120 130 140 150 160 170 180 190

(E) .... Denotes Easement for Substation Site 5.4m Wide
(S) .... Denotes Easement to Drain Sewage 3m Wide
(W) .... Denotes Easement to Drain Water 3m Wide
(D) .... Denotes Easement to Drain Sewage & Water 4m Wide
(C) .... Denotes Right of Carriageway 3m Wide

ISSUE	SUBJECT	BY	DATE
A	LOTS AMENDED	GL	14/3/11

AMENDMENTS

NOTES & DISCLAIMERS

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PROJECT
COBAKI

CLIENT
LEDA MANORSTEAD PTY LTD

DRAWING TITLE
PLAN OF PROPOSED SUBDIVISION PRECINCTS 1 & 2 - STAGE 2G

PARISH: TERRANORA		COUNTY: ROUS
SCALE 1:1250 @ A3	DATE 3/12/2010	DRAWN GL
LEVEL DATUM	LEVEL ORIGIN	ORIGIN RL
AZIMUTH	CO-ORD SYSTEM	CO-ORD ORIGIN
EASTING	NORTHING	SURVEYOR
AUTOCAD FILE 6400-221A	GEOCOMP FILE	JOB No. 6400-01
CHECKED AD	QT	DATE IMAGED 15/3/2011

SHEET NUMBER 13 OF 15

PLAN No. **6400-221** ISSUE **A**

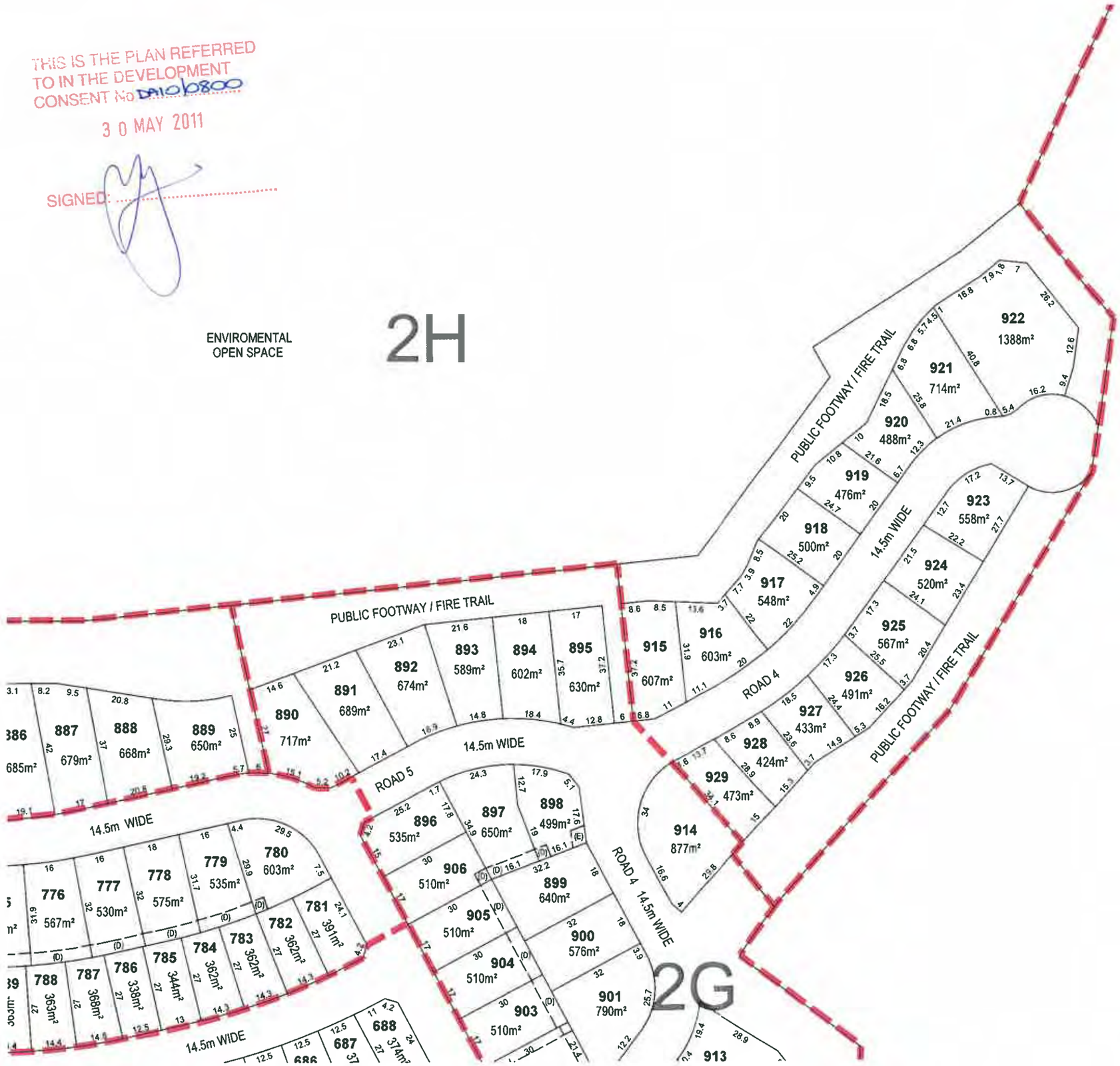
M.G.A.

THIS IS THE PLAN REFERRED TO IN THE DEVELOPMENT CONSENT No DA06/0800

30 MAY 2011

SIGNED: .....

ENVIROMENTAL OPEN SPACE



Scale 1:1250 - Lengths are in Metres.

10 0 10 20 30 40 50 60 70 80 90 100 110 120 130 140 150 160 170 180 190

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(S) .... Denotes Easement to Drain Sewage 3m Wide
(W) .... Denotes Easement to Drain Water 3m Wide
(D) .... Denotes Easement to Drain Sewage & Water 4m Wide

ISSUE	SUBJECT	BY	DATE
A	LOTS AMENDED	GL	14/3/11

AMENDMENTS

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PROJECT
COBAKI

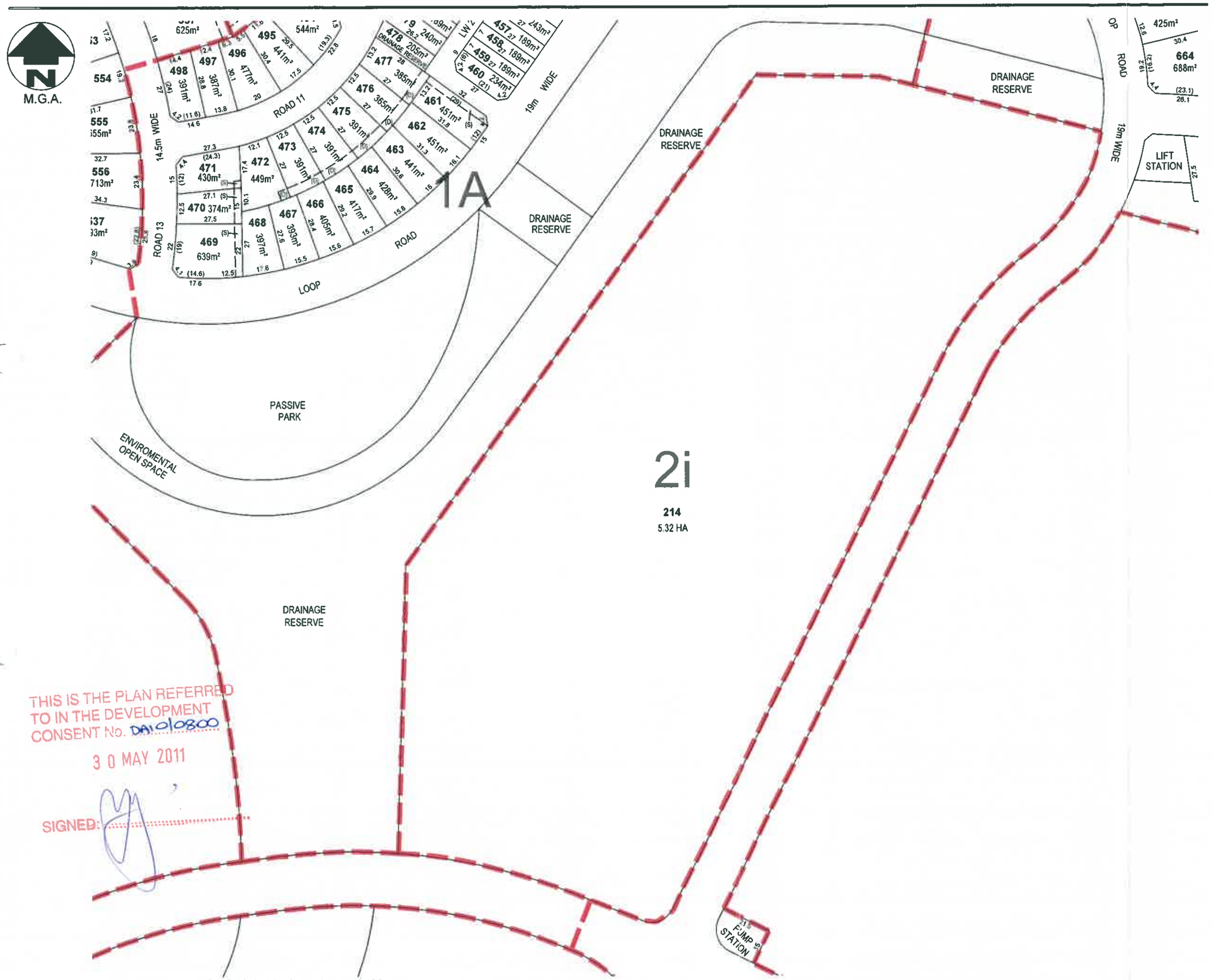
CLIENT
LEDA MANORSTEAD PTY LTD

DRAWING TITLE
PLAN OF PROPOSED SUBDIVISION PRECINCTS 1 & 2 - STAGE 2H

PARISH: TERRANORA		COUNTY ROUS
SCALE 1 1250 @ A3	DATE 3/12/2010	DRAWN GL
LEVEL DATUM	LEVEL ORIGIN	ORIGIN RL
AZIMUTH	CO-ORD SYSTEM	CO-ORD ORIGIN
EASTING	NORTHING	SURVEYOR
AUTOCAD FILE 6400-221A	GEOCOMP FILE	JOB No 6400-01
CHECKED AD	QT	DATE IMAGED 15/3/2011

SHEET NUMBER 14 OF 15

PLAN No. **6400-221** ISSUE **A**



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(S) .... Denotes Easement to Drain Sewage 3m Wide
(W) .... Denotes Easement to Drain Water 3m Wide
(D) .... Denotes Easement to Drain Sewage & Water 4m Wide

ISSUE	SUBJECT	BY	DATE
A	LOTS AMENDED	GL	14/3/11

AMENDMENTS

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PROJECT
COBAKI

CLIENT
LEDA MANORSTEAD PTY LTD

DRAWING TITLE
PLAN OF PROPOSED SUBDIVISION PRECINCTS 1 & 2 - STAGE 2i

PARISH: TERRANORA		COUNTY: ROUS
SCALE 1:1500 @ A3	DATE 3/12/2010	DRAWN GL
LEVEL DATUM	LEVEL ORIGIN	ORIGIN RL
AZIMUTH	CO-ORD SYSTEM	CO-ORD ORIGIN
EASTING	NORTHING	SURVEYOR
AUTOCAD FILE 6400-221A	GEOCOMP FILE	JOB No. 6400-01
CHECKED AD	QT	DATE IMAGED 15/3/2011

SHEET NUMBER 15 OF 15

PLAN No. **6400-221** ISSUE **A**

STAGE	LOT NUMBERS
1A	101 - 105, 478
1B	106 - 108
1C	109 - 111
1D	112 - 114
1E	115
2A	201 - 204, 217
2B	205, 206, 721, 733
2C	-
2D	-
2E	207
2F	208
2G	209, 210
2H	211 - 213
2i	214

Scale 1:5000 - Lengths are in Metres.

50 0 50 100 150 200 250 300 350 400 450 500 550 600 650 700

THIS IS THE PLAN REFERRED TO IN THE DEVELOPMENT CONSENT No. DA10/0800

30 MAY 2011

SIGNED:

ISSUE	SUBJECT	BY	DATE
A	LOTS AMENDED	GL	14/3/11

AMENDMENTS

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PROJECT
COBAKI

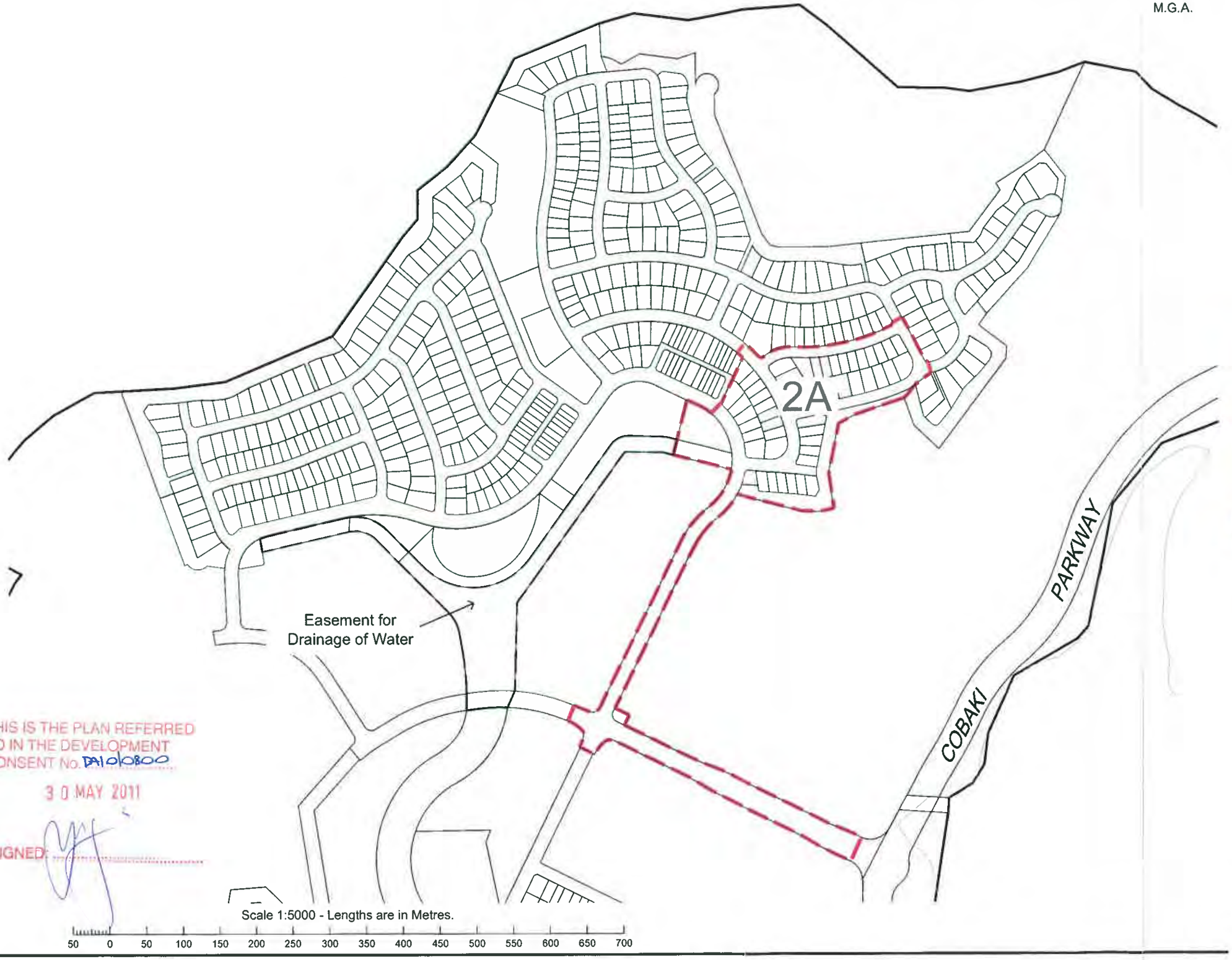
CLIENT
LEDA MANORSTEAD PTY LTD

DRAWING TITLE
PLAN OF PROPOSED SUBDIVISION PRECINCTS 1 & 2 DRAINAGE RESERVES & PARKS

PARISH: TERRANORA		COUNTY: ROUS
SCALE 1:4000 @ A3	DATE 3/12/2010	DRAWN GL
LEVEL DATUM	LEVEL ORIGIN	ORIGIN RL
AZIMUTH	CO-ORD SYSTEM	CO-ORD ORIGIN
EASTING	NORTHING	SURVEYOR
AUTOCAD FILE 6400-222A	GEOCOMP FILE	JOB No. 6400-01
CHECKED AD	QT	DATE IMAGED 15/3/2011

SHEET NUMBER 1 OF 1

PLAN No. **6400-222** ISSUE **A**



THIS IS THE PLAN REFERRED TO IN THE DEVELOPMENT CONSENT No. DA10/0800

30 MAY 2011

SIGNED: .....

ISSUE	SUBJECT	BY	DATE
A	LOTS AMENDED	GL	14/3/11

AMENDMENTS

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admin@michelservices.com.au
T 07 5502 2500

PROJECT
COBAKI

CLIENT
LEDA MANORSTEAD PTY LTD

DRAWING TITLE
PLAN OF TEMPORARY "SERVICES EMTS" COBAKI - PRECINCTS 1 & 2 STAGE 2A

PARISH: TERRANORA		COUNTY: ROUS
SCALE 1:5000 @ A3	DATE 3/12/2010	DRAWN GL
LEVEL DATUM	LEVEL ORIGIN	ORIGIN RL
AZIMUTH	CO-ORD SYSTEM	CO-ORD ORIGIN
EASTING	NORTHING	SURVEYOR
AUTOCAD FILE 6400-223A	GEOCOMP FILE	JOB No. 6400-01
CHECKED AD	QT	DATE IMAGED 15/3/2011

SHEET NUMBER 1 OF 1

PLAN No **6400-223** ISSUE **A**

TWEED SHIRE COUNCIL

Copy to TSC Financial Services Unit

SECTION 94, SECTION 64 AND OTHER DEVELOPER CONTRIBUTIONS SHEET

THIS FORM MUST ACCOMPANY PAYMENT OF CONTRIBUTIONS TO COUNCIL

Development: Cobaki Estate subdivision of precinct 1 and 2 comprised of 475 residential lots (including 1 residual lot) and lots for drainage, open space and urban infrastructure (JRPP)

Development Consent No. DA10/0800

Location: Lot 1 DP 562222; Lot 2 DP 566529; Lot 1 DP 570077; Lot 1 DP 823679; Lots 46, 54, 55, 199, 200, 201, 202, 205, 206, 209, 228, 305 DP 755740, No. 73 Sandy Lane; Lot 1 DP 570076 Piggabeen Road, Cobaki Lakes

Applicant: Leda Manorstead Pty Ltd
PO Box 1914
SURFERS PARADISE QLD 4217

Owner: Leda Manorstead Pty Ltd

Date: 30/05/2011

Paid by:

Stage: Stage 1A

Contribution Payable	S94 Contribution Plan Number/ Sector	Area CP5 Only	Units/lots or rate/ha	Rate (valid until) __/__/__	Amount	Rate at Time of Payment after __/__/__	Amount at Time of Payment $	Receipt Number	Charge Control	*Bank Account*
WATER HEADWORKS	S64		48.2ET @ $11,020.00	30/5/2012	$531,164.00				WaterDSP3	40
SEWERAGE HEADWORKS	S64		49ET @ $5,295.00	30/5/2012	$259,455.00				SewerBnora	85
TRCP - COBAKI	4/3		308.1Trips @ $999.00	30/5/2012	$307,792.00				Sector3_4	1
COBAKI LAKES COMMUNITY FACILITIES	10		48.5ET @ $492.00	30/5/2012	$23,862.00				CommFac10	1
LIBRARIES	11		48.5ET @ $792.00	30/5/2012	$38,412.00				ResDevt11	1
BUS SHELTERS	12		48.5ET @ $60.00	30/5/2012	$2,910.00				Over10ET	1
CEMETERIES	13		48.5ET @ $120.00	30/5/2012	$5,820.00				ResDevt13	1
COUNCIL ADMIN - TECH SUPPORT	18		48.5ET @ $1,759.90	30/5/2012	$85,355.15				Shirewide	1
CYCLEWAYS	22		48.5ET @ $447.00	30/5/2012	$21,680.00				Shirewid22	1
CASUAL OPEN SPACE - REGIONAL	26	1	48.5ET @ $1,031.00	30/5/2012	$50,004.00				CasOS26	1

TWEED SHIRE COUNCIL

Contribution Payable	S94 Contribution Plan Number/ Sector	Area CP5 Only	Units/lots or rate/ha	Rate (valid until) __/__/__	Amount	Rate at Time of Payment after __/__/__	Amount at Time of Payment $	Receipt Number	Charge Control	*Bank Account*
STRUCTURE OPEN SPACE - REGIONAL	26	1	48.5ET @ $3,619.00	30/5/2012	$175,522.00				StrucOS26	1
TOTAL AMOUNT DUE					$1,501,976.15					

Please forward receipt to

Name: _____

Address: _____

_____

_____

Note: Refer to separate Fee Sheet for Application Fees

Original Contribution Amounts	Prepared by:	Signature	L. McGavin print name	31/5/11 date
	Checked by:	Signature	C. Forbes print name	31/5/11 date
Amended Contribution Amounts	Prepared by:	Signature	print name	__/__/__ date
	Original/amended amounts Checked & Certified by: (to enable SC release/BA release/ CC release) (Authorised Council [1] Officer)	Signature	print name	__/__/__ date

Note: Authorised Council Officers are: -

* **Town Planners**
* **Subdivision Engineers**
* **Building Surveyors**

TWEED SHIRE COUNCIL

Copy to TSC Financial Services Unit

SECTION 94, SECTION 64 AND OTHER DEVELOPER CONTRIBUTIONS SHEET

THIS FORM MUST ACCOMPANY PAYMENT OF CONTRIBUTIONS TO COUNCIL

Development: Cobaki Estate subdivision of precinct 1 and 2 comprised of 475 residential lots (including 1 residual lot) and lots for drainage, open space and urban infrastructure (JRPP)

Development Consent No. DA10/0800

Location: Lot 1 DP 562222; Lot 2 DP 566529; Lot 1 DP 570077; Lot 1 DP 823679; Lots 46, 54, 55, 199, 200, 201, 202, 205, 206, 209, 228, 305 DP 755740, No. 73 Sandy Lane; Lot 1 DP 570076 Piggabeen Road, Cobaki Lakes

Applicant: Leda Manorstead Pty Ltd
PO Box 1914
SURFERS PARADISE QLD 4217

Owner: Leda Manorstead Pty Ltd

Date: 30/05/2011

Paid by:

Stage: Stage 1A

Contribution Payable	S94 Contribution Plan Number/ Sector	Area CP5 Only	Units/lots or rate/ha	Rate (valid until) __/__/__	Amount	Rate at Time of Payment after __/__/__	Amount at Time of Payment $	Receipt Number	Charge Control	*Bank Account*
WATER HEADWORKS	S64		48.2ET @ $11,020.00	30/5/2012	$531,164.00				WaterDSP3	40
SEWERAGE HEADWORKS	S64		49ET @ $5,295.00	30/5/2012	$259,455.00				SewerBnora	85
TRCP - COBAKI	4/3		308.1Trips @ $999.00	30/5/2012	$307,792.00				Sector3_4	1
COBAKI LAKES COMMUNITY FACILITIES	10		48.5ET @ $492.00	30/5/2012	$23,862.00				CommFac10	1
LIBRARIES	11		48.5ET @ $792.00	30/5/2012	$38,412.00				ResDevt11	1
BUS SHELTERS	12		48.5ET @ $60.00	30/5/2012	$2,910.00				Over10ET	1
CEMETERIES	13		48.5ET @ $120.00	30/5/2012	$5,820.00				ResDevt13	1
COUNCIL ADMIN - TECH SUPPORT	18		48.5ET @ $1,759.90	30/5/2012	$85,355.15				Shirewide	1
CYCLEWAYS	22		48.5ET @ $447.00	30/5/2012	$21,680.00				Shirewid22	1
CASUAL OPEN SPACE - REGIONAL	26	1	48.5ET @ $1,031.00	30/5/2012	$50,004.00				CasOS26	1

TWEED SHIRE COUNCIL

Contribution Payable	S94 Contribution Plan Number/ Sector	Area CP5 Only	Units/lots or rate/ha	Rate (valid until) __/__/__	Amount	Rate at Time of Payment after __/__/__	Amount at Time of Payment $	Receipt Number	Charge Control	*Bank Account*
STRUCTURE OPEN SPACE - REGIONAL	26	1	48.5ET @ $3,619.00	30/5/2012	$175,522.00				StrucOS26	1
TOTAL AMOUNT DUE					$1,501,976.15					

Please forward receipt to

Name: _____

Address: _____

_____

_____

Note: Refer to separate Fee Sheet for Application Fees

Original Contribution Amounts	Prepared by:	Signature	L. M'GAVIN print name	31/5/11 date
	Checked by:	Signature	C. FORBES print name	31/5/11 date
Amended Contribution Amounts	Prepared by:	Signature	print name	__/__/__ date
	Original/amended amounts Checked & Certified by: (to enable SC release/BA release/ CC release) (Authorised Council [1] Officer)	Signature	print name	__/__/__ date

Note: Authorised Council Officers are: -

* **Town Planners**
* **Subdivision Engineers**
* **Building Surveyors**

TWEED SHIRE COUNCIL

PROCEDURE FOR ISSUE OF CERTIFICATE OF COMPLIANCE

In accordance with Clause 64, Local Government Act, 1993 and Chapter 6, Part 2, Division 5 Water Management Act 2000

DETAILS

Applicant:	**Leda Manorstead Pty Ltd** **PO Box 1914** **SURFERS PARADISE QLD 4217**
Description of Development:	**Stage 1A** **Cobaki Estate subdivision of precinct 1 and 2 comprised of 475 residential lots (including 1 residual lot) and lots for drainage, open space and urban infrastructure (JRPP) at Lot 1 DP 562222; Lot 2 DP 566529; Lot 1 DP 570077; Lot 1 DP 823679; Lots 46, 54, 55, 199, 200, 201, 202, 205, 206, 209, 228, 305 DP 755740, No. 73 Sandy Lane; Lot 1 DP 570076 Piggabeen Road, Cobaki Lakes**
Date of Council Approval:	**30/05/2011**
Council File Reference:	**DA10/0800**

APPLICATION

To: The General Manager

Application is hereby made for a Certificate of Compliance under Part 2, Division 5, Clause 305 of the Water Management Act 2000, in respect of the consent/approval issued by Council.

Signature of Applicant Date

NOTICE OF COUNCIL'S REQUIREMENTS UNDER PART 2, DIVISION 5, CLAUSE 306 OF THE WATER MANAGEMENT ACT 2000

Works required: *a)* *Water & Sewer headworks augmentation*

Contributions required: a) Water - $531164
Sewer - $259455

Note: The fees and charges quoted above will remain fixed for a period of twelve (12) months from the date of Development Consent No. DA10/0800, dated 30/05/2011 and thereafter in accordance with the rates applicable in Council's adopted Fees and Charges current at the time of payment.

Note: The Environmental Planning and Assessment Act, 1979 (as amended) makes no provision for works under the Water Management Act 2000 to be certified by an Accredited Certifier.

General Manager Date 31.5.11

CERTIFICATE OF COMPLIANCE

Part 2, Division 5, Clause 307 of the Water Management Act 2000

This is to certify that water supply and sewerage works have been carried out, or security provided to Council's satisfaction for their completion and such other contributions have been paid or secured to satisfy notice of Council's requirements in respect of water supply and sewerage for the abovementioned consent dated 30/05/2011 on file DA10/0800.

General Manager Date

TWEED SHIRE COUNCIL

Copy to TSC Financial Services Unit

SECTION 94, SECTION 64 AND OTHER DEVELOPER CONTRIBUTIONS SHEET

THIS FORM MUST ACCOMPANY PAYMENT OF CONTRIBUTIONS TO COUNCIL

Development: Cobaki Estate subdivision of precinct 1 and 2 comprised of 475 residential lots (including 1 residual lot) and lots for drainage, open space and urban infrastructure (JRPP)

Development Consent No. DA10/0800

Location: Lot 1 DP 562222; Lot 2 DP 566529; Lot 1 DP 570077; Lot 1 DP 823679; Lots 46, 54, 55, 199, 200, 201, 202, 205, 206, 209, 228, 305 DP 755740, No. 73 Sandy Lane; Lot 1 DP 570076 Piggabeen Road, Cobaki Lakes

Applicant: Leda Manorstead Pty Ltd
PO Box 1914
SURFERS PARADISE QLD 4217

Owner: Leda Manorstead Pty Ltd

Date: 30/05/2011

Paid by:

Stage: Stage 1B

Contribution Payable	S94 Contribution Plan Number/ Sector	Area CP5 Only	Units/lots or rate/ha	Rate (valid until) __/__/__	Amount	Rate at Time of Payment after __/__/__	Amount at Time of Payment $	Receipt Number	Charge Control	*Bank Account*
WATER HEADWORKS	S64		38ET @ $11,020.00	30/5/2012	$418,760.00				WaterDSP3	40
SEWERAGE HEADWORKS	S64		38ET @ $5,295.00	30/5/2012	$201,210.00				SewerBnora	85
TRCP - COBAKI	4/3		247Trips @ $999.00	30/5/2012	$246,753.00				Sector3_4	1
COBAKI LAKES COMMUNITY FACILITIES	10		38ET @ $492.00	30/5/2012	$18,696.00				CommFac10	1
LIBRARIES	11		38ET @ $792.00	30/5/2012	$30,096.00				ResDevt11	1
BUS SHELTERS	12		38ET @ $60.00	30/5/2012	$2,280.00				Over10ET	1
CEMETERIES	13		38ET @ $120.00	30/5/2012	$4,560.00				ResDevt13	1
COUNCIL ADMIN - TECH SUPPORT	18		38ET @ $1,759.90	30/5/2012	$66,876.20				Shirewide	1
CYCLEWAYS	22		38ET @ $447.00	30/5/2012	$16,986.00				Shirewid22	1
CASUAL OPEN SPACE - REGIONAL	26	1	38ET @ $1,031.00	30/5/2012	$39,178.00				CasOS26	1

TWEED SHIRE COUNCIL

Contribution Payable	S94 Contribution Plan Number/ Sector	Area CP5 Only	Units/lots or rate/ha	Rate (valid until) __/__/__	Amount	Rate at Time of Payment after __/__/__	Amount at Time of Payment $	Receipt Number	Charge Control	*Bank Account*
STRUCTURE OPEN SPACE - REGIONAL	26	1	38ET @ $3,619 00	30/5/2012	$137,522.00				StrucOS26	1
TOTAL AMOUNT DUE					$1,182,917.20					

Please forward receipt to

Name: _____

Address: _____

_____

_____

Note: Refer to separate Fee Sheet for Application Fees

Original Contribution Amounts	Prepared by:	Signature	L. McGAVIN print name	31/5/11 date
	Checked by:	Signature	C. FORBES print name	31/5/11 date
Amended Contribution Amounts	Prepared by:	Signature	print name	__/__/__ date
	Original/amended amounts Checked & Certified by: (to enable SC release/BA release/ CC release) (Authorised Council [1] Officer)	Signature	print name	__/__/__ date

Note: Authorised Council Officers are: -

* **Town Planners**
* **Subdivision Engineers**
* **Building Surveyors**

TWEED SHIRE COUNCIL

Copy to TSC Financial Services Unit

SECTION 94, SECTION 64 AND OTHER DEVELOPER CONTRIBUTIONS SHEET

THIS FORM MUST ACCOMPANY PAYMENT OF CONTRIBUTIONS TO COUNCIL

Development: Cobaki Estate subdivision of precinct 1 and 2 comprised of 475 residential lots (including 1 residual lot) and lots for drainage, open space and urban infrastructure (JRPP)

Development Consent No. DA10/0800

Location: Lot 1 DP 562222; Lot 2 DP 566529; Lot 1 DP 570077; Lot 1 DP 823679; Lots 46, 54, 55, 199, 200, 201, 202, 205, 206, 209, 228, 305 DP 755740, No. 73 Sandy Lane; Lot 1 DP 570076 Piggabeen Road, Cobaki Lakes

Applicant: Leda Manorstead Pty Ltd
PO Box 1914
SURFERS PARADISE QLD 4217

Owner: Leda Manorstead Pty Ltd

Date: 30/05/2011

Paid by:

Stage: Stage 1B

Contribution Payable	S94 Contribution Plan Number/ Sector	Area CP5 Only	Units/lots or rate/ha	Rate (valid until) __/__/__	Amount	Rate at Time of Payment after __/__/__	Amount at Time of Payment $	Receipt Number	Charge Control	*Bank Account*
WATER HEADWORKS	S64		38ET @ $11,020.00	30/5/2012	$418,760.00				WaterDSP3	40
SEWERAGE HEADWORKS	S64		38ET @ $5,295.00	30/5/2012	$201,210.00				SewerBnora	85
TRCP - COBAKI	4/3		247Trips @ $999.00	30/5/2012	$246,753.00				Sector3_4	1
COBAKI LAKES COMMUNITY FACILITIES	10		38ET @ $492.00	30/5/2012	$18,696.00				CommFac10	1
LIBRARIES	11		38ET @ $792.00	30/5/2012	$30,096.00				ResDevt11	1
BUS SHELTERS	12		38ET @ $60.00	30/5/2012	$2,280.00				Over10ET	1
CEMETERIES	13		38ET @ $120.00	30/5/2012	$4,560.00				ResDevt13	1
COUNCIL ADMIN - TECH SUPPORT	18		38ET @ $1,759.90	30/5/2012	$66,876.20				Shirewide	1
CYCLEWAYS	22		38ET @ $447.00	30/5/2012	$16,986.00				Shirewid22	1
CASUAL OPEN SPACE - REGIONAL	26	1	38ET @ $1,031.00	30/5/2012	$39,178.00				CasOS26	1

TWEED SHIRE COUNCIL

Contribution Payable	S94 Contribution Plan Number/ Sector	Area CP5 Only	Units/lots or rate/ha	Rate (valid until) __/__/__	Amount	Rate at Time of Payment after __/__/__	Amount at Time of Payment $	Receipt Number	Charge Control	*Bank Account*
STRUCTURE OPEN SPACE - REGIONAL	26	1	38ET @ $3,619.00	30/5/2012	$137,522.00				StrucOS26	1
TOTAL AMOUNT DUE					$1,182,917.20					

Please forward receipt to

Name: _____

Address: _____

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_____

Note: Refer to separate Fee Sheet for Application Fees

Original Contribution Amounts	Prepared by:	Signature	L McLaren print name	31/5/11 date
	Checked by:	Signature	C. FORBES print name	31/5/11 date
Amended Contribution Amounts	Prepared by:	Signature	print name	__/__/__ date
	Original/amended amounts Checked & Certified by: (to enable SC release/BA release/ CC release) (Authorised Council [1] Officer)	Signature	print name	__/__/__ date

Note: Authorised Council Officers are: -

* **Town Planners**
* **Subdivision Engineers**
* **Building Surveyors**

TWEED SHIRE COUNCIL

PROCEDURE FOR ISSUE OF CERTIFICATE OF COMPLIANCE

In accordance with Clause 64, Local Government Act, 1993 and Chapter 6, Part 2, Division 5 Water Management Act 2000

DETAILS

Applicant:	**Leda Manorstead Pty Ltd** **PO Box 1914** **SURFERS PARADISE QLD 4217**
Description of Development:	**Stage 1B** **Cobaki Estate subdivision of precinct 1 and 2 comprised of 475 residential lots (including 1 residual lot) and lots for drainage, open space and urban infrastructure (JRPP) at Lot 1 DP 562222; Lot 2 DP 566529; Lot 1 DP 570077; Lot 1 DP 823679; Lots 46, 54, 55, 199, 200, 201, 202, 205, 206, 209, 228, 305 DP 755740, No. 73 Sandy Lane; Lot 1 DP 570076 Piggabeen Road, Cobaki Lakes**
Date of Council Approval:	**30/05/2011**
Council File Reference:	**DA10/0800**

APPLICATION

To: The General Manager

Application is hereby made for a Certificate of Compliance under Part 2, Division 5, Clause 305 of the Water Management Act 2000, in respect of the consent/approval issued by Council.

Signature of Applicant Date

NOTICE OF COUNCIL'S REQUIREMENTS UNDER PART 2, DIVISION 5, CLAUSE 306 OF THE WATER MANAGEMENT ACT 2000

Works required: *a)* *Water & Sewer headworks augmentation*

Contributions required: a) Water - $418760
Sewer - $201210

Note: The fees and charges quoted above will remain fixed for a period of twelve (12) months from the date of Development Consent No. DA10/0800, dated 30/05/2011 and thereafter in accordance with the rates applicable in Council's adopted Fees and Charges current at the time of payment.

Note: The Environmental Planning and Assessment Act, 1979 (as amended) makes no provision for works under the Water Management Act 2000 to be certified by an Accredited Certifier.

General Manager Date 31.5.11

CERTIFICATE OF COMPLIANCE

Part 2, Division 5, Clause 307 of the Water Management Act 2000

This is to certify that water supply and sewerage works have been carried out, or security provided to Council's satisfaction for their completion and such other contributions have been paid or secured to satisfy notice of Council's requirements in respect of water supply and sewerage for the abovementioned consent dated 30/05/2011 on file DA10/0800.

General Manager Date

TWEED SHIRE COUNCIL

Copy to TSC Financial Services Unit

SECTION 94, SECTION 64 AND OTHER DEVELOPER CONTRIBUTIONS SHEET

THIS FORM MUST ACCOMPANY PAYMENT OF CONTRIBUTIONS TO COUNCIL

Development: Cobaki Estate subdivision of precinct 1 and 2 comprised of 475 residential lots (including 1 residual lot) and lots for drainage, open space and urban infrastructure (JRPP)

Development Consent No. DA10/0800

Location: Lot 1 DP 562222; Lot 2 DP 566529; Lot 1 DP 570077; Lot 1 DP 823679; Lots 46, 54, 55, 199, 200, 201, 202, 205, 206, 209, 228, 305 DP 755740, No. 73 Sandy Lane; Lot 1 DP 570076 Piggabeen Road, Cobaki Lakes

Applicant: Leda Manorstead Pty Ltd
PO Box 1914
SURFERS PARADISE QLD 4217

Owner: Leda Manorstead Pty Ltd

Date: 30/05/2011

Paid by:

Stage: Stage 1C

Contribution Payable	S94 Contribution Plan Number/ Sector	Area CP5 Only	Units/lots or rate/ha	Rate (valid until) __/__/__	Amount	Rate at Time of Payment after __/__/__	Amount at Time of Payment $	Receipt Number	Charge Control	*Bank Account*
WATER HEADWORKS	S64		40ET @ $11,020.00	30/5/2012	$440,800.00				WaterDSP3	40
SEWERAGE HEADWORKS	S64		41ET @ $5,295.00	30/5/2012	$217,095.00				SewerBnora	85
TRCP - COBAKI	4/3		253.5Trips @ $999.00	30/5/2012	$253,247.00				Sector3_4	1
COBAKI LAKES COMMUNITY FACILITIES	10		40.375ET @ $492.00	30/5/2012	$19,865.00				CommFac10	1
LIBRARIES	11		40.375ET @ $792.00	30/5/2012	$31,977.00				ResDevt11	1
BUS SHELTERS	12		40.375ET @ $60.00	30/5/2012	$2,423.00				Over10ET	1
CEMETERIES	13		40.375ET @ $120.00	30/5/2012	$4,845.00				ResDevt13	1
COUNCIL ADMIN - TECH SUPPORT	18		40.375ET @ $1,759.90	30/5/2012	$71,055.96				Shirewide	1
CYCLEWAYS	22		40.375ET @ $447.00	30/5/2012	$18,048.00				Shirewid22	1
CASUAL OPEN SPACE - REGIONAL	26	1	40.375ET @ $1,031.00	30/5/2012	$41,627.00				CasOS26	1

TWEED SHIRE COUNCIL

Contribution Payable	S94 Contribution Plan Number/ Sector	Area CP5 Only	Units/lots or rate/ha	Rate (valid until) __/__/__	Amount	Rate at Time of Payment after __/__/__	Amount at Time of Payment $	Receipt Number	Charge Control	*Bank Account*
STRUCTURE OPEN SPACE - REGIONAL	26	1	40.375ET @ $3,619.00	30/5/2012	$146,117.00				StrucOS26	1
TOTAL AMOUNT DUE					$1,247,099.96					

Please forward receipt to

Name: _____

Address: _____

_____

_____

Note: Refer to separate Fee Sheet for Application Fees

Original Contribution Amounts	Prepared by:	Signature	L. McGAVIN print name	31/5/11 date
	Checked by:	Signature	C. FORBES print name	31/5/11 date
Amended Contribution Amounts	Prepared by:	Signature	print name	__/__/__ date
	Original/amended amounts Checked & Certified by: (to enable SC release/BA release/ CC release) (Authorised Council [1] Officer)	Signature	print name	__/__/__ date

Note: Authorised Council Officers are: -

* **Town Planners**
* **Subdivision Engineers**
* **Building Surveyors**

TWEED SHIRE COUNCIL

Copy to TSC Financial Services Unit

SECTION 94, SECTION 64 AND OTHER DEVELOPER CONTRIBUTIONS SHEET

THIS FORM MUST ACCOMPANY PAYMENT OF CONTRIBUTIONS TO COUNCIL

Development: Cobaki Estate subdivision of precinct 1 and 2 comprised of 475 residential lots (including 1 residual lot) and lots for drainage, open space and urban infrastructure (JRPP)

Development Consent No. DA10/0800

Location: Lot 1 DP 562222; Lot 2 DP 566529; Lot 1 DP 570077; Lot 1 DP 823679; Lots 46, 54, 55, 199, 200, 201, 202, 205, 206, 209, 228, 305 DP 755740, No. 73 Sandy Lane; Lot 1 DP 570076 Piggabeen Road, Cobaki Lakes

Applicant: Leda Manorstead Pty Ltd
PO Box 1914
SURFERS PARADISE QLD 4217

Owner: Leda Manorstead Pty Ltd

Date: 30/05/2011

Paid by:

Stage: Stage 1C

Contribution Payable	S94 Contribution Plan Number/ Sector	Area CP5 Only	Units/lots or rate/ha	Rate (valid until) __/__/__	Amount	Rate at Time of Payment after __/__/__	Amount at Time of Payment $	Receipt Number	Charge Control	*Bank Account*
WATER HEADWORKS	S64		40ET @ $11,020.00	30/5/2012	$440,800.00				WaterDSP3	40
SEWERAGE HEADWORKS	S64		41ET @ $5,295.00	30/5/2012	$217,095.00				SewerBnora	85
TRCP - COBAKI	4/3		253.5Trips @ $999.00	30/5/2012	$253,247.00				Sector3_4	1
COBAKI LAKES COMMUNITY FACILITIES	10		40.375ET @ $492.00	30/5/2012	$19,865.00				CommFac10	1
LIBRARIES	11		40.375ET @ $792.00	30/5/2012	$31,977.00				ResDevt11	1
BUS SHELTERS	12		40.375ET @ $60.00	30/5/2012	$2,423.00				Over10ET	1
CEMETERIES	13		40.375ET @ $120.00	30/5/2012	$4,845.00				ResDevt13	1
COUNCIL ADMIN - TECH SUPPORT	18		40.375ET @ $1,759.90	30/5/2012	$71,055.96				Shirewide	1
CYCLEWAYS	22		40.375ET @ $447.00	30/5/2012	$18,048.00				Shirewid22	1
CASUAL OPEN SPACE - REGIONAL	26	1	40.375ET @ $1,031 00	30/5/2012	$41,627.00				CasOS26	1

TWEED SHIRE COUNCIL

Contribution Payable	S94 Contribution Plan Number/ Sector	Area CP5 Only	Units/lots or rate/ha	Rate (valid until) __/__/__	Amount	Rate at Time of Payment after __/__/__	Amount at Time of Payment $	Receipt Number	Charge Control	*Bank Account*
STRUCTURE OPEN SPACE - REGIONAL	26	1	40.375ET @ $3,619.00	30/5/2012	$146,117.00				StrucOS26	1
TOTAL AMOUNT DUE					$1,247,099.96					

Please forward receipt to

Name: _____

Address: _____

_____

_____

Note: Refer to separate Fee Sheet for Application Fees

Original Contribution Amounts	Prepared by:	[signature]	L McGAUN	31/5/11
		Signature	print name	date
	Checked by:	[signature]	C. FORBES	31/5/11
		Signature	print name	date
Amended Contribution Amounts	Prepared by:			__/__/__
		Signature	print name	date
	Original/amended amounts Checked & Certified by: (to enable SC release/BA release/ CC release) (Authorised Council [1] Officer)			__/__/__
		Signature	print name	date

Note: **Authorised Council Officers are: -**

* **Town Planners**
* **Subdivision Engineers**
* **Building Surveyors**

TWEED SHIRE COUNCIL

PROCEDURE FOR ISSUE OF CERTIFICATE OF COMPLIANCE

In accordance with Clause 64, Local Government Act, 1993 and Chapter 6, Part 2, Division 5 Water Management Act 2000

DETAILS

Applicant:	**Leda Manorstead Pty Ltd** **PO Box 1914** **SURFERS PARADISE QLD 4217**
Description of Development:	**Stage 1C** **Cobaki Estate subdivision of precinct 1 and 2 comprised of 475 residential lots (including 1 residual lot) and lots for drainage, open space and urban infrastructure (JRPP) at Lot 1 DP 562222; Lot 2 DP 566529; Lot 1 DP 570077; Lot 1 DP 823679; Lots 46, 54, 55, 199, 200, 201, 202, 205, 206, 209, 228, 305 DP 755740, No. 73 Sandy Lane; Lot 1 DP 570076 Piggabeen Road, Cobaki Lakes**
Date of Council Approval:	**30/05/2011**
Council File Reference:	**DA10/0800**

APPLICATION

To: The General Manager

Application is hereby made for a Certificate of Compliance under Part 2, Division 5, Clause 305 of the Water Management Act 2000, in respect of the consent/approval issued by Council.

Signature of Applicant Date

NOTICE OF COUNCIL'S REQUIREMENTS UNDER PART 2, DIVISION 5, CLAUSE 306 OF THE WATER MANAGEMENT ACT 2000

Works required: *a)* *Water & Sewer headworks augmentation*

Contributions required: a) Water - $440800
Sewer - $217095

Note: The fees and charges quoted above will remain fixed for a period of twelve (12) months from the date of Development Consent No. DA10/0800, dated 30/05/2011 and thereafter in accordance with the rates applicable in Council's adopted Fees and Charges current at the time of payment.

Note: The Environmental Planning and Assessment Act, 1979 (as amended) makes no provision for works under the Water Management Act 2000 to be certified by an Accredited Certifier.

General Manager Date 31.5.11

CERTIFICATE OF COMPLIANCE

Part 2, Division 5, Clause 307 of the Water Management Act 2000

This is to certify that water supply and sewerage works have been carried out, or security provided to Council's satisfaction for their completion and such other contributions have been paid or secured to satisfy notice of Council's requirements in respect of water supply and sewerage for the abovementioned consent dated 30/05/2011 on file DA10/0800

General Manager Date

TWEED SHIRE COUNCIL

Copy to TSC Financial Services Unit

SECTION 94, SECTION 64 AND OTHER DEVELOPER CONTRIBUTIONS SHEET

THIS FORM MUST ACCOMPANY PAYMENT OF CONTRIBUTIONS TO COUNCIL

Development: Cobaki Estate subdivision of precinct 1 and 2 comprised of 475 residential lots (including 1 residual lot) and lots for drainage, open space and urban infrastructure (JRPP)

Development Consent No. DA10/0800

Location: Lot 1 DP 562222; Lot 2 DP 566529; Lot 1 DP 570077; Lot 1 DP 823679; Lots 46, 54, 55, 199, 200, 201, 202, 205, 206, 209, 228, 305 DP 755740, No. 73 Sandy Lane; Lot 1 DP 570076 Piggabeen Road, Cobaki Lakes

Applicant: Leda Manorstead Pty Ltd
PO Box 1914
SURFERS PARADISE QLD 4217

Owner: Leda Manorstead Pty Ltd

Date: 30/05/2011

Paid by:

Stage: Stage 1D

Contribution Payable	S94 Contribution Plan Number/ Sector	Area CP5 Only	Units/lots or rate/ha	Rate (valid until) __/__/__	Amount	Rate at Time of Payment after __/__/__	Amount at Time of Payment $	Receipt Number	Charge Control	*Bank Account*
WATER HEADWORKS	S64		35.8ET @ $11,020.00	30/5/2012	$394,516.00				WaterDSP3	40
SEWERAGE HEADWORKS	S64		37ET @ $5,295.00	30/5/2012	$195,915.00				SewerBnora	85
TRCP - COBAKI	4/3		224.9Trips @ $999.00	30/5/2012	$224,675.00				Sector3_4	1
COBAKI LAKES COMMUNITY FACILITIES	10		36.25ET @ $492.00	30/5/2012	$17,835.00				CommFac10	1
LIBRARIES	11		36.25ET @ $792.00	30/5/2012	$28,710.00				ResDevt11	1
BUS SHELTERS	12		36.25ET @ $60.00	30/5/2012	$2,175.00				Over10ET	1
CEMETERIES	13		36.25ET @ $120.00	30/5/2012	$4,350.00				ResDevt13	1
COUNCIL ADMIN - TECH SUPPORT	18		36.25ET @ $1,759.90	30/5/2012	$63,796.38				Shirewide	1
CYCLEWAYS	22		36.25ET @ $447.00	30/5/2012	$16,204.00				Shirewid22	1
CASUAL OPEN SPACE - REGIONAL	26	1	36.25ET @ $1,031.00	30/5/2012	$37,374.00				CasOS26	1

TWEED SHIRE COUNCIL

Contribution Payable	S94 Contribution Plan Number/ Sector	Area CP5 Only	Units/lots or rate/ha	Rate (valid until) __/__/__	Amount	Rate at Time of Payment after __/__/__	Amount at Time of Payment $	Receipt Number	Charge Control	*Bank Account*
STRUCTURE OPEN SPACE - REGIONAL	26	1	36.25ET @ $3,619.00	30/5/2012	$131,189.00				StrucOS26	1
TOTAL AMOUNT DUE					$1,116,739.38					

Please forward receipt to

Name: _____

Address: _____

_____

_____

Note: Refer to separate Fee Sheet for Application Fees

Original Contribution Amounts	Prepared by:	[signature]	C. McGahan	31/5/12
		Signature	print name	date
	Checked by:	[signature]	C. Forbes	31/5/12
		Signature	print name	date
Amended Contribution Amounts	Prepared by:			__/__/__
		Signature	print name	date
	Original/amended amounts Checked & Certified by: (to enable SC release/BA release/ CC release) (Authorised Council [1] Officer)			__/__/__
		Signature	print name	date

Note: Authorised Council Officers are: -

* **Town Planners**
* **Subdivision Engineers**
* **Building Surveyors**

TWEED SHIRE COUNCIL

Copy to TSC Financial Services Unit

SECTION 94, SECTION 64 AND OTHER DEVELOPER CONTRIBUTIONS SHEET

THIS FORM MUST ACCOMPANY PAYMENT OF CONTRIBUTIONS TO COUNCIL

Development: Cobaki Estate subdivision of precinct 1 and 2 comprised of 475 residential lots (including 1 residual lot) and lots for drainage, open space and urban infrastructure (JRPP)

Development Consent No. DA10/0800

Location: Lot 1 DP 562222; Lot 2 DP 566529; Lot 1 DP 570077; Lot 1 DP 823679; Lots 46, 54, 55, 199, 200, 201, 202, 205, 206, 209, 228, 305 DP 755740, No. 73 Sandy Lane; Lot 1 DP 570076 Piggabeen Road, Cobaki Lakes

Applicant: Leda Manorstead Pty Ltd
PO Box 1914
SURFERS PARADISE QLD 4217

Owner: Leda Manorstead Pty Ltd

Date: 30/05/2011

Paid by:

Stage: Stage 1D

Contribution Payable	S94 Contribution Plan Number/ Sector	Area CP5 Only	Units/lots or rate/ha	Rate (valid until) __/__/__	Amount	Rate at Time of Payment after __/__/__	Amount at Time of Payment $	Receipt Number	Charge Control	*Bank Account*
WATER HEADWORKS	S64		35.8ET @ $11,020.00	30/5/2012	$394,516.00				WaterDSP3	40
SEWERAGE HEADWORKS	S64		37ET @ $5,295.00	30/5/2012	$195,915.00				SewerBnora	85
TRCP - COBAKI	4/3		224.9Trips @ $999.00	30/5/2012	$224,675.00				Sector3_4	1
COBAKI LAKES COMMUNITY FACILITIES	10		36.25ET @ $492.00	30/5/2012	$17,835.00				CommFac10	1
LIBRARIES	11		36.25ET @ $792.00	30/5/2012	$28,710.00				ResDevt11	1
BUS SHELTERS	12		36.25ET @ $60.00	30/5/2012	$2,175.00				Over10ET	1
CEMETERIES	13		36.25ET @ $120.00	30/5/2012	$4,350.00				ResDevt13	1
COUNCIL ADMIN - TECH SUPPORT	18		36.25ET @ $1,759.90	30/5/2012	$63,796.38				Shirewide	1
CYCLEWAYS	22		36.25ET @ $447.00	30/5/2012	$16,204.00				Shirewid22	1
CASUAL OPEN SPACE - REGIONAL	26	1	36.25ET @ $1,031.00	30/5/2012	$37,374.00				CasOS26	1

TWEED SHIRE COUNCIL

Contribution Payable	S94 Contribution Plan Number/ Sector	Area CP5 Only	Units/lots or rate/ha	Rate (valid until) __/__/__	Amount	Rate at Time of Payment after __/__/__	Amount at Time of Payment $	Receipt Number	Charge Control	*Bank Account*
STRUCTURE OPEN SPACE - REGIONAL	26	1	36.25ET @ $3,619.00	30/5/2012	$131,189.00				StrucOS26	1
TOTAL AMOUNT DUE					$1,116,739.38					

Please forward receipt to

Name: _____

Address: _____

_____

_____

Note: Refer to separate Fee Sheet for Application Fees

Original Contribution Amounts	Prepared by:	[signature] Signature	L. McGavin print name	31/5/11 date
	Checked by:	[signature] Signature	C. Forbes print name	31/5/11 date
Amended Contribution Amounts	Prepared by:	Signature	print name	__/__/__ date
	Original/amended amounts Checked & Certified by: (to enable SC release/BA release/ CC release) (Authorised Council [1] Officer)	Signature	print name	__/__/__ date

Note: Authorised Council Officers are: -

* **Town Planners**
* **Subdivision Engineers**
* **Building Surveyors**

TWEED SHIRE COUNCIL

PROCEDURE FOR ISSUE OF CERTIFICATE OF COMPLIANCE

In accordance with Clause 64, Local Government Act, 1993 and Chapter 6, Part 2, Division 5 Water Management Act 2000

DETAILS

Applicant:	**Leda Manorstead Pty Ltd** **PO Box 1914** **SURFERS PARADISE QLD 4217**
Description of Development:	**Stage 1D** **Cobaki Estate subdivision of precinct 1 and 2 comprised of 475 residential lots (including 1 residual lot) and lots for drainage, open space and urban infrastructure (JRPP) at Lot 1 DP 562222; Lot 2 DP 566529; Lot 1 DP 570077; Lot 1 DP 823679; Lots 46, 54, 55, 199, 200, 201, 202, 205, 206, 209, 228, 305 DP 755740, No. 73 Sandy Lane; Lot 1 DP 570076 Piggabeen Road, Cobaki Lakes**
Date of Council Approval:	**30/05/2011**
Council File Reference:	**DA10/0800**

APPLICATION

To: The General Manager

Application is hereby made for a Certificate of Compliance under Part 2, Division 5, Clause 305 of the Water Management Act 2000, in respect of the consent/approval issued by Council.

Signature of Applicant Date

NOTICE OF COUNCIL'S REQUIREMENTS UNDER PART 2, DIVISION 5, CLAUSE 306 OF THE WATER MANAGEMENT ACT 2000

Works required: *a)* *Water & Sewer headworks augmentation*

Contributions required: a) Water - $394516
Sewer - $195915

Note: The fees and charges quoted above will remain fixed for a period of twelve (12) months from the date of Development Consent No. DA10/0800, dated 30/05/2011 and thereafter in accordance with the rates applicable in Council's adopted Fees and Charges current at the time of payment.

Note: The Environmental Planning and Assessment Act, 1979 (as amended) makes no provision for works under the Water Management Act 2000 to be certified by an Accredited Certifier.

General Manager Date 31.5.11

CERTIFICATE OF COMPLIANCE

Part 2, Division 5, Clause 307 of the Water Management Act 2000

This is to certify that water supply and sewerage works have been carried out, or security provided to Council's satisfaction for their completion and such other contributions have been paid or secured to satisfy notice of Council's requirements in respect of water supply and sewerage for the abovementioned consent dated 30/05/2011 on file DA10/0800.

General Manager Date

TWEED SHIRE COUNCIL

Copy to TSC Financial Services Unit

SECTION 94, SECTION 64 AND OTHER DEVELOPER CONTRIBUTIONS SHEET

THIS FORM MUST ACCOMPANY PAYMENT OF CONTRIBUTIONS TO COUNCIL

Development: Cobaki Estate subdivision of precinct 1 and 2 comprised of 475 residential lots (including 1 residual lot) and lots for drainage, open space and urban infrastructure (JRPP)

Development Consent No. DA10/0800

Location: Lot 1 DP 562222; Lot 2 DP 566529; Lot 1 DP 570077; Lot 1 DP 823679; Lots 46, 54, 55, 199, 200, 201, 202, 205, 206, 209, 228, 305 DP 755740, No. 73 Sandy Lane; Lot 1 DP 570076 Piggabeen Road, Cobaki Lakes

Applicant: Leda Manorstead Pty Ltd
PO Box 1914
SURFERS PARADISE QLD 4217

Owner: Leda Manorstead Pty Ltd

Date: 30/05/2011

Paid by:

Stage: Stage 1E

Contribution Payable	S94 Contribution Plan Number/ Sector	Area CP5 Only	Units/lots or rate/ha	Rate (valid until) __/__/__	Amount	Rate at Time of Payment after __/__/__	Amount at Time of Payment $	Receipt Number	Charge Control	*Bank Account*
WATER HEADWORKS	S64		49.6ET @ $11,020.00	30/5/2012	$546,592.00				WaterDSP3	40
SEWERAGE HEADWORKS	S64		50ET @ $5,295.00	30/5/2012	$264,750.00				SewerBnora	85
TRCP - COBAKI	4/3		319.8Trips @ $999.00	30/5/2012	$319,480.00				Sector3_4	1
COBAKI LAKES COMMUNITY FACILITIES	10		49.75ET @ $492.00	30/5/2012	$24,477.00				CommFac10	1
LIBRARIES	11		49.75ET @ $792.00	30/5/2012	$39,402.00				ResDevt11	1
BUS SHELTERS	12		49.75ET @ $60.00	30/5/2012	$2,985.00				Over10ET	1
CEMETERIES	13		49.75ET @ $120.00	30/5/2012	$5,970.00				ResDevt13	1
COUNCIL ADMIN - TECH SUPPORT	18		49.75ET @ $1,759.90	30/5/2012	$87,555.03				Shirewide	1
CYCLEWAYS	22		49.75ET @ $447.00	30/5/2012	$22,238.00				Shirewid22	1
CASUAL OPEN SPACE - REGIONAL	26	1	49.75ET @ $1,031.00	30/5/2012	$51,292.00				CasOS26	1

TWEED SHIRE COUNCIL

Contribution Payable	S94 Contribution Plan Number/ Sector	Area CP5 Only	Units/lots or rate/ha	Rate (valid until) __/__/__	Amount	Rate at Time of Payment after __/__/__	Amount at Time of Payment $	Receipt Number	Charge Control	*Bank Account*
STRUCTURE OPEN SPACE - REGIONAL	26	1	49.75ET @ $3,619.00	30/5/2012	$180,045.00				StrucOS26	1
TOTAL AMOUNT DUE					$1,544,786.03					

Please forward receipt to

Name: _____

Address: _____

_____

_____

Note: Refer to separate Fee Sheet for Application Fees

Original Contribution Amounts	Prepared by:	Signature	print name L.McGavin	date 31/5/11
	Checked by:	Signature	print name C.Forbes	date 31/5/11
Amended Contribution Amounts	Prepared by:	Signature	print name	date __/__/__
	Original/amended amounts Checked & Certified by: (to enable SC release/BA release/ CC release) (Authorised Council [1] Officer)	Signature	print name	date __/__/__

Note: Authorised Council Officers are: -

* **Town Planners**
* **Subdivision Engineers**
* **Building Surveyors**

TWEED SHIRE COUNCIL

Copy to TSC Financial Services Unit

SECTION 94, SECTION 64 AND OTHER DEVELOPER CONTRIBUTIONS SHEET

THIS FORM MUST ACCOMPANY PAYMENT OF CONTRIBUTIONS TO COUNCIL

Development: Cobaki Estate subdivision of precinct 1 and 2 comprised of 475 residential lots (including 1 residual lot) and lots for drainage, open space and urban infrastructure (JRPP)

Development Consent No. DA10/0800

Location: Lot 1 DP 562222; Lot 2 DP 566529; Lot 1 DP 570077; Lot 1 DP 823679; Lots 46, 54, 55, 199, 200, 201, 202, 205, 206, 209, 228, 305 DP 755740, No. 73 Sandy Lane; Lot 1 DP 570076 Piggabeen Road, Cobaki Lakes

Applicant: Leda Manorstead Pty Ltd
PO Box 1914
SURFERS PARADISE QLD 4217

Owner: Leda Manorstead Pty Ltd

Date: 30/05/2011

Paid by:

Stage: Stage 1E

Contribution Payable	S94 Contribution Plan Number/ Sector	Area CP5 Only	Units/lots or rate/ha	Rate (valid until) __/__/__	Amount	Rate at Time of Payment after __/__/__	Amount at Time of Payment $	Receipt Number	Charge Control	*Bank Account*
WATER HEADWORKS	S64		49.6ET @ $11,020.00	30/5/2012	$546,592.00				WaterDSP3	40
SEWERAGE HEADWORKS	S64		50ET @ $5,295.00	30/5/2012	$264,750.00				SewerBnora	85
TRCP - COBAKI	4/3		319.8Trips @ $999.00	30/5/2012	$319,480.00				Sector3_4	1
COBAKI LAKES COMMUNITY FACILITIES	10		49.75ET @ $492.00	30/5/2012	$24,477.00				CommFac10	1
LIBRARIES	11		49.75ET @ $792.00	30/5/2012	$39,402.00				ResDevt11	1
BUS SHELTERS	12		49.75ET @ $60.00	30/5/2012	$2,985.00				Over10ET	1
CEMETERIES	13		49.75ET @ $120.00	30/5/2012	$5,970.00				ResDevt13	1
COUNCIL ADMIN - TECH SUPPORT	18		49.75ET @ $1,759.90	30/5/2012	$87,555.03				Shirewide	1
CYCLEWAYS	22		49.75ET @ $447.00	30/5/2012	$22,238.00				Shirewid22	1
CASUAL OPEN SPACE - REGIONAL	26	1	49.75ET @ $1,031.00	30/5/2012	$51,292.00				CasOS26	1

TWEED SHIRE COUNCIL

Contribution Payable	S94 Contribution Plan Number/ Sector	Area CP5 Only	Units/lots or rate/ha	Rate (valid until) __/__/__	Amount	Rate at Time of Payment after __/__/__	Amount at Time of Payment $	Receipt Number	Charge Control	*Bank Account*
STRUCTURE OPEN SPACE - REGIONAL	26	1	49.75ET @ $3,619.00	30/5/2012	$180,045.00				StrucOS26	1
TOTAL AMOUNT DUE					$1,544,786.03					

Please forward receipt to

Name: _____

Address: _____

_____

_____

Note: Refer to separate Fee Sheet for Application Fees

Original Contribution Amounts	Prepared by:	Signature	L.McGavin print name	31/5/11 date
	Checked by:	Signature	C.Forbes print name	31/5/11 date
Amended Contribution Amounts	Prepared by:	Signature	print name	__/__/__ date
	Original/amended amounts Checked & Certified by: (to enable SC release/BA release/ CC release) (Authorised Council [1] Officer)	Signature	print name	__/__/__ date

Note: Authorised Council Officers are: -

* **Town Planners**
* **Subdivision Engineers**
* **Building Surveyors**

TWEED SHIRE COUNCIL

PROCEDURE FOR ISSUE OF CERTIFICATE OF COMPLIANCE

In accordance with Clause 64, Local Government Act, 1993 and Chapter 6, Part 2, Division 5 Water Management Act 2000

DETAILS

Applicant:	**Leda Manorstead Pty Ltd** **PO Box 1914** **SURFERS PARADISE QLD 4217**
Description of Development:	**Stage 1E** **Cobaki Estate subdivision of precinct 1 and 2 comprised of 475 residential lots (including 1 residual lot) and lots for drainage, open space and urban infrastructure (JRPP) at Lot 1 DP 562222; Lot 2 DP 566529; Lot 1 DP 570077; Lot 1 DP 823679; Lots 46, 54, 55, 199, 200, 201, 202, 205, 206, 209, 228, 305 DP 755740, No. 73 Sandy Lane; Lot 1 DP 570076 Piggabeen Road, Cobaki Lakes**
Date of Council Approval:	**30/05/2011**
Council File Reference:	**DA10/0800**

APPLICATION

To: The General Manager

Application is hereby made for a Certificate of Compliance under Part 2, Division 5, Clause 305 of the Water Management Act 2000, in respect of the consent/approval issued by Council.

Signature of Applicant Date

NOTICE OF COUNCIL'S REQUIREMENTS UNDER PART 2, DIVISION 5, CLAUSE 306 OF THE WATER MANAGEMENT ACT 2000

Works required: *a)* *Water & Sewer headworks augmentation*

Contributions required: a) Water - $546592
Sewer - $264750

Note: The fees and charges quoted above will remain fixed for a period of twelve (12) months from the date of Development Consent No. DA10/0800, dated 30/05/2011 and thereafter in accordance with the rates applicable in Council's adopted Fees and Charges current at the time of payment.

Note: The Environmental Planning and Assessment Act, 1979 (as amended) makes no provision for works under the Water Management Act 2000 to be certified by an Accredited Certifier.

General Manager Date 31.5.11

CERTIFICATE OF COMPLIANCE

Part 2, Division 5, Clause 307 of the Water Management Act 2000

This is to certify that water supply and sewerage works have been carried out, or security provided to Council's satisfaction for their completion and such other contributions have been paid or secured to satisfy notice of Council's requirements in respect of water supply and sewerage for the abovementioned consent dated 30/05/2011 on file DA10/0800.

General Manager Date

TWEED SHIRE COUNCIL

Copy to TSC Financial Services Unit

SECTION 94, SECTION 64 AND OTHER DEVELOPER CONTRIBUTIONS SHEET

THIS FORM MUST ACCOMPANY PAYMENT OF CONTRIBUTIONS TO COUNCIL

Development: Cobaki Estate subdivision of precinct 1 and 2 comprised of 475 residential lots (including 1 residual lot) and lots for drainage, open space and urban infrastructure (JRPP)

Development Consent No. DA10/0800

Location: Lot 1 DP 562222; Lot 2 DP 566529; Lot 1 DP 570077; Lot 1 DP 823679; Lots 46, 54, 55, 199, 200, 201, 202, 205, 206, 209, 228, 305 DP 755740, No. 73 Sandy Lane; Lot 1 DP 570076 Piggabeen Road, Cobaki Lakes

Applicant: Leda Manorstead Pty Ltd
PO Box 1914
SURFERS PARADISE QLD 4217

Owner: Leda Manorstead Pty Ltd

Date: 30/05/2011

Paid by:

Stage: Stage 2A

Contribution Payable	S94 Contribution Plan Number/ Sector	Area CP5 Only	Units/lots or rate/ha	Rate (valid until) __/__/__	Amount	Rate at Time of Payment after __/__/__	Amount at Time of Payment $	Receipt Number	Charge Control	*Bank Account*
WATER HEADWORKS	S64		50.8ET @ $11,020.00	30/5/2012	$559,816.00				WaterDSP3	40
SEWERAGE HEADWORKS	S64		52ET @ $5,295.00	30/5/2012	$275,340.00				SewerBnora	85
TRCP - COBAKI	4/3		322.4Trips @ $999.00	30/5/2012	$322,078.00				Sector3_4	1
COBAKI LAKES COMMUNITY FACILITIES	10		51.25ET @ $492.00	30/5/2012	$25,215.00				CommFac10	1
LIBRARIES	11		51.25ET @ $792.00	30/5/2012	$40,590.00				ResDevt11	1
BUS SHELTERS	12		51.25ET @ $60.00	30/5/2012	$3,075.00				Over10ET	1
CEMETERIES	13		51.25ET @ $120.00	30/5/2012	$6,150.00				ResDevt13	1
COUNCIL ADMIN - TECH SUPPORT	18		51.25ET @ $1,759.90	30/5/2012	$90,194.88				Shirewide	1
CYCLEWAYS	22		51.25ET @ $447.00	30/5/2012	$22,909.00				Shirewid22	1
CASUAL OPEN SPACE - REGIONAL	26	1	51.25ET @ $1,031.00	30/5/2012	$52,839.00				CasOS26	1

TWEED SHIRE COUNCIL

Contribution Payable	S94 Contribution Plan Number/ Sector	Area CP5 Only	Units/lots or rate/ha	Rate (valid until) __/__/__	Amount	Rate at Time of Payment after __/__/__	Amount at Time of Payment $	Receipt Number	Charge Control	*Bank Account*
STRUCTURE OPEN SPACE - REGIONAL	26	1	51.25ET @ $3,619.00	30/5/2012	$185,474.00				StrucOS26	1
TOTAL AMOUNT DUE					$1,583,680.88					

Please forward receipt to

Name: _____

Address: _____

_____

_____

Note: Refer to separate Fee Sheet for Application Fees

Original Contribution Amounts	Prepared by:	Signature	L.M'GAVIN print name	31/5/12 date
	Checked by:	Signature	C. FORBES print name	31/5/11 date
Amended Contribution Amounts	Prepared by:	Signature	print name	__/__/__ date
	Original/amended amounts Checked & Certified by: (to enable SC release/BA release/ CC release) (Authorised Council [1] Officer)	Signature	print name	__/__/__ date

Note: **Authorised Council Officers are: -**

* **Town Planners**
* **Subdivision Engineers**
* **Building Surveyors**

TWEED SHIRE COUNCIL

PROCEDURE FOR ISSUE OF CERTIFICATE OF COMPLIANCE

In accordance with Clause 64, Local Government Act, 1993 and Chapter 6, Part 2, Division 5 Water Management Act 2000

DETAILS

Applicant:	**Leda Manorstead Pty Ltd** **PO Box 1914** **SURFERS PARADISE QLD 4217**
Description of Development:	**Stage 2A** **Cobaki Estate subdivision of precinct 1 and 2 comprised of 475 residential lots (including 1 residual lot) and lots for drainage, open space and urban infrastructure (JRPP) at Lot 1 DP 562222; Lot 2 DP 566529; Lot 1 DP 570077; Lot 1 DP 823679; Lots 46, 54, 55, 199, 200, 201, 202, 205, 206, 209, 228, 305 DP 755740, No. 73 Sandy Lane; Lot 1 DP 570076 Piggabeen Road, Cobaki Lakes**
Date of Council Approval:	**30/05/2011**
Council File Reference:	**DA10/0800**

APPLICATION

To: The General Manager

Application is hereby made for a Certificate of Compliance under Part 2, Division 5, Clause 305 of the Water Management Act 2000, in respect of the consent/approval issued by Council.

Signature of Applicant Date

NOTICE OF COUNCIL'S REQUIREMENTS UNDER PART 2, DIVISION 5, CLAUSE 306 OF THE WATER MANAGEMENT ACT 2000

Works required: *a)* *Water & Sewer headworks augmentation*

Contributions required: a) Water - $559816
Sewer - $275340

Note: The fees and charges quoted above will remain fixed for a period of twelve (12) months from the date of Development Consent No. DA10/0800, dated 30/05/2011 and thereafter in accordance with the rates applicable in Council's adopted Fees and Charges current at the time of payment.

Note: The Environmental Planning and Assessment Act, 1979 (as amended) makes no provision for works under the Water Management Act 2000 to be certified by an Accredited Certifier.

General Manager Date 3/5/11

CERTIFICATE OF COMPLIANCE

Part 2, Division 5, Clause 307 of the Water Management Act 2000

This is to certify that water supply and sewerage works have been carried out, or security provided to Council's satisfaction for their completion and such other contributions have been paid or secured to satisfy notice of Council's requirements in respect of water supply and sewerage for the abovementioned consent dated 30/05/2011 on file DA10/0800.

General Manager Date

TWEED SHIRE COUNCIL

Copy to TSC Financial Services Unit

SECTION 94, SECTION 64 AND OTHER DEVELOPER CONTRIBUTIONS SHEET

THIS FORM MUST ACCOMPANY PAYMENT OF CONTRIBUTIONS TO COUNCIL

Development: Cobaki Estate subdivision of precinct 1 and 2 comprised of 475 residential lots (including 1 residual lot) and lots for drainage, open space and urban infrastructure (JRPP)

Development Consent No. DA10/0800

Location: Lot 1 DP 562222; Lot 2 DP 566529; Lot 1 DP 570077; Lot 1 DP 823679; Lots 46, 54, 55, 199, 200, 201, 202, 205, 206, 209, 228, 305 DP 755740, No. 73 Sandy Lane; Lot 1 DP 570076 Piggabeen Road, Cobaki Lakes

Applicant: Leda Manorstead Pty Ltd
PO Box 1914
SURFERS PARADISE QLD 4217

Owner: Leda Manorstead Pty Ltd

Date: 30/05/2011

Paid by:

Stage: Stage 2B

Contribution Payable	S94 Contribution Plan Number/ Sector	Area CP5 Only	Units/lots or rate/ha	Rate (valid until) __/__/__	Amount	Rate at Time of Payment after __/__/__	Amount at Time of Payment $	Receipt Number	Charge Control	*Bank Account*
WATER HEADWORKS	S64		59ET @ $11,020.00	30/5/2012	$650,180.00				WaterDSP3	40
SEWERAGE HEADWORKS	S64		60ET @ $5,295.00	30/5/2012	$317,700.00				SewerBnora	85
TRCP - COBAKI	4/3		377Trips @ $999.00	30/5/2012	$376,623.00				Sector3_4	1
COBAKI LAKES COMMUNITY FACILITIES	10		59.375ET @ $492.00	30/5/2012	$29,213.00				CommFac10	1
LIBRARIES	11		59.375ET @ $792.00	30/5/2012	$47,025.00				ResDevt11	1
BUS SHELTERS	12		59.375ET @ $60.00	30/5/2012	$3,563.00				Over10ET	1
CEMETERIES	13		59.375ET @ $120.00	30/5/2012	$7,125.00				ResDevt13	1
COUNCIL ADMIN - TECH SUPPORT	18		59.375ET @ $1,759.90	30/5/2012	$104,494.06				Shirewide	1
CYCLEWAYS	22		59.375ET @ $447.00	30/5/2012	$26,541.00				Shirewid22	1
CASUAL OPEN SPACE - REGIONAL	26	1	59.375ET @ $1,031.00	30/5/2012	$61,216.00				CasOS26	1

TWEED SHIRE COUNCIL

Contribution Payable	S94 Contribution Plan Number/ Sector	Area CP5 Only	Units/lots or rate/ha	Rate (valid until) __/__/__	Amount	Rate at Time of Payment after __/__/__	Amount at Time of Payment $	Receipt Number	Charge Control	*Bank Account*
STRUCTURE OPEN SPACE - REGIONAL	26	1	59.375ET @ $3,619.00	30/5/2012	$214,878.00				StrucOS26	1
TOTAL AMOUNT DUE					$1,838,558.06					

Please forward receipt to

Name: _____

Address: _____

_____

_____

Note: Refer to separate Fee Sheet for Application Fees

Original Contribution Amounts	Prepared by:	Signature	L. McGavin print name	31/5/11 date
	Checked by:	Signature	C. Forbes print name	31/5/11 date
Amended Contribution Amounts	Prepared by:	Signature	print name	__/__/__ date
	Original/amended amounts Checked & Certified by: (to enable SC release/BA release/ CC release) (Authorised Council [1] Officer)	Signature	print name	__/__/__ date

Note: Authorised Council Officers are: -

* **Town Planners**
* **Subdivision Engineers**
* **Building Surveyors**

TWEED SHIRE COUNCIL

Copy to TSC Financial Services Unit

SECTION 94, SECTION 64 AND OTHER DEVELOPER CONTRIBUTIONS SHEET

THIS FORM MUST ACCOMPANY PAYMENT OF CONTRIBUTIONS TO COUNCIL

Development: Cobaki Estate subdivision of precinct 1 and 2 comprised of 475 residential lots (including 1 residual lot) and lots for drainage, open space and urban infrastructure (JRPP)

Development Consent No. DA10/0800

Location: Lot 1 DP 562222; Lot 2 DP 566529; Lot 1 DP 570077; Lot 1 DP 823679; Lots 46, 54, 55, 199, 200, 201, 202, 205, 206, 209, 228, 305 DP 755740, No. 73 Sandy Lane; Lot 1 DP 570076 Piggabeen Road, Cobaki Lakes

Applicant: Leda Manorstead Pty Ltd
PO Box 1914
SURFERS PARADISE QLD 4217

Owner: Leda Manorstead Pty Ltd

Date: 30/05/2011

Paid by:

Stage: Stage 2A

Contribution Payable	S94 Contribution Plan Number/ Sector	Area CP5 Only	Units/lots or rate/ha	Rate (valid until) __/__/__	Amount	Rate at Time of Payment after __/__/__	Amount at Time of Payment $	Receipt Number	Charge Control	*Bank Account*
WATER HEADWORKS	S64		50.8ET @ $11,020.00	30/5/2012	$559,816.00				WaterDSP3	40
SEWERAGE HEADWORKS	S64		52ET @ $5,295.00	30/5/2012	$275,340.00				SewerBnora	85
TRCP - COBAKI	4/3		322.4Trips @ $999.00	30/5/2012	$322,078.00				Sector3_4	1
COBAKI LAKES COMMUNITY FACILITIES	10		51.25ET @ $492.00	30/5/2012	$25,215.00				CommFac10	1
LIBRARIES	11		51.25ET @ $792.00	30/5/2012	$40,590.00				ResDevt11	1
BUS SHELTERS	12		51.25ET @ $60.00	30/5/2012	$3,075.00				Over10ET	1
CEMETERIES	13		51.25ET @ $120.00	30/5/2012	$6,150.00				ResDevt13	1
COUNCIL ADMIN - TECH SUPPORT	18		51.25ET @ $1,759.90	30/5/2012	$90,194.88				Shirewide	1
CYCLEWAYS	22		51.25ET @ $447.00	30/5/2012	$22,909.00				Shirewid22	1
CASUAL OPEN SPACE - REGIONAL	26	1	51.25ET @ $1,031.00	30/5/2012	$52,839.00				CasOS26	1

TWEED SHIRE COUNCIL

Contribution Payable	S94 Contribution Plan Number/ Sector	Area CP5 Only	Units/lots or rate/ha	Rate (valid until) __/__/__	Amount	Rate at Time of Payment after __/__/__	Amount at Time of Payment $	Receipt Number	Charge Control	*Bank Account*
STRUCTURE OPEN SPACE - REGIONAL	26	1	51.25ET @ $3,619.00	30/5/2012	$185,474.00				StrucOS26	1
TOTAL AMOUNT DUE					$1,583,680.88					

Please forward receipt to

Name: _____

Address: _____

_____

_____

Note: Refer to separate Fee Sheet for Application Fees

Original Contribution Amounts	Prepared by:	Signature	L. M'GAUN print name	31/5/11 date
	Checked by:	Signature	C. FORBES print name	31/5/11 date
Amended Contribution Amounts	Prepared by:	Signature	print name	__/__/__ date
	Original/amended amounts Checked & Certified by: (to enable SC release/BA release/ CC release) (Authorised Council [1] Officer)	Signature	print name	__/__/__ date

Note: Authorised Council Officers are: -

* **Town Planners**
* **Subdivision Engineers**
* **Building Surveyors**

TWEED SHIRE COUNCIL

Copy to TSC Financial Services Unit

SECTION 94, SECTION 64 AND OTHER DEVELOPER CONTRIBUTIONS SHEET

THIS FORM MUST ACCOMPANY PAYMENT OF CONTRIBUTIONS TO COUNCIL

Development: Cobaki Estate subdivision of precinct 1 and 2 comprised of 475 residential lots (including 1 residual lot) and lots for drainage, open space and urban infrastructure (JRPP)

Development Consent No. DA10/0800

Location: Lot 1 DP 562222; Lot 2 DP 566529; Lot 1 DP 570077; Lot 1 DP 823679; Lots 46, 54, 55, 199, 200, 201, 202, 205, 206, 209, 228, 305 DP 755740, No. 73 Sandy Lane; Lot 1 DP 570076 Piggabeen Road, Cobaki Lakes

Applicant: Leda Manorstead Pty Ltd
PO Box 1914
SURFERS PARADISE QLD 4217

Owner: Leda Manorstead Pty Ltd

Date: 30/05/2011

Paid by:

Stage: Stage 2B

Contribution Payable	S94 Contribution Plan Number/ Sector	Area CP5 Only	Units/lots or rate/ha	Rate (valid until) __/__/__	Amount	Rate at Time of Payment after __/__/__	Amount at Time of Payment $	Receipt Number	Charge Control	*Bank Account*
WATER HEADWORKS	S64		59ET @ $11,020.00	30/5/2012	$650,180.00				WaterDSP3	40
SEWERAGE HEADWORKS	S64		60ET @ $5,295.00	30/5/2012	$317,700.00				SewerBnora	85
TRCP - COBAKI	4/3		377Trips @ $999.00	30/5/2012	$376,623.00				Sector3_4	1
COBAKI LAKES COMMUNITY FACILITIES	10		59.375ET @ $492.00	30/5/2012	$29,213.00				CommFac10	1
LIBRARIES	11		59.375ET @ $792.00	30/5/2012	$47,025.00				ResDevt11	1
BUS SHELTERS	12		59.375ET @ $60.00	30/5/2012	$3,563.00				Over10ET	1
CEMETERIES	13		59.375ET @ $120.00	30/5/2012	$7,125.00				ResDevt13	1
COUNCIL ADMIN - TECH SUPPORT	18		59.375ET @ $1,759.90	30/5/2012	$104,494.06				Shirewide	1
CYCLEWAYS	22		59.375ET @ $447.00	30/5/2012	$26,541.00				Shirewid22	1
CASUAL OPEN SPACE - REGIONAL	26	1	59.375ET @ $1,031.00	30/5/2012	$61,216.00				CasOS26	1

TWEED SHIRE COUNCIL

Contribution Payable	S94 Contribution Plan Number/ Sector	Area CP5 Only	Units/lots or rate/ha	Rate (valid until) __/__/__	Amount	Rate at Time of Payment after __/__/__	Amount at Time of Payment $	Receipt Number	Charge Control	*Bank Account*
STRUCTURE OPEN SPACE - REGIONAL	26	1	59.375ET @ $3,619.00	30/5/2012	$214,878.00				StrucOS26	1
TOTAL AMOUNT DUE					$1,838,558.06					

Please forward receipt to

Name: _____

Address: _____

_____

_____

Note: Refer to separate Fee Sheet for Application Fees

Original Contribution Amounts	Prepared by:	L M GAVIN	31/5/11	
		Signature	print name	date
	Checked by:	C FORBES	31/5/11	
		Signature	print name	date
Amended Contribution Amounts	Prepared by:		__/__/__	
		Signature	print name	date
	Original/amended amounts Checked & Certified by: (to enable SC release/BA release/ CC release) (Authorised Council [1] Officer)		__/__/__	
		Signature	print name	date

Note: Authorised Council Officers are: -

* **Town Planners**
* **Subdivision Engineers**
* **Building Surveyors**

TWEED SHIRE COUNCIL

PROCEDURE FOR ISSUE OF CERTIFICATE OF COMPLIANCE

In accordance with Clause 64, Local Government Act, 1993 and Chapter 6, Part 2, Division 5 Water Management Act 2000

DETAILS

Applicant:	**Leda Manorstead Pty Ltd** **PO Box 1914** **SURFERS PARADISE QLD 4217**
Description of Development:	**Stage 2B** **Cobaki Estate subdivision of precinct 1 and 2 comprised of 475 residential lots (including 1 residual lot) and lots for drainage, open space and urban infrastructure (JRPP) at Lot 1 DP 562222; Lot 2 DP 566529; Lot 1 DP 570077; Lot 1 DP 823679; Lots 46, 54, 55, 199, 200, 201, 202, 205, 206, 209, 228, 305 DP 755740, No. 73 Sandy Lane; Lot 1 DP 570076 Piggabeen Road, Cobaki Lakes**
Date of Council Approval:	**30/05/2011**
Council File Reference:	**DA10/0800**

APPLICATION

To: The General Manager

Application is hereby made for a Certificate of Compliance under Part 2, Division 5, Clause 305 of the Water Management Act 2000, in respect of the consent/approval issued by Council.

Signature of Applicant Date

NOTICE OF COUNCIL'S REQUIREMENTS UNDER PART 2, DIVISION 5, CLAUSE 306 OF THE WATER MANAGEMENT ACT 2000

Works required: *a)* *Water & Sewer headworks augmentation*

Contributions required: a) Water - $650180
Sewer - $317700

Note: The fees and charges quoted above will remain fixed for a period of twelve (12) months from the date of Development Consent No. DA10/0800, dated 30/05/2011 and thereafter in accordance with the rates applicable in Council's adopted Fees and Charges current at the time of payment.

Note: The Environmental Planning and Assessment Act, 1979 (as amended) makes no provision for works under the Water Management Act 2000 to be certified by an Accredited Certifier.

General Manager Date 31.5.11

CERTIFICATE OF COMPLIANCE

Part 2, Division 5, Clause 307 of the Water Management Act 2000

This is to certify that water supply and sewerage works have been carried out, or security provided to Council's satisfaction for their completion and such other contributions have been paid or secured to satisfy notice of Council's requirements in respect of water supply and sewerage for the abovementioned consent dated 30/05/2011 on file DA10/0800.

General Manager Date

TWEED SHIRE COUNCIL

Copy to TSC Financial Services Unit

SECTION 94, SECTION 64 AND OTHER DEVELOPER CONTRIBUTIONS SHEET

THIS FORM MUST ACCOMPANY PAYMENT OF CONTRIBUTIONS TO COUNCIL

Development: Cobaki Estate subdivision of precinct 1 and 2 comprised of 475 residential lots (including 1 residual lot) and lots for drainage, open space and urban infrastructure (JRPP)

Development Consent No. DA10/0800

Location: Lot 1 DP 562222; Lot 2 DP 566529; Lot 1 DP 570077; Lot 1 DP 823679; Lots 46, 54, 55, 199, 200, 201, 202, 205, 206, 209, 228, 305 DP 755740, No. 73 Sandy Lane; Lot 1 DP 570076 Piggabeen Road, Cobaki Lakes

Applicant: Leda Manorstead Pty Ltd
PO Box 1914
SURFERS PARADISE QLD 4217

Owner: Leda Manorstead Pty Ltd

Date: 30/05/2011

Paid by:

Stage: Stage 2C

Contribution Payable	S94 Contribution Plan Number/ Sector	Area CP5 Only	Units/lots or rate/ha	Rate (valid until) __/__/__	Amount	Rate at Time of Payment after __/__/__	Amount at Time of Payment $	Receipt Number	Charge Control	*Bank Account*
WATER HEADWORKS	S64		31 4ET @ $11,020 00	30/5/2012	$346,028.00				WaterDSP3	40
SEWERAGE HEADWORKS	S64		33ET @ $5,295.00	30/5/2012	$174,735.00				SewerBnora	85
TRCP - COBAKI	4/3		193.7Trips @ $999.00	30/5/2012	$193,506.00				Sector3_4	1
COBAKI LAKES COMMUNITY FACILITIES	10		32ET @ $492.00	30/5/2012	$15,744.00				CommFac10	1
LIBRARIES	11		32ET @ $792.00	30/5/2012	$25,344.00				ResDevt11	1
BUS SHELTERS	12		32ET @ $60.00	30/5/2012	$1,920.00				Over10ET	1
CEMETERIES	13		32ET @ $120.00	30/5/2012	$3,840.00				ResDevt13	1
COUNCIL ADMIN - TECH SUPPORT	18		32ET @ $1,759.90	30/5/2012	$56,316.80				Shirewide	1
CYCLEWAYS	22		32ET @ $447.00	30/5/2012	$14,304.00				Shirewid22	1
CASUAL OPEN SPACE - REGIONAL	26	1	32ET @ $1,031 00	30/5/2012	$32,992.00				CasOS26	1

TWEED SHIRE COUNCIL

Contribution Payable	S94 Contribution Plan Number/ Sector	Area CP5 Only	Units/lots or rate/ha	Rate (valid until) __/__/__	Amount	Rate at Time of Payment after __/__/__	Amount at Time of Payment $	Receipt Number	Charge Control	*Bank Account*
STRUCTURE OPEN SPACE - REGIONAL	26	1	32ET @ $3,619.00	30/5/2012	$115,808.00				StrucOS26	1
TOTAL AMOUNT DUE					$980,537.80					

Please forward receipt to

Name: _____

Address: _____

_____

_____

Note: Refer to separate Fee Sheet for Application Fees

Original Contribution Amounts	Prepared by:	L. McGAVIN	31/5/11	
		Signature	print name	date
	Checked by:	C. FORBES	31/5/11	
		Signature	print name	date
Amended Contribution Amounts	Prepared by:			
		Signature	print name	date
	Original/amended amounts Checked & Certified by: (to enable SC release/BA release/ CC release) (Authorised Council [1] Officer)			
		Signature	print name	date

Note: Authorised Council Officers are: -

* **Town Planners**
* **Subdivision Engineers**
* **Building Surveyors**

TWEED SHIRE COUNCIL

Copy to TSC Financial Services Unit

SECTION 94, SECTION 64 AND OTHER DEVELOPER CONTRIBUTIONS SHEET

THIS FORM MUST ACCOMPANY PAYMENT OF CONTRIBUTIONS TO COUNCIL

Development: Cobaki Estate subdivision of precinct 1 and 2 comprised of 475 residential lots (including 1 residual lot) and lots for drainage, open space and urban infrastructure (JRPP)

Development Consent No. DA10/0800

Location: Lot 1 DP 562222; Lot 2 DP 566529; Lot 1 DP 570077; Lot 1 DP 823679; Lots 46, 54, 55, 199, 200, 201, 202, 205, 206, 209, 228, 305 DP 755740, No. 73 Sandy Lane; Lot 1 DP 570076 Piggabeen Road, Cobaki Lakes

Applicant: Leda Manorstead Pty Ltd
PO Box 1914
SURFERS PARADISE QLD 4217

Owner: Leda Manorstead Pty Ltd

Date: 30/05/2011

Paid by:

Stage: Stage 2C

Contribution Payable	S94 Contribution Plan Number/ Sector	Area CP5 Only	Units/lots or rate/ha	Rate (valid until) __/__/__	Amount	Rate at Time of Payment after __/__/__	Amount at Time of Payment $	Receipt Number	Charge Control	*Bank Account*
WATER HEADWORKS	S64		31.4ET @ $11,020.00	30/5/2012	$346,028.00				WaterDSP3	40
SEWERAGE HEADWORKS	S64		33ET @ $5,295.00	30/5/2012	$174,735.00				SewerBnora	85
TRCP - COBAKI	4/3		193.7Trips @ $999.00	30/5/2012	$193,506.00				Sector3_4	1
COBAKI LAKES COMMUNITY FACILITIES	10		32ET @ $492.00	30/5/2012	$15,744.00				CommFac10	1
LIBRARIES	11		32ET @ $792.00	30/5/2012	$25,344.00				ResDevt11	1
BUS SHELTERS	12		32ET @ $60.00	30/5/2012	$1,920.00				Over10ET	1
CEMETERIES	13		32ET @ $120.00	30/5/2012	$3,840.00				ResDevt13	1
COUNCIL ADMIN - TECH SUPPORT	18		32ET @ $1,759.90	30/5/2012	$56,316.80				Shirewide	1
CYCLEWAYS	22		32ET @ $447.00	30/5/2012	$14,304.00				Shirewid22	1
CASUAL OPEN SPACE - REGIONAL	26	1	32ET @ $1,031.00	30/5/2012	$32,992.00				CasOS26	1

TWEED SHIRE COUNCIL

Contribution Payable	S94 Contribution Plan Number/ Sector	Area CP5 Only	Units/lots or rate/ha	Rate (valid until) __/__/__	Amount	Rate at Time of Payment after __/__/__	Amount at Time of Payment $	Receipt Number	Charge Control	*Bank Account*
STRUCTURE OPEN SPACE - REGIONAL	26	1	32ET @ $3,619.00	30/5/2012	$115,808.00				StrucOS26	1
TOTAL AMOUNT DUE					$980,537.80					

Please forward receipt to

Name: _____

Address: _____

_____

_____

Note: Refer to separate Fee Sheet for Application Fees

Original Contribution Amounts	Prepared by:	Signature	L. McGavin print name	31/5/11 date
	Checked by:	Signature	C. Forbes print name	31/5/11 date
Amended Contribution Amounts	Prepared by:	Signature	print name	__/__/__ date
	Original/amended amounts Checked & Certified by: (to enable SC release/BA release/ CC release) (Authorised Council [1] Officer)	Signature	print name	__/__/__ date

Note: Authorised Council Officers are: -

* **Town Planners**
* **Subdivision Engineers**
* **Building Surveyors**

TWEED SHIRE COUNCIL

PROCEDURE FOR ISSUE OF CERTIFICATE OF COMPLIANCE

In accordance with Clause 64, Local Government Act, 1993 and Chapter 6, Part 2, Division 5 Water Management Act 2000

DETAILS

Applicant:	**Leda Manorstead Pty Ltd** **PO Box 1914** **SURFERS PARADISE QLD 4217**
Description of Development:	**Stage 2C** **Cobaki Estate subdivision of precinct 1 and 2 comprised of 475 residential lots (including 1 residual lot) and lots for drainage, open space and urban infrastructure (JRPP) at Lot 1 DP 562222; Lot 2 DP 566529; Lot 1 DP 570077; Lot 1 DP 823679; Lots 46, 54, 55, 199, 200, 201, 202, 205, 206, 209, 228, 305 DP 755740, No. 73 Sandy Lane; Lot 1 DP 570076 Piggabeen Road, Cobaki Lakes**
Date of Council Approval:	**30/05/2011**
Council File Reference:	**DA10/0800**

APPLICATION

To: The General Manager

Application is hereby made for a Certificate of Compliance under Part 2, Division 5, Clause 305 of the Water Management Act 2000, in respect of the consent/approval issued by Council.

Signature of Applicant Date

NOTICE OF COUNCIL'S REQUIREMENTS UNDER PART 2, DIVISION 5, CLAUSE 306 OF THE WATER MANAGEMENT ACT 2000

Works required: *a)* *Water & Sewer headworks augmentation*

Contributions required: a) Water - $346028
Sewer - $174735

Note: The fees and charges quoted above will remain fixed for a period of twelve (12) months from the date of Development Consent No. DA10/0800, dated 30/05/2011 and thereafter in accordance with the rates applicable in Council's adopted Fees and Charges current at the time of payment.

Note: The Environmental Planning and Assessment Act, 1979 (as amended) makes no provision for works under the Water Management Act 2000 to be certified by an Accredited Certifier.

General Manager Date 31.5.11

CERTIFICATE OF COMPLIANCE

Part 2, Division 5, Clause 307 of the Water Management Act 2000

This is to certify that water supply and sewerage works have been carried out, or security provided to Council's satisfaction for their completion and such other contributions have been paid or secured to satisfy notice of Council's requirements in respect of water supply and sewerage for the abovementioned consent dated 30/05/2011 on file DA10/0800.

General Manager Date

TWEED SHIRE COUNCIL

Copy to TSC Financial Services Unit

SECTION 94, SECTION 64 AND OTHER DEVELOPER CONTRIBUTIONS SHEET

THIS FORM MUST ACCOMPANY PAYMENT OF CONTRIBUTIONS TO COUNCIL

Development: Cobaki Estate subdivision of precinct 1 and 2 comprised of 475 residential lots (including 1 residual lot) and lots for drainage, open space and urban infrastructure (JRPP)

Development Consent No. DA10/0800

Location: Lot 1 DP 562222; Lot 2 DP 566529; Lot 1 DP 570077; Lot 1 DP 823679; Lots 46, 54, 55, 199, 200, 201, 202, 205, 206, 209, 228, 305 DP 755740, No. 73 Sandy Lane; Lot 1 DP 570076 Piggabeen Road, Cobaki Lakes

Applicant: Leda Manorstead Pty Ltd
PO Box 1914
SURFERS PARADISE QLD 4217

Owner: Leda Manorstead Pty Ltd

Date: 30/05/2011

Paid by:

Stage: Stage 2D

Contribution Payable	S94 Contribution Plan Number/ Sector	Area CP5 Only	Units/lots or rate/ha	Rate (valid until) __/__/__	Amount	Rate at Time of Payment after __/__/__	Amount at Time of Payment $	Receipt Number	Charge Control	*Bank Account*
WATER HEADWORKS	S64		36ET @ $11,020.00	30/5/2012	$396,720.00				WaterDSP3	40
SEWERAGE HEADWORKS	S64		36ET @ $5,295.00	30/5/2012	$190,620.00				SewerBnora	85
TRCP - COBAKI	4/3		234Trips @ $999.00	30/5/2012	$233,766.00				Sector3_4	1
COBAKI LAKES COMMUNITY FACILITIES	10		36ET @ $492.00	30/5/2012	$17,712.00				CommFac10	1
LIBRARIES	11		36ET @ $792.00	30/5/2012	$28,512.00				ResDevt11	1
BUS SHELTERS	12		36ET @ $60.00	30/5/2012	$2,160.00				Over10ET	1
CEMETERIES	13		36ET @ $120.00	30/5/2012	$4,320.00				ResDevt13	1
COUNCIL ADMIN - TECH SUPPORT	18		36ET @ $1,759.90	30/5/2012	$63,356.40				Shirewide	1
CYCLEWAYS	22		36ET @ $447.00	30/5/2012	$16,092.00				Shirewid22	1
CASUAL OPEN SPACE - REGIONAL	26	1	36ET @ $1,031.00	30/5/2012	$37,116.00				CasOS26	1

TWEED SHIRE COUNCIL

Contribution Payable	S94 Contribution Plan Number/ Sector	Area CP5 Only	Units/lots or rate/ha	Rate (valid until) __/__/__	Amount	Rate at Time of Payment after __/__/__	Amount at Time of Payment $	Receipt Number	Charge Control	*Bank Account*
STRUCTURE OPEN SPACE - REGIONAL	26	1	36ET @ $3,619.00	30/5/2012	$130,284.00				StrucOS26	1
TOTAL AMOUNT DUE					$1,120,658.40					

Please forward receipt to

Name: _____

Address: _____

_____

_____

Note: Refer to separate Fee Sheet for Application Fees

Original Contribution Amounts	Prepared by:	Signature	L. McGauin print name	31/5/11 date
	Checked by:	Signature	C. Forbes print name	31/5/11 date
Amended Contribution Amounts	Prepared by:	Signature	print name	__/__/__ date
	Original/amended amounts Checked & Certified by: (to enable SC release/BA release/ CC release) (Authorised Council [1] Officer)	Signature	print name	__/__/__ date

Note: Authorised Council Officers are: -

* **Town Planners**
* **Subdivision Engineers**
* **Building Surveyors**

TWEED SHIRE COUNCIL

Copy to TSC Financial Services Unit

SECTION 94, SECTION 64 AND OTHER DEVELOPER CONTRIBUTIONS SHEET

THIS FORM MUST ACCOMPANY PAYMENT OF CONTRIBUTIONS TO COUNCIL

Development: Cobaki Estate subdivision of precinct 1 and 2 comprised of 475 residential lots (including 1 residual lot) and lots for drainage, open space and urban infrastructure (JRPP)

Development Consent No. DA10/0800

Location: Lot 1 DP 562222; Lot 2 DP 566529; Lot 1 DP 570077; Lot 1 DP 823679; Lots 46, 54, 55, 199, 200, 201, 202, 205, 206, 209, 228, 305 DP 755740, No. 73 Sandy Lane; Lot 1 DP 570076 Piggabeen Road, Cobaki Lakes

Applicant: Leda Manorstead Pty Ltd
PO Box 1914
SURFERS PARADISE QLD 4217

Owner: Leda Manorstead Pty Ltd

Date: 30/05/2011

Paid by:

Stage: Stage 2D

Contribution Payable	S94 Contribution Plan Number/ Sector	Area CP5 Only	Units/lots or rate/ha	Rate (valid until) __/__/__	Amount	Rate at Time of Payment after __/__/__	Amount at Time of Payment $	Receipt Number	Charge Control	*Bank Account*
WATER HEADWORKS	S64		36ET @ $11,020.00	30/5/2012	$396,720.00				WaterDSP3	40
SEWERAGE HEADWORKS	S64		36ET @ $5,295.00	30/5/2012	$190,620.00				SewerBnora	85
TRCP - COBAKI	4/3		234Trips @ $999.00	30/5/2012	$233,766.00				Sector3_4	1
COBAKI LAKES COMMUNITY FACILITIES	10		36ET @ $492.00	30/5/2012	$17,712.00				CommFac10	1
LIBRARIES	11		36ET @ $792.00	30/5/2012	$28,512.00				ResDevt11	1
BUS SHELTERS	12		36ET @ $60.00	30/5/2012	$2,160.00				Over10ET	1
CEMETERIES	13		36ET @ $120.00	30/5/2012	$4,320.00				ResDevt13	1
COUNCIL ADMIN - TECH SUPPORT	18		36ET @ $1,759.90	30/5/2012	$63,356.40				Shirewide	1
CYCLEWAYS	22		36ET @ $447.00	30/5/2012	$16,092.00				Shirewid22	1
CASUAL OPEN SPACE - REGIONAL	26	1	36ET @ $1,031.00	30/5/2012	$37,116.00				CasOS26	1

TWEED SHIRE COUNCIL

Contribution Payable	S94 Contribution Plan Number/ Sector	Area CP5 Only	Units/lots or rate/ha	Rate (valid until) __/__/__	Amount	Rate at Time of Payment after __/__/__	Amount at Time of Payment $	Receipt Number	Charge Control	*Bank Account*
STRUCTURE OPEN SPACE - REGIONAL	26	1	36ET @ $3 619.00	30/5/2012	$130,284.00				StrucOS26	1
TOTAL AMOUNT DUE					$1,120,658.40					

Please forward receipt to

Name: _____

Address: _____

_____

_____

Note: Refer to separate Fee Sheet for Application Fees

Original Contribution Amounts	Prepared by:	Signature	print name L McGavin	date 31/5/11
	Checked by:	Signature	print name C Forbes	date 31/5/11
Amended Contribution Amounts	Prepared by:	Signature	print name	date __/__/__
	Original/amended amounts Checked & Certified by: (to enable SC release/BA release/ CC release) (Authorised Council [1] Officer)	Signature	print name	date __/__/__

Note: Authorised Council Officers are: -

* **Town Planners**
* **Subdivision Engineers**
* **Building Surveyors**

TWEED SHIRE COUNCIL

PROCEDURE FOR ISSUE OF CERTIFICATE OF COMPLIANCE

In accordance with Clause 64, Local Government Act, 1993 and Chapter 6, Part 2, Division 5 Water Management Act 2000

DETAILS

Applicant:	**Leda Manorstead Pty Ltd** **PO Box 1914** **SURFERS PARADISE QLD 4217**
Description of Development:	**Stage 2D** **Cobaki Estate subdivision of precinct 1 and 2 comprised of 475 residential lots (including 1 residual lot) and lots for drainage, open space and urban infrastructure (JRPP) at Lot 1 DP 562222; Lot 2 DP 566529; Lot 1 DP 570077; Lot 1 DP 823679; Lots 46, 54, 55, 199, 200, 201, 202, 205, 206, 209, 228, 305 DP 755740, No. 73 Sandy Lane; Lot 1 DP 570076 Piggabeen Road, Cobaki Lakes**
Date of Council Approval:	**30/05/2011**
Council File Reference:	**DA10/0800**

APPLICATION

To: The General Manager

Application is hereby made for a Certificate of Compliance under Part 2, Division 5, Clause 305 of the Water Management Act 2000, in respect of the consent/approval issued by Council.

Signature of Applicant Date

NOTICE OF COUNCIL'S REQUIREMENTS UNDER PART 2, DIVISION 5, CLAUSE 306 OF THE WATER MANAGEMENT ACT 2000

Works required: *a)* *Water & Sewer headworks augmentation*

Contributions required: a) Water - $396720
Sewer - $190620

Note: The fees and charges quoted above will remain fixed for a period of twelve (12) months from the date of Development Consent No. DA10/0800, dated 30/05/2011 and thereafter in accordance with the rates applicable in Council's adopted Fees and Charges current at the time of payment.

Note: The Environmental Planning and Assessment Act, 1979 (as amended) makes no provision for works under the Water Management Act 2000 to be certified by an Accredited Certifier.

General Manager Date 31.5.11

CERTIFICATE OF COMPLIANCE

Part 2, Division 5, Clause 307 of the Water Management Act 2000

This is to certify that water supply and sewerage works have been carried out, or security provided to Council's satisfaction for their completion and such other contributions have been paid or secured to satisfy notice of Council's requirements in respect of water supply and sewerage for the abovementioned consent dated 30/05/2011 on file DA10/0800.

General Manager Date

TWEED SHIRE COUNCIL

Copy to TSC Financial Services Unit

SECTION 94, SECTION 64 AND OTHER DEVELOPER CONTRIBUTIONS SHEET

THIS FORM MUST ACCOMPANY PAYMENT OF CONTRIBUTIONS TO COUNCIL

Development: Cobaki Estate subdivision of precinct 1 and 2 comprised of 475 residential lots (including 1 residual lot) and lots for drainage, open space and urban infrastructure (JRPP)

Development Consent No. DA10/0800

Location: Lot 1 DP 562222; Lot 2 DP 566529; Lot 1 DP 570077; Lot 1 DP 823679; Lots 46, 54, 55, 199, 200, 201, 202, 205, 206, 209, 228, 305 DP 755740, No. 73 Sandy Lane; Lot 1 DP 570076 Piggabeen Road, Cobaki Lakes

Applicant: Leda Manorstead Pty Ltd
PO Box 1914
SURFERS PARADISE QLD 4217

Owner: Leda Manorstead Pty Ltd

Date: 30/05/2011

Paid by:

Stage: Stage 2E

Contribution Payable	S94 Contribution Plan Number/ Sector	Area CP5 Only	Units/lots or rate/ha	Rate (valid until) __/__/__	Amount	Rate at Time of Payment after __/__/__	Amount at Time of Payment $	Receipt Number	Charge Control	*Bank Account*
WATER HEADWORKS	S64		36ET @ $11,020.00	30/5/2012	$396,720.00				WaterDSP3	40
SEWERAGE HEADWORKS	S64		37ET @ $5,295.00	30/5/2012	$195,915.00				SewerBnora	85
TRCP - COBAKI	4/3		227.5Trips @ $999.00	30/5/2012	$227,273.00				Sector3_4	1
COBAKI LAKES COMMUNITY FACILITIES	10		36.375ET @ $492.00	30/5/2012	$17,897.00				CommFac10	1
LIBRARIES	11		36.375ET @ $792.00	30/5/2012	$28,809.00				ResDevt11	1
BUS SHELTERS	12		36.375ET @ $60.00	30/5/2012	$2,183.00				Over10ET	1
CEMETERIES	13		36.375ET @ $120.00	30/5/2012	$4,365.00				ResDevt13	1
COUNCIL ADMIN - TECH SUPPORT	18		36.375ET @ $1,759.90	30/5/2012	$64,016.36				Shirewide	1
CYCLEWAYS	22		36.375ET @ $447.00	30/5/2012	$16,260.00				Shirewid22	1
CASUAL OPEN SPACE - REGIONAL	26	1	36.375ET @ $1,031.00	30/5/2012	$37,503.00				CasOS26	1

TWEED SHIRE COUNCIL

Contribution Payable	S94 Contribution Plan Number/ Sector	Area CP5 Only	Units/lots or rate/ha	Rate (valid until) __/__/__	Amount	Rate at Time of Payment after __/__/__	Amount at Time of Payment $	Receipt Number	Charge Control	*Bank Account*
STRUCTURE OPEN SPACE - REGIONAL	26	1	36.375ET @ $3,619.00	30/5/2012	$131,641.00				StrucOS26	1
TOTAL AMOUNT DUE					$1,122,582.36					

Please forward receipt to

Name: _____

Address: _____

_____

_____

Note: Refer to separate Fee Sheet for Application Fees

Original Contribution Amounts	Prepared by:	Signature	L. McGavin print name	31/5/11 date
	Checked by:	Signature	C. Forbes print name	31/5/11 date
Amended Contribution Amounts	Prepared by:	Signature	print name	__/__/__ date
	Original/amended amounts Checked & Certified by: (to enable SC release/BA release/ CC release) (Authorised Council [1] Officer)	Signature	print name	__/__/__ date

Note: Authorised Council Officers are: -

* **Town Planners**
* **Subdivision Engineers**
* **Building Surveyors**

TWEED SHIRE COUNCIL

Copy to TSC Financial Services Unit

SECTION 94, SECTION 64 AND OTHER DEVELOPER CONTRIBUTIONS SHEET

THIS FORM MUST ACCOMPANY PAYMENT OF CONTRIBUTIONS TO COUNCIL

Development: Cobaki Estate subdivision of precinct 1 and 2 comprised of 475 residential lots (including 1 residual lot) and lots for drainage, open space and urban infrastructure (JRPP)

Development Consent No. DA10/0800

Location: Lot 1 DP 562222; Lot 2 DP 566529; Lot 1 DP 570077; Lot 1 DP 823679; Lots 46, 54, 55, 199, 200, 201, 202, 205, 206, 209, 228, 305 DP 755740, No. 73 Sandy Lane; Lot 1 DP 570076 Piggabeen Road, Cobaki Lakes

Applicant: Leda Manorstead Pty Ltd
PO Box 1914
SURFERS PARADISE QLD 4217

Owner: Leda Manorstead Pty Ltd

Date: 30/05/2011

Paid by:

Stage: Stage 2E

Contribution Payable	S94 Contribution Plan Number/ Sector	Area CP5 Only	Units/lots or rate/ha	Rate (valid until) __/__/__	Amount	Rate at Time of Payment after __/__/__	Amount at Time of Payment $	Receipt Number	Charge Control	*Bank Account*
WATER HEADWORKS	S64		36ET @ $11,020.00	30/5/2012	$396,720.00				WaterDSP3	40
SEWERAGE HEADWORKS	S64		37ET @ $5,295.00	30/5/2012	$195,915.00				SewerBnora	85
TRCP - COBAKI	4/3		227.5Trips @ $999.00	30/5/2012	$227,273.00				Sector3_4	1
COBAKI LAKES COMMUNITY FACILITIES	10		36.375ET @ $492.00	30/5/2012	$17,897.00				CommFac10	1
LIBRARIES	11		36.375ET @ $792.00	30/5/2012	$28,809.00				ResDevt11	1
BUS SHELTERS	12		36.375ET @ $60.00	30/5/2012	$2,183.00				Over10ET	1
CEMETERIES	13		36.375ET @ $120.00	30/5/2012	$4,365.00				ResDevt13	1
COUNCIL ADMIN - TECH SUPPORT	18		36.375ET @ $1,759.90	30/5/2012	$64,016.36				Shirewide	1
CYCLEWAYS	22		36.375ET @ $447.00	30/5/2012	$16,260.00				Shirewid22	1
CASUAL OPEN SPACE - REGIONAL	26	1	36.375ET @ $1,031 00	30/5/2012	$37,503.00				CasOS26	1

TWEED SHIRE COUNCIL

Contribution Payable	S94 Contribution Plan Number/ Sector	Area CP5 Only	Units/lots or rate/ha	Rate (valid until) __/__/__	Amount	Rate at Time of Payment after __/__/__	Amount at Time of Payment $	Receipt Number	Charge Control	*Bank Account*
STRUCTURE OPEN SPACE - REGIONAL	26	1	36.375ET @ $3,619.00	30/5/2012	$131,641.00				StrucOS26	1
TOTAL AMOUNT DUE					$1,122,582.36					

Please forward receipt to

Name: _____

Address: _____

_____

_____

Note: Refer to separate Fee Sheet for Application Fees

Original Contribution Amounts	Prepared by:	Signature	L. M'GAVIN print name	31/5/11 date
	Checked by:	Signature	C. FORBES print name	31/5/11 date
Amended Contribution Amounts	Prepared by:	Signature	print name	__/__/__ date
	Original/amended amounts Checked & Certified by: (to enable SC release/BA release/ CC release) (Authorised Council [1] Officer)	Signature	print name	__/__/__ date

Note: Authorised Council Officers are: -

* **Town Planners**
* **Subdivision Engineers**
* **Building Surveyors**

TWEED SHIRE COUNCIL

PROCEDURE FOR ISSUE OF CERTIFICATE OF COMPLIANCE

In accordance with Clause 64, Local Government Act, 1993 and Chapter 6, Part 2, Division 5 Water Management Act 2000

DETAILS

Applicant:	**Leda Manorstead Pty Ltd** **PO Box 1914** **SURFERS PARADISE QLD 4217**
Description of Development:	**Stage 2E** **Cobaki Estate subdivision of precinct 1 and 2 comprised of 475 residential lots (including 1 residual lot) and lots for drainage, open space and urban infrastructure (JRPP) at Lot 1 DP 562222; Lot 2 DP 566529; Lot 1 DP 570077; Lot 1 DP 823679; Lots 46, 54, 55, 199, 200, 201, 202, 205, 206, 209, 228, 305 DP 755740, No. 73 Sandy Lane; Lot 1 DP 570076 Piggabeen Road, Cobaki Lakes**
Date of Council Approval:	**30/05/2011**
Council File Reference:	**DA10/0800**

APPLICATION

To: The General Manager

Application is hereby made for a Certificate of Compliance under Part 2, Division 5, Clause 305 of the Water Management Act 2000, in respect of the consent/approval issued by Council.

Signature of Applicant Date

NOTICE OF COUNCIL'S REQUIREMENTS UNDER PART 2, DIVISION 5, CLAUSE 306 OF THE WATER MANAGEMENT ACT 2000

Works required: *a)* *Water & Sewer headworks augmentation*

Contributions required: a) Water - $396720
Sewer - $195915

Note: The fees and charges quoted above will remain fixed for a period of twelve (12) months from the date of Development Consent No. DA10/0800, dated 30/05/2011 and thereafter in accordance with the rates applicable in Council's adopted Fees and Charges current at the time of payment.

Note: The Environmental Planning and Assessment Act, 1979 (as amended) makes no provision for works under the Water Management Act 2000 to be certified by an Accredited Certifier.

General Manager Date 31·5·11

CERTIFICATE OF COMPLIANCE

Part 2, Division 5, Clause 307 of the Water Management Act 2000

This is to certify that water supply and sewerage works have been carried out, or security provided to Council's satisfaction for their completion and such other contributions have been paid or secured to satisfy notice of Council's requirements in respect of water supply and sewerage for the abovementioned consent dated 30/05/2011 on file DA10/0800.

General Manager Date

TWEED SHIRE COUNCIL

Copy to TSC Financial Services Unit

SECTION 94, SECTION 64 AND OTHER DEVELOPER CONTRIBUTIONS SHEET

THIS FORM MUST ACCOMPANY PAYMENT OF CONTRIBUTIONS TO COUNCIL

Development: Cobaki Estate subdivision of precinct 1 and 2 comprised of 475 residential lots (including 1 residual lot) and lots for drainage, open space and urban infrastructure (JRPP)

Development Consent No. DA10/0800

Location: Lot 1 DP 562222; Lot 2 DP 566529; Lot 1 DP 570077; Lot 1 DP 823679; Lots 46, 54, 55, 199, 200, 201, 202, 205, 206, 209, 228, 305 DP 755740, No. 73 Sandy Lane; Lot 1 DP 570076 Piggabeen Road, Cobaki Lakes

Applicant: Leda Manorstead Pty Ltd
PO Box 1914
SURFERS PARADISE QLD 4217

Owner: Leda Manorstead Pty Ltd

Date: 30/05/2011

Paid by:

Stage: Stage 2F

Contribution Payable	S94 Contribution Plan Number/ Sector	Area CP5 Only	Units/lots or rate/ha	Rate (valid until) __/__/__	Amount	Rate at Time of Payment after __/__/__	Amount at Time of Payment $	Receipt Number	Charge Control	*Bank Account*
WATER HEADWORKS	S64		24ET @ $11,020.00	30/5/2012	$264,480.00				WaterDSP3	40
SEWERAGE HEADWORKS	S64		24ET @ $5,295.00	30/5/2012	$127,080.00				SewerBnora	85
TRCP - COBAKI	4/3		156Trips @ $999.00	30/5/2012	$155,844.00				Sector3_4	1
COBAKI LAKES COMMUNITY FACILITIES	10		24ET @ $492.00	30/5/2012	$11,808.00				CommFac10	1
LIBRARIES	11		24ET @ $792.00	30/5/2012	$19,008.00				ResDevt11	1
BUS SHELTERS	12		24ET @ $60.00	30/5/2012	$1,440.00				Over10ET	1
CEMETERIES	13		24ET @ $120.00	30/5/2012	$2,880.00				ResDevt13	1
COUNCIL ADMIN - TECH SUPPORT	18		24ET @ $1,759.90	30/5/2012	$42,237.60				Shirewide	1
CYCLEWAYS	22		24ET @ $447.00	30/5/2012	$10,728.00				Shirewid22	1
CASUAL OPEN SPACE - REGIONAL	26	1	24ET @ $1,031.00	30/5/2012	$24,744.00				CasOS26	1
STRUCTURE OPEN SPACE -	26	1	24ET @ $3,619.00	30/5/2012	$86,856.00				StrucOS26	1

TWEED SHIRE COUNCIL

Contribution Payable	S94 Contribution Plan Number/ Sector	Area CP5 Only	Units/lots or rate/ha	Rate (valid until) __/__/__	Amount	Rate at Time of Payment after __/__/__	Amount at Time of Payment $	Receipt Number	Charge Control	*Bank Account*
REGIONAL										
TOTAL AMOUNT DUE					$747,105.60					

Please forward receipt to

Name: _____

Address: _____

_____

_____

Note: Refer to separate Fee Sheet for Application Fees

Original Contribution Amounts	Prepared by:	Signature	L. McGavin print name	31/5/11 date
	Checked by:	Signature	C. Forbes print name	31/5/11 date
Amended Contribution Amounts	Prepared by:	Signature	print name	__/__/__ date
	Original/amended amounts Checked & Certified by: (to enable SC release/BA release/ CC release) (Authorised Council [1] Officer)	Signature	print name	__/__/__ date

Note: Authorised Council Officers are: -

- **Town Planners**
- **Subdivision Engineers**
- **Building Surveyors**

TWEED SHIRE COUNCIL

Copy to TSC Financial Services Unit

SECTION 94, SECTION 64 AND OTHER DEVELOPER CONTRIBUTIONS SHEET

THIS FORM MUST ACCOMPANY PAYMENT OF CONTRIBUTIONS TO COUNCIL

Development: Cobaki Estate subdivision of precinct 1 and 2 comprised of 475 residential lots (including 1 residual lot) and lots for drainage, open space and urban infrastructure (JRPP)

Development Consent No. DA10/0800

Location: Lot 1 DP 562222; Lot 2 DP 566529; Lot 1 DP 570077; Lot 1 DP 823679; Lots 46, 54, 55, 199, 200, 201, 202, 205, 206, 209, 228, 305 DP 755740, No. 73 Sandy Lane; Lot 1 DP 570076 Piggabeen Road, Cobaki Lakes

Applicant: Leda Manorstead Pty Ltd
PO Box 1914
SURFERS PARADISE QLD 4217

Owner: Leda Manorstead Pty Ltd

Date: 30/05/2011

Paid by:

Stage: Stage 2F

Contribution Payable	S94 Contribution Plan Number/ Sector	Area CP5 Only	Units/lots or rate/ha	Rate (valid until) __/__/__	Amount	Rate at Time of Payment after __/__/__	Amount at Time of Payment $	Receipt Number	Charge Control	*Bank Account*
WATER HEADWORKS	S64		24ET @ $11,020.00	30/5/2012	$264,480.00				WaterDSP3	40
SEWERAGE HEADWORKS	S64		24ET @ $5,295.00	30/5/2012	$127,080.00				SewerBnora	85
TRCP - COBAKI	4/3		156Trips @ $999.00	30/5/2012	$155,844.00				Sector3_4	1
COBAKI LAKES COMMUNITY FACILITIES	10		24ET @ $492.00	30/5/2012	$11,808.00				CommFac10	1
LIBRARIES	11		24ET @ $792.00	30/5/2012	$19,008.00				ResDevt11	1
BUS SHELTERS	12		24ET @ $60.00	30/5/2012	$1,440.00				Over10ET	1
CEMETERIES	13		24ET @ $120.00	30/5/2012	$2,880.00				ResDevt13	1
COUNCIL ADMIN - TECH SUPPORT	18		24ET @ $1,759.90	30/5/2012	$42,237.60				Shirewide	1
CYCLEWAYS	22		24ET @ $447.00	30/5/2012	$10,728.00				Shirewid22	1
CASUAL OPEN SPACE - REGIONAL	26	1	24ET @ $1,031.00	30/5/2012	$24,744.00				CasOS26	1
STRUCTURE OPEN SPACE -	26	1	24ET @ $3,619.00	30/5/2012	$86,856.00				StrucOS26	1

TWEED SHIRE COUNCIL

Contribution Payable	S94 Contribution Plan Number/ Sector	Area CP5 Only	Units/lots or rate/ha	Rate (valid until) __/__/__	Amount	Rate at Time of Payment after __/__/__	Amount at Time of Payment $	Receipt Number	Charge Control	*Bank Account*
REGIONAL										
TOTAL AMOUNT DUE					$747,105.60					

Please forward receipt to

Name: _____

Address: _____

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_____

Note: Refer to separate Fee Sheet for Application Fees

Original Contribution Amounts	Prepared by:	Signature	L. McGavin print name	31/5/11 date
	Checked by:	Signature	C. Forbes print name	31/5/11 date
Amended Contribution Amounts	Prepared by:	Signature	print name	__/__/__ date
	Original/amended amounts Checked & Certified by: (to enable SC release/BA release/ CC release) (Authorised Council [1] Officer)	Signature	print name	__/__/__ date

Note: Authorised Council Officers are: -

* **Town Planners**
* **Subdivision Engineers**
* **Building Surveyors**

TWEED SHIRE COUNCIL

PROCEDURE FOR ISSUE OF CERTIFICATE OF COMPLIANCE

In accordance with Clause 64, Local Government Act, 1993 and Chapter 6, Part 2, Division 5 Water Management Act 2000

DETAILS

Applicant:	**Leda Manorstead Pty Ltd** **PO Box 1914** **SURFERS PARADISE QLD 4217**
Description of Development:	**Stage 2F** **Cobaki Estate subdivision of precinct 1 and 2 comprised of 475 residential lots (including 1 residual lot) and lots for drainage, open space and urban infrastructure (JRPP) at Lot 1 DP 562222; Lot 2 DP 566529; Lot 1 DP 570077; Lot 1 DP 823679; Lots 46, 54, 55, 199, 200, 201, 202, 205, 206, 209, 228, 305 DP 755740, No. 73 Sandy Lane; Lot 1 DP 570076 Piggabeen Road, Cobaki Lakes**
Date of Council Approval:	**30/05/2011**
Council File Reference:	**DA10/0800**

APPLICATION

To: The General Manager

Application is hereby made for a Certificate of Compliance under Part 2, Division 5, Clause 305 of the Water Management Act 2000, in respect of the consent/approval issued by Council.

Signature of Applicant Date

NOTICE OF COUNCIL'S REQUIREMENTS UNDER PART 2, DIVISION 5, CLAUSE 306 OF THE WATER MANAGEMENT ACT 2000

Works required: *a)* *Water & Sewer headworks augmentation*

Contributions required: a) Water - $264480
Sewer - $127080

Note: The fees and charges quoted above will remain fixed for a period of twelve (12) months from the date of Development Consent No. DA10/0800, dated 30/05/2011 and thereafter in accordance with the rates applicable in Council's adopted Fees and Charges current at the time of payment.

Note: The Environmental Planning and Assessment Act, 1979 (as amended) makes no provision for works under the Water Management Act 2000 to be certified by an Accredited Certifier.

General Manager Date 31.5.11

CERTIFICATE OF COMPLIANCE

Part 2, Division 5, Clause 307 of the Water Management Act 2000

This is to certify that water supply and sewerage works have been carried out, or security provided to Council's satisfaction for their completion and such other contributions have been paid or secured to satisfy notice of Council's requirements in respect of water supply and sewerage for the abovementioned consent dated 30/05/2011 on file DA10/0800.

General Manager Date

TWEED SHIRE COUNCIL

Copy to TSC Financial Services Unit

SECTION 94, SECTION 64 AND OTHER DEVELOPER CONTRIBUTIONS SHEET

THIS FORM MUST ACCOMPANY PAYMENT OF CONTRIBUTIONS TO COUNCIL

Development: Cobaki Estate subdivision of precinct 1 and 2 comprised of 475 residential lots (including 1 residual lot) and lots for drainage, open space and urban infrastructure (JRPP)

Development Consent No. DA10/0800

Location: Lot 1 DP 562222; Lot 2 DP 566529; Lot 1 DP 570077; Lot 1 DP 823679; Lots 46, 54, 55, 199, 200, 201, 202, 205, 206, 209, 228, 305 DP 755740, No. 73 Sandy Lane; Lot 1 DP 570076 Piggabeen Road, Cobaki Lakes

Applicant: Leda Manorstead Pty Ltd
PO Box 1914
SURFERS PARADISE QLD 4217

Owner: Leda Manorstead Pty Ltd

Date: 30/05/2011

Paid by:

Stage: Stage 2G

Contribution Payable	S94 Contribution Plan Number/ Sector	Area CP5 Only	Units/lots or rate/ha	Rate (valid until) __/__/__	Amount	Rate at Time of Payment after __/__/__	Amount at Time of Payment $	Receipt Number	Charge Control	*Bank Account*
WATER HEADWORKS	S64		25ET @ $11,020.00	30/5/2012	$275,500.00				WaterDSP3	40
SEWERAGE HEADWORKS	S64		25ET @ $5,295.00	30/5/2012	$132,375.00				SewerBnora	85
TRCP - COBAKI	4/3		162.5Trips @ $999.00	30/5/2012	$162,338.00				Sector3_4	1
COBAKI LAKES COMMUNITY FACILITIES	10		25ET @ $492.00	30/5/2012	$12,300.00				CommFac10	1
LIBRARIES	11		25ET @ $792.00	30/5/2012	$19,800.00				ResDevt11	1
BUS SHELTERS	12		25ET @ $60.00	30/5/2012	$1,500.00				Over10ET	1
CEMETERIES	13		25ET @ $120.00	30/5/2012	$3,000.00				ResDevt13	1
COUNCIL ADMIN - TECH SUPPORT	18		25ET @ $1,759.90	30/5/2012	$43,997.50				Shirewide	1
CYCLEWAYS	22		25ET @ $447.00	30/5/2012	$11,175.00				Shirewid22	1
CASUAL OPEN SPACE - REGIONAL	26	1	25ET @ $1,031.00	30/5/2012	$25,775.00				CasOS26	1

TWEED SHIRE COUNCIL

Contribution Payable	S94 Contribution Plan Number/ Sector	Area CP5 Only	Units/lots or rate/ha	Rate (valid until) __/__/__	Amount	Rate at Time of Payment after __/__/__	Amount at Time of Payment $	Receipt Number	Charge Control	*Bank Account*
STRUCTURE OPEN SPACE - REGIONAL	26	1	25ET @ $3,619.00	30/5/2012	$90,475.00				StrucOS26	1
TOTAL AMOUNT DUE					$778,235.50					

Please forward receipt to

Name: _____

Address: _____

_____

_____

Note: Refer to separate Fee Sheet for Application Fees

Original Contribution Amounts	Prepared by:	Signature	C. McGavin print name	31/5/11 date
	Checked by:	Signature	C. Forbes print name	31/5/11 date
Amended Contribution Amounts	Prepared by:	Signature	print name	__/__/__ date
	Original/amended amounts Checked & Certified by: (to enable SC release/BA release/ CC release) (Authorised Council [1] Officer)	Signature	print name	__/__/__ date

Note: Authorised Council Officers are: -

* **Town Planners**
* **Subdivision Engineers**
* **Building Surveyors**

TWEED SHIRE COUNCIL

Copy to TSC Financial Services Unit

SECTION 94, SECTION 64 AND OTHER DEVELOPER CONTRIBUTIONS SHEET

THIS FORM MUST ACCOMPANY PAYMENT OF CONTRIBUTIONS TO COUNCIL

Development: Cobaki Estate subdivision of precinct 1 and 2 comprised of 475 residential lots (including 1 residual lot) and lots for drainage, open space and urban infrastructure (JRPP)

Development Consent No. DA10/0800

Location: Lot 1 DP 562222; Lot 2 DP 566529; Lot 1 DP 570077; Lot 1 DP 823679; Lots 46, 54, 55, 199, 200, 201, 202, 205, 206, 209, 228, 305 DP 755740, No. 73 Sandy Lane; Lot 1 DP 570076 Piggabeen Road, Cobaki Lakes

Applicant: Leda Manorstead Pty Ltd
PO Box 1914
SURFERS PARADISE QLD 4217

Owner: Leda Manorstead Pty Ltd

Date: 30/05/2011

Paid by:

Stage: Stage 2G

Contribution Payable	S94 Contribution Plan Number/ Sector	Area CP5 Only	Units/lots or rate/ha	Rate (valid until) __/__/__	Amount	Rate at Time of Payment after __/__/__	Amount at Time of Payment $	Receipt Number	Charge Control	*Bank Account*
WATER HEADWORKS	S64		25ET @ $11,020.00	30/5/2012	$275,500.00				WaterDSP3	40
SEWERAGE HEADWORKS	S64		25ET @ $5,295.00	30/5/2012	$132,375.00				SewerBnora	85
TRCP - COBAKI	4/3		162.5Trips @ $999.00	30/5/2012	$162,338.00				Sector3_4	1
COBAKI LAKES COMMUNITY FACILITIES	10		25ET @ $492.00	30/5/2012	$12,300.00				CommFac10	1
LIBRARIES	11		25ET @ $792.00	30/5/2012	$19,800.00				ResDevt11	1
BUS SHELTERS	12		25ET @ $60.00	30/5/2012	$1,500.00				Over10ET	1
CEMETERIES	13		25ET @ $120.00	30/5/2012	$3,000.00				ResDevt13	1
COUNCIL ADMIN - TECH SUPPORT	18		25ET @ $1,759.90	30/5/2012	$43,997.50				Shirewide	1
CYCLEWAYS	22		25ET @ $447.00	30/5/2012	$11,175.00				Shirewid22	1
CASUAL OPEN SPACE - REGIONAL	26	1	25ET @ $1,031 00	30/5/2012	$25,775.00				CasOS26	1

TWEED SHIRE COUNCIL

Contribution Payable	S94 Contribution Plan Number/ Sector	Area CP5 Only	Units/lots or rate/ha	Rate (valid until) __/__/__	Amount	Rate at Time of Payment after __/__/__	Amount at Time of Payment $	Receipt Number	Charge Control	*Bank Account*
STRUCTURE OPEN SPACE - REGIONAL	26	1	25ET @ $3,619.00	30/5/2012	$90,475.00				StrucOS26	1
TOTAL AMOUNT DUE					$778,235.50					

Please forward receipt to

Name: _____

Address: _____

_____

_____

Note: Refer to separate Fee Sheet for Application Fees

Original Contribution Amounts	Prepared by:	Signature	L.M'GAVIN print name	31/5/11 date
	Checked by:	Signature	C.FORBES print name	31/5/11 date
Amended Contribution Amounts	Prepared by:	Signature	print name	__/__/__ date
	Original/amended amounts Checked & Certified by: (to enable SC release/BA release/ CC release) (Authorised Council [1] Officer)	Signature	print name	__/__/__ date

Note: **Authorised Council Officers are: -**

* **Town Planners**
* **Subdivision Engineers**
* **Building Surveyors**

TWEED SHIRE COUNCIL

Copy to TSC Financial Services Unit

SECTION 94, SECTION 64 AND OTHER DEVELOPER CONTRIBUTIONS SHEET

THIS FORM MUST ACCOMPANY PAYMENT OF CONTRIBUTIONS TO COUNCIL

Development: Cobaki Estate subdivision of precinct 1 and 2 comprised of 475 residential lots (including 1 residual lot) and lots for drainage, open space and urban infrastructure (JRPP)

Development Consent No. DA10/0800

Location: Lot 1 DP 562222; Lot 2 DP 566529; Lot 1 DP 570077; Lot 1 DP 823679; Lots 46, 54, 55, 199, 200, 201, 202, 205, 206, 209, 228, 305 DP 755740, No. 73 Sandy Lane; Lot 1 DP 570076 Piggabeen Road, Cobaki Lakes

Applicant: Leda Manorstead Pty Ltd
PO Box 1914
SURFERS PARADISE QLD 4217

Owner: Leda Manorstead Pty Ltd

Date: 30/05/2011

Paid by:

Stage: Stage 2H

Contribution Payable	S94 Contribution Plan Number/ Sector	Area CP5 Only	Units/lots or rate/ha	Rate (valid until) __/__/__	Amount	Rate at Time of Payment after __/__/__	Amount at Time of Payment $	Receipt Number	Charge Control	*Bank Account*
WATER HEADWORKS	S64		20.4ET @ $11,020.00	30/5/2012	$224,808.00				WaterDSP3	40
SEWERAGE HEADWORKS	S64		24ET @ $5,295.00	30/5/2012	$127,080.00				SewerBnora	85
TRCP - COBAKI	4/3		109.2Trips @ $999.00	30/5/2012	$109,091.00				Sector3_4	1
COBAKI LAKES COMMUNITY FACILITIES	10		21.75ET @ $492.00	30/5/2012	$10,701.00				CommFac10	1
LIBRARIES	11		21.75ET @ $792.00	30/5/2012	$17,226.00				ResDevt11	1
BUS SHELTERS	12		21.75ET @ $60.00	30/5/2012	$1,305.00				Over10ET	1
CEMETERIES	13		21.75ET @ $120.00	30/5/2012	$2,610.00				ResDevt13	1
COUNCIL ADMIN - TECH SUPPORT	18		21.75ET @ $1,759.90	30/5/2012	$38,277.83				Shirewide	1
CYCLEWAYS	22		21.75ET @ $447.00	30/5/2012	$9,722.00				Shirewid22	1
CASUAL OPEN SPACE - REGIONAL	26	1	21.75ET @ $1,031.00	30/5/2012	$22,424.00				CasOS26	1
STRUCTURE OPEN SPACE -	26	1	21.75ET @ $3,619.00	30/5/2012	$78,713.00				StrucOS26	1

TWEED SHIRE COUNCIL

Contribution Payable	S94 Contribution Plan Number/ Sector	Area CP5 Only	Units/lots or rate/ha	Rate (valid until) __/__/__	Amount	Rate at Time of Payment after __/__/__	Amount at Time of Payment $	Receipt Number	Charge Control	*Bank Account*
REGIONAL										
TOTAL AMOUNT DUE					$641,957.83					

Please forward receipt to

Name: _____

Address: _____

_____

_____

Note: Refer to separate Fee Sheet for Application Fees

Original Contribution Amounts	Prepared by:	[signature]	L. McGuinn	31/5/11
		Signature	print name	date
	Checked by:	[signature]	C. Forbes	31/5/11
		Signature	print name	date
Amended Contribution Amounts	Prepared by:			__/__/__
		Signature	print name	date
	Original/amended amounts Checked & Certified by: (to enable SC release/BA release/ CC release) (Authorised Council [1] Officer)			__/__/__
		Signature	print name	date

Note: Authorised Council Officers are: -

* **Town Planners**
* **Subdivision Engineers**
* **Building Surveyors**

TWEED SHIRE COUNCIL

Copy to TSC Financial Services Unit

SECTION 94, SECTION 64 AND OTHER DEVELOPER CONTRIBUTIONS SHEET

THIS FORM MUST ACCOMPANY PAYMENT OF CONTRIBUTIONS TO COUNCIL

Development: Cobaki Estate subdivision of precinct 1 and 2 comprised of 475 residential lots (including 1 residual lot) and lots for drainage, open space and urban infrastructure (JRPP)

Development Consent No. DA10/0800

Location: Lot 1 DP 562222; Lot 2 DP 566529; Lot 1 DP 570077; Lot 1 DP 823679; Lots 46, 54, 55, 199, 200, 201, 202, 205, 206, 209, 228, 305 DP 755740, No. 73 Sandy Lane; Lot 1 DP 570076 Piggabeen Road, Cobaki Lakes

Applicant: Leda Manorstead Pty Ltd
PO Box 1914
SURFERS PARADISE QLD 4217

Owner: Leda Manorstead Pty Ltd

Date: 30/05/2011

Paid by:

Stage: Stage 2H

Contribution Payable	S94 Contribution Plan Number/ Sector	Area CP5 Only	Units/lots or rate/ha	Rate (valid until) __/__/__	Amount	Rate at Time of Payment after __/__/__	Amount at Time of Payment $	Receipt Number	Charge Control	*Bank Account*
WATER HEADWORKS	S64		20.4ET @ $11,020.00	30/5/2012	$224,808.00				WaterDSP3	40
SEWERAGE HEADWORKS	S64		24ET @ $5,295.00	30/5/2012	$127,080.00				SewerBnora	85
TRCP - COBAKI	4/3		109.2Trips @ $999.00	30/5/2012	$109,091.00				Sector3_4	1
COBAKI LAKES COMMUNITY FACILITIES	10		21.75ET @ $492.00	30/5/2012	$10,701.00				CommFac10	1
LIBRARIES	11		21.75ET @ $792.00	30/5/2012	$17,226.00				ResDevt11	1
BUS SHELTERS	12		21.75ET @ $60.00	30/5/2012	$1,305.00				Over10ET	1
CEMETERIES	13		21.75ET @ $120.00	30/5/2012	$2,610.00				ResDevt13	1
COUNCIL ADMIN - TECH SUPPORT	18		21.75ET @ $1,759.90	30/5/2012	$38,277.83				Shirewide	1
CYCLEWAYS	22		21.75ET @ $447.00	30/5/2012	$9,722.00				Shirewid22	1
CASUAL OPEN SPACE - REGIONAL	26	1	21.75ET @ $1,031.00	30/5/2012	$22,424.00				CasOS26	1
STRUCTURE OPEN SPACE -	26	1	21.75ET @ $3,619.00	30/5/2012	$78,713.00				StrucOS26	1

TWEED SHIRE COUNCIL

Contribution Payable	S94 Contribution Plan Number/ Sector	Area CP5 Only	Units/lots or rate/ha	Rate (valid until) __/__/__	Amount	Rate at Time of Payment after __/__/__	Amount at Time of Payment $	Receipt Number	Charge Control	*Bank Account*
REGIONAL										
TOTAL AMOUNT DUE					$641,957 83					

Please forward receipt to

Name: _____

Address: _____

_____

_____

Note: Refer to separate Fee Sheet for Application Fees

Original Contribution Amounts	Prepared by:		L M'GAVIN	31/5/11
		Signature	print name	date
	Checked by:		G FORBES	31/5/11
		Signature	print name	date
Amended Contribution Amounts	Prepared by:			__/__/__
		Signature	print name	date
	Original/amended amounts Checked & Certified by: (to enable SC release/BA release/ CC release) (Authorised Council [1] Officer)			__/__/__
		Signature	print name	date

Note: Authorised Council Officers are: -

* **Town Planners**
* **Subdivision Engineers**
* **Building Surveyors**

TWEED SHIRE COUNCIL

PROCEDURE FOR ISSUE OF CERTIFICATE OF COMPLIANCE

In accordance with Clause 64, Local Government Act, 1993 and Chapter 6, Part 2, Division 5 Water Management Act 2000

DETAILS

Applicant:	**Leda Manorstead Pty Ltd** **PO Box 1914** **SURFERS PARADISE QLD 4217**
Description of Development:	**Stage 2H** **Cobaki Estate subdivision of precinct 1 and 2 comprised of 475 residential lots (including 1 residual lot) and lots for drainage, open space and urban infrastructure (JRPP) at Lot 1 DP 562222; Lot 2 DP 566529; Lot 1 DP 570077; Lot 1 DP 823679; Lots 46, 54, 55, 199, 200, 201, 202, 205, 206, 209, 228, 305 DP 755740, No. 73 Sandy Lane; Lot 1 DP 570076 Piggabeen Road, Cobaki Lakes**
Date of Council Approval:	**30/05/2011**
Council File Reference:	**DA10/0800**

APPLICATION

To: The General Manager

Application is hereby made for a Certificate of Compliance under Part 2, Division 5, Clause 305 of the Water Management Act 2000, in respect of the consent/approval issued by Council.

Signature of Applicant Date

NOTICE OF COUNCIL'S REQUIREMENTS UNDER PART 2, DIVISION 5, CLAUSE 306 OF THE WATER MANAGEMENT ACT 2000

Works required: *a)* *Water & Sewer headworks augmentation*

Contributions required: a) Water - $224808
Sewer - $127080

Note: The fees and charges quoted above will remain fixed for a period of twelve (12) months from the date of Development Consent No. DA10/0800, dated 30/05/2011 and thereafter in accordance with the rates applicable in Council's adopted Fees and Charges current at the time of payment.

Note: The Environmental Planning and Assessment Act, 1979 (as amended) makes no provision for works under the Water Management Act 2000 to be certified by an Accredited Certifier.

General Manager Date 31.5.11

CERTIFICATE OF COMPLIANCE

Part 2, Division 5, Clause 307 of the Water Management Act 2000

This is to certify that water supply and sewerage works have been carried out, or security provided to Council's satisfaction for their completion and such other contributions have been paid or secured to satisfy notice of Council's requirements in respect of water supply and sewerage for the abovementioned consent dated 30/05/2011 file DA10/0800.

General Manager Date

TWEED SHIRE COUNCIL

Copy to TSC Financial Services Unit

SECTION 94, SECTION 64 AND OTHER DEVELOPER CONTRIBUTIONS SHEET

THIS FORM MUST ACCOMPANY PAYMENT OF CONTRIBUTIONS TO COUNCIL

Development: Cobaki Estate subdivision of precinct 1 and 2 comprised of 475 residential lots (including 1 residual lot) and lots for drainage, open space and urban infrastructure (JRPP)

Development Consent No. DA10/0800

Location: Lot 1 DP 562222; Lot 2 DP 566529; Lot 1 DP 570077; Lot 1 DP 823679; Lots 46, 54, 55, 199, 200, 201, 202, 205, 206, 209, 228, 305 DP 755740, No. 73 Sandy Lane; Lot 1 DP 570076 Piggabeen Road, Cobaki Lakes

Applicant: Leda Manorstead Pty Ltd
PO Box 1914
SURFERS PARADISE QLD 4217

Owner: Leda Manorstead Pty Ltd

Date: 30/05/2011

Paid by:

Stage: Stage 2I

Contribution Payable	S94 Contribution Plan Number/ Sector	Area CP5 Only	Units/lots or rate/ha	Rate (valid until) __/__/__	Amount	Rate at Time of Payment after __/__/__	Amount at Time of Payment $	Receipt Number	Charge Control	*Bank Account*
WATER HEADWORKS	S64		1.2ET @ $11,020.00	30/5/2012	$13,224.00				WaterDSP3	40
SEWERAGE HEADWORKS	S64		1ET @ $5,295.00	30/5/2012	$5,295.00				SewerBnora	85
TRCP - COBAKI	4/3		6.5Trips @ $999.00	30/5/2012	$6,494.00				Sector3_4	1
COBAKI LAKES COMMUNITY FACILITIES	10		1ET @ $492.00	30/5/2012	$492.00				CommFac10	1
LIBRARIES	11		1ET @ $792.00	30/5/2012	$792.00				ResDevt11	1
BUS SHELTERS	12		1ET @ $60.00	30/5/2012	$60.00				Over10ET	1
CEMETERIES	13		1ET @ $120.00	30/5/2012	$120.00				ResDevt13	1
COUNCIL ADMIN - TECH SUPPORT	18		1ET @ $1,759.90	30/5/2012	$1,759.90				Shirewide	1
CYCLEWAYS	22		1ET @ $447.00	30/5/2012	$447.00				Shirewid22	1
CASUAL OPEN SPACE - REGIONAL	26	1	1ET @ $1,031.00	30/5/2012	$1,031.00				CasOS26	1

TWEED SHIRE COUNCIL

Contribution Payable	S94 Contribution Plan Number/ Sector	Area CP5 Only	Units/lots or rate/ha	Rate (valid until) __/__/__	Amount	Rate at Time of Payment after __/__/__	Amount at Time of Payment $	Receipt Number	Charge Control	*Bank Account*
STRUCTURE OPEN SPACE - REGIONAL	26	1	1ET @ $3,619.00	30/5/2012	$3,619.00				StrucOS26	1
TOTAL AMOUNT DUE					$33,333.90					

Please forward receipt to

Name: _____

Address: _____

_____

_____

Note: Refer to separate Fee Sheet for Application Fees

Original Contribution Amounts	Prepared by:	Signature	C. McGavin print name	31/5/11 date
	Checked by:	Signature	C. Forbes print name	31/5/11 date
Amended Contribution Amounts	Prepared by:	Signature	print name	__/__/__ date
	Original/amended amounts Checked & Certified by: (to enable SC release/BA release/ CC release) (Authorised Council [1] Officer)	Signature	print name	__/__/__ date

Note: Authorised Council Officers are: -

* **Town Planners**
* **Subdivision Engineers**
* **Building Surveyors**

TWEED SHIRE COUNCIL

PROCEDURE FOR ISSUE OF CERTIFICATE OF COMPLIANCE

In accordance with Clause 64, Local Government Act, 1993 and Chapter 6, Part 2, Division 5 Water Management Act 2000

DETAILS

Applicant:	**Leda Manorstead Pty Ltd** **PO Box 1914** **SURFERS PARADISE QLD 4217**
Description of Development:	**Stage 2G** **Cobaki Estate subdivision of precinct 1 and 2 comprised of 475 residential lots (including 1 residual lot) and lots for drainage, open space and urban infrastructure (JRPP) at Lot 1 DP 562222; Lot 2 DP 566529; Lot 1 DP 570077; Lot 1 DP 823679; Lots 46, 54, 55, 199, 200, 201, 202, 205, 206, 209, 228, 305 DP 755740, No. 73 Sandy Lane; Lot 1 DP 570076 Piggabeen Road, Cobaki Lakes**
Date of Council Approval:	**30/05/2011**
Council File Reference:	**DA10/0800**

APPLICATION

To: The General Manager

Application is hereby made for a Certificate of Compliance under Part 2, Division 5, Clause 305 of the Water Management Act 2000, in respect of the consent/approval issued by Council.

Signature of Applicant Date

NOTICE OF COUNCIL'S REQUIREMENTS UNDER PART 2, DIVISION 5, CLAUSE 306 OF THE WATER MANAGEMENT ACT 2000

Works required: *a)* *Water & Sewer headworks augmentation*

Contributions required: a) Water - $275500
Sewer - $132375

Note: The fees and charges quoted above will remain fixed for a period of twelve (12) months from the date of Development Consent No. DA10/0800, dated 30/05/2011 and thereafter in accordance with the rates applicable in Council's adopted Fees and Charges current at the time of payment.

Note: The Environmental Planning and Assessment Act, 1979 (as amended) makes no provision for works under the Water Management Act 2000 to be certified by an Accredited Certifier.

General Manager Date 31.5.11

CERTIFICATE OF COMPLIANCE

Part 2, Division 5, Clause 307 of the Water Management Act 2000

This is to certify that water supply and sewerage works have been carried out, or security provided to Council's satisfaction for their completion and such other contributions have been paid or secured to satisfy notice of Council's requirements in respect of water supply and sewerage for the abovementioned consent dated 30/05/2011 on file DA10/0800.

General Manager Date

TWEED SHIRE COUNCIL

Copy to TSC Financial Services Unit

SECTION 94, SECTION 64 AND OTHER DEVELOPER CONTRIBUTIONS SHEET

THIS FORM MUST ACCOMPANY PAYMENT OF CONTRIBUTIONS TO COUNCIL

Development: Cobaki Estate subdivision of precinct 1 and 2 comprised of 475 residential lots (including 1 residual lot) and lots for drainage, open space and urban infrastructure (JRPP)

Development Consent No. DA10/0800

Location: Lot 1 DP 562222; Lot 2 DP 566529; Lot 1 DP 570077; Lot 1 DP 823679; Lots 46, 54, 55, 199, 200, 201, 202, 205, 206, 209, 228, 305 DP 755740, No. 73 Sandy Lane; Lot 1 DP 570076 Piggabeen Road, Cobaki Lakes

Applicant: Leda Manorstead Pty Ltd
PO Box 1914
SURFERS PARADISE QLD 4217

Owner: Leda Manorstead Pty Ltd

Date: 30/05/2011

Paid by:

Stage: Stage 2I

Contribution Payable	S94 Contribution Plan Number/ Sector	Area CP5 Only	Units/lots or rate/ha	Rate (valid until) __/__/__	Amount	Rate at Time of Payment after __/__/__	Amount at Time of Payment $	Receipt Number	Charge Control	*Bank Account*
WATER HEADWORKS	S64		1.2ET @ $11,020.00	30/5/2012	$13,224.00				WaterDSP3	40
SEWERAGE HEADWORKS	S64		1ET @ $5,295.00	30/5/2012	$5,295.00				SewerBnora	85
TRCP - COBAKI	4/3		6.5Trips @ $999.00	30/5/2012	$6,494.00				Sector3_4	1
COBAKI LAKES COMMUNITY FACILITIES	10		1ET @ $492.00	30/5/2012	$492.00				CommFac10	1
LIBRARIES	11		1ET @ $792.00	30/5/2012	$792.00				ResDevt11	1
BUS SHELTERS	12		1ET @ $60.00	30/5/2012	$60.00				Over10ET	1
CEMETERIES	13		1ET @ $120.00	30/5/2012	$120.00				ResDevt13	1
COUNCIL ADMIN - TECH SUPPORT	18		1ET @ $1,759.90	30/5/2012	$1,759.90				Shirewide	1
CYCLEWAYS	22		1ET @ $447.00	30/5/2012	$447.00				Shirewid22	1
CASUAL OPEN SPACE - REGIONAL	26	1	1ET @ $1 031 00	30/5/2012	$1,031.00				CasOS26	1

TWEED SHIRE COUNCIL

Contribution Payable	S94 Contribution Plan Number/ Sector	Area CP5 Only	Units/lots or rate/ha	Rate (valid until) __/__/__	Amount	Rate at Time of Payment after __/__/__	Amount at Time of Payment $	Receipt Number	Charge Control	*Bank Account*
STRUCTURE OPEN SPACE - REGIONAL	26	1	1ET @ $3,619 00	30/5/2012	$3,619.00				StrucOS26	1
TOTAL AMOUNT DUE					$33,333.90					

Please forward receipt to

Name: _____

Address: _____

_____

_____

Note: Refer to separate Fee Sheet for Application Fees

Original Contribution Amounts	Prepared by:	[signature]	L. McGAUN	31/5/11
		Signature	print name	date
	Checked by:	[signature]	C. FORBES	31/5/11
		Signature	print name	date
Amended Contribution Amounts	Prepared by:			__/__/__
		Signature	print name	date
	Original/amended amounts Checked & Certified by: (to enable SC release/BA release/ CC release) (Authorised Council [1] Officer)			__/__/__
		Signature	print name	date

Note: **Authorised Council Officers are: -**

* **Town Planners**
* **Subdivision Engineers**
* **Building Surveyors**

TWEED SHIRE COUNCIL

PROCEDURE FOR ISSUE OF CERTIFICATE OF COMPLIANCE

In accordance with Clause 64, Local Government Act, 1993 and Chapter 6, Part 2, Division 5 Water Management Act 2000

DETAILS

Applicant:	**Leda Manorstead Pty Ltd** **PO Box 1914** **SURFERS PARADISE QLD 4217**
Description of Development:	**Stage 2l** **Cobaki Estate subdivision of precinct 1 and 2 comprised of 475 residential lots (including 1 residual lot) and lots for drainage, open space and urban infrastructure (JRPP) at Lot 1 DP 562222; Lot 2 DP 566529; Lot 1 DP 570077; Lot 1 DP 823679; Lots 46, 54, 55, 199, 200, 201, 202, 205, 206, 209, 228, 305 DP 755740, No. 73 Sandy Lane; Lot 1 DP 570076 Piggabeen Road, Cobaki Lakes**
Date of Council Approval:	**30/05/2011**
Council File Reference:	**DA10/0800**

APPLICATION

To: The General Manager

Application is hereby made for a Certificate of Compliance under Part 2, Division 5, Clause 305 of the Water Management Act 2000, in respect of the consent/approval issued by Council.

Signature of Applicant Date

NOTICE OF COUNCIL'S REQUIREMENTS UNDER PART 2, DIVISION 5, CLAUSE 306 OF THE WATER MANAGEMENT ACT 2000

Works required: *a)* *Water & Sewer headworks augmentation*

Contributions required: a) Water - $13224
Sewer - $5295

Note: The fees and charges quoted above will remain fixed for a period of twelve (12) months from the date of Development Consent No. DA10/0800, dated 30/05/2011 thereafter in accordance with the rates applicable in Council's adopted Fees and Charges current at the time of payment.

Note: The Environmental Planning and Assessment Act, 1979 (as amended) makes no provision for works under the Water Management Act 2000 to be certified by an Accredited Certifier.

General Manager Date 31.5.11

CERTIFICATE OF COMPLIANCE

Part 2, Division 5, Clause 307 of the Water Management Act 2000

This is to certify that water supply and sewerage works have been carried out, or security provided to Council's satisfaction for their completion and such other contributions have been paid or secured to satisfy notice of Council's requirements in respect of water supply and sewerage for the abovementioned consent dated 30/05/2011 on file DA10/0800.

General Manager Date

LEDA

COBAKI DESIGN GUIDELINES

PRECINCTS 1 & 2

March 2011

THIS IS THE PLAN REFERRED
TO IN THE DEVELOPMENT
CONSENT No. DA10/0800

30 MAY 2011

SIGNED: .....

THE DESIGN GUIDELINES

These design guidelines supplement the *Cobaki Estate Development Code* and assist when designing your house and landscaping. They are of benefit to you, because they support the creation of an attractive streetscape while also allowing for appropriate individual design solutions.

THE APPROVAL PROCESS

Concept Submission

- A combination site and ground floor plan.
- A primary street elevation.
- A laneway or secondary street elevation, where applicable.
- A *DRP* Application Form.

Design Review Panel Audit and Concept Advice

- Review of Concept Submission for consistency with the Code and Design Guidelines.
- Identifcation of all further information required.
- Outline of recommended solutions where necessary to achieve consistency.
- Written response, typically prepared within ten (10) working days.
- Potential repeat of the above steps until the proposal is deemed consistent with the Code and Design Guidelines.

Final Submission

- Application form and self-assessment checklist.
- Site plan.
- Floor plan/s and roof plan/s.
- Elevations and section/s.
- Landscape plan.
- Material and colour selections schedule.
- Environmentally sustainable design inclusions list.

Receipt of *DRP* Pre-Approval Certificate

- Stamped plans with any conditions marked thereon.
- A *DRP* Pre-Approval Certificate stating any further conditions.
- Details of the next step in the building process.

Complying Development Certificate or Development Application

- Preparation of a Bushfire Management Report if required for your lot.
- Presentation of your *DRP* Pre-Approval Certificate and drawings to the certifier or Tweed Shire Council (TSC), **OR**
- For proposals that do not meet the development standards contained in Part A of the *Cobaki Estate Development Code*, presentation of a development application to the TSC.
- Application for a Driving Crossover (S 138).
- Receipt of Complying Development Certificate or Development Consent.

SITING

- Design the dwelling to address the *private open space* position as nominated or diagrammed on the *plan of development*.
- Locate the primary living areas to address the north, east or northeast of the lot, while garages, utility rooms and lesser-used bedrooms may be located to the south or west.
- Locate utility courts to the south, west, or southwest of the lot.
- Where cut and fill controls in the *Cobaki Estate Development Code* cannot be met with a flat slab design, incorporate elevated floors, built-up foundations and/or decks into the design to achieve compliance.
- Site dwellings to take optimum advantage of views.
- Avoid overlooking of the nominated location of the *private open space* of an adjoining lot, and provide screens of 50% maximum void-to-solid ratio where overlooking is unavoidable.
- Utilise pergolas, shade sails and other measures to provide privacy for sloping lots.
- Provide glazed doors between main living areas and *private open spaces*.

ENVIRONMENTALLY SUSTAINABLE DESIGN

- Position the home on the lot to take the best advantage of breeze and sun, and carefully plan and position outdoor and indoor living areas in relation to this orientation.
- Provide adequate shading to all windows in relation to the applicable sun angle.
- Provide heat-storage mass (such as concrete floor slabs with tiled finishes) where north glazing has been provided.
- Provide good cross-ventilation throughout the home, including high widows to exhaust summer heat and opposing window placements to draw breezes through the house.
- Insulate all walls to a minimum standard of R1.5, roofs to R2.5 and under-floor areas to R2.0.
- Provide plentiful north and east-facing glazing, but minimise western and southern glazing unless well protected from sun and wind.
- Solar panels and collectors shall be provided wherever possible, oriented to maximise their effectiveness and mounted to match the pitch of the supporting roof.
- Avoid using materials of high embodied energy (i.e. where considerable energy is required to manufacture or transport the material) or containing volatile organic compounds (i.e. compounds such as glues that evaporate easily into the air) where other solutions are available.

BUILT FORM

Streetscape

- Avoid duplicating highly similar façades and/or colour schemes within three (3) dwellings on the same or opposite sides of the road.
- Gatehouses of an open nature and of a design similar to that of the dwelling are encouraged to be located forward of the *articulation line*.
- Provide at least one lightweight open structure forward of the *articulation line*, i.e. a gatehouse, pergola, porch, verandah or the like.
- Letterboxes shall be of masonry construction to match the dwelling, installed in a retaining wall/fence and/or of a high quality, distinctive feature design.
- Letterboxes shall contain a clearly visible and stylish street number of between 75mm and 200mm high.

Height and Scale

- Construction of three storeys shall be permitted on lots nominated on the *plan of development*.
- Avoid changes of height of over 5m between adjacent existing dwellings.
- Minimise the appearance of two-storey and three-storey buildings through the use of: roofs that present a gable or hip to the road; multi-storey building elements (such as high porches); and/or staggered roofs and walls that are defined by multiple planes.
- Provide a minimum vertical distance of 2.1m between the kerb of the primary road frontage of the dwelling and the lowest gutter on the façade facing this road, ensuring the house does not appear to be 'viewed from above'.
- Screen the underside of any part of the building that is elevated more than 1.5m above the finished ground level with complementary architectural screen elements and/or landscaping.
- The height of the floor level of projecting balconies, decks and/or verandahs shall not exceed 3.6m from the *existing* surface level.
- Two-storey and three-storey dwellings shall have a maximum of 50% of the external first floor walls in vertical alignment with the ground floor walls.

Entry

- The primary entry shall be clearly visible from the road or access path and protected with a porch containing a covered area of at least 1.5m².
- Front porches shall incorporate a separate roof element (such as a hip, gable or parapet corresponding to the width of the porch) along with other feature elements such as columns, battens, accent colours/materials, transoms and/or wide doors, assisting in the identification of the entry.
- The entry shall also be expressed through recesses and/projections in the wall plane (identifiable in the plan view).
- Use landscaping, outdoor lighting and high quality material selections (such as stone, tile etc.) to further emphasise the entry location.
- Cover the floor of the entry porch with quality decking or stone/tile paving, making a distinctive break between the porch paving and the driveway or pathway.
- Locate letterboxes to have a close relationship to the front entry.

Façades and Dwelling Frontages

- Dwelling frontages include any façade or elevation that addresses a road, park, environmental area, fauna corridor or other open space.
- Dwelling frontages shall reflect contemporary architecture and the sub-tropical character and climate of this northern New South Wales coastal area.
- Dwelling frontages shall contain at least two steps in the plan view of 450mm minimum, and no horizontal wall plan shall extend greater than 7.5m without such a step.
- Incorporate at least three of the following elements into the design of any dwelling frontage: 1) lightweight elements such as balconies, porches, pergolas, sun hoods and/or screens; 2) a feature material such as stained timber, architectural steel, stone etc. (as accepted by the *DRP*); 3) a roof form composed of multiple surfaces and staggered roof edges (gutters, parapets etc.); 4) detailed gable end treatments; and/or 5) at least two distinct wall colours.
- Two-storey and three-storey dwelling frontages shall contain at least one step in the vertical wall plane of 150mm minimum, created through an overhang, material change, balcony etc.
- Incorporate a feature lightweight material into all dwelling frontages.
- Avoid blank walls through the use of attractive window placement, recesses and/or projections, overhangs, screens, feature colours/finishes and/or other elements that create interest and/or shadow.
- Façades shall be of a crisp, present-day style presentation and period details such as finials and/or Colonial windows are only to be used in neighbourhoods identified as being united by a Queensland Colonial character.
- Designs in architectural styles not expressing eaves shall incorporate generous covered outdoor areas and—where not covered by an extended roof—openings that are either recessed at least 300mm or provided with window hoods, pergolas or shading screens.
- All awnings, window hoods, pergolas and/or shading screens shall form an integral part of the dwelling design, including being of a matching colour/materials and having hidden motors etc.

Colours and Finishes

- A substantial vertical portion of external walls that are constructed at ground level shall be predominantly of masonry, and walls not in contact with the ground shall be of predominantly lightweight materials.
- Face masonry finishes are to occupy no more than half of any façade (after windows and doors have been excluded), with the balance of the façade being finished in rendered and/or painted masonry, colour-coated metal cladding or lightweight plank or panel-style cladding.
- Dwellings shall contain at least two colours and/or finishes on all dwelling frontages.
- Finely or highly textured or feature finishes are to be used to emphasise architectural elements.
- The limited use of natural timber external cladding materials shall be encouraged in protected areas where the upkeep and maintenance of the timber is not anticipated to be a long-term problem.
- Reflective materials shall not be used, i.e. roofing is not to have a metallic silver finish and glazing is to be of a standard or tinted finish, but not treated with a reflective coating etc.

- Dwelling colours shall predominantly be made up of natural and/or neutral tones, with accent colours (limited generally to 20% of any façade after the exclusion of glazed elements) that complement the colours of the dwelling as well as its existing neighbours.

- Roof colours shall be light for all dwellings except for those dwellings located on lots bounding an *asset protection zone*.

- Roof colours for all dwellings located on lots bounding an *asset protection zone* shall be of mid-tone greys or greens, or as otherwise accepted by the *DRP* on the basis of architectural merit.

- Roof materials shall be coloured, pre-finished steel with a corrugated or 'Trimdeck' profile, or flat-profile roof tiles.

- Garages and carport doors shall be of a colour, material and finish to complement the balance of the dwelling.

- Driveways incorporating permeable pavement are encouraged.

Roofs

- Add interest to the dwelling and the streetscape using roof forms to highlight prominent building elements.

- Roof forms are to present an up-to-date style, with a mixture of compatible roof pitches and/or forms incorporated into a single dwelling.

- Ensure that at least one pitched roof form presents to the road or otherwise demonstrate to the *DRP* the architectural merit of a distinctive design style that does not utilise pitched roof forms.

- Roof pitches are to conform to the following:

  - Hip and/or gable roofs are to be 22.5 degrees minimum for *traditional dwellings* and 25 degrees minimum for all other dwellings.

  - Mono-pitched roofs are to be a minimum of 12 degrees for single-storey dwellings and 9 degrees for all other dwellings (except where located behind a parapet wall or otherwise accepted by the *DRP* on the basis of architectural merit).

  - The maximum pitch for primary roofs shall be 30 degrees.

- Roofs hidden behind parapet walls and/or curved roofs shall form only a limited portion of the roof design (except as otherwise accepted by the *DRP* on the basis of architectural merit).

- Roofs and/or parapet walls presenting to a road, park or open space shall not display a single level gutter line (as viewed on the elevation drawing) on any storey.

Garages, Carports and Outbuildings

- Locate driveways and associated garages/carports in accordance with the *plan of development*.

- Reduce the prominence of garage doors through the use of recesses, overhangs, partly *transparent* (50% maximum open-to-solid ratio) door construction and/or other feature colours or materials.

- Triple garages shall be perpendicular to the road or be articulated through the use of separation, offset walls, staggered roofs, overhangs and/or feature colours/materials.

- Provide an automatically operated vehicle door to any garage or carport required for the housing of minimum on-site parking, ensuring permanent screen-

ing of the garage/carport to the street.

- All vehicles intended to be parked on the lot, other than passenger cars, shall be housed within a garage/carport, or screened behind the *frontage building line* so that they are not visible from a public area.

- Carports shall provide visual screening of vehicles from the road or public view, and shall contain an integral (i.e. in materials, colours and construction matching the dwelling) enclosed storage area of at least $6m^2$.

- Carports, garages and any outbuildings of $9m^2$ or more in plan area shall match the style, roof pitch, construction, materials and finishes of the dwelling.

- Outbuildings forward of the *frontage building line* shall only be permitted if their function is primarily decorative and they are accepted by the *DRP* on the basis of architectural merit.

LANDSCAPING

Gardens and Planting

- Planting shall be used to define the separation between public and private spaces, as well as to provide enhanced privacy to outdoor entertaining areas, particularly on sloping sites where fences are not able to do so.

- Landscape planting shall also be incorporated to visually screen bins, equipment (such as pool pumps, air conditioners etc.), clotheslines and service courtyards.

- The removal or damage of street trees is not permitted, but, where a driveway location is approved by the *DRP* that is in conflict with an existing street tree, a professional relocation or replacement of a tree matching the species and size of that tree shall be specifically detailed on the application to the *DRP*.

- For *traditional detached dwelling* and *plex dwelling* lots, provide at least one (1) advanced feature tree (60kg bag size minimum) of a species and in a location on the lot that is carefully selected to avoid damage to buildings, fences, retaining walls and other infrastructure or improvements.

- For *traditional detached dwellings*, provide at least 9m² of garden beds between the *frontage building line* and the front boundary.

- Provide garden beds of shrubs and trees (where possible) to the back yards of all dwellings within the rear setback areas in order to create a planting zone that provides a visual buffer, privacy, shade, and soil/storm water management.

- All remaining areas of the lot not otherwise paved or provided with a mulched garden bed shall be provided with grade-A turf.

- Provide turf matching that of the lot between the frontage boundary line and the kerb.

- Plant shall be predominantly of local native species with preference given to those that are more drought resistant.

- Plant species shall also be selected carefully for their particular circumstances and/or function, such as decorative, soil stabilisation, proximity to services, shading, screening, privacy, feature, internal courtyard etc.

- Deciduous planting shall be provided where landscape is to the northern side of a living area or *private open space*, encouraging the penetration of sunlight in the cooler winter months.

- Garden beds shall be designed to ensure easy maintenance, including free-draining compost soil at a minimum depth of 200mm for garden beds and with appropriate mulch to reduce water consumption and weed growth.

- Uncovered car parking spaces (other than those located in a driveway accessing a garage/carport) shall be screened from the street with a garden bed of at least 1m in width.

- Provide landscape planting of 600mm maximum height in a garden bed of 900mm minimum width (or 300mm for *built-to-boundary* garages/carports) between the driveway and the nearest adjacent lot boundary.

- Gardens and turf located between a dwelling and a frontage boundary shall be irrigated with tank water.

- Where retaining occurs to the frontage boundary, set the retaining wall back by 900mm and provide a strip of landscape planting between it and the frontage boundary.

- *Dividing fencing* shall be softened by planting with continuous and/or occasional gardens.

- All garden beds shall be separated from turf areas with definitive and well-maintained garden edges.
- Landscaping shall not significantly interfere with view corridors, vehicle sight-lines, personal safety, solar access or existing services.

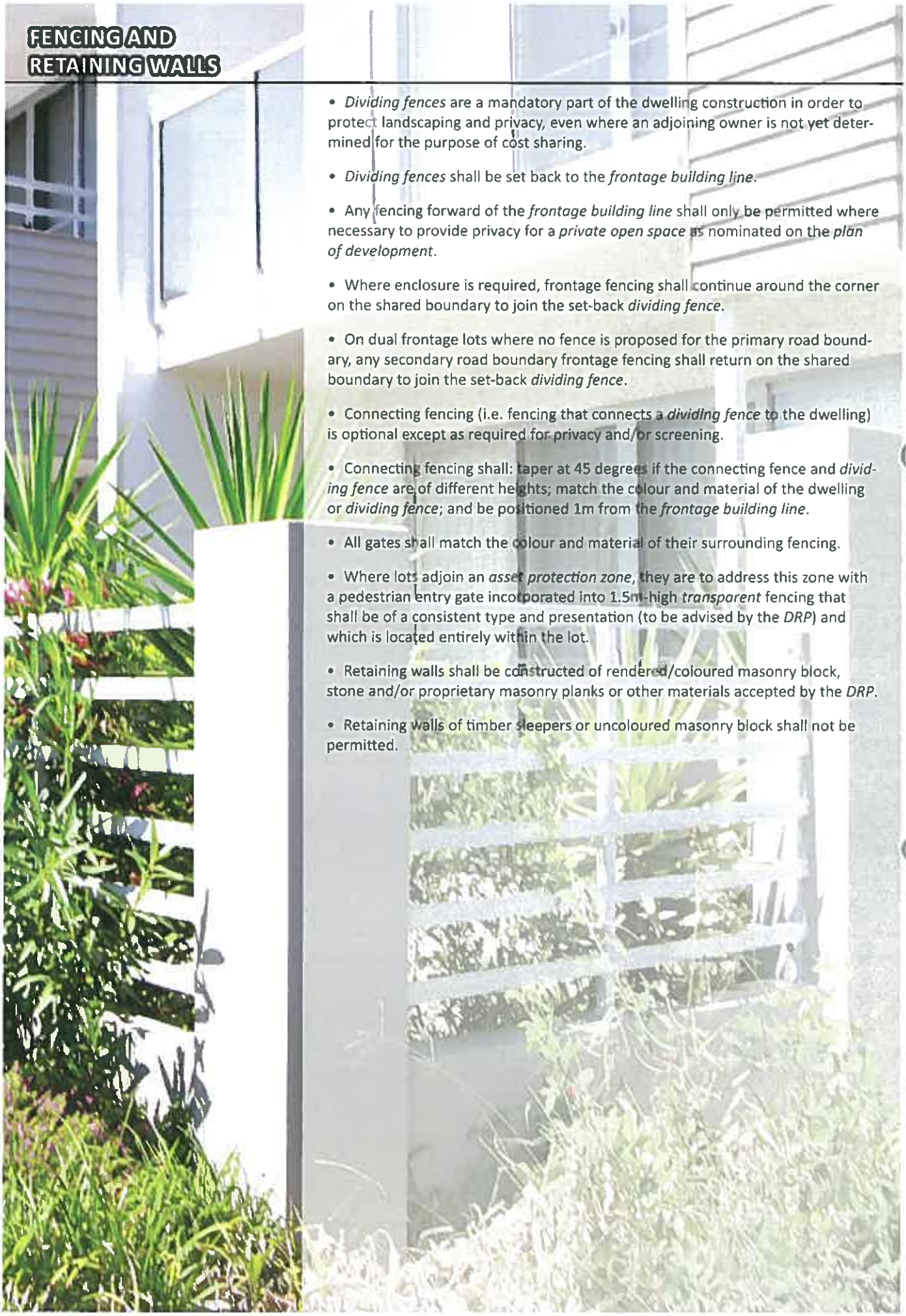
Driveways and Other Paving

- Limit driveway width to 4.8m at the road pavement for *terrace*, *plex* and *zero-lot dwellings*, and 3m for all other dwellings.
- Demonstrate driveway slope and transitions to the applicable Australian Standard, except that driveway gradients shall not exceed 1 in 5.
- Ensure that at least 50% of the area of the lot that is not covered by the dwelling is covered with a permeable or at least semi-permeable (e.g. a slatted deck) surface.
- Run-off from paved areas shall be directed to permeable areas such as gardens or turf.
- Provide a paved pedestrian access from the frontage boundary to the front porch at a gradient of no greater than 1 in 8 (a driveway of suitable gradient may form a limited portion of this pathway).
- Incorporate steps into pathways where required to limit the gradient to that noted above.
- Except where prevented by *built-to-boundary* construction, ensure access is available from all sides of the dwelling to the frontage road or park.
- Where located forward of the *frontage building line*, or where being used for vehicle access, paved surfaces shall be of high quality materials such as exposed aggregate, stamped, patterned or coloured concrete, or tiles/ pavers on a concrete base, with the exception of laneway driveways noted below.
- Plain concrete shall only be permitted for mounting pads for air conditioners, water tanks, pool pumps etc.
- Any other non-planted surfaces not mentioned above may be of gravel, crushed marble, river pebbles, unit pavers, decking or any other material accepted by the *DRP* on the basis of architectural merit.

Equipment and Service Areas

- All ground-mounted services (including but not limited to heating and cooling units, rubbish disposal containers, swimming pools and equipment, rainwater tanks, clothes hoists and washing lines) shall be screened to prevent their visibility from any road or public space.
- All items mentioned above shall be located in a service court or other area where they are screened from the view of *private open spaces*, neighbours and the public.
- Clotheslines shall be wall mounted and colour coated to match the colour of the wall.
- Rainwater tanks shall be either above ground or underground/slab, although it is highly recommended that integral slab storage solutions be considered for *terrace* and *zero-lot dwellings*, due to their restricted site area.
- Exposed portions of rainwater tanks, piping and conduits shall match the closest portion of the dwelling wall colour (or surrounding paving or landscape in the case of inspection covers for underground rainwater tanks).

FENCING AND RETAINING WALLS



- *Dividing fences* are a mandatory part of the dwelling construction in order to protect landscaping and privacy, even where an adjoining owner is not yet determined for the purpose of cost sharing.
- *Dividing fences* shall be set back to the *frontage building line*.
- Any fencing forward of the *frontage building line* shall only be permitted where necessary to provide privacy for a *private open space* as nominated on the *plan of development*.
- Where enclosure is required, frontage fencing shall continue around the corner on the shared boundary to join the set-back *dividing fence*.
- On dual frontage lots where no fence is proposed for the primary road boundary, any secondary road boundary frontage fencing shall return on the shared boundary to join the set-back *dividing fence*.
- Connecting fencing (i.e. fencing that connects a *dividing fence* to the dwelling) is optional except as required for privacy and/or screening.
- Connecting fencing shall: taper at 45 degrees if the connecting fence and *dividing fence* are of different heights; match the colour and material of the dwelling or *dividing fence*; and be positioned 1m from the *frontage building line*.
- All gates shall match the colour and material of their surrounding fencing.
- Where lots adjoin an *asset protection zone*, they are to address this zone with a pedestrian entry gate incorporated into 1.5m-high *transparent* fencing that shall be of a consistent type and presentation (to be advised by the *DRP*) and which is located entirely within the lot.
- Retaining walls shall be constructed of rendered/coloured masonry block, stone and/or proprietary masonry planks or other materials accepted by the *DRP*.
- Retaining walls of timber sleepers or uncoloured masonry block shall not be permitted.

ZERO-LOT AND *TERRACE* DWELLINGS

Special Requirements

- The privilege of allowing a *built-to-boundary* construction on these lots is intended to provide the opportunity of larger *private open spaces* with enhanced privacy and solar orientation, and all *zero-lot* and *terrace* dwelling designs shall demonstrate the use of *built-to-boundary* construction in achieving these aims.

- *Built-to-boundary* construction shall not be located below the *existing* surface level.

- Fences shall not be constructed adjacent to an existing *built-to-boundary* wall.

- Retaining walls shall not be constructed within 2m of a boundary nominated on the *plan of development* for *built-to-boundary* construction for an adjoining lot.

- Where a *built-to-boundary* wall is constructed adjacent to an existing fence located on (or virtually on) the same boundary, it shall be removed and the demolition and cost arrangements shall be administered in accordance with the provisions of the *Dividing Fences Act* in the same manner as would apply therein to the construction or maintenance of a fence.

- Retaining walls that are required to be constructed in association with a *built-to-boundary* wall shall be constructed in alignment with the *built-to-boundary* wall (i.e. for courtyards and/or driveways).

- Fencing to internal courtyards located between two sections of *built-to-boundary* walls of *zero-lot* or *terrace dwellings* shall extend to 2m above the *existing* surface level to increase privacy and/or screen service courts, as well as to facilitate enhanced acoustic separation.

- Internal courtyards (as described above) and other spaces adjacent to *built-to-boundary* walls shall contain adequate drainage to ensure the health of any planting provided therein and to prevent the inundation of the dwelling in extreme storm events.

- It is the buyer's responsibility to ensure that the dwelling design complies with *Building Code of Australia* requirements, including necessary fire separations.

- Driveways from laneways to garages that are less than 2m in length may be constructed of plain concrete.

PLEX AND MEWS DWELLINGS

Special Requirements

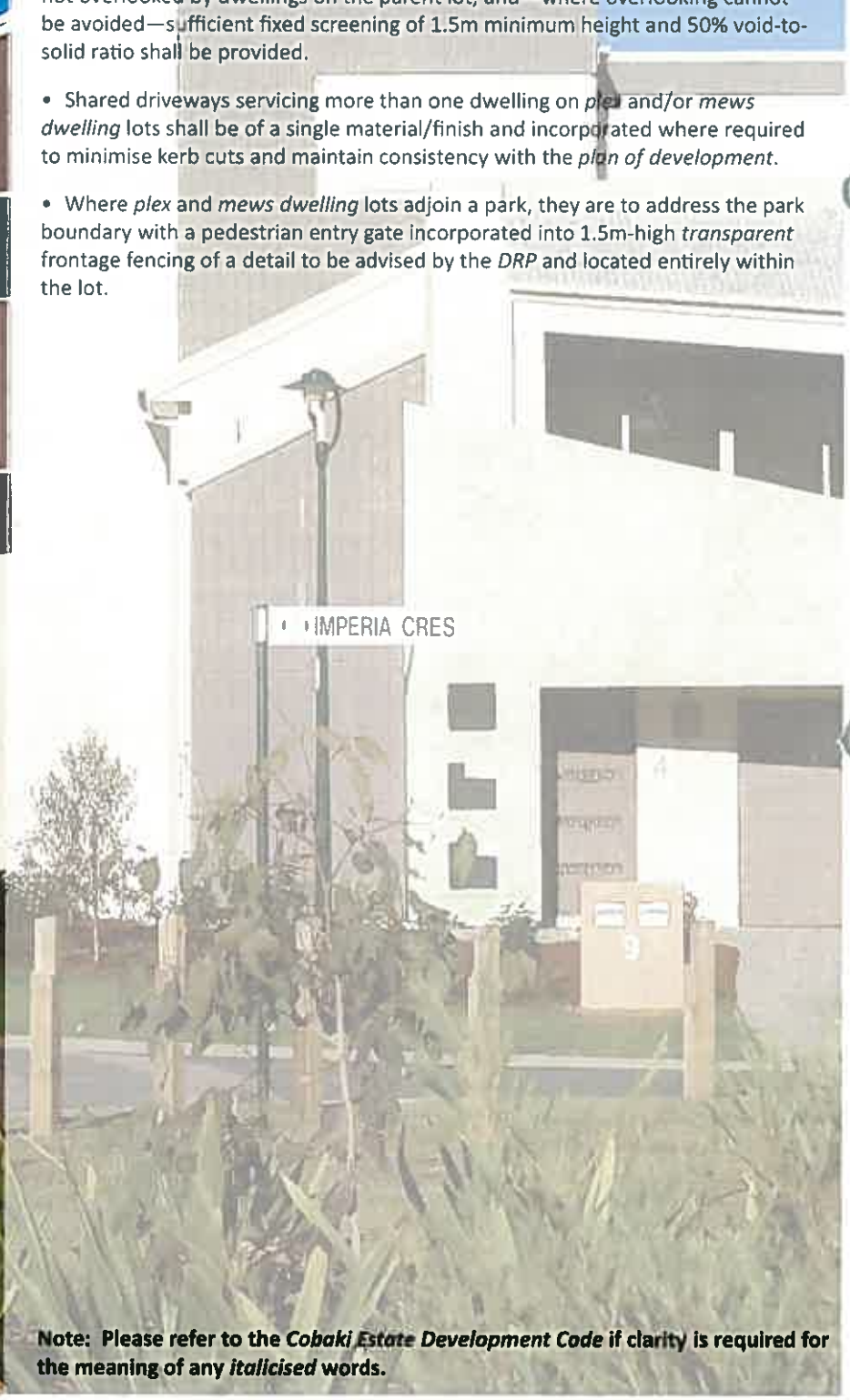
- *Plex* and *mews dwelling* developments shall be consistent in scale, presentation and character with any nearby existing dwellings and/or planned dwellings, and the *DRP* shall assist with providing information on the character of these planned dwellings where applicable.

- Where allotments encompass more than one frontage, entries are to be designed to address each frontage.

- *Private open spaces* on *plex* and *mews* lots shall be designed so that they are not overlooked by dwellings on the parent lot, and—where overlooking cannot be avoided—sufficient fixed screening of 1.5m minimum height and 50% void-to-solid ratio shall be provided.

- Shared driveways servicing more than one dwelling on *plex* and/or *mews dwelling* lots shall be of a single material/finish and incorporated where required to minimise kerb cuts and maintain consistency with the *plan of development*.

- Where *plex* and *mews dwelling* lots adjoin a park, they are to address the park boundary with a pedestrian entry gate incorporated into 1.5m-high *transparent* frontage fencing of a detail to be advised by the *DRP* and located entirely within the lot.



Note: Please refer to the *Cobaki Estate Development Code* if clarity is required for the meaning of any *italicised* words.

Development Consent 10/801

Council Reference: DA10/0801 LN20960
Your Reference:

TWEED
SHIRE COUNCIL

Customer Service | 1300 292 872 | (02) 6670 2400

tsc@tweed.nsw.gov.au
www.tweed.nsw.gov.au

Fax (02) 6670 2429
PO Box 816
Murwillumbah NSW 2484

Please address all communications to the General Manager

ABN 90 178 732 496

30 May 2011

Leda Manorstead Pty Ltd
PO Box 1914
SURFERS PARADISE QLD 4217

RECEIVED
2 JUN 2011
BY:

Dear Sir/Madam

Development Application DA10/0801 - Cobaki Estate subdivision of precinct 6 comprising 441 residential lots (including 1 residual lot) and lots for drainage, open space and urban infrastructure at Lot 1 DP 562222; Lot 2 DP 566529; Lot 1 DP 570077; Lot 1 DP 823679; Lots 46, 54, 55, 199, 200, 201, 202, 205, 206, 209, 228, 305 DP 755740, No. 73 Sandy Lane; Lot 1 DP 570076 Piggabeen Road, Cobaki Lakes

Reference is made to your Development Application regarding the above. Please find enclosed Development Consent No. DA10/0801.

Your attention, in particular, is drawn to Condition Nos.115 & 116 of the attached Consent, which requires the payment of applicable contributions prior to the issue of a subdivision certificate.

For further information regarding this matter please contact Rowena Michel on (02) 66702468.

Yours faithfully

Lindsay McGavin
Manager Development Assessment

Enc

TWEED
SHIRE COUNCIL

NOTICE NO. DA10/0801
Environmental Planning and Assessment Act 1979

NOTICE OF DETERMINATION OF A DEVELOPMENT APPLICATION

To: Leda Manorstead Pty Ltd
PO Box 1914
SURFERS PARADISE QLD 4217

Pursuant to Section 81(1)(a) of the Act, notice is hereby given of the determination by the Tweed Shire Council of Development Application No. **DA10/0801** relating to land described as:-

Lot 1 DP 562222; Lot 2 DP 566529; Lot 1 DP 570077; Lot 1 DP 823679; Lots 46, 54, 55, 199, 200, 201, 202, 205, 206, 209, 228, 305 DP 755740, No. 73 Sandy Lane; Lot 1 DP 570076 Piggabeen Road, Cobaki Lakes

to be developed in accordance with plans and details submitted for the purpose of –

COBAKI ESTATE SUBDIVISION OF PRECINCT 6 COMPRISING 441 RESIDENTIAL LOTS (INCLUDING 1 RESIDUAL LOT) AND LOTS FOR DRAINAGE, OPEN SPACE AND URBAN INFRASTRUCTURE

The Development Application has been determined by the granting of consent subject to the conditions described below:-

GENERAL

1. The development shall be carried out and completed in accordance with the following Plans and Reports listed below except where varied by the conditions of this consent.

   PLANS

   - Master Plan Precinct 6 prepared by Design Forum Architects dated 15/03/2011.
   - Precinct 6 Plan prepared Design Forum Architects dated 15/3/2011
   - Plan of Development prepared Design Forum Architects dated 15/3/2011
   - Precinct 6 POD Detail 1 prepared Design Forum Architects dated 15/3/2011
   - Precinct 6 POD Detail 2 prepared Design Forum Architects dated 15/3/2011
   - Precinct 6 POD Detail 3 prepared Design Forum Architects dated 15/3/2011
   - Precinct 6 POD Detail 4 prepared Design Forum Architects dated 15/3/2011
   - Precinct 6 POD Indicative Design Diagrams prepared Design Forum Architects dated 15/3/2011
   - Precinct 6 Road Hierarchy Plan prepared Design Forum Architects dated 15/3/2011
   - Cobaki Design Guidelines Precinct 6 March 2011

- Site Plan of Cobaki Precincts 6 Proposed Lots 619 7620 Plan No. 6400-216 Issue A prepared by Michel Group Services dated 23/11/2010.
- Plan of Proposed Subdivision Precinct 6 Plan No. 6400-217 Issue A prepared by Michel Group Services dated 24/11/2010
- Plan of Proposed Subdivision Precinct 6 Stages 6A, 6B, 6C, 6D, 6E, 6F, 6G, 6G, 6H, 6i, 6i, 6J, 2H, 2i, Sheet Numbers 2 to 13 Issue A.
- Plan of Proposed Subdivision Precincts 6 Drainage Reserves and Parks Plan No. 6400-218 Issue A prepared by Michel Group Services dated 24/11/2010
- Plan of Temporary Access and Service EMTS Stage 6, Plan No. 6400-219 Issue A prepared by Michel Group Services dated 24/11/2010
- Park Dedication Master Plan (Precinct 1, 2 and 6) drawing number YC0229-1P1-SK04 Revision B prepared by Yeats Consulting Engineers
- Park Dedication Detailed Plan (Precinct 6) drawing number YC0229-1P1-SK05 Revision A prepared by Yeats Consulting Engineers.

REPORTS

- Statement of Environmental Effects prepared by Darryl Anderson Consulting Pty. Ltd. dated December 2010
- Response to Information Request & Amendment of Development Application No.DA10/0801 prepared by Darryl Anderson Consulting Pty. Ltd. dated March 2011
- Ecological Assessment Cobaki Lakes Precinct 6 James Warren and Associates December 2010
- Bushfire Hazard Assessment prepared by Darryl Anderson Consulting Pty. Ltd. dated December 2010
- Cobaki Estate Affordable Housing Study (Final Version print date 14.1.2011) prepared for Leda Manorstead Pty Ltd. by Hill PDA and dated November 2010.
- Environmental Noise Impact Report dated 17 November 2010 prepared by CRG.
- Master Plan Traffic Planning Assessment dated 16 March 2011 prepared by CRG.
- Landscape and Open Space Document Precinct 6 prepared by Planit Consulting March 2011 Drawing No's. 1 to 18
- Cultural Heritage Management Plan April 2010 Everick Consultants Pty. Ltd.
- Engineering Services Report Cobaki Precinct 6 March 2011 Revision 02.

Inconsistency between documents

In the event of an inconsistency between the conditions of this consent and the plans and reports referred to above the conditions of this consent prevail to the extent of the inconsistency. In the event of an inconsistency between the Statement of Environmental Effects prepared by Darryl Anderson Consulting Pty. Ltd. dated December 2010 and the Response to Information Request & Amendment of Development Application No.DA10/0801 prepared by Darryl Anderson Consulting Pty.

Ltd. dated March 2011 the Response to Information Request & Amendment of Development Application No.DA10/0801 prepared by Darryl Anderson Consulting Pty. Ltd. dated March 2011 prevails to the extent of the inconsistency.

[GEN0005]

2. The use of crushing plant machinery, mechanical screening or mechanical blending of materials is subject to separate development application.

[GEN0045]

3. The subdivision is to be carried out in accordance with Tweed Shire Council's Development Control Plan Part A5 - Subdivision Manual and Council's relevant Development Design and Construction Specifications unless otherwise altered by the provisions of the Cobaki Estate Development Code.

[GEN0125]

4. Approval is given subject to the location of, protection of, and/or any necessary approved modifications to any existing public utilities situated within or adjacent to the subject property.

[GEN0135]

5. Council advises that the site is flood liable with Design Flood Levels as illustrated on the 0.1m contour Cobaki Design Flood Level Map Q100 Event (Including Climate Change), Drawing YC0229-11M4-SK10 Rev C.

   The minimum habitable floor level for dwellings within Precinct 6 is 500mm above the determined flood level as defined by the 0.1m contour Design Flood Level Map, current at the time, unless notified otherwise by Council.

   The Design Flood Level Map shall be updated to include Works As Executed levels for bulk earthworks and any other works that may affect flood behaviour and submitted to Council prior to issue of a subdivision certificate for each stage.

[GEN0195]

6. The proposed traffic signals at the Sandy Road / Cobaki Parkway intersection and at the first intersection on Sandy Road west of Cobaki Parkway must be approved by the Roads and Traffic Authority of NSW, prior to Council endorsing associated Construction Certificate approval for such works. Should such approvals not be obtained, roundabout intersection treatments must be considered.

[GENNS01]

7. This consent is subject to the fulfilment of all relevant, existing Deeds of Agreement requirements.

[GENNS02]

8. Should connection to gas be required for the subdivision, an amendment or separate application will be made to provide relevant details and gain approval for those works.

[GENNS03]

9. Prior to the issuing of a Construction Certificate under DA10/0801, all existing consents over the Cobaki Estate applicable to Precinct 6, must be modified where relevant, pursuant to Section 80A(1) of the EP&A Act 1979 (as amended) and Regulation, to be consistent with this consent.

[GENNS04]

10. In accordance with Condition 38 of Project Application MP08_0200, no works shall be undertaken within the Precinct 6 area that may impact upon (or contribute to an impact

upon) the freshwater wetlands and Wallum Froglet habitat area until an appropriate agreement is entered into between the Proponent and the Office of Environment and Heritage that offsets the project's impact on biodiversity. This agreement shall include provision for alternative offsets to be delivered should monitoring indicate than an appropriate wetland environment is not achieved after an appropriate time. Evidence of such an agreement shall be forwarded to the Director General no later than 5 working days prior to works commencing in those areas.

Notwithstanding the above, the proponent shall prepare a detailed Wallum Froglet Compensatory Habitat Plan as per Section 4.3 of the Revised Freshwater Wetland Rehabilitation Plan prepared by James Warren and Associates, dated October 2010. In addition to these requirements, the Wallum Froglet Compensatory Habitat Plan must include the following information on the core breeding habitat areas:

(i) Detail on how Wallum Froglet core breeding areas will be constructed and maintained;

(ii) Detail on the design of fauna crossings where the fauna corridor is bisected by a road to ensure Wallum Froglet movement between core breeding habitat ponds is available;

(iii) How threats to the survival of Wallum Froglet Habitat will be managed;

(iv) Monitoring and reporting requirements including monitoring of Wallum Froglet usage of the core breeding habitat area, usage of fauna corridors, Wallum Froglet population size and breeding success, water quality, habitat suitability and presence of exotic species (particularly Cane Toad and Gambusia);

(v) A mechanism for the on-going funding of this Wallum Froglet Habitat areas to ensure the long-term viability of the population; and

(vi) A contingency planning option in the case of system failure.

11. The proponent must design, construct, operate and maintain the project to ensure that it does not adversely affect Wallum Froglet populations on, or adjacent the site.

12. The low flow component of the central drainage reserve is not be utilised for any environmental offsets and is to be maintained by Council, following completion of a Council agreed maintenance period, for drainage purposes only.

13. The Plan of Development is to be amended to identify a 15m wide APZ on the eastern boundary of the Precinct 6 site within the Cobaki Parkway.

14. No works may be undertaken within or adjacent Precinct 6 that will result in removal of native vegetation from Environmental Protection zoned land other than in accordance with this consent or relevant approved management plans.

15. Development must be undertaken in accordance with the requirements of any approved Site Regeneration and Restoration Plans, Habitat Restoration Plans, Threatened Species Management Plans and all other approved management plans relevant to the Precinct 6 development.

16. In order to preserve the natural habitat of the site and surrounding areas, no occupant, tenant, lessee or registered proprietor of the site or part thereof may own or allow to remain on the site or any part thereof any cat.

17. Prior to registration of any plan for residential subdivision, the proponent must demonstrate compliance with all matters committed to and all relevant conditions detailed within Concept Plan MP06_0316.

18. Cattle must be removed and fenced out from the site of any proposed vegetation retention, revegetation and restoration works as illustrated in Figure 4 of the *Revised Site Regeneration and Revegetation Plan* by James Warren and Associates dated October 2010, prior to the registration of any plan of residential subdivision for the Cobaki Lakes Estate.

19. Evidence must be submitted to Council prior to the registration of any plan of residential subdivision, demonstrating that works have been undertaken in accordance with the Revised Saltmarsh Rehabilitation Plan by James Warren and Associates dated October 2010 and as specified with Condition 65 of MP08_0200.

20. All personnel involved in initial ground surface disturbance activities shall undergo a Cultural Heritage Induction training session before commencing any construction activities. The induction must be presented by an appropriately qualified person(s) and provide specific information in relation to processes to be followed should any Indigenous items be uncovered as well as the types of and identification criteria for cultural heritage material that may be uncovered. Notwithstanding the above, the induction shall be undertaken in accordance with the terms and requirements of the Final Cobaki Lakes Cultural Heritage Management Plan prepared by Everick Consultants P/l.

21. The applicant shall take and maintain appropriate measures to the satisfaction of Council's General Manager or delegate to restrict and/or prevent access by future residents of Precinct 6 to areas of potential contamination as identified within the Stage 1 Preliminary Site Contamination Assessment Cobaki Lakes Concept Plan dated May 2008.Such measures shall remain until the Stage 2 Detailed Site Contamination Assessment as recommended within the Preliminary Site Contamination Assessment has been carried out and such areas have been either remediated to an extent suitable for the proposed use of the areas or found to be uncontaminated.

22. All work associated with this approval is to be carried out so as not to impact on the neighbourhood, adjacent premises or the environment. All necessary precautions, covering and protection shall be taken to minimise impact from:

    - Noise, water or air pollution
    - dust during filling operations and also from construction vehicles
    - material removed from the site by wind

23. The recommended strategy contained in the Cobaki Estate Affordable Housing Study (Final Version print date 14.1.2011) prepared for Leda Manorstead Pty Ltd. by Hill PDA and dated November 2010 is to be undertaken.

24. All approvals, licenses and consents from applicable Government Agencies and Authorities are to be obtained where required.

25. The requirements of the Cultural Heritage Management Plan relevant to Precincts 6 are to be carried out in accordance with the Plan.

PRIOR TO ISSUE OF CONSTRUCTION CERTIFICATE

26. **Prior** to the issue of a Construction Certificate for each stage of development, a cash bond or bank guarantee (unlimited in time) shall be lodged with Council for an amount based on 1% of the value of the works as set out in Council's fees and charges at the time of payment.

    The bond may be called up at any time and the funds used to rectify any non-compliance with the conditions of this consent which are not being addressed to the satisfaction of the General Manager or his delegate.

    The bond can be requested to be refunded, if not expended, when the Subdivision Certificate for that stage of development is issued.

    [PCC0275]

27. In accordance with Section 109F(i) of the Environmental Planning and Assessment Act 1979 (as amended), a Construction Certificate for SUBDIVISION WORKS OR BUILDING WORKS shall NOT be issued until applicable long service levy payable under Section 34 of the Building and Construction Industry Long Service Payments Act, 1986 (or where such levy is payable by instalments, the first instalment of the levy) has been paid. Council is authorised to accept payment. Where payment has been made elsewhere, proof of payment is to be provided.

    [PCC0285]

28. Where earthworks result in the creation of batters and/or cuttings greater than 1m high and/or slopes within allotments 17° (1:3.27) or steeper, such slopes shall be densely planted in accordance with a detailed Landscaping Plan endorsed by Council. This Plan shall accompany the Construction Certificate application and shall be consistent with all other Management Plans.

    Such Plans shall generally incorporate the following and preferably be prepared by a landscape architect:

    (a) Contours and terraces where the height exceeds 1m.

    (b) Cover with topsoil and large rocks/dry stone walls in terraces as necessary.

    (c) Densely plant with local native species to suit the aspect/micro climate. Emphasis to be on trees and ground covers which require minimal maintenance. Undergrowth should be weed suppressant.

    (d) Mulch heavily (minimum 300mm thick) preferably with unwanted growth cleared from the estate and chipped. All unwanted vegetation is to be chipped and retained on the subdivision.

    [PCC0455]

29. All fill is to be graded at a minimum of 1% so that it drains to the street or other approved permanent drainage system.

    Catch drains shall be provided on the top side of all retaining walls in accordance with Council's Development Design Specification D6 – Site Regrading.

    All earthworks shall be contained wholly within the subject land. Detailed engineering plans of cut/fill levels and perimeter drainage shall be submitted with the Construction Certificate application for Council approval.

    [PCC0485]

30. Construction Certificates for bulk earthworks and civil works may be issued and the carrying out of bulk earthworks may be commenced prior to the issue of a Construction Certificate for civil works where it can be demonstrated all works are compatible.

[PCC0495]

31. Prior to the issue of a Construction Certificate, documentary evidence shall be submitted to Tweed Shire Council demonstrating that a Controlled Activity Approval (CAA) under the Water Management Act 2000 has been obtained where relevant for works within 40m of waterfront land (as defined under the Water Management Act 2000) or any works that involve an aquifer interference activity as defined under the Water Management Act 2000.

[PCC0575]

32. Site regrading and associated stormwater drainage is to be designed to address internal drainage of the site, as well as the conveyance of external catchments up to the Q100 storm event through the site.

    All major drainage systems shall meet Council and QUDM standards in public areas (roads, open space, pedestrian areas etc), including consideration of surcharge points and drainage relief points associated with the catch drains provided with the northern fire trails.

    Detailed engineering plans of fill levels and drainage shall be submitted for Council approval.

[PCC0675]

33. A Traffic Control Plan in accordance with AS1742 and RTA publication "Traffic Control at Work Sites" Version 2 shall be prepared by an RTA accredited person and shall be submitted to the Principal Certifying Authority prior to issue of a Construction Certificate, where relevant. Safe public access shall be provided at all times.

[PCC0865]

34. Prior to the issue of a **Construction Certificate** for civil works the following detail in accordance with Councils Development Design and Construction Specifications shall be submitted to the Principal Certifying Authority for approval.

    (a) copies of compliance certificates relied upon

    (b) four (4) copies of detailed engineering plans and specifications. The detailed plans shall include but are not limited to the following:

    - Earthworks
        - Clearly showing pre and post development levels (spot levels and contours) at a legible scale.
        - Comply with the provisions of Council's Design Specification D6 – Site Regrading.
        - Batter slopes on drain cross sections and in public open space areas shall not exceed 1:4 (v:h), unless otherwise authorised by Council.
        - The maximum disturbed area (that has not been permanently vegetated) at any time shall not exceed 5ha.

- Roadworks/furnishings
  - Providing road profiles complying with Council's Design Specification D1 – Road Design, unless approved otherwise by Council.
- Stormwater drainage
- Water supply works
  - In general accordance with Yeats Consulting Engineers - Water Network Analyses, April 2011, Revision 03, unless modified otherwise by the conditions of this Consent.
- Sewerage works
  - In general accordance with Yeats Consulting Engineers - Master Sewer Reticulation Plan Revision C, unless modified otherwise by the conditions of this Consent.
- Landscaping works
- Sedimentation and erosion management plans
- Location of all service conduits (water, sewer, electricity supply and telecommunication infrastructure)

The Environmental Planning and Assessment Act, 1979 (as amended) makes no provision for works under the Water Management Act 2000 and Section 138 of the Roads Act to be certified by an Accredited Certifier.

[PCC0985]

35. Each Construction Certificate Application for Civil Works is to include a detailed stormwater management plan (SWMP) for the occupational or use stage of the proposed development prepared in accordance with Section D7.07 of Councils *Development Design Specification D7 - Stormwater Quality,* following consultation and acceptance with the DECCW and Industry & Investment (Fisheries). Such plans will include measures, monitoring and adaptive management actions to ensure appropriate stormwater quality outcomes are achieved.

    Permanent stormwater quality treatment shall comply with the *Tweed Urban Stormwater Quality Management Plan* and Councils *Development Design Specification D7 - Stormwater Quality.* Variations to these standards shall only be accepted where they are supported by best practice water sensitive urban design principles entailed in the "Water By Design" guidelines (being a program of the South East Queensland Healthy Waterways Partnership).

    All precinct water quality control measures must be located outside of the major central open drain, but may be located within the Central Precinct subject to Council endorsement. Treatment basins must be provided with a facility to bypass major stormwater flow events, or otherwise cater for major storm flows without disturbing captured pollutants or damaging the structure.

    Proposed treatment measures other than "deemed to comply" measures under D7 must be supported by engineering calculations, including MUSIC modelling, to confirm acceptable capacity and efficiency is achieved.

    An operational manual for all stormwater quality control devices shall be provided as part of the SWMP. This manual shall be updated as required during the "on-

maintenance" period for the device, and the final version of the manual shall be handed over to Council at the formal commissioning of the device at the completion of the maintenance period ("off maintenance").

[PCC1105]

36. Each Construction Certificate Application must include a detailed erosion and sediment control plan (ESCP), prepared in accordance with Section D7.07 of *Development Design Specification D7 - Stormwater Quality*. The submitted Plan must be consistent with any erosion and sediment control plan approved for the Central Precinct.

    Construction phase erosion and sediment control shall be designed, constructed and operated in accordance with *Tweed Shire Council Development Design Specification D7 - Stormwater Quality* and its Annexure A - "Code of Practice for Soil and Water Management on Construction Works". All sedimentation basins are to be located offline of major storm event flowpaths, unless approved otherwise by Council.

    The ESCP shall address the proposed staging of subdivision earthworks and the intended sequencing of the following house building phase. Staged construction and establishment of sediment control facilities and water quality treatment shall be in accordance with Water By Design - Technical Design Guidelines (Chapter 5.5).

[PCC1155]

37. An application shall be lodged together with any prescribed fees including inspection fees and approved by Tweed Shire Council under Section 68 of the Local Government Act for the installation of any permanent stormwater quality control devices, prior to the issue of any associated Construction Certificate.

[PCC1195]

38. Where water is to be drawn from Councils reticulated system, the proponent shall:

    - Make application for the hire of a Tweed Shire Council metered standpipe including Councils nomination of point of extraction.
    - Where a current standpipe approval has been issued application must be made for Councils nomination of a point of extraction specific to the development.
    - Payment of relevant fees in accordance with Councils adopted fees and charges.

[PCC1205]

39. An applicable, geotechnical assessment, prepared by a registered Geotechnical Engineer must be submitted to the Principal Certifying Authority, prior to the issue of any Construction Certificate.

[PCCNS01]

40. Proposed Laneways 1 and 2 shall be public roads, providing;

    - a sealed turnaround facility at the end of each road, suitable to allow a B99 standard vehicle to turn around,
    - a concrete wearing surface (unless approved other wise by Council), and
    - a nominated and registered garbage collection area at the entrance to these public roads.

[PCCNS02]

41. Prior to the issue of a Construction Certificate, Council are to be assured that all essential services for that stage of development are provided for, such that the stage of development being approved does not rely on essential services from future stages.

[PCCNS03]

42. A Sewer Overflow Investigations (Risk Analysis) Report in accordance with Council's Design Specification D12 - *Sewerage System* and the DECCW (NSW EPA) Licensing Guidelines for Sewage Treatment Systems shall be prepared and lodged for Council approval, in conjunction with Construction Certificate applications for the PS2 Sewer Pump Station and LS1 Sewer Lift Station.

[PCCNS04]

43. The locations for bus shelters at appropriate spacings and servicing appropriate pedestrian catchments along identified bus routes in compliance with DCP Section A5 - Subdivision Manual and written concurrence of bus operators for the bus shelter arrangements is to be provided with the Construction Certificate application.

[PCCNS07]

44. Driveway accesses for zero-lot line developments shall provide clear sight triangles at the street frontage in accordance with Council's Driveway Specifications and Australian Standard AS2890.1:2004 (Figure 3.3).

[PCCNS08]

45. All areas designated for stormwater conveyance and quality control shall be designated and managed separately from land for environmental purposes, habitat offsets, and/or vegetation regeneration/rehabilitation areas.

[PCCNS09]

46. A detailed landscape plan prepared by a qualified landscape architect must be submitted for all areas of casual open space, structured open space, cycleways, pedestrian links and streetscapes to be dedicated to Council. Such a plan must be approved by the General Manager, Tweed Shire Council or delegate. The plan must be consistent with Councils Subdivision Manual (Section A5 of the Tweed Development Control Plan) and Development Design Specification (D14). Where play equipment is installed a minimum area of 10m around the equipment is to be turfed and the remaining area seeded or turfed as appropriate.

    Council has a strong preference for local native species and plant selection must where practical reflect this.

    Landscape plans for the sportsfields are to include matters addressed in the Subdivision Manual and Development Design Specification 14 and will include playing surface, carparking, sportslights, sports pavilions and other items as required, such as safety or buffer fencing. Sports lights are to provide light levels suitable for competitive play as specified in AS 2560.2.3-2002 sports lighting and the associated standard for the specific sport nominated. Sports pavilions will include canteen, toilets, change room, storage and clubrooms. Typical sports pavilion design guidelines and accompanying plans are to be obtained from Tweed Shire Council.

47. Any playgrounds provided must comply with the guidelines established in the 'Playground Audit for Tweed Shire Council' (July 2009). Appendix 3 of this establishes a procedure for assessing nearby hazards and mitigation measures. New subdivisions

approved after development of these guidelines must ensure no playground facility has a Facility Risk Rating exceeding 13 as defined in Table 3A7 of that document, unless otherwise approved by the General Manager or delegate.

48. Further consideration is required regarding the grassing or revegetation of the central drain, and the two northern branches of this drain. A consultant skilled in natural area as well as landscape design is to assess the options available and, with particular reference to minimising maintenance requirements and weed incursion, recommend an appropriate planting plan. The plan is to be prepared to the satisfaction of the General Manager or his delegate and incorporated into the amended landscape plans for the public open space. Areas identified for planting or regeneration will require a 3 year maintenance period, and areas to be grassed will require 12 months maintenance after the Subdivision is registered with the Land Titles Office.

49. Public pathways and shared user paths in areas other than road reserves do not require lighting, except where specified by Council. The use of bollard lighting for public areas, including public pathways and shared user paths, is not permitted. This is to be reflected in the landscape plans.

50. No structures or landscaping designed to provide an entry statement is to be located on public land, including road reserves. This is to be reflected in the approved landscape plan.

51. The low flow drain adjacent to park 6 in the central drainage area, and the drain adjacent to park 5 (fauna corridor) must be realigned to be a minimum of 30m from playground equipment and softfall.

52. The low flow drain within the central drain is to be located a minimum of 30 metres from the top of the eastern batter in areas adjacent to the sportsfields.

53. Pathways and similar park infrastructure designed to encourage public access to the individual allotments bordering the east/west fauna corridor are not to be installed on public land

54. In accordance with Condition C18 of Concept Plan MP06_0316, a detailed description is to be provided to the satisfaction of the General Manger or delegate demonstrating compliance with previous Tweed Shire Council consent conditions intended to preserve wildlife corridors and protect and offset threatened species, populations and ecological communities and their habitats outside of the Concept Plan habitat requirements, or relevant reasons (such as subsequent amendments) as to why compliance was not required or may be transferred to current DAs. Such description is to include extracts of all relevant plans referred to in the conditions listed below sufficient to understand the land areas of relevance to the conditions and any overlap with current applications. Additional offset must be proposed if clearing of native vegetation has been undertaken not in accordance with the below development consents. Conditions to be addressed are as follows:

    (a) D94/0438.04 Conditions 23, 24, 34a, 35, 36a, 37 and 38.

    (b) K99/1124.06 Conditions 10, 15A, 30, 31, 41, 81, 83A, 90, 91, 92A, 93, 94A, 95A, 96, 97, 98, 99, 100, 101, 102A, 103, 104, 105, 106, 107, 108, 109 and Schedule

B (National Parks imposed conditions via concurrence for Species Impact Statement.

(c) 1262/2001DA.02 Condition 9, 16, 17, 18.

Where required the development consents are to be modified in accordance with Section 80A(1) of the Environmental Planning and Assessment Act and Regulations to be consistent with this consent.

55. One or more detailed Habitat Restoration Plan(s) must be submitted to and approved by Council in accordance with Council's draft guidelines (attached), and in accordance with specific matters listed in Condition C4 of Concept Plan MP 06_0316. Such plan(s) must be prepared for Management Areas 10 and 13 of the *Revised Site Regeneration and Revegetation Plan* by James Warren and Associates dated October 2010 and representing compensatory offset for loss of habitat and Endangered Ecological Communities on the site in areas adjacent to the development. Where offset areas as detailed in the *Revised Site Regeneration and Revegetation Plan* are proposed as an alternate use within the subdivision plan (that is, other than as a an environmental protection area such as park or drainage reserve lots), additional EEC and habitat offset areas must be designated elsewhere in a location suitable to the vegetation community and/or threatened species to be protected and their habitat restored, with such areas totalling at least as committed within Concept Plan MP06_0316. The Habitat Restoration Plan(s) must also include:

(a) a schedule and timing of works to be undertaken

(b) a statement of commitment by the consent holder to funding the proposed works for a minimum 5 year period

(c) a statement of commitment by the consent holder that the works will be completed by qualified and experienced bush regeneration personnel.

(d) a mechanism to fund in perpetuity the ongoing maintenance of the environmental protection land not proposed to be dedicated to Council.

56. In accordance with Condition C4 of MP06_0316, each site specific management plan required below is to be prepared for areas of relevance to Precinct 6, provide details on timelines for implementation of recommended works including maintenance periods, funding arrangements and measurable performance and completion criteria. Further, each plan is to consider all other existing plans for the site to ensure management strategies do not conflict and each plan can be implemented without negatively impacting on the objectives of the other, including:

a. Site Regeneration and Revegetation Plan

b. Freshwater Wetland Rehabilitation Plan

c. Fauna Management Plan

d. Vegetation Management Plan

e. Landscape Plan

f. Buffer Management Plan

g. Acid Sulfate Management Plan

h. Groundwater Management Plan

i. Stormwater Management Plan

j. Cultural Heritage Management Plan

57. In accordance with Condition B1 of Concept Plan MP06_0316, the proponent must prepare a Flora and Fauna Monitoring report to the satisfaction of Council. The plan must collate and synthesise all monitoring and reporting requirements contained in all documents and management plans as listed in A3 of MP06_0316 of relevance to Precinct 1 and 2 and must satisfy the requirements of Condition B1 of MP06_0316.

58. Asset Protection zones must be compliant with Planning for Bushfire Protection Guidelines 2006.

59. The Plans lodged for Construction Certificate must be certified by a Bushfire Planning and Design Certified Practitioner (BPAD) accredited under the Fire Protection Association of Australia as compliant with Planning for Bush Fire Protection 2006

60. Where Acid Sulfate Soils will be disturbed as part of any construction works, an Acid Sulfate Soils Management Plan (ASSMP) shall be prepared for submission to and approval by Council's General Manager or delegate prior to the issue of the construction certificate. The Acid Sulfate Soils Management Plan shall be prepared in accordance with the provisions as set out under section C5 (1) a-e of Part C Requirements for Future Applications Schedule 2 of the Concept Approval dated 6 December 2010.

61. Where the use of groundwater is proposed or where the groundwater table will be intercepted as part of any construction works, a Site Water and Groundwater Management and Monitoring Plan shall be prepared for submission to and approval by Council's General Manager or delegate prior to the issue of the construction certificate. The Site Water and Groundwater Management and Monitoring Plan shall be prepared in accordance with the provisions as set out under section C5 (2) of Part C Requirements for Future Applications Schedule 2 of the Concept Approval dated 6 December 2010.

62. A staging plan detailing the location, mix and type of dwellings to be provided as affordable rental accommodation is to be submitted to Council in accordance with the recommended strategy contained in the Cobaki Estate Affordable Housing Study (Final Version print date 14.1.2011) prepared for Leda Manorstead Pty Ltd. by Hill PDA and dated November 2010.

63. Detailed design drawings for all road crossings over the nominated fauna corridor are to be provided illustrating replacement of culverts with bridges to enable a range of fauna to range through the corridor and facilitate east-west connectivity for fauna across the site.

64. Drainage Reserve allotments 609 and 617 ("Minor Open Drain 5") are to be designed, constructed and managed in perpetuity as a stormwater drainage conveyance channel in accordance with requirements of Council. Environmental Open Space allotments 610, 611, 612, 613, 614, 615 and 616 ("East West Fauna Corridor") are to be designed, constructed and managed in perpetuity as a fauna corridor in accordance with requirements of Council and DECCW, and taking into account the maintenance requirements of Minor Open Drain 5.

The Construction Certificate application shall include a combined management plan for Minor Open Drain 5 and the East West Fauna Corridor, requiring the approval of Council and DECCW.

Minor Open Drain 5 and the East West Fauna Corridor shall not be utilised for habitat or EEC offset areas, or as stormwater treatment areas, unless these uses can be feasibly incorporated into the management plan for these areas, and are agreed to by Council and DECCW.

[PCCNS08]

PRIOR TO COMMENCEMENT OF WORK

65. Primary revegetation and regeneration works for all areas indicated as representing offset for loss of Swamp Sclerophyll Forest EEC in Figure 4 of the *Revised Site Regeneration and Revegetation Plan* by James Warren and Associates dated October 2010 must be undertaken to the satisfaction of Council prior to the loss of any Swamp Sclerophyll Forest on site. Such areas are to total at least 15.25ha as committed within MP06_0316.

66. All relevant Terms of Approval of the Cobaki Estate Concept Plan (06_0316) approved by the Minister on 2 December 2010, and of Approval of the Cobaki Estate Project Application – Open Space (08_0200) approved by the Minister on 28 February 2011 must be satisfactorily completed, as applicable, prior to bulk earthworks or civil works commencing within areas of Precinct 6, as applicable.

[PCWNS01]

67. Prior to commencement of work all actions or prerequisite works required at that stage, as required by other conditions or approved management plans or the like under this development application, shall be installed/operated in accordance with those conditions or plans.

[PCW0015]

68. Prior to the commencement of works, the applicant shall ensure that a Site-Specific Safety Management Plan and Safe Work Methods for the subject site have been prepared and put in place in accordance with either:-

    (a) Occupation Health and Safety and Rehabilitation Management Systems Guidelines, 3rd Edition, NSW Government, or

    (b) AS4804 Occupation Health and Safety Management Systems - General Guidelines on Principles Systems and Supporting Techniques.

    (c) WorkCover Regulations 2000

[PCW0025]

69. Prior to start of works the PCA is to be provided with a certificate of adequacy of design, signed by a practising Structural Engineer on all endorsed retaining walls of combined height in excess of 1.2m in height. The certificate must also address any loads or possible loads on the wall from structures adjacent to the wall and be supported by Geotechnical assessment of the founding material.

[PCW0745]

70. Civil work in accordance with a development consent must not be commenced until:

    (a) a Construction Certificate for the civil work has been issued in accordance with Councils Development Construction Specification C101 by:

i. the Consent Authority, or

ii. an Accredited Certifier, and

(b) the person having the benefit of the development consent:

i. has appointed a Principal Certifying Authority,

ii. has appointed a Subdivision Works Accredited Certifier (SWAC) accredited in accordance with Tweed Shire Council DCP Part A5 – Subdivision Manual, Appendix C with accreditation in accordance with the Building Professionals Board Accreditation Scheme. As a minimum the SWAC shall possess accreditation in the following categories:

C4: Accredited Certifier – Stormwater management facilities construction compliance

C6: Accredited Certifier – Subdivision road and drainage construction compliance

The SWAC shall provide documentary evidence to Council demonstrating current accreditation with the Building Professionals Board prior to commencement of works, and

iii. has notified the consent authority and the Council (if the council is not the consent authority) of the appointment,

iv. a sign detailing the project and containing the names and contact numbers of the Developer, Contractor and Subdivision Works Accredited Certifier is erected and maintained in a prominent position at the entry to the site in accordance with Councils Development Design and Construction Specifications. The sign is to remain in place until the Subdivision Certificate is issued, and

(c) the person having the benefit of the development consent has given at least 2 days' notice to the council of the person's intention to commence the civil work.

[PCW0815]

71. The proponent shall provide to the PCA copies of Public Risk Liability Insurance to a minimum value of $10 Million for the period of commencement of works until the completion of the defects liability period.

[PCW0835]

72. Prior to commencement of work on the site all erosion and sedimentation control measures are to be installed and operational including the provision of a "shake down" area (where required) to the satisfaction of the Principal Certifying Authority.

[PCW0985]

73. Prior to the commencement of construction works a Construction Environmental Management Plan (CEMP) must be prepared that covers the area of works. The CEMP shall be consistent with the *Guideline for the Preparation of Environmental Management Plans* (DIPNR, 2004). The CEMP shall include details sufficient to understand and avoid, mitigate and remedy all potential environmental impacts of the proposal during construction. The CEMP must include, but not be limited to all matters specified within Condition 25 of Project Application MP08_0200 and be submitted to and approved by the PCA no later than one month prior to commencement of

construction, or within such period otherwise agreed by the General Manger or delegate.

74. In accordance with Condition 26 of Project Application MP08_0200:

    a. An appropriately qualified Environmental Officer(s), that is to receive the prior approval of Council, must be engaged by the proponent for the duration of the construction works as detailed in the approved CEMP. Their role shall be to oversee environmental compliance of the project until completion conditions have been satisfied.

    b. The Environmental Officer shall also act as liaison officer to consult with potentially affected property owners before and during construction works and shall respond to complaints of an environmental impact nature.

    c. The Environmental Officer must submit a compliance report to Council for information at the completion of each earthworks stage detailing the project's compliance with relevant conditions, management plans and progress on-site. The report must be submitted within 3 weeks of the completion of each stage until the works authorised under this approval are complete.

75. A registered Fauna spotter-catcher is to be present during all vegetation clearing works to ensure safe dispersal of fauna.

76. Cattle must be removed and fenced out of Management Areas 10 and 13 as shown in Figure 4 of the *Revised Site Regeneration and Revegetation Plan* by James Warren and Associates dated October 2010 prior to the commencement of works.

77. Environmental safeguards (silt curtains, booms etc.) are to be utilised during reconstruction of the drainage line to ensure there is no escape of turbid plumes into the aquatic environment. Erosion and sediment controls must be in place prior to commencing, during and after works.

78. Sand, gravel, silt, topsoil or other materials must not be stockpiled within 50 metres of any drainage line unless surrounded by sediment control measures sufficient to prevent movement off-site.

79. Allotment APZ area boundaries are to be clearly designated, to avoid accidental damage to retained vegetation associated with site works.

DURING CONSTRUCTION

80. All proposed works are to be carried out in accordance with the conditions of development consent, approved management plans, approved Construction Certificate, drawings and specifications.

[DUR0005]

81. During construction, all works required by other conditions or approved management plans or the like shall be installed and operated in accordance with those conditions or plans.

[DUR0015]

82. If during construction works any Aboriginal object or relic is disturbed or uncovered, works are to cease and the Department of Environment, Climate Change and Water are to be notified immediately, in accordance with the provisions of the *National Parks and Wildlife Act 1974*.

[DUR0025]

83. Construction work including the entering and leaving of vehicles is limited to the following hours, unless otherwise permitted by Council:

Monday to Saturday from 7.00am to 6.00pm

No work to be carried out on Sundays or Public Holidays

The proponent is responsible to instruct and control subcontractors regarding hours of work.

[DUR0205]

84. All reasonable steps shall be taken to muffle and acoustically baffle all plant and equipment. In the event of complaints from the neighbours, which Council deem to be reasonable, the noise from the construction site is not to exceed the following:

A. Short Term Period - 4 weeks.

$L_{Aeq,\ 15\ min}$ noise level measured over a period of not less than 15 minutes when the construction site is in operation, must not exceed the background level by more than 20dB(A) at the boundary of the nearest likely affected residence.

B. Long term period - the duration.

$L_{Aeq,\ 15\ min}$ noise level measured over a period of not less than 15 minutes when the construction site is in operation, must not exceed the background level by more than 15dB(A) at the boundary of the nearest affected residence.

[DUR0215]

85. The Principal Certifying Authority is to be given a minimum of 48 hours notice prior to any critical stage inspection or any other inspection nominated by the Principal Certifying Authority via the notice under Section 81A of the Environmental Planning and Assessment Act 1979.

[DUR0405]

86. Proposed earthworks shall be carried out in accordance with AS 3798, "Guidelines on Earthworks for Commercial and Residential Developments".

The earthworks shall be monitored by a Registered Geotechnical Testing Consultant to a level 1 standard in accordance with AS 3798.

A certificate from a registered Geotechnical Engineer certifying that the filling operations comply with AS3798 and that the development is suitable for its intended use shall be submitted to the Principal Certifying Authority upon completion.

[DUR0795]

87. The use of vibratory compaction equipment (other than hand held devices) within 100m of any dwelling house, building or structure is strictly prohibited.

[DUR0815]

88. No soil, sand, gravel, clay or other material shall be disposed of off the site without the prior written approval of Tweed Shire Council General Manager or his delegate.

[DUR0985]

89. The surrounding road carriageways are to be kept clean of any material carried onto the roadway by construction vehicles. Any work carried out by Council to remove material from the roadway will be at the Developers expense and any such costs are payable prior to the issue of any Subdivision Certificate.

[DUR0995]

90. All work associated with this approval is to be carried out so as not to impact on the neighbourhood, adjacent premises or the environment. All necessary precautions, covering and protection shall be taken to minimise impact from:

- Noise, water or air pollution
- dust during filling operations and also from construction vehicles
- material removed from the site by wind

[DUR1005]

91. All practicable measures must be taken to prevent and minimise harm to the environment as a result of the construction and operation of the development.

[DUR1025]

92. Approved concrete footpaths and cycleways are to be constructed on a compacted base in accordance with Council's Development Design and Construction Specifications and Standard Drawing SD013.

Twenty four (24) hours notice is to be given to Council's Development Engineering Un before placement of concrete to enable formwork and subgrade to be inspected.

[DUR1735]

93. Where the construction work is on or adjacent to public roads, parks or drainage reserves, the development shall provide and maintain all warning signs, lights, barriers and fences in accordance with AS 1742 (Manual of Uniform Traffic Control Devices). The contractor or property owner shall be adequately insured against Public Risk Liability and shall be responsible for any claims arising from these works.

[DUR1795]

94. Before the commencement of the relevant stages of road construction, pavement design detail including reports from a Registered NATA Consultant shall be submitted to Council for approval and demonstrating.

(a) That the pavement has been designed in accordance with Tweed Shire Councils Development Design Specification, D2.

(b) That the pavement materials to be used comply with the specifications tabled in Tweed Shire Councils Construction Specifications, C242-C245, C247, C248 and C255.

(c) That site fill areas have been compacted to the specified standard.

(d) That supervision of Bulk Earthworks has been to Level 1 and frequency of field density testing has been completed in accordance with Table 8.1 of AS 3798-1996.

[DUR1805]

95. During the relevant stages of road construction, tests shall be undertaken by a Registered NATA Geotechnical firm. A report including copies of test results shall be submitted to the PCA prior to the placement of the wearing surface demonstrating:

(a) That the pavement layers have been compacted in accordance with Councils Development Design and Construction Specifications.

(b) That pavement testing has been completed in accordance with Table 8.1 of AS 3798 including the provision of a core profile for the full depth of the pavement.

[DUR1825]

96. Provision of temporary turning areas and associated signage for refuse vehicles at the end of roads which will be extended in subsequent stages. The temporary turning areas shall be constructed with a minimum 150mm pavement (CBR 45) and shall have a right of carriageway registered over the turning area until such time as the road is extended.

[DUR1835]

97. Any damage caused to public infrastructure during construction of the development shall be repaired in accordance with Council's Development Design and Construction Specifications prior to the issue of any forthcoming Subdivision Certificates.

[DUR1875]

98. Tweed Shire Council shall be given a minimum 24 hours notice to carry out the following compulsory inspections in accordance with the approved Cobaki Estate Development Code, in conjunction with Tweed Shire Council's Development Control Plan, Part A5 - Subdivision Manual, Appendix D. Inspection fees are based on the rates contained in Council's current Fees and Charges:

Roadworks

(a) Pre-construction commencement erosion and sedimentation control measures

(b) Completion of earthworks

(c) Excavation of subgrade

(d) Pavement - sub-base

(e) Pavement - pre kerb

(f) Pavement - pre seal

(g) Pathways, footways, cycleways - formwork/reinforcement

(h) Final inspections - on maintenance

(i) Off Maintenance inspection

Water Reticulation, Sewer Reticulation, Drainage

(a) Excavation

(b) Bedding

(c) Laying/jointing

(d) Manholes/pits

(e) Backfilling

(f) Permanent erosion and sedimentation control measures

(g) Drainage channels

(h) Final inspection - on maintenance

(i) Off maintenance

Sewer Pump Station and Lift Stations

(a) Excavation

(b) Formwork/reinforcement

(c) Hydraulics

(d) Mechanical/electrical

(e) Commissioning - on maintenance

(f) Off maintenance

Stormwater Quality Control Devices (other than proprietary devices)

For detail refer to Water By Design - Technical Guidelines

(a) Earthworks and filter media

(b) Structural components

(c) Operational establishment

(d) Commissioning - on maintenance

(e) Off maintenance

(f) Others

Council's role is limited to the above mandatory inspections and does **NOT** include supervision of the works, which is the responsibility of the Developers Supervising Consulting Engineer.

The EP&A Act, 1979 (as amended) makes no provision for works under the Water Management Act 2000 to be certified by an "accredited certifier".

[DUR1895]

99. The developer/contractor is to maintain a copy of the development consent and Construction Certificate approvals, including plans and specifications on the site at all times.

[DUR2015]

100. The applicant shall obtain the written approval of Council to the proposed road/street names and be shown on the Plan of Subdivision accompanying the application for a Subdivision Certificate.

Application for road naming shall be made on Councils Property Service Form and be accompanied by the prescribed fees as tabled in Councils current Revenue Policy - "Fees and Charges".

The application shall also be supported by sufficient detail to demonstrate compliance with Councils Road Naming Policy.

[DUR2035]

101. Inter allotment drainage shall be provided to all lots where roof water for dwellings cannot be conveyed to the street gutter by gravitational means.

[DUR2285]

102. Drainage Reserve

(a) The proposed drainage reserve is to be incrementally dedicated to Council as applicable, at no cost.

(b) An accurate plan of the proposed drainage reserve shall be submitted to Council 60 days prior to lodgement of Application for Subdivision Certificate (form 13) to allow the land to be classified.

[DUR2295]

103. All stormwater gully lintels shall have the following notice **cast** into the top of the lintel: **'DUMP NO RUBBISH, FLOWS INTO CREEK'** or similar wording in accordance with Councils Development Design and Construction Specifications.

[DUR2355]

104. Regular inspections shall be carried out by the Supervising Engineer on site to ensure that adequate erosion control measures are in place and in good condition both during and after construction.

Additional inspections are also required by the Supervising Engineer after each storm event to assess the adequacy of the erosion control measures, make good any erosion control devices and clean up any sediment that has left the site or is deposited on public land or in waterways.

This inspection program is to be maintained until the maintenance bond is released or until Council is satisfied that the site is fully rehabilitated.

[DUR2375]

105. All waters that are to be discharged from the site shall have a pH between 6.5 and 8.5 and suspended solids not greater than 50mg/l. The contractor shall nominate a person responsible for monitoring of the quality of such discharge waters on a daily basis and the results recorded. Such results shall be made available to Council's Environmental Health Officer(s) upon request.

[DUR2435]

106. The Developer must establish a monitoring program, including reporting to determine the pollutant removal efficiencies of the proposed treatment devices, as per section D7.A12 of the TSC Development Design Specification - D7 Stormwater Quality and if further treatment of the stormwater drainage system is required to ensure the preservation of water quality in Cobaki Creek and Cobaki Broadwater.

Additionally;

- water shall not be released from detention basins until samples have been analysed and shown to meet the criteria outlined in the ESC Program, and.
- regular (three monthly) water quality testing is to be undertaken within the wetland in the vicinity of any discharge points to ensure that acceptable water quality parameters are maintained.

[DURNS01]

107. An accurate plan of the sewage pumping station and lift station sites shall be submitted to Council 60 days prior to lodgement of the Application for Subdivision Certificate to allow the land to be classified.

The Environmental Planning and Assessment Act, 1979 (as amended) makes no provision for works under the Water Supplies Authorities Act, 1987 to be certified by an Accredited Certifier.

[DUR2635]

108. Erosion and Sediment Control

All erosion and sediment control measures are to be effectively implemented and maintained at or above design capacity for the duration of the construction works, and until such time as all ground disturbed by the works has been stabilised and rehabilitated so that it no longer acts as a source of sediment.

All activities on the site shall be undertaken with the objective of preventing discharge of sediment and other pollutants to lands and/or waters (the receiving environment) during construction activities. In particular the proponent shall ensure all practicable measures are taken to prevent contaminated stormwater from adversely affecting the water quality of Cobaki Creek and Cobaki Broadwater.

109. The public pathway fronting lots 389-401 shall be constructed of reinforced concrete so as to provide a trafficable pavement for Council maintenance purposes. The path shall have removable bollards installed at either end, under the control of Council, to prevent unauthorised traffic access along this pathway, but permit pedestrian and cyclist movement.

[DURNS03]

110. All land for residential development is to be filled to a level no less than the next highest 0.1m Design Flood Level contour, as determined from the latest approved Cobaki Design Flood Level Map Q100 Event (Including Climate Change) Plan, unless notified otherwise by Council.

[DURNS03]

111. A copy of the approved and certified plans, specifications and documents incorporating conditions of approval and certification must be kept on site at all times and must be readily available for perusal by any officer of relevant State Government agencies, Council or the PCA.

112. All persons associated with the development of this site and construction of this building/subdivision are prohibited from permitting dogs, cats and other domestic animals to enter this subdivision locality during construction. This prohibition also applies to all contractors, sub-contractors and other trades persons accessing this site.

113. It is the responsibility of the applicant to restrict public access to the construction works site, construction works or materials or equipment on the site when construction work is not in progress or the site is otherwise unoccupied in accordance with WorkCover NSW requirements and Occupational Health and Safety Regulation 2001.

[DUR0415]

PRIOR TO ISSUE OF SUBDIVISION CERTIFICATE

114. Prior to issue of a Subdivision Certificate, all works/actions/inspections etc required by other conditions or approved management plans or the like shall be completed in accordance with those conditions or plans.

[PSC0005]

115. A **certificate of compliance** (CC) under Sections 305, 306 and 307 of the Water Management Act 2000 is to be obtained from Council to verify that the necessary requirements for the supply of water and sewerage to the development have been made with the Tweed Shire Council.

A Subdivision Certificate shall **NOT** be issued unless the Certifying Authority is satisfied provisions pursuant to Section 109J of the EP&A Act, 1979 have been complied with and the Certifying Authority has sighted Councils contributions sheet and Certificate of Compliance signed by an authorised officer of Council.

Annexed hereto is an information sheet indicating the procedure to follow to obtain a Certificate of Compliance:

Stage 6A		
Water DSP3:	63.4 ET @ $11020 per ET	$698,668
Sewer Banora:	69 ET @ $5295 per ET	$365,355
Stage 6B		
Water DSP3:	48 ET @ $11020 per ET	$528,960
Sewer Banora:	48 ET @ $5295 per ET	$254,160
Stage 6C		
Water DSP3:	52.4 ET @ $11020 per ET	$577,448
Sewer Banora:	54.5 ET @ $5295 per ET	$288,577.50
Stage 6D		
Water DSP3:	63.4 ET @ $11020 per ET	$698,668
Sewer Banora:	69 ET @ $5295 per ET	$365,355
Stage 6E		
Water DSP3:	60 ET @ $11020 per ET	$661,200
Sewer Banora:	64.75 ET @ $5295 per ET	$342,851.30
Stage 6F		
Water DSP3:	25 ET @ $11020 per ET	$275,500
Sewer Banora:	27.25 ET @ $5295 per ET	$144,288.80
Stage 6G		
Water DSP3:	59.8 ET @ $11020 per ET	$658,996
Sewer Banora:	64.75 ET @ $5295 per ET	$342,851.30
Stage 6H		
Water DSP3:	57.2 ET @ $11020 per ET	$630,344
Sewer Banora:	58.75 ET @ $5295 per ET	$311,081.30
Stage 6I		
Water DSP3:	34.8 ET @ $11020 per ET	$383,496
Sewer Banora:	36.25 ET @ $5295 per ET	$191,943.80
Stage 6J		
Water DSP3:	62.4 ET @ $11020 per ET	$687,648
Sewer Banora:	64.5 ET @ $5295 per ET	$341,527.50

These charges to remain fixed for a period of twelve (12) months from the date of this consent and thereafter in accordance with the rates applicable in Council's adopted Fees and Charges current at the time of payment.

A CURRENT COPY OF THE CONTRIBUTION FEE SHEET ATTACHED TO THIS CONSENT MUST BE PROVIDED AT THE TIME OF PAYMENT

The Environmental Planning and Assessment Act, 1979 (as amended) makes no provision for works under the Water Management Act 2000 to be certified by an Accredited Certifier.

[PSC0165]

116. **Section 94 Contributions**

Payment of the following contributions pursuant to Section 94 of the Act and the relevant Section 94 Plan.

Pursuant to Section 109J of the Environmental Planning and Assessment Act, 1979, a Subdivision Certificate shall NOT be issued by a Certifying Authority unless all Section 94 Contributions have been paid and the Certifying Authority has sighted Council's "Contribution Sheet" signed by an authorised officer of Council.

A CURRENT COPY OF THE CONTRIBUTION FEE SHEET ATTACHED TO THIS CONSENT MUST BE PROVIDED AT THE TIME OF PAYMENT

These charges will remain fixed for a period of 12 months from the date of this consent and thereafter in accordance with the rates applicable in the current version/edition of the relevant Section 94 Plan current at the time of the payment.

A copy of the Section 94 contribution plans may be inspected at the Civic and Cultural Centres, Tumbulgum Road, Murwillumbah and Brett Street, Tweed Heads.

Stage 6A

(a)	Tweed Road Contribution Plan:	
	387.4 Trips @ $999 per Trips	$387,013
	($908 base rate + $91 indexation)	
	S94 Plan No. 4	
	Sector3_4	
(b)	Cobaki Lakes - Community Facilities & Open Space:	
	66.1247 ET @ $492 per ET	$32,533
	($492 base rate + $0 indexation)	
	S94 Plan No. 10	
(c)	Shirewide Library Facilities:	
	66.1247 ET @ $792 per ET	$52,371
	($792 base rate + $0 indexation)	
	S94 Plan No. 11	
(d)	Bus Shelters:	
	66.1247 ET @ $60 per ET	$3,967
	($60 base rate + $0 indexation)	
	S94 Plan No. 12	
(e)	Eviron Cemetery:	
	66.1247 ET @ $120 per ET	$7,935

($101 base rate + $19 indexation)
S94 Plan No. 13

(f) Extensions to Council Administration Offices & Technical Support Facilities
66.1247 ET @ $1759.9 per ET — $116,372.86
($1759.9 base rate + $0 indexation)
S94 Plan No. 18

(g) Cycleways:
66.1247 ET @ $447 per ET — $29,558
($447 base rate + $0 indexation)
S94 Plan No. 22

(h) Regional Open Space (Casual)
66.1247 ET @ $1031 per ET — $68,175
($1031 base rate + $0 indexation)
S94 Plan No. 26

(i) Regional Open Space (Structured):
66.1247 ET @ $3619 per ET — $239,305
($3619 base rate + $0 indexation)
S94 Plan No. 26

Stage 6B

(a) Tweed Road Contribution Plan:
312 Trips @ $999 per Trips — $311,688
($908 base rate + $91 indexation)
S94 Plan No. 4
Sector3_4

(b) Cobaki Lakes - Community Facilities & Open Space:
48 ET @ $492 per ET — $23,616
($492 base rate + $0 indexation)
S94 Plan No. 10

(c) Shirewide Library Facilities:
48 ET @ $792 per ET — $38,016
($792 base rate + $0 indexation)
S94 Plan No. 11

(d) Bus Shelters:
48 ET @ $60 per ET — $2,880

($60 base rate + $0 indexation)
S94 Plan No. 12

(e) Eviron Cemetery:
48 ET @ $120 per ET — $5,760
($101 base rate + $19 indexation)
S94 Plan No. 13

(f) Extensions to Council Administration Offices & Technical Support Facilities
48 ET @ $1759.9 per ET — $84,475.20
($1759.9 base rate + $0 indexation)
S94 Plan No. 18

(g) Cycleways:
48 ET @ $447 per ET — $21,456
($447 base rate + $0 indexation)
S94 Plan No. 22

(h) Regional Open Space (Casual)
48 ET @ $1031 per ET — $49,488
($1031 base rate + $0 indexation)
S94 Plan No. 26

(i) Regional Open Space (Structured):
48 ET @ $3619 per ET — $173,712
($3619 base rate + $0 indexation)
S94 Plan No. 26

Stage 6C

(a) Tweed Road Contribution Plan:
332.8 Trips @ $999 per Trips — $332,467
($908 base rate + $91 indexation)
S94 Plan No. 4
Sector3_4

(b) Cobaki Lakes - Community Facilities & Open Space:
53.4998 ET @ $492 per ET — $26,322
($492 base rate + $0 indexation)
S94 Plan No. 10

(c) Shirewide Library Facilities:
53.4998 ET @ $792 per ET — $42,372

($792 base rate + $0 indexation)
S94 Plan No. 11

(d) Bus Shelters:
53.4998 ET @ $60 per ET $3,210
($60 base rate + $0 indexation)
S94 Plan No. 12

(e) Eviron Cemetery:
53.4998 ET @ $120 per ET $6,420
($101 base rate + $19 indexation)
S94 Plan No. 13

(f) Extensions to Council Administration Offices & Technical Support Facilities
53.4998 ET @ $1759.9 per ET $94,154.30
($1759.9 base rate + $0 indexation)
S94 Plan No. 18

(g) Cycleways:
53.4998 ET @ $447 per ET $23,914
($447 base rate + $0 indexation)
S94 Plan No. 22

(h) Regional Open Space (Casual)
53.4998 ET @ $1031 per ET $55,158
($1031 base rate + $0 indexation)
S94 Plan No. 26

(i) Regional Open Space (Structured):
53.4998 ET @ $3619 per ET $193,616
($3619 base rate + $0 indexation)
S94 Plan No. 26

Stage 6D

(a) Tweed Road Contribution Plan:
257.4 Trips @ $999 per Trips $257,143
($908 base rate + $91 indexation)
S94 Plan No. 4
Sector3_4

(b) Cobaki Lakes - Community Facilities & Open Space:
42.4166 ET @ $492 per ET $20,869

($492 base rate + $0 indexation)
S94 Plan No. 10

(c) Shirewide Library Facilities:
42.4166 ET @ $792 per ET — $33,594
($792 base rate + $0 indexation)
S94 Plan No. 11

(d) Bus Shelters:
42.4166 ET @ $60 per ET — $2,545
($60 base rate + $0 indexation)
S94 Plan No. 12

(e) Eviron Cemetery:
42.4166 ET @ $120 per ET — $5,090
($101 base rate + $19 indexation)
S94 Plan No. 13

(f) Extensions to Council Administration Offices & Technical Support Facilities
42.4166 ET @ $1759.9 per ET — $74,648.97
($1759.9 base rate + $0 indexation)
S94 Plan No. 18

(g) Cycleways:
42.4166 ET @ $447 per ET — $18,960
($447 base rate + $0 indexation)
S94 Plan No. 22

(h) Regional Open Space (Casual)
42.4166 ET @ $1031 per ET — $43,732
($1031 base rate + $0 indexation)
S94 Plan No. 26

(i) Regional Open Space (Structured):
42.4166 ET @ $3619 per ET — $153,506
($3619 base rate + $0 indexation)
S94 Plan No. 26

Stage 6E

(a) Tweed Road Contribution Plan:
379.6 Trips @ $999 per Trips — $379,220
($908 base rate + $91 indexation)

S94 Plan No. 4

Sector3_4

(b) Cobaki Lakes - Community Facilities & Open Space:

62.9994 ET @ $492 per ET — $30,996

($492 base rate + $0 indexation)

S94 Plan No. 10

(c) Shirewide Library Facilities:

62.9994 ET @ $792 per ET — $49,896

($792 base rate + $0 indexation)

S94 Plan No. 11

(d) Bus Shelters:

62.9994 ET @ $60 per ET — $3,780

($60 base rate + $0 indexation)

S94 Plan No. 12

(e) Eviron Cemetery:

62.9994 ET @ $120 per ET — $7,560

($101 base rate + $19 indexation)

S94 Plan No. 13

(f) Extensions to Council Administration Offices & Technical Support Facilities

62.9994 ET @ $1759.9 per ET — $110,872.64

($1759.9 base rate + $0 indexation)

S94 Plan No. 18

(g) Cycleways:

62.9994 ET @ $447 per ET — $28,161

($447 base rate + $0 indexation)

S94 Plan No. 22

(h) Regional Open Space (Casual)

62.9994 ET @ $1031 per ET — $64,952

($1031 base rate + $0 indexation)

S94 Plan No. 26

(i) Regional Open Space (Structured):

62.9994 ET @ $3619 per ET — $227,995

($3619 base rate + $0 indexation)

S94 Plan No. 26

Stage 6F

(a)	Tweed Road Contribution Plan:	
	150.8 Trips @ $999 per Trips	$150,649
	($908 base rate + $91 indexation)	
	S94 Plan No. 4	
	Sector3_4	
(b)	Cobaki Lakes - Community Facilities & Open Space:	
	25.9999 ET @ $492 per ET	$12,792
	($492 base rate + $0 indexation)	
	S94 Plan No. 10	
(c)	Shirewide Library Facilities:	
	25.9999 ET @ $792 per ET	$20,592
	($792 base rate + $0 indexation)	
	S94 Plan No. 11	
(d)	Bus Shelters:	
	25.9999 ET @ $60 per ET	$1,560
	($60 base rate + $0 indexation)	
	S94 Plan No. 12	
(e)	Eviron Cemetery:	
	25.9999 ET @ $120 per ET	$3,120
	($101 base rate + $19 indexation)	
	S94 Plan No. 13	
(f)	Extensions to Council Administration Offices & Technical Support Facilities	
	25.9999 ET @ $1759.9 per ET	$45,757.22
	($1759.9 base rate + $0 indexation)	
	S94 Plan No. 18	
(g)	Cycleways:	
	25.9999 ET @ $447 per ET	$11,622
	($447 base rate + $0 indexation)	
	S94 Plan No. 22	
(h)	Regional Open Space (Casual)	
	25.9999 ET @ $1031 per ET	$26,806
	($1031 base rate + $0 indexation)	
	S94 Plan No. 26	

(i) Regional Open Space (Structured):
25.9999 ET @ $3619 per ET $94,094
($3619 base rate + $0 indexation)
S94 Plan No. 26

Stage 6G

(a) Tweed Road Contribution Plan:
365.3 Trips @ $999 per Trips $364,935
($908 base rate + $91 indexation)
S94 Plan No. 4
Sector3_4

(b) Cobaki Lakes - Community Facilities & Open Space:
62.2497 ET @ $492 per ET $30,627
($492 base rate + $0 indexation)
S94 Plan No. 10

(c) Shirewide Library Facilities:
62.2497 ET @ $792 per ET $49,302
($792 base rate + $0 indexation)
S94 Plan No. 11

(d) Bus Shelters:
62.2497 ET @ $60 per ET $3,735
($60 base rate + $0 indexation)
S94 Plan No. 12

(e) Eviron Cemetery:
62.2497 ET @ $120 per ET $7,470
($101 base rate + $19 indexation)
S94 Plan No. 13

(f) Extensions to Council Administration Offices
& Technical Support Facilities
62.2497 ET @ $1759.9 per ET $109,553.25
($1759.9 base rate + $0 indexation)
S94 Plan No. 18

(g) Cycleways:
62.2497 ET @ $447 per ET $27,826
($447 base rate + $0 indexation)
S94 Plan No. 22

(h) Regional Open Space (Casual)
62.2497 ET @ $1031 per ET — $64,179
($1031 base rate + $0 indexation)
S94 Plan No. 26

(i) Regional Open Space (Structured):
62.2497 ET @ $3619 per ET — $225,282
($3619 base rate + $0 indexation)
S94 Plan No. 26

Stage 6H

(a) Tweed Road Contribution Plan:
366.6 Trips @ $999 per Trips — $366,233
($908 base rate + $91 indexation)
S94 Plan No. 4
Sector3_4

(b) Cobaki Lakes - Community Facilities & Open Space:
58.0415 ET @ $492 per ET — $28,556
($492 base rate + $0 indexation)
S94 Plan No. 10

(c) Shirewide Library Facilities:
58.0415 ET @ $792 per ET — $45,969
($792 base rate + $0 indexation)
S94 Plan No. 11

(d) Bus Shelters:
58.0415 ET @ $60 per ET — $3,482
($60 base rate + $0 indexation)
S94 Plan No. 12

(e) Eviron Cemetery:
58.0415 ET @ $120 per ET — $6,965
($101 base rate + $19 indexation)
S94 Plan No. 13

(f) Extensions to Council Administration Offices
& Technical Support Facilities
58.0415 ET @ $1759.9 per ET — $102,147.24
($1759.9 base rate + $0 indexation)
S94 Plan No. 18

(g) Cycleways:

58.0415 ET @ $447 per ET — $25,945

($447 base rate + $0 indexation)

S94 Plan No. 22

(h) Regional Open Space (Casual)

58.0415 ET @ $1031 per ET — $59,841

($1031 base rate + $0 indexation)

S94 Plan No. 26

(i) Regional Open Space (Structured):

58.0415 ET @ $3619 per ET — $210,052

($3619 base rate + $0 indexation)

S94 Plan No. 26

Stage 6I

(a) Tweed Road Contribution Plan:

219.7 Trips @ $999 per Trips — $219,480

($908 base rate + $91 indexation)

S94 Plan No. 4

Sector3_4

(b) Cobaki Lakes - Community Facilities & Open Space:

35.4999 ET @ $492 per ET — $17,466

($492 base rate + $0 indexation)

S94 Plan No. 10

(c) Shirewide Library Facilities:

35.4999 ET @ $792 per ET — $28,116

($792 base rate + $0 indexation)

S94 Plan No. 11

(d) Bus Shelters:

35.4999 ET @ $60 per ET — $2,130

($60 base rate + $0 indexation)

S94 Plan No. 12

(e) Eviron Cemetery:

35.4999 ET @ $120 per ET — $4,260

($101 base rate + $19 indexation)

S94 Plan No. 13

(f) Extensions to Council Administration Offices & Technical Support Facilities
35.4999 ET @ $1759.9 per ET — $62,476.27
($1759.9 base rate + $0 indexation)
S94 Plan No. 18

(g) Cycleways:
35.4999 ET @ $447 per ET — $15,868
($447 base rate + $0 indexation)
S94 Plan No. 22

(h) Regional Open Space (Casual)
35.4999 ET @ $1031 per ET — $36,600
($1031 base rate + $0 indexation)
S94 Plan No. 26

(i) Regional Open Space (Structured):
35.4999 ET @ $3619 per ET — $128,474
($3619 base rate + $0 indexation)
S94 Plan No. 26

Stage 6J

(a) Tweed Road Contribution Plan:
401.7 Trips @ $999 per Trips — $401,298
($908 base rate + $91 indexation)
S94 Plan No. 4
Sector3_4

(b) Cobaki Lakes - Community Facilities & Open Space:
63.7081 ET @ $492 per ET — $31,344
($492 base rate + $0 indexation)
S94 Plan No. 10

(c) Shirewide Library Facilities:
63.7081 ET @ $792 per ET — $50,457
($792 base rate + $0 indexation)
S94 Plan No. 11

(d) Bus Shelters:
63.7081 ET @ $60 per ET — $3,822
($60 base rate + $0 indexation)
S94 Plan No. 12

(e) Eviron Cemetery:
63.7081 ET @ $120 per ET — $7,645
($101 base rate + $19 indexation)
S94 Plan No. 13

(f) Extensions to Council Administration Offices & Technical Support Facilities
63.7081 ET @ $1759.9 per ET — $112,119.89
($1759.9 base rate + $0 indexation)
S94 Plan No. 18

(g) Cycleways:
63.7081 ET @ $447 per ET — $28,478
($447 base rate + $0 indexation)
S94 Plan No. 22

(h) Regional Open Space (Casual)
63.7081 ET @ $1031 per ET — $65,683
($1031 base rate + $0 indexation)
S94 Plan No. 26

(i) Regional Open Space (Structured):
63.7081 ET @ $3619 per ET — $230,560
($3619 base rate + $0 indexation)
S94 Plan No. 26

[PSC0175]

117. The proposed passive parks are to be dedicated as passive open space and suitably embellished at no cost to Council in accordance with the approved landscaping plan.

Where a developer pays Council to acquire and install play equipment, Council will **NOT** install the equipment until a minimum of 20% of the lots in that stage of the development are occupied. Embellishment arrangements shall be in place prior to the issue of a Subdivision Certificate.

[PSC0195]

118. Prior to the issue of a **Subdivision Certificate**, a defect liability bond (in cash **or** unlimited time Bank Guarantee) shall be lodged with Council.

The bond shall be based on 5% of the value of the associated works (minimum as tabled in Council's fees and charges current at the time of payment) which will be held by Council for a period of 6 months (unless sanctioned otherwise by Council) from the date on which the Subdivision Certificate is issued.

It is the responsibility of the proponent to apply for refund following the remedying of any defects arising within the 6 month period.

[PSC0215]

119. Prior to the issue of a Subdivision Certificate, a maintenance bond equal to 25% of the contract value of the footpath and cycleway construction works shall be lodged for a period of 3 years or until 80% of the lots fronting paved footpaths and cycleways are built on.

Alternatively, the developer may elect to pay a cash contribution to the value of the footpath and cycleway construction works plus 25% in lieu of construction and Council will construct the footpath when the subdivision is substantially built out. The cost of these works shall be validated by a schedule of rates.

[PSC0225]

120. A bond shall be lodged prior to the issue of the Subdivision Certificate to ensure that the associated landscaping is maintained by the developer for a period of 12 months from the date of issue of a Subdivision Certificate. The amount of the bond shall be 20% of the estimated cost of the landscaping or $3000 whichever is the greater.

[PSC0235]

121. Cash Bond/Bank Guarantee

(a) A Cash Bond or Bank Guarantee to ensure that the approved Site Regeneration and Revegetation Plan (SRRP) is implemented and completed must be lodged with Council prior to the release of the Subdivision Certificate. The amount of such bond will be based on the cost of environmental repair, enhancement and maintenance works to be undertaken in accordance with the approved SRRP. In this regard, two (2) written quotes from suitably experienced and qualified bush regenerators (to the satisfaction of the General Manager or his delegate) must be submitted to Council which detail the cost of all works associated with the SRRP. The amount of the bond will be equivalent to 100% of the estimated cost of works.

(b) One third of the Cash Bond or Bank Guarantee will be refunded one year after the initiation of works on submission of certification by a suitably experienced and qualified bush regenerator stating that works are being satisfactorily undertaken in accordance with the approved SRRP. A further one third of the Bond or Bank Guarantee will be refunded 3 years after the initiation of works on submission of certification by a suitably experienced and qualified bush regenerator stating that works have been satisfactorily reached the defined half-way stage of the SRRP. The final one third of the Bond or Bank Guarantee will be released 5 years after the initiation of works on submission of certification by a suitably experienced and qualified bush regenerator stating that the SRRP has been satisfactorily completed.

(c) Monitoring of the effectiveness of environmental repair, enhancement and maintenance works must be undertaken by an independent and suitably qualified and experienced bush regenerator at yearly intervals following initiation of the Environmental Restoration Plan SRRP works. Reports of this monitoring must provide the basis for the person issuing certification for the bond or bank guarantee refunding stages and must be annually submitted to Council as evidence. Any supplementary or approved adaptive management works deemed necessary by the independent bush regenerator during the life of the SRRP must be undertaken once the need is identified.

[PSC0255]

122. Prior to the issue of a Subdivision Certificate, a certificate of compliance shall be submitted to Council by the Developers Subdivision Works Accredited Certifier (SWAC) or equivalent, verifying that the placed fill has been compacted in accordance with the requirements of AS 3798, "Guidelines on Earthworks for Commercial and Residential Developments" and is suitable for residential purposes.

    The submission shall include copies of all undertaken test results.

    [PSC0395]

123. All approved landscaping requirements must be completed to the satisfaction of the General Manager or his delegate **PRIOR** to the issue of an associated Subdivision Certificate. Landscaping must be maintained at all times to the satisfaction of the General Manager or delegate.

    [PSC0485]

124. Any damage to property (including pavement damage) is to be rectified to the satisfaction of the General Manager or his delegate **PRIOR** to the issue of a Subdivision Certificate. Any work carried out by Council to remove material from the roadway will be at the Developers expense and any such costs are payable prior to the issue of a Subdivision Certificate.

    [PSC0725]

125. Prior to the issue of a **Subdivision Certificate**, associated Work as Executed Plans shall be submitted in accordance with the provisions of Tweed Shire Council's Development Control Plan Part A5 - Subdivision Manual and Council's Development Design Specification, D13 - Engineering Plans.

    The plans are to be endorsed by a Registered Surveyor OR a Consulting Engineer Certifying that:

    (a) all drainage lines, sewer lines, services and structures are wholly contained within the relevant easement created by the subdivision;

    (b) the plans accurately reflect the Work as Executed.

    Note: Where works are carried out by Council on behalf of the developer it is the responsibility of the <u>DEVELOPER</u> to prepare and submit works-as-executed (WAX) plans.

    [PSC0735]

126. A Subdivision Certificate will not be issued by the General Manager until such time as all relevant conditions of this Development Consent have been complied with.

    [PSC0825]

127. A Section 88B Instrument shall be submitted with the Subdivision Certificate application, for Council's endorsement, for the creation of easements for services, rights of carriageway and restrictions as to user (including restrictions associated with planning for bushfire) as may be applicable under Section 88B of the Conveyancing Act including (but not limited to) the following:

    (a) Easements for sewer, water supply and drainage over **ALL** public services/infrastructure on private property.

    (b) Easements (including maintenance requirements) over all relevant surface drains, all subsurface drains and inter-allotment drainage, benefiting and burdening the property owners.

(c) The location of zero lot lines.

(d) Restriction as to user prohibiting cats and requiring dogs to be restricted to suitably sized fenced yards.

(e) A restriction as to user upon lots fronting Cobaki Parkway in Precinct 6 indicating that additional Noise level Assessments are to be carried out for first floor levels of future dwellings on these lots. The required Noise level Assessments are to be carried out by an appropriately qualified Acoustic Consultant and shall assess traffic noise impacts in accordance with AS3671 "*Acoustics- Road traffic noise intrusion-Building Siting and Construction.*" And NSW Department of Planning document *"Development near Rail Corridors and Busy Roads- Interim Guideline"* as applicable. Recommendations for acoustic building shell treatments for first floor levels shall be incorporated into the design and construction of future dwellings on affected lots.

Pursuant to Section 88BA of the Conveyancing Act (as amended) the Instrument creating the right of carriageway/easement to drain water shall make provision fo maintenance of the right of carriageway/easement by the owners from time to time of the land benefited and burdened and are to share costs equally or proportionally on an equitable basis.

Any Section 88B Instrument creating restrictions as to user, rights of carriageway or easements which benefit Council shall contain a provision enabling such restrictions, easements or rights of way to be revoked, varied or modified only with the consent of Council.

[PSC0835]

128. Council's standard "Asset Creation Form" shall be completed (including all quantities and unit rates) and submitted to Council with all application for Subdivision Certificate.

[PSC0855]

129. Prior to registration of the plan of subdivision, a **Subdivision Certificate** shall be obtained.

The following information must accompany an application:

(a) original plan of subdivision prepared by a registered surveyor and 7 copies of the original plan together with any applicable 88B Instrument and application fees in accordance with the current Fees and Charges applicable at the time of lodgement.

(b) all detail as tabled within Tweed Shire Council Development Control Plan, Part A5 - Subdivision Manual, CL 5.7.6 and Councils Application for Subdivision Certificate including the attached notes.

Note: The Environmental Planning and Assessment Act, 1979 (as amended) makes no provision for works under the Water Supplies Authorities Act, 1987 to be certified by an Accredited Certifier.

[PSC0885]

130. Prior to the application for a **Subdivision Certificate** a Compliance Certificate or Certificates shall be obtained from Council **OR** an accredited certifier for the following:-

(a) Compliance Certificate - Roads

(b) Compliance Certificate - Water Reticulation

(c) Compliance Certificate - Sewerage Reticulation

(d) Compliance Certificate - Sewerage Pump Station

(e) Compliance Certificate – Drainage

Note:

1. All compliance certificate applications must be accompanied by documentary evidence from the developers Subdivision Works Accredited Certifier (SWAC) certifying that the specific work for which a certificate is sought has been completed in accordance with the terms of the development consent, the construction certificate, Tweed Shire Council's Development Control Plan Part A5 - Subdivisions Manual and Councils Development Design and Construction Specifications.

2. The EP&A Act, 1979 (as amended) makes no provision for works under the Water Management Act 2000 to be certified by an "accredited certifier".

[PSC0915]

131. The six (6) months Defects Liability Period commences upon the registration of the Plan of Subdivision, unless stated otherwise in approved management plans or this consent.

[PSC0925]

132. Prior to the issue of a Subdivision Certificate and also prior to the end of defects liability period, a CCTV inspection of any stormwater pipes and gravity sewerage systems installed and intended to be dedicated to Council including joints and junctions will be required to demonstrate that the standard of the infrastructure is acceptable to Council.

Any defects identified by the inspection are to be repaired in accordance with Councils Development Design and Construction Specification.

All costs associated with the CCTV inspection and repairs shall be borne by the applicants.

[PSC1065]

133. Prior to the release of the Subdivision Certificate the proponent shall:

(a) Dedicate the proposed drainage reserve at no cost to Council.

(b) Submit an accurate plan of the proposed drainage reserve to Council 60 days prior to lodgement of Application for Subdivision Certificate to allow the land to be classified.

[PSC1075]

134. Prior to issuing a Subdivision Certificate, reticulated water supply and outfall sewerage reticulation (including household connections) shall be provided to all lots associated with the subdivision, in accordance with Tweed Shire Council's Development Control Plan Part A5 - Subdivisions Manual, Councils Development Design and Construction Specifications and the Construction Certificate approval.

Fire Hydrants spacing, sizing and pressures shall comply with Council's DCP – Section A5 – Subdivision Manual, associated Development Design and Construction Specifications and AS2419.1-2005.

The Environmental Planning and Assessment Act, 1979 (as amended) makes no provision for works under the Water Management Act, 2000 to be certified by an Accredited Certifier.

[PSC1115]

135. The site of the sewage pumping station shall be transferred to Council in fee simple, at no cost to Council within 28 days of the date of registration of the plan of subdivision.

[PSC1125]

136. The production of written evidence from the local telecommunications supply authority certifying that the provision and commissioning of underground telephone supply at the front boundary of all allotments associated with the Subdivision Certificate has been completed.

[PSC1165]

137. **Electricity**

(a) The production of written evidence from the local electricity supply authority certifying that reticulation and energising of underground electricity has been provided adjacent to the front boundary of each allotment; and

(b) The reticulation includes the provision of fully installed electric street lights to the relevant Australian standard. Such lights to be capable of being energised following a formal request by Council.

Should any electrical supply authority infrastructure (sub-stations, switching stations, cabling etc) be required to be located on Council land (existing or future), then Council is to be included in all negotiations. Appropriate easements are to be created over all such infrastructure, whether on Council lands or private lands.

Compensatory measures may be pursued by the General Manager or his delegate for any significant effect on Public Reserves or Drainage Reserves.

[PSC1185]

138. In accordance with the Federal Government's National Broadband Network (NBN) initiatives, the Developer is required (at the Developer's expense) to install a fibre ready, pit and pipe network (including trenching, design and third party certification) to NBN CO's Specifications, to allow for the installation of Fibre To The Home (FTTH) broadband services.

[PSC1205]

139. Prior to issue of a Subdivision Certificate, the Design Flood Level Map shall be updated to include Works As Executed levels for Bulk Earthworks, as well as any other works that may affect flood behaviour and submitted to Council.

[PSCNS01]

140. All water quality control devices require a formal asset handover at the completion of the maintenance period ("off maintenance"), whereby all relevant stakeholders will inspect the device and be issued with a current operational manual for the device.

[PSCNS02]

141. As development occurs, an applicable easement for drainage purposes is to be progressively dedicated along the alignment of the central drainage corridor and existing agricultural drain to Piggabeen Creek, provide an unimpeded conveyance and legal point of discharge across the land for the development.

This easement will be extinguished as necessary following construction and dedication of the ultimate drain.

[PSCNS03]

142. Prior to the issue of a Subdivision Certificate, a certificate from a registered Geotechnical Engineer shall be submitted to the Principal Certifying Authority, certifying that:

- The site is stable,
- 100% of primary consolidation settlement (where applicable) is completed / achieved, and
- The site is now considered suitable for its intended purpose.

[PSCNS04]

143. Prior to the issue of a Subdivision Certificate, all relevant bulk earthworks and drainage works within the Major Central Open Drain and Minor Open Drain 5 shall be completed in accordance with a separate Construction Certificate approval issued in accordance with Condition 16 of MP08_0200.

[PSCNS05]

144. Prior to the issue of a Subdivision Certificate, the low flow component of the Major Central Open Drain and, shall be suitably embellished, to the satisfaction of the General Manager or his delegate, at no cost to Council.

The embellished cross section of the low flow component of the Major Central Open Drain shall generally be grassed / turfed, with a vegetated border to delineate the edge of the rock lined channel (constructed under MP08_0200).

The embellished cross section of Minor Open Drain 5 (East /West Fauna Corridor) shall generally be grassed / turfed, or low ground covers, subject to approval of the Minor Open Drain 5 and the East/West Fauna Corridor Management Plan

[PSCNS07]

145. The portion of Sandy Road between Road 01 (Precinct 6) and Cobaki Parkway must be constructed, prior to the issuing of a Subdivision Certificate for Stage 6J.

[PSCNS07]

146. Dedication of casual open space is to occur as described in the Park Dedication Detailed Plan (precinct 6) referenced as Yeats YC0229-1P1-SK05 Revision A or in accordance with arrangements agreed to by the General Manager or delegate.

147. Structured open space is to be embellished and dedicated to Council at the rate of 1.7 hectares per 1000 persons or in accordance with arrangements agreed to by the General Manager or delegate.

148. Embellishment of all areas of casual open space, structured open space, cycleways, pedestrian links and streetscapes is to be completed, consistent with the approved landscape plans, to the satisfaction of the General Manager Tweed Shire Council or delegate prior to issue of the Subdivision Certificate. Installation of playground equipment and softfall however will not occur until 20% of the relevant stage's allotments are occupied. The developer must contribute the appropriate financial contribution for these items as a bond prior to the release of the relevant Subdivision Certificate for each stage. Council will undertake the installation at the appropriate time.

149. The developer is to undertake maintenance operations on all casual and structured public open space for a minimum of 12 months after the Subdivision is registered with the Land Titles Office. Such maintenance will include all soft landscaping, particularly mowing and weed control. Any power and water consumption costs during this period must also be met by the developer.

150. Work as Executed Plans must be submitted for all landscaped casual and active open space. These must show all underground services, irrigation systems and the location of concrete paths, structures, other park infrastructure and garden bed outlines.

The plans are to be certified by a registered surveyor or consulting engineer.

Two categories of WAX plans are to be provided:

a. the original approved plan with any variation to this indicated.

b. plan showing only the actual as constructed information,

The plans are to be submitted in the following formats:

a. 2 paper copies of the same scale and format as the approved landscape plan.

b. A PDF version on CD or an approved medium.

c. Electronic copy in DWG or DXF format on CD or an approved medium..

151. The physical extent of the 20m-wide Bushfire Asset Protection Zones (APZs) is to be surveyed and permanently marked on the bushfire hazard side of the APZs to ensure APZs are easily identified for future maintenance.

152. The proponent is to submit to Council certification by a Bushfire Planning and Design Certified Practitioner (BPAD) accredited under the Fire Protection Association of Australia that the subdivision as constructed is compliant with Planning for Bush Fire Protection 2006

153. The applicant shall provide certification to Council that remediation of the cattle dip site has been satisfactorily completed to the extent required to enable the proposed use or uses of the site or land on which the cattle dip site was located to be carried out. The certification shall be in the form of a Site Audit Statement (SAS) completed by a NSW EPA Accredited Site Auditor in accordance with the provisions of the Contaminated Land Management Act 1997. The Site Audit Statement (SAS) shall be provided to Council prior to the issue of the first subdivision certificate. Conditions imposed on the SAS shall form part of this consent. Where the SAS conditions, if applicable, are not consistent with this consent, a Section 96 application pursuant to the Environmental Planning and Assessment Act 1979 will be required to ensure the conditions form part of the consent conditions.

154. Shared bin collection areas shall be clearly shown on the Plan of Development, and shall achieve the minimum dimensions of 1.0m deep by 2.0m per residence serviced wide.

155. The Plan of Development is to be amended to depict the locations of approved bus shelters.

156. The land designated as the community centre site is to be dedicated to Council at no cost in accordance with the Section 94 Plan No. 10 Cobaki Lakes Public Open space and Community Facilities.

157. The existing covenant for the protection of fauna and flora on Lot 54 DP 755740 is to be maintained on proposed Lot 620.

158. Lots 602, 603 and 605 adjoining the central drain are to be dedicated as drainage reserve, not environmental open space as indicated on the 'Plan of Proposed Subdivision, Precinct 6 Drainage Reserves & Parks' reference Michel Group Services 6400-218 Issue A dated 24/11/2010. In this regard additional offset for Swamp Sclerophyll Forest totalling 2936m^2 is to be included in the site specific Site Regeneration and Revegetation Plan.

The reasons for the imposition of conditions are to minimise any adverse impact the development may cause and to give effect to the objectives of the Environmental Planning and Assessment Act, 1979.

The application was determined on: **26 May 2011**
The consent to operate from: **30 May 2011**
The consent to lapse on 30 May 2016 unless commenced prior to that date.

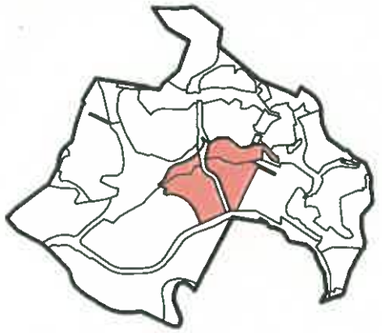
RIGHT OF APPEAL

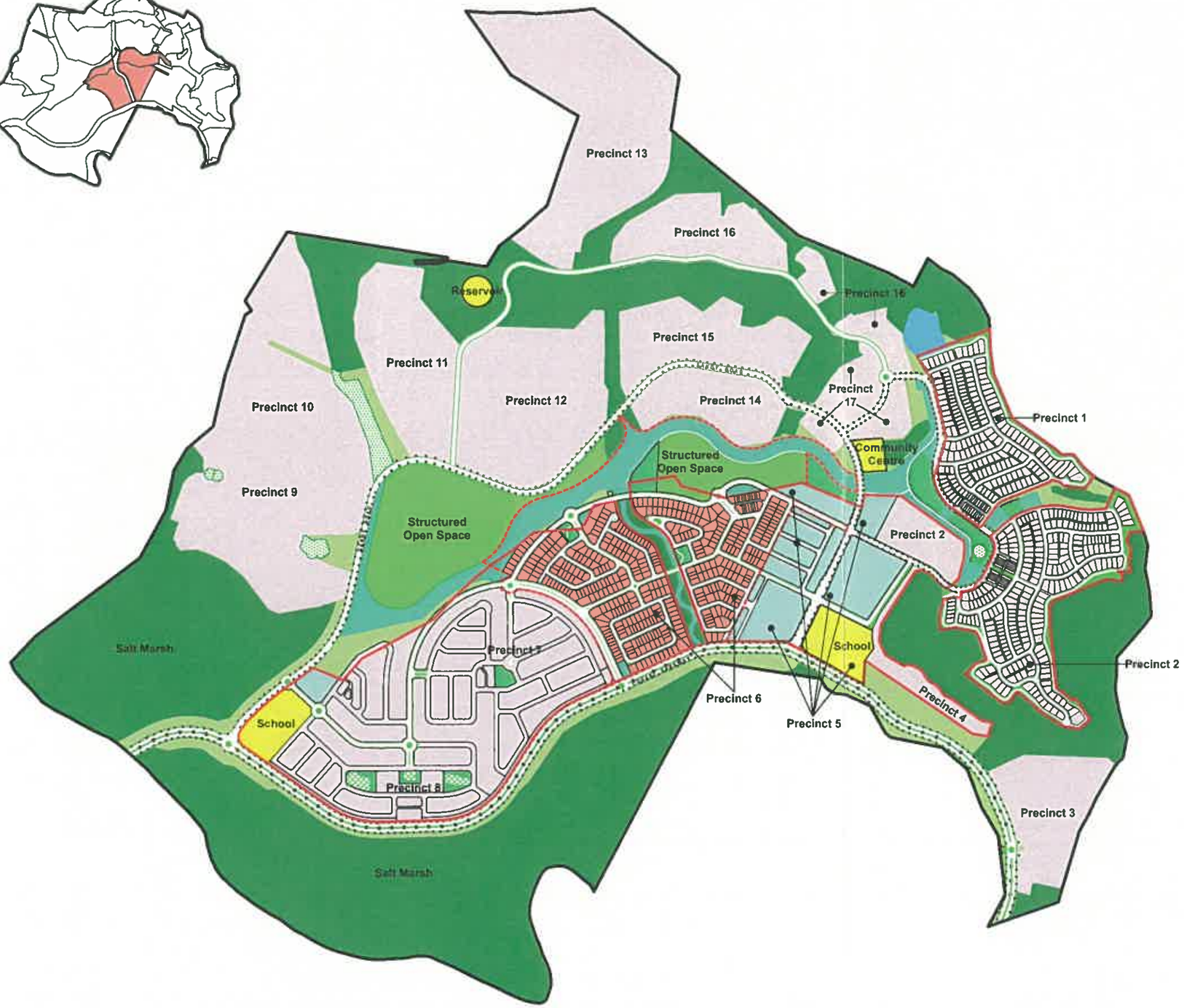
If you are dissatisfied with this decision Section 97 of the Environmental Planning and Assessment Act, 1979 gives you the right to appeal to the Land and Environment Court within 12 months after the date on which you receive this notice.

Signed on behalf of the Tweed Shire Council

Lindsay McGavin, Manager Development Assessment
30 May 2011

PRECINCT 6 APPLICATION KEY MAP





LEGEND

- Precinct 6 Proposed Residential Area (extent of application shown below)
- Precincts 1, 2, 4 and 6 to 8 Zone Boundary
- Extent of Precinct 6 Application
- Future Residential Development
- Future Retail / Commercial / Mixed Use
- Future Community Facilities / Education / Utilities Development
- Existing Water Body
- Stormwater Treatment and Delivery Areas
- Cultural Protected Area
- Covenant Protected Area
- Environmental Protection Area
- Open Space
- Casual Park
- Structured Open Space
- 2.5m Shared User Path / Maintenance Access
- Cobaki Boundary

YIELD AND DENSITY

Precincts	Area (Hectares)		Res Lots	Dwellings	Density (Dwellings per Hectare)		Population (in 1,000's)	Open Space Required (Hectares)		Open Space Provided (Hectares)	
	Gross	Net			Gross	Net		Struct	Casual	Struct	Casual
6 (proposed)	32.7	20.4	441	550	16.8	27.0	1.26	2.15	1.43	6.16	1.49
1-5 and 7-17 (estimated)	287.9	-	-	4950	17.2	-	10.74	18.26	12.14	14.24	12.07
Total (estimated)	320.6	-	-	5500	17.2	-	12.00	20.40	13.56	20.40	13.56

NOTE. Gross Area and Density relate to Residential Zoned Land Only (Includes roads and other purposes on residential zoned land)

THIS IS THE PLAN REFERRED TO IN THE DEVELOPMENT CONSENT No. DA10/0801

30 MAY 2011

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DESIGN FORUM architects

Master Plan **Leda Manorstead Pty Ltd** **Cobaki Development Application for Precinct 6**

PRECINCT 6 APPLICATION KEY MAP

HOUSING TYPE MIX

377 dw	Detached
21 dw	Terrace
152 dw	Multi-Dwelling
550 dw	Total Dwellings

Refer Plan of Development (DA 02.01)

CONNECTIVITY

- Permeable Street Pattern
- Main Street Focus
- Primary Pedestrian / Cycle Connections
- Secondary Pedestrian / Cycle Connections
- 2.5m Shared User Path / Maintenance Access
- Precinct Entry Points
- Acoustic Fence (1.8m h solid masonry to acoustic engineer's details)
- Solid Fence (1.8m h to future design)
- Transparent Fence/Gates (1.5m h to future design)

Refer Road Hierarchy Plan (DA 03.01)

OPEN SPACE NETWORK

- Asset Protection Zone (APZ)
- Stormwater Treatment and Delivery Areas *(refer Yeats drawings)*
- Environmental Protection Area
- Open Space
- Casual Park
- Structured Open Space

Refer Planit Landscape Intent document and PLACE Central Open Space Landscape Masterplan Report dated June 2010

AREA BOUNDARIES

- Easements
- Residential 2C Zone
- Extent of Precinct 6 Application
- Stages

Refer Michel Group Site Plan-Cobaki (6400-216) & Yeats Consulting Engineers Precinct 6 Staging Plan (YC0229-11E1-SK06)

THIS IS THE PLAN REFERRED TO IN THE DEVELOPMENT CONSENT No. 0410/2801

30 MAY 2011

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DESIGN FORUM architects

Precinct 6 Plan **Leda Manorstead Pty Ltd** **Cobaki Development Application for Precinct 6**

BEDROOM DISTRIBUTION ON MULTI-DWELLING LOTS

Lot Numbers	Type	1 Bed's	2 Bed's	3 Bed's	4 Bed's	Total
319 & 329	P2	0	1	1	0	5
105 & 156	P2	0	0	2	0	6
167, 221 & 273	P2	0	0	1	1	7
38	P2	0	0	2	0	6
203	P3	1	1	1	0	6
23, 172, 274, 401, 402 & 403	P3	0	2	1	0	7
9, 45, 28 & 374	P3	0	0	0	0	8
44, 244, 271, 272 &283	P3	0	0	3	0	9
11 & 436	P4	1	2	1	0	8
132, 195, 200, 202, 268, 298	P4	0	2	2	0	10
245 & 155	P4	0	0	4	0	12
1, 52, 254, 255, 348 & 373	P5	0	3	2	0	12
198 & 199	M6	0	6		0	12
122	M6	0	4	2	0	14
390-399 & 439-440 & 443-444	T1	0	2	0	0	2
400, 441-442 & 445	T1	0	0	3	0	3
389, 438 & 446	T1	0	0	0	1	4

NOMINATED LOT SCHEDULE

167 dw	Traditional Detached Dwellings - 167 Lots (15m to 30.5m frontages)
210 dw	Zero-Lot Dwellings - 210 Lots (10.0 m to 18.0m frontages)
21 dw	Terrace Dwellings - 21 Lots (6.0 m to 9.5m frontages)
134 dw	Plex Dwellings (P) - 40 Lots (corner frontages)
18 dw	Mews Dwellings (M) - 3 Lots (dual frontages)
550 dw	441 Total Lots

DWELLING DENSITY SCHEDULE

32.7ha	Precinct 6 Gross Area
16.8dw/ha	Precinct 6 Gross Density
20.4ha	Precinct 6 Net Area
27.0dw/ha	Precinct 6 Net Density

LEGEND

- Residential Zoned Land
- Extent of Precinct 6 Application
- Vehicle Entry Point
- Acoustic Fence
- A — Acoustic Assessment Required (refer notes below)
- Easements
- Asset Protection Zone (APZ)
- Stormwater Treatment and Delivery Areas *(refer Yeats drawings)*
- Environmental Protection Area
- Open Space
- Casual Park
- Structured Open Space

NOTES

1. Bushfire Prone APZ & level of construction to be considered and addressed at CDC or DA stage for dwellings where applicable.

2. Easements shown are as registered on title.

3. Development within this precinct to be in accordance with POD Detail Plan, Design Guidelines and the Cobaki Development Code.

4. As a minimum requirement, all lots shall be filled to the 100 year design flood level as shown on the Cobaki Design Flood Level Maps (Yeats Consulting).

5. Adopted floor level for residential development shall be a minimum of 500mm higher than the design flood level as shown on the Cobaki Design Flood Level Maps (Yeats Consulting), excluding garages and non-habitable rooms.

6. Prior to the issue of a Construction Certificate or Complying Development Certificate, additional acoustical assessments of building construction are to be carried out for any first floor levels of future dwellings (if constructed) on these lots (marked with an "A"). The required Assessments are to be carried out by an appropriately qualified Acoustic Consultant and shall assess traffic noise impacts in accordance with AS3671 "Acoustics- Road traffic noise intrusion-Building Siting and Construction" to achieve the maximum sound levels specified in Australian New Zealand Standard ASNZ 2107:2000 "Acoustics - Recommended design sound levels and reverberation times for building interiors" and the NSW Environmental Protection Agency's "Environmental criteria for road traffic noise" as applicable. Recommendations (if any) for acoustic building shell treatments for first floor levels (if constructed) shall be incorporated into the design and construction of future dwellings on affected lots.

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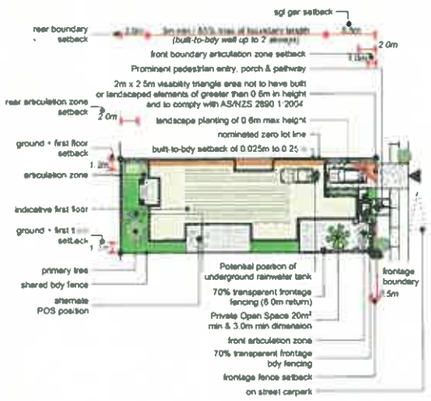
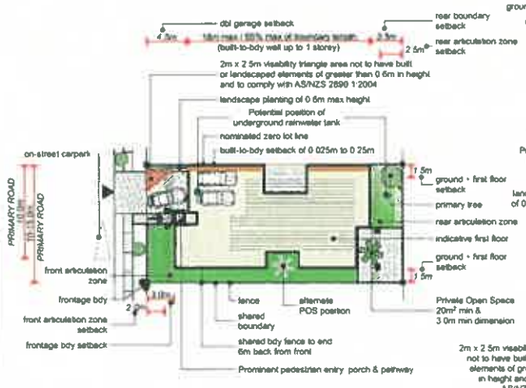
DESIGN FORUM architects

Plan of Development **Leda Manorstead Pty Ltd** **Cobaki Development Application for Precinct 6**

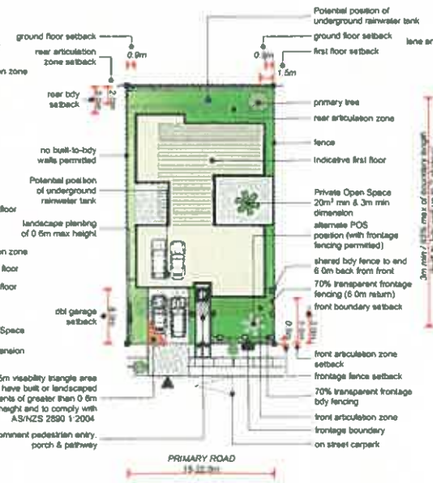
INDICATIVE CONTROL DIAGRAMS



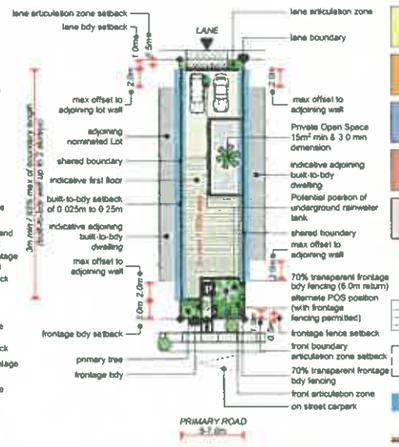
Typical 10m wide Zero-lot Dwelling
(north entry orientation illustrated)



Typical 10-15m wide Zero-lot Dwelling
(south entry orientation illustrated)

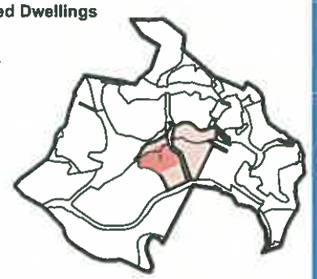


Typical 15-22m wide Traditional Dwelling
(east entry orientation illustration)



Typical Terrace Dwelling
(west entry orientation illustration)

NOMINATED LOT SCHEDULE



- Traditional Detached Dwellings
- Zero-Lot Dwellings
- Terrace Dwellings
- Plex Dwellings — P
- Mews Dwellings — M

LEGEND

- Partial 3rd Storey Permitted
- Ground Floor Building Envelope for Multi-dwelling sites
- Asset Protection Zone (APZ)
- Location of Zero-lot line
- Location of back-to-back Zero-lot line
- Easements
- S — Single or tandem garages only
- Indicative Vehicular Access Points
- Indicative Multi-dwelling Vehicular Access Points (may serve one or more dw)
- Private Pedestrian Access Points
- Shared Bin Collection Point *Refer Details (DA 02.06)*
- Private Open Space (POS)
- Threshold Treatment
- On-street car parking bays for Plex / Mews (@0.25/dw) & Terrace Dwelling (@1.0/dw) visitor parking [6.0m x 3.0m]

Number of dwellings			On-street visitor parking	
Plex	Terraces	Mews	Required	Provided
60	0	12	18	18

- Acoustic Fence (1.8m h solid masonry to acoustic engineer's details)
- Solid Fence (1.8m h to future design)
- Transparent Fence/Gates (1.5m h to future design)

DEVELOPMENT CONTROLS

1 DESIGN GUIDELINES
1.1 The Cobaki Precinct 6 Design Guidelines (PBDG) form a part of the Plan of Development (POD)
1.2 A Pre-approval Certificate from the Design Review Panel (DRP) demonstrating compliance with the PCDG shall be obtained prior to the submission of plans to a certifying authority
2 BUILDING ENVELOPE
2.1 For multi-unit sites, buildings shall conform to the building envelope configuration depicted on the Plan of Development and the setbacks in the Cobaki Development Code (the Code).
2.2 Building envelopes for Detached Dwellings, shall be determined by reference to the setbacks nominated by the Code
3 BUILDING HEIGHT
3.1 Maximum building height is two storeys except where a parcel (no more than 50% of the gross floor area of the level below) three storey maximum height is noted on the POD
4 SETBACKS
4.1 Minimum boundary clearances shall conform to the Code for each Nominated Lot and depend on the effective width of the lot as defined by the Code
4.2 The standard diagrams for Zero-lot and Terrace Dwellings offer a guide to setbacks and siting, but the provisions of the Code prevail in the case of any discrepancies
5 BUILD-TO-BOUNDARY WALLS
5.1 Lots specified as Zero-lots on the POD shall contain a build-to-boundary wall in accordance with the Code
6 VEHICLE ACCESS POINTS
6.1 Vehicle access shall be generally in accordance with the locations indicated on the POD
6.2 Where shared vehicle access points are shown, one or more dwellings may be accessed from the indicated driveway
6.4 Alternate driveway solutions may be accepted by the Design Review Panel (DRP) should they comply with the intent of the Code and Design Guidelines (DG). In addition to the DRP Pre-Approval Certificate, separate approval is required for all driveway crossovers from Council as the Roads Authority under Section 138 of the Roads Act 1993
6.5 Clear vehicle and pedestrian sight distances shall not be compromised at any time by any obstruction (refer AS 2890.1-2004 Off street car parking). A 2m (along front boundary) x 2.5m (along driveway) sight triangle is to be maintained either side of the driveway for pedestrian safety with the exception of driveways accessed from a laneway
7 RESIDENT AND VISITOR PARKING
7.1 Resident and visitor car parking shall be provided for each Nominated Lot in accordance with the Code
7.2 Lots of 10m width are limited to only a single garage door entry and associated driveway
7.3 The location of on-street parking for Detached Dwellings shall be to the front of each lot as indicated by the Standard Lot Diagrams
7.4 The location of the additional on-street visitor parking required for multi-dwelling lots is noted on the POD and have been selected for proximity and to avoid conflict with general on-street parking
8 RESIDENTIAL AMENITY AND PRIVACY
8.1 *Private open space* shall be located contiguous with principal living areas and in the position noted on the POD or as otherwise located in accordance with the Code & Design Guidelines (as in the case of Multi-dwelling lots)
8.2 The principal living area shall have north and/or east orientation wherever possible and otherwise be in accordance with the provisions of the Code in terms of minimum area and dimension.
8.3 Alternative *private open space* locations may be accepted by the Design Review Panel (DRP) as long as they do not significantly conflict with an adjoining *private open space* nominated on the POD or an existing *private open space*
9 FENCING
9.1 All fencing is to be in accordance with the provisions of the Code and the Cobaki Precinct 6 Design Guidelines
9.2 Frontage boundary fences adjoining a street shall only be permitted to lots where a street front Private Open Space is indicated, shall be setback 0.5m with landscape planting provided between the fence and the street frontage boundary, shall not exceed 50% of the length of the frontage boundary (including any gates) and shall extend along the contiguous shared boundary for 5.5m.
9.3 Solid shared boundary fencing between Nominated Lots shall be setback from a street frontage boundary and from an open space frontage boundary
9.4 Fencing to Public Open Spaces shall be of a consistent Transparent type (to future detail) with matching pedestrian gates
9.5 All fencing heights are to be measured from the existing surface level
10 LANDSCAPING
10.1 Landscaping shall be provided in the quantities nominated in the Code and consist predominantly of local native tree and shrub planting with associated ground covers and mulch
10.2 A primary tree shall be provided on each lot of 450m2 or more in area
10.3 Landscape planting shall be provided to the street side of all frontage fencing
11 BUSHFIRE REQUIREMENTS
11.1 Development on bushfire prone land, as shown on the Bushfire Planning Maps held by Tweed Shire Council, must be assessed by a qualified bushfire consultant at the CDC or DA stage to meet the minimum requirements for Planning for Bushfire Protection 2006 and AS 3959 2009 construction of building in bush fire prone zones
12 RAINWATER HARVESTING REQUIREMENTS
12.1 All dwellings must provide a rainwater tank in accordance with Appendix C of The Cobaki Estate Development Code (Refer also DA 02.06 herewith)
13 FLOOD PRONE LOTS
13.1 As a minimum requirement, all lots shall be filled to the 100 year design flood level as shown on the Cobaki Design Flood Level Maps (Years Consulting)
13.2 Adopted floor level for residential development shall be a minimum of 500mm higher than the design flood level as shown on the Cobaki Design Flood Level Maps (Years Consulting) excluding garages and non habitable rooms

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THIS IS THE PLAN REFERRED TO IN THE DEVELOPMENT CONSENT No. DA10/0501

30 MAY 2011

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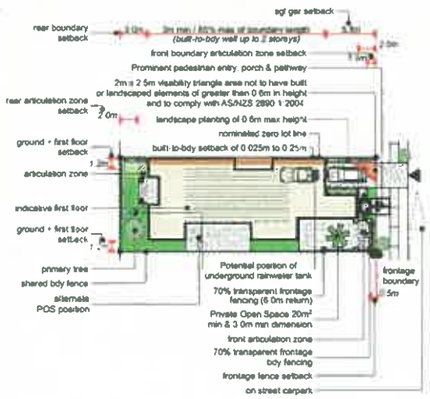
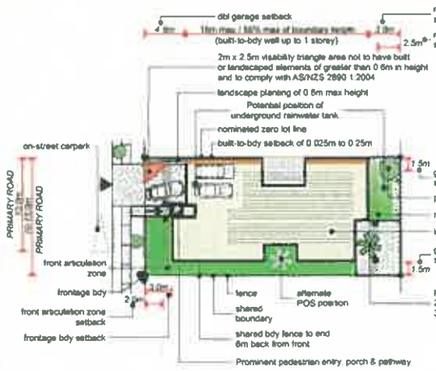
DESIGN FORUM architects

Plan of Development Detail 1 | **Leda Manorstead Pty Ltd** | **Cobaki Development Application for Precinct 6**

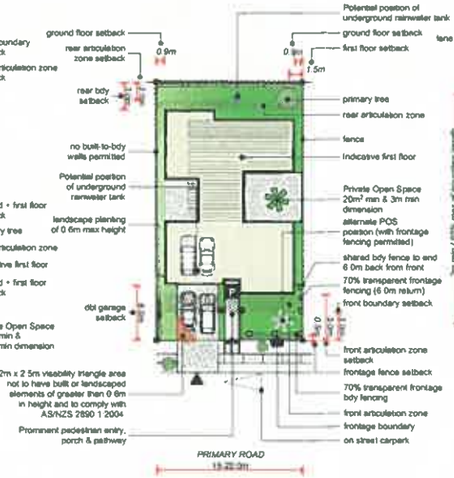
INDICATIVE CONTROL DIAGRAMS



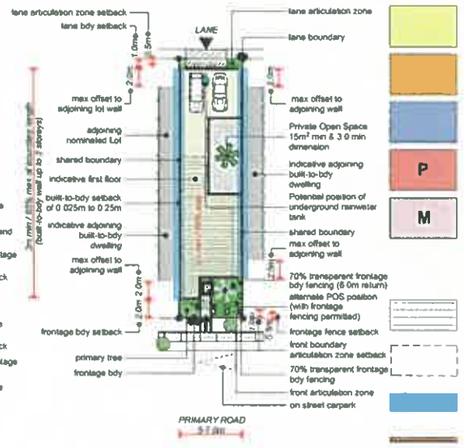
Typical 10m wide Zero-lot Dwelling
(north entry orientation illustrated)



Typical 10-15m wide Zero-lot Dwelling
(south entry orientation illustrated)



Typical 15-22m wide Traditional Dwelling
(east entry orientation illustration)



Typical Terrace Dwelling
(west entry orientation illustration)

NOMINATED LOT SCHEDULE

Traditional Detached Dwellings

Zero-Lot Dwellings

Terrace Dwellings

Plex Dwellings — P

Mews Dwellings — M

LEGEND

Partial 3rd Storey Permitted

Ground Floor Building Envelope for Multi-dwelling sites

Asset Protection Zone (APZ)

Location of Zero-lot line

Location of back-to-back Zero-lot line

Easements

S — Single or tandem garages only

Indicative Vehicular Access Points

Indicative Multi-dwelling Vehicular Access Points (may serve one or more dw)

Private Pedestrian Access Points

Shared Bin Collection Point *Refer Details (DA 02.06)*

Private Open Space (POS)

Threshold Treatment

On-street car parking bays for Plex / Mews (@0.25/dw) & Terrace Dwelling (@1.0/dw) visitor parking [6.0m x 3.0m]

Number of dwellings			On-street visitor parking	
Plex	Terraces	Mews	Required	Provided
17	0	6	6	6

Acoustic Fence (1.8m h solid masonry to acoustic engineer's details)

Solid Fence (1.8m h to future design)

Transparent Fence/Gates (1.5m h to future design)

THIS IS THE PLAN REFERRED TO IN THE DEVELOPMENT CONSENT No. DA10/0801

30 MAY 2011

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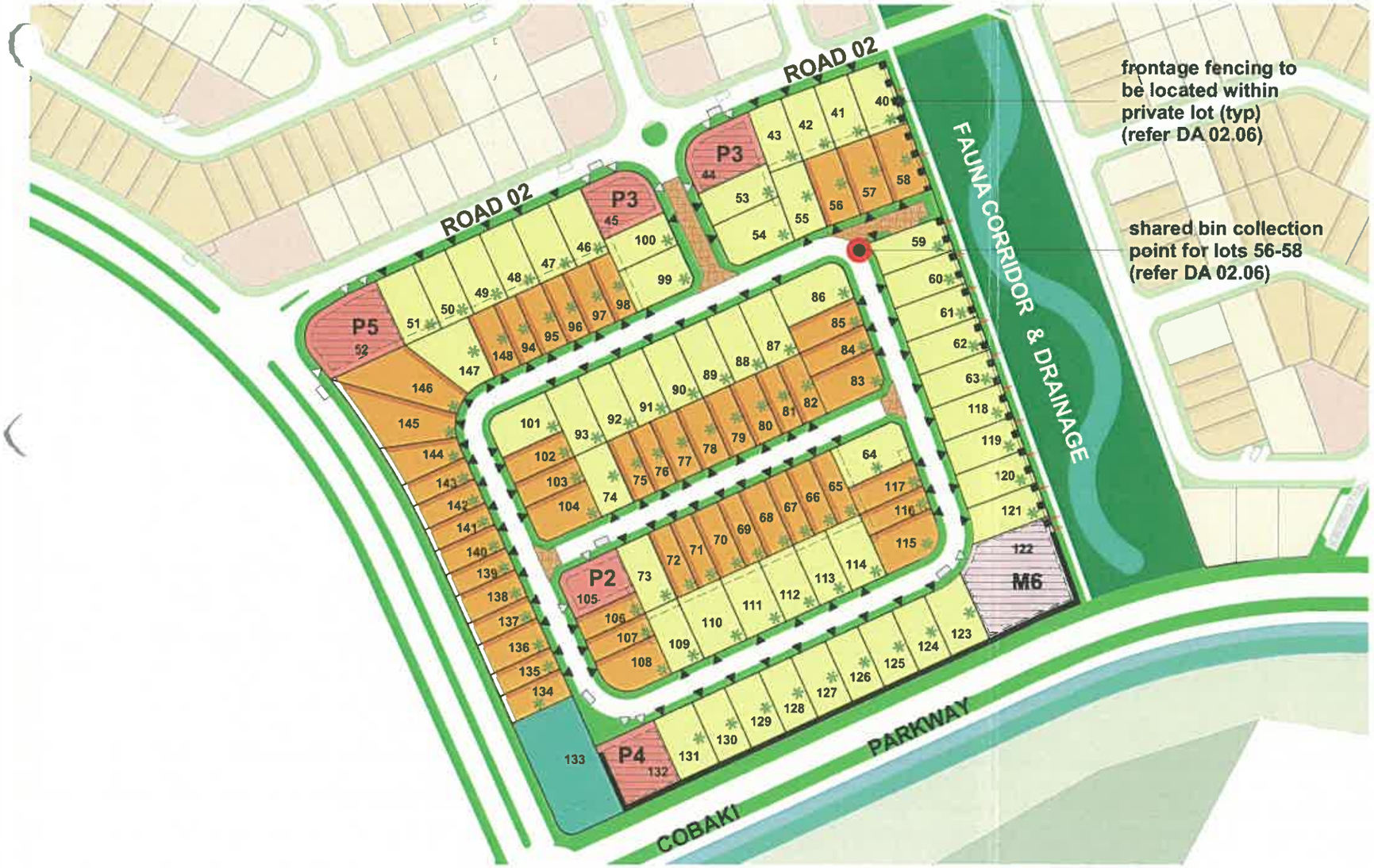

DEVELOPMENT CONTROLS

1. DESIGN GUIDELINES

1.1 The Cobaki Precinct 6 Design Guidelines (P6DG) form a part of this Plan of Development (POD)

1.2 A Pre-approval Certificate from the Design Review Panel (DRP) demonstrating compliance with the PCDG shall be obtained prior to the submission of plans to a certifying authority.

2. BUILDING ENVELOPE

2.1 For multi-unit sites, buildings shall conform to the building envelope configuration depicted on the Plan of Development and the setbacks in the Cobaki Development Code (the Code)

2.2 Building envelopes for Detached Dwellings, shall be determined by reference to the setbacks nominated by the Code

3. BUILDING HEIGHT

3.1 Maximum building height is two storeys except where a parcel (no more than 50% of the gross floor area of the level below) three storey maximum height is noted on the POD

4. SETBACKS

4.1 Minimum boundary clearances shall conform to the Code for each Nominated Lot and depend on the effective width of the lot as defined by the Code

4.2 The standard diagrams for Zero-lot and Terrace Dwellings offer a guide to setbacks and siting, but the provisions of the Code prevail in the case of any discrepancies

5. BUILD-TO-BOUNDARY WALLS

5.1 Lots specified as Zero-lots on the POD shall contain a build-to-boundary wall in accordance with the Code

6. VEHICLE ACCESS POINTS

6.1 Vehicle access shall be generally in accordance with the locations indicated on the POD

6.2 Where shared vehicle access points are shown, one or more dwellings may be accessed from the indicated driveway.

6.4 Alternate driveway solutions may be accepted by the Design Review Panel (DRP) should they comply with the intent of the Code and Design Guidelines (DG). In addition to the DRP Pre-Approval Certificate, separate approval is required for all driveway crossovers from Council as the Roads Authority under Section 138 of the Roads Act 1993

6.5 Clear vehicle and pedestrian sight distances shall not be compromised at any time by any obstruction (refer AS 2890.1-2004 Off street car parking). A 2m (along front boundary) x 2.5m (along driveway) sight triangle is to be maintained either side of the driveway for pedestrian safety with the exception of driveways accessed from a laneway

7. RESIDENT AND VISITOR PARKING

7.1 Resident and visitor car parking shall be provided for each Nominated Lot in accordance with the Code

7.2 Lots of 10m width are limited to only a single garage door entry and associated driveway.

7.3 The location of on-street parking for Detached Dwellings shall be to the front of each lot as indicated by the Standard Lot Diagrams

7.4 The location of the additional on-street visitor parking required for multi-dwelling lots is noted on the POD and have been selected for proximity and to avoid conflict with general on-street parking

8. RESIDENTIAL AMENITY AND PRIVACY

8.1 Private open space shall be located contiguous with principal living areas and in the position noted on the POD or are otherwise located in accordance with the Code & Design Guidelines (as in the case of Multi dwelling lots)

8.2 The principal living area shall have north and/or east orientation wherever possible and otherwise be in accordance with the provisions of the Code in terms of minimum area and dimension

8.3 Alternative private open space locations may be accepted by the Design Review Panel (DRP) as long as they do not significantly conflict with an adjoining private open space nominated on the POD or an existing private open space

9. FENCING

9.1 All fencing is to be in accordance with the provisions of the Code and the Cobaki Precinct 6 Design Guidelines

9.2 Frontage boundary fences adjoining a street shall only be permitted to lots where a street front Private Open Space is indicated, shall be setback 0.5m with landscape planting provided between the fence and the street frontage boundary, shall not exceed 50% of the length of the frontage boundary (including any gates) and shall extend along the contiguous shared boundary for 5.5m

9.3 Solid shared boundary fencing between Nominated Lots shall be setback from a street frontage boundary and from an open space frontage boundary

9.4 Fencing to Public Open Spaces shall be of a consistent Transparent type (to future detail) with matching pedestrian gates.

9.5 All fencing heights are to be measured from the existing surface level

10. LANDSCAPING

10.1 Landscaping shall be provided in the quantities nominated in the Code and consist predominantly of local native tree and shrub planting with associated ground covers and mulch

10.2 A primary tree shall be provided on each lot of 450m2 or more in area

10.3 Landscape planting shall be provided to the street side of all frontage fencing

11. BUSHFIRE REQUIREMENTS

11.1 Development on bushfire prone land, as shown on the Bushfire Planning Maps held by Tweed Shire Council, must be assessed by a qualified bushfire consultant at the CDC or DA stage to meet the minimum requirements for Planning for Bushfire Protection 2006 and AS 3959 2009 construction of building in bush fire prone zones

12. RAINWATER HARVESTING REQUIREMENTS

12.1 All dwellings must provide a rainwater tank in accordance with Appendix C of The Cobaki Estate Development Code (Refer also DA 02.05 herewith)

13. FLOOD PRONE LOTS

13.1 As a minimum requirement, all lots shall be filled to the 100 year design flood level as shown on the Cobaki Design Flood Level Maps (Yeats Consulting)

13.2 Adopted floor level for residential development shall be a minimum of 300mm higher than the design flood level as shown on the Cobaki Design Flood Level Maps (Yeats Consulting) excluding garages and non habitable rooms

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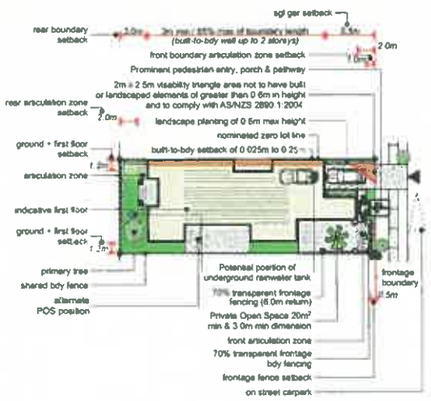
DESIGN FORUM architects

Plan of Development Detail 2

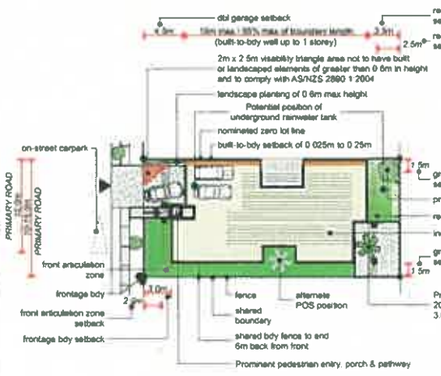
Leda Manorstead Pty Ltd

Cobaki Development Application for Precinct 6

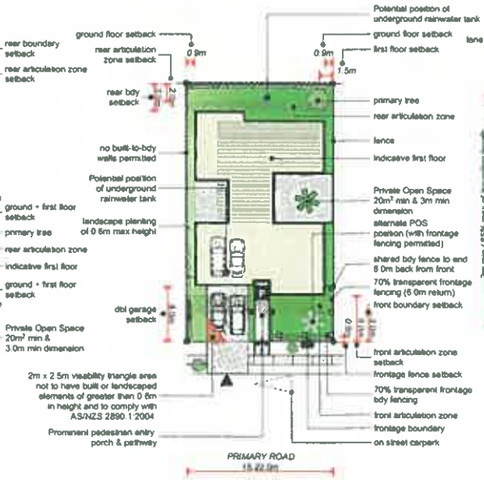
INDICATIVE CONTROL DIAGRAMS



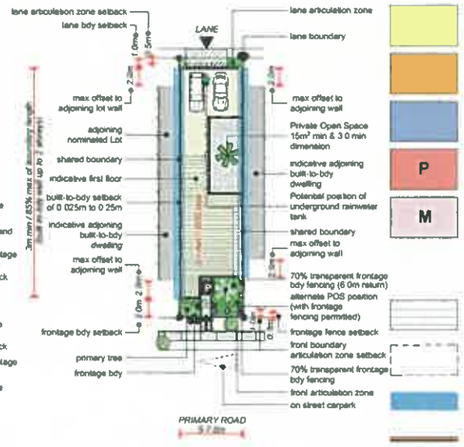
Typical 10m wide Zero-lot Dwelling
(north entry orientation illustrated)



Typical 10-15m wide Zero-lot Dwelling
(south entry orientation illustrated)

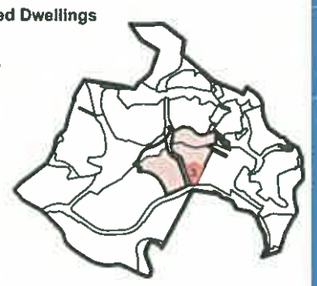


Typical 15-22m wide Traditional Dwelling
(east entry orientation illustration)



Typical Terrace Dwelling
(west entry orientation illustration)

NOMINATED LOT SCHEDULE



Traditional Detached Dwellings

Zero-Lot Dwellings

Terrace Dwellings

Plex Dwellings — P

Mews Dwellings — M

LEGEND

Partial 3rd Storey Permitted

Ground Floor Building Envelope for Multi-dwelling sites

Asset Protection Zone (APZ)

Location of Zero-lot line

Location of back-to-back Zero-lot line

Easements

S — Single or tandem garages only

Indicative Vehicular Access Points

Indicative Multi-dwelling Vehicular Access Points (may serve one or more dw)

Private Pedestrian Access Points

Shared Bin Collection Point *Refer Details (DA 02.06)*

Private Open Space (POS)

Threshold Treatment

On-street car parking bays for Plex / Mews (@0.25/dw) & Terrace Dwelling (@1.0/dw) visitor parking [6.0m x 3.0m]

Number of dwellings			On-street visitor parking	
Plex	Terraces	Mews	Required	Provided
13	0	0	4	4

Acoustic Fence (1.8m h solid masonry to acoustic engineer's details)

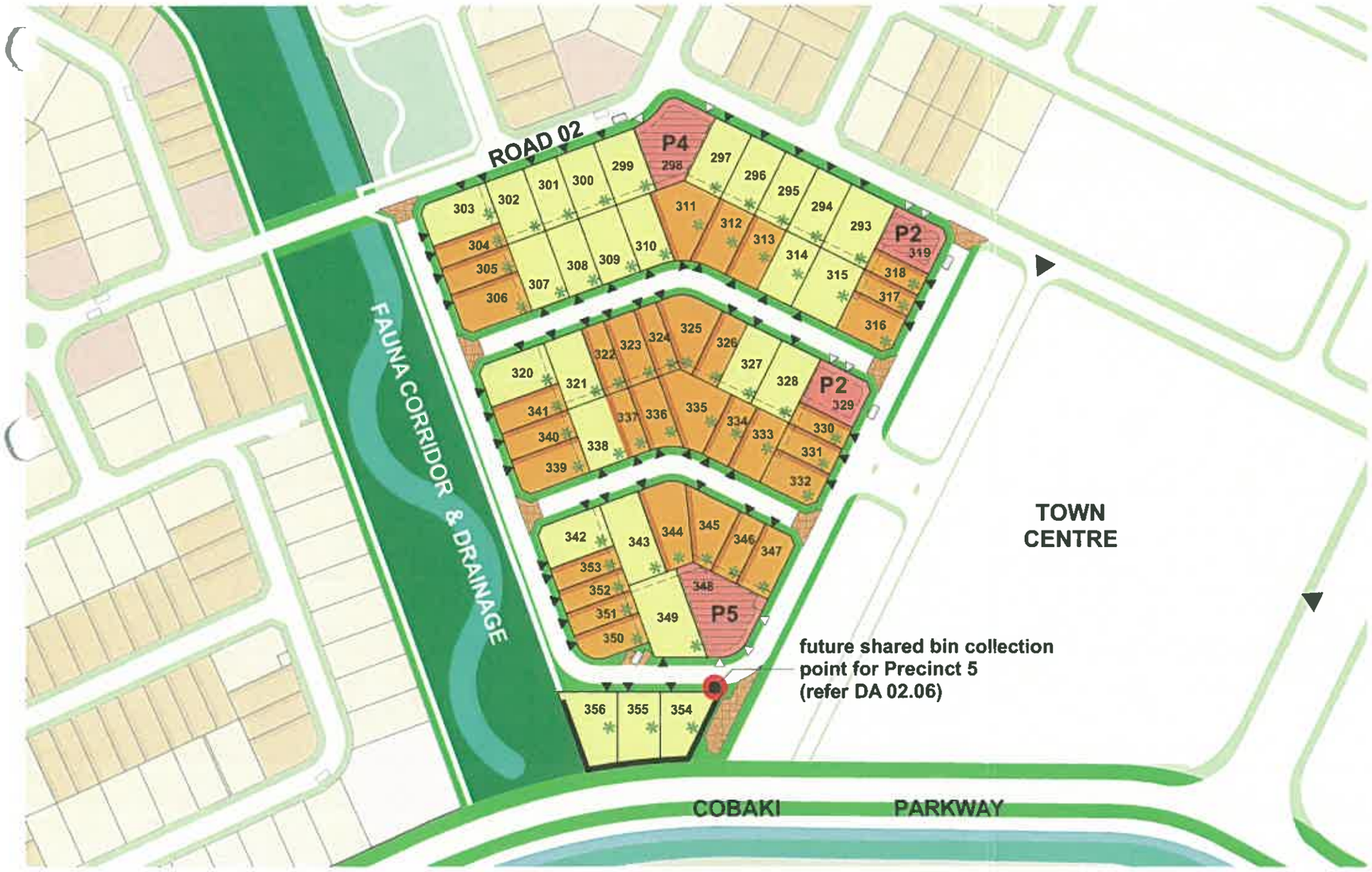
Solid Fence (1.8m h to future design)

Transparent Fence/Gates (1.5m h to future design)

THIS IS THE PLAN REFERRED TO IN THE DEVELOPMENT CONSENT No. DA06/0801

30 MAY 2011

SIGNED:



DEVELOPMENT CONTROLS

1. DESIGN GUIDELINES
1.1 The Cobaki Precinct 6 Design Guidelines (PBDG) form a part of this Plan of Development (PDD)
1.2 A Pre-approval Certificate from the Design Review Panel (DRP) demonstrating compliance with the PCDG shall be obtained prior to the submission of plans to a certifying authority
2 BUILDING ENVELOPE
2.1 For multi-unit sites, buildings shall conform to the building envelope configuration depicted on the Plan of Development and the setbacks in the Cobaki Development Code (the Code)
2.2 Building envelopes for Detached Dwellings shall be determined by reference to the setbacks nominated by the Code
3. BUILDING HEIGHT
3.1 Maximum building height is two storeys except where a parcel (no more than 50% of the gross floor area of the level below) three storey maximum height is noted on the PCD
4 SETBACKS
4.1 Minimum boundary clearances shall conform to the Code for each Nominated Lot and depend on the effective width of the lot as defined by the Code
4.2 The standard diagrams for Zero-lot and Terrace Dwellings offer a guide to setbacks and siting, but the provisions of the Code prevail in the case of any discrepancies
5. BUILD-TO-BOUNDARY WALLS
5.1 Lots specified as Zero-lots on the PCD shall contain a build-to-boundary wall in accordance with the Code
6. VEHICLE ACCESS POINTS
6.1 Vehicle access shall be generally in accordance with the locations indicated on the PCD
6.2 Where shared vehicle access points are shown, one or more dwellings may be accessed from the indicated driveway
6.4 Alternate driveway solutions may be accepted by the Design Review Panel (DRP) should they comply with the intent of the Code and Design Guidelines (DG). In addition to the DRP Pre-Approval Certificate, separate approval is required for all driveway crossovers from Council as the Roads Authority under Section 138of the Roads Act 1993
6.5 Clear vehicle and pedestrian sight distances shall not be compromised at any time by any obstruction (refer AS 2890.1:2004 Off street car parking). A 2m (along front boundary) x 2.5m (along driveway) sight triangle is to be maintained either side of the driveway for pedestrian safety with the exception of driveways accessed from a laneway
7. RESIDENT AND VISITOR PARKING
7.1 Resident and visitor car parking shall be provided for each Nominated Lot in accordance with the Code
7.2 Lots of 10m width are limited to only a single garage door entry and associated driveway
7.3 The location of on-street parking for Detached Dwellings shall be to the front of each lot as indicated by the Standard Lot Diagrams
7.4 The location of the additional on-street visitor parking required for multi-dwelling lots is noted on the PCD and have been selected for proximity and to avoid conflict with general on-street parking
8. RESIDENTIAL AMENITY AND PRIVACY
8.1 Private open space shall be located contiguous with principal living areas and in the position noted on the PCD or are otherwise located in accordance with the Code & Design Guidelines (as in the case of Multi-dwelling lots)
8.2 The principal living area shall have north and/or east orientation wherever possible and otherwise be in accordance with the provisions of the Code in terms of minimum area and dimension
8.3 Alternative private open space locations may be accepted by the Design Review Panel (DRP) as long as they do not significantly conflict with an adjoining private open space nominated on the PCD or an existing private open space
9 FENCING
9.1 All fencing is to be in accordance with the provisions of the Code and the Cobaki Precinct 6 Design Guidelines
9.2 Frontage boundary fences adjoining a street shall only be permitted to lots where a street front Private Open Space is indicated, shall be setback 0.5m with landscape planting provided between the fence and the street frontage boundary, shall not exceed 50% of the length of the frontage boundary (excluding any gates) and shall extend along the contiguous shared boundary for 5.5m
9.3 Solid shared boundary fencing between Nominated Lots shall be setback from a street frontage boundary and from an open space frontage boundary
9.4 Fencing to Public Open Spaces shall be of a consistent Transparent type (to future detail) with matching pedestrian gates
9.5 All fencing heights are to be measured from the existing surface level
10. LANDSCAPING
10.1 Landscaping shall be provided in the quantities nominated in the Code and consist predominantly of local native tree and shrub planting with associated ground covers and mulch
10.2 A primary tree shall be provided on each lot of 450m2 or more in area
10.3 Landscape planting shall be provided to the street side of all frontage fencing
11. BUSHFIRE REQUIREMENTS
11.1 Development on bushfire prone land, as shown on the Bushfire Planning Maps held by Tweed Shire Council, must be assessed by a qualified bushfire consultant at the CDC or DA stage to meet the minimum requirements for Planning for Bushfire Protection 2006 and AS 3959 2009 construction of building in bush fire prone zones
12. RAINWATER HARVESTING REQUIREMENTS
12.1 All dwellings must provide a rainwater tank in accordance with Appendix C of The Cobaki Estate Development Code (Refer also DA 02.06 herewith)
13. FLOOD PRONE LOTS
13.1 As a minimum requirement, all lots shall be filled to the 100 year design flood level as shown on the Cobaki Design Flood Level Maps (Yeats Consulting)
13.2 Adopted floor level for residential development shall be a minimum of 500mm higher than the design flood level as shown on the Cobaki Design Flood Level Maps (Yeats Consulting) excluding garages and non habitable rooms

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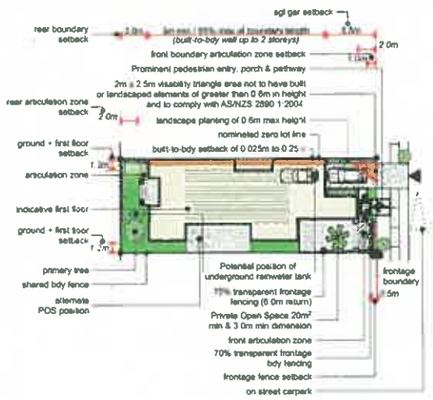
DESIGN FORUM architects

Plan of Development Detail 3

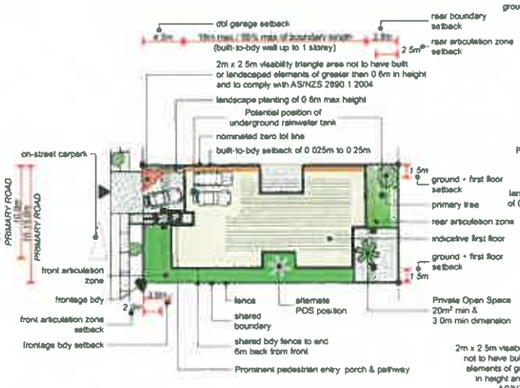
Leda Manorstead Pty Ltd

Cobaki Development Application for Precinct 6

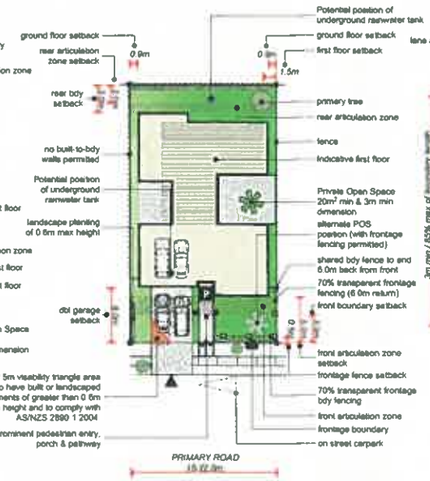
INDICATIVE CONTROL DIAGRAMS



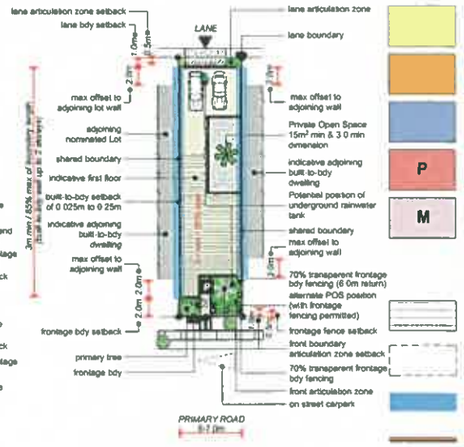
Typical 10m wide Zero-lot Dwelling
(north entry orientation illustrated)



Typical 10-15m wide Zero-lot Dwelling
(south entry orientation illustrated)



Typical 15-22m wide Traditional Dwelling
(east entry orientation illustration)



Typical Terrace Dwelling
(west entry orientation illustration)

NOMINATED LOT SCHEDULE

Traditional Detached Dwellings

Zero-Lot Dwellings

Terrace Dwellings

Plex Dwellings — P

Mews Dwellings — M

LEGEND

Partial 3rd Storey Permitted

Ground Floor Building Envelope for Multi-dwelling sites

Asset Protection Zone (APZ)

Location of Zero-lot line

Location of back-to-back Zero-lot line

Easements

S — Single or tandem garages only

Indicative Vehicular Access Points

Indicative Multi-dwelling Vehicular Access Points (may serve one or more dw)

Private Pedestrian Access Points

Shared Bin Collection Point *Refer Details (DA 02.06)*

Private Open Space (POS)

Threshold Treatment

On-street car parking bays for Plex / Mews (@0.25/dw) & Terrace Dwelling (@1.0/dw) visitor parking [6.0m x 3.0m]

Number of dwellings			On-street visitor parking	
Plex	Terraces	Mews	Required	Provided
44	21	0	32	32

Acoustic Fence (1.8m h solid masonry to acoustic engineer's details)

Solid Fence (1.8m h to future design)

Transparent Fence/Gates (1.5m h to future design)

THIS IS THE PLAN REFERRED TO IN THE DEVELOPMENT CONSENT No. DA10/0801

30 MAY 2011

SIGNED:

DEVELOPMENT CONTROLS

1. DESIGN GUIDELINES

1.1 The Cobaki Precinct 6 Design Guidelines (P6DG) form a part of this Plan of Development (POD)

1.2 A Pre-approval Certificate from the Design Review Panel (DRP) demonstrating compliance with the PCDG shall be obtained prior to the submission of plans to a certifying authority

2. BUILDING ENVELOPE

2.1 For multi-unit sites, buildings shall conform to the building envelope configuration depicted on the Plan of Development and the setbacks in the Cobaki Development Code (the Code).

2.2 Building envelopes for Detached Dwellings, shall be determined by reference to the setbacks nominated by the Code

3. BUILDING HEIGHT

3.1 Maximum building height is two storeys except where a partial (no more than 50% of the gross floor area of the level below) three storey maximum height is noted on the POD

4. SETBACKS

4.1 Minimum boundary clearances shall conform to the Code for each Nominated Lot and depend on the effective width of the lot as defined by the Code

4.2 The standard diagrams for Zero-lot and Terrace Dwellings offer a guide to setbacks and siting, but the provisions of the Code prevail in the case of any discrepancies

5. BUILD-TO-BOUNDARY WALLS

5.1 Lots specified as Zero-lots on the POD shall contain a build-to-boundary wall in accordance with the Code

6. VEHICLE ACCESS POINTS

6.1 Vehicle access shall be generally in accordance with the locations indicated on the POD

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8. RESIDENTIAL AMENITY AND PRIVACY

8.1 Private open space shall be located contiguous with principal living areas and in the position noted on the POD or as otherwise located in accordance with the Code & Design Guidelines (as in the case of Multi dwelling lots.)

8.2 The principal living area shall have north and/or east orientation wherever possible and otherwise be in accordance with the provisions of the Code in terms of minimum area and dimension

8.3 Alternative private open space locations may be accepted by the Design Review Panel (DRP) as long as they do not significantly conflict with an adjoining private open space nominated on the POD or an existing private open space

9. FENCING

9.1 All fencing is to be in accordance with the provisions of the Code and the Cobaki Precinct 6 Design Guidelines

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12. RAINWATER HARVESTING REQUIREMENTS

12.1 All dwellings must provide a rainwater tank in accordance with Appendix C of The Cobaki Estate Development Code (Refer also DA 02.06 herewith)

13. FLOOD PRONE LOTS

13.1 As a minimum requirement, all lots shall be filled to the 100 year design flood level as shown on the Cobaki Design Flood Level Maps (Yeats Consulting).

13.2 Adopted floor level for residential development shall be a minimum of 500mm higher than the design flood level as shown on the Cobaki Design Flood Level Maps (Yeats Consulting) excluding garages and non habitable rooms

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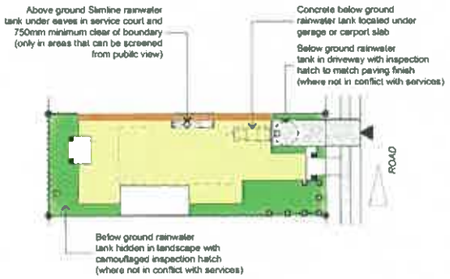
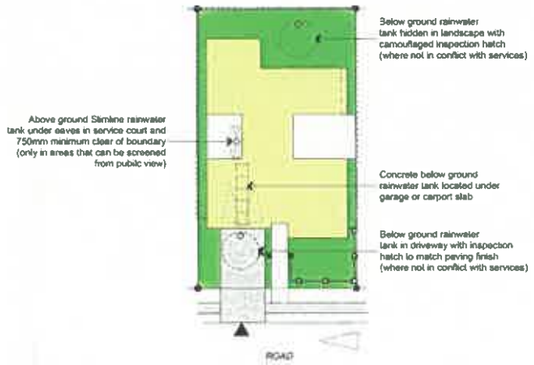
DESIGN FORUM architects

Plan of Development Detail 4 **Leda Manorstead Pty Ltd** **Cobaki Development Application for Precinct 6**

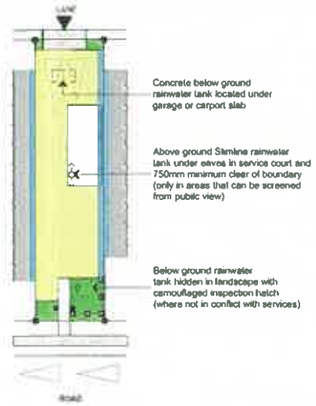
INDICATIVE RAINWATER TANK DESIGN DIAGRAMS



Zero-Lot Dwelling
of 250m2 minimum
(85% minimum connected roof area up to 160m2 & 3000L min. tank size)



Detached Dwelling
of greater or equal to 450m2 minimum
(160m2 minimum connected roof area & 5000L min. tank size)



Terrace Zero-lot Dwelling
of 175m2 minimum
(85% minimum connected roof area up to 160m2 & 2000L min. tank size)

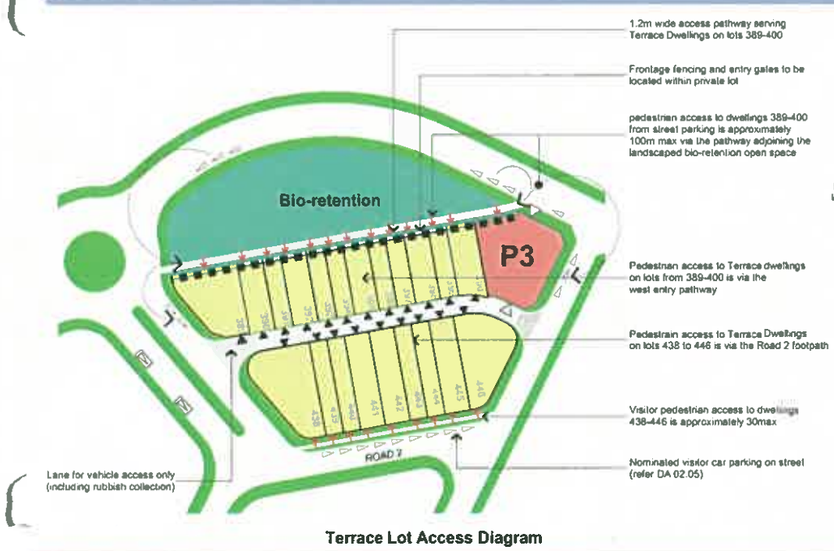
Plex Dwellings
of 450m2 minimum
(85% minimum connected roof area up to 160m2 & 2000L min. tank size)

INDICATIVE PARKING AND ACCESS DESIGN DIAGRAMS

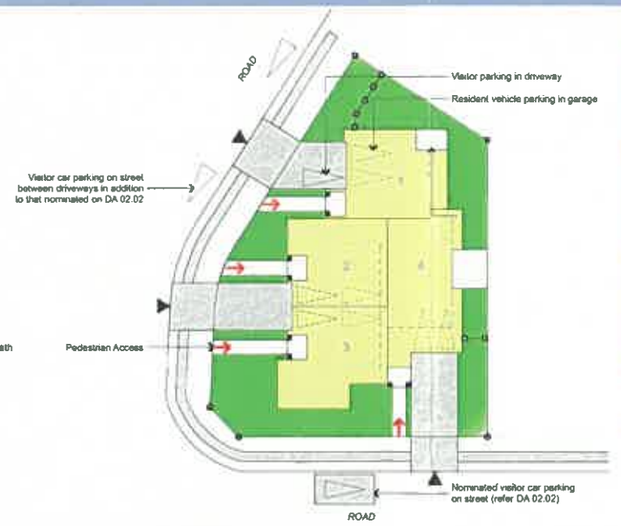
THIS IS THE PLAN REFERRED TO IN THE DEVELOPMENT CONSENT No. DA10 0801

30 MAY 2011

SIGNED .....

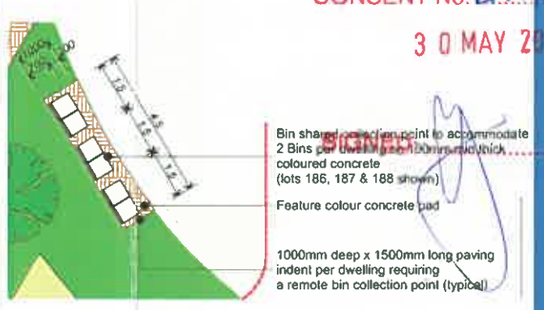


Terrace Lot Access Diagram



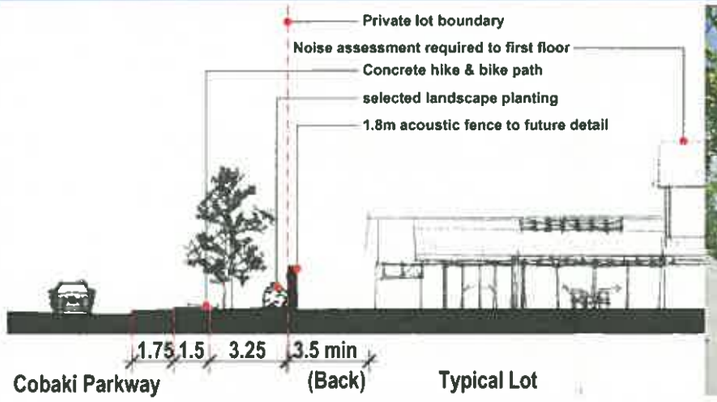
Plex Lot Street Parking Diagram

Indicative Dead-end Lane Turn Around Diagram



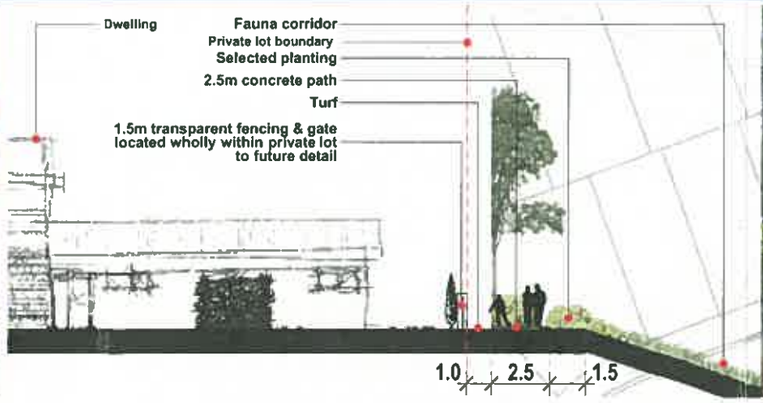
Indicative Shared Bin Collection Point Diagram

INDICATIVE FENCING DESIGN DIAGRAMS



Acoustic Fence Design Diagram

Indicative Acoustic Fence Image



Fauna Corridor Fence and Gate Diagram

Fauna Corridor Fence and Gate Image

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DESIGN FORUM architects

Plan of Development Indicative Design Diagrams

Leda Manorstead Pty Ltd

Cobaki Development Application for Precinct 6

LEGEND

- Laneway - 6.50M
- Local Access Street - 12.50M
- Local Access Street - 14.50M
- Neighbourhood Access Road - 16.50M
- Neighbourhood Entry Road - 28.00M (Divided)
- Collector Road - 19.00M (Divided)
- Collector Road - 30.00M
- Distributor Road - 40.00M
- Public Bus Route
- 2.5m Cycleway
- 2.5m Shared User Path / Maintenance Access
- Threshold Treatment
- Residential Zoned Land
- Public Pedestrian Access Points
- Private Pedestrian Access Points
- Designated on-street car parking bays *Refer Details (DA 02.02 - DA 02.05)*
- *Refer Landscape Intent Cobaki Overall Connectivity Network Plan for location of 1.2m footpaths*
- Stormwater Treatment and Delivery Areas *(refer Yeats drawings)*
- Environmental Protection Area
- Open Space
- Casual Park
- Structured Open Space

THIS IS THE PLAN REFERRED TO IN THE DEVELOPMENT CONSENT No. 0410801

30 MAY 2011

SIGNED:

LEDA

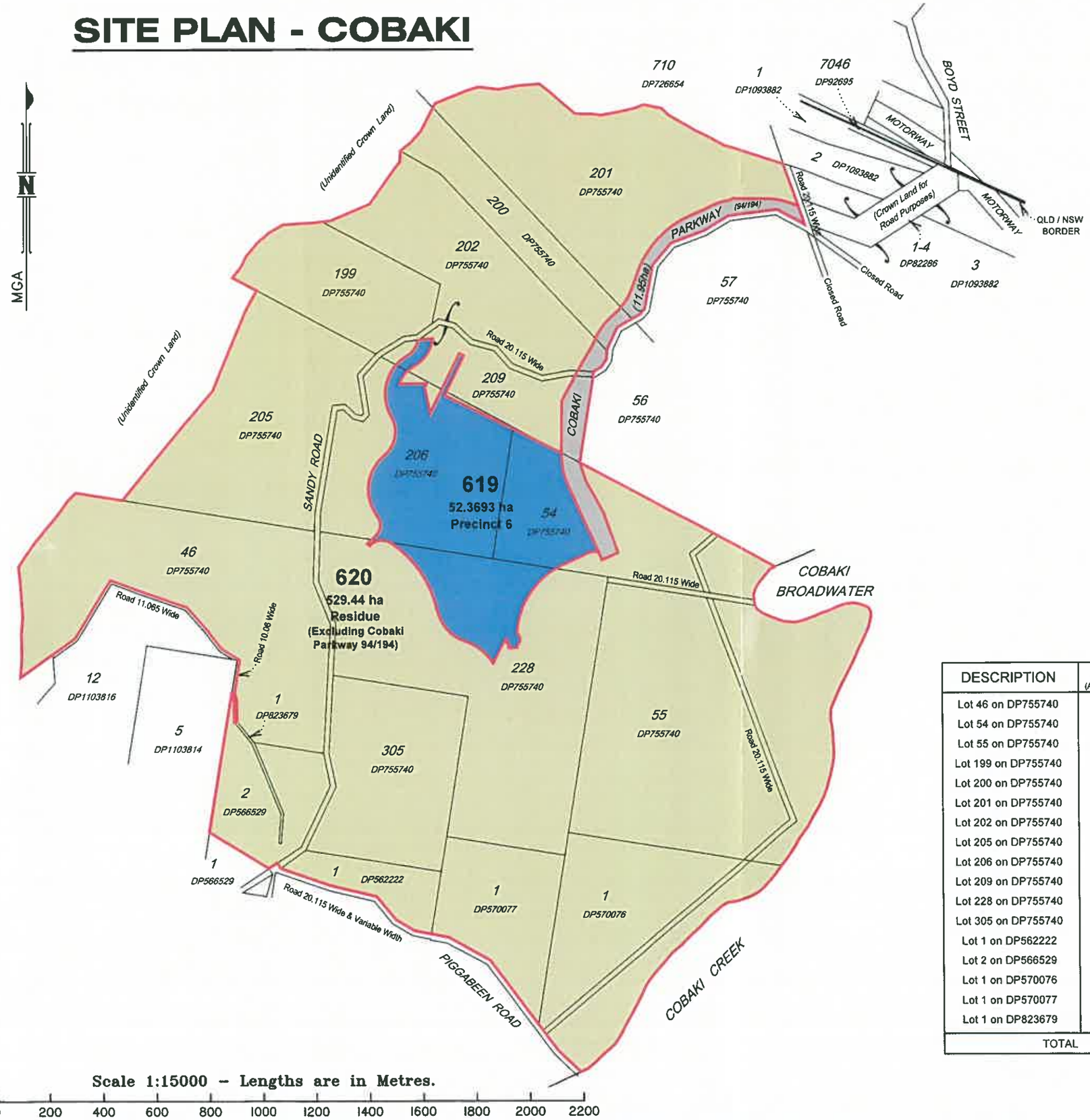
0 40 80

LED016 DA 03.01
1:4000 @ A3
D 15/03/2011

DESIGN FORUM architects

Road Hierarchy Plan **Leda Manorstead Pty Ltd** **Cobaki Development Application for Precinct 6**

SITE PLAN - COBAKI



Scale 1:15000 – Lengths are in Metres.

200 0 200 400 600 800 1000 1200 1400 1600 1800 2000 2200

DESCRIPTION	AREA(ha) (As Per Title Diagram)
Lot 46 on DP755740	59.89
Lot 54 on DP755740	32.37
Lot 55 on DP755740	86.20
Lot 199 on DP755740	21.95
Lot 200 on DP755740	16.19
Lot 201 on DP755740	54.23
Lot 202 on DP755740	32.98
Lot 205 on DP755740	43.20
Lot 206 on DP755740	37.74
Lot 209 on DP755740	16.19
Lot 228 on DP755740	77.40
Lot 305 on DP755740	31.97
Lot 1 on DP562222	8.277
Lot 2 on DP566529	15.78
Lot 1 on DP570076	37.96
Lot 1 on DP570077	20.70
Lot 1 on DP823679	0.5018
TOTAL	593.53 ha

THIS IS THE PLAN REFERRED TO IN THE DEVELOPMENT CONSENT No. DA10/0801

30 MAY 2011

ISSUE	AMENDMENTS	BY	DATE
A	LOTS AMENDED	GL	14/3/11

SIGNED

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PROJECT
COBAKI

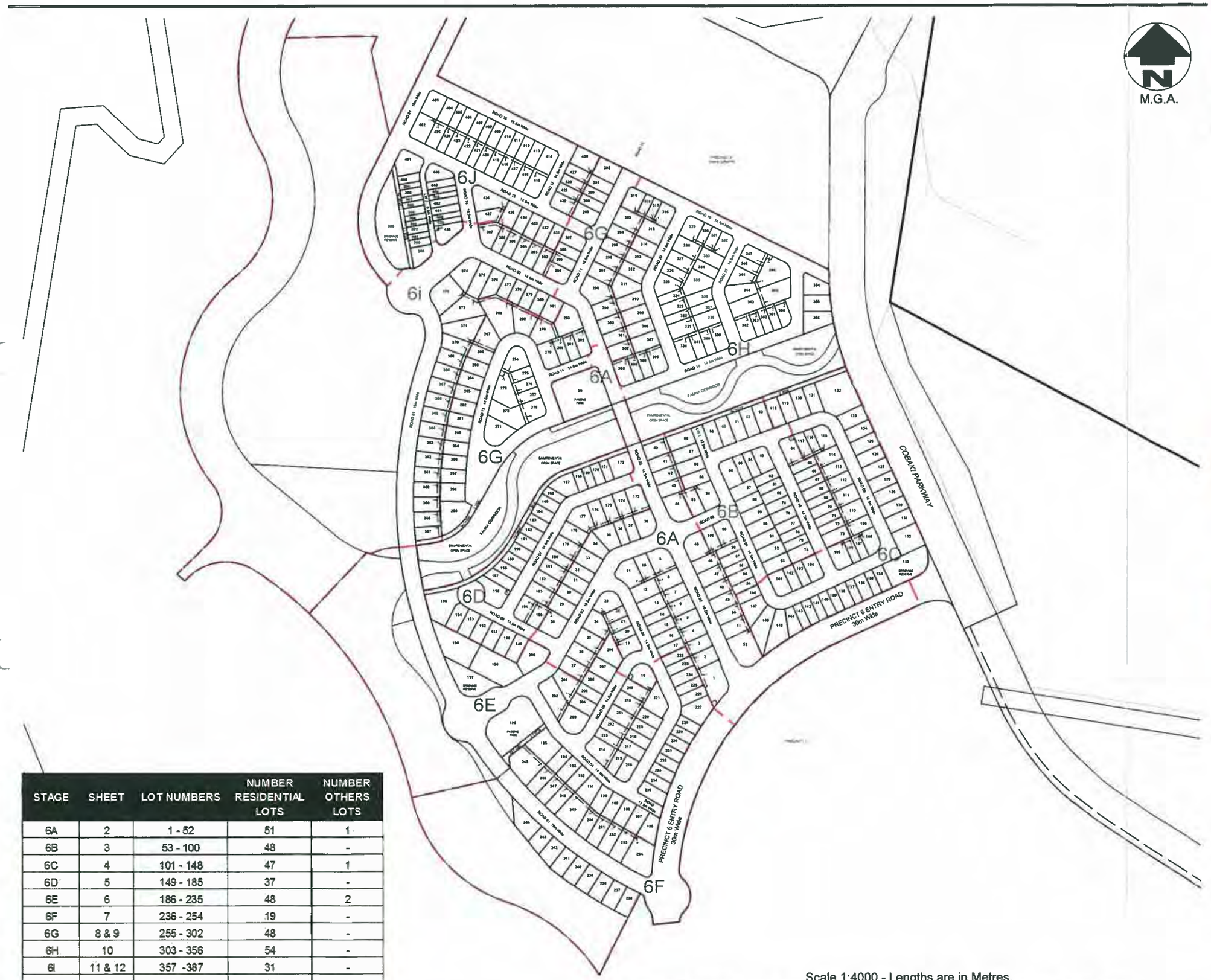
CLIENT
LEDA MANORSTEAD PTY LTD

DRAWING TITLE
SITE PLAN OF COBAKI PRECINCT 6 PROPOSED LOTS 619 & 620

PARISH: TERRANORA		COUNTY: ROUS
SCALE 1:15000 @ A3	DATE 23/11/2010	DRAWN GL
LEVEL DATUM	LEVEL ORIGIN	ORIGIN RL
AZIMUTH	CO-ORD SYSTEM	CO-ORD ORIGIN
EASTING	NORTHING	SURVEYOR
AUTOCAD FILE 6400-216A	GEOCOMP FILE	JOB No. 6400-01
CHECKED AD	QT	DATE IMAGED 15/3/2011

SHEET NUMBER 1 OF 1

PLAN No. **6400-216** ISSUE **A**



STAGE	SHEET	LOT NUMBERS	NUMBER RESIDENTIAL LOTS	NUMBER OTHERS LOTS
6A	2	1 - 52	51	1
6B	3	53 - 100	48	-
6C	4	101 - 148	47	1
6D	5	149 - 185	37	-
6E	6	186 - 235	48	2
6F	7	236 - 254	19	-
6G	8 & 9	255 - 302	48	-
6H	10	303 - 356	54	-
6I	11 & 12	357 -387	31	-
6J	13	388 - 446	58	1
		Total	441	5

THIS IS THE PLAN REFERRED TO IN THE DEVELOPMENT CONSENT No. DA10/0801

30 MAY 2011

ISSUE	SUBJECT	BY	DATE
A	LOTS AMENDED	GL	14/3/11

AMENDMENTS

SIGNED:

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PROJECT
COBAKI

CLIENT
LEDA MANORSTEAD PTY LTD

DRAWING TITLE
PLAN OF PROPOSED SUBDIVISION PRECINCT 6

PARISH: TERRANORA		COUNTY: ROUS
SCALE 1:4000 @ A3	DATE 24/11/2010	DRAWN GL
LEVEL DATUM	LEVEL ORIGIN	ORIGIN RL
AZIMUTH	CO-ORD SYSTEM	CO-ORD ORIGIN
EASTING	NORTHING	SURVEYOR
AUTOCAD FILE 6400-217A	GEOCOMP FILE	JOB No. 6400-01
CHECKED AD	QT	DATE IMAGED 15/3/2011

SHEET NUMBER 1 OF 13

PLAN No. **6400-217** ISSUE **A**

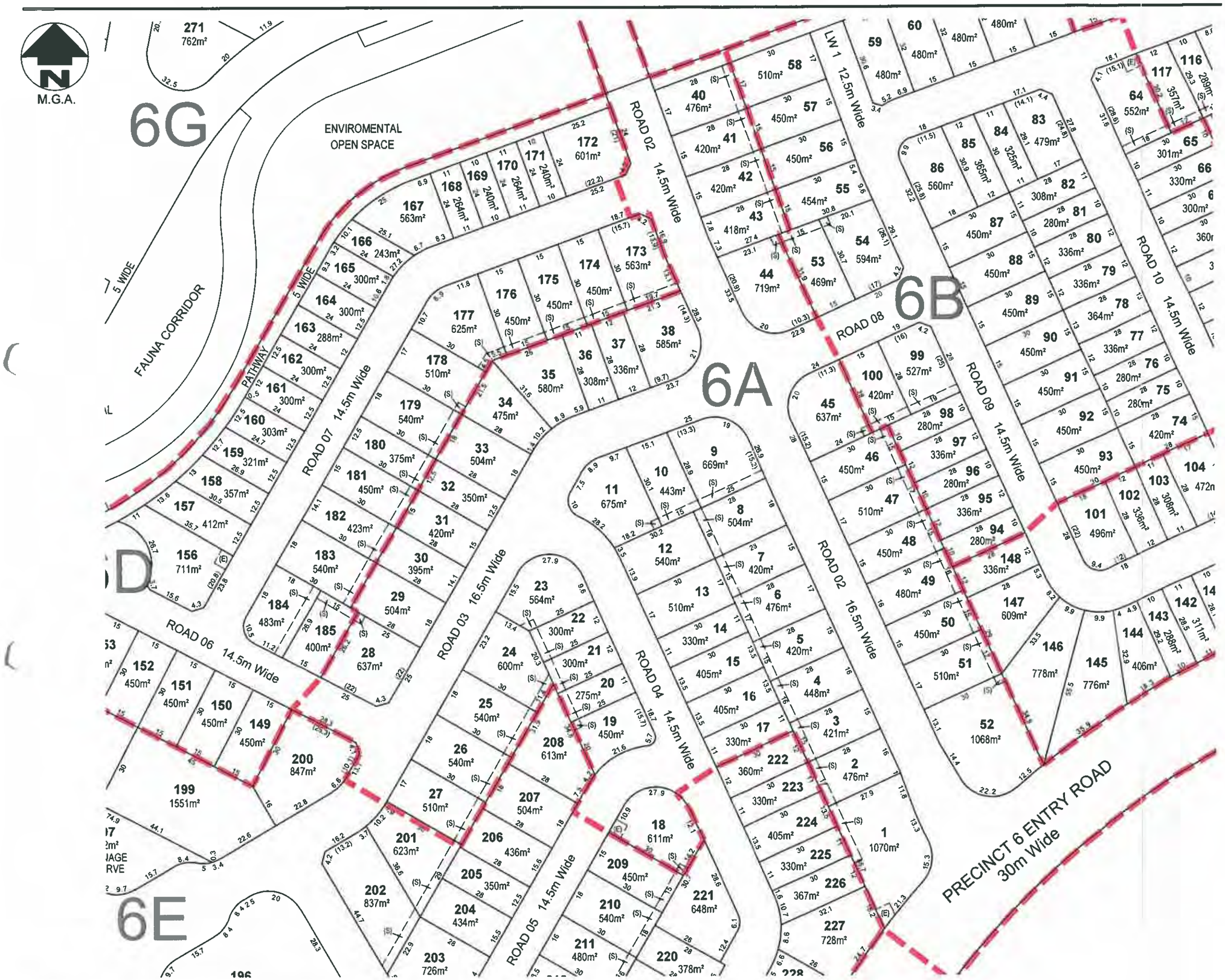
THIS IS THE PLAN REFERRED TO IN THE DEVELOPMENT CONSENT No. DA10/0801

30 MAY 2011

ISSUE	SUBJECT	BY	DATE
A	LOTS AMENDED	GL	14/3/11

AMENDMENTS

SIGNED:



Scale 1:1250 - Lengths are in Metres.

10 0 10 20 30 40 50 60 70 80 90 100 110 120 130 140 150 160 170 180 190

(E) .... Denotes Easement for Substation Site 5.4m Wide

(S) .... Denotes Easement to Drain Sewage 3m Wide

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PROJECT
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DRAWING TITLE
PLAN OF PROPOSED SUBDIVISION PRECINCT 6 - STAGE 6A

PARISH: TERRANORA		COUNTY: ROUS
SCALE 1 1250 @ A3	DATE 24/11/2010	DRAWN GL
LEVEL DATUM	LEVEL ORIGIN	ORIGIN RL
AZIMUTH	CO-ORD SYSTEM	CO-ORD ORIGIN
EASTING	NORTHING	SURVEYOR
AUTOCAD FILE 6400-217A	GEOCOMP FILE	JOB No. 6400-01
CHECKED AD	QT	DATE IMAGED 15/3/2011

SHEET NUMBER 2 OF 13

PLAN No. **6400-217**

ISSUE **A**

THIS IS THE PLAN REFERRED TO IN THE DEVELOPMENT CONSENT No. 0410/01

30 MAY 2011

ISSUE	SUBJECT	BY	DATE
A	LOTS AMENDED	GL	14/3/11

AMENDMENTS

SIGNED:

M.G.A.

Scale 1:250 - Lengths are in Metres.

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PROJECT
COBAKI

CLIENT
LEDA MANORSTEAD PTY LTD

DRAWING TITLE
PLAN OF PROPOSED SUBDIVISION PRECINCT 6 - STAGE 6B

PARISH: TERRANORA		COUNTY: ROUS
SCALE 1:1250 @ A3	DATE 24/11/2010	DRAWN GL
LEVEL DATUM	LEVEL ORIGIN	ORIGIN RL
AZIMUTH	CO-ORD SYSTEM	CO-ORD ORIGIN
EASTING	NORTHING	SURVEYOR
AUTOCAD FILE 6400-217A	GEOCOMP FILE	JOB No. 6400-01
CHECKED AD	QT	DATE IMAGED 15/3/2011

SHEET NUMBER 3 OF 13

PLAN No. **6400-217** ISSUE **A**

THIS IS THE PLAN REFERRED TO IN THE DEVELOPMENT CONSENT No. DA10/801

30 MAY 2011

SIGNED:

ISSUE	SUBJECT	BY	DATE
A	LOTS AMENDED	GL	14/3/11

AMENDMENTS

M.G.A.

Scale 1:1250 - Lengths are in Metres.

10 0 10 20 30 40 50 60 70 80 90 100 110 120 130 140 150 160 170 180 190

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PROJECT
COBAKI

CLIENT
LEDA MANORSTEAD PTY LTD

DRAWING TITLE
PLAN OF PROPOSED SUBDIVISION PRECINCT 6 - STAGE 6C

PARISH: TERRANORA		COUNTY ROUS
SCALE 1 1250 @ A3	DATE 24/11/2010	DRAWN GL
LEVEL DATUM	LEVEL ORIGIN	ORIGIN RL
AZIMUTH	CO-ORD SYSTEM	CO-ORD ORIGIN
EASTING	NORTHING	SURVEYOR
AUTOCAD FILE 6400-217A	GEOCOMP FILE	JOB No 6400-01
CHECKED AD	QT	DATE IMAGED 15/3/2011

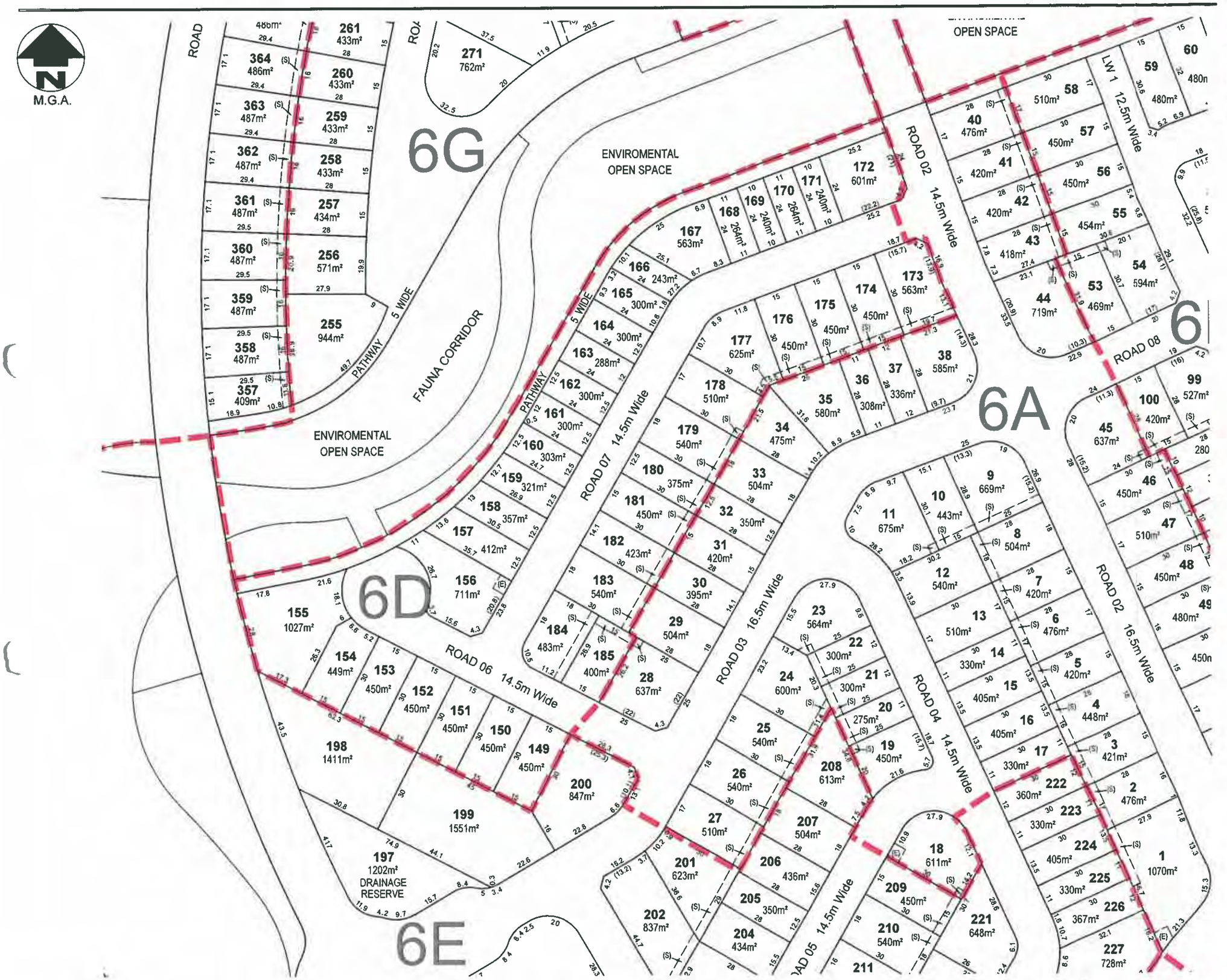
SHEET NUMBER 4 OF 13

PLAN No. **6400-217** ISSUE **A**

THIS IS THE PLAN REFERRED TO IN THE DEVELOPMENT CONSENT No. 0410/050.1

30 MAY 2011

SIGNED:



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ISSUE	SUBJECT	BY	DATE
A	LOTS AMENDED	GL	14/3/11

AMENDMENTS

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PROJECT
COBAKI

CLIENT
LEDA MANORSTEAD PTY LTD

DRAWING TITLE
PLAN OF PROPOSED SUBDIVISION PRECINCT 6 - STAGE 6D

PARISH: TERRANORA		COUNTY ROUS
SCALE 1:1250 @ A3	DATE 24/11/2010	DRAWN GL
LEVEL DATUM	LEVEL ORIGIN	ORIGIN RL
AZIMUTH	CO-ORD SYSTEM	CO-ORD ORIGIN
EASTING	NORTHING	SURVEYOR
AUTOCAD FILE 6400-217A	GEOCOMP FILE	JOB No. 6400-01
CHECKED AD	QT	DATE IMAGED 15/3/2011

SHEET NUMBER 5 OF 13

PLAN No. **6400-217** ISSUE **A**

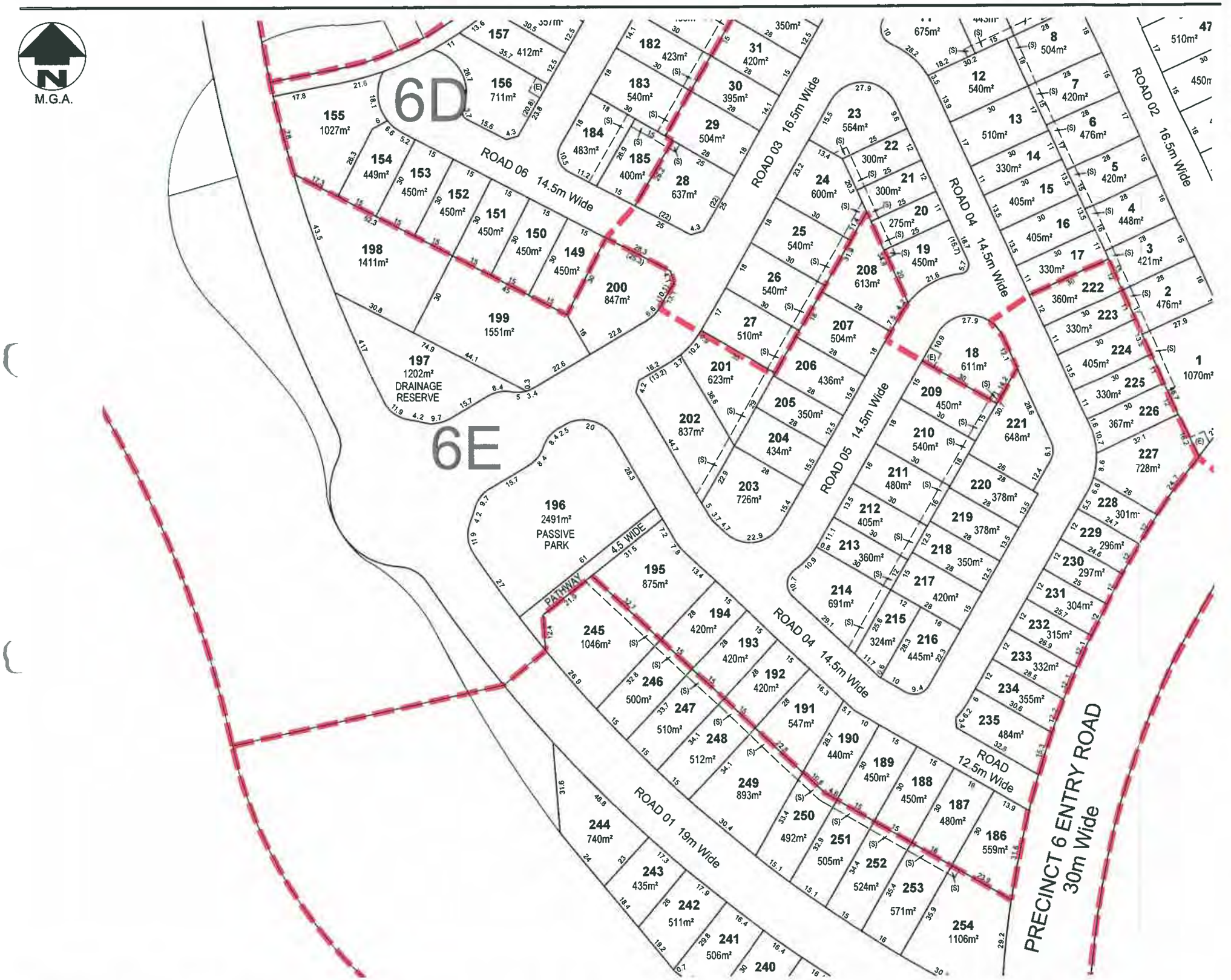
THIS IS THE PLAN REFERRED TO IN THE DEVELOPMENT CONSENT No. 0410/2011

30 MAY 2011

ISSUE	AMENDMENTS	BY	DATE
A	LOTS AMENDED	GL	14/3/11

SIGNED

M.G.A.



Scale 1:250 - Lengths are in Metres.

10 0 10 20 30 40 50 60 70 80 90 100 110 120 130 140 150 160 170 180 190

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T 07 5502 2500

PROJECT
COBAKI

CLIENT
LEDA MANORSTEAD PTY LTD

DRAWING TITLE
PLAN OF PROPOSED SUBDIVISION PRECINCT 6 - STAGE 6E

PARISH: TERRANORA		COUNTY: ROUS
SCALE 1:1250 @ A3	DATE 24/11/2010	DRAWN GL
LEVEL DATUM	LEVEL ORIGIN	ORIGIN RL
AZIMUTH	CO-ORD SYSTEM	CO-ORD ORIGIN
EASTING	NORTHING	SURVEYOR
AUTOCAD FILE 6400-217A	GEOCOMP FILE	JOB No. 6400-01
CHECKED AD	QT	DATE IMAGED 15/3/2011

SHEET NUMBER 6 OF 13

PLAN No. **6400-217** ISSUE **A**

THIS IS THE PLAN REFERRED TO IN THE DEVELOPMENT CONSENT No. DA10/0621

30 MAY 2011

ISSUE	SUBJECT	BY	DATE
A	LOTS AMENDED	GL	14/3/11

AMENDMENTS SIGNED:

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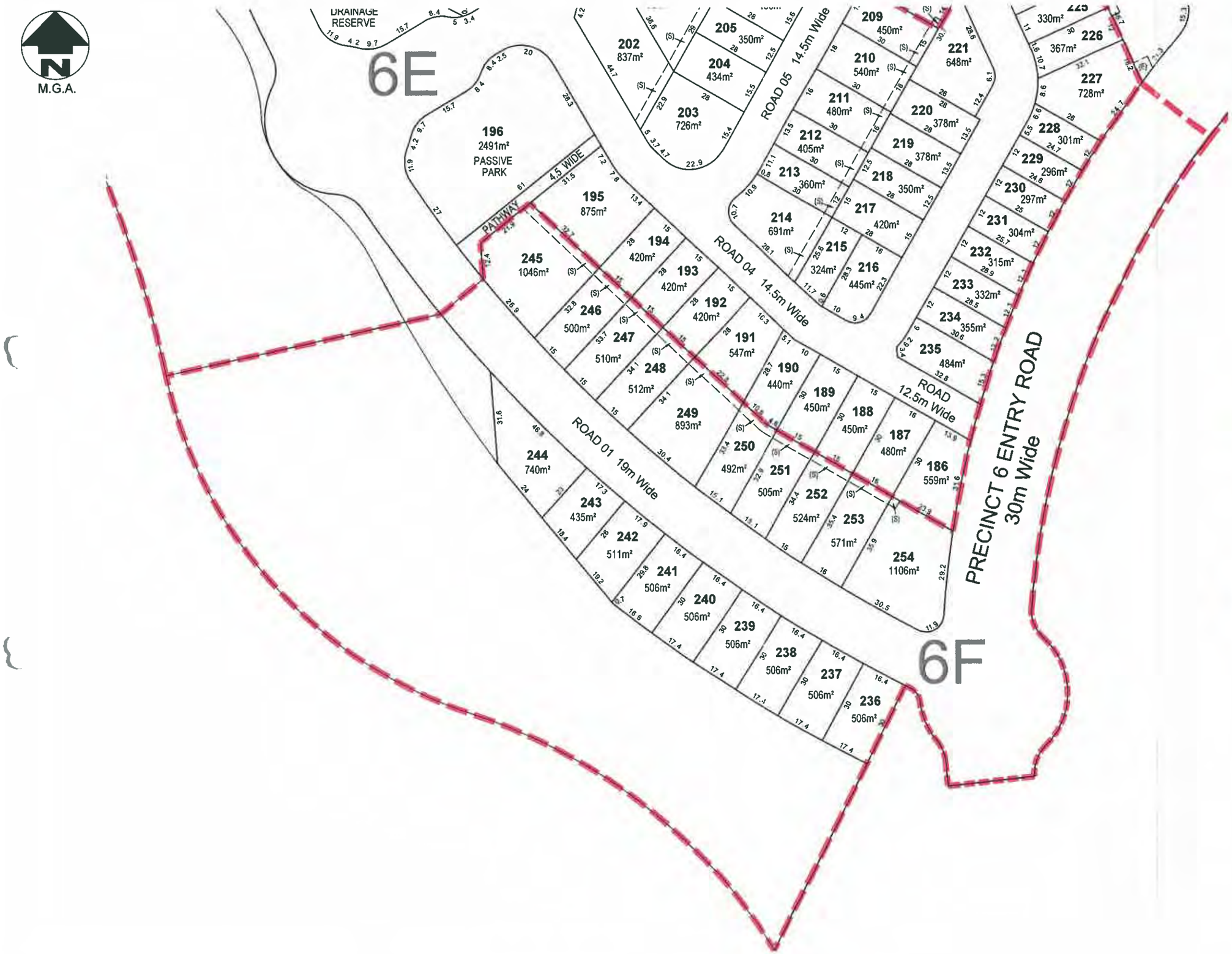

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10 0 10 20 30 40 50 60 70 80 90 100 110 120 130 140 150 160 170 180 190

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PROJECT
COBAKI

CLIENT
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DRAWING TITLE
PLAN OF PROPOSED SUBDIVISION PRECINCT 6 - STAGE 6F

PARISH: TERRANORA		COUNTY: ROUS
SCALE 1 1250 @ A3	DATE 24/11/2010	DRAWN GL
LEVEL DATUM	LEVEL ORIGIN	ORIGIN RL
AZIMUTH	CO-ORD SYSTEM	CO-ORD ORIGIN
EASTING	NORTHING	SURVEYOR
AUTOCAD FILE 6400-217A	GEOCOMP FILE	JOB No. 6400-01
CHECKED AD	QT	DATE IMAGED 15/3/2011

SHEET NUMBER 7 OF 13

PLAN No. **6400-217** ISSUE **A**

THIS IS THE PLAN REFERRED TO IN THE DEVELOPMENT CONSENT No. DA10/0801

30 MAY 2011

M.G.A.

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10 0 10 20 30 40 50 60 70 80 90 100 110 120 130 140 150 160 170 180 190

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ISSUE	AMENDMENTS	BY	DATE
A	LOTS AMENDED	GL	14/3/11

SIGNED: .....

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PROJECT
COBAKI

CLIENT
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DRAWING TITLE
PLAN OF PROPOSED SUBDIVISION PRECINCT 6 - STAGE 6G

PARISH. TERRANORA		COUNTY ROUS
SCALE 1:1250 @ A3	DATE 24/11/2010	DRAWN GL
LEVEL DATUM	LEVEL ORIGIN	ORIGIN RL
AZIMUTH	CO-ORD SYSTEM	CO-ORD ORIGIN
EASTING	NORTHING	SURVEYOR
AUTOCAD FILE 6400-217A	GEOCOMP FILE	JOB No. 6400-01
CHECKED AD	QT	DATE IMAGED 15/3/2011

SHEET NUMBER 8 OF 13

PLAN No. **6400-217** ISSUE **A**

THIS IS THE PLAN REFERRED TO IN THE DEVELOPMENT CONSENT No. DA10/0801

30 MAY 2011

ISSUE	SUBJECT	BY	DATE
A	LOTS AMENDED	GL	14/3/11

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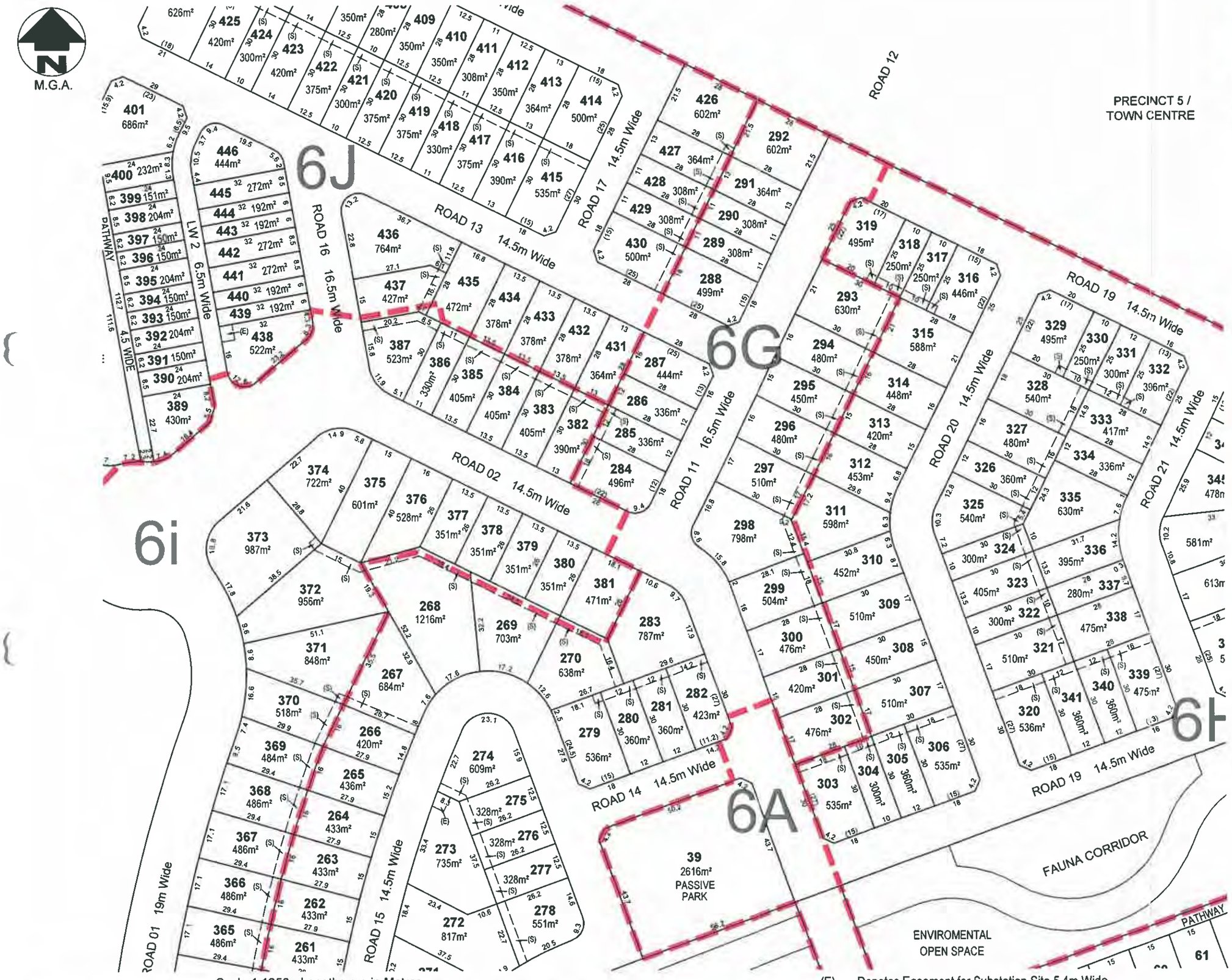

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PROJECT
COBAKI

CLIENT
LEDA MANORSTEAD PTY LTD

DRAWING TITLE
PLAN OF PROPOSED SUBDIVISION PRECINCT 6 - STAGE 6G

PARISH: TERRANORA		COUNTY ROUS
SCALE 1:1250 @ A3	DATE 24/11/2010	DRAWN GL
LEVEL DATUM	LEVEL ORIGIN	ORIGIN RL
AZIMUTH	CO-ORD SYSTEM	CO-ORD ORIGIN
EASTING	NORTHING	SURVEYOR
AUTOCAD FILE 6400-217A	GEOCOMP FILE	JOB No. 6400-01
CHECKED AD	QT	DATE IMAGED 15/3/2011

SHEET NUMBER 9 OF 13

PLAN No. **6400-217** ISSUE **A**

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30 MAY 2011

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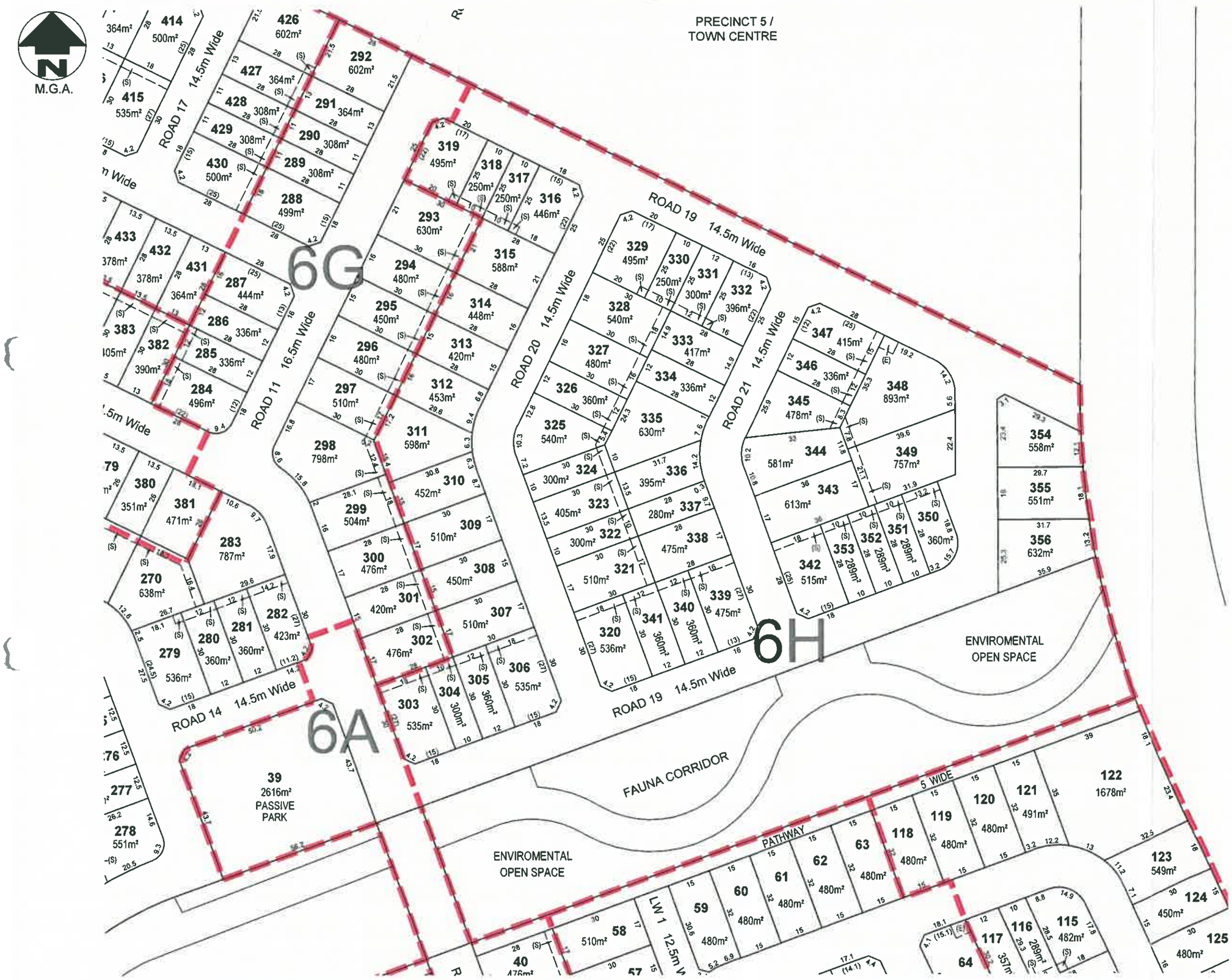

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ISSUE	AMENDMENTS	BY	DATE
A	LOTS AMENDED	GL	14/3/11

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PROJECT
COBAKI

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LEDA MANORSTEAD PTY LTD

DRAWING TITLE
PLAN OF PROPOSED SUBDIVISION PRECINCT 6 - STAGE 6H

PARISH. TERRANORA		COUNTY: ROUS
SCALE 1:1250 @ A3	DATE 24/11/2010	DRAWN GL
LEVEL DATUM	LEVEL ORIGIN	ORIGIN RL
AZIMUTH	CO-ORD SYSTEM	CO-ORD ORIGIN
EASTING	NORTHING	SURVEYOR
AUTOCAD FILE 6400-217A	GEOCOMP FILE	JOB No. 6400-01
CHECKED AD	QT	DATE IMAGED 15/3/2011

SHEET NUMBER 10 OF 13

PLAN No. **6400-217** ISSUE **A**

THIS IS THE PLAN REFERRED TO IN THE DEVELOPMENT CONSENT No. DA10/0501

30 MAY 2011

SIGNED:

ISSUE	AMENDMENTS	BY	DATE
A	LOTS AMENDED	GL	14/3/11

M.G.A.

Scale 1:1250 - Lengths are in Metres.

10 0 10 20 30 40 50 60 70 80 90 100 110 120 130 140 150 160 170 180 190

(E) .... Denotes Easement for Substation Site 5.4m Wide
(S) .... Denotes Easement to Drain Sewage 3m Wide

NOTES & DISCLAIMERS

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2. The dimensions,areas and total number of lots shown on this plan are subject to field survey and also to the requirements of any Authority which may have requirements under any relevant legislation.
3. No reliance should be placed on the information on this plan for detailed subdivision design or for any commercial dealings involving the land.
4. This note is an integral part of this plan.

LEDA

MICHEL GROUP SERVICES
A.C.N. 081 759 132
Land & Hydrographic Surveying
Town Planning Services
23 Cotton Street
Nerang, QLD 4211
PO Box 2695
Nerang BC QLD 4211
F 07 5500 4890
admin@michelservices.com.au
T 07 5502 2500

PROJECT
COBAKI

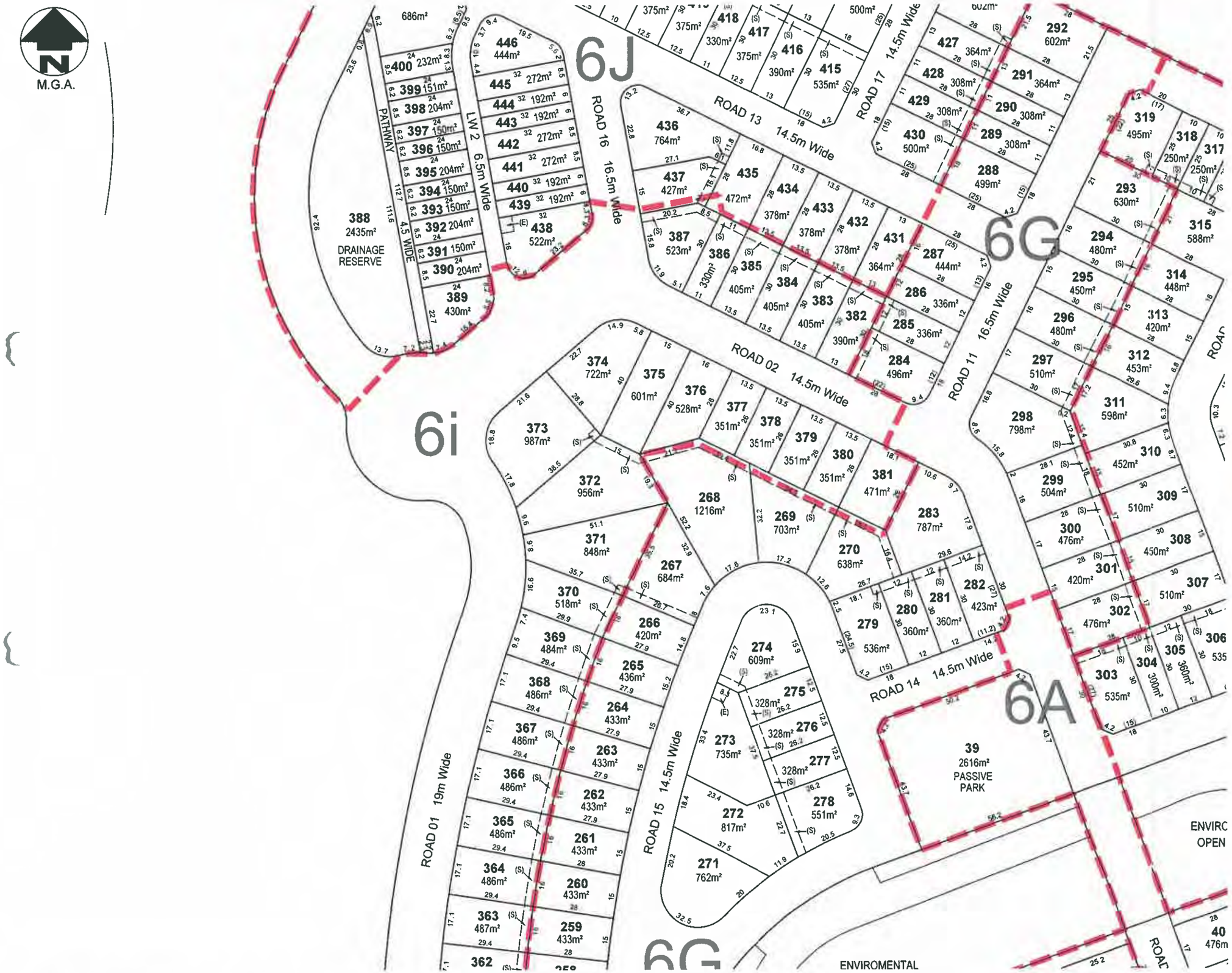
CLIENT
LEDA MANORSTEAD PTY LTD

DRAWING TITLE
PLAN OF PROPOSED SUBDIVISION PRECINCT 6 - STAGE 6i

PARISH: TERRANORA		COUNTY: ROUS
SCALE 1:1250 @ A3	DATE 24/11/2010	DRAWN GL
LEVEL DATUM	LEVEL ORIGIN	ORIGIN RL
AZIMUTH	CO-ORD SYSTEM	CO-ORD ORIGIN
EASTING	NORTHING	SURVEYOR
AUTOCAD FILE 6400-217A	GEOCOMP FILE	JOB No. 6400-01
CHECKED AD	QT	DATE IMAGED 15/3/2011

SHEET NUMBER 11 OF 13

PLAN No. **6400-217** ISSUE **A**



THIS IS THE PLAN REFERRED TO IN THE DEVELOPMENT CONSENT NO. DA10/0801

30 MAY 2011

ISSUE	SUBJECT	BY	DATE
A	LOTS AMENDED	GL	14/3/11

AMENDMENTS

SIGNED:

NOTES & DISCLAIMERS

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Nerang, QLD 4211
PO Box 2695
Nerang BC, QLD 4211
F 07 5500 4890
admin@michelservices.com.au
T 07 5502 2500

PROJECT
COBAKI

CLIENT
LEDA MANORSTEAD PTY LTD

DRAWING TITLE
PLAN OF PROPOSED SUBDIVISION PRECINCT 6 - STAGE 6i

PARISH: TERRANORA		COUNTY: ROUS
SCALE 1:1250 @ A3	DATE 24/11/2010	DRAWN GL
LEVEL DATUM	LEVEL ORIGIN	ORIGIN RL
AZIMUTH	CO-ORD SYSTEM	CO-ORD ORIGIN
EASTING	NORTHING	SURVEYOR
AUTOCAD FILE 6400-217A	GEOCOMP FILE	JOB No. 6400-01
CHECKED AD	QT	DATE IMAGED 15/3/2011

SHEET NUMBER 12 OF 13

PLAN No. **6400-217** ISSUE **A**

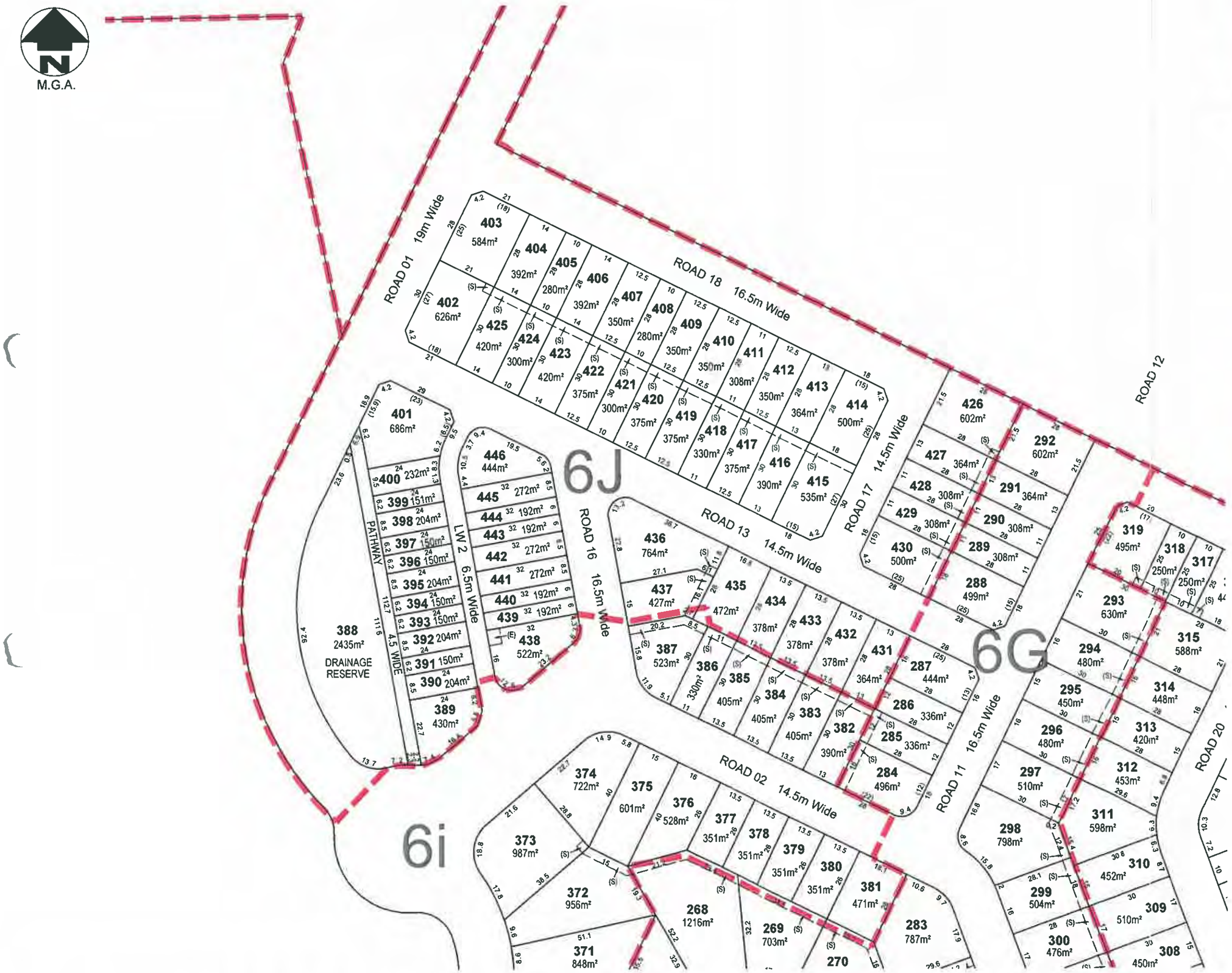
THIS IS THE PLAN REFERRED TO IN THE DEVELOPMENT CONSENT No. D10/0801

30 MAY 2011

ISSUE	AMENDMENTS	BY	DATE
A	LOTS AMENDED	GL	14/3/11

SIGNED:

M.G.A.



Scale 1:1250 - Lengths are in Metres.

(E) .... Denotes Easement for Substation Site 5.4m Wide
(S) .... Denotes Easement to Drain Sewage 3m Wide

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LEDA

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A.C.N. 061 750 132
Land & Hydrographic Surveying
Town Planning Services
23 Cotton Street
Nerang, QLD 4211
PO Box 2695
Nerang BC, QLD 4211
F 07 5500 4890
admin@michelservices.com.au
T 07 5502 2500

PROJECT
COBAKI

CLIENT
LEDA MANORSTEAD PTY LTD

DRAWING TITLE
PLAN OF PROPOSED SUBDIVISION PRECINCT 6 - STAGE 6J

PARISH: TERRANORA		COUNTY: ROUS
SCALE 1 1250 @ A3	DATE 24/11/2010	DRAWN GL
LEVEL DATUM	LEVEL ORIGIN	ORIGIN RL
AZIMUTH	CO-ORD SYSTEM	CO-ORD ORIGIN
EASTING	NORTHING	SURVEYOR
AUTOCAD FILE 6400-217A	GEOCOMP FILE	JOB No 6400-01
CHECKED AD	QT	DATE IMAGED 15/3/2011

SHEET NUMBER 13 OF 13

PLAN No. **6400-217** ISSUE **A**

THIS IS THE PLAN REFERRED TO IN THE DEVELOPMENT CONSENT No. DA10/0801

30 MAY 2011

ISSUE	SUBJECT	BY	DATE
A	LOTS AMENDED	GL	14/3/11

AMENDMENTS

SIGNED:

STAGE	LOT NUMBERS
6A	39 & 599
6B	-
6C	133
6D	-
6E	196,197,600 - 603
6F	604 & 605
6G	609 - 613
6H	614 - 617
6I	606 - 608
6J	388

NOTES & DISCLAIMERS

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LEDA

MICHEL GROUP SERVICES
A.C.N. 061 750 132

Land & Hydrographic Surveying
Town Planning Services

23 Cotton Street
Nerang, QLD 4211

PO Box 2695
Nerang BC, QLD 4211

F 07 5500 4890
admin@michelservices.com.au

T 07 5502 2500

PROJECT
COBAKI

CLIENT
LEDA MANORSTEAD PTY LTD

DRAWING TITLE
PLAN OF PROPOSED SUBDIVISION PRECINCT 6 DRAINAGE RESERVES & PARKS

PARISH: TERRANORA		COUNTY: ROUS
SCALE 1:4000 @ A3	DATE 24/11/2010	DRAWN GL
LEVEL DATUM	LEVEL ORIGIN	ORIGIN RL
AZIMUTH	CO-ORD SYSTEM	CO-ORD ORIGIN
EASTING	NORTHING	SURVEYOR
AUTOCAD FILE 6400-218A	GEOCOMP FILE	JOB No. 6400-01
CHECKED AD	QT	DATE IMAGED 15/3/2011

SHEET NUMBER 1 OF 1

PLAN No. **6400-218**

ISSUE **A**

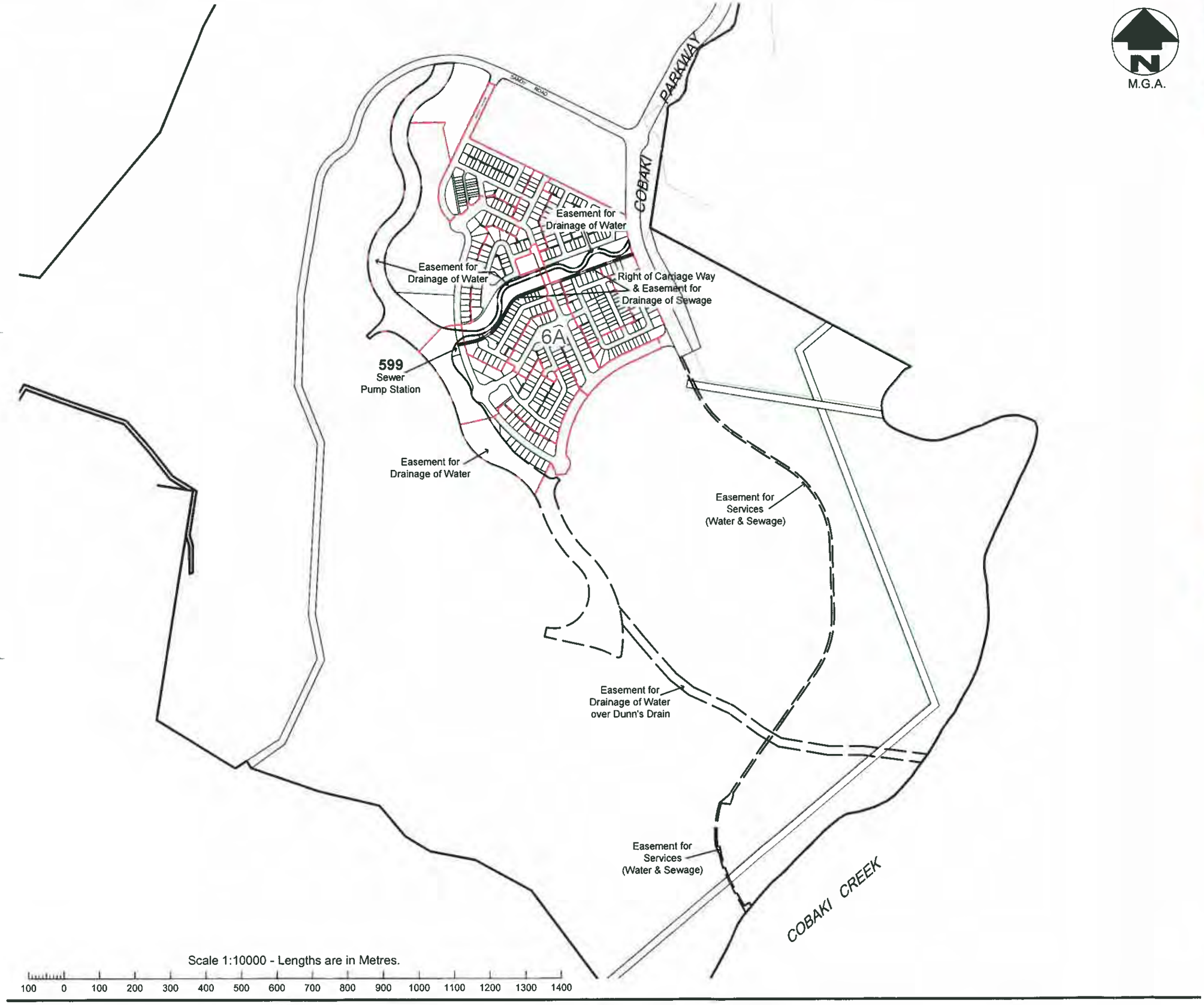
THIS IS THE PLAN REFERRED TO IN THE DEVELOPMENT CONSENT No. DA10/0801

30 MAY 2011

ISSUE	SUBJECT	BY	DATE
A	LOTS AMENDED	GL	14/3/11

AMENDMENTS

SIGNED: .....



NOTES & DISCLAIMERS

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LEDA

MICHEL GROUP SERVICES
A.C.N. 061 750 132

Land & Hydrographic Surveying
Town Planning Services

23 Cotton Street
Nerang, QLD 4211

PO Box 2695
Nerang BC, QLD 4211

F 07 5500 4890
admin@michelservices.com.au

T 07 5502 2500

PROJECT
COBAKI

CLIENT
LEDA MANORSTEAD PTY LTD

DRAWING TITLE
PLAN OF TEMPORARY "ACCESS AND SERVICES EMTS" COBAKI - PRECINCT 6 - STAGE 6A

PARISH: TERRANORA		COUNTY: ROUS
SCALE 1:10000 @ A3	DATE 24/11/2010	DRAWN GL
LEVEL DATUM	LEVEL ORIGIN	ORIGIN RL
AZIMUTH	CO-ORD SYSTEM	CO-ORD ORIGIN
EASTING	NORTHING	SURVEYOR
AUTOCAD FILE 6400-219A	GEOCOMP FILE	JOB No. 6400-01
CHECKED AD	QT	DATE IMAGED 15/3/2011

SHEET NUMBER 1 OF 1

PLAN No. **6400-219**

ISSUE **A**

DA10/0801 P1. Doc: 30383116.

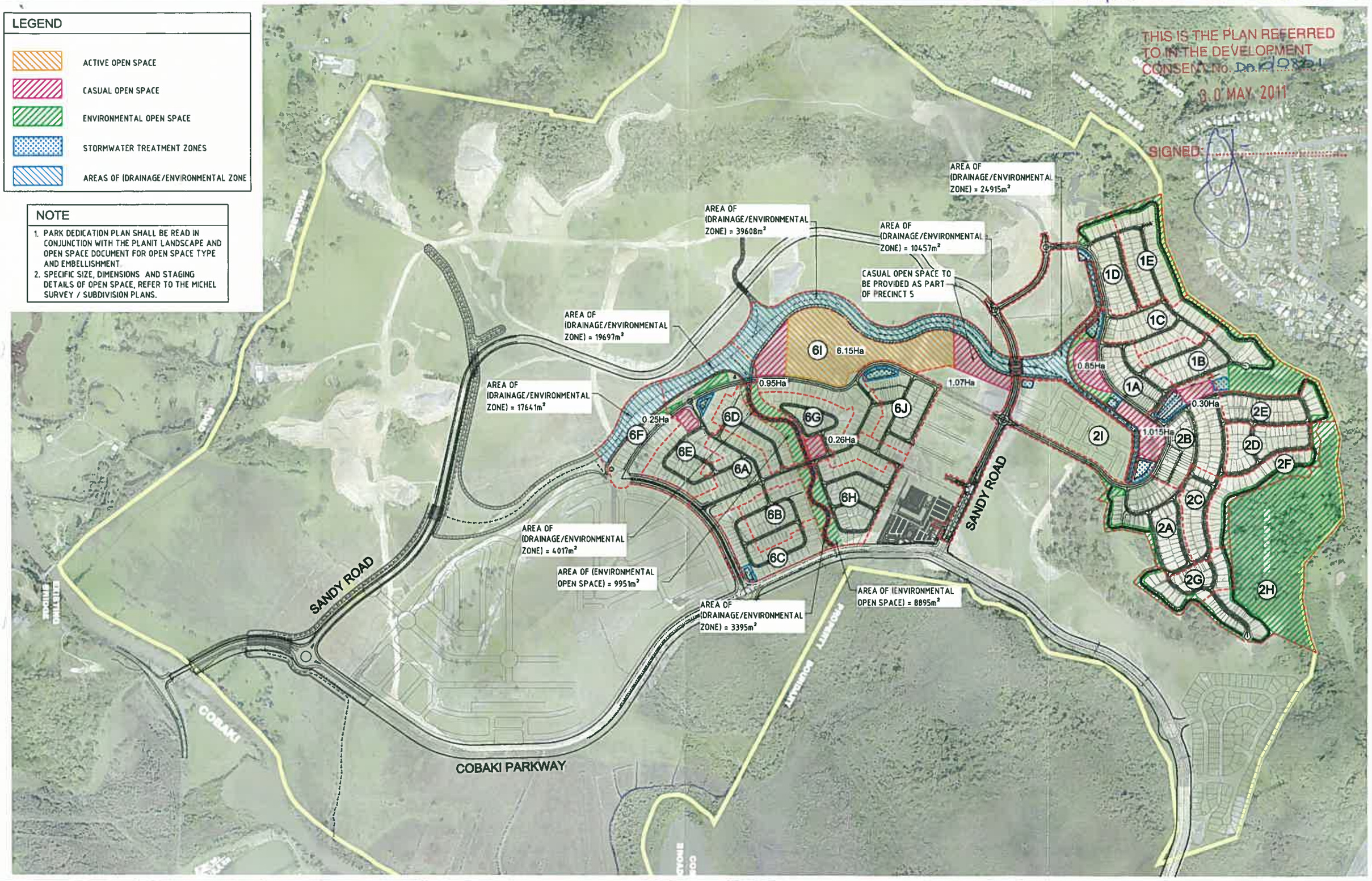
THIS IS THE PLAN REFERRED TO IN THE DEVELOPMENT CONSENT No. DA10/0801
30 MAY 2011
SIGNED:

LEGEND

- ACTIVE OPEN SPACE
- CASUAL OPEN SPACE
- ENVIRONMENTAL OPEN SPACE
- STORMWATER TREATMENT ZONES
- AREAS OF (DRAINAGE/ENVIRONMENTAL ZONE

NOTE

1. PARK DEDICATION PLAN SHALL BE READ IN CONJUNCTION WITH THE PLANIT LANDSCAPE AND OPEN SPACE DOCUMENT FOR OPEN SPACE TYPE AND EMBELLISHMENT.
2. SPECIFIC SIZE, DIMENSIONS AND STAGING DETAILS OF OPEN SPACE, REFER TO THE MICHEL SURVEY / SUBDIVISION PLANS.



STATUS	PRELIMINARY	NOT TO BE USED FOR CONSTRUCTION	
B	MINOR AMENDMENTS	M.B	15.03.11
A	ORIGINAL ISSUE	M.B	22.12.10
REV	DESCRIPTION	DRAWN	DATE

THIS DESIGN AND PLAN IS COPYRIGHT AND IS NOT TO BE USED OR REPRODUCED WHOLLY OR IN PART OR TO BE USED ON ANY PROJECT WITHOUT THE WRITTEN PERMISSION OF YEATS CONSULTING PTY LTD

DRAWING IS NOT TO BE SCALED

SCALE (AT ORIGINAL SHEET SIZE) — SCALE 100 50 0 100 200 1:5000

ORIGINAL SHEET SIZE: A1

CLIENT: LEDA MANORSTEAD Pty Ltd

LEDA

PROJECT: CENTRAL OPEN SPACE PROJECT APPLICATION COBAKI LAKES, COBAKI PWY PRELIMINARY CIVIL ENGINEERING DRAWINGS

YEATS CONSULTING ENGINEERS
LEVEL 1, 193 FERRY ROAD SOUTHPORT QLD 4215 AUSTRALIA
T 07 5571 2232 F 07 5503 1672 info@yeats.com.au www.yeats.com.au

TITLE: PARK DEDICATION MASTER PLAN (PRECINCT 1, 2 AND 6)

TASK	BY	INITIAL	DATE
REVIEW	C.S		22.12.10
DESIGN	M.B		22.12.10
DRAWN	M.B		22.12.10

APPROVED — RPEQ No N/A

DRAWING NUMBER: YC0229-1P1- SK04 — REVISION: B

LEGEND

- ACTIVE OPEN SPACE
- CASUAL OPEN SPACE
- ENVIRONMENTAL OPEN SPACE
- STORMWATER TREATMENT ZONES
- AREAS OF (DRAINAGE/ENVIRONMENTAL ZONE

NOTE

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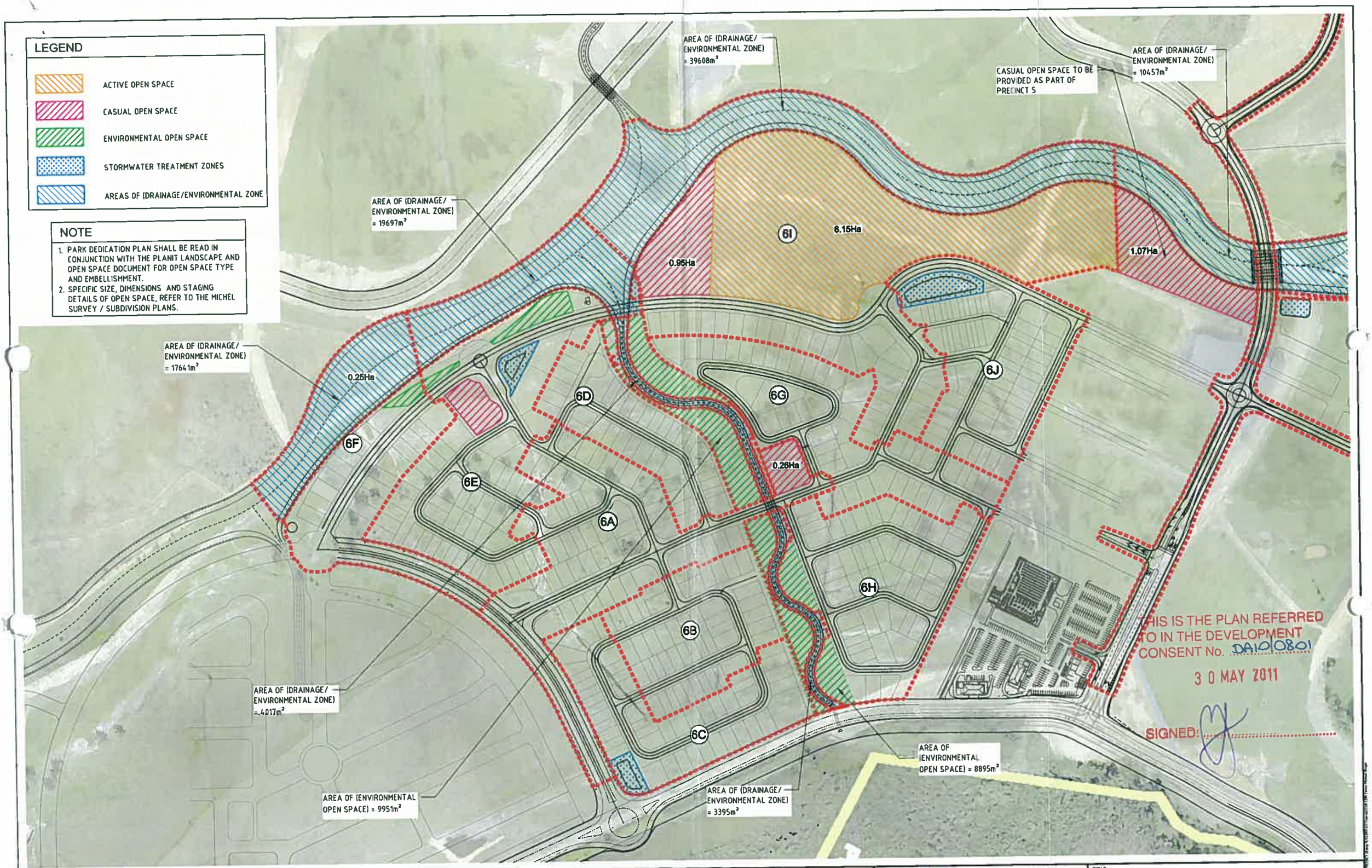

THIS IS THE PLAN REFERRED TO IN THE DEVELOPMENT CONSENT No. DA10/0801

30 MAY 2011

SIGNED: .....

STATUS	PRELIMINARY	NOT TO BE USED FOR CONSTRUCTION		
A	ORIGINAL ISSUE		M.B	15.03.11
REV	DESCRIPTION		DRAWN	DATE

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DRAWING IS NOT TO BE SCALED

SCALE (AT ORIGINAL SHEET SIZE): SCALE 20 10 0 20 40 60 80 100 1:2000

ORIGINAL SHEET SIZE: A1

CLIENT: LEDA MANORSTEAD Pty Ltd

LEDA

PROJECT: CENTRAL OPEN SPACE PROJECT APPLICATION COBAKI LAKES, COBAKI PWY PRELIMINARY CIVIL ENGINEERING DRAWINGS

YEATS CONSULTING ENGINEERS
LEVEL 1, 193 FERRY ROAD SOUTHPORT QLD 4215 AUSTRALIA
T 07 5571 2232 F 07 5503 1672 info@yeats.com.au www.yeats.com.au

TITLE: PARK DEDICATION DETAILED PLAN (PRECINCT 6)

TASK	BY	INITIAL	DATE
REVIEW	C.S		15.03.11
DESIGN	M.B		15.03.11
DRAWN	M.B		15.03.11

APPROVED | RPEQ No N/A

DRAWING NUMBER: YC0229-1P1- SK05 | REVISION: A

TWEED SHIRE COUNCIL

Copy to TSC Financial Services Unit

SECTION 94, SECTION 64 AND OTHER DEVELOPER CONTRIBUTIONS SHEET

THIS FORM MUST ACCOMPANY PAYMENT OF CONTRIBUTIONS TO COUNCIL

Development: Cobaki Estate subdivision of precinct 6 comprised of 442 residential lots (including 1 residual lot) and lots for drainage, open space and urban infrastructure (JRPP)

Development Consent No. DA10/0801

Location: Lot 1 DP 562222; Lot 2 DP 566529; Lot 1 DP 570077; Lot 1 DP 823679; Lots 46, 54, 55, 199, 200, 201, 202, 205, 206, 209, 228, 305 DP 755740, No. 73 Sandy Lane; Lot 1 DP 570076 Piggabeen Road, Cobaki Lakes

Applicant: Leda Manorstead Pty Ltd
PO Box 1914
SURFERS PARADISE QLD 4217

Owner: Leda Manorstead Pty Ltd

Date: 30/05/2011

Paid by:

Stage: Stage 6A

Contribution Payable	S94 Contribution Plan Number/ Sector	Area CP5 Only	Units/lots or rate/ha	Rate (valid until) __/__/__	Amount	Rate at Time of Payment after __/__/__	Amount at Time of Payment $	Receipt Number	Charge Control	*Bank Account*
WATER HEADWORKS	S64		63.4ET @ $11,020.00	30/5/2012	$698,668.00				WaterDSP3	40
SEWERAGE HEADWORKS	S64		69ET @ $5,295.00	30/5/2012	$365,355.00				SewerBnora	85
TRCP - COBAKI	4/3		387.4Trips @ $999.00	30/5/2012	$387,013.00				Sector3_4	1
COBAKI LAKES COMMUNITY FACILITIES	10		66.1247ET @ $492.00	30/5/2012	$32,533.00				CommFac10	1
LIBRARIES	11		66.1247ET @ $792.00	30/5/2012	$52,371.00				ResDevt11	1
BUS SHELTERS	12		66.1247ET @ $60.00	30/5/2012	$3,967.00				Over10ET	1
CEMETERIES	13		66.1247ET @ $120.00	30/5/2012	$7,935.00				ResDevt13	1
COUNCIL ADMIN - TECH SUPPORT	18		66.1247ET @ $1,759.90	30/5/2012	$116,372.86				Shirewide	1
CYCLEWAYS	22		66.1247ET @ $447.00	30/5/2012	$29,558.00				Shirewid22	1
CASUAL OPEN SPACE - REGIONAL	26	1	66.1247ET @ $1,031.00	30/5/2012	$68,175.00				CasOS26	1

TWEED SHIRE COUNCIL

Contribution Payable	S94 Contribution Plan Number/ Sector	Area CP5 Only	Units/lots or rate/ha	Rate (valid until) __/__/__	Amount	Rate at Time of Payment after __/__/__	Amount at Time of Payment $	Receipt Number	Charge Control	*Bank Account*
STRUCTURE OPEN SPACE - REGIONAL	26	1	66.1247ET @ $3,619.00	30/5/2012	$239,305.00				StrucOS26	1
TOTAL AMOUNT DUE					$2,001,252.86					

Please forward receipt to

Name: _____

Address: _____

_____

_____

Note: Refer to separate Fee Sheet for Application Fees

Original Contribution Amounts	Prepared by:	Signature	L. McGavin print name	31/5/11 date
	Checked by:	Signature	E. Forbes print name	31/5/11 date
Amended Contribution Amounts	Prepared by:	Signature	print name	__/__/__ date
	Original/amended amounts Checked & Certified by: (to enable SC release/BA release/ CC release) (Authorised Council [1] Officer)	Signature	print name	__/__/__ date

Note: Authorised Council Officers are: -

* **Town Planners**
* **Subdivision Engineers**
* **Building Surveyors**

TWEED SHIRE COUNCIL

Copy to TSC Financial Services Unit

SECTION 94, SECTION 64 AND OTHER DEVELOPER CONTRIBUTIONS SHEET

THIS FORM MUST ACCOMPANY PAYMENT OF CONTRIBUTIONS TO COUNCIL

Development: Cobaki Estate subdivision of precinct 6 comprised of 442 residential lots (including 1 residual lot) and lots for drainage, open space and urban infrastructure (JRPP)

Development Consent No. DA10/0801

Location: Lot 1 DP 562222; Lot 2 DP 566529; Lot 1 DP 570077; Lot 1 DP 823679; Lots 46, 54, 55, 199, 200, 201, 202, 205, 206, 209, 228, 305 DP 755740, No. 73 Sandy Lane; Lot 1 DP 570076 Piggabeen Road, Cobaki Lakes

Applicant: Leda Manorstead Pty Ltd
PO Box 1914
SURFERS PARADISE QLD 4217

Owner: Leda Manorstead Pty Ltd

Date: 30/05/2011

Paid by:

Stage: Stage 6A

Contribution Payable	S94 Contribution Plan Number/ Sector	Area CP5 Only	Units/lots or rate/ha	Rate (valid until) __/__/__	Amount	Rate at Time of Payment after __/__/__	Amount at Time of Payment $	Receipt Number	Charge Control	*Bank Account*
WATER HEADWORKS	S64		63.4ET @ $11,020.00	30/5/2012	$698,668.00				WaterDSP3	40
SEWERAGE HEADWORKS	S64		69ET @ $5,295.00	30/5/2012	$365,355.00				SewerBnora	85
TRCP - COBAKI	4/3		387.4Trips @ $999.00	30/5/2012	$387,013.00				Sector3_4	1
COBAKI LAKES COMMUNITY FACILITIES	10		66.1247ET @ $492.00	30/5/2012	$32,533.00				CommFac10	1
LIBRARIES	11		66.1247ET @ $792.00	30/5/2012	$52,371.00				ResDevt11	1
BUS SHELTERS	12		66.1247ET @ $60.00	30/5/2012	$3,967.00				Over10ET	1
CEMETERIES	13		66.1247ET @ $120.00	30/5/2012	$7,935.00				ResDevt13	1
COUNCIL ADMIN - TECH SUPPORT	18		66.1247ET @ $1,759.90	30/5/2012	$116,372.86				Shirewide	1
CYCLEWAYS	22		66.1247ET @ $447.00	30/5/2012	$29,558.00				Shirewid22	1
CASUAL OPEN SPACE - REGIONAL	26	1	66.1247ET @ $1,031.00	30/5/2012	$68,175.00				CasOS26	1

TWEED SHIRE COUNCIL

Contribution Payable	S94 Contribution Plan Number/ Sector	Area CP5 Only	Units/lots or rate/ha	Rate (valid until) __/__/__	Amount	Rate at Time of Payment after __/__/__	Amount at Time of Payment $	Receipt Number	Charge Control	*Bank Account*
STRUCTURE OPEN SPACE - REGIONAL	26	1	66.1247ET @ $3,619.00	30/5/2012	$239,305.00				StrucOS26	1
TOTAL AMOUNT DUE					$2,001,252.86					

Please forward receipt to

Name: _____

Address: _____

_____

_____

Note: Refer to separate Fee Sheet for Application Fees

Original Contribution Amounts	Prepared by:	Signature	print name L. McGavin	date 31/5/11
	Checked by:	Signature	print name C. Forbes	date 31/5/11
Amended Contribution Amounts	Prepared by:	Signature	print name	date __/__/__
	Original/amended amounts Checked & Certified by: (to enable SC release/BA release/ CC release) (Authorised Council [1] Officer)	Signature	print name	date __/__/__

Note: Authorised Council Officers are: -

* **Town Planners**
* **Subdivision Engineers**
* **Building Surveyors**

TWEED SHIRE COUNCIL

PROCEDURE FOR ISSUE OF CERTIFICATE OF COMPLIANCE

In accordance with Clause 64, Local Government Act, 1993 and Chapter 6, Part 2, Division 5 Water Management Act 2000

DETAILS

Applicant:	**Leda Manorstead Pty Ltd** **PO Box 1914** **SURFERS PARADISE QLD 4217**
Description of Development:	**Stage 6A** **Cobaki Estate subdivision of precinct 6 comprised of 442 residential lots (including 1 residual lot) and lots for drainage, open space and urban infrastructure (JRPP) at Lot 1 DP 562222; Lot 2 DP 566529; Lot 1 DP 570077; Lot 1 DP 823679; Lots 46, 54, 55, 199, 200, 201, 202, 205, 206, 209, 228, 305 DP 755740, No. 73 Sandy Lane; Lot 1 DP 570076 Piggabeen Road, Cobaki Lakes**
Date of Council Approval:	**30/05/2011**
Council File Reference:	**DA10/0801**

APPLICATION

To: The General Manager

Application is hereby made for a Certificate of Compliance under Part 2, Division 5, Clause 305 of the Water Management Act 2000, in respect of the consent/approval issued by Council

Signature of Applicant Date

NOTICE OF COUNCIL'S REQUIREMENTS UNDER PART 2, DIVISION 5, CLAUSE 306 OF THE WATER MANAGEMENT ACT 2000

Works required: *a)* *Water & Sewer headworks augmentation*

Contributions required: a) Water - $698668
Sewer - $365355

Note: The fees and charges quoted above will remain fixed for a period of twelve (12) months from the date of Development Consent No. DA10/0801, dated 30/05/2011 and thereafter in accordance with the rates applicable in Council's adopted Fees and Charges current at the time of payment.

Note: The Environmental Planning and Assessment Act, 1979 (as amended) makes no provision for works under the Water Management Act 2000 to be certified by an Accredited Certifier.

General Manager Date 31.5.11

CERTIFICATE OF COMPLIANCE

Part 2, Division 5, Clause 307 of the Water Management Act 2000

This is to certify that water supply and sewerage works have been carried out, or security provided to Council's satisfaction for their completion and such other contributions have been paid or secured to satisfy notice of Council's requirements in respect of water supply and sewerage for the abovementioned consent dated 30/05/2011 on file DA10/0801.

General Manager Date

TWEED SHIRE COUNCIL

Copy to TSC Financial Services Unit

SECTION 94, SECTION 64 AND OTHER DEVELOPER CONTRIBUTIONS SHEET

THIS FORM MUST ACCOMPANY PAYMENT OF CONTRIBUTIONS TO COUNCIL

Development: Cobaki Estate subdivision of precinct 6 comprised of 442 residential lots (including 1 residual lot) and lots for drainage, open space and urban infrastructure (JRPP)

Development Consent No. DA10/0801

Location: Lot 1 DP 562222; Lot 2 DP 566529; Lot 1 DP 570077; Lot 1 DP 823679; Lots 46, 54, 55, 199, 200, 201, 202, 205, 206, 209, 228, 305 DP 755740, No. 73 Sandy Lane; Lot 1 DP 570076 Piggabeen Road, Cobaki Lakes

Applicant: Leda Manorstead Pty Ltd
PO Box 1914
SURFERS PARADISE QLD 4217

Owner: Leda Manorstead Pty Ltd

Date: 30/05/2011

Paid by:

Stage: Stage 6B

Contribution Payable	S94 Contribution Plan Number/ Sector	Area CP5 Only	Units/lots or rate/ha	Rate (valid until) __/__/__	Amount	Rate at Time of Payment after __/__/__	Amount at Time of Payment $	Receipt Number	Charge Control	*Bank Account*
WATER HEADWORKS	S64		48ET @ $11,020.00	30/5/2012	$528,960.00				WaterDSP3	40
SEWERAGE HEADWORKS	S64		48ET @ $5,295.00	30/5/2012	$254,160.00				SewerBnora	85
TRCP - COBAKI	4/3		312Trips @ $999.00	30/5/2012	$311,688.00				Sector3_4	1
COBAKI LAKES COMMUNITY FACILITIES	10		48ET @ $492.00	30/5/2012	$23,616.00				CommFac10	1
LIBRARIES	11		48ET @ $792.00	30/5/2012	$38,016.00				ResDevt11	1
BUS SHELTERS	12		48ET @ $60.00	30/5/2012	$2,880.00				Over10ET	1
CEMETERIES	13		48ET @ $120.00	30/5/2012	$5,760.00				ResDevt13	1
COUNCIL ADMIN - TECH SUPPORT	18		48ET @ $1,759.90	30/5/2012	$84,475.20				Shirewide	1
CYCLEWAYS	22		48ET @ $447.00	30/5/2012	$21,456.00				Shirewid22	1
CASUAL OPEN SPACE - REGIONAL	26	1	48ET @ $1,031.00	30/5/2012	$49,488.00				CasOS26	1

TWEED SHIRE COUNCIL

Contribution Payable	S94 Contribution Plan Number/ Sector	Area CP5 Only	Units/lots or rate/ha	Rate (valid until) __/__/__	Amount	Rate at Time of Payment after __/__/__	Amount at Time of Payment $	Receipt Number	Charge Control	*Bank Account*
STRUCTURE OPEN SPACE - REGIONAL	26	1	48ET @ $3,619.00	30/5/2012	$173,712.00				StrucOS26	1
TOTAL AMOUNT DUE					$1,494,211.20					

Please forward receipt to

Name: _____

Address: _____

_____

_____

Note: Refer to separate Fee Sheet for Application Fees

Original Contribution Amounts	Prepared by:	Signature	print name L. McGavin	date 31/5/11
	Checked by:	Signature	print name C. Forbes	date 31/5/11
Amended Contribution Amounts	Prepared by:	Signature	print name	date __/__/__
	Original/amended amounts Checked & Certified by: (to enable SC release/BA release/ CC release) (Authorised Council [1] Officer)	Signature	print name	date __/__/__

Note: Authorised Council Officers are: -

* **Town Planners**
* **Subdivision Engineers**
* **Building Surveyors**

TWEED SHIRE COUNCIL

Copy to TSC Financial Services Unit

SECTION 94, SECTION 64 AND OTHER DEVELOPER CONTRIBUTIONS SHEET

THIS FORM MUST ACCOMPANY PAYMENT OF CONTRIBUTIONS TO COUNCIL

Development: Cobaki Estate subdivision of precinct 6 comprised of 442 residential lots (including 1 residual lot) and lots for drainage, open space and urban infrastructure (JRPP)

Development Consent No. DA10/0801

Location: Lot 1 DP 562222; Lot 2 DP 566529; Lot 1 DP 570077; Lot 1 DP 823679; Lots 46, 54, 55, 199, 200, 201, 202, 205, 206, 209, 228, 305 DP 755740, No. 73 Sandy Lane; Lot 1 DP 570076 Piggabeen Road, Cobaki Lakes

Applicant: Leda Manorstead Pty Ltd
PO Box 1914
SURFERS PARADISE QLD 4217

Owner: Leda Manorstead Pty Ltd

Date: 30/05/2011

Paid by:

Stage: Stage 6B

Contribution Payable	S94 Contribution Plan Number/ Sector	Area CP5 Only	Units/lots or rate/ha	Rate (valid until) __/__/__	Amount	Rate at Time of Payment after __/__/__	Amount at Time of Payment $	Receipt Number	Charge Control	*Bank Account*
WATER HEADWORKS	S64		48ET @ $11,020.00	30/5/2012	$528,960.00				WaterDSP3	40
SEWERAGE HEADWORKS	S64		48ET @ $5,295.00	30/5/2012	$254,160.00				SewerBnora	85
TRCP - COBAKI	4/3		312Trips @ $999.00	30/5/2012	$311,688.00				Sector3_4	1
COBAKI LAKES COMMUNITY FACILITIES	10		48ET @ $492.00	30/5/2012	$23,616.00				CommFac10	1
LIBRARIES	11		48ET @ $792.00	30/5/2012	$38,016.00				ResDevt11	1
BUS SHELTERS	12		48ET @ $60.00	30/5/2012	$2,880.00				Over10ET	1
CEMETERIES	13		48ET @ $120.00	30/5/2012	$5,760.00				ResDevt13	1
COUNCIL ADMIN - TECH SUPPORT	18		48ET @ $1,759.90	30/5/2012	$84,475.20				Shirewide	1
CYCLEWAYS	22		48ET @ $447.00	30/5/2012	$21,456.00				Shirewid22	1
CASUAL OPEN SPACE - REGIONAL	26	1	48ET @ $1,031.00	30/5/2012	$49,488.00				CasOS26	1

TWEED SHIRE COUNCIL

Contribution Payable	S94 Contribution Plan Number/ Sector	Area CP5 Only	Units/lots or rate/ha	Rate (valid until) __/__/__	Amount	Rate at Time of Payment after __/__/__	Amount at Time of Payment $	Receipt Number	Charge Control	*Bank Account*
STRUCTURE OPEN SPACE - REGIONAL	26	1	48ET @ $3,619 00	30/5/2012	$173,712.00				StrucOS26	1
TOTAL AMOUNT DUE					$1,494,211.20					

Please forward receipt to

Name: _____

Address: _____

_____

_____

Note: Refer to separate Fee Sheet for Application Fees

Original Contribution Amounts	Prepared by:	Signature	L McGAVIN print name	31/5/11 date
	Checked by:	Signature	G FORBES print name	8/5/11 date
Amended Contribution Amounts	Prepared by:	Signature	print name	__/__/__ date
	Original/amended amounts Checked & Certified by: (to enable SC release/BA release/ CC release) (Authorised Council [1] Officer)	Signature	print name	__/__/__ date

Note: Authorised Council Officers are: -

* **Town Planners**
* **Subdivision Engineers**
* **Building Surveyors**

TWEED SHIRE COUNCIL

PROCEDURE FOR ISSUE OF CERTIFICATE OF COMPLIANCE

In accordance with Clause 64, Local Government Act, 1993 and Chapter 6, Part 2, Division 5 Water Management Act 2000

DETAILS

Applicant:	**Leda Manorstead Pty Ltd** **PO Box 1914** **SURFERS PARADISE QLD 4217**
Description of Development:	**Stage 6B** **Cobaki Estate subdivision of precinct 6 comprised of 442 residential lots (including 1 residual lot) and lots for drainage, open space and urban infrastructure (JRPP) at Lot 1 DP 562222; Lot 2 DP 566529; Lot 1 DP 570077; Lot 1 DP 823679; Lots 46, 54, 55, 199, 200, 201, 202, 205, 206, 209, 228, 305 DP 755740, No. 73 Sandy Lane; Lot 1 DP 570076 Piggabeen Road, Cobaki Lakes**
Date of Council Approval:	**30/05/2011**
Council File Reference:	**DA10/0801**

APPLICATION

To: The General Manager

Application is hereby made for a Certificate of Compliance under Part 2, Division 5, Clause 305 of the Water Management Act 2000, in respect of the consent/approval issued by Council.

Signature of Applicant Date

NOTICE OF COUNCIL'S REQUIREMENTS UNDER PART 2, DIVISION 5, CLAUSE 306 OF THE WATER MANAGEMENT ACT 2000

Works required: *a)* *Water & Sewer headworks augmentation*

Contributions required: a) Water - $528960
Sewer - $254160

Note: The fees and charges quoted above will remain fixed for a period of twelve (12) months from the date of Development Consent No. DA10/0801, dated 30/05/2011 and thereafter in accordance with the rates applicable in Council's adopted Fees and Charges current at the time of payment.

Note: The Environmental Planning and Assessment Act, 1979 (as amended) makes no provision for works under the Water Management Act 2000 to be certified by an Accredited Certifier.

General Manager Date 31.5.11

CERTIFICATE OF COMPLIANCE

Part 2, Division 5, Clause 307 of the Water Management Act 2000

This is to certify that water supply and sewerage works have been carried out, or security provided to Council's satisfaction for their completion and such other contributions have been paid or secured to satisfy notice of Council's requirements in respect of water supply and sewerage for the abovementioned consent dated 30/05/2011 on file DA10/0801.

General Manager Date

TWEED SHIRE COUNCIL

Copy to TSC Financial Services Unit

SECTION 94, SECTION 64 AND OTHER DEVELOPER CONTRIBUTIONS SHEET

THIS FORM MUST ACCOMPANY PAYMENT OF CONTRIBUTIONS TO COUNCIL

Development: Cobaki Estate subdivision of precinct 6 comprised of 442 residential lots (including 1 residual lot) and lots for drainage, open space and urban infrastructure (JRPP)

Development Consent No. DA10/0801

Location: Lot 1 DP 562222; Lot 2 DP 566529; Lot 1 DP 570077; Lot 1 DP 823679; Lots 46, 54, 55, 199, 200, 201, 202, 205, 206, 209, 228, 305 DP 755740, No. 73 Sandy Lane; Lot 1 DP 570076 Piggabeen Road, Cobaki Lakes

Applicant: Leda Manorstead Pty Ltd
PO Box 1914
SURFERS PARADISE QLD 4217

Owner: Leda Manorstead Pty Ltd

Date: 30/05/2011

Paid by:

Stage: Stage 6C

Contribution Payable	S94 Contribution Plan Number/ Sector	Area CP5 Only	Units/lots or rate/ha	Rate (valid until) __/__/__	Amount	Rate at Time of Payment after __/__/__	Amount at Time of Payment $	Receipt Number	Charge Control	*Bank Account*
WATER HEADWORKS	S64		52.4ET @ $11,020.00	30/5/2012	$577,448.00				WaterDSP3	40
SEWERAGE HEADWORKS	S64		54.5ET @ $5,295.00	30/5/2012	$288,577.50				SewerBnora	85
TRCP - COBAKI	4/3		332.8Trips @ $999.00	30/5/2012	$332,467.00				Sector3_4	1
COBAKI LAKES COMMUNITY FACILITIES	10		53.4998ET @ $492.00	30/5/2012	$26,322.00				CommFac10	1
LIBRARIES	11		53.4998ET @ $792.00	30/5/2012	$42,372.00				ResDevt11	1
BUS SHELTERS	12		53.4998ET @ $60.00	30/5/2012	$3,210.00				Over10ET	1
CEMETERIES	13		53.4998ET @ $120.00	30/5/2012	$6,420.00				ResDevt13	1
COUNCIL ADMIN - TECH SUPPORT	18		53.4998ET @ $1,759.90	30/5/2012	$94,154.30				Shirewide	1
CYCLEWAYS	22		53.4998ET @ $447.00	30/5/2012	$23,914.00				Shirewid22	1
CASUAL OPEN SPACE - REGIONAL	26	1	53.4998ET @ $1,031.00	30/5/2012	$55,158.00				CasOS26	1

TWEED SHIRE COUNCIL

Contribution Payable	S94 Contribution Plan Number/ Sector	Area CP5 Only	Units/lots or rate/ha	Rate (valid until) __/__/__	Amount	Rate at Time of Payment after __/__/__	Amount at Time of Payment $	Receipt Number	Charge Control	*Bank Account*
STRUCTURE OPEN SPACE - REGIONAL	26	1	53.4998ET @ $3 619 00	30/5/2012	$193,616.00				StrucOS26	1
TOTAL AMOUNT DUE					$1,643,658.80					

Please forward receipt to

Name: _____

Address: _____

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_____

Note: Refer to separate Fee Sheet for Application Fees

Original Contribution Amounts	Prepared by:		L. McGAVIN	31/5/11
		Signature	print name	date
	Checked by:		C. FORBES	31/5/11
		Signature	print name	date
Amended Contribution Amounts	Prepared by:			
		Signature	print name	__/__/__ date
	Original/amended amounts Checked & Certified by: (to enable SC release/BA release/ CC release) (Authorised Council [1] Officer)			
		Signature	print name	__/__/__ date

Note: Authorised Council Officers are: -

* **Town Planners**
* **Subdivision Engineers**
* **Building Surveyors**

TWEED SHIRE COUNCIL

Copy to TSC Financial Services Unit

SECTION 94, SECTION 64 AND OTHER DEVELOPER CONTRIBUTIONS SHEET

THIS FORM MUST ACCOMPANY PAYMENT OF CONTRIBUTIONS TO COUNCIL

Development: Cobaki Estate subdivision of precinct 6 comprised of 442 residential lots (including 1 residual lot) and lots for drainage, open space and urban infrastructure (JRPP)

Development Consent No. DA10/0801

Location: Lot 1 DP 562222; Lot 2 DP 566529; Lot 1 DP 570077; Lot 1 DP 823679; Lots 46, 54, 55, 199, 200, 201, 202, 205, 206, 209, 228, 305 DP 755740, No. 73 Sandy Lane; Lot 1 DP 570076 Piggabeen Road, Cobaki Lakes

Applicant: Leda Manorstead Pty Ltd
PO Box 1914
SURFERS PARADISE QLD 4217

Owner: Leda Manorstead Pty Ltd

Date: 30/05/2011

Paid by:

Stage: Stage 6C

Contribution Payable	S94 Contribution Plan Number/ Sector	Area CP5 Only	Units/lots or rate/ha	Rate (valid until) __/__/__	Amount	Rate at Time of Payment after __/__/__	Amount at Time of Payment $	Receipt Number	Charge Control	*Bank Account*
WATER HEADWORKS	S64		52.4ET @ $11,020.00	30/5/2012	$577,448.00				WaterDSP3	40
SEWERAGE HEADWORKS	S64		54.5ET @ $5,295.00	30/5/2012	$288,577.50				SewerBnora	85
TRCP - COBAKI	4/3		332.8Trips @ $999.00	30/5/2012	$332,467.00				Sector3_4	1
COBAKI LAKES COMMUNITY FACILITIES	10		53.4998ET @ $492.00	30/5/2012	$26,322.00				CommFac10	1
LIBRARIES	11		53.4998ET @ $792.00	30/5/2012	$42,372.00				ResDevt11	1
BUS SHELTERS	12		53.4998ET @ $60.00	30/5/2012	$3,210.00				Over10ET	1
CEMETERIES	13		53.4998ET @ $120.00	30/5/2012	$6,420.00				ResDevt13	1
COUNCIL ADMIN - TECH SUPPORT	18		53.4998ET @ $1,759.90	30/5/2012	$94,154.30				Shirewide	1
CYCLEWAYS	22		53.4998ET @ $447.00	30/5/2012	$23,914.00				Shirewid22	1
CASUAL OPEN SPACE - REGIONAL	26	1	53.4998ET @ $1,031.00	30/5/2012	$55,158.00				CasOS26	1

TWEED SHIRE COUNCIL

Contribution Payable	S94 Contribution Plan Number/ Sector	Area CP5 Only	Units/lots or rate/ha	Rate (valid until) __/__/__	Amount	Rate at Time of Payment after __/__/__	Amount at Time of Payment $	Receipt Number	Charge Control	*Bank Account*
STRUCTURE OPEN SPACE - REGIONAL	26	1	53.4998ET @ $3,619.00	30/5/2012	$193,616.00				StrucOS26	1
TOTAL AMOUNT DUE					$1,643,658.80					

Please forward receipt to

Name: _____

Address: _____

_____

_____

Note: Refer to separate Fee Sheet for Application Fees

Original Contribution Amounts	Prepared by:	Signature	print name L. McGavin	date 31/5/11
	Checked by:	Signature	print name C. Forbes	date 31/5/11
Amended Contribution Amounts	Prepared by:	Signature	print name	date __/__/__
	Original/amended amounts Checked & Certified by: (to enable SC release/BA release/ CC release) (Authorised Council [1] Officer)	Signature	print name	date __/__/__

Note: Authorised Council Officers are: -

* **Town Planners**
* **Subdivision Engineers**
* **Building Surveyors**

TWEED SHIRE COUNCIL

PROCEDURE FOR ISSUE OF CERTIFICATE OF COMPLIANCE

In accordance with Clause 64, Local Government Act, 1993 and Chapter 6, Part 2, Division 5 Water Management Act 2000

DETAILS

Applicant:	**Leda Manorstead Pty Ltd** **PO Box 1914** **SURFERS PARADISE QLD 4217**
Description of Development:	**Stage 6C** **Cobaki Estate subdivision of precinct 6 comprised of 442 residential lots (including 1 residual lot) and lots for drainage, open space and urban infrastructure (JRPP) at Lot 1 DP 562222; Lot 2 DP 566529; Lot 1 DP 570077; Lot 1 DP 823679; Lots 46, 54, 55, 199, 200, 201, 202, 205, 206, 209, 228, 305 DP 755740, No. 73 Sandy Lane; Lot 1 DP 570076 Piggabeen Road, Cobaki Lakes**
Date of Council Approval:	**30/05/2011**
Council File Reference:	**DA10/0801**

APPLICATION

To: The General Manager

Application is hereby made for a Certificate of Compliance under Part 2, Division 5, Clause 305 of the Water Management Act 2000, in respect of the consent/approval issued by Council.

Signature of Applicant Date

NOTICE OF COUNCIL'S REQUIREMENTS UNDER PART 2, DIVISION 5, CLAUSE 306 OF THE WATER MANAGEMENT ACT 2000

Works required: *a)* *Water & Sewer headworks augmentation*

Contributions required: a) Water - $577448
Sewer - $288577.50

Note: The fees and charges quoted above will remain fixed for a period of twelve (12) months from the date of Development Consent No. DA10/0801, dated 30/05/2011 and thereafter in accordance with the rates applicable in Council's adopted Fees and Charges current at the time of payment.

Note: The Environmental Planning and Assessment Act, 1979 (as amended) makes no provision for works under the Water Management Act 2000 to be certified by an Accredited Certifier.

General Manager Date 31.5.11

CERTIFICATE OF COMPLIANCE

Part 2, Division 5, Clause 307 of the Water Management Act 2000

This is to certify that water supply and sewerage works have been carried out, or security provided to Council's satisfaction for their completion and such other contributions have been paid or secured to satisfy notice of Council's requirements in respect of water supply and sewerage for the abovementioned consent dated 30/05/2011 on file DA10/0801.

General Manager Date

TWEED SHIRE COUNCIL

Copy to TSC Financial Services Unit

SECTION 94, SECTION 64 AND OTHER DEVELOPER CONTRIBUTIONS SHEET

THIS FORM MUST ACCOMPANY PAYMENT OF CONTRIBUTIONS TO COUNCIL

Development: Cobaki Estate subdivision of precinct 6 comprised of 442 residential lots (including 1 residual lot) and lots for drainage, open space and urban infrastructure (JRPP)

Development Consent No. DA10/0801

Location: Lot 1 DP 562222; Lot 2 DP 566529; Lot 1 DP 570077; Lot 1 DP 823679; Lots 46, 54, 55, 199, 200, 201, 202, 205, 206, 209, 228, 305 DP 755740, No. 73 Sandy Lane; Lot 1 DP 570076 Piggabeen Road, Cobaki Lakes

Applicant: Leda Manorstead Pty Ltd
PO Box 1914
SURFERS PARADISE QLD 4217

Owner: Leda Manorstead Pty Ltd

Date: 30/05/2011

Paid by:

Stage: Stage 6D

Contribution Payable	S94 Contribution Plan Number/ Sector	Area CP5 Only	Units/lots or rate/ha	Rate (valid until) __/__/__	Amount	Rate at Time of Payment after __/__/__	Amount at Time of Payment $	Receipt Number	Charge Control	*Bank Account*
WATER HEADWORKS	S64		63.4ET @ $11,020.00	30/5/2012	$698,668.00				WaterDSP3	40
SEWERAGE HEADWORKS	S64		69ET @ $5,295.00	30/5/2012	$365,355.00				SewerBnora	85
TRCP - COBAKI	4/3		257.4Trips @ $999.00	30/5/2012	$257,143.00				Sector3_4	1
COBAKI LAKES COMMUNITY FACILITIES	10		42.4166ET @ $492.00	30/5/2012	$20,869.00				CommFac10	1
LIBRARIES	11		42.4166ET @ $792.00	30/5/2012	$33,594.00				ResDevt11	1
BUS SHELTERS	12		42.4166ET @ $60.00	30/5/2012	$2,545.00				Over10ET	1
CEMETERIES	13		42.4166ET @ $120.00	30/5/2012	$5,090.00				ResDevt13	1
COUNCIL ADMIN - TECH SUPPORT	18		42.4166ET @ $1,759.90	30/5/2012	$74,648.97				Shirewide	1
CYCLEWAYS	22		42.4166ET @ $447.00	30/5/2012	$18,960.00				Shirewid22	1
CASUAL OPEN SPACE - REGIONAL	26	1	42.4166ET @ $1,031.00	30/5/2012	$43,732.00				CasOS26	1

TWEED SHIRE COUNCIL

Contribution Payable	S94 Contribution Plan Number/ Sector	Area CP5 Only	Units/lots or rate/ha	Rate (valid until) __/__/__	Amount	Rate at Time of Payment after __/__/__	Amount at Time of Payment $	Receipt Number	Charge Control	*Bank Account*
STRUCTURE OPEN SPACE - REGIONAL	26	1	42.4166ET @ $3,619.00	30/5/2012	$153,506.00				StrucOS26	1
TOTAL AMOUNT DUE					$1,674,110.97					

Please forward receipt to

Name: _____

Address: _____

_____

_____

Note: Refer to separate Fee Sheet for Application Fees

Original Contribution Amounts	Prepared by:	[signature]	L.McGAVIN	31/5/11
		Signature	print name	date
	Checked by:	[signature]	C. FORBES	31/5/11
		Signature	print name	date
Amended Contribution Amounts	Prepared by:			__/__/__
		Signature	print name	date
	Original/amended amounts Checked & Certified by: (to enable SC release/BA release/ CC release) (Authorised Council [1] Officer)			__/__/__
		Signature	print name	date

Note: Authorised Council Officers are: -

* **Town Planners**
* **Subdivision Engineers**
* **Building Surveyors**

TWEED SHIRE COUNCIL

Copy to TSC Financial Services Unit

SECTION 94, SECTION 64 AND OTHER DEVELOPER CONTRIBUTIONS SHEET

THIS FORM MUST ACCOMPANY PAYMENT OF CONTRIBUTIONS TO COUNCIL

Development: Cobaki Estate subdivision of precinct 6 comprised of 442 residential lots (including 1 residual lot) and lots for drainage, open space and urban infrastructure (JRPP)

Development Consent No. DA10/0801

Location: Lot 1 DP 562222; Lot 2 DP 566529; Lot 1 DP 570077; Lot 1 DP 823679; Lots 46, 54, 55, 199, 200, 201, 202, 205, 206, 209, 228, 305 DP 755740, No. 73 Sandy Lane; Lot 1 DP 570076 Piggabeen Road, Cobaki Lakes

Applicant: Leda Manorstead Pty Ltd
PO Box 1914
SURFERS PARADISE QLD 4217

Owner: Leda Manorstead Pty Ltd

Date: 30/05/2011

Paid by:

Stage: Stage 6D

Contribution Payable	S94 Contribution Plan Number/ Sector	Area CP5 Only	Units/lots or rate/ha	Rate (valid until) __/__/__	Amount	Rate at Time of Payment after __/__/__	Amount at Time of Payment $	Receipt Number	Charge Control	*Bank Account*
WATER HEADWORKS	S64		63.4ET @ $11,020.00	30/5/2012	$698,668.00				WaterDSP3	40
SEWERAGE HEADWORKS	S64		69ET @ $5,295.00	30/5/2012	$365,355.00				SewerBnora	85
TRCP - COBAKI	4/3		257.4Trips @ $999.00	30/5/2012	$257,143.00				Sector3_4	1
COBAKI LAKES COMMUNITY FACILITIES	10		42.4166ET @ $492.00	30/5/2012	$20,869.00				CommFac10	1
LIBRARIES	11		42.4166ET @ $792.00	30/5/2012	$33,594.00				ResDevt11	1
BUS SHELTERS	12		42.4166ET @ $60.00	30/5/2012	$2,545.00				Over10ET	1
CEMETERIES	13		42.4166ET @ $120.00	30/5/2012	$5,090.00				ResDevt13	1
COUNCIL ADMIN - TECH SUPPORT	18		42.4166ET @ $1,759.90	30/5/2012	$74,648.97				Shirewide	1
CYCLEWAYS	22		42.4166ET @ $447.00	30/5/2012	$18,960.00				Shirewid22	1
CASUAL OPEN SPACE - REGIONAL	26	1	42.4166ET @ $1,031.00	30/5/2012	$43,732.00				CasOS26	1

TWEED SHIRE COUNCIL

Contribution Payable	S94 Contribution Plan Number/ Sector	Area CP5 Only	Units/lots or rate/ha	Rate (valid until) __/__/__	Amount	Rate at Time of Payment after __/__/__	Amount at Time of Payment $	Receipt Number	Charge Control	*Bank Account*
STRUCTURE OPEN SPACE - REGIONAL	26	1	42.4166ET @ $3,619.00	30/5/2012	$153,506.00				StrucOS26	1
TOTAL AMOUNT DUE					$1,674,110.97					

Please forward receipt to

Name: _____

Address: _____

_____

_____

Note: Refer to separate Fee Sheet for Application Fees

Original Contribution Amounts	Prepared by:	[signature]	L. McGAVIN	31/5/11
		Signature	print name	date
	Checked by:	[signature]	C. FORBES	31/5/11
		Signature	print name	date
Amended Contribution Amounts	Prepared by:			__/__/__
		Signature	print name	date
	Original/amended amounts Checked & Certified by: (to enable SC release/BA release/ CC release) (Authorised Council [1] Officer)			__/__/__
		Signature	print name	date

Note: Authorised Council Officers are: -

* **Town Planners**
* **Subdivision Engineers**
* **Building Surveyors**

TWEED SHIRE COUNCIL

PROCEDURE FOR ISSUE OF CERTIFICATE OF COMPLIANCE

In accordance with Clause 64, Local Government Act, 1993 and Chapter 6, Part 2, Division 5 Water Management Act 2000

DETAILS

Applicant:	**Leda Manorstead Pty Ltd** **PO Box 1914** **SURFERS PARADISE QLD 4217**
Description of Development:	**Stage 6D** **Cobaki Estate subdivision of precinct 6 comprised of 442 residential lots (including 1 residual lot) and lots for drainage, open space and urban infrastructure (JRPP) at Lot 1 DP 562222; Lot 2 DP 566529; Lot 1 DP 570077; Lot 1 DP 823679; Lots 46, 54, 55, 199, 200, 201, 202, 205, 206, 209, 228, 305 DP 755740, No. 73 Sandy Lane; Lot 1 DP 570076 Piggabeen Road, Cobaki Lakes**
Date of Council Approval:	**30/05/2011**
Council File Reference:	**DA10/0801**

APPLICATION

To: The General Manager

Application is hereby made for a Certificate of Compliance under Part 2, Division 5, Clause 305 of the Water Management Act 2000, in respect of the consent/approval issued by Council.

Signature of Applicant Date

NOTICE OF COUNCIL'S REQUIREMENTS UNDER PART 2, DIVISION 5, CLAUSE 306 OF THE WATER MANAGEMENT ACT 2000

Works required: *a)* *Water & Sewer headworks augmentation*

Contributions required: a) Water - $698668
Sewer - $365355

Note: The fees and charges quoted above will remain fixed for a period of twelve (12) months from the date of Development Consent No. DA10/0801, dated 30/05/2011 and thereafter in accordance with the rates applicable in Council's adopted Fees and Charges current at the time of payment.

Note: The Environmental Planning and Assessment Act, 1979 (as amended) makes no provision for works under the Water Management Act 2000 to be certified by an Accredited Certifier.

General Manager Date 31.5.11

CERTIFICATE OF COMPLIANCE

Part 2, Division 5, Clause 307 of the Water Management Act 2000

This is to certify that water supply and sewerage works have been carried out, or security provided to Council's satisfaction for their completion and such other contributions have been paid or secured to satisfy notice of Council's requirements in respect of water supply and sewerage for the abovementioned consent dated 30/05/2011 on file DA10/0801.

General Manager Date

TWEED SHIRE COUNCIL

Copy to TSC Financial Services Unit

SECTION 94, SECTION 64 AND OTHER DEVELOPER CONTRIBUTIONS SHEET

THIS FORM MUST ACCOMPANY PAYMENT OF CONTRIBUTIONS TO COUNCIL

Development: Cobaki Estate subdivision of precinct 6 comprised of 442 residential lots (including 1 residual lot) and lots for drainage, open space and urban infrastructure (JRPP)

Development Consent No. DA10/0801

Location: Lot 1 DP 562222; Lot 2 DP 566529; Lot 1 DP 570077; Lot 1 DP 823679; Lots 46, 54, 55, 199, 200, 201, 202, 205, 206, 209, 228, 305 DP 755740, No. 73 Sandy Lane; Lot 1 DP 570076 Piggabeen Road, Cobaki Lakes

Applicant: Leda Manorstead Pty Ltd
PO Box 1914
SURFERS PARADISE QLD 4217

Owner: Leda Manorstead Pty Ltd

Date: 30/05/2011

Paid by:

Stage: Stage 6E

Contribution Payable	S94 Contribution Plan Number/ Sector	Area CP5 Only	Units/lots or rate/ha	Rate (valid until) __/__/__	Amount	Rate at Time of Payment after __/__/__	Amount at Time of Payment $	Receipt Number	Charge Control	*Bank Account*
WATER HEADWORKS	S64		60ET @ $11,020.00	30/5/2012	$661,200.00				WaterDSP3	40
SEWERAGE HEADWORKS	S64		64.75ET @ $5,295.00	30/5/2012	$342,851.30				SewerBnora	85
TRCP - COBAKI	4/3		379.6Trips @ $999.00	30/5/2012	$379,220.00				Sector3_4	1
COBAKI LAKES COMMUNITY FACILITIES	10		62.9994ET @ $492.00	30/5/2012	$30,996.00				CommFac10	1
LIBRARIES	11		62.9994ET @ $792.00	30/5/2012	$49,896.00				ResDevt11	1
BUS SHELTERS	12		62.9994ET @ $60.00	30/5/2012	$3,780.00				Over10ET	1
CEMETERIES	13		62.9994ET @ $120.00	30/5/2012	$7,560.00				ResDevt13	1
COUNCIL ADMIN - TECH SUPPORT	18		62.9994ET @ $1,759.90	30/5/2012	$110,872.64				Shirewide	1
CYCLEWAYS	22		62.9994ET @ $447.00	30/5/2012	$28,161.00				Shirewid22	1
CASUAL OPEN SPACE - REGIONAL	26	1	62.9994ET @ $1,031.00	30/5/2012	$64,952.00				CasOS26	1

TWEED SHIRE COUNCIL

Contribution Payable	S94 Contribution Plan Number/ Sector	Area CP5 Only	Units/lots or rate/ha	Rate (valid until) __/__/__	Amount	Rate at Time of Payment after __/__/__	Amount at Time of Payment $	Receipt Number	Charge Control	*Bank Account*
STRUCTURE OPEN SPACE - REGIONAL	26	1	62.9994ET @ $3,619.00	30/5/2012	$227,995.00				StrucOS26	1
TOTAL AMOUNT DUE					$1,907,483.94					

Please forward receipt to

Name: _____

Address: _____

_____

_____

Note: Refer to separate Fee Sheet for Application Fees

Original Contribution Amounts	Prepared by:	Signature	L McGavin print name	31/5/11 date
	Checked by:	Signature	C. Forbes print name	31/5/11 date
Amended Contribution Amounts	Prepared by:	Signature	print name	__/__/__ date
	Original/amended amounts Checked & Certified by: (to enable SC release/BA release/ CC release) (Authorised Council [1] Officer)	Signature	print name	__/__/__ date

Note: Authorised Council Officers are: -

* **Town Planners**
* **Subdivision Engineers**
* **Building Surveyors**

TWEED SHIRE COUNCIL

Copy to TSC Financial Services Unit

SECTION 94, SECTION 64 AND OTHER DEVELOPER CONTRIBUTIONS SHEET

THIS FORM MUST ACCOMPANY PAYMENT OF CONTRIBUTIONS TO COUNCIL

Development: Cobaki Estate subdivision of precinct 6 comprised of 442 residential lots (including 1 residual lot) and lots for drainage, open space and urban infrastructure (JRPP)

Development Consent No. DA10/0801

Location: Lot 1 DP 562222; Lot 2 DP 566529; Lot 1 DP 570077; Lot 1 DP 823679; Lots 46, 54, 55, 199, 200, 201, 202, 205, 206, 209, 228, 305 DP 755740, No. 73 Sandy Lane; Lot 1 DP 570076 Piggabeen Road, Cobaki Lakes

Applicant: Leda Manorstead Pty Ltd
PO Box 1914
SURFERS PARADISE QLD 4217

Owner: Leda Manorstead Pty Ltd

Date: 30/05/2011

Paid by:

Stage: Stage 6E

Contribution Payable	S94 Contribution Plan Number/ Sector	Area CP5 Only	Units/lots or rate/ha	Rate (valid until) __/__/__	Amount	Rate at Time of Payment after __/__/__	Amount at Time of Payment $	Receipt Number	Charge Control	*Bank Account*
WATER HEADWORKS	S64		60ET @ $11,020.00	30/5/2012	$661,200.00				WaterDSP3	40
SEWERAGE HEADWORKS	S64		64 75ET @ $5,295 00	30/5/2012	$342,851.30				SewerBnora	85
TRCP - COBAKI	4/3		379.6Trips @ $999.00	30/5/2012	$379,220.00				Sector3_4	1
COBAKI LAKES COMMUNITY FACILITIES	10		62.9994ET @ $492.00	30/5/2012	$30,996.00				CommFac10	1
LIBRARIES	11		62.9994ET @ $792.00	30/5/2012	$49,896.00				ResDevt11	1
BUS SHELTERS	12		62.9994ET @ $60.00	30/5/2012	$3,780.00				Over10ET	1
CEMETERIES	13		62.9994ET @ $120.00	30/5/2012	$7,560.00				ResDevt13	1
COUNCIL ADMIN - TECH SUPPORT	18		62.9994ET @ $1,759.90	30/5/2012	$110,872.64				Shirewide	1
CYCLEWAYS	22		62.9994ET @ $447.00	30/5/2012	$28,161.00				Shirewid22	1
CASUAL OPEN SPACE - REGIONAL	26	1	62.9994ET @ $1,031.00	30/5/2012	$64,952.00				CasOS26	1

TWEED SHIRE COUNCIL

Contribution Payable	S94 Contribution Plan Number/ Sector	Area CP5 Only	Units/lots or rate/ha	Rate (valid until) __/__/__	Amount	Rate at Time of Payment after __/__/__	Amount at Time of Payment $	Receipt Number	Charge Control	*Bank Account*
STRUCTURE OPEN SPACE - REGIONAL	26	1	62.9994ET @ $3,619.00	30/5/2012	$227,995.00				StrucOS26	1
TOTAL AMOUNT DUE					$1,907,483.94					

Please forward receipt to

Name: _____

Address: _____

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_____

Note: Refer to separate Fee Sheet for Application Fees

Original Contribution Amounts	Prepared by:	Signature	C. McGRAVIN print name	31/5/11 date
	Checked by:	Signature	C. FORBES print name	31/5/11 date
Amended Contribution Amounts	Prepared by:	Signature	print name	__/__/__ date
	Original/amended amounts Checked & Certified by: (to enable SC release/BA release/ CC release) (Authorised Council [1] Officer)	Signature	print name	__/__/__ date

Note: Authorised Council Officers are: -

* **Town Planners**
* **Subdivision Engineers**
* **Building Surveyors**

TWEED SHIRE COUNCIL

PROCEDURE FOR ISSUE OF CERTIFICATE OF COMPLIANCE

In accordance with Clause 64, Local Government Act, 1993 and Chapter 6, Part 2, Division 5 Water Management Act 2000

DETAILS

Applicant:	**Leda Manorstead Pty Ltd** **PO Box 1914** **SURFERS PARADISE QLD 4217**
Description of Development:	**Stage 6E** **Cobaki Estate subdivision of precinct 6 comprised of 442 residential lots (including 1 residual lot) and lots for drainage, open space and urban infrastructure (JRPP) at Lot 1 DP 562222; Lot 2 DP 566529; Lot 1 DP 570077; Lot 1 DP 823679; Lots 46, 54, 55, 199, 200, 201, 202, 205, 206, 209, 228, 305 DP 755740, No. 73 Sandy Lane; Lot 1 DP 570076 Piggabeen Road, Cobaki Lakes**
Date of Council Approval:	**30/05/2011**
Council File Reference:	**DA10/0801**

APPLICATION

To: The General Manager

Application is hereby made for a Certificate of Compliance under Part 2, Division 5, Clause 305 of the Water Management Act 2000, in respect of the consent/approval issued by Council.

Signature of Applicant Date

NOTICE OF COUNCIL'S REQUIREMENTS UNDER PART 2, DIVISION 5, CLAUSE 306 OF THE WATER MANAGEMENT ACT 2000

Works required: *a)* *Water & Sewer headworks augmentation*

Contributions required: a) Water - $661200
Sewer - $342851.30

Note: The fees and charges quoted above will remain fixed for a period of twelve (12) months from the date of Development Consent No. DA10/0801, dated 30/05/2011 and thereafter in accordance with the rates applicable in Council's adopted Fees and Charges current at the time of payment.

Note: The Environmental Planning and Assessment Act, 1979 (as amended) makes no provision for works under the Water Management Act 2000 to be certified by an Accredited Certifier.

General Manager Date 31.5.11

CERTIFICATE OF COMPLIANCE

Part 2, Division 5, Clause 307 of the Water Management Act 2000

This is to certify that water supply and sewerage works have been carried out, or security provided to Council's satisfaction for their completion and such other contributions have been paid or secured to satisfy notice of Council's requirements in respect of water supply and sewerage for the abovementioned consent dated 30/05/2011 on file DA10/0801.

General Manager Date

TWEED SHIRE COUNCIL

Copy to TSC Financial Services Unit

SECTION 94, SECTION 64 AND OTHER DEVELOPER CONTRIBUTIONS SHEET

THIS FORM MUST ACCOMPANY PAYMENT OF CONTRIBUTIONS TO COUNCIL

Development: Cobaki Estate subdivision of precinct 6 comprised of 442 residential lots (including 1 residual lot) and lots for drainage, open space and urban infrastructure (JRPP)

Development Consent No. DA10/0801

Location: Lot 1 DP 562222; Lot 2 DP 566529; Lot 1 DP 570077; Lot 1 DP 823679; Lots 46, 54, 55, 199, 200, 201, 202, 205, 206, 209, 228, 305 DP 755740, No. 73 Sandy Lane; Lot 1 DP 570076 Piggabeen Road, Cobaki Lakes

Applicant: Leda Manorstead Pty Ltd
PO Box 1914
SURFERS PARADISE QLD 4217

Owner: Leda Manorstead Pty Ltd

Date: 30/05/2011

Paid by:

Stage: Stage 6F

Contribution Payable	S94 Contribution Plan Number/ Sector	Area CP5 Only	Units/lots or rate/ha	Rate (valid until) __/__/__	Amount	Rate at Time of Payment after __/__/__	Amount at Time of Payment $	Receipt Number	Charge Control	*Bank Account*
WATER HEADWORKS	S64		25ET @ $11,020.00	30/5/2012	$275,500.00				WaterDSP3	40
SEWERAGE HEADWORKS	S64		27.25ET @ $5,295.00	30/5/2012	$144,288.80				SewerBnora	85
TRCP - COBAKI	4/3		150.8Trips @ $999.00	30/5/2012	$150,649.00				Sector3_4	1
COBAKI LAKES COMMUNITY FACILITIES	10		25.9999ET @ $492.00	30/5/2012	$12,792.00				CommFac10	1
LIBRARIES	11		25.9999ET @ $792.00	30/5/2012	$20,592.00				ResDevt11	1
BUS SHELTERS	12		25.9999ET @ $60.00	30/5/2012	$1,560.00				Over10ET	1
CEMETERIES	13		25.9999ET @ $120.00	30/5/2012	$3,120.00				ResDevt13	1
COUNCIL ADMIN - TECH SUPPORT	18		25.9999ET @ $1,759.90	30/5/2012	$45,757.22				Shirewide	1
CYCLEWAYS	22		25.9999ET @ $447.00	30/5/2012	$11,622.00				Shirewid22	1
CASUAL OPEN SPACE - REGIONAL	26	1	25.9999ET @ $1,031 00	30/5/2012	$26,806.00				CasOS26	1
STRUCTURE OPEN SPACE -	26	1	25.9999ET @ $3,619.00	30/5/2012	$94,094.00				StrucOS26	1

TWEED SHIRE COUNCIL

Contribution Payable	S94 Contribution Plan Number/ Sector	Area CP5 Only	Units/lots or rate/ha	Rate (valid until) __/__/__	Amount	Rate at Time of Payment after __/__/__	Amount at Time of Payment $	Receipt Number	Charge Control	*Bank Account*
REGIONAL										
TOTAL AMOUNT DUE					$786,781.02					

Please forward receipt to

Name: _____

Address: _____

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_____

Note: Refer to separate Fee Sheet for Application Fees

Original Contribution Amounts	Prepared by:	L McGavin	L McGavin	31/5/11
		Signature	print name	date
	Checked by:		C Jones	31/5/11
		Signature	print name	date
Amended Contribution Amounts	Prepared by:			/ /
		Signature	print name	date
	Original/amended amounts Checked & Certified by: (to enable SC release/BA release/ CC release) (Authorised Council [1] Officer)			/ /
		Signature	print name	date

Note: Authorised Council Officers are: -

* **Town Planners**
* **Subdivision Engineers**
* **Building Surveyors**

TWEED SHIRE COUNCIL

Copy to TSC Financial Services Unit

SECTION 94, SECTION 64 AND OTHER DEVELOPER CONTRIBUTIONS SHEET

THIS FORM MUST ACCOMPANY PAYMENT OF CONTRIBUTIONS TO COUNCIL

Development: Cobaki Estate subdivision of precinct 6 comprised of 442 residential lots (including 1 residual lot) and lots for drainage, open space and urban infrastructure (JRPP)

Development Consent No. DA10/0801

Location: Lot 1 DP 562222; Lot 2 DP 566529; Lot 1 DP 570077; Lot 1 DP 823679; Lots 46, 54, 55, 199, 200, 201, 202, 205, 206, 209, 228, 305 DP 755740, No. 73 Sandy Lane; Lot 1 DP 570076 Piggabeen Road, Cobaki Lakes

Applicant: Leda Manorstead Pty Ltd
PO Box 1914
SURFERS PARADISE QLD 4217

Owner: Leda Manorstead Pty Ltd

Date: 30/05/2011

Paid by:

Stage: Stage 6F

Contribution Payable	S94 Contribution Plan Number/ Sector	Area CP5 Only	Units/lots or rate/ha	Rate (valid until) __/__/__	Amount	Rate at Time of Payment after __/__/__	Amount at Time of Payment $	Receipt Number	Charge Control	*Bank Account*
WATER HEADWORKS	S64		25ET @ $11,020.00	30/5/2012	$275,500.00				WaterDSP3	40
SEWERAGE HEADWORKS	S64		27.25ET @ $5,295 00	30/5/2012	$144,288.80				SewerBnora	85
TRCP - COBAKI	4/3		150.8Trips @ $999.00	30/5/2012	$150,649.00				Sector3_4	1
COBAKI LAKES COMMUNITY FACILITIES	10		25.9999ET @ $492.00	30/5/2012	$12,792.00				CommFac10	1
LIBRARIES	11		25.9999ET @ $792.00	30/5/2012	$20,592.00				ResDevt11	1
BUS SHELTERS	12		25.9999ET @ $60.00	30/5/2012	$1,560.00				Over10ET	1
CEMETERIES	13		25.9999ET @ $120.00	30/5/2012	$3,120.00				ResDevt13	1
COUNCIL ADMIN - TECH SUPPORT	18		25.9999ET @ $1,759.90	30/5/2012	$45,757.22				Shirewide	1
CYCLEWAYS	22		25.9999ET @ $447.00	30/5/2012	$11,622.00				Shirewid22	1
CASUAL OPEN SPACE - REGIONAL	26	1	25.9999ET @ $1,031.00	30/5/2012	$26,806.00				CasOS26	1
STRUCTURE OPEN SPACE -	26	1	25.9999ET @ $3,619.00	30/5/2012	$94,094.00				StrucOS26	1

TWEED SHIRE COUNCIL

Contribution Payable	S94 Contribution Plan Number/ Sector	Area CP5 Only	Units/lots or rate/ha	Rate (valid until) __/__/__	Amount	Rate at Time of Payment after __/__/__	Amount at Time of Payment $	Receipt Number	Charge Control	*Bank Account*
REGIONAL										
TOTAL AMOUNT DUE					$786,781.02					

Please forward receipt to

Name: _____

Address: _____

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Note: Refer to separate Fee Sheet for Application Fees

Original Contribution Amounts	Prepared by:	Signature	L McGAVIN print name	31/5/11 date
	Checked by:	Signature	C FORBES print name	31/5/11 date
Amended Contribution Amounts	Prepared by:	Signature	print name	__/__/__ date
	Original/amended amounts Checked & Certified by: (to enable SC release/BA release/ CC release) (Authorised Council [1] Officer)	Signature	print name	__/__/__ date

Note: Authorised Council Officers are: -

* **Town Planners**
* **Subdivision Engineers**
* **Building Surveyors**

TWEED SHIRE COUNCIL

PROCEDURE FOR ISSUE OF CERTIFICATE OF COMPLIANCE

In accordance with Clause 64, Local Government Act, 1993 and Chapter 6, Part 2, Division 5 Water Management Act 2000

DETAILS

Applicant:	**Leda Manorstead Pty Ltd** **PO Box 1914** **SURFERS PARADISE QLD 4217**
Description of Development:	**Stage 6F** **Cobaki Estate subdivision of precinct 6 comprised of 442 residential lots (including 1 residual lot) and lots for drainage, open space and urban infrastructure (JRPP) at Lot 1 DP 562222; Lot 2 DP 566529; Lot 1 DP 570077; Lot 1 DP 823679; Lots 46, 54, 55, 199, 200, 201, 202, 205, 206, 209, 228, 305 DP 755740, No. 73 Sandy Lane; Lot 1 DP 570076 Piggabeen Road, Cobaki Lakes**
Date of Council Approval:	**30/05/2011**
Council File Reference:	**DA10/0801**

APPLICATION

To: The General Manager

Application is hereby made for a Certificate of Compliance under Part 2, Division 5, Clause 305 of the Water Management Act 2000, in respect of the consent/approval issued by Council.

Signature of Applicant Date

NOTICE OF COUNCIL'S REQUIREMENTS UNDER PART 2, DIVISION 5, CLAUSE 306 OF THE WATER MANAGEMENT ACT 2000

Works required: *a)* *Water & Sewer headworks augmentation*

Contributions required: a) Water - $275500
Sewer - $144288.80

Note: The fees and charges quoted above will remain fixed for a period of twelve (12) months from the date of Development Consent No. DA10/0801, dated 30/05/2011 and thereafter in accordance with the rates applicable in Council's adopted Fees and Charges current at the time of payment.

Note: The Environmental Planning and Assessment Act, 1979 (as amended) makes no provision for works under the Water Management Act 2000 to be certified by an Accredited Certifier.

General Manager Date 31.5.11

CERTIFICATE OF COMPLIANCE

Part 2, Division 5, Clause 307 of the Water Management Act 2000

This is to certify that water supply and sewerage works have been carried out, or security provided to Council's satisfaction for their completion and such other contributions have been paid or secured to satisfy notice of Council's requirements in respect of water supply and sewerage for the abovementioned consent dated 30/05/2011 on file DA10/0801.

General Manager Date

TWEED SHIRE COUNCIL

Copy to TSC Financial Services Unit

SECTION 94, SECTION 64 AND OTHER DEVELOPER CONTRIBUTIONS SHEET

THIS FORM MUST ACCOMPANY PAYMENT OF CONTRIBUTIONS TO COUNCIL

Development: Cobaki Estate subdivision of precinct 6 comprised of 442 residential lots (including 1 residual lot) and lots for drainage, open space and urban infrastructure (JRPP)

Development Consent No. DA10/0801

Location: Lot 1 DP 562222; Lot 2 DP 566529; Lot 1 DP 570077; Lot 1 DP 823679; Lots 46, 54, 55, 199, 200, 201, 202, 205, 206, 209, 228, 305 DP 755740, No. 73 Sandy Lane; Lot 1 DP 570076 Piggabeen Road, Cobaki Lakes

Applicant: Leda Manorstead Pty Ltd
PO Box 1914
SURFERS PARADISE QLD 4217

Owner: Leda Manorstead Pty Ltd

Date: 30/05/2011

Paid by:

Stage: Stage 6G

Contribution Payable	S94 Contribution Plan Number/ Sector	Area CP5 Only	Units/lots or rate/ha	Rate (valid until) __/__/__	Amount	Rate at Time of Payment after __/__/__	Amount at Time of Payment $	Receipt Number	Charge Control	*Bank Account*
WATER HEADWORKS	S64		59.8ET @ $11,020.00	30/5/2012	$658,996.00				WaterDSP3	40
SEWERAGE HEADWORKS	S64		64.75ET @ $5,295.00	30/5/2012	$342,851.30				SewerBnora	85
TRCP - COBAKI	4/3		365.3Trips @ $999.00	30/5/2012	$364,935.00				Sector3_4	1
COBAKI LAKES COMMUNITY FACILITIES	10		62.2497ET @ $492.00	30/5/2012	$30,627.00				CommFac10	1
LIBRARIES	11		62.2497ET @ $792.00	30/5/2012	$49,302.00				ResDevt11	1
BUS SHELTERS	12		62.2497ET @ $60.00	30/5/2012	$3,735.00				Over10ET	1
CEMETERIES	13		62.2497ET @ $120.00	30/5/2012	$7,470.00				ResDevt13	1
COUNCIL ADMIN - TECH SUPPORT	18		62.2497ET @ $1,759.90	30/5/2012	$109,553.25				Shirewide	1
CYCLEWAYS	22		62.2497ET @ $447.00	30/5/2012	$27,826.00				Shirewid22	1
CASUAL OPEN SPACE - REGIONAL	26	1	62.2497ET @ $1,031.00	30/5/2012	$64,179.00				CasOS26	1

TWEED SHIRE COUNCIL

Contribution Payable	S94 Contribution Plan Number/ Sector	Area CP5 Only	Units/lots or rate/ha	Rate (valid until) __/__/__	Amount	Rate at Time of Payment after __/__/__	Amount at Time of Payment $	Receipt Number	Charge Control	*Bank Account*
STRUCTURE OPEN SPACE - REGIONAL	26	1	62.2497ET @ $3,619.00	30/5/2012	$225,282.00				StrucOS26	1
TOTAL AMOUNT DUE					$1,884,756.55					

Please forward receipt to

Name: _____

Address: _____

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Note: Refer to separate Fee Sheet for Application Fees

Original Contribution Amounts	Prepared by:	L M GAVIN	31/5/11	
		Signature	print name	date
	Checked by:	C FORBES	31/5/11	
		Signature	print name	date
Amended Contribution Amounts	Prepared by:			
		Signature	print name	date __/__/__
	Original/amended amounts Checked & Certified by: (to enable SC release/BA release/ CC release) (Authorised Council [1] Officer)			
		Signature	print name	date __/__/__

Note: Authorised Council Officers are: -

* **Town Planners**
* **Subdivision Engineers**
* **Building Surveyors**

TWEED SHIRE COUNCIL

Copy to TSC Financial Services Unit

SECTION 94, SECTION 64 AND OTHER DEVELOPER CONTRIBUTIONS SHEET

THIS FORM MUST ACCOMPANY PAYMENT OF CONTRIBUTIONS TO COUNCIL

Development: Cobaki Estate subdivision of precinct 6 comprised of 442 residential lots (including 1 residual lot) and lots for drainage, open space and urban infrastructure (JRPP)

Development Consent No. DA10/0801

Location: Lot 1 DP 562222; Lot 2 DP 566529; Lot 1 DP 570077; Lot 1 DP 823679; Lots 46, 54, 55, 199, 200, 201, 202, 205, 206, 209, 228, 305 DP 755740, No. 73 Sandy Lane; Lot 1 DP 570076 Piggabeen Road, Cobaki Lakes

Applicant: Leda Manorstead Pty Ltd
PO Box 1914
SURFERS PARADISE QLD 4217

Owner: Leda Manorstead Pty Ltd

Date: 30/05/2011

Paid by:

Stage: Stage 6G

Contribution Payable	S94 Contribution Plan Number/ Sector	Area CP5 Only	Units/lots or rate/ha	Rate (valid until) __/__/__	Amount	Rate at Time of Payment after __/__/__	Amount at Time of Payment $	Receipt Number	Charge Control	*Bank Account*
WATER HEADWORKS	S64		59.8ET @ $11,020.00	30/5/2012	$658,996.00				WaterDSP3	40
SEWERAGE HEADWORKS	S64		64.75ET @ $5,295.00	30/5/2012	$342,851.30				SewerBnora	85
TRCP - COBAKI	4/3		365.3Trips @ $999.00	30/5/2012	$364,935.00				Sector3_4	1
COBAKI LAKES COMMUNITY FACILITIES	10		62.2497ET @ $492.00	30/5/2012	$30,627.00				CommFac10	1
LIBRARIES	11		62 2497ET @ $792.00	30/5/2012	$49,302.00				ResDevt11	1
BUS SHELTERS	12		62.2497ET @ $60.00	30/5/2012	$3,735.00				Over10ET	1
CEMETERIES	13		62.2497ET @ $120.00	30/5/2012	$7,470.00				ResDevt13	1
COUNCIL ADMIN - TECH SUPPORT	18		62.2497ET @ $1,759.90	30/5/2012	$109,553.25				Shirewide	1
CYCLEWAYS	22		62.2497ET @ $447.00	30/5/2012	$27,826.00				Shirewid22	1
CASUAL OPEN SPACE - REGIONAL	26	1	62.2497ET @ $1,031 00	30/5/2012	$64,179.00				CasOS26	1

TWEED SHIRE COUNCIL

Contribution Payable	S94 Contribution Plan Number/ Sector	Area CP5 Only	Units/lots or rate/ha	Rate (valid until) __/__/__	Amount	Rate at Time of Payment after __/__/__	Amount at Time of Payment $	Receipt Number	Charge Control	*Bank Account*
STRUCTURE OPEN SPACE - REGIONAL	26	1	62.2497ET @ $3,619.00	30/5/2012	$225,282.00				StrucOS26	1
TOTAL AMOUNT DUE					$1,884,756.55					

Please forward receipt to

Name: _____

Address: _____

_____

_____

Note: Refer to separate Fee Sheet for Application Fees

Original Contribution Amounts	Prepared by:	L. McGavin		31/5/11
		Signature	print name	date
	Checked by:	C. Forbes	C. FORBES	31/5/11
		Signature	print name	date
Amended Contribution Amounts	Prepared by:			__/__/__
		Signature	print name	date
	Original/amended amounts Checked & Certified by: (to enable SC release/BA release/ CC release) (Authorised Council [1] Officer)			__/__/__
		Signature	print name	date

Note: Authorised Council Officers are: -

* **Town Planners**
* **Subdivision Engineers**
* **Building Surveyors**

TWEED SHIRE COUNCIL

PROCEDURE FOR ISSUE OF CERTIFICATE OF COMPLIANCE

In accordance with Clause 64, Local Government Act, 1993 and Chapter 6, Part 2, Division 5 Water Management Act 2000

DETAILS

Applicant:	**Leda Manorstead Pty Ltd** **PO Box 1914** **SURFERS PARADISE QLD 4217**
Description of Development:	**Stage 6G** **Cobaki Estate subdivision of precinct 6 comprised of 442 residential lots (including 1 residual lot) and lots for drainage, open space and urban infrastructure (JRPP) at Lot 1 DP 562222; Lot 2 DP 566529; Lot 1 DP 570077; Lot 1 DP 823679; Lots 46, 54, 55, 199, 200, 201, 202, 205, 206, 209, 228, 305 DP 755740, No. 73 Sandy Lane; Lot 1 DP 570076 Piggabeen Road, Cobaki Lakes**
Date of Council Approval:	**30/05/2011**
Council File Reference:	**DA10/0801**

APPLICATION

To: The General Manager

Application is hereby made for a Certificate of Compliance under Part 2, Division 5, Clause 305 of the Water Management Act 2000, in respect of the consent/approval issued by Council.

Signature of Applicant Date

NOTICE OF COUNCIL'S REQUIREMENTS UNDER PART 2, DIVISION 5, CLAUSE 306 OF THE WATER MANAGEMENT ACT 2000

Works required: *a)* *Water & Sewer headworks augmentation*

Contributions required: a) Water - $658996
Sewer - $342851.30

Note: The fees and charges quoted above will remain fixed for a period of twelve (12) months from the date of Development Consent No. DA10/0801, dated 30/05/2011 and thereafter in accordance with the rates applicable in Council's adopted Fees and Charges current at the time of payment.

Note: The Environmental Planning and Assessment Act, 1979 (as amended) makes no provision for works under the Water Management Act 2000 to be certified by an Accredited Certifier.

General Manager Date 31.5.11

CERTIFICATE OF COMPLIANCE

Part 2, Division 5, Clause 307 of the Water Management Act 2000

This is to certify that water supply and sewerage works have been carried out, or security provided to Council's satisfaction for their completion and such other contributions have been paid or secured to satisfy notice of Council's requirements in respect of water supply and sewerage for the abovementioned consent dated 30/05/2011 on file DA10/0801.

General Manager Date

TWEED SHIRE COUNCIL

Copy to TSC Financial Services Unit

SECTION 94, SECTION 64 AND OTHER DEVELOPER CONTRIBUTIONS SHEET

THIS FORM MUST ACCOMPANY PAYMENT OF CONTRIBUTIONS TO COUNCIL

Development: Cobaki Estate subdivision of precinct 6 comprised of 442 residential lots (including 1 residual lot) and lots for drainage, open space and urban infrastructure (JRPP)

Development Consent No. DA10/0801

Location: Lot 1 DP 562222; Lot 2 DP 566529; Lot 1 DP 570077; Lot 1 DP 823679; Lots 46, 54, 55, 199, 200, 201, 202, 205, 206, 209, 228, 305 DP 755740, No. 73 Sandy Lane; Lot 1 DP 570076 Piggabeen Road, Cobaki Lakes

Applicant: Leda Manorstead Pty Ltd
PO Box 1914
SURFERS PARADISE QLD 4217

Owner: Leda Manorstead Pty Ltd

Date: 30/05/2011

Paid by:

Stage: Stage 6H

Contribution Payable	S94 Contribution Plan Number/ Sector	Area CP5 Only	Units/lots or rate/ha	Rate (valid until) __/__/__	Amount	Rate at Time of Payment after __/__/__	Amount at Time of Payment $	Receipt Number	Charge Control	*Bank Account*
WATER HEADWORKS	S64		57.2ET @ $11,020.00	30/5/2012	$630,344.00				WaterDSP3	40
SEWERAGE HEADWORKS	S64		58.75ET @ $5,295.00	30/5/2012	$311,081.30				SewerBnora	85
TRCP - COBAKI	4/3		366.6Trips @ $999.00	30/5/2012	$366,233.00				Sector3_4	1
COBAKI LAKES COMMUNITY FACILITIES	10		58.0415ET @ $492.00	30/5/2012	$28,556.00				CommFac10	1
LIBRARIES	11		58.0415ET @ $792.00	30/5/2012	$45,969.00				ResDevt11	1
BUS SHELTERS	12		58.0415ET @ $60.00	30/5/2012	$3,482.00				Over10ET	1
CEMETERIES	13		58.0415ET @ $120.00	30/5/2012	$6,965.00				ResDevt13	1
COUNCIL ADMIN - TECH SUPPORT	18		58.0415ET @ $1,759.90	30/5/2012	$102,147.24				Shirewide	1
CYCLEWAYS	22		58.0415ET @ $447.00	30/5/2012	$25,945.00				Shirewid22	1
CASUAL OPEN SPACE - REGIONAL	26	1	58.0415ET @ $1,031.00	30/5/2012	$59,841.00				CasOS26	1

TWEED SHIRE COUNCIL

Contribution Payable	S94 Contribution Plan Number/ Sector	Area CP5 Only	Units/lots or rate/ha	Rate (valid until) __/__/__	Amount	Rate at Time of Payment after __/__/__	Amount at Time of Payment $	Receipt Number	Charge Control	*Bank Account*
STRUCTURE OPEN SPACE - REGIONAL	26	1	58.0415ET @ $3,619.00	30/5/2012	$210,052.00				StrucOS26	1
TOTAL AMOUNT DUE					$1,790,615.54					

Please forward receipt to

Name: _____

Address: _____

_____

_____

Note: Refer to separate Fee Sheet for Application Fees

Original Contribution Amounts	Prepared by:	Signature	L. McGrath print name	31/5/11 date
	Checked by:	Signature	C. Forbes print name	31/5/11 date
Amended Contribution Amounts	Prepared by:	Signature	print name	__/__/__ date
	Original/amended amounts Checked & Certified by: (to enable SC release/BA release/ CC release) (Authorised Council [1] Officer)	Signature	print name	__/__/__ date

Note: Authorised Council Officers are: -

* **Town Planners**
* **Subdivision Engineers**
* **Building Surveyors**

TWEED SHIRE COUNCIL

Copy to TSC Financial Services Unit

SECTION 94, SECTION 64 AND OTHER DEVELOPER CONTRIBUTIONS SHEET

THIS FORM MUST ACCOMPANY PAYMENT OF CONTRIBUTIONS TO COUNCIL

Development: Cobaki Estate subdivision of precinct 6 comprised of 442 residential lots (including 1 residual lot) and lots for drainage, open space and urban infrastructure (JRPP)

Development Consent No. DA10/0801

Location: Lot 1 DP 562222; Lot 2 DP 566529; Lot 1 DP 570077; Lot 1 DP 823679; Lots 46, 54, 55, 199, 200, 201, 202, 205, 206, 209, 228, 305 DP 755740, No. 73 Sandy Lane; Lot 1 DP 570076 Piggabeen Road, Cobaki Lakes

Applicant: Leda Manorstead Pty Ltd
PO Box 1914
SURFERS PARADISE QLD 4217

Owner: Leda Manorstead Pty Ltd

Date: 30/05/2011

Paid by:

Stage: Stage 6H

Contribution Payable	S94 Contribution Plan Number/ Sector	Area CP5 Only	Units/lots or rate/ha	Rate (valid until) __/__/__	Amount	Rate at Time of Payment after __/__/__	Amount at Time of Payment $	Receipt Number	Charge Control	*Bank Account*
WATER HEADWORKS	S64		57.2ET @ $11,020.00	30/5/2012	$630,344.00				WaterDSP3	40
SEWERAGE HEADWORKS	S64		58.75ET @ $5.295.00	30/5/2012	$311,081.30				SewerBnora	85
TRCP - COBAKI	4/3		366.6Trips @ $999.00	30/5/2012	$366,233.00				Sector3_4	1
COBAKI LAKES COMMUNITY FACILITIES	10		58.0415ET @ $492.00	30/5/2012	$28,556.00				CommFac10	1
LIBRARIES	11		58.0415ET @ $792.00	30/5/2012	$45,969.00				ResDevt11	1
BUS SHELTERS	12		58.0415ET @ $60.00	30/5/2012	$3,482.00				Over10ET	1
CEMETERIES	13		58.0415ET @ $120.00	30/5/2012	$6,965.00				ResDevt13	1
COUNCIL ADMIN - TECH SUPPORT	18		58.0415ET @ $1,759.90	30/5/2012	$102,147.24				Shirewide	1
CYCLEWAYS	22		58.0415ET @ $447.00	30/5/2012	$25,945.00				Shirewid22	1
CASUAL OPEN SPACE - REGIONAL	26	1	58.0415ET @ $1,031.00	30/5/2012	$59,841.00				CasOS26	1

TWEED SHIRE COUNCIL

Contribution Payable	S94 Contribution Plan Number/ Sector	Area CP5 Only	Units/lots or rate/ha	Rate (valid until) __/__/__	Amount	Rate at Time of Payment after __/__/__	Amount at Time of Payment $	Receipt Number	Charge Control	*Bank Account*
STRUCTURE OPEN SPACE - REGIONAL	26	1	58.0415ET @ $3,619.00	30/5/2012	$210,052.00				StrucOS26	1
TOTAL AMOUNT DUE					$1,790,615.54					

Please forward receipt to

Name: _____

Address: _____

_____

_____

Note: Refer to separate Fee Sheet for Application Fees

Original Contribution Amounts	Prepared by:	L. McGavin	L. McGavin	31/5/11
		Signature	print name	date
	Checked by:	C. Forbes	C. FORBES	31/5/11
		Signature	print name	date
Amended Contribution Amounts	Prepared by:			
		Signature	print name	__/__/__ date
	Original/amended amounts Checked & Certified by: (to enable SC release/BA release/ CC release) (Authorised Council [1] Officer)			
		Signature	print name	__/__/__ date

Note: Authorised Council Officers are: -

* **Town Planners**
* **Subdivision Engineers**
* **Building Surveyors**

TWEED SHIRE COUNCIL

PROCEDURE FOR ISSUE OF CERTIFICATE OF COMPLIANCE

In accordance with Clause 64, Local Government Act, 1993 and Chapter 6, Part 2, Division 5 Water Management Act 2000

DETAILS

Applicant:	**Leda Manorstead Pty Ltd** **PO Box 1914** **SURFERS PARADISE QLD 4217**
Description of Development:	**Stage 6H** **Cobaki Estate subdivision of precinct 6 comprised of 442 residential lots (including 1 residual lot) and lots for drainage, open space and urban infrastructure (JRPP) at Lot 1 DP 562222; Lot 2 DP 566529; Lot 1 DP 570077; Lot 1 DP 823679; Lots 46, 54, 55, 199, 200, 201, 202, 205, 206, 209, 228, 305 DP 755740, No. 73 Sandy Lane; Lot 1 DP 570076 Piggabeen Road, Cobaki Lakes**
Date of Council Approval:	**30/05/2011**
Council File Reference:	**DA10/0801**

APPLICATION

To: The General Manager

Application is hereby made for a Certificate of Compliance under Part 2, Division 5, Clause 305 of the Water Management Act 2000, in respect of the consent/approval issued by Council.

Signature of Applicant Date

NOTICE OF COUNCIL'S REQUIREMENTS UNDER PART 2, DIVISION 5, CLAUSE 306 OF THE WATER MANAGEMENT ACT 2000

Works required: *a)* *Water & Sewer headworks augmentation*

Contributions required: a) Water - $630344
Sewer - $311081 30

Note: The fees and charges quoted above will remain fixed for a period of twelve (12) months from the date of Development Consent No. DA10/0801, dated 30/05/2011 and thereafter in accordance with the rates applicable in Council's adopted Fees and Charges current at the time of payment.

Note: The Environmental Planning and Assessment Act, 1979 (as amended) makes no provision for works under the Water Management Act 2000 to be certified by an Accredited Certifier.

General Manager Date 31.5.11

CERTIFICATE OF COMPLIANCE

Part 2, Division 5, Clause 307 of the Water Management Act 2000

This is to certify that water supply and sewerage works have been carried out, or security provided to Council's satisfaction for their completion and such other contributions have been paid or secured to satisfy notice of Council's requirements in respect of water supply and sewerage for the abovementioned consent dated 30/05/2011 on file DA10/0801.

General Manager Date

TWEED SHIRE COUNCIL

Copy to TSC Financial Services Unit

SECTION 94, SECTION 64 AND OTHER DEVELOPER CONTRIBUTIONS SHEET

THIS FORM MUST ACCOMPANY PAYMENT OF CONTRIBUTIONS TO COUNCIL

Development: Cobaki Estate subdivision of precinct 6 comprised of 442 residential lots (including 1 residual lot) and lots for drainage, open space and urban infrastructure (JRPP)

Development Consent No. DA10/0801

Location: Lot 1 DP 562222; Lot 2 DP 566529; Lot 1 DP 570077; Lot 1 DP 823679; Lots 46, 54, 55, 199, 200, 201, 202, 205, 206, 209, 228, 305 DP 755740, No. 73 Sandy Lane; Lot 1 DP 570076 Piggabeen Road, Cobaki Lakes

Applicant: Leda Manorstead Pty Ltd
PO Box 1914
SURFERS PARADISE QLD 4217

Owner: Leda Manorstead Pty Ltd

Date: 30/05/2011

Paid by:

Stage: Stage 6I

Contribution Payable	S94 Contribution Plan Number/ Sector	Area CP5 Only	Units/lots or rate/ha	Rate (valid until) __/__/__	Amount	Rate at Time of Payment after __/__/__	Amount at Time of Payment $	Receipt Number	Charge Control	*Bank Account*
WATER HEADWORKS	S64		34.8ET @ $11,020.00	30/5/2012	$383,496.00				WaterDSP3	40
SEWERAGE HEADWORKS	S64		36.25ET @ $5,295.00	30/5/2012	$191,943.80				SewerBnora	85
TRCP - COBAKI	4/3		219.7Trips @ $999.00	30/5/2012	$219,480.00				Sector3_4	1
COBAKI LAKES COMMUNITY FACILITIES	10		35.4999ET @ $492.00	30/5/2012	$17,466.00				CommFac10	1
LIBRARIES	11		35.4999ET @ $792.00	30/5/2012	$28,116.00				ResDevt11	1
BUS SHELTERS	12		35.4999ET @ $60.00	30/5/2012	$2,130.00				Over10ET	1
CEMETERIES	13		35.4999ET @ $120.00	30/5/2012	$4,260.00				ResDevt13	1
COUNCIL ADMIN - TECH SUPPORT	18		35.4999ET @ $1,759.90	30/5/2012	$62,476.27				Shirewide	1
CYCLEWAYS	22		35.4999ET @ $447.00	30/5/2012	$15,868.00				Shirewid22	1
CASUAL OPEN SPACE - REGIONAL	26	1	35.4999ET @ $1,031 00	30/5/2012	$36,600.00				CasOS26	1

TWEED SHIRE COUNCIL

Contribution Payable	S94 Contribution Plan Number/ Sector	Area CP5 Only	Units/lots or rate/ha	Rate (valid until) __/__/__	Amount	Rate at Time of Payment after __/__/__	Amount at Time of Payment $	Receipt Number	Charge Control	*Bank Account*
STRUCTURE OPEN SPACE - REGIONAL	26	1	35.4999ET @ $3.619.00	30/5/2012	$128,474.00				StrucOS26	1
TOTAL AMOUNT DUE					$1,090,310.07					

Please forward receipt to

Name: _____

Address: _____

_____

_____

Note: Refer to separate Fee Sheet for Application Fees

Original Contribution Amounts	Prepared by:	Signature	L McGrath print name	31/5/11 date
	Checked by:	Signature	C Forbes print name	31/5/11 date
Amended Contribution Amounts	Prepared by:	Signature	print name	__/__/__ date
	Original/amended amounts Checked & Certified by: (to enable SC release/BA release/ CC release) (Authorised Council [1] Officer)	Signature	print name	__/__/__ date

Note: Authorised Council Officers are: -

* **Town Planners**
* **Subdivision Engineers**
* **Building Surveyors**

TWEED SHIRE COUNCIL

Copy to TSC Financial Services Unit

SECTION 94, SECTION 64 AND OTHER DEVELOPER CONTRIBUTIONS SHEET

THIS FORM MUST ACCOMPANY PAYMENT OF CONTRIBUTIONS TO COUNCIL

Development: Cobaki Estate subdivision of precinct 6 comprised of 442 residential lots (including 1 residual lot) and lots for drainage, open space and urban infrastructure (JRPP)

Development Consent No. DA10/0801

Location: Lot 1 DP 562222; Lot 2 DP 566529; Lot 1 DP 570077; Lot 1 DP 823679; Lots 46, 54, 55, 199, 200, 201, 202, 205, 206, 209, 228, 305 DP 755740, No. 73 Sandy Lane; Lot 1 DP 570076 Piggabeen Road, Cobaki Lakes

Applicant: Leda Manorstead Pty Ltd
PO Box 1914
SURFERS PARADISE QLD 4217

Owner: Leda Manorstead Pty Ltd

Date: 30/05/2011

Paid by:

Stage: Stage 6I

Contribution Payable	S94 Contribution Plan Number/ Sector	Area CP5 Only	Units/lots or rate/ha	Rate (valid until) __/__/__	Amount	Rate at Time of Payment after __/__/__	Amount at Time of Payment $	Receipt Number	Charge Control	*Bank Account*
WATER HEADWORKS	S64		34.8ET @ $11,020.00	30/5/2012	$383,496.00				WaterDSP3	40
SEWERAGE HEADWORKS	S64		36.25ET @ $5,295.00	30/5/2012	$191,943.80				SewerBnora	85
TRCP - COBAKI	4/3		219.7Trips @ $999.00	30/5/2012	$219,480.00				Sector3_4	1
COBAKI LAKES COMMUNITY FACILITIES	10		35.4999ET @ $492.00	30/5/2012	$17,466.00				CommFac10	1
LIBRARIES	11		35.4999ET @ $792.00	30/5/2012	$28,116.00				ResDevt11	1
BUS SHELTERS	12		35.4999ET @ $60.00	30/5/2012	$2,130.00				Over10ET	1
CEMETERIES	13		35.4999ET @ $120.00	30/5/2012	$4,260.00				ResDevt13	1
COUNCIL ADMIN - TECH SUPPORT	18		35.4999ET @ $1,759.90	30/5/2012	$62,476.27				Shirewide	1
CYCLEWAYS	22		35.4999ET @ $447.00	30/5/2012	$15,868.00				Shirewid22	1
CASUAL OPEN SPACE - REGIONAL	26	1	35.4999ET @ $1,031.00	30/5/2012	$36,600.00				CasOS26	1

TWEED SHIRE COUNCIL

Contribution Payable	S94 Contribution Plan Number/ Sector	Area CP5 Only	Units/lots or rate/ha	Rate (valid until) __/__/__	Amount	Rate at Time of Payment after __/__/__	Amount at Time of Payment $	Receipt Number	Charge Control	*Bank Account*
STRUCTURE OPEN SPACE - REGIONAL	26	1	35.4999ET @ $3,619.00	30/5/2012	$128,474.00				StrucOS26	1
TOTAL AMOUNT DUE					$1,090,310.07					

Please forward receipt to

Name: _____

Address: _____

_____

_____

Note: Refer to separate Fee Sheet for Application Fees

Original Contribution Amounts	Prepared by:	Signature	C. McGavin print name	31/5/11 date
	Checked by:	Signature	C. Forbes print name	31/5/11 date
Amended Contribution Amounts	Prepared by:	Signature	print name	__/__/__ date
	Original/amended amounts Checked & Certified by: (to enable SC release/BA release/ CC release) (Authorised Council [1] Officer)	Signature	print name	__/__/__ date

Note: Authorised Council Officers are: -

* **Town Planners**
* **Subdivision Engineers**
* **Building Surveyors**

TWEED SHIRE COUNCIL

PROCEDURE FOR ISSUE OF CERTIFICATE OF COMPLIANCE

In accordance with Clause 64, Local Government Act, 1993 and Chapter 6, Part 2, Division 5 Water Management Act 2000

DETAILS

Applicant:	**Leda Manorstead Pty Ltd** **PO Box 1914** **SURFERS PARADISE QLD 4217**
Description of Development:	**Stage 6l** **Cobaki Estate subdivision of precinct 6 comprised of 442 residential lots (including 1 residual lot) and lots for drainage, open space and urban infrastructure (JRPP) at Lot 1 DP 562222; Lot 2 DP 566529; Lot 1 DP 570077; Lot 1 DP 823679; Lots 46, 54, 55, 199, 200, 201, 202, 205, 206, 209, 228, 305 DP 755740, No. 73 Sandy Lane; Lot 1 DP 570076 Piggabeen Road, Cobaki Lakes**
Date of Council Approval:	**30/05/2011**
Council File Reference:	**DA10/0801**

APPLICATION

To: The General Manager

Application is hereby made for a Certificate of Compliance under Part 2, Division 5, Clause 305 of the Water Management Act 2000, in respect of the consent/approval issued by Council.

Signature of Applicant Date

NOTICE OF COUNCIL'S REQUIREMENTS UNDER PART 2, DIVISION 5, CLAUSE 306 OF THE WATER MANAGEMENT ACT 2000

Works required: *a)* *Water & Sewer headworks augmentation*

Contributions required: a) Water - $383496
Sewer - $191943.80

Note: The fees and charges quoted above will remain fixed for a period of twelve (12) months from the date of Development Consent No. DA10/0801, dated 30/05/2011 and thereafter in accordance with the rates applicable in Council's adopted Fees and Charges current at the time of payment.

Note: The Environmental Planning and Assessment Act, 1979 (as amended) makes no provision for works under the Water Management Act 2000 to be certified by an Accredited Certifier.

General Manager Date 31.5.11

CERTIFICATE OF COMPLIANCE

Part 2, Division 5, Clause 307 of the Water Management Act 2000

This is to certify that water supply and sewerage works have been carried out, or security provided to Council's satisfaction for their completion and such other contributions have been paid or secured to satisfy notice of Council's requirements in respect of water supply and sewerage for the abovementioned consent dated 30/05/2011 on file DA10/0801.

General Manager Date

TWEED SHIRE COUNCIL

Copy to TSC Financial Services Unit

SECTION 94, SECTION 64 AND OTHER DEVELOPER CONTRIBUTIONS SHEET

THIS FORM MUST ACCOMPANY PAYMENT OF CONTRIBUTIONS TO COUNCIL

Development: Cobaki Estate subdivision of precinct 6 comprised of 442 residential lots (including 1 residual lot) and lots for drainage, open space and urban infrastructure (JRPP)

Development Consent No. DA10/0801

Location: Lot 1 DP 562222; Lot 2 DP 566529; Lot 1 DP 570077; Lot 1 DP 823679; Lots 46, 54, 55, 199, 200, 201, 202, 205, 206, 209, 228, 305 DP 755740, No. 73 Sandy Lane; Lot 1 DP 570076 Piggabeen Road, Cobaki Lakes

Applicant: Leda Manorstead Pty Ltd
PO Box 1914
SURFERS PARADISE QLD 4217

Owner: Leda Manorstead Pty Ltd

Date: 30/05/2011

Paid by:

Stage: Stage 6J

Contribution Payable	S94 Contribution Plan Number/ Sector	Area CP5 Only	Units/lots or rate/ha	Rate (valid until) __/__/__	Amount	Rate at Time of Payment after __/__/__	Amount at Time of Payment $	Receipt Number	Charge Control	*Bank Account*
WATER HEADWORKS	S64		62.4ET @ $11,020.00	30/5/2012	$687,648.00				WaterDSP3	40
SEWERAGE HEADWORKS	S64		64.5ET @ $5,295.00	30/5/2012	$341,527.50				SewerBnora	85
TRCP - COBAKI	4/3		401.7Trips @ $999.00	30/5/2012	$401,298.00				Sector3_4	1
COBAKI LAKES COMMUNITY FACILITIES	10		63.7081ET @ $492.00	30/5/2012	$31,344.00				CommFac10	1
LIBRARIES	11		63.7081ET @ $792.00	30/5/2012	$50,457.00				ResDevt11	1
BUS SHELTERS	12		63.7081ET @ $60.00	30/5/2012	$3,822.00				Over10ET	1
CEMETERIES	13		63.7081ET @ $120.00	30/5/2012	$7,645.00				ResDevt13	1
COUNCIL ADMIN - TECH SUPPORT	18		63.7081ET @ $1,759.90	30/5/2012	$112,119.89				Shirewide	1
CYCLEWAYS	22		63.7081ET @ $447.00	30/5/2012	$28,478.00				Shirewid22	1
CASUAL OPEN SPACE - REGIONAL	26	1	63.7081ET @ $1,031.00	30/5/2012	$65,683.00				CasOS26	1

TWEED SHIRE COUNCIL

Contribution Payable	S94 Contribution Plan Number/ Sector	Area CP5 Only	Units/lots or rate/ha	Rate (valid until) __/__/__	Amount	Rate at Time of Payment after __/__/__	Amount at Time of Payment $	Receipt Number	Charge Control	*Bank Account*
STRUCTURE OPEN SPACE - REGIONAL	26	1	63.7081ET @ $3,619.00	30/5/2012	$230,560.00				StrucOS26	1
TOTAL AMOUNT DUE					$1,960,582.39					

Please forward receipt to

Name: _____

Address: _____

_____

_____

Note: Refer to separate Fee Sheet for Application Fees

Original Contribution Amounts	Prepared by:	Signature	C. McGAVIN print name	31/5/11 date
	Checked by:	Signature	C. FORBES print name	31/5/11 date
Amended Contribution Amounts	Prepared by:	Signature	print name	__/__/__ date
	Original/amended amounts Checked & Certified by: (to enable SC release/BA release/ CC release) (Authorised Council [1] Officer)	Signature	print name	__/__/__ date

Note: Authorised Council Officers are: -

* **Town Planners**
* **Subdivision Engineers**
* **Building Surveyors**

TWEED SHIRE COUNCIL

Copy to TSC Financial Services Unit

SECTION 94, SECTION 64 AND OTHER DEVELOPER CONTRIBUTIONS SHEET

THIS FORM MUST ACCOMPANY PAYMENT OF CONTRIBUTIONS TO COUNCIL

Development: Cobaki Estate subdivision of precinct 6 comprised of 442 residential lots (including 1 residual lot) and lots for drainage, open space and urban infrastructure (JRPP)

Development Consent No. DA10/0801

Location: Lot 1 DP 562222; Lot 2 DP 566529; Lot 1 DP 570077; Lot 1 DP 823679; Lots 46, 54, 55, 199, 200, 201, 202, 205, 206, 209, 228, 305 DP 755740, No. 73 Sandy Lane; Lot 1 DP 570076 Piggabeen Road, Cobaki Lakes

Applicant: Leda Manorstead Pty Ltd
PO Box 1914
SURFERS PARADISE QLD 4217

Owner: Leda Manorstead Pty Ltd

Date: 30/05/2011

Paid by:

Stage: Stage 6J

Contribution Payable	S94 Contribution Plan Number/ Sector	Area CP5 Only	Units/lots or rate/ha	Rate (valid until) __/__/__	Amount	Rate at Time of Payment after __/__/__	Amount at Time of Payment $	Receipt Number	Charge Control	*Bank Account*
WATER HEADWORKS	S64		62.4ET @ $11,020.00	30/5/2012	$687,648.00				WaterDSP3	40
SEWERAGE HEADWORKS	S64		64.5ET @ $5,295.00	30/5/2012	$341,527.50				SewerBnora	85
TRCP - COBAKI	4/3		401.7Trips @ $999.00	30/5/2012	$401,298.00				Sector3_4	1
COBAKI LAKES COMMUNITY FACILITIES	10		63.7081ET @ $492.00	30/5/2012	$31,344.00				CommFac10	1
LIBRARIES	11		63.7081ET @ $792.00	30/5/2012	$50,457.00				ResDevt11	1
BUS SHELTERS	12		63.7081ET @ $60.00	30/5/2012	$3,822.00				Over10ET	1
CEMETERIES	13		63.7081ET @ $120.00	30/5/2012	$7,645.00				ResDevt13	1
COUNCIL ADMIN - TECH SUPPORT	18		63.7081ET @ $1,759.90	30/5/2012	$112,119.89				Shirewide	1
CYCLEWAYS	22		63.7081ET @ $447.00	30/5/2012	$28,478.00				Shirewid22	1
CASUAL OPEN SPACE - REGIONAL	26	1	63.7081ET @ $1,031.00	30/5/2012	$65,683.00				CasOS26	1

TWEED SHIRE COUNCIL

Contribution Payable	S94 Contribution Plan Number/ Sector	Area CP5 Only	Units/lots or rate/ha	Rate (valid until) __/__/__	Amount	Rate at Time of Payment after __/__/__	Amount at Time of Payment $	Receipt Number	Charge Control	*Bank Account*
STRUCTURE OPEN SPACE - REGIONAL	26	1	63.7081ET @ $3,619.00	30/5/2012	$230,560.00				StrucOS26	1
TOTAL AMOUNT DUE					$1,960,582.39					

Please forward receipt to

Name: _____

Address: _____

_____

_____

Note: Refer to separate Fee Sheet for Application Fees

Original Contribution Amounts	Prepared by:	Signature	print name L McGavin	date 31/5/11
	Checked by:	Signature	print name C Forbes	date 31/5/11
Amended Contribution Amounts	Prepared by:	Signature	print name	date __/__/__
	Original/amended amounts Checked & Certified by: (to enable SC release/BA release/ CC release) (Authorised Council [1] Officer)	Signature	print name	date __/__/__

Note: Authorised Council Officers are: -

* **Town Planners**
* **Subdivision Engineers**
* **Building Surveyors**

TWEED SHIRE COUNCIL

PROCEDURE FOR ISSUE OF CERTIFICATE OF COMPLIANCE

In accordance with Clause 64, Local Government Act, 1993 and Chapter 6, Part 2, Division 5 Water Management Act 2000

DETAILS

Applicant:	**Leda Manorstead Pty Ltd** **PO Box 1914** **SURFERS PARADISE QLD 4217**
Description of Development:	**Stage 6J** **Cobaki Estate subdivision of precinct 6 comprised of 442 residential lots (including 1 residual lot) and lots for drainage, open space and urban infrastructure (JRPP) at Lot 1 DP 562222; Lot 2 DP 566529; Lot 1 DP 570077; Lot 1 DP 823679; Lots 46, 54, 55, 199, 200, 201, 202, 205, 206, 209, 228, 305 DP 755740, No. 73 Sandy Lane; Lot 1 DP 570076 Piggabeen Road, Cobaki Lakes**
Date of Council Approval:	**30/05/2011**
Council File Reference:	**DA10/0801**

APPLICATION

To: The General Manager

Application is hereby made for a Certificate of Compliance under Part 2, Division 5, Clause 305 of the Water Management Act 2000, in respect of the consent/approval issued by Council.

Signature of Applicant Date

NOTICE OF COUNCIL'S REQUIREMENTS UNDER PART 2, DIVISION 5, CLAUSE 306 OF THE WATER MANAGEMENT ACT 2000

Works required: *a)* *Water & Sewer headworks augmentation*

Contributions required: a) Water - $687648
Sewer - $341527.50

Note: The fees and charges quoted above will remain fixed for a period of twelve (12) months from the date of Development Consent No. DA10/0801, dated 30/05/2011 and thereafter in accordance with the rates applicable in Council's adopted Fees and Charges current at the time of payment.

Note: The Environmental Planning and Assessment Act, 1979 (as amended) makes no provision for works under the Water Management Act 2000 to be certified by an Accredited Certifier.

General Manager Date 31.5.11

CERTIFICATE OF COMPLIANCE

Part 2, Division 5, Clause 307 of the Water Management Act 2000

This is to certify that water supply and sewerage works have been carried out, or security provided to Council's satisfaction for their completion and such other contributions have been paid or secured to satisfy notice of Council's requirements in respect of water supply and sewerage for the abovementioned consent dated 30/05/2011 on file DA10/0801.

General Manager Date

COBAKI DESIGN GUIDELINES

PRECINCT 6

March 2011

THIS IS THE PLAN REFERRED TO IN THE DEVELOPMENT CONSENT No. DA10/0801

30 MAY 2011

SIGNED:

LEDA

THE DESIGN GUIDELINES

These design guidelines supplement the *Cobaki Estate Development Code* and assist when designing your house and landscaping. They are of benefit to you, because they support the creation of an attractive streetscape while also allowing for appropriate individual design solutions.

THE APPROVAL PROCESS

Concept Submission

- A combination site and ground floor plan.
- A primary street elevation.
- A laneway or secondary street elevation, where applicable.
- A *DRP* Application Form.

Design Review Panel Audit and Concept Advice

- Review of Concept Submission for consistency with the Code and Design Guidelines.
- Identifcation of all further information required.
- Outline of recommended solutions where necessary to achieve consistency.
- Written response, typically prepared within ten (10) working days.
- Potential repeat of the above steps until the proposal is deemed consistent with the Code and Design Guidelines.

Final Submission

- Application form and self-assessment checklist.
- Site plan.
- Floor plan/s and roof plan/s.
- Elevations and section/s.
- Landscape plan.
- Material and colour selections schedule.
- Environmentally sustainable design inclusions list.

Receipt of *DRP* Pre-Approval Certificate

- Stamped plans with any conditions marked thereon.
- A *DRP* Pre-Approval Certificate stating any further conditions.
- Details of the next step in the building process.

Complying Development Certificate or Development Application

- Preparation of an Acoustic Report if required for your lot.
- Presentation of your *DRP* Pre-Approval Certificate and drawings to the certifier or Tweed Shire Council (TSC), **OR**
- For proposals that do not meet the development standards contained in Part A of the *Cobaki Estate Development Code*, presentation of a development application to the TSC.
- Application for a Driving Crossover (S 138).
- Receipt of Complying Development Certificate or Development Consent.

SITING

- Design the dwelling to address the *private open space* position as nominated or diagrammed on the *plan of development*.
- Locate the primary living areas to address the north, east or northeast of the lot, while garages, utility rooms and lesser-used bedrooms may be located to the south or west.
- Locate utility courts to the south, west, or southwest of the lot.
- Site dwellings to take optimum advantage of views.
- Avoid overlooking of the nominated location of the *private open space* of an adjoining lot, and provide screens of 50% maximum void-to-solid ratio where overlooking is unavoidable.
- Utilise pergolas, shade sails and other measures to provide privacy for sloping lots.
- Provide glazed doors between main living areas and *private open spaces*.

ENVIRONMENTALLY SUSTAINABLE DESIGN

- Position the home on the lot to take the best advantage of breeze and sun, and carefully plan and position outdoor and indoor living areas in relation to this orientation.
- Provide adequate shading to all windows in relation to the applicable sun angle.
- Provide heat-storage mass (such as concrete floor slabs with tiled finishes) where north glazing has been provided.
- Provide good cross-ventilation throughout the home, including high widows to exhaust summer heat and opposing window placements to draw breezes through the house.
- Insulate all walls to a minimum standard of R1.5 and roofs to R2.5.
- Provide plentiful north and east-facing glazing, but minimise western and southern glazing unless well protected from sun and wind.
- Solar panels and collectors shall be provided wherever possible, oriented to maximise their effectiveness and mounted to match the pitch of the supporting roof.
- Avoid using materials of high embodied energy (i.e. where considerable energy is required to manufacture or transport the material) or containing volatile organic compounds (i.e. compounds such as glues that evaporate easily into the air) where other solutions are available.

BUILT FORM

Streetscape

- Avoid duplicating highly similar façades and/or colour schemes within three (3) dwellings on the same or opposite sides of the road.
- Gatehouses of an open nature and of a design similar to that of the dwelling are encouraged to be located forward of the *articulation line*.
- Provide at least one lightweight open structure forward of the *articulation line*, i.e. a gatehouse, pergola, porch, verandah or the like.
- Letterboxes shall be of masonry construction to match the dwelling, installed in a retaining wall/fence and/or of a high quality, distinctive feature design.
- Letterboxes shall contain a clearly visible and stylish street number of between 75mm and 200mm high.

Height and Scale

- Construction of three storeys shall be permitted on lots nominated on the *plan of development*.
- Avoid changes of height of over 5m between adjacent existing dwellings.
- Minimise the appearance of two-storey and three-storey buildings through the use of: roofs that present a gable or hip to the road; multi-storey building elements (such as high porches); and/or staggered roofs and walls that are defined by multiple planes.
- Provide a minimum vertical distance of 2.1m between the kerb of the primary road frontage of the dwelling and the lowest gutter on the façade facing this road, ensuring the house does not appear to be 'viewed from above'.
- The height of the floor level of projecting balconies, decks and/or verandahs shall not exceed 3.6m from the *existing* surface level.
- Two-storey and three-storey dwellings shall have a maximum of 50% of the external first floor walls in vertical alignment with the ground floor walls.

Entry

- The primary entry shall be clearly visible from the road or access path and protected with a porch containing a covered area of at least 1.5m².
- Front porches shall incorporate a separate roof element (such as a hip, gable or parapet corresponding to the width of the porch) along with other feature elements such as columns, battens, accent colours/materials, transoms and/or wide doors, assisting in the identification of the entry.
- The entry shall also be expressed through recesses and/projections in the wall plane (identifiable in the plan view).
- Use landscaping, outdoor lighting and high quality material selections (such as stone, tile etc.) to further emphasise the entry location.
- Cover the floor of the entry porch with quality decking or stone/tile paving, making a distinctive break between the porch paving and the driveway or pathway.
- Locate letterboxes to have a close relationship to the front entry.

Façades and Dwelling Frontages

- Dwelling frontages include any façade or elevation that addresses a road, park, environmental area, fauna corridor or other open space.
- Dwelling frontages shall reflect contemporary architecture and the sub-tropical character and climate of this northern New South Wales coastal area.
- Dwelling frontages shall contain at least two steps in the plan view of 450mm minimum, and no horizontal wall plan shall extend greater than 7.5m without such a step.
- Incorporate at least three of the following elements into the design of any dwelling frontage: 1) lightweight elements such as balconies, porches, pergolas, sun hoods and/or screens; 2) a feature material such as stained timber, architectural steel, stone etc. (as accepted by the *DRP*); 3) a roof form composed of multiple surfaces and staggered roof edges (gutters, parapets etc.); 4) detailed gable end treatments; and/or 5) at least two distinct wall colours.
- Two-storey and three-storey dwelling frontages shall contain at least one step in the vertical wall plane of 150mm minimum, created through an overhang, material change, balcony etc.
- Incorporate a feature lightweight material into all dwelling frontages.
- Avoid blank walls through the use of attractive window placement, recesses and/or projections, overhangs, screens, feature colours/finishes and/or other elements that create interest and/or shadow.
- Façades shall be of a crisp, present-day style presentation, excluding such details as finials and/or Colonial windows.
- Designs in architectural styles not expressing eaves shall incorporate generous covered outdoor areas and—where not covered by an extended roof—openings that are either recessed at least 300mm or provided with window hoods, pergolas or shading screens.
- All awnings, window hoods, pergolas and/or shading screens shall form an integral part of the dwelling design, including being of a matching colour/materials and having hidden motors etc.

Colours and Finishes

- A substantial vertical portion of external walls that are constructed at ground level shall be predominantly of masonry, and walls not in contact with the ground shall be of predominantly lightweight materials.
- Face masonry finishes are to occupy no more than half of any façade (after windows and doors have been excluded), with the balance of the façade being finished in rendered and/or painted masonry, colour-coated metal cladding or lightweight plank or panel-style cladding.
- Dwellings shall contain at least two colours and/or finishes on all dwelling frontages.
- Finely or highly textured or feature finishes are to be used to emphasise architectural elements.
- Reflective materials shall not be used, i.e. roofing is not to have a metallic silver finish and glazing is to be of a standard or tinted finish, but not treated with a reflective coating etc.
- Dwelling colours shall predominantly be made up of natural and/or neutral tones, with accent colours (limited generally to 20% of any façade after the exclusion of glazed elements) that complement the colours of the dwelling as well as its existing neighbours.

- Roof colours shall be light natural colours.
- Roof materials shall be coloured, pre-finished steel with a corrugated or 'Trim-deck' profile, or flat-profile roof tiles.
- Garages and carport doors shall be of a colour, material and finish to complement the balance of the dwelling.
- Driveways incorporating permeable pavement are encouraged.

Roofs

- Add interest to the dwelling and the streetscape using roof forms to highlight prominent building elements.
- Roof forms are to present an up-to-date style, with a mixture of compatible roof pitches and/or forms incorporated into a single dwelling.
- Ensure that multiple roof or parapet forms present to the road or park frontage boundary.
- Roof pitches are to conform to the following:
    - Hip and/or gable roofs are to be 22.5 degrees minimum for *traditional dwellings* and 25 degrees minimum for all other dwellings.
    - Mono-pitched roofs are to be a minimum of 12 degrees for single-storey dwellings and 9 degrees for all other dwellings (except where located behind a parapet wall or otherwise accepted by the *DRP* on the basis of architectural merit).
    - The maximum pitch for primary roofs shall be 30 degrees.
- Curved roofs shall form only a limited portion of the roof design (except as otherwise accepted by the *DRP* on the basis of architectural merit).
- Roofs hidden behind parapet walls shall not provide large proportions of the roof surface without significant breaks being created through the use of varying levels and/or feature pitched roof forms.
- Roofs and/or parapet walls presenting to a road, park or open space shall not display a single level gutter line (as viewed on the elevation drawing) on any storey.

Garages, Carports and Outbuildings

- Locate driveways and associated garages/carports in accordance with the *plan of development*.
- Reduce the prominence of garage doors through the use of recesses, overhangs, partly *transparent* (50% maximum open-to-solid ratio) door construction and/or other feature colours or materials.
- Triple garages shall be perpendicular to the road or be articulated through the use of separation, offset walls, staggered roofs, overhangs and/or feature colours/materials.
- Provide an automatically operated vehicle door to any garage or carport required for the housing of minimum on-site parking, ensuring permanent screening of the garage/carport to the street.
- All vehicles intended to be parked on the lot, other than passenger cars, shall be housed within a garage/carport, or screened behind the *frontage building line* so that they are not visible from a public area.
- Carports shall provide visual screening of vehicles from the road or public view, and shall contain an integral (i.e. in materials, colours and construction matching

the dwelling) enclosed storage area of at least 6m².

- Carports, garages and any outbuildings of 9m² or more in plan area shall match the style, roof pitch, construction, materials and finishes of the dwelling.

- Outbuildings forward of the *frontage building line* shall only be permitted if their function is primarily decorative and they are accepted by the *DRP* on the basis of architectural merit.

LANDSCAPING

Gardens and Planting

- Planting shall be used to define the separation between public and private spaces, as well as to provide enhanced privacy to outdoor entertaining areas, particularly on sloping sites where fences are not able to do so.

- Landscape planting shall also be incorporated to visually screen bins, equipment (such as pool pumps, air conditioners etc.), clotheslines and service courtyards.

- The removal or damage of street trees is not permitted, but, where a driveway location is approved by the *DRP* that is in conflict with an existing street tree, a professional relocation or replacement of a tree matching the species and size of that tree shall be specifically detailed on the application to the *DRP*.

- For *traditional detached dwelling* and *plex dwelling* lots, provide at least one (1) advanced feature tree (60kg bag size minimum) of a species and in a location on the lot that is carefully selected to avoid damage to buildings, fences, retaining walls and other infrastructure or improvements.

- For *traditional detached dwellings*, provide at least 9m² of garden beds between the *frontage building line* and the front boundary.

- Provide garden beds of shrubs and trees (where possible) to the back yards of all dwellings within the rear setback areas in order to create a planting zone that provides a visual buffer, privacy, shade, and soil/storm water management.

- All remaining areas of the lot not otherwise paved or provided with a mulched garden bed shall be provided with grade-A turf.

- Provide turf matching that of the lot between the frontage boundary line and the kerb.

- Plant shall be predominantly of local native species with preference given to those that are more drought resistant.

- Plant species shall also be selected carefully for their particular circumstances and/or function, such as decorative, soil stabilisation, proximity to services, shading, screening, privacy, feature, internal courtyard etc.

- Deciduous planting shall be provided where landscape is to the northern side of a living area or *private open space*, encouraging the penetration of sunlight in the cooler winter months.

- Garden beds shall be designed to ensure easy maintenance, including free-draining compost soil at a minimum depth of 200mm for garden beds and with appropriate mulch to reduce water consumption and weed growth.

- Uncovered car parking spaces (other than those located in a driveway accessing a garage/carport) shall be screened from the street with a garden bed of at least 1m in width.

- Provide landscape planting of 600mm maximum height in a garden bed of 900mm minimum width (or 300mm for *built-to-boundary* garages/carports) between the driveway and the nearest adjacent lot boundary.

- Gardens and turf located between a dwelling and a frontage boundary shall be irrigated with tank water.

- *Dividing fencing* shall be softened by planting with continuous and/or occasional gardens.

- All garden beds shall be separated from turf areas with definitive and well-maintained garden edges.

- Landscaping shall not significantly interfere with view corridors, vehicle sight lines, personal safety, solar access or existing services.

Driveways and Other Paving

- Limit driveway width to 4.8m at the road pavement for *terrace*, *plex* and *zero-lot dwellings*, and 3m for all other dwellings.
- Ensure that at least 50% of the area of the lot that is not covered by the dwelling is covered with a permeable or at least semi-permeable (e.g. a slatted deck) surface.
- Run-off from paved areas shall be directed to permeable areas such as gardens or turf.
- Provide a paved pedestrian access from the frontage boundary to the front porch.
- Except where prevented by *built-to-boundary* construction, ensure access is available from all sides of the dwelling to the frontage road or park.
- Where located forward of the *frontage building line*, or where being used for vehicle access, paved surfaces shall be of high quality materials such as exposed aggregate, stamped, patterned or coloured concrete, or tiles/ pavers on a concrete base, with the exception of laneway driveways noted below.
- Plain concrete shall only be permitted for mounting pads for air conditioners, water tanks, pool pumps etc.
- Any other non-planted surfaces not mentioned above may be of gravel, crushed marble, river pebbles, unit pavers, decking or any other material accepted by the *DRP* on the basis of architectural merit.

Equipment and Service Areas

- All ground-mounted services (including but not limited to heating and cooling units, rubbish disposal containers, swimming pools and equipment, rainwater tanks, clothes hoists and washing lines) shall be screened to prevent their visibility from any road or public space.
- All items mentioned above shall be located in a service court or other area where they are screened from the view of *private open spaces*, neighbours and the public.
- Clotheslines shall be wall mounted and colour coated to match the colour of the wall.
- Rainwater tanks shall be either above ground or underground/slab, although it is highly recommended that integral slab storage solutions be considered for *terrace* and *zero-lot dwellings*, due to their restricted site area.
- Exposed portions of rainwater tanks, piping and conduits shall match the closest portion of the dwelling wall colour (or surrounding paving or landscape in the case of inspection covers for underground rainwater tanks).

FENCING AND RETAINING WALLS

- *Dividing fences* are a mandatory part of the dwelling construction in order to protect landscaping and privacy, even where an adjoining owner is not yet determined for the purpose of cost sharing.
- *Dividing fences* shall be set back to the *frontage building line*.
- Any fencing forward of the *frontage building line* shall only be permitted where necessary to provide privacy for a *private open space* as nominated on the *plan of development*.
- Where enclosure is required, frontage fencing shall continue around the corner on the shared boundary to join the set-back *dividing fence*.
- On dual frontage lots where no fence is proposed for the primary road boundary, any secondary road boundary frontage fencing shall return on the shared boundary to join the set-back *dividing fence*.
- Connecting fencing (i.e. fencing that connects a *dividing fence* to the dwelling) is optional except as required for privacy and/or screening.
- Connecting fencing shall: taper at 45 degrees if the connecting fence and *dividing fence* are of different heights; match the colour and material of the dwelling or *dividing fence*; and be positioned 1m from the *frontage building line*.
- All gates shall match the colour and material of their surrounding fencing.
- Where lots adjoin a park frontage, they are to address this boundary with a pedestrian entry gate incorporated into 1.5m-high *transparent* fencing that shall be of a consistent type and presentation (to be advised by the *DRP*) and which is located entirely within the lot.
- Retaining walls shall be constructed of rendered/coloured masonry block, stone and/or proprietary masonry planks or other materials accepted by the *DRP*.
- Retaining walls of timber sleepers or uncoloured masonry block shall not be permitted.

ZERO-LOT AND TERRACE DWELLINGS

Special Requirements

- The privilege of allowing a *built-to-boundary* construction on these lots is intended to provide the opportunity of larger *private open spaces* with enhanced privacy and solar orientation, and all *zero-lot* and *terrace* dwelling designs shall demonstrate the use of *built-to-boundary* construction in achieving these aims.

- *Built-to-boundary* construction shall not be located below the *existing* surface level.

- Fences shall not be constructed adjacent to an existing *built-to-boundary* wall.

- Where a *built-to-boundary* wall is constructed adjacent to an existing fence located on (or virtually on) the same boundary, it shall be removed and the demolition and cost arrangements shall be administered in accordance with the provisions of the *Dividing Fences Act* in the same manner as would apply therein to the construction or maintenance of a fence.

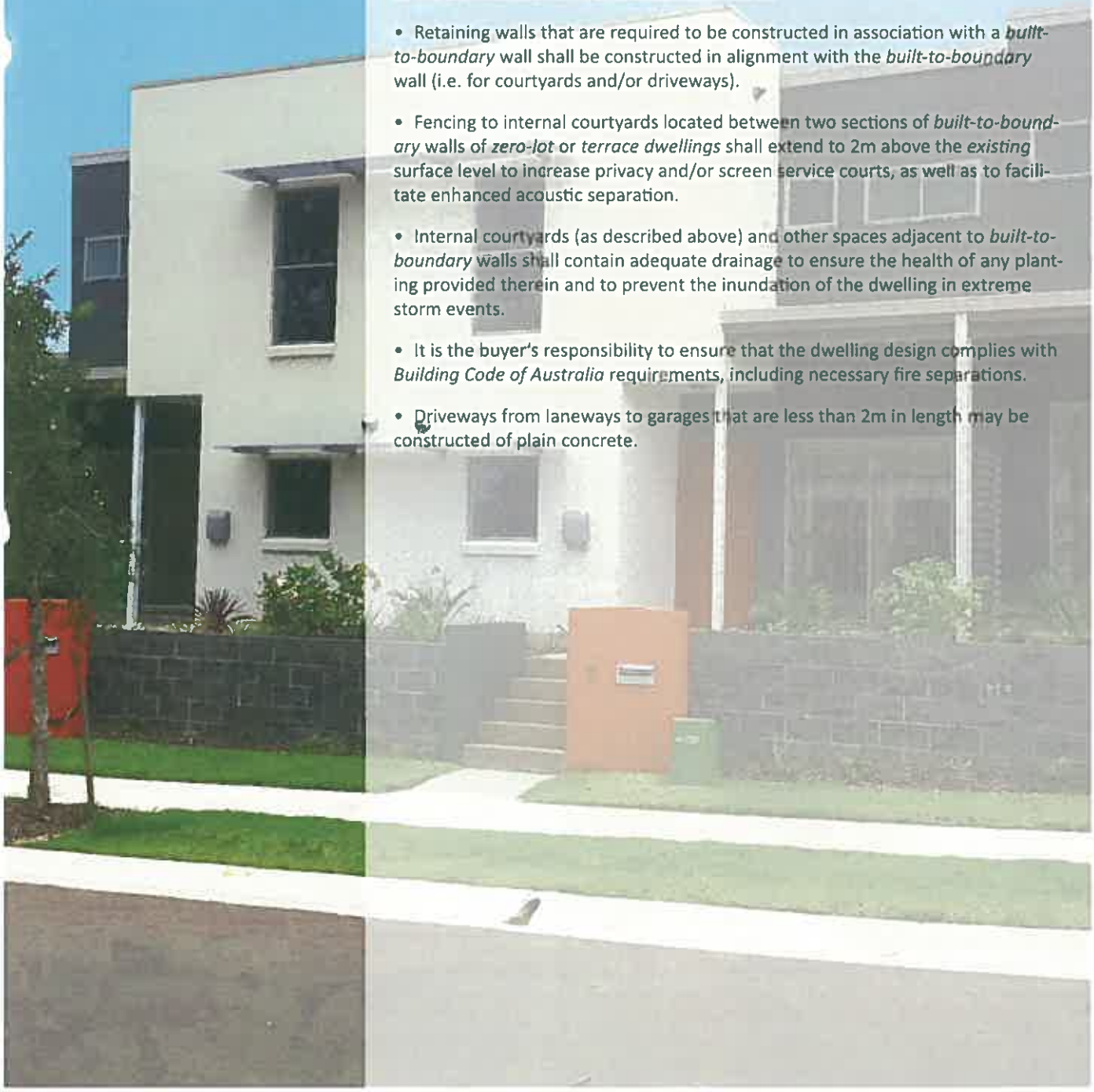
- Retaining walls that are required to be constructed in association with a *built-to-boundary* wall shall be constructed in alignment with the *built-to-boundary* wall (i.e. for courtyards and/or driveways).

- Fencing to internal courtyards located between two sections of *built-to-boundary* walls of *zero-lot* or *terrace dwellings* shall extend to 2m above the *existing* surface level to increase privacy and/or screen service courts, as well as to facilitate enhanced acoustic separation.

- Internal courtyards (as described above) and other spaces adjacent to *built-to-boundary* walls shall contain adequate drainage to ensure the health of any planting provided therein and to prevent the inundation of the dwelling in extreme storm events.

- It is the buyer's responsibility to ensure that the dwelling design complies with *Building Code of Australia* requirements, including necessary fire separations.

- Driveways from laneways to garages that are less than 2m in length may be constructed of plain concrete.



PLEX AND MEWS DWELLINGS

Special Requirements

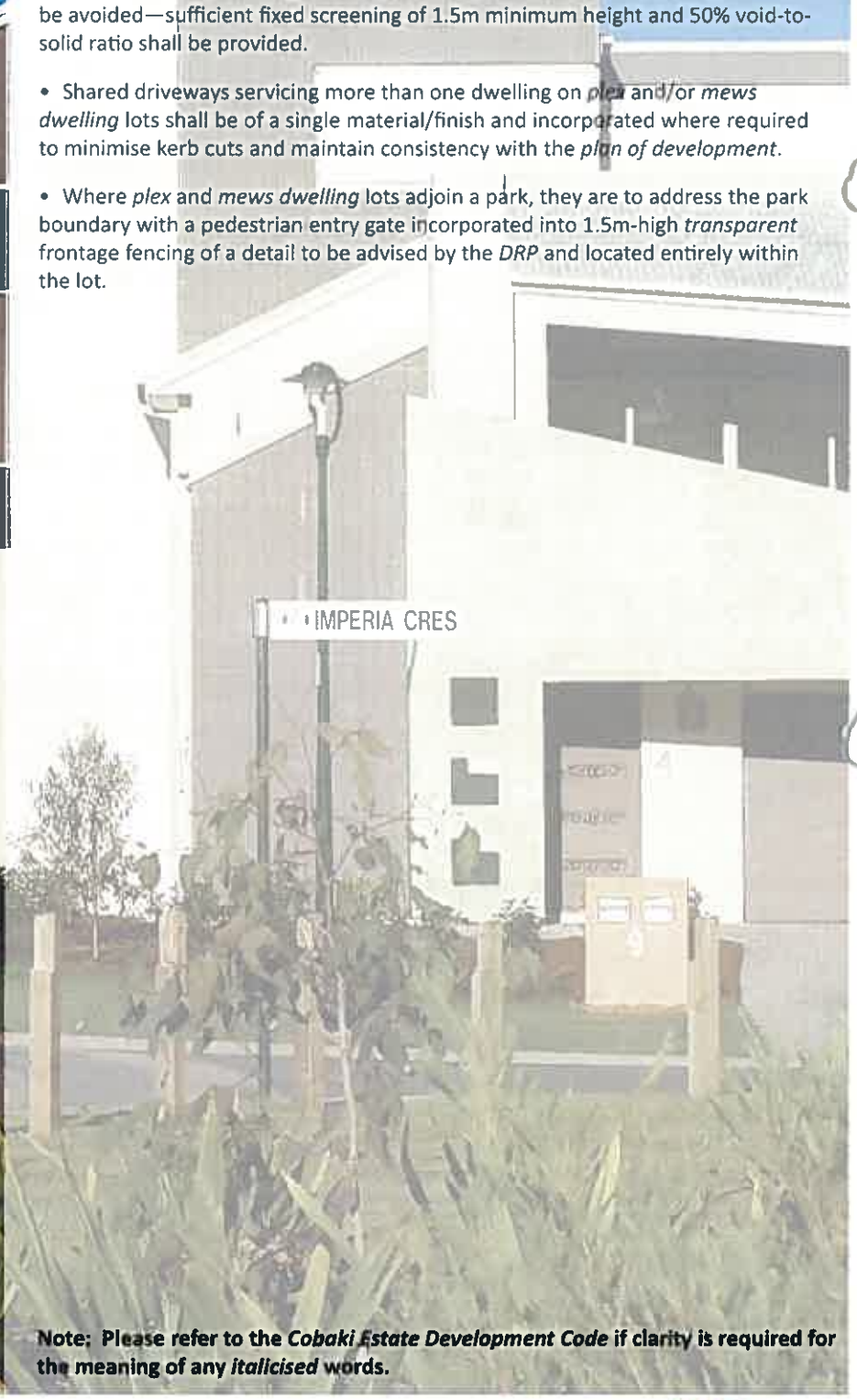
- *Plex* and *mews dwelling* developments shall be consistent in scale, presentation and character with any nearby existing dwellings and/or planned dwellings, and the *DRP* shall assist with providing information on the character of these planned dwellings where applicable.

- Where allotments encompass more than one frontage, entries are to be designed to address each frontage.

- *Private open spaces* on *plex* and *mews* lots shall be designed so that they are not overlooked by dwellings on the parent lot, and—where overlooking cannot be avoided—sufficient fixed screening of 1.5m minimum height and 50% void-to-solid ratio shall be provided.

- Shared driveways servicing more than one dwelling on *plex* and/or *mews dwelling* lots shall be of a single material/finish and incorporated where required to minimise kerb cuts and maintain consistency with the *plan of development*.

- Where *plex* and *mews dwelling* lots adjoin a park, they are to address the park boundary with a pedestrian entry gate incorporated into 1.5m-high *transparent* frontage fencing of a detail to be advised by the *DRP* and located entirely within the lot.



Note: Please refer to the *Cobaki Estate Development Code* if clarity is required for the meaning of any *italicised* words.

Development Consent 15/916

Council Reference: **DA15/0916 LN20960**
Your Reference:

TWEED SHIRE COUNCIL

Customer Service | 1300 292 872 | (02) 6670 2400

tsc@tweed.nsw.gov.au
www.tweed.nsw.gov.au

Fax (02) 6670 2429
PO Box 816
Murwillumbah NSW 2484

Please address all communications to the General Manager

ABN: 90 178 732 496

16 February 2016

Leda Manorstead Pty Ltd
PO Box 1914
SURFERS PARADISE QLD 4217

Dear Sir/Madam

Development Application DA15/0916 - Cobaki - Precinct 6 fauna corridor and culvert crossings at 46, 54, 55, 200, 201, 202, 205, 206, 209, 199, 228, 305 DP 755740; Lot 1 DP 823679; Lot 1 DP 570077; Lot 1 DP 562222; Lot 2 DP 566529; Lot 1 DP 570076; Sandy Lane and Piggabeen Road COBAKI LAKES

Reference is made to your Development Application regarding the above. Please find enclosed Development Consent No. DA15/0916.

For further information regarding this matter please contact Colleen Forbes on (02) 6670 2596.

Yours faithfully

Lindsay McGavin
Manager Development Assessment and Compliance

Enc

NOTICE OF DETERMINATION OF A DEVELOPMENT APPLICATION

To: Leda Manorstead Pty Ltd
PO Box 1914
SURFERS PARADISE QLD 4217

Pursuant to Section 81(1)(a) of the Environmental Planning and Assessment Act 1979, notice is hereby given of the determination by the Tweed Shire Council of Development Application No. **DA15/0916** relating to land described as:

46, 54, 55, 200, 201, 202, 205, 206, 209, 199, 228, 305 DP 755740; Lot 1 DP 823679; Lot 1 DP 570077; Lot 1 DP 562222; Lot 2 DP 566529; Lot 1 DP 570076; Sandy Lane and Piggabeen Road COBAKI LAKES

to be developed in accordance with plans and details submitted for the purpose of –

COBAKI - PRECINCT 6 FAUNA CORRIDOR AND CULVERT CROSSINGS

The Development Application has been determined by the granting of consent subject to the conditions described below:

GENERAL

1. The development shall be completed in accordance with the Statement of Environmental Effects and the following plans:

   - Dwg A443-C-6-0001 Rev A prepared by Sedgman and dated 04/09/15;
   - Dwg A443-C-6-0100 Rev C prepared by Sedgman and dated 28/10/15;
   - Dwg A443-C-6-0200 Rev C prepared by Sedgman and dated 16/10/15;
   - Dwg A443-C-6-0201 Rev C prepared by Sedgman and dated 16/10/15;
   - Dwg A443-C-6-0202 Rev A prepared by Sedgman and dated 04/09/15;
   - Dwg A443-C-6-0300 Rev C prepared by Sedgman and dated 16/10/15;
   - Dwg A443-C-6-0301 Rev C prepared by Sedgman and dated 16/10/15;
   - Dwg A443-C-6-0302 Rev C prepared by Sedgman and dated 16/10/15;
   - Dwg A443-C-6-0303 Rev C prepared by Sedgman and dated 16/10/15;
   - Dwg A443-C-6-0304 Rev B prepared by Sedgman and dated 16/10/15;
   - Dwg A443-C-6-0305 Rev D prepared by Sedgman and dated 16/10/15;
   - Dwg A443-C-6-0306 Rev D prepared by Sedgman and dated 16/10/15;
   - Dwg A443-C-6-0400 Rev B prepared by Sedgman and dated 24/09/15;
   - Dwg A443-C-6-0401 Rev B prepared by Sedgman and dated 29/09/15;
   - Dwg A443-C-6-0402 Rev D prepared by Sedgman and dated 28/09/15;
   - Dwg A443-C-6-0403 Rev D prepared by Sedgman and dated 28/09/15;
   - Dwg A443-C-6-0404 Rev C prepared by Sedgman and dated 29/09/15;
   - Dwg A443-C-6-0406 Rev B prepared by Sedgman and dated 28/09/15;
   - Dwg A443-C-6-0407 Rev B prepared by Sedgman and dated 28/09/15;

   except where varied by the conditions of this consent.

[GEN0005]

2. The use of crushing plant machinery, mechanical screening or mechanical blending of materials is subject to separate development application.

[GEN0045]

3. The development is to be carried out in accordance with Tweed Shire Council Development Control Plan Part A5 - Subdivision Manual and Councils Development Design and Construction Specifications.

[GEN0125]

4. Approval is given subject to the location of, protection of, and/or any necessary approved modifications to any existing public utilities situated within or adjacent to the subject property.

5. An application shall be lodged together with any prescribed fees including inspection fees and approved by Tweed Shire Council under Section 68 of the Local Government Act for any water, sewerage or drainage works (including connection of a private stormwater drain to a public stormwater drain or installation of erosion and sediment control works.)
   Erosion and Sediment Control shall be designed, installed and maintained in accordance with Tweed Shire Council Development Design Specification D7 - Stormwater Quality and its Annexure A - "Code of Practice for Soil and Water Management on Construction Works".

6. The application of a Subdivision Certificate, registration of the associated linen plan and dedication of the fauna corridor to Council will be under separate consent.

PRIOR TO ISSUE OF CONSTRUCTION CERTIFICATE

7. Prior to the issue of a Construction Certificate for Subdivision Works, a Construction Environmental Management Plan (CEMP) shall be submitted to and approved by the Principle Certifying Authority. The CEMP shall be consistent with the Guideline for the Preparation of Environmental Management Plans (DIPNR, 2004). A copy of the approved plan shall be submitted to Council. The Plan shall address, but not be limited to, the following matters where relevant:

   a) Hours of work;
   b) Contact details of site manager;
   c) Traffic and pedestrian management;
   d) Noise and vibration management;
   e) Construction waste management;
   f) Erosion and sediment control; and,
   g) Flora and fauna management.

   Where construction work is to be undertaken in stages, the Proponent may, subject to agreement with the Principle Certifying Authority, stage the submission of the Construction Environmental Management Plan (CEMP) consistent with the staging of activities relating to that work. The Proponent shall submit a copy of the approved plan to Council.

[PCC0125]

8. Prior to the issue of a Construction Certificate for Subdivision Works, a cash bond or bank guarantee (unlimited in time) shall be lodged with Council for an amount based on 1% of the value of the works as set out in Council's fees and charges at the time of payment.

The bond may be called up at any time and the funds used to rectify any non-compliance with the conditions of this consent which are not being addressed to the satisfaction of the General Manager or his delegate.

The bond will be refunded, if not expended, when the applicable Subdivision Certificate is issued.

[PCC0275]

9. In accordance with Section 109F(i) of the Environmental Planning and Assessment Act 1979 (as amended), a construction certificate for SUBDIVISION WORKS OR BUILDING WORKS shall NOT be issued until any Long Service Levy payable under Section 34 of the Building and Construction Industry Long Service Payments Act, 1986 (or where such levy is payable by instalments, the first instalment of the levy) has been paid (as applicable). Council is authorised to accept payment. Where payment has been made elsewhere, proof of payment is to be provided.

[PCC0285]

10. Where earthworks result in the creation of embankments and/or cuttings greater than 1m high and/or slopes 17° (1:3.27) or steeper, such slopes shall be densely planted in accordance with a detailed Landscaping Plan (in accordance with the approved SRRP and consistent with the approved Stormwater Management Plan for the Cobaki Estate Development) and endorsed by Council. This Plan shall accompany the Construction Certificate application.
Such plans shall generally incorporate the following and preferably be prepared by a landscape architect:

(a) Contours and terraces where the height exceeds 1m.
(b) Cover with topsoil and large rocks/dry stone walls in terraces as necessary.
(c) Densely plant with appropriate native species to suit the aspect/micro climate. Emphasis to be on trees and ground covers which require minimal maintenance. Undergrowth should be weed suppressant.
(d) Mulch heavily (minimum 300mm thick) preferably with unwanted growth cleared from the estate and chipped. All unwanted vegetation is to be chipped and retained on the subdivision.

[PCC0455]

11. All imported fill material shall be from an approved source. Prior to the issue of a Construction Certificate details of the source of fill, description of material, proposed use of material, documentary evidence that the fill material is free of any contaminants and haul route shall be submitted to Council for the approval of the General Manager or his delegate.

[PCC0465]

12. Notwithstanding any other condition of this consent separate Construction Certificates for bulk earthworks and subdivision works may be issued and the carrying out of bulk earthworks may be commenced prior to the issue of a Construction Certificate for subdivision works where it can be demonstrated all works are compatible.

[PCC0495]

13. Prior to the issue of a Construction Certificate, a Detailed *Geotechnical Investigation* shall be undertaken by an appropriately qualified practising professional Geotechnical Engineer.
The investigation shall identify any areas of compressible clay materials, loose sands, landslip, subsidence or reactive soil profiles which may impact on construction or building activities. If unsuitable materials are identified the investigation shall provide

recommendations such as a preloading or other forms of treatment necessary to achieve surface movement (y_s) rates consistent with a site classification M as defined by AS 2870 (current version). All consolidation resulting from preloading shall be monitored by settlement plates or detailed survey to determine consolidation/settlement characteristics.

[PCC0500]

14. A Traffic Control Plan in accordance with AS1742 and the latest version of the NSW Government Roads and Maritime Services (RMS) publication "Traffic Control at Work Sites" shall be prepared by an RMS accredited person and shall be submitted to the Principal Certifying Authority prior to issue of the Construction Certificate for Subdivision Works. Safe public access shall be provided at all times.

[PCC0865]

15. Application shall be made to Tweed Shire Council under Section 138 of the Roads Act 1993 for works pursuant to this consent located within any road reserve. Application shall include (but not limited to) engineering plans and specifications undertaken in accordance with Councils Development Design and Construction Specifications for the following required works:

    (a) Construction of the fauna corridor culvert crossings or retro-fitting of similar features within any existing road reserve, as well as any approach embankments within the road reserve. For relevant design requirements, see separate 'PCC' condition at the end of this sub-section of the Consent.
    The above mentioned engineering plan submission must include copies of compliance certificates relied upon and details relevant to but not limited to the following:

    - Road works/furnishings
    - Stormwater drainage
    - Sediment and erosion control plans
    - Location of all services/conduits
    - Traffic Control Plan (as applicable)

[PCC0895]

16. Prior to the issue of a Construction Certificate for subdivision works, the following detail in accordance with Council's Development Design and Construction Specifications shall be submitted to the Principal Certifying Authority for approval.

    (a) copies of compliance certificates relied upon
    (b) Detailed engineering plans and specifications*, prepared in accordance with Development Design Specification D13 - particularly Section D13.09*. The detailed plans shall include but are not limited to the following:

    - earthworks
    - stormwater drainage
    - landscaping works
    - sedimentation and erosion management plans

The Environmental Planning and Assessment Act, 1979 (as amended) makes no provision for works under the Water Management Act 2000 and Section 138 of the Roads Act to be certified by an Accredited Certifier.

[PCC0985]

17. Permanent stormwater quality treatment shall be provided in accordance with the following:

    (a) The Construction Certificate Application shall detail stormwater management for the occupational or use stage of the development in accordance with Section D7.07 of Councils *Development Design Specification D7 - Stormwater Quality*.
    (b) Permanent stormwater quality treatment shall comply with section 5.5.3 of the Tweed Urban Stormwater Quality Management Plan and Councils Development Design Specification D7 - Stormwater Quality.
    (c) It is encouraged that the stormwater and site works incorporate water sensitive design principles and where practical, integrated water cycle management, as proposed by "Water By Design", an initiative for best practice by the South East Queensland Healthy Waterways Partnership.
    (d) Specific Requirements to be detailed within the Construction Certificate application include:
        (i) Shake down area shall be installed within the property, immediately prior to any vehicle entering or exiting the site prior to any earthworks being undertaken

[PCC1105]

18. A construction certificate application for works that involve any of the following:
    - connection of a private stormwater drain to a public stormwater drain
    - installation of stormwater quality control devices
    - erosion and sediment control works

    will not be approved until prior separate approval to do so has been granted by Council under Section 68 of the Local Government Act.

    a) Applications for these works must be submitted on Council's standard Section 68 stormwater drainage application form accompanied by the required attachments and the prescribed fee.

    b) Where Council is requested to issue a construction certificate for subdivision works, the abovementioned works can be incorporated as part of the construction certificate application, to enable one single approval to be issued. Separate approval under Section 68 of the Local Government Act will then NOT be required.

[PCC1145]

19. Erosion and Sediment Control shall be provided in accordance with the following:

    (a) The Construction Certificate Application must include a detailed erosion and sediment control plan prepared in accordance with Section D7.07 of *Development Design Specification D7 - Stormwater Quality.*
    (b) Construction phase erosion and sediment control shall be designed, constructed and operated in accordance with *Tweed Shire Council Development Design Specification D7 - Stormwater Quality* and its Annexure A - “Code of Practice for Soil and Water Management on Construction Works”.

[PCC1155]

20. Prior to the issue of a Construction Certificate for the proposed works, the following matters are to be satisfactorily addressed:

    1. Culvert redesign: the nominated 3-cell culvert systems require further assessment to ensure the following matters have been satisfactorily addressed:
        a. Loss of cross-sectional area due to the fauna ledges, as well as the timber boardwalks.
        b. Include obstruction factor for the elevated timber boardwalks: incorporate debris loading and turbulence considerations.
        c. No allowance for blockage has been made in the current preliminary design (generally 20% required: see D5.14 and QUDM Section 10.4).
        d. Minimum internal freeboard of 0.5m required to the Q100 year TWL within the culvert systems.
        e. Demonstrate that unacceptable afflux will not occur upstream of the culverts.
        f. Submission of supporting hydraulic / hydrologic calculations to verify that all above matters have been satisfactorily addressed, as well as nominating the actual TWL's (Q3 month, Q2 year and Q100 year) nominated on sheets 0406 and 0407 of the engineering drawings by Sedgman.
        g. The elevated timber boardwalks shall:
            i. Be designed for a simple side profile to minimise the obstruction to the cross-sectional waterway area of the culvert system, with particular attention given to any supporting bracket system.
            ii. The method of fixing the boardwalks / support brackets to the inside of the culvert system must consider and be designed to cater for the stormwater flow velocities through the culverts, as well as extra stresses resulting from debris loading.
            iii. The boardwalks are to be elevated as high as possible within the culvert systems to afford the highest level of stormwater immunity, while still facilitating appropriate fauna passage.

    NOTE: the above may necessitate a wider culvert system or inclusion of a fourth cell.

    2. Batter slopes: some batter slopes shown on the typical cross sections exceed TSC maximum slope of 1 in 4. In addition, the 1 in 2 batter slopes shown on the cross sections for the open channel do not comply. Any non-compliance will need to be rectified accordingly.
    All batter slopes steeper than 1 in 4 are to be provided with low maintenance vegetation or hard surfacing of the batter, unless specifically nominated in relevant Landscaping Plans or previously approved Management Plans for the site. Appropriate details are to be included with the application for a Construction Certificate.

    3. Separate approval: if any of the above-mentioned works are to be undertaken within existing dedicated road reserves, then those works will require separate approval from Council under Section 138 of the Roads Act.

    [PCCNS01]

21. Prior to the issue of a Construction Certificate, detailed design drawings of fauna exclusion fencing and access gates are to be submitted to and approved by Council.

22. Prior to the issue of a Construction Certificate, there is to be a resolution of the inconsistency between the proposed development and the existing approved Management Plans with regard to the proposed vegetation community to be created within the corridor.

23. Prior to the issue of a Construction Certificate, updates to relevant existing approved Management Plans relating to the fauna corridor within Precinct 6 will be required with regard to timing, responsibilities and performance measures for works within the fauna corridor. All amendments to the Management Plans are to be approved by Council.

24. Prior to the issue of a Construction Certificate, DA10/0801 must be modified where relevant, pursuant to Section 80A(1) of the EP&A Act 1979 (as amended) and Regulation, to be consistent with this consent.

[PCCNS02]

PRIOR TO COMMENCEMENT OF WORK

25. Prior to commencement of work all actions or prerequisite works required at that stage, as required by other conditions or approved management plans or the like, shall be installed/operated in accordance with those conditions or plans.

[PCW0015]

26. Subdivision work in accordance with a development consent must not be commenced until:

    (a) a Construction Certificate for the subdivision work has been issued in accordance with Councils Development Construction Specification C101 by:
        (i) the Consent Authority, or
        (ii) an Accredited Certifier, and

    (b) the person having the benefit of the development consent:
        (i) has appointed a Principal Certifying Authority,
        (ii) has appointed a Certifying Engineer to certify the compliance of the completed works.
        The Certifying Engineer shall be an Institute of Engineers Australia Chartered Professional Engineer (Civil College) with NER (civil) registration. Documentary evidence is to be provided to Council demonstrating current NER accreditation, and
        (iii) has notified the Consent Authority and the council (if the council is not the Consent Authority) of the appointment,
        (iv) a sign detailing the project and containing the names and contact numbers of the Developer, Contractor and Certifying Engineer is erected and maintained in a prominent position at the entry to the site in accordance with Councils Development Design and Construction Specifications. The sign is to remain in place until the applicable Subdivision Certificate is issued, and

    (c) the person having the benefit of the development consent has given at least 2 days' notice to the council of the person's intention to commence the subdivision work.

[PCW0815]

27. The proponent shall provide to the PCA copies of Public Risk Liability Insurance to a minimum value of $10 Million for the period of commencement of works until the completion of the defects liability period.

[PCW0835]

28. Prior to commencement of work on the site all erosion and sedimentation control measures are to be installed and operational including the provision of a "shake down" area, where required. These measures are to be in accordance with the approved erosion and sedimentation control plan and adequately maintained throughout the duration of the development.
In addition to these measures the core flute sign provided with the stormwater approval under Section 68 of the Local Government Act is to be clearly displayed on the most prominent position of the sediment fence or erosion control device which promotes awareness of the importance of the erosion and sediment controls provided.

    This sign is to remain in position for the duration of the project.

    [PCW0985]

DURING CONSTRUCTION

29. All proposed works are to be carried out in accordance with the conditions of development consent, approved management plans, approved construction certificate, drawings and specifications.

    [DUR0005]

30. During construction, all works required by other conditions or approved management plans or the like shall be installed and operated in accordance with those conditions or plans.

    [DUR0015]

31. Construction and/or demolition site work including the entering and leaving of vehicles is limited to the following hours, unless otherwise permitted by Council:
Monday to Saturday from 7.00am to 6.00pm

    No work to be carried out on Sundays or Public Holidays

    The proponent is responsible to instruct and control subcontractors regarding hours of work.

    [DUR0205]

32. All reasonable steps shall be taken to muffle and acoustically baffle all plant and equipment. In the event of complaints from the neighbours, which Council deem to be reasonable, the noise from the construction site is not to exceed the following:
    A. Short Term Period - 4 weeks.

    $L_{Aeq,\ 15\ min}$ noise level measured over a period of not less than 15 minutes when the construction site is in operation, must not exceed the background level by more than 20dB(A) at the boundary of the nearest likely affected residence.

    B. Long term period - the duration.

    $L_{Aeq,\ 15\ min}$ noise level measured over a period of not less than 15 minutes when the construction site is in operation, must not exceed the background level by more than 15dB(A) at the boundary of the nearest affected residence.

    [DUR0215]

33. It is the responsibility of the applicant to restrict public access to the construction works site, construction works or materials or equipment on the site when construction work is not in progress or the site is otherwise unoccupied in accordance with WorkCover NSW requirements and Work Health and Safety Regulation 2011.

    [DUR0415]

34. No filling is to be placed hydraulically within twenty metres (20m) of any boundary that adjoins private land that is separately owned. Fill adjacent to these boundaries is to be placed mechanically.
No filling of any description is to be deposited, or remain deposited, within adjacent properties.

[DUR0765]

35. All earthworks and filling shall be carried out in accordance with AS 3798 (current version) to a Level 1 inspection regime and testing in accordance with Table 8.1.
The earthworks and filling shall also be undertaken in accordance with the recommendations provided in the *Geotechnical Investigation* (as required by Consent Condition 13) and monitored by a Registered Geotechnical Testing Consultant.

[DUR0795]

36. The use of vibratory compaction equipment (other than hand held devices) within 100m of any dwelling house, building or structure is strictly prohibited.

[DUR0815]

37. No soil, sand, gravel, clay or other material shall be disposed of off the site without the prior written approval of Tweed Shire Council General Manager or his delegate.

[DUR0985]

38. The surrounding road carriageways are to be kept clean of any material carried onto the roadway by construction vehicles. Any work carried out by Council to remove material from the roadway will be at the Developers expense and any such costs are payable prior to the issue of the applicable Subdivision Certificate.

[DUR0995]

39. All work associated with this approval is to be carried out so as not to impact on the neighbourhood, adjacent premises or the environment. All necessary precautions, covering and protection shall be taken to minimise impact from:

- Noise, water or air pollution.
- Dust during filling operations and also from construction vehicles.
- Material removed from the site by wind.

[DUR1005]

40. The burning off of trees and associated vegetation felled by clearing operations or builders waste is prohibited. Such materials shall either be recycled or disposed of in a manner acceptable to Councils General Manager or his delegate.

[DUR1015]

41. Where the construction work is on or adjacent to public roads, parks or drainage reserves the development shall provide and maintain all warning signs, lights, barriers and fences in accordance with AS 1742 (Manual of Uniform Traffic Control Devices). The contractor or property owner shall be adequately insured against Public Risk Liability and shall be responsible for any claims arising from these works.

[DUR1795]

42. The proponent must not undertake any work within a public road reserve without giving Council's Engineering Division (48 hours notice of proposed commencement). Failure to comply with this condition may result in a stop work notice being issued and/or rejection of the works undertaken.

[DUR1845]

43. Any damage caused to public infrastructure (roads, footpaths, water and sewer mains, power and telephone services etc) during construction of the development shall be

repaired in accordance with Councils Development Design and Construction Specifications prior to the issue of the applicable Subdivision Certificate.

[DUR1875]

44. The proponent shall comply with all requirements tabled within any approval issued under Section 138 of the Roads Act.

[DUR1885]

45. Tweed Shire Council shall be given a minimum 24 hours notice to carry out the following compulsory inspections in accordance with Tweed Shire Council Development Control Plan, Part A5 - Subdivision Manual, Appendix D. Inspection fees are based on the rates contained in Council's current Fees and Charges:
Drainage

(a) Excavation
(b) Bedding
(c) Laying/jointing
(d) Manholes/pits
(e) Backfilling
(f) Permanent erosion and sedimentation control measures
(g) Drainage channels
(h) Final Practical Inspection - on maintenance
(i) Off maintenance

Council's role is limited to the above mandatory inspections and does NOT include supervision of the works, which is the responsibility of the Developers Supervising Consulting Engineer.

The EP&A Act, 1979 (as amended) makes no provision for works under the Water Management Act 2000 to be certified by an "accredited certifier".

The fee for the abovementioned inspections shall be invoiced upon completion of all subdivision works, and subject to the submission of an application for a 'Subdivision Works Compliance Certificate'.

[DUR1895]

46. The developer/contractor is to maintain a copy of the development consent and Construction Certificate approval including plans and specifications on the site at all times.

[DUR2015]

47. Fauna Corridor
(a) The proposed fauna corridor is to be dedicated to Council at no cost.

[DUR2295]

48. Regular inspections shall be carried out by the Supervising Engineer on site to ensure that adequate erosion control measures are in place and in good condition both during and after construction.
Additional inspections are also required by the Supervising Engineer after each storm event to assess the adequacy of the erosion control measures, make good any erosion control devices and clean up any sediment that has left the site or is deposited on public land or in waterways.

This inspection program is to be maintained until the maintenance bond is released or until Council is satisfied that the site is fully rehabilitated.

[DUR2375]

49. All water drawn from Councils reticulated system shall be via a Tweed Shire Council metered standpipe. The location of the hydrant shall be nominated by Tweed Shire Council and all water shall be only used for the purposes nominated by the applicant for the duration of the construction activities.

[DUR2575]

50. Dust and Erosion Management
    (a) Site earthworks are to be limited to a 5ha maximum at any time to reduce exposed areas. Completed area's are to be topsoiled and seeded immediately to protect them from water and wind erosion.
    (b) All topsoil stockpiles are to be sprayed with dust suppression material such as "hydromulch", "dustex" or equivalent. All haul roads shall be regularly watered or treated with dust suppression material or as directed on site.
    (c) All construction activities that generate dust shall cease when average wind speeds exceed 15m/s (54 km/h). The applicant shall be responsible for the monitoring of on-site wind speeds and be able to produce this data to Council on request.

[DUR2825]

PRIOR TO ISSUE OF SUBDIVISION CERTIFICATE

51. Prior to issue of a Subdivision Certificate that will dedicate the Fauna Corridor to Council, all works/actions/inspections etc required by other conditions or approved management plans or the like associated with this consent shall be completed in accordance with those conditions or plans.

[PSC0005]

52. Prior to the issue of a Subdivision Certificate that will dedicate the Fauna Corridor to Council, a defect liability bond (in cash or unlimited time Bank Guarantee) shall be lodged with Council.

    The bond shall be based on 5% of the value of the works (minimum as tabled in Council's fees and charges current at the time of payment) which will be held by Council for a period of 6 months from the date on which the plan of subdivision is registered.

    It is the responsibility of the proponent to apply for refund following the remedying of any defects arising within the 6 month period.

[PSC0215]

53. A bond to ensure acceptable plant establishment and landscaping performance at time of handover to Council shall be lodged by the Developer prior to the issue of the Subdivision Certificate to dedicate the fauna corridor to Council.
    The bond shall be held by Council for a period of 12 months from the date of issue of the Subdivision Certificate and may be utilised by Council during this period to undertake essential plant establishment or related plant care works, should non-compliance occur. Any balance remaining at the end of the 12 months establishment period will be refunded.
    The amount of the bond shall be 20% of the estimated cost of the landscaping or $3000 whichever is the greater.

54. At the completion of the earthworks/filling and prior to the issue of the Subdivision Certificate that will dedicate the Fauna Corridor to Council, an appropriately qualified practising professional Geotechnical Engineer shall provide an Engineering Certification that clearly states the following:

1. All earthworks and filling have been inspected to a Level 1 standard in accordance with AS 3798 (current version) and in accordance with the recommendations of the detailed *Geotechnical Investigation* (as required by Consent Condition 12).

2. All surface movement (y_s) has achieved rates that are consistent with a site classification M as defined by AS 2870 (current version).

[PSC0395]

55. Any damage to property (including pavement damage) is to be rectified to the satisfaction of the General Manager or his delegate PRIOR to the issue of a Subdivision Certificate that will dedicate the Fauna Corridor to Council. Any work carried out by Council to remove material from the roadway will be at the Developers expense and any such costs are payable prior to the issue of a Subdivision Certificate.

[PSC0725]

56. Prior to the issue of a Subdivision Certificate that will dedicate the Fauna Corridor to Council, Work as Executed Plans shall be submitted in accordance with the provisions of Tweed Shire Council's Development Control Plan Part A5 - Subdivision Manual and Council's Development Design Specification, D13 - Engineering Plans.
The plans are to be endorsed by a Registered Surveyor OR a Consulting Engineer Certifying that:

(a) all drainage lines, services and structures are wholly contained within the relevant easement created by the subdivision;
(b) the plans accurately reflect the Work as Executed.

Note: Where works are carried out by Council on behalf of the developer it is the responsibility of the DEVELOPER to prepare and submit works-as-executed (WAX) plans.

[PSC0735]

57. A Subdivision Certificate that will dedicate the Fauna Corridor to Council, will not be issued by the General Manager until such time as all conditions of this Development Consent have been complied with.

[PSC0825]

58. The creation of easements for services, rights of carriageway and restrictions as to user as may be applicable under Section 88B of the Conveyancing Act including (but not limited to) the following:

(a) Easements for sewer, water supply and drainage over ALL public services/infrastructure on private property.
(b) Easements to establish legal point(s) of discharge for stormwater drainage associated with the fauna corridor.

Pursuant to Section 88BA of the Conveyancing Act (as amended) the Instrument creating the right of carriageway/easement to drain water shall make provision for maintenance of the right of carriageway / easement by the owners from time to time of the land benefited and burdened and are to share costs equally or proportionally on an equitable basis.

Any Section 88B Instrument creating restrictions as to user, rights of carriageway or easements which benefit Council shall contain a provision enabling such restrictions, easements or rights of way to be revoked, varied or modified only with the consent of Council.

[PSC0835]

59. Council's standard "Asset Creation Form" shall be completed (including all quantities and unit rates) and submitted to Council with the application for Subdivision Certificate that will dedicate the Fauna Corridor to Council.

[PSC0855]

60. Prior to registration of the plan of subdivision that will dedicate the Fauna Corridor to Council, a Subdivision Certificate shall be obtained.
The following information must accompany an application:

(a) original plan of subdivision prepared by a registered surveyor and 2 copies of the original plan together with any applicable 88B Instrument and application fees in accordance with the current Fees and Charges applicable at the time of lodgement.
(b) all detail as tabled within Tweed Shire Council Development Control Plan, Part A5 - Subdivision Manual, CL 5.7.6 and Councils Application for Subdivision Certificate including the attached notes.

Note: The Environmental Planning and Assessment Act, 1979 (as amended) makes no provision for works under the Water Supplies Authorities Act, 1987 to be certified by an Accredited Certifier.

[PSC0885]

61. In conjunction with the application for a Subdivision Certificate that will dedicate the Fauna Corridor, the applicant must also apply to Council (OR PCA if applicable) for a Compliance Certificate for Subdivision Works. This may require obtaining individual Compliance Certificates for various civil works components such as (but not limited to) the following:

(a) Drainage / Drainage Structures
(b) Bulk Earthworks

Note:

1. All compliance certificate applications for Subdivision Works must be accompanied by documentary evidence from the developers Certifying Engineer, certifying that the specific work for which a certificate is sought has been completed in accordance with the terms of the development consent, the construction certificate, Tweed Shire Council's Development Control Plan Part A5 - Subdivisions Manual and Councils Development Design and Construction Specifications.

2. The EP&A Act, 1979 (as amended) makes no provision for works under the Water Management Act 2000 to be certified by an "accredited certifier".

[PSC0915]

62. The six (6) months Defects Liability Period commences upon the registration of the Plan of Subdivision.

[PSC0925]

63. A formal asset handover of any associated water quality control devices is to be implemented at the completion of the maintenance period ("Off Maintenance"), whereby all relevant stakeholders will inspect the device and be issued with a current operational manual for the device.

[PSC1025]

64. Prior to the issue of a Subdivision Certificate that will dedicate the Fauna Corridor to Council, and also prior to the end of defects liability period, a CCTV inspection of any stormwater structure installed and to be dedicated to Council including joints and junctions will be required in accordance with Council's Construction Specifications to demonstrate that the standard of the infrastructure is acceptable to Council.
Any defects identified by the inspection are to be repaired in accordance with Councils Development Design and Construction Specification.

All costs associated with the CCTV inspection and repairs shall be borne by the applicants.

[PSC1065]

The reasons for the imposition of conditions are to minimise any adverse impact the development may cause and to give effect to the objectives of the Environmental Planning and Assessment Act, 1979.

The application was determined on: **4 February 2016**
The consent to operate from: **16 February 2016**
The consent to lapse on 16 February 2021 unless commenced prior to that date.

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 6 months after the date on which you receive this notice.

Signed on behalf of the Tweed Shire Council
Lindsay McGavin, Manager Development Assessment and Compliance

16 February 2016

GENERAL

1. THESE DRAWINGS ARE TO BE READ IN CONJUNCTION WITH THE FOLLOWING DOCUMENTS:
   - OTHER PROVIDED ENGINEERING DRAWINGS
   - TECHNICAL SPECIFICATIONS
   - SUPPLEMENTARY SPECIFICATIONS
   - WRITTEN INSTRUCTIONS
2. ALL CONSTRUCTION MATERIALS AND WORKMANSHIP SHALL BE IN ACCORDANCE WITH THE RELEVANT SPECIFICATION FOR THE WORKS TOGETHER WITH THE REQUIREMENTS OF ALL THE RELEVANT CODES OF PRACTICE REFERRED TO THEREIN AND THE REQUIREMENTS OF T.S.C. STANDARDS AND SPECIFICATIONS.
3. THE CONTRACTOR IS RESPONSIBLE FOR THE DESIGN AND PROVISION OF ANY TEMPORARY BRACING, PROPPING ETC. TO DRAINAGE PIPES DURING CONSTRUCTION . STRUCTURES SHALL BE MAINTAINED IN A STABLE POSITION AND NO PART SHALL BE OVERSTRESSED.
4. ALL LOCATIONS, ORIENTATION AND LEVELS SHALL BE VERIFIED ON SITE BEFORE COMMENCING ANY WORK. DISCREPANCIES SHALL BE REFERRED TO THE SITE SUPERINTENDENT.
5. DO NOT OBTAIN DIMENSIONS FROM SCALING.
6. NATURAL SURFACE LEVELS ON THE DRAWINGS ARE INDICATIVE ONLY.
7. ANY PERMITS AND APPROVALS REQUIRED FOR CONSTRUCTION OF PERMANENT OR TEMPORARY WORKS SHALL BE OBTAINED BY THE CONTRACTOR.
8. T.S.C. STANDARD DETAILS ARE TO BE ADOPTED UNLESS STATED OTHERWISE.

ROADWORKS

1. NOTWITHSTANDING THE DETAILS SHOWN ON THE DRAWINGS ALL WORKS SHALL BE CONSTRUCTED IN ACCORDANCE WITH T.S.C. STANDARD SPECIFICATIONS AND DRAWINGS.
2. SIDE DRAINS SHALL BE CONSTRUCTED UNDER ALL NEW KERB AS SPECIFIED WITHIN THESE DRAWINGS AND AS DIRECTED BY THE SUPERINTENDENT. REFER T.S.C. STANDARD DRG No. S.D.012.
3. FLUSHING POINTS SHALL BE PROVIDED FOR SIDE DRAINS AT THE REQUIRED SPACINGS IN ACCORDANCE WITH T.S.C. STANDARD DRAWINGS AND SPECIFICATIONS.
4. GEOTECHNICAL TEST RESULTS ARE TO BE FORWARDED TO THE SUPERINTENDENT PRIOR TO FINAL BOXING. TESTS SHALL INCLUDE SOAKED C.B.R. AND/OR OTHER TESTS AS REQUESTED BY THE SUPERINTENDENT. THESE TESTS SHALL BE USED TO CONFIRM THE PAVEMENT DESIGN SHOWN ON THESE DRAWINGS.
5. THE PAVEMENT DESIGN ON THE DRAWINGS IS NOT FOR CONSTRUCTION UNTIL FINAL C.B.R. TEST RESULTS ARE REVIEWED AND APPROVED BY THE SITE SUPERINTENDENT. CONSTRUCTION OF THE PAVEMENT TO THE DESIGN SHOWN ON THE DRAWINGS, PRIOR TO RECEIPT OF THE FINAL CBR TESTS, SHALL BE UNDERTAKEN AT THE CONTRACTORS OWN RISK.
6. THE CONTRACTOR SHALL OBTAIN THE LOCATION OF ALL SERVICES AND PROTECT THESE SERVICES PRIOR TO WORKING IN THE VICINITY. ANY DAMAGE WILL BE REPAIRED AT THE CONTRACTOR'S EXPENSE.
7. WORKS TO ANY SERVICES SHOULD BE DONE IN CONSULTATION WITH THE APPROPRIATE SERVICE PROVIDER.
8. TEMPORARY WARNING SIGNS TO BE ERECTED AS PER THE DEPARTMENT OF TRANSPORT MANUAL OF UNIFORM TRAFFIC CONTROL DEVICES, CURRENT EDITION.
9. SEAL TO BE A.C. SURFACING - AS SPECIFIED.
10. KERB ADAPTERS ARE TO BE INSTALLED FOR ALL LOTS THAT FALL TO THE ROAD.

PAVEMENTS

1. GRANULAR PAVEMENT MATERIAL TO BE IN ACCORDANCE WITH T.S.C. DEVELOPMENT CONSTRUCTION SPECIFICATION C242 - SPECIFICATION FOR FLEXIBLE PAVEMENTS, AND ALL DOCUMENTS REFERENCED WITHIN THIS SPECIFICATION.
2. THE PAVEMENT SEAL IS TO BE IN ACCORDANCE WITH T.S.C. DEVELOPMENT CONSTRUCTION SPECIFICATION C244 - SPECIFICATION FOR SPRAYED BITUMINOUS SURFACING, AND ALL DOCUMENTS REFERENCED WITHIN THIS SPECIFICATION.
3. GEOTECHNICAL TESTING IS TO BE UNDERTAKEN STRICTLY IN ACCORDANCE WITH RELEVANT SPECIFICATIONS.
4. SAMPLING SHALL BE CARRIED OUT IN ACCORDANCE WITH THE DEPARTMENT OF MAIN ROADS PAVEMENT DESIGN MANUAL 2009 (TEST METHOD Q113C) AND T.S.C. DEVELOPMENT CONTROL PLAN SECTION A5 - SUBDIVISION MANUAL SPECIFICATION C242, EXCEPT AS AMENDED BELOW:
   - PAGE 20 ITEM (i) SHALL BE AMENDED TO BE A 4 DAY SOAKED CBR IN ACCORDANCE WITH TEST METHOD Q113C.

   TRAFFIC NUMBERS ARE BASED ON T.S.C. DEVELOPMENT CONTROL PLAN SECTION A5 - SUBDIVISION MANUAL DESIGN SPECIFICATION D2 - PAVEMENT DESIGN.
5. FINAL PAVEMENT DESIGN IS SUBJECT TO RECEIPT OF THE GEOTECHNICAL TEST RESULTS AND MAY RESULT IN AN AMENDMENT TO THE PAVEMENT DESIGN SHOWN ON THIS DRAWING.
6. PAVEMENT DESIGN IS BASED ON T.S.C. DEVELOPMENT CONTROL PLAN SECTION A5 - SUBDIVISION MANUAL DESIGN SPECIFICATION D2 - PAVEMENT DESIGN. PAVEMENT DESIGN SUBJECT TO COUNCIL APPROVAL.

DRAINAGE

1. ALL DRAINAGE STRUCTURES ARE TO BE INSTALLED IN ACCORDANCE WITH THE FOLLOWING DOCUMENTS:
   - MAIN ROADS STANDARD DRAWINGS AND SPECIFICATIONS,
   - T.S.C. DESIGN GUIDELINES, STANDARD DRAWINGS AND SPECIFICATIONS;
   - ANY MANUFACTURERS STANDARD DRAWINGS AND SPECIFICATIONS.
2. ALL CONSTRUCTION MATERIALS AND WORKMANSHIP SHALL BE IN ACCORDANCE WITH THE RELEVANT SPECIFICATION FOR THE WORKS TOGETHER WITH THE REQUIREMENTS OF ALL THE RELEVANT CODES OF PRACTICE REFERRED TO THEREIN AND THE REQUIREMENTS OF THE STATUTORY AUTHORITIES WHERE APPLICABLE.
3. STRUCTURES HAVE BEEN DESIGNED FOR OPERATIONAL LOADS ONLY. THE CONTRACTOR IS RESPONSIBLE FOR THE ASSESSMENT OF CONSTRUCTION LOADS AND PROVISION OF ANY TEMPORARY BRACING, PROPPING, ETC. REQUIRED DURING CONSTRUCTION. STRUCTURES SHALL BE MAINTAINED IN A STABLE CONDITION AND NO PART SHALL BE OVERSTRESSED.
4. PRECAST REINFORCED CONCRETE PIPES ARE TO BE MANUFACTURED IN ACCORDANCE WITH AUSTRALIAN STANDARD AS 4058 AND AS 1992.
5. ALL STORMWATER PIPES SHALL BE CLASS '2' RCP. UNLESS NOTED OTHERWISE.
6. ALL PIPES UP TO AND INCLUDING Ø600 ARE TO BE RUBBER RING JOINTED. ALL PIPES ABOVE Ø600 ARE TO BE FLUSH JOINTED UNLESS NOTED OTHERWISE.
7. HEADWALL END STRUCTURES TO BE TYPE A, CAST IN SITU CONCRETE WITH CONCRETE APRONS (INCLUDING CUT OFF WALLS) UNLESS NOTED OTHERWISE. REFER TO T.S.C. DRG. 05-03-202 AND DMR STD DRG 1304 FOR DETAILS.
8. PRECAST END STRUCTURES MAY BE USED ON CULVERTS LESS THAN OR EQUAL TO 15° SKEW, SUBJECT TO THE APPROVAL OF THE SUPERINTENDENT. PRECAST END STRUCTURES SHALL BE CONSTRUCTED WITH A REINFORCED CONCRETE CUT OFF WALL AS DETAILED FOR TYPE 3 APRONS ON DMR STD DRG 1304.
9. EXISTING STORMWATER DRAINAGE PIPES AND MANHOLES WITHIN THE LIMIT OF WORK SHALL BE PROTECTED, REMOVED OR MODIFIED AS SPECIFIED.
10. WHERE A CONNECTION IS MADE TO AN EXISTING DRAINAGE PIPE OR PIT, THEN THE LEVEL OF THAT ELEMENT MUST BE SURVEYED PRIOR TO CONSTRUCTION. THE SURVEYED LEVELS SHALL BE PROVIDED TO THE SITE SUPERINTENDENT TO CONFIRM THE CONNECTION AND LEVELS PRIOR TO CONSTRUCTION.
11. BACKFILL AND BEDDING TO PIPES TO BE IN ACCORDANCE WITH T.S.C. STANDARD DRAWINGS AND SPECIFICATIONS.
12. UNSUITABLE FOUNDING MATERIAL FOR PIPES AND STRUCTURES SHALL BE REMOVED OR IMPROVED IN ACCORDANCE WITH T.S.C. AND MAIN ROADS SPECIFICATIONS.
13. ALL TRENCH BACK FILL MATERIAL UNDER THE PAVEMENT SHALL BE CBR 15 OR APPROVED EQUIVALENT.
14. STEEL GRATES AND FRAMES ARE TO BE FABRICATED FROM MILD STEEL AND HOT DIP GALVANISED. ALL GRATES ARE TO BE CLASS D (UNLESS NOTED OTHERWISE) AND BICYCLE SAFE IN ACCORDANCE WITH AUSTRALIAN STANDARD AS 3996 UNLESS NOTED OTHERWISE.
15. GRATE SUPPORT TO BE CONSTRUCTED LEVEL TO ENSURE THAT THE GRATE DOES NOT ROCK AFTER INSTALLATION.
16. ALL LEVELS ARE APPROXIMATE ONLY AND ARE SUBJECT TO FULL DETAIL SURVEY OF THE EXISTING STRUCTURE.
17. THE THICKNESS OF THE RIP-RAP PROTECTION SHALL BE TWICE THE D50 STONE SIZE SPECIFIED ON THE DRAWINGS.

    17.1. THE STONE SHALL BE REASONABLY WELL GRADED THROUGHOUT THE RIP-RAP LAYER. STONE SIZE SHALL BE DEPENDANT ON THE D50 VALUE SPECIFIED ON THE DRAWINGS D10 SHALL BE 0.5xD50 AND D90 SHALL BE 1.35xD50 STONES SMALLER THAN THE SPECIFIED D10 ARE NOT TO EXCEED 20% BY WEIGHT OF EACH LOAD.

    17.2. ROCK IS TO BE HARD, DENSE, DURABLE, RESISTANT TO WEATHERING AND ANGULAR IN SHAPE. IT SHALL BE FREE FROM OVERBURDEN, SPOIL SHALE AND ORGANIC MATTER. ROCK THAT IS LAMINATED, FRACTURED, POROUS OR OTHERWISE PHYSICALLY WEAK SHALL NOT BE USED.

    17.3. AN APPROXIMATE GUIDE TO STONE SHAPE. THE BREADTH OR THICKNESS OF A SINGLE STONE SHOULD NOT BE LESS THAN ONE-THIRD ITS LENGTH. ROUND MATERIAL CAN BE USED AS RIP-RAP PROVIDED IT IS NOT PLACED ON SLOPES GREATER THAN 3H : 1V.

CONCRETE

1. COMPLY WITH AS3600 CONCRETE STRUCTURES
2. DESIGN AND CONSTRUCT FORMWORK IN ACCORDANCE WITH AS3610.
3. PROVIDE QUALITY OF FINISHES OF FORMED SURFACES IN ACCORDANCE WITH AS3610 AND AS FOLLOWS UNO ON DRAWINGS:
   - EXPOSED SURFACES - CLASS 3
   - CONCEALED SURFACES - CLASS 4
   - IN CONTACT WITH GROUND - CLASS 5
4. THE LISTED SIZE OF CONCRETE ELEMENTS DO NOT INCLUDE THICKNESS OF APPLIED FINISHES. PROVIDE CHAMFERS, FILLETS REGLETS AND DRIP GROOVES AS SHOWN ON THE STRUCTURAL DRAWINGS.
5. DO NOT MAKE ANY PENETRATIONS OR CHASES OR EMBED ANY ITEMS OTHER THAN THOSE SHOWN IN THE STRUCTURAL DRAWINGS WITHOUT APPROVAL OF THE ENGINEER.
6. FORM CONSTRUCTION JOINTS ONLY WHERE APPROVED BY THE ENGINEER.
7. REINFORCEMENT SYMBOLS

   "S" DENOTES GRADE 250S HOT ROLLED DEFORMED BAR TO AS1302.
   "Y" DENOTES GRADE 400Y HOT ROLLED DEFORMED BAR TO AS1302.
   "R" DENOTES GRADE 250R HOT ROLLED PLAIN BAR TO AS1303.
   "W" DENOTES HARD-DRAWN PLAIN WIRE TO AS1303.
   "RF"&"L" DENOTES HARD-DRAWN RIBBED WIRE FABRIC TO AS1304.
   "N" DENOTES GRADE 500N HOT ROLLED DEFORMED BAR TO AS1302.

   THE NUMBER FOLLOWING THE BAR SYMBOL IS THE BAR DIAMETER IN mm.
8. PROVIDE COVER TO REINFORCEMENT AS FOLLOWS:

ELEMENT	COVER
PAVEMENTS	40mm TOP
CONCRETE IN CONTACT WITH GROUND	65mm

9. SUPPORT REINFORCEMENT IN ITS CORRECT POSITION DURING CONCRETING BY APPROVED BAR CHAIRS, SPACERS OR SUPPORT BARS SUITABLE FOR THE EXPOSURE CONDITIONS
10. LAP BAR REINFORCEMENT AS FOLLOWS UNO ON DRAWINGS:

N12	550m	N28	1300mm
N16	750mm	N32	1500mm
N20	950mm	N36	1700mm
N24	1100mm	N42	1900mm

11. BARS WITH MORE THAN 300mm OF CONCRETE UNDER THEM SHALL HAVE LAPS 1.25 TIMES THESE LENGTHS
12. LAP MESH REINFORCEMENT BY ONE COMPLETE MESH
13. DO NOT WELD OR SITE BEND REINFORCEMENT UNLESS SHOWN IN THE DRAWINGS OR OTHERWISE SPECIFIED BY THE ENGINEER.
14. REINFORCEMENT IS REPRESENTED DIAGRAMMATICALLY AND IS NOT NECESSARILY SHOWN IN TRUE PROJECTION.
15. PROVIDE PREMIX CONCRETE FOR EACH ELEMENT AS FOLLOWS:

ELEMENT	GRADE	MAX AG	SLUMP
PAVEMENTS	N32	20mm	80mm
MASS CONCRETE	N20	20mm	80mm

16. SAMPLE TEST AND ASSESS CONCRETE COMPLIANCE IN ACCORDANCE WITH PROJECT ASSESSMENT OF STRENGTH GRADE TO SECTION 20 AS3600
17. THE CONCRETE SHALL BE COMPACTED USING HIGH FREQUENCY VIBRATORS
18. ALL SLABS SHALL BE PLACED AT THE SAME TIME AS BEAMS OF WHICH THEY FORM PART
19. TRIM ALL PENETRATIONS LESS THAN 300mm WITH 2-N16 BARS EACH SIDE, EACH FACE AND DISPLACE REINFORCEMENT EACH SIDE.
20. CURING OF ALL CONCRETE SURFACES SHALL COMMENCE IMMEDIATELY AFTER SURFACES ARE FINISHED AS SPECIFIED AND SHALL CONTINUE FOR A MINIMUM OF 7 DAYS.
21. ADMIXTURES SHALL NOT BE USED WITHOUT THE WRITTEN APPROVAL OF THE ENGINEER.
22. CEMENT SHALL BE TYPE A NORMAL CLASS PORTLAND CEMENT UNLESS NOTED OTHERWISE
23. MAXIMUM 56 DAY SHRINKAGE STRAIN TO BE 65 MICRONS WHEN TESTED IN ACCORDANCE WITH AS1012
24. MAXIMUM FLYASH CONTENT TO BE 10% MEASURED BY WEIGHT OF CEMENTITIOUS MATERIAL.

THIS IS THE PLAN REFERRED TO IN DEVELOPMENT CONSENT NO. DA15/0916

TWEED SHIRE COUNCIL

REV	DESCRIPTION	DRAWN	DATE
A	ORIGINAL ISSUE	J.H.	04.09.15

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DRAWING IS NOT TO BE SCALED

SCALE (AT ORIGINAL SHEET SIZE): N/A

ORIGINAL SHEET SIZE: A1

CLIENT: LEDA

PROJECT: PROPOSED FAUNA CORRIDOR COBAKI, TWEED HEADS WEST DEVELOPMENT APPLICATION

STAGE / PHASE: FOR APPROVAL — FOR CONSTRUCTION ONCE STAMPED AND APPROVED BY COUNCIL

SEDGMAN
LEVEL 1, 193 FERRY ROAD SOUTHPORT QLD 4215 AUSTRALIA
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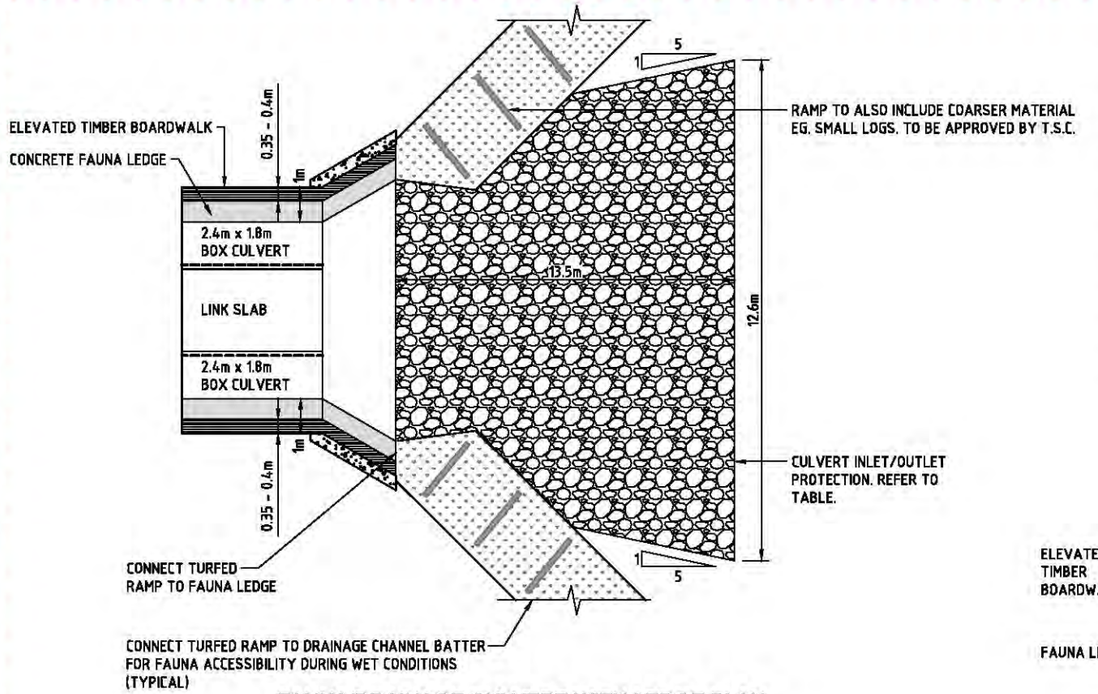
TITLE: GENERAL NOTES

TASK	BY	INITIAL	DATE
REVIEW	S.W.		04.09.15
DESIGN	J.H.		04.09.15
DRAWN	J.H.		04.09.15

APPROVED | RPEQ No

DRAWING NUMBER: A443-C-6-0001

REVISION: A



FAUNA/DRAINAGE CULVERT WITH LEDGE PLAN

N.T.S

CULVERT OUTLET PROTECTION TABLE

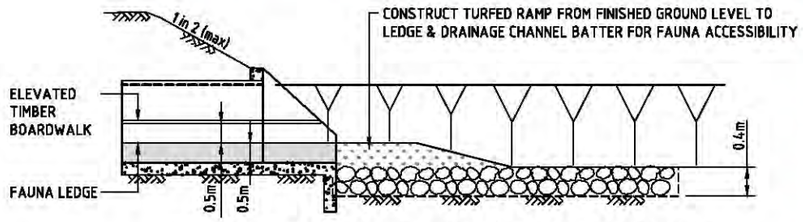
CULVERT NO.	PIPE Ø/CELL HEIGHT	VELOCITY	LENGTH OF PROTECTION	WIDTH OF PROTECTION	NOMINAL ROCK SIZE	THICKNESS OF PROTECTION
	D	V	L	Wd	d50	T
ROAD 1	1800mm	0.5m/s	13.5m	12.6m	200mm	0.4m
ROAD 2	1800mm	0.5m/s	13.5m	12.6m	200mm	0.4m

ROCK GRADATION TABLE

SMALLEST DIMENSIONS IN (mm)					% OF ROCK SMALLER THAN SIZE SHOWN
$200d_{50}$	$300d_{50}$	$400d_{50}$	$500d_{50}$	$600d_{50}$	
380	525	630	750	850	100
300	450	550	650	750	50-70
200	300	400	500	600	35-50
75	100	130	150	175	2-OCT

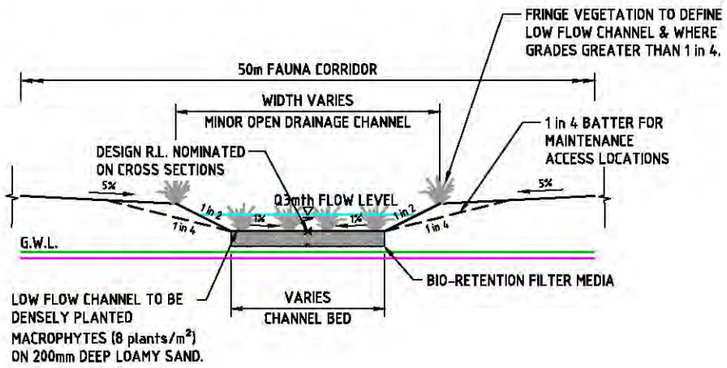
THIS IS THE PLAN REFERRED TO IN DEVELOPMENT CONSENT NO. DA15/0916

TWEED SHIRE COUNCIL



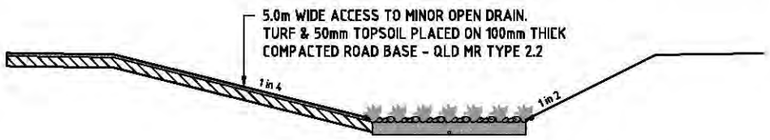
FAUNA/DRAINAGE CULVERT WITH LEDGE SECTION

N.T.S



TYPICAL SECTION

FAUNA CORRIDOR
NOT TO SCALE



TYPICAL SECTION

ACCESS TO OPEN DRAIN
NOT TO SCALE

NOTES - CONSTRUCTION STAGING OF FAUNA CORRIDOR CHANNEL

IN ORDER TO ENSURE THE INTEGRITY OF THE LOW FLOW CHANNEL IN THE EARLY STAGES OF DEVELOPMENT, IT IS PROPOSED TO TURF THE LOW FLOW CHANNEL TEMPORARILY TO CATER FOR THE HOUSE CONSTRUCTION PHASES OF THE PROJECT. ONCE THE HOUSE CONSTRUCTION PHASE REACHES 90% COMPLETE FOR THE CONTRIBUTING CATCHMENT, THE TEMPORARY TURF WILL BE REMOVED AND THE MACROPHYTES PLANTING, ROCK FILLED DRAIN, BIO RETENTION SWALE FILTER MEDIA, SUBSOIL DRAINS AND LANDSCAPING WILL BE COMPLETED BY THE DEVELOPER, WITH THE NOMINATED VEGETATION AND SURFACE WORKS.

NOTES

1. ALL DRAINAGE CHANNELS AND CULVERT CALCULATIONS ARE PROVIDED UNDER SEPARATE COVER.

REV	DESCRIPTION	DRAWN	DATE
C	DETAIL AMENDED	S.O.	28.10.15
B	DETAIL AMENDED & NOTE REMOVED	S.O.	24.09.15
A	ORIGINAL ISSUE	J.H.	04.09.15

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DRAWING IS NOT TO BE SCALED

SCALE (AT ORIGINAL SHEET SIZE) 1:500 — ORIGINAL SHEET SIZE A1

CLIENT: LEDA

PROJECT: PROPOSED FAUNA CORRIDOR COBAKI, TWEED HEADS WEST DEVELOPMENT APPLICATION

STAGE / PHASE: FOR APPROVAL — FOR CONSTRUCTION ONCE STAMPED AND APPROVED BY COUNCIL

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TITLE: TYPICAL SECTIONS & DETAILS

TASK	BY	INITIAL	DATE
REVIEW	S.W.		04.09.15
DESIGN	J.H.		04.09.15
DRAWN	J.H.		04.09.15

APPROVED | RPEQ No

DRAWING NUMBER: A443-C-6-0100 — REVISION: C

FOR CONTINUATION REFER TO DWG. A443-C-6-0201

THIS IS THE PLAN REFERRED TO IN DEVELOPMENT CONSENT NO. DA15/0916

TWEED SHIRE COUNCIL

FUTURE DEVELOPMENT

CONSTRUCT 5.0m WIDE 1 in 4 ACCESS TO OPEN DRAIN. REFER DWG A443-C-6-0100 FOR DETAILS. FINAL LOCATION OF ACCESS SUBJECT TO COUNCIL APPROVAL AND SITE CONDITIONS.

TEMPORARY 1 IN BATTER TO EXISTING. ALL WORKS TO REMAIN WITHIN THE SITE BOUNDARY

CENTRAL OPEN SPACE

ROAD 1

ROAD 2

CHECK

CONSTRUCT 5.0m WIDE 1 in 4 ACCESS TO OPEN DRAIN. REFER DWG A443-C-6-0100 FOR DETAILS. FINAL LOCATION OF ACCESS SUBJECT TO COUNCIL APPROVAL AND SITE CONDITIONS.

FUTURE DEVELOPMENT PRECINCTS 6, 7 & 8

FOR CONTINUATION REFER TO DWG. A443-C-6-0201

LEGEND

- CUT
- FILL
- DESIGN CONTOURS (0.25m INTERVAL)
- EXISTING CONTOURS (0.25m INTERVAL)
- BOTTOM OF BATTER
- TOP OF BATTER
- SILT FENCE
- CHECK — SAND BAG CHECK DAM
- SWALE DRAIN
- DIRECTION OF OVERLAND FLOW
- AREAS TURFED
- AREAS TOPSOILED & SEEDED

NOTES

IN ORDER TO ENSURE THE INTEGRITY OF THE LOW FLOW CHANNEL IN THE EARLY STAGES OF DEVELOPMENT, IT IS PROPOSED TO TURF THE LOW FLOW CHANNEL TEMPORARILY TO CATER FOR THE HOUSE CONSTRUCTION PHASES OF THE PROJECT. ONCE THE HOUSE CONSTRUCTION PHASE REACHES 90% COMPLETE FOR THE CONTRIBUTING CATCHMENT, THE TEMPORARY TURF WILL BE REMOVED AND THE MACROPHYTES PLANTING, ROCK FILLED DRAIN, BIO RETENTION SWALE FILTER MEDIA, SUBSOIL DRAINS AND LANDSCAPING WILL BE COMPLETED BY THE DEVELOPER, WITH THE NOMINATED VEGETATION AND SURFACE WORKS.

REV	DESCRIPTION	DRAWN	DATE
C	EXTENT OF WORKS AMENDED	S.B.	16.10.15
B	LABEL AMENDED & EARTHOWRKS VOLUMES REMOVED	S.O.	24.09.15
A	ORIGINAL ISSUE	J.H.	04.09.15

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DRAWING IS NOT TO BE SCALED

SCALE (AT ORIGINAL SHEET SIZE) 10 0 10 20 SCALE 1:500

ORIGINAL SHEET SIZE A1

CLIENT: LEDA

PROJECT: PROPOSED FAUNA CORRIDOR COBAKI, TWEED HEADS WEST DEVELOPMENT APPLICATION

STAGE / PHASE: FOR APPROVAL — FOR CONSTRUCTION ONCE STAMPED AND APPROVED BY COUNCIL

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TITLE: BULK EARTHWORKS & EROSION & SEDIMENT CONTRL PLAN SHEET 1 OF 2

TASK	BY	INITIAL	DATE
REVIEW	S.W.		04.09.15
DESIGN	J.H.		04.09.15
DRAWN	J.H.		04.09.15

APPROVED | RPEQ No

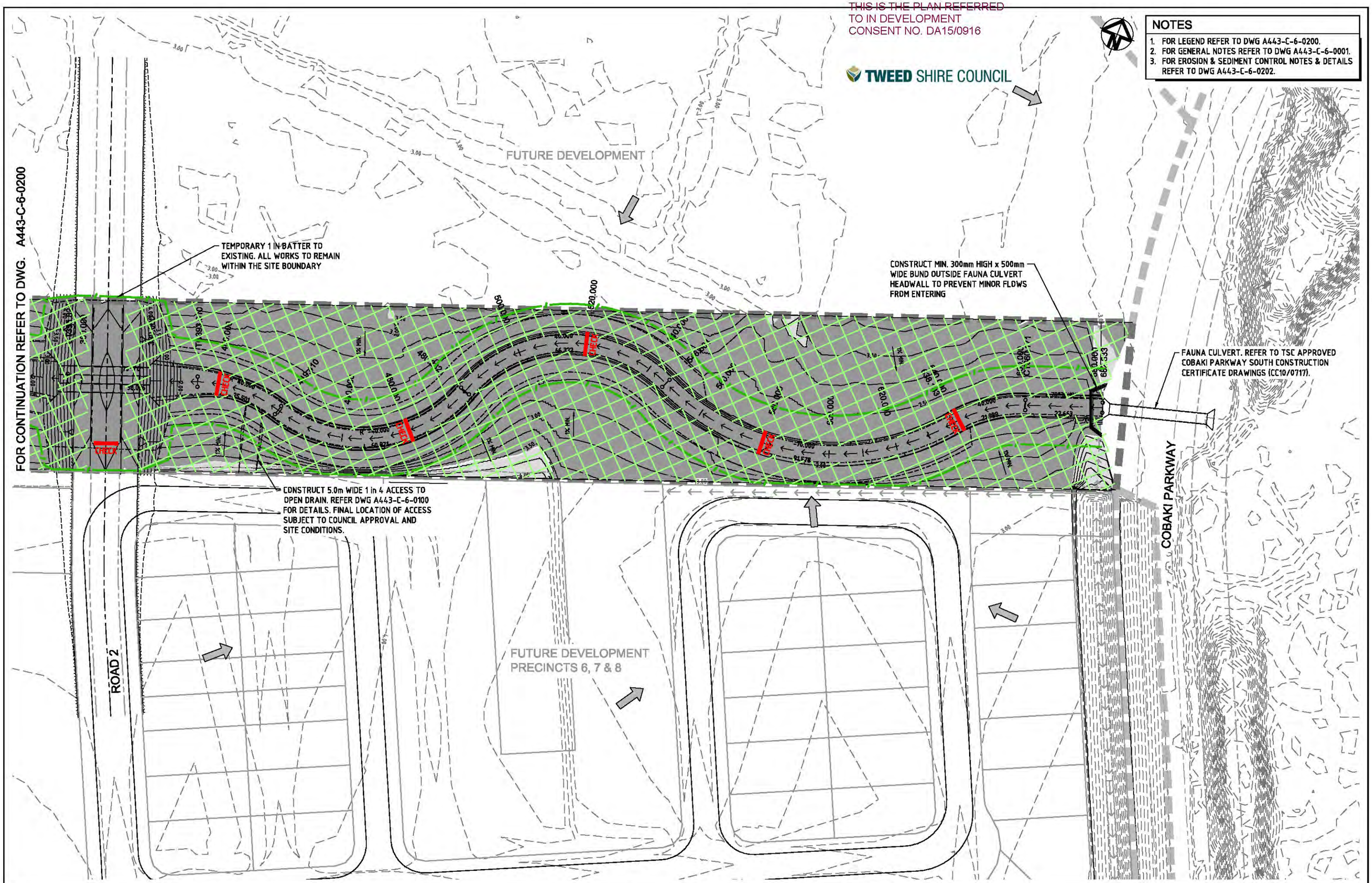
DRAWING NUMBER: A443-C-6-0200 | REVISION: C

THIS IS THE PLAN REFERRED TO IN DEVELOPMENT CONSENT NO. DA15/0916

TWEED SHIRE COUNCIL

NOTES

1. FOR LEGEND REFER TO DWG A443-C-6-0200.
2. FOR GENERAL NOTES REFER TO DWG A443-C-6-0001.
3. FOR EROSION & SEDIMENT CONTROL NOTES & DETAILS REFER TO DWG A443-C-6-0202.



REV	DESCRIPTION	DRAWN	DATE
C	EXTENT OF WORKS AMENDED	S.B.	16.10.15
B	LABEL AMENDED & LABEL ADDED	S.O.	24.09.15
A	ORIGINAL ISSUE	J.H.	04.09.15

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DRAWING IS NOT TO BE SCALED

SCALE (AT ORIGINAL SHEET SIZE) 10 0 10 20 SCALE 1:500

ORIGINAL SHEET SIZE A1

CLIENT LEDA

PROJECT
PROPOSED FAUNA CORRIDOR
COBAKI, TWEED HEADS WEST
DEVELOPMENT APPLICATION

STAGE / PHASE FOR APPROVAL FOR CONSTRUCTION ONCE STAMPED AND APPROVED BY COUNCIL

SEDGMAN
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TITLE
BULK EARTHWORKS & EROSION & SEDIMENT CONTROL PLAN SHEET 2 OF 2

TASK	BY	INITIAL	DATE
REVIEW	S.W.		04.09.15
DESIGN	J.H.		04.09.15
DRAWN	J.H.		04.09.15

APPROVED RPEQ No

DRAWING NUMBER A443-C-6-0201 REVISION C

THIS IS THE PLAN REFERRED TO IN DEVELOPMENT CONSENT NO. DA15/0916

TWEED SHIRE COUNCIL

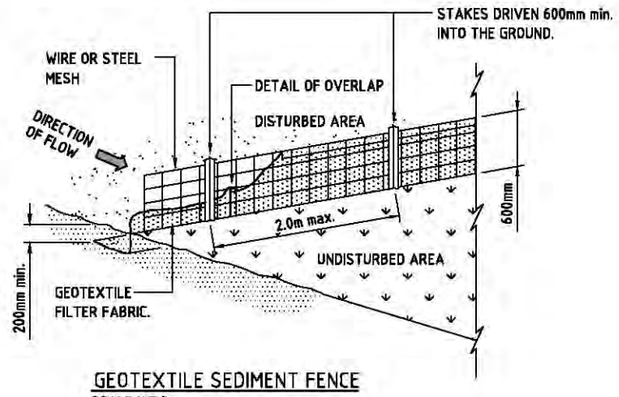
SILT MANAGEMENT PROGRAM

PHASE	DESCRIPTION
ALL WORKS	• SILT FENCES TO BE ERECTED ALONG TOE OF FILL BATTERS OR AS DIRECTED BY SUPERINTENDENT.
SEWER/WATER STORMWATER/SERVICES,	• EXCAVATED MATERIAL TO BE PLACED ON HIGH SIDE OF TRENCH IN ORDER TO PROTECT PIPE WORK AND DIRECT SURFACE FLOW AWAY FROM EXCAVATIONS.
ROADWORKS	• MEASURES ARE TO BE TAKEN TO PREVENT SILT INGRESS TO STORMWATER SYSTEM.
MAINTENANCE PERIOD	• EROSION CONTROL MEASURES ARE TO BE INSPECTED AFTER MAJOR EVENTS (> 25mm). ANY REPAIRS REQUIRED ARE TO BE EFFECTED IMMEDIATELY.

GENERAL NOTES

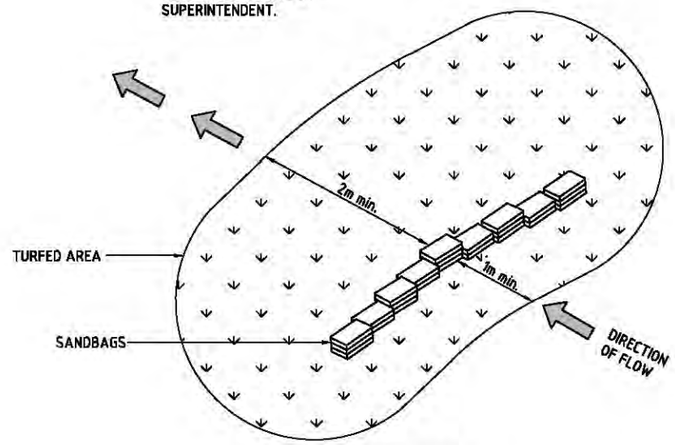
1. THE CONTRACTOR IS TO TAKE ALL NECESSARY PRECAUTIONS TO CONTROL EROSION AND DOWNSTREAM SEDIMENTATION DURING ALL STAGES OF CONSTRUCTION INCLUDING THE MAINTENANCE PERIOD.
2. ALL SEDIMENT CONTROL DEVICES SHALL BE MONITORED, CLEANED AND/OR REPAIRED WHENEVER THE ACCUMULATED SEDIMENT REDUCES THE CAPACITY BY 50%.
3. ALL PERIMETER BANK/SWALE SHALL HAVE UNINTERRUPTED POSITIVE GRADE TO AN OUTLET.
4. THE EXTENT OF GRASSING SHALL BE DETERMINED BY THE SUPERINTENDENT AND SHALL BE SEEDED, AS SPECIFIED, WITHIN SEVEN DAYS OF FINAL TRIMMING.
5. EXTENT AND POSITION OF SILT FENCE CONTROL MEASURES TO BE DETERMINED ON SITE BY SUPERINTENDENT. MEASURES SHOWN ON THIS DRAWING ARE MINIMUM REQUIREMENTS ONLY.
6. SCOUR PROTECTION AND SILT MANAGEMENT MEASURES TO BE PROVIDED AT STORMWATER OUTLET HEADWALLS.
7. PROVISION TO BE MADE FOR DIRT/SAND REMOVAL FROM CONSTRUCTION VEHICLES PRIOR TO TRAVEL ON PUBLIC ROADS. METHOD TO BE APPROVED BY SUPERINTENDENT PRIOR TO COMMENCEMENT OF WORK.
8. ANY SILT OR SEDIMENT CAUSED BY THE MOVEMENT OF CONSTRUCTION TRAFFIC ON EXISTING ROADS IS TO BE REMOVED DAILY.
9. THE APPLICANT SHALL IMPLEMENT EROSION AND SEDIMENT CONTROL PROCEDURES DURING CONSTRUCTION AND MAINTENANCE STAGES OF THE DEVELOPMENT AND SHALL TAKE ALL NECESSARY ACTIONS TO COMPLY WITH THE POLICY OBJECTIVES OF THE GOLD COAST CITY COUNCIL LOCAL PLANNING POLICY - EROSION AND SEDIMENT CONTROL.
10. THE CONTRACTOR IS TO BE RESPONSIBLE FOR THE DAILY REMOVAL OF SILT FOR THE DURATION OF THE CONSTRUCTION AND MAINTENANCE PERIOD, THAT HAS BEEN BLOWN, WASHED OR TRACKED FROM THE SITE ONTO COUNCIL ROADS OR INTO COUNCIL DRAINAGE SYSTEMS, WATERCOURSES AND ANY PRIVATE PROPERTY.
11. THE CONTRACTOR IS TO BE RESPONSIBLE FOR THE CONTROL OF DUST EMANTING FROM THE SITE AT ALL TIMES, INCLUDING ON WEEKENDS AND PUBLIC HOLIDAYS, FOR THE DURATION OF THE CONSTRUCTION AND MAINTENANCE PERIOD.
12. ALL RUBBISH, WASTE MATERIALS, OILS AND FUELS ARE TO BE CONTAINED APPROPRIATLY. OIL AND FUEL SPILLS ARE NOT TO ENTER ANY DRAINAGE SYSTEM OR WATERCOURSE.
13. THE CONTRACTOR IS TO ENSURE THAT NO SILT REACHES THE DOWNSTREAM WATER COURSE AND IS TO PROVIDE ADEQUATE PROTECTION TO PREVENT THIS OCCURRING.
14. WHERE TOPSOIL STOCKPILES ARE TO REMAIN IN PLACE FOR A PERIOD OF MORE THAN 14 DAYS, THE STOCKPILE SHALL BE GRASSED WITH A SUITABLE QUICK STRIKING CEREAL GRASS. PROVIDE A DIVERSION DRAIN OR BUND ON THE UPHILL SIDE AND A SEDIMENT FENCE ON THE DOWNHILL SIDE OF ALL STOCKPILES.

DRAINAGE AREA 0.6ha. MAX. SLOPE GRADIENT 1 : 2 MAX.
SLOPE LENGTH 60m MAX.



GEOTEXTILE SEDIMENT FENCE
SCALE N.T.S.

PROVIDE SAND BAGS ACROSS FLOW PATH. PROVIDE TURF AROUND SAND BAGS, TO A MINIMUM OF 1m IN FRONT AND 2m BEHIND. EXTENT TO BE DETERMINED ON SITE BY SUPERINTENDENT.



SAND BAG CHECK DAM
SCALE N.T.S.

REV	DESCRIPTION	DRAWN	DATE
A	ORIGINAL ISSUE	J.H.	04.09.15

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DRAWING IS NOT TO BE SCALED

SCALE (AT ORIGINAL SHEET SIZE): AS SHOWN

ORIGINAL SHEET SIZE: A1

CLIENT: LEDA

PROJECT: PROPOSED FAUNA CORRIDOR COBAKI, TWEED HEADS WEST DEVELOPMENT APPLICATION

STAGE / PHASE: FOR APPROVAL — FOR CONSTRUCTION ONCE STAMPED AND APPROVED BY COUNCIL

SEDGMAN
LEVEL 1, 193 FERRY ROAD SOUTHPORT QLD 4215 AUSTRALIA
T 07 5558 4200 consult@sedgman.com www.sedgman.com/sedgman-consulting

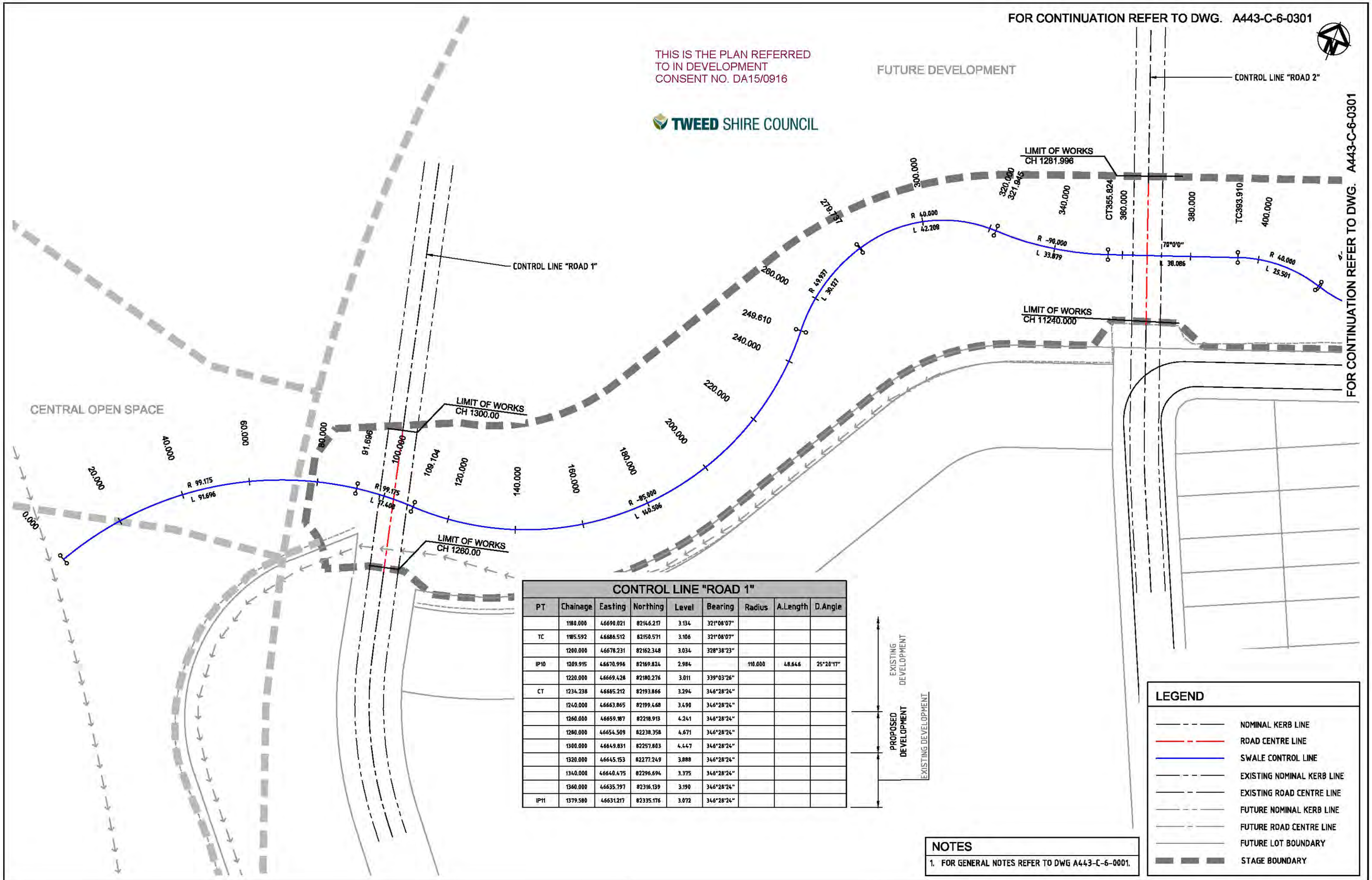
TITLE: EROSION & SEDIMENT CONTROL NOTES & DETAILS

TASK	BY	INITIAL	DATE
REVIEW	S.W.		04.09.15
DESIGN	J.H.		04.09.15
DRAWN	J.H.		04.09.15

APPROVED: RPEQ No:

DRAWING NUMBER: A443-C-6-0202

REVISION: A



FOR CONTINUATION REFER TO DWG. A443-C-6-0301

CONTROL LINE "ROAD 1"

PT	Chainage	Easting	Northing	Level	Bearing	Radius	A.Length	D.Angle
	1180.000	46690.021	82146.217	3.134	321°08'07"			
TC	1185.592	46686.512	82150.571	3.106	321°08'07"			
	1200.000	46678.231	82162.348	3.034	328°38'23"			
IP10	1209.915	46670.996	82169.824	2.984		110.000	48.646	25°20'17"
	1220.000	46669.428	82180.276	3.011	339°03'26"			
CT	1234.238	46665.212	82193.866	3.294	346°28'24"			
	1240.000	46663.865	82199.468	3.490	346°28'24"			
	1260.000	46659.187	82218.913	4.241	346°28'24"			
	1280.000	46654.509	82238.358	4.671	346°28'24"			
	1300.000	46649.831	82257.803	4.447	346°28'24"			
	1320.000	46645.153	82277.249	3.888	346°28'24"			
	1340.000	46640.475	82296.694	3.375	346°28'24"			
	1360.000	46635.797	82316.139	3.190	346°28'24"			
IP11	1379.580	46631.217	82335.176	3.072	346°28'24"			

LEGEND

- NOMINAL KERB LINE
- ROAD CENTRE LINE
- SWALE CONTROL LINE
- EXISTING NOMINAL KERB LINE
- EXISTING ROAD CENTRE LINE
- FUTURE NOMINAL KERB LINE
- FUTURE ROAD CENTRE LINE
- FUTURE LOT BOUNDARY
- STAGE BOUNDARY

NOTES

1. FOR GENERAL NOTES REFER TO DWG A443-C-6-0001.

REV	DESCRIPTION	DRAWN	DATE
C	EXTENT OF WORKS AMENDED	S.B.	16.10.15
B	LEGEND AMENDED	S.O.	24.09.15
A	ORIGINAL ISSUE	J.H.	04.09.15

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DRAWING IS NOT TO BE SCALED

SCALE (AT ORIGINAL SHEET SIZE)

SCALE 10 0 10 20 1:500

ORIGINAL SHEET SIZE A1

CLIENT LEDA

PROJECT
PROPOSED FAUNA CORRIDOR
COBAKI, TWEED HEADS WEST
DEVELOPMENT APPLICATION

STAGE / PHASE FOR APPROVAL FOR CONSTRUCTION ONCE STAMPED AND APPROVED BY COUNCIL

SEDGMAN
LEVEL 1, 193 FERRY ROAD SOUTHPORT QLD 4215 AUSTRALIA
T 07 5558 4200 consult@sedgman.com www.sedgman.com/sedgman-consulting

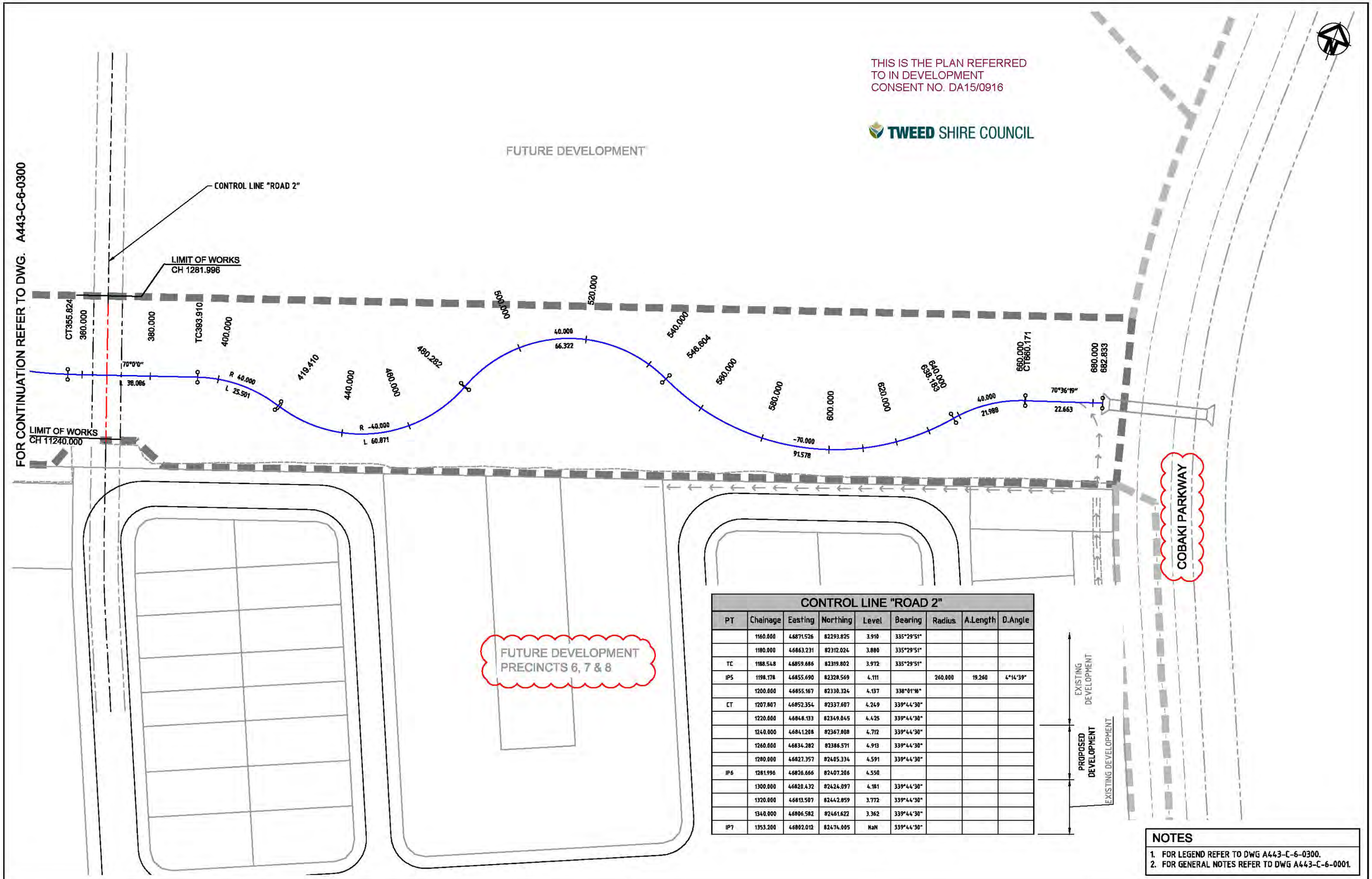
TITLE
ROAD ALIGNMENT PLAN SHEET 1 OF 2

TASK	BY	INITIAL	DATE
REVIEW	S.W.		04.09.15
DESIGN	J.H.		04.09.15
DRAWN	J.H.		04.09.15

APPROVED RPEQ No

DRAWING NUMBER A443-C-6-0300

REVISION C



CONTROL LINE "ROAD 2"

PT	Chainage	Easting	Northing	Level	Bearing	Radius	A.Length	D.Angle
	1160.000	46871.526	82293.825	3.910	335°29'51"			
	1180.000	46863.231	82312.024	3.880	335°29'51"			
TC	1188.548	46859.686	82319.802	3.972	335°29'51"			
IP5	1198.178	46855.690	82328.569	4.111		260.000	19.260	4°14'39"
	1200.000	46855.167	82330.324	4.137	338°01'16"			
CT	1207.807	46852.354	82337.607	4.249	339°44'30"			
	1220.000	46848.133	82349.045	4.425	339°44'30"			
	1240.000	46841.208	82367.808	4.712	339°44'30"			
	1260.000	46834.282	82386.571	4.913	339°44'30"			
	1280.000	46827.357	82405.334	4.591	339°44'30"			
IP6	1281.996	46826.666	82407.206	4.550				
	1300.000	46820.432	82424.097	4.181	339°44'30"			
	1320.000	46813.507	82442.859	3.772	339°44'30"			
	1340.000	46806.582	82461.622	3.362	339°44'30"			
IP7	1353.200	46802.012	82474.005	NaN	339°44'30"			

NOTES

1. FOR LEGEND REFER TO DWG A443-C-6-0300.
2. FOR GENERAL NOTES REFER TO DWG A443-C-6-0001.

REV	DESCRIPTION	DRAWN	DATE
C	EXTENT OF WORKS AMENDED	S.B.	16.10.15
B	LABEL AMENDED & LABEL ADDED	S.O.	24.09.15
A	ORIGINAL ISSUE	J.H.	04.09.15

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DRAWING IS NOT TO BE SCALED

SCALE (AT ORIGINAL SHEET SIZE) SCALE 10 0 10 20 1:500

ORIGINAL SHEET SIZE A1

CLIENT LEDA

PROJECT
PROPOSED FAUNA CORRIDOR
COBAKI, TWEED HEADS WEST
DEVELOPMENT APPLICATION

STAGE / PHASE FOR APPROVAL FOR CONSTRUCTION ONCE STAMPED AND APPROVED BY COUNCIL

SEDGMAN
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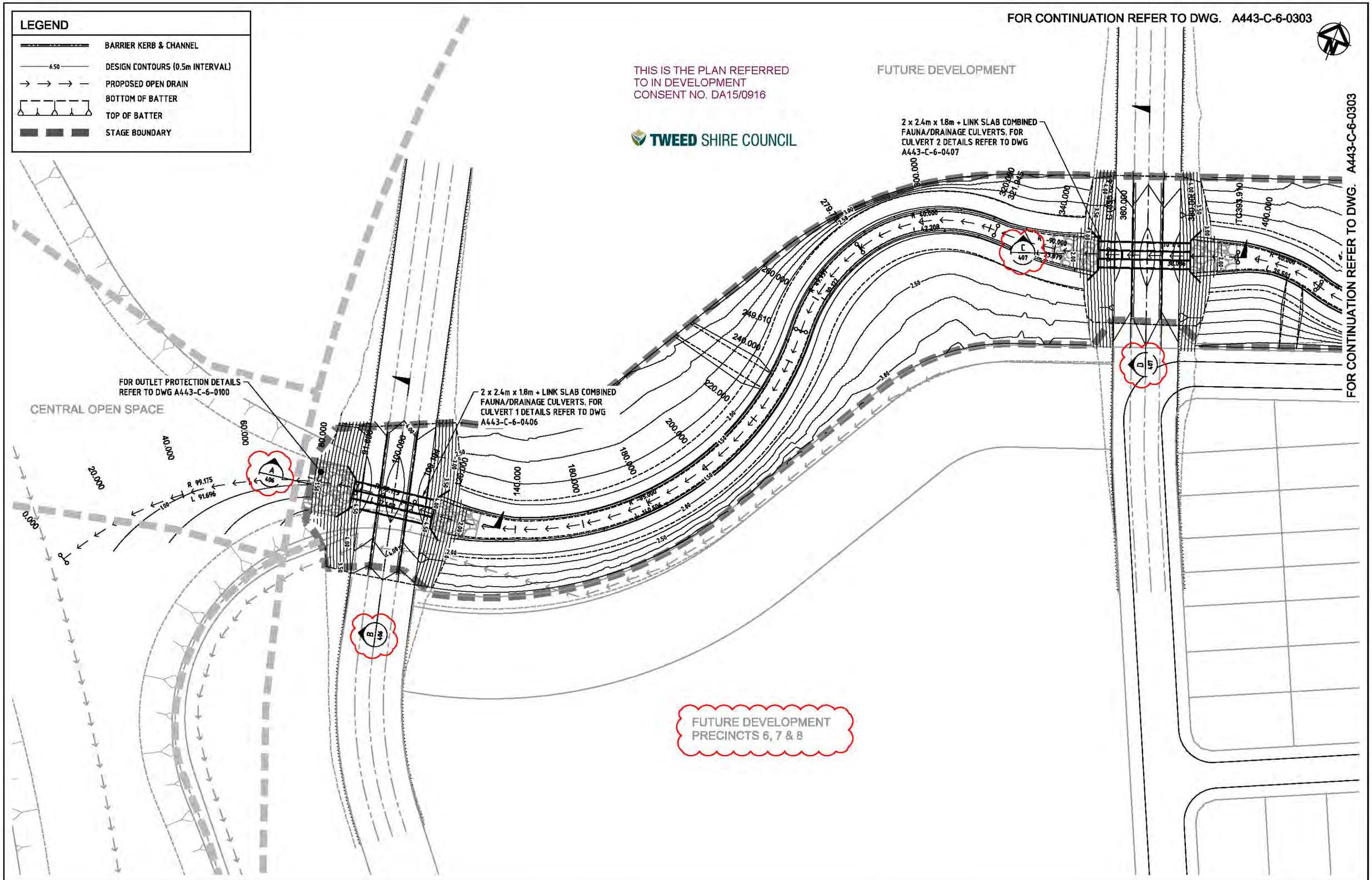
TITLE
ROAD ALIGNMENT PLAN SHEET 2 OF 2

TASK	BY	INITIAL	DATE
REVIEW	S.W.		04.09.15
DESIGN	J.H.		04.09.15
DRAWN	J.H.		04.09.15

APPROVED RPEQ No

DRAWING NUMBER A443-C-6-0301 REVISION C



REV	DESCRIPTION	DRAWN	DATE
C	EXTENT OF WORKS AMENDED	S.B.	16.10.15
B	LABEL & SECTION MARKERS AMENDED	S.O.	24.09.15
A	ORIGINAL ISSUE	J.H.	04.09.15

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DRAWING IS NOT TO BE SCALED

SCALE (AT ORIGINAL SHEET SIZE) 10 0 10 20 SCALE 1:500

ORIGINAL SHEET SIZE A1

CLIENT: LEDA

PROJECT: PROPOSED FAUNA CORRIDOR COBAKI, TWEED HEADS WEST DEVELOPMENT APPLICATION

STAGE / PHASE: FOR APPROVAL — FOR CONSTRUCTION ONCE STAMPED AND APPROVED BY COUNCIL

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TITLE: ROADWORKS & DRAINAGE PLAN SHEET 1 OF 2

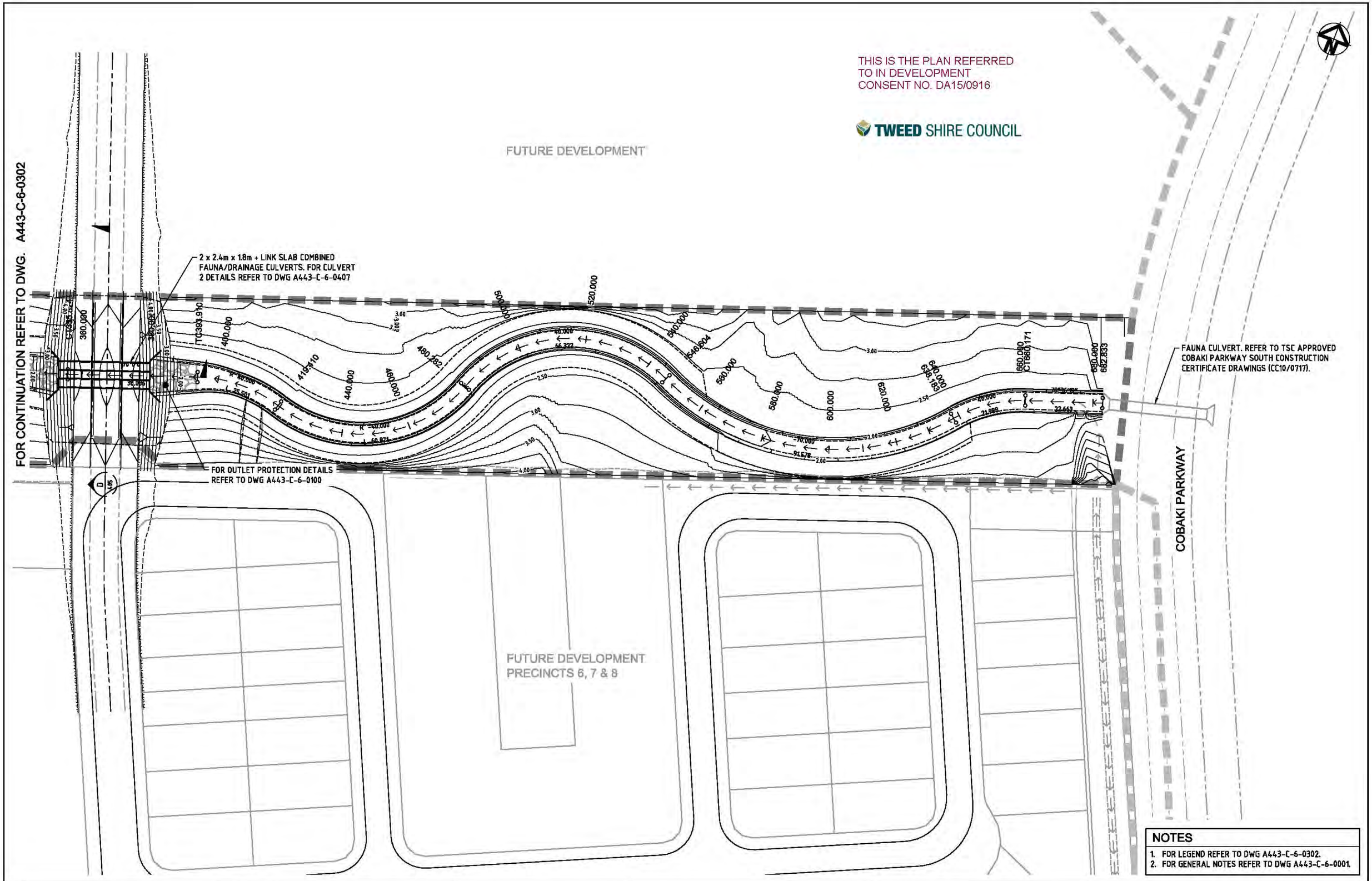
TASK	BY	INITIAL	DATE
REVIEW	S.W.		04.09.15
DESIGN	J.H.		04.09.15
DRAWN	J.H.		04.09.15

APPROVED | RPEQ No

DRAWING NUMBER: A443-C-6-0302 | REVISION: C

THIS IS THE PLAN REFERRED TO IN DEVELOPMENT CONSENT NO. DA15/0916

TWEED SHIRE COUNCIL



NOTES

1. FOR LEGEND REFER TO DWG A443-C-6-0302.
2. FOR GENERAL NOTES REFER TO DWG A443-C-6-0001.

REV	DESCRIPTION	DRAWN	DATE
C	EXTENT OF WORKS AMENDED	S.B.	16.10.15
B	LABEL AMENDED & LABEL ADDED	S.O.	24.09.15
A	ORIGINAL ISSUE	J.H.	04.09.15

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DRAWING IS NOT TO BE SCALED

SCALE (AT ORIGINAL SHEET SIZE) SCALE 10 0 10 20 1:500

ORIGINAL SHEET SIZE A1

CLIENT LEDA

PROJECT
PROPOSED FAUNA CORRIDOR
COBAKI, TWEED HEADS WEST
DEVELOPMENT APPLICATION

STAGE / PHASE FOR APPROVAL FOR CONSTRUCTION ONCE STAMPED AND APPROVED BY COUNCIL

SEDGMAN
LEVEL 1, 193 FERRY ROAD SOUTHPORT QLD 4215 AUSTRALIA
T 07 5558 4289 consult@sedgman.com www.sedgman.com/sedgman-consulting

TITLE
ROADWORKS & DRAINAGE PLAN
SHEET 2 OF 2

TASK	BY	INITIAL	DATE
REVIEW	S.W.		04.09.15
DESIGN	J.H.		04.09.15
DRAWN	J.H.		04.09.15

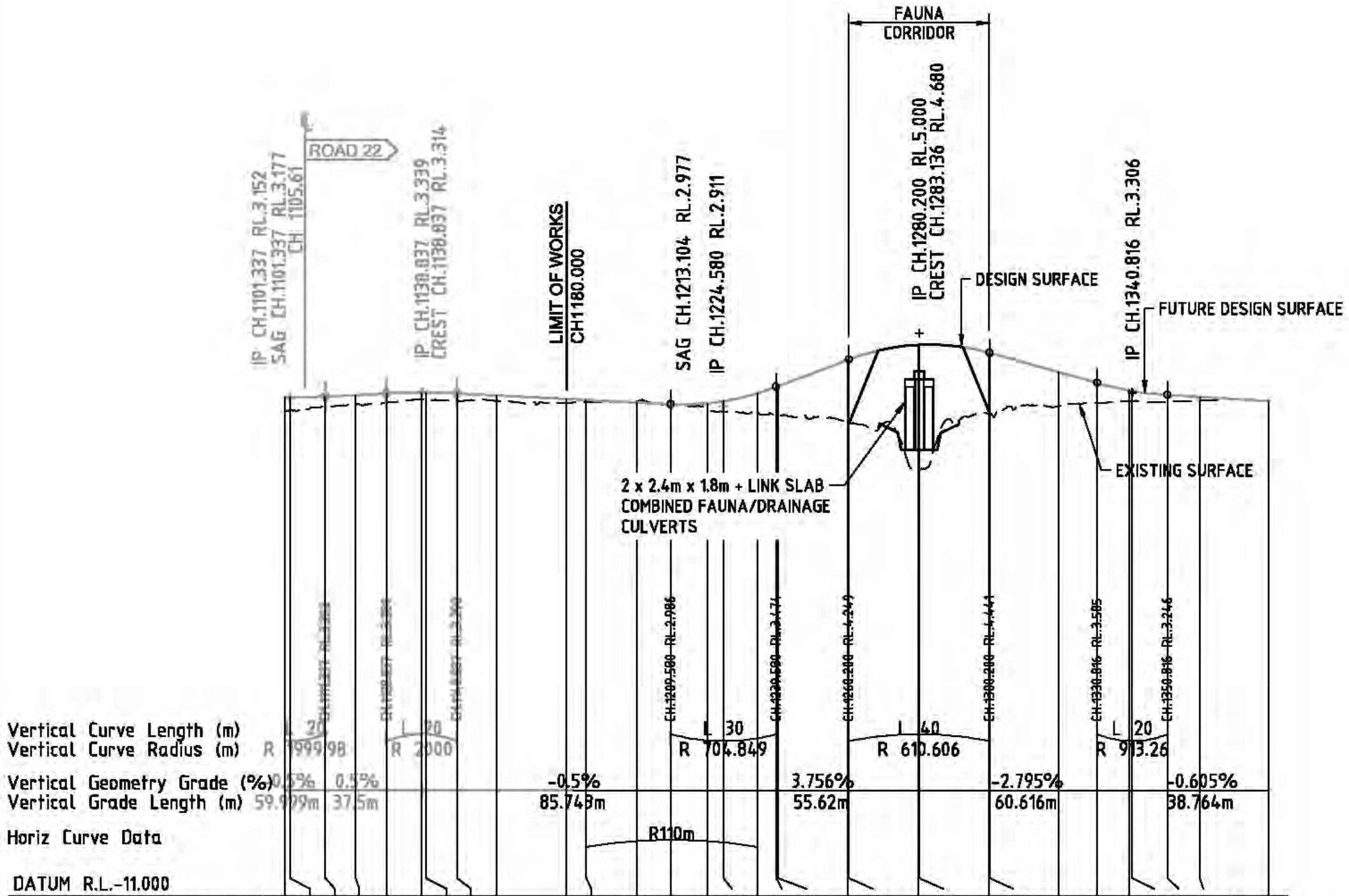
APPROVED RPEQ No

DRAWING NUMBER A443-C-6-0303

REVISION C

THIS IS THE PLAN REFERRED TO IN DEVELOPMENT CONSENT NO. DA15/0916

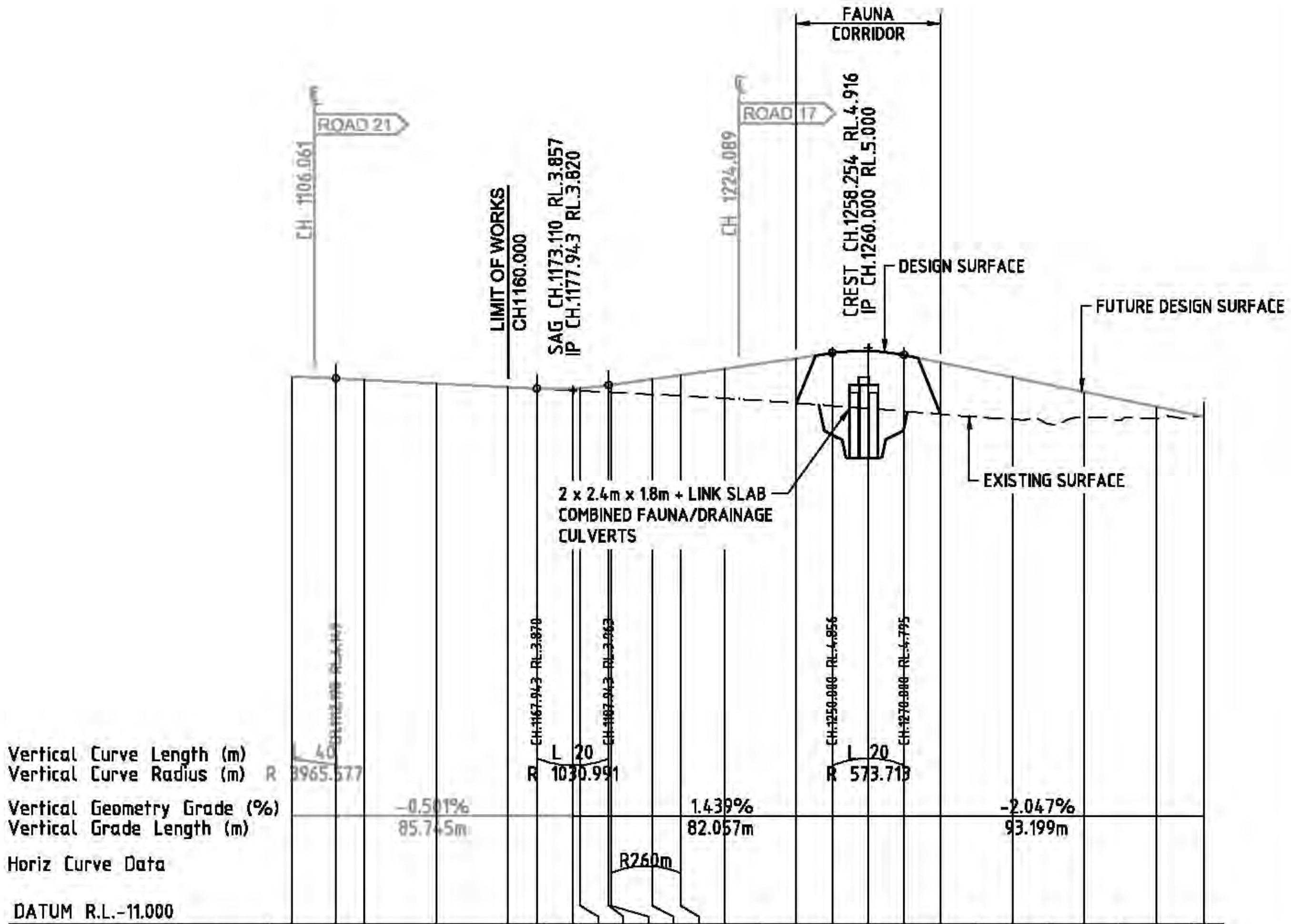
TWEED SHIRE COUNCIL



EXISTING SURFACE LEVELS	2.793	2.810	2.920	2.966	3.026	3.106	3.069	3.104	3.077	3.026	3.030	3.069	2.962	2.859	2.759	2.742	2.676	2.653	2.458	2.452	1.121	1.123	2.716	2.718	2.939	3.003	3.070	3.072	3.053	3.079	3.072
CUT / FILL DEPTH	0.384	0.367	0.282	0.279	0.264	0.209	0.245	0.186	0.157	0.107	0.075	-0.035	0.024	0.151	0.311	0.552	0.798	0.837	1.783	1.796	3.551	3.549	1.731	1.723	0.949	0.582	0.305	0.289	0.192	0.111	0.000
DESIGN SURFACE LEVELS	3.177	3.177	3.202	3.245	3.289	3.315	3.314	3.290	3.234	3.134	3.106	3.034	2.986	3.011	3.070	3.294	3.474	3.490	4.241	4.249	4.671	4.672	4.447	4.441	3.888	3.585	3.375	3.361	3.246	3.190	3.072
ROAD CONTROL LINE CHAINAGES	1100.000	1101.337	1111.337	1120.000	1128.837	1138.837	1140.000	1148.837	1160.000	1180.000	1185.592	1200.000	1209.580	1220.000	1224.580	1234.238	1239.580	1240.000	1260.000	1260.200	1280.000	1280.200	1300.000	1300.200	1320.000	1330.816	1340.000	1340.816	1350.816	1360.000	1379.580

VOLUMES																				
CUT	1	3	5	4	1	0	0	0	0	0	0	0	0	0	0	0	0	0	1	4
FILL	22	16	22	26	46	99	195	315	490	923	831	505	366	235	162	95	53	31	16	7

ROAD 1 LONGITUDINAL SECTION



EXISTING SURFACE LEVELS	4.192	4.149	4.110	4.010	3.910	3.870	3.820	3.809	3.770	3.766	3.709	3.669	3.601	3.466	3.391	3.314	3.238	3.162	3.030	3.068	3.037	3.092
CUT / FILL DEPTH	-0.000	-0.000	-0.000	-0.000	-0.000	-0.000	0.048	0.070	0.194	0.206	0.428	0.580	0.824	1.246	1.466	1.598	1.557	1.429	1.151	0.704	0.326	0.000
DESIGN SURFACE LEVELS	4.192	4.149	4.110	4.010	3.910	3.870	3.868	3.880	3.963	3.972	4.137	4.249	4.425	4.712	4.856	4.913	4.795	4.591	4.181	3.772	3.362	3.092
ROAD CONTROL LINE CHAINAGES	1100.000	1112.198	1120.000	1140.000	1160.000	1167.943	1177.943	1180.000	1187.943	1188.548	1200.000	1207.807	1220.000	1240.000	1250.000	1260.000	1270.000	1280.000	1300.000	1320.000	1340.000	1353.200

VOLUMES																				
CUT	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	1
FILL	0	5	26	62	102	158	220	275	338	388	402	378	313	274	239	185	142	97	48	6

ROAD 2 LONGITUDINAL SECTION

REV	DESCRIPTION	DRAWN	DATE
B	EXTENT OF WORKS AMENDED	S.B.	16.10.15
A	ORIGINAL ISSUE	J.H.	04.09.15

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DRAWING IS NOT TO BE SCALED

SCALE (AT ORIGINAL SHEET SIZE) HORIZ 1:1000 VERT 1:100

ORIGINAL SHEET SIZE A1

CLIENT LEDA

PROJECT
PROPOSED FAUNA CORRIDOR
COBAKI, TWEED HEADS WEST
DEVELOPMENT APPLICATION

STAGE / PHASE FOR APPROVAL FOR CONSTRUCTION ONCE STAMPED AND APPROVED BY COUNCIL

SEDGMAN

LEVEL 1, 193 FERRY ROAD SOUTHPORT QLD 4215 AUSTRALIA
T 07 5558 4200 consult@sedgman.com www.sedgman.com/sedgman-consulting

TITLE
ROAD LONGITUDINAL SECTIONS

TASK	BY	INITIAL	DATE
REVIEW	S.W.		04.09.15
DESIGN	J.H.		04.09.15
DRAWN	J.H.		04.09.15

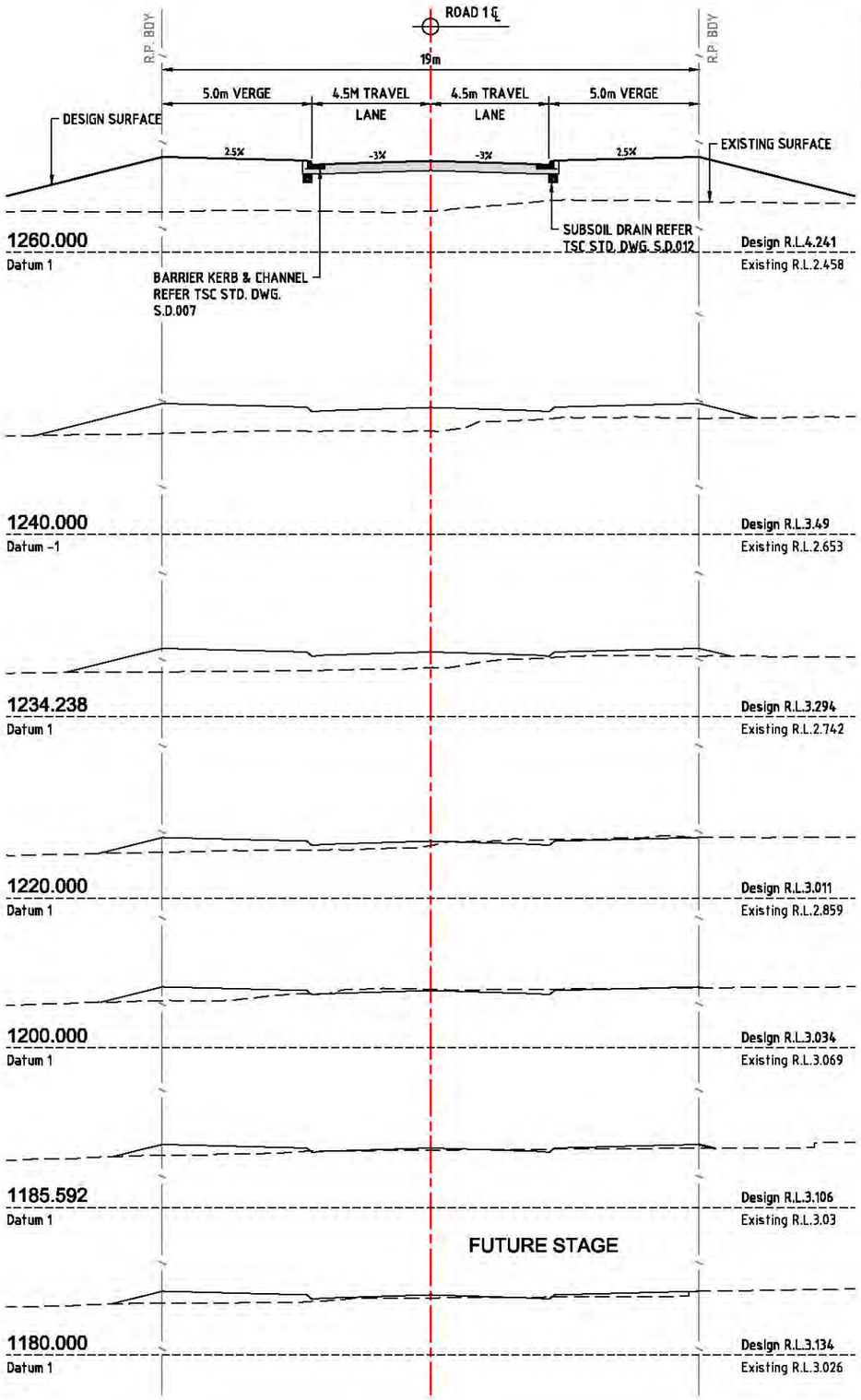
APPROVED RPEQ No

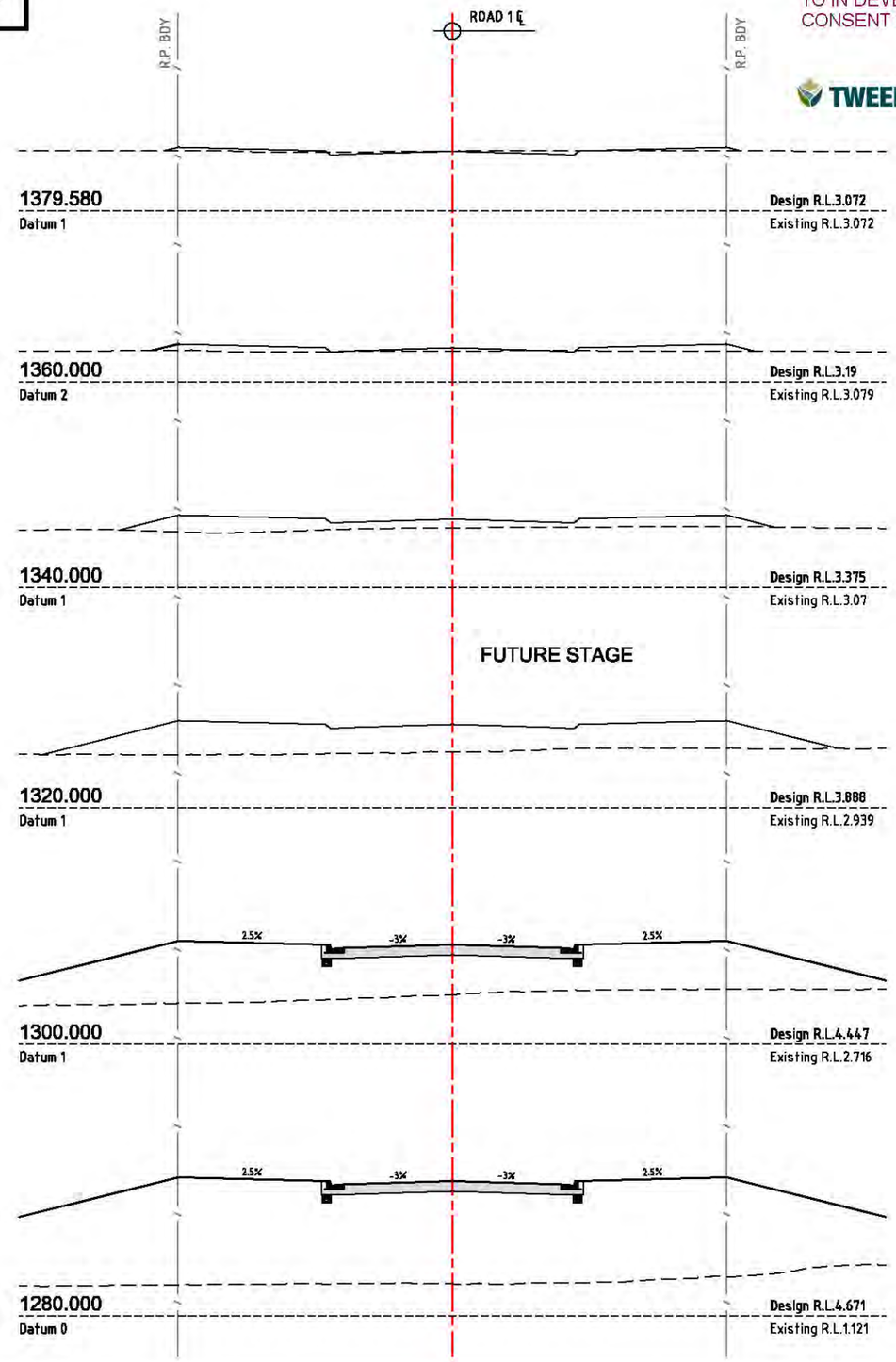
DRAWING NUMBER A443-C-6-0304 REVISION B

ROADS TO BE IN ACCORDANCE WITH T.S.C. STANDARDS. REFER TO T.S.C. STD DWG. NO. S.D.001 FOR CROSS SECTION DETAILS.

THIS IS THE PLAN REFERRED TO IN DEVELOPMENT CONSENT NO. DA15/0916

TWEED SHIRE COUNCIL





REV	DESCRIPTION	DRAWN	DATE
D	EXTENT OF WORKS AMENDED	S.B.	16.10.15
C	RP BOUNDARY AMENDED TO FUTURE RP BOUNDARY	S.D.	29.09.15
B	CROSS SECTIONS AMENDED & NOTE ADDED	S.D.	24.09.15
A	ORIGINAL ISSUE	J.H.	04.09.15

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DRAWING IS NOT TO BE SCALED

SCALE (AT ORIGINAL SHEET SIZE) SCALE 1 0 1 2 3 4 5 1:100

ORIGINAL SHEET SIZE A1

CLIENT LEDA

PROJECT
PROPOSED FAUNA CORRIDOR
COBAKI, TWEED HEADS WEST
DEVELOPMENT APPLICATION

STAGE / PHASE FOR APPROVAL FOR CONSTRUCTION ONCE STAMPED AND APPROVED BY COUNCIL

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TITLE
ROAD 1 CROSS SECTIONS

TASK	BY	INITIAL	DATE
REVIEW	S.W.		04.09.15
DESIGN	J.H.		04.09.15
DRAWN	J.H.		04.09.15

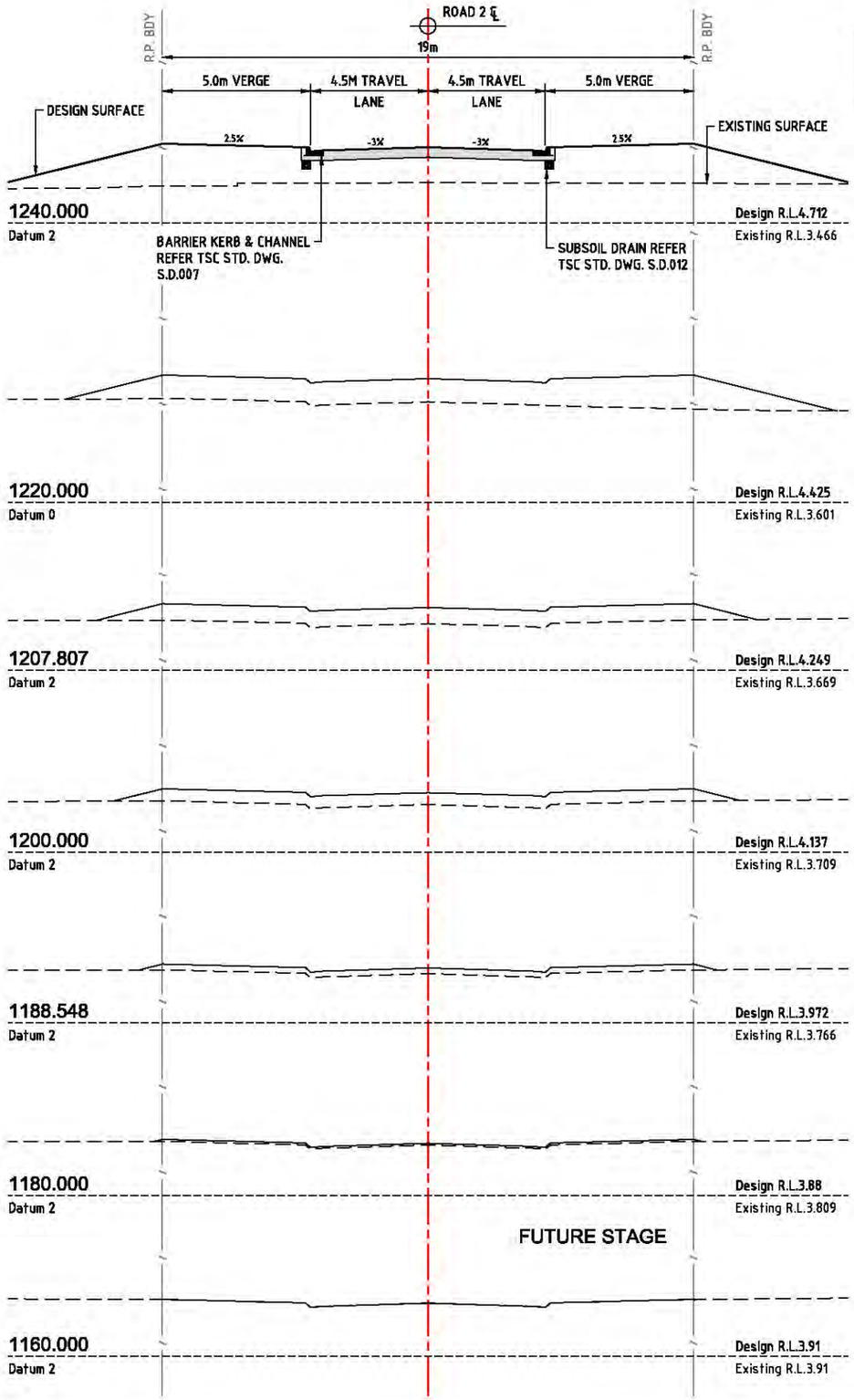
APPROVED RPEQ No

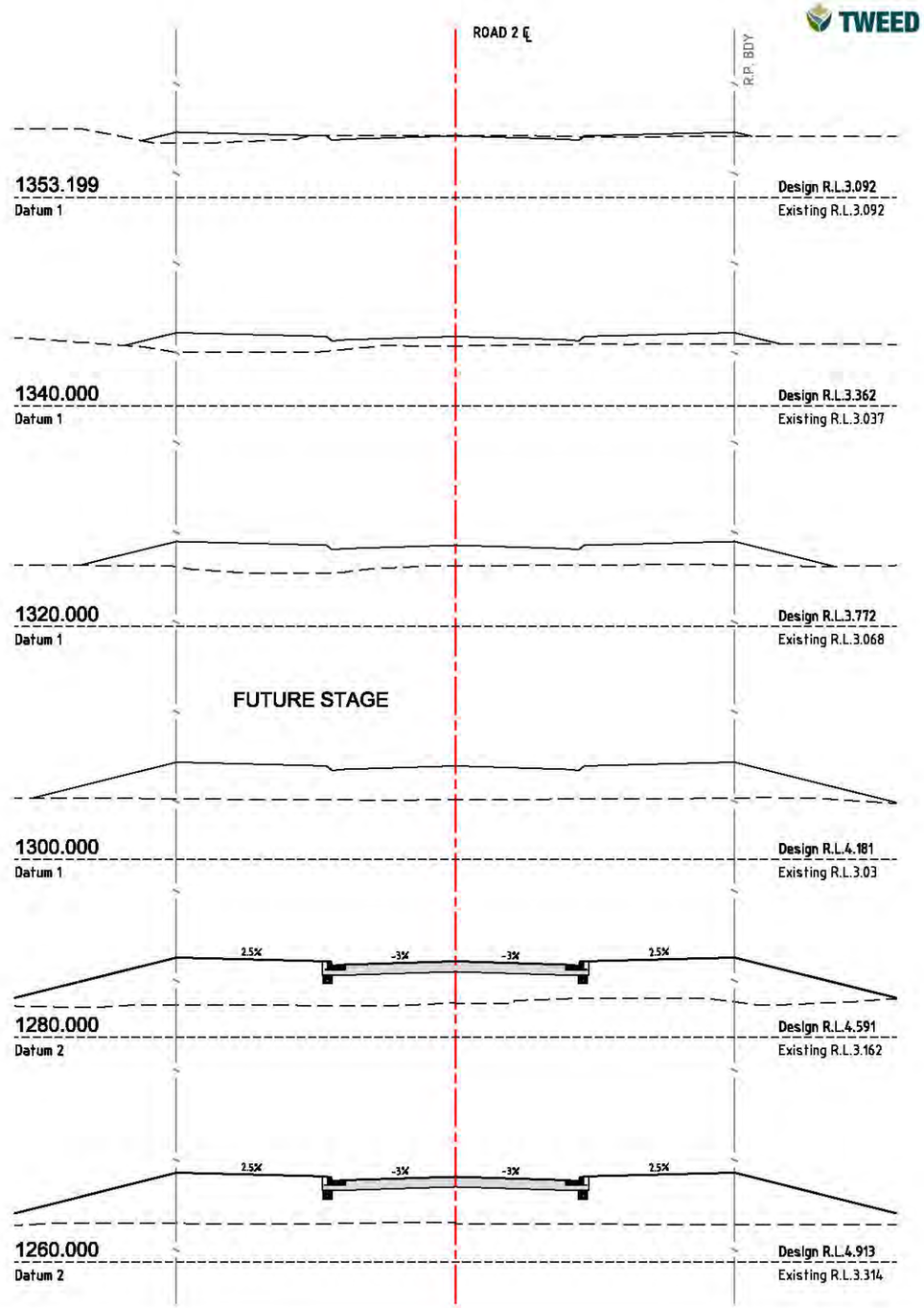
DRAWING NUMBER A443-C-6-0305 REVISION D

ROADS TO BE IN ACCORDANCE WITH T.S.C. STANDARDS. REFER TO T.S.C. STD DWG. NO. S.D.001 FOR CROSS SECTION DETAILS.

THIS IS THE PLAN REFERRED TO IN DEVELOPMENT CONSENT NO. DA15/0916

TWEED SHIRE COUNCIL





REV	DESCRIPTION	DRAWN	DATE
D	EXTENT OF WORKS AMENDED	S.B.	16.10.15
C	RP BOUNDARY AMENDED TO FUTURE RP BOUNDARY	S.D.	29.09.15
B	CROSS SECTIONS AMENDED & NOTE ADDED	S.D.	24.09.15
A	ORIGINAL ISSUE	J.H.	04.09.15

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DRAWING IS NOT TO BE SCALED

SCALE (AT ORIGINAL SHEET SIZE) 1 0 1 2 3 4 5 1:100

ORIGINAL SHEET SIZE A1

CLIENT LEDA

PROJECT
PROPOSED FAUNA CORRIDOR
COBAKI, TWEED HEADS WEST
DEVELOPMENT APPLICATION

STAGE / PHASE FOR APPROVAL — FOR CONSTRUCTION ONCE STAMPED AND APPROVED BY COUNCIL

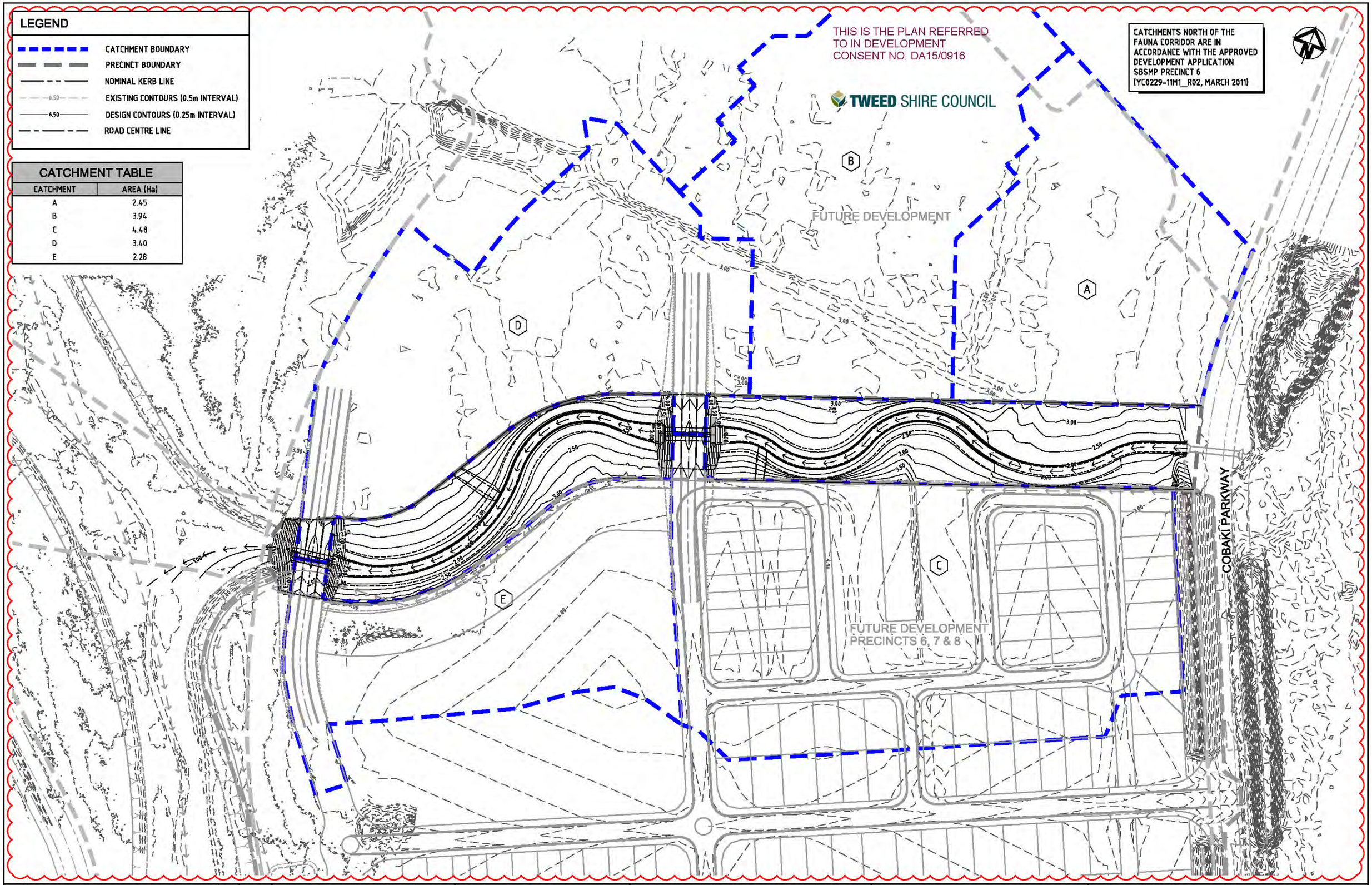
SEDGMAN
LEVEL 1, 193 FERRY ROAD SOUTHPORT QLD 4215 AUSTRALIA
T 07 5558 4200 consult@sedgman.com www.sedgman.com/sedgman-consulting

TITLE
ROAD 2 CROSS SECTIONS

TASK	BY	INITIAL	DATE
REVIEW	S.W.		04.09.15
DESIGN	J.H.		04.09.15
DRAWN	J.H.		04.09.15

APPROVED RPEQ No

DRAWING NUMBER A443-C-6-0306 REVISION D



CATCHMENT TABLE

CATCHMENT	AREA (Ha)
A	2.45
B	3.94
C	4.48
D	3.40
E	2.28

REV	DESCRIPTION	DRAWN	DATE
B	GENERAL AMENDMENTS	S.O.	24.09.15
A	ORIGINAL ISSUE	J.H.	04.09.15

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DRAWING IS NOT TO BE SCALED

SCALE (AT ORIGINAL SHEET SIZE) — SCALE 10 0 10 20 30 40 50 1:1000

ORIGINAL SHEET SIZE: A1

CLIENT: LEDA

PROJECT: PROPOSED FAUNA CORRIDOR COBAKI, TWEED HEADS WEST DEVELOPMENT APPLICATION

STAGE / PHASE: FOR APPROVAL — FOR CONSTRUCTION ONCE STAMPED AND APPROVED BY COUNCIL

SEDGMAN
LEVEL 1, 193 FERRY ROAD SOUTHPORT QLD 4215 AUSTRALIA
T 07 5558 4200 consult@sedgman.com www.sedgman.com/sedgman-consulting

TITLE: CHANNEL CATCHMENT PLAN

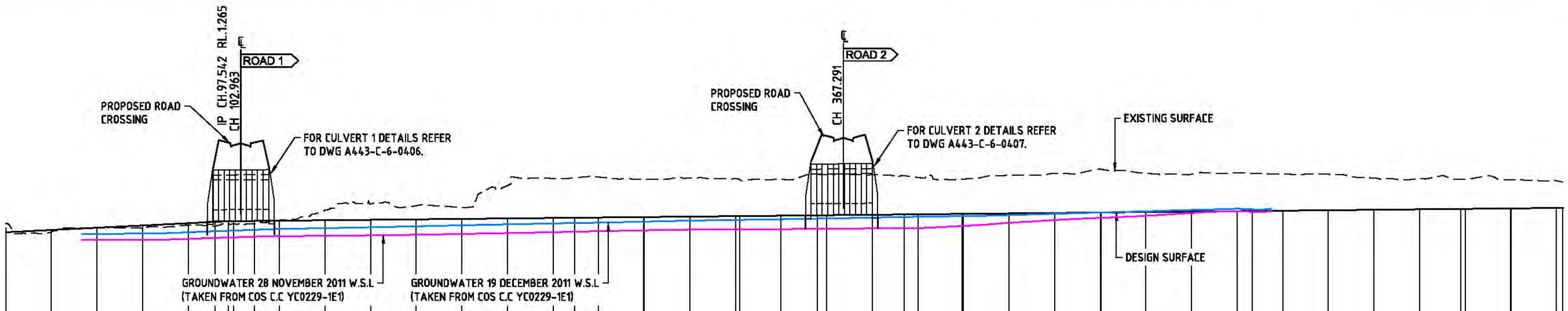
TASK	BY	INITIAL	DATE
REVIEW	S.W.		04.09.15
DESIGN	J.H.		04.09.15
DRAWN	J.H.		04.09.15

APPROVED | RPEQ No

DRAWING NUMBER: A443-C-6-0400 | REVISION: B

THIS IS THE PLAN REFERRED
TO IN DEVELOPMENT
CONSENT NO. DA15/0916

TWEED SHIRE COUNCIL



Vertical Curve Length (m)
Vertical Curve Radius (m)

Vertical Geometry Grade (%): 0.5% / 0.1%
Vertical Grade Length (m): 97.542m / 585.292m

Horiz Curve Data: R99.175m, R99.175m, R-85m, R49.937m, R40m, R-90m, R40m, R-40m, R40m, R-70m, R40m

DATUM R.L.-9.000

VOLUMES (in printed order)

CUT	FILL
0	81
3	78
24	34
25	27
13	37
14	47
24	50
32	48
30	38
16	45
17	41
13	46
25	33
93	0
159	0
161	0
157	0
163	0
155	0
147	0
145	0
155	0
149	0
141	0
135	0
156	0
191	0
226	0
231	0
229	0
211	0
175	0
142	0
121	0
128	0
144	0
145	0
151	0
155	0
171	0
176	0
163	0
148	0
148	0
148	0
145	0
146	0
125	0
107	0
117	0
111	0
97	0
86	0
84	0
91	0
88	0
64	0
58	0
55	0
52	0
14	0

ROAD CONTROL LINE CHAINAGES	EXISTING SURFACE LEVELS	CUT / FILL DEPTH	DESIGN SURFACE LEVELS
0.000	1.154	-0.377	0.777
20.000	0.791	0.086	0.877
40.000	0.984	-0.007	0.977
60.000	0.967	0.110	1.077
80.000	1.074	0.103	1.177
91.696	1.040	0.195	1.235
97.542	1.131	0.133	1.265
100.000	1.147	0.121	1.267
109.104	1.149	0.127	1.276
120.000	1.299	-0.012	1.287
140.000	1.738	-0.431	1.307
160.000	2.011	-0.684	1.327
180.000	1.936	-0.589	1.347
200.000	1.859	-0.492	1.367
220.000	2.822	-1.435	1.387
240.000	3.130	-1.723	1.407
249.610	3.159	-1.742	1.417
260.000	3.190	-1.762	1.427
279.737	3.102	-1.655	1.447
280.000	3.102	-1.655	1.447
300.000	3.135	-1.668	1.467
320.000	3.112	-1.625	1.487
321.945	3.077	-1.588	1.489
340.000	3.087	-1.580	1.507
355.824	3.323	-1.800	1.523
360.000	3.305	-1.777	1.527
380.000	3.291	-1.744	1.547
393.910	3.253	-1.692	1.561
400.000	3.173	-1.606	1.567
419.410	3.100	-1.513	1.587
420.000	3.103	-1.516	1.587
440.000	3.267	-1.660	1.607
460.000	3.344	-1.717	1.627
480.000	3.538	-1.891	1.647
480.282	3.533	-1.886	1.647
500.000	3.356	-1.689	1.667
520.000	3.314	-1.626	1.687
540.000	3.368	-1.661	1.707
546.604	3.352	-1.638	1.714
560.000	3.324	-1.597	1.727
580.000	3.313	-1.566	1.747
600.000	3.157	-1.390	1.767
620.000	3.116	-1.329	1.787
638.183	3.094	-1.288	1.805
640.000	3.089	-1.282	1.807
660.000	3.077	-1.249	1.827
660.171	3.077	-1.249	1.827
680.000	3.036	-1.189	1.847
682.833	2.978	-1.128	1.850

FAUNA CORRIDOR LONGITUDINAL SECTION

REV	DESCRIPTION	DRAWN	DATE
B	GROUNDWATER SURFACE ADDED	S.O	29.09.15
A	ORIGINAL ISSUE	J.H.	04.09.15

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DRAWING IS NOT TO BE SCALED

SCALE (AT ORIGINAL SHEET SIZE)
HORIZ 10 0 10 20 30 40 50 1:1000
VERT 1 0 1 2 3 4 5 1:100

ORIGINAL SHEET SIZE A1

CLIENT
LEDA

PROJECT
PROPOSED FAUNA CORRIDOR
COBAKI, TWEED HEADS WEST
DEVELOPMENT APPLICATION

STAGE / PHASE FOR APPROVAL FOR CONSTRUCTION ONCE STAMPED AND APPROVED BY COUNCIL

SEDGMAN
LEVEL 1, 193 FERRY ROAD SOUTHPORT QLD 4215 AUSTRALIA
T 07 5558 4200 consult@sedgman.com www.sedgman.com/sedgman-consulting

TITLE
CHANNEL LONGITUDINAL SECTION

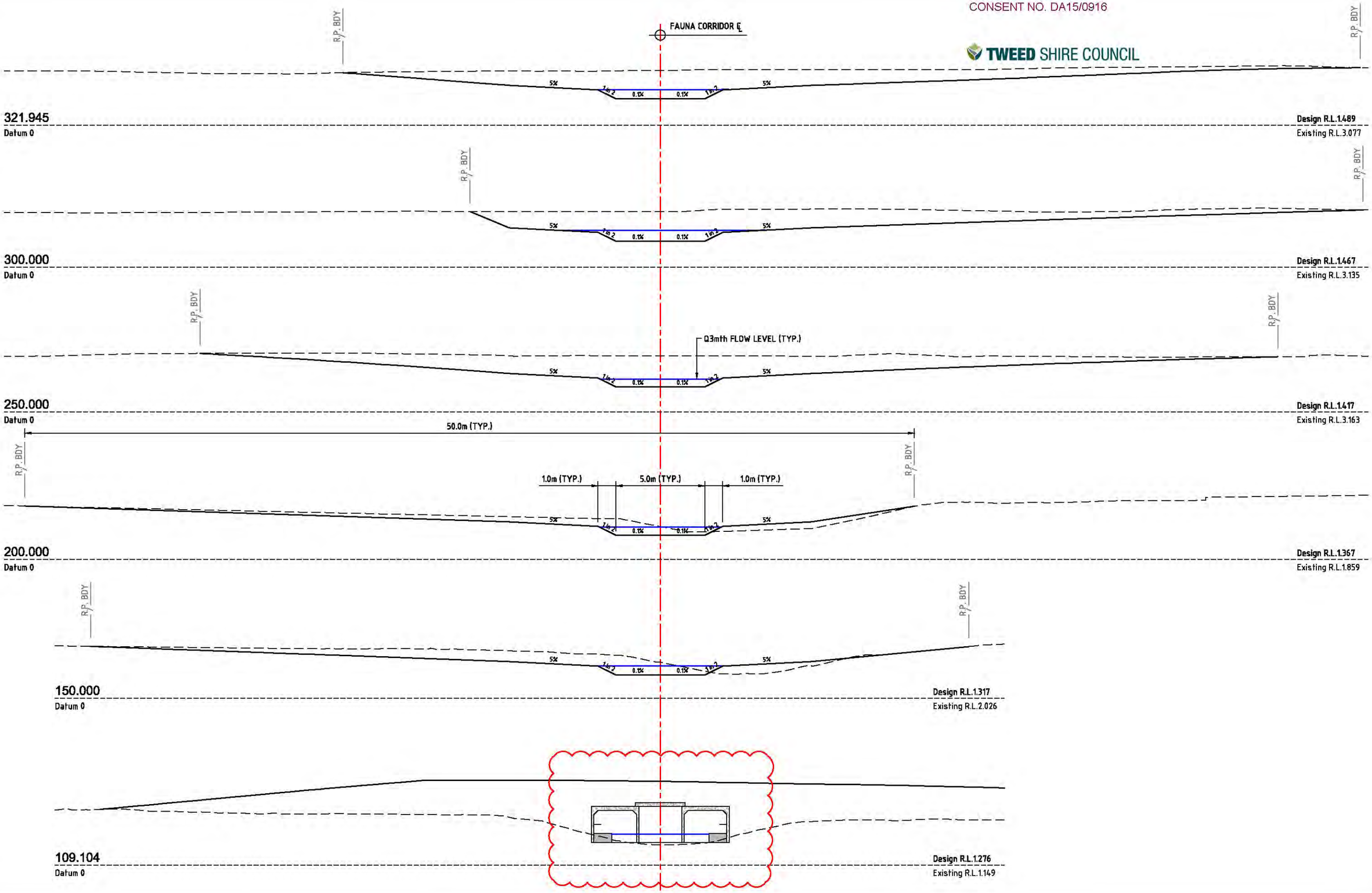
TASK	BY	INITIAL	DATE
REVIEW	S.W.		04.09.15
DESIGN	J.H.		04.09.15
DRAWN	J.H.		04.09.15

APPROVED RPEQ No

DRAWING NUMBER A443-C-6-0401 REVISION B

THIS IS THE PLAN REFERRED
TO IN DEVELOPMENT
CONSENT NO. DA15/0916

TWEED SHIRE COUNCIL



REV	DESCRIPTION	DRAWN	DATE
D	ELEVATED BOARDWALK ADDED	S.O.	28.10.15
C	RP BOUNDARY AMENDED TO FUTURE RP BOUNDARY	S.O.	29.09.15
B	DIMENSIONS ADDED	S.O.	24.09.15
A	ORIGINAL ISSUE	J.H.	04.09.15

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SCALE (AT ORIGINAL SHEET SIZE)

SCALE 1 0 1 2 3 4 5 1:100

ORIGINAL SHEET SIZE A1

CLIENT LEDA

PROJECT
PROPOSED FAUNA CORRIDOR
COBAKI, TWEED HEADS WEST
DEVELOPMENT APPLICATION

STAGE / PHASE FOR APPROVAL FOR CONSTRUCTION ONCE STAMPED AND APPROVED BY COUNCIL

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TITLE
CHANNEL CROSS SECTIONS SHEET 1 OF 3

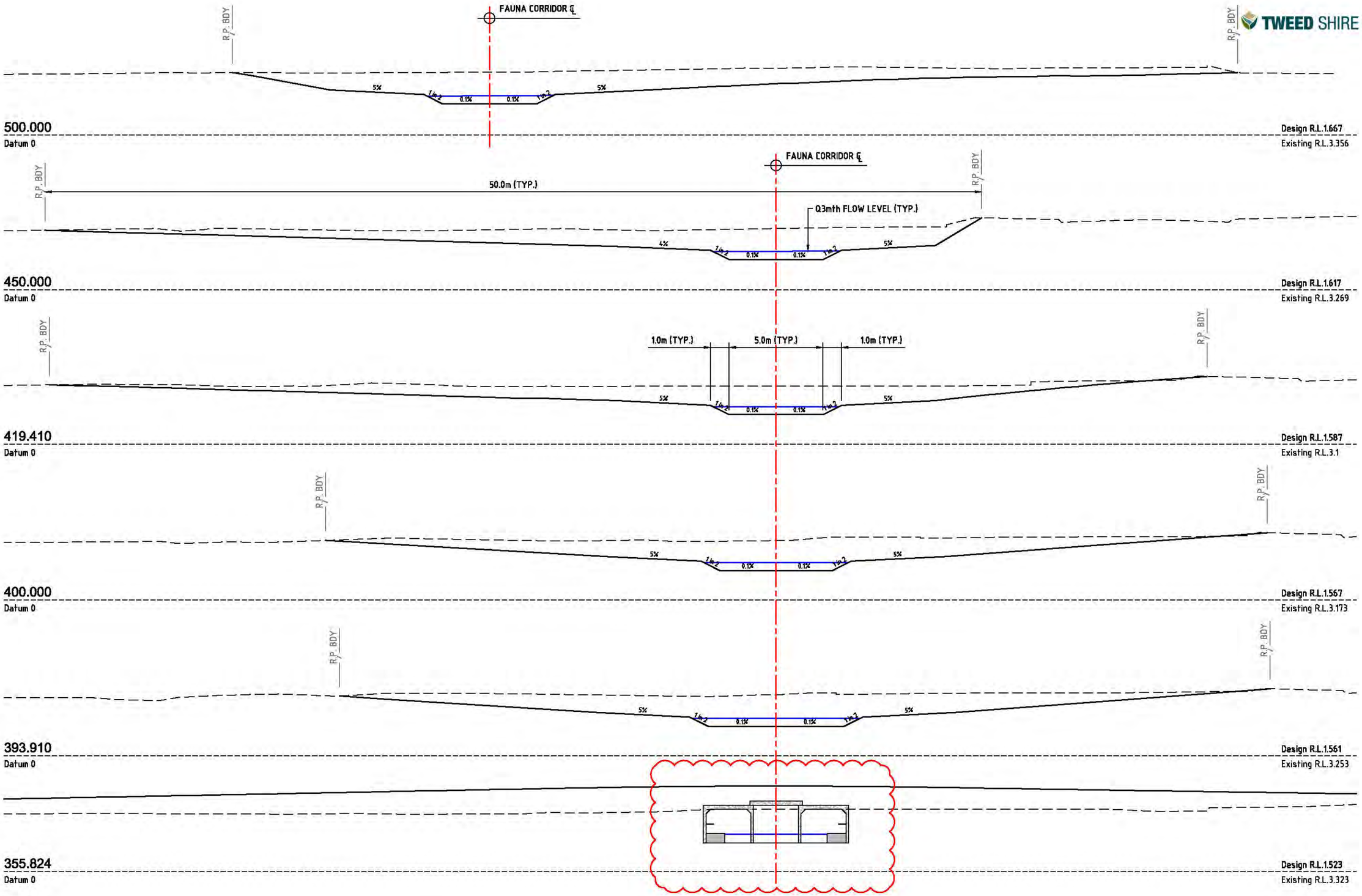
TASK	BY	INITIAL	DATE
REVIEW	S.W.		04.09.15
DESIGN	J.H.		04.09.15
DRAWN	J.H.		04.09.15

APPROVED RPEQ No

DRAWING NUMBER A443-C-6-0402 REVISION D

THIS IS THE PLAN REFERRED TO IN DEVELOPMENT CONSENT NO. DA15/0916

TWEED SHIRE COUNCIL



REV	DESCRIPTION	DRAWN	DATE
D	ELEVATED BOARDWALK ADDED	S.O.	28.10.15
C	RP BOUNDARY AMENDED TO FUTURE RP BOUNDARY	S.O.	29.09.15
B	DIMENSIONS ADDED	S.O.	24.09.15
A	ORIGINAL ISSUE	J.H.	04.09.15

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DRAWING IS NOT TO BE SCALED

SCALE (AT ORIGINAL SHEET SIZE)

SCALE 1 0 1 2 3 4 5 1:100

ORIGINAL SHEET SIZE A1

CLIENT LEDA

PROJECT
PROPOSED FAUNA CORRIDOR
COBAKI, TWEED HEADS WEST
DEVELOPMENT APPLICATION

STAGE / PHASE FOR APPROVAL FOR CONSTRUCTION ONCE STAMPED AND APPROVED BY COUNCIL

SEDGMAN
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TITLE
CHANNEL CROSS SECTIONS SHEET 2 OF 3

TASK	BY	INITIAL	DATE
REVIEW	S.W.		04.09.15
DESIGN	J.H.		04.09.15
DRAWN	J.H.		04.09.15

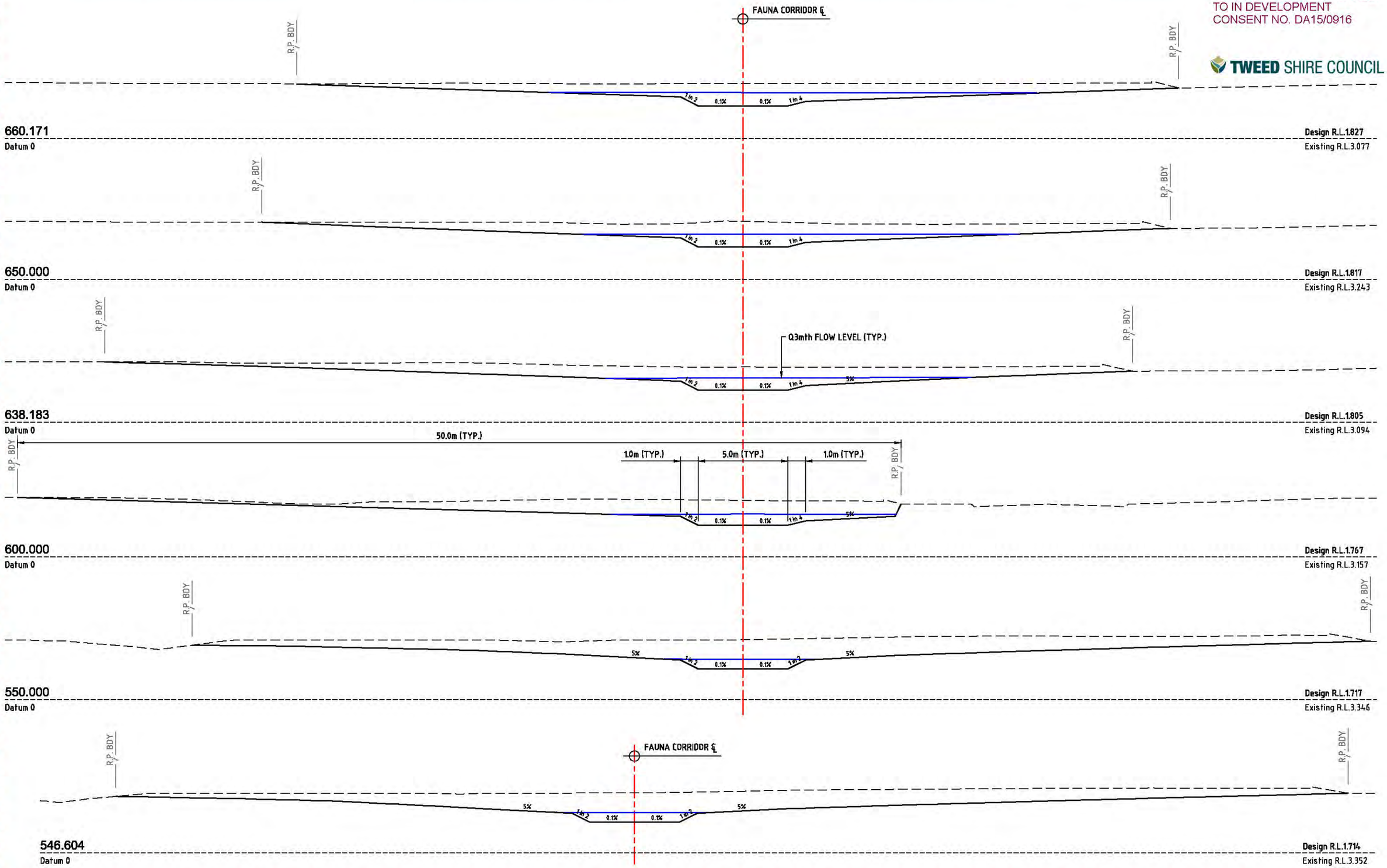
APPROVED RPEQ No

DRAWING NUMBER A443-C-6-0403

REVISION D

THIS IS THE PLAN REFERRED TO IN DEVELOPMENT CONSENT NO. DA15/0916

TWEED SHIRE COUNCIL



REV	DESCRIPTION	DRAWN	DATE
C	RP BOUNDARY AMENDED TO FUTURE RP BOUNDARY	S.O.	29.09.15
B	DIMENSIONS ADDED	S.O.	24.09.15
A	ORIGINAL ISSUE	J.H.	04.09.15

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DRAWING IS NOT TO BE SCALED

SCALE (AT ORIGINAL SHEET SIZE) 1 0 1 2 3 4 5 SCALE 1:100

ORIGINAL SHEET SIZE A1

CLIENT LEDA

PROJECT
PROPOSED FAUNA CORRIDOR
COBAKI, TWEED HEADS WEST
DEVELOPMENT APPLICATION

STAGE / PHASE FOR APPROVAL FOR CONSTRUCTION ONCE STAMPED AND APPROVED BY COUNCIL

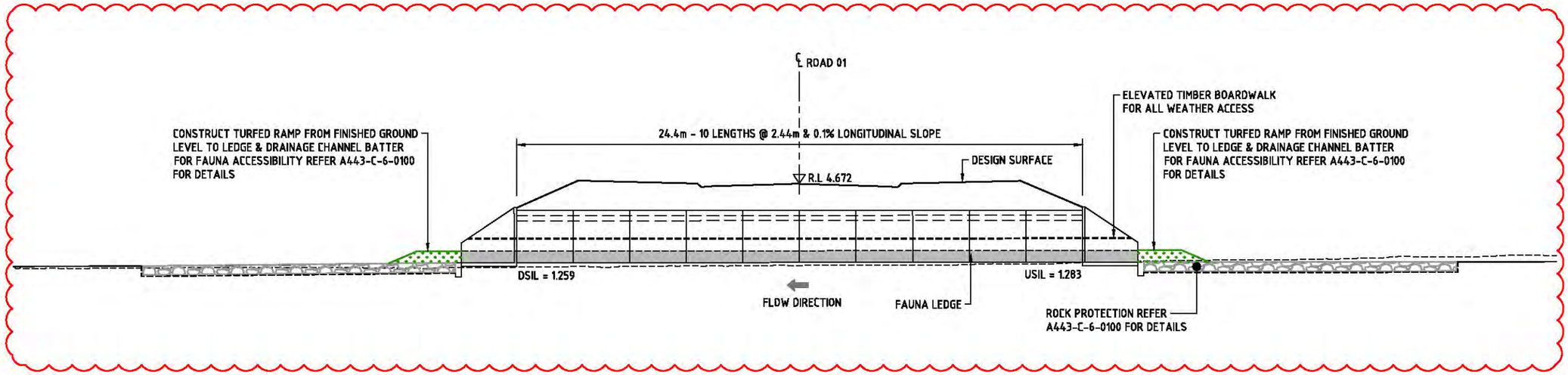
SEDGMAN
LEVEL 1, 193 FERRY ROAD SOUTHPORT QLD 4215 AUSTRALIA
T 07 5558 4200 consult@sedgman.com www.sedgman.com/sedgman-consulting

TITLE
CHANNEL CROSS SECTIONS SHEET 3 OF 3

TASK	BY	INITIAL	DATE	APPROVED	RPEQ No
REVIEW	S.W.		04.09.15		
DESIGN	J.H.		04.09.15	DRAWING NUMBER	REVISION
DRAWN	J.H.		04.09.15	A443-C-6-0404	C

THIS IS THE PLAN REFERRED TO IN DEVELOPMENT CONSENT NO. DA15/0916

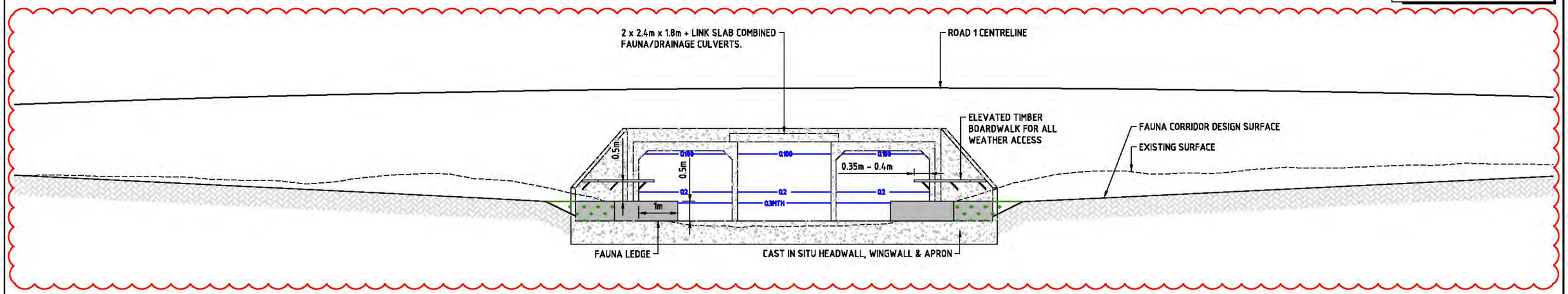
TWEED SHIRE COUNCIL



SECTION A 0302
1:100

CULVERT FLOW TABLE	
DESIGN STORM	DESIGN FLOW
Q3MTH	0.66m³/s
Q2YR	1.44m³/s
Q100YR	7.62m³/s

REFER TO APPROVED COBAKI ESTATE DEVELOPMENT 'STORMWATER MANAGEMENT PLAN (SWMP)' (STORMWATER MANAGEMENT PLAN - CENTRAL OPEN SPACE CC SUBMISSION REV04, OCTOBER 2012) FOR STORMWATER CALCULATIONS



SECTION B 0302
1:50

REV	DESCRIPTION	DRAWN	DATE
B	CULVERT AMENDED	S.O.	28.10.15
A	ORIGINAL ISSUE	J.H.	04.09.15

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DRAWING IS NOT TO BE SCALED

SCALE (AT ORIGINAL SHEET SIZE): AS SHOWN

ORIGINAL SHEET SIZE: A1

CLIENT: LEDA

PROJECT: PROPOSED FAUNA CORRIDOR COBAKI, TWEED HEADS WEST DEVELOPMENT APPLICATION

STAGE / PHASE: FOR APPROVAL — FOR CONSTRUCTION ONCE STAMPED AND APPROVED BY COUNCIL

SEDGMAN
LEVEL 1, 193 FERRY ROAD SOUTHPORT QLD 4215 AUSTRALIA
T 07 5538 4200 consult@sedgman.com www.sedgman.com/sedgman-consulting

TITLE: CULVERT CROSSING 1 DETAILS

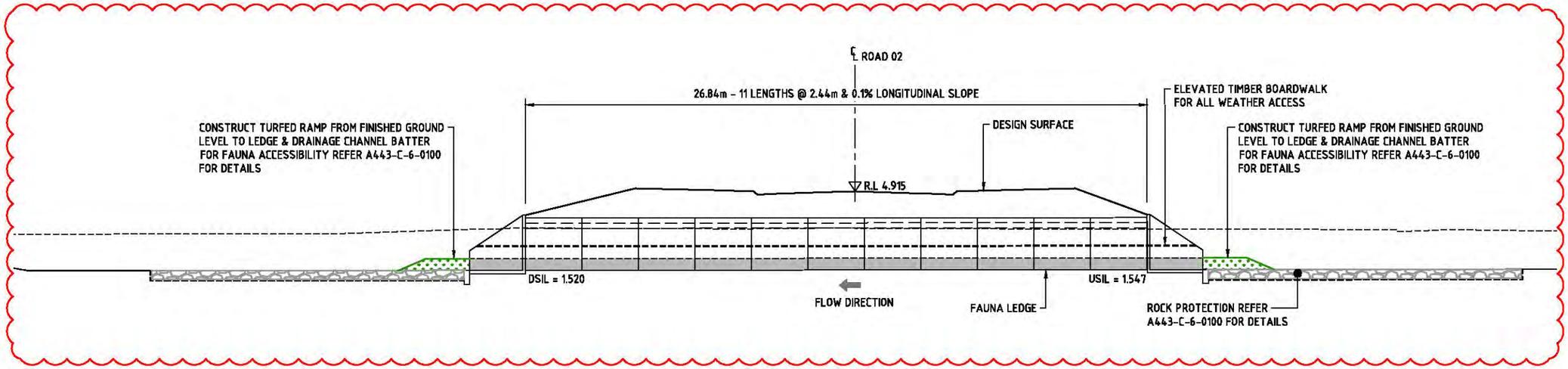
TASK	BY	INITIAL	DATE
REVIEW	S.W.		04.09.15
DESIGN	J.H.		04.09.15
DRAWN	J.H.		04.09.15

APPROVED | RPEQ No

DRAWING NUMBER: A443-C-6-0406 | REVISION: B

THIS IS THE PLAN REFERRED TO IN DEVELOPMENT CONSENT NO. DA15/0916

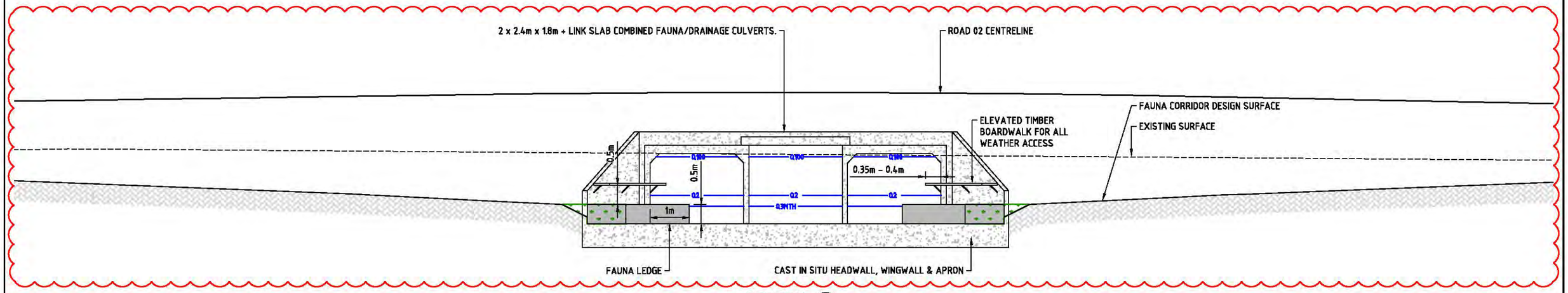
TWEED SHIRE COUNCIL



SECTION C 0302
1:100

CULVERT FLOW TABLE	
DESIGN STORM	DESIGN FLOW
Q3MTH	0.55m³/s
Q2YR	1.34m³/s
Q100YR	6.59m³/s

REFER TO APPROVED COBAKI ESTATE DEVELOPMENT 'STORMWATER MANAGEMENT PLAN (SWMP)' (STORMWATER MANAGEMENT PLAN – CENTRAL OPEN SPACE CC SUBMISSION REV04, OCTOBER 2012) FOR STORMWATER CALCULATIONS



SECTION D 0302
1:50

REV	DESCRIPTION	DRAWN	DATE
B	CULVERT AMENDED	S.O.	28.10.15
A	ORIGINAL ISSUE	J.H.	04.09.15

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DRAWING IS NOT TO BE SCALED

SCALE (AT ORIGINAL SHEET SIZE): AS SHOWN

ORIGINAL SHEET SIZE: A1

CLIENT: LEDA

PROJECT: PROPOSED FAUNA CORRIDOR COBAKI, TWEED HEADS WEST DEVELOPMENT APPLICATION

STAGE / PHASE: FOR APPROVAL — FOR CONSTRUCTION ONCE STAMPED AND APPROVED BY COUNCIL

SEDGMAN
LEVEL 1, 193 FERRY ROAD SOUTHPORT QLD 4215 AUSTRALIA
T 07 5558 4200 consult@sedgman.com www.sedgman.com/sedgman-consulting

TITLE: CULVERT CROSSING 2 DETAILS

TASK	BY	INITIAL	DATE
REVIEW	S.W.		04.09.15
DESIGN	J.H.		04.09.15
DRAWN	J.H.		04.09.15

APPROVED | RPEQ No

DRAWING NUMBER: A443-C-6-0407

REVISION: B

Development Consent 15/1026

Council Reference: **DA15/1026 LN20960**
Your Reference:

TWEED SHIRE COUNCIL

Customer Service | 1300 292 872 | (02) 6670 2400

tsc@tweed.nsw.gov.au
www.tweed.nsw.gov.au

Fax (02) 6670 2429
PO Box 816
Murwillumbah NSW 2484

Please address all communications to the General Manager

ABN: 90 178 732 496

29 June 2016

Leda Manorstead Pty Ltd
C/- Planit Consulting Pty Ltd
PO Box 1623
KINGSCLIFF NSW 2487

Dear Sir/Madam

Development Application DA15/1026 - staged development application under Section 83B of the EP&A Act 1979 development of precincts 6, 7, 8, 9, 10, 11 & 12 – Cobaki Lakes (JRPP), stage 1 – staged bulk earthworks at Lot 54, 55 DP 755740; Lot 1 DP 570076; Lot 46, 200, 201, 202, 205, 206, 209, 199, 228 DP 755740; Lot 2 DP 566529; Lot 1 DP 562222; Lot 1 DP 570077; Lot 305 DP 755740; Lot 1 DP 823679; Piggabeen Road Cobaki Lakes; Sandy Lane Cobaki Lakes

Reference is made to your Development Application regarding the above. Please find enclosed Development Consent No. DA15/1026.

For further information regarding this matter please contact Colleen Forbes on (02) 6670 2596.

Yours faithfully

Colleen Forbes
Co-ordinator Development Assessment

Enc

NOTICE OF DETERMINATION OF A DEVELOPMENT APPLICATION

To: Leda Manorstead Pty Ltd
C/- Planit Consulting Pty Ltd
PO Box 1623
KINGSCLIFF NSW 2487

Pursuant to Section 81(1)(a) of the Environmental Planning and Assessment Act 1979, notice is hereby given of the determination by the Tweed Shire Council of Development Application No. **DA15/1026** relating to land described as:

Lot 54, 55 DP 755740; Lot 1 DP 570076; Lot 46, 200, 201, 202, 205, 206, 209, 199, 228 DP 755740; Lot 2 DP 566529; Lot 1 DP 562222; Lot 1 DP 570077; Lot 305 DP 755740; Lot 1 DP 823679; Piggabeen Road Cobaki Lakes; Sandy Lane Cobaki Lakes

to be developed in accordance with plans and details submitted for the purpose of –

STAGED DEVELOPMENT APPLICATION UNDER SECTION 83B OF THE EP&A ACT 1979 DEVELOPMENT OF PRECINCTS 6, 7, 8, 9, 10, 11 & 12 – COBAKI LAKES (JRPP), STAGE 1 – STAGED BULK EARTHWORKS

The Development Application has been determined by the granting of consent subject to the conditions described below:

GENERAL

1. The development shall be carried out and completed in accordance with the following Plans and Reports listed below, except where varied by the conditions of this consent.

PLANS

- **Master Plan for Precinct 6 to 12 - Context Plan**, Dwg No: Cobaki_P6-12_2016_V21_DA1, prepared by Planit Consulting and dated May 2016;
- **Master Plan for Part Precinct 6, 7 and 8**, Dwg No: Cobaki_P678_2016_V21_DA1 prepared by Planit Consulting and dated May 2016;
- **Master Plan for Precinct 9 and 10**, Dwg No: Cobaki_P9_10_2016_V21_DA1 prepared by Planit Consulting and dated May 2016;
- **Master Plan for Precinct 11 and 12**, Dwg No: Cobaki_P11_12_2016_V21_DA1 prepared by Planit Consulting and dated May 2016;
- **Bulk Earthworks Staging Plan (Sheet 1 of 3)**, Dwg No. A443-BE-0-0101 Rev C, prepared by Sedgman and dated 24 May 2016;
- **Bulk Earthworks Staging Plan (Sheet 2 of 3)**, Dwg No. A443-BE-0-0102 Rev C, prepared by Sedgman and dated 24 May 2016;

- **Bulk Earthworks Staging Plan (Sheet 3 of 3)**, Dwg No. A443-BE-0-0103 Rev C, prepared by Sedgman and dated 24 May 2016;

[GEN0005]

2. The use of crushing plant machinery, mechanical screening or mechanical blending of materials is subject to separate development application.

[GEN0045]

3. Approval is given subject to the location of, protection of, and/or any necessary approved modifications to any existing public utilities situated within or adjacent to the subject property.

[GEN0135]

4. Council advises that the site is flood liable pre bulk earthworks, with Design Flood Levels as illustrated on the 0.1m contour "Q100 - Extent of Flooding" Drawing A443-BE7-SK01 Rev B (prepared by Sedgman) intended post bulk earthworks.

   The "Q100 - Extent of Flooding" Drawing (also referred to as the Design Flood Level Map) shall be updated to include Works As Executed levels for bulk earthworks and any other works that may affect flood behaviour and submitted to Council for endorsement at the completion of each bulk earthworks phase and prior to issue of any future Subdivision Certificate.

[GEN0195]

5. The development is to be carried out in accordance with Council's relevant Development Design and Construction Specifications unless otherwise altered by the provisions of the Cobaki Estate Development Code.

[GEN0265]

6. This consent is subject to the fulfilment of all relevant, existing Deed obligations.

[GENNS01]

7. Prior to the issuing of a Construction Certificate under DA15/1026, all existing approvals over the Cobaki Development applicable to Precincts 6, 7, 8, 9, 10, 11 & 12, must to be amended, pursuant to Section 80A(1) of the EP&A Act 1979 (as amended), to delete any inconsistency with DA15/1026.

[GENNS02]

8. All approvals, licenses and consents from applicable Government Agencies and Authorities are to be obtained, where required.

[GENNS03]

9. Works for future residential subdivisions over Precincts 6, 7, 8, 9, 10, 11 & 12 cannot commence until the bulk earthworks associated with the footprint of the residential subdivision has been completed and accepted by the PCA.

   Numerous Construction Certificates for staged Bulk Earthworks may be issued over Precincts 6, 7, 8, 9, 10, 11 & 12 under this consent, provided each of the Construction Certificates are compatible and each application addresses all relevant consent conditions.

[GENNS04]

10. This development consent approves the Masterplan and Stage 1 only of the development, being staged bulk earthworks across Precincts 6 - 12. Future

subdivision stages of the development require separate development consent, consistent with the approved Masterplan.

11. The approved Masterplan is conceptual only. Subject to further detail design at Construction Certificate stage for bulk earthworks and future subdivision stages, the overall concept may require amendment.

12. Bulk Earthworks will be required to be modified where detailed design requirements for infrastructure (including water supply and sewerage) cannot be met.

13. No works may be undertaken within areas adjacent to Precincts 6 to 12 that will result in removal of native vegetation from Environmental Protection zoned land.

14. Development must be undertaken in accordance with the requirements of any approved Site Regeneration and Restoration Plans, Habitat Restoration Plans, Threatened Species Management plans and all other approved management plans relevant to the Precinct 6 to 12 development.

15. Any existing encumbrances in favour of Essential Energy (or its predecessors) noted on the title of the subject site to be complied with.

[GENNS05]

PRIOR TO ISSUE OF CONSTRUCTION CERTIFICATE

16. Each Construction Certificate Application for Bulk Earthworks shall include a detailed Stormwater Management Plan (SWMP) complimentary to the SWMP endorsed under the Concept Plan for the construction and post construction phase of the Bulk Earthworks, prepared in accordance with Section D7.B2 of Council's *Development Design Specification D7 - Stormwater Quality*. Such plans are to include measures, monitoring and adaptive management actions to ensure appropriate stormwater quality outcomes are achieved.

    Stormwater quality treatment shall comply with the *Tweed Urban Stormwater Quality Management Plan* and Council's *Development Design Specification D7 - Stormwater Quality and Code of Practice for Soil and Water Management on Construction Works*.
    Treatment basins must be provided with a facility to bypass major stormwater flow events (greater than the Q3 month storm event), or otherwise cater for major storm flows without disturbing captured pollutants or damaging the structure.
    Proposed treatment measures must be supported by engineering calculations, to confirm that acceptable capacity and efficiency is achieved, and water quality objectives are achieved.
    Shake down area/s are to be installed within the property, immediately prior to any vehicle entering or exiting the site, prior to any earthworks being undertaken.

[PCC0165]

17. Prior to the issue of a Construction Certificate for Bulk Earthworks, a Cash Bond or Bank Guarantee (unlimited in time) shall be lodged with Council for an amount based on 1% of the value of the works associated with the Construction Certificate, as set out in Council's fees and charges at the time of payment.

    The bond may be called up at any time and the funds used to rectify any non-compliance with the conditions of this consent which are not being addressed to the satisfaction of the General Manager or his delegate.
    The bond will be refunded, if not expended, when a Final Practical Inspection is undertaken by the PCA and the works associated with the bond are accepted by Council.

[PCC0275]

18. In accordance with Section 109F(i) of the Environmental Planning and Assessment Act 1979 (as amended), a Construction Certificate for SUBDIVISION WORKS OR BUILDING WORKS shall NOT be issued until any Long Service Levy payable under Section 34 of the Building and Construction Industry Long Service Payments Act, 1986 (or where such levy is payable by instalments, the first instalment of the levy) has been paid (as applicable). Council is authorised to accept payment. Where payment has been made elsewhere, proof of payment is to be provided.

[PCC0285]

19. Where earthworks result in the creation of batters and/or cuttings greater than 1m high and/or slopes within allotments 17° (1:3.27) or steeper, such slopes shall be stabilised accordingly with permanent steep batters densely planted in accordance with a detailed Landscaping Plan endorsed by Council. This Plan shall accompany the Construction Certificate application and shall be consistent with all other Management Plans.

    Such plans shall generally incorporate the following and preferably be prepared by a landscape architect:

    (a) Contours and terraces where the height exceeds 1m.

    (b) Cover with topsoil and large rocks/dry stone walls in terraces as necessary.

    (c) Densely plant with appropriate native species to suit the aspect/micro climate. Emphasis to be on trees and ground covers which require minimal maintenance. Undergrowth should be weed suppressant.

    (d) Mulch heavily (minimum 300mm thick) preferably with unwanted growth cleared from the estate and chipped. All unwanted vegetation is to be chipped and retained on the subdivision.

[PCC0455]

20. All earthworks shall be graded at a minimum of 1% so that it drains to approved, permanent drainage systems. The works must at no time result in additional runoff or ponding occurring within neighbouring properties.

    All earthworks shall be contained wholly within the subject land. Detailed engineering plans of cut/fill levels and perimeter drainage shall be submitted with the applicable Construction Certificate application for approval by the Principal Certifying Authority (PCA).

[PCC0485]

21. Prior to the issue of a Construction Certificate, documentary evidence shall be submitted to the PCA demonstrating that a Controlled Activity Approval (CAA) under the Water Management Act 2000 has been obtained for any works within 40m of waterfront land (as defined under the Water Management Act 2000) or any works that involve an aquifer interference activity as defined under the Water Management Act 2000.

[PCC0575]

22. Site regrading and associated drainage is to be designed to address internal drainage on the site, as well as the conveyance of external catchments up to the Q100 storm event through the site, in a manner that does not adversely impact on upstream or downstream watercourses, ~~or~~ property or stormwater treatment management.

[PCC0675]

23. A Traffic Control Plan in accordance with AS1742 and the latest version of the RTA publication "Traffic Control at Work Sites" shall be prepared by an RTA accredited

person and shall be submitted to the PCA prior to issue of the Construction Certificate (as applicable). Safe public access shall be provided at all times.

[PCC0865]

24. Prior to the issue of a Construction Certificate for Bulk Earthworks, the following detail in accordance with Council's Development Design and Construction Specifications shall be submitted to the Principal Certifying Authority for approval.

    (a) copies of compliance certificates relied upon

    (b) Detailed engineering plans and specifications*, prepared in accordance with Development Design Specification D13 - particularly Section D13.09*. The detailed plans shall include (but are not limited to) the following, unless approved otherwise by the PCA:

    - Earthworks
        - Clearly showing pre and post development levels (spot levels and contours) at a legible scale.
        - Compliance with the provisions of Council's Design Specification D6 - Site Regrading.
        - Batter slopes on drain cross sections and in public open space areas shall not exceed 1:4 (v:h), unless otherwise endorsed by Council.
        - Compliance with the provisions of NSW RFS Planning for Bushfire Protection Guidelines 2006.
        - The maximum disturbed area (that has not been permanently vegetated) at any time shall not exceed 5ha, unless otherwise approved by the General Manager or his delegate.
        - Detailing how the Cultural Heritage Parks permanently free drain and will not be subject to flooding inundation.
        - Cross sections provided through each proposed sedimentation basin to confirm suitable free drainage and capacity.
        - Details confirming the permanent drainage of Rehabilitation / Management Area 8 (applicable to Construction Certificate for Precinct 9).
        - Including supporting calculations of proposed drainage swales to confirm compliance with the provisions of Council's Design Specification D5 - Stormwater Drainage Design (unless provided within the required SWMP)
    - Stormwater drainage
    - Landscaping works (as applicable)
    - Sedimentation and erosion management plans
    - Location of all service conduits (water, sewer, electricity supply and telecommunication infrastructure), as well as details and locations of any significant electrical servicing infrastructure - such as transformers and substations

    The Environmental Planning and Assessment Act, 1979 (as amended) makes no provision for works under the Water Management Act 2000 and Section 138 of the Roads Act to be certified by an Accredited Certifier.

[PCC0985]

25. Each Construction Certificate application for Bulk Earthworks shall include a detailed Erosion and Sediment Control Plan (ESCP), complimentary to the ESCP endorsed under the Concept Plan for the construction phase of the Bulk Earthworks, prepared in

accordance with Section D7.07 of *Development Design Specification D7 - Stormwater Quality.*

Construction phase erosion and sediment control shall be designed, constructed and operated in accordance with *Tweed Shire Council Development Design Specification D7 - Stormwater Quality* and its Annexure A - "Code of Practice for Soil and Water Management on Construction Works". All sedimentation basins are to be located offline of major storm event flowpaths, unless approved otherwise by the PCA.

[PCC1155]

26. An application shall be lodged together with any prescribed fees including inspection fees and approved by Tweed Shire Council under Section 68 of the Local Government Act for the installation of any permanent stormwater quality control devices (including bio-filtration basins), prior to the issue of any associated Construction Certificate.

    Where Council is requested to issue a Construction Certificate for subdivision ~~civil~~ works associated with this consent, the abovementioned works can be incorporated as part of the Construction Certificate application, to enable one single approval to be issued. Separate approval under section 68 of the LG Act will then NOT be required.

[PCC1195]

27. Prior to the issue of a Construction Certificate for Bulk Earthworks, all applicable Geotechnical Investigation Reports (prepared by registered Geotechnical Engineers) are to be consolidated into one single document and submitted to the PCA for endorsement.

    In the absence of any compaction control documentation, any existing fill encountered on site over the Precincts applicable to this application shall be deemed "uncontrolled". Where Level 1 certification of these areas cannot be provided, the Proponent will be required to carry out rectification works by way of removal of the existing fill, back to a competent natural strata and re-compaction or replacement with a select fill, in accordance with Section 7.4 of the *Report On Geotechnical Investigation* Report, prepared by Douglas Partners, dated August 2015.

[PCCNS02]

28. Prior to the issue of a Construction Certificate for Stages 22 and 23 of the proposed bulk earthworks, the Stage 2 Contamination Assessment for Precinct 10 is to be submitted to Council. The Assessment must identify any contamination on site and provide for the completion of appropriate mitigation measures, as required by Condition C17 of the Concept Plan approval MP06_0316.

[PCCNS03]

29. The Site Regeneration and Revegetation Plan (SRRP), Vegetation management Plan (VMP) and Earthworks Plans are to be revised, to the satisfaction of Council, to address the requirements of the approved Overview Buffer Management Plan, including, but not limited to:

    - Identification and retention of areas of existing vegetation, compatible with APZ requirements and consistent with Planning for Bushfire Protection guidelines.
    - Detailed provisions for management of these areas during earthworks and on an ongoing basis.

30. The Vegetation Management Plan and Fauna Management Plan are to be revised, to the satisfaction of Council, to include detailed, precinct-scale maps at minimum 1:2000 scale at A4 size. Maps are to clearly identify:

    - the boundaries of earthworks in relation to existing vegetation
    - vegetation to be retained

- vegetation (including hollow-bearing trees) to be removed
- location of fencing in relation to existing vegetation

31. A site-wide review of onsite Endangered Ecological Community offset commitments is to be prepared to the satisfaction of Council, along with a revised offset package if the approved offsets are no longer able to be met.

32. The following management plans require amendment to the satisfaction of Council prior to the issue of a Construction Certificate:

Fauna Management Plan

- Revise Figure 7 Potential Habitat Trees to clearly distinguish between habitat trees to be retained and those to be removed.
  Currently two habitat trees that are protected by a covenant area are identified as trees to be removed. This figure and any associated earthworks plans require revision to identify these as trees to be retained.
- Update the Plan to reflect the outcome of the Modification to the EPBC approval relating to offsets for Grey-headed Flying Fox habitat removal.
- Table 6 management measures - Nest boxes to be installed for microbats (n = 4-5) and owls (n = at least 3). The plan currently states that the number and location of these nest boxes will be determined after baseline survey. Table 8 states that baseline survey has been completed. Therefore, the number of boxes and suitable locations for these boxes should be identified within this plan. Installation of these boxes is to be included as a “prior to construction” action in Table 7 Implementation Table.
- Salvage of hollows is to be identified as a management measure.
- Proposed suitable locations for installation of salvaged hollows and compensatory nest boxes are to be provided in the plan. The plan is to provide guidance in terms of recipient tree selection. The plan is to provide an indication of the likely quantity of salvaged hollows and nest boxes so that timing and resources for relocation, nest box construction and monitoring can be estimated. The plan should detail the minimum compensatory requirements for each Precinct, to assist with monitoring and reporting.
- List installation of osprey nest poles in Table 7 - implementation table. Revise the plan to indicate which pole has been installed, and detail timing for installation of the other.
- Revise the corrective actions/responses table to reflect performance criteria and include actions or a commitment to undertaking action to rectify identified failures.
- Incorporate the provisions of the approved Fauna Management Plan for Precinct 6.

Vegetation Management Plan

- The action that is currently provided for situations where “sufficient area is not available to provide a buffer” (p16). Is to be removed.
- Mapping of the boundaries of Precinct 9 and the covenant area within Management Area 8 requires revision to remove overlap.

- Actions in the VMP are to be presented as precinct-specific. It should be made clear in the plan which actions relate to each precinct. For example, the plan should detail where hollow-bearing trees to be removed are located and where associated hollows and/or nest boxes are to be installed.
- The amount of fencing and number of nest boxes required are to be included in the plan.
- "As required" is stated as a frequency for a number of monitoring actions. More specific timing is requested for each action, and a reference to the location of further detail, if directed by another plan.
- Incorporate the provisions of the approved Vegetation Management Plan for Precinct 6.

Site Regeneration and Revegetation Plan

- The following detail is required: area measurements of buffer plantings, transparent overlays for APZ area and buffer polygons in Rehabilitation Areas 8 and 9, covenant area and associated planting buffer in the south of Precinct 9.
- Amend the plan to clearly identify areas that will not respond to assisted regeneration and schedule planting to occur as an initial action rather than after 12 months of assisted regeneration in these areas.
- Area 7 - The eastern portion of Rehabilitation Area 7 currently contains a road, sediment basin, and has been subject to significant modification. Engineering drawings depict drainage infrastructure overlapping the covenant protected area in the south. Figure 9 identifies this area as part of Rehabilitation Zone 7b. Figure 6 indicates intent to plant Swamp Sclerophyll Forest in the area currently occupied by a road, while Figure 9 does not include the road in any Rehabilitation Zone. The Plan requires amendment to clarify the intent of this Rehabilitation Area, including the covenant area, providing information regarding timing of works in this area and identify and justify any inconsistencies with the restoration intent as approved by the Concept Plan. Maps are to be updated accordingly.
- Area 8 - Text requires amendment to reference the appropriate planting list for the target community. An additional planting list may be required for Freshwater Wetland planting.
- Incorporate the provisions of the approved Site Regeneration and Revegetation Plan for Precinct 6.

Construction Environmental Management Plan

- The CEMP will require amendment to reflect changes in all other management plans.

33. Prior to the issue of a Construction Certificate the Acid Sulfate Soils Management Plan (ASSMP) is to be amended to the satisfaction of Council to incorporate the provisions of the approved ASSMP for Precinct 6.

34. Prior to the issue of a Construction Certificate the Groundwater Management Plan (GWMP) is to be amended to the satisfaction of Council to incorporate the provisions of the approved GWMP for Precinct 6.

35. In accordance with Condition C18 of Concept Plan MP06_0316, a detailed description is to be provided to the satisfaction of the General Manger or delegate demonstrating compliance with previous Tweed Shire Council consent conditions intended to preserve wildlife corridors and protect and offset threatened species, populations and ecological communities and their habitats outside of the Concept Plan habitat requirements, or relevant reasons (such as subsequent amendments) as to why compliance was not required or may be transferred to current DAs. Such description is to include extracts of all relevant plans referred to in the conditions listed below sufficient to understand the land areas of relevance to the conditions and any overlap with current applications. Additional offset must be proposed if clearing of native vegetation has been undertaken not in accordance with the below development consents. Conditions to be addressed are as follows:

    (a) D94/0438.04 Conditions 23, 24, 34a, 35, 36a, 37 and 38.

    (b) K99/1124.06 Conditions 10, 15A, 30, 31, 41, 81, 83A, 90, 91, 92A, 93, 94A, 95A, 96, 97, 98, 99, 100, 101, 102A, 103, 104, 105, 106, 107, 108, 109 and Schedule B (National Parks imposed conditions via concurrence for Species Impact Statement.

    (c) S94/0194 (as amended 29/08/2003) Conditions 42, 43, 45, 48, 50, 106, 110, 116, 162, 168, 211, 260, 310, 358 and 365.

    (d) S97/0054.02 Conditions 19, 21, 26, 74, 80 and 82.

    Where required the development consents are to be modified in accordance with Section 80A(1) of the Environmental Planning and Assessment Act and Regulations to be consistent with this consent.

    [PCCNS04]

36. A Voluntary Planning Agreement between the applicant and OEH is to be approved prior to the issue of a Construction Certificate for bulk earthworks associated with stages immediately adjacent to the existing Scribbly Gum Reserve (Stages 9, 10, 11, 12 and 13).

    [PCCNS05]

PRIOR TO COMMENCEMENT OF WORK

37. The proponent shall accurately locate and identify any existing sewer main, stormwater line or other underground infrastructure within or adjacent to the site and advise the Principal Certifying Authority of its location and depth prior to commencing works and ensure there shall be no conflict between the proposed development and existing infrastructure prior to start of any works.

    [PCW0005]

38. Prior to commencement of work all actions or prerequisite works required at that stage, as required by other conditions or approved management plans or the like under this development application, shall be installed/operated in accordance with those conditions or plans.

    [PCW0015]

39. **Prior** to the commencement of works, the applicant shall ensure that a Site-Specific Safety Management Plan and Safe Work Methods for the subject site have been prepared and put in place in accordance with either:-

(a) Occupation Health and Safety and Rehabilitation Management Systems Guidelines, 3rd Edition, NSW Government, or

(b) AS4804 Occupation Health and Safety Management Systems - General Guidelines on Principles Systems and Supporting Techniques.

(c) WorkCover Regulations 2000

[PCW0025]

40. Where any pumps used for dewatering operations are proposed to be operated on a 24-hour basis, the owners of adjoining premises shall be notified accordingly prior to commencement of such operations.

[PCW0125]

41. Prior to work commencing, a "Notice of Commencement of Building or Subdivision Work and Appointment of Principal Certifying Authority" shall be submitted to Council at least **2 days** prior to work commencing.

[PCW0225]

42. Bulk Earthworks in accordance with the development consent must not be commenced until:

(a) a Construction Certificate for the Bulk Earthworks has been issued in accordance with Council's Development Construction Specification C101 by:

(i) the Consent Authority, or

(ii) an Accredited Certifier, and

(b) the person having the benefit of the development consent:

(i) has appointed a Principal Certifying Authority,

(ii) has appointed a Certifying Engineer to certify the compliance of the completed works.

The Certifying Engineer shall be a Professional Engineer (Civil) with National Engineering Register (NER) or a Registered Surveyor. Documentary evidence is to be provided to Council demonstrating currency of the above accreditation, and

(iii) has notified the Consent Authority and the Council (if the Council is not the Consent Authority) of the appointment,

(iv) a sign detailing the project and containing the names and contact numbers of the Developer, Contractor and Certifying Engineer is erected and maintained in a prominent position at the entry to the site in accordance with Councils Development Design and Construction Specifications. The sign is to remain in place until the Subdivision Certificate is issued, and

(c) the person having the benefit of the development consent has given at least 2 days' notice to the Council of the person's intention to commence the work.

[PCW0815]

43. The proponent shall provide to the PCA copies of Public Risk Liability Insurance to a minimum value of $10 Million for the period of commencement of works until a Final Practical Inspection has been undertaken by the PCA and the works accepted.

[PCW0835]

44. Prior to commencement of work on the site, all erosion and sedimentation control measures are to be installed and operational including the provision of a "shake down"

area (where required) to the satisfaction of the Principal Certifying Authority. These measures are to be in accordance with the approved Erosion and Sedimentation Control Plan and adequately maintained throughout the duration of the approved works.

[PCW0985]

45. All relevant Terms of Approval of the Cobaki Estate Concept Plan (MP06_0316) approved by the Minister on 2 December 2010, and of Approval of the Cobaki Estate Project Application - Open Space (08_0200) approved by the Minister on 28 February 2011 must be satisfactorily completed, as applicable, prior to bulk earthworks commencing within areas of Precincts 6, 7, 8, 9, 10, 11 and 12, as applicable.

[PCWNS01]

DURING CONSTRUCTION

46. All proposed works are to be carried out in accordance with the conditions of development consent, approved Management Plans, approved Construction Certificates, drawings and specifications.

[DUR0005]

47. During construction, all works required by other conditions or approved management plans or the like shall be installed and operated in accordance with those conditions or plans.

[DUR0015]

48. If during construction works any Aboriginal object or relic is disturbed or uncovered, works are to cease and the Department of Environment, Climate Change and Water are to be notified immediately, in accordance with the provisions of the *National Parks and Wildlife Act 1974*.

[DUR0025]

49. Construction work including the entering and leaving of vehicles is limited to the following hours, unless otherwise permitted by Council:

    Monday to Saturday from 7.00am to 6.00pm
    No work to be carried out on Sundays or Public Holidays
    The proponent is responsible to instruct and control subcontractors regarding hours of work.

[DUR0205]

50. All reasonable steps shall be taken to muffle and acoustically baffle all plant and equipment. In the event of complaints from the neighbours, which Council deem to be reasonable, the noise from the construction site is not to exceed the following:

    A. Short Term Period - 4 weeks.

    $L_{Aeq,\ 15\ min}$ noise level measured over a period of not less than 15 minutes when the construction site is in operation, must not exceed the background level by more than 20dB(A) at the boundary of the nearest likely affected residence.

    B. Long term period - the duration.

    $L_{Aeq,\ 15\ min}$ noise level measured over a period of not less than 15 minutes when the construction site is in operation, must not exceed the background level by more than 15dB(A) at the boundary of the nearest affected residence.

[DUR0215]

51. All pumps used for onsite dewatering operations are to be installed on the site in a location that will minimise any noise disturbance to neighbouring or adjacent premises

and be acoustically shielded to the satisfaction of Council's General Manager or his delegate so as to prevent the emission of offensive noise as a result of their operation.

[DUR0225]

52. The Principal Certifying Authority is to be given a minimum of 48 hours notice prior to any critical stage inspection or any other inspection nominated by the Principal Certifying Authority via the notice under Section 81A of the Environmental Planning and Assessment Act 1979.

    Failure to comply with this condition may result in a stop work notice being issued and/or rejection of the works undertaken.

[DUR0405]

53. It is the responsibility of the applicant to restrict public access to the construction works site, construction works or materials or equipment on the site when construction work is not in progress or the site is otherwise unoccupied in accordance with WorkCover NSW requirements and Work Health and Safety Regulation 2011.

[DUR0415]

54. All earthworks and filling shall be carried out in accordance with AS 3798 (current version) to a Level 1 inspection regime and testing in accordance with Table 8.1.

    The earthworks and filling shall also be undertaken in accordance with the recommendations provided in the consolidated ***Geotechnical Investigation*** (as required by Consent Condition No. 27) and monitored by a Registered Geotechnical Testing Consultant.

[DUR0795]

55. The use of vibratory compaction equipment (other than hand held devices) within 100m of any dwelling house, building or structure is strictly prohibited.

[DUR0815]

56. No soil, sand, gravel, clay or other material shall be disposed of off the site without the prior written approval of Tweed Shire Council’s General Manager or his delegate.

[DUR0985]

57. The surrounding road carriageways are to be kept clean of any material carried onto the roadway by construction vehicles. Any work carried out by Council to remove material deposited on the roadway by construction vehicles will be at the Developers expense and any such costs are payable prior to the PCA undertaking of a Final Practical Inspection of the works.

[DUR0995]

58. All work associated with this approval is to be carried out so as not to impact on the neighbourhood, adjacent premises or the environment. All necessary precautions, covering and protection shall be taken to minimise impact from:

    - Noise, water or air pollution.
    - Dust during filling operations and also from construction vehicles.
    - Material removed from the site by wind.

[DUR1005]

59. All practicable measures must be taken to prevent and minimise harm to the environment as a result of the construction and operation of the development.

[DUR1025]

60. Where the construction work is on or adjacent to public roads, parks or drainage reserves the development shall provide and maintain all warning signs, lights, barriers

and fences in accordance with AS 1742 (Manual of Uniform Traffic Control Devices). The contractor or property owner shall be adequately insured against Public Risk Liability and shall be responsible for any claims arising from these works.

[DUR1795]

61. Any damage caused to public infrastructure (roads, footpaths, services, etc) during construction of the development shall be repaired in accordance with Council's Development Design and Construction Specifications prior to the PCA undertaking of a Final Practical Inspection of the works.

[DUR1875]

62. The PCA shall be given a minimum 24 hours notice to carry out the following compulsory inspections in accordance with the approved Cobaki Estate Development Code, in conjunction with Tweed Shire Council's Development Control Plan, Part A5 - Subdivision Manual, Appendix D. Inspection fees are based on the rates contained in Council's current Fees and Charges:

Stormwater Quality Control Devices (other than proprietary devices)
For detail refer to Water By Design - Technical Guidelines

(a) Earthworks and filter media

(b) Structural components

(c) Operational establishment

(d) Mechanical/electrical

(e) Commissioning - On Maintenance

(f) Off Maintenance

The PCA's role is limited to the above mandatory inspections and does **NOT** include supervision of the works, which is the responsibility of the Developers Supervising Consulting Engineer.
The EP&A Act, 1979 (as amended) makes no provision for works under the Water Management Act 2000 to be certified by an "Accredited Certifier".
The fee for the abovementioned inspections shall be invoiced upon completion of all subdivision works, and subject to the submission of an application for a 'Subdivision Works Compliance Certificate'.

[DUR1895]

63. The developer/contractor is to maintain a copy of the development consent, approved Management Plans and Construction Certificate approvals including plans and specifications on the site at all times.

[DUR2015]

64. Regular inspections shall be carried out by the Supervising Engineer on site to ensure that adequate erosion control measures are in place and in good condition both during and after construction.

Additional inspections are also required by the Supervising Engineer after each storm event to assess the adequacy of the erosion control measures, make good any erosion control devices and clean up any sediment that has left the site or is deposited on public land or in waterways.
This inspection program is to be maintained until the 1% Compliance Bond is released or until Council is satisfied that the site is fully rehabilitated.

[DUR2375]

65. All waters that are to be discharged from the site during dry weather periods and wet weather periods up to the Q3 month rain event (as defined in Council's Design

Specification D7 - Stormwater Quality) shall have a pH between 6.5 and 8.5 and suspended solids not greater than 50mg/l. The contractor shall nominate a person responsible for monitoring of the quality of such discharge waters on a daily basis and the results recorded. Such results shall be made available to Council's Environmental Health Officer(s) upon request.

[DUR2435]

66. Dust and Erosion Management

(a) Site earthworks are to be limited to a 5ha maximum at any time to reduce exposed areas. Completed areas are to be topsoiled and seeded immediately to protect them from water and wind erosion.

(b) All topsoil stockpiles are to be sprayed with dust suppression material such as "hydromulch", "dustex" or equivalent. All haul roads shall be regularly watered or treated with dust suppression material or as directed on site.

(c) All construction activities that generate dust shall cease when average wind speeds exceed 15m/s (54 km/h). The applicant shall be responsible for the monitoring of on-site wind speeds and be able to produce this data to the PCA on request.

[DUR2825]

67. The Developer must establish a monitoring program, including reporting to determine the pollutant removal efficiencies of the proposed treatment devices, as per section D7.A12 of the TSC Development Design Specification - D7 Stormwater Quality and if further treatment of the stormwater drainage system is required to ensure the preservation of water quality in Cobaki Creek and Cobaki Broadwater.

Additionally;

- water shall not be released from detention basins until samples have been analysed and shown to meet the criteria outlined in the ESC Program, and.
- regular (three monthly) water quality testing is to be undertaken within the wetland in the vicinity of any discharge points to ensure that acceptable water quality parameters are maintained.

[DURNS01]

68. Erosion and Sediment Control

All erosion and sediment control measures are to be effectively implemented and maintained at or above design capacity for the duration of the construction works, and until such time as all ground disturbed by the works has been stabilised and rehabilitated so that it no longer acts as a source of sediment.

All activities on the site shall be undertaken with the objective of preventing discharge of sediment and other pollutants to lands and/or waters (the receiving environment) during construction activities. In particular the proponent shall ensure all practicable measures are taken to prevent contaminated stormwater from adversely affecting the water quality of Cobaki Creek and Cobaki Broadwater.

[DURNS02]

69. All land for residential development is to be filled to a level no less than the next highest 0.1m Design Flood Level contour, as determined from the latest, approved Cobaki Design Flood Level Map - “Q100 - Extent of Flooding” Drawing A443-BE7-SK01 Rev B (prepared by Sedgman), unless notified otherwise by Council.

[DURNS03]

70. All works shall be carried out in accordance with the Acid Sulfate Soils Management Plan or amendments to this Plan as prepared by SMEC dated September 2015.

71. Where groundwater is intercepted as a result of earthwork operations, groundwater discharges and or dewatering operations shall be managed in accordance with the Groundwater Management Plan prepared by SMEC dated June 2015.

72. All works shall be carried out in accordance with the provisions of the Construction Environment Management Plan prepared by SMEC dated September 2015.

73. A registered Fauna spotter-catcher is to be present during all vegetation clearing works to ensure safe dispersal of fauna.

[DURNS04]

PRIOR TO COMMENCEMENT OF FUTURE RESIDENTIAL SUBDIVISIONS OVER PRECINCTS 6, 7, 8, 9, 10 11 & 12

74. Prior to commencement of future residential subdivisions over Precincts 6, 7, 8, 9, 10, 11 & 12, all works/actions/inspections etc required by other conditions or approved Management Plans or the like shall be completed in accordance with those conditions or plans.

75. Prior to commencement of future residential subdivisions over Precincts 6, 7, 8, 9, 10, 11 & 12, Work as Executed Plans of the undertaken Bulk Earthworks shall be submitted in accordance with the provisions of Tweed Shire Council's Development Control Plan Part A5 - Subdivision Manual and Council's Development Design Specification, D13 - Engineering Plans.

    The plans are to be endorsed by a Registered Surveyor OR a Consulting Engineer Certifying that:

    (a) undertaken earthworks are consistent with the approved Bulk Earthworks Construction Certificates and are contained wholly within the subject site;

    (b) the plans accurately reflect the Work as Executed.

    Note: Where works are carried out by Council on behalf of the developer it is the responsibility of the <u>DEVELOPER</u> to prepare and submit works-as-executed (WAX) plans.

76. Prior to commencement of future residential subdivisions over Precincts 6, 7, 8, 9, 10, 11 & 12 and prior to request for a Final Practical Inspection for each completed portion of Bulk Earthworks, a certificate of compliance, certifying that ;

    - the site is stable,
    - 100% of primary consolidation settlement (where applicable) is completed / achieved,
    - the earthworks and filling have been inspected and compacted to a Level 1 standard in accordance with AS 3798 (current version), and
    - the site is considered suitable for its intended use.

    The submission shall include copies of all undertaken test results.

77. Prior to commencement of future residential subdivisions over Precincts 6, 7, 8, 9, 10, 11 & 12, the PCA must undertake a Final Practical Inspection of the complete bulk earthworks and be satisfied that all conditions of consent have been complied with.

78. All approved landscaping requirements must be completed to the satisfaction of the PCA prior to request for a Final Practical Inspection of the applicable Bulk Earthworks.

79. Any damage to property (including pavement damage) is to be rectified to the satisfaction of the General Manager or his delegate prior to request for a Final Practical Inspection of the applicable Bulk Earthworks. Any work carried out by Council to remove material from the roadway will be at the Developers expense and any such costs are payable prior to the applicable Final Practical Inspection being undertaken.

80. The applicant must apply to Council (or PCA if applicable) for a Compliance Certificate for Subdivision Works. This may require obtaining individual Compliance Certificates for various civil works components such as (but not limited to) the following:

    (a) Drainage

    (b) Bulk Earthworks

    (c) Retaining Walls

    Note:

    1. All compliance certificate applications for Subdivision Works must be accompanied by documentary evidence from the developers Certifying Engineer, certifying that the specific work for which a certificate is sought has been completed in accordance with the terms of the development consent, the Construction Certificate, Tweed Shire Council's Development Control Plan Part A5 - Subdivisions Manual and Councils Development Design and Construction Specifications.
    2. The EP&A Act, 1979 (as amended) makes no provision for works under the Water Management Act 2000 to be certified by an "Accredited Certifier".

81. At the completion of each bulk earthworks phase and prior to issue of any future Subdivision Certificate the "Q100 - Extent of Flooding" Drawing (also referred to as the Design Flood Level Map) shall be updated to include Works As Executed levels for bulk earthworks and any other works that may affect flood behaviour and submitted to Council for endorsement.

    The submission shall be certified by a practising Civil Engineer with National Engineers Register (NPER) registration.

82. Bulk Earthworks shall not be accepted by the PCA until all applicable consent conditions have been satisfactorily addressed and the PCA has conducted a Final Practical Inspection and issued a Certificate of Compliance noting no outstanding matters to be addressed.

The reasons for the imposition of conditions are to minimise any adverse impact the development may cause and to give effect to the objectives of the Environmental Planning and Assessment Act, 1979.

The application was determined on: **22 June 2016**
The consent to operate from: **29 June 2016**
The consent to lapse on 29 June 2021 unless commenced prior to that date.

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 6 months after the date on which you receive this notice.

Signed on behalf of the Tweed Shire Council

Colleen Forbes, Co-ordinator Development Assessment

29 June 2016

PRECINCT 6 TO 12

THIS IS THE PLAN REFERRED TO IN DEVELOPMENT CONSENT NO. DA15/1026

TWEED SHIRE COUNCIL

PROJECT TITLE	COBAKI
DRAWING TITLE	PRECINCT 6 - 12 | CONTEXT PLAN ONLY
BASES: SEDGMAN | MICHEL GROUP SERVICES	

NO	DATE	REVISION	BY
V20	APRIL	LAYOUT RFI RESPONSE	JB
V21	APRIL	LAYOUT RFI RESPONSE	JB
V22	MAY	LAYOUT RFI RESPONSE	JB

SCALE: REFER SCALE BAR	DATE: APRIL 2016
DESIGN: JB	CHECKED: BS
DRAWN: JB	DRAWING NO: COBAKI_P6-12_2016_V21_DA 1

LEDA

0M 50M 100M 200M

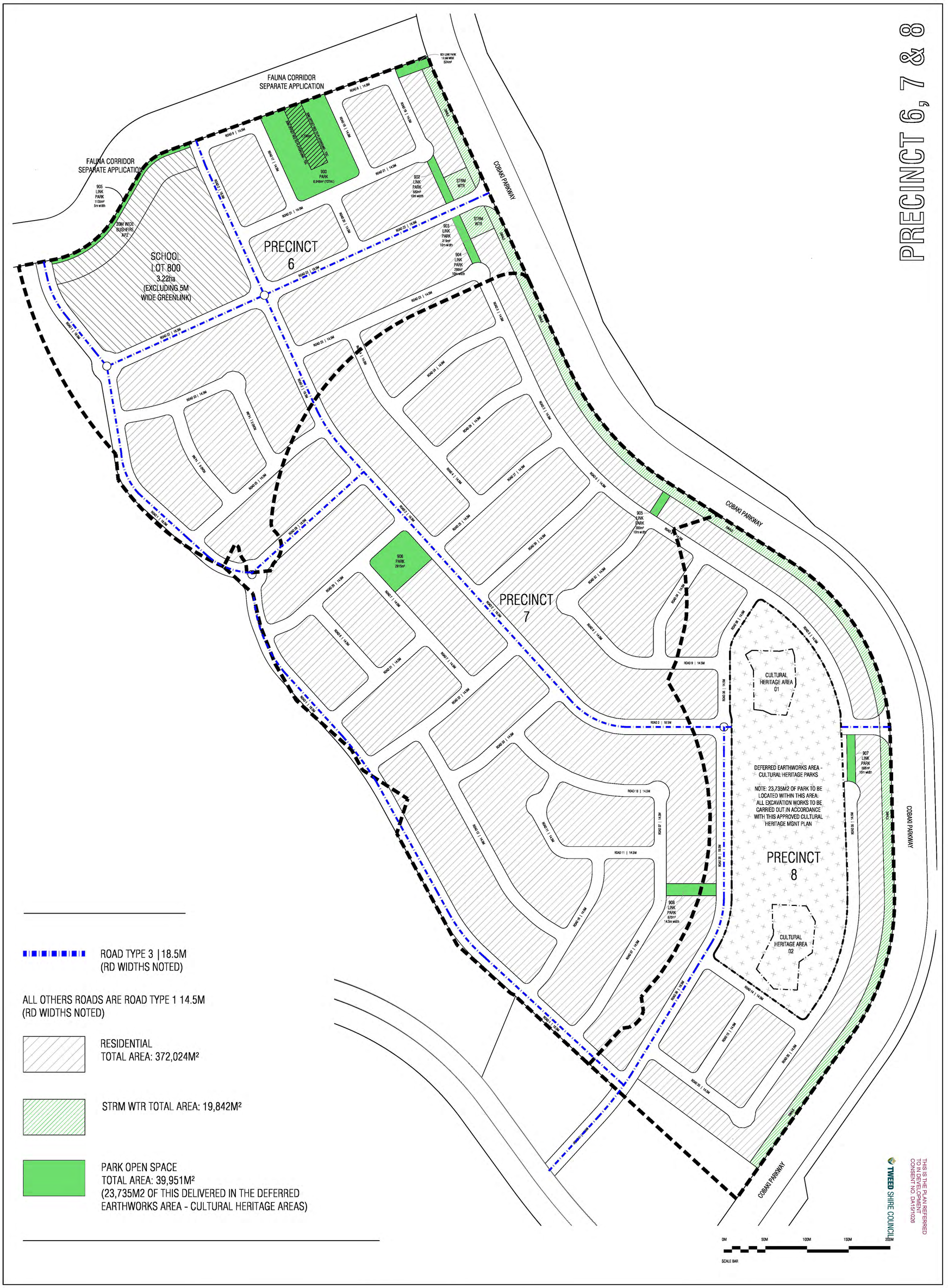
NORTH

Level 2247 Gold Coast Highway
Nobby Beach
PO Box 206 QLD 4218

Telephone: 07 5526 1500
Fax: 07 5526 1502
Email: admin@planitconsulting.com.au

PLANIT CONSULTING

PRECINCT 6, 7 & 8



PROJECT TITLE	COBAKI
DRAWING TITLE	PART PRECINCT 6, 7 AND 8
BASIS: SEDGMAN | MICHEL GROUP SERVICES	

NO	DATE	REVISION	BY
V02	APRIL	LAYOUT RFI RESPONSE	JB
V01	APRIL	LAYOUT RFI RESPONSE	JB
V02	MAY	LAYOUT RFI RESPONSE	JB

SCALE: 1: 2000 A1 | 1:4000 A3	DATE: APRIL 2016
DESIGN: JB | BS	CHECKED: BS
DRAWN: JB	DRAWING NO: COBAKI_P678_2016_V21_DA 1

LEDA

NORTH

Level 2247 Gold Coast Highway
Nobby Beach
PO Box 206 QLD 4218
Telephone: 07 5526 1500
Fax: 07 5526 1502
Email: admin@planitconsulting.com.au
PLANIT CONSULTING

PRECINCT 9 & 10

THIS IS THE PLAN REFERRED TO IN DEVELOPMENT CONSENT NO. DA15/1026

TWEED SHIRE COUNCIL

ROAD TYPE 2 16.0M
(RD WIDTHS NOTED)

ROAD TYPE 3 18.5M
(RD WIDTHS NOTED)

ALL OTHERS ROADS ARE ROAD TYPE 1 14.5M
(RD WIDTHS NOTED)

RESIDENTIAL
TOTAL AREA: 274,726M²

20M APZ
TOTAL AREA: 12,872M²

STRM WTR TOTAL AREA: 8,138M²
4,043M² OF THIS LOCATED EXTERNAL TO CURRENT PRECINCT 9 BOUNDARY (*)

PARK OPEN SPACE
TOTAL AREA: 25,996M²

ENVIRONMENTAL
TOTAL AREA: 15,923M²
(FALLS OUTSIDE PRECINCT 9 BOUNDARY)

PROJECT TITLE
COBAKI

DRAWING TITLE
PRECINCT 9 AND 10

BASES: SEDGMAN | MICHEL GROUP SERVICES

NO	DATE	REVISION	BY
V20	APRIL	LAYOUT RFI RESPONSE	JB
V21	APRIL	LAYOUT RFI RESPONSE	JB
V22	MAY	LAYOUT RFI RESPONSE	JB

SCALE: 1:2000 AT A1 | 1:4000 AT A3	DATE: APRIL 2016
DESIGN: JB	CHECKED: BS
DRAWN: JB	DRAWING NO: COBAKI_P9_10_2016_V21_DA 1

LEDA

0M 50M 100M 200M

NORTH

Level 2247 Gold Coast Highway
Nobby Beach
PO Box 206 QLD 4218

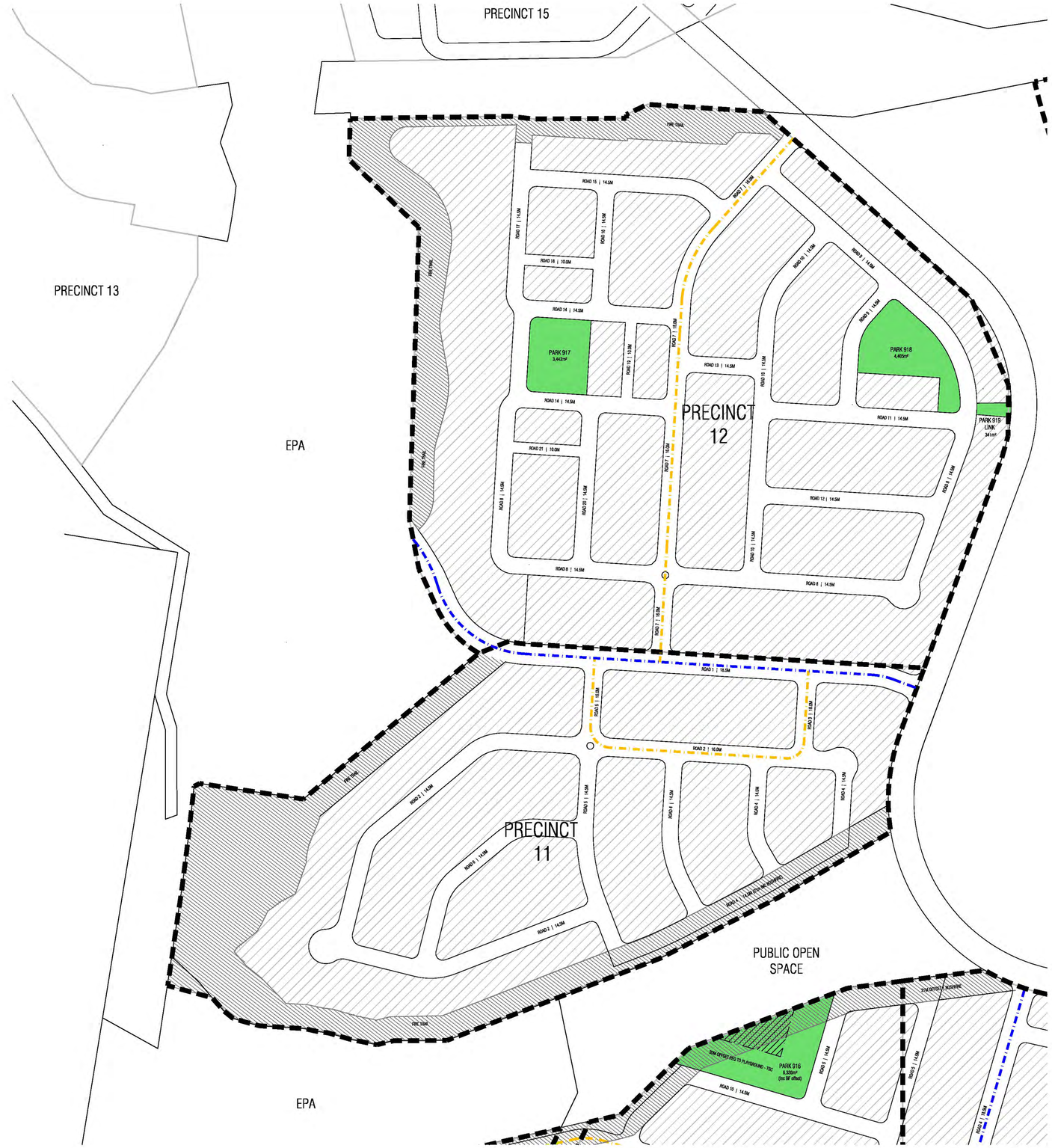
Telephone: 07 5526 1500
Fax: 07 5526 1502
Email: admin@planitconsulting.com.au

PLANIT CONSULTING

PRECINCT 11 & 12

THIS IS THE PLAN REFERRED TO IN DEVELOPMENT CONSENT NO. DA15/1026

TWEED SHIRE COUNCIL



ROAD TYPE 2 16.0M
(RD WIDTHS NOTED)

ROAD TYPE 3 18.5M
(RD WIDTHS NOTED)

ALL OTHERS ROADS ARE ROAD TYPE 1 14.5M
(RD WIDTHS NOTED) UNLESS OTHERWISE NOTED

RESIDENTIAL
TOTAL AREA: 234,042M²

PARK OPEN SPACE
TOTAL AREA: 8,188M²

PROJECT TITLE COBAKI	
DRAWING TITLE PRECINCT 11 AND 12	
BASES: SEDGMAN | MICHEL GROUP SERVICES	

NO	DATE	REVISION	BY
V20	APRIL	LAYOUT RFI RESPONSE	JB
V21	APRIL	LAYOUT RFI RESPONSE	JB
V22	MAY	LAYOUT RFI RESPONSE	JB

SCALE: 1: 2000 A1 | 1:4000 A3	DATE: APRIL 2016
DESIGN: JB	CHECKED: BS
DRAWN: JB	DRAWING NO: COBAKI_P11_12_2016_V21_DA 1

LEDA

NORTH

Level 2247 Gold Coast Highway
Nobby Beach
PO Box 206 QLD 4218

Telephone: 07 5526 1500
Fax: 07 5526 1502
Email: admin@planitconsulting.com.au

PLANIT CONSULTING

EARTHWORKS STAGING	
STAGE	AREA (ha)
1	4.5
2	4.2
3	4.8
4	5.0
5	5.0
6	3.9
7	4.9
8	4.4
9	4.7
10	4.4
11	4.90
12	4.90
13	5.00
SCRIBBLY GUM - STAGE 1	2.208
SCRIBBLY GUM - STAGE 2	2.335

× EACH STAGE TO BE STABILISED PRIOR TO THE NEXT STAGE COMMENCING.

SILT MANAGEMENT PROGRAM

PHASE	DESCRIPTION
ALL WORKS	• SILT FENCES TO BE ERECTED ALONG TOE OF FILL BATTERS OR AS DIRECTED BY SUPERINTENDENT.
ROADWORKS	• MEASURES ARE TO BE TAKEN TO PREVENT SILT INGRESS TO STORMWATER SYSTEM.
MAINTENANCE PERIOD	• EROSION CONTROL MEASURES ARE TO BE INSPECTED AFTER MAJOR EVENTS (> 25mm). ANY REPAIRS REQUIRED ARE TO BE EFFECTED IMMEDIATELY.

THIS IS THE PLAN REFERRED TO IN DEVELOPMENT CONSENT NO. DA15/1026

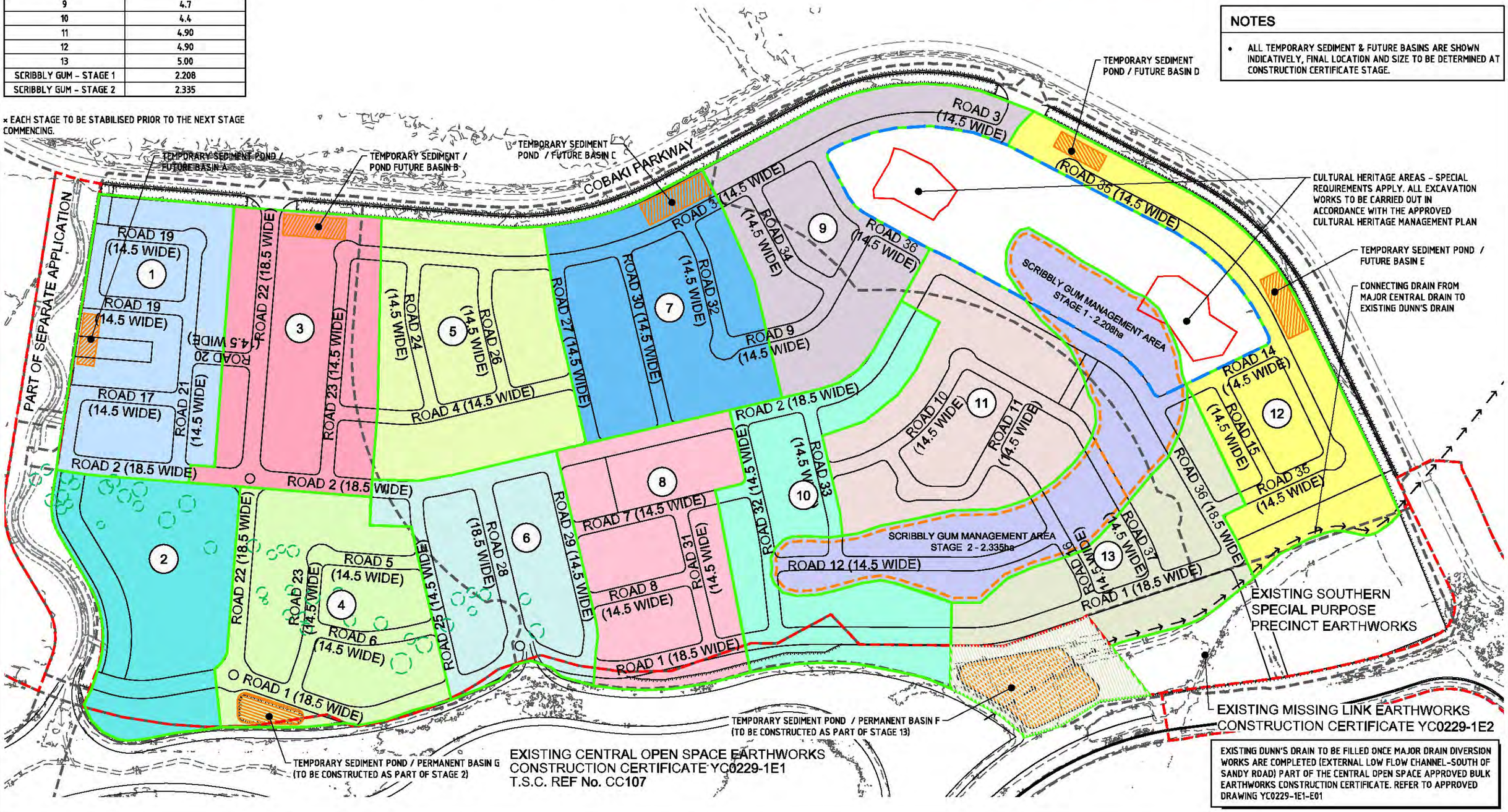
TWEED SHIRE COUNCIL

LEGEND

- NOMINAL KERB LINE
- EARTHWORKS STAGE BOUNDARY
- PRECINCT BOUNDARY
- SWAMP SCLEROPHYLL LOCATIONS
- SCRIBBLY GUM MANAGEMENT AREA
- SITE BOUNDARY

NOTES

- ALL TEMPORARY SEDIMENT & FUTURE BASINS ARE SHOWN INDICATIVELY, FINAL LOCATION AND SIZE TO BE DETERMINED AT CONSTRUCTION CERTIFICATE STAGE.



EXISTING DUNN'S DRAIN TO BE FILLED ONCE MAJOR DRAIN DIVERSION WORKS ARE COMPLETED (EXTERNAL LOW FLOW CHANNEL-SOUTH OF SANDY ROAD) PART OF THE CENTRAL OPEN SPACE APPROVED BULK EARTHWORKS CONSTRUCTION CERTIFICATE. REFER TO APPROVED DRAWING YC0229-1E1-E01

REV	DESCRIPTION	DRAWN	DATE
C	RESPONSE TO COUNCIL R.F.I.	M.G.	24.05.16
B	EARTHWORKS AMENDED	M.G.	15.04.16
A	ORIGINAL ISSUE	S.O.	17.11.15

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SCALE (AT ORIGINAL SHEET SIZE) 20 10 0 20 40 60 80 100 1:2000

ORIGINAL SHEET SIZE A1

CLIENT LEDA

PROJECT COBAKI, TWEED HEADS WEST PRECINCT 6, 7, 8, 9, 10, 11 & 12 DEVELOPMENT APPLICATION

STAGE / PHASE DEVELOPMENT APPLICATION NOT FOR CONSTRUCTION

SEDGMAN
LEVEL 1, 193 FERRY ROAD SOUTHPORT QLD 4215 AUSTRALIA
T 07 5558 4200 consult@sedgman.com www.sedgman.com/sedgman-consulting

TITLE BULK EARTHWORKS STAGING PLAN SHEET 1 OF 3

TASK	BY	INITIAL	DATE
REVIEW	C.S.		17.11.15
DESIGN	S.B.		17.11.15
DRAWN	S.O.		17.11.15

APPROVED RPEQ No

DRAWING NUMBER A443-BE-0-0101 REVISION C

EARTHWORKS STAGING	
STAGE	AREA (ha)
14	4.6
15	3.7
16	4.9
17	4.7
18	5.0
19	3.7
20	4.5
21	3.9
22	4.5
23	3.7

× EACH STAGE TO BE STABILISED PRIOR TO THE NEXT STAGE COMMENCING.

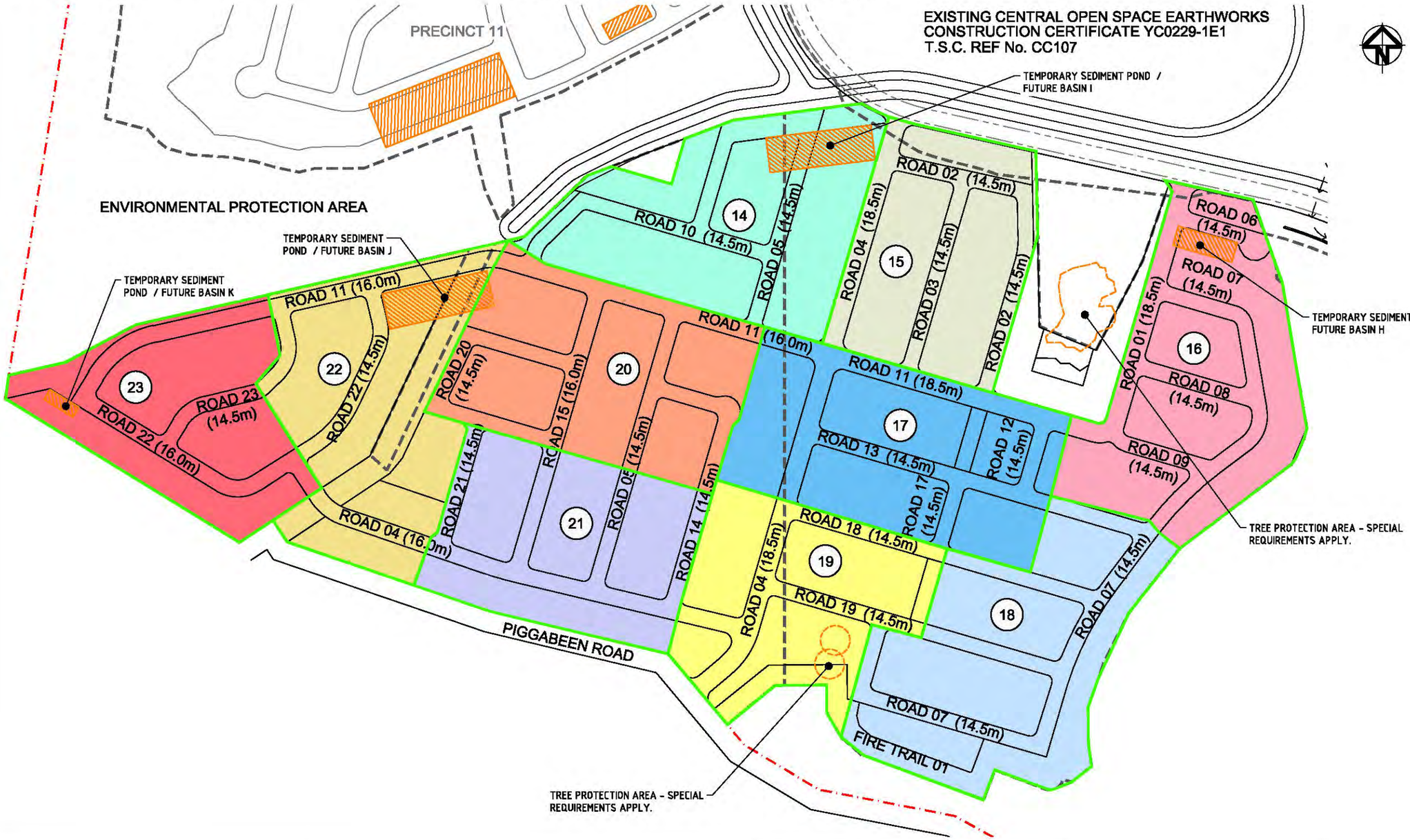
THIS IS THE PLAN REFERRED TO IN DEVELOPMENT CONSENT NO. DA15/1026

TWEED SHIRE COUNCIL

NOTES

- FOR EARTHWORKS STAGING LEGEND & NOTES REFER TO DWG. No. A443-BE-0-0101

FOR CONTINUATION REFER TO DWG A443-BE-0-0103



REV	DESCRIPTION	DRAWN	DATE
C	RESPONSE TO COUNCIL R.F.I.	M.G.	24.05.16
B	EARTHWORKS AMENDED	M.G.	15.04.16
A	ORIGINAL ISSUE	S.O.	17.11.15

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DRAWING IS NOT TO BE SCALED

SCALE (AT ORIGINAL SHEET SIZE) SCALE 20 10 0 20 40 60 80 100 1:2000

ORIGINAL SHEET SIZE A1

CLIENT LEDA

PROJECT
COBAKI, TWEED HEADS WEST
PRECINCT 6, 7, 8, 9, 10, 11 & 12
DEVELOPMENT APPLICATION

STAGE / PHASE DEVELOPMENT APPLICATION NOT FOR CONSTRUCTION

SEDGMAN
LEVEL 1, 193 FERRY ROAD SOUTHPORT QLD 4215 AUSTRALIA
T 07 5558 4200 consult@sedgman.com www.sedgman.com/sedgman-consulting

TITLE
BULK EARTHWORKS STAGING PLAN
SHEET 2 OF 3

TASK	BY	INITIAL	DATE
REVIEW	C.S.		17.11.15
DESIGN	S.B.		17.11.15
DRAWN	S.O.		17.11.15

APPROVED RPEQ No

DRAWING NUMBER A443-BE-0-0102 REVISION C

EARTHWORKS STAGING	
STAGE	AREA (ha)
24	5.0
25	5.0
26	5.0
27	4.3
28	4.6
29	4.8
30	3.6
31	4.7

× EACH STAGE TO BE STABILISED PRIOR TO THE NEXT STAGE COMMENCING.

NOTES

- FOR EARTHWORKS STAGING LEGEND & NOTES REFER TO DWG. No. A443-BE-0-0101

THIS IS THE PLAN REFERRED TO IN DEVELOPMENT CONSENT NO. DA15/1026

TWEED SHIRE COUNCIL

FOR CONTINUATION REFER TO DWG A443-BE-0-0102

REV	DESCRIPTION	DRAWN	DATE
C	RESPONSE TO COUNCIL R.F.I.	M.G.	24.05.16
B	EARTHWORKS AMENDED	M.G.	15.04.16
A	ORIGINAL ISSUE	S.O.	17.11.15

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SCALE (AT ORIGINAL SHEET SIZE) SCALE 20 10 0 20 40 60 80 100 1:2000

ORIGINAL SHEET SIZE A1

CLIENT LEDA

PROJECT
COBAKI, TWEED HEADS WEST
PRECINCT 6, 7, 8, 9, 10, 11 & 12
DEVELOPMENT APPLICATION

STAGE / PHASE DEVELOPMENT APPLICATION NOT FOR CONSTRUCTION

SEDGMAN
LEVEL 1, 193 FERRY ROAD SOUTHPORT QLD 4215 AUSTRALIA
T 07 5558 4200 consult@sedgman.com www.sedgman.com/sedgman-consulting

TITLE
BULK EARTHWORKS STAGING PLAN
SHEET 3 OF 3

TASK	BY	INITIAL	DATE
REVIEW	C.S.		17.11.15
DESIGN	S.B.		17.11.15
DRAWN	S.O.		17.11.15

APPROVED RPEQ No

DRAWING NUMBER A443-BE-0-0103

REVISION C

Major Project MP06/0316

Concept Approval

Section 75O of the *Environmental Planning and Assessment Act 1979*

I, the Minister for Planning, pursuant to Part 3A of the *Environmental Planning & Assessment Act 1979* (Act), determine:

a. Under section 75O of the Act, to approve the concept plan referred to in Schedule 1 subject to the modifications in Schedule 2 and the proponent's Statement of Commitments in Schedule 3;

b. Under section 75P(1)(a) of the Act, that further environmental assessment be subject to the requirements set out in Schedule 2; and

c. Under section 75P(1)(b) of the Act, that approval to carry out the project, other than the central open space and Precinct 5, be subject to Part 4 or 5 of the Act, as relevant.

The modification and further assessment requirements are required to:

- Encourage the orderly future development of the site;
- Ensure adequate mitigation of environmental impacts of future development; and
- Ensure protection and restoration of threatened species and their habitat.

Tony Kelly

The Hon Tony Kelly MLC
Minister for Planning

Sydney, - 6 DEC 2010 2010

SCHEDULE 1

PART A—TABLE

Application made by:	Leda Manorstead Pty Ltd
Application made to:	Minister for Planning
Project Application Number:	06_0316
On land comprising:	Cobaki Lakes, Lot 1 DP 570076, Lot 2 DP 566529, Lot 1 DP562222, Lot 1 DP 570077, Lot 1 DP 823679 and Lots 46,54, 55, 199, 200, 201, 202, 205, 206, 209, 228 and 305 DP 755740
Local Government Area	Tweed
For the carrying out of:	• Residential development for approximately 5,500 dwellings; • Town Centre and neighbourhood centre for future retail and commercial uses; • community facilities and school sites; • open space; • wildlife corridors; • protection and rehabilitation of environmentally sensitive land; • road corridors and utility services infrastructure; • water management areas; and • roads and pedestrian and bicycle network.

PART B—NOTES RELATING TO THE DETERMINATION OF MP NO. 06_0316

Responsibility for other consents / agreements

The Proponent is solely responsible for ensuring that all additional consents and agreements are obtained from other authorities, as relevant.

Appeals

The Proponent has the right to appeal to the Land and Environment Court in the manner set out in the *Environmental Planning and Assessment Act 1979* and the *Environmental Planning and Assessment Regulation 2000.*

Tweed Shire Council Consents

This concept plan does not affect DA 92/315, DA 94/438, DA S94/194, DA 96/271, DA S97/54, DA K99/1124 or DA 1262/2001 approved by Tweed Shire Council.

PART C—DEFINITIONS

In this approval,

Act means the *Environmental Planning and Assessment Act 1979.*

Advisory Notes means advisory information relating to the approved development but do not form a part of this approval.

BCA means Building Code of Australia.

Council means Tweed Shire Council.

DECCW means the Department of Environment Climate Change and Water.

Department means the Department of Planning.

Director-General means the Director-General of the Department or his/her nominee.

Environmental Assessment means the Environmental Assessment prepared by JBA Urban Planning Consultants Pty Ltd and dated December 2008, including all Appendices.

Minister means the Minister for Planning.

Project means the project as described in Term A1 to this approval.

PCA means a Principal Certifying Authority and has the same meaning as Part 4A of the Act.

Preferred Project Report means the Preferred Project Report prepared by JBA Urban Planning Consultants Pty Ltd dated October 2009 and the Addendum dated June 2010.

Proponent means Leda Manorstead Pty Ltd or any party acting upon this approval.

Regulation means the *Environmental Planning and Assessment Regulation 2000*.

Subject Site has the same meaning as the land identified in Part A of this schedule.

SCHEDULE 2

MODIFICATIONS AND REQUIREMENTS FOR FUTURE APPLICATIONS

PART A—TERMS OF CONCEPT APPROVAL

A1 Project Description

Concept plan approval is granted for the Cobaki Estate project as described below:

- Residential development for approximately 5,500 dwellings;
- Town Centre and neighbourhood centre for future retail and commercial uses;
- community and education facilities;
- open space;
- wildlife corridors;
- landscaping and vegetation management;
- environmental protection areas and rehabilitation of environmentally sensitive land;
- water management areas;
- roads, bicycle and pedestrian network; and
- utility services infrastructure.

A2 Project in Accordance with Plans

The project is to be undertaken generally in accordance with the following drawings:

Design, Landscape and Survey Drawings			
Drawing No.	**Revision**	**Name of Plan**	**Date**
LED006/ SK 01.01	RR	Concept Plan-for Cobaki	23 September 2010
LED006/SK01.02	CC	Development Matrix	23 September 2010
LED006/ SK 01.03	FF	Cobaki Lakes Height Controls	23 September 2010
LED006/ SK 01.05	EE	Cobaki Lakes Access Network Plan and Potential Bus Route	23 September 2010
LED006/ SK 01.07	P	Cobaki Lakes Open Space Network Plan	23 September 2010
LED006/ SK 01.09	BB	Precinct Location Plan	23 September 2010
LED006/SK 01 06	I	Road Hierarchy Plan	11 June 2010
6400-184C Sheets 1 &2		Cobaki Lakes AreasTo Be Protected By Covenant	13/9/2010

except for:

(1) any modifications which may be necessary for the purpose of compliance with the BCA and any Australian Standards incorporated in the BCA;

(2) otherwise provided by the terms of this approval.

A3 Project in Accordance with Documents

The project is to be undertaken generally in accordance with the following documents:

Environmental Assessment

(1) Cobaki Lakes Estate Concept Plan Environmental Assessment Report prepared by JBA Urban Planning Consultants P/L, Volumes 1, 2, 3 and 4 December 2008.

Preferred Project Report

(2) Preferred Project Report prepared by JBA Urban Planning Consultants P/L, Volumes 1, 2 and 3, October 2009.

(3) Addendum to Preferred Project Report prepared by JBA Urban Planning Consultants P/L, June 2010

Additional Information

(4) Final Cobaki Lakes Aboriginal Cultural Heritage Assessment prepared by Everick Heritage Consultants P/L, April 2010.

(5) Final Cobaki Lakes Cultural Heritage Management Plan prepared by Everick Heritage Consultants P/L, April 2010.

(6) Revised Site Regeneration and Revegetation Plan prepared by James Warren and Associates P/L, October 2010.

(7) Revised Saltmarsh Rehabilitation Plan prepared by James Warren and Associates P/L, October 2010.

(8) Revised Freshwater Wetland Rehabilitation Plan prepared by James Warren and Associates P/L, October 2010.

(9) Cobaki Estate Development Code.

(10) Final Statement of Commitments, 4 November 2010.

A4 Inconsistencies

(1) In the event of any inconsistency between:

a) The terms of this approval and the Statement of Commitments (at Schedule 3), the terms of this approval prevail;

b) The terms of this approval and the drawings/documents referred to in A3 and A4, the terms of this approval prevail; and

c) Any drawing/document listed in A2 and A3 and any other drawing/document listed in A2 and A3, the most recent document shall prevail to the extent of the inconsistency.

(2) If there is any inconsistency between this concept plan approval and any project approval or development consent, this concept plan approval shall prevail to the extent of the inconsistency.

A5 Limits of approval

Lapse Provision

This concept plan approval shall lapse five (5) years after the date this concept approval is endorsed by the Minister, unless works the subject of any related application are physically commenced, on or before that lapse date. The Director-General may extend this lapse date if the proponent demonstrates to the satisfaction of the Director-General that the project remains current, appropriate and reflective of the best use of the site at the date the approval would otherwise lapse.

PART B—MODIFICATIONS TO THE CONCEPT PLAN

B1 Flora and Fauna Monitoring Report

Within 12 months of this approval, or as otherwise determined by the Director-General, the Proponent shall prepare a draft outline of a Flora and Fauna Monitoring Report to the satisfaction of the Director-General. The aim of the report is to collate and synthesise all monitoring and reporting requirements contained in the documents listed in A3.

The draft outline of the Flora and Fauna Monitoring Report shall set out the proposed timeframe and duration for ongoing monitoring with reference to locations within the Cobaki Estate, stages of development and the specific issues listed below.

The draft outline of the Flora and Fauna Monitoring Report shall be prepared by a suitably qualified person/s and include, but not be limited to:

(1) Aims, objectives and methodology for monitoring and reporting;

(2) Baseline monitoring data focusing on existing populations of threatened species, including Wallum frog species;

(3) Performance criteria against which the effectiveness of the various separate management plans, required as part of this approval, dealing with fauna, buffers, weeds, vegetation, Scribbly Gums, and saltmarsh and freshwater wetlands can be measured. Relevant benchmark reference vegetation communities are to be nominated from within surrounding conservation estates;

(4) Actual performance against the above criteria;

(5) Any required corrective actions;

(6) Monitoring and reporting of fauna usage within the Environmental Projection zones; and

(7) Adaptive management procedures to ensure that the various separate management plans remain relevant and effective.

The Monitoring Reports are to be provided to the Department of Planning, DECCW, Tweed Shire Council and Industry and Investment – Fisheries.

PART C— REQUIREMENTS FOR FUTURE APPLICATIONS

Pursuant to sections 75P(1)(a) and 75P(2)(c) of the Act the following requirements apply, as relevant, with respect to future stages of the project to be assessed under Parts 3A, 4 or 5, as relevant, of the Act:

C1 Plan of Development

A Plan of Development must be submitted with each future application for subdivision on the Cobaki Estate site. The Plan of Development must, at a minimum, include the following information:

(1) Location and width of Asset Protection Zones.

(2) Level of construction required for dwellings/buildings adjacent to Asset Protection Zones in accordance with *Planning for Bushfire Protection 2006 and Australian Standard 3959 – 1999 – Construction of Building in Bushfire Prone Areas.*

(3) Type of development permissible on each lot, eg: zero lot housing, plex housing, etc.

(4) Fill and finished floor levels requirements on flood prone lots in accordance with the requirements of Tweed Shire Council's *Development Control Plan – Section A3 – Flood Liable Land* (or any replacement document).

(5) All other matters specified for Subdivision in the Cobaki Development Code.

C2 Implementation of Part B of the Cobaki Development Code

All future project/development applications for residential subdivision or for the construction of dwellings or commercial premises must demonstrate consistency with Part B of the Cobaki Development Code.

C3 Housing Densities

All future applications for each stage of development for residential subdivision are to provide a plan which:

(1) Details the mix of densities in each precinct;

(2) Demonstrates adoption of the neighbourhood planning principles in the Far North Coast Regional Strategy;

(3) Details the objectives for the location of housing of various densities;

(4) Details the proposed number and size of dwellings in each stage and precinct;

(5) Details sites for seniors housing and support facilities;

(6) Demonstrates the implementation of the levels of accommodation provided for in the approved concept plan;

(7) Details sites for higher density development; and

(8) Details discussions with Tweed Shire Council.

C4 Management and Restoration Plans

(1) All future applications are to include, where relevant, stage-specific management plan updates to the Site Regeneration and Revegetation Plan, Freshwater Wetland Rehabilitation Plan, Fauna Management Plan, Vegetation Management Plan, Scribbly Gum Management Plan, Principal Buffer Management Plan, Landscape Concept Plan, Stormwater Concept Plan, Cultural Heritage Management Plan, Preliminary Acid Sulfate Soils Management Plan providing, where relevant, details on

timelines for implementation of recommended works including maintenance periods, funding arrangements and measurable performance and completion criteria.

Each plan is to consider all other existing plans for the site to ensure management strategies do not conflict and each plan can be implemented without negatively impacting on the objectives of another.

(2) Construction Environmental Management Plan (CEMP)

All future applications are to include stage-specific CEMPs that detail measures to address the impacts of construction including, but not limited to: erosion and sediment control (in accordance with *Managing Urban Stormwater–Soils & Construction Version 4, Landcom 2004, or the latest version)*; protection of fauna (generally in accordance with the Fauna Management Plan – Cobaki Lakes PPR 2009); groundwater and acid sulfate soils; and, protection of trees and vegetation to be retained (generally in accordance with the Vegetation Management Plan, Cobaki Lakes PPR 2009).

(3) Restoration Plans

Detailed regeneration and revegetation plans for each Rehabilitation and Management Precinct as detailed in the Site Regeneration and Revegetation Plan (SRRP) are to be prepared as per the SRRP.

These detailed plans for each Rehabilitation and Management Precinct, as well as the Revised Saltmarsh Rehabilitation Plan and Freshwater Wetland Rehabilitation Plan are to include, but not be limited to:

a. performance objectives detailing measurable performance and completion criteria;

b. Detailed planting species list, composition and density for each vegetation community and, for EECs to be rehabilitated, this is to include ground, mid and canopy species and species composition must be benchmarked against a reference EEC community;

c. Details on creek bank erosion management;

d. timing and responsibilities; and

e. developer maintenance period reflecting completion criteria.

(4) Buffer Management Plan

The stage-specific Buffer Management Plans are to be prepared as per the Overview Buffer Management Plan – Cobaki Lakes – Preferred Project Report (James Warren & Associates 2009) including, but not limited to, rehabilitation and revegetation strategies, bushfire protection measures, weed management, fencing, biodiversity and water quality monitoring and reporting.

(5) Flora and Fauna Monitoring Plan

Updates to the Flora and Fauna Monitoring Report are to be provided in accordance with the draft outline to be approved by the Director-General.

C5 Groundwater and Acid Sulfate Soils Assessment

(1) In order to ensure the protection of groundwater quality and the water quality of Cobaki Creek and Broadwater, a detailed Acid Sulfate Soils (ASS) assessment and ASS Management Plan (ASSMP), if required, addressing groundwater and acid sulfate soils must be submitted prior to issue of the construction certificate for the central open space and prior to issue of future precinct earthworks construction certificates. The ASS assessment report must be carried out generally in accordance with the ASSMAC Guidelines (1988) by a suitably qualified person and must contain the following information, as a minimum:

a. A plan showing the locations of all monitoring and test points (boreholes, test pits, wells/groundwater sampling, soils sampling, surface water sampling, monosulfides sampling etc);

b. Plots of water level and quality with time;

c. Spatial and depth distribution of ASS soils, corrected to include TAA plus oxidisable sulphur, and using the ASSMAC recommended action level (>18 mols H+/t) for the site. This should also address the inferred soft ASS marine clays present beneath the sand ridge;

d. Typical treatment levels/distribution of AASS and PASS soils on site (where investigated), to current/correct standards;

e. A detailed ASSMP with actions for determining ASS conditions ahead of excavation, handling of groundwater levels and quality, detailed management procedures for surface waters and flood routing, interaction (short and long term) of the groundwater with surface water in order to prevent the formation of monosulfides, materials evaluation and handling, materials balance, stockpile treatment, validation testing, monitoring systems with trigger levels, contingency actions, protection for structural elements, evaluation of off-site impacts etc.

(2) All future applications where the use of groundwater or the interception of the groundwater table is proposed, the proponent, after consulting with the NSW Office of Water, is to submit detailed Site Water and Groundwater Management and Monitoring Plans, supported by baseline groundwater monitoring conducted for an appropriate period, for the approval of the relevant consent authority prior to the issue of a construction certificate.

C6 Stormwater Management

(1) A detailed stormwater management plan must be submitted with each project/development application for subdivision of each precinct in the concept plan generally in accordance with the Stormwater Quality Concept Plan – Cobaki Lakes Development – September 2010 Revision 02 – Yeats. The Stormwater Management Plan must address and outline measures, based on Water Sensitive Urban Design Principles which address impacts on the surrounding environment, drainage and water quality controls for the catchment at construction, maintenance and operational stages. The stormwater management plans are to be submitted to the satisfaction of the Council following consultation with the DECCW, NSW Office of Water and Industry and Investment (Fisheries).

(2) Each stormwater management plan is to include groundwater considerations, a detailed design layout plan for the preferred stormwater treatment train showing location, size and key functional elements of each part of the system. MUSIC modelling, or equivalent, must be undertaken to demonstrate appropriate water quality objectives are being achieved.

(3) All future project/development applications for subdivision of each precinct in the concept plan are to demonstrate, through the provision of monitoring and adaptive management plans and commitments, that any proposed surface water/stormwater pollution reduction devices will be monitored to determine their pollutant removal efficiencies and the need for further treatment of drainage to ensure the preservation of water quality in Cobaki Creek and Cobaki Broadwater.

C7 Geotechnical Assessments

(1) In order to ensure the stability of development lots, a detailed geotechnical assessment prepared by a suitably qualified person must be submitted with each future development application for subdivision. The assessments must, at a minimum, include the following:

a. A geotechnical map of the site clearly showing ground surface contours, geotechnical engineering soil types and geotechnical hazards. The delineation of hazards should include hazard locations and possible hazard impact areas. That map should be occupied by an explanatory text describing the nature and delineation of soil types and hazard types. The map and text should be prepared by a suitably experienced geotechnical practitioner; and

b. A synthesis site plan clearly showing ground surface contours and the locations of all test pits, boreholes and monitoring wells drilled on the site to date.

(2) Any hillside construction must be in accordance with 'Some Guidelines for Hillside Construction and Practice', Appendix G of *Landside Risk Management* by Australian Geomechanics 2002.

C8 Bushfire Assessment

In order to ensure the protection of property and assets, a detailed bushfire assessment and management plan, prepared by a suitably qualified person, must be submitted with each future project/development application for subdivision. The assessment must, at a minimum, demonstrate consistency with the requirements of *Planning for Bushfire Protection 2006.* All asset protection zones must be clearly specified on the Plan of Development and all affected lots are to be encumbered to this effect with a Section 88B instrument under the *NSW Conveyancing Act 1919.*

C9 Flooding and Climate Change

(1) In order to ensure the protection of life and property during a flood event, a comprehensive flood assessment of the site must be submitted with the first project/development application for residential subdivision. The flood assessment must have regard to the following elements to determine the new flood planning level for Cobaki Estate:

a. a sea level rise scenario of 0.90 metres;
b. a 10% increase in rainfall intensity for sensitivity testing;
c. the detailed flood modelling results from the Tweed Valley Flood Study; and
d. consideration of freeboard of 0.5 metres.

(2) All future applications for each stage of development are to incorporate any re-calibrations of the Tweed Shire Council flood model.

(3) A preliminary development landform for the entire site is to be provided with the first project/development application for residential subdivision to allow comprehensive flood modelling to be carried out, but not in such a way as to preclude necessary modifications to land forms in subsequent stages of development.

(4) All future applications for residential subdivision shall provide an updated Design Flood Level Map showing peak flood levels for local and regional flood events at 0.1m contours and a detailed flood impact assessment for all flood liable land.

C10 Affordable Housing

The proponent shall provide, with the first application for residential subdivision, a study to determine the need for affordable housing provision for the Cobaki Estate site. The study shall address the following:

a) The likely future demographics of the population of the Cobaki Estate site and immediate locality by household type, income, employment and tenure;

b) The need for affordable housing both for rental and purchase in the Cobaki Estate site and immediate locality;

c) A plan showing possible location/s of affordable housing on the Cobaki Estate site in the various precincts; and,

d) Investigation of mechanisms for the provision of affordable housing, including any role for community housing providers or the potential use of Voluntary Planning Agreements.

The proponent is to consult with Tweed Shire Council and Housing NSW -Centre for Affordable Housing in the preparation of the study.

C11 Traffic Management

In order to ensure that the capacity of the surrounding external road network in both Queensland and New South Wales is not exceeded, each future project/development application for subdivision must be accompanied by a detailed traffic assessment in accordance with the RTA's *Guide to Traffic Generating Developments*. The traffic assessment must take into account both the additional traffic from the Cobaki Estate development as well as the cumulative impacts of any new developments in the Tweed Shire and the Gold Coast City Council area.

All traffic assessments undertaken that reveal traffic impacts requiring mitigation on the Queensland road system shall be referred to Queensland authorities for comment. Traffic management works required by the development on the Queensland side of the State's border shall be undertaken in accordance with the requirements of the Queensland authorities and/or deeds with those authorities.

C12 Road Traffic Noise Impact Assessment

In order to determine appropriate noise attenuation requirements adjacent to the Cobaki Parkway, a road traffic noise impact assessment must be undertaken in accordance with RTA guidelines as part of each project/development application for residential subdivision. Details of noise attenuation measures (buffers, mounds, acoustic walls, construction standards) are to be provided as part of each project/development application for resdientail subdivision.

C13 Open Space

All future applications for subdivision are to demonstrate the provision of an adequate area of active and passive open space in accordance with Council's minimum requirements.

C14 Restrictions on Cats

All future development applications must demonstrate that the keeping of cats within the Cobaki Lakes site shall be totally prohibited and that all residential lots are to be encumbered to this effect with a Section 88B instrument under the *NSW Conveyancing Act 1919*.

C15 Cultural Heritage Management Plan

All future applications for each stage of development are to demonstrate the implementation of the recommendations of the Cultural Heritage Management Plan, including the requirement for site specific management strategies for each of the identified sites of cultural heritage significance as they relate to the area of the application.

C16 Bus Network

All future applications for each stage of development for residential subdivision are to ensure that adequate provision has been made for public transport in accordance with the Cobaki Lakes Access Network Plan and Potential Bus Route Revision EE, dated 23 September 2010.

C17 Contamination Assessment

A Stage 2 Contamination Assessment is to be prepared for Precincts 10 and 17. Each Stage 2 Contamination Assessment is to identify any contamination on site and provide for appropriate mitigation measures in accordance with the provisions of *State Environmental Planning Policy No. 55 – Remediation of Land.*

C18 Tweed Shire Council Development Consents

Future project/development applications for each stage of development are to outline the status of Tweed Shire Council development consents DA 92/315, DA 94/438, DA S94/194, DA 96/271, DA S97/54, DA K99/1124 or DA 1262/2001 and include a detailed description of how these consents relate to the application.

SCHEDULE 3

STATEMENT OF COMMITMENTS

Final Statement of Commitments

Project Component	Environmental Outcome	Commitment	Timing for Completion
1.Concept Plan	1.1 Development is carried out generally in accordance with the approved Concept Plan and Development Code	1.1.1 Every application for subdivision to create separate lots is to include a plan indicating the broader context of the application. This indicative plan will show: ▪ actual and proposed densities by precinct (or other identified nodes); ▪ the distribution or indicative distribution of surrounding open space/parks; ▪ connector roads; and ▪ trunk stormwater drainage.	At each relevant stage of development.
2.Visual impact of development	2.1 Key attributes of the natural visual landscape of the Cobaki Estate site (being the topographical amphitheatre, remnant band of bushland, Cobaki Broadwater forest and wetland, and proposed new central open space precinct) are retained and rehabilitated.	2.1.1 In those areas of the site not proposed for urban development the natural landscape will be retained and rehabilitated where applicable in accordance with the relevant environmental management plans appended to the Concept Plan and Development Code.	At each relevant stage of development.
	2.2 The visual impact of subdivision and building development is managed.	2.2.1 Future project applications and development applications will be generally consistent with the development controls for the detailed design of subdivisions and buildings in each precinct as set out in the Cobaki Development Code.	At each relevant stage of development.
3. Road access	3.1 Road access to the north through Boyd Street and Gold Coast Highway has capacity to accommodate traffic generated by such development that occurs under the Concept Plan.	3.1.1 The proponent will meet its legal obligations assigned in the Boyd Street Road Works Deed between Gold Coast City Council and Calsonic Management Services Pty Ltd dated 8 July 1993.	As specified in the Deed.

Project Component	Environmental Outcome	Commitment	Timing for Completion
		3.1.2 Every subdivision application will be supported by a traffic study demonstrating that Boyd Street has, at the time of the application, sufficient capacity to accommodate the additional traffic generated by the subdivision.	As part of each relevant Project Application or Development Application for subdivision.
		3.1.3 The proponent will meet its obligations in the Deed between it and the State of Queensland acting through the Department of Main Roads dated 3 February 1997 in relation to the construction and use of a signalised intersection between Boyd Street and the Gold Coast Highway.	As specified in the Deed.
		3.1.4 The proponent will meet its legal obligations assigned in the Deed between Tweed Shire Council and Calsonic Management Services Pty Ltd dated 6 August 1993.	As specified in the Deed.
	3.2 Road access to the south through the Cobaki estate and over Cobaki Creek to connect with Piggabeen Road is provided to accommodate traffic generated by the development under the Concept Plan.	3.2.1 The proponent will dedicate to Council all the Cobaki Parkway Road Reserve from the north eastern boundary of the property to Cobaki Creek, in accordance with the approved Concept Plan. The cost of this land dedication, and the manner in which it will be treated as a credit against the proponent's obligations to pay contributions under Section 94, will be in accordance with the Deed between Tweed Shire Council and Calsonic Management Services.	Progressively as the construction of relevant stages of two lanes of Cobaki Parkway is completed and in conjunction with Council accepting handover of each section of road. The initial dedication will be the road reserve from the Boyd Street Overpass to the roundabout between precincts 6 & 7. The proponent will dedicate the balance of the road reserve within five (5) years of the initial dedication.
		3.2.2 The proponent will construct two lanes of Cobaki Parkway, in accordance with Tweed Shire Council's requirements, from the toe of the ramp on the western side of the overpass at the intersection of Boyd Street and the Tugun Bypass to the southern-most roundabout on Cobaki Parkway at its intersection with Sandy Road. These works will be constructed progressively to access each phase of the development as it is released.	At each relevant stage of development

Project Component	Environmental Outcome	Commitment	Timing for Completion
		3.2.3 The proponent will construct two lanes of Cobaki Parkway, in accordance with Tweed Shire Council's requirements, from the southern-most roundabout with Sandy Road to the Cobaki Creek, a two lane bridge over Cobaki Creek and a connection to Piggabeen Road.	In accordance with the proponent's development program, provided that such works shall be completed no later than 12 months after 3000 allotments have been created.
		3.2.4 The proponent shall provide, in the subdivision design of Precincts 9 & 10, for the southern section of Sandy Road to connect to Piggabeen Road in order to provide an alternative connection to Cobaki Parkway.	When the development application or project application is submitted for the subdivision of Precincts 9 & 10.
		3.2.5 Road connection between Cobaki Parkway and Piggabeen Road, either via the Cobaki Creek Bridge or through Precincts 9 & 10, will not be opened to the public for vehicle access until such time as a tick control facility has been installed to the satisfaction of the NSW Department of Primary Industries.	
		3.2.6 The proponent will meet its legal obligations assigned in the Deed between Tweed Shire Council and Calsonic Management Services Pty Ltd dated 6 August 1993. 3.2.7 The proponent will in good faith enter into negotiations with Tweed Shire Council with the objective of completing, if necessary, a Deed between the parties replacing the Deed between Council and Calsonic Management Services Pty Ltd dated 6 August 1993.	As specified in the Deed Upon approval of the Concept Plan
	3.3 Internal roads and access arrangements are designed and constructed to contemporary standards of safety and efficiency.	3.3.1 Internal roads, car parking and loading/ servicing facilities will be designed and constructed in accordance with the Cobaki Development Code. 3.3.2 Direct vehicle access off Cobaki Parkway will be restricted to one left in/left out point serving the Town Centre commercial/retail zone, subject to a supporting traffic report acceptable to Council. No residential lots will have direct vehicle access onto Cobaki Parkway.	As part of each stage of development.

Project Component	Environmental Outcome	Commitment	Timing for Completion
4. Flora and Fauna Management	4.1 Areas of saltmarsh on the site are rehabilitated and protected.	4.1.1 The provisions of the Revised Saltmarsh Rehabilitation Plan, Cobaki Lakes, Preferred Project Report (James Warren & Associates, October 2010) will be implemented.	Commencement of rehabilitation works prior to registration of any plan of subdivision. Works will proceed in a regular manner with the objective of achieving the timeline and milestones set out in the Revised Saltmarsh Rehabilitation Plan.
	4.2 Areas of Scribbly Gum trees are conserved and managed.	4.2.1 The provisions of the Scribbly Gum Management Plan, Cobaki Lakes , Preferred Project Report (James Warren & Associates, 2009g) will be implemented.	Commencement of management works prior to registration of any plan of residential subdivision. Works will continue in accordance with the requirements of the Scribbly Gum Management Plan.
	4.3 Native vegetation is regenerated.	4.3.1 The provisions of the Revised Site Regeneration and Revegetation Plan, Cobaki Lakes , Preferred Project Report (James Warren & Associates, October 2010) will be implemented.	Commencement of rehabilitation works prior to registration of any plan of residential subdivision for adjacent land. Work will then proceed in accordance with the Revised Site Regeneration and Revegetation Plan until they are completed and dedicated to Tweed Shire Council.
	4.4 Removal of native vegetation is appropriately managed.	4.4.1 The provisions of the Vegetation Management Plan, Cobaki Lakes, Preferred Project Report (James Warren & Associates, 2009d) will be implemented.	At relevant stages of development.
	4.5 Threatened fauna species are appropriately managed.	4.5.1 The provisions of the Fauna Management Plan, Cobaki Lakes , Preferred Project Report (James Warren & Associates, 2009e) will be implemented. 4.5.2 The provisions of the SEPP 44 Assessment – Cobaki Lakes - Preferred Project Report (James Warren & Associates, 2009h) will be implemented.	Commencement of works prior to registration of any plan of residential subdivision on or adjacent to the relevant fauna habitat. Works will continue in accordance with the Fauna Management Plan.

Project Component	Environmental Outcome	Commitment	Timing for Completion
	4.6 Areas of native vegetation are protected.	4.6.1 The provisions of the Overview Buffer Management Plan – Cobaki Lakes - Preferred Project Report (James Warren & Associates, 2009i) will be implemented.	Commencement and progress of works prescribed in area-specific Buffer Management Plans prior to registration of any plan of residential subdivision. Works will be completed in accordance with the relevant buffer management plan.
	4.7 Freshwater wetlands are rehabilitated.	4.7.1 The provisions of the Revised Freshwater Wetland Rehabilitation Plan, Cobaki Lakes, Preferred Project Report (James Warren & Associates, October 2010) will be implemented.	Commencement of rehabilitation works prior to registration of any plan of residential subdivision for adjacent land. The works will then proceed in accordance with the Revised Freshwater Wetland Rehabilitation Plan, until they are completed and dedicated to Tweed Shire Council.
	4.8 Offsets will be provided for impacts on Freshwater Wetlands and associated Wallum Froglet habitat, impacts resulting from approved bushfire hazard reduction works within native vegetation areas, and for any impacts on existing trees in the Scribbly Gum Reserve.	4.8.1 The proponent will enter into separate Planning Agreements with DECCW for the offset of the following impacts: - on Freshwater Wetlands and associated Wallum Froglet habitat; - from approved bushfire hazard reduction works within native vegetation areas; and - on existing trees within the Scribbly Gum Reserve should this occur. The proponent will fulfil its obligations in accordance with these Planning Agreements.	Before any works are commenced that may cause or contribute to the relevant impact.

Project Component	Environmental Outcome	Commitment	Timing for Completion
5. Biting Midge & Mosquito Control	5.1 Biting midge and mosquitos are appropriately managed.	5.1.1 The provisions of the Biting Midge & Mosquito Control Plan (Mosquito Consulting Services, May 2008) will be implemented.	Commencement of rehabilitation works prior to registration of any plan of residential subdivision for adjacent land. Works will then proceed in a regular manner with the objective of achieving the timeline and milestones set out in the Biting Midge & Mosquito Control Plan
6. Stormwater and flood management	6.1 Stormwater on the site is appropriately managed.	6.1.1 Stormwater Management Plans, generally in accordance with the Stormwater Quality Concept Plan (Yeats Consulting Engineers, Revision 02, September 2010) and Council's DCP and referenced Development Design Specification D7-Stormwater Quality Version 1.3 will be prepared as part of future Development Applications and Project Applications, and implemented.	
		6.1.2 Water sensitive urban design (WSUD) measures may be implemented generally in accordance with the Stormwater Management Plan (Yeats Consulting Engineers, Revision 02, September 2010) in areas where geotechnical and slope parameters are compatible. Additional road reserve widths shall be provided in accordance with Council's standard road cross-sections to accommodate roadside drainage swales and similar WSUD measures where these are provided.	

Project Component	Environmental Outcome	Commitment	Timing for Completion
		6.1.3 Erosion and sediment control plans shall be prepared and implemented as part of future project and development applications for each stage of development. These plans shall address the construction phase of the subdivision works, as well as interim measures for the subsequent urban development within each precinct, to remain in place until such time as permanent stormwater quality control measures can reasonably operate to the satisfaction of Council.	
		6.1.4 Downstream trunk drainage easements will be registered in favour of Council, and the construction and future construction of downstream trunk drainage infrastructure and its dedication to Council secured to the satisfaction of Council, as part of the subdivision certificate process for each relevant urban precinct. A six (6) month defects liability period for the trunk drainage shall commence at the time of dedication to Council.	
		6.1.5 The proponent will provide safety measures as required by Council around public stormwater drainage infrastructure in all cases where the design of the drainage infrastructure cannot satisfactorily limit risk exposure to members of the public.	As part of the completion of infrastructure works for each stage of development.
	6.2 Flood protection is provided in the design of development.	6.2.1 Development shall be in accordance with Council's DCP Section A3-Development of Flood Liable Land.	
		6.2.2 The proponent will provide a Design Flood Level Map with each development and project application for land subject to flooding in the design flood event (being the 100 year ARI flood event, taking into account climate change impacts 0.9m sea level rise plus 10% increased rainfall intensity). The map will show peak flood levels for local and regional flood events at 0.1m contours. The map will be used as the basis for determining fill and floor levels for adjoining precincts.	
		6.2.3 The proponent will provide detailed flood impact assessments for development and project applications on flood liable land. The flood impact assessment will include updates to the Design Flood Level Map.	As part of development and project applications, where relevant.

Project Component	Environmental Outcome	Commitment	Timing for Completion
7. Groundwater Management	7.1 Groundwater is appropriately managed.	7.1.1 The provisions of the Groundwater Management Plan (Gilbert & Sutherland, April 2008) will be implemented. 7.1.2 Groundwater Management Plans will be provided in relation to each future Development Application or Project Application where the use of groundwater is proposed or where it is proposed to intercept the groundwater table.	Submission of Management Plans prior to approval of earthworks Construction Certificate applications.
8. Management of soils and geotechnical conditions	8.1 Geotechnical conditions are appropriately managed.	8.1.1 The Broadscale Geotechnical Investigation - Cobaki Lakes (Cardno Bowler, February 2010) will be implemented to support earthworks, civil construction and building work.	As part of project applications and development applications for earthworks, civil and building works.
	8.2 Acid sulphate soils (ASS) are appropriately managed.	8.2.1 Detailed ASS investigations and ASS Management Plans will be prepared, for the detailed design and construction of areas of potential acid sulphate soils, and implemented.	Submission of investigation reports and Management Plans prior to approval of Construction Certificate applications.
	8.3 Contaminated sites are appropriately managed.	8.3.1 Detailed contamination assessments of potentially contaminated land will be undertaken, and, if required, Remediation Action Plans implemented. 8.3.2 Site audit statements will be obtained where necessary to verify the remediation of any contaminated land in accordance with relevant NSW guidelines.	As part of project applications and development applications for each relevant stage of development.
9. Bushfire Protection	9.1 Bushfire protection measures are included in development.	9.1.1 Development will comply with the guidelines *Planning for Bushfire Protection 2006.* 9.1.2 Bushfire management plans will be prepared and submitted with all relevant development applications.	As part of project applications and development applications for each relevant stage of development.
10. Interface with surrounding land	10.1 Agricultural buffers, ecological buffers, and appropriate measures for management of generic impacts on and from adjacent land are included in development.	10.1.1 The recommendations of the Agricultural Buffer and Off-Site Impacts Assessment (Gilbert & Sutherland, May 2008) will be implemented.	As part of each stage of development, where relevant.

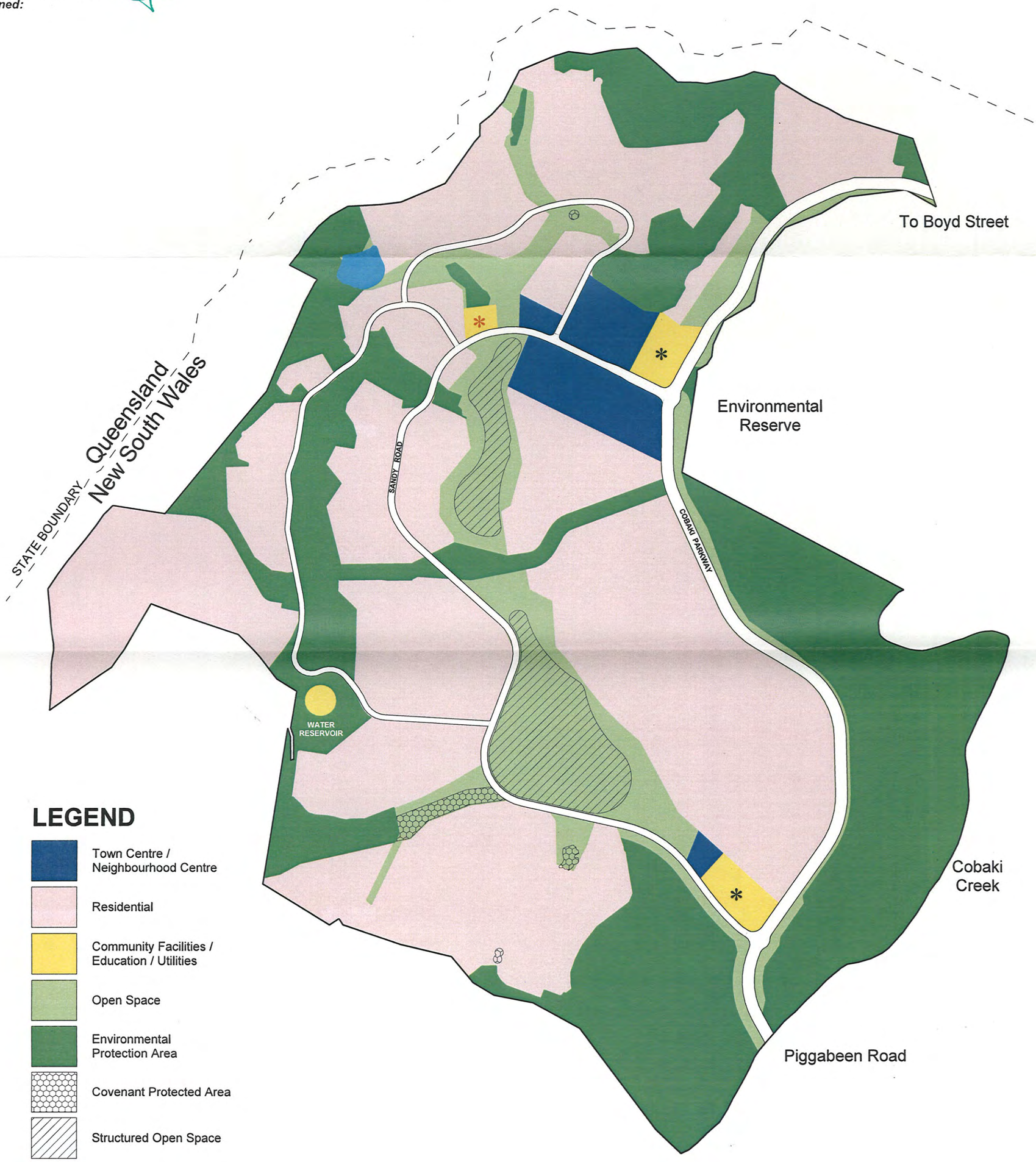
Project Component	Environmental Outcome	Commitment	Timing for Completion
11. Aboriginal Cultural Heritage Conservation	11.1 Aboriginal cultural heritage on the site is appropriately conserved.	11.1.1 The requirements of the Cultural Heritage Management Plan (CHMP) (Everick, April 2010) will be implemented in relevant areas.	All stages of work
12. Road noise	12.1 Dwellings meet residential noise standards.	12.1.1 Future project applications and development applications for subdivision or housing adjacent to subarterial, distributor and connector roads are to include an acoustic report that addresses the potential impacts of road noise, and includes measures to mitigate noise and achieve relevant NSW standards for residential noise levels in dwellings.	As part of each stage of development, where relevant.
13. Ownership and management of open space and environmental protection zones	13.1 The long term ownership and management of open space and Environmental Protection areas is secured	13.1.1 The main central open space corridor on the western side of Cobaki Parkway, being the subject of Project Application No 08-0200, is to be constructed and landscaped in stages. The proponent will offer to dedicate this land to Council in stages, such dedication to occur upon the works being completed.	In accordance with the proponent's development program and relevant Management Plans.
		13.1.2 The environmental protection zone on the eastern side of Cobaki Parkway adjacent to Cobaki Creek is to be rehabilitated, and biting midge and mosquito controlled, in accordance with the relevant Management Plans. The proponent will offer to dedicate this land to Council, such dedication to occur upon the works being completed.	
		13.1.3 The remaining environmental protection-zoned areas adjacent to each development precinct will be rehabilitated and/or landscaped as part of the development of the adjacent development precinct, in accordance with the relevant Management Plans. The proponent will offer to dedicate these areas to Council, such dedications to occur upon the works in respect of each area being completed.	In accordance with the proponent's development program and relevant Management Plans.
		13.1.4 The proponent will offer to execute the relevant covenants in favour of Council in respect of areas identified to be so protected.	In accordance with the proponent's development program and relevant Management Plans.

Project Component	Environmental Outcome	Commitment	Timing for Completion
		13.1.5 The proponent will provide easements or other lawful mechanisms acceptable to Council that are reasonably necessary to enable Council to undertake regular environmental management and/or the maintenance of infrastructure within reserves (including drainage, open space, sewer, water and roads), particularly within areas zoned Environmental Protection.	Prior to the commencement of works in the central open space. In accordance with Council's requirements
14. Tweed Shire Council DCP	14.1 Development at the Cobaki Estate is generally consistent with the Tweed Shire Council DCP and Development Design and Construction Specifications to the extent that the provisions thereof are not inconsistent with the Cobaki Concept Plan and Development Code which take precedence.	14.1.1 Future project applications and development applications are to be generally consistent with the Tweed Shire Council DCP and Development Design and Construction Specifications to the extent that the provisions thereof are not inconsistent with the Cobaki Concept Plan and the Cobaki Development Code.	At each stage of development.

NSW GOVERNMENT | Planning

Major Project Number: ***06_0316*** *approved on* ***6 December 2010*** *by the Minister for Planning, in accordance with the Environmental Planning & Assessment Act 1979, subject to conditions of approval.*
Signed:

Concept Plan



LEGEND

- Town Centre / Neighbourhood Centre
- Residential
- Community Facilities / Education / Utilities
- Open Space
- Environmental Protection Area
- Covenant Protected Area
- Structured Open Space
- Dam
- * Proposed School (approx. 3ha)
- * Proposed Community Facilities

N

0 500m 1000m

Concept Plan *for* LEDA MANORSTEAD PTY LTD ***of* COBAKI, NSW**

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Scale: 1:12000 @ A3 ■ **LED006 / SK 01.01** ■ **Thursday, 23 September 2010** ■ **Issue RR** DFa

Development Matrix

Concept Plan Domain	Development Uses	Total Area		Urban Design Principles
		Leda Owned Land	Proposed Road Closures	
Town Centre/ Neighbourhood Centre	▪ Business premises ▪ Carpark ▪ Child care centre ▪ Community facility ▪ Education establishment ▪ Emergency services facility ▪ Entertainment facility ▪ Environmental facility ▪ Food and drink premises ▪ Funeral chapel ▪ Health services facility ▪ Home business ▪ Hotel or motel accommodation ▪ Information and education facility ▪ Medical centre ▪ Office premises ▪ Place of worship ▪ Pub ▪ Recreation area ▪ Recreation facility (indoor) ▪ Residential care facility ▪ Residential types in Development Code ▪ Restaurant ▪ Retail premises ▪ Roads ▪ Seniors housing ▪ Service station ▪ Shop ▪ Telecommunication facility	17.64 ha	0.65 ha	▪ Urban form controlled by Plan of Development in Precinct approval ▪ Building height controlled by Development Code ▪ Mixed uses are encouraged ▪ Provide legible off-street parking ▪ Create town square focus ▪ Sporting facilities may be shared between schools and community ▪ Buildings facing main streets are encouraged to have active frontages ▪ Pedestrian friendly streetscape with awnings ▪ Create interesting buildings with articulated facades ▪ Screen or conceal passive facades and service areas ▪ Soften visual impact of carpark with landscaping ▪ Incorporate urban art and public streetscaping ▪ Must demonstrate sensitive interface with surrounding development ▪ Ground floor facing main roads must be non residential use ▪ Landscape concept to maintain visibility of retail uses ▪ Incorporate passive surveillance and public safety principles
Residential	▪ Carpark ▪ Child care centre ▪ Community facility ▪ Environmental facility ▪ Exhibition village ▪ Home based child care ▪ Home business ▪ Neighbourhood shop ▪ Recreation area ▪ Recreation facility (indoor) ▪ Recreation facility (outdoor) ▪ Residential care facility ▪ Residential types in Development Code ▪ Roads ▪ Seniors housing	290.47 ha	4.05 ha	▪ Urban form controlled by Plan of Development in Precinct approval and the Development Code ▪ Create diversity of housing choice ▪ Designs must optimise residential amenity, privacy and solar access ▪ Strong streetscape character with articulated setbacks ▪ Incorporate on-site private recreation areas ▪ Garage doors must not dominate streetscape ▪ Incorporate passive surveillance and public safety principles ▪ Incorporate public open space within walkable radius of each dwelling
Community Facilities/ Education/ Utilities	▪ Carpark ▪ Child care centre ▪ Community facility ▪ Education establishment ▪ Environmental facility ▪ Information and education facility ▪ Kiosk ▪ Place of worship ▪ Recreation area ▪ Recreation facility (indoor) ▪ Recreation facility (outdoor) ▪ Roads ▪ Telecommunication facility ▪ Water storage facility	8.04 ha	0.31 ha	▪ Locate school buildings with integrated parking and shared facilities ▪ Provide adequate safe setdown areas ▪ Sporting facilities may be shared between schools and community ▪ Must demonstrate sensitive interface with surrounding development ▪ Enhance community education on surrounding environment
Public Open Space	▪ Carpark ▪ Community facility ▪ Environmental facility ▪ Food and drink premises ▪ Kiosk ▪ Recreation area ▪ Recreation facility (indoor) ▪ Recreation facility (outdoor) ▪ Roads ▪ Sewage reticulation system	88.84 ha	1.41 ha	▪ Include range of active and passive uses ▪ Incorporate community facilities appropriate to residents' needs such as ovals, amenities and carparking ▪ Sporting facilities may be shared between schools and community ▪ Incorporate stormwater path and treatment
Environmental Protection Area	▪ Environmental facilities ▪ Roads ▪ Water storage facility	188.27 ha	5.77 ha	▪ Incorporate low-impact community trails for public and service access ▪ Provide linkages in accordance with the Pedestrian and Cycle Network Plan
Total Area		593.26 ha	12.19 ha	

Note: Areas are subject to final design and survey

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Height Controls

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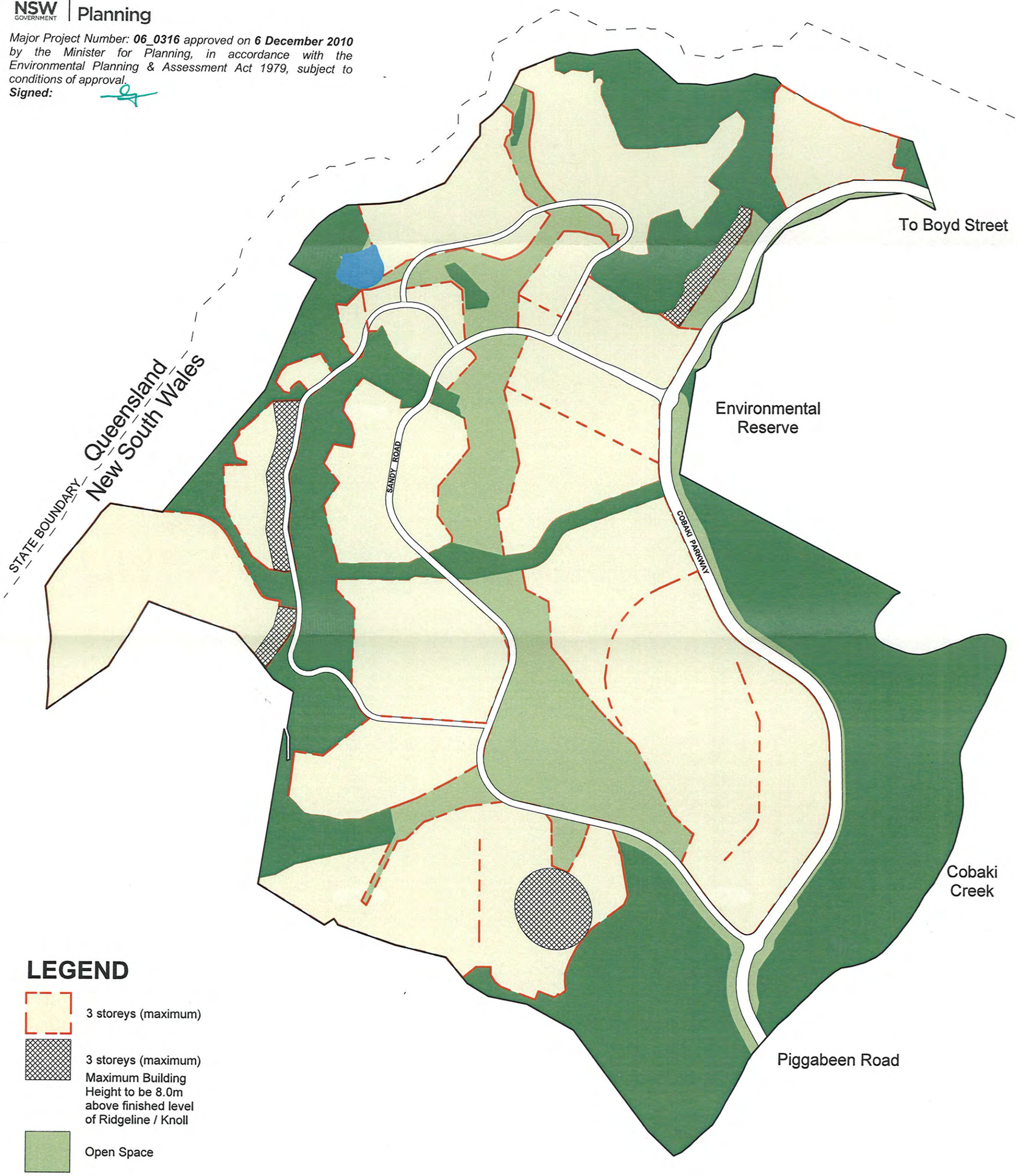
Major Project Number: ***06_0316*** *approved on* ***6 December 2010*** *by the Minister for Planning, in accordance with the Environmental Planning & Assessment Act 1979, subject to conditions of approval.*
Signed:



LEGEND

- 3 storeys (maximum)
- 3 storeys (maximum) Maximum Building Height to be 8.0m above finished level of Ridgeline / Knoll
- Open Space
- Environmental Protection Area
- Dam

N

0 500m 1000m

Height Controls *for* LEDA MANORSTEAD PTY LTD ***of* COBAKI, NSW**

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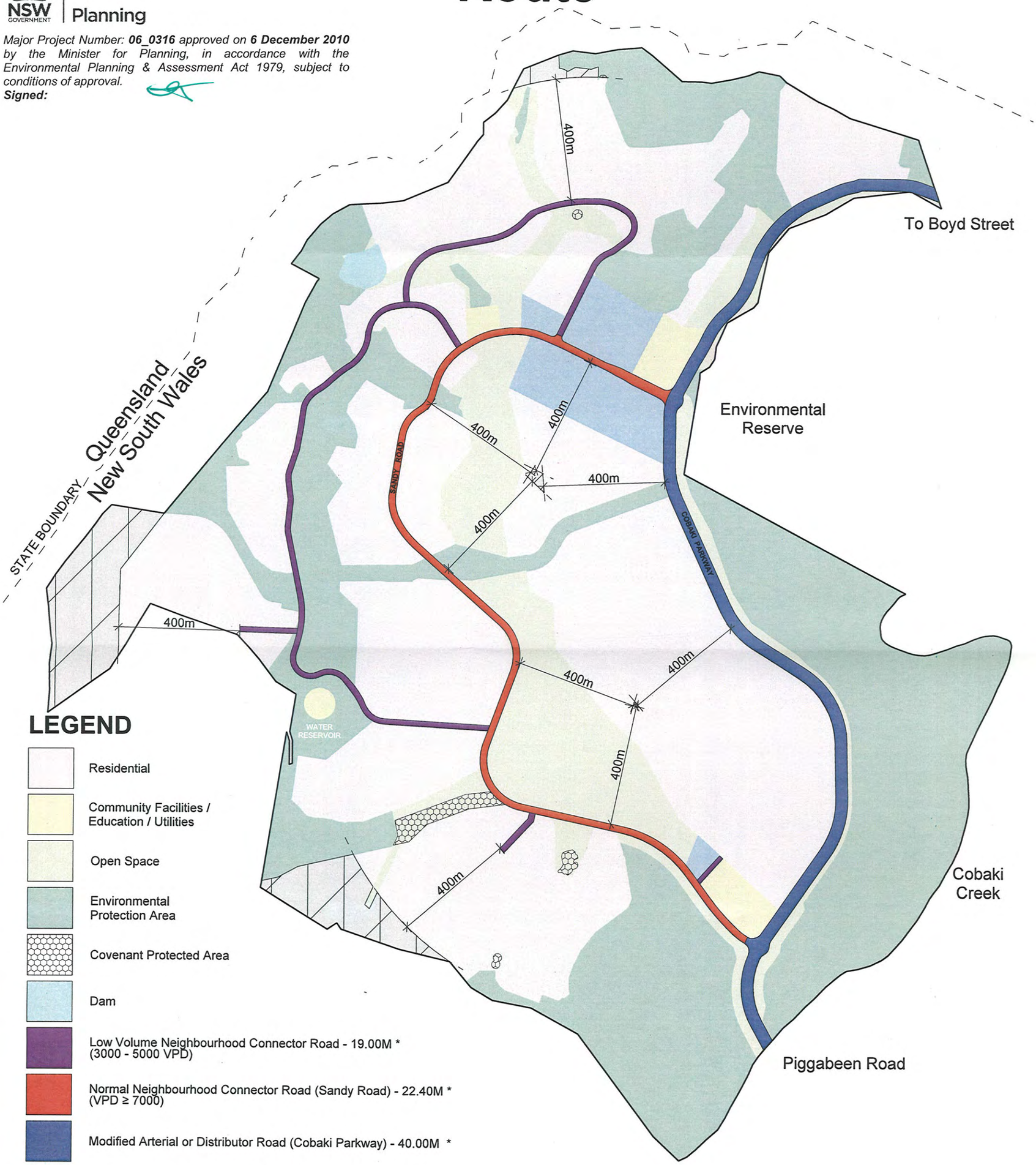
Access Network Plan and Potential Bus Route

NSW GOVERNMENT | Planning

Major Project Number: ***06_0316*** *approved on* ***6 December 2010*** *by the Minister for Planning, in accordance with the Environmental Planning & Assessment Act 1979, subject to conditions of approval.*
Signed:



LEGEND

- Residential
- Community Facilities / Education / Utilities
- Open Space
- Environmental Protection Area
- Covenant Protected Area
- Dam
- Low Volume Neighbourhood Connector Road - 19.00M * (3000 - 5000 VPD)
- Normal Neighbourhood Connector Road (Sandy Road) - 22.40M * (VPD ≥ 7000)
- Modified Arterial or Distributor Road (Cobaki Parkway) - 40.00M *
- Areas outside of 400M walkable distance to bus route corridor (7.3% of allotments)

Notes:

* In Accordance With Tweed Shire Council Standards

In accordance with TSC s94-12 90% of allotments are within 400m straight line distance of a potential bus route (Actual 93%)

No connection available to Tweed Shire Council Cycleway Network

N

0 500m 1000m

Access Network Plan and Potential Bus Route *for* LEDA MANORSTEAD PTY LTD *of* COBAKI, NSW

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Open Space Network Plan

NSW GOVERNMENT | Planning

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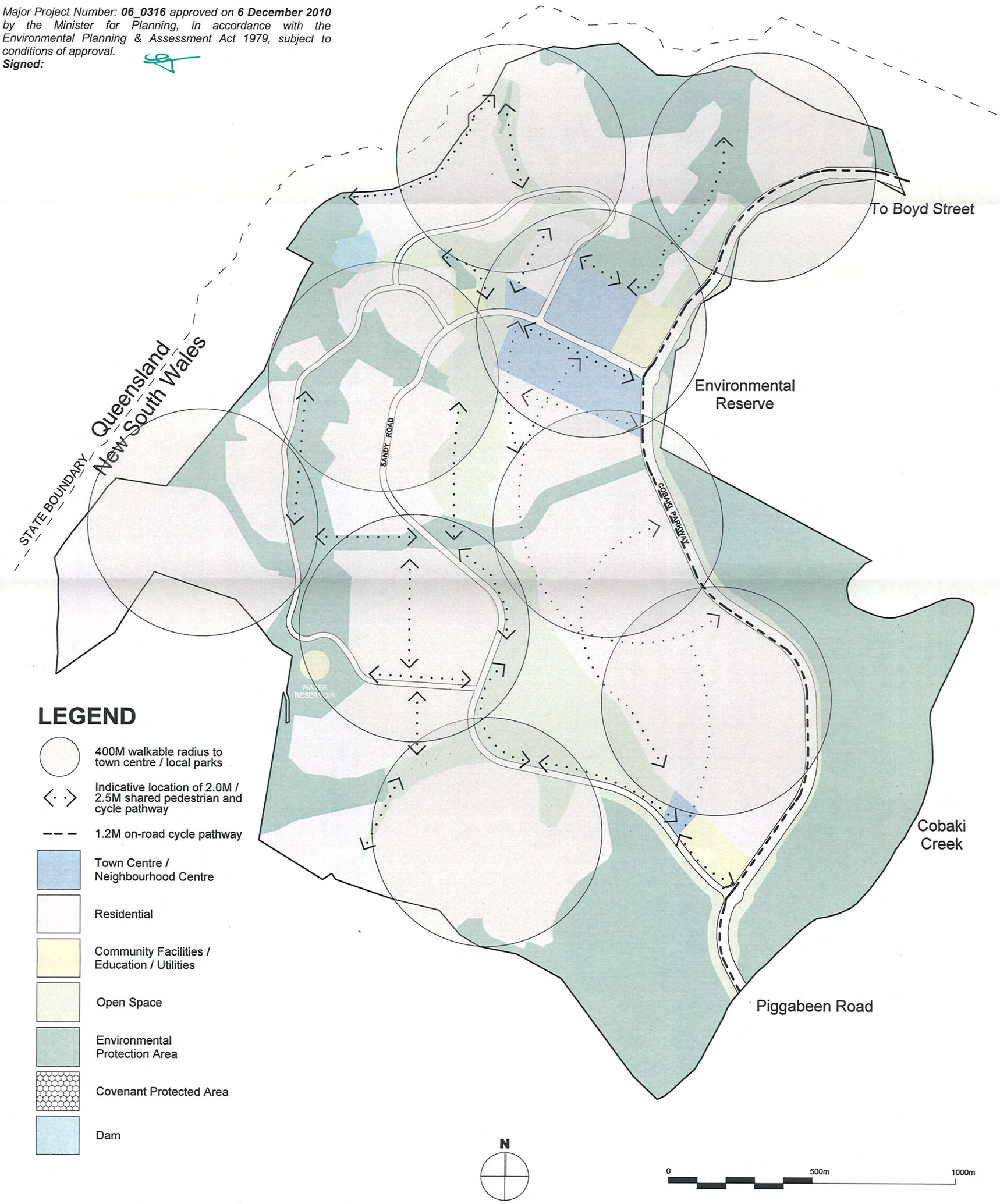
Signed:



LEGEND

- 400M walkable radius to town centre / local parks
- Indicative location of 2.0M / 2.5M shared pedestrian and cycle pathway
- 1.2M on-road cycle pathway
- Town Centre / Neighbourhood Centre
- Residential
- Community Facilities / Education / Utilities
- Open Space
- Environmental Protection Area
- Covenant Protected Area
- Dam

Open Space Network Plan *for* LEDA MANORSTEAD PTY LTD ***of* COBAKI, NSW**

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Precinct Location Plan

NSW GOVERNMENT | Planning

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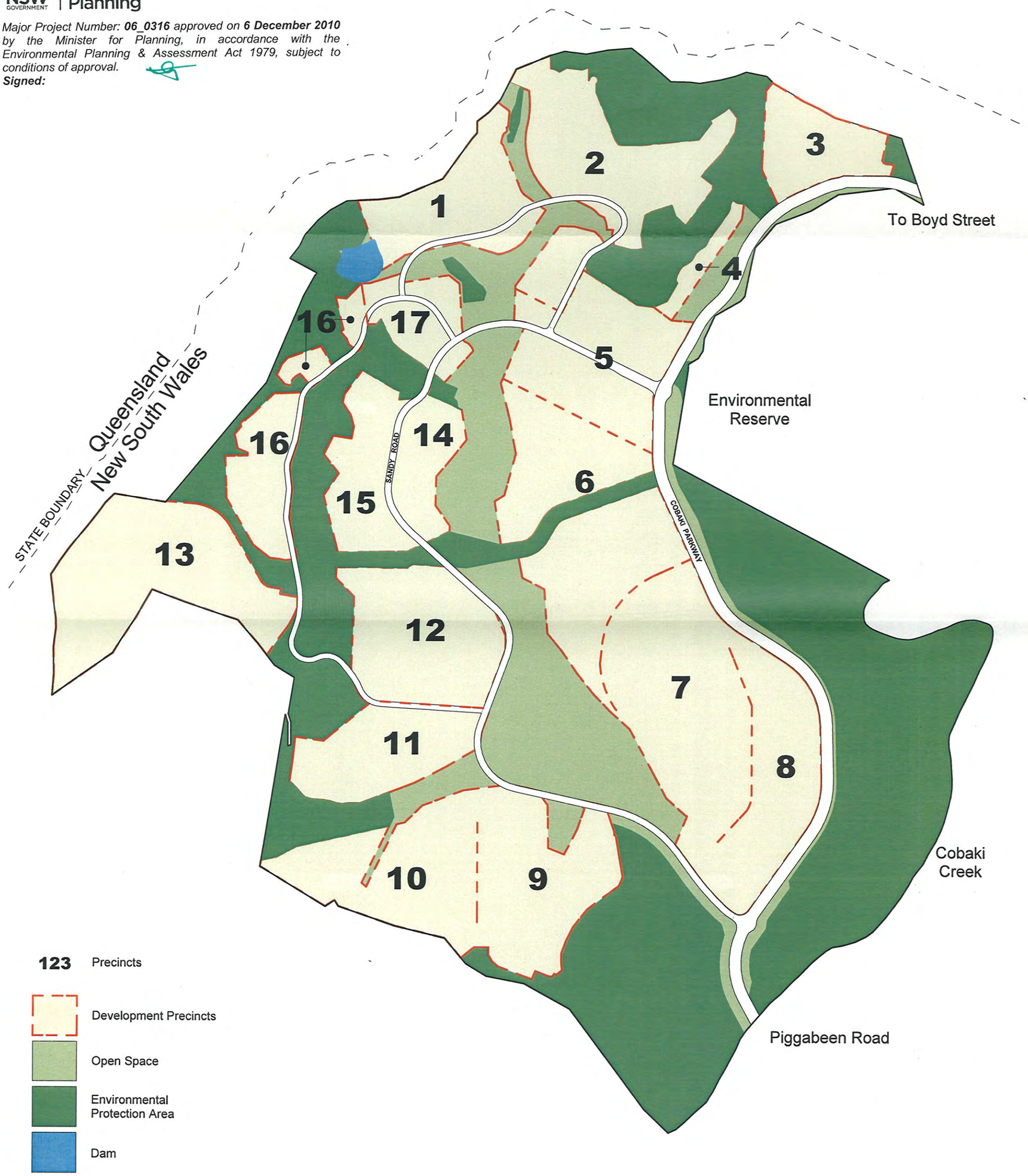
Signed:



Precinct Location Plan ***for*** **LEDA MANORSTEAD PTY LTD** ***of*** **COBAKI, NSW**

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COBAKI ESTATE

DEVELOPMENT CODE

PART A - EXEMPT AND COMPLYING DEVELOPMENT
PART B - DEVELOPMENT CONTROLS

2010

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Acknowledgement

This document utilises (with permission) material from the Development Control Plan for Oran Park as produced by the New South Wales Growth Centres Commission 2007. The assistance provided by the Growth Centres Commission is appreciated.

Part A of this Development Code contains the controls for Exempt and Complying Development for Cobaki Estate.

Approved:

SHaddad

Sam Haddad
Director-General
Department of Planning

15th November **2010**

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A Glossary.
B Summary of Cobaki Estate Concept Approval.
C Tweed Shire Council's rainwater harvesting requirements.

1.0 INTRODUCTION

This section of the Development Code provides an overview of the purpose and the structure of the Cobaki Estate Development Code and provides information on how to apply the Code to various development types with Cobaki Estate.

This section is intentionally blank.

1.1 Name and Application of this Plan

This *Code* is known as the Cobaki Estate Development Code. The *Code* forms part of the Cobaki Estate *concept plan* approval and is to accompany and provide design detail for development to be undertaken in accordance with the *concept plan*.

This *Code* applies to development within Cobaki Estate. The boundary of the Cobaki Estate site is shown at **Figure 1.1.1**.

Figure 1.1.1: Land to which this Development Code Applies

1.2 The Cobaki Estate Concept Plan

The Director General of the Department of Planning, as the delegate of the Minister for Planning, formed the opinion that the Cobaki Estate *concept plan* was development to which Part 3A of the Environmental Planning and Assessment Act 1979 applied. A *concept plan* has been approved for the project (see Appendix B for a summary of the concept approval).

The *concept plan* approved the following aspects of the proposed development:

- Vision and design principles for Cobaki Estate ;
- General layout and siting of development into precincts;
- Land uses in each precinct;
- A mix of lot sizes and products;
- Open space and landscape management concepts;
- Access network of roads, public transport routes, pedestrian/cycle paths;
- Water management concept;
- Utility services strategy; and
- Statement of commitments.

Design guidelines and planning controls that give effect to development in accordance with the Cobaki Estate *concept plan* are contained in this *Code*.

The c*oncept plan* at **Figure 1.2.1** illustrates the broad level development outcomes for Cobaki Estate. It outlines the approved development footprint, land uses, open space and environmental protection areas, major transport linkages and general location of community facilities and *schools*.

Objectives

(1) To ensure development of Cobaki Estate is undertaken in a co-ordinated manner consistent with the *concept plan*.

Controls

(1) All development is to be undertaken generally in accordance with the Cobaki Estate *concept plan* at **Figure 1.2.1** subject to compliance with the objectives and development controls set out in this *Code*.

(2) Land uses are to be as specified on the Precinct Development Matrix at **Figure 1.2.2**.

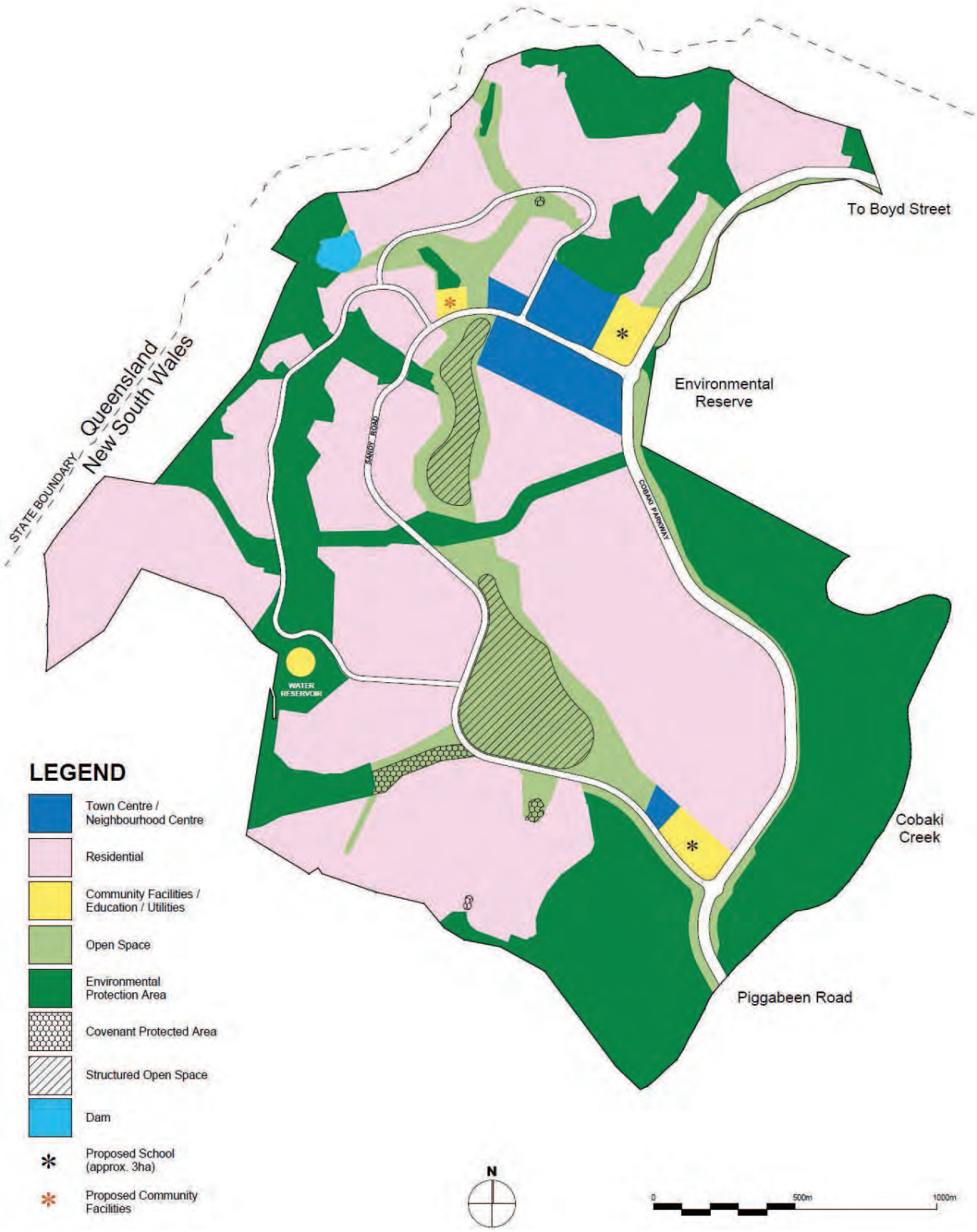


Figure 1.2.1: Cobaki Estate Concept Plan

Concept Plan Domain	Development Uses	Total Area		Urban Design Principles
		Leda Owned Land	Proposed Road Closures	
Town Centre/ Neighbourhood Centre	▪ Business premises ▪ Carpark ▪ Child care centre ▪ Community facility ▪ Education establishment ▪ Emergency services facility ▪ Entertainment facility ▪ Environmental facility ▪ Food and drink premises ▪ Funeral chapel ▪ Health services facility ▪ Home business ▪ Hotel or motel accommodation ▪ Information and education facility ▪ Medical centre ▪ Office premises ▪ Place of worship ▪ Pub ▪ Recreation area ▪ Recreation facility (indoor) ▪ Residential care facility ▪ Residential types in Development Code ▪ Restaurant ▪ Retail premises ▪ Roads ▪ Seniors housing ▪ Service station ▪ Shop ▪ Telecommunication facility	17.64 ha	0.65 ha	▪ Urban form controlled by Plan of Development in Precinct approval ▪ Building height controlled by Development Code ▪ Mixed uses are encouraged ▪ Provide legible off-street parking ▪ Create town square focus ▪ Sporting facilities may be shared between schools and community ▪ Buildings facing main streets are encouraged to have active frontages ▪ Pedestrian friendly streetscape with awnings ▪ Create interesting buildings with articulated facades ▪ Screen or conceal passive facades and service areas ▪ Soften visual impact of carpark with landscaping ▪ Incorporate urban art and public streetscaping ▪ Must demonstrate sensitive interface with surrounding development ▪ Ground floor facing main roads must be non residential use ▪ Landscape concept to maintain visibility of retail uses ▪ Incorporate passive surveillance and public safety principles
Residential	▪ Carpark ▪ Child care centre ▪ Community facility ▪ Environmental facility ▪ Exhibition village ▪ Home based child care ▪ Home business ▪ Neighbourhood shop ▪ Recreation area ▪ Recreation facility (indoor) ▪ Recreation facility (outdoor) ▪ Residential care facility ▪ Residential types in Development Code ▪ Roads ▪ Seniors housing	290.47 ha	4.05 ha	▪ Urban form controlled by Plan of Development in Precinct approval and the Development Code ▪ Create diversity of housing choice ▪ Designs must optimise residential amenity, privacy and solar access ▪ Strong streetscape character with articulated setbacks ▪ Incorporate on-site private recreation areas ▪ Garage doors must not dominate streetscape ▪ Incorporate passive surveillance and public safety principles ▪ Incorporate public open space within walkable radius of each dwelling

	Community Facilities/ Education/ Utilities	▪ Carpark ▪ Child care centre ▪ Community facility ▪ Education establishment ▪ Environmental facility ▪ Information and education facility ▪ Kiosk ▪ Place of worship ▪ Recreation area ▪ Recreation facility (indoor) ▪ Recreation facility (outdoor) ▪ Roads ▪ Telecommunication facility ▪ Water storage facility	8.04 ha	0.31 ha	▪ Locate school buildings with integrated parking and shared facilities ▪ Provide adequate safe setdown areas ▪ Sporting facilities may be shared between schools and community ▪ Must demonstrate sensitive interface with surrounding development ▪ Enhance community education on surrounding environment
	Public Open Space	▪ Carpark ▪ Community facility ▪ Environmental facility ▪ Food and drink premises ▪ Kiosk ▪ Recreation area ▪ Recreation facility (indoor) ▪ Recreation facility (outdoor) ▪ Roads ▪ Sewage reticulation system	88.84 ha	1.41 ha	▪ Include range of active and passive uses ▪ Incorporate community facilities appropriate to residents' needs such as ovals, amenities and carparking ▪ Sporting facilities may be shared between schools and community ▪ Incorporate stormwater path and treatment
	Environmental Protection Area	▪ Environmental facilities ▪ Roads ▪ Water storage facility	188.27 ha	5.77 ha	▪ Incorporate low-impact community trails for public and service access ▪ Provide linkages in accordance with the Pedestrian and Cycle Network Plan
	Total Area		**593.26 ha**	**12.19 ha**	

Figure 1.2.2: Precinct development matrix

1.3 Code Vision and Development Objectives

Vision

To establish a high quality urban environment on the principles of community pride, well-being and healthy living.

Encompass a self-contained community incorporating live, work and play options. Housing densities will be higher than those traditionally delivered in the Tweed Shire with a broad range of *dwelling types* provided across the site with a particular focus on attractive residential streetscapes structured around well connected, walkable neighbourhoods.

The Cobaki Estate Town Centre and the Neighbourhood Centre will be focal points for community interaction, civic and community facilities and retailing. Local work options will be provided through the local centres and home based activities.

Development Objectives

(1) To facilitate urban development that meets environmental sustainability objectives.

(2) To ensure all development achieves a high standard of urban and architectural design quality.

(3) To promote housing choice with a high standard of residential amenity.

(4) To achieve housing density targets through a range of housing types with greater diversity and affordability – density by design.

(5) To achieve connectivity through walkable neighbourhoods and access to public transport, parks and amenities.

(6) To create a sense of place and identity, and encourage diversity and liveability.

(7) To create vibrant town and neighbourhood centres.

(8) To maximise opportunities for future residents to create neighbourhood communities and develop the social capital of the overall development.

(9) To protect and enhance significant trees and vegetation as identified in ecological assessments.

(10) To ensure the timely delivery of critical infrastructure.

1.4 Purpose of the Code

The purpose of the *Code* is to:

(1) Streamline the approvals process and promote housing affordability.

(2) Provide that development of a specified *class* or description that is of minimal environmental impact is *exempt development*.

(3) Provide that development, or a *class* of development that can be addressed by specified predetermined development standards is *complying development*.

(4) Detail the planning, design objectives and controls against which future development of the site will be assessed.

(5) Consolidate and simplify key planning controls to ensure the orderly, efficient and environmentally sensitive development of Cobaki Estate as envisaged by the Cobaki Estate *concept plan*.

(6) Promote high quality urban design outcomes.

1.5 Structure of the Code

The *Code* comprises two parts – Parts A and B - and is structured as follows:

Introduction	**Section 1:**	Code's administrative provisions.
Part A	**Section 2:**	Exempt and Complying Development.
Part B Development that is not Exempt or Complying Development	**Section 3:**	Residential development that is not Exempt or Complying Development.
	Section 4:	Cobaki Estate Town Centre and Neighbourhood Centre.
	Section 5:	Subdivision controls. This includes requirements for Precinct Plans (a framework for subdivision design), *plan of development* (subdivision detail) and *design guidelines* (guiding merit-based assessment of DAs).
Glossary	**Appendix A:**	Glossary - definitions of specific terms used in the *Code*.

Note 1: Terms which are defined in the Glossary are italicised in the text.

1.6 How to use this Code

(See the two flowcharts on the following pages)

Step 1: Check the definition of your proposal under the *Code* - see **Appendix A**.
Is it permissible? Check *Tweed Local Environmental Plan 2000 (LEP)*.
Is it consistent with the Precinct Development Matrix? Check **Figure 1.2.2.**

Step 2: Is your proposal *exempt development*? *Exempt development* is development of a specified *class* or description that is of minimal environmental impact that can be carried out without the need for development consent under the *Environmental Planning and Assessment Act 1979*. Check **Part A** Section 2.1 of the *Code*. If it is *exempt development* you can proceed with your proposal.

Step 3: If your proposal is not *exempt development*, is it *complying development*[1]? *Complying development* is development, or a *class* of development, that can be addressed by specified predetermined development standards. Check **Part A** Section 2.2 of the *Code*.

If your proposal is *complying development*, you require a *complying development certificate* (CDC) to be issued by either the *Council* or an *accredited certifier*, and a *Design Review Panel (DRP) pre-approval certificate* (issued before the CDC). You need to comply with Section 2.2 of the *Code*, the *plan of development* and *design guidelines* to receive a CDC.

Step 4: Is your proposal permissible and consistent with the Precinct Development Matrix but is neither *exempt development* nor *complying development*?

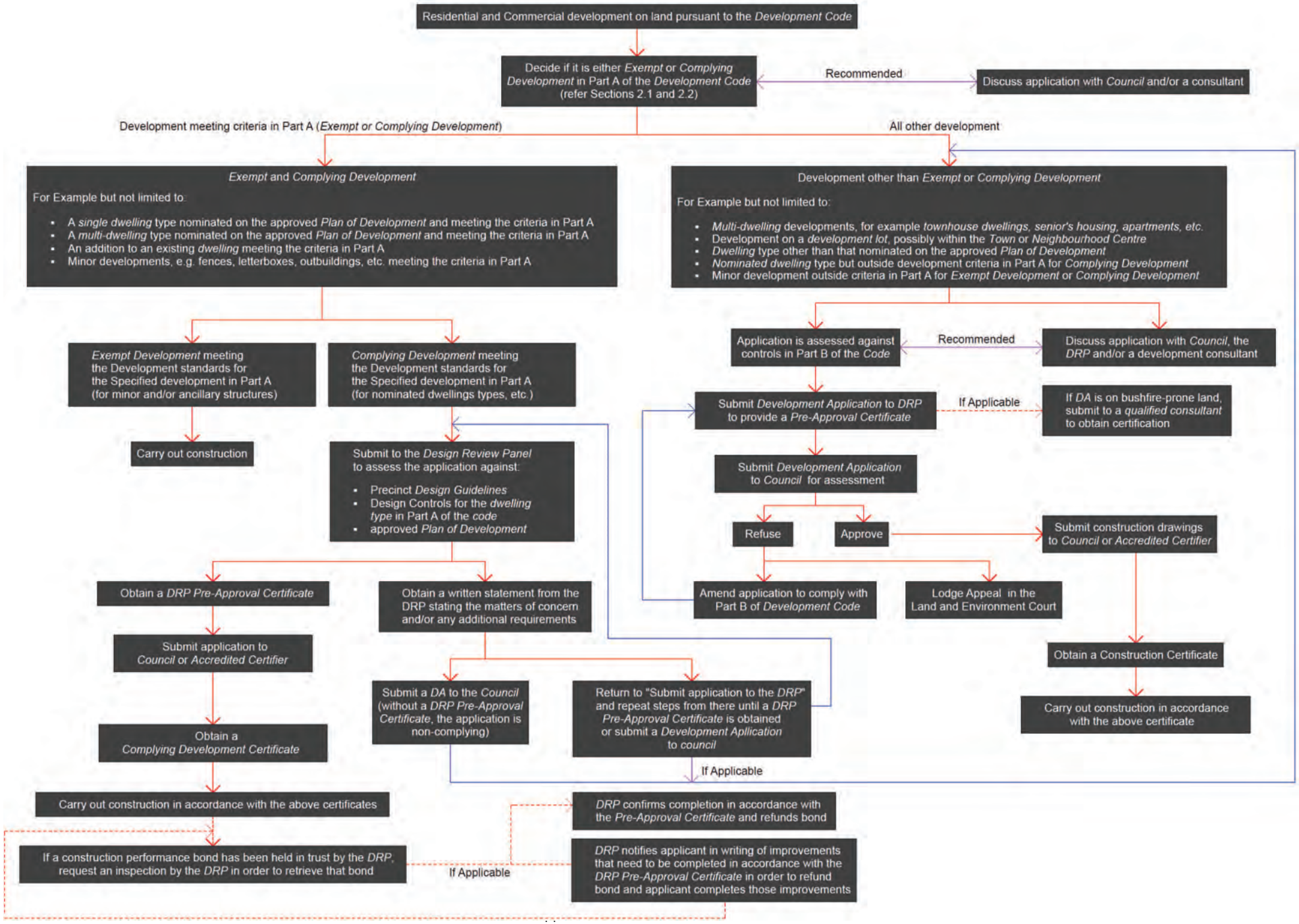
You must lodge a *development application* with the consent authority (in most instances, Tweed Shire Council). For a *development application* (even for a subdivision), you need a *pre-approval certificate* by the *DRP*. If in doubt, discuss your proposal with *Council* staff).[2]

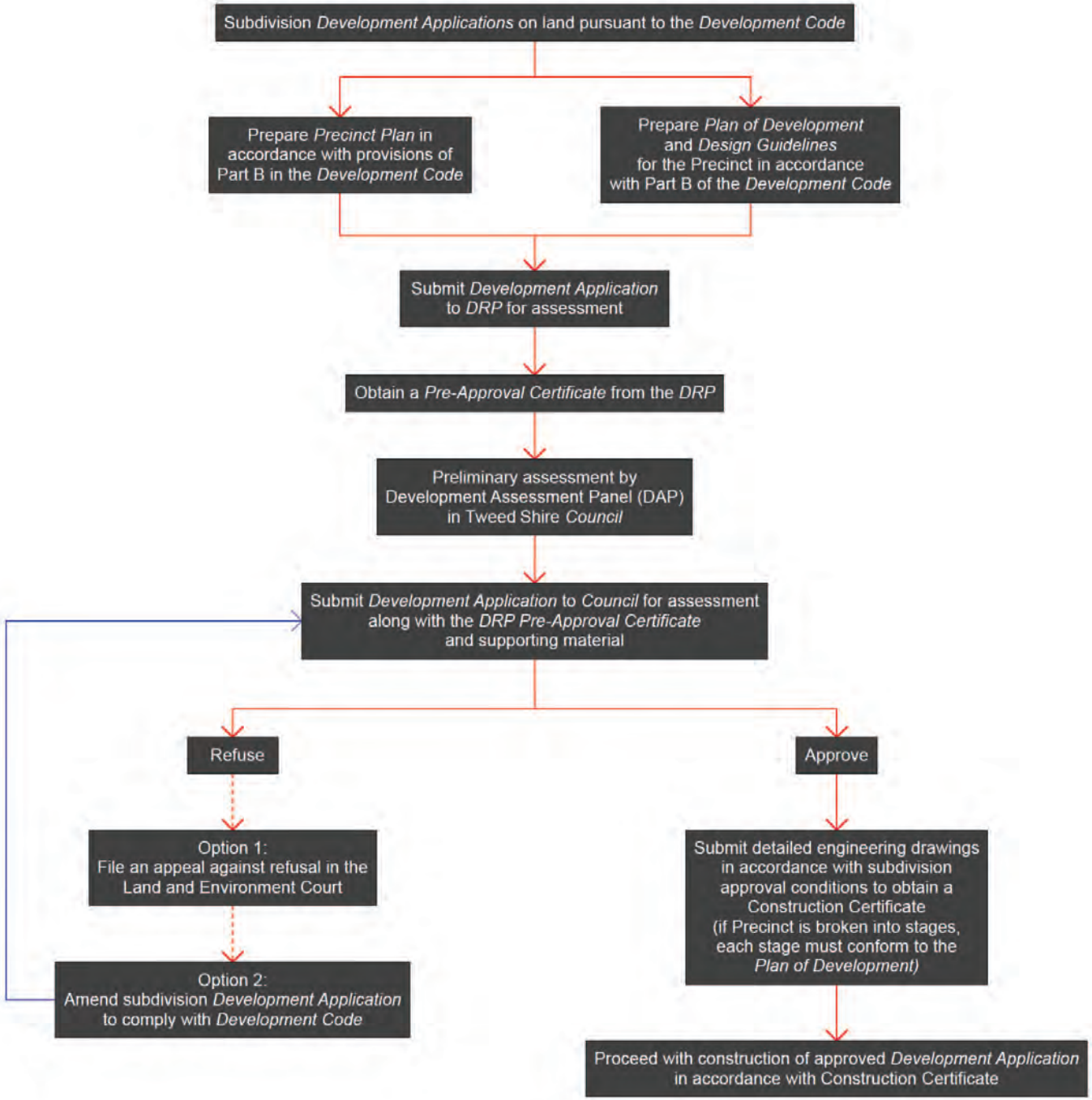
If you are lodging the first subdivision DA for the Cobaki Estate site, you must prepare and submit with the DA a Precinct Plan, Plan of Development and *design guidelines*.

All DAs must comply with the (relevant) Precinct Plan, *plan of development* and *design guidelines* - see **Part B** of the *Code*. Check that your proposal complies with those provisions before you lodge your DA with *Council* or an *accredited certifier*.

1 Complying Development includes traditional detached, soho, terrace, zero-lot, plex and mews dwellings.

2 Development which requires a DA under the Code is Complying Development that does not meet relevant standards, as well as villa/town house, retirement, shop top, commercial, retail and subdivision developments.


Residential and Commercial development on land pursuant to the *Development Code*
Decide if it is either *Exempt* or *Complying Development* in Part A of the *Development Code* (refer Sections 2.1 and 2.2)
Recommended
Discuss application with *Council* and/or a consultant
Development meeting criteria in Part A (*Exempt or Complying Development*)
All other development
Exempt and *Complying Development*
For Example but not limited to:
- A *single dwelling* type nominated on the approved *Plan of Development* and meeting the criteria in Part A
- A *multi-dwelling* type nominated on the approved *Plan of Development* and meeting the criteria in Part A
- An addition to an existing *dwelling* meeting the criteria in Part A
- Minor developments, e.g. fences, letterboxes, outbuildings, etc. meeting the criteria in Part A
Development other than *Exempt* or *Complying Development*
For Example but not limited to:
- *Multi-dwelling* developments, for example *townhouse dwellings, senior's housing, apartments, etc.*
- Development on a *development lot*, possibly within the *Town* or *Neighbourhood Centre*
- *Dwelling* type other than that nominated on the approved *Plan of Development*
- *Nominated dwelling* type but outside development criteria in Part A for *Complying Development*
- Minor development outside criteria in Part A for *Exempt Development* or *Complying Development*
Exempt Development meeting the Development standards for the Specified development in Part A (for minor and/or ancillary structures)
Complying Development meeting the Development standards for the Specified development in Part A (for nominated dwellings types, etc.)
Carry out construction
Submit to the *Design Review Panel* to assess the application against:
- Precinct *Design Guidelines*
- Design Controls for the *dwelling type* in Part A of the *code*
- approved *Plan of Development*
Application is assessed against controls in Part B of the *Code*
Recommended
Discuss application with *Council*, the *DRP* and/or a development consultant
Submit *Development Application* to *DRP* to provide a *Pre-Approval Certificate*
If Applicable
If *DA* is on bushfire-prone land, submit to a *qualified consultant* to obtain certification
Submit *Development Application* to *Council* for assessment
Refuse
Approve
Submit construction drawings to *Council* or *Accredited Certifier*
Amend application to comply with Part B of *Development Code*
Lodge Appeal in the Land and Environment Court
Obtain a *DRP Pre-Approval Certificate*
Obtain a written statement from the DRP stating the matters of concern and/or any additional requirements
Submit application to *Council* or *Accredited Certifier*
Submit a *DA* to the *Council* (without a *DRP Pre-Approval Certificate*, the application is non-complying)
Return to "Submit application to the *DRP*" and repeat steps from there until a *DRP Pre-Approval Certificate* is obtained or submit a *Development Application* to *council*
Obtain a Construction Certificate
Carry out construction in accordance with the above certificate
Obtain a *Complying Development Certificate*
If Applicable
Carry out construction in accordance with the above certificates
DRP confirms completion in accordance with the *Pre-Approval Certificate* and refunds bond
If a construction performance bond has been held in trust by the *DRP*, request an inspection by the *DRP* in order to retrieve that bond
If Applicable
DRP notifies applicant in writing of improvements that need to be completed in accordance with the *DRP Pre-Approval Certificate* in order to refund bond and applicant completes those improvements


Subdivision *Development Applications* on land pursuant to the *Development Code*
Prepare *Precinct Plan* in accordance with provisions of Part B in the *Development Code*
Prepare *Plan of Development* and *Design Guidelines* for the Precinct in accordance with Part B of the *Development Code*
Submit *Development Application* to *DRP* for assessment
Obtain a *Pre-Approval Certificate* from the *DRP*
Preliminary assessment by Development Assessment Panel (DAP) in Tweed Shire *Council*
Submit *Development Application* to *Council* for assessment along with the *DRP Pre-Approval Certificate* and supporting material
Refuse
Approve
Option 1: File an appeal against refusal in the Land and Environment Court
Option 2: Amend subdivision *Development Application* to comply with *Development Code*
Submit detailed engineering drawings in accordance with subdivision approval conditions to obtain a Construction Certificate (if Precinct is broken into stages, each stage must conform to the *Plan of Development)*
Proceed with construction of approved *Development Application* in accordance with Construction Certificate

1.7 Statutory Context of the Code

Part A of the *Code* is a site-specific exempt and complying *Code* implemented through an Order under the *Environmental Planning and Assessment Act 1979*. Part B of the *Code* forms part of the approved *concept plan* for Cobaki Estate and contains site specific development controls for land within Cobaki Estate.

The *Code* must be read in conjunction with relevant environmental planning instruments (EPIs) and the following parts of Tweed Shire Development Control Plan 2008, effective 30 April 2008 ('Tweed DCP'):

- Section A2 – *Site Access and Parking Code*;
- Section A3 – *Development of Flood Liable Land*;
- Section A4 – *Advertising Sign Code*;
- Section A5 – Subdivision Manual; and
- Section A11 – *Public Notification of Development Proposals*.

The *Code* adopts the following provisions of Tweed DCP Section A5:

- Part A5.4 - Urban Subdivision *design guidelines* & Development Standards;
- Part A5.6 - The Assessment & Decision Making Process;
- Part A5.7 - Implementing a Subdivision Consent;
- Appendix A - Subdivision Works - Development Design Specifications;
- Appendix B - Subdivision Works - Development Construction Specifications;
- Appendix C - Subdivision Works, Compliance Certification except as otherwise approved by Council;
- Attachment C1 - Subdivision Works, Compliance Certificate;
- Appendix D - Subdivision Infrastructure Inspections; and
- Appendix E - Recommended Buffers.

References to "*development applications*" in Part A5 of Tweed DCP are also references to Part 3A "Project Applications" except where such references are inconsistent with Part 3A of the *Environmental Planning and Assessment Act 1979*.

The *Code* must also be read in conjunction with Tweed Shire Council Development Design and Construction Specifications. In the event of any inconsistency between the *Code* and any *Council* DCP or policy, the *Code* prevails to the extent of the inconsistency.

1.8 Variations to Part B Code controls and the Cobaki Estate Concept Plan

No variation to the *Code*'s Exempt or Complying Development standards is permitted. Where a proposal does not comply with those standards, a *development application* (DA) is required.

DAs will be assessed on merit. Where a variation to a Part B control is sought it must be justified in writing and indicate how the proposal meets the objectives of the relevant control and/or is generally consistent with the *concept plan*.

The NSW Department of Planning can advise applicants about inconsistencies with the *Code* and the *concept plan*, and procedures to follow.

1.9 Developer Design Guidelines

The *Code*'s *design guidelines* provide design objectives for each precinct. They will ensure high quality design and development by providing additional detail to the Part B controls. They will be implemented and administered by the owner of the land that forms the subject of the first *Development Application* (*DA*) for land pursuant to the *Code* at the subdivision stage by a Section 88B instrument (under the *Conveyancing Act 1919)*.

The *design guidelines* must be consistent with the *Code*. The *design guidelines* will be used by the *design review panel* (see s1.10 below) in assessing DAs and *complying development*.

1.10 Design Review Panel

The owner of the land that forms the subject of the first *DA* will establish and implement a *Design Review Panel* (*DRP*). The *DRP* will review all applications requiring a *Complying Development Certificate*, as well as all *DAs*. It will use the *Concept Plan*, the *Code*, the *Design Guidelines* (except in the case of a subdivision *DA*) and the relevant *Plan of Development* (except in the case of a subdivision *DA*) in undertaking that review and issuing a *Pre-Approval Certificate*. After obtaining a *Pre-Approval Certificate*, applicants then submit their application (with the *DRP*'s formal documentation) to *Council* or an accredited certifier (see **Sections 5.7 and 5.8**).

1.11 Development Code Review

Objectives

(1) To provide for the periodic review and amendment of the *Code*.

Controls

(1) The initial developer must commence a review of the *Code* in consultation with the NSW Department of Planning within twelve months of the approval of the first *dwelling* on the site.

PART A – EXEMPT AND COMPLYING DEVELOPMENT

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2.0 EXEMPT AND COMPLYING DEVELOPMENT

This section of the Code contains objectives and development controls relating to Exempt and Complying Development.

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2.1 Exempt Development

Objectives

To specify minor development with minor environmental impacts that can proceed without any planning approval.

Controls

(1) Comply with the standards in **Schedule 1 for the** relevant development type and the controls (2)-(3) below.

(2) To be *exempt development*, the development must:

(a) meet the relevant deemed-to-satisfy provisions of the *Building Code of Australia*, or if those provisions do not apply, shall be structurally adequate, and

(b) be more than 1 metre from any easement or public sewer main, stormwater main, water main or related fixture and comply with the requirements of the local sewer and water authority, and

(c) if it relates to an existing building, not cause the building to contravene the *Building Code of Australia*, and

(d) not be designated development, and

(e) be installed in accordance with the manufacturer's specifications, if applicable, and

(f) not involve the removal or pruning of a tree or other vegetation that requires a permit or development consent for removal or pruning, unless that removal or pruning is undertaken in accordance with a permit or development consent, and

(g) not be in conflict with any existing services, and

(h) if work involves any plumbing or drainage works, approval for such work under the Local Government Act must be obtained from the local water and sewer authority.

(i) not be carried out on land that comprises, or on which there is, an item that is listed on the State Heritage Register under the *Heritage Act 1977* or that is subject to an interim heritage order under the *Heritage Act 1977*.

(3) Development that relates to an existing building that is classified under the *Building Code of Australia* as *Class* 1b or *Class* 2–9 is *exempt development* only if:

(a) the building has a current fire safety certificate or fire safety statement, or

(b) no fire safety measures are currently implemented, required or proposed for the building.

Note 1. Specifying a type of development as *exempt development* does not authorise the contravention of any condition of a development consent or any design guideline applying to the land on which the *exempt development* is carried out, nor does it remove the need for any approval that may be required under other legislation or legal instrument.

Note 2. Adjoining owners' property rights, the applicable common law and other legislative requirements for approvals, licenses, permits and authorities still apply. For example, requirements relevant to development in this *Code* are contained in the *Environmental Planning and Assessment Act 1979*, the *Environmental Planning and Assessment Regulation 2000*, various SEPPs, the *Protection of the Environment Operations Act 1997*, the *Roads Act 1993*, the *Swimming Pools Act 1992*, and Acts applying to various infrastructure authorities. If the development is in proximity to infrastructure, including water, stormwater and sewer mains, electricity power lines and telecommunications facilities, the applicant should contact the relevant infrastructure authority before commencing development.

Note 3. Section 76A 'Development that needs consent' of the *Environmental Planning and Assessment* Act 1979 provides as follows:

"(1) General
If an environmental planning instrument provides that specified development may not be carried out except with development consent, a person must not carry the development out on land to which the provision applies unless:

(a) such a consent has been obtained and is in force, and

(b) the development is carried out in accordance with the consent and the instrument.

(2) For the purposes of subsection (1), development consent may be obtained:

(a) by the making of a determination by a consent authority to grant development consent, or

(b) in the case of *complying development*, by the issue of a *complying development certificate*.

(3), (4) (Repealed)

(5) *complying development*
An environmental planning instrument may provide that development, or a *class* of development, that can be addressed by specified predetermined development standards is *complying development*.

(6) A provision under subsection (5) cannot be made:

(a) (Repealed)

(b) if the development is designated development, or

(c) if the development is development for which development consent cannot be granted except with the concurrence of a person other than:

(i) the consent authority, or

(ii) the Director-General of the Department of Environment, Climate Change and Water as referred to in section 79B (3), or

(d) so as to apply to land that is critical habitat, or

(e) so as to apply to land that is, or is part of, a wilderness area (within the meaning of the *Wilderness Act 1987*), or

(f) so as to apply to land that comprises, or on which there is, an item of the environmental heritage:

(i) that is subject to an interim heritage order under the *Heritage Act 1977*, or that is listed on the State Heritage Register under that Act, or

(ii) that is identified as such an item in an environmental planning instrument, or

(g) so as to apply to land that is identified as an environmentally sensitive area in the environmental planning instrument that makes provision for the *complying development*.

A provision made under subsection (5) has no effect in relation to development or land at any time during which the development or land is development or land to which paragraph (a)–(g) applies.

Note 1. Further provisions concerning *complying development* are found in Division 3 of this Part."

Schedule 1

DIVISION 1 GENERAL AND RESIDENTIAL EXEMPT DEVELOPMENT CODE

Subdivision 1 Access ramps

2.1.1 Specified development

The construction or installation of an access ramp is development specified for this *Code*.

2.1.2 Development standards

The standards specified for that development are that the development must:

(a) be not more than 1m above *ground level (existing)*, and

(b) be constructed in accordance with AS 1428.1—2001, *Design for access and mobility—General requirements for access—New building work*, and

(c) not interfere with the functioning of existing drainage fixtures or the natural surface flow of water, and

(d) if it is located on bush fire prone land—be constructed of non-combustible material, and

(e) if *design guidelines* apply to the land, be constructed of a finish material permitted for use as driveway or pathway paving by the *design guidelines*.

Subdivision 2 Aerials and antennae

2.1.3 Specified development

The construction or installation of an aerial or antenna, including a microwave antennae, is development specified for this *Code*.

Note. See separate entry for communication dishes.

2.1.4 Development standards

(1) The standards specified for that development are that the development must:

(a) be for domestic purposes only, and

(b) be located at least 0.9m from each lot boundary, and

(c) be roof mounted and not be higher than 0.6m higher than the highest point of the closest roof, and

(d) not be located on a roof facing a road or other public land frontage.

(2) There shall not be more than one (1) development per lot, or, if there are multiple *dwelling*s on a lot, no more than one (1) development per ten (10) *dwellings*.

Subdivision 3 Air-conditioning units

2.1.5 Specified development

The construction or installation of an air-conditioning unit is development specified for this *Code*.

2.1.6 Development standards

(1) The standards specified for that development are that the development must:

(a) be for domestic purposes only, and

(b) be located at least 0.45m from each lot boundary, and

(c) subject to paragraph (d), be attached to the external wall of a building or ground mounted, and

(d) be located no less than 0.9m behind the *frontage building line* and be screened by a fence of 1.2m *height* minimum if ground mounted or 1.8m *height* if wall mounted where the fence shall be located between the development and the public land frontage, and

(e) be not higher than 1.8m above *ground level (existing)*, and

(f) not involve work that reduces the structural integrity of the building, and

(g) not reduce the existing fire resistance level of a wall.

(2) The standards specified for that development, if for purposes other than domestic purposes only, are that the development must:

(a) not be located on the wall or roof of a building that faces the *primary road*, or forward of the *frontage building line* to the *primary road*, and

(b) not be built into any external wall unless the development is more than 3m from each side and rear boundary and 6m from any other building on the lot, and

(c) not involve work that reduces the structural integrity of the building, and

(d) not reduce the existing fire resistance level of a wall or roof.

(3) Any opening created by the construction or installation of the development shall be adequately waterproofed, and

(4) Any piping external to the existing wall of the building shall be housed within ducting and all ducting external to the existing building shall be of low-reflective, factory pre-coloured metal.

Subdivision 3A Animal shelters

2.1.6A Specified development

The construction or installation of an animal shelter is development specified for this *Code* if it is not constructed or installed on land in a foreshore area.

2.1.6B Development standards

(1) The standards specified for that development are that the development must:

(a) be for domestic purposes only, and

(b) not have a *floor area* of more than $2m^2$, and

(c) be not higher than 1.2m above *ground level (existing)*, and

(d) be located behind the *building line* of any road frontage, and

(e) be located at least 450mm from each side and rear boundary, and

(f) have an impervious floor, and

(g) if it is located on bush fire prone land and is less than 5m from a *dwelling*—be constructed of non-combustible material, and

(2) There must not be more than 1 development per lot.

Subdivision 4 Aviaries

2.1.7 Specified development

The construction or installation of an aviary is development specified for this *Code* if it is not constructed or installed on a lot in the Town Centre or on a lot of less than $600m^2$ in area.

2.1.8 Development standards

(1) The standards specified for that development are that the development must:

(a) be on properties used for domestic purposes only, and

(b) not be used for the keeping of poultry, and

(c) not have a *floor area* of more than $10m^2$, and

(d) be not higher than 1.8m above *ground level (existing)*, and

(e) be located no less than 0.9m behind the *frontage building line*, and

(f) be located not less than 0.9m from each boundary, and

(g) be located no closer than ten (10) metres from a *dwelling* on any adjoining property, and

(h) have an impervious floor, and

(i) be constructed or installed so that roof water is disposed of without causing a nuisance to adjoining owners, and

(j) to the extent it is comprised of metal components—be constructed of low reflective, factory pre-coloured materials, and

(k) if it is located on bush fire prone land and is less than 5m from a *dwelling*—be constructed of non-combustible material.

(2) There must not be more than one (1) development per lot.

Subdivision 5 Awnings, blinds and canopies

2.1.9 Specified development

The construction or installation of an awning, blind (including a storm blind, security blind or sun blind), canopy or similar structure over a window or door opening is development specified for this *Code*, if it is not constructed or installed on a lot in the Town Centre.

Note. See separate entry for shade structures.

2.1.10 Development standards

The standards specified for that development are that the development must:

(a) not have an area more than $6m^2$, and

(b) not project beyond the external wall of the building by more than 2m, and

(c) be located behind the *frontage building line*, and

(d) to the extent it is comprised of metal components—be constructed of low reflective, factory pre-coloured materials, and

(e) if it is located on bush fire prone land—be constructed of non-combustible material.

Subdivision 6 Balconies, decks, patios, pergolas, terraces and verandahs

2.1.11 Specified development

The construction or installation of a balcony, deck, patio, pergola, terrace or verandah (whether free standing or *attached* to the ground floor level of a building, or roofed or unroofed) is development specified for this *Code* if it is not constructed or installed on a lot in the Town Centre or on a lot of less than $200m^2$ in area.

2.1.12 Development standards

The standards specified for that development are that the development must:

(a) be for domestic purposes only, and

(b) have an area of not more than $20m^2$, and

(c) not cause the total *floor area* of all such structures on the lot to be more than 15% of the ground *floor area* of the *dwelling* on the lot, and

(d) not have an enclosing wall higher than 1.4m, and

(e) be located a minimum of 0.9m behind the *frontage building line*, and

(f) be located at least 0.9m from each lot boundary, and

(g) to the extent it is comprised of metal components—be constructed of low reflective, factory pre-coloured materials, and

(h) have a floor *height* not more than 1m above the adjacent *ground level (existing)*, and

(i) if it is a roofed structure:

  (i) that is *attached* to a *dwelling*, not extend above the roof gutter line of the *dwelling*, and

  (ii) have a roof not higher than 3m, at its highest point, above *ground level (existing)*, and

(j) if it is connected to a fascia, be connected in accordance with a *professional engineer's* specifications, and

(k) be constructed or installed so that any roof water is disposed of into an existing stormwater drainage system, and

(l) not interfere with the functioning of existing drainage fixtures or flow paths, and

(m) if it is located on bush fire prone land and is less than 5m from a *dwelling*—be constructed of non-combustible material.

Subdivision 7 Barbecues

2.1.13 Specified development

The construction or installation of a barbecue is development specified for this *Code*.

2.1.14 Development standards

The standards specified for that development are that the development must:

(a) not have an area of more than $3m^2$, and

(b) be not higher than 1.8m above *ground level (existing)*, and

(c) be located no less than 0.9m behind the *frontage building line*, and

(d) be located at least 0.45m from each lot boundary, and.

(e) not be used for commercial purposes.

Subdivision 8 Bed and breakfast accommodation

2.1.15 Specified development

Bed and breakfast accommodation is development specified for this *Code* if it is carried out on land in the Town Centre or a Neighbourhood Centre and if it is not constructed or installed on a lot of $200m^2$ or less in area.

2.1.16 Development standards

The standards specified for that development are that the development must:

(a) be in an existing *dwelling* that has a *floor area* not more than 300m^2, and

(b) consist of not more than 3 guest bedrooms.

Subdivision 9 Cabanas, cubby houses, ferneries, garden sheds, gazebos and greenhouses

2.1.17 Specified development

The construction or installation of a cabana, cubby house, fernery, garden shed, gazebo or greenhouse is development specified for this *Code* if it is not constructed or installed on land in the Town Centre.

2.1.18 Development standards

(1) The standards specified for that development are that the development must:

(a) be located on lots used for domestic purposes only, and

(b) not have a *floor area* of more than 20m^2 for lots of 800m^2 or greater and 9m^2 otherwise, and

(c) be not higher than 2.4m above *ground level (existing)*, and

(d) be located at least 0.9m from each lot boundary, and

(e) be located no less than 0.9m behind the *frontage building line* and be screened by a fence of 1.8m located between the development and the road or public land frontage, and

(f) not be a shipping container, and

(g) if constructed of metal, be a proprietary product constructed of low-reflective, factory pre-coloured metal, and

(h) be constructed or installed so that roof water is disposed of without causing a nuisance to adjoining owners, and

(i) except in the case of a gazebo or cabana used to shade outdoor *recreation areas*, not be constructed in a *principal private open space*, and

(j) if it is located on bush fire prone land and is less than 5m from a *dwelling*—be constructed of non-combustible material.

(2) There shall not be more than 2 developments per *dwelling*.

Subdivision 10 Business Identification Sign (in areas beyond Town Centre or Neighbourhood Centre)

2.1.19 Specified development

The construction or installation of a business Identification sign is development specified for this *Code*.

Note. See Advertising Signs and Business Identification Signs in the Town Centre and Neighbourhood Centres. Refer to **Division 2 Commercial Exempt Development Code**.

2.1.20 Development standards

(1) The standards specified for that development are that the development must, when it is a business identification sign (including for a *SOHO dwelling*), not exceed an area of 1m.

(2) There must not be more than 1 development per *dwelling*.

Subdivision 11 Clothes hoists and clothes lines

2.1.21 Specified development

The construction or installation of a clothes hoist or clothes line is development specified for this *Code*.

2.1.22 Development standards

The standards specified for that development are that the development must:

(a) be located behind the *frontage building line*, and

(b) be screened by a fence of 1.8m *height* located between the development and the road or any public land frontage or any other lot, and

(c) be wall mounted onto an existing building wall, and

(d) not be located in a designated *private open space*, and

(e) be located at least 0.45m from each lot boundary when fully extended, and

(f) be at least partly covered by a roof eave, and

(g) be constructed of low-reflective, factory pre-coloured materials.

Subdivision 12 Demolition

2.1.23 Specified development

Demolition of development that would be *exempt development* under this *Code* if it were being constructed or installed is development specified for this *Code*.

2.1.24 Development standards

The standards specified for that development are that the development must be carried out in accordance with Australian Standard *AS 2601—2001 The demolition of structures*.

Subdivision 13 Driveways

2.1.25 Specified development

The construction or installation of a driveway associated with access to an open *hard stand space*, a carport or *garage* is development specified for this *Code*.

2.1.26 Development standards

The standards specified for that development are that the development must:

(a) be for domestic purposes only, and

(b) be constructed so that any surface water is disposed of without causing a nuisance to adjoining owners, and

(c) not require cut or fill more than 0.6m below or above *ground level (existing)*, and

(d) be constructed in accordance with Australian Standard *AS 2890.1*:2004 *Parking facilities—Off-street car parking*, and

(e) be constructed in accordance with the relevant road authority's policy and specifications on vehicle and driveway crossings, and

(f) have the consent of the relevant road authority for all works and structures for the development of a private access within a public road in accordance with Section 138 of the *Roads Act 1993*, and

(g) where a development consent or a design guideline document applies to the land, be constructed only of materials permitted by these documents.

Subdivision 14 Earthworks and retaining walls

2.1.27 Specified development

Earthworks and the construction or installation of a retaining wall is development specified for this *Code*.

Note. Activities carried out in connection with the erection or alteration or provision of *ancillary development* for an existing *dwelling house* or Multi-unit House, are exempt from Section 91E (1) of the *Water Management Act 2000*, but excluding any activity carried out in, on or over the bed of any river, lake or estuary by virtue of Clause 39A (2)(g) of the *Water Management (General) Regulation 2004*.

2.1.28 Development standards

(1) The standards specified for that development are that the development must:

(a) be for domestic purposes only, and

(b) be located at least 0.9m from each lot boundary, except where the earthworks or retaining wall are/is constructed in association with a built-to-boundary wall, and

(c) if a retaining wall be not higher than:

(i) 0.6m at any point as measured from *ground level (existing)* except as noted in (ii) below, and

(ii) be not higher than 0.8m above *ground level (existing)* at each step, if it is on a sloping site and stepped to accommodate the fall in the land, and

(d) have adequate drainage lines behind it, and

(e) not require cut or fill more than 0.6m below or above *ground level (existing)*, and

(f) not redirect the flow of surface water onto an adjoining property, and

(g) cause surface water to be disposed of without causing a nuisance to adjoining owners, and

(h) where a development consent or *design guidelines* apply to the land, be constructed only of materials permitted by the consent or *design guidelines*, and

(i) be located at least 6m from a waterbody (existing).

Subdivision 15 Events on Council Administered Land

2.1.29 Specified development

The conduct of an event on *Council* administered land, including road reserves, for non-commercial activities (i.e., by a not-for-profit or community organisation) that require a temporary licence is development specified for this *Code*.

Note. Includes organised events such as surf carnivals, carols nights, outdoor movie nights, community awareness programs, markets, fund raising activities and the like.

2.1.30 Development standards

The standards specified for that development are that the development must comply with the requirements of the Tweed *Procedure for issuing temporary licences for events on Council administered land, including Road Reserves* as well as all other applicable *Council* policies.

Subdivision 16 Film Shoots Production

2.1.33 Specified development

Film shoots production on *Council* administered land, including road reserves, is development specified for this *Code*.

2.1.34 Development standards

The standards specified for that development are that the development must:

(a) comply with the requirements of the *Procedure for issuing temporary licenses for events on Council administered land, including Road Reserves*.

Subdivision 17 Flagpoles

2.1.35 Specified development

The construction or installation of a free-standing flagpole is development specified for this *Code*.

2.1.36 Development standards

(1) The standards specified for that development are that the development must:

(a) be not higher than 6m above *ground level (existing)*, and

(b) not have a diameter of more than 0.09m, and

(c) be located at least 3m from each lot boundary, and

(d) be constructed of low-reflective, factory pre-coloured metal or low-reflective stainless steel.

(2) There must not be more than 1 development per lot.

(3) Any flag flown from the development must not have an area of more than 2.5m^2 and must not be used for advertising.

Subdivision 18 Home businesses, home industries and home occupations

2.1.37 Specified development

A home business, a home industry or a home occupation is development specified for this *Code*.

2.1.38 Development standards

The standard specified for this development is that it must not involve a change of building use.

Note 1. The elements that must comprise this development are specified in the definition of home business, home industry or home occupation in the *standard instrument.*

Note 2. Under the *Building Code of Australia,* a change of building use involving a *floor area* greater than 10% of the *floor area* of a building would cause the building to contravene the development standard.

Subdivision 19 Home-based child care

2.1.39 Specified development

Home-based child care is development specified for this *Code* if it is not carried out on bush fire prone land.

2.1.40 Development standards

No standards are specified for this development.

Note. The elements that must comprise this type of development are specified in the definition for this development in the *standard instrument.* If all the elements are not present, the

development is not development to which this Division applies.

Subdivision 20 Hot Water Systems (Not Including Solar Hot Water Systems)

2.1.41 Specified development

The construction or installation of a gas or heat exchange type hot water heater or a hot water storage tank is development specified for this *Code*.

2.1.42 Development standards

The standards specified for that development are that the development must:

(a) if constructed or installed externally:

(i) not be located on a roof, and

(ii) be located a minimum of 900mm behind the *frontage building line* of a road or public land frontage, and

(iii) be screened with a fence of 1.8m high between the appliance and the road or public land frontage and/or any other lot.

Note. For solar systems refer to Subdivision 39, Solar Hot Water Systems and Photovoltaic Systems below.

Subdivision 21 Landscaping structures

2.1.43 Specified development

The construction or installation of a landscaping structure (including a garden arch), other than a retaining wall is development specified for this *Code*.

2.1.44 Development standards

The standards specified for that development are that the development must:

(a) be not higher than 2.1m above *ground level (existing)*, and

(b) not have a plan dimension of more than 1.5m in any direction, and

(c) be located at least 0.9m from each lot boundary, and

(d) be located behind the *frontage building line* of a road frontage, and

(e) not comprise masonry construction higher than 1m from *ground level (existing)*.

Subdivision 22 Letterboxes

2.1.45 Specified development

The construction or installation of a letterbox, whether free standing or in banks, is development specified for this *Code*.

2.1.46 Development standards

(1) The standards specified for that development are that the development must:

(a) be not higher than 1.2m above *ground level (existing)*, and

(b) be visible from the road alignment, and

(c) have numbering that is visible from the road alignment, and

(d) be constructed of masonry and containing a proprietary, corrosion-resistant metal insert.

(2) There must be only 1 development per *dwelling* plus 1 development where a body

corporate/owners' corporation letterbox is required.

Subdivision 23 Minor building alterations (internal)

2.1.47 Specified development

(1) A minor internal building alteration, for the replacement or renovation of:

(a) a doorway, wall, ceiling or floor lining, or

(b) a deteriorated frame member, or

(c) a bathroom or kitchen, or

(d) a built-in fixture such as a vanity, a cupboard or a wardrobe, or

(e) an existing sanitary fixture, such as a grease trap or the like, or

(f) shelving or racking that is not higher than 2.7m, or

(g) a work station or counter.

(2) The installation of new or replacement insulation material in the ceiling, floor or wall of a building is also development specified for this *Code*.

2.1.48 Development standards

The standards specified for that development are that the development must:

(a) not be an alteration to a food preparation area in *food and drink premises*, and

(b) if it is the replacement or renovation of a deteriorated frame member—be of equivalent or improved quality materials, and

(c) not include a change to the configuration of a room, whether by the addition or removal of an existing wall, partition or other means, and

(d) not cause reduced window arrangements for light and ventilation needs, reduce the size of a doorway or involve the enclosure of an open area, and

(e) not affect the load bearing capacity (whether vertical or horizontal) of a building, and

(f) not include a change to the fire resisting components of, or interfere with the entry to or exit from, or the fire safety measures contained within, a building, and

(g) if it is the installation of new or replacement insulation material in a *dwelling*, it must be in accordance with Part 3.12.1 of the *Building Code of Australia*.

Subdivision 24 Minor building alterations (external)

2.1.49 Specified development

A minor external non-structural building alteration such as the following:

(a) painting, plastering, cement rendering, cladding, attaching fittings or decorations, or

(b) the replacement of an external window, glazing areas or a door of the same colour and of equivalent or improved quality, or

(c) the repair to or replacement of a non-structural wall or roof cladding, is development specified for this *Code*.

2.1.50 Development standards

The standards specified for that development are that the development must:

(a) not comprise the making of, or an alteration to the size of, any opening in a floor, wall or roof, such as a doorway, window or skylight, and

(b) not reduce the existing fire resistance level of a floor, wall, window, door, or roof, and

(c) not reduce the existing sound transmission class of a floor, wall, window, door, or roof, and

(d) not reduce the existing thermal insulation value of a floor, wall, window, door, or roof, and

(e) if located on bush fire prone land:

(i) be adequately sealed or protected to prevent the entry of embers, and

(ii) use equivalent or improved quality materials.

(f) not affect any existing fire resisting components of the building, and

(g) not affect the means of egress from the building in an emergency (including the provision of any additional locking that may be a component of the development), and

(h) if it is the installation of a security screen or grill to a door or window or a security door—be for domestic purposes only.

Note. See Subdivision 38 below for skylights.

Subdivision 25 Noxious Weed Control

2.1.51 Specified development

The control of noxious weeds is development specified for this *Code*.

2.1.52 Development standards

The standards specified for that development are that the development must:

(a) be authorised under the *Noxious Weeds Act 1993*, and

(b) be carried out by methods that will not have an impact on native flora and fauna or create problems with land degradation, including soil erosion, coastal erosion and siltation of water bodies.

Subdivision 26 Pathways and paving

2.1.53 Specified development

The construction or installation of a pathway or paving associated with a balcony, deck, patio, pergola, terrace or verandah is development specified for this *Code*.

2.1.54 Development standards

The standards specified for that development are that the development must:

(a) be for domestic purposes only, and

(b) be constructed within the boundaries of the land, and

(c) be constructed so that any surface water is disposed of without causing a nuisance to adjoining owners, and

(d) not require cut or fill more than 0.6m below or above *ground level (existing)*, and

(e) be within 0.15m of *ground level (existing)* where located within 0.9m of any lot boundary, and

(f) not have an area more than 15% of the ground *floor area* of the associated development, and

(g) where a development consent or a guideline document applies to the lot, be constructed only of materials permitted by these documents, and

(h) not cause the coverage of more than 90% of the lot with impervious materials.

Subdivision 27 Playground equipment

2.1.55 Specified development

The construction or installation of playground equipment is development specified for this *Code*.

2.1.56 Development standards

The standards specified for that development are that the development must:

(a) be for domestic purposes only, and

(b) be not higher than 2.5m above *ground level (existing)*, and

(c) be located not less than 0.9m behind the *frontage building line* of any road or public land frontage, and

Subdivision 28 Portable swimming pools and spas and child-resistant barriers

2.1.57 Specified development

The construction or installation of a portable swimming pool or spa or a child-resistant barrier that is required under the *Swimming Pools Act 1992* is development specified for this *Code*.

2.1.58 Development standards

(1) The standards specified for that development if it is the construction or installation of a portable swimming pool or spa are that the development must:

(a) be for domestic purposes only, and

(b) be located behind the *frontage building line* of a road or public land frontage, and

(c) be located at least 1m from each lot boundary, and

(d) not include any element that extends higher than 2m above the *ground level (existing)*, and

(e) not exceed 2,000 litres in capacity, and

(f) in the case of a swimming pool, not be constructed on a lot of 200m^2 or less, and

(g) not require structural work for installation, and

(h) not impact on the structural stability of any building.

(2) A child-resistant barrier must be constructed or installed in accordance with the requirements of the *Swimming Pools Act 1992* and any conditions of the development consent applying to the land.

Subdivision 29 Privacy screens

2.1.59 Specified development

The construction or installation of a privacy screen that is not *attached* to a boundary fence or retaining wall is development specified for this *Code* if it is not constructed or installed on a lot of 200m^2 or less in area.

2.1.60 Development standards

The standards specified for that development are that the development must:

(a) be not higher than 2.5m above *ground level (existing)*, unless fixed to the building in accordance with (f) below, and

(b) be not longer than 5m, and

(c) be located at least 0.9m from each lot boundary, and

(d) be located no less than 0.9m behind the *frontage building line* of a road or public land frontage

(unless it is fixed to a balcony or terrace in accordance with (f) below), and

(e) be constructed of tube form metal in a low reflective, factory pre-coloured finish or dressed and stained timber in either a lattice, batten or louvre configuration, and

(f) if fixed to an existing building wall, balcony or terrace, be fixed in a structurally sound manner and in a colour *matching* that of the existing building wall or column to which it is fixed.

Subdivision 30 Public Art

2.1.61 Specified development

The construction or installation of public art is development specified for this *Code*.

2.1.62 Development standards

The standards specified for that development are that the development must:

(a) be consistent with a Plan of Management for the site.

Subdivision 31 Rainwater tanks (above ground)

2.1.63 Specified development

The construction or installation of a rainwater tank above ground is development specified for this *Code*.

2.1.64 Development standards

(1) The standards specified for that development are that the development must:

(a) have a capacity of:

(i) if for an educational establishment—not more than 25,000 litres, and

(ii) in any other case—not more than 10,000 litres, and

(b) be located at least 0.45m from each lot boundary if the tank has a *height* of more than 1.8m above *ground level (existing)*, and

(c) be located no less than 0.9m behind the *frontage building line* of any road or public land frontage, and

(d) be screened with fencing of 1.8m *height* located between the development and the road or public land frontage and/or any other lot, and

(e) not rest on the footings of an existing building for support, and

(f) not require cut and fill of more than 1m below or above *ground level (existing)* or that is within 0.9m of any lot boundary, and

(g) be fitted with a first-flush device that causes initial run-off rainwater to bypass the tank which is of a colour *matching* the colour of the tank, and

(h) have a sign affixed to it stating the water in it is rainwater, and

(i) be constructed or installed to prevent mosquitoes breeding in it, and

(j) have its overflow connected to an existing stormwater drainage system that does not discharge to an adjoining property or cause a nuisance to adjoining owners, and

(k) be constructed in low-reflective, factory pre-coloured materials.

(2) Pumps attached to the development must be housed in a soundproof enclosure.

(3) If reticulated water is provided to the lot, the development must not be connected to reticulated town water without the prior approval of the local water authority.

(4) In this clause:

educational establishment means a building or place used for education (including teaching) and includes a pre-school, a *school*, a tertiary institution that provides formal education (such as a university or TAFE establishment) and an art gallery or museum that is not used to sell the items displayed in it (whether or not the building or place is also used for accommodation for staff or students).

Subdivision 32 Rainwater tanks (below ground)

2.1.65 Specified development

The construction or installation of a rainwater tank below ground is development specified for this *Code*.

2.1.66 Development standards

(1) The standards specified for that development are that the development must:

(a) be fitted with a first-flush device that causes initial run-off rainwater to bypass the tank, and

(b) have a sign affixed to it stating the water in it is rainwater, and

(c) be constructed or installed to prevent mosquitoes breeding in it, and

(d) have its overflow connected to an existing stormwater drainage system that does not discharge to an adjoining property, or cause a nuisance to adjoining owners, and

(e) be located no less than 0.9m behind the *frontage building line* of a road or public land frontage unless completely submerged below ground with the exception of a cover that either is screened within a garden with planting or is exposed in a paved area and treated with the same paving finish as the surrounding area.

(2) Pumps attached to the development must be housed in a soundproof enclosure.

(3) If reticulated water is provided to the lot, the development must not be connected to reticulated town water without the prior approval of the local water authority.

Subdivision 33 Real Estate Advertisements

2.1.67 Specified development

The installation of real estate advertisements is development specified for this *Code*.

2.1.68 Development standards

The standards specified for that development are that the development must:

(a) not be within 250m of, and visible from a *classified road*, and

(b) be temporary and limited to a maximum period of twelve months, and

(c) be limited to 1 sign per lot (before subdivision) or development, and

(d) not be flashing or animated, and

(e) be a maximum *height* of 8m above *ground level (existing)*, and

(f) have a maximum advertising display area of:

(i) if advertising 1 *dwelling*, 2.17m^2, and

(ii) if advertising a Multi-dwelling development of less than ten (10) *dwelling*s, 8.64m^2, and

(iii) if advertising a Multi-dwelling development of ten (10) or more *dwelling*s, 20m^2, and

(iv) if advertising a commercial building, is 4.34m^2, and

(v) if advertising a commercial or industrial property, is 20m^2, and

(vi) if advertising a subdivision of less than two (2) hectares, is 8.64m^2, and

(vii) if advertising a subdivision of between two (2) and ten (10) hectares, is 17.28m^2, and

(viii) if advertising a subdivision of more than ten (10) hectares, is 20m^2.

Subdivision 34 Scaffolding, hoardings and temporary construction site fences

2.1.69 Specified development

The construction, installation and removal of a scaffold, hoarding or temporary construction site fence that is used in connection with development that is *exempt development* or *complying development* is development specified for this *Code*.

2.1.70 Development standards

The standards specified for that development are that the development must:

(a) enclose the works area, and

(b) if it is a temporary construction site fence adjoining, or on, a public place – be covered in chain wire mesh, and

(c) be removed immediately after the purpose for which it was erected has finished and no safety issue will arise from its removal.

Note 1. A structure on public land or on or over a public road requires the prior approval of the relevant authority under the *Local Government Act 1993* or the *Roads Act 1993*, respectively.

Note 2. The *Occupational Health and Safety Act 2000* and *Occupational Health and Safety Regulation 2001* contain provisions relating to scaffolds, hoardings and other temporary structures.

Subdivision 35 Screen enclosures (of balconies, decks, patios, pergolas, terraces and verandahs)

2.1.71 Specified development

The construction or installation of a screen by attaching it to a balcony, deck, patio, pergola, terrace or verandah of a *dwelling* is development specified for this *Code*.

2.1.72 Development standards

The standards specified for that development are that the development must:

(a) not have a solid enclosing wall higher than 1.4m above the floor level of the structure it is enclosing, and

(b) if it encloses a structure *attached* to the ground level of a single *storey dwelling* or the upper level of a two *storey dwelling*—not be higher than the adjacent roof eave line, and

(c) if it encloses a structure *attached* to the ground level of a two *storey dwelling*—not be higher than 3m above the floor level of the structure it is enclosing and is not higher than the adjacent first floor roof eave line, and

(d) if it encloses a freestanding structure—not be higher than 3m above the floor level or not be higher than the roof eave line of the structure it is enclosing, and

(e) if it encloses a structure *attached* to the upper level of a two *storey dwelling*—not enclose an area of more than 9m^2, and

(f) be located no less than 0.9m behind the *frontage building line* of any road or public land frontage, and

(g) be located at least 0.9m from each lot boundary, and

(h) to the extent it is comprised of metal components—be constructed of low reflective, factory pre-

coloured materials, and

(i) if it is connected to a fascia—be connected in accordance with a *professional engineer's* specifications, and

(j) have at least two-thirds of its perimeter comprising open screen mesh material, and

(k) if it is located on bush fire prone land and is less than 5m from a *dwelling*—be constructed of non combustible material.

Subdivision 36 Shade structures of canvas, fabric, mesh or the like

2.1.73 Specified development

The construction or installation of a shade structure of canvas, fabric, mesh or the like is development specified for this *Code*.

Note. See separate entry for awnings, blinds and canopies.

2.1.74 Development standards

The standards specified for that development are that the development must:

(a) be for domestic purposes only, and

(b) not have an area more than 15m^2 for *single dwelling* lots of 300m2 or more or otherwise 9m^2, and

(c) not cause the total area of all such structures on the lot to be more than 15% of the ground *floor area* of the *dwelling* on the lot, and

(d) not be higher than 3m from *ground level (existing)*, and

(e) be located at least 0.9m from each lot boundary, and

(f) be located no less than 0.9m behind the *frontage building line*, and

(g) within an *articulation zone* or *setback* of any public land frontage, and

(h) to the extent it is comprised of metal components—be constructed of low reflective, factory pre-coloured materials, and

(i) if it is connected to a fascia—be connected in accordance with a *professional engineer's* specifications, and

(j) not interfere with the functioning of existing drainage fixtures or flow paths, and

(k) if it is located on bush fire prone land and is less than 5m from a *dwelling*—be constructed of non-combustible material.

Subdivision 37 Skylights, roof windows and ventilators

2.1.75 Specified development

The construction or installation of a skylight, roof window or ventilator is development specified for this *Code*.

2.1.76 Development standards

The standards specified for that development are that the development must:

(a) be for domestic purposes only, and

(b) not cause the total area of all such structures to be more than 2% of the total roof area of the building, and

(c) be located at least 0.9m from each lot boundary, and

(d) be located at least 0.9m from a wall separating *attached dwelling*s, and

(e) be constructed or installed so that any opening created is adequately weather proofed, and

(f) not involve work that reduces the structural or fire resisting/separation integrity of the building, and

(g) if located on bush fire prone land—be adequately sealed or protected to prevent entry of ember.

Subdivision 38 Solar Hot Water Systems and Photovoltaic Systems

2.1.77 Specified development

The construction or installation of a photovoltaic system or solar hot water system is development specified for this *Code*.

2.1.78 Development standards

The standards specified for that development are that the development must:

(a) be integrated into the building or be flush or parallel with the surface of its roof, and

(b) not:

(i) reduce the structural or fire resisting/separation integrity of, or involve structural alterations to, the building, or

(ii) necessitate the removal of trees from near the building to ensure that solar energy is available for the system.

Subdivision 39 Temporary builders' structures

2.1.79 Specified development

The construction or installation of a building site shed, office or associated amenities structure is development specified for this *Code*.

2.1.80 Development standards

The standards specified for that development are that the development must:

(a) be located on the lot in relation to which a current development consent has been granted, and

(b) if it contains plumbing fixtures, have those fixtures connected to an approved waste water treatment device or an approved connection to the sewer, and

(c) not be used for residential purposes, and

(d) be removed from the lot immediately after completion of the works for which the development consent was granted.

(e) not be connected to a reticulated town water or sewer without the prior approval of the local water and sewerage authority.

Subdivision 40 Underground Telecommunications Facilities

2.1.81 Specified development

The construction or installation of an underground conduit or cable deployed by narrow trench or direct burial is development specified for this *Code* if it is on land covered by an approved *plan of development* and not on land that is within an environmental protection area defined on the *concept plan*.

2.1.82 Development standards

(1) The standards specified for that development are that the development must:

(a) not have a trench width exceeding 0.45m, and

(b) not leave open more than 100m length of excavation at any one time, and

(c) be completed in accordance with a reinstatement plan agreed to prior to construction with the owner or, if on public land, the public land manager, and the reinstatement plan must include (as appropriate):

(i) management and protection measures, and

(ii) relaying of existing road or pavement, and

(iii) replanting of grass, trees or foliage, and

(iv) replacement or removal or material removed, and

(v) reinstatement of existing contours.

(2) Notification must be carried out in accordance with the requirements of Chapter 4, Part 5 of *Telecommunications Code of Practice 1997 (Cth)* prior to the commencement of any works.

Subdivision 41 Water features and ponds

2.1.83 Specified development

The construction or installation of a water feature or pond is development specified for this *Code*.

2.1.84 Development standards

The standards specified for that development are that the development must:

(a) not have a water depth of more than 0.3m, and

(b) not have a surface area of more than $10m^2$, and

(c) be located behind the *frontage building line* of any road frontage, and

DIVISION 2 COMMERCIAL EXEMPT DEVELOPMENT CODE

Subdivision 1 Advertising Signs and Business Identification Signs in Town Centre and Neighbourhood Centre

2.1.85 Specified development

The erection or installation of an advertising sign or building identification sign in the Town Centre or a Neighbourhood Centre is development specified for this *Code*.

2.1.86 Development standards

The standards specified for that development are that the development must:

(a) when it is a suspended under awning sign,

(i) not exceed one per premises with ground level street frontage, and

(ii) be securely fixed by metal supports, and

(iii) not exceed $1.5m^2$ in area, and

(iv) if over a public road, be suspended at a *height* not less than 2.6m above the ground/pavement level (finished) and be no less than 0.3m in plan from any traffic lane, and

(b) when a vertical or horizontal projecting wall sign

(i) not exceed one per premises or one per street frontage, whichever is the greater, and

(ii) not exceed $2.5m^2$ in area, and

(iii) be securely fixed by metal supports, and

(iv) if over a public road, erected at a *height* no less than 2.6m above the adjacent ground/pavement level (finished) and be no less than 0.3m in plan from any traffic lane, and

(c) when a flush wall sign:

(i) not exceed 2.5m^2 in area, and

(ii) be securely fixed, and

(iii) if over a public road, be erected at a *height* no less than 2.6m above ground/pavement level (finished) and be no less than 0.3m in plan from any traffic lane, and

(d) when a top hamper sign,

(i) be securely fixed, and

(ii) not exceed 2.5m^2 in area, and

(e) when a fascia sign,

(i) not project above or below the fascia or return of the awning to which it is *attached*, and

(ii) not extend more than 0.3m from the face of the fascia or return end of the awning, and

(f) when a public notice, be a notice for public information displayed by a public authority giving information or direction about services provided.

Subdivision 2 Automatic teller machines

2.1.87 Specified development

The construction or installation of an automatic teller machine is development specified for this *Code*.

2.1.88 Development standards

The standards specified for that development are that the development must be located inside and only be accessible from within existing bulky goods premises or *Commercial premises*.

Subdivision 3 Change of Use

2.1.89 Specified development

A change from a current use to a new use that is a change from:

(a) a type of *business premises* to another type of *business premises*, or

(b) *business premises* to *office premises*, or

(c) a type of *office premises* to another type of *office premises*, or

(d) *office premises* to *business premises*, or

(e) a type of *retail premises* to another type of *retail premises*, or

(f) a bulky goods premises to another bulky goods premises, or

(g) a light industry another light industry, or

(h) a warehouse or distribution centre to another warehouse or distribution centre, or

(i) a light industry to a warehouse or distribution centre, or

(j) a warehouse or distribution centre to a light industry

is development specified for this *Code*.

2.1.90 Development standards

The standards specified for that development are that:

(a) the current use must be a lawful use, and

(b) the current use must not be an existing use within the meaning of section 106 of the Environmental Planning and Assessment *Act 1979*, and

(c) the new use shall be a permissible use in the Land Use Table of the Cobaki Estate Development Matrix (**Figure 1.2.2**), and

(d) the new use must not result in a change of building use under the *Building Code of Australia,* and

(e) the new use must not be carried out at premises that are a manufactured home, moveable *dwelling* or associated structure, temporary structure, tent, swimming pool, ship or vessel, and

(f) the new use must not be any of the following:

(i) *food and drink premises*, or

(ii) a funeral chapel, or

(iii) a funeral home, or

(iv) *retail premises* where firearms within the meaning of the *Firearms Act 1996* are sold, or

(v) landscape and garden supplies, or

(vi) a market, or

(vii) premises that are a beauty salon or hair dressing salon, or

(viii) premises where a skin penetration procedure within the meaning of Section 51 of the *Public Health Act 1991* is carried out, or

(ix) restricted premises, or

(x) a roadside stall, or

(xi) sex services premises, or

(xii) vehicle sales or hire premises, and

(g) the new use must not involve building alterations, other than alterations that are *exempt development* under this *Code*, and

(h) the new use must not result in an increase in the *gross floor area* of any building within which it is carried out, and

(i) the new use must not cause the contravention of any existing condition of a development consent or building guideline that applies to the premises relating to hours of operation, car parking, vehicular movement, traffic generation, landscaping or waste management.

2.2 Complying Development

Objectives

To specify development, or a class of development, that can be addressed by specified predetermined development standards as *complying development*. *Complying development* requires a *complying development certificate* (CDC) to be issued by either the *Council* or an *accredited certifier*.

Controls

(1) Development specified in **Schedule 2** that meets the standards for the development contained in that Schedule and that complies with the requirements of this Part is *complying development*.

(2) To be *complying development*, the development specified in **Schedule 2** must:

(a) have a *DRP pre-approval certificate* confirming compliance with *design guidelines* where *design guidelines* apply to the land the subject of the development, and

(b) comply with the development standards specified in relation to that development, and

(c) comply with the requirements of this Part, and

(d) meet the relevant provisions of the *Building Code of Australia,* and

(e) the development must comply with the requirements of Section A3 (Development of Flood Liable Land) of *Tweed DCP.*

(3) Development cannot be *complying development* if:

(a) the development is designated development, or

(b) it is on land shown as zoned Environmental Protection on the land use zoning maps, or

(c) the development requires concurrence (except a concurrence of the Director-General of the Department of Environment, Climate Change and Water in respect of development that is likely to significantly affect a threatened species, population, or ecological community, or its habitat identified under the *Threatened Species Conservation Act 1995*), or

(d) the development conflicts with the provisions of the *Building Code of Australia* or any other applicable legislation, or

(e) the land is contaminated land that requires remediation in accordance with *State Environmental Planning Policy No. 55 – Remediation of Land.*

(4) A *complying development certificate* for development specified in **Schedule 2** is subject to the conditions set out in **Schedule 3**.

Note 1. Section 76A (6) of the *Environmental Planning and Assessment Act 1979* provides that certain development, such as designated development, or development requiring the concurrence of another body, or development on land comprising, or on which there is, a *heritage item*, cannot be *complying development*.

Note 2. Under section 76A of the *Environmental Planning and Assessment Act 1979*, development consent for the carrying out of *complying development* may be obtained by the issue of a *complying development certificate*.

Note 3. See also clause 13(3) of *SEPP 4* which provides that the conversion of fire alarms is *complying development* in certain circumstances.

Note 4. For the purpose of this *Code*, a *single dwelling* includes a Traditional *detached* dwelling *house*, Zero-lot, Terrace and *SOHO dwellings*.

Note 5. Applicants should be aware of any easements affecting land to which their development applies.

Schedule 2

DIVISION 1 RESIDENTIAL COMPLYING DEVELOPMENT CODE

1. Subdivision 1(aa) Specified Complying Development Under This Code

2.2.1(aa) Specified Complying Development

The erection of a new (or additions or alterations to an existing) *traditional detached dwelling*, *terrace dwelling*, *zero-lot dwelling*, *SOHO dwelling*, *plex dwelling*, *mews dwelling*, *granny flat* and *ancillary development* is development specified for this *Code*.

2.2.1(ab) Basements and roof terraces excluded

(1) The erection of a *basement*, either as part of a new *single dwelling*, *granny flat*, *plex dwelling* or *mews dwelling*, or as an addition or alteration to an existing *single dwelling*, *granny flat*, *plex dwelling*, *mews dwelling*, is not included in development that is specified for this *Code*.

(2) The erection of a roof terrace on the topmost roof of:

(a) an existing or a new *single dwelling*, *plex dwelling* or *mews dwelling*, or

(b) an existing or a new *outbuilding* that is *detached* from a *single dwelling*, *plex dwelling* or *mews dwelling*,

is not included in development that is specified for this *Code*.

Subdivision 1(ab) Bush fire prone land

2.2.1(ac) Development standards

(1) Development specified for this *Code* that is to be carried out wholly or partly on bush fire prone land may be carried out on a lot only if:

(a) the part of the lot on which the development is to be carried out has been certified as not being within the flame zone, and

(b) the lot has direct access to a dedicated public road, and

(c) a reticulated water supply is connected to the lot, and

(d) a fire hydrant is located less than 60 metres from the location on the lot of the proposed development, and

(e) mains electricity is connected to the lot.

Note 1. The requirements of *AS 3959-2009, Construction of buildings in bush fire prone areas,* effective 1 May 2010, set out in the Building Code of Australia also apply.

(2) In this clause:

certified means certified by:

(a) the NSW Rural Fire Service within the first 16 months of the commencement of this *Code* or

(b) a person who is a qualified consultant.

Note 1. qualified consultant means a person who is recognised by the NSW Rural Fire Service as a qualified consultant in bush fire risk assessment.

Note 2. flame zone means the distance from a bush fire at which there is significant potential for sustained flame contact to a building. The flame zone is determined by the calculated distance at which the radiant heat of the design exceeds BAL 40 or calculated by the sustained flame length, whichever is the lesser.

Note 3. Clause 127A of the *Environmental Planning and Assessment Regulation 2000* requires a *Council* or *accredited certifier* to seek confirmation of the bush fire risk category of land. Schedule 2 to that Regulation requires an application by a diagram illustrating the bush fire risk categories of the land on which the development is to be carried out.

More information about the categories of bush fire attack, including the flame zone, can be found in Table A3.2 of the publication entitled "Planning for Bush Fire Protection" published by NSW Rural Fire Service in 2006 [ISBN 0 9751033 2 6].

Subdivision 1 Site requirements

2.2.1 Lot requirements

(1) Development specified for this *Code* must only be carried out on a lot that:

(a) is a *nominated lot* for the type of development proposed, and

(b) has a direct connection to *Council's* reticulated water supply and sewer.

(2) A lot on which new *dwelling*s are erected must have lawful access to a public road.

2.2.2 Maximum floor area for Dwellings

(1) The *floor area* of a *dwelling* must not be more than the following:

(a) on a lot of less than 400m^2, 1.5 times the area of the lot for a two or three *storey dwelling; and*

(b) on a lot of at least 400m^2, 1.25 times the area of the lot for a two or three *storey dwelling.*

Note 1. In the case of a single storey dwelling, no maximum *floor area* control applies as those dwellings will be limited in scale through all other provisions of the Code, including setbacks and private open space controls.

(2) For the purpose of calculating the *floor area* in sub clause (1):

floor area means the sum of the areas of each *storey* of the *dwelling* and carport, *garage*, balcony, deck, patio, pergola, terrace or verandah, measured at a *height* of 1.4m above each floor level, where the area is taken to be the area within the outer face of:

(a) the external walls of the *dwelling*, and

(b) the walls or balustrade of the carport, *garage*, balcony, deck, patio, pergola, terrace or verandah, but excluding any of the following:

(i) any part of an awning, blind or canopy that is outside the outer wall of a building, or

(ii) an eave, or

(iii) a lift shaft, or

(iv) a stairway, or

(v) a void above a lower *storey*.

2.2.2(aa) Maximum floor area for Granny Flats

(1) The *floor area* of a *granny flat* must not be more than 60 square metres; and

(2) The *floor area* of all buildings on a lot must not be more than the maximum *floor area* allowed for a *dwelling* on the site as provided in **Section 2.2.2** above.

2.2.2(ab) Maximum floor area for SOHO Dwellings

(1) The *floor area* of the residential component of a *SOHO dwelling* must not be more than the maximum *floor area* allowed for a *dwelling* on the site as provided in **Section 2.2.2** above; and

(2) The *floor area* of the commercial component of a *SOHO dwelling* must not exceed 66 square metres.

2.2.3 Maximum floor area for Outbuildings

(1) The *floor area* of an *outbuilding* on a lot of at least 600m^2 and designated for any *dwelling* type must not be more than 12m^2.

(2) For the purpose of calculating the *floor area* in sub clause (1):

floor area means the sum of the areas of each *storey* of the *outbuilding*, measured at a *height* of 1.4m above each floor level, where the area of each *storey* is taken to be the area within the outer face of:

(a) the external walls of the *outbuilding* if it is enclosed, and

(b) the supporting columns or posts of the *outbuilding* if it is not enclosed, but excluding any of the following:

(i) any part of an awning, blind or canopy that is outside the outer wall of a building,

(ii) an eave, or

(iii) a stairway.

Subdivision 2 Building Heights and Setbacks

2.2.4 Building Heights of Dwellings and Outbuildings

(1) The maximum *building height* of a *dwelling* must not be more than 5m above *ground level (existing)* for a one *storey dwelling*, 9m for a two *storey dwelling* and 12m for a three *storey dwelling* (see Figure 2.2.4.1).

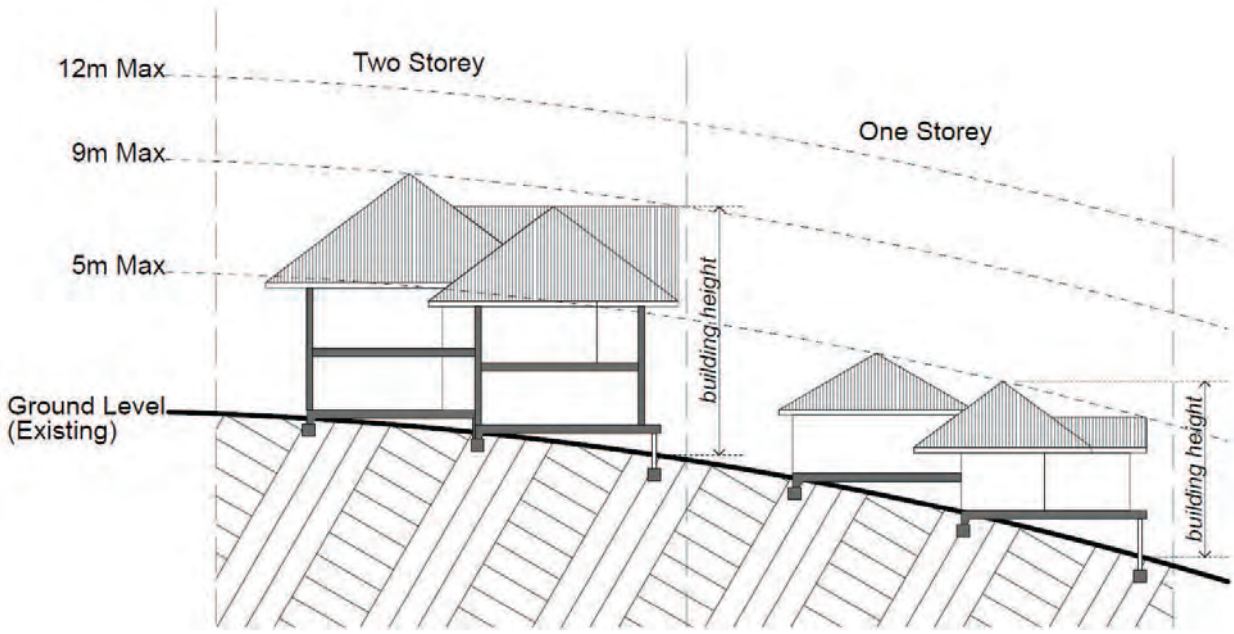


Figure 2.2.4.1 Overall Building Height

Note 1. Also refer to s2.2.6 and 2.2.7 regarding *setback* requirements relating to *building height*.

(2) The maximum *building height* of an *outbuilding* on a lot nominated for a *dwelling* must not be more than 4m above *ground level (existing)*.

(3) *dwellings* are to be a maximum of two *storeys* in *height*, subject to sub clauses (4) and (5).

(4) A third *storey* is permitted (with a DRP Pre Approval Certificate) where it can be demonstrated that the *dwelling* is located:

(a) on a lot designated for three (3) *storey* construction on a *plan of development*, or otherwise not in contradiction to any control in the *plan of development*, or

(b) on a prominent street corner, or

(c) adjacent to a neighbourhood or local centre or public open space, or a golf course, or a riparian corridor, or

(d) on land with a *ground level (existing)* slope equal to or more than 15%, in which case a partial third *storey* (not being a *basement*) is permitted below two upper levels, or

(5) Wall lengths of a *height* of two *storeys* or more must not exceed 30% of the length of the side boundary where the *setback* to that boundary is less than 2.0m, with the exception of *terrace dwellings* and *SOHO dwellings*.

2.2.5 Setbacks of Dwellings and Ancillary Development from roads, other than classified roads

(1) For the purpose of this *Code*, the terminology used for frontage *setbacks* is defined by the following diagram:

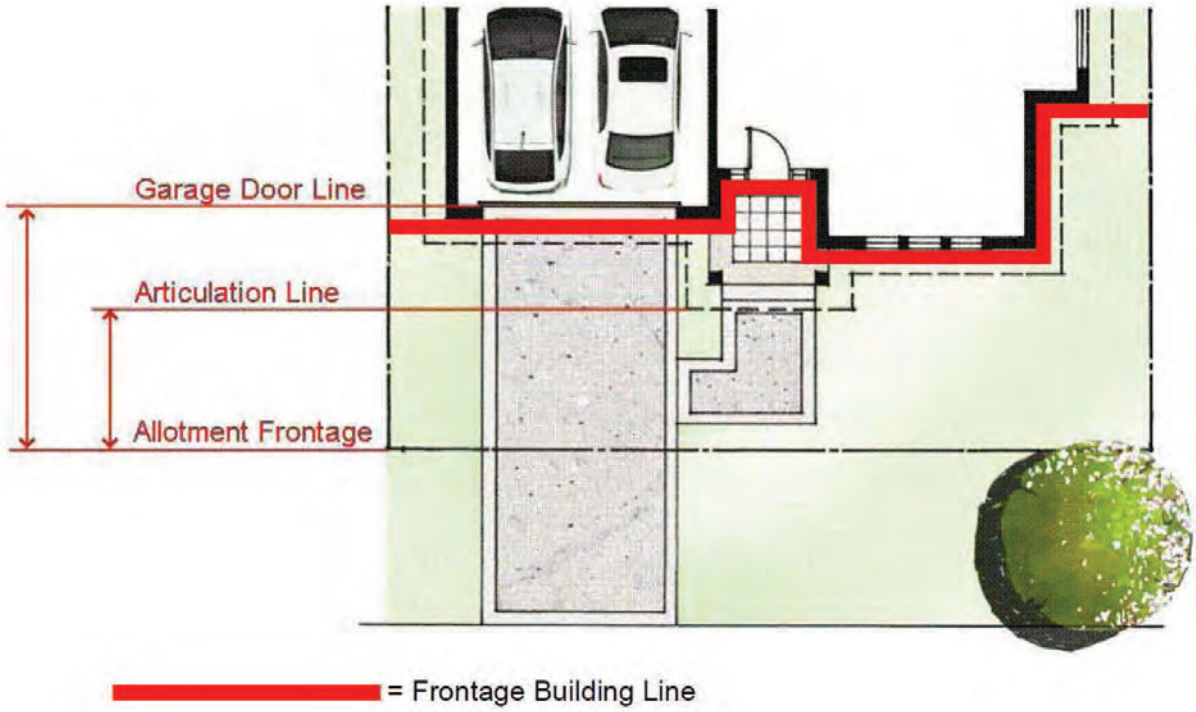


Figure 2.2.5.1 Frontage Setback Terminology

(2) A *dwelling* and *ancillary development* must have minimum *setbacks* from the boundary with a road that is not a *classified road* as specified in Table No. 2.2.5.1 below:

Table 2.2.5.1 Minimum setbacks for Dwelling and Ancillary Development from boundary with road (not classified road)

Effective Lot Width	5m -10m	>10m – 15m (+ Plex /Mews lots)	>15m	Measured to
Primary Road Frontage Articulation Zone	1m	2m	3m	*outermost projection*
Secondary Road Frontage Articulation Zone	0.5m	1.5m	2.5m	*outermost projection*
Primary Road frontage building line	2m	3m	5m	To wall

Secondary Road frontage building line	1.5m	2.5m	4.5m	To wall
Garage door line measured to either road frontage	4.5m for a double *garage* and 5.5m for a single *garage*	4.5m for a double *garage* and 5.5m for a single *garage*	6m	To the wall containing the *garage* door
Garage door line measured to the rear laneway or parallel road frontage	1m	1m	2m	To the wall containing the *garage* door
Rear Lane Setback to Structure above ground floor garage	0.3m	0.3m	0.3m	*outermost projection*

Note 1. the term "Effective Lot Width" is defined in the Glossary (Appendix A)

(3) Corner lot *setback*s must be in accordance with the *setback* controls above and for *detached dwelling house*, *terrace dwelling*s, *SOHO dwellings*, *plex dwelling*s, and *mews dwelling*s, in the case of the transition between the primary and secondary frontage *setback*s, the lesser *setback* applies (see Figure 2.2.5.2 below).

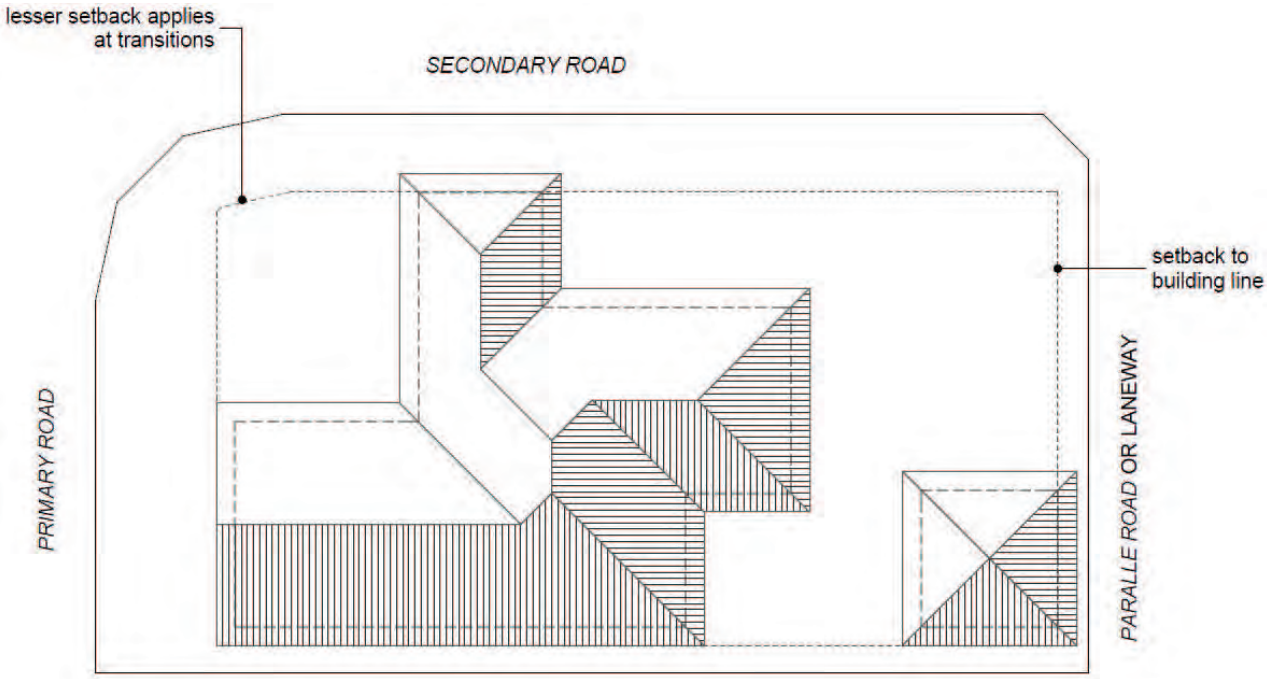


Figure 2.2.5.2 Frontage setbacks for corner lots

2.2.6 Side and rear boundary Setbacks for Traditional Detached Dwellings and certain Ancillary Development

(1) A Traditional Dwelling House and any carport, *garage*, balcony, deck, patio, pergola, terrace or verandah that is *attached* to the *dwelling* on a lot nominated for a *traditional detached dwelling* must have the following minimum *setback* from a side or rear boundary (subject to sub-clause 2.2.8):

Table 2.2.6.1 Side and rear boundary Setbacks for Traditional Detached Dwellings and certain Ancillary Development

Effective Lot Width	>15m	Measured to
Ground Floor Setback to side boundaries	0.9 m	*outermost projection*
First Floor Setback to side boundaries (including any parts over 4.5m high)	1.5m	*outermost projection*
Second Floor Setback to side boundaries (including any parts over 8.5m high)	2m	*outermost projection*
Rear Boundary Setback (ground and first floors, excluding rear lanes)	3m	*outermost projection*
Rear Boundary Setback (second floors, excluding rear lanes)	4m	*outermost projection*
Rear *Articulation Zone* (ground and first floors, excluding rear lanes)	2m	*outermost projection*
Rear *Articulation Zone* (second floors, excluding rear lanes)	3m	*outermost projection*

Note 1. the term "Effective Lot Width" is defined in the Glossary (Appendix A)

Note 2. for *outbuildings*, refer to clause 2.2.7 below.

2.2.7 Side and rear boundary Setbacks for Zero-lot, Soho or Terrace Dwellings, (detached) Outbuildings and certain (attached) Ancillary Development

(1) A *dwelling* and any carport, *garage*, balcony, deck, patio, pergola, terrace or verandah that is *attached* to the *dwelling*, or an *outbuilding* located behind the *frontage building line* on a lot designated for a Zero-lot, Soho or *terrace dwelling* must have the following minimum *setbacks* from a side or rear boundary (subject to clause 2.2.8):

Table 2.2.7.1 Side and Rear Boundary Setbacks for Zero-lot, Soho or Terrace Dwellings, Plex Dwellings and Mews Dwellings, Outbuildings (detached) and certain Ancillary (attached) Development

Effective Lot Width	5m -10m	>10m – 15m	>15m	Plex and Mews Dwellings
Location criteria for- *built-to-boundary* walls	Building to up to 2 opposite boundaries that are shared with an adjoining allotment permitted up to 2 Storeys	Building to up to 2 *shared boundaries* permitted up to 1 Storey where separated in plan by no less than 2m from any *built-to-boundary* construction on an adjoining allotment	Building to 1 *shared boundary*, permitted up to 1 Storey where separated in plan by no less than 2m from any *built-to-boundary* construction on an adjoining allotment	Not applicable
Built-to-boundary wall Setback	0.025m to 0.25m	0.025m to 0.25m	0.025m to 0.25m	Not applicable
Maximum Extent of *built-to-boundary* walls up to 1 Storey	85% of the length of the *shared boundary* for a minimum length of 3m in any one section	The lesser of 18m or 55% of the length of the *shared boundary*	The lesser of 18m or 55% of the length of the *shared boundary*	Not applicable

Effective Lot Width	5m -10m	>10m – 15m	>15m	Plex and Mews Dwellings
Maximum Extent of *built-to-boundary* walls up to 2 Storeys	No more than 85% of the length of the *shared boundary* and no more than 2m in plan and 1m in elevation variance to any *built-to-boundary* construction on the adjoining lot boundary	Not applicable	Not applicable	Not applicable
Ground Floor Setback (to any *shared boundary* that **is** designated for *built-to-boundary* construction, but excluding *built-to-boundary* walls)	1.2m to to wall	1.5m to wall	Not applicable	Not applicable
Ground Floor Setback (to any *shared boundary* that **is not** designated for *built-to-boundary* construction)	1.2m to to wall	1.5m to wall	1.5m to wall	0.9m to wall
First Floor Setback (to *shared boundaries*, excluding Built-to-boundary walls but including parts over 4.5m high)	1.2m to wall	1.5m to wall	2m to wall	1.2m to wall
Second Floor Setback (to *shared boundaries*, if permitted, including all parts over 8.5m high)	2m to wall	2m to wall	2.5m to wall	2m to wall
Rear Boundary Setback (ground and first floors, excluding rear lanes)	3m to wall	3.5m to wall	4m to wall	2m to wall
Rear Boundary Setback (second floors, excluding rear lanes)	4m to wall	4.5m to wall	5m to wall	3m to wall
Rear *articulation zone* Setback (ground and first floors, excluding rear lanes)	2m to *outermost projection*	2.5m to *outermost projection*	3m to *outermost projection*	2m to *outermost projection*

Effective Lot Width	5m -10m	>10m – 15m	>15m	Plex and Mews Dwellings
Rear *articulation zone* Setback (second floors, excluding rear lanes)	3m to *outermost projection*	3.5m to *outermost projection*	4m to *outermost projection*	3m to *outermost projection*

Note 1 the term "Effective Lot Width" is defined in the Glossary (Appendix A)

Note 2. Downpipes, gutters and eaves must not extend over the boundary.

Note 3. Where setbacks are measured to the wall, eaves or other projections of 0.6m or less may project into the setback but must not encroach closer than 0.60m to any lot boundary.

Note 4. A corner lot may be considered to have two side boundaries and no rear boundaries.

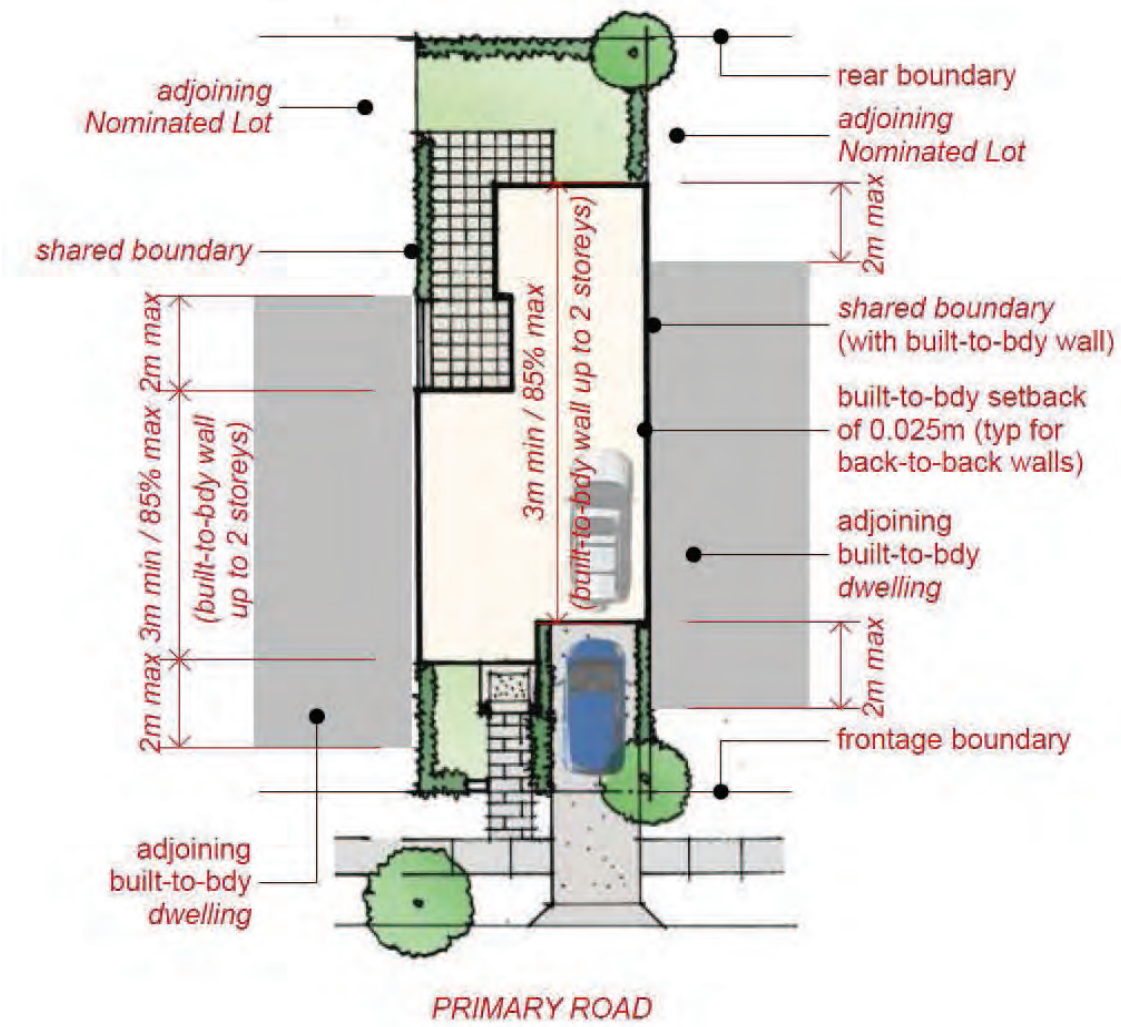


Figure 2.2.7.1 Explanatory Diagram for Side and Rear Boundary Setbacks, Soho or Terrace Dwellings, (detached) Outbuildings and certain (attached) Ancillary Development

2.2.8 Exceptions to all side and rear Setbacks

Despite any other clause in Subdivision 2 *building heights* and *setbacks*:

(a) a *single dwelling*, *plex dwelling*, *mews dwelling* or an *outbuilding* must have a *setback* of at least 3m from a boundary with a public reserve, and

(b) side *setbacks* do not apply to allowable encroachments permitted under clause 3.7.1.7 of Volume Two of the *Building Code of Australia*, unless otherwise noted, and

(c) rear *setbacks* do not apply to fascias, gutters and downpipes.

Note 1. The allowable encroachments permitted under clause 3.7.1.7 Volume Two of the Building Code of Australia include fascias, gutters, downpipes, rainwater tanks, chimneys, flues, domestic fuel tanks, cooling or heating appliances, light fittings, electricity and gas meters, aerials, antennae, pergolas, sun blinds, unroofed terraces, landings, steps and certain ramps.

2.2.9 Calculating all Setbacks

(1) For the purpose of calculating a side or rear *setback* on a sloping lot, the maximum *building height* of a *dwelling* within 3m of the relevant boundary must be used.

(2) *setbacks* must be calculated using the shortest perpendicular distance from the *building element* to the relevant boundary.

(3) For the purpose of calculating the *setback* from a road frontage, the following elements are not included:

(a) a driveway, pathway or paving,
(b) a fence or screen,
(c) a retaining wall,
(d) a stair or ramp that is not more than 1m above the *ground level (existing)*.

2.2.10 Permitted Building Elements in the Articulation Zone

(1) *Building element*s are the only structures permitted in any *articulation zone*:

Note 1: The term *building element* is defined in the Glossary

(2) A *building element* in any *articulation zone* must not extend above the eave gutter line, other than a pitched roof or parapet wall forming an entry feature or portico.

(3) The maximum area of all *building element*s within any *articulation zone*, other than an awning or other feature over a window, or a sun shading feature must not be more than 25% of the area of any *articulation zone*, measured through the horizontal plane of the elements.

Subdivision 3 Energy Efficiency

2.2.11 Compliance with current energy certification standards

Any new *dwelling* or alterations and additions to a *dwelling* with an estimated cost of $50,000 or more are to comply with BASIX or the current legal certification standard.

Subdivision 4 Landscaping

2.2.12 Landscaped Area

(1) A lot on which specified development is carried out must have the following minimum *landscaped area*, as a percentage of the area of the lot.

Table 2.2.12.1 Minimum Landscaped Area

Effective Lot Width	5m -10m	>10m – 15m	>15m
Minimum Landscape Area for a Singe *dwelling*s	5%**	10%**	20%**
Minimum Landscape Area For Plex and *mews dwelling*s	20%** (of lot area before strata subdivision) including a minimum of 5% being *deep planting areas.*		

**May include other required areas such as *private open space* and all *setbacks* comprising permeable surfaces.

Note 1. The term "Effective Lot Width" is defined in the Glossary (Appendix A)

Note 2. The terms *landscaped area* and Deep Planting Area are defined in the Glossary

(2) The *landscaped area* must have a minimum dimension of at least 0.75m.

2.2.13 Private Open Space (POS)

(1) *Single dwelling*, *plex dwelling* or *mews dwelling*, must have the following minimum *private open space*:

Table 2.2.13.1 Minimum Private Open Space

Effective Lot Width	5m -10m	>10m – 15m	>15m	Plex or Mews Dwellings
Private Open space (POS) at ground level	Min. 15m^2 with a min. dimension of 3m and provided with adequate privacy or	Min. 20m^2 with a min. dimension of 3m and provided with adequate privacy or	25m^2 with a min. dimension of 3m and provided with adequate privacy	25m^2 per *dwelling* with a min. dimension of 3m and provided with adequate privacy
Private Open Space (POS) at first floor level for *first floor living solutions*	Min. 6m^2 if provided as a semi private balcony or rooftop with a min. dimension of 2.1m	Min. 12m^2 if provided as a semi private balcony or rooftop with a min. dimension of 3m	Not applicable	9m^2 per *dwelling* if provided as a semi private balcony or rooftop with a min. dimension of 3m

Note 1. The term "Effective Lot Width" is defined in the Glossary (Appendix A)

(2) *Private open space* must be sited on a lot in accordance with a *plan of development* or with the *private open space* location principles illustrated in Figure 2.2.13.1.

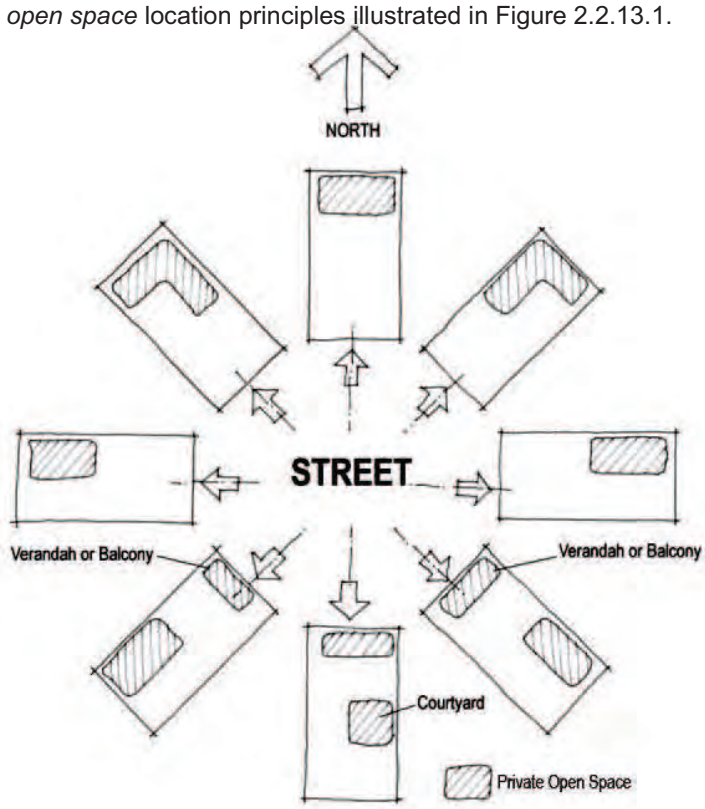


Figure 2.2.13.1 Private Open Space Location Principles

Subdivision 5 Car parking and access

2.2.14 Car parking requirements

(1) Off-street car parking spaces must be provided as per the rates specified in **Table 2.2.14.1** or as nominated on a *plan of development*, whichever is the lesser.

Table 2.2.15.1 Car Parking Requirements

Dwelling Type	Car Parking Required
Traditional Detached Dwelling	Minimum 2 spaces (1 covered)
Zero Dwelling	Minimum 2 spaces (1 covered)
Terrace Dwelling	Minimum 1 space (covered)
Plex or Mews	Minimum 1 space per one-bedroom *dwelling*, 1.5 spaces per two-bedroom *dwelling*, 2 spaces per three-bedroom *dwelling* (with 1 space per *dwelling* covered). Plus visitor parking (on street) at the rate of 0.25 spaces per *dwelling*
SOHO	Residential Component - Minimum 2 spaces (1 covered) Commercial Component – 1 space per 66m^2 GFA
Granny Flat	No additional car parking required Note 1. *granny flat* development must not reduce any car parking provided for the principal *dwelling*.

2.2.15 Garages, carports and car parking spaces – location, siting and design

(1) A *garage*, carport or car parking space must:

(a) be located on the lot in accordance with a *plan of development*, or, otherwise, in accordance with the *garage* location principles as per Figure No. 2.2.15.1; and

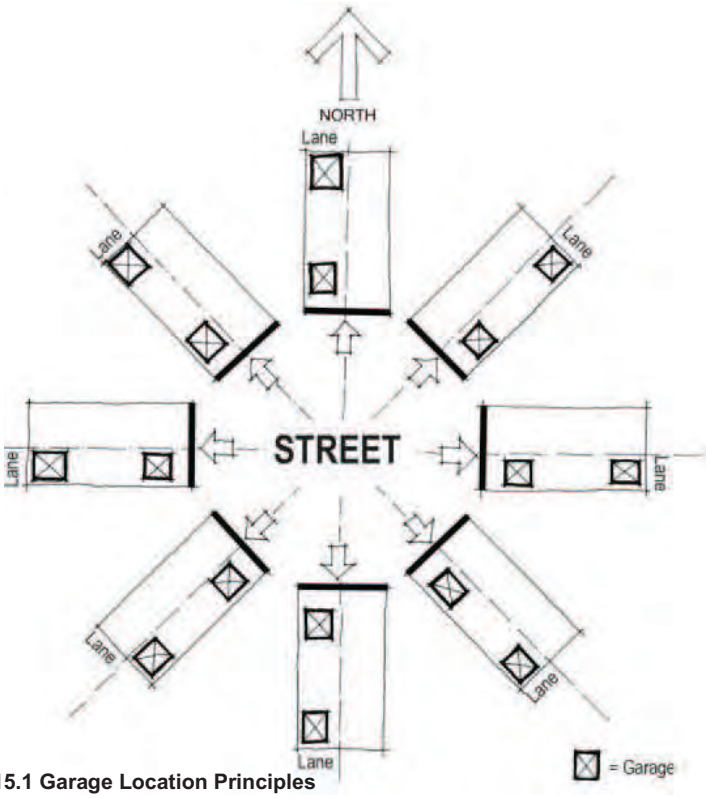


Figure 2.2.15.1 Garage Location Principles

(b) *Garages* and carports must have minimum unobstructed dimensions which comply with *Australian Standard AS2890.1:2004 Parking facilities - Off Street Car Parking*; and

(c) where the *dwelling* has a *setback* from a road frontage of 4.5m or more, be located at least 1m behind the *building line*; and

(d) where the *dwelling* has a *setback* from a road frontage of less than 4.5m, be located at least 0.6m behind the *building line*; and

(e) where an additional single *garage* is provided (forming a triple *garage*), be at least 0.6m behind the *garage door line* of the double *garage*; and

(f) tandem car parking spaces (nose to tail) may be provided only where both spaces are allocated to a *single dwelling*.

(2) The total width of all *garage* door opening(s) on a *garage* must:

(a) be not more than 6m, and

(b) not more than 50% of the width of the lot width measured at the *garage door line*.

except where a *garage* fronts a *parallel road* or laneway,

(3) An open hard stand car parking space must measure at least 2.6m wide by 5.4m long.

(4) *Garages*, carports and vehicle access doors on *garages* or carports must be unobtrusive through the use of materials, colours, overhangs and/ or eaves.

2.2.16 Access

(1) Where off-street car parking is provided under **Subsections 2.2.14 or 2.2.15** it must have a driveway to a public road.

(2) Where the driveway crossover location is not shown on a *plan of development* the location of the driveway must be sited with regard to *dwelling* design, orientation, street gully pits, tree bays and the maximisation of available on-street car parking, as well as the *garage* location principles illustrated in Figure 2.2.15.1. Where the driveway location is shown on a *plan of development*, the driveway must be constructed in that location.

(3) Driveways must comply with the following criteria:

(a) the maximum width of a driveway at the property boundary is 4.5m, except on narrow laneways where a wider driveway width may be provided to comply with Australian Standard AS 2890.1—2004 *Parking facilities—Off-street car parking*, and

(b) a driveway on a lot must be determined at the *plan of development* stage and be constructed in accordance with Australian Standard AS 2890.1—2004 *Parking facilities—Off-street car parking*.

(c) a driveway crossover must be approved by application to *Council* under Section 138 of the *Roads Act 1993* to undertake work within a road reserve.

Note 1. Subsections 2.1.25 and 2.1.26 apply to the construction or installation of a driveway as *exempt development*.

Subdivision 5 Earthworks, retaining walls and drainage

2.2.17 Excavation of sloping sites

(1) Excavation associated with the erection of, or alterations or additions to, a *single dwelling*, *plex dwelling*, *mews dwelling* or *ancillary development* (other than a swimming pool) must:

(a) be not more than 1m below *ground level (existing)*, unless retained and backfilled to the wall of the *dwelling*, and

(b) be retained by a wall constructed and supervised in accordance with a practising structural engineer's design and a certificate of structural adequacy provided prior to occupation if it requires a retaining wall greater than 1m in *height*, and

(c) cause overland flow affected by site works to be intercepted to prevent damage and nuisance to adjoining properties and such provisions must be indicated on plans submitted for approval, and

(d) be located no less than 0.45m from the lot boundary, unless constructed in association with a permitted built-to-boundary wall, or where a side *setback* of 0.9m (or less) to an *outermost projection* applies, in which case the excavation must not be greater than 0.8m below *ground level (existing)*.

(e) not be made for a contiguous slab on ground type construction if the lot has a slope of greater than 10%, in which case only excavations required for a suspended slab and/or an enclosed, elevated slab type of construction are permitted.

(2) Excavation associated with the erection of, or alterations or additions to, a swimming pool must be not more than the depth required for the pool structure (also refer **Section 2.2.23**)

2.2.18 Fill of sloping sites

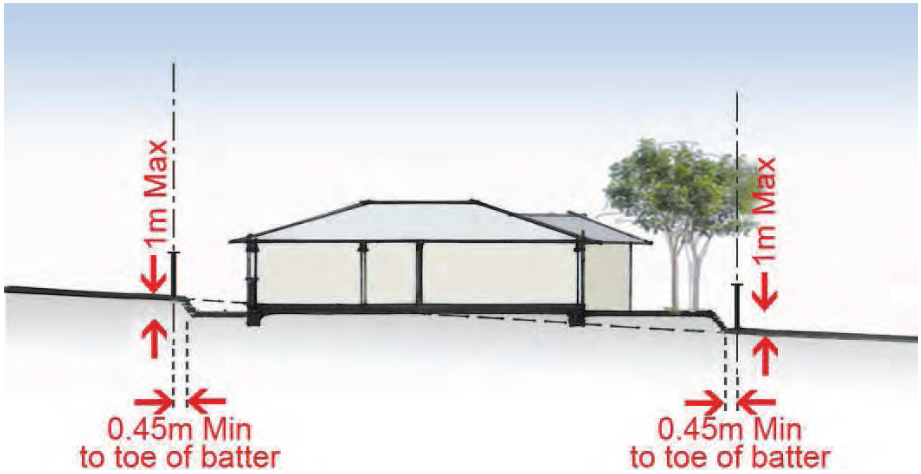
(1) Fill associated with the erection of, or alteration or additions to, a *single dwelling*, *plex dwelling*, *mews dwelling* or *ancillary development* must be:

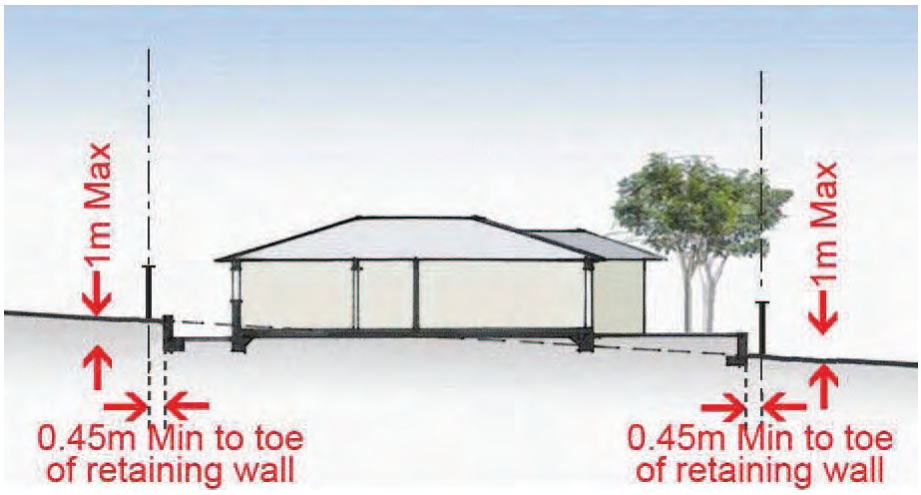
(i) if in excess of 1m, contained wholly within the external walls of the *dwelling* or *ancillary development*, or

(ii) exposed fill constructed to a maximum *height* of 1m above *ground level (existing)* using an embankment or a retaining wall if the retaining wall or toe of the embankment is set back greater than 0.45m from the boundary, or

(iii) exposed fill constructed to a maximum *height* of 0.8m above *ground level (existing)* using a retaining wall where the fill is set back less than 0.45m from the boundary and in accordance with 2.2.19 (f).

(2) All fill on a lot that is constructed using an unprotected embankment shall be battered at a gradient no steeper than 1m vertical to 1.5m horizontal.





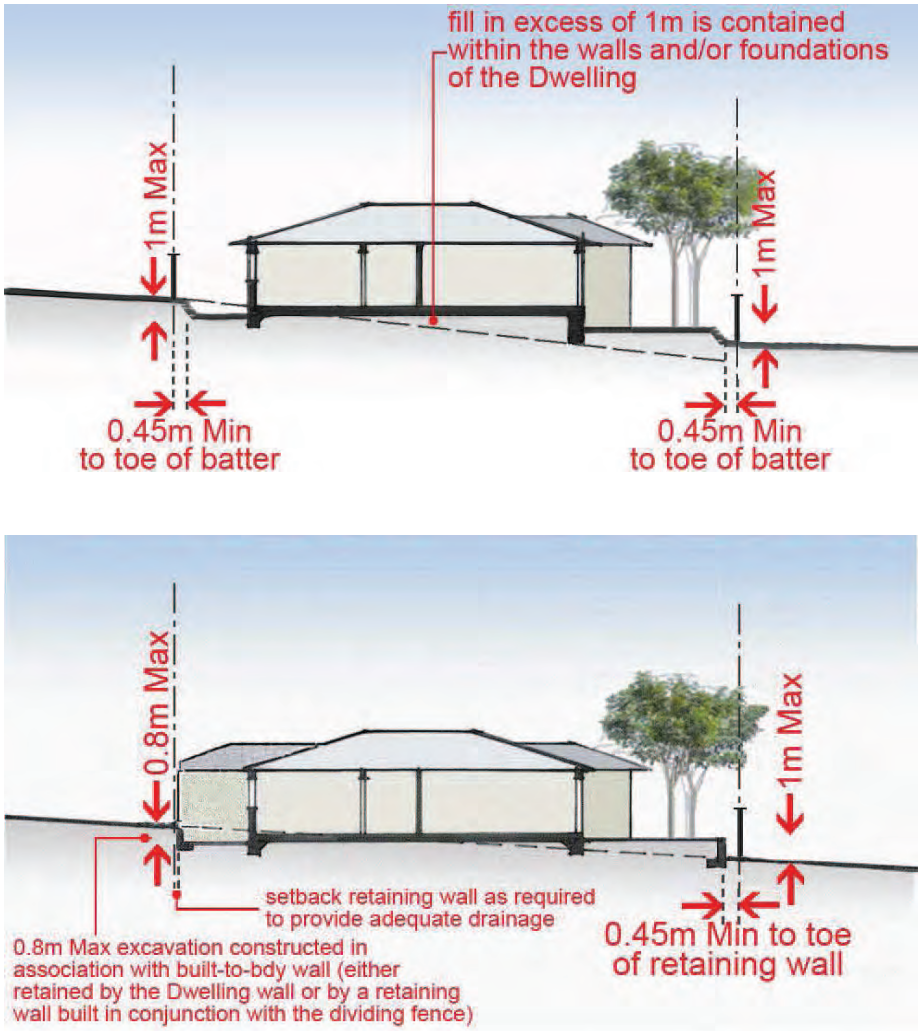


Figure 2.2.18.1 Retaining Walls and unprotected embankments

2.2.19 Dimensions and construction of retaining walls

(1) All retaining walls that cannot be carried out as *exempt development* under **Schedule 1 *exempt development*** and not incorporated into the wall of a *dwelling* or *outbuilding* permissible by this *Code* must:

(a) not require cut or fill more than 1m below or above *ground level (existing)*, and

(b) if retaining more than 0.8m of cut and fill from *ground level (existing)*, be located at least 0.45m from any lot boundary, and

(c) if less than 0.45m from any boundary, be not higher than 0.8m in *height*, and

(d) in all other situations, not be higher than 1.2m in *height*, and

(e) be located at least 6m from a waterbody (existing), and

(f) if constructed on the lot boundary in association with a built-to-boundary wall of a *zero-lot dwelling*, be constructed with Shared Boundary fence posts integrated with its construction, and

(g) have relevant construction details submitted with any application for a retaining wall.

(2) A retaining wall must:

(a) have adequate drainage lines behind it, and

(b) not redirect the flow of surface water onto an adjoining property, and

(c) cause surface water to be disposed of without causing a nuisance to adjoining owners.

(3) A retaining wall must be constructed of:

(a) rendered and painted concrete block, or

(b) proprietary terraced blocks with factory integrated colour, or

(c) face masonry or stone, or

(d) boulders, or

(e) proprietary concrete planks with factory integrated colour, or

(f) decorative faux rockwork.

2.2.20 Run-off and erosion controls

Run-off and erosion controls must be implemented to prevent soil erosion, water pollution or the discharge of loose sediment on the surrounding land by:

(a) diverting uncontaminated run-off around cleared, disturbed or stockpiled areas, and

(b) erecting a silt fence to prevent debris escaping into drainage systems and waterways, and

(c) preventing tracking of sediment by vehicles onto roads, and

(d) stockpiling top soil, excavated materials, construction and landscaping supplies and debris within the lot.

2.2.21 Drainage

(1) All stormwater drainage servicing the erection of, or alterations or additions to, a *single dwelling*, *plex dwelling* or *mews dwelling* or *ancillary development* must be conveyed under gravity, except for *basement* areas which may be conveyed by a pumped system, to:

(a) a public drainage system, or

(b) an inter-allotment drainage system, or

(c) an on-site disposal system.

(2) All stormwater drainage systems within a lot and the connection to a public or an inter-allotment drainage system must:

(a) if an approval is required under section 68 of the *Local Government Act 1993*, be approved under that Act, or

(b) if an approval is not required under section 68 of the *Local Government Act 1993*, comply with any requirements for the disposal of stormwater drainage contained in a *plan of development* applicable to the land.

Subdivision 6 *Ancillary development*

2.2.22 Demolition or removal of Dwellings and *Ancillary development*

(1) An existing *single dwelling*, *plex dwelling* or *mews dwelling* or *ancillary development* that is to be demolished or relocated must:

(a) be disconnected from any essential service in accordance with the requirements of the relevant authority, and

(b) not be relocated on the same lot or to a different lot, except in accordance with the development standards in this division.

2.2.23 Swimming pools

(1) *Ancillary development* comprising a swimming pool or spa for private use must be located on a lot:

(a) behind the *frontage building line* from a road frontage, or

(b) in the position nominated by the *plan of development* as *private open space*.

(2) The swimming pool water line must have a *setback* from a side or rear boundary of not less than:

(a) 1.5m, if it extends above the *ground level (existing)* by more than 0.3m or is not adjacent to a solid fence of a *height* of 1.5m minimum as measured from the pool coping, or

(b) otherwise 0.3m, if accompanied by an engineer's design that addresses any existing structures within 2m of the swimming pool.

(3) Decking (including cantilevered concrete decking) around a swimming pool must not be more than 0.6m above *ground level (existing)* where located within 0.9m of any boundary, or otherwise not more than 1.2m above *ground level (existing)*.

(4) Coping around a swimming pool must not be more than:

(a) 1.2m above *ground level (existing)*, or

(b) 0.3m wide if the coping is more than 0.6m above *ground level (existing)*.

(5) A spa constitutes a pool of less than $6m^2$ in plan area with no *attached* decking and must not be more than 1.2m above *ground level (finished)*.

(6) The pool must not be used for commercial purposes.

(7) The areas surrounding the pool structure must be graded to divert surface and splash water to a surface water collection point connected to a stormwater drainage system and clear of the proposed structures and adjoining premises.

(8) Water from a swimming pool must be discharged in accordance with an approval under the *Local Government Act 1993* if the lot is not connected to a sewer main.

Note 1. A child-resistant barrier must be constructed or installed in accordance with the requirements of the *Swimming Pools Act 1992*.

2.2.24 Fences and Retaining Walls

(1) A fence and any associated retaining wall located forward of the *frontage building line* must:

(a) be confirmed by a *DRP pre-approval certificate*, and

(b) not redirect the overland flow of surface water onto adjoining properties, and

(c) If the land on which a fence or retaining wall is to be erected is bush fire prone land, the fence or retaining wall must be constructed from non-combustible materials, and

(d) if not parallel to a road or public land frontage and located less than 0.45m from a side or rear boundary, be constructed at *ground level (existing)*, while also complying with the *height* requirements in the table in **Subsection 2.2.24 (2)** below, and

(e) if parallel to a road or public land frontage, be constructed not more than 0.6m above or below *ground level (existing)*, and

(f) in relation to any brick or other solid portion of the fence above 0.6m above *ground level (finished)*, be not more than 0.35m wide, and

(g) comply with Table No. 2.2.24.1 below (see Figures 2.2.24.1 and 2.2.24.2).

Table 2.2.24.1 Fence Controls

Fence Control	Setback from the road frontage boundary	Minimum and maximum heights above Ground Level (existing)*	Type/s of fence permitted	Extent permitted to frontage boundary	Other requirements or notes
Fencing to a Primary Road frontage not providing privacy for a private open space	A minimum of 0.5m.	0.6m minimum and 0.9m maximum	Solid masonry, a combination of solid masonry and transparent, or transparent or translucent	A maximum of 50% of the total length of the frontage boundary. (including any gates)	Landscape planting is required between the frontage boundary and the fence.
Fencing to a primary or Secondary Road frontage providing privacy for a private open space	A minimum of 0.5m.	1.5m	Solid masonry, a combination of 30% maximum solid masonry and transparent, or transparent or translucent	A maximum of 50% of the total length of the frontage boundary. (including any gates)	Landscape planting is required between the frontage boundary and the fence.
Fencing to a Secondary Road frontage of a corner lot not providing privacy for a private open space	A minimum of 0.5m.	1.5	Solid masonry, a combination of 30% maximum solid masonry and transparent, transparent or translucent	A maximum of 50% of the total length of the frontage boundary. (including any gates)	Landscape planting is required between the frontage boundary and the fence.

*If fencing is solid masonry and incorporates the retaining of fill (maximum 0.6m), the height of the solid fence above Ground Level (existing) may be increased by 0.3m.

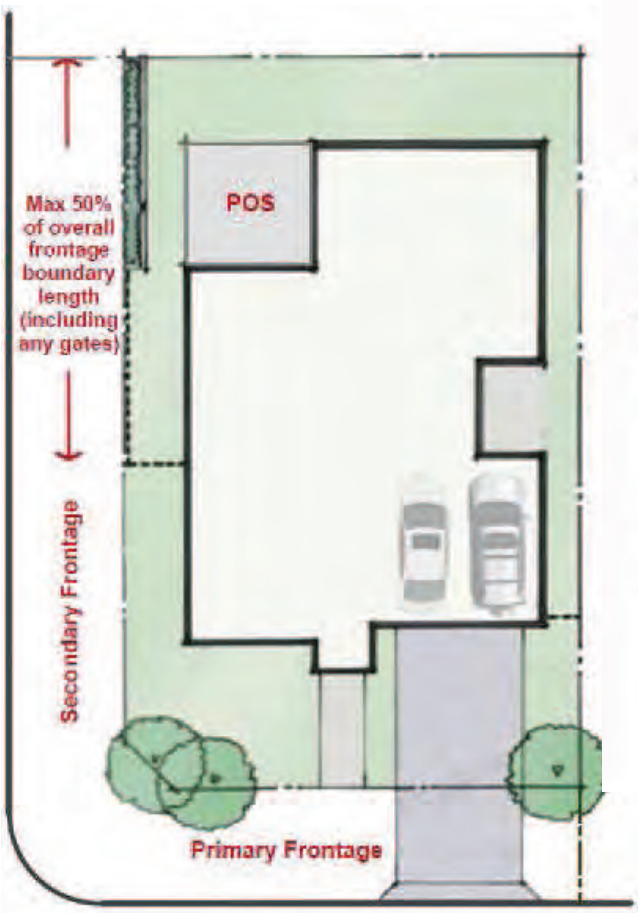


Figure 2.2.24.1 Solid fencing extending to part of a boundary

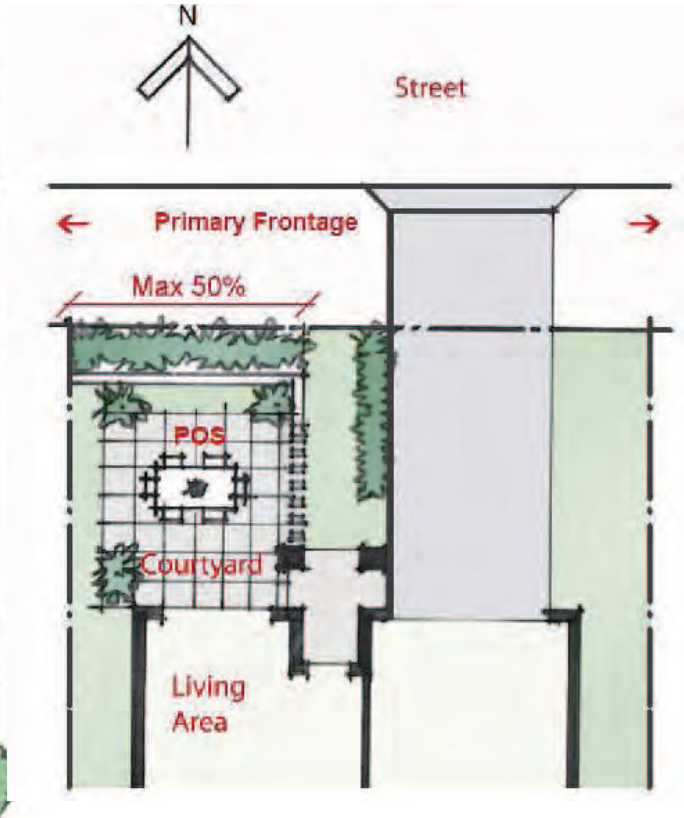


Figure 2.2.24.2 Limited fencing permitted when living spaces face north to street

(2) Fencing behind the *frontage building line* on a boundary shared with another residential lot is refered to as *shared boundary fencing* and shall be:

(a) Solid fencing, and

(b) constructed with a raked top profile following the profile of the *ground level (existing)*, and

(c) a maximum *height* of 1.8 metres including the *height* of any retaining walls, as measured from *ground level (existing)*, with a tolerance of +/- 0.3m in the case of a sloping lot, and

(d) leave a gap not greater than 0.050m at the bottom between the fence materials (other than supporting posts) and the *ground level (finished)* and

(e) have footings that are located below the ground line (existing), and

(f) not be an electrified fence or use barbed wire, and

(g) not redirect the flow of surface water onto any adjoining property.

(3) Fence Types, Materials and Colours are described as follows:

(a) **Solid** fencing/ retaining, constructed of materials specified in the *design guidelines* for solid fences.

(b) **Transparent** fencing, constructed of materials specified in the *design guidelines* for transparent fences and comprising a maximum of 15% solid materials.

(c) **Translucent** fencing, constructed of materials specified in the *design guidelines* for translucent fences and comprising a minimum of 15% openings.

Figure 2.2.24.3 Examples of Transparent Fencing

Figure 2.2.24.4 Examples of Translucent Fencing on a Secondary Boundary of a Corner Site

(4) A fence or the fence and associated retaining wall on a sloping lot may be stepped, provided the *height* of each step is not more than 0.3m.

(5) Any gate associated with or incorporated in the fencing must match the fencing in *height*, colour and material, except in the case of Solid fencing where the gate must be low reflective, factory pre-coloured metal in a colour *matching* the solid fence, or dressed and stained timber battens, or safety glass, or stainless steel.

(6) A fence must not incorporate barbed wire, broken glass or any other sharp element.

(7) Where it is a solid fence type, a fence facing a road or other public land, must be treated with permanent, anti-graffiti coating.

DIVISION 2 COMMERCIAL AND INDUSTRIAL CODE COMPLYING DEVELOPMENT CODE

Subdivision 1 Building alterations (internal)

2.2.25 Specified Complying Development

An internal alteration to a building that is used as bulky goods premises, *commercial premises*, premises for light industry or a warehouse or distribution centre is development specified for this *Code*.

2.2.26 Development standards—general

The standards specified for that development are that:

(a) the current use of the premises must be a lawful use, and

(b) the current use of the premises must not be an existing use within the meaning of section 106 of the Act, and

(c) the alteration must not result in an increase in the *gross floor area* of any building within which it is carried out, and

(d) the alteration must not involve the conversion of any area that is excluded from the measurement of *gross floor area* of the building (such as a *basement*, plant room, car parking space, loading space or void), and

(e) if the alteration involves a loading dock, the alteration must not:

(i) reduce the number or capacity of the trucks accommodated, or

(ii) reduce the area for goods handling, or

(iii) reduce the area for waste handling (including any recycling area), or

(iv) reduce the manoeuvring area of the loading dock or access driveway, and

(f) the alteration must not relate to the cooking of food at the premises by barbecue or charcoal methods, and

(g) if the alteration involves *food and drink premises*, the alteration must be carried out in accordance with AS 4674—2004, *Design, construction and fit out of food premises*, and

(h) any demolition necessary must be carried out in accordance with AS 2601—2001, *Demolition of structures*.

Note 1. If the alteration involves premises that are a ***food business*** within the meaning of the *Food Act 2003*, the premises must comply with the requirements under that Act.

Note 2. If the alteration involves premises at which a ***skin penetration procedure*** is carried out within the meaning of the *Public Health Act 1991*, the premises must comply with the requirements under that Act, including the *Guidelines on Skin Penetration (April 2008)*, published by the Department of Health.

2.2.27 Development standards—Building Code of Australia matters

The following standards are also specified for that development:

(a) if the building that is being altered is subject to an *alternative solution* relating to a fire safety requirement, the alteration must be consistent with that *alternative solution*.

(b) if the alteration involves an area of more than 500m^2 of bulky goods premises or *commercial premises*, or an area of more than 1,000m^2 of premises used for light industry or a warehouse or distribution centre, that area must:

(i) comply with the requirements set out in DP2–DP5 of Volume 1 of the *Building Code of Australia*, and

(ii) comply with the number of sanitary and other facilities set out in FP2.1, FP2.5 and FP2.6 of Volume 1 of the *Building Code of Australia*, and

(iii) comply with the light and ventilation requirements set out in FP4.1–FP4.5 of Volume 1 of the *Building Code of Australia*,

(c) if the building is a mixed use development that also contains a *class* 2, 3 or 4 portion, the altered area must be separated from the *class* 2, 3 or 4 portion by *building element*s that comply with the fire resistance performance requirements set out in CP2 and CP8 of Volume 1 of the *Building Code of Australia*.

Subdivision 2 Change of use of premises

2.2.28 Specified Complying Development

A change from a current use to a new use that is a change from:

(a) a bulky goods premises to another bulky goods premises, or

(b) a type of *commercial premises* to another type of *commercial premises*, or

(c) a light industry to another light industry, or

(d) a warehouse or distribution centre to another warehouse or distribution centre, or

(e) a light industry to a warehouse or distribution centre, or

(f) a warehouse or distribution centre to a light industry, or

(g) a light industry to an ancillary office, or

(h) a warehouse or distribution centre to an ancillary office, is development that is specified for this *Code*.

Note 1. See the entry for change of use of premises in the **General *exempt development code***.

2.2.29 Development standards—general

The standards specified for that development are that:

(a) the current use must be a lawful use, and

(b) the current use must not be an existing use within the meaning of section 106 of *the act*, and

(c) the new use must not be carried out at premises that are a manufactured home, moveable *dwelling* or associated structure, temporary structure, tent, swimming pool, ship or vessel, and

(d) the new use must not be any of the following:

(i) a funeral chapel, or

(ii) a funeral home, or

(iii) *retail premises* where firearms within the meaning of the *Firearms Act 1996* are sold, or

(iv) landscape and garden supplies, or

(v) a market, or

(vi) a *pub*, or

(vii) restricted premises, or

(viii) a roadside stall, or

(ix) sex services premises, or

(x) timber and building supplies, or

(xi) vehicle sales or hire premises, and

(e) the new use must not result in a change of building use under the *Building Code of Australia* that is any of the following:

(i) from a *class* 5 or 6 building to a *class* 2, 3, 4, 7a, 7b, 8, 9a, 9b or 9c building, or

(ii) from a *class* 7b or 8 building to a *class* 2, 3, 4, 6, 7a, 9a, 9b or 9c building, and

(f) a new use that is an ancillary office within premises that are a warehouse or distribution centre or are used for light industry must not occupy more than:

(i) the maximum amount of *gross floor area* permitted for such an office in such a building under an environmental planning instrument applying to the land, or

(ii) 20% of the *gross floor area* of the building in any other case, and

(g) the new use must not cause the contravention of any existing condition of the most recent development consent (other than a *complying development certificate*) that applies to the premises relating to hours of operation, car parking and landscaping, and

(h) if there is no existing condition relating to hours of operation, the premises c*lass* must not be operated outside the following hours:

(i) if the new use is as bulky goods premises or *commercial premises*—7.00 am to 10.00 pm Monday to Saturday and 7.00 am to 8.00 pm on a Sunday or a public holiday,

(i) in any other case—7.00 am to 7.00 pm Monday to Saturday and the new use must not be carried out at any time on a Sunday or a public holiday, and

(ii) if there is no existing condition relating to car parking, the new use must comply with any relevant requirements contained in an environmental planning instrument or a development control plan applying to the land relating to car parking.

Note 1. The construction or installation of a driveway or *hard stand space* in relation to bulky goods premises, *commercial premises*, premises used for light industry or a warehouse or distribution centre is not *exempt development* or *complying development* under this *Code*.

2.2.30 Development standards—Building Code of Australia matters

The following standards are also specified for that development:

(a) if the change of use involves an area of more than 500m^2 of bulky goods premises or *commercial premises*, or an area of more than 1,000m^2 of premises used for light industry or a warehouse or distribution centre, that area must:

(i) comply with the requirements set out in DP2–DP5 of Volume 1 of the *Building Code of Australia*, and

(ii) comply with the number of sanitary and other facilities set out in FP2.1, FP2.5 and FP2.6 of Volume 1 of the *Building Code of Australia*, and

(iii) comply with the light and ventilation requirements set out in FP4.1–FP4.5 of Volume 1 of the *Building Code of Australia*,

(b) if the building is a mixed use development that also contains a *class* 2, 3 or 4 portion, the area involved in the change of use must be separated from the *class* 2, 3 or 4 portion by *building element*s that comply with the fire resistance performance requirements set out in CP2 and CP8 of Volume 1 of the *Building Code of Australia*.

Note 1. Pursuant to the requirement under the *Environmental Planning and Assessment Act 1979* that a building must be suitable for occupation and use in accordance with its classification under the *Building Code of Australia*, a change of use may require building work to be carried out despite such work not being included in an application for a *complying development certificate*.

Subdivision 3 Mechanical ventilation systems

2.2.31 Specified Complying Development

The construction, installation or alteration of a mechanical ventilation system on a building that is used as bulky goods premises, *commercial premises*, premises for light industry or a warehouse or distribution centre is development specified for this *Code* if it is not carried out on, or in relation to, or at premises located on bush fire prone land.

2.2.32 Development standards

The standards specified for that development are that:

(a) the development must be located at least 3.5m behind the *building line* from any lot boundary, and

(b) the development must be designed so as not to emit noise exceeding an LAeq of 5 dB(A) above background noise when measured at any lot boundary, and

(c) the development must be located not more than 1m above the ridge of a pitched roof or 3m above a flat roof, and

(d) the development must not relate to the cooking of food at the premises by barbecue or charcoal methods, and

(e) any demolition necessary must be carried out in accordance with AS 2601—2001, *Demolition of structures*.

Note 1. If the mechanical ventilation system is a ***regulated system*** in ***regulated premises*** within the meaning of the *Public Health Act 1991*, the system must comply with the requirements of that Act, including AS/NZS 3666.1:2002, *Air-handling and water systems of buildings— Microbial control—Design, installation and commissioning*.

Subdivision 4 Shopfront and awning alterations

2.2.33 Specified Complying Development

An external alteration to, or the repair or replacement of, an existing shopfront or awning on a building that is used as bulky goods premises or *commercial premises* is development specified for this Code.

2.2.34 Development standards

The standards specified for that development are that:

(a) the development must not result in an increase in the *gross floor area* of the building, and

(b) the development must not reduce the area of the window or other clear glass of the shopfront, and

(c) the development must not reduce the level of transparency of the shopfront, such as by using obscure glazing, and

(d) the development must not reduce the existing level of access to the building for people with a disability, and

(e) any demolition necessary must be carried out in accordance with AS 2601—2001, *Demolition of structures*.

Note. A structure on public land or on or over a public road requires the prior approval of the relevant authority under the *Local Government Act 1993* or the *Roads Act 1993*, respectively.

Subdivision 5 Skylights and roof windows

2.2.35 Specified Complying Development

The construction or installation of a skylight or roof window on a building that is used as bulky goods premises, *commercial premises*, premises for light industry or a warehouse or distribution centre is development specified for this *Code*, other than at premises located on bush fire prone land.

2.2.36 Development standards

The standard specified for that development is that:

(a) the development be constructed or installed so that any opening created is adequately weather proofed, and

(b) any demolition necessary must be carried out in accordance with AS 2601—2001, *Demolition of structures*.

Schedule 3

DIVISION 1 CONDITIONS APPLYING TO COMPLYING DEVELOPMENT CERTIFICATE UNDER THE RESIDENTIAL COMPLYING DEVELOPMENT CODE

Note. *complying development* must comply with the requirements of *the act*, the *Environmental Planning and Assessment Regulation 2000* and the conditions listed in this Part.

Note. A contributions plan setting out the contribution requirements towards the provision or improvement of public amenities or public services may specify that an *accredited certifier* must, under section 94EC of *the act*, impose a condition on a *complying development certificate* requiring the payment of a monetary contribution in accordance with that plan.

Conditions applying before works commence

1 Protection of adjoining areas

(1) A temporary hoarding, fence or awning must be erected between the work site and adjoining lands before the works begin and must be kept in place until after the completion of works if the works:

(a) could cause a danger, obstruction or inconvenience to pedestrian or vehicular traffic, or

(b) could cause damage to adjoining lands by falling objects, or

(c) involve the enclosure of a public place or part of a public place.

(2) A temporary fence must be covered in cyclone wire mesh if it adjoins or is on a public place.

(3) A temporary hoarding, fence or awning must not be erected on public land or a road unless the relevant authority has approved of the works.

Note. Approval in relation to public land may be granted under the *Local Government Act 1993* and an approval in relation to a road may be granted under the *Roads Act 1993*.

2 Toilet facilities

(1) Toilet facilities must be available or provided at the work site before works begin and must be maintained until the works are completed at a ratio of one toilet plus one additional toilet for every 20 persons employed at the site.

(2) Each toilet must:

(a) be a standard flushing toilet connected to a public sewer, or

(b) have an on-site effluent disposal system approved under the *Local Government Act 1993*, or

(c) be a temporary chemical closet approved under the *Local Government Act 1993*.

3 Garbage receptacle

(1) A garbage receptacle must be provided at the work site before works begin and must be maintained until the works are completed.

(2) The garbage receptacle must have a tight fitting lid and be suitable for the reception of food scraps and papers.

(3) The garbage receptacle must be replaced or emptied when any of its contents extend beyond the top of the receptacle enclosure walls.

4 Notification to neighbours

The person having the benefit of the *complying development certificate* must give at least two (2) days' notice in writing of the intention to commence the works to the owner or occupier of each *dwelling* that is situated within 20m of the lot on which the works will be carried out.

Conditions applying during the works

Note. The *Protection of the Environment Operations Act 1997* and the *Protection of the Environment Operations (Noise Control) Regulation 2008* contain provisions relating to noise.

5 Hours of construction or demolition

Construction or demolition may only be carried out between 7.00 am and 5.00 pm on Monday to Saturday and no construction or demolition is to be carried out at any time on a Sunday or a public holiday.

6 Compliance with plans

Works must be carried out in accordance with the plans and specifications to which the *complying development certificate* relates.

7 Sedimentation and erosion controls

Run-off and erosion controls must be effectively maintained until the site has been stabilised and landscaped.

8 Maintenance of site

(1) Building materials and equipment must be stored wholly within the work site unless an approval to store them elsewhere is held.

(2) Demolition materials and waste materials must be disposed of at a waste management facility.

(3) The work site must be left clear of waste and debris at the completion of the works.

(4) A sign must be erected and maintained in a prominent and visible position on the site stating:

(a) that unauthorised entry to the site is prohibited, and

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

(c) the name and phone number of the principal certifying authority for the work.

Construction requirements

9 Staging construction

(1) If the *complying development* is the erection of, or alterations or additions to, a *dwelling*, the roof stormwater drainage system must be installed and connected to the drainage system before the roof covering is installed.

(2) Any approval that is required for connection to the drainage system under the *Local Government Act 1993* must be held before the connection is carried out.

(3) If the *complying development* involves the construction of a vehicular access point, the access point must be completed before the occupation certificate for the *complying development* on the site is obtained.

10 Easements

All parts of the building/structure must be sited clear of any easement affecting the site. The development must be consistent with any Section 88B Restriction under the *Conveyancing Act 1919/1964* in which *Council* has an interest in and which applies to the land the subject of the development.

11 Utility services

If the *complying development* requires alteration to, or the relocation of, utility services on the lot on which the *complying development* is carried out, the *complying development* is not complete until all such works are carried out.

DIVISION 2 CONDITIONS APPLYING TO A COMPLYING DEVELOPMENT CERTIFICATE UNDER THE COMMERCIAL AND INDUSTRIAL COMPLYING DEVELOPMENT CODE

Note 1. *Complying development* must comply with the requirements of *the act*, the *Environmental Planning and Assessment Regulation 2000* and the conditions listed in this Part.

Note 2. A contributions plan setting out the contribution requirements towards the provision or improvement of public amenities or public services may specify that an *accredited certifier* must, under section 94EC of the *Environmental Planning and Assessment Act 1979*, impose a condition on a *complying development certificate* requiring the payment of a monetary contribution in accordance with that plan.

Conditions applying before works commence

1 Protection of adjoining areas

A hoarding or a temporary construction site fence must be erected between the work site and adjoining lands before the works begin and must be kept in place until after the completion of works if the works:

(a) could cause a danger, obstruction or inconvenience to pedestrian or vehicular traffic, or

(b) could cause damage to adjoining lands by falling objects, or

(c) involve the enclosure of a public place or part of a public place.

Note. See the entry in the *General exempt development code* for scaffolding, hoardings and temporary construction site fences.

2 Toilet facilities

(1) Toilet facilities must be available or provided at the work site before works begin and must be maintained until the works are completed at a ratio of one toilet plus one additional toilet for every 20 persons employed at the site.

(2) Each toilet must:

(a) be a standard flushing toilet connected to a public sewer, or

(b) have an on-site effluent disposal system approved under the *Local Government Act 1993*, or

(c) be a temporary chemical closet approved under the *Local Government Act 1993*.

3 Garbage receptacle

(1) A garbage receptacle must be provided at the work site before works begin and must be maintained until the works are completed.

(2) The garbage receptacle must have a tight fitting lid and be suitable for the reception of food scraps and papers.

(3) The garbage receptacle must be replaced or emptied when any of its contents extend beyond the top of the receptacle enclosure walls.

Conditions applying during the works

Note. The *Protection of the Environment Operations Act 1997* and the *Protection of the Environment Operations (Noise Control) Regulation 2008* contain provisions relating to noise.

4 Hours for construction or demolition

Construction or demolition that is audible in any *dwelling* on an adjoining lot may only be carried out between 7.00 am and 8.00 pm on Monday to Saturday.

5 Compliance with plans

Works must be carried out in accordance with the plans and specifications to which the *complying development certificate* relates.

6 Maintenance of site

(1) Building materials and equipment must be stored wholly within the work site unless an approval to store them elsewhere is held.

(2) Demolition and waste materials must be disposed of at a waste management facility.

(3) The work site must be left clear of waste and debris at the completion of the works.

Conditions applying to construction requirements

7 Utility services

If the *complying development* requires alteration to, or the relocation of, utility services on the lot on which the *complying development* is carried out, the *complying development* is not complete until all such works are carried out.

8 Mechanical ventilation systems

If the *complying development* is a mechanical ventilation system that is a ***regulated system*** in ***regulated premises*** within the meaning of the *Public Health Act 1991*, the system must be notified as required by the *Public Health (Microbial Control) Regulation 2000*, before an occupation certificate (whether interim or final) for the *complying development* is issued.

9 Food businesses

If the *complying development* is a ***food business*** within the meaning of the *Food Act 2003*, the food business must be notified as required by that Act or licensed as required by the *Food Regulation 2004*, before an occupation certificate (whether interim or final) for the *complying development* is issued.

10 Premises where skin penetration procedures are carried out

If the *complying development* involves premises at which a ***skin penetration procedure*** within the meaning of the *Public Health Act 1991* will be carried out, the premises must be notified as required under the *Public Health (Skin Penetration) Regulation 2000* before an occupation certificate (whether interim or final) for the *complying development* is issued.

Part 6 Subdivisions Code

Note 1. Schedule 3 State Environmental Planning Policy (Exempt and Complying Development Codes) 2008 contains variations to this code.

Note 2. In addition to the requirements specified for development under this code, adjoining owners' property rights, the applicable common law and other legislative requirements for approvals, licences, permits and authorities still apply. For example, requirements relevant to development in this code may be contained in the Act, the *Environmental Planning and Assessment Regulation 2000*, various State environmental planning policies, the *Protection of the Environment Operations Act 1997*, the *Roads Act 1993* and Acts applying to various infrastructure authorities. If the development is in proximity to infrastructure, including water, stormwater and sewer mains, electricity power lines and telecommunications facilities, the relevant infrastructure authority should be contacted before commencing the development.

6.1 Specified complying development

The strata subdivision of a building, other than a dual occupancy, for which development consent or a complying development certificate was granted or issued is, for 5 years from the date the consent or certificate was granted or issued, development specified for this code.

6.2 Development standards

The standards specified for that development are:

(a) that any development consent or complying development certificate relating to the building, the subject of the subdivision, and granted or issued before 1 January 2011 must require the allocation of parking spaces for each individual dwelling, and

(b) that the subdivision must not contravene any condition of any development consent or complying development certificate applying to the development.

Note. Registered interests on the land, the subject of the strata subdivision, the *Strata Schemes Management Act 1996* and the *Strata Schemes (Freehold Development) Act 1973* apply.

PART B – DEVELOPMENT CONTROLS

3.0 RESIDENTIAL DEVELOPMENT CONTROLS

This section of the Code provides development controls for residential development, including single dwellings (Section 3.1) and multi-dwelling housing (Section 3.2). This section does not apply to development which satisfies the complying development controls in Section 2.2 Schedule 2 of the Code.

3.1 General Dwelling Controls (common to Single and Multi-dwelling Housing)

This section provides controls relating to the development of all **Development Types** (housing product types) (see below). It includes streetscape, architectural design, *setbacks*, *height*, open space, car parking, and fencing.

It provides criteria for assessment of *dwelling*s as *complying development* on a *nominated lot* (**Section 2.2** of the *Code*). Where a proposed *dwelling* does not meet the *complying development* standards, a *development application* (DA) must be lodged addressing the relevant controls in this section. Any variations to relevant controls must be justified against compliance with the relevant control objectives: written justification must be lodged with a DA.

Traditional detached dwelling in which no wall may be built-to-boundary.

Zero-lot Dwelling in which all or at least part of one side wall is built-to-boundary

Terrace Dwelling in which all or at least part of both side walls are built-to-boundary (with the exception of corner lots or lots adjoining public open space, where only the *shared boundary* will have a zero-lot wall).

SOHO dwelling in which limited commercial uses are combined with residential uses on the land title.

Granny Flat Dwelling in which two *dwelling*s exist on one title without further subdivision. One form that this development might take is a flat above the *garage* overlooking a laneway.

Mews Dwellings in which a group of more than three and up to five *dwelling*s are located on a single lot that share a common driveway and often have frontages to two streets or a street and a park, but otherwise have no common facilities. These *dwelling*s may be strata-titled/re-subdivided upon completion, often providing freehold title lots with reciprocal easements for access to the lots not located on the access street frontage.

Plex Dwellings in which up to six *attached* or *detached* *dwelling*s are located on one lot (duplex, triplex, etc.), but where there are no communal facilities provided. These *dwelling*s may be strata-titled/re-subdivided upon completion.

Shop-top Dwelling/s in which one or more *dwelling*/s is/are located on a single lot in association with a ground floor business use that fronts a street containing other commercial uses. If constructed appropriately, it is optional for the business use/s and the *dwelling*/s to be strata titled/re-subdivided separately from the residential uses upon completion, and the individual *dwellings* may also be strate-titled/re-subdivided upon completion.

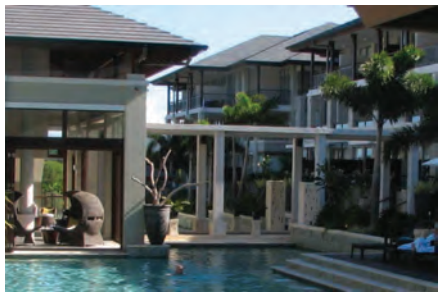
Townhouse Dwellings in which six or more *dwelling*s in an *attached* format (maximum number of *attached* *dwelling*s to be four) are located on a single lot and have direct access to the ground, share a common driveway, common property, and communal facilities. These *dwelling*s shall be strata-titled upon completion.

Villa Dwellings in which six or more *dwelling*s in a *detached* format are located on a single lot and have direct access to the ground, share a common driveway, common property, and communal facilities. These *dwellings* shall be strata-titled upon completion.

Apartments in which two or more *dwelling*s are located vertically in *storeys* and share car parking, common property and communal facilities. These *dwellings* shall be strata-titled upon completion.

Seniors Housing in which numerous *attached* and/or *detached dwellings*, club and recreational communal facilities and an administration component are located on a single lot. These *dwelling*s shall be strata-titled upon completion.

Tourist Accommodation (other than hotel or motel accommodation) in which self-contained short-term accommodation units are located on a single lot along with communal facilities and a buildng manager. These *dwelling*s may be strata-titled upon completion.



3.1.1 Site Work

Objectives

(1) To limit modification of site levels at boundaries to maintain amenity to adjoining properties.
(2) To ensure site modifications do not cause flooding of adjoining properties.
(3) To ensure site modifications do not cause site destabilisation.
(4) To ensure site engineering elements do not adversely impact on the streetscape.
(5) To ensure that fencing does not destabilise retaining walls.
(6) To ensure best practice design for sloping sites.

Controls

(1) Excavation associated with development (other than a swimming pool) must:

(a) be not more than 1m below *ground level (existing)*, unless retained and backfilled to the wall of the *dwelling*, and

(b) be retained by a wall constructed and supervised in accordance with a practising structural engineer's design and a certificate of structural adequacy provided prior to occupation if it requires a retaining wall greater than 1m in *height*, and

(c) cause overland flow affected by site works to be intercepted to prevent damage and nuisance to adjoining properties and such provisions must be indicated on plans submitted for approval, and

(d) be located no less than 0.45m from the lot boundary, unless constructed in association with a permitted built-to-boundary wall or where a side *setback* of 0.9m to *outermost projection* (or less) applies, in which case the excavation must not be greater than 0.8m below *ground level (existing)*.

(e) not be made for a contiguous slab on ground type construction if the lot has a slope of greater than 10%, in which case only excavations required for a suspended slab and/or an enclosed, elevated slab type of construction are be permitted.

(2) Excavation associated with the erection of, or alterations or additions to, a swimming pool must be not more than the depth required for the pool structure.

(3) On any site being classed as being in an area affected by acid sulfate soils in which an excavation including pier holes, footings, a swimming pool and/or the like, that extends below the level of any approved fill and will disturb acid sulfate soils, an *Acid Sulfate Management Plan For Minor Works* must be obtained, signed by the owner and submitted with the application to the Principal Certifying Authority.

(4) Fill associated with development must be:

(i) if in excess of 1m, contained wholly within the external walls of the *dwelling* or *ancillary development*, or

(ii) constructed to a maximum *height* of 1m above *ground level (existing)* using an embankment or a retaining wall if the retaining wall or toe of the embankment is set back greater than 0.45m from the boundary, or

(iii) constructed to a maximum *height* of 0.8m above *ground level (existing)* using a retaining wall where the fill is set back less than 0.45m from the boundary and in accordance with 2.2.19 (f).

(5) All fill on a lot that is constructed using an unprotected embankment shall be battered at a gradient no steeper than 1m vertical to 1.5m horizontal.

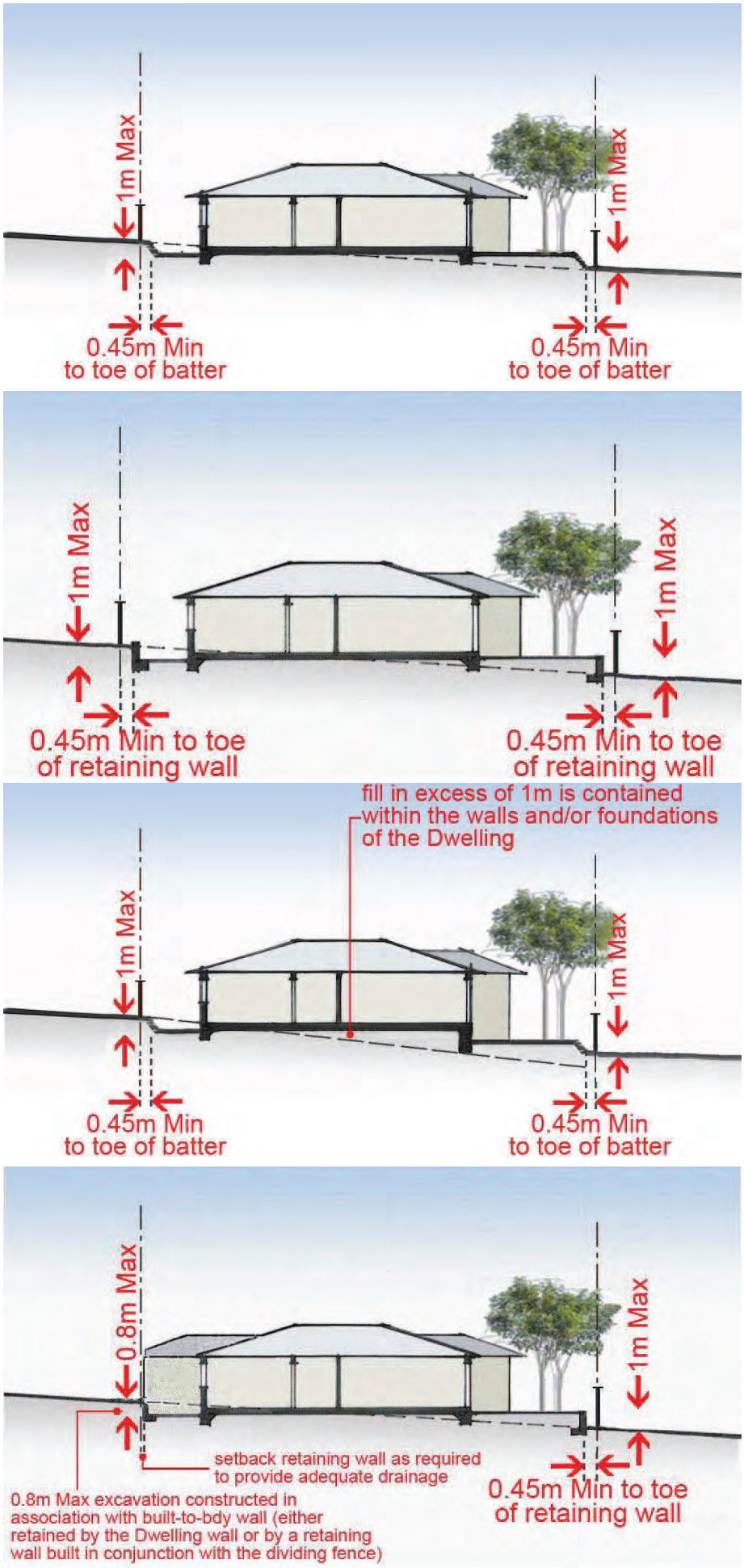


Figure 3.1.1.1 Retaining walls and unprotected embankments

3.1.2 Corner Lots

Objectives

(1) To encourage building designs which enhance and articulate the streetscape.

(2) To maximise vehicular sight lines and safety.

(3) To use land efficiently.

Controls

(1) Corner lot *setbacks* must be in accordance with the applicable *setback* controls for the *dwelling* type, and in the case of the transition between the primary and secondary frontage *setbacks*, the lesser *setback* applies (see Figure 3.1.2.1 below).

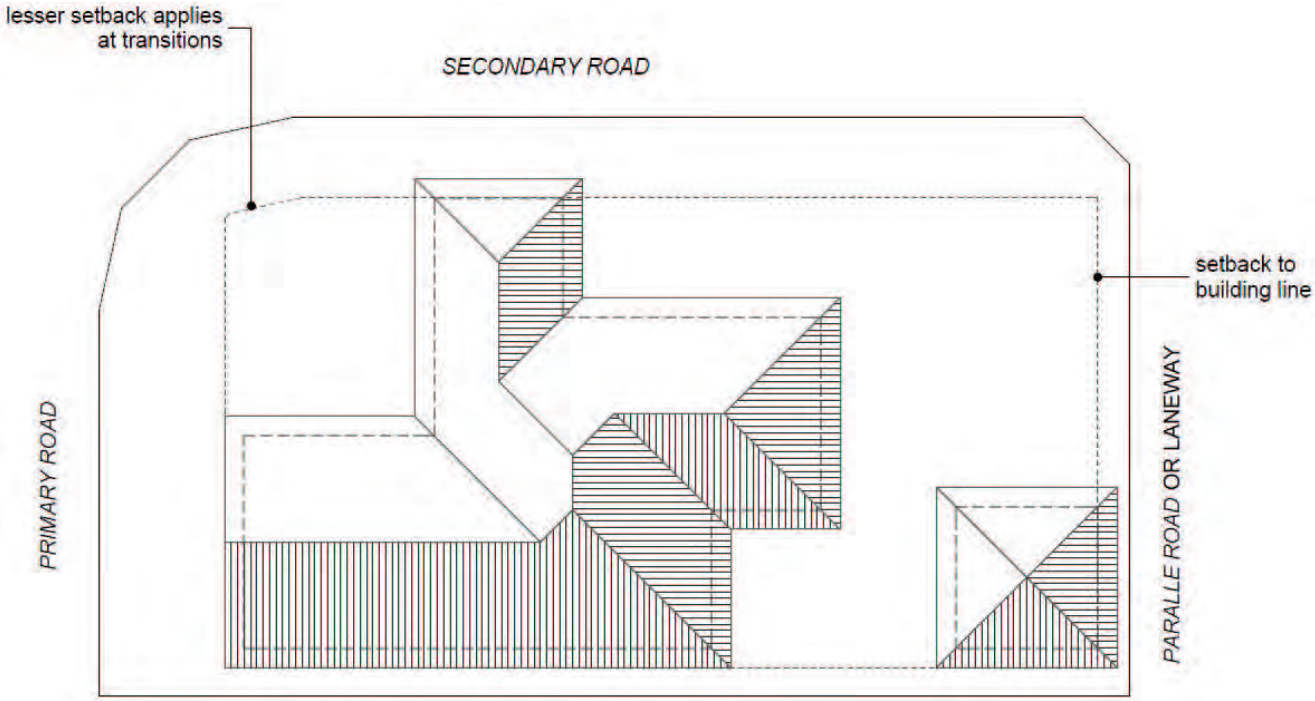


Figure 3.1.2.1 Frontage Setbacks for Corner Lots

3.1.3 Built Form

Objectives

(1) To encourage the articulation of building facades and roof forms to contribute to attractive streetscapes.

(2) To promote the development of sustainable buildings.

(3) To encourage compatible and consistent building form and scale

(4) To ensure *garages* do not dominate building facades or streetscapes.

(5) To encourage interesting and individual house designs while maintaining compatibility of form and scale.

(6) To encourage climatically-responsible house designs.

(7) To promote colours and finishes sympathetic to natural and built environments.

(8) To achieve a skyline sympathetic to the topography.

Controls

(1) *Single dwelling* development is to incorporate the good streetscape design principles at **Figures 3.1.3.1 and 3.1.3.2** wherever possible.

Figure 3.1.3.1 Good Streetscape Design Principles

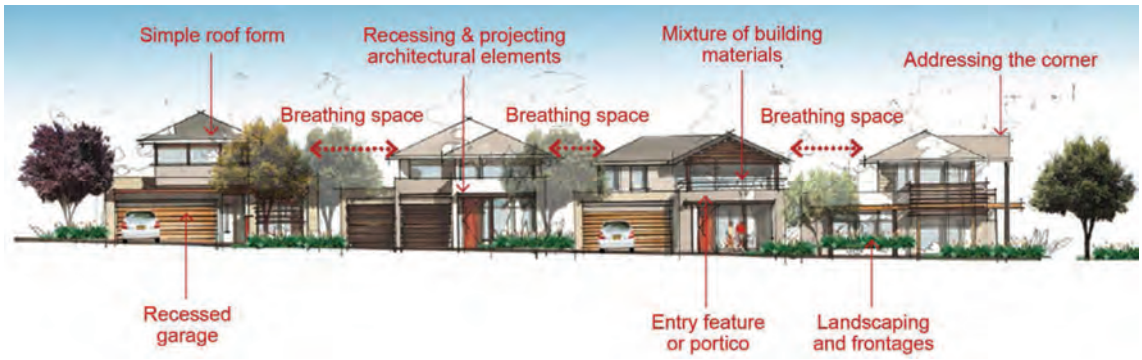


Figure 3.1.3.2 Good Streetscape Design Principles (continued)

(2) The *primary road* facade of a building shall incorporate at least two of the following design features (a) to (e) (see **Figure 3.1.3.3**):

(a) Entry porticoes, verandas, balconies, pergolas and screens,

(b) *Frontage building line* profile stepped a minimum 0.5m (refer to **Figure 3.2.2.1**),

(c) Recessed or projecting architectural elements,

(d) A mixture of building materials and colours, or

(e) Feature materials, including stained timber, stone or architectural-grade steel.

Figure 3.1.3.3 Desirable *primary road* façade design features - timber, stone, wide eaves, porches and verandas

(3) Eaves or horizontal shading devices (adjustable or fixed) must be provided to shade north, east and west facing windows, and eaves to protect window and door openings.

(4) Eaves or shading devices must have a minimum 0.6m overhang (measured to the fascia board) and be provided to at least of 70% of the *dwelling*.

Note. An outdoor covered area is considered to be equivalent to an eave.

(5) *Alternative solutions* to eaves or shading devices are permitted if they block the low rays of the rising and setting summer sun and are compatible with the *dwelling* design, scale, materials, and colour. For example, designs which reduce the extent and size of east and west facing windows.

(6) All visible hip or gable roofs shall have a pitch ranging from:

(a) 20-35 degrees generally, or

(b) not more than 10 degrees with eaves of not less than 0.9m.

(7) All single pitched (skillion) roofs shall have a minimum pitch of 9 degrees on a single *storey dwelling*, six (6) degrees on a multiple *storey dwelling*, or provided behind a parapet. .

(8) Parapet walls shall be:

(a) limited, and

(b) used in conjunction with other visible roof forms, and

(c) articulated in the vertical (elevation) and horizontal (plan) plane.

(9) *Garage* doors shall:

(a) not exceed 50% of the width of the lot (measured at the *frontage building line*), unless the *garage* door is perpendicular to the road frontage, and

(b) and be set back from the *frontage building line* by 1m minimum, and

(c) where the design incorporates a triple g*arage*, the third *garage* door shall be set back a further 0.6m from the main *garage* door.

(10) Where driveway parking is provided, it must not overhang public property and road reservations adjacent to *garage* doors. In a situation where a 4.5m *setback* is provided to the *garage door line*, one car space may be provided in a diagonal configuration across the driveway (see **Figure 3.1.3.4**.

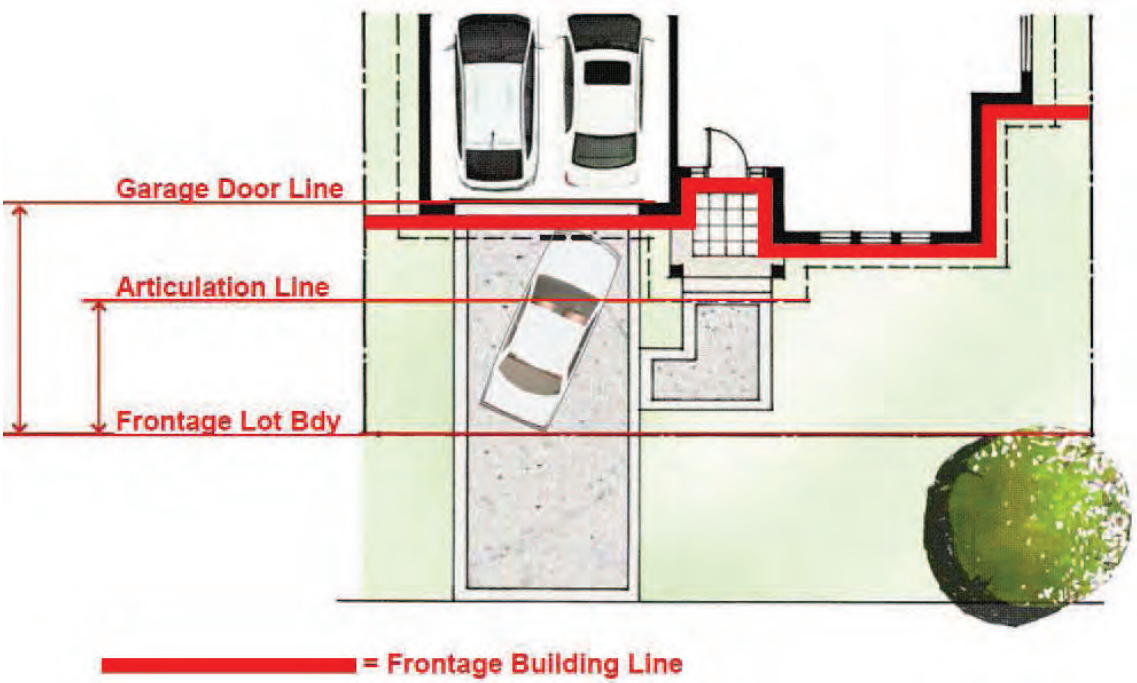


Figure 3.1.3.4: Example of diagonal driveway car parking space in double width driveway with 4.5m setback to garage door line.

(11) Porticos and entry features are to be in proportion with the scale of the *dwelling*.

(12) Avoid expanses of any single material. Bright and highly reflective colours must be avoided, except for limited architectural features. Colours and finishes must not be in strong contrast to existing surrounding development. Multi-coloured roof tiles are not permitted.

(13) Any additions to a *dwelling* visible from a road or public land frontage, shall have external finishes and a colour scheme that match or compliment those of the existing *dwelling*.

(14) Additions of a maximum area of $6m^2$ comprising awnings, canopies and storm blinds *attached* to a *dwelling* are permitted.

Figure 3.1.3.5 Examples of desirable climatically responsible design, wide eaves, deep shaded Private Open Space areas.

3.1.4 Dwelling Height, Massing and Siting

Objectives

(1) To ensure development responds to the topography and context.

(2) To allow *building heights* which promote pleasant streets and high residential amenity.

(3) To promote a variety of residential densities within the precinct.

(4) To encourage privacy.

Controls

(1) All development types are to generally be a maximum of two *storeys* in *height* except as stated in **3.1.4(2)** below.

(2) A third *storey* is permissible on a lot designated for three *storey* construction on the approved *plan of development*.

(3) A third *storey* may also be permitted (with a DRP Pre Approval Certificate) where it can be demonstrated that the development is:

(a) on a prominent street corner, or

(b) adjacent to a neighbourhood or local centre, public open space, golf course, or riparian corridor, or

(c) on land with a *ground level (existing)* slope equal to or more than 15%, in which case a partial third *storey*, being not more than 50% of the *gross floor area* of the level immediately above (or otherwise as varied by a *DRP pre-approval certificate*) is permitted, or

(d) not likely to impact adversely on the existing or future amenity of any adjoining land on which residential development is permitted, having regard to overshadowing, visual impact and any unreasonable impact on privacy, or

(e) a Plex, Mews, Townhouse, or *apartment*, Shop-top or *seniors housing* development where the three (3) *storey* component would not exceed 70% of the *building footprint*.

(4) The overall *building height* of a building from *ground level (existing)* at any point shall not be more than 5m for a one *storey dwelling*, 9m for a two *storey dwelling* and 12m for a three *storey dwelling*, except as varied by sub-clauses (4) and (5).

(5) The *height* control in sub clause (3) may be increased by 1m in the case of a Shop-top, *apartment* or *seniors housing* development.

(6) The *building height* of an *outbuilding* on a lot nominated for a *dwelling*/s shall not be more than 4m above *ground level (existing)*.

(7) Wall lengths of a *height* of two *storeys* or more shall not exceed 30% of the length of the side boundary where the *setback* to that boundary is less than 2m, with the exception of Terrace Lot and *SOHO dwellings*, where wall lengths shall not exceed 60% of the side boundary where the *setback* to that boundary is less than 1m.

Note 1. The extra 1m height in control 3.1.4(5) above will be considered on its merits where it is required to cater for basement car parking; and is related to the development type specified in that control.

3.1.5 Car Parking, Garages and Site Access

Objectives

(1) To provide adequate parking for residents and visitors.

(2) To provide flexibility in visitor car parking requirements for certain building designs and land uses.

(3) To reduce the visual impact of *garages*, carports and parking areas.

(4) To ensure that *garage*s do not dominate the appearance of residential buildings from the street.

Controls

(1) Car parking must be provided as per the rates specified in **Table 3.1.5.1** or as nominated on a *plan of development*, whichever is the lesser.

Table 3.1.5.1 Car Parking Requirements

Dwelling Type	Car Parking Required
Traditional Dwelling or Zero-Lot Dwelling	Minimum 2 spaces (1 covered)
Terrace Dwelling	Minimum 1 space (covered)
Plex Dwellings or Mews Dwellings	Minimum 1 space per one-bedroom *dwelling*, 1.5 spaces per two-bedroom *dwelling*, 2 spaces per three-bedroom *dwelling* (with 1 space per *dwelling* covered). Plus visitor parking (on street) at the rate of 0.25 spaces per *dwelling*
Townhouse Dwellings or Villa Dwellings or *Apartment*s or Shop Top Dwellings	Minimum 1 space per one-bedroom *dwelling*, 1.5 spaces per two-bedroom *dwelling*, 2 spaces per three-bedroom *dwelling* (with 1 space per *dwelling* covered). Plus visitor parking (on-site) at the rate of 0.25 spaces per *dwelling* for the first 20 *dwellings* and thereafter at the rate of 1 space per 10 *dwelling*s.
Seniors Housing	As per SEPP (Housing for Seniors or People with a Disability) 2004
Tourist Accommodation	1 space per unit Plus 1 space per staff
SOHO	Residential Component - Minimum 1 space per one-bedroom *dwelling*, 1.5 spaces per two-bedroom *dwelling*, 2 spaces per three-bedroom *dwelling* (with 1 space per *dwelling* covered). Commercial Component – 1 space per $50m^2$
Granny Flat	No additional car parking required Note 1. *granny flat* development must not reduce the availability of car parking required by *principal dwelling*.

Note 1. In this table a “covered” car parking space includes a carport or garage space.

(2) *Garages* and carports must have minimum unobstructed dimensions of 3m width x 5.4m length for single car accommodation, 3m x 10.5m for tandem car accommodation or 5.6m width x 5.5m length for double car accommodation.

(3) An open hard stand car parking space must measure at least 2.6m wide by 5.4m long.

(4) *Garages* and carports must be located in accordance with:

(a) the *plan of development*, or, otherwise, in accordance with the *garage* location principles as per **Figure 3.1.5.1**; and

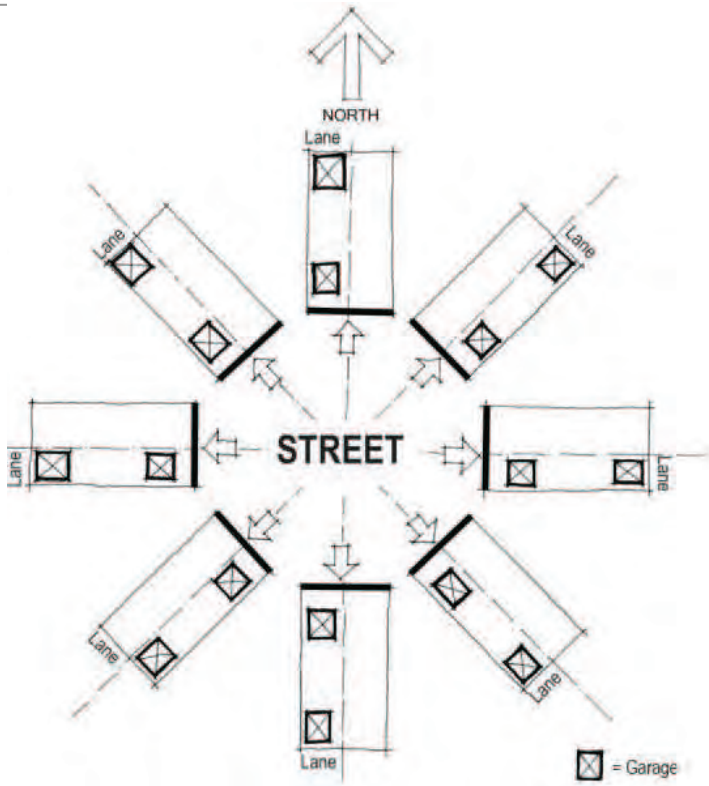


Figure 3.1.5.1 Garage Location Principles

(b) built form controls as determined by **Section 3.1.3**, and

(c) The *garage* configuration controls as provided by **Table 3.1.5.2.**

Table 3.1.5.2 Garage Configurations

Effective Lot Width	5m -7m	<7m -10m	>12m-<15m	>15m-<20m	>20
Option 1 (additional tandem bays are also permitted)					
	Rear	**Rear**	**Rear**	**Front**	**Front**
Width	Single	Single or Double	Single or Double	Double or Triple	Double or Triple
Option 2 (additional tandem bays are also permitted)					
	-	**Front**	**Front**	**Rear**	**Rear**
Width	-	Single	Single or Double	Single (if in addition to a front loaded double) or Double	Double

Note 1. The term "Effective Lot Width" is defined in the Glossary (Appendix A)

Note 2. Tandem car parking spaces (nose to tail) may be provided only where both spaces are allocated to one *dwelling*.

Note 3. For *single dwellings* set back controls to *garage* Door as per Table 3.2.2.1 also apply.

(5) *Garages*, carports and vehicle doors shall be:

(a) visually recessed through use of materials, colours, and overhangs, and

(b) integrated with of the *dwelling* design and materials.

(6) Driveways must comply with the following criteria:

(a) maximum 4.5m width at the property boundary generally , except on narrow laneways where a wider driveway may be provided to comply with *Australian Standard AS2890.1:2004 Parking*

facilities - Off Street Car Parking, and

(b) the location of driveways shall be determined with regard to *dwelling* design, orientation, street gully pits, tree bays and the maximisation of available on-street car parking.

(c) driveways are to be in accordance with *Council's* standard *Driveway Access to Property Design Specification*, and

(d) a driveway crossover must be approved by application to *Council* under Section 138 of the Roads Act 1993 to undertake work within a road reserve.

3.1.6 Fencing

Objectives

(1) To provide property security and privacy .

(2) To facilitate passive surveillance of public places.

(3) To promote attractive streetscapes.

Controls

(1) Fencing forward of the *frontage building line* shall be constructed in accordance with **Table 3.1.6.1** and **Figures 3.1.6.1, 3.1.6.2 and 3.1.6.3.**

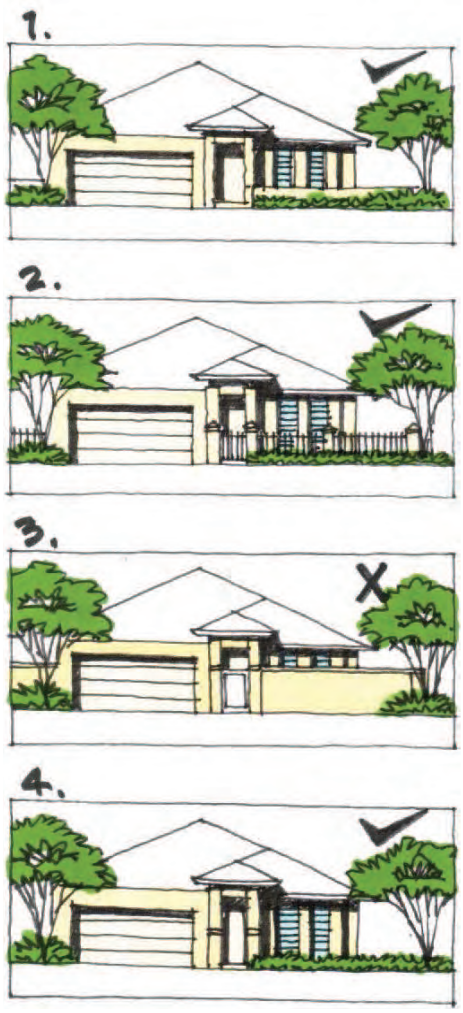
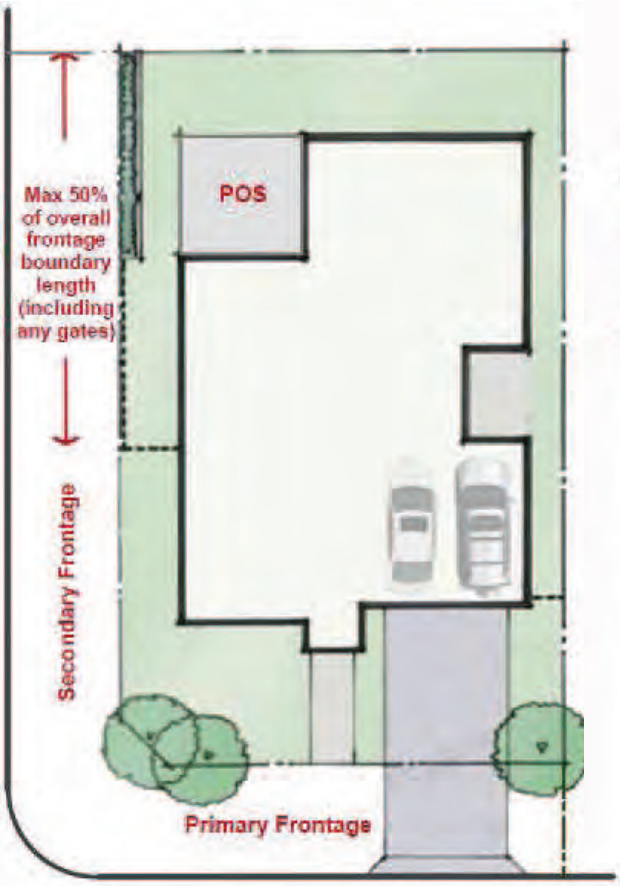


Figure 3.1.6.1 Front fencing to promote public safety through passive surveillance of street

Table 3.1.6.1 Fencing Forward of the Frontage Building Line

Fence Control	Setback from the road frontage boundary	Min. and max. heights above Ground Level (existing)*	Type/s of fence permitted	Extent permitted to frontage boundary	Other requirements or notes
Fencing to a Primary Road frontage not providing privacy for a POS	An minimum of 0.5m	0.6m minimum and 0.9m maximum	Solid Masonry, or a combination of Solid Masonry and Transparent or Transparent or Translucent	A maximum of 50% of the total length of the frontage boundary (including any gates)	Landscape planting is required between the frontage boundary and the fence
Fencing to a primary or Secondary Road frontage providing privacy for a POS	A minimum of 0.5m	1.5m generally but up to 1.8m in limited portions to address topography considerations	A combination of 30% maximum Solid Masonry and Transparent , or Transparent or Translucent	A maximum of 50% of the total length of the frontage boundary (including any gates)	Landscape planting is required between the frontage boundary and the fence
Fencing to a Secondary Road frontage of a corner lot not providing privacy for a POS	A minimum of 0.5m	1.5m generally but up to 1.8m in limited portions to address topography considerations	Solid Masonry, or a combination of 30% maximum Solid Masonry and Transparent , or Transparent or Translucent	A maximum of 50% of the total length of the frontage boundary (including any gates)	Landscape planting is required between the frontage boundary and the fence

*If fencing is solid masonry and incorporates the retaining of fill (maximum 0.6m), the height of the solid fence above Ground Level (existing) may be increased by 0.3m.



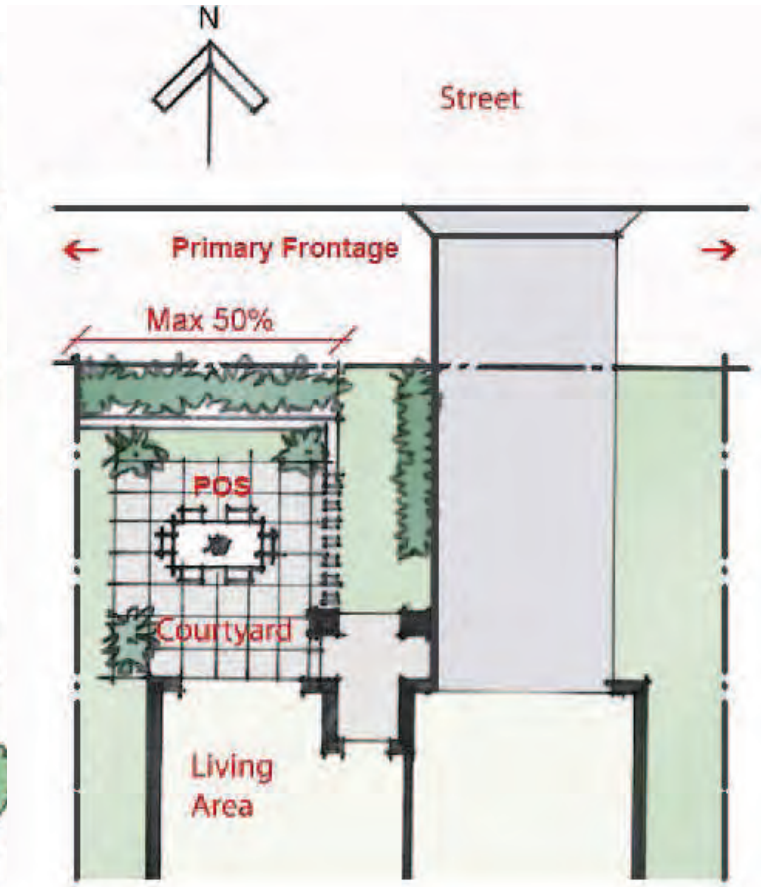


Figure 3.1.6.2 Solid fencing extending to part of a boundary

Figure 3.1.6.3: Limited fencing permitted when living spaces face north to street

(2) Fencing behind the *frontage building line* on a boundary shared with another residential lot is refered to as *shared boundary fencing* and shall be:

(a) Solid fencing, and

(b) constructed with a raked top profile following the profile of the *ground level (existing)*, and

(c) a maximum *height* of 1.8 metres including the *height* of any retaining walls, as measured from *ground level (existing)*, with a tolerance of +/- 0.3m in the case of a sloping lot, and

(d) leave a gap not greater than 0.050m at the bottom between the fence materials (other than supporting posts) and the *ground level (finished)* and

(e) have footings that are located below the ground line (existing), and

(f) not be an electrified fence or use barbed wire, and

(g) not redirect the flow of surface water onto any adjoining property.

(3) Fence Types, Materials and Colours are described as follows:

(a) **Solid** fencing, constructed of materials specified in the *design guidelines* for solid fences.

(b) **Transparent** fencing, which is to comprise a maximum of 15% solid and is to be constructed of materials specified in the *design guidelines* for transparent fences. Refer **Figure 3.1.6. 4**

(c) **Translucent** fencing, which is to comprise a minimum of 15% openings and is to be constructed of materials specified in the *design guidelines* for translucent fences. Refer **Figure 3.1.6.5**.

Figure 3.1.6.4 Examples of transparent fencing

Figure 3.1.6.5 Examples of translucent fencing on a secondary boundary of a corner site

3.1.7 Visual Privacy

Objectives

(1) To ensure reasonable levels of visual privacy between *dwelling*s and to p*rivate open spaces*.

Controls

(1) First floor windows, balconies and decks or in rooms with floor levels greater than 1.0m above natural ground level must have effective privacy screening where they face south, west, or southwest to an adjoining d*welling* lot and are not set back more than 10m from the boundary with that lot.

(2) Effective privacy screening is provided if:

(a) windows have sill *heights* of 1.5m above finished floor level; or

(b) fixed and obscure glass is provided for all areas up to 1.5m above finished floor level; or

(c) external fixed screening to openings or balconies to 1.5m above the finished floor and with a maximum open-to-solid ratio of 50%.

3.1.8 Flooding and Water Cycle Management

Objectives

(1) To minimise the potential impact of flooding on development.

(2) To incorporate best practice stormwater management principles and strategies in development proposals.

(3) To mitigate the impacts of development on stormwater quality.

(4) To control the impacts of development on channel beds and bank erosion by controlling the magnitude and duration of sediment-transporting flows.

(5) To limit changes in flow rate or flow duration within receiving waterways as a result of development.

Controls

(1) **Development of Flood Liable Land:**

(a) Development must be in accordance with Tweed Development Control Plan 2008, Section A3 Development of Flood Liable Land.

(2) **Erosion and Sediment Control:**

(b) Erosion and sediment controls must be in accordance with Tweed Development Control Plan 2008, *Development Design Specification D7 - Stormwater Quality* and Annexure A - *Code of Practice for Soil and Water Management on Construction Works*.

(c) An Erosion and Sediment Control Plan must be submitted with all *development applications*.

(3) **Permanent stormwater quality facilities:**

(a) Subdivision and drainage systems shall be designed in accordance with *Tweed Urban Stormwater Management Plan,* Section 5.5.3 *Stormwater Objectives During the Post Construction or Occupational Phase of Development* (Table A5-4), and Tweed Development Control Plan 2008, *Development Design Specification D7 – Stormwater Quality*.

(4) Rainwater harvesting is to be provided in accordance with Appendix C as per the minimum lot sizes specified in this Code.

Note 1. The requirement in Control 3.1.8 (4) above may include any rain water storage required to comply with *State Environmental Planning Policy (Building Sustainability Index: BASIX) 2004*.

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3.2 Single Dwelling Controls

Certain *dwellings* can be assessed under the *Code* as *complying development* on a *nominated lot* (see **Section 2.2** of the *Code*. Where a proposed *dwelling* does not meet the *complying development* standards, a *development application* shall be lodged addressing the controls in this section. Any variations to the controls must be justified against achievement of the control objectives.

This section provides controls relating specifically to *single dwellings* (one *dwelling* on a single lot), namely, ***Traditional detached dwellings, zero-lot dwellings, terrace dwellings, and SOHO dwellings*** (see Figure 3.2.1 below). These controls are to be read in conjunction with the general residential controls at **Section 3.1**.

This section includes controls for streetscape, architectural design, *setbacks*, *height*, open space, car parking, built-to-boundary walls, and fencing.

Traditional Detached Dwellings **Zero-lot Dwellings** **Terrace or SOHO Dwellings**

Figure 3.2.1 Single Dwelling Types

3.2.1 Front Setbacks and Articulation Zones for Single Dwellings

Objectives

(1) To encourage pleasant streetscapes and public domain areas.

(2) To reduce the visual dominance of *garage* doors and fencing.

(3) To ensure visitor parking in front of *garage* doors does not overhang front property boundaries.

(4) To encourage varied facades through eaves, verandas, balconies and feature elements.

(5) To facilitate public safety by passive surveillance.

(6) To allow sufficient space for landscaping adjacent to front boundaries.

Controls

(1) Front *setbacks* for *single dwellings* are to comply with **Table 3.2.1.1**.

Table 3.2.1.1: Minimum Setbacks to Articulation Zones, Frontage Building Lines and Garage Door Lines for Single Dwellings

Effective Lot Width	5m -10m	>10m – 15m	>15m	Measured to
Setback to Primary Road Frontage Articulation Zone	1m	2m	3m	*outermost projection*
Setback to Secondary Road Frontage Articulation Zone	0.5m	1.5m	2.5m	*outermost projection*
Setback to Primary Road frontage building line	2m	3m	5m	To wall
Setback to Secondary Road frontage building line	1.5m	2.5m	4.5m	To wall
Setback to garage door line measured to primary or secondary road frontage	4.5m for a double *garage* and 5.5m for a single *garage*	4.5m for a double *garage* and 5.5m for a single *garage*	6m	To the *garage door line*
Setback to garage door line measured to the rear laneway frontage	1m	1m	1m	To the *garage door line*
Setback to structure above ground floor garage measured from a Rear Lane	0.3m	0.3m	0.3m	*outermost projection*

* Measured at the Frontage Building Line.
Note 1. See Figure 3.2.1.1 (below) for illustration of frontage *setback* terms.

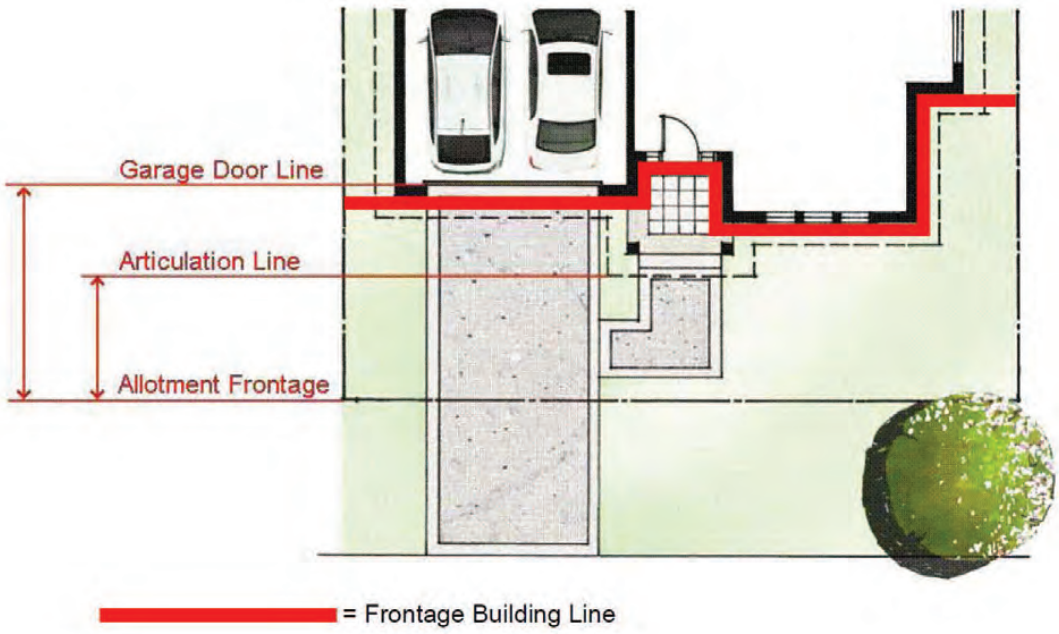


Figure 3.2.2.1 Frontage Setback Terminology

3.2.2 Side and Rear Setbacks for Traditional Detached Dwellings and Certain Ancillary Development

Objectives

(1) Minimise impacts on neighbouring properties relating to views, privacy, and overshadowing.

(2) To provide 'breathing space' between buildings.

(3) To ensure equitable access to natural light and ventilation for all residential buildings.

(4) To encourage the efficient use of land.

Controls

(1) *Dwellings* must comply with the side and rear *setback* controls at **Table 3.2.2.1** or the *Building Code of Australia*, whichever is the greater, except for projections which are permitted into side and rear *setbacks*.

Note. Downpipes, gutters and eaves shall not extend over the boundary.

Table 3.2.2.1 Side and rear boundary Setbacks for Traditional Detached Dwellings and certain *Ancillary development*

Type of Setback	Setback	Measured to
Ground Floor Setback to side boundaries	0.9 m	*outermost projection*
First Floor Setback to side boundaries (including any parts over 4.5m high)	1.5m	*outermost projection*
Second Floor Setback to side boundaries (including any parts over 8.5m high)	2m	*outermost projection*
Rear Boundary Setback (ground and first floors, excluding rear lanes)	3m	*outermost projection*
Rear Boundary Setback (second floors, excluding rear lanes)	4m	*outermost projection*
Rear *Articulation Zone* (ground and first floors, excluding rear lanes)	2m	*outermost projection*
Rear *Articulation Zone* (second floors, excluding rear lanes)	3m	*outermost projection*

* Measured at the Frontage Building Line.

Note1. For *outbuildings*, refer to clause 3.2.3

Note 2. Projections permitted into side and rear *setback areas* include sun hoods, *architect*ural fins or architraves, gutters, down pipes, flues, light fittings and electricity or gas meters, rainwater tanks and hot water units.

Note 3. Pergolas and other unroofed landscape elements may extend within the side and rear

setbacks to minimum distances permitted by the *Building Code of Australia*.

3.2.3 Side and rear boundary Setbacks for Zero-lot, Soho or Terrace Dwellings, Outbuildings (detached) and certain Ancillary (attached) Development

Objectives

(1) To facilitate the efficient use of land on smaller allotments.

(2) To ensure equitable access to natural light and ventilation for all residential buildings by providing adequate distance between d*wellings*.

(3) To provide residents with information on rights and responsibilities for zero-lot d*wellings*.

Controls

(1) A *dwelling* and any carport, *garage*, balcony, deck, patio, pergola, terrace or verandah that is *attached* to the *dwelling* or an *outbuilding* (located behind the *frontage building line*) on a lot designated for a Zero-lot, Soho or *terrace dwelling* must comply with the minimum *setbacks* from a side or rear boundary in Table 3.2.3.1 (see explanatory Figure 3.2.3.1).

Table 3.2.3.1 Side and rear boundary Setbacks for Zero-lot, Soho or Terrace Dwellings, Outbuildings (detached) and certain Ancillary (attached) Development

Effective Lot Width	5m -10m	>10m – 15m	>15m
Location criteria for built-to-boundary walls	Building to both boundaries permitted up to 2 *storeys*	Building to 1 boundary permitted up to 1 *storey* and separated in plan by no less than 2m from any Built-to-boundary construction on an adjoining allotment	Building to 1 boundary**, permitted up to 1 *storey* and separated in plan by no less than 2m from any Built-to-boundary construction on an adjoining allotment
Built-to-boundary wall Setback	0.025m to 0.25m	0.025m to 0.25m	0.025m to 0.25m
Maximum Extent of Built-to-boundary walls up to 1 Storey	The lesser of 18m or 60% of the applicable boundary length for a minimum length of 3m in any one section	The lesser of 18m or 50% of the applicable boundary length	The lesser of 18m or 50% of the applicable boundary length
Maximum Extent of Built-to-boundary walls up to 2 Storeys	No more than 2m in plan and 1m in elevation variance to any existing or *design review panel* Certified built-to-boundary wall on the applicable lot boundary and no more than the lesser of 18m or 60% of the applicable boundary length	Not applicable	Not applicable
Ground Floor Setback (to the side boundary that **is** designated for Built-to-boundary construction, but excluding Built-to-boundary walls)	0.9m to *outermost projection*	1.5m to wall and 0.9m to *outermost projection*	Not applicable
Ground Floor Setback (to the side boundary	0.9m to *outermost*	1.5m to *outermost*	1.5m to *outermost*

Effective Lot Width	5m -10m	>10m – 15m	>15m
that **is not** designated for Built-to-boundary construction)	*projection*	*projection*	*projection*
First Floor Setback (to side boundaries, excluding Built-to-boundary walls but including parts over 4.5m high)	1.5m to wall and 0.9m to *outermost projection*	1.5m to *outermost projection*	1.5m to *outermost projection*
Second Floor Setback (to side boundaries, if permitted, including all parts over 8.5m high)	2m to wall	2m to wall	2m to *outermost projection*
Rear Boundary Setback (ground and first floors, excluding rear lanes)	3m to *outermost projection*	3.5m to *outermost projection*	4m to *outermost projection*
Rear Boundary Setback (second floors, excluding rear lanes)	4m to *outermost projection*	4.5m to *outermost projection*	4.5m to *outermost projection*
Rear *Articulation Zone* Setback (ground and first floors, excluding rear lanes)	2m to *outermost projection*	3m to *outermost projection*	3m to *outermost projection*
Rear *Articulation Zone* Setback (second floors, excluding rear lanes)	3m to *outermost projection*	4m to *outermost projection*	4m to *outermost projection*

Note 1. The term “Effective Lot Width” is defined in the Glossary (Appendix A)

Note 2. Downpipes, gutters and eaves must not extend over the boundary.

Note 3. Where setbacks are measured to the wall, eaves or other projections of 0.6m or less may project into the setback but must not encroach closer than 0.60m to any lot boundary.

Note 4. A corner lot may be considered to have two side boundaries and no rear boundaries.

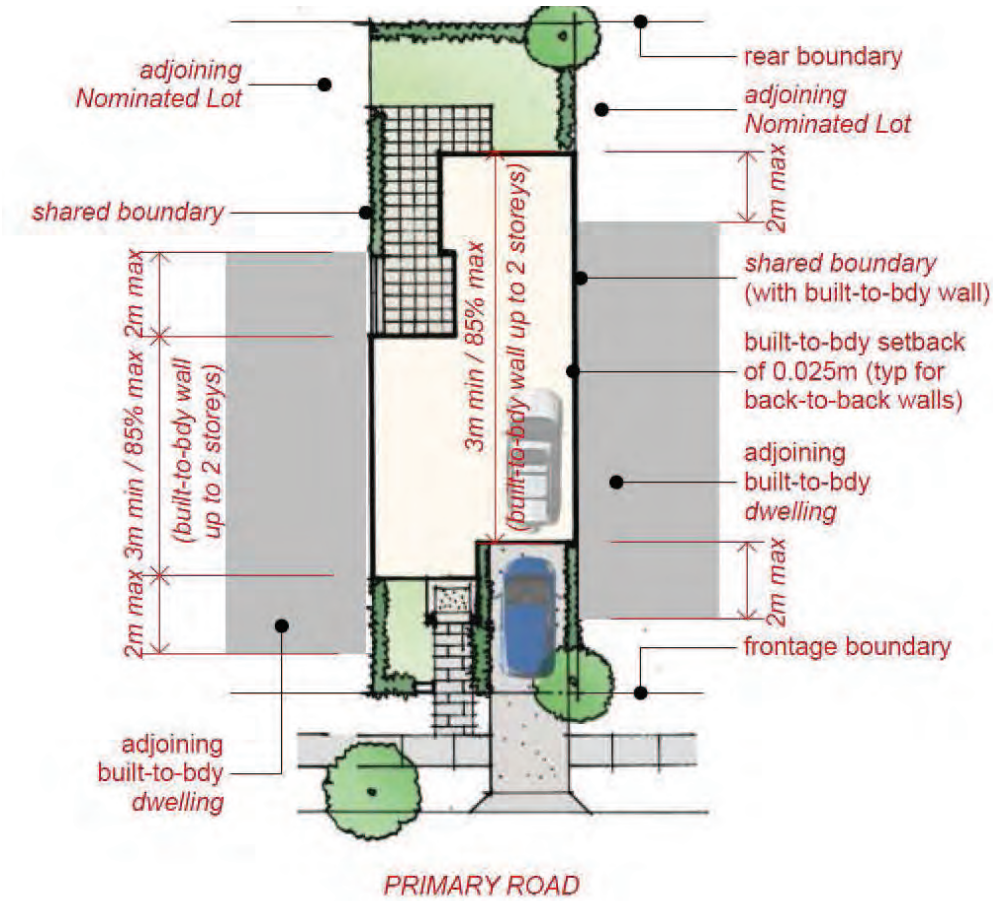


Figure 3.2.3.1 Explanatory Diagram for Side and Rear Boundary Setbacks, Soho or Terrace Dwellings, (detached) Outbuildings and certain (attached) Ancillary Development

(2) The location of *zero-lot dwelling* development must comply with the relevant *Plan of development* and linked Section 88B instrument. Where a built to boundary is not specified on the *plan of development* it is to be determined by the preferred built-to-boundary wall location principles in **Figure 3.2.3.2** below.

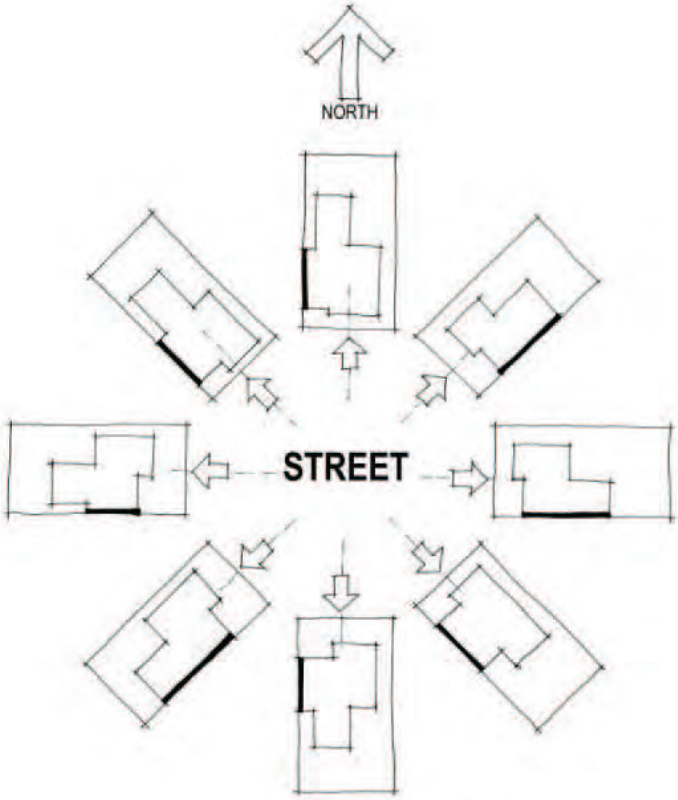


Figure 3.2.3.2 Preferred zero-lot wall locations

3.2.4 Private Open Space

Objectives

(1) To provide usable *private open space* for outdoor recreation for all *dwelling*s.

(2) To provide high levels of residential amenity.

(3) To facilitate solar access to living areas and *private open space*s.

(4) To ensure minimum standards of sunlight access for adjoining *dwellings*.

Controls

(1) All *dwellings* require *private open space (POS)* consistent with **Table 3.2.4.1** and no steeper than 1:10 gradient. On steeper sites, POS must be terraced or provided on a deck to ensure it is functional recreation space.

(2) POS is to be located having regard to *dwelling* design, allotment orientation, adjoining *dwelling*s, landscape features, topography and preferred POS locations illustrated at **Figure 3.2.4.1**.

(3) The POS must be contiguous with and accessible from the main living area of a *dwelling*.

(4) *Outdoor rooms* and the like may be included in the calculation of POS.

(5) Where the POS is a patio, balcony or roof-top area, it shall be provided with a solid balustrade, a solid or translucent fence or landscaped screen of a minimum 1m in *height*, and be directly accessible from the living area of the *dwelling*.

Table 3.2.4.1: Private Open Space (POS)

Effective Lot Width	5m -10m	>10m – 15m	>15m
Private Open Space (POS) at ground level	Min. 15m^2 with a min. dimension of 3m and provided with adequate privacy or	Min. 20m^2 with a min. dimension of 3m and provided with adequate privacy or	25m^2 with a min. dimension of 3m and provided with adequate privacy
Private Open Space (POS) at first floor level for a *first floor living solutions*	Min. 6m^2 if provided as a balcony or rooftop with a min. dimension of 2.1m	Min. 12m^2 if provided as a balcony or rooftop with a min. dimension of 3m	Not applicable

Note 1. The term "Effective Lot Width" is defined in the Glossary (Appendix A)

Note 2. ***Private open space (POS)*** means the portion of private land which serves as an extension of the *dwelling* to provide space for relaxation, dining, entertainment and recreation. It includes an *outdoor room*.

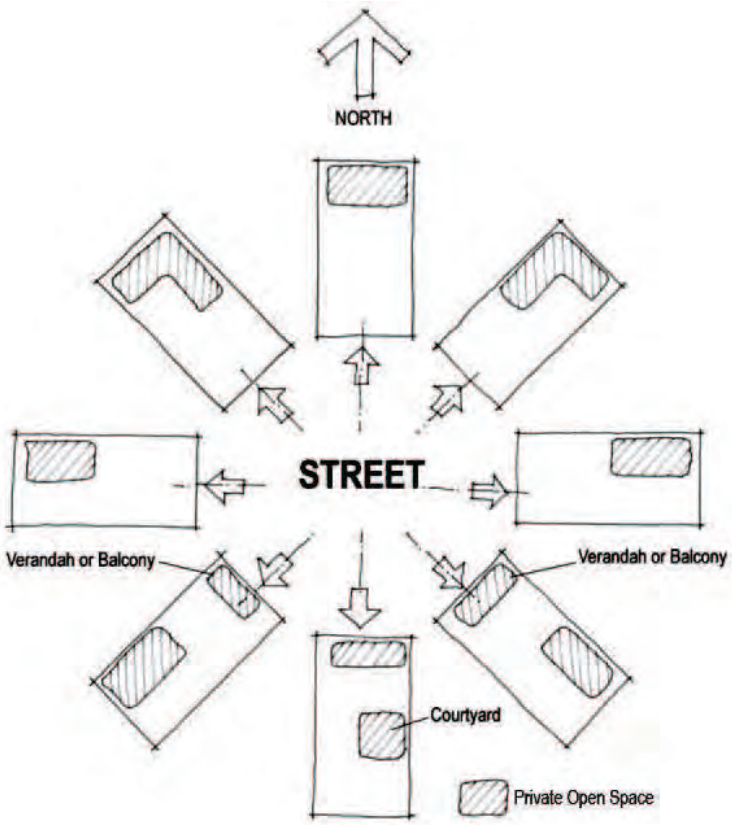


Figure 3.2.4.1 Private Open Space Location Principles

3.2.5 Landscaped Area

Objectives

(1) To enhance the landscape character of Cobaki Estate .

(2) To limit impermeable surfaces.

(3) To provide for *deep planting area*s in residential precincts.

(4) To provide amenity and privacy.

(5) To enhance sustainable building design.

Controls

(1) *Dwellings* must comply with the minimum *landscaped area* requirements at **Table 3.2.5.1**.

Table 3.2.5.1: Landscaped Area

Effective Lot Width	5m -10m	>10m – 15m	>15m
Minimum Landscaped Area For Single dwellings	5%**	10%**	30%**

Note 1. The term "Effective Lot Width" is defined in the Glossary (Appendix A)

Note 2. The requirements are expressed as percentages of lot area.

Note 3. The *landscaped area* means any part of a lot, at ground level, that is permeable and consists of soft landscaping, pebbles, turf or planted areas and the like. It does not include driveways, parking areas, hard paved drying yards or other service areas, swimming pools, tennis courts, undercroft areas, roofed areas (excluding eaves less than 0.6m to fascia board), *outdoor room*s, balconies, rooftop gardens, terraces, decks, verandas and the like.

Note 4. Landscaped open space may include other required areas such as *private open space and/or setback*s.

3.2.6 Special Controls for SOHO Dwellings

Objectives

(1) To provide purpose-built, work-from-home opportunities.

(2) To faciliate choice in child care and family raising strategies for working parents.

(3) To faciliate vibrant and safe neigbourhoods.

(4) To provide pleasant varied streetscapes.

(5) To provide building layouts which separate work and residential environments.

(6) To avoid conflicts between business and residential land uses.

Controls

(1) The business use component must:

(a) be located at the ground floor level and have a frontage to the street or a publicly accessible area.

(b) not exceed a *gross floor area* of 66m^2 or 25% of the area of the lot, whichever is the greater.

(2) If located within the Town Centre Precinct the building *setbacks* must be in accordance with the built form controls of the Town Centre Precinct.

(3) Separate entries, clearly identifable from an adjacent road, lane or publicly accessible area, shall be provided for residential and business components.

(4) Car parking provision for the residential component shall be designed in association with the building's residential entry.

(5) Air conditioner units, garbage bin storage areas, gas bottles and any other back of house/ utility items required as a result of the business use shall be screened from public view and, adjoining lots.

(6) Business signage shall be limited to 0.50m x 0.25m.

3.3 Multi-Dwelling Housing Controls

This section provides development controls for more than one *dwelling* on a lot, as follows:

Granny flat; plex dwellings; mews dwellings ; ***shop-top dwellings; townhouse dwellings; villa dwellings*** ; ***apartments*** ; ***seniors housing; and tourist accommodation.***

This section contains controls relating to streetscape, architectural design, *setbacks*, *height*, open space, car parking and fencing. These controls are to be read in conjunction with the general residential controls at **Section 3.1**.

The *Code* provides criteria for assessment of *granny flats*, *plex dwellings* and *mews dwellings* as *complying development* on a *nominated lot* as outlined in **Section 2.2**. Where such dwellings do not meet the *complying development* standards, and if other types of *multi-dwelling housing* are proposed, a *development application* must be lodged addressing the controls below. Variations to these controls must be supported by a written justification which demonstrates achievement of the objectives of the relevant controls.

3.3.1 Front Setbacks and Articulation Zones for Multi-dwelling Housing

Objectives

(1) To encourage pleasant streetscapes and public domain areas. .

(2) To reduce the visual dominance of *garage* doors and fencing.

(3) To encourage varied facades through eaves, verandas, balconies and feature elements.

(4) To facilitate public safety by passive surveillance.

(5) To allow sufficient space for landscaping adjacent to front boundaries.

Controls

(2) Front *setbacks* for *multi-dwelling housing* must comply with **Table 3.3.1.1**.

Table 3.3.1.1: Minimum Setbacks to Articulation Zones, Frontage Building Lines and Garage Door Lines for Multi-dwelling Housing

Development Category	Granny Flat	Plex and Mews	Town House, Villa, Apartment, Tourist Accommodation, Seniors Housing	Shop Top	Measured to
Primary Road Frontage *Articulation Zone*	As per the controls applying to the *principal dwelling*. (see **Section 3.2**)	2m	3m	0m	*outermost projection*
Secondary Road Frontage *Articulation Zone*		1.5m	2.5m	0m	*outermost projection*
Primary Road *frontage building line*		3m	5m	2m	wall
Secondary Road *frontage building line*		2.5m	4.5m	2m	wall

Garage door line measured to primary or secondary road frontage		4.5m for a double *garage* and 5.5m for a single *garage*	6m	not applicable	*garage door line*
Garage door line measured to the rear laneway frontage		1m	1m	1m	*garage door line*
Rear Lane Setback to Structure above ground floor *garage*		0.3m	0.3m	0.3m	*outermost projection*

Note 1. See Figure 3.3.1.1 (below) for illustration of frontage *setback* terms.

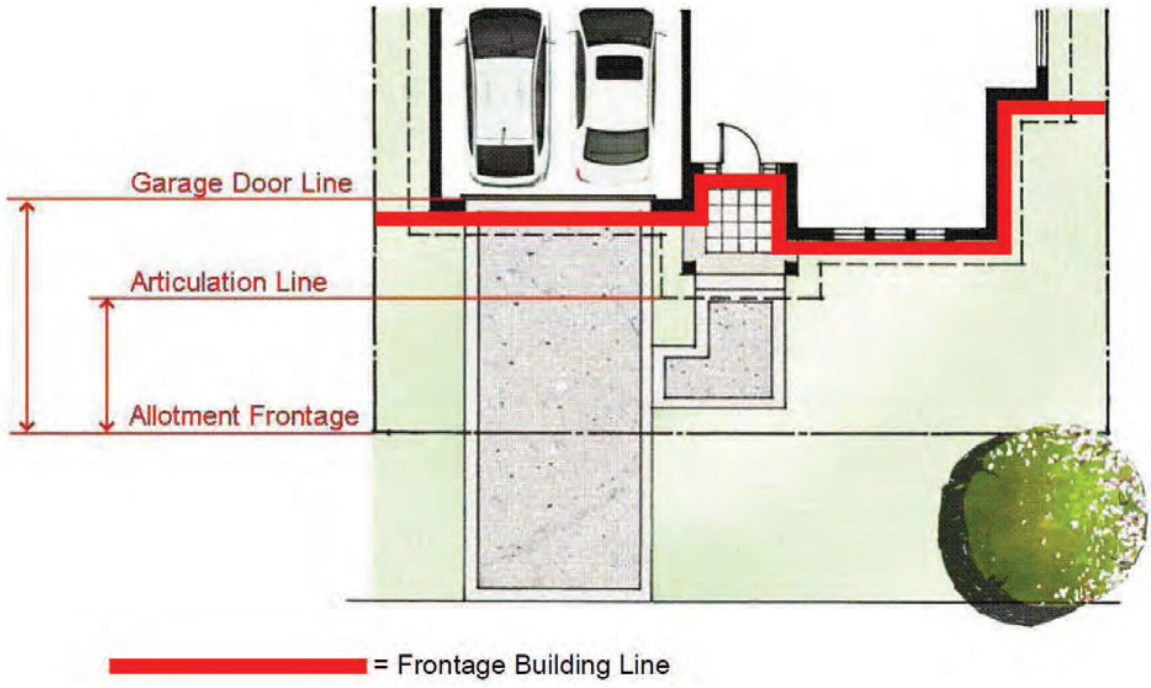


Figure 3.3.1.1 Frontage Setback Terminology

3.3.2 Side and Rear Setbacks for Multi-dwelling Housing

Objectives

(1) To minimise potential impact of development on neighbouring properties with regard to view, privacy, and overshadowing.

(2) To encourage the efficient use of land.

(3) To provide 'breathing space' between buildings or groups of buildings.

(4) To ensure the provision of equitable access to natural light and ventilation for the occupants of all residential buildings.

Controls

(1) Buildings must comply with the side and rear *setback* controls at **Table 3.3.2.1** or the *Building*

Code of Australia, whichever is the greater.

Table 3.3.2.1: Minimum Side and Rear Setbacks to parent lot boundaries

Development Category	Granny Flat	Shop Top	Plex Mews Seniors Housing	Townhouse Apartment Tourist Accommodation
Ground Floor Setback to side boundaries -measured to wall unless noted otherwise	As per the controls applying to the Primary *dwelling*. (see **Section 3.2**)	Built-to-boundary, otherwise or 0.9m to OMP	0.9 m to OMP	1.5m to OMP
First Floor Setback to side boundaries -including any parts of the building over 4.5m high -measured to wall with a 0.6m maximum eave encroachment permitted, unless noted otherwise		Built-to-boundary if adjoining a built-to-boundary wall on an adjacent lot of a configuration that is not greater than 2m offset in plan and 1.2m offset in elevation, otherwise 1.5m	1.5m with privacy screening *attached* to south and west facing *habitable room* windows, otherwise 3m	2m with privacy screening *attached* to south and west facing windows not adjoining a public space, otherwise 4.5m
Second Floor Setback to side boundaries -if permitted -measured to wall unless noted otherwise		2m	2m with privacy screening *attached* to south and west facing *habitable room* windows, otherwise 3m	2.5m with privacy screening *attached* to south and west facing windows not adjoining a public space, otherwise 4.5m
Rear Boundary Setback -applies to ground, first and second floors -excluding rear lanes -measured to wall unless noted otherwise		3m*	3m	4m

Note 1. On corner lots, the designer can choose which of the non-street front boundaries is to be the rear boundary (and nominate on DA plans), facilitating optimum solar access.

Note 2. Projections permitted into side and rear *setback areas* include sun hoods, *architect*ural fins or architraves, gutters, down pipes, flues, light fittings and electricity or gas meters, rainwater tanks, hot water units and any other item of a similar character or nature, even if it has not been specifically listed, unless noted otherwise.

Note 3. Pergolas and other unroofed landscape elements may extend within the side and rear *setbacks* to minimum distances permitted by the *Building Code of Australia*.

3.3.3 Private Open Space

Objectives

(1) To provide usable *private open space* for outdoor recreation for all *dwelling*s.

(2) To provide high levels of residential amenity.

(3) To facilitate solar access to living areas and *private open space*s.

(4) To ensure minimum standards of sunlight access for adjoining *dwelling*s.

Controls

(1) All *dwelling*s require *private open space (POS)* consistent with **Table 3.3.3.1** and no steeper

than 1:10 gradient. On steeper sites, POS must be terraced or provided on a deck to ensure it is functional recreation space.

(2) POS is to be located having regard to *dwelling* design, allotment orientation, adjoining *dwellings*, landscape features, topography and preferred POS locations illustrated at **Figure 3.3.3.1**.

(3) The POS must be contiguous with and accessible from the main living area of a *dwelling*.

(4) *Outdoor rooms* and the like may be included in the calculation of POS.

(5) Where the POS is a patio, balcony or roof-top area, it shall be provided with a solid balustrade, a solid or translucent fence or landscaped screen of a minimum 1m in *height*, and be directly accessible from the living area of the *dwelling*.

Table 3.3.3.1: Private Open Space (POS)

Effective Lot Width	Shop Top	Townhouse Villa Seniors Housing	Plex Mews Apartment Tourist Accommodation
Private Open Space (POS) at ground level	Min. 15m^2 with a min. dimension of 3m and provided with adequate privacy or	Min. 20m^2 with a min. dimension of 3m and provided with adequate privacy or	25m^2 with a min. dimension of 3m and provided with adequate privacy
Private Open Space (POS) at first floor level for a *first floor living solutions*	Min. 6m^2 if provided as a balcony or rooftop with a min. dimension of 2.1m	Min. 12m^2 if provided as a balcony or rooftop with a min. dimension of 3m	Not applicable

Note 1. The term "Effective Lot Width" is defined in the Glossary (Appendix A)

Note 2. ***Private open space (POS)*** means the portion of private land which serves as an extension of the *dwelling* to provide space for relaxation, dining, entertainment and recreation. It includes an *outdoor room*.

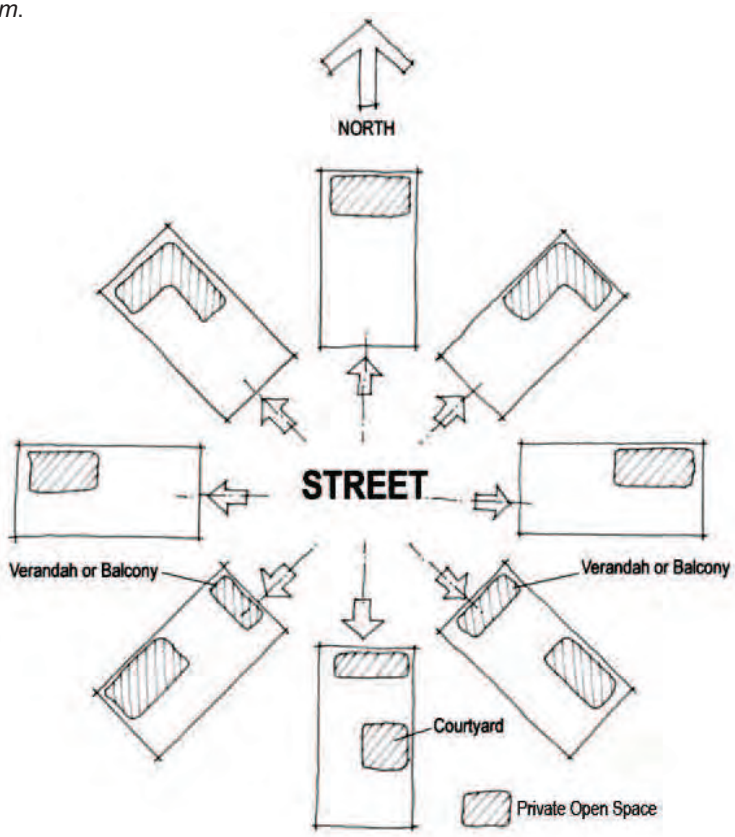


Figure 3.3.3.1 Private Open Space Location Principles

3.3.4 Landscaped Area

Objectives

(1) To enhance the landscape character of Cobaki Estate .

(2) To limit impermeable surfaces.

(3) To provide for *deep planting area*s in residential precincts.

(4) To provide amenity and privacy.

(5) To enhance sustainable building design.

Controls

(2) *Dwelling*s must comply with the minimum *landscaped area* requirements) at **Table 3.3.4.1**.

Table 3.3.4.1: Landscaped Area

Dwelling Type	Shop Top	Plex Mews	Townhouse Villa Apartment Tourist Accommodation Seniors Housing
Minimum Landscape Area	5%	20% including any required for POS and including a minimum of 10% *deep planting area*	30%

Note 1. The requirements are expressed as percentages of lot area.

Note 2. The *landscaped area* means any part of a lot, at ground level, that is permeable and consists of soft landscaping, pebbles, turf or planted areas and the like. It does not include driveways, parking areas, hard paved drying yards or other service areas, swimming pools, tennis courts, undercroft areas, roofed areas (excluding eaves less than 0.6m to fascia board), *outdoor room*s, balconies, rooftop gardens, terraces, decks, verandas and the like.

Note 3. *Landscaped area* may include other required areas such as *Private Open Space and/or setbacks*.

3.3.5 Granny Flats

Figure 3.3.5.1 Granny Flat (Two residences on one title)

Objectives

(1) To encourage efficient use of residential land and buildings.

(2) To provide independent, cost effective accommodation.

(3) To be compatible with the character of the *principal dwelling*.

(4) To be compatible with a low-density residential streetscape.

Controls

(1) The *gross floor area* of one of the *dwelling*s shall not exceed 60m^2, or 40% of the total *floor area* of the *granny flat* and the *principal dwelling*, whichever is the greater.

(2) Subdivision of the development, including strata subdivision, is not permitted.

(3) A *granny flat* shall comply with the requirements of the Building Code of Australia for a *class* 1 or a *class* 2 building, where appropriate.

(4) A separate, discrete entry for *granny flats* may be identifiable from the adjacent street or laneway.

(5) A *granny flat* may only be developed on a lot nominated for a *traditional detached dwelling, zero-lot dwelling* or *terrace dwelling*.

(6) In addition to any controls in **Section 3.3.5**, *granny flats* shall be are subject to all controls in **Section 3.1** and **Section 3.2** which are applicable to the *dwelling type* of the *principal dwelling* located on the lot.

Note 1. By definition a *granny flat* must remain on the same lot as the *principal dwelling*.

.

3.3.6 Plex Dwellings

Figure 3.3.6.1 Example of Plex Dwellings

Objectives

(1) To provide housing and lifestyle choices.

(2) To provide higher residential densities compatible with the character of *traditional detached dwellings*.

(3) To maximise residential amenity.

(4) To faciltiate frontages to different streets for dwellings within a plex dwelling development.

(5) To provide adequate *landscaped area* and low maintenance *private open space*.

(6) To ensure climatically-responsible development.

(7) To facilitate refuse collection.

Controls

(1) *Plex dwellings* are to be located on a lot designated on an approved *plan of development* as a lot for *plex dwellings*.

(2) All *dwellings* shall be designed so that the pedestrian entry to the *dwelling* is clearly identifiable from the adjoining public street.

(3) All *dwellings* shall provide at least one *habitable room* at ground level adjacent to an external living area. A ground level comprising solely car parking is not acceptable, unless that level is only a part ground level due to the topography of the site.

(4) Comply with other relevant controls of the *Code* as referenced in **Table 3.3.6.1**. Where proposals do not achieve any stated control, the *design review panel* may endorse a variation of

the control if the applicant provides reasonable justification in terms of achievement of the relevant control objective(s).

(5) Covered car parking shall be screened from view from a road or other public land frontage, by the use of a garage door or similar shutter device.

(6) Carports for *dwellings* shall be accessed directly from the street (up to two *dwellings* may share a crossover) and not via an internal driveway.

Note 1. Re-subdivision of each *plex dwelling* by Strata Title is permitted.

Table 3.3.6.1: Reference summary of other controls relevant to Plex Housing

Element	Control
Building height and Storeys	In accordance with Section 3.1.4
Setbacks to Road Frontages	In accordance with Section 3.3.1
Setbacks to side and rear boundaries	In accordance with Section 3.3.2
Private Open Space (min)	In accordance with Section 3.3.3
Landscaped area (min)	In accordance with Section 3.3.4
Car parking spaces (min)	In accordance with Section 3.1.5

3.3.7 Mews Dwellings

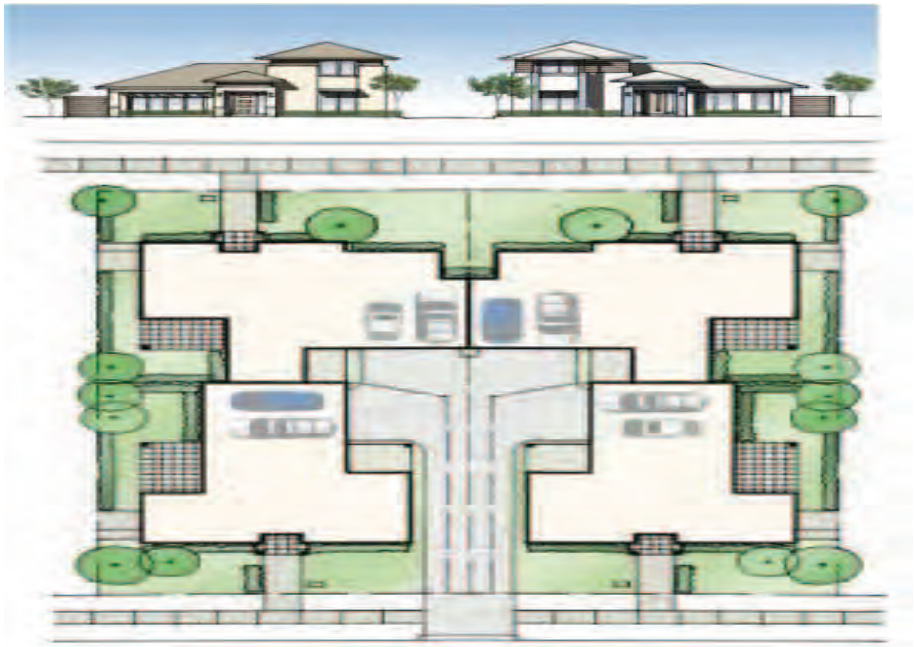


Figure 3.3.7 1 Mews dwellings (2 - 6 dwellings on one site with separate titles sharing a common driveway which might be created by either reciprocal easements or common property

Objectives

(1) To provide housing and lifestyle choice.

(2) To provide higher residential densities compatible with the character of *traditional detached dwellings*.

(3) To maximise residential amenity.

(4) To minimise the number of driveways and *garages* facing the street.

(5) To provide adequate *landscaped area* and low maintenance *private open space*.

(6) To ensure climatically-responsible development.

(7) To facilitate refuse collection.

Controls

(1) *Mews dwellings* are to be located on a lot nominated on an approved *plan of development* as a *mews dwelling* lot.

(2) All *dwelling*s shall be designed so that the access way to the *dwelling* is clearly identifiable from the adjoining public street.

(3) All *dwellings* shall provide at least one *habitable room* at ground level adjacent to an external living area, except where site topography makes it impractical. A ground level comprising solely car parking is not acceptable, unless that level is only a part ground level due to the topography of the site.

(4) Comply with other relevant controls of the *Code* as referenced in **Table 3.3.7.1**. Where a proposal does not achieve the stated control, a variation may be accepted if reasonable justification for the proposed variation to the control has been provided.

(5) *Garage* doors shall not be visible from the street and public spaces.

(6) Where a *dwelling* does not have direct road access, provide a refuse collection point for this *dwelling* adjacent to the front boundary.

Note 1. Re-subdivision of each *mews dwelling* as either Torrens Title or Strata Title is permitted.

Table 3.3.7.1: Reference Summary of Other Controls relevant to Mews Housing

Element	Control
Building height and Storeys	In accordance with Section 3.1.4
Setbacks to Road Frontages	In accordance with Section 3.3.1
Setbacks to side and rear boundaries	In accordance with Section 3.3.2
Private Open Space (min)	In accordance with Section 3.3.3
Landscaped area (min)	In accordance with Section 3.3.4
Car parking spaces (min)	In accordance with Section 3.1.5

3.3.8 Town Houses and Villa Dwellings

Figure 3.3.8.1 Town House Dwellings Plan

Figure 3.3.8.2 Town House Dwellings

Objectives

(1) To encourage efficient use of residential land close to amenities.

(2) To provide housing and lifestyle choice with shared amenities and recreation facilities.

(3) To maintain optimum levels of residential amenity, security and privacy.

(4) To provide opportunities for a high quality residential amenity with minimal private maintenance.

(5) To ensure adequate levels of private and communal open space.

(6) To provide *landscaped area* including a landscaped interface with street and public places.

(7) To ensure climatically-responsible development.

(8) To ensure articulated built form when viewed from street and public places.

(9) To minimise impact on adjoining properties.

(10) To facilitate refuse collection.

Controls

(1) Townhouse and *villa dwelling* Development may be undertaken on *development lots*.

(2) All *dwellings* shall provide at least one *habitable room* at ground level adjacent to an external living area, except where site topography makes it impractical. A ground level comprising solely car parking is not acceptable, unless that level is only a part ground level due to the topography of the site.

(3) The maximum *site cover* is 40%.

(4) The communal open space is 15% of the site area, and;

(a) is provided in addition to private open space areas.

(b) has a minimum dimension of 5 metres.

(c) has a maximum gradient not exceeding one in ten.

(d) is designed and located so that it is subject to informal surveillance from dwellings on the site.

(e) is separated from any private areas by a fence or landscaping.

(5) The main pedestrian access from the street to the building is easily identified.

(6) Where practical, ground floor units are to provide direct individual pedestrian access to the street.

(7) Comply with other relevant controls of the *Code* as referenced in **Table 3.3.8.1**. Where a proposal does not achieve the stated control, a variation may be accepted if reasonable justification for the proposed variation to the control has been provided.

(8) Covered car parking shall be screened from view from the road or other public land frontage, by the orientation and location of car parking within the development or by use of a garage door or similar shutter device.

(9) A suitable refuse storage area is to be identified within the site that is visually unobtrusive and is either enclosed on three sides with a screen wall extending 0.2 metres above the height of the refuse receptacles or is screened by dense landscape planting.

(10) A suitable refuse collection area is to be identified.

Note 1. Re-subdivision of each *dwelling* by Strata Title is permitted.

Table 3.3.8.1: Reference summary of other controls relevant to Townhouses and Villa Dwellings

Element	Control
Building height and Storeys	In accordance with Section 3.1.4
Setbacks to Road Frontages	In accordance with Section 3.3.1
Setbacks to side and rear boundaries	In accordance with Section 3.3.2
Private Open Space (min)	In accordance with Section 3.3.3
Landscaped area (min)	In accordance with Section 3.3.4
Car parking spaces (min)	In accordance with Section 3.1.5

3.3.9 Apartments and Tourist Accommodation

Figure 3.3.9.1 Apartments plan

Figure 3.3.9.2 Apartments elevation

Objectives

(1) To encourage efficient use of residential land close to amenities, work opportunities, and/or transportation hubs.

(2) To provide housing and lifestyle choice with shared amenities and recreation facilities.

(3) To maintain optimum levels of residential amenity, security and privacy.

(4) To provide views over public spaces and *recreation areas*.

(5) To ensure adequate levels of private and communal open space.

(6) To provide privately owned but communally shared landscaping.

(7) To facilitate ecologically sustainable development.

(8) To ensure articulated built form when viewed from street and public places.

(9) To provide landscaped interface with street and public places.

(10) To minimise impact on adjoining properties.

(11) To facilitate refuse collection.

Controls

(1) *Apartment* and *tourist accommodation* Development may be undertaken on *development lots*.

(2) The maximum *site cover* is 40% in the Residential Domain and 60% in the Town/Neighbourhood Centre Domain

(3) The minimum communal open space is 20% (of the site area) in the Residential Domain and 10% (of the site area) in the Town/Neighbourhood Centre Domain, and

(a) is provided in addition to private open space areas.

(b) has a minimum dimension of 5 metres.

(c) has a maximum gradient not exceeding one in ten.

(d) is designed and located so that it is subject to informal surveillance from dwellings on the site.

(e) is separated from any private areas by a fence or landscaping.

(4) The main pedestrian access from the street to the building is easily identified.

(5) Comply with other relevant controls of the *Code* as referenced in **Table 3.3.7.1**. Where a proposal does not achieve the stated control, a variation may be accepted if reasonable justification for the proposed variation to the control has been provided.

(6) Covered car parking shall be screened from view from the road or other public land frontage, by use of a garage door or similar shutter device.

(7) A suitable refuse storage area is to be identified within the site that is visually unobtrusive and is either enclosed on three sides with a screen wall extending 0.2 metres above the height of the refuse receptacles or is screened by dense landscape planting.

(8) A suitable refuse collection area is to be identified.

Note 1. Developments comprising 3 or more storeys and 4 or more dwellings must also address the requirements of *State Environmental Planning Policy No. 65 Design Quality of Residential Flat Development*.

Note 2. Re-subdivision of each *dwelling* using Strata Title is permitted.

Table 3.3.9.1: Reference summary of other controls relevant to *apartments* and *tourist accommodation*

Element	Control
Building height and Storeys	In accordance with Section 3.1.4
Setbacks to Road Frontages	In accordance with Section 3.3.1
Setbacks to side and rear boundaries	In accordance with Section 3.3.2
Private Open Space (min)	In accordance with Section 3.3.3
Landscaped area (min)	In accordance with Section 3.3.4
Car parking spaces (min)	In accordance with Section 3.1.5

3.3.10 Shop Top Dwellings

Figure 3.3.10.1 Shop-top Dwelling/s

Objectives

(1) To promote mixed uses in Neighbourhood and Town Centres.

(2) To maximise residential amenity.

(3) To activate streets.

(4) To ensure ecologically sustainable development.

(5) To promote articulated buildings when viewed from streets and public places.

(6) To facilitate refuse collection.

Controls

(1) Shop Top Dwellings are to be located on a lot nominated on an approved *plan of development* as a Shop Top Dwelling lot.

(2) Comply with other relevant controls of the *Code* as referenced in **Table 3.3.10.1**. Where a proposal does not achieve the stated control, a variation may be accepted if reasonable justification for the proposed variation to the control has been provided.

(3) Car parking shall be accessed from a rear lane where practical, or from a single, shared driveway on a *secondary road* frontage.

(4) The ground floor level shall be used predominantly for Commercial or Retail purposes and no residential use is to have ground floor frontage to a street of a commercial nature, other than a pedestrian access.

(5) A refuse collection point shall be provided at a rear laneway boundary where practical or in a screened position located on a *secondary road* frontage.

Note 1. Re-subdivision of each *dwelling* by Strata Title is permitted.

Table 3.3.10.1: Reference summary of other controls relevant to Shop-top Dwellings

Element	Control
Building height and Storeys	In accordance with Section 3.1.4
Setbacks to Road Frontages	In accordance with Section 3.3.1
Setbacks to side and rear boundaries	In accordance with Section 3.3.2
Private Open Space (min)	In accordance with Section 3.3.3
Landscaped area (min)	In accordance with Section 3.3.4
Car parking spaces (min)	In accordance with Section 3.1.5

3.3.11 Seniors Housing

Figure 3.3.11.1 Seniors housing - plan

Figure 3.3.11.2 Seniors housing

Objectives

(1) To establish high quality *seniors housing* with on-site recreational and administration facilities to serve an ageing population.

(2) To maintain optimum levels of residential amenity and privacy.

(3) To increase housing choice to meet the needs of seniors or people with a disability.

(4) To ensure adequate private and communal open space.

(5) To provide *landscaped area*.

(6) To facilitate ecologically sustainable development.

(7) To ensure articulated built form when viewed from street and public places.

(8) To provide landscaped interface with street and public places.

(9) To minimise impact on adjoining properties.

(10) To facilitate refuse collection.

Controls

(1) *Seniors housing* Development may be undertaken on *development lots*

(2) Comply with other relevant controls of the *Code* as referenced in **Table 3.3.11.1**. Where a proposal does not achieve the stated control, a variation may be accepted if reasonable justification for the proposed variation to the control has been provided.

(3) The development must have regard to provisions regarding accessibility and useability of *SEPP (Housing for Seniors or People with a Disability) 2004*.

(4) Covered car parking shall be screened from view from the public street and public spaces subject to complying with accessibility provisions.

(5) A refuse collection area shall be provided in an appropriate location.

Note 1. Re-subdivision of each *dwelling* using Strata Title is permitted

Table 3.3.11.1: Controls for Retirement Communities

Element	Control
Building height and Storeys	In accordance with Section 3.1.4
Setbacks to Road Frontages	In accordance with Section 3.3.1
Setbacks to side and rear boundaries	In accordance with Section 3.3.2
Private Open Space (min)	In accordance with Section 3.3.3
Landscaped area (min)	In accordance with Section 3.3.4
Car parking spaces (min)	In accordance with Section 3.1.5

4.0 TOWN CENTRE AND NEIGHBOURHOOD CENTRES

This section outlines the objectives and design principles relating to the Cobaki Estate Town Centre and Neighbourhood Centres.

4.1 Development Within the Cobaki Estate Town Centre

Objectives

(1) To create a vibrant town centre as the community and economic focal point of Cobaki Estate by providing a concentration and variety of retail, business office, dining, medical, community and entertainment uses.

(2) To co-ordinate the detailed design of the Town Centre to achieve high quality urban design and pleasant streetscapes with active frontages.

(4) To create a walkable and accessible pedestrian-oriented centre lower priority for car parking.

(5) To provide opportunities for residential development above non-residential uses below.

Controls

(1) Provide a range of *building heights* to a maximum of three *storeys.*

(2) Define streets and open spaces by uniformly building to the primary street frontage, and providing a consistent street *wall height*.

(3) Side and rear *setbacks* are to be in accordance with the *plan of development*.

(4) Large-format *retail premises* and decked parking areas must be 'sleeved' with active uses to the *primary road* frontage.

(5) Blank walls visible from the public domain are not permitted.

(6) Locate active uses at ground level at the *primary road* frontage and principle pedestrian routes.

(7) Locate all residential development above ground floor non-residential uses and design all residential in accordance with the *shop-top dwelling* controls of the *Code*.

(8) High amenity pedestrian streetscapes are to be provided through the Town Centre, including continuous ground level weather protection for pedestrians is to be provided along primary frontages.

(9) Provide a high quality landscape design with each development within the town centre precinct.

(10) Provide signage envelopes within the building design to co-ordinate the appearance of signage.

(11) Car parking for non-residential uses with the Town Centre is to be provided in accordance with *Tweed DCP 2008,* Section A2, with the exception of a reduced customer car parking rate to reflect opportunities for shared parking provision for complementary uses within the Town Centre as follows:

(i) the minimum number of customer car parking spaces may be reduced by up to 20%.

(12) Wherever possible, vehicular access, waste storage, servicing and loading facilities, buildings within the Town Centre is to be provided from secondary frontages.

(13) B*asement*, semi-*basement* or decked parking is preferred over large expanses of at-grade parking. An exception may be made for uses such as a supermarket-based shopping centre, subject to an assessment of the design and landscape appearance.

Figure 4.2.1: Examples of good town centre development

4.2 Development Within Cobaki Estate Neighbourhood Centres

Objectives

(1) To create vibrant, mixed use neighbourhood centres with a range of small-scale retail, business and community uses to serve the needs of people who live and work in the surrounding neighbourhood.

(2) To ensure buildings and spaces of high design standards and amenity.

(3) To provide opportunities for medium density housing within neighbourhood centres.

Controls

(1) Provide a range of *building heights* to a maximum of three *storeys.*

(2) Define streets and open spaces by uniformly building to the primary street frontage, and providing a consistent street *wall height*.

(3) Side and rear *setbacks* are to be in accordance with the *plan of development*.

(4) Blank walls visible from the public domain are not permitted.

(5) Locate active uses at ground level at the *primary road* frontage and principle pedestrian routes.

(6) Residential development is to be located behind or above ground floor non-residential uses.

(7) Provide a high quality landscape design as part of development within the neighbourhood centre.

(8) Provide signage envelopes within the building design to co-ordinate the appearance of signage.

(9) Car Parking for non-residential uses with the Neighbourhood Centre is to be provided in accordance with *Tweed DCP 2008,* Section A2, with the exception of a reduced customer car parking rate to reflect opportunities for pedestrian and cycle access to these facilities by residents as follows:

(i) the minimum number of customer car parking spaces may be reduced by up to 30%.

(11) At-grade parking areas must be appropriately designed to minimise the visual impact of the car park by locating the parking area to the side or rear of the building or by providing an appropriate landscaped appearance.

Figure 4.3.1: Examples of good Neighbourhood Centre Development

5.0 SUBDIVISION CONTROLS

This section contains objectives and development controls for the subdivision of land within Cobaki Estate, including neighbourhood and subdivision design, streetscape, street network and design standards, pedestrian, cycleway public transport networks.

The flow chart in Section 1.6 illustrates the subdivision process and the documents required to be lodged with the first *development application* for the site to be lodged with Council.

The first subdivision *development application* must include a *precinct plan*, a *plan of development and design guidelines.*

The plan of development must comply with the general subdivison provisions (s 5.4) and the nominated lots provisions (s 5.5).

5.1 Precinct Plan

Objectives

(1) To ensure the orderly development of the land and assist in the co-ordinated programming and provision of necessary infrastructure and casual open space.

(2) To identify the position of Casual Open Space within the subdivision design of the Precinct.

(3) Provide a planning framework for subsequent plans of development and *nominated lots*.

Controls

(1) Submit a precinct plan with the first development application for subdivision of each precinct (location illustrated in **Figure 5.1.1**).

(2) Provide a permeable, hierarchical street pattern that relates to the original topography, and facilitates 'way' finding.

(3) Provide a main street, focal point and identifiable public domain.

(4) Provide lot sizes and configurations to support a range of housing types that integrate into the street pattern.

(5) Identify an open space network.

(6) Connect parks, public spaces, main streets, services, infrastructure and natural features.

(7) Use streets and footpaths to define the edges to public open spaces.

(8) Provide water sensitive urban design within appropriate open spaces.

(9) Identify the proposed staging of subdivision within each precinct.

(10) Identify an estimated development yield.

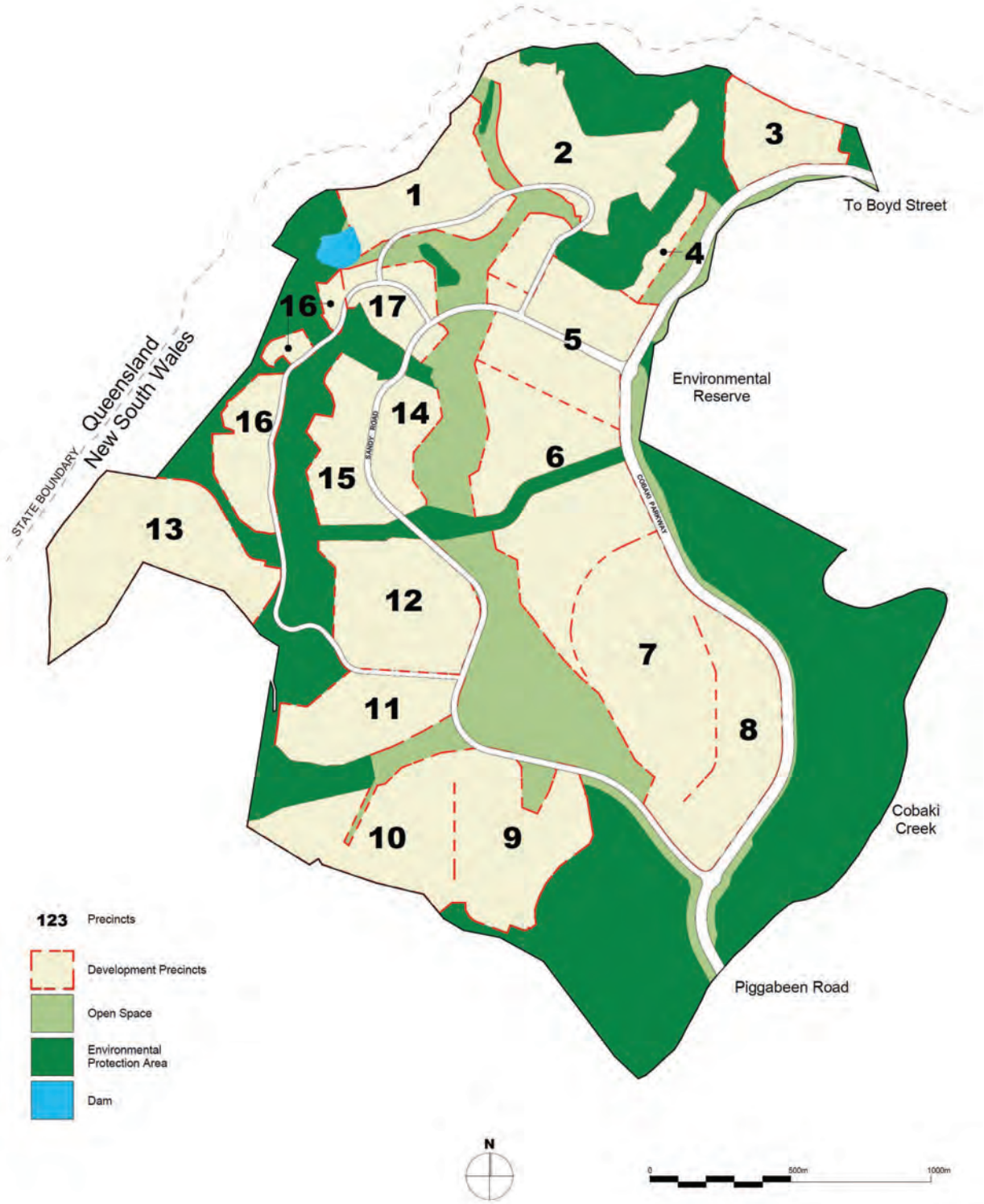


Figure 5.1.1: Cobaki Estate Precinct Areas

5.2 Relationship to Tweed Shire Council Development Control Plan 2008 Section A5 - Subdivision Manual

Objectives

(1) To clarify the relationship of the subdivision controls of the *Code* with the subdivision controls of *Council* Development Control Plan 2008 Section A5 - Subdivision Manual.

Controls

(1) This *Code* adopts the following provisions of Tweed Development Control Plan 2008 Section A5 – Subdivision Manual

- Part A5.4 Urban Subdivision Design Guidelines & Development Standards, except where varied by this *Code*
- Part A5.6 The Assessment & Decision Making Process
- Part A5.7 Implementing a Subdivision Consent
- Appendix A - Subdivision Works - Development Design Specifications
- Appendix B - Subdivision Works - Development Construction Specifications
- Appendix C - Subdivision Works, Compliance Certification except as otherwise approved by *Council*
- Attachment C1 - Subdivision Works, Compliance Certificate
- Appendix D - Subdivision Infrastructure Inspections
- Appendix E - Recommended Buffers
- and the Development Design Specifications and Development Construction Specifications referred to in Appendix A and Appendix B above.

except where varied by the departures contained in Section 5 of this *Code*.

References to "*development applications*" in A5 may also be deemed to be references to Part 3A "Project Applications" except where such references may be inconsistent with Part 3A of *the act*.

5.3 Town Centre and Neighbourhood Centre Subdivision Design Controls

Objectives

(1) To create subdivision within centres which provides high amenity streetscapes focused on a main street which are highly accessible, pedestrian-oriented and provide quality public spaces.

Controls

(1) Incorporate a pedestrian-focused main street as the focal point.

(2) Provide an interconnected street block network with block sizes and mid-block connections that maximise safe pedestrian access within and across the centre to and from main pedestrian generators.

(3) Create a street layout that promotes efficient vehicular access to and within the Town Centre.

(4) Vehicular lanes should be used to provide access to parking areas, loading docks and waste collection areas.

5.4 General Subdivision Controls

Objectives

(1) To establish precinct neighbourhoods based on 300-600 *dwellings* with efficient pedestrian and cycleway link to trip generators.

(2) To maximise the number of lots suitable for *complying development* housing by nominating lots which meet specified minimum requirements for residential building types.

Controls

(1) Provide self-contained residential neighbourhoods with links to *schools*, retail, and community uses, and open space.

(2) Provide pedestrian and cycle networks to connect each residential neighbourhood and to provide connections to public open space, public transport nodes, and education and community facilities.

(3) Increase residential density close to town and neighbourhood centres, *schools*, major open space and other public facilities.

(4) Provide street designs with generally no more than 3 corners from the furthermost lot to the neighbourhood entrance.

(5) Design local streets to discourage through-traffic.

(6) Limit vehicle movements to less than 3000 vehicles per day per neighbourhood entrance road (300 – 600 *dwellings)*. Larger neighbourhoods may require a neighbourhood collector road to cater for vehicular movements (refer to Figures 5.2.1 and 5.2.2).

(7) Provide a diverse range of orthogonal residential lots and frontages with minimal use of *battle-axe lots*.

(8) Comply with the minimum lot sizes and frontages for *complying development* in **Table 5.4.1**.

(9) On lots where a zero lot line(s) are permitted, the lot's zero lot alignment shall be shown on the approved *plan of development*. Section 88B instruments shall be created for the subject and adjoining lots to indicate the zero lot line location, and all other controls in **Section 5.6**.

(10) Lots nominated for *terrace dwellings* must have a *secondary road* frontage to a lane.

(11) Easements for public infrastructure (sewerage, stormwater drainage) within residential lots are to provide for at least one infrastructure connection to a public road or reserve.

(12) An on-street parking plan is required with the first *development application* for subdivision to demonstrate the availability of on-street car parking for each *nominated lot* type at the rates specified in **Table 5.4.1**. The requirement and acceptance of designated on street car parking may be varied by a DRP Pre- Approval Certificate.

(13) Direct vehicular access from any lot to a distributor road is not permitted.

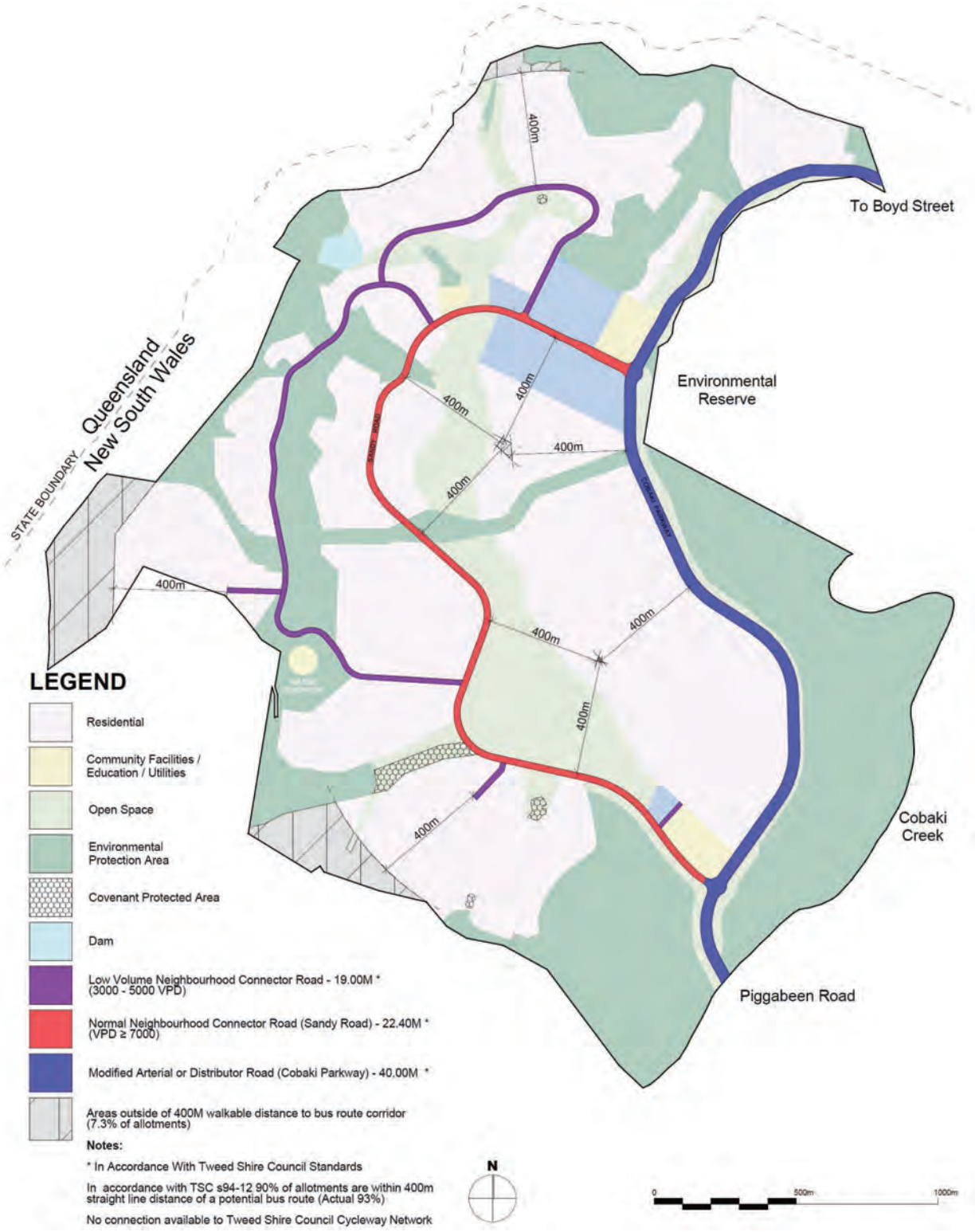


Figure 5.4.1: Street Network Plan

Table 5.4.1: Minimum Area and Dimension Controls for New Lots

Development Type	Minimum Lot Size	Minimum Frontage	Minimum Frontage Corner Allotment	Minimum Depth	Comment	On Street Parking (per dwelling)
Traditional *detached dwelling*	400 m^2	15m	18m	25m	Must be nominated as Traditional *detached dwelling* lots on *plan of development*.	1
Plex Dwellings	450m^2	18m	20m wide (including truncation)	20m	Must be nominated as Plex Housing on *plan of development*. Must demonstrate that allowable building envelope represents a minimum 125 m^2 per *dwelling*. May be resubdivided in accordance with Part 5.10.	0.25
Zero-Lot Dwelling	240m^2	8m with rear lane vehicular access; or 10m with front access	10m with rear lane vehicular access; or 12m with front access	24m	Must be nominated as Zero Lots on *plan of development*/DA for subdivision. Must demonstrate that allowable building envelope represents a minimum 125 m^2 per *dwelling*.	1
Terrace Dwelling	150m^2	5m with rear lane vehicular access; or 7.5m with front access	8m with rear lane vehicular access; or 9m with front access	24m	Must be nominated as Terrace Lots in *plan of development*/DA for subdivision. Must demonstrate that allowable building envelope represents a minimum 125 m^2 per *dwelling*.	1
Mews Dwellings	500m^2	18m	20m wide (including truncation)	20m (exclusive of truncation)	Must be nominated as Mews Housing lots on *plan of development*/DA for subdivision. May be resubdivided in accordance with Part 5.10 or Part 5.9.	0.25
Shop Top Dwellings	175m^2	7m	9m	20m	Must be nominated as Shop Top Housing Lots in *plan of development*/DA for subdivision. Lots must have vehicular access from rear, be on a street containing commercial uses and be located close to or within a neighbourhood or town centre precinct.	Nil
SOHO Dwelling	250m^2	10m	12.5m	20m	Generally associated with or close to neighbourhood or town centres. Lots must be provided with vehicular access from rear lane.	Nil
Neighbourhood Centre	900m^2	30m		30m	May be resubdivided in accordance with Part 5.10.	Nil
Town Centre	Not applicable	Not applicable	Not applicable	Not applicable	Will be subject to a *plan of development*/ DA for subdivision creating *development lots* with development controls.	Nil
Development lots (multi-dwelling housing)	1,000m^2	25m		25m	Applicable to townhouses, *apartments* and retirement communities	Nil

Note 1. The minimum lot sizes and frontages for *complying development* in **Table 5.4.1** apply instead of the geometric requirements in Tables A5-9.1 to A5-9.10, Tweed DCP 2008 - A5 Subdivision Manual.

5.5 Nominated Lot Provisions

Objectives

(1) To streamline the *dwelling* approvals process by nominating lots for a particular *dwelling type* that may be undertaken on that lot as *complying development*.

(2) To adopt a master planned approach to neighbourhood planning, design and density.

(3) To protect the amenity of the development and to provide certainty to land owners as to surrounding planned development in the neighbourhood.

Controls

(1) Mark on a *plan of development lots* which are intended for the future development of a particular *dwelling type* (*traditional detached dwellings*, *zero-lot dwellings*, *terrace dwellings*, *SOHO dwellings*, *plex dwellings*, *mews dwellings* and *shop top dwellings*) and on which that nominated *dwelling type* may be undertaken as *complying development*.

(2) Mark on a *plan of development* the number of bedrooms per *dwelling* and per lot.

(3) Lots less than 300m^2 and/or less than 15m frontage (measured at the *frontage building line*) must not have a cross fall and slope to the rear greater than 10%.

(4) Lots for *townhouse dwellings*, *villa dwellings*, *apartment, tourist accommodation* or *seniors housing* must be nominated as *development lots* on the *plan of development.*

(5) Development Lots must be provided with roads, drainage (including downstream drainage to a lawful point of discharge), service connections and easements sufficient to cater for the future development of the *development lot* and the surrounding land.

5.6 Plan of Development Requirements

Objectives

(1) To identify the position of Nominated Lots within a subdivision.

(2) To provide the key controls which are necessary to achieve the effective master planning of the nominated lots.

(3) To identify vehicular access location for each lot.

(4) To provide the landscape and fencing intent for key locations of the subdivision.

Controls

(1) A Plan of Development must be submitted with all future development applications for subdivision on the site and include the following information where applicable.

a) location and width of Asset Protection Zones; and

b) Level of construction required for dwellings/buildings adjacent to Asset Protection Zones in accordance with *Planning for Bushfire Protection 2006* and *Australian Standard 3959 – 1999 – Construction of Building in Bushfire Prone Areas*; and

c) type of development permissible or intended for each lot, for example, zero lot housing, plex housing; and

d) fill and finished floor levels requirements on flood prone lots in accordance with the requirements of Tweed Shire Council's *Development Control Plan – Section A3 – Flood Liable Land* (or any replacement document); and

e) all necessary easements and Section 88B instruments; and

f) the type of development nominated on each lot which may be undertaken as Complying development and proposed number of bedrooms; and

g) the location of development lots and the maximum number of dwellings and bedrooms intended in the future development of the development lot; and

h) setbacks for all buildings and structures, including garages; and

i) zero lot line locations if relevant; and

j) for plex, mews and development lots, the maximum number of dwellings and bedrooms per lot; and

k) the location of preferred vehicular street access and driveway locations for Zero-lot, Terrace, Soho, Shop Top, Plex and Mews Dwelling lots; and

l) the location of *private open space* for each lot; and

m) the type of fencing to be provided to roads and other public land frontages; and

n) the lots on which 3 storey building height is permissible other than those which may be determined on merit by DRP; and

(o) the location of public open space; and

(p) the location of specific landscaping to meet the design guidelines for each precinct; and

(q) gateways or entry statements; and

(r) a reference to the Design Guidelines which apply to the precinct.

5.7 Design Guidelines

Design Guidelines form part of a *Plan of Development* for each subdivision of the site; and must be submitted with a *development application* for subdivision. The *Design Guidelines* are in addition to the Part B controls of the *Code*. The *Design Guidelines* will be implemented and administered by the owner of the land that forms the subject of the subdivision *development application* by a Section 88B instrument (under the *Conveyancing Act 1919)*.

The *Design Guidelines* must be consistent with the *Code*. The *Design Guidelines* will be used by the *Design Review Panel* (see Section 5.8 below) in assessing *development applications* and c*omplying development.*

Objectives

(1) To identify flexible, merit-based design controls based on the vision and development objectives of the *Code*.

(2) To reduce the need for planning approvals by expanding *Complying Development* to include merit-based assessments by the *Design Review Panel*.

(3) To allow issues of merit to be considered and integrated into the development process.

(4) To provide variety of design within a consistent application of design intent for each precinct or neighbourhood.

(5) To provide the vehicle to establish a distinct design character for each precinct or neighbourhood.

(6) To provide a mechanism to accommodate changing community aspirations, the evolving character of local context, new construction techniques and lifestyle trends over time.

(7) To encourage the maximisation of the potential of each site by providing guidance in the development process, particularly in relation to the understanding of and compliance with the

Code.

(8) To enhance the predictability of future surrounding development.

(9) To facilitate the orderly development of the site. .

(10) To provide specific performance criteria for the design of housing on sloping sites.

Controls

(1) The *Design Guidelines* must outline criteria for the following issues, unless those issues are not relevant to the *development*.

(2) Architectural and streetscape design and facades:

(a) entry expression,

(b) scale and treatment of garages,

(c) landscaped frontages, including hardstand, siting and materials,

(d) variations in scale,

(e) articulation of (recessed and projecting) architectural elements,

(f) mix of building materials and finishes,

(g) the height of houses in relation to the level and topography of the street and surrounding properties,

(h) awnings, hoods, louvres or other window features,

(i) the inclusion of permissible architectural elements within the articulation zone, and

(j) the landscape treatment of uncovered car parking spaces.

(3) Fencing:

(a) location of fencing and fencing types,

(b) mandatory transparent style fencing to most public land (open space) frontages not subject to acoustic, privacy or retaining concerns,

(c) the coordination between adjoining lot owners and timing of the installation of fencing,

(d) the interface of fencing with built-to boundary construction;.

(4) Built form:

(a) height and built form controls to ensure design variety and articulated building mass

(b) building designs addressing fenestration, shading, roof pitch and roof form including hips, gables, skillions, curves and flat roofs with parapet walls,

(c) variations in streetscape presentation where repeated plan layouts are in proximity to one another, including roofline, materials, colours and features,

(d) exclusion of undesirable colours and/or materials, including those of high embodied energy/volatile organic compounds (VOC) content, high reflectivity, high maintenance and/or highly contrasting in context,

(e) articulation of multi-storey structures in the vertical plane, and

(f) screening of understoreys of elevated structures.

(5) Dwelling height, massing and siting:

(a) the preferred circumstances on the site for the location of two and three storey dwellings,

(b) limitations to the of length of unarticulated walls in either the horizontal or vertical plane,

(c) height of building elements such as eaves and balconies,

(d) minimum sizes and locations of courtyards enclosed by built-to-boundary walls,

(e) integration of orientation, solar access, views, access, and topography,

(f) design provisions for lots with a gradient greater than 10%, similar to *Tweed DCP Development Design Specification D6 - Site Regrading*, and *Tweed DCP - A1 Residential and Tourist Development Code, a*nd

(g) presentation of facades fronting public areas other than roads (parks, public areas), treatment and screening of public areas, private recreation and utility areas.

(6) Privacy:

(a) location of windows (including sill heights) and balconies in relation to the windows, balconies and designated *private open spaces* of adjoining lots,

(b) location, type and extent of privacy screening for the nominated or default *private open spaces,* including balconies of adjoining properties;

(c) landscaping to enhance privacy,

(e) pergolas, shade sails, and other measures to provide privacy for sloping lots,

(f) location, type, height and extent of fencing forward of the building line required for the screening of *private open spaces* oriented towards a road or public land frontage.

(7) Landscaping in the private realm:

(a) palette of permitted and excluded plant species, including turf,

(b) location and minimum area of landscaping to the streetscape and rear yards, including the minimum number of trees and/or plants per lot,

(c) landscaping as a screening or defining device,

(d) maintenance of landscaping

(e) landscape materials specification , including garden edges, impermeable surfaces, mulch, soil, soil depth and retaining walls, and

(f) any areas to be kept clear of landscaping and equipment for the preservation of view corridors, vehicle sight lines, solar access, or the protection of existing services, and

(g) water sensitive urban design.

(8) Materials and colours:

(a) compatible with the surrounding natural and built environment,

(b) factory pre-finished (where possible),

(c) variety of materials, colours and textures.

(9) Environmental sustainability:

(a) predominant orientation of indoor and outdoor living areas and glazing,

(b) natural ventilation, eaves, window hoods and shading,

(c) minimum insulation/thermal mass requirements,

(d) exterior colour selections,

(e) stormwater or rainwater harvesting and reuse/recycling.

(10) Procedures for submission of application for assessment by the *Design Review Panel*:

(a) address for delivery of applications to the *panel*,

(b) minimum submission requirements of the *panel*,

(c) timeframes for *panel* response; and

(d) fees schedule, if applicable, for cost of panel assessment.

5.8 Design Review Panel

The developer lodging the first DA will establish and implement a Design Review Panel ('the DRP'). The DRP will review all proposals requiring development consent or a Complying Development Certificate; and will use the Design Guidelines and relevant Plan of Development in making that decision. Applicants must submit their application (with the DRP's formal documentation) to Council or an accredited certifier.

Objectives

(1) To establish an objective, transparent professional body to undertake merit assessments of development against the *Code* and *Design Guidelines*.

(2) To establish an architectural design context for merit based decisions.

(3) To facilitate timely and consistent assessments and orderly development of the site.

(4) To provide professional design advice and education.

(5) To provide avenues for dispute resolution.

(6) To issue *Pre-Approval Certificates* as a means of expanding the scope of *Complying Development* consistent with the principles of the *Code*.

Controls

(1) To establish an objective, transparent professional body to undertake merit assessments of development against the Code and legislative provisions.

(2) To establish an architectural design context for merit based decisions.

(3) To facilitate timely and consistent assessments and orderly development of the site.

(4) To provide professional design advice and education.

(5) To provide avenues for dispute resolution.

(6) To issue Pre-Design Certificates as a means of expanding the scope of Complying Development consistent with the Code's principles.

(7) To enable issue of Design Compliance Certificates after the extinguishment of the Design Review Panel.

Controls

(1) <u>Establishment:</u>

a A Design Review Panel (DRP) must be established and operated by the owner of the land the subject of the first subdivision Development Application lodged pursuant to the Code; and

(b) whilst that owner retains ownership of at least one lot within that proposed subdivision, that owner must operate the DRP, and has sole right to appoint DRP members; and

(c) when that owner ceases to own any land within the site, or when that owner notifies Council that they have relinquished their right to appoint DRP members, that owner must cease operation of the DRP; and

(d) when the DRP has ceased in accordance with (1)(c) above, a DRP must be established and operated by Council or by an Architect; and

(e) the entity in (1)(d) shall be known as the DRP Administrator.

(2) Membership:

(a) a minimum of 1 and a maximum of4 members, including a chairperson; and

(b) the Chairperson must be an Architect; and

(c) any person appointed to the DRP shall retain their position until that person resigns from the DRP or has their appointment revoked in accordance with (4)(b) below; and

(3) Meetings:

(a) must be held when necessary to perform the DRP's duties; and

(b) must be convened by the Chairperson after written notice of the date, time and place of the meeting, to DRP members by post, facsimile, or e-mail at least three (3) days prior to the meeting date (unless all members, prior to the meeting, agree to dispense with written notice in which case, notice may be given verbally); and

(c) one member of the DRP, being the Chairperson, constitutes a quorum for any meeting of the DRP; and

(4) Decision making:

(a) the DRP, Administrator and any consultants appointed by the DRP must at all times perform their DRP duties in a timely and professional manner and conform to the provisions of the code; and

(b) decisions at DRP meetings must be by a majority on a show of hands by all members present; and

(c) each member of the DRP must have one vote, however, in the case of a tie in votes, the Chairperson will have the casting vote; and

(d) the DRP may hold its meetings by telephone conference call or e-mail if all members agree in writing to do so, and

(e) any member of the DRP who is unable to attend a DRP meeting may appoint another DRP member of the as his or her proxy by prior written notice to the DRP Chairperson, such notice signed by the person appointing proxy ; and

(f) a minute signed by a quorum of the DRP constitutes a DRP resolution; and.

(g) only development proposals that vary from the Code will be considered by the DRP.

(5) Consultants and contractors:

(a) consultants and/or contractors may be appointed to the DRP by a quorum of the DRP or the Administrator to assist the DRP in carrying out its duties; and

(b) the Administrator or a quorum of the DRP may remove consultants and/or contractors from the DRP with prior written notice to the consultants and/or contractors and the DRP; and

(c) any member of the DRP may be a consultant to the DRP; and

(d) the DRP or the Administrator may revoke the appointment of a consultant;.

(6) Fees:

(a) the DRP may request an applicant to pay a submission fee upon lodgement of a Complying Development proposal, Development Application, or alteration to a previously submitted proposal, to cover the DRP's assessment costs; and

(b) inspection of approved completed developments subject to a construction performance bond (see (7) below) is subject to a fee payable by an applicant to the DRP; and

(c) the DRP or the Administrator may absorb the assessment costs in whole or in part to either, reduce or negate the necessity of an application fee, although it is under no obligation to do so; and

(d) the schedule of fees established under the Design Guidelines, may be adjusted from time to time by the DRP or Administrator to cover reasonable additional costs incurred; and

(e) an applicant may be directed by the DRP to pay a DRP fee directly to a DRP consultant; and

(f) a DRP Compliance Certificate does not take effect until all relevant submission fees listed in the schedule of fees have been paid to the DRP or consultant; and

(f) third party access to the DRP's records may be subject to a fee (see (8)(f) below).

(7) Construction performance bond:

(a) the Administrator or the DRP may decide, from time to time, to require an applicant to lodge with it a construction performance bond administered and held in trust by the DRP; and

(b) the bond is required to be paid to the DRP by or on behalf of the owner of the land the subject of the application ; and

(c) upon completion of the approved development, the owner must request the DRP to inspect the development ; and

(d) the DRP must inspect the approved completed development within 14 working days of a request in (c) above, in order to determine whether the development has been constructed in accordance with the DRP Pre-Approval Certificate; and

(e) if the development has been constructed in accordance with (d) above, the DRP must immediately release the construction performance bond with interest to the payee; and

(f) if the development has not be constructed in accordance with the approved development, the DRP must notify the owner in writing of the works required to be completed prior to the release of the bond and give the owner reasonable time to complete those works; and

(g) the above process may be repeated until the bond is released; and

(h) the DRP is under no obligation to release the bond until the development has been constructed in accordance with the approved development; and

(i) if the DRP has notified the owner in accordance with (f) above and the works remain incomplete, the DRP may garnish the bond from the Trust Account, for the use by the DRP for operating the DRP, including background research or the like and the general assessment function of the DRP.

Procedures and record keeping:

(a) the DRP must date stamp all applications received and that date is the date of receipt of an application; and

(b) where an application is received by hand or digital means on a day other than a business day, that date stamp shall be 9:00 am on the next business day; and

(c) if a fee required to paid upon submission of an application remains unpaid, the DRP may notify the applicant of the required fee, and the date of receipt of the application will be the date stamp of receipt of the fee.

(d) the Chairperson must keep a current records of all current members of the DRP, including postal and e-mail addresses and, telephone and facsimile numbers; and

(e) all applications to the DRP must include the contact details of the land owner and applicant; and

(f) where contact details are not provided with an application, the DRP shall at the earliest

opportunity make all reasonable attempts to obtain them, and is not required to assess the application until those details are obtained; and

(g) the DRP shall correspond only with the land owner/applicant, unless otherwise directed by the owner in writing to the DRP; and

(h) within 10 business days of receipt of an application that contains all information required to be provided by the Design Guidelines, the required fee and contact details, the DRP must confirm receipt of the application; and ,

(i) the DRP shall make all reasonable attempts to confirm receipt of incomplete applications within 10 business days of receipt of the application, except that there may be minor delays; and

(j) the DRP or the Administrator shall keep copies of all applications until the site has been the subject of an application to the DRP; and

(k) all records kept by the DRP remains the confidential property of the DRP or the Administrator, subject to inspection by other applicants for development of the site, and such inspection shall not be unreasonably denied, although a fee may be payable to the DRP; and

(l) the process of making an application to the DRP implies the right of the DRP to make copies of the proposal as may be required to carry out its duties of assessment, and

(8) Assessment:

(a) the DRP must issue a Pre-Approval Compliance Certificate to an applicant in the case of compliant and complete applications; or

(b) the DRP in the case of non-compliant and/or incomplete applications, must issue to an applicant a written statement of matters of concern, specifying additional information required to be submitted to the DRP to achieve compliance prior to issue of a Pre-Approval Compliance Certificate; and

(c) the DRP may provide suggested solutions for non-compliant and/or incomplete applications in written or sketch form, but these suggestions shall be made with all due care but no responsibility on the part of the DRP, and the applicant must make its own determination of an appropriate response to the DRP; and

(d) in the case of non-compliant and/or incomplete applications, the assessment steps in (8)(a) to (c) above must recommence each time additional information is received; and

(e) the DRP must assess all applications against the relevant provisions of the Code including the relevant Design Guidelines; and ,

(9) Merit based assessment:

(a) the DRP must take into consideration in a consistent and unbiased manner such of the following matters as relevant to the development the subject of an application, and

(b) will the proposal result in a negative impact on the wider community or adjoining properties, and, if so, can the impact be offset by any positive impacts of the proposal for the wider community and/or adjoining properties, and

(c) is the proposal consistent with other comparable approved developments on the site; and

(d) would the proposal be a desirable outcome for the site; and

(e) is the proposal consistent with the Code's vision and development objectives; and

(f) is the proposal compatible with its surrounding land and any proposed surrounding proposals; and

(g) are there any known reasonable objections to the proposal, and, if so, have the objectors'

concerns been ameliorated by amendments to the proposal or conditions of the Pre-Approval Compliance Certificate, and

(h) does the application include sufficiently details of compliance with all relevant provisions of the code.

(10) Dispute resolution:

(8) In the event of disputes between an applicant and the DRP regarding a proposal and/or any DRP decision about a Pre-Approval Compliance Certificate or condition, the applicant, at its own cost, shall lodge a Development Application with Council for a non-complying development; and

(9) In the event of a dispute between an applicant and the DRP the applicant shall submit with a Development Application to Council for the proposal arguments for the proposal and a copy of the DRP's review.

(11) Extinguishment of the DRP:

(a) the DRP or Administrator, upon all land the subject of the Code being the subject of approved applications to the DRP, extinguish the DRP, and notify Council in writing of the extinguishment; and

(b) the Administrator may extinguish the DRP where it is demonstrated that the DRP has ceased to undertake its duties in accordance with the code; and

(c) the Administrator, in extinguishing the DRP in accordance with (b) above, must within 14 days of the decision, notify Council in writing of the reasons for the decision; and

(d) the Administrator must advise the Council of any alternative mechanism to the DRP or the establishment of a new DRP; and

(e) where the DRP has been extinguished in accordance with (b) above, the Administrator or consultant must finalise all applications in abeyance at the time of extinguishment.

(d) where the DRP has been extinguished in accordance with provisions (a) – (c) above, and applications are being assessed by an Architect of the applicant's choosing, similar to the manner in which privately Accredited Certifiers review building applications, the Architect shall be in possession of and be familiar with the current Design Guidelines, Concept Plan and Development Code for all land under the jurisdiction of the Concept Plan, and shall confirm their compliance with this control on the Pre-Approval Compliance Certificate.

5.9 Location and Easements for Services

Objectives

(1) To ensure appropriate easements are provided for adequate servicing of land where services cannot be located on public land.

Controls

(1) Where possible, all services must be located in footpaths in accordance with **Figure 5.9.1**.

(2) Where services are located within a residential lot an easement is to be provided over that infrastructure that has at least one connection to a public road or reserve.

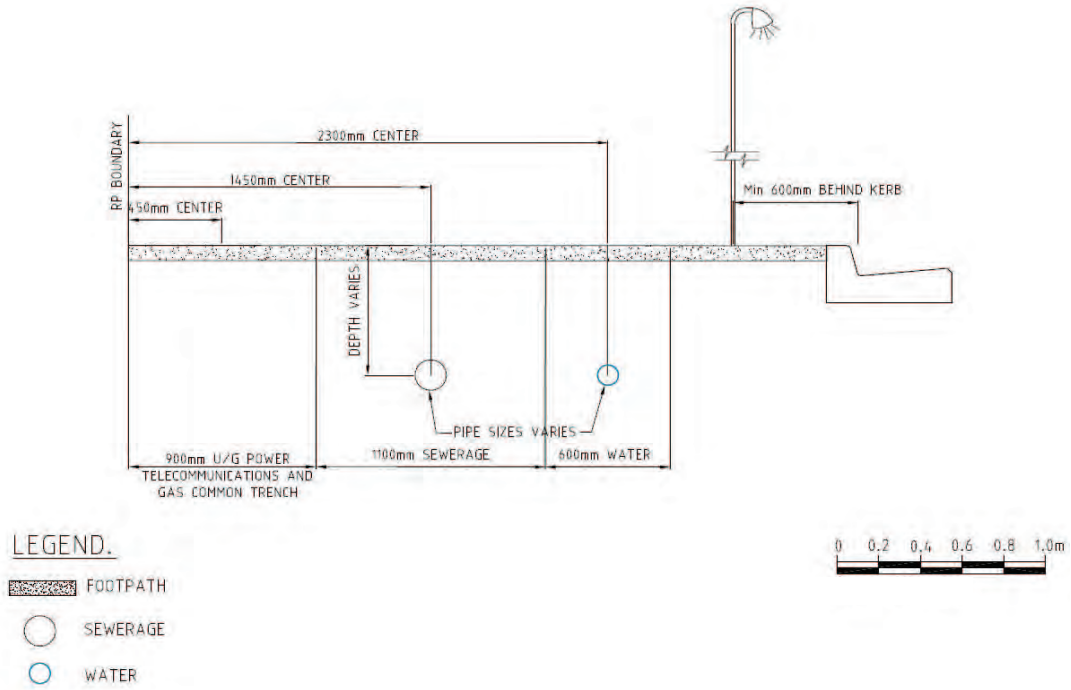


Figure 5.9.1: Typical services section

APPENDIX A: Glossary

In this *Code*:

"*accredited certifier*" means an individual or company accredited by the Building Professionals Board under the *Building Professionals Act 2005* to issue construction, occupation, subdivision and compliance certificates and *complying development certificate*s under the *Environmental Planning and Assessment Act 1979* (EP&A Act) and strata certificates under the strata legislation (specify the legislation).

"*alternative solution*" means the same as it does in the Building Code Australia.

Note. The term is defined as follows: ***alternative solution*** means a ***building solution*** which complies with the **performance requirements** other than by reason of satisfying the ***deemed-to-satisfy provisions*** (where each of those terms is also defined in that document).

"*ancillary development*" means any of the following that are not *exempt development* under this *Code*:

(a) access ramp,

(b) awning, blind or canopy,

(c) balcony, deck, patio, pergola, terrace or verandah that is *attached* to a *dwelling house*,

(d) carport that is *attached* to a *dwelling house*,

(e) driveway, pathway or paving,

(f) fence or screen,

(g) *Garage* that is *attached* to a *dwelling house*,

(h) *outbuilding*,

(i) rainwater tank that is a*ttached* to a *dwelling house*,

(j) retaining wall,

(k) swimming pool or spa pool and child-resistant barrier.

"*apartment*" means a development in which two or more *dwelling*s are located vertically in *storeys* and share car parking and common property. These *dwelling*s can be strata-titled upon completion, as outlined in Part 5.10.

"*architect*" means a design professional holding a current registration as an *architect* in Queensland in accordance with the requirements of the *Architects Act 2002* (Qld) or holding a current registration as an *architect* with the New South Wales Architects Registration Board.

"*articulation zone*" means an area within a lot within which *building element*s may be located and consists of that part of the *setback area* from a boundary measured in plan for a distance specified in the *Code*, or any alternate distance detailed in a *plan of development*.

"*attic*" means any habitable space, but not a separate *dwelling*, contained wholly within a roof above the ceiling line of the *storey* immediately below, except for minor elements such as dormer windows and the like.

"*attached*" means, in relation to a building or structure that is *complying development*, not more than 0.9m from another building or structure.

"*battle-axe lot*" means a lot that has access to a road or laneway by an elongated narrow section of the lot, which may be shared by easement with another lot.

"*basement*" means the space of a building where the floor level of that space is predominantly below *ground level (existing)* and where the floor level of the *storey* immediately above is less than 1 metre above *ground level (existing)*.

"***building element***" means

(a) an entry feature or portico,

(b) a balcony, deck, patio, pergola, terrace or verandah,

(c) a window box treatment,

(d) a bay window or similar feature,

(e) an awning or other feature over a window,

(f) a sun shading feature.

(g) an eave, or

"*building footprint*" means the area of land measured at finished ground level that is enclosed by the external walls of a building.

"*building height*" (or ***height* of building**) means the vertical *height* of a building, measured between a point at *ground level (existing)* and the highest point of the building immediately above, including plant and lift overruns (unless specifically excluded by this *Code*), but excluding communication devices, antennae, satellite dishes, masts, flagpoles, chimneys, flues and the like.

"*built-to-boundary*" means the situation where a wall is constructed between 0.025m to 0.25m from a shared boundary.

"*business premises*" means a building or place at or on which:

(a) an occupation, profession or trade (other than an industry) is carried on for the provision of services directly to members of the public on a regular basis, or

(b) a service is provided directly to members of the public on a regular basis, and may include, without limitation, premises such as banks, post offices, hairdressers, dry cleaners, travel agencies, internet access facilities, *medical centre*s, betting agencies and the like, but does not include sex services premises.

"*carpark*" means a building or place primarily used for the purpose of parking motor vehicles, including any manoeuvring space and access thereto, whether operated for gain or not.

"*chairperson*" means the Chairperson of the Design Review Panel.

"*child care centre*" means a building or place used for the supervision and care of children that:

(a) provides long day care, pre-school care, occasional child care or out-of-school-hours care, and

(b) does not provide overnight accommodation for children other than those related to the owner or operator of the centre, but does not include:

(i) a building or place used for home-based child care, or

(ii) an out-of-home care service provided by an agency or organisation accredited by the NSW Office of the Children's Guardian, or

(iii) a baby-sitting, playgroup or child-minding service that is organised informally by the parents of the children concerned, or

(iv) a service provided for fewer than 5 children (disregarding any children who are related to the person providing the service) at the premises at which at least one of the children resides, being a service that is not advertised, or

(v) a regular child-minding service that is provided in connection with a recreational or commercial facility (such as a gymnasium), by or on behalf of the person conducting the facility, to care for children while the children's parents are using the facility, or

(vi) a service that is concerned primarily with the provision of:

(vii) lessons or coaching in, or providing for participation in, a cultural, recreational, religious or sporting activity, or

-private tutoring, or

-a *school*, or

-a service provided at exempt premises (within the meaning of Chapter 12 of the *Children*

and Young Persons (Care and Protection) Act 1998), such as hospitals, but only if the service is established, registered or licensed as part of the institution operating on those premises.

"*class*" in relation to a building or part of -part of a building, has the same meaning as in the *Environmental Planning and Assessment Regulation 2000*.

"*classified road*" has the same meaning as in the *Roads Act 1993*.

"*Code*" means the Cobaki Estate Development Code.

"***commercial premises***" means a *business premises*, *office premises* or *retail premises*.

"communal open space" means a shared open space area available to the occupants of more than one residential / tourist dwelling and which is under the control of an owners' corporation, body corporate or equivalent.

"*community facility*" means a building or place:

(a) owned or controlled by a public authority or non-profit community organisation, and

(b) used for the physical, social, cultural or intellectual development or welfare of the community, but

(c) does not include an educational establishment, hospital, *retail premises*, *place of public worship* or residential accommodation.

"*complying development*" development that meets specified predetermined development standards.

"*complying development certificate* (CDC)" means a certificate that is issued by a *Council* or an *accredited certifier* which states that particular proposed development is *complying development* and (if carried out as specified in the certificate) will comply with all development standards applicable to the development and with other requirements prescribed by the regulations concerning the issue of a *complying development certificate*.

"*complying development code*" means a code for *complying development* which contains predetermined development standards for different development types as set out in Part A of this *Code*.

"*concept plan*" means the *concept plan* approval for Cobaki Estate, as described by **Sections 1.1 and 1.2** and summarised at Appendix B of this *Code*.

"*corridor*" means the vegetated (and area to be revegetated) that links the Crown Border Reserve, the wetland and sclerophyll forested habitats and the Cobaki Estate Estuarine Broadwater through the Cobaki Estate site.

"*Council*" means Tweed Shire Council.

"*deep planting area*" means a planted area where there is no structure beneath it.

"*design guidelines*" means the merit based design controls for the design of buildings and landscape that have been prepared in accordance with **Section 5.7** of this *Code*.

"*design review panel* or (DRP)" means the panel established and operated by the owner of the land that is the subject of the first development application for the land controlled by this *code* to review all applications required to be submitted to an *accredited certifier* or *council* for assessment..

"*design review panel (DRP) administrator*" means the entity with responsibility for the appointment and revocation of members of the DRP.

"***detached*"**, in relation to a building or structure that is *complying development*, means more than 0.9m from another building or structure.

"*development application*" means an application for consent under Part 4 of the EP&A Act 1979 (as amended) to carry out development but does not include an application for a *complying development certificate*.

"*developer contributions*" means a contribution towards provision or improvement of amenities or services in accordance with an adopted Contribution Plan in accordance with the EP&A Act 1979 (as amended).

"*development lot*" means a lot that has not yet been subdivided for its ultimate yield, and is sometimes referred to as a "Master Lot or Management Lot". It does not include lots where the proposed subdivision is to separate non-urban land from urban zoned land. It also does not include a Plex or a Mews lot, as these lots have a defined yield, and are *nominated lots*.

"*DRP pre-approval certificate*" means written approval from the *design review panel* certifying that the proposed design achieves compliance with the Design Review Guidelines that apply to the application and which have been prepared in accordance with Section 5.5 of this *Code*.

"*dwelling*" means a room or suite of rooms occupied or used or so constructed or adapted as to be capable of being occupied or used as a separate domicile and includes any part of the building containing the *dwelling* that is *ancillary development* under this *Code* but does not include *exempt development* under this *Code*.

"*dwelling type* " means a *traditional detached dwelling, zero-lot dwelling, terrace dwelling, SOHO dwelling, plex dwellings, mews dwelling or shop-top dwelling, townhouse dwellings, villa dwellings, apartments, retirement communities, or tourist accommodation* as defined in 3.1 of this *code*.

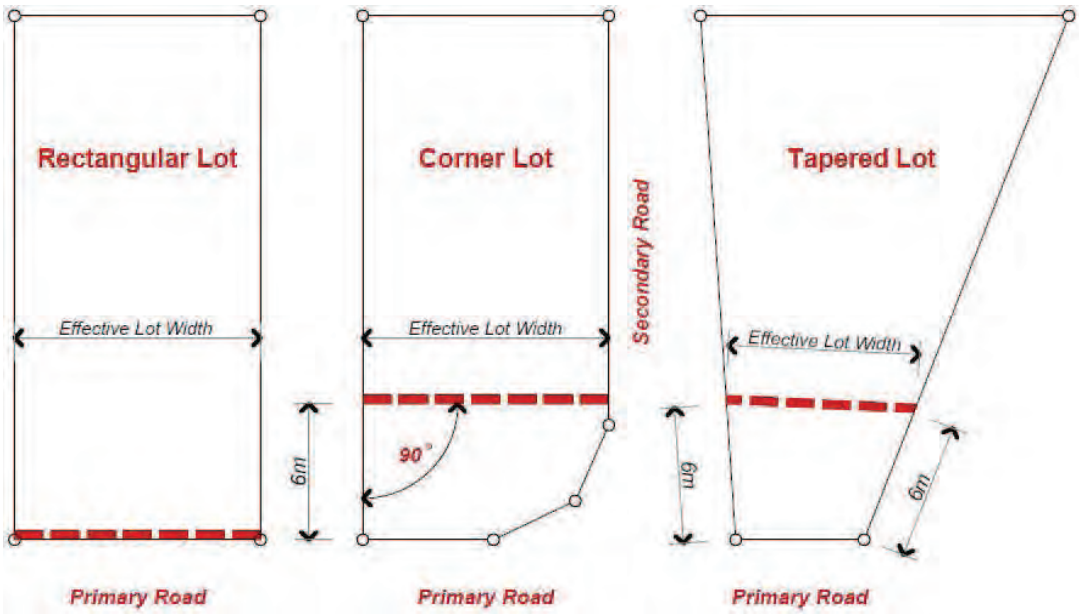
"*dwelling house*" means a building containing only one *dwelling*, and includes–any part of the building that is *ancillary development* under this *Code* but does not include *exempt development* under this *Code*.

"***effective lot width*"** means,

a) for a rectangular lot, the width of the lot as measured along a line that is parallel to the boundary to the *primary road*; or

b) for a corner lot, the width of the lot as measured along a line that starts from a point on the *shared boundary* that is located 6m back from the boundary to the *primary road*, as measured along that boundary and finishes at a point on the opposite boundary where that line is perpendicular to the *shared boundary; or*

c) for a tapered lot, as measured along a line that starts from a point on the *shared boundary* that is located 6m back from the boundary to the *primary road* as measured along that boundary and finishes at a point on the opposite *shared boundary* that is also located 6m back from the boundary to the *primary road* as measured along that *shared boundary* (refer diagrams below).



"*environmental facility*" means a building or place that provides for the recreational use or scientific study of natural systems, and includes walking tracks, seating, shelters, board walks, observation decks, bird hides or the like, and associated display structures.

"*exempt development*" means development that is assessed for building approval under the *exempt development* provisions of Part A of this *Code*.

"*exempt development code*" means a code for *exempt development* set out in Part A of this *Code*.

"*exhibition village*" means two (2) or more exhibition homes and associated buildings and places used for house and land sales, site offices, advisory services, car parking, food and drink sales and other associated purposes.

"*first floor living solutions*" means a *dwelling* design with the principal kitchen and at least one principal living area having direct, level access to and surveillance of a *private open space* that is located on a semi private balcony that is accessed from the first floor of the *dwelling*

"*floor area*" means, in reference to a *dwelling*, the sum of the areas of each *storey* of the *dwelling* and any carport, *garage*, balcony, deck, patio, pergola, terrace or verandah enclosed by external walls or defined by external columns and measured at a *height* of 1.4m above each floor level (excluding any void above a lower *storey*).

"*food and drink premises*" means *retail premises* used for the preparation and retail sale of food or drink for immediate consumption on or off the premises, and includes *restaurants*, cafes, take away *food and drink premises*, milk bars and *pubs*.

"*frontage boundary* " means any lot boundary separating a *nominated lot* from a lot that contains *public open space*.

"*frontage building line*" means the line of the existing or proposed building wall (other than a wall of any *building element* within an *articulation zone*), or the outside face of any existing or proposed *ancillary development*, closest to the primary or secondary street frontage boundary of the lot as measured at the ground level.

"*foundation area*" means, for any lot on which a building is situated or proposed, all building structures that are located below the floor level of the ground floor.

"*garage*" means an enclosure for the storage of one or more cars.

"*garage door line*" means a line that aligns with the outside face of the wall or column that supports the *garage* or carport door, as illustrated in **Figure 3.1.2.1**.

"*granny flat*" means a self-contained *dwelling* that:

(a) is established in conjunction with another *dwelling* (the *principal dwelling*), and

(b) is on the same lot of land as the *principal dwelling*, and

(c) is located within, or is *attached* to, or is separate from, the *principal dwelling*.

"*gross floor area*" means the sum of the areas of each floor of a building where the area of each floor is taken to be the area within the outer face of the external enclosing walls as measured at a *height* of 1,400 millimetres above each floor level, excluding:

(a) columns, fin walls, sun control devices and any elements, projections or works outside the general lines of the outer face of the external wall,

(b) lift towers, cooling towers, machinery and plant rooms and ancillary storage space and vertical air-conditioning ducts,

(c) car parking needed to meet any requirements of the *Council* and any internal access thereto,

(d) space for the loading and unloading of goods.

"*ground level (existing)*" means the existing level of a lot at any point upon sealing by *Council* of the subdivision plan.

"*ground level (existing average)*" means, for any lot on which a building is situated or proposed, one half of the sum of the highest and lowest levels at *ground level (existing)* of the outer surface of the external walls of the building.

"*ground level (finished)*" means, for any point on a lot, the ground surface after completion of any earthworks (excluding any excavation for a *basement*, footings or the like) for which consent has been granted or that is *exempt development*.

"*habitable room*" has the same meaning as in the Building Code of Australia.

Note. The term is defined as a room used for normal domestic activities, other than a bathroom, laundry, toilet, pantry, walk in wardrobe, hallway, lobby, clothes drying room or other space of a specialised nature that is not occupied frequently or for extended periods.

"*hard stand space*" means an area of concrete, paving or other hard material at ground level designed solely for parking a motor vehicle.

"information and education facility" means a building or place used for providing information or education to visitors, and the exhibition or display of items, and includes an art gallery, museum, library, visitor information centre and the like.

"*landscaped area*" means any part of a lot, at ground level, that is permeable and consists of soft landscaping, pebbles, turf or planted areas and the like. It does not include driveways, parking areas, hard paved drying yards or other service areas, swimming pools, tennis courts, undercroft areas, roofed areas (excluding eaves less than 0.6m to fascia board), *outdoor rooms*, balconies, rooftop gardens, terraces, decks, verandas and the like.

"*matching*" means, in reference to a colour, a digital difference of no more than 10 in Red, Green or Blue (RGB) as determined by an industry standard scanning device.

"*medical centre*" means *business premises* used for the purpose of providing health services (including preventative care, diagnosis, medical or surgical treatment, counselling or alternative therapies) to out-patients only, where such services are principally provided by health care professionals, and may include the ancillary provision of other health services.

"*mews dwelling*" means a *dwelling* within a development in which a group of more than three and up to six d*welling*s are located on a single lot that share a common driveway and often have frontages to two streets or a street and a park, but otherwise have no common facilities. These *dwelling*s may be strata-titled/re-subdivided (Torrens title) upon completion, often providing freehold title lots with reciprocal easements for access to the lots not located on the access street frontage, as outlined in Part 5.10 or Part 5.11 Re-subdivision.

"*multi-dwelling housing*" means development involving more than one *dwelling* on a lot.

"*nominated lot*" means a lot which complies with the controls specified in Table 5.2.1: Minimum Area and Dimension Controls for New Lots of this *code* for a specified *dwelling type* or other development, i.e., *traditional detached dwelling, zero-lot dwelling, terrace dwelling, SOHO dwelling, plex dwellings, mews dwelling, shop-top dwelling* or *development lot* and has been nominated accordingly on the *plan of development*.

"*nominated lot*" means a lot which meets or exceeds specified, pre-determined minimum controls for a *traditional detached dwelling*, *zero-lot dwelling*, *terrace dwelling*, *SOHO dwelling*, *plex dwellings*, *mews dwelling* or *shop-top dwelling*.

"***non-habitable***" means spaces of a specialised nature not occupied frequently or for extended periods, including bathrooms, toilets, pantries, walk-in wardrobes, corridors, lobbies, photographic darkrooms and clothes drying rooms.

"*office premises*" means a building or place used for the purpose of administrative, clerical, technical, professional or similar activities that do not include dealing with members of the public at the building or place on a direct and regular basis, except where such dealing is a minor activity (by appointment) that is ancillary to the main purpose for which the building or place is used.

"*outbuilding*" means any of the following *building element*s when they are *detached* from a *dwelling*:

(a) balcony, deck, patio, pergola, terrace or verandah,

(b) cabana, cubby house, fernery, garden shed, gazebo or greenhouse,

(c) carport~~,~~

(d) *garage*,

(e) rainwater tank (above ground),

(f) shade structure,

(g) shed.

"*outdoor room*", also known as an 'alfresco room' means a semi enclosed space (at least 1 side open) located adjacent a living / dining / kitchen area of a *dwelling* that sits within the main roof line of a *dwelling*.

"*outermost projection or OMP*", means a *building element* that extends the furthermost distance from a building wall, for instance an eave, but does not include a gutter.

"*parallel road*" means, in the case of a lot that has boundaries with *parallel roads*, the road that is not the *primary road*"

"*place of public worship*" means a building or place used for the purpose of religious worship by a congregation or religious group, whether or not the building or place is also used for counselling, social events, instruction or religious training.

"*plan of development or POD*" means an approved subdivision plan indicating the *nominated lots* and providing a summary of development controls in relation to the future development of the land as required by Section 5.4 of this *Code* and that is linked to a registered Section 88B instrument.

"*plex dwelling*" means a *dwelling* within a development in which up to six *attached* or *detached dwelling*s are

located on one lot (duplex, triplex, etc.), but where there are no communal facilities provided. These *dwelling*s may be strata-titled/re-subdivided upon completion, as outlined in Part 5.10 Strata Subdivision.

"*precinct plan* " means a plan which provides a summary of staging, yield, open space, the collector road network, service infrastructure in accordance with Section 5.1 of the Code.

"*primary road*" means the road to which the front of a *dwelling house*, or a main building, on a lot faces or is proposed to face.

"*principal dwelling*" means the largest *dwelling* on a lot, measured by *gross floor area*.

" *private open space or (POS)*" means the portion of private land or a semi private balcony which serves as an extension of the *dwelling* to provide space for relaxation, dining, entertainment and recreation and is located as nominated on the *plan of development* or as otherwise determined by the *DRP* as receiving adequate solar access and privacy from adjoining *dwellings*, and it may include an *outdoor room*.

"*professional engineer*" has the same meaning as in the Building Code of Australia.

Note. The term is defined as a person who is:

(a) if legislation is applicable—a registered *professional engineer* in the relevant discipline who has appropriate experience and competence in the relevant field, or

(b) if legislation is not applicable:

(c) a Corporate Member of the Institution of Engineers, Australia, or

(d) eligible to become a Corporate Member of the Institution of Engineers, Australia, and has appropriate experience and competence in the relevant field.

"*pub*" means licensed premises under the *Liquor Act 2007* the principal purpose of which is the sale of liquor for consumption on the premises, whether or not the premises include hotel or motel accommodation and whether or not food is sold on the premises.

"*public utility undertaking*" means any undertaking carried on or permitted to be carried on by or by authority of any Government Department or under the authority of or in pursuance of any Commonwealth or State Act:

"*rear articulation zone*" means an area within a lot within which *building elements* may be located that consists of that part of the *setback area* from the rear boundary that is measured for a distance specified in the this *Code* or any alternate distance detailed in an approved *plan of development* for that type of development.

"*recreation area*" means a place used for outdoor recreation that is normally open to the public, and includes:

(a) a children's playground, or

(b) an area used for community sporting activities, or

(c) a public park, reserve or garden or the like,

and any *ancillary development*, but does not include a *recreation facility (indoor)*, *recreation facility (major)* or *recreation facility (outdoor)*.

"*recreation facility (indoor)*" means a building or place used predominantly for indoor recreation, whether or not operated for the purposes of gain, including a squash court, indoor swimming pool, gymnasium, table tennis centre, health studio, bowling alley, ice rink or any other building or place of a like character used for indoor recreation, but does not include an entertainment facility, a *recreation facility (major)* or a registered club.

"*recreation facility (major)*" means a building or place used for large-scale sporting or recreation

activities that are attended by large numbers of people whether regularly or periodically, and includes sports stadiums, showgrounds, racecourses and motor racing tracks.

"*recreation facility (outdoor)*" means a building or place (other than a *recreation area*) used predominantly for outdoor recreation, whether or not operated for the purposes of gain, including a golf course, golf driving range, mini-golf centre, tennis court, paint-ball centre, lawn bowling green, outdoor swimming pool, equestrian centre, skate board ramp, go-kart track, rifle range, water-ski centre or any other building or place of a like character used for outdoor recreation (including any *ancillary development*), but does not include an entertainment facility or a *recreation facility (major)*.

"*residential care facility*" means accommodation for seniors (people aged 55 years or more) or people with a disability that includes:

(a) meals and cleaning services, and

(b) personal care or nursing care, or both, and

(c) appropriate staffing, furniture, furnishings and equipment for the provision of that accommodation and care,

not being a *dwelling*, hospital or psychiatric facility.

"*restaurant*" means a building or place the principal purpose of which is the provision of food or beverages to people for consumption on the premises and that may also provide takeaway meals and beverages.

"*retail premises*" means a building or place used for the purpose of selling items by retail, or for hiring or displaying items for the purpose of selling them by retail or hiring them out, whether the items are goods or materials (or whether also sold by wholesale).

"*school*" means a government *school* or non-government *school* within the meaning of the *Education Act 1990* (NSW).

"*secondary road*" means, in the case of a corner lot that has boundaries with adjacent roads, the road that is not the *primary road*.

"*setback*" means the shortest horizontal distance between the relevant boundary of the lot and the *building element*.

"*setback area*" means the area between the relevant boundary of the lot and the *building line*.

"*seniors housing*" means residential accommodation that consists of:

(a) a *residential care facility*, or

(b) a hostel, or

(c) a group of self-contained *dwelling*s, or

(d) a combination of these,

and that is, or is intended to be, used permanently for:

(e) seniors or people who have a disability, or

(f) people who live in the same household with seniors or people who have a disability, or

(g) staff employed to assist in the administration of the residential accommodation or in the provision of services to persons living in the accommodation,

but does not include a hospital.

"*service station*" means a building or place used for the sale by retail of fuels and lubricants for motor vehicles, whether or not the building or place is also used for any one or more of the following:

(a) the ancillary sale by retail of spare parts and accessories for motor vehicles,

(b) the cleaning of motor vehicles,

(c) installation of accessories,

(d) inspecting, repairing and servicing of motor vehicles (other than body building, panel beating, spray painting, or chassis restoration),

(e) the ancillary retail selling or hiring of general merchandise or services or both.

"*shared boundary* " means any lot boundary separating one *nominated lot* from another *nominated lot*.

"*shared boundary fencing*" means any fencing located on a boundary separating one *nominated lot* from another *nominated lot* and which is not forward of the *frontage building line* of either the primary or secondary street frontages.

"*shop*" means *retail premises* that sell groceries, personal care products, clothing, music, homewares, stationery, electrical goods or other items of general merchandise, and may include a neighbourhood *shop*, but does not include *food and drink premises* or restricted premises.

"*shop-top dwelling/s*" means a development in which one or more *dwelling*/s is/are located on a lot in association with a ground floor business use that fronts a street containing other commercial uses. If constructed appropriately, it is optional for the business use/s and the *dwelling*/s to be strata titled/ re-subdivided separately from the residential uses upon completion, and the individual *dwelling*s may also be strate-titled/re-subdivided upon completion.

"*single dwelling*" means a *traditional detached dwelling*, *zero-lot dwelling*, *terrace dwelling* or *SOHO dwelling*.

"*site cover*" means the percentage of the *building footprint*, including an *outdoor room* and *garage*, in relation to the area of a lot.

"*SOHO dwelling*" means a *dwelling* in which limited commercial uses are combined with residential uses on the title.

"*standard instrument*" means the standard local environmental planning instrument prescribed by the Standard Instrument (Local Environmental Plans) Order 2006.

"*storey*" means a space within a building that is situated between one floor level and the floor level next above, or if there is no floor above, the ceiling or roof above, but does not include the following:

(a) an *attic*,

(b) a *basement*, or access thereto,

(c) a lift shaft,

(d) a mezzanine,

(e) a stairway.

(f) a *foundation area* that does not extend more than 1.5m above *ground level (existing average)*.

Note. *The determination of the number of storeys a building contains is as set out in State Environmental Planning Policy No 6—Number of storeys in a Building*.

"*telecommunications facility*" means:

(a) any part of the infrastructure of a telecommunications network, or

(b) any line, equipment, apparatus, tower, mast, antenna, tunnel, duct, hole, pit, pole or other structure or thing used, or to be used, in or in connection with a telecommunications network.

"*terrace dwelling*" means a dwelling where all or at least part of both side walls are built-to-boundary (with the exception of corner lots or lots adjoining public open space, where only the *shared boundary* will have a zero wall).

"*the Act*" means the *Environmental Planning and Assessment Act 1979* (NSW).

"*tourist accommodation*" means a development (other than hotel or motel accommodation) in which self-contained, short-term accommodation units are located on a single lot with communal facilities and a buildng manager. These *dwelling*s may be strata-titled.

"townhouse dwelling" means a *dwelling* within a development in which six or more *attached dwellings (*that are not *Plex* or *Mews* dwellings) with direct ground access are located on a single lot with a shared common driveway, common property and communal facilities. These *dwellings* may be strata-titled and must be constructed on a *nominated lot* designated for *townhouse dwelling* development on the approved *plan of development*.

"*traditional detached dwelling* " means a *dwelling house* constructed on a *nominated lot* designated for a *traditional detached dwelling* and where no *built-to-boundary* walls are permitted.

"*villa dwelling*" means a *dwelling* within a development in which six or more *detached dwellings (*that are not *Plex* or *Mews* dwellings) with direct ground access are located on a single lot with a shared common driveway, common property and communal facilities. These Dwellings may be strata-titled and must be constructed on a *nominated lot* designated for *villa dwelling* development on the approved *plan of development*.

"*water recreation structure*" means a structure used primarily for recreational purposes with direct structural connection between the shore and the waterway, and may include a pier, wharf, jetty or boat launching ramp.

"*zero-lot dwelling*" means a dwelling where all, or at least part, of one side wall is *built-to-boundary*. These *dwellings* must be constructed on a *nominated lot* designated for *zero-lot dwelling* development on the approved *plan of development*.

Notes:

(a) A word or expression used in this *Code* has the same meaning as it has in the *Standard Instrument—Principal Local Environmental Plan* (NSW) unless otherwise defined in this *Code*.

(b) A reference in this *Code* to a type of building or other thing is a reference to development for the purposes of that type of building or other thing.

(c) Notes included in this *Code* do not form part of this *Code*.

APPENDIX B: Summary of Concept Approval

The Cobaki Estate Concept Approval comprises the following key features:

- Seventeen (17) residential precincts with a mix of housing types including detached houses, terraces and attached dwellings on corner allotments, comprising 5,500 dwellings covering approximately 294 hectares of net developable land;
- A mixed use Town Centre and Neighbourhood Centre with a combined land area of approximately 18 hectares;
- Community and education facilities including two schools over approximately 8.5 hectares of land;
- Active and passive open space areas comprising an area of approximately 90 hectares of land;
- Environmental protection areas covering approximately 194 hectares of land;
- Access network of roads, public transport routes and pedestrian/cycle paths;
- Landscaping and vegetation management;
- Water management areas; and
- Utility services infrastructure.

APPENDIX C: Council's rainwater harvesting requirements

Note: The minimum lot sizes specified in the Code for specific dwelling types should be used in preference to the minimum lot sizes in the table below.

TWEED SHIRE COUNCIL

Rainwater Harvesting for Demand Management, Tank and Connected Roof Minimums

Development Type/Size	Connected Roof Area	Minimum Tank Size
Detached Dwelling >=450m^2 Lot	160m^2 minimum	5000L
Zero-lot Dwelling 250 m^2 lots (min)	Min 85% of roof up to 160m^2	3000L
Terrace Dwelling 175m^2 lots (min)	Min 85% of roof up to 160m^2	2000L (3000L if space permits)
Plex (each dwelling) 2 – 5 on 450m^2 lot (min)	Min 85% of roof up to 160m^2	2000L Site Min 5000L Can be common
Mews (each dwelling) 3 – 6 on 500m^2 lot (min) (lot can be Torrens Title subdivided further)	Min 85% of roof up to 160m^2	2000L No common tank without a body corporate or single owner.
SOHO Dwelling 250m^2 lots (min)	Min 85% of roof up to 160m^2	3000L
Multiple Unit Developments, Commercial, Industrial	80 – 90% of roof area	Common tank sized proportionate to building size.

ENVIRONMENTAL PLANNING AND ASSESSMENT ACT 1979

ORDER

I, the Minister for Planning, in pursuance of section 75P(2)(d) of the *Environmental Planning and Assessment Act 1979* do, by this my Order declare that the development within the Cobaki Estate site (as identified in Schedule 1 to this Order) that satisfies the requirements for exempt or complying development specified in *Part A - Exempt and Complying Development in Cobaki Estate Development Code*, 15 November 2010, is exempt or complying development, as appropriate.

Dated, this day of 2010.

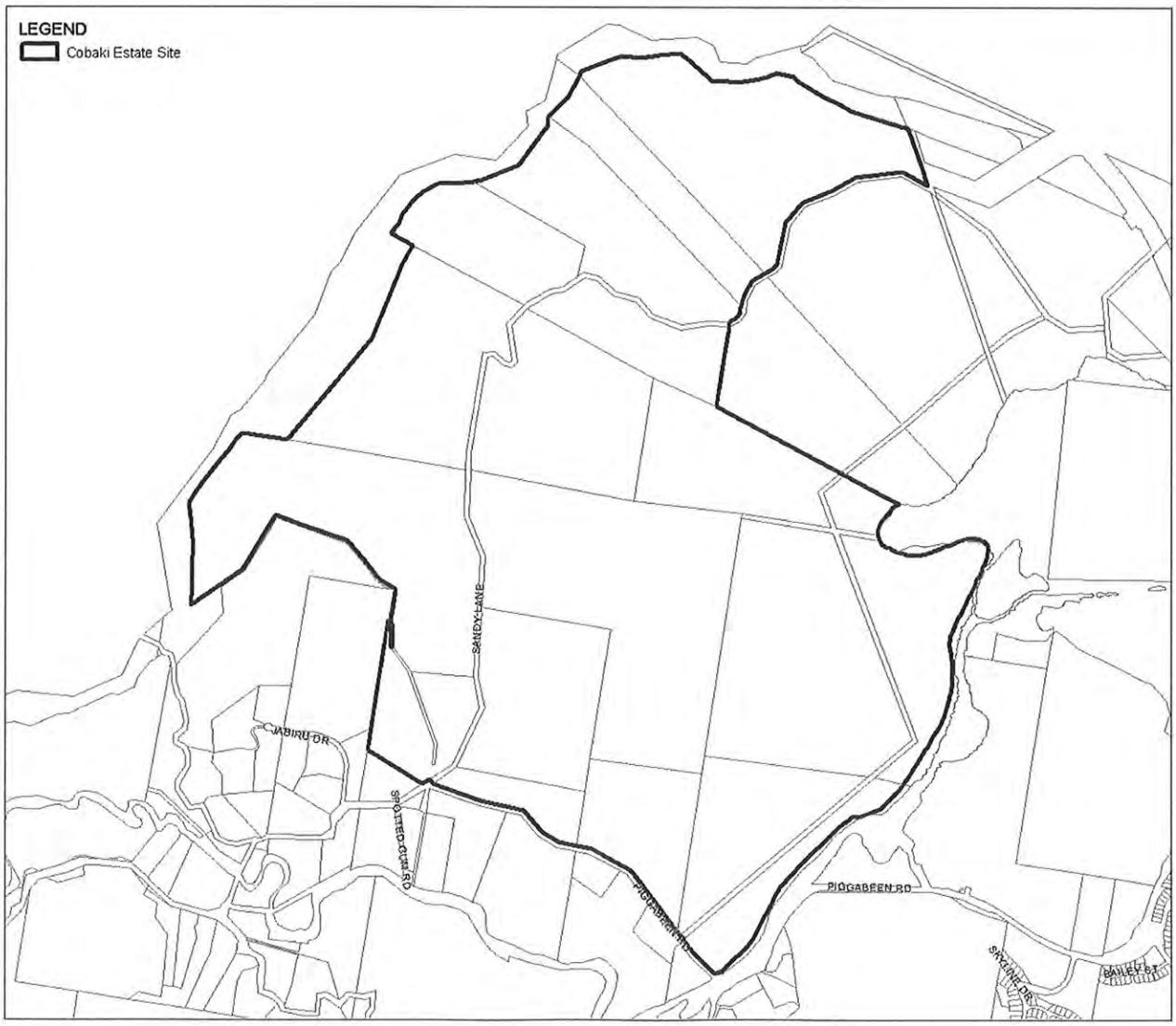
- 6 DEC 2010

ANTHONY (TONY) KELLY, M.L.C.,
Minister for Planning,
Sydney.

SCHEDULE 1

The site known as 'Cobaki Estate' as shown edged heavy black on the map marked *Cobaki Estate – Cadastre* within the Tweed Shire Local Government Area.

Cobaki Estate – Cadastre



Modification of Minister's Approval

Section 75W of the *Environmental Planning & Assessment Act 1979*

As delegate of the Minister for Planning and Infrastructure under delegation, I approve the modification of the concept plan approval referred to in schedule 1, subject to the conditions in schedule 2.

Heather Warton
Director
Metropolitan and Regional Projects North

Sydney 29 May 2013

SCHEDULE 1

Concept Plan Approval:	**06_0316** granted by the then Minister for Planning on 6 December 2010
For the following:	Residential subdivision, Cobaki Estate, Tweed Local Government Area
Modification:	06_0316 Mod 1: The modification includes the following: • amendments to term A3 of the approval amending the approved concept plan documents; • amendments to term C1 of the approval amending the Plan of Development requirements; • amendments to term C4 of the approval amending the timing for submission of management plans; • amendments to term C7 of the approval amending the timing for submission of geotechnical assessments; • a new term C19 requiring details of Swamp Sclerophyll EEC offsets to be provided with the development application for works in Precinct 6; and, • a revised Statement of Commitments to reflect amendments to the biodiversity offset arrangements.

SCHEDULE 2

The above approval is modified as follows:

SCHEDULE 2

PART A

1) Delete term A3 and replace with new term A3 as follows:

A3 Project in Accordance with Documents

The project is to be undertaken generally in accordance with the following documents:

1) Environmental Assessment
   a. Cobaki Lakes Estate Concept Plan Environmental Assessment Report prepared by JBA Urban Planning Consultants P/L, Volumes 1, 2, 3 and 4 December 2008.
2) Preferred Project Report
   a. Preferred Project Report prepared by JBA Urban Planning Consultants P/L, Volumes 1, 2 and 3, October 2009
   b. Addendum to Preferred Project Report prepared by JBA Urban Planning Consultants P/L, June 2010
3) Additional Information
   a. Final Cobaki Lakes Aboriginal Cultural Heritage Assessment prepared by Everick Heritage Consultants P/L, April 2010
   b. Final Cobaki Lakes Cultural Heritage Management Plan prepared by Everick Heritage Consultants P/L, April 2010
   c. Revised Site Regeneration and Revegetation Plan prepared by James Warren and Associates P/L, April 2013
   d. Revised Saltmarsh Rehabilitation Plan prepared by James Warren and Associates P/L, April 2013
   e. Cobaki Estate Development Code
   f. Revised Ecological Assessment prepared by James Warren and Associates P/L, April 2013
   g. Revised Assessment of Significance prepared by James Warren and Associates P/L, April 2013
4) Modification Request
   a. Modification Report prepared by Darryl Anderson Consulting Pty Ltd, dated November 2012
   b. Response to Submissions Report prepared by Darryl Anderson Consulting dated 18 April 2013
   c. Revised Final Statement of Commitments, May 2013

PART C

2) Amend term C1 as follows:

C1 Plan of Development

a) Delete term C1(2) and replace with new term C1(2) as follows:

(2) A notation on fire affected lots that development is subject to the requirements of 'Planning for Bushfire Protection 2006' and AS3959-2009 Construction of Buildings in Bushfire Prone Areas.

b) Amend term C1(4) by deleting the words "Fill and"

3) Amend term C4 as follows:

C4 Management and Restoration Plans

a) Amend term C4(1) by deleting the words "stage-specific" in the first sentence and inserting the words "draft stage-specific"

b) Amend term C4(2) by deleting the words "stage-specific" in the first sentence and inserting the words "draft stage-specific"

c) Amend term C4(3) by deleting the word "Detailed" in the first sentence and inserting the words "Draft detailed"

d) Amend term C4(4) by deleting the words "stage-specific" in the first sentence and inserting the words "draft stage-specific"

4) Amend term C7 as follows:

C7 Geotechnical Assessments

Amend term C7(1) by deleting the words "detailed geotechnical assessment" in the first sentence and inserting the words "preliminary geotechnical assessment"

5) Insert new term C19 as follows:

C19 Biodiversity Offsets

(1) Details of biodiversity offsets for the loss of Swamp Sclerophyll Endangered Ecological Community on the site must be submitted with any development application for works in Precinct 6.

(2) Total offsets for Swamp Sclerophyll on Coastal Floodplain must be as follows:

a. 6.77ha on-site in accordance with the approved Revised Ecological Assessment, April 2013; plus

b. additional lands[1] either on-site and/or off-site to compensate for the loss of the offset (as a result of 06_0316 MOD 1), of an area as agreed with OEH.

[1.] Note: The department has noted that using the biobanking calculator, this offset could be in the order of 16 hectares.

SCHEDULE 3

STATEMENT OF COMMITMENTS

6) Delete the Final Statement of Commitments dated 4 November 2010 and replace with the Revised Statement of Commitments dated 8 May 2013, attached.

Schedule 3 – Revised Statement of Commitments (8 May 2013) – Cobaki Concept Approval

Project Component	Environmental Outcome	Commitment	Timing for Completion
1. Concept Plan	1.1 Development is carried out generally in accordance with the approved Concept Plan and Development Code	1.1.1 Every application for subdivision to create separate lots is to include a plan indicating the broader context of the application. This indicative plan will show: • actual and proposed densities by precinct (or other identified nodes); • the distribution or indicative distribution of surrounding open space/parks; • connector roads; and • trunk stormwater drainage.	At each relevant stage of development.
2. Visual impact	2.1 Key attributes of the natural visual landscape of the Cobaki Estate site (being the topographical amphitheatre, remnant band of bushland, Cobaki Broadwater forest and wetland, and proposed new central open space precinct) are retained and rehabilitated.	2.1.1 In those areas of the site not proposed for urban development the natural landscape will be retained and rehabilitated where applicable in accordance with the relevant environmental management plans appended to the Concept Plan and Development Code.	At each relevant stage of development.
	2.2 The visual impact of subdivision and building development is managed.	2.2.1 Future project applications and development applications will be generally consistent with the development controls for the detailed design of subdivisions and buildings in each precinct as set out in the Cobaki Development Code.	At each relevant stage of development.
3. Road access	3.1 Road access to the north through Boyd Street and Gold Coast Highway has capacity to accommodate traffic generated by such development that occurs under the Concept Plan.	3.1.1 The proponent will meet its legal obligations assigned in the Boyd Street Road Works Deed between Gold Coast City Council and Calsonic Management Services Pty Ltd dated 8 July 1993.	As specified in the Deed.
		3.1.2 Every subdivision application will be supported by a traffic study demonstrating that Boyd Street has,	As part of each relevant Project Application or Development Application for subdivision

Project Component	Environmental Outcome	Commitment	Timing for Completion
		at the time of the application, sufficient capacity to accommodate the additional traffic generated by the subdivision. 3.1.3 The proponent will meet its obligations in the Deed between it and the State of Queensland acting through the Department of Main Roads dated 3 February 1997 in relation to the construction and use of a signalised intersection between Boyd Street and the Gold Coast Highway.	As specified in the Deed.
		3.1.4 The proponent will meet its legal obligations assigned in the Deed between Tweed Shire Council and Calsonic Management Services Pty Ltd dated 6 August 1993.	As specified in the Deed.
	3.2 Road access to the south through the Cobaki estate and over Cobaki Creek to connect with Piggabeen Road is provided to accommodate traffic generated by the development under the Concept Plan.	3.2.1 The proponent will dedicate to Council all the Cobaki Parkway Road Reserve from the north eastern boundary of the property to Cobaki Creek, in accordance with the approved Concept Plan. The cost of this land dedication, and the manner in which it will be treated as a credit against the proponent's obligations to pay contributions under Section 94, will be in accordance with the Deed between Tweed Shire Council and Calsonic Management Services.	Progressively as the construction of relevant stages of two lanes of Cobaki Parkway is completed and in conjunction with Council accepting handover of each section of road. The initial dedication will be the road reserve from the Boyd Street Overpass to the roundabout between precincts 6 & 7. The proponent will dedicate the balance of the road reserve within five (5) years of the initial dedication.
		3.2.2 The proponent will construct two lanes of Cobaki Parkway, in accordance with Tweed Shire Council's requirements, from the toe of the ramp on the western side of the overpass at the intersection of Boyd Street and the Tugun Bypass to the southern-most roundabout on Cobaki Parkway at its intersection with Sandy Road. These works will be constructed progressively to access each phase of the development as it is released.	At each relevant stage of development.

Project Component	Environmental Outcome	Commitment	Timing for Completion
		3.2.3 The proponent will construct two lanes of Cobaki Parkway, in accordance with Tweed Shire Council's requirements, from the southern-most roundabout with Sandy Road to the Cobaki Creek, a two lane bridge over Cobaki Creek and a connection to Piggabeen Road.	In accordance with the proponent's development program, provided that such works shall be completed no later than 12 months after 3000 allotments have been created.
		3.2.4 The proponent shall provide, in the subdivision design of Precincts 9 & 10, for the southern section of Sandy Road to connect to Piggabeen Road in order to provide an alternative connection to Cobaki Parkway. 3.2.5 Road connection between Cobaki Parkway and Piggabeen Road, either via the Cobaki Creek Bridge or through Precincts 9 & 10, will not be opened to the public for vehicle access until such time as a tick control facility has been installed to the satisfaction of the NSW Department of Primary Industries.	When the development application or project application is submitted for the subdivision of Precincts 9 & 10.
		3.2.6 The proponent will meet its legal obligations assigned in the Deed between Tweed Shire Council and Calsonic Management Services Pty Ltd dated 6 August 1993.	As specified in the Deed.
		3.2.7 The proponent will in good faith enter into negotiations with Tweed Shire Council with the objective of completing, if necessary, a Deed between the parties replacing the Deed between Council and Calsonic Management Services Pty Ltd dated 6 August 1993.	Upon approval of the Concept Plan.
	3.3 Internal roads and access arrangements are designed and constructed to contemporary standards of safety and efficiency.	3.3.1 Internal roads, car parking and loading/ servicing facilities will be designed and constructed in accordance with the Cobaki Development Code. 3.3.2 Direct vehicle access off Cobaki Parkway to allotments will be restricted to one left in/left out point serving the Town Centre commercial/retail zone,	As part of each stage of development.

Project Component	Environmental Outcome	Commitment	Timing for Completion
		subject to an approved traffic report confirming the acceptability thereof; No other lots will have direct access onto Cobaki Parkway.	
4. Flora and Fauna Management	4.1 Areas of saltmarsh on the site are rehabilitated and protected.	4.1.1 The provisions of the Revised Saltmarsh Rehabilitation Plan, (James Warren & Associates, April 2013) will be implemented.	Commencement of rehabilitation works prior to registration of any plan of subdivision. Works will proceed in a regular manner with the objective of achieving the timeline and milestones set out in the Revised Saltmarsh Rehabilitation Plan.
	4.2 Areas of Scribbly Gum trees are conserved and managed.	4.2.1 The provisions of the Scribbly Gum Management Plan, Cobaki Lakes, Preferred Project Report (James Warren & Associates, 2009g) will be implemented.	Commencement of management works prior to registration of any plan of residential subdivision. Works will continue in accordance with the requirements of the Scribbly Gum Management Plan.
	4.3 Native vegetation is regenerated.	4.3.1 The provisions of the Revised Site Revegetation and Regeneration Plan, (James Warren & Associates, April 2013) will be implemented.	Commencement of rehabilitation works prior to registration of any plan of residential subdivision for adjacent land. Work will then proceed in accordance with the Revised Site Regeneration and Revegetation Plan until they are completed and dedicated to Tweed Shire Council.
	4.4 Removal of native vegetation is appropriately managed.	4.4.1 The provisions of the Vegetation Management Plan, Cobaki Lakes, Preferred Project Report (James Warren & Associates, 2009d) will be implemented.	At relevant stages of development.
	4.5 Threatened fauna species are appropriately managed.	4.5.1 The provisions of the Revised Fauna Management Plan (James Warren & Associates, April 2013) will be implemented. 4.5.2 The provisions of the SEPP 44 Assessment – Cobaki Lakes - Preferred Project Report (James Warren & Associates, 2009h) will be implemented.	Commencement of works prior to registration of any plan of residential subdivision on or adjacent to the relevant fauna habitat. Works will continue in accordance with the Fauna Management Plan.

Project Component	Environmental Outcome	Commitment	Timing for Completion
	4.6 Areas of native vegetation are protected.	4.6.1 The provisions of the Overview Buffer Management Plan – Cobaki Lakes - Preferred Project Report (James Warren & Associates, 2009i) will be implemented.	Commencement and progress of works prescribed in area-specific Buffer Management Plans prior to registration of any plan of residential subdivision. Works will be completed in accordance with the relevant buffer management plan.
	4.7 Freshwater wetlands are rehabilitated.	4.7.1 A Freshwater Wetland Compensatory Habitat Management Plan and Wallum Froglet Compensatory Habitat Management Plan will be prepared to address the rehabilitation of 2 hectares of freshwater wetland on the eastern side of Cobaki Parkway. The Compensatory Habitat Management Plan will be approved by the General Manager of Tweed Shire Council or his delegate. 4.7.2 Additional off-site offsets for impacts on Freshwater Wetlands and associated Wallum Froglet habitat will be the subject of a Planning Agreement as per Commitment 4.8.	The Freshwater Wetland Compensatory Habitat Management must be approved prior to commencing any works are may cause or contribute to the relevant impact. Commencement of rehabilitation works prior to registration of any plan of residential subdivision for adjacent land. The works will then proceed in accordance with the Revised Freshwater Wetland Compensatory Habitat Management Plan and Wallum Froglet Compensatory Habitat Management Plan, until they are completed and dedicated to Tweed Shire Council.

Project Component	Environmental Outcome	Commitment	Timing for Completion
	4.8 Offsets will be provided for impacts on Freshwater Wetlands and associated Wallum Froglet habitat and on Swamp Sclerophyll on Coastal Floodplain EEC, for impacts resulting from approved bushfire hazard reduction works within native vegetation areas, and for any impacts on existing trees in the Scribbly Gum Reserve.	4.8.1 The proponent will enter into separate Planning Agreements with OEH for the offset onsite and/or off site of the following impacts: - on Freshwater Wetland and associated Wallum Froglet habitat and on Swamp Sclerophyll on Coastal Floodplain EEC; - from approved bushfire hazard reduction works within native vegetation areas; and - on existing trees within the Scribbly Gum Reserve should this occur. 4.8.2 Offsets for Swamp Sclerophyll on Coastal Floodplain will be as follows: - 6.77ha on-site in accordance with the approved Revised Ecological Assessment, April 2013; and - such additional off-site offset, if any, as may be required by OEH. The proponent will fulfil its obligations in accordance with these Planning Agreements.	Before any works are commenced that may cause or contribute to the relevant impact.
5. Biting Midge & Mosquito Control	5.1 Biting midge and mosquitoes are appropriately managed.	5.1.1 The provisions of the Biting Midge & Mosquito Control Plan (Mosquito Consulting Services, May 2008) will be implemented.	Commencement of rehabilitation works prior to registration of any plan of residential subdivision for adjacent land. Works will then proceed in a regular manner with the objective of achieving the timeline and milestones set out in the Biting Midge & Mosquito Control Plan.
6. Stormwater and flood manageme nt	6.1 Stormwater on the site is appropriately managed.	6.1.1 Stormwater Management Plans, generally in accordance with the Stormwater Quality Concept Plan (Yeats, September 2010) and Council's DCP and referenced Development Design Specification D7-Stormwater Quality Version 1.3 will be prepared as part of future Development Applications and Project	

Project Component	Environmental Outcome	Commitment	Timing for Completion
		Applications, and implemented. 6.1.2 Water sensitive urban design (WSUD) measures may be implemented generally in accordance with the Stormwater Management Plan (Yeats 2010) in areas where geotechnical and slope parameters are compatible. Additional road reserve widths shall be provided in accordance with Council's standard road cross-sections to accommodate roadside drainage swales and similar WSUD measures where these are provided.	
		6.1.3 Erosion and sediment control plans shall be prepared and implemented as part of future project and development applications for each stage of development. These plans shall address the construction phase of the subdivision works, as well as interim measures for the subsequent urban development within each precinct, to remain in place until such time as permanent stormwater quality control measures can reasonably operate to the satisfaction of Council.	
		6.1.4 Downstream trunk drainage easements will be registered in favour of Council, and the construction and future construction of downstream trunk drainage infrastructure and its dedication to Council secured to the satisfaction of Council, as part of the subdivision certificate process for each relevant urban precinct. A six (6) month defects liability period for the trunk drainage shall commence at the time of dedication to Council.	

Project Component	Environmental Outcome	Commitment	Timing for Completion
		6.1.5 The proponent will provide safety measures as required by Council around public stormwater drainage infrastructure in all cases where the design of the drainage infrastructure cannot satisfactorily limit risk exposure to members of the public.	As part of the completion of infrastructure works for each stage of development.
	6.2 Flood protection is provided in the design of development.	6.2.1 Development shall be in accordance with Council's DCP Section A3- Development of Flood Liable Land. 6.2.2 The proponent will provide a Design Flood Level Map with each development and project application for land subject to flooding in the design flood event (being the 100 year ARI flood event, taking into account climate change impacts 0.9m sea level rise plus 10% increased rainfall intensity). The map will show peak flood levels for local and regional flood events at 0.1m contours. The map will be used as the basis for determining fill and floor levels for adjoining precincts. 6.2.3 The proponent will provide detailed flood impact assessments for development and project applications on flood liable land. The flood impact assessment will include updates to the Design Flood Level Map.	As part of development and project applications, where relevant.
7. Groundwater Management	7.1 Groundwater is appropriately managed.	7.1.1 The provisions of the Groundwater Management Plan (Gilbert & Sutherland, April 2008) will be implemented. 7.1.2 Groundwater Management Plans will be provided in relation to each future Development Application or Project Application where the use of groundwater is proposed or where it is proposed to intercept the ground water table.	Submission of Management Plans prior to approval of earthworks Construction Certificate applications.
8. Management of soils and	8.1 Geotechnical conditions are appropriately managed.	8.1.1 The Broadscale Geotechnical Investigation - Cobaki Lakes (Cardno Bowler, February 2010) will be implemented to support earthworks, civil construction	As part of ~~project applications and development~~ Construction Certificate applications for earthworks, civil and building

Project Component	Environmental Outcome	Commitment	Timing for Completion
geotechnical conditions		and building work. 8.1.2 A preliminary geotechnical assessment is to be provided at the development application stage for each future application to create residential allotments. 8.1.3 A detailed geotechnical assessment is to be provided at the Construction Certificate Stage for proposals to create residential allotments.	works. As part of Development Applications for to create residential allotments. As part of Construction Certificate Applications to create residential allotments.
	8.2 Acid sulphate soils (ASS) are appropriately managed.	8.2.1 Detailed ASS investigations and ASS Management Plans will be prepared for the detailed design and construction of areas of potential acid sulphate soils, and implemented.	Submission of investigation reports and Management Plans prior to approval of Construction Certificate applications.
	8.3 Contaminated sites are appropriately managed.	8.3.1 Detailed contamination assessments of potentially contaminated land will be undertaken, and, if required, Remediation Action Plans implemented. 8.3.2 Site audit statements will be obtained where necessary to verify the remediation of any contaminated land in accordance with relevant NSW guidelines.	As part of project applications and development applications for each relevant stage of development.
9. Bushfire Protection	9.1 Bushfire protection measures are included in development.	9.1.1 Development will comply with the guidelines Planning for Bushfire Protection 2006. 9.1.2 Bushfire management plans will be prepared and submitted with all relevant development applications.	As part of project applications and development applications for each relevant stage of development.
10. Interface with surrounding land	10.1 Agricultural buffers, ecological buffers, and appropriate measures for management of generic impacts on and from adjacent land are included in development.	10.1.1 The recommendations of the Agricultural Buffer and Off-Site Impacts Assessment (Gilbert & Sutherland, May 2008) will be implemented.	As part of each stage of development, where relevant.
11. Aboriginal Cultural Heritage	11.1 Aboriginal cultural heritage on the site is appropriately conserved.	11.1.1 The requirements of the Cultural Heritage Management Plan (CHMP) (Everick, April 2010) will be	All stages of work.

Project Component	Environmental Outcome	Commitment	Timing for Completion
Conservation		implemented in relevant areas.	
12. Road noise	12.1 Dwellings meet residential noise standards.	12.1.1 Future project applications and development applications for subdivision or housing adjacent to subarterial, distributor and connector roads are to include an acoustic report that addresses the potential impacts of road noise, and includes measures to mitigate noise and achieve relevant NSW standards for residential noise levels in dwellings.	As part of each stage of development, where relevant.
13. Ownership and management of open space and environmental protection zones	13.1 The long term ownership and management of open space and Environmental Protection areas is secured.	13.1.1 The main central open space corridor on the western side of Cobaki Parkway, being the subject of Project Application No 08-0200, is to be constructed and landscaped in stages. The proponent will offer to dedicate this land to Council in stages, such dedication to occur upon the works being completed. 13.1.2 The environmental protection zone on the eastern side of Cobaki Parkway adjacent to Cobaki Creek is to be rehabilitated, and biting midge and mosquito controlled, in accordance with the relevant Management Plans. The proponent will offer to dedicate this land to Council, such dedication to occur upon the works being completed.	In accordance with the proponent's development program and relevant Management Plans.
		13.1.3 The remaining environmental protection-zoned areas adjacent to each development precinct will be rehabilitated and/or landscaped as part of the development of the adjacent development precinct, in accordance with the relevant Management Plans. The proponent will offer to dedicate these areas to Council, such dedications to occur upon the works in respect of each area being completed.	In accordance with the proponent's development program and relevant Management Plans.

Project Component	Environmental Outcome	Commitment	Timing for Completion
		13.1.4 The proponent will offer to execute the relevant covenants in favour of Council in respect of areas identified to be so protected.	In accordance with the proponent's development program and relevant Management Plans.
		13.1.5 The proponent will provide easements or other lawful mechanisms acceptable to Council that are reasonably necessary to enable Council to undertake regular environmental management and/or the maintenance of infrastructure within reserves (including drainage, open space, sewer, water and roads), particularly within areas zoned Environmental Protection.	Prior to the commencement of works in the central open space. In accordance with Council's requirements.
14. Tweed Shire Council DCP	14.1 Development at the Cobaki Estate is generally consistent with the Tweed Shire Council DCP and Development Design and Construction Specifications to the extent that the provisions thereof are not inconsistent with the Cobaki Concept Plan and Development Code which take precedence.	14.1.1 Future project applications and development applications are to be generally consistent with the Tweed Shire Council DCP and Development Design and Construction Specifications to the extent that the provisions thereof are not inconsistent with the Cobaki Concept Plan and the Cobaki Development Code.	At each stage of development.

Major Project MP08/0200

Project Approval

Section 75J of the *Environmental Planning and Assessment Act 1979*

I, the Deputy Director-General, approve the project referred to in Schedule 1, subject to the conditions of approval in the attached Schedule 2 and the Statement of Commitments in Schedule 3.

These conditions are required to:

- Adequately mitigate the actual and potential environmental impacts of the project;
- Maintain the principles of ecologically sustainable development and protect the environment;
- Ensure protection and restoration of threatened species and their habitat; and
- Maintain the ecological integrity of the site, endangered ecological communities and the health of the adjacent Cobaki Broadwater.

Deputy Director-General
Development Assessment & Systems Performance

Sydney, 28th February 2011

SCHEDULE 1

PART A - TABLE

Application made by:	LEDA Manorstead Pty Ltd
Application made to:	Minister for Planning
Project Application Number:	08_0200
The site:	Cobaki Estate, Cobaki Lot 1 DP 570076, Lot 2 DP 566529, Lot 1 DP562222, Lot 1 DP 570077, Lot 1 DP 823679 and Lots 46,54, 55, 199, 200, 201, 202, 205, 206, 209, 228 and 305 DP 755740
Local Government Area	Tweed
For the carrying out of:	• Subdivision of the entire Cobaki Estate site into seven (7) lots (including one residue lot for future urban development – Lot 807); • Staged bulk earthworks to create the central open space, riparian corridor, structured open space, and future stormwater drainage area; • Road forming works and culverts crossing the central open space (including Lot 802); • Road forming works across saltmarsh areas, including culverts and trunk sewer and water services (Lot 804); • Revegetation and rehabilitation of environmental protection areas for coastal saltmarsh (Lots 805 and 806); and • Establishment of freshwater wetland and fauna corridors (Lots 801 and 803).
Type of development:	Project Application
Determination made on:	

PART B - NOTES RELATING TO THE DETERMINATION OF MP NO. 08_0200

Responsibility for other consents / certificates / agreements

The Proponent is solely responsible for ensuring that all additional consents, certificates and agreements are obtained, modified or surrendered from other authorities, as relevant.

Appeals

The Proponent has the right to appeal to the Land and Environment Court in the manner set out in the *Environmental Planning and Assessment Act 1979* and the *Environmental Planning and Assessment Regulation 2000.*

Appeals - Third Party

A third party has the right to appeal this approval in the manner set out in the *Environmental Planning and Assessment Act 1979* and the *Environmental Planning and Assessment Regulation 2000*.

Legal notices

Any advice or notice to the approval authority shall be served on the Director-General.

PART C - DEFINITIONS

In this approval:

Act means the *Environmental Planning and Assessment Act 1979*.

Advisory Notes means advisory information relating to the approved development but do not form a part of this approval.

BCA means Building Code of Australia.

Central Open Space Area means the area generally identified by the *Cover Sheet and Locality Plan*, Revision B prepared by Yeats Consulting Engineers and dated 17 September 2010.

Cobaki Estate means the site the subject of the Concept Plan Approval (06_0316)

Council means Tweed Shire Council, or an authorised representative of Tweed Shire Council.

DECCW means the Department of Environment Climate Change and Water.

Department means the Department of Planning.

Director-General means the Director-General of the Department of Planning.

Environmental Assessment means the *Environmental Assessment Report: Cobaki Lakes Estate – Project Application No. 08_0200 for Central Open Space, Lake and Riparian Corridor,* Volumes 1 and 2 (and all associated Appendices) prepared by JBA Urban Planning Consultants Pty Ltd on behalf of LEDA Manorstead Pty Ltd, dated December 2009.

Minister means the Minister for Planning.

PCA means a Principal Certifying Authority and has the same meaning as Part 4A of the Act.

Preferred Project Report means the *Preferred Project Report: Cobaki Lakes Estate – Project Application No. 08_0200 for Central Open Space and Riparian Corridor,* Volumes 1 and 2 (and all associated Appendices) prepared by JBA Urban Planning Consultants Pty Ltd on behalf of LEDA Manor Pty Ltd, dated July 2010; and the *Addendum to the Preferred Project Report: Cobaki Estate Part 3A Project Application (MP08_0200) for Central Open Space and Riparian Corridor,* Volumes 1 and 2 (and all associated Appendices) prepared by JBA Urban Planning Consultants Pty Ltd on behalf of LEDA Manorstead Pty Ltd, dated October 2010.

Project means the project as described in Condition A1 to this approval.

Proponent means LEDA Manorstead Pty Ltd or any party acting upon this approval.

Regulation means the *Environmental Planning and Assessment Regulation 2000*.

Site has the same meaning as the land identified in Part A of this schedule.

SCHEDULE 1

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SCHEDULE THREE

SCHEDULE 2

CONDITIONS OF APPROVAL

ADMINISTRATIVE CONDITIONS

1. Project Description

Project approval is granted only to:

PART ONE - SUBDIVISION

- Subdivision of the entire Cobaki Estate site into seven (7) lots (including one residue lot for future urban development – Lot 807);

PART TWO – BULK EARTHWORKS AND CIVIL WORKS

- Staged bulk earthworks to create the central open space, riparian corridor, structured open space, and future stormwater drainage area;
- Road forming works and culverts crossing the central open space (including Lot 802);
- Road forming works across saltmarsh areas, including culverts and temporary trunk sewer and water services (Lot 804);

PART THREE – ENVIRONMENTAL ENHANCEMENT WORKS

- Revegetation and rehabilitation of environmental protection areas for coastal saltmarsh (Lots 805 and 806); and
- Establishment of freshwater wetland and fauna corridors (Lots 801 and 803).

2. Concept Plan – Cobaki Estate

The project shall be generally undertaken within the terms of the concept approval for the Cobaki Estate (Project 06_0316) approved by the Minister on 2 December 2010.

3. Project in Accordance with Plans

The project shall be undertaken generally in accordance with the following plans, except where varied by conditions of approval:

Civil Drawings prepared by Yeats Consulting Engineers			
Drawing No.	**Revision**	**Name of Plan**	**Date**
YC0229-1P1-D01	B	Cover Sheet and Locality Plan	17 September 2010
YC0229-1P1-D02	C	Index Sheet	5 October 2010
YC0229-1P1-D03	B	Scope of Works and Key Sheet Plan	17 September 2010
YC0229-1P1-A01	B	Alignment Details	17 September 2010
YC0229-1P1-CL01	B	Cobaki Parkway Longitudinal Section	17 September 2010
YC0229-1P1-DL01	B	Major Central Open Drain Longitudinal Section – Sheet 1 of 3	17 September 2010
YC0229-1P1-DL02	B	Major Central Open Drain Longitudinal Section – Sheet 2 of 3	17 September 2010
YC0229-1P1-DL03	B	Major Central Open Drain Longitudinal Section – Sheet 3 of 3	17 September 2010
YC0229-1P1-BR01	B	Proposed Breaches to Cobaki Creek	17 September 2010

		Embankment	
YC0229-1P1-SL01	B	Sandy Road Longitudinal Section Sheet 1 of 2	17 September 2010
YC0229-1P1-SL02	B	Sandy Road Longitudinal Section Sheet 2 of 2	17 September 2010
YC0229-1P1-TS01	B	Cobaki Parkway and Sandy Road Typical Cross Sections	17 September 2010
YC0229-1P1-TP01	B	Temporary Water and Sewer Rising Main Plan	17 September 2010
YC0229-1P1-DL01	B	Drainage Layout Cobaki Parkway and Sandy Road South	17 September 2010
YC0229-SK114	A	Proposed Saltmarsh Drainage Plan Sheet 1 of 2	27 September 2010
YC0229-SK115	A	Proposed Saltmarsh Drainage Plan Sheet 2 of 2	27 September 2010
YC0229-SK116	A	Proposed Saltmarsh Rehabilitation Staging Works Sheet 1 of 2	27 September 2010
YC0229-SK117	A	Proposed Saltmarsh Rehabilitation Staging Works Sheet 2 of 2	27 September 2010
Earthworks Drawings prepared by Yeats Consulting Engineers			
Drawing No.	**Revision**	**Name of Plan**	**Date**
YC0229-1P1-EC01	B	Cut and Fill Plan Sheet 1 of 2	17 September 2010
YC0229-1P1-EC02	B	Cut and Fill Plan Sheet 2 of 2	17 September 2010
YC0229-1P1-ES01	B	Bulk Earthworks Sections Sheet 1 of 2	17 September 2010
YC0229-1P1-ES02	B	Bulk Earthworks Sections Sheet 2 of 2	17 September 2010
YC0229-1P1-ES03	B	Bulk Earthworks Typical Sections	17 September 2010
YC0229-1P1-EW01	B	Bulk Earthworks Layout Plan Sheet 1 of 8	17 September 2010
YC0229-1P1-EW02	B	Bulk Earthworks Layout Plan Sheet 2 of 8	17 September 2010
YC0229-1P1-EW03	B	Bulk Earthworks Layout Plan Sheet 3 of 8	17 September 2010
YC0229-1P1-EW04	B	Bulk Earthworks Layout Plan Sheet 4 of 8	17 September 2010
YC0229-1P1-EW05	B	Bulk Earthworks Layout Plan Sheet 5 of 8	17 September 2010
YC0229-1P1-EW06	B	Bulk Earthworks Layout Plan Sheet 6 of 8	17 September 2010
YC0229-1P1-EW07	B	Bulk Earthworks Layout Plan Sheet 7 of 8	17 September 2010
YC0229-1P1-EW08	B	Bulk Earthworks Layout Plan Sheet 8 of 8	17 September 2010
YC0229-1P1-SK02	A	Phase 1 – Landforming/Earthworks Layout Plan	22 December 2010
Sediment and Erosion Control Plans			
Drawing No.	**Revision**	**Name of Plan**	**Date**
YC0229-1P1-E01	B	Erosion and Sediment Control Plan Sheet 1 of 2	17 September 2010
YC0229-1P1-E02	B	Erosion and Sediment Control Plan Sheet 2 of 2	17 September 2010

Plan of Subdivision prepared by Michel Group Services			
Drawing No.	**Issue**	**Name of Plan**	**Date**
6400-162	I	Subdivision Plan Cobaki Lakes	19 November 2010

Management Plans		
Author	**Title**	**Date**
Yeats Consulting Engineers	*Stormwater Quality Concept Plan*	September 2010 Revision 02
James Warren and Associates	*Revised Saltmarsh Rehabilitation Plan – Cobaki Lakes*	October 2010
James Warren and Associates	*Revised Freshwater Wetland Rehabilitation Plan – Cobaki Lakes*	October 2010
James Warren and Associates	*Revised Site Regeneration and Revegetation Plan – Cobaki Lakes*	October 2010
Mosquito Consulting Services	*Biting Midge and Mosquito Control Plan – Cobaki Lakes*	May 2008
Everick Consultants P/L	*Final Cobaki Lakes Cultural Heritage Management Plan* approved as part of the Cobaki Estate Concept Plan (06_0316).	April 2010
James Warren and Associates	*Fauna Management Plan*	October 2009

4. Project in Accordance with Documents

The project will be undertaken generally in accordance with the following documentation (including any Appendices contained therein):

a. *Environmental Assessment Report: Cobaki Lakes Estate – Project Application No. 08_0200 for Central Open Space, Lake and Riparian Corridor,* Volumes 1 and 2 (and all associated Appendices) prepared by JBA Urban Planning Consultants Pty Ltd on behalf of LEDA Manorstead Pty Ltd, dated December 2009; and

b. *Preferred Project Report: Cobaki Lakes Estate – Project Application No. 08_0200 for Central Open Space and Riparian Corridor,* Volumes 1 and 2 (and all associated Appendices) prepared by JBA Urban Planning Consultants Pty Ltd on behalf of LEDA Manorstead Pty Ltd, dated July 2010.

c. *Addendum to the Preferred Project Report: Cobaki Estate Part 3A Project Application (MP08_0200) for Central Open Space and Riparian Corridor,* Volumes 1 and 2 (and all associated Appendices) prepared by JBA Urban Planning Consultants Pty Ltd on behalf of LEDA Manorstead Pty Ltd, dated October 2010.

5. Inconsistency between documents

In the event of any inconsistency between:

a. The conditions of this approval and the drawings/documents referred to in Conditions 3 and 4 above, the conditions of this approval prevail to the extent of the inconsistency;

b. Any document listed in Conditions 3 and 4 above and any other document listed in Conditions 3 and 4 above, the most recent document shall prevail to the extent of the inconsistency; and

c. The conditions of this approval and the proponent's Statement of Commitments, the conditions of this approval prevail to the extent of the inconsistency.

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6. Building Code of Australia

Where relevant, all work must be carried out in accordance with the requirements of the *Building Code of Australia.*

7. Subdivision Manual

a. All works approved as part of this project are to be carried out generally in accordance with Council's *Development Control Plan Part A5 - Subdivision Manual* and Council's relevant Development Design and Construction Specifications unless otherwise altered by the provisions of the Cobaki Estate Development Code.

Note: minor variations to the drawings approved in this approval may be required and approved in applications for construction certificate at the discretion of Council.

b. Notwithstanding condition 7a above, where there is any inconsistency, the conditions of this approval, the Cobaki Estate Concept Plan (06_0316) and Cobaki Estate Development Code prevail to the extent of the inconsistency.

8. Certification

a. Construction Certificate: Prior to the commencement of works, the proponent must obtain the appropriate Construction Certificate(s) for the proposed works from either the Council or an accredited certifier.

b. Subdivision Certificate: Prior to registration of the plan of subdivision of the project, under Division 3 of Part 23 of the *Conveyancing Act 1919*, a Subdivision Certificate pursuant to Section 109C(1)(d) of the Act must be obtained from the Council.

c. Notwithstanding any other condition of this approval, separate Construction Certificates for bulk earthworks and civil works (including any approved staging) may be issued.

d. Submission of relevant certificates may occur in a staged manner consistent with the indicative construction timing approved as part of the CEMP, or as otherwise agreed to by the PCA.

9. Lapsing of Approval

In order that the approval remains relevant to the planning intent for the area, the approval shall lapse 5 years after the determination date in Part A of Schedule 1 of this approval unless the proponent has demonstrated that work has physically commenced.

PART ONE – SUBDIVISION:

SUBDIVISION

10. Subdivision

The proponent shall subdivide the entire Cobaki Estate site prior to commencing any embellishment works or dedicating any land within the central open space area. The subdivision at this stage shall be generally in accordance with the following plan:

Draft Plan of Subdivision prepared by Michel Group Services			
Drawing No.	**Issue**	**Name of Plan**	**Date**
6400-162	I	Subdivision Plan Cobaki Lakes	19 November 2010

Note : It is intended that the land shall remain in the ownership of Leda Manorstead Pty Ltd until such time as the land is suitably embellished and dedicated to Council. These works shall be staged progressively. Preliminary landscape plans for the progressive stages of the central open space area will be submitted with all future development applications / project applications for all development precincts approved by the Concept Plan for Cobaki Estate (06_0316). All detailed landscape plans will require approval from Council prior to the issue of construction certificate for each precinct. New allotments will be created to allow parts of the central open space area to be dedicated to Council as surrounding development precincts are constructed.

11. Registration of Easements / Restrictions to use / Right of carriageway

a. The creation of easements for services, rights of carriageway and restrictions as to user are applicable under Section 88B of the *Conveyancing Act 1919,* including (but not limited to) the following:

   I. Easements for sewer, water supply and stormwater/drainage over all public services/infrastructure on private property.

   II. Stormwater/drainage easements are to be placed over all relevant surface drains, all subsurface drains and inter-allotment drainage, benefiting and burdening the property owners. Maintenance of the subsurface drains is to be included in the 88B instrument.

b. Any Section 88B Instrument creating restrictions as to user, rights of carriageway or easements which benefit Council shall contain a provision enabling such restrictions, easements or rights of way to be revoked, varied or modified only with the consent of Council.

   Note: Privately owned infrastructure on community land may be subject to the creation of statutory restrictions, easements etc in accordance with the *Community Land Development Act 1989, Strata Schemes Management Act 1996, Conveyancing Act 1919,* or other applicable legislation.

c. A Section 88B Instrument shall be submitted with the Subdivision Certificate application, for Council's endorsement, creating all necessary easements for services, access, stormwater/drainage, rights of carriageway and restrictions as to user as may be applicable under Section 88B of the *Conveyancing Act 1919* (including any necessary temporary arrangements).

d. Pursuant to Section 88BA of the *Conveyancing Act 1919* (as amended) the Instrument creating the right of carriageway/easement to drain water shall make provision for maintenance of the right of carriageway/easement by the owners from time to time of the land benefited and burdened, and for costs to be shared equally or proportionally on an equitable basis

e. The restriction is to be clearly marked on the plan of subdivision and Council is to be nominated as the sole party to vary, modify and/or extinguish the restriction.

PART TWO – BULK EARTHWORKS AND CIVIL WORKS

PRIOR TO ISSUE OF CONSTRUCTION CERTIFICATE

12. Completion of Subdivision

Prior to the dedication of any land within the central open space area to Council, the proponent shall provide the PCA with documentary evidence that the subdivision referred to in Part One of this approval has been registered with the Land Titles Office.

13. Bond for Works

Prior to the issue of a Construction Certificate for Civil Works, a cash bond or bank guarantee (unlimited in time) shall be lodged with Council for an amount based on 1% of the value of the Civil works as set out in Council's fees and charges at the time of payment. The bond may be called up at any time and the funds used to rectify any non-compliance with the conditions of this approval, which are not being addressed to the satisfaction of Council.

The bond will be refunded, if not expended, when the associated Subdivision Certificate is issued.

14. Long Service Levy

In accordance with Section 109F(i) of the Act, a Construction Certificate for subdivision works or building works shall not be issued until any long service levy payable under Section 34 of the *Building and Construction Industry Long Service Payments Act 1986* (or where such levy is payable by instalments, the first instalment of the levy) has been paid. Council is authorised to accept payment. Where payment has been made elsewhere, proof of payment is to be provided.

<u>Civil Works</u>

15. Open Space Delivery

Within two months of issue of the first construction certificate for any works, the proponent is to submit for the approval of Council, an *Open Space Delivery Plan* detailing how different stages of the central open space area are proposed to be delivered and dedicated to Council in stages with the development and completion of adjacent development precincts. Such areas proposed to be dedicated to Council shall generally comply with the requirements of Council's *Development Control Plan Part A5 - Subdivision Manual,* unless otherwise altered by the approved Cobaki Estate Development Code, or as otherwise approved by Council.

This plan shall also include indicative detail on how the central open space area will make provision for progressive dedication of open space areas to Council as development on Cobaki Estate proceeds. This may include any proposed re-subdivision of the central open space area.

Note: Prior to the issue of a Subdivision Certificate for any subsequent Development Precinct within Cobaki Estate, the following works under this approval should be completed to Council's satisfaction (subject to variations as agreed to by Council):

a. Bulk earthworks
b. Sub-soil drainage
c. Surface drainage (major and minor open drains)
d. Transverse drainage structures under Sandy Road and Cobaki Parkway

e. Road formation bulk earthworks for those portions of Sandy Lane and Cobaki Parkway within the precinct boundary.
f. Road formation to trafficable all-weather standard from Cobaki Parkway to western side of Central Precinct
g. All weather vehicular accesses for maintenance along all both sides of the major central open drain, and on one side of minor open drains, including the open drain between the major central open drain and Cobaki Creek (Dunn's Drain).
h. Completion of approved preliminary landscaping works (stabilisation) associated with this Project Application.
i. Trunk water and sewerage works.

Where works are not complete prior to the request for a Subdivision Certificate for another Development Precinct of Cobaki Estate, the Proponent may approach Council to enter into bond arrangements for the outstanding works. The acceptance of such a Bond is entirely at Council's discretion and is generally 125% the value of the works being bonded.

16. Stormwater

a. Stormwater management measures shall be implemented in general accordance with the *Stormwater Quality Concept Plan Revision 02* prepared by Yeats Consulting Engineers, dated September 2010. Notwithstanding, such measures shall be consistent with current best practice Water Sensitive Urban Design (WSUD) and shall ensure the preservation of water quality within Cobaki Creek and Cobaki Broadwater.

b. The low flow component of major central open drain shall be contained within a proposed drainage reserve. This drainage reserve shall not be utilised for any environmental offsets and shall be maintained by Council, following completion of a Council agreed maintenance period for drainage purposes only.

c. Prior to the issue of a construction certificate for stormwater works the following detail in accordance with Council's Development Design and Construction Specifications shall be submitted to the PCA for approval:
    I. All parts of the major central open drain cross section shall be appropriately stabilised post-construction. A rock filled channel shall be constructed along the invert of the major central open drain, to contain low flow events up to the Q3 month event (deemed to be 40% of the Q1 storm). The drainage channel shall be constructed to provide continuity of flow from the major central open drain to Cobaki Creek and shall be landscaped in accordance with the relevant approved plans.
    II. Dimensions and materials for the rock lined channel and the connecting low flow channel through to Cobaki Creek shall demonstrate adequate capacity and maintainability, to Council's satisfaction.
    III. The invert of the rock lined channel must remain at or above standing ground water level at all chainages. Lateral sub-soil drains discharging to the rock lined channel shall be provided at maximum 50m intervals and as required to provide a generally dry and maintainable drain cross section.
    IV. Provision of transverse drainage structures and flood mitigation structures (floodgates and floodway culverts).

Note: Details of bio-retention basins in adjoining precincts, including design verification by way of MUSIC modelling (or equivalent), shall be provided with all future precinct applications. The major central open drain must not be used as a treatment device in such modelling for Cobaki Estate.

Note 2: The proponent shall ensure that sufficient space is available within the central open space area to ensure adequate capacity is present to convey all stormwater from the Cobaki Estate as each development precinct proceeds.

Note 3: Detailed stormwater plans will be submitted with each future application for precinct development and information requirements are set out in the Cobaki Estate Concept Approval (06_0316). Such plans will also include measures, monitoring and adaptive management actions to ensure appropriate stormwater quality outcomes are achieved.

17. Water and Sewer Infrastructure

a. Design and construction of the water main and sewer rising mains proposed along Cobaki Parkway to Cobaki Creek Bridge must be subject to separate construction certificate approval by Council and shall be generally in accordance with the following plan prepared by Yeats Consulting Engineers:

YC0229-1P1-TP01	B	Temporary Water and Sewer Rising Main Plan	17 September 2010

b. The design of these services shall take into account soil settlement and geotechnical issues in those areas.

Note: The proponent shall ensure that the water main and sewer rising mains proposed along Cobaki Parkway to Cobaki Creek Bridge are in place prior to the release of the first residential lots (or other land uses that require their operation).

c. The proponent shall demonstrate that timing of construction of the water main and sewer rising mains proposed along Cobaki Parkway to Cobaki Creek Bridge is coordinated with preload for all other roadways and structures in this corridor, to the satisfaction of Council.

d. The water main and sewer rising mains proposed along Cobaki Parkway to Cobaki Creek Bridge must be designed to ensure their integrity is sustained during flood events, particularly through the floodway section, and in the embankment between the culverts and Cobaki Creek Bridge.

18. Flooding

a. The proponent shall engage a suitably qualified and experienced professional to prepare a Flood Risk Assessment, demonstrating that flows and velocities in the central open space area and drainage systems do not pose public safety risks relevant to the proposed land use within the central open space area. This report shall be submitted to Council for approval prior to endorsement of the relevant construction certificate(s). Where these risks are unacceptable to Council, the proponent shall mitigate the risk by altering the design of the drainage infrastructure, or by providing adequate safety measures.

b. The proponent shall submit a staging plan for the road forming works across the saltmarsh area in conjunction with the bulk earthworks (pre-loading) construction certificate. This plan shall demonstrate how pre-loading activities can occur without creating significant adverse flood impacts, and how flood mitigation structures (flood culverts) will be constructed to account for predicted settlement.

19. Roadworks

a. Roadworks authorised under this approval are limited to bulk earthworks only to establish road formations/embankments for those sections of Cobaki Parkway and Sandy Road within the central open space area.

Note: Detailed road design (including pavement, signage, street furniture etc.) will be the subject of separate application. Typical X-sections are included within the plans for this approval to provide an indication of likely road embankment profile.

b. The proponent shall ensure that adequate provision is made for an all-weather vehicular access track for maintenance purposes on both sides of the major central open drain. This track shall include access provisions either via the northern section of Sandy Road or the southern section of Sandy Road where it crosses the central open space area. This access (or alternative access) must be provided to the satisfaction of Council.

c. The proponent shall ensure that provision is made for an all-weather vehicular access track for maintenance purposes along one side of each minor open drain, including the open drain (Dunn's Drain) connecting the major central open drain to Cobaki Creek, to the satisfaction of Council.

Contaminated Land

20. Certification of Remediation Works

The proponent shall provide certification that remediation of the cattle dip site has been satisfactorily completed in accordance with the approved DA K99/1124 (approved by Tweed Shire Council on 21 July 2000). The certification shall be in the form of a Site Audit Statement (SAS) completed by a NSW EPA Accredited Site Auditor in accordance with the provisions of the *Contaminated Land Management Act 1997.* The SAS shall be submitted to Council prior to the dedication of land containing the approved remediation works.

Bulk Earthworks

21. Certification

Proposed earthworks shall be carried out in accordance with AS 3798, *Guidelines on Earthworks for Commercial and Residential Developments*.

The earthworks shall be monitored by a Registered Geotechnical Testing Consultant in accordance with AS 3798. A certificate from a registered Geotechnical Engineer certifying that the earthworks comply with AS3798 and that the development is suitable for its intended use shall be submitted to the PCA upon completion.

22. Cut/Fill Batters

a. Batter slopes on drainage cross sections and in public open space areas shall not exceed 1:4 (v:h), unless otherwise authorised by Council.

b. Where earthworks result in the creation of batters and/or cuttings greater than 1m high and/or slopes within allotments 17° (1:3.27) or steeper, such slopes shall be appropriately stabilised and densely planted in accordance with a detailed Landscaping Plan endorsed by Council. This Plan shall be consistent with the approved landscaping plans and environmental management plans referred to in conditions 3 and 4 above for the site and shall accompany the Construction Certificate application.

   Such Plans shall generally incorporate the following and be prepared by a suitably qualified person such as a landscape architect:

   I. Contours and terraces where the height exceeds 1m.
   II. Cover with topsoil and large rocks/dry stone walls in terraces as necessary.
   III. Densely plant with appropriate species to suit the aspect/micro-climate. Emphasis to be on trees and ground covers which require minimal maintenance. Undergrowth should be weed suppressant.
   IV. Mulch heavily (minimum 300mm thick) preferably with unwanted growth cleared from the estate and chipped. All unwanted vegetation is to be chipped and retained on site.

23. Minimum Slope

All earthworks shall have a finished grade of at least 1% so that the site drains to approved permanent drainage systems.

24. Earthworks Levels

The proponent shall submit plans to the PCA for approval that clearly show pre and post development levels (spot levels and contours) within the central open space area at a legible scale.

Construction Management

25. Construction Environmental Management Plan

Prior to the commencement of construction works a Construction Environmental Management Plan (CEMP) shall be prepared that covers the area of works. The CEMP shall be consistent with the *Guideline for the Preparation of Environmental Management Plans* (DIPNR, 2004). The CEMP shall include details sufficient to understand and avoid, mitigate and remedy all potential environmental impacts of the project during construction.

The CEMP shall include, but not be limited to:

a. a description of all relevant activities to be undertaken on the site during construction (including an indicative timeline);

b. a description of relevant environmental management objectives for the site;

c. details of measures to be installed to separate construction areas from publicly accessible areas;

d. statutory and other obligations that the Proponent is required to fulfil during construction including all relevant approvals, licences and consultations;

e. a description of the roles and responsibilities for all relevant employees involved in construction

f. hours of work (including standard hours of work for the Environmental Officer);

g. The CEMP shall also be compiled from the documents and plans listed in conditions 3 and 4 (as relevant for construction);

h. A 24-hour contact telephone number shall be provided to all adjoining owners and occupants;

   Note: the nominated telephone number may contain provision for a voice message service outside of normal working hours.

A subset of the following management plans:

i. traffic and pedestrian management;

j. noise and vibration management;

k. construction waste management (including the proposed method and location of excess spoil from bulk earthworks);

l. erosion and sediment control for the entire Cobaki Estate;

m. dust management;

n. groundwater and acid sulfate soil management;

o. aboriginal cultural heritage management;

p. protection of trees and vegetation to be retained; and

q. flora and fauna management during construction.

Note: other conditions in this approval may specify relevant objectives or requirements for or in addition to any of the matters listed directly above.

The CEMP shall be submitted for the approval of the PCA no later than one month prior to the commencement of construction, or within such period otherwise agreed by the Director-General. Notwithstanding, where construction work is to be undertaken in stages, the Proponent may, subject to the agreement of the Director-General, stage the submission of the CEMP consistent with the staging of activities relating to that work. The proponent shall also forward copy of the CEMP to the Director-General and Council for information. Construction shall not commence until written approval has been received from PCA.

26. Environmental Officer

a. An appropriately qualified Environmental Officer(s), that is to receive the prior approval of the Director-General, shall be engaged by the proponent for the duration of the construction works as detailed in the approved CEMP. Their role shall be to oversee environmental compliance of the project until completion conditions have been satisfied.

b. The Environmental Officer shall also act as a liaison officer to consult with potentially affected property owners before and during construction works.

c. The Environmental Officer shall submit a compliance report to the Director-General for information at the completion of each earthworks stage detailing the project's compliance with relevant conditions, management plans and progress on-site. This report shall be submitted within 3 weeks of the completion of each stage until the works authorised under this approval are complete.

27. Erosion and Sediment Control Plan

An Erosion and Sediment Control Plan shall be prepared that will achieve the objectives set out for erosion and sediment management on-site specified elsewhere in this approval. Notwithstanding, the Erosion and Sediment Control Plan shall be generally consistent with Council's *Development Design Specification D7 – Stormwater Quality Version 1.3*, and its Annexure *A - Code of Practice for Soil and Water Management on Construction Works.*

28. Construction Traffic & Pedestrian Management Plan

A Construction Traffic and Pedestrian Management Plan in accordance with AS1742 and RTA's publication *Traffic Control at Works Sites* Version 2 shall be prepared by an RTA accredited person(s), and shall be submitted for approval as part of the CEMP. The Plan shall address, but not be limited to, the following matters:

a. ingress and egress of vehicles to the site and details of how construction of project infrastructure will be managed in proximity to local and regional roads;
b. loading and unloading, including construction zones;
c. predicted traffic volumes and measures to ensure traffic volume, acoustic and amenity impacts along construction vehicle routes are minimised;
d. types and routes including traffic routes for heavy vehicles, and any necessary route or timing restrictions for oversized loads;
e. pedestrian and traffic management methods (including site security);
f. Washing facilities for trucks on the site (including a vehicle shakedown area);
g. Hours of access to the site; and
h. evidence that all statutory responsibilities with regard to road traffic impacts have been complied with.

This Plan shall be incorporated into the overall CEMP.

29. Noise and Vibration Management Plan

A Noise and Vibration Management Plan to detail measures to minimise noise emissions associated with the construction of the project shall be submitted for approval as part of the CEMP. This plan shall be prepared in accordance with the *Interim Construction Noise Guidelines* (DECC, July 2009) and shall include, but not necessarily be limited to:

a. identification of all major sources of noise that may be emitted as a result of the construction of the project;
b. identification of nearby residents and other sensitive land uses;
c. specification of appropriate noise and vibration criteria as it applies to a particular activity;

d. identification and implementation of best practice management techniques for minimisation of noise and vibration emissions;
e. procedures for the monitoring of noise emissions and vibrations; and
f. a description of the procedures to be undertaken if any non-compliance is detected.

30. Acid Sulfate Soil Management Plan

a. In order to ensure the protection of groundwater quality and the water quality of Cobaki Creek and Broadwater, an updated Acid Sulfate Soil Management Plan (ASSMP) for the site shall be prepared. The updated plan shall include all areas on-site subject to earthworks where Acid Sulfate Soils or Potential Acid Sulfate Soils are likely to be intercepted, including the saltmarsh area.

b. The ASSMP must be carried out generally in accordance with the NSW State Government's *Acid Sulfate Soils Manual* (ASSMAC 1998) by a suitably qualified person and be consistent with the requirements for ASS and groundwater defined in Condition C5 of the Cobaki Estate Concept Plan approval (06_0316)

c. The updated ASSMP shall be submitted to the satisfaction of the PCA prior to the issue of the relevant Construction Certificate.

31. Groundwater Management and Monitoring Plan

Where interception or use of groundwater is likely, the proponent is to submit a detailed *Groundwater Management and Monitoring Plan*, prepared in consultation with NSW Office of Water, supported by baseline groundwater monitoring, for the approval of Tweed Shire Council prior to the issue of a construction certificate for works commencing in the affected area.

32. Aboriginal Cultural Heritage Management Plan

The proponent shall ensure that management of Aboriginal Cultural Heritage is undertaken in a manner consistent with the *Final Cobaki Lakes Cultural Heritage Management Plan* prepared by Everick Consultants P/L, April 2010 and approved as part of the Cobaki Estate Concept Plan (06_0316). The proponent shall ensure that a copy of this plan is supplied with the final CEMP.

PRIOR TO COMMENCEMENT OF WORKS

Note: All relevant Terms of Approval of the Cobaki Estate Concept Plan (06_0316) approved by the Minister on 2 December 2010, must be satisfactorily completed prior to civil or bulk earthworks works commencing within areas of the central open space that would be potentially affected.

Note 2: Condition B1 and C4(5) of the Terms of Approval of the Cobaki Estate Concept Plan (06_0316) require the preparation of a Flora and Fauna Monitoring Report prior to works commencing in affected areas (including the central open space area).

Note 3: The project affects Crown public roads 20.115 wide adjoining Lots 1 DP570076 and Lots 54 and 55 DP755740, parish Terranora, county Rous, at Cobaki Lakes in Tweed Shire Council. Approval has been obtained from the Land and Property Management Authority for works in these areas subject to the proponent being kept indemnified against al claims arising out of the use or occupation of the land in respect of the proposed development.

33. Notification

a. Adjoining and affected residents shall be provided with a minimum 72 hours notice prior to the commencement of works.

b. The approval authority, PCA and Council shall be given written notice, at least 48 hours prior to the commencement of all works on the site for the project.

c. The PCA is to be given a minimum of 48 hours notice prior to any critical stage inspection or any other inspection nominated by the PCA via the notice under Section 81A of the *Environmental Planning and Assessment Act 1979.*

34. Nomination of Certifiers

Any work undertaken as part of this approval must not be commenced until the person having the benefit of the approval:

(i) has appointed a PCA,

(ii) has appointed a Subdivision Works Accredited Certifier (SWAC) accredited in accordance with *Tweed Shire Council DCP Part A5 – Subdivision Manual, Appendix C* with accreditation in accordance with the Building Professionals Board Accreditation Scheme. As a minimum the SWAC shall possess accreditation in the following categories:

C4: Accredited Certifier – Stormwater management facilities construction compliance
C6: Accredited Certifier – Subdivision road and drainage construction compliance

The SWAC shall provide documentary evidence to Council demonstrating current accreditation with the Building Professionals Board prior to approval and issue of any Construction Certificate, and

(iii) has notified the Council of the relevant appointments.

35. Public Liability Insurance

The proponent shall provide to the PCA copies of Public Risk Liability Insurance to a minimum value of $10 Million for the period of commencement of works until the completion of the defects liability period.

36. Erosion and Sediment Controls

Prior to commencement of any works on-site for each stage of the project, all erosion and sediment control measures are to be installed and operational to the satisfaction of the PCA.

37. Aboriginal Cultural Heritage Induction Training

All personnel involved in initial ground surface disturbance activities shall undergo a Cultural Heritage Induction training session before commencing any construction activities. The Induction should be presented by an appropriately qualified person and provide specific information in relation to the processes to be followed should any Indigenous items be uncovered as well as the types of and identification criteria for cultural heritage material that may be uncovered. Notwithstanding the above, the induction shall be undertaken in accordance with the terms and requirements of the *Final Cobaki Lakes Cultural Heritage Management Plan* prepared by Everick Consultants P/L, April 2010 and approved as part of the Cobaki Estate Concept Plan (06_0316).

38. Biodiversity Offsets

(1) No works shall be undertaken within the central open space area that may impact upon (or contribute to an impact upon) the freshwater wetlands and associated Wallum Froglet habitat area until an appropriate agreement is entered into between the Proponent and the DECCW that offsets the project's impacts on biodiversity. This agreement shall include provision for alternative offsets to be delivered should monitoring indicate that an appropriate wetland environment is not achieved after an appropriate time. Evidence of such an agreement shall be forwarded to the Director-General no later than 5 working days prior to works commencing in those areas.

(2) Notwithstanding the above, the proponent shall prepare a detailed Wallum Froglet Compensatory Habitat Plan as per section 4.3 of the *Revised Freshwater Wetland Rehabilitation Plan* prepared by James Warren and Associates, dated October 2010. In addition to these requirements, the Wallum Froglet Compensatory Habitat Plan must include the following information on the core breeding habitat areas:

- (i) Detail on how Wallum Froglet core breeding habitat will be constructed and maintained;
- (ii) Detail on the design of fauna crossings where the fauna corridor is bisected by a road to ensure Wallum Froglet movement between core breeding habitat ponds is available;
- (iii) How threats to the survival of Wallum Froglet will be managed;
- (iv) Monitoring and reporting requirements including monitoring of Wallum Froglet usage of the core breeding habitat area, usage of fauna corridors, Wallum Froglet population size and breeding success, water quality, habitat suitability and presence of exotic species (particularly Cane Toads and Gambusia);
- (v) A mechanism for on-going funding of this Wallum Froglet Habitat areas to ensure the long-term viability of the population; and
- (vi) A contingency planning option in the case of system failure.

Note: Statement of Commitments 4.8 of the Cobaki Estate Concept Plan (06_0316) commits the proponent to ensuring environmental offsets are provided for impacts on freshwater wetlands and associated Wallum Froglet habitat, from approved bushfire hazard reduction works in native vegetation areas, and on existing trees within the Scribbly Gum Reserve (should any impacts occur). The bushfire hazard reduction works and scribbly gum community are outside the central open space area the subject of this application.

Note 2: This condition is only intended to restrict works in those environmentally sensitive areas already defined in the Cobaki Estate Concept Plan (06_0316).

Note 3: Condition B1 of the concept plan approval requires the preparation of a detailed Fauna Monitoring Report by 10 December 2011, or as otherwise agreed by the Department. This includes monitoring of the Wallum Frog species. This plan must bring together all monitoring and reporting requirements on-site relating to flora and fauna.

39. Wallum Froglet Populations

The proponent must design, construct, operate and maintain the project to ensure that it does not adversely affect any Wallum Froglet Populations on, or adjacent to the site.

DURING WORKS

40. Construction Management

Notwithstanding any conditions in this approval, all works are to comply with the appropriate Australian Standards, the approved CEMP, and any WorkCover NSW requirements.

41. Earthworks - Limits of Approval

Unless approved sources of fill material are identified in the approved CEMP or approved bulk earthworks construction certificates(s), no bulk earthworks are to be undertaken outside of the central open space area identified in the approved plans.

Note: Fill material required for the Central Open Space area sourced from elsewhere on the site shall be identified in the CEMP and may be subject to separate earthworks approvals over those areas.

42. Approved Plans to be On-site

A copy of the approved and certified plans, specifications and documents incorporating conditions of approval and certification shall be kept on the site at all times and shall be readily available for perusal by any officer of the Department, Council or the PCA.

43. Site Notice

A site notice(s) shall be prominently displayed at the boundaries of the site for the purposes of informing the public of project details including, but not limited to:

a. Details of the Contractor and PCA;

b. The approved hours of work;

c. The name of the site manager and/or liaison officer, the Proponent's name, a 24-hour contact phone number for any inquiries or complaints; and

d. A statement that unauthorised entry to the site is not permitted.

Erosion And Sediment Management Objectives

44. Erosion and Sediment Control

a. All erosion and sediment control measures shall be appropriately sized to cater for the contributing runoff catchment.

b. All erosion and sediment control measures are to be effectively implemented and maintained at or above design capacity for the duration of the construction works, and until such time as all ground disturbed by the works has been stabilised and rehabilitated so that it no longer acts as a source of sediment.

c. All activities on the site shall be undertaken with the objective of preventing discharge of sediment and other pollutants to lands and/or waters (the receiving environment) during construction activities. In particular the proponent shall ensure all practicable measures are taken to prevent contaminated stormwater from adversely affecting the water quality of Cobaki Creek and Cobaki Broadwater.

d. Any seepage or stormwater collected on-site during construction shall not be pumped to the street stormwater system unless separate, prior approval is given in writing by Council.

e. No soil, sand, gravel, clay or other material shall be disposed of off the site without the prior written approval of Council.

45. Stabilisation of Bulk Earthworks

The proponent shall ensure that each completed stage of bulk earthworks is progressively and appropriately stabilised to ensure the specified erosion and sediment control objectives are met.

46. Erosion and Sediment Control Monitoring

a. Regular inspections shall be carried out by the Supervising Engineer on site to ensure that adequate erosion and sediment control measures are in place and in good condition both during and after construction.

b. Additional inspections are also required by the Supervising Engineer after each storm event to assess the adequacy of the erosion control measures, make good any erosion control devices and clean up any sediment that has left the site or is deposited on public land or in waterways.

c. This inspection program is to be maintained until the maintenance bond is released or until Council is satisfied that the site is fully rehabilitated.

47. Dust Control Measures

All activities on the site shall be undertaken with the objective of preventing visible emissions of dust from leaving the site, including traffic-generated dust. Should such visible dust emissions occur at any time, the proponent shall identify and implement all practicable dust mitigation measures, including cessation of relevant works, as appropriate, such that emissions of visible dust cease. Adequate measures shall be taken to prevent dust from reducing the air quality and affecting the amenity of the neighbourhood during construction related activities.

48. Damage to Property and Roads

Any damage to property is to be rectified to the satisfaction of Council prior to the issue of the relevant compliance certificates issued for the project. The surrounding road carriageways are to be kept clean of any material carried onto the roadway by construction vehicles. Any work carried out by Council to remove material from the roadway will be at the proponent's expense and any such costs are prior to the issue of a Subdivision Certificate, or prior to issue of a construction certificate for any future residential precinct.

Noise And Vibration Management

49. Hours of Work

The hours of construction for the project, including the delivery of materials to and from the site, shall be restricted as follows:

a. between 7:00 am and 5:00 pm, Mondays to Saturdays inclusive;

b. no work is to be undertaken on Sundays and public holidays.

Works may be undertaken outside these hours where:

c. the delivery of materials is required outside these hours by the Police or other authorities;

d. it is required in an emergency to avoid the loss of life, damage to property and/or to prevent environmental harm;

e. the work is approved through the CEMP; and

f. residents likely to be affected by the works are notified of the timing and duration of these works as soon as possible.

The proponent is responsible for instructing and controlling contractors and sub-contractors regarding hours of work.

50. Construction Noise Management

The proponent shall undertake all feasible and reasonable work practices to satisfactorily minimise noise emissions from plant and equipment operated on the site in relation to the project.

51. Rock Breaking

The Proponent shall:

a. schedule rock breaking, rock hammering, sheet piling, pile driving and any similar activity only between the following hours unless otherwise approved in the CEMP:

   I. 9.00 am to 12.00 pm, Monday to Saturday;

   II. 2.00 pm to 5.00 pm Monday to Saturday; and

b. ensure that wherever practical, and where sensitive receivers may be affected, piling activities are completed using bored piles. If driven piles are required they must only be installed where approved in the CEMP.

52. Vibration Criteria

a. Vibration resulting from construction of the project must not exceed the evaluation criteria presented in the *Environmental Noise Management – Assessing Vibration: A Technical Guide (DEC, 2006).*

b. The use of vibratory compaction equipment (other than hand held devices) within 100m of any dwelling house, building, structure or other sensitive land use is strictly prohibited.

Note: The use of crushing plant machinery, mechanical screening or mechanical blending of materials on site is not permitted under this approval and will be subject to separate precinct development applications

53. Council Inspections

Tweed Shire Council shall be given a minimum 24 hours notice to carry out the following compulsory inspections in accordance with *Tweed Shire Council Development Control Plan, Part A5 - Subdivision Manual*, Appendix D. Inspection fees are based on the rates contained in Council's current Fees and Charges:

<u>Roadworks</u>

(a) Pre-construction commencement erosion and sedimentation control measures
(b) Completion of earthworks
(c) Final inspections - on maintenance
(d) Off Maintenance inspection

<u>Drainage</u>

(a) Excavation
(b) Bedding
(c) Laying/jointing
(d) Backfilling
(e) Permanent erosion and sedimentation control measures
(f) Drainage channels
(g) Final inspection - on maintenance
(h) Off maintenance

Note: Council's role is limited to the above mandatory inspections and does NOT include supervision of the works, which is the responsibility of the Proponent's Supervising Consulting Engineer.

Heritage Management

54. Aboriginal Cultural Heritage Management Plan

Notwithstanding any other conditions in this approval, the management of Aboriginal cultural heritage shall be undertaken generally in accordance with the methodologies and recommendations of *Final Cobaki Lakes Cultural Heritage Management Plan* prepared by Everick Consultants P/L, April 2010 and approved as part of the Cobaki Estate Concept Plan (06_0316).

55. Aboriginal Cultural Heritage

Should any future works associated with the site uncover evidence of any unexpected Aboriginal archaeological site or relic, all work likely to affect that site or relic must cease immediately. Temporary fencing must be erected around the find and the material must be identified by an independent and appropriately qualified archaeologist. The DECCW must be notified as soon as possible who will then advise of the most appropriate course of action to follow. Works must not resume at the location without the prior written consent of DECCW.

Note: The provisions of the *National Parks and Wildlife Act 1974* (as amended) state that it is illegal to damage, deface or destroy a relic without written permission of the Director of the Service. Those failing to report a discovery and those responsible for the damage or destruction occasioned by unauthorised removal or alteration to a site or to archaeological material may be prosecuted under the *National Parks and Wildlife Act 1974*, as amended.

56. Finding of Human Remains

If human remains are located during the project, all works must halt in the vicinity of the find must cease immediately in order to prevent any further impact on the find. The NSW Police and DECCW are to be notified as soon as possible. If the remains are found to be of Aboriginal origin and the NSW Police consider the site not an investigation site for criminal activities, then works shall not recommence in the vicinity of the find until written consent is granted from the DECCW. In the event that a criminal investigation ensues, works shall not recommence in the vicinity of the find until written consent is granted from the NSW Police.

COMPLETION OF WORKS

57. Part 4A Certificates

Upon completion of works approved under this approval, a Part 4A Compliance Certificate or Certificates shall be obtained under section 109D(1)(a) of the Act for the following:

Bulk Earthworks

a. Compliance Certificate – Bulk Earthworks

Civil Works

b. Compliance Certificate – Road forming works
c. Compliance Certificate – Drainage
d. Compliance Certificate – Stormwater
e. Compliance Certificate – Trunk Infrastructure / Services (electricity, gas, water, telecommunications and sewer) where applicable.

Note: All compliance certificate applications must be accompanied by documentary evidence from the developers Subdivision Works Accredited Certifier (SWAC) certifying that the specific work for which a certificate is sought has been completed in accordance with the terms of the approval, the construction certificate, *Tweed Shire Council's Development Control Plan Part A5 - Subdivisions Manual* and Councils relevant Development Design and Construction Specifications unless otherwise altered by the Cobaki Estate Development Code.

58. Works as Executed

a. A Certificate of Compliance shall be submitted to Council by the Proponent's Subdivision Works Accredited Certifier (SWAC) or equivalent, verifying that the placed fill has been compacted in accordance with the requirements of AS 3798, *Guidelines on Earthworks for Commercial and Residential Developments* and is suitable for the intended purposes. This submission shall include copies of all undertaken test results.

b. All civil works approved with the Construction Certificate(s) are to be completed to the satisfaction of the PCA.

c. Works as Executed Plans shall be submitted in accordance with the provisions of Council's *Development Control Plan A5 - Subdivisions Manual* and Council's *Development Design and Construction Specification, D13 - Engineering Plans*.

d. The plans are to be endorsed by a Registered Surveyor or a Consulting Engineer Certifying that:

    I. all relevant drainage systems, sewer lines, services and structures (as appropriate) are wholly contained within an appropriate easement created by the subdivision;

    II. the plans accurately reflect the Works as Executed.

Note: Where works are carried out by Council on behalf of the proponent it is the responsibility of the proponent to prepare and submit works-as-executed plans.

59. Required Inspections

a. Prior to the issue of both a Compliance Certificate and the end of the defects liability period, a CCTV inspection of any stormwater pipes and culverts installed and intended to be dedicated to Council including joints and junctions, will be required to demonstrate that the standard of the infrastructure is acceptable to Council.

b. Any defects identified by the inspection are to be repaired in accordance with Councils Development Design and Construction Specification.

c. All costs associated with the CCTV inspection and repairs shall be borne by the proponent.

d. Prior to the issue of a Compliance Certificate, Council must undertake a final inspection of the works and be satisfied that all relevant conditions of approval have been complied with.

60. Works as Executed

Detailed works as executed plans must be provided for all works completed within the central open space area under this approval.

61. Aboriginal Heritage Information Management System (AHIMS)

The proponent is to provide an updated site card to the DECCW for inclusion in the AHIMS upon completion of works on the site.

62. Damage to Council or Public Authority Assets

a. Any damage caused to public infrastructure (roads, footpaths, water and sewer mains, power and telephone services etc.) during construction of the project shall be repaired in accordance with Council's adopted Design and Construction Specifications. The proponent shall ensure that these repairs are undertaken in a timely manner specified by Council (or other relevant authority).

b. The cost of repairing any damage caused to Council or other Public Authority's assets in the vicinity of the site as a result of construction works associated with the approved project, is be met in full by the Proponent.

63. Defect Liability Bond

a. Prior to the dedication of any works or land on-site, a defect liability bond (in cash or unlimited time Bank Guarantee) shall be lodged with Council.

b. The bond shall be based on 5% of the value of the Civil works associated with this Project Application (minimum as tabled in Council's fees and charges current at the time of payment) which will be held by Council for a period extending 6 months beyond final dedication of land within the central open space area. It is the responsibility of the proponent to apply for refund following the remedying of any defects arising within this period.

64. Flood Levels

The Design Flood Level Map shall be updated to include Works As Executed levels for Bulk Earthworks and any other works that may affect flood behaviour and submitted to Council.

Note: Provision of a Design Flood Level Map is required by condition C9 of the Terms of Approval of the concept Plan for Cobaki Estate (06_0316). Embellishment of structured open space shall be subject to further Part 4 or Part 5 development applications where required, and design criteria including finished ground levels must take into account flood levels, to the satisfaction of the Council.

PART THREE – ENVIRONMENTAL RESTORATION

Environmental Management Plans

65. Saltmarsh Rehabilitation Works

a. The saltmarsh area shall be appropriately rehabilitated generally in accordance with the provisions of the *Revised Saltmarsh Rehabilitation Plan – Cobaki Estate* (October 2010, prepared by James Warren and Associates) and other relevant plans and documents listed in conditions 3 and 4 of this approval.

b. Pursuant to the Terms of Approval of the Cobaki Estate concept plan (06_0316), and prior to works commencing in the affected areas, the proponent shall submit to the Director-General for approval a final saltmarsh rehabilitation plan that is to include,, but not be limited to:

   I. Detailed aims and objectives, and measurable performance and completion criteria tracking success against those aims and objectives (for each stage and overall);

   II. Detailed planting species list, composition and density for each ecological community and, for endangered ecological communities (EECs), this is to include species composition that is benchmarked against a reference EEC community;

   III. Details on creek bank erosion management;

   IV. management of tidal flux and hydrological management

   V. timing and responsibilities; and

   VI. developer maintenance period reflecting completion criteria.

   This plan shall be prepared in partnership with the scientist required in condition 65e below. A copy of this plan shall also be forwarded to the DECCW, NSW Industry & Investment – Fisheries and Council for their information.

c. Notwithstanding anything else in this approval, the resulting ecological community must be consistent with the NSW Scientific Committee's classification of Coastal Saltmarsh, or Swamp Oak Floodplain Forest (as applicable), and its classification as an Endangered Ecological Community.

d. The damaged floodgate at the entrance to Dunn's Drain must be replaced by a fish friendly floodgate allowing regulated tidal inundation into the Saltmarsh Rehabilitation Area. This must be undertaken in accordance with the approved Addendum to the *Revised Saltmarsh Rehabilitation Plan* (James Warren and Associates, October 2010) prior to issue of construction certificate for any saltmarsh works. Additional detail on the design and monitoring and maintenance of the flood gate shall be submitted for referral to and approval by NSW Industry & Investment – Fisheries and Council.

e. The proponent shall engage (and fully fund) an appropriately qualified scientist (preferably with established expertise in coastal saltmarsh ecology and hydrology), to peer review the detailed plan and guide its development, and periodically monitor, provide advice and review progress with the saltmarsh rehabilitation throughout the duration of works. The nominated scientist must receive the approval of the Director-General prior to engagement by the proponent.

f. Any adaptive management actions/corrective works required to ensure compliance with condition 65c must be pre-approved by the scientist referred to in condition 65e prior to such works commencing.

g. The proponent must ensure that whilst undertaking saltmarsh rehabilitation works on-site and in the manner set out in the approved staging plan that no adverse impacts occur on other areas of saltmarsh.

66. Mosquito Management

Cattle shall be permanently removed from the area subject to the saltmarsh rehabilitation plan prior to any works commencing within this area. Cattle shall be removed progressively from those areas of the saltmarsh being rehabilitated at the time and appropriate exclusion arrangements shall be put in place to separate cattle from rehabilitation areas.

Landscape Management

67. Landscaping and Embellishment

a. Landscaping works within the central open space area shall be generally consistent with the indicative landscape concept set out in the *Cobaki Lakes Central Open Space Landscape Masterplan Report*, dated June 2010, *Tweed Shire Council's DCP 2008 – Section A5 Subdivision Manual*, *Council's Development Design Specification D14 – Landscaping Public Space* and the following plans:

Prepared by Place Design Group Pty Ltd		
Drawing No.	**Name of Plan**	**Date**
SK01 - 01	Cobaki Lakes Central Open Space - Landscape Plan	30 June 2010
SK01 – 02	Cobaki Lakes Northern Open Space - Landscape Plan	30 June 2010
SK01 – 03	Cobaki Lakes Central Open Space Corridor - Landscape Plan	30 June 2010
SK01 – 04	Cobaki Lakes Southern Open Space Precinct - Landscape Plan	30 June 2010
SK01 – 05	Cobaki Lakes Pedestrian Connectivity Plan	30 June 2010
SK01 – 06	Cobaki Lakes Central Open Space – Land Use Areas	27 October 2010
SK01 – 07	Cobaki Lakes Open Space Interfaces Plan	30 June 2010
-	Cobaki Lakes Indicative Plant Palette	30 June 2010
-	Cobaki Lakes Indicative Imagery – Central Open Space Corridor	30 June 2010
-	Cobaki Lakes Indicative Imagery – Esplanade Road Edge	30 June 2010
-	Cobaki Lakes Statement of Landscape Intent	30 June 2010

b. The indicative landscape concept identified in the *Cobaki Lakes Central Open Space Landscape Masterplan Report*, dated June 2010 shall be constructed and dedicated to Council in stages as development occurs on adjacent development precincts. The development precincts referred to shall be those identified in the Cobaki Estate Concept Plan (06_0316).

Note: No physical landscape works (aside from stabilisation works) are authorised under this approval.

Note 2: Preliminary landscape plans for the progressive stages of the central open space area will be submitted with all future development applications/ project applications for all development precincts approved by the Concept Plan for Cobaki Estate (06_0316). All detailed landscape plans will require approval from Council prior to the issue of construction certificate for each precinct. New allotments will be created to allow parts of the central open space area to be dedicated to Council as surrounding development precincts are constructed.

c. The proponent shall ensure that the objectives and implementation of the landscaping and embellishment programme do not impact upon the higher order objectives of other environmental management plans authorised under this approval.

d. Notwithstanding anything else in this approval landscaping within the central drainage channel area shall ensure the channel is appropriately rock lined, includes meanders, boulder placement, ponds and riffles, and fringing native vegetation in order to give the channel the appearance of a natural watercourse and provide aquatic habitat for native species.

68. Site Regeneration and Revegetation

Detailed regeneration and revegetation plans shall be prepared for each of the Rehabilitation and Management Precincts impacted upon by works approved under this project as detailed in the *Revised Site Regeneration and Revegetation Plan* (SRRP), prepared by James Warren and Associates and dated October 2010. These plans shall be submitted to, and approved by, the Director-General prior to works commencing in those areas.

These detailed plans for each Rehabilitation and Management Precinct are to be consistent with the SRRP and must include as a minimum:

a. performance objectives detailing measurable performance and completion criteria (for each stage and overall);

b. Detailed planting species list, composition and density for each vegetation community and, for endangered ecological communities (EECs) to be rehabilitated, this is to include ground, mid and canopy species and species composition must be benchmarked against an appropriate reference EEC community;

c. Details on creek bank erosion management;

d. timing and responsibilities; and

e. developer maintenance period reflecting completion criteria.

Note: this condition excludes those areas already covered by the Revised Freshwater Wetland Rehabilitation Plan and the Revised Saltmarsh Rehabilitation Plan

ONGOING CONDITIONS

69. Maintenance

The proponent is responsible for all care and maintenance of the central open space area (or relevant parts) the subject of this approval until such period as nominated in the relevant management plans, or as otherwise agreed to by Council.

70. Saltmarsh Rehabilitation Works

a. At the completion of the rehabilitation period the scientist required by Condition 65e of this approval shall prepare a peer reviewed report that verifies the relative success of the saltmarsh rehabilitation works. This report shall be fully funded by the proponent and is to be submitted to the Director-General for approval. If the final report is deemed to be unsatisfactory, the proponent shall undertake such actions as are necessary to remedy the issue. A copy of the report is to be provided to the DECCW, NSW Industry & Investment – Fisheries and Council.

b. Annual monitoring reports required by section 8.5 of the Revised Saltmarsh Rehabilitation Plan shall be forwarded to the Director-General by 31 January of the following year.

c. Upon the Director-General's confirmation that successful completion of the saltmarsh rehabilitation has occurred, or as otherwise agreed to by the Director-General, the proponent shall make suitable arrangements to dedicate Lots 805 and 806 to Council to be managed in perpetuity for ecological conservation purposes.

71. Environmental Management Plans

a. The proponent shall undertake all actions, monitoring and reporting in accordance with all recommendations of the approved management plans (including the Revised Saltmarsh Rehabilitation Plan, the Revised Freshwater Wetland Rehabilitation Plan, the Revised Site Regeneration and Revegetation Plan, and the Biting Midge and Mosquito Control Plan), within the timeframes specified in those plans.

b. Upon completion of each of the relevant monitoring and reporting programmes for the following plans:

- Revised Saltmarsh Rehabilitation Plan;
- Revised Freshwater Wetland Rehabilitation Plan;
- Revised Site Regeneration and Revegetation Plan; and
- Biting Midge and Mosquito Control Plan

The proponent shall submit a final monitoring report assessing the success of the approved against their respective objectives and performance criteria to the Director-General for approval. If the final report is deemed to be unsatisfactory, the proponent shall undertake such actions as are necessary to remedy the issue.

c. Upon or before approval by the Director-General of successful completion (in respect of each relevant parcel of land) of the associated environmental rehabilitation works authorised under this approval, the proponent shall either:

- Conclude an agreement with Council for the dedication of that parcel of land to Council, or
- If a part of the land is to remain in private ownership make suitable arrangements to ensure such land (or part thereof) is set aside and appropriately managed in perpetuity by its owner.

ADVISORY NOTES

AN1 Compliance Certificate - Water Management Act 2000

Prior to issuing a Subdivision Certificate, a Compliance Certificate shall be provided to the approval authority showing that the project has met with the detailed requirements of the relevant water supply authority for the region that the site is located within.

The Proponent shall obtain the Compliance Certificate from the relevant local water supply authority and produce this to the satisfaction of:

(1) the PCA before release of the Construction Certificate,

(2) the approval authority before the release of the Subdivision Certificate, and

(3) the PCA prior to occupation.

AN2 Water Licensing

All surface and groundwater takes on-site must be authorised under and in adherence to relevant NSW water legislation and regulations.

(1) the proponent must ensure all groundwater monitoring bores are licensed with the NSW Office of Water (NOW). All Form A's associated with the construction of those bores must be submitted to NOW at the time the drilling is undertaken. Where existing unauthorised bores have been constructed, the proponent must formally advise NOW prior to the commencement of the project.

(2) All water licenses must be obtained prior to works on site commencing.

(3) for areas on-site that require dewatering, a water license under Part 5 of the Water Act 1912 must be obtained prior to commencement of work. The water license application must be accompanied by a groundwater management plan developed to the satisfaction of NOW.

(4) Al works that intersect the aquifer must be licensed by NOW prior to any works being carried out. This includes but is not limited to – monitoring bores, open drains, groundwater excavations for wells, spear points and bores.

AN3 Roads Act 1993

Separate approval(s) may be required for works proposed in, on or under a public road. It is the proponent's responsibility to ensure that such permits are obtained from the relevant authority if required.

AN4 Requirements of Public Authorities for Connection to Services

The Proponent shall comply with the requirements of any public authorities (e.g. Country Energy, Telstra Australia, etc) in regard to the connection to, relocation and/or adjustment of the services affected by the construction of the proposed structure. Any costs in the relocation, adjustment or support of services shall be the responsibility of the Proponent. Details of compliance with the requirements of any relevant public authorities are to be submitted to the satisfaction of the PCA prior to the issue of the Construction Certificate.

AN5 Stormwater drainage works or effluent systems

A Construction Certificate for works that involve any of the following:

(1) water supply, sewerage and stormwater drainage work (including connection of a private stormwater drain to a public stormwater drain, installation of stormwater quality control devices or erosion and sediment control works); and,

(2) management of waste.

as defined by Section 68 of the *Local Government Act 1993* will not be issued until prior separate approval to do so has been granted by Council under Section 68 of that Act. Applications for these works must be submitted on Council's standard Section 68 application form accompanied by the required attachments and the prescribed fees.

AN6 Compliance with Building Code of Australia

The Proponent is advised to consult with the PCA about any modifications needed to comply with the BCA prior to submitting the application for a Construction Certificate.

AN7 Commonwealth Environment Protection and Biodiversity Conservation Act 1999

The *Commonwealth Environment Protection and Biodiversity Conservation Act 1999* provides that a person must not take an action which has, will have, or is likely to have a significant impact on a matter of national environmental significance (NES) matter; or Commonwealth land, without an approval from the Commonwealth Environment Minister.

This application has been assessed in accordance with the New South Wales *Environmental Planning & Assessment Act 1979*. The determination of this assessment has not involved any assessment of the application of the Commonwealth legislation. It is the proponent's responsibility to consult the Department of Sustainability, Environment, Water, Population and Communities to determine the need or otherwise for Commonwealth approval and you should not construe this grant of approval as notification to you that the Commonwealth Act does not have application. The Commonwealth Act may have application and you should obtain advice about this matter. There are severe penalties for non-compliance with the Commonwealth legislation.

SCHEDULE 3

08_0200

CENTRAL OPEN SPACE AND RIPARIAN CORRIDOR

COBAKI ESTATE

STATEMENT OF COMMITMENTS

(Source: Addendum to Preferred Project Report, JBA planning, October 2010)

STATEMENT OF COMMITMENTS

Project Component	Environmental Outcome	Measure	Timing for Completion
1. Stormwater and flood management	Stormwater management structures are maintained. Flood protection is provided in the design of the development.	Stormwater management structures are to be maintained in accordance with the Stormwater Quality Concept Plan (Yeats September 2010)	As part of infrastructure works for each stage of development in the central open space and riparian corridor.
		Development will be carried out in accordance with the Revised Local Flooding and Flood Impact Assessment (Gilbert & Sutherland July 2010) and measures required by Tweed Shire Council.	As part of infrastructure works for each stage of development in the central open space and riparian corridor.
2. Groundwater	Groundwater levels and quality are maintained.	The measures for monitoring and managing groundwater in the Groundwater Management Plan (Gilbert & Sutherland April 2008) are to be implemented.	As part of infrastructure works for each stage of development in the central open space and riparian corridor.
3. Native vegetation	Native vegetation is rehabilitated and maintained.	Native vegetation is to be rehabilitated and maintained in accordance with the Revised Site Regeneration and Revegetation Plan (James Warren & Associates October 2010) and Vegetation Management Plan (James Warren & Associates 2009d)	Rehabilitation works will commence prior to registration of a plan of subdivision for residential development of adjacent land, and be completed in accordance with the Revised Site Regeneration and Revegetation Plan until the land is dedicated to Tweed Shire Council.
4. Freshwater wetlands	Freshwater wetlands are maintained.	Wetlands are to be maintained in accordance with the Revised Freshwater Wetland Rehabilitation Plan(James Warren & Associates October 2010)	Rehabilitation works will commence prior to registration of a plan of subdivision for residential development of adjacent land, and be completed in accordance with the Revised Freshwater Wetland Rehabilitation Plan until the land is dedicated to Tweed Shire Council.
5. Saltmarsh	Saltmarsh is rehabilitated and maintained.	Saltmarsh is to be rehabilitated and maintained in accordance with the Revised Saltmarsh Rehabilitation Plan (James Warren & Associates October 2010)	Rehabilitation works will commence prior to registration of any plan of subdivision for residential development at Cobaki Estate, and be completed in accordance with the Revised Saltmarsh Rehabilitation Plan until the land is dedicated to Tweed Shire Council.

STATEMENT OF COMMITMENTS

Project Component	Environmental Outcome	Measure	Timing for Completion
		A drainage easement on title shall be provided through the saltmarsh area in accordance with the Revised Saltmarsh Rehabilitation Plan dated October 2010.	Registration of plan of subdivision for central open space and riparian corridor.
6. Biting Midges and Mosquitoes	Biting midge and mosquito habitat is managed to reduce populations.	Biting midge and mosquito habitat is to be managed in accordance with the Biting Midge and Mosquito Control Plan (Mosquito Consulting Services May 2008)	The implementation of the Biting Midge and Mosquito Control Plan will commence and be completed in conjunction with the rehabilitation works in the Revised Saltmarsh Rehabilitation Plan above.
7. Fauna management	Potential impacts on threatened fauna are managed and mitigated.	The provisions of the Fauna Management Plan, Cobaki Lakes, Preferred Project Report (James Warren & Associates, 2009e) and the SEPP 44 Assessment, Cobaki Lakes - Preferred Project Report (James Warren & Associates, 2009h) will be implemented.	As part of relevant stages of works.
8. Site Remediation	The abandoned cattle dip site is remediated.	The abandoned cattle dip is to be remediated in accordance with the approved Remediation Action Plan, and issued with a Site Audit Statement from an accredited auditor.	Prior to registration of any plan of subdivision for residential development at Cobaki Estate.
9. Acid Sulfate Soils Management	Acid sulphate soils are managed without harmful effects on the environment.	The ASS Management Plan at Appendix H of the Environmental Assessment Report for this Project Application will be implemented.	As part of earthworks.
10. Geotechnical Stability	Geotechnical conditions are stable.	The Broadscale Geotechnical Investigation - Cobaki Lakes (Cardno Bowler, February 2010) will be implemented to support earthworks, civil construction and building work.	As part of earthworks.
11. Heritage conservation	Aboriginal cultural heritage on the site is appropriately conserved.	The requirements of the Cultural Heritage Management Plan (CHMP) (Everick, April 2010) will be implemented in relevant areas.	As part of all works.
12. Construction Management	Construction impacts are managed and mitigated.	A Construction Management Plan (CMP) will be prepared and implemented to manage the proposed methods and impacts of construction described in the EAR.	CMP will be prepared prior to commencement of works the subject of this application, and implemented throughout the construction works.

Modifications Currently Under Assessment

PLANIT CONSULTING

Our Ref: J02888
Your Ref: MP06_0316
Date: 8th August 2016

The Director General
The Department of Planning
GPO Box 39
SYDNEY NSW 2001

RE: Cobaki Lakes - Amendments to MP06_0316 to allow for the development of a Water and Sewerage System

Dear Sir,

Planit Consulting has been engaged by Northern Water Solutions Pty Ltd to seek the amendment of the Major Project MP06_0316.

As per Schedule 6A, section 3C(1) of the *Environmental Planning and Assessment Act 1979, w*e hereby seek the Department's support in rationalizing the requested amendment of the Major Project MP06_0316 so as to facilitate the construction of a private Water and Waste Water Treatment Plant (pursuant to the provisions of the *Water Industry Competition Act, 2006*) and associated sewerage and water supply infrastructure upon land owned by Leda Manorstead Pty Ltd (the Cobaki Development).

This request seeks to include provision for alternative water and sewerage services and infrastructure, so as to allow for the efficient servicing of the land for the purposes of either connecting into Council reticulated water and sewerage services or by providing standalone water and sewerage services for the development. As such, the proposed modifications attempt to allow flexibility in choice.

Whilst the *Water Industry Competition Act 2006* and to a lesser extent, the SEPP – Infrastructure, have highlighted the appropriate paths with respect to the implementation of Private Water and Waste Water Utilities, in this instance, Leda Manorstead Pty Ltd, who have engaged Northern Water Solutions Pty Ltd to provide such utilities, is unable to implement a privately owned system given the current wording of the Major Project Approval MP06_0316.

Having regard to the above, this request seeks to provide the framework within the Major Project Approval MP06_0316 to facilitate the use of an alternate Private Water and Sewer Utility to service the Cobaki Lakes development proposed by Northern Water Solutions Pty Ltd.

This development, which enjoys approval pursuant to Major Project Approval MP06_0316, provides for a concept plan comprising residential development for approximately 5,500 dwellings, a town centre and neighbourhood centre for future retail and commercial uses, community and education facilities, open space and wildlife corridors, landscaping and vegetation management, environmental protection areas, rehabilitation of environmentally sensitive land, water management areas, roads, bicycle and pedestrian networks and utility service infrastructure. The approvals issued to date (including the referenced Concept Approval) envisage ultimate connection of the development to Tweed (Water and Sewer). An alternate solution is available to the proponents and as such, the proponents have engaged Northern Water Solutions Pty Ltd to service the proposal. Northern Water Solutions have commenced the preparation of an

application to the Independent Pricing & Regulatory Tribunal (IPART) for an operator's license (pursuant to the *Water Industry Competition Act 2006*) to cover the subject area.

The specifics of this request are as follows:-

1. Amend Condition A1 to include the following at the end of the final bullet point as follows:

   Utility service infrastructure inc. private infrastructure otherwise authorized under the *Water Industry Competition Act 2006*.

2. Amend Condition A3 to include the following at the end of additional information Clause (10) to read as follows:

   (10) *Final Statement of Commitments as amended in July 2016 to reflect the potential provision of Water and Sewerage services under the Water Industry Competition Act 2006.*

3. Amend Schedule 3 – Statement of Commitments to include a further commitment as the end of the Statement of Commitments to read as follows:

   15. Environmental Outcome:
   All water and sewer infrastructure is to be constructed in accord with relevant approvals and to the necessary standard.

   Commitment: That where the proponent does not seek to utilise Tweed Shire Council for the provision of Water & Sewer infrastructure, that such infrastructure will be provided in accord with the private approval requirements outlined under the Water Industry Competition Act, 2006 and associated regulations.

   Timing: at each relevant stage of development.

Further amendments are also requested within the Cobaki Estate Development Code.

Remove the strikethrough and insert the underlined for each section outlined as follows:

Code Modification request 1

2.0 Exempt and Complying Development
2.1 Exempt Development
Controls
Item (h) if work involves any plumbing or drainage works, approval for such work under the Local Government Act (or its equivalent) must be obtained from the ~~local~~ relevant water and sewer authority.

Code Modification request 2

Schedule 1
Division 1 General and Residential exempt Development Code
Subdivision 31 Rainwater tanks (Above Ground)
2.1.64 Development Standards
Item (3) If reticulated water is provided to the lot, the development must not be connected to reticulated ~~town~~ water supply without the prior approval of the ~~local~~ relevant water authority.

Code Modification request 3

Schedule 2
2.2.1 Lot Requirements

(1) Development specified for this Code must only be carried out on a lot that:
(a) is a nominated lot for the type of development proposed, and
(b) has a direct connection to the ~~Council's~~ reticulated water supply and sewer.
(2) A lot on which new dwellings are erected must have lawful access to a public road.

Further to the above should any other section within the approval be identified which restricts the developer to connecting solely to a local government water and sewer provider, it is respectfully requested these additional sections also be amended to ensure flexibility for either a local government or a private water and sewer utility provider be conceivable for the Cobaki Development.

Concurrent requests for modification in relation to the Cobaki Development have also been made for major project approval MP08_0200 and Tweed Shire Council consents DA10/0801.02 and DA10/0800.03. As stated earlier, the request will facilitate the orderly and economic development of the land for the purpose intended by the land uses and approvals that have previously been granted, whilst also satisfying the specific aims of both the *Water Industry Competition Act 2006* and State Environmental Planning Policy (Infrastructure) 2007.

Upon acceptance of the proposed change and upon the issuing of an operator's licence by IPART, the proposed Water and Sewerage System will be subject to the relevant Environmental Assessment provisions provided for under Part 5 of the *Environmental Planning & Assessment Act 1979*.

We would be pleased if you could review the details contained in this correspondence and advise as to any further information that the Department will require in respect of the request made. Please contact Simon Halcrow, Senior Town Planner on 02 6674 5001.

Yours sincerely

per Adam Smith
Director
Planit Consulting P/L

Level 2, 11-13 Pearl Street, Kingscliff NSW 2478
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(02) 6674 5001
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Our Ref: J02888
Your Ref: MP06_0316 MP08-0200

Date: 31 January 2017

The Director General
The Department of Planning
GPO Box 39
SYDNEY NSW 2001
Via email: Natasha.Harras@planning.nsw.gov.au

Att: Natasha Harris

RE: Cobaki Lakes - Amendments to MP06_0316 and MP08_0200

Dear Natasha,

This letter is in response to your request via phone call today for a formal cover letter to our email of 10 January 2017.

As discussed at our meeting December 2016 we would like to tie in some additional changes to the Development Code relating to Cobaki. These changes are relative to the requirements of the future servicing of the Cobaki Development pursuant to the *Water Industry Competition Act 2006*. These changes are also reflective of the current commitment to a WICA solution as advised to Tweed Shire Council and are also consistent with the current application to IPART for a Network Operators Licence for the Cobaki Development.

You will note that we refer to exemptions available under the WICA Act within our suggested amendments. By way of background it is important to note that the pursuant to the provisions of the Water Industry Competition Act, 2006, the proponents of the Cobaki Estate are able to rely on the exemptions in clause 1 of Schedule 3, and also the exemptions available under clause 19A of the *Water Industry Competition (General) Regulation 2008* (***2008 Regulations***) as they existed before the commencement of the *Water Industry Competition (General) Amendment (Licensing Exemptions) Regulations 2010* (***2010 Amendment Regulations***).

In this regard, section 5(4)(b) of WICA exempts the requirement for a licence if the water industry infrastructure is prescribed by the WIC Regulations.

Clause 19A of the 2010 Amendment Regulations provides that:

> *For the purposes of section 5(4)(b) of the WICA, the water industry infrastructure prescribed under clause 19 immediately before the commencement of the Water Industry Competition (General) Amendment (Licensing Exemptions) Regulations 2010 is prescribed as water industry infrastructure to which section 5 of the Act does not apply.*

Clause 19A also clarifies that these exemptions extent to water industry infrastructure regardless of whether it was constructed or installed before or after the commencement of the 2010 Amendment Regulations.

Clause 19 of the 2008 Regulations, prior to the commencement of the 2010 Amendment Regulations, provided as follows:

The following water or sewerage infrastructure is prescribed as infrastructure to which section 5 of the Act does not apply (and so is exempt from the requirement for a licence):

…

(d) water or sewerage infrastructure:

(i) that is wholly situated on premises owned by the one person, whether or not the whole or any part of those premises are leased to, or occupied by, some other person, and

(ii) that is owned or controlled by the person by whom those premises are owned.

Having regard to paragraph (d) above and the nature of the Piping Works, in our view the criteria to enliven the exemption exists. Specifically:

Criteria required	Has this Criteria been met?
Is it water or sewerage infrastructure (as that term is defined in the WICA)?	Yes, the Piping Work is water or sewerage infrastructure.
Is it wholly situated on the premises?	Yes, it will be constructed within Precincts 6, 7 and 8 which are wholly within the Cobaki site.
Is the premises owned by the one person?	Yes, the Cobaki site is owned and controlled solely by LEDA Manorstead Pty Ltd
Is the water or sewerage infrastructure owned or controlled by the person who owns the premises	Yes, LEDA Manorstead Pty Ltd will own and control the Piping Work.

Accordingly, by virtue of section 5(4)(b) and the exemptions offered by Clause 19A of the 2008 Regulations, there is **no requirement** for NWS to hold a WICA licence in respect to the Piping Works to be undertaken.

For the above reasons we have included relevant references in the DRAFT Code amendment attached.

Please note that we have only provided a copy of the relevant changes to the code at 5.9 and 5.10. We can of course add this to a complete version of the amended Code, however in the first instance we thought it best to explore the Department's thoughts on these specific clause inserts in the first instance.

Yours sincerely

Simon Halcrow
Senior Town Planner
Planit Consulting P/L

Enc – Attachment 1

Attachment 1 - Suggested amendments to Development Code

5.9 Location and Easements for Services

Objectives

(1) To ensure appropriate easements are provided for adequate servicing of land where services cannot be located on public land.

Controls

(1) Where possible, all services must be located in footpaths in accordance with **Figure 5.9.1** or where applicable, **Figure 5.9.2**.

(2) Where services are located within a residential lot an easement is to be provided over that infrastructure that has at least one connection to a public road or reserve.

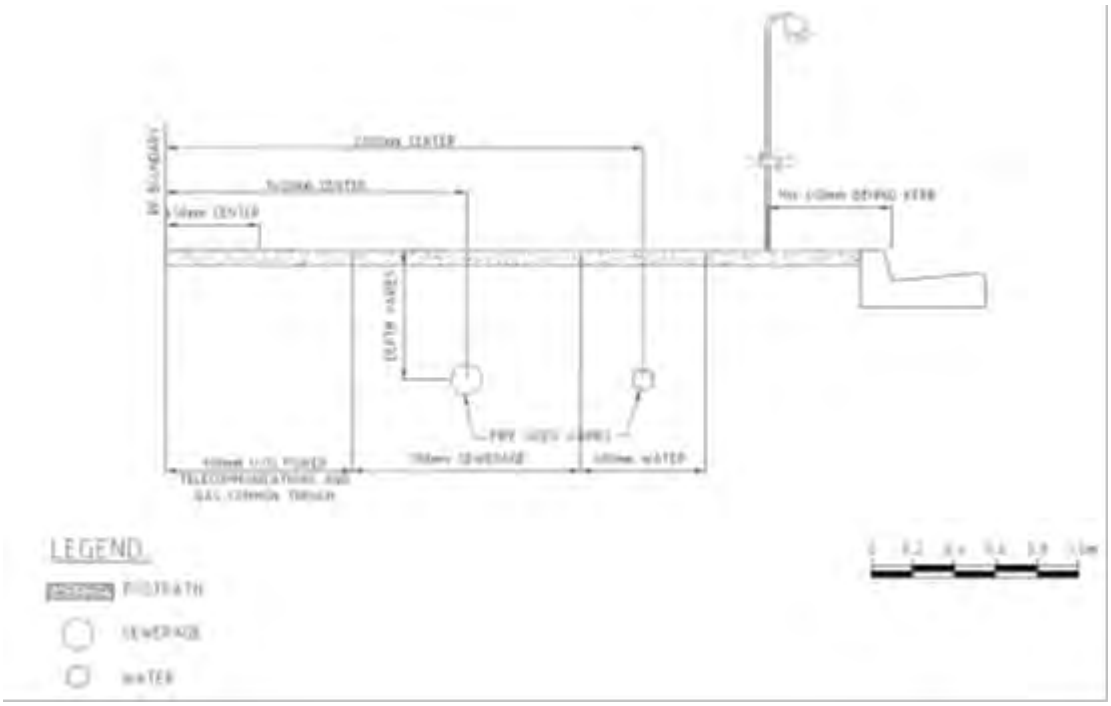
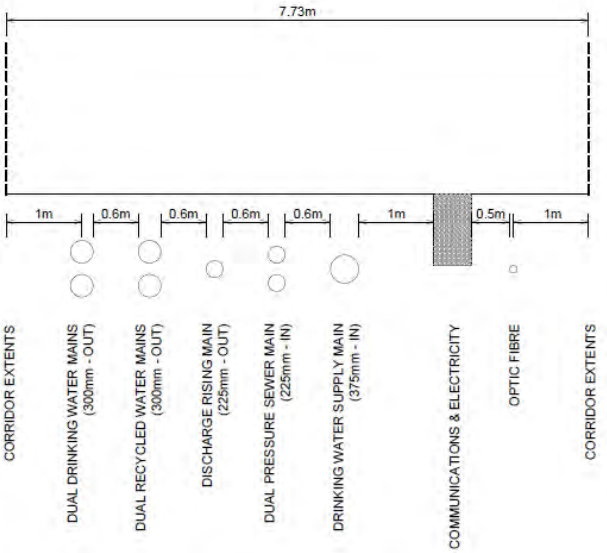


Figure 5.9.1: Typical services section if adopting a solution if connecting to Tweed Shire Council



SERVICE CORRIDOR FOR WWTP - SECTION 1-1

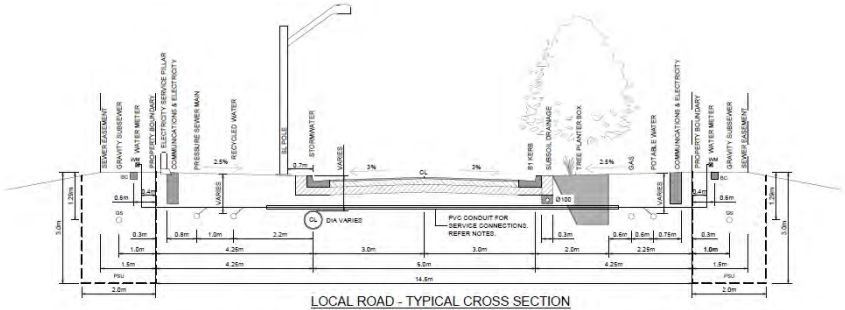
SCALE: 1:50 @ A1, 1:100 @ A3

:YCLED METER
NDARY KIT

' EASEMENT
)mm DEEP

: WATER SERVICE
E INSTALLED IN A 50mm
IIMUM OF 600mm COVER

ICE CONNECTIONS ARE
)mm PVC CONDUIT WITH
VER UNDER ROADWAYS.



LOCAL ROAD - TYPICAL CROSS SECTION

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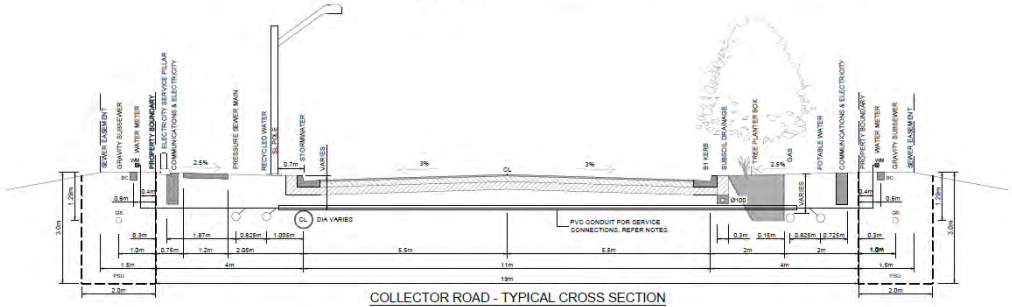

COLLECTOR ROAD - TYPICAL CROSS SECTION

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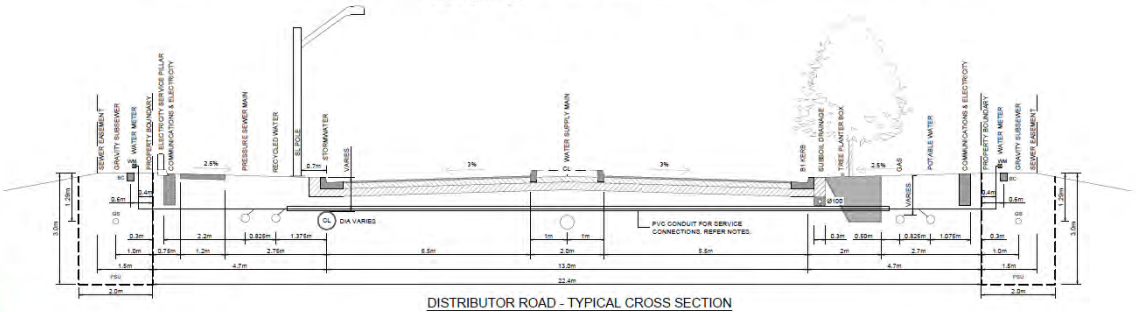

DISTRIBUTOR ROAD - TYPICAL CROSS SECTION

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Figure 5.9.2: Typical services section if adopting a solution under the Water Industry Competition Act 2006

5.10 Private Services Infrastructure

Objectives

(1) To facilitate alternate services provision in accord with the Water Industry Competition Act 2006 and to ensure that the approvals process is structured so as to achieve the intent of that legislation.

(2) To minimise infrastructure works and potential environmental impacts associated with High Water Table, Acid Sulfate Soils and discharges to the natural environment.

(3) To facilitate alternate means of sewer and water infrastructure provision.

Controls

(1) In the event that the proponent seeks to pursue Water and or Sewerage connections in accord with the Water Industry Competition Act, 2006, then a licence must be sought and issued by IPART for such works, with the exception of those works that are exempted from approval under the Water Industry Competition Act 2006.

(2) Both conventional sewerage (connection to Tweed Shire Council) and or an alternate Pressure Sewer System pursued under the Water Industry Competition Act 2006, must be designed in a manner consistent with the provisions of Tweed Shire Council Development Design Specification D12.

(3) Before undertaking any plumbing and drainage works, the proponent must seek appropriate approvals under Section 68 of the Local Government before any Plumbing & Drainage works can commence. These works must be consistent with the conventional sewerage or pressure sewer system requirements of Control No.2 above.

(4) Should the proponent seek to carry out works in respect of the exemption listed in 1 above and any subsequent Section 68 approval, then in the event that the proponent does not receive a WICA licence and the infrastructure has been constructed on land to be dedicated to Council in the future, then such infrastructure must be removed entirely from the site before Council will accept dedication of the land. Such removal must be done at the cost of the proponent

(5) Where a dual reticulation water supply for recycled water is provided throughout the development, this must be designed and constructed generally in accordance with WSA Dual Water Supply Systems and Tweed Shire Council Water Supply Specifications. The layout is to be generally in accordance with figure 5.9.2

(6) The developer must incorporate on the title for all allotments created, relevant Restrictions as to the User which enforce the need for all dwellings and buildings with plumbing (including commercial buildings and the like) to make provision for recycled water service facilities to the approval of the relevant water and sewerage authority

PLANIT CONSULTING

Our Ref: J02888
Your Ref: MP08_0200
Date: 28th July 2016

The Director General
The Department of Planning
GPO Box 39
SYDNEY NSW 2001

RE: Cobaki Lakes - Amendments to MP08_0200 to allow for the development of a Water and Sewerage System

Dear Sir,

Planit Consulting has been engaged by Northern Water Solutions Pty Ltd to seek the amendment of the Major Project MP08_0200.

As per Schedule 6A, section 3C(1) of the *Environmental Planning and Assessment Act 1979, w*e hereby seek the Department's support in rationalizing the requested amendment of the Major Project MP08_0200 so as to facilitate the construction of a private Water and Waste Water Treatment Plant (pursuant to the provisions of the *Water Industry Competition Act, 2006*) and associated sewerage and water supply infrastructure upon land owned by Leda Manorstead Pty Ltd (the Cobaki Development).

This request seeks to include provision for alternative water and sewerage services and infrastructure, so as to allow for the efficient servicing of the land for the purposes of either connecting into Council reticulated water and sewerage services or by providing standalone water and sewerage services for the development. As such, the proposed modifications attempt to allow flexibility in choice.

Whilst the *Water Industry Competition Act 2006* and to a lesser extent, the SEPP – Infrastructure, have highlighted the appropriate paths with respect to the implementation of Private Water and Waste Water Utilities, in this instance, Leda Manorstead Pty Ltd, who have engaged Northern Water Solutions Pty Ltd to provide such utilities, is unable to implement a privately owned system given the current wording of the Major Project Approval MP08_0200.

Having regard to the above, this request seeks to provide the framework within the Major Project Approval MP08_0200 to facilitate the use of an alternate Private Water and Sewer Utility to service the Cobaki Lakes development proposed by Northern Water Solutions Pty Ltd.

This development, which enjoys approval pursuant to Major Project Approval MP08_0200, provides for the carrying out of subdivision of the entire Cobaki Estate site into seven lots, staged bulk earthworks to create central open space, riparian corridor, structured open space and future stormwater drainage area, road forming works and culverts crossing the central open space, road forming works across saltmarsh areas, including culverts and trunk sewer and

water services, revegetation and rehabilitation of environmental protection areas for coastal saltmarsh and establishment of freshwater wetland and fauna corridors. The approvals issued to date (including the Concept Approval MP06_0316 and the subject approval MP08_0200) envisage ultimate connection of the development to Tweed (Water and Sewer). An alternate solution is available to the proponents and as such, the proponents have engaged Northern Water Solutions Pty Ltd to service the proposal. Northern Water Solutions have commenced the preparation of an application to the Independent Pricing & Regulatory Tribunal (IPART) for an operator's license (pursuant to the *Water Industry Competition Act 2006*) to cover the subject area.

The specifics of this request are as follows:-

1. Amend Condition 7 to include the following requirement (c) as follows:

   c. *Notwithstanding condition 7a above, where there is an inconsistency between this consent and any water and sewer infrastructure sought under the Water Industry Competition Act, 2006, then the provision of the Water Industry Competition Act 2006 and any approval granted under this legislation, will prevail.*

2. Amend Condition 17 to include the following point (e) at the end of this as follows:

   e. *The above condition is only applicable where the proponent seeks to have Water and Sewer infrastructure provided by Council. In the event that such services are sought under the provisions of the Water Industry Competition Act, 2006, the above conditions are not applicable unless they form part of an alternate agreement between the developer and Council or the Water & Sewer authority authorised under WICA and Council.*

3. Amend condition 58(d) to include the additional wording (underlined) as follows:

   d. <u>Where required,</u> the plans are endorsed by a Registered Surveyor or a Consulting Engineer certifying that:

   i. All relevant drainage systems, sewer lines, services and structures (as appropriate) are wholly contained within an appropriate easement created by the subdivision.
   ii. The plans accurately reflect the Works as Executed.

4. Include a further commitment at the end of the Statement of Commitments to read as follows:

   13. *Environmental Outcome:*
   All water and sewer infrastructure is to be constructed in accord with relevant approvals and to the necessary standard.

   Measure: That where the proponent does not seek to utilise Tweed Shire Council for the provision of Water & Sewer infrastructure, that such infrastructure will be provided in accord with the private approval requirements outlined under the Water Industry Competition Act, 2006 and associated regulations.

   Timing for completion: at each relevant stage of development.

Concurrent requests for modification in relation to the Cobaki Development have also been made for major project approval MP06_0316 and Tweed Shire Council consents DA10/0801.02 and DA10/0800.03. As stated earlier, the request will facilitate the orderly and economic development of the land for the purpose intended by the land uses and approvals that have previously been granted, whilst also satisfying the specific aims of both the *Water Industry Competition Act 2006* and State Environmental Planning Policy (Infrastructure) 2007.

Upon acceptance of the proposed change and upon the issuing of an operator's licence by IPART, the proposed Water and Sewerage System will be subject to the relevant Environmental Assessment provisions provided for under Part 5 of the *Environmental Planning & Assessment Act 1979*.

We would be pleased if you could review the details contained in this correspondence and advise as to any further information that the Department will require in respect of the request made.

Yours sincerely

per Adam Smith
Director
Planit Consulting P/L

Level 2, 11-13 Pearl Street, Kingscliff NSW 2478
PO Box 1623, Kingscliff NSW 2478
(02) 6674 5001
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Our Ref: J02888
Your Ref: MP06_0316 MP08-0200

Date: 31 January 2017

The Director General
The Department of Planning
GPO Box 39
SYDNEY NSW 2001
Via email: Natasha.Harras@planning.nsw.gov.au

Att: Natasha Harris

RE: Cobaki Lakes - Amendments to MP06_0316 and MP08_0200

Dear Natasha,

This letter is in response to your request via phone call today for a formal cover letter to our email of 10 January 2017.

As discussed at our meeting December 2016 we would like to tie in some additional changes to the Development Code relating to Cobaki. These changes are relative to the requirements of the future servicing of the Cobaki Development pursuant to the *Water Industry Competition Act 2006*. These changes are also reflective of the current commitment to a WICA solution as advised to Tweed Shire Council and are also consistent with the current application to IPART for a Network Operators Licence for the Cobaki Development.

You will note that we refer to exemptions available under the WICA Act within our suggested amendments. By way of background it is important to note that the pursuant to the provisions of the Water Industry Competition Act, 2006, the proponents of the Cobaki Estate are able to rely on the exemptions in clause 1 of Schedule 3, and also the exemptions available under clause 19A of the *Water Industry Competition (General) Regulation 2008* (***2008 Regulations***) as they existed before the commencement of the *Water Industry Competition (General) Amendment (Licensing Exemptions) Regulations 2010* (***2010 Amendment Regulations***).

In this regard, section 5(4)(b) of WICA exempts the requirement for a licence if the water industry infrastructure is prescribed by the WIC Regulations.

Clause 19A of the 2010 Amendment Regulations provides that:

> *For the purposes of section 5(4)(b) of the WICA, the water industry infrastructure prescribed under clause 19 immediately before the commencement of the Water Industry Competition (General) Amendment (Licensing Exemptions) Regulations 2010 is prescribed as water industry infrastructure to which section 5 of the Act does not apply.*

Clause 19A also clarifies that these exemptions extent to water industry infrastructure regardless of whether it was constructed or installed before or after the commencement of the 2010 Amendment Regulations.

Clause 19 of the 2008 Regulations, prior to the commencement of the 2010 Amendment Regulations, provided as follows:

The following water or sewerage infrastructure is prescribed as infrastructure to which section 5 of the Act does not apply (and so is exempt from the requirement for a licence):

…

(d) water or sewerage infrastructure:

(i) that is wholly situated on premises owned by the one person, whether or not the whole or any part of those premises are leased to, or occupied by, some other person, and

(ii) that is owned or controlled by the person by whom those premises are owned.

Having regard to paragraph (d) above and the nature of the Piping Works, in our view the criteria to enliven the exemption exists. Specifically:

Criteria required	Has this Criteria been met?
Is it water or sewerage infrastructure (as that term is defined in the WICA)?	Yes, the Piping Work is water or sewerage infrastructure.
Is it wholly situated on the premises?	Yes, it will be constructed within Precincts 6, 7 and 8 which are wholly within the Cobaki site.
Is the premises owned by the one person?	Yes, the Cobaki site is owned and controlled solely by LEDA Manorstead Pty Ltd
Is the water or sewerage infrastructure owned or controlled by the person who owns the premises	Yes, LEDA Manorstead Pty Ltd will own and control the Piping Work.

Accordingly, by virtue of section 5(4)(b) and the exemptions offered by Clause 19A of the 2008 Regulations, there is **no requirement** for NWS to hold a WICA licence in respect to the Piping Works to be undertaken.

For the above reasons we have included relevant references in the DRAFT Code amendment attached.

Please note that we have only provided a copy of the relevant changes to the code at 5.9 and 5.10. We can of course add this to a complete version of the amended Code, however in the first instance we thought it best to explore the Department's thoughts on these specific clause inserts in the first instance.

Yours sincerely

Simon Halcrow
Senior Town Planner
Planit Consulting P/L

Enc – Attachment 1

Attachment 1 - suggested amendments to development code

5.9 Location and Easements for Services

Objectives

(1) To ensure appropriate easements are provided for adequate servicing of land where services cannot be located on public land.

Controls

(1) Where possible, all services must be located in footpaths in accordance with **Figure 5.9.1** or where applicable, **Figure 5.9.2**.

(2) Where services are located within a residential lot an easement is to be provided over that infrastructure that has at least one connection to a public road or reserve.

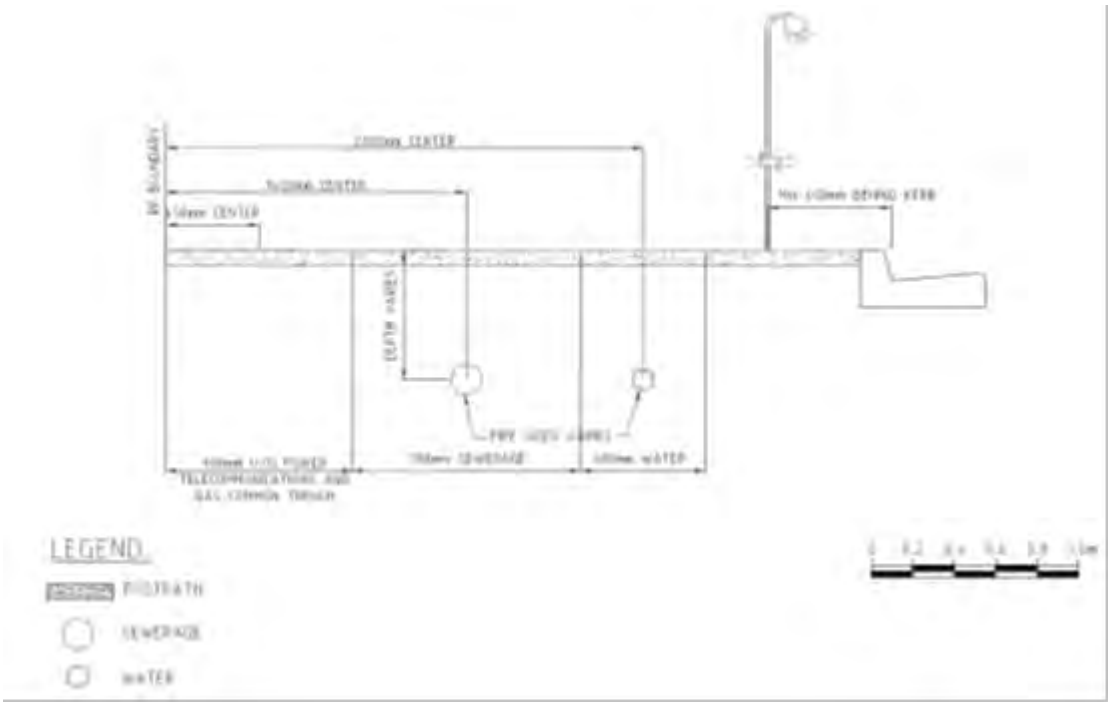
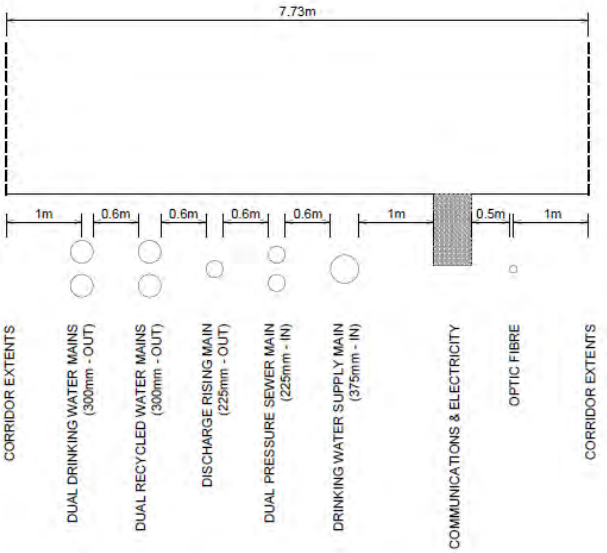


Figure 5.9.1: Typical services section if adopting a solution if connecting to Tweed Shire Council



SERVICE CORRIDOR FOR WWTP - SECTION 1-1

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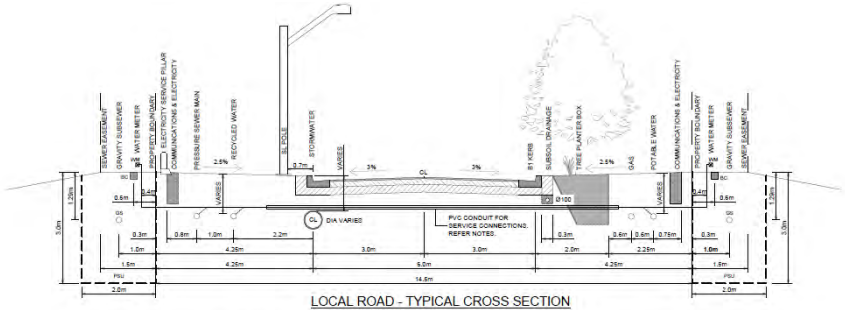

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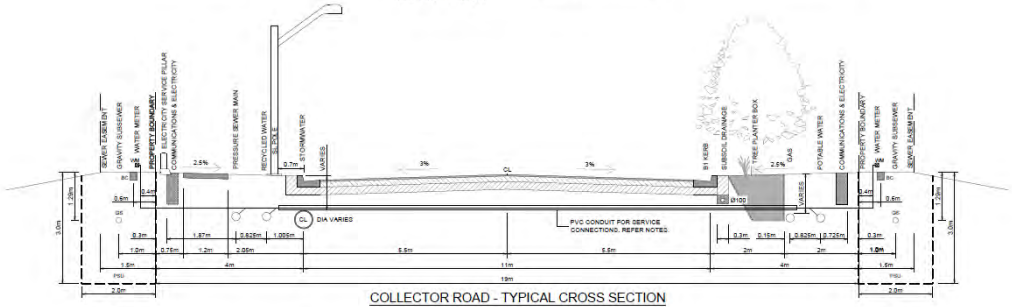

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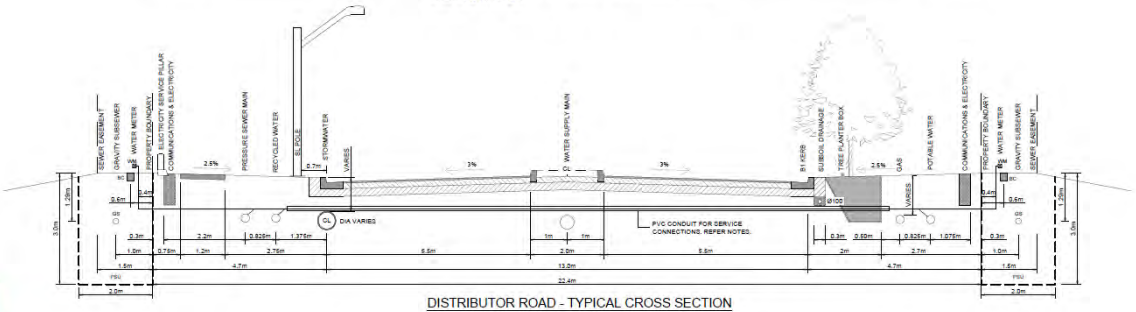

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Figure 5.9.2: Typical services section if adopting a solution under the Water Industry Competition Act 2006

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Applications Currently Under Assessment

Statement of Environmental Effects

Section 83B – Staged Development Application
Development of Precincts 6, 7, 8, 9, 10, 11 & 12 – Cobaki Lakes

Stage 2 – Subdivision of Part Precinct 6
Stage 3 – Subdivision of Part Precinct 7

Prepared by

PLANIT CONSULTING PTY LTD

Prepared for

Leda Manorstead Pty Ltd

October 2016 (Rev B)

PO Box 1623 Kingscliff NSW 2487
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Fax: 02 66745003
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Review and Amendments Schedule – PLANIT CONSULTING PTY LTD

		Date
Author	LN / AG	October 2016
Reviewer	LN / AS / BS	October 2016

Amendments
REV A – 07/01/2016
REV B – RFI Amendments - 27/10/2016

The content of this report was prepared for the exclusive use of the proponent to accompany a development application to Tweed Shire Council in relation to seeking staged approval for components of the Cobaki Lakes project and is not to be used for any other purpose or by any other person or corporation.

Planit Consulting Pty Ltd accepts no responsibility for any loss or damage suffered, or arising to any person or corporation who may use or rely upon this document for any other reason than that described above.

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Planit Consulting declares that it does not have, nor expect to have, a beneficial interest in the subject project.

PLANIT CONSULTING PTY LTD©
October 2016

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1 - Introduction

1.1 Brief

Planit Consulting Pty Ltd has been commissioned to prepare a Statement of Environmental Effects relating to the Staged Development of Precincts 6, 7, 8, 9, 10, 11 & 12 of Cobaki Lakes. This application outlines the detailed proposal for Stage 2 – Subdivision of Part Precinct 6 and Stage 3 – Subdivision of Part Precinct 7 as detailed within DA15/1026 the subdivision of Part of Precinct 6 & 7. This application is lodged in accord with Section 83B of the EP&A Act 1979 for Staged Development.

It is noted that in accord with the provisions of Section 83B of the EP&A Act 1979, separate development application(s) for the remaining stages being Stage 3 through 8 as outlined in DA15/1026 will also be made.

1.2 Background

The Minister for Planning has previously granted Concept Plan Approval No.06_0316 in relation to the Cobaki Lakes development. The Concept Plan for The Cobaki Lakes estate comprises approximately 5500 dwellings. The approval includes an order in accordance with Section 75(P) of the Environmental Planning and Assessment (EP&A) Act 1979, requiring that approval to carry out the project other than the central open space and Precinct 5 be subject to Part 4 or Part 5 of the EP&A Act 1979, where relevant.

In addition a Development Code and Architectural Design Guidelines form an integral part of the Cobaki Lakes development to ensure built form objectives are achieved and that contemporary urban design principles are applied.

The staged subdivision of part of Precincts 6 & 7 (to which this application is made) includes all detail required by Concept Plan Approval No.MP06_0316 and the Cobaki Lakes Development Code.

1.3 Concept Plan Approval No.06_0316

1.3.1 Concept Conditions

The conditions of Cobaki Lakes Concept Plan Approval No.06_0316 relating to requirements for future applications and the Statement of Commitments from the Preferred Project Report are reproduced in Table 1 and Table 2 below. Those tables indicate where each of the relevant matters is addressed in this Statement.

Table 1 – Concept Plan No.06_0316 Requirements for Future Applications

Requirement	Section
C1 Plan of Development A Plan of Development must be submitted with each future application for subdivision on the site. The Plan of Development must, at a minimum, include the following information: 1) Location and width of Asset Protection Zones. 2) A notation on fire affected lots that development is subject to the requirements of 'Planning for Bushfire Protection 2006' and AS3959-2009 Construction of Buildings in Bushfire Prone Areas. 3) Type of development permissible on each lot, eg: zero lot housing, plex housing, etc. 4) Finished floor levels requirements on flood prone lots in accordance with the requirements of Tweed Shire	Complies – See Appendix B – Example POD. We note discussions had with Council officer Colleen Forbes regarding the submission of an example POD at Development Application lodgement stage. This document is attached. As discussed at an appropriate stage during assessment of this development application the 'final' POD for all allotments will be produced and submitted to Tweed Shire Council.

Table 1 – Concept Plan No.06_0316 Requirements for Future Applications	
Requirement	**Section**
Council's Development Control Plan – Section A3 – Flood Liable Land (or any replacement document). 5) All other matters specified for Subdivision in the Cobaki Development Code.	
C2 Implementation of Part B of the Cobaki Development Code All future project/development applications for residential subdivision or for the construction of dwellings or commercial premises must demonstrate consistency with Part B of the Cobaki Development Code.	Section 3.2 of this statement
C3 Housing Densities All future applications for each stage of development for residential subdivision are to provide a plan which: 1) Details the mix densities in each precinct; 2) Demonstrates adoption of the neighbourhood planning principles in the Far North Coast Regional Strategy; 3) Details the objectives for the location of housing of various densities; 4) Details the proposed number and size of dwellings in each stage and precinct; 5) Details sites for seniors housing and support facilities 6) Demonstrates the implementation of the levels of accommodation provided for in the approved concept plan; 7) Details sites for higher density development; and 8) Details discussions with Tweed Shire Council.	Complies – See Appendix A – Subdivision Plan, Appendix B – Example POD, Appendix C – Design Guidelines.
C4 Management and Restoration Plans 1) All future applications are to include draft stage-specific management plan updates (except the Saltmarsh Rehabilitation Plan) providing, where relevant, details on timelines for implementation of recommended works including maintenance periods and measurable performance and completion criteria. Each plan (including stormwater and preliminary acid sulfate soils management plans) is to consider all other existing plans for the site to ensure management strategies do not conflict and each plan can be implemented without negatively impacting on the objectives of another.	Appendix K – Acid Sulfate Soil Management Plan, Appendix F – Erosion and Sediment Control Plan (ESCP), Appendix I – Fauna Management Plan, Appendix G – Ground Water Management Plan (GWMP), Appendix D – Vegetation Management Plan.
2) Construction Environmental Management Plan (CEMP) Draft stage-specific CEMPs that detail measures to address the impacts of construction including, but not limited to, erosion and sediment control (in accordance with Management Urban Stormwater-Soils & Construction Version 4, Landcom 2004, or the latest version), protection of fauna (generally in accordance with Fauna Management Plan – Cobaki Lakes), groundwater and acid sulfate soils and protection of trees and vegetation to the retained (generally in accordance with the Vegetation Management Plan, Cobaki Lakes).	Appendix J – CEMP
3) Restoration Plans Draft detailed regeneration and revegetation plans for each Rehabilitation and Management Precinct as detailed in the Site Regeneration and Revegetation	Appendix E – Site Regeneration and Revegetation Plan.

Table 1 – Concept Plan No.06_0316 Requirements for Future Applications	
Requirement	**Section**
Plan (SRRP) are to be prepared as per the SRRP. These detailed plans for each rehabilitation and Management Precinct, as well as the Revised Saltmarsh and Freshwater Wetland rehabilitation plans are to include, but not be limited to: a) Performance objectives detailing measurable performance and completion criteria; b) Detailed planting species list, composition and density for each vegetation community and, for EECs to be rehabilitated, this is to include ground, mid and canopy species and species composition must be benchmarked against a reference EEC community; c) Details on creek bank erosion management; d) Timing and responsibilities; and e) Developer maintenance period reflecting completion criteria.	
4) Buffer Management Plan Draft stage-specific Buffer Management Plans are to be prepared as per the Overview Buffer Management Plan – Cobaki Lakes – Preferred Project Report (James Warren & Associates 2009) including, but not limited to, rehabilitation and revegetation strategies, bushfire protection measures, weed management, fencing, biodiversity and water quality monitoring and reporting.	Appendix E – Site Regeneration and Revegetation Plan, Appendix D – Vegetation Management Plan.
5) Flora and Fauna Management Plan Update to the Flora and Fauna Monitoring Report are to be provided in accordance with the draft outline to be approved by the Director-General	Appendix I – Fauna Management Plan.
C5 Groundwater and Acid Sulfate Soils Assessment 1) In order to ensure the protection of groundwater quality and the water quality of Cobaki Creek and Broadwater, a detailed Acid Sulfate Soils (ASS) assessment and ACID SULPHATE SOILS Management Plan (ASSMP), if required, addressing groundwater and acid sulfate soils must be submitted prior to issue of the construction certificate for the central open space prior to issue of future precinct earthworks construction certificates. The ASS assessment report must be carried out generally in accord with the ASSMAC guidelines (1988) by a suitably qualified person and must contain the following information, as a minimum: a) A plan showing the locations of all monitoring and test points (boreholes, test pits, wells/groundwater sampling, soils sampling, surface water sampling, monosulfides sampling etc); b) Plots of water level and quality with time; c) Spatial and depth distribution of ASS soils, corrected to TAA plus oxidisable sulphur, and using the ASSMAC recommended action level (>18 mols H+/t) for the site. This should also address the inferred soft ASS marine clays present beneath the sand ridge; d) Typical treatment levels/distribution of AASS and	Appendix K – Acid Sulfate Soil Management Plan, Appendix G – GWMP.

Table 1 – Concept Plan No.06_0316 Requirements for Future Applications	
Requirement	Section
PASS soils on site (where investigated), to current/correct standards; e) A detailed ASSMP with actions for determining ASS conditions ahead of excavation, handling of groundwater levels and quality, detailed management procedures for surface waters and flood routing, interaction (short and long term) of groundwater with surface water in order to prevent the formation of monosulfides, materials evaluation and handling, materials balance, stockpile treatment, validation testing, monitoring systems with trigger levels, contingency actions, protection for structural elements, evaluation of off-site impacts etc. 2) All future applications where the use of groundwater or the interception of the groundwater table is proposed, the proponent, after consultation with the NSW Office of Water, is to submit detailed Site Water and Groundwater Management and Monitoring Plans, supported by baseline groundwater monitoring conducted for an appropriate period, for the approval of the relevant consent authority prior to the issue of a construction certificate.	
C6 Stormwater Management 1) A detailed stormwater management plan must be submitted with each project/development application for subdivision for each precinct in the concept plan generally in accordance with the Stormwater Quality Concept Plan – Cobaki Lake Development – September 2010 Revision 02 – Yeats. The Stormwater Management Plan must address and outline measures based on Water Sensitive Urban Design Principles which addresses impacts on the surrounding environment, drainage and water quality controls for the catchment at construction, maintenance and operational stages. The stormwater management plans are to be submitted to the satisfaction of the Council following consultation with the DECCW and Industry and Investment (Fisheries) 2) Each stormwater management plan is to include groundwater considerations, a detailed design layout plan for the preferred stormwater treatment train showing location, size and key functional elements of each part of the system. MUSIC modelling must be undertaken to demonstrate appropriate water quality objectives are being achieved. 3) All future applications for each stage of development are to demonstrate, through the provision of monitoring and adaptive management plans and commitments, that any proposed surface water/stormwater pollution reduction devices will be monitored to determine their pollutant removal efficiencies and that need for further treatment of drainage to ensure the preservation of water quality in Cobaki Creek and Cobaki Broadwater.	Appendix E – ESCP, Appendix G – GWMP, Appendix S – Stormwater Quality Management Plan (SQMP)
C7 Geotechnical Assessments 1) In order to ensure the stability of development lots, a	Appendix H – Geotechnical

Table 1 – Concept Plan No.06_0316 Requirements for Future Applications	
Requirement	Section
preliminary geotechnical assessment prepared by a suitably qualified person must be submitted with each future development application for subdivision. The assessments must, at a minimum, include the following: a) A geotechnical map of the site clearly showing ground surface contours, geotechnical engineering soil types and geotechnical hazards. The delineation of hazards should include hazard locations and possible hazard impact areas. That map should be occupied by an explanatory text describing the nature and delineation of soil types and hazard types. The map and text should be prepared by a suitably experienced geotechnical practitioner; and b) A synthesis site plan clearly showing ground surface contours and the locations of all test pits, boreholes and monitoring wells drilled on the site to date. Any hillside construction must be in accordance with Some Guidelines for Hillside Construction and Practice, Appendix G of Landside Risk Management by Australian Geomechanics 2002. 2) Any hillside construction must be in accordance with 'Some Guidelines for Hillside Construction and Practice', Appendix G of *Landside Risk Management* by Australian Geomechanics 2002.	Investigation
C8 Bushfire Assessment In order to ensure the protection of property and assets, a detailed bushfire assessment and management plan, prepared by a suitably qualified person, must be submitted with each future project/development application for subdivision. The assessment must, at a minimum, demonstrate consistency with the requirements of Planning for Bushfire Protection 2006. All asset protection zones must be clearly specified on the Plan of Development and all affected lots are to be encumbered with a Section 88B instrument under the NSW Conveyancing Act 1919.	Appendix L – Bushfire Report
C9 Flooding and Climate Change 1) In order to ensure the protection of life and property during a flood event, a comprehensive flood assessment of the site must be submitted with the first project/development application for residential subdivision. The flood assessment must have regard to the following elements to determine the new flood planning level for Cobaki Estate: a) a sea level rise scenario of 0.90 metres; b) a 10% increase in rainfall intensity for sensitivity testing; c) the detailed flood modelling results from the Tweed Valley Flood Study; and d) consideration of freeboard of 0.5 metres; 2) All future applications for each stage of development	Appendix V – Extent of Flood Map

Table 1 – Concept Plan No.06_0316 Requirements for Future Applications	
Requirement	Section
are to incorporate any re-calibrations of the Tweed Shire Council flood model. 3) A preliminary development landform for the entire site is to be provided with the first project/development application for residential subdivision to allow comprehensive flood modelling to be carried out, but not in such a way as to preclude necessary modifications to land forms in subsequent stages of development. 4) All future application for residential subdivision shall provide an updated Design Flood Level Map showing peak flood levels for local and regional flood events at 0.1m contours and a detailed flood impact assessment for all flood liable land.	
C10 Affordable Housing The proponent shall provide, with the first application for residential subdivision, a study to determine the need for affordable housing provision for the Cobaki Estate. The study should address the following: a) The likely future demographics of the population of the Cobaki Estate and immediate locality by household type, income, employment and tenure; b) The need for affordable housing both for rental and purchase in the Cobaki Estate and immediate locality; c) A plan showing the possible location of affordable housing on the Cobaki site in the various precincts; and, d) Investigation of mechanisms for the provision of affordable housing, including any role for community housing providers or the potential use of Voluntary Planning Agreements. The proponent is to consult with Tweed Shire Council and Housing NSW -Centre for Affordable Housing in the preparation of the study. The proponent is to consult with Tweed Shire Council and Housing NSW – Centre for Affordable Housing in the preparation of the study.	N/A – This study has previously been completed as part of the first applications for residential subdivision within Cobaki Lake Estate.
C11 Traffic Assessment In order to ensure that the capacity of the surrounding external road network is not exceeded, each future project/development application for subdivision must be accompanied by a detailed traffic assessment in accordance with the RTA's Guide to Traffic Generating Developments. The traffic assessment must take into account both the additional traffic from the Cobaki development as well as the cumulative impacts of any new developments in the Tweed Shire and the Gold Coast City Council area. All traffic assessements undertaken that reveal traffic impacts requiring mitigation on the Queensland road system shall be referred to Queensland authorities for comment. Traffic management works required by the development on the Queensland side of the State's border shall be undertaken in	Appendix N – Traffic Assessment Report

Table 1 – Concept Plan No.06_0316 Requirements for Future Applications	
Requirement	Section
accordance with the requirements of the Queensland authorities and/or deeds with those authorities.	
C12 Road Traffic Noise Impact Assessment In order to determine appropriate noise attenuation requirements adjacent to the Cobaki Parkway, a road traffic noise impact assessment must be undertaken in accordance with RTA guidelines as part of each development application. Details of noise attenuation measures (buffers, mounds, acoustic walls, construction standards) are to be provided as part of each development application for residential subdivision.	Appendix Q – Noise Impact Assessment
C13 Open Space All future applications for subdivision are to demonstrate the provision of an adequate area of active and passive open space in accordance with Council's minimum requirements.	Appendix B – Subdivision Plan, Appendix O – Statement of Landscape Intent, Appendix P – Open Space Discussion.
C14 Restrictions on Cats The future development applications must demonstrate that the keeping of cats within the Cobaki Lakes site shall be totally prohibited and that all residential lots are to be encumbered to this effect with a Section 88B instrument under the NSW Conveyancing Act 1919.	Noted
C15 Cultural Heritage Management Plan All future applications for each stage of development are to demonstrate the implementation of the recommendations of the Cultural Heritage Management Plan, including the requirement for site specific management strategies for each of the identified sites of cultural heritage significance as they relate to the area of the development application.	Appendix M – Aboriginal Cultural Heritage Report
C16 Bus Network All future applications for each stage of development for residential subdivision are to ensure that adequate provision has been made for public transport in accordance with the Cobaki Access Network Plan and Potential Bus Route Revision EE, dated 23 September 2010.	Appendix N – Traffic Impact Assessment
C17 Contamination Assessment A Stage 2 Contamination Assessment is to be prepared for Precincts 10 and 17. Each Stage 2 Contamination Assessment is to identify any contamination on site and provide for appropriate mitigation measures in accordance with the provisions of State Environmental Planning Policy No.55 – Remediation of Land.	Section 3.5 of this Statement
C18 Tweed Shire Council Development Consents Future project/development applications for each stage of development are to outline the status of Tweed Shire Council development consents DA92/315, DA94/438, DA S94/194, DA96/271, DA S97/54, DA K99/1124 or DA 1262/2001 and include a detailed description of how these consents relate to the application.	Appendix X – Consolidated Concept & Project Approval Conditions.
C19 Biodiversity Offsets 1) Details of biodiversity offsets for the loss of Swamp Sclerophyll Endangered Ecological Community on the site must be submitted with any development application for works in Precinct 6. 2) Total offsets for Swamp Sclerophyll on Coastal Floodplain must be as follows: a. 6.77ha on site in accordance with the approved Revised Ecological Assessment,	Subject to Modification - Condition C19 is currently the subject of active modification with the NSW Department of Planning. Mod #3 approvals is required to comply with this. A relevant condition is consent is requested to address this issue.

Table 1 – Concept Plan No.06_0316 Requirements for Future Applications	
Requirement	Section
April 2013; plus b. Additional lands either on-site and/or off-site to compenstate for the loss of the offset (as a result of 06_0316 MOD 1), of an area as agreed with OEH.	

1.3.2 Statement of Commitments

The Concept Plan Approval MP06_0316 includes a Statement of Commitments relative to the delivery of the Cobaki Lake project. This staged application is consistent with the approved Statement of Commitments.

Table 2 – Statement of Commitments			
Issue	Environmental Outcome	Commitment	Section
1. Concept Plan	1.1 Development is carried out generally in accordance with the approved Concept Plan and Development Code.	1.1.1 Every application for subdivision to create separate lots is to include a plan indicating the broader context of the application. This indicative plan will show: - actual and proposed densities by precinct (or other identified nodes); - the distribution or indicative distribution of surrounding open space/parks; - connector roads; and - Trunk stormwater drainage.	Appendix A – Subdivision Plans
2. Visual Impact	2.1 Key attributes of the natural visual landscape of the Cobaki Estate site (being the topographical amphitheatre, remnant band of bushland, Cobaki Broadwater forest and wetland, and proposed new central open space precinct) are retained and rehabilitated.	2.1.1 In those areas of the site not proposed for urban development the natural landscape will be retained and rehabilitated where applicable in accordance with the relevant environmental management plans appended to the Concept Plan and Development Code.	Appendix I – Fauna Management Plan Appendix D – Vegetation Management Plan Appendix E – Site Regeneration and Revegetation Plan

	2.2 The visual impact of subdivision and building development is managed.	2.2.1 Future project applications and development applications will be generally consistent with the development controls for the detailed design of subdivisions and buildings in each precinct as set out in the Cobaki Development Code.	Appendix A – Subdivision Plan Appendix B – Example POD
3. Road access	3.1 Road access to the north through Boyd Street and Gold Coast Highway has capacity to accommodate traffic generated by such development that occurs under the Concept Plan.	3.1.1 The proponent will meet its legal obligations assigned in the Boyd Street Road Works Deed between Gold Coast City Council and Calsonic Management Services Pty Ltd dated 8 July 1993.	Appendix N – Traffic Assessment Report
		3.1.2 Every subdivision application will be supported by a traffic study demonstrating that Boyd Street has, at the time of the application, sufficient capacity to accommodate the additional traffic generated by the subdivision.	
		3.1.3 The proponent will meet its obligations in the Deed between it and the State of Queensland acting through the Department of Main Roads dated 3 February 1997 in relation to the construction and use of a signalised intersection between Boyd Street and the Gold Coast Highway.	
		3.1.4 The proponent will meet its legal obligations assigned in the Deed between Tweed Shire Council and Calsonic Management Services Pty Ltd dated 6 August 1993.	

	3.2 Road access to the south through the Cobaki estate and over Cobaki Creek to connect with Piggabeen Road is provided to accommodate traffic generated by the development under the Concept Plan.	3.2.1 The proponent will dedicate to Council all the Cobaki Parkway Road Reserve from the north eastern boundary of the property to Cobaki Creek, in accordance with the approved Concept Plan. The cost of this land dedication, and the manner in which it will be treated as a credit against the proponent's obligations to pay contributions under Section 94, will be in accordance with the Deed between Tweed Shire Council and Calsonic Management Services.	Appendix A – Subdivision Plan
		3.2.2 The proponent will construct two lanes of Cobaki Parkway, in accordance with Tweed Shire Council's requirements, from the toe of the ramp on the western side of the overpass at the intersection of Boyd Street and the Tugun Bypass to the southern-most roundabout on Cobaki Parkway at its intersection with Sandy Road. These works will be constructed progressively to access each phase of the development as it is released.	
		3.2.3 The proponent will construct two lanes of Cobaki Parkway, in accordance with Tweed Shire Council's requirements, from the southern-most roundabout with Sandy Road to the Cobaki Creek, a two lane bridge over Cobaki Creek and a connection to Piggabeen Road.	Not applicable to this application as the 3000 lot threshold for this commitment will not be reached as part of this proposal.
		3.2.4 The proponent shall provide, in the subdivision design of Precincts 9 & 10, for the southern section of Sandy Road to connect to Piggabeen Road in order to provide an alternative connection to Cobaki Parkway.	Not application to this application as the proposal is not for subdivision within precincts 9 & 10.

		3.2.5 Road connection between Cobaki Parkway and Piggabeen Road, either via the Cobaki Creek Bridge or through Precincts 9 & 10, will not be opened to the public for vehicle access until such time as a tick control facility has been installed to the satisfaction of the NSW Department of Primary Industries.	
		3.2.6 The proponent will meet its legal obligations assigned in the Deed between Tweed Shire Council and Calsonic Management Services Pty Ltd dated 6 August 1993.	Appendix N – Traffic Assessment Report
		3.2.7 The proponent will in good faith enter into negotiations with Tweed Shire Council with the objective of completing, if necessary, a Deed between the parties replacing the Deed between Council and Calsonic Management Services Pty Ltd dated 6 August 1993.	Noted.
	3.3 Internal roads and access arrangements are designed and constructed to contemporary standards of safety and efficiency.	3.3.1 Internal roads, car parking and loading/ servicing facilities will be designed and constructed in accordance with the Cobaki Development Code.	Appendix N – Traffic Assessment Report, Appendix B – Subdivision Plan
		3.3.2 Direct vehicle access off Cobaki Parkway to allotments will be restricted to one left in/left out point serving the Town Centre commercial/retail zone, subject to an approved traffic report confirming the acceptability thereof; No other lots will have direct access onto Cobaki Parkway.	Appendix N – Traffic Assessment Report, Appendix B – Subdivision Plan
4. Flora and Fauna Management	4.1 Areas of saltmarsh on the site are rehabilitated and protected.	4.1.1 The provisions of the Revised Saltmarsh Rehabilitation Plan, Cobaki Lakes, Preferred Project Report (James Warren & Associates, October 2010) will be implemented.	Appendix E – Site Regeneration and Revegetation Plan

	4.2 Areas of Scribbly Gum trees are conserved and managed.	4.2.1 The provisions of the Scribbly Gum Management Plan, Cobaki Lakes, Preferred Project Report (James Warren & Associates, 2009g) will be implemented.	Appendix D – Vegetation Management Plan
	4.3 Native vegetation is regenerated.	4.3.1 The provisions of the Revised Site Regeneration and Revegetation Plan, Cobaki Lakes, Preferred Project Report (James Warren & Associates, October 2010) will be implemented.	Appendix E – Site Regeneration and Revegetation Plan
	4.4 Removal of native vegetation is appropriately managed.	4.4.1 The provisions of the Vegetation Management Plan, Cobaki Lakes, Preferred Project Report (James Warren & Associates, 2009d) will be implemented.	Appendix D – Vegetation Management Plan
	4.5 Threatened fauna species are appropriately managed.	4.5.1 The provisions of the Fauna Management Plan, Cobaki Lakes, Preferred Project Report (James Warren & Associates, 2009e) will be implemented.	Appendix F – Fauna Management Plan
		4.5.2 The provisions of the SEPP 44 Assessment – Cobaki Lakes - Preferred Project Report (James Warren & Associates, 2009h) will be implemented.	
	4.6 Areas of native vegetation are protected.	4.6.1 The provisions of the Overview Buffer Management Plan – Cobaki Lakes - Preferred Project Report (James Warren & Associates, 2009i) will be implemented.	Appendix D – Vegetation Management Plan
	4.7 Freshwater wetlands are rehabilitated.	4.7.1 The provisions of the Revised Freshwater Wetland Rehabilitation Plan, Cobaki Lakes, Preferred Project Report (James Warren & Associates, October 2010) will be implemented.	Appendix E – Site Regeneration and Revegetation Plan

	4.8 Offsets will be provided for impacts on Freshwater Wetlands and associated Wallum Froglet habitat, impacts resulting from approved bushfire hazard reduction works within native vegetation areas, and for any impacts on existing trees in the Scribbly Gum Reserve.	4.8.1 The proponent will enter into separate Planning Agreements with DECCW for the offset of the following impacts: - on Freshwater Wetlands and associated Wallum Froglet habitat; - from approved bushfire hazard reduction works within native vegetation areas; and - on existing trees within the Scribbly Gum Reserve should this occur. The proponent will fulfil its obligations in accordance with these Planning Agreements.	Negations on this element continue. This must be completed prior to any works which would impact upon these items. In this regards the proposal will not see impact to these areas.
5. Biting Midge & Mosquito Control	5.1 Biting midge and mosquitoes are appropriately managed.	5.1.1 The provisions of the Biting Midge & Mosquito Control Plan (Mosquito Consulting Services, May 2008) will be implemented.	Appendix J – CEMP
6. Stormwater and flood management	6.1 Stormwater on the site is appropriately managed.	6.1.1 Stormwater Management Plans, generally in accordance with the Stormwater Quality Concept Plan (Yeats, September 2010) and Council's DCP and referenced Development Design Specification D7-Stormwater Quality Version 1.3 will be prepared as part of future Development Applications and Project Applications, and implemented.	Appendix S – Stormwater Quality Management Plan

		6.1.2 Water sensitive urban design (WSUD) measures may be implemented generally in accordance with the Stormwater Management Plan (Yeats 2010) in areas where geotechnical and slope parameters are compatible. Additional road reserve widths shall be provided in accordance with Council's standard road cross-sections to accommodate roadside drainage swales and similar WSUD measures where these are provided.	Appendix S – Stormwater Quality Management Plan
	6.2 Flood protection is provided in the design of development.	6.2.1 Development shall be in accordance with Council's DCP Section A3-Development of Flood Liable Land.	Appendix V – Extent of Flood Mapping
		6.2.2 The proponent shall provide detailed flood impact assessments for each stage of the development, utilising the updated Tweed Valley Flood Study 2009.	Appendix V – Extent of Flood Mapping
		6.2.3 The development shall adopt flood planning levels that account for the future impact of climate change in accordance with government policies. Until such time as Council's DCP Section A3-Development of Flood Liable Land is updated to reflect these government policies, the proponent shall adopt flood planning levels for the fill level for development lots of a minimum of RL 2.9m AHD and for habitable floor level a minimum of RL 3.4m AHD, based on the Tweed Valley Flood Study update 2009 and the "high level" impact scenario derived from the 2007 DECC Guideline "Practical Consideration of Climate Change".	Appendix V – Extent of Flood Mapping

7. Groundwater Management	7.1 Groundwater is appropriately managed.	7.1.1 The provisions of the Groundwater Management Plan (Gilbert & Sutherland, April 2008) will be implemented.	Appendix G – GWMP
		7.1.2 Groundwater Management Plans will be provided in relation to each future Development Application or Project Application.	Appendix G – GWMP
8. Management of soils and geotechnical conditions	8.1 Geotechnical conditions are appropriately managed.	8.1.1 The Broadscale Geotechnical Investigation - Cobaki Lakes (Cardno Bowler, February 2010) will be implemented to support earthworks, civil construction and building work.	Appendix H – Geotechnical Investigation
	8.2 Acid sulphate soils (ASS) are appropriately managed.	8.2.1 Detailed ASS investigations and ASS Management Plans will be prepared for the detailed design and construction of areas of potential acid sulphate soils, and implemented.	Appendix K – Acid Sulfate Soils Management Plan
	8.3 Contaminated sites are appropriately managed.	8.3.1 Detailed contamination assessments of potentially contaminated land will be undertaken, and, if required, Remediation Action Plans implemented.	Section 3.5 of this statement
		8.3.2 Site audit statements will be obtained where necessary to verify the remediation of any contaminated land in accordance with relevant NSW guidelines.	Section 3.5 of this statement
9. Bushfire Protection	9.1 Bushfire protection measures are included in development.	9.1.1 Development will comply with the guidelines Planning for Bushfire Protection 2006.	Appendix L – Bushfire Threat Assessment
		9.1.2 Bushfire management plans will be prepared and submitted with all relevant development applications.	Appendix L – Bushfire Threat Assessment

10. Interface with surrounding land	10.1 Agricultural buffers, ecological buffers, and appropriate measures for management of generic impacts on and from adjacent land are included in development.	10.1.1 The recommendations of the Agricultural Buffer and Off-Site Impacts Assessment (Gilbert & Sutherland, May 2008) will be implemented.	Appendix E – Site Regeneration and Revegetation Plan & Appendix A – Subdivision Plans
11. Aboriginal Cultural Heritage Conservation	11.1 Aboriginal cultural heritage on the site is appropriately conserved.	11.1.1 The requirements of the Cultural Heritage Management Plan (CHMP) (Everick, April 2010) will be implemented in relevant areas.	Appendix M – Aboriginal Cultural Heritage Management Plan
12. Road noise	12.1 Dwellings meet residential noise standards.	12.1.1 Future project applications and development applications for subdivision or housing adjacent to sub arterial, distributor and connector roads are to include an acoustic report that addresses the potential impacts of road noise, and includes measures to mitigate noise and achieve relevant NSW standards for residential noise levels in dwellings.	Appendix Q – Noise Impact Assessment
13. Ownership and management of open space and environmental protection zones	13.1 The long term ownership and management of open space and Environmental Protection areas is secured.	13.1.1 The main central open space corridor on the western side of Cobaki Parkway, being the subject of Project Application No 08-0200, is to be constructed and landscaped in stages. The proponent will offer to dedicate this land to Council in stages, such dedication to occur upon the works being completed.	Not applicable to this application.
		13.1.2 The environmental protection zone on the eastern side of Cobaki Parkway adjacent to Cobaki Creek is to be rehabilitated, and biting midge and mosquito controlled, in accordance with the relevant Management Plans. The proponent will offer to dedicate this land to Council, such dedication to occur upon the works being completed.	Appendix E – Site Regeneration and Revegetation Plan

		13.1.3 The remaining environmental protection-zoned areas adjacent to each development precinct will be rehabilitated and/or landscaped as part of the development of the adjacent development precinct, in accordance with the relevant Management Plans. The proponent will offer to dedicate these areas to Council, such dedications to occur upon the works in respect of each area being completed.	
		13.1.4 The proponent will offer to execute the relevant covenants in favour of Council in respect of areas identified to be so protected.	
		13.1.5 The proponent will provide easements or other lawful mechanisms acceptable to Council that are reasonably necessary to enable Council to undertake regular environmental management and/or the maintenance of infrastructure within reserves (including drainage, open space, sewer, water and roads), particularly within areas zoned Environmental Protection.	
14. Tweed Shire Council DCP	14.1 Development at the Cobaki Estate is generally consistent with the Tweed Shire Council DCP and Development Design and Construction Specifications to the extent that the provisions thereof are not inconsistent with the Cobaki Concept Plan and Development Code which take precedence.	14.1.1 Future project applications and development applications are to be generally consistent with the Tweed Shire Council DCP and Development Design and Construction Specifications to the extent that the provisions thereof are not inconsistent with the Cobaki Concept Plan and the Cobaki Development Code.	Section 3 of this statement.

1.3.3 Cultural Heritage Parks

It is noted the documents submitted in support of this staged development identify two (2) Cultural Heritage Parks. MP06_0316 currently includes three (3) Cultural Heritage parks. The proponents are currently in

discussions with relevant stakeholders on consolidating the existing approved three (3) Heritage Parks into two (2) Heritage Parks. This change is to be ratified via a modification of MP06_0316.

1.4 The Subject Land

1.4.1 General Description

The subject land is known as the Cobaki Estate and is located adjacent to the New South Wales / Queensland boarder. The subject land has a total area of 593.53 hectares.

The legal description of the subject land is Lot 1 DP570076; Lot 2 DP566529; Lot 1 DP562222; Lot 1 570077; Lot 1 DP823679; and Lots 46, 54, 55, 199, 200, 201, 202, 205, 206, 209, 228 and 305 DP755740. The legal description of the precincts by which this application is made is Lot 1 DP570076, Lots 54, 55 & 228 DP755740.

The site of the proposal within the subject land is identified as Part Precinct 6 & Part Precinct 7 on the approved Cobaki Lakes Concept Plan. The location of site (Part Precinct 6 and Part Precinct 7) in relation to the subject land is identified in Figure 1 – Subject Land & Site Location below.

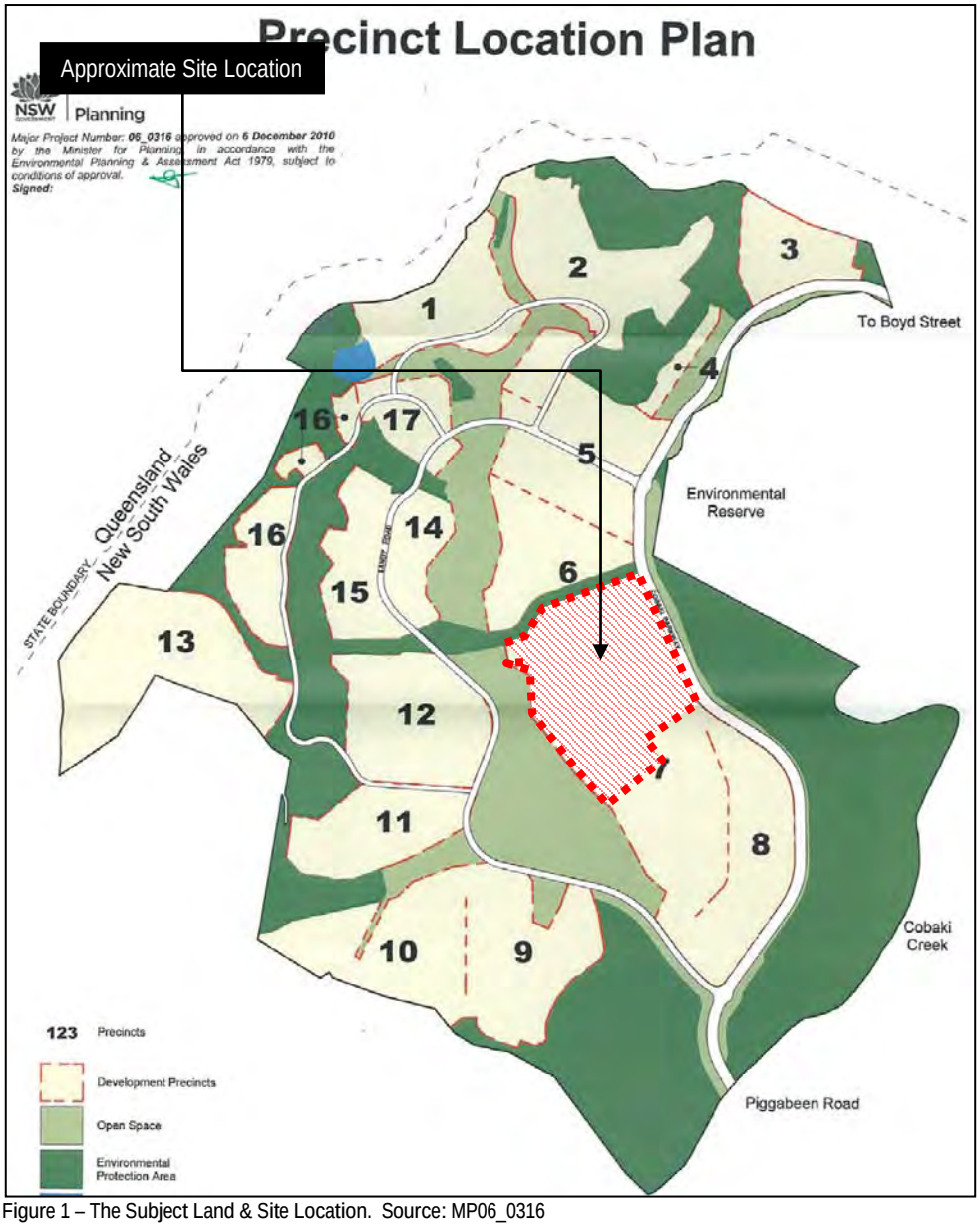

Figure 1 – The Subject Land & Site Location. Source: MP06_0316

The site is of an irregular shape with a northern frontage to the remainder of Precinct 6 and the future Town Centre beyond, an eastern frontage to Cobaki Parkway, a southern frontage to remainder of Precinct 7 with Precinct 8 and Sandy Road (Future Road) beyond and western frontage to the Central Open Space Corridor with future precincts 11 and 12 beyond.

1.4.2 Zoning

The subject land contains a number of zonings under two (2) Environmental Planning Instruments. These instruments are the Tweed Local Environmental Plan 2000 and the Tweed Local Environmental Plan 2014. The zoning of the subject land follows the approved Cobaki Estate Concept Approval. Zoning on the subject land includes R1 General Residential, RE2 Private Recreation and B2 Local Centre under the TLEP 2014; and 7(a) Environmental Protection (Wetlands and Littoral Rainforest), 7(l) Environmental Protection (Habitat) and 7(d) Environmental Protection (Scenic / Escarpment) under the TLEP 2000.

The zoning of the subject land is identified in Figure 2 – TLEP 2014 Zoning Extract and Figure 3 – TLEP 2000 Zoning Extract.

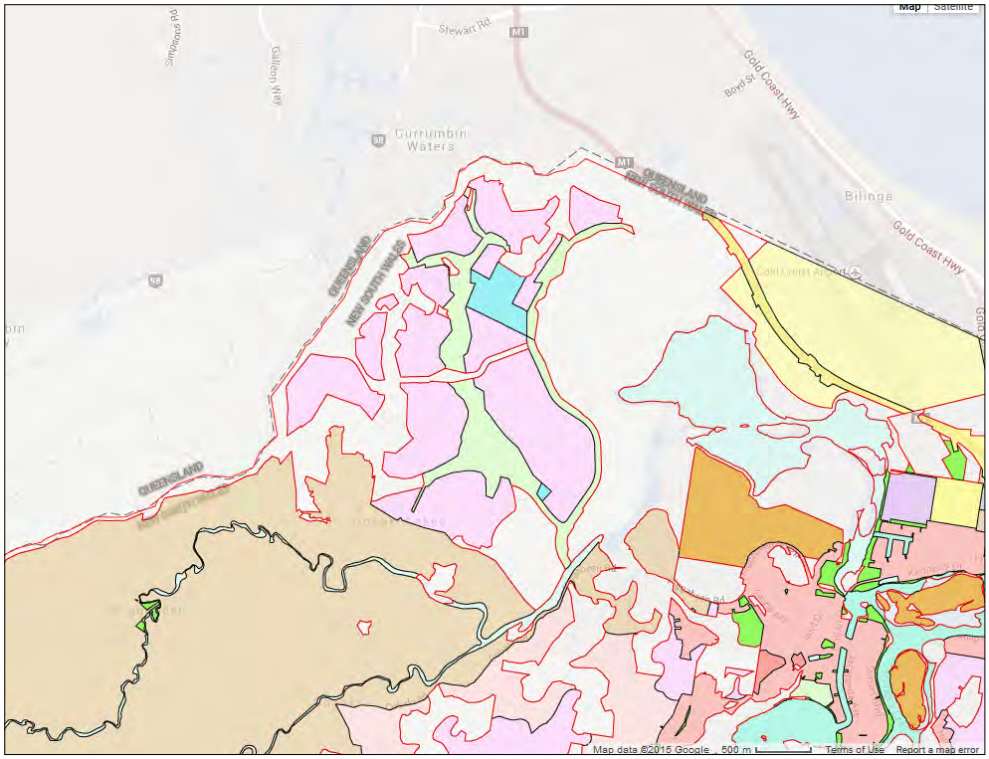

Figure 2 – TLEP 2014 Zoning Extract. Source: NSW DOP Planning Beta

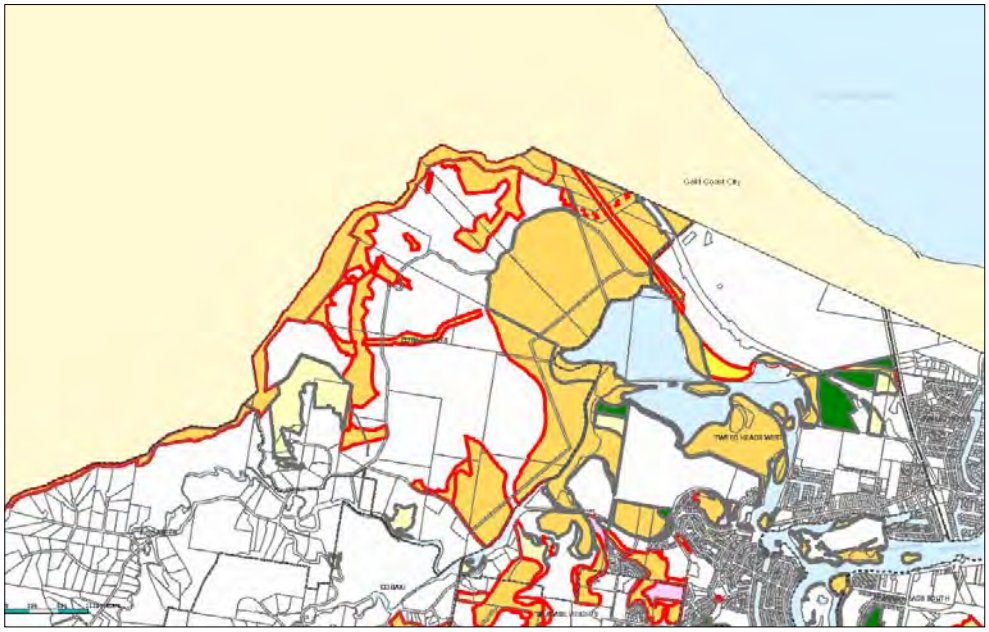

Figure 3 – TLEP 2000 Zoning Extract. Source: TSC GIS 2015

The zoning of the precincts which form part of the Stage Development is summarised in table 3 below, those subject of this application are highlighted in bold:

Table 3 – Zoning

Precinct No.	Zoning
6	R1 General Residential
7	R1 General Residential
8	R1 General Residential & B2 Local Centre

9	R1 General Residential
10	R1 General Residential
11	R1 General Residential
12	R1 General Residential

1.5 The Surrounds

The area surrounding the site comprises the balance of the Cobaki Lake Estate. To the north of Precinct 6 is Precinct 5, the future town centre site. To the east of Cobaki Parkway is the salt marsh and foreshore of the Cobaki Broadwater. To the south of the site are Precinct 8 and Environmental Protection Areas and lands outside of the Cobaki Estate beyond. To the west of the site are environmental protection areas and future residential precincts beyond

1.6 The Proposal

1.6.1 Part of Section 83B Staged Development

The proposal is part of a Staged development in accord with Section 83B of the EP&A Act 1979. This proposal is for Stage 2 and 3 as follows Stage 1 application identified as DA15/1026 lodged with Tweed Shire Council. The staging as identified under DA15/1026 is summarised below:

Stage 1 – Staged Bulk Earthworks (the subject of DA15/1026)
Stage 2 – Subdivision of Part Precinct 6 (subject of this application)
Stage 3 – Subdivision of Part Precinct 7 (subject of this application)
Stage 4 – Subdivision of Part Precinct 7 and Precinct 8 (subject of future application)
Stage 5 – Subdivision of Precinct 9 (subject of future application)
Stage 6 – Subdivision of Precinct 10 (subject of future application)
Stage 7 – Subdivision of Precinct 11 (subject of future application)
Stage 8 – Subdivision of Precinct 12 (subject of future application)

1.6.2 General Summary

The proposal is for the Torrens title subdivision of Part of Precincts 6 & 7 of Cobaki Lakes. The subdivision will create a total of 464 Residential allotments, 7 public open space allotments, 1 school allotment and new road reserves, all essential public infrastructures and residual allotments. The delivery of the above allotments and infrastructures will be broken into eleven (11) sub stages as outlined within Appendix A – Subdivision Plans.

The proposed subdivision is consistent with the concept approved under MP06_0316 and the conceptual layout included as part of DA15/1026.

The key elements of the project include:

- Construction and opening of all proposed roads and dedication of that land as public road
- Provision of underground reticulated water supply and connection to trunk infrastructure;
- Provision of underground reticulated sewer and connection to the trunk infrastructure;
- Provision of underground reticulated stormwater drainage and stormwater management facilities;
- Provision of underground power and telephone services;
- Carrying out of final earthworks for installation of services (following on from separately approved bulk earthworks);
- Construction and dedication of 14,713m^2 of open space area in the form of 2 parks and 5 link parks;
- Adoption of the Plan of Development and Design Guidelines as required by the development code.

The design of the subdivision provides a mix of lot and frontage sizes and nominates a number of allotments as 'dual occupancy' allotments which are consistent with the urban design controls contained

within the Tweed Shire Council Subdivision Manual and the Cobaki Lakes Development Code. An Extract of the proposed subdivision layout is provided in Figure 4 – Layout Extract. Refer Appendix A – Subdivision Plan for full layout and for location of nominated dual occupancy allotments.

Figure 4 – Layout Extract. Source: Planit Consulting 2016

1.6.2.1 Balance residual lot(s)

As part of the proposal balance residual allotments will be created. The balance lots are identified on the subdivision Plans under Appendix A – Subdivision Plan. The balance lots and remaining allotments of the Cobaki Estate will be subject to future applications for subdivision and or reconfiguration as necessary to facilitate development in accord with Concept Approval MP06_0316 and MP08_0200 including the creation of master lots where required.

1.6.2.1 Management Plans & Subdivision Delivery

The proposed Subdivision is to be completed in accord with a number of Managment plans and studies consistent with commitments made under Concept Plan approval MP06_0316. Included as part of this application are the following supporting items/management plans:

- Subdivision Plans – Appendix A
- Example POB – Appendix B
- Design Guidelines – Appendix C
- Vegetation Management Plan – Appendix D
- Site Regeneration and Revegetation Plan – Appendix E
- Erosion and Sediment Control Plan – Appendix F
- Ground Water Management Plan – Appendix G
- Geotechnical Investigation – Appendix H
- Fauna Management Plan – Appendix I
- Construction Environmental Management Plan – Appendix J
- Acid Sulfate Soils Managment Plan – Appendix K
- Bushfire Threat Assessment – Appendix L
- Aboriginal Cultural Heritage Report – Appendix M
- Traffic Impact Assessment – Appendix N
- Statement of Landscape Intent – Appendix O
- Open Space Discussion – Appendix P
- Noise Impact Assessment – Appendix Q
- Environmental Support Information – Appendix R
- Stormwater Quality Management Plan – Appendix S
- Sewage Master Plan – Appendix T
- Water Network Analysis – Appendix U
- Extent of Flood Mapping – Appendix V

1.6.2.2 Site Works

Consistent with the existing approval over the Cobaki Lakes site, the following hours of work are proposed:

a. between 7:00 am and 5:00 pm, Mondays to Saturdays inclusive;
b. no work is to be undertaken on Sundays and public holidays.

Works may be undertaken outside these hours where:

c. the delivery of materials (machinery, etc) is required outside these hours by the Police or other authorities;
d. it is required in an emergency to avoid the loss of life, damage to property and/or to prevent environmental harm;
e. the work is approved through a Construction Environmental Management Plan for the works; and
f. residents likely to be affected by the works are notified of the timing and duration of these works as soon as possible.

1.7 Approvals Sought

Approval is sought pursuant to Part IV of the Environmental Planning & Assessment Act, 1979. It is again noted this application is part of a Staged Development in accord with Section 83B of the EP&A Act 1979.

1.8 Integrated Development

Pursuant to Section 75P(2)(b) of the EP&A Act 1979 development the subject of a Concept Plan does not comprise integrated development.

Accordingly, the proposed development does not require any of the integrated approvals nominated in Section 91 of the EP&A Act 1979.

It is noted these provisions continue to apply by virtue of the transitional provisions relating to the repeal of Part 3A of the EP&A Act 1979 under Schedule 6A.

1.9 Advertising / Notification

It is noted Section A11 of the Tweed Development Control Plan 2008 identifies subdivision of 20 lots or greater in residential zone as requiring notification of adjoining owners. However, from discussion with Tweed Shire Council, it is understood advertising of the proposal will be undertaken nevertheless.

1.10 Definition

The proposal is compliant with the definition of subdivision of land as contained within the Environmental Planning and Assessment Act 1979. The subdivision of land is defined as:

> *subdivision of land means the division of land into two or more parts that, after the division, would be obviously adapted for separate occupation, use or disposition*

The proposal is consistent with the definition under the Act.

1.11 Consent Authority

The Joint Regional Planning Panel is identified as the consent authority for the purposes of this application. The Capital Investment Cost for Stages 1 through 8 as identified in development application DA15/1026 is summarised in the table 4 below:

Table 4

Component	TOTAL
Bulk Earthworks	$5,000,000
Consultants Fees	$11,155,000
Civil Development Costs	$89,240,000
TOTAL	$105,395,000

At a capital investment cost of $105,395,000 the proposal triggers the $20 million dollar limit for general development under Part 3 of Schedule 4A of the EP&A Act 1979 to which a Joint Regional Planning Panel would exercise consent authority functions.

It is also noted that the subject site is not located within the metropolitan coastal zone and as the proposal includes subdivision greater than 100 lots the proposal also triggers JRPP as the consent authority under Part 9 of Schedule 4A of the EP&A Act 1979.

For clarity, the proposal does not trigger any of the provision relative to State Significant Development under the State Environmental Planning Policy (State and Regional Development) 2011.

1.12 Designated Development

The proposal is not identified as designated development under Schedule 3 of the EP&A Regulation 2000 for the purposes of this application.

1.13 Concurrence Authorities

The proposal does not require concurrence under the provisions of the following:

- State Environmental Planning Policy No.1 – Development Standards;
- State Environmental Planning Policy No.14 – Coastal Wetlands;
- State Environmental Planning Policy No.26 – Littoral Rainforests;
- Clause 4.6 – Exception to Development Standards of the TLEP 2014

2 - Further Information

Should Council require any additional information, or wish to clarify any matter raised by this proposal or submission made to same, Council is requested to consult only with Planit Consulting Pty Ltd prior to determination of this application.

The relevant contact details are listed below.

- Phone: 02 66745001
- Fax: 02 66745003
- info@planitconsulting.com.au

Offices also at Nobby's Beach & Darwin

3 - Statutory Assessment

The following provides an assessment of the proposed development in accord with the matters under Section 79 C (1) (a) of the Environmental Planning & Assessment Act, 1979.

Section 79(C)(1)(a) the provisions of:

(i) any environmental planning instrument

3.1 Cobaki Concept Plan Approval

On 6 December 2010 the Minister for Planning granted Concept Plan Approval No. 06_0316. The approved Concept Plan relates to the following elements.

- Seventeen (17) residential precincts with a mix of housing types including detached houses, terraces and attached dwellings on corner allotments, comprising 5,500 dwellings covering approximately 294 hectares of net developable land;
- A mixed use Town Centre and Neighbourhood Centre with a combined land area of approximately 18 hectares;
- Community and education facilities including two schools over approximately 8.5 hectares of land;
- Active and passive open space areas comprising an area of approximately 90 hectares of land;
- Environmental protection areas covering approximately 194 hectares of land;
- Access network of roads, public transport routes and pedestrian/cycle paths;
- Landscaping and vegetation management;
- Water management areas; and
- Utility services infrastructure.

The approval included a Ministerial Order in accordance with Section 75(P) of the Act, requiring that approval to carry out the project other than the central open space and Precinct 5 be subject to Part 4 or Part 5 of the Act as relevant. Accordingly, pursuant to this Order, this Development Application is made under Part 4 of the Environmental Planning and Assessment Act 1979 (as amended).

The Concept Plan Approval includes Requirements for Future Applications (conditions) as well as Statements of Commitments. Each of these matters is outlined in Section 1.3 of this report along with relevant appendices prepared to address this applications compliance with the conditions and statements of commitments.

The Concept Plan also by order adopts the exempt and complying provisions of the Cobaki Development Code (Part A) and requires future development within the Cobaki site to be in accordance with the Cobaki Development Code (Part B).

It is noted that condition C2 of MP06_0316 requires *'All future project/development applications for residential subdivision or for the construction of dwellings or commercial premises must demonstrate consistency with Part B of the Cobaki Development Code'*. The proposals compliance with the Cobaki Development code is outlined under section 3.2 of this statement.

3.2 Cobaki Development Code

The Cobaki Development Code (the Code) forms an integral part of the Concept Plan Approval. The Code generally adopts the key elements of Tweed Shire Council's subdivision controls and contains overriding controls to facilitate contemporary small lot urban design.

Section 5 (Part B) of the Code contains the subdivision controls that are supplementary and prevail in the event of any inconsistency with the controls of Tweed Development Control Plan 2008, Section A5 – Subdivision Manual. The controls which are relevant to this application are addressed in table 5 below.

Table 5 – Cobaki Development Code Compliance	
Control	Assessment Comment
5.1 Precinct Plan	
(1) Submit a precinct plan with the first Development Application for subdivision of each precinct	The precincts are identified within the subdivision plan under Appendix A.
(2) Provide a permeable, hierarchical street pattern that relates to the original topography, and facilitates 'way' finding.	The design of proposal provides collector road connections which largely for a spline and perimeter with future connection through the remainder of the Cobaki development. Access to Cobaki Parkway is restricted to one of the collector roads. Local access streets provide internal circulation and permeability within the proposal.
(3) Provide a main street, focal point and identifiable public domain.	The urban design of proposal provides the central open space area, local parks and the fauna corridor as focal points within the subdivision with roads aligned to maximise the effect of these features upon entry and navigation through the development. The landscape design incorporates elements to establish a well identified public domain through the use of co-ordinated streetscape plantings.
(4) Provide lot sizes and configurations to support a range of housing types that integrate into the street pattern.	The design of Precinct 6 incorporates a range of lot sizes between 300m^2 to 650m^2 to facilitate a range of housing product which are consistent with the Development Code. The Precinct Plan provides an appropriate mix of lot types and sizes throughout the site.
(5) Identify an open space network.	The Plans identifies the open space network. Further details on the open space network are provided in the Open Space Discussion under Appendix P.
(6) Connect parks, public spaces, main streets, services, infrastructure and natural features.	The proposed subdivision provides appropriate distribution and connection of open space within the site. Each area of open space is also provided with pedestrian connections through the internal pedestrian and cycleway links.
(7) Use streets and footpaths to define the edges to public open spaces.	Each area of open space is edged by street frontage.
(8) Provide water sensitive urban design within appropriate open spaces.	Water sensitive urban design is provided to treat stormwater, stormwater management measures are detailed within the Stormwater Quality Management Plan under Appendix S.
(9) Identify the proposed staging of subdivision within each precinct.	A Staging Plan is included on the subdivision plans under Appendix A.
(10) Identify an estimated development yield.	The development yield of the proposal is shown on the subdivision plans. The proposal will yield a

Table 5 – Cobaki Development Code Compliance	
Control	**Assessment Comment**
	total of 464 residential lots with 69 of these nominated as dual occupancy allotments which will deliver a total of 533 dwellings.
5.2 Relationship to Tweed Shire Council Development Control Plan 2008, Section A5 - Subdivision Manual	
(1) This Code adopts the following provisions of Tweed Development Control Plan 2008 Section A5 – Subdivision Manual, - Part A5.4 Urban Subdivision Design Guidelines & Development Standards, except where varied by this Code - Part A5.6 The Assessment & Decision making Process - Part A5.7 Implementing a Subdivision Consent - Appendix A - Subdivision Works - Development Design Specifications - Appendix B - Subdivision Works - Development Construction Specifications - Appendix C - Subdivision Works, Compliance Certification except as otherwise approved by Council - Attachment C1 - Subdivision Works, Compliance Certificate - Appendix D - Subdivision Infrastructure Inspections - Appendix E - Recommended Buffers - Development Design Specifications and Development Construction Specifications referred to in Appendix A and Appendix B above. except where varied by the departures contained in Section 5 of this Code.	These matters are addressed in Section 3.12 of this Statement as well as in the plans and reports accompanying the application.
5.4 General Subdivision Controls	
(1) Provide self-contained residential neighbourhoods with links to schools, retail, and community uses, and open space.	The design of proposal provides a defined neighborhood area with good linkages to the central open space and retail, commercial, entertainment and education facilities in the future Town Centre to the north.
(2) Provide pedestrian and cycle networks to connect each residential neighbourhood and to provide connections to public open space, public transport nodes, and education and community facilities. Pedestrian and Cycle networks are provided through and around Precinct 6 and the proposed open space areas.	Pedestrian and Cycle networks are provided through and around the proposal.
(3) Increase residential density close to town and neighbourhood centres, schools, major open	Residential density is increased in proximity to the Town Centre by concentrating smaller allotments and a number of dual occupancy sites in that

Table 5 – Cobaki Development Code Compliance	
Control	Assessment Comment
space and other public facilities. Residential density is increased in proximity to the Town Centre by concentrating "Terrace" and "Zero" and "Plex" product in that vicinity.	vicinity.
(4) Provide street designs with generally no more than 3 corners from the furthermost lot to the neighbourhood entrance. The proposed design is consistent with this principle which is intended to demonstrate the appropriate use of road hierarchy and permeability.	The proposed design is consistent with this principle which is intended to demonstrate the appropriate use of road hierarchy and permeability.
(5) Design local streets to discourage through-traffic.	Local access streets are of appropriate width and design to discourage through traffic in accordance with the principles of road hierarchy.
(6) Limit vehicle movements to less than 3000 vehicles per day per neighbourhood entrance road (300 – 600 dwellings). Larger neighbourhoods may require a neighbourhood collector road to cater for vehicular movements (refer to Figures 5.2.1 and 5.2.2).	Each neighborhood access road will service less than 300 dwellings.
(7) Provide a diverse range of orthogonal residential lots and frontages with minimal use of battle-axe lots.	No battle axe lots are proposed. The proposal provides a range of lot sizes and frontage widths
(8) Comply with the minimum lot sizes and frontages for complying development in Table 5.4.1.	Each lot has been designed to comply with the minimum lot size and frontage controls contained in Table 5.4.1 of the Development Code.
(9) On lots where a zero lot line(s) are permitted, the lot's zero lot alignment shall be shown on the approved plan of development. Section 88B instruments shall be created for the subject and adjoining lots to indicate the zero lot line location, and all other controls in Section 5.6.	The zero lot line locations are marked on the Plan of Development and shall be attached to the Land Title by way of an 88B Instrument.
(10) Lots nominated for terrace dwellings must have a secondary road frontage to a lane.	No terrace dwellings are proposed.
(11) Easements for public infrastructure (sewerage, stormwater drainage) within residential lots are to provide for at least one infrastructure connection to a public road or reserve.	No easements within residential lots are proposed.
(12) An on-street parking plan is required with the first development application for subdivision to demonstrate the availability of on-street car parking for each nominated lot type at the rates specified in Table 5.4.1. The	The on street car parking for each of the lots has not been shown as each of these lots will provide for the required 1 on street car parking space adjacent the lot frontage.

Table 5 – Cobaki Development Code Compliance	
Control	**Assessment Comment**
requirement and acceptance of designated on street car parking may be varied by a DRP Pre- Approval Certificate.	
5.5 Nominated Lot Provision	
(1) Mark on a plan of development lots which are intended for the future development of a particular dwelling type (traditional detached dwellings, zero-lot dwellings, terrace dwellings, SOHO dwellings, plex dwellings, mews dwellings and shop top dwellings) and on which that nominated dwelling type may be undertaken as complying development.	All residential lots are nominated for the intended dwelling types to facilitate Complying Development under Part A of the Code.
(2) Mark on a plan of development the number of bedrooms per dwelling and per lot.	This provision was intended to facilitate the upfront payment of Developer Contributions to expedite and simplify the Complying Development process, which under the Code includes certain multi dwelling housing development. The final Code provides for contributions to be charged in the normal "per lot" method at the subdivision stage with any additional contributions to be collected by Certifiers or Council at the CDC or DA stage where applicable.
(3) Lots less than 300m2 and/or less than 15m frontage (measured at the frontage building line) must not have a cross fall and slope to the rear greater than 10%.	Grades within proposal are generally flat. All lots are considered to comply with this control.
(4) Lots for townhouse dwellings, villa dwellings, apartment, tourist accommodation or seniors housing must be nominated as development lots on the plan of development.	No Development Lots are proposed
(5) Development Lots must be provided with roads, drainage (including downstream drainage to a lawful point of discharge), service connections and easements sufficient to cater for the future development of the development lot and the surrounding land.	No Development Lots are proposed.
5.6 Plan Of Development Requirements	
(1) A Plan of Development must be submitted with all future development applications for subdivision on the site and include the following information where applicable.	An example Plan of Development (POD) is provided under Appendix B.
a) location and width of Asset Protection Zones; and	The asset protection zone required for the proposed subdivision is accommodated by the alignment of Cobaki Parkway and other roads

Table 5 – Cobaki Development Code Compliance	
Control	Assessment Comment
	within the development with exception of Lot 800 being the school allotment. Accordingly no APZ is required to be shown on any proposed residential lots. Refer Appendix L – Bushfire Threat Assessment.
b) Level of construction required for dwellings/buildings adjacent to Asset Protection Zones in accordance with Planning for Bushfire Protection 2006 and Australian Standard 3959 – 1999 – Construction of Building in Bushfire Prone Areas; and	As the final exempt and complying development controls within the Development Code, Part A allow residential development on bushfire land as Complying Development it is proposed to allow the individual land owners the flexibility of addressing any Level of Construction decision (which may be affected by the siting of the building within the lot) at the CDC or DA stage for dwellings. Accordingly an appropriate note has been made on the POD to refer land owners to qualified bushfire consultants at those stages of development.
c) type of development permissible or intended for each lot, for example, zero lot housing, plex housing; and	The development type intended for each proposed residential lot is nominated on the POD.
d) fill and finished floor levels requirements on flood prone lots in accordance with the requirements of Tweed Shire Council's Development Control Plan – Section A3 – Flood Liable Land (or any replacement document); and	The minimum finished floor levels are shown on the POD. This complies with the requirements of Section A3 of the TDCP 2008. Refer Appendix B.
e) all necessary easements and Section 88B instruments; and	No easements are proposed within residential lots.
f) the type of development nominated on each lot which may be undertaken as Complying development and proposed number of bedrooms; and	The development types for each residential lot are nominated on the POD. As the final Development Code abandoned the concept of paying Developer Contributions at the subdivision stage to simplify the Complying Development process, it is no longer necessary to specify the number of bedrooms per lot. The appropriate contributions will instead be calculated at the CDC or DA stage if required.
g) the location of development lots and the maximum number of dwellings and bedrooms intended in the future development of the development lot; and	No Development Lots are proposed.
h) setbacks for all buildings and structures, including garages; and	Setbacks are provided on the POD, Refer Appendix B.
i) zero lot line locations if relevant; and	Zero lot lines are provided on the POD, Refer Appendix B.

Table 5 – Cobaki Development Code Compliance	
Control	Assessment Comment
j) for plex, mews and development lots, the maximum number of dwellings and bedrooms per lot; and	None of these dwelling types are proposed.
k) the location of preferred vehicular street access and driveway locations for Zero-lot, Terrace, Soho, Shop Top, Plex and Mews Dwelling lots; and	The driveway locations are provided on the POD, Refer Appendix B.
l) the location of private open space for each lot; and	The private open space locations are provided on the POD, Refer Appendix B.
m) the type of fencing to be provided to roads and other public land frontages; and	The fencing types to roads and public spaces are provided on the POD, Refer Appendix B.
n) the lots on which 3 storey building height is permissible other than those which may be determined on merit by DRP; and	The lots on which three storey buildings are intended (other than those which may be determined on merit by DRP) are provided on the POD, Refer Appendix B.
o) the location of public open space; and	The location of public open space is provided on the POD, Refer Appendix B.
p) the location of specific landscaping to meet the design guidelines for each precinct; and	No specific landscaping is required by the POD.
q) gateways or entry statements; and	No specific entry statement is required by the POD.
r) a reference to the Design Guidelines which apply to the precinct.	A reference to the Design Guidelines, , Refer Appendix B.
5.7 Design Guidelines	
The Design Guidelines outline criteria for the following issues: - Architectural and streetscape design and facades - Fencing - Built form - Dwelling height, massing and siting - Privacy - Landscaping in the private realm - Materials and colours - Environmental sustainability - Procedures for submission of application for assessment by the Design Review Panel	The Design Guidelines for the proposal are included under Appendix C.
5.8 Design Review Panel	
A Design Review Panel (DRP) must be established and operated by the owner of the land the subject of the first subdivision Development Application lodged pursuant to the Code	The Design Review Panel has been established to administer the Code and Design Guidelines.
5.9 Location and Easements for Services	

Table 5 – Cobaki Development Code Compliance	
Control	Assessment Comment
(1) Where possible, all services must be located in footpaths in accordance with Figure 5.9.1 (of the Code).	The proposed road widths are consistent with the Development Code, which will facilitate the location of services within the intended verge area.
2) Where services are located within a residential lot an easement is to be provided over that infrastructure that has at least one connection to a public road or reserve.	It is not proposed to locate services within residential lots. No easements on residential lots are proposed.

In summary, the proposal complies with the controls contained within the Cobaki Development Code.

3.3 State Environmental Planning Policy No.14 – Coastal Wetlands

A SEPP 14 Wetland is located within the north eastern part of the subject land (part Lots 54 and 55 in DP755740 and part Lot 1 in DP570076) to the east of the Cobaki Parkway alignment as shown in Figure 5 – SEPP 14 Wetlands below.

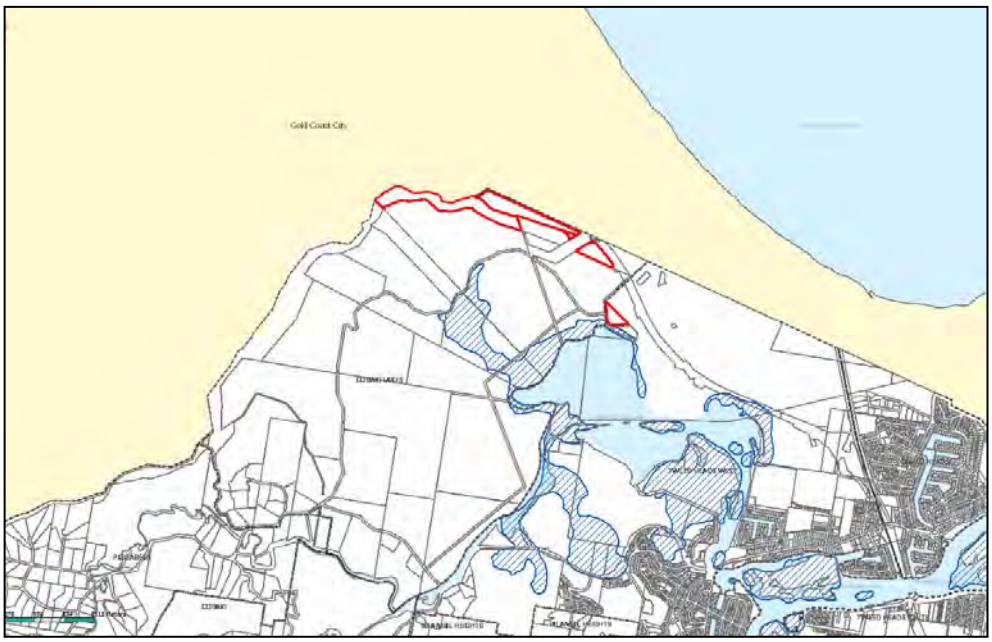

Figure 5 – SEPP 14 Wetlands. Source: TSC GIS 2015

No works are proposed within the mapped wetlands.

3.4 State Environmental Planning Policy 44 – Koala Habitat Protection

The Impact of the proposed Cobaki Lake Estate development on Koala's has been previously assessed. As a commitment of the Concept Plan approval for Cobaki Estate, relevant fauna management measures and site regeneration and revegetation is to be implemented. In support of this application, the relevant stages of the Fauna Management Plan and Site Regeneration and Revegetation have been produced, Refer Appendix I and Appendix E of this statement respectively.

3.5 State Environmental Planning Policy 55 – Remediation of Land

A preliminary Contamination Assessment was undertaken by Gilbert and Sutherland in May 2008. That assessment was in association with the Concept Plan Application and was in relation to the entire Cobaki Estate. The preliminary assessment identified several potentially contaminating activities within the site including:

- An abandoned cattle dip that has been capped and has an approved (by Tweed Shire Council) Remediation Action Plan.
- Cattle yards, crush, spray race, sump and pumping station.
- Farm sheds used for miscellaneous machinery, grease, oil and fuel storage.
- Asbestos building products and lead-based paints associated with the construction and maintenance of an on-site residential dwelling.
- Site construction (quarry) office and compound area containing workshops, miscellaneous grease and oil storage, workers' amenity hut and related infrastructure.
- On site effluent treatment systems associated with dwellings.

The report further states: *"The extent and types of contaminating activities identified on site suggest that further investigation is warranted and that the resultant remediation plans would manage the contamination to make the site suitable for residential development. It is recommended that a Stage 2 (Detailed) Site Contamination Assessment would be required to allow the formulation of a remediation action plan(s) and implement appropriate management measures to ensure the site is rendered suitable for its intended purposes. The preliminary assessment indicates that areas requiring Stage 2 investigation are localised and the contamination that may be present on site poses no impediment to the development of the Cobaki Lakes concept plan."*

The areas identified where the potentially contaminating activities have been undertaken within Cobaki Lakes Estate are well documented and are not within the immediate locality of the land on which the subdivision of precincts 6, 7 and 8 are proposed under this Development Application.

The Concept Plan Approval only requires a "Stage 2" (detailed) Contamination Assessment for Precincts 10 and 17.

Further Precinct 6 site is subject to existing development consents for residential subdivision and Council has previously satisfied itself that the land where residential lots are proposed under this separate approval is unlikely to be contaminated and is suitable for residential development.

In summary the land within Precinct 6 and 7 are unlikely to be contaminated; further assessment of precincts 6 & 7 in accordance with *SEPP 55 – Remediation of Land* is not required.

3.6 State Environmental Planning Policy 71 – Coastal Protection

The site is located within the Coastal Zone and as such the provisions of SEPP 71 Coastal Protection apply. The proposed subdivision of precincts 6 and 7and its associated management measures are considered to comply with all relevant clauses of SEPP 71 Coastal Protection including the matters for consideration included under Clause 8. Specific reference is made to the following supporting documents in relation to Clause 8 of the SEPP.

- Subdivision Plans – Appendix A
- Example POB – Appendix B
- Design Guidelines – Appendix C
- Vegetation Management Plan – Appendix D
- Site Regeneration and Revegetation Plan – Appendix E
- Erosion and Sediment Control Plan – Appendix F
- Ground Water Management Plan – Appendix G
- Geotechnical Investigation – Appendix H
- Fauna Management Plan – Appendix I
- Construction Environmental Management Plan – Appendix J

- Acid Sulfate Soils Managment Plan – Appendix K
- Bushfire Threat Assessment – Appendix L
- Aboriginal Cultural Heritage Report – Appendix M
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- Sewage Master Plan – Appendix T
- Water Network Analysis – Appendix U
- Extent of Flood Mapping – Appendix V

As the proposal is a staged development which includes the subdivision of more than 25 lots in a residential zone, under SEPP 71, a master plan is required under Clause 18. It is noted that under Clause 18(2) The Minister may waive the need for a master plan to be adopted because of the nature of the development, the adequacy of other planning controls that apply to the proposed development or for other such reasons as the Minister considers sufficient.

As this land and proposal has been subject to extensive planning in the form of a Concept Plan granted by the Minister under Part 3A of the Environmental Planning and Assessment (EP&A) Act 1979 (as amended) and development code and guidelines a master plan waiver under Clause 18(2) has been sought.

A copy of the master plan waiver will be provided to Tweed Shire Council upon receipt from the NSW Department of Planning.

3.7 State Environmental Planning Policy (Major Development) 2005

Part 3A of the EP&A Act 1979 was repealed in 2011. Upon repeal of Part 3A the Major Development SEPP only applies subject to Schedule 6A of the EP&A Act 1979. In this regard, the Cobaki Lakes development is considered to be a transition Part 3A Project, being a project that is the subject of an approved concept plan. Importantly Schedule 6A(3)(2)(b) continues to apply.

In this regard, the Minister in approving the Concept Plan, made an Order that approval to carry out the project, other than the central open space (subject to Major Project No. 08-0200) and Precinct 5 (future town centre) future development is to be subject to Part 4 of 5 of the Act as relevant. Therefore all Development Applications other than in Precinct 5 are to be lodged with Tweed Shire Council.

Further Schedule 6A (3B) (2) (a) of the EP&A Act applies. This states as follows:

> *(a) if Part 4 applies to the carrying out of the development, the development is taken to be development that may be carried out with development consent under Part 4 (despite anything to the contrary in an environmental planning instrument),*

In this regard, the proposal for staged subdivision of precincts 6 & 7 is taken to be development that may be carried out with development consent under Part 4 of the EP&A Act 1979.

3.8 State Environmental Planning Policy (Infrastructure) 2007

Clause 104 of this Policy provides that certain developments specified in Column 1 of the Table to Schedule 3 of the Policy require referral to the RMS and the consent authority must take into account any submission that the RMS may provide within a prescribed timeframe.

Schedule 3 includes subdivision of land involving 200 or more allotments where the subdivision includes the opening of a public road. Given the size of the staged subdivision of Precincts 6 & 7 into 464 residential lots a referral to the RMS for comment is required under this Policy.

3.9 Tweed Local Environmental Plan 2000 (TLEP 2000)

The subject land contains a number of zonings under two (2) Environmental Planning Instruments. These instruments are the Tweed Local Environmental Plan 2000 and the Tweed Local Environmental Plan 2014. The land subject to this application which is zoned under the TLEP 2000 fall within the 7(a) Environmental Protection (Wetlands and Littoral Rainforest), 7(l) Environmental Protection (Habitat) and 7(d) Environmental Protection (Scenic / Escarpment) Zones.

The proposed subdivision does not impact upon any land subject to the above three zonings. Rather these areas will ultimately be subdivided off as residual parcel(s). The subdivision of these lands onto residual parcel(s) to enable dedication to relevant authorities is a commitment of the overall Cobaki Lakes development made as part of MP06_0316.

Clause 11 – The Zones

The land subject to this application which is zoned under the TLEP 2000 fall within the 7(a) Environmental Protection (Wetlands and Littoral Rainforest), 7(l) Environmental Protection (Habitat) and 7(d) Environmental Protection (Scenic / Escarpment) Zones. The proposal does not include any works or proposed residential subdivision within the lands subject to the above zoning and as such the permissibility of the proposed subdivision elements is address by Clause 20 of the TLEP 2000.

Clause 19 – General

Within regards to Clause 19 – Subdivision of the TLEP 2000 this application seeks consent for subdivision as required by this clause.

Clause 20 – Subdivision in Zones 1 (a), 1 (b), 7 (a), 7 (d) and 7 (l)

The proposal will see residual parcel(s) created which will contain land within the 7(a) Environmental Protection (Wetlands and Littoral Rainforest), 7(l) Environmental Protection (Habitat) and 7(d) Environmental Protection (Scenic / Escarpment) zones under the TLEP 2000. Some of these parcels may contain areas of these zones less than the 40 hectare minimum specified by Clause 20 – Subdivision in Zones 1(a), 1(b), 7(a), 7(d) and 7(l) of the TLEP 2000.

In accord with Clause 20(3) of the TLEP 2000 consent may be granted to the subdivision of land where an allotment to be created is less than 40 hectares if the consent authority is satisfied that the allotment will be used for a purpose, other than for an agricultural or residential purpose. In this regard the allotment will be created only to facilitate the Cobaki Lakes development in accord with Concept Approval MP06_316. The residual allotments will not be utilised for agricultural or residential purposes.

Clause 25 – Development in Zone 7 (a) Environmental Protection (Wetlands and Littoral Rainforests) and on adjacent land

The proposed subdivision does not impact upon any land within the 7(a) zone. Rather these areas will ultimately be subdivided off as residual parcel(s). The subdivision of these lands onto residual parcels to enable dedication to relevant authorities is a commitment of the overall Cobaki Lakes development made as part of MP06_0316.

(1) Objective

- *to ensure that wetlands and littoral rainforests are preserved and protected in the environmental and economic interests of the area of Tweed.*

(2) Unless it is exempt development, a person must not clear vegetation from, drain, excavate or fill land within Zone 7 (a) except with development consent.

N/A – No works are proposed into the lands zoned 7(a).

(3) Consent must not be granted to the carrying out of development on land within Zone 7 (a) or on land adjacent to land within Zone 7 (a) unless the consent authority has taken into consideration:
(a) the likely effects of the development on the flora and fauna found in the wetlands or littoral rainforest, and
(b) the potential for disturbance of native flora and fauna as a result of intrusion by humans and domestic and feral animals, increased fire risk, rubbish dumping, weed invasion and vegetation clearing, and
(c) a plan of management showing how any adverse effects arising from the development can be mitigated, and
(d) the likely effects of the development on the water table, and
(e) the effect on the wetlands or littoral rainforest of any proposed clearing, draining, excavating or filling.

The subdivision works are to be undertaken in accord with a range of management plans addressing flora and fauna, erosion and sediment control, ground water, etc. These plans are included as part of this application and have been prepared in accord with the commitments of MP06_0316. The requirements of Clause 25 are considered to be met by the proposal.

(4) (Repealed)

Noted

Clause 26 – Development in Zone 7 (d) Environmental Protection (Scenic/Escarpment)

The subdivision does not impact upon any land within the 7(d) zone. Rather these areas will ultimately be subdivided off as residual parcel(s) as part of the development application. The subdivision of these lands onto residual parcels to enable dedication to relevant authorities is a commitment of the overall Cobaki Lakes development made as part of MP06_0316.

(1) Objective
- *to ensure that the development of land within Zone 7 (d) minimises soil erosion and will preserve or enhance the scenic quality of the land and the locality.*

(2) Unless it is exempt development, a person must not clear vegetation from, excavate or erect a building on land within Zone 7 (d) except with development consent.

N/A – No works are proposed into the lands zoned 7(d).

(3) Consent must not be granted to the erection of a building on land within Zone 7 (d) unless the consent authority is satisfied that:
(a) the scale, height and location of the building, and
(b) the colour, type and reflectivity of materials to be used,

will preserve or enhance the scenic quality of the land and the locality.

N/A – The proposal is for subdivision and does not include a building on land zoned 7(d).

Clause 28 - Development in Zone 7 (l) Environmental Protection (Habitat) and on adjacent land

(1) Objective
- *to protect wildlife habitat from the adverse impacts of development.*

(2) Unless it is exempt development, a person must not clear vegetation from, drain, excavate or fill land within Zone 7 (l) except with development consent.

N/A – No works are proposed into the lands zoned 7(l).

(3) (Repealed)

Noted

(4) The consent authority must not grant consent to development on or adjacent to land within Zone 7 (l) unless it has taken into consideration:

(a) the likely effects of the development on the flora and fauna found in the locality, and
(b) the potential for disturbance of native flora and fauna as a result of intrusion by humans and domestic and feral animals, increased fire risk, rubbish dumping, weed invasion and vegetation clearing, and
(c) a plan of management showing how any adverse effects arising from the development are to be mitigated.

The subdivision is to be undertaken in accord with a range of management plans addressing flora and fauna, erosion and sediment control, ground water, etc. These plans are included as part of this application and have been prepared in accord with the commitments of MP06_0316. The requirements of Clause 28 are considered to be met by the proposal.

Clause 31 – Development adjoining water bodies

The subdivision is to be undertaken in accord with a range of management plans addressing flora and fauna, erosion and sediment control, ground water, etc. These plans are included as part of this application and have been prepared in accord with the commitments of MP06_0316. The requirements of Clause 31 are considered to be met by the proposal.

Clause 34 – Flooding

The proposal is subdivision; updated flood mapping has been produced and lodged in support of this application as required by the commitments made under the Cobaki Lakes Concept Plan approval. Refer Extent of Flood Mapping under Appendix H.

Clause 35 – Acid Sulfate Soils

Assessment of Acid Sulfate Soils has been undertaken. Refer Acid Sulfate Soils Management Plan – Appendix K. All works are to be undertaken in accord with this document. The proposal complies with Clause 35. Future applications for subdivision will further address acid sulfate soils if and as required.

Clause 39 – Remediation of Land

Refer comments provided under Section 3.5 of the SEE. The proposal is considered compliant with the requirements of SEPP 55 and therefore Clause 39.

Clause 54 – Tree Protection Order

The subdivision works will not see any tree removed. These works will have been completed as part of precursor bulk earthworks approved under DA15/1026. The vegetation that will be removed as part of preceding works have previously been assessed and approved for removal subject to relevant offset and rehabilitation as part of the commitments made under the Cobaki Lakes Concept Approval.

The proposal is considered to comply with Clause 54 of the TLEP 2000.

It is considered that no other clauses of the TLEP 2000 are relevant to the proposal, given all non residual allotments created are located on land zoned under the TLEP 2014. Refer comment below for assessment against the provisions of the TLEP 2014.

3.10 Tweed Local Environmental Plan 2014 (TLEP 2014)

The subdivision of Part Precinct 6 & Part Precinct 7 in stages is predominately confined to land that is zoned under and subject to the provisions of the TLEP 2014, as such the following comments are provided against the relevant clauses.

Clause 2.3 – Zone Objectives and Land Use Table

Precincts 6 & 7 are zoned R1 General Residential. The objectives of both zones are identified as:

Zone R1 General Residential

1 Objectives of zone

- *To provide for the housing needs of the community.*
- *To provide for a variety of housing types and densities.*
- *To enable other land uses that provide facilities or services to meet the day to day needs of residents.*
- *To encourage the provision of tourist accommodation and related facilities and services in association with residential development where it is unlikely to significantly impact on amenity or place demands on services beyond the level reasonably required for residential use.*

The subdivision of land is permissible in the R1 General Residential Zone. It is given the proposal is consistent with the objectives of the zone. It is also noted the proposal is permissible with consent by virtue of SEPP Major Project and Schedule 6A of the EP&A Act 1979.

Clause 2.6 – Subdivision – Consent requirements

This application seeks consent for the subdivision of Precincts 6 and 7 as required by this clause.

Clause 4.1 – Minimum subdivision lot size

The Land within Cobaki Lakes subject to TLEP 2014 is not mapped as subject to minimum allotment size under. This clause is not applicable to the proposed subdivision.

Clause 5.5 – Development within the Coastal Zone

The subject land and site are located within the NSW Coastal Zone, as such this clause applies. The Staged Subdivision and its associated management measure are considered to comply with all relevant requirements of Clause 5.5. Specifically reference is made to the following supporting documents:

- Subdivision Plans – Appendix A
- Example POB – Appendix B
- Design Guidelines – Appendix C
- Vegetation Management Plan – Appendix D
- Site Regeneration and Revegetation Plan – Appendix E
- Erosion and Sediment Control Plan – Appendix F
- Ground Water Management Plan – Appendix G
- Geotechnical Investigation – Appendix H
- Fauna Management Plan – Appendix I
- Construction Environmental Management Plan – Appendix J
- Acid Sulfate Soils Managment Plan – Appendix K
- Bushfire Threat Assessment – Appendix L
- Aboriginal Cultural Heritage Report – Appendix M
- Traffic Impact Assessment – Appendix N
- Statement of Landscape Intent – Appendix O
- Open Space Discussion – Appendix P
- Noise Impact Assessment – Appendix Q
- Environmental Support Information – Appendix R
- Stormwater Quality Management Plan – Appendix S

- Sewage Master Plan – Appendix T
- Water Network Analysis – Appendix U
- Extent of Flood Mapping – Appendix V

With regards to cumulative impact we note the cumulative impact of Cobaki Lakes Estate has been previously assessed and the Staged Subdivision of Precincts 6 & 7 is simply another step in delivering the overall Cobaki Lakes project. The proposal does not alter elements previously considered in relation to cumulative impact.

With regards to foreshore access the proposed Subdivision of Part Precinct 6 & Part Precinct 7 has no impact on public access to any foreshore area.

It is given the proposal is compliant with the requirements of Clause 5.5.

Clause 5.9AA – Trees or Vegetation prescribed by development control plan

This application does not seek consent for the removal of vegetation. All land forming and clearing has been approved under separate application for Stage 1 bulk earthworks, refer DA15/1026. It is noted however that all vegetation will be managed in accord with that under Appendix D – Vegetation Management Plan. The proposal is considered to comply with Clause 5.9AA and Section A16 of the TDCP 2008.

Clause 7.1 – Acid Sulfate Soils

Assessment of Acid Sulfate Soils has been undertaken. Refer Acid Sulfate Soils Management Plan – Appendix D. The subdivision of Precincts 6 & 7 is to be in accord with this Appendix item.

Clause 7.2 – Earthworks

As required by this Clause, consent is being sought for any final civil earthworks and earthworks associated with infrastructure construction. With regards to the matters of consideration of this clause, the following is provided:

- Land Stability – A Geotechnical Assessment has been prepared and provided under Appendix H. As indicated within the report the site has a low likely hood of instability;
- Heritage Impacts – A Supplementary Aboriginal Cultural Heritage Assessment has been prepared in support of this Bulk Earthworks Application, refer Appendix M. The proposal has been tailored to address the issue raised within the report
- Water Quality Impacts – A Ground Water Management Plan and Erosion and Sediment Control Plan has been prepared in support of the application and as required by commitments made in the Cobaki Lakes Concept Plan approval. Refer Appendix G and Appendix F respectively. All works will be undertaken as per these documents.

The proposal is considered to comply with Clause 7.2.

Clause 7.4 – Floodplain

The proposal is for Subdivision of Land and the provisions of Clause 7.4 apply to the proposal. It is noted that updated flood mapping has been produced and lodged in support of the bulk earthworks that have taken place under DA15/1026. This map has been reproduced as required by the commitments made under the Cobaki Lakes Concept Plan approval. Appendix M – Extent of Flooding Map. The proposal complies with Clause 7.4.

Clause 7.6 – Stormwater Management

Stormwater Management Measures and Erosion and Sediment Control measures have been implemented as part of the proposal. Refer Stormwater Quality Management Plan – Appendix S and Erosion and Sediment Control Plan – Appendix F. The proposal complies with Clause 7.6.

Further details relating to erosion and sediment control will be provided if and as required as part of future development applications.

Clause 7.10 – Essential Services

The proposed subdivision will provide all essential services as required, including water, sewer, stormwater management, telecoms, electricity and access. These elements are to be provided in accord with support documents included under this statement. The proposal is considered to comply with Clause 7.10.

(ii) Any draft environmental planning instruments

No draft EPI's exist within the Tweed Shire Council at the time of preparing this Statement of Environmental Effects.

(iii) Any Development Control Plan

Following is an analysis of the proposed development pursuant to the relevant Sections of Councils Development Control Plan 2008:

3.11 Section A3 – Development of Flood Liable Land

The provisions of Section A3 apply to the proposal. Section A3 requires as part of residential subdivisions that all land other than road and reserves must be filled to the design flood level.

Section A3 mapping indicates a defined flood level of 2.6m AHD, a climate change defined flood level of 2.9m AHD and a probable maximum flood (PMF) level of RL 5.7m AHD. Section A3 of the TDCP classifies the proposal as a Greenfield subdivision and as such requires that climate change design level be utilised.

The subject site is to be filled in accord with the Stage 1 – Bulk Earthworks approval identified as DA15/1026. The bulk earthworks associated with this development application will see all land that will be utilised for residential development provide with a level at or above the defined flood level of 2.9m AHD identified for the site.

The minimum residential floor levels for dwellings within this subdivision will be set at 3.4m AHD in accord with the requirements of Section A3 of the TDCP. This height is 500mm higher than the climate change defined flood level of 2.9m AHD. We note that currently an example Plan of Development is included under Appendix B. The final versions of these documents will incorporate minimum habitable flood level designations for each allotment.

In this regard, in keeping with commitments made under MP06_0316, the extent of flood mapping has been produced and lodged in support of this application as required. Refer Extent of Flood Mapping under Appendix M. The proposal is considered consistent with Section A3 of the TDCP 2008.

Section A3.2.6 of Section A3 contains Emergency Response Provisions in relation to flood hazard within the shire. Section A3 requires that the proposal provides high level road evacuation route(s) to land located above the PMF that must be accessible to all allotments via as a minimum pedestrian access at or above the design flood level not exceeding 100m in length.

The proposed development will provide high level road evacuation routes from each residential lot along Cobaki Parkway and through Precinct 5 to land located above the PMF level. The following table 4 provides for a Flood Response Assessment Plan.

Table 4 - Flood Response Assessment Plan	
Expected Number of Occupants	Based upon 2.6 persons per dwelling and 1.8 persons per dual occupancy a population of 1216.6 persons or 1217 rounded.
Typical Demographics of Occupants	The anticipated population of the

	development will comprise a higher proportion of young families as well as couples without children and older persons.
Flood Levels	1 in 100 ARI Flood Level – RL2.9m AHD PMF Level – 5.7m AHD
Flood Risk Management Approach	Evacuation.

The proposal is considered to comply with the relevant provisions of Section A3 of the TDCP 2008.

3.12 Section A5 – Subdivision Manual

The planning controls contained in Section A5 – Subdivision Manual of the Tweed Development Control Plan 2008 apply to the proposal except where inconsistent with the Cobaki Development Code, in which case the Development Code prevails.

The application generally complies with the provisions of the Development Control Plan in relation to information requirements and conceptual design details for an urban infill subdivision. Refer comment provided in Table 5

Table 5 – Subdivision Requirements	
Control	Assessment
A5.3.1 – Master Plans	
The subject site is located within the coastal zone and involves more than 25 lots and therefore a Development Control Plan would normally be required under the provisions of SEPP no.71	A Development Control Plan is not warranted as this land is subject to a Concept Plan granted by the Minister under Part 3A of the Environmental Planning and Assessment (EP&A) Act 1979 (as amended). The Concept Plan approval includes a detailed Development Code which provides detailed controls for future development within the site.
This section of the development Control Plan provides that a Master Plan is still required for more than 25 lots and, where the urban pattern (street and open space network, neighbourhood structure, etc.) is not determined by: - Development and street/neighbourhood development patterns; or - An existing site specific section that determines the general street and neighbourhood layout.	As above. The Cobaki Concept Plan and the Cobaki Development Code have been approved by the Minister for Planning. The Development code requires the provision of non-statutory Master Plans with each precinct subdivision which will demonstrate compliance with the Concept Plan approval in terms of relationship to adjoining precincts, yields and open space. This Development Application is consistent with the Cobaki Concept Plan and Development Code.
A5.3.4 – Subdivision Design	
Site investigation, survey and analysis	The proposal has been informed by a significant body of planning work. See Appendix A – Subdivision Plans for layout.
Statutory and Council requirements	Pursuant to Section 75P(2)(b) of the EP&A Act integrated development provisions do not apply to land being the subject of a Concept Plan.
Subdivision design trial layouts and optimisation	A Detailed Site Analysis and many trial layouts have been undertaken to identify the key site opportunities and constraints following which a final layout was developed which optimises yields, achieves an appropriate disposition of structured and casual open space areas as well as suitable connectivity and access. The proposed layout is considered to achieve

	the best outcome balancing all relevant planning and commercial considerations.
Pre-application consultation	The proposed subdivision and Cobaki development as a whole has been the subject of a number of meetings conducted in a workshop format with Council Officers. Comments made by Council Officers during these workshops have been incorporated into the design where possible.
Design Guidelines	
Provision	Comments
A5.4.4 – Physical Constraints	
In summary, this section provides that prior to detail Master Planning of a site, the physical constraints of the site must be identified, mapped and constraint issues resolved.	Constraints including slope, geotechnical stability, bushfire, contamination, acid sulphate soils, urban services, drainage, public road access and threatened species have been identified and informed the design and approval of the Cobaki Concept Plan Approval. The Precinct specific reports addressing these matters in accordance with the conditions of the Concept Plan Approval are provided in the various plans and annexures. In summary the subdivision layout reflects those constraints and the site's opportunities.
A5.5.5- Environmental Constraints	
Contaminated Land	This matter is addressed at Section 3.5 of this Statement.
Landslip or Subsidence	Geotechnical Assessment has been undertaken over the area comprising the proposed subdivision. That report indicates that the site is suitable in terms of geotechnical conditions, refer Appendix H – Geotechnical Investigation.
Bushfire Risk	The Bushfire Assessment does not identify bushfire threats as an absolute constraint, Refer Appendix L – Bushfire Threat Assessment Report.
Threatened species, population or ecological communities or their habitats.	The proposal is to be undertaken with all flora and fauna managements plans and rehabilitation management plans in accord with the requirements of MP06_0316. Refer Appendices of this statement for relevant documents.
Coastal Wetlands	The proposal has no impact upon SEPP 14 wetlands. The proposal is to be undertaken with all flora and fauna managements plans and rehabilitation management plans in accord with the requirements of MP06_0316. Refer Appendices of this statement for relevant documents.
Littoral Rainforests	The proposal has no impact up SEPP 26 Littoral rainforest. The proposal is to be undertaken with all flora and fauna managements plans and rehabilitation management plans in accord with the requirements of MP06_0316. Refer Appendices of this statement for relevant documents.
Koala habitat	This matter is addressed in Section 3.4 of this statement
Significant Vegetation	Address throughout this statement. The proposal is to be undertaken with all flora and fauna managements plans and rehabilitation management plans in accord with the requirements of MP06_0316. Refer Appendices of this statement for relevant documents.
Landscape visual character.	The proposed subdivision is on land that is not readily

	visible from any prominent public places. The development is accompanied by a Landscape Plan (Appendix O) which outlines the proposed landscape treatment of the streetscape and open space areas.
Acid Sulphate Soils.	See Section 3.10 and Appendix K of this Statement.
Heritage or cultural items of Aboriginal or European origin.	This issue is addressed in the Cultural Heritage Report, Refer Appendix M – Aboriginal Cultural Heritage Report.
Constraint Mapping	The proposal has been informed by a significant body of planning work. Site constraints have been well established.
A5.4.6- Land forming	
Provision	Comments
A – General Criteria	
1. Significant Natural Features Site regrading is not to take place on: - topographical features that are significant to the character of the site or locality. - existing or natural watercourses with catchment areas of 100ha or more. - riparian zones (see Table A5-5) associated with above.	The Cobaki development has been subject to extensive bulk earthworks undertaken in accordance with previous development consents. Precursor earthworks are to be undertaken in accord with DA15/1026.
2. External & Perimeter Issues (a) Cross Boundary Drainage; - Runoff from the subject land to other land shall not be significantly increased; - Runoff from upstream or upslope of the subject land shall be conveyed unimpeded across the land; - Public infrastructure in land to be regraded shall be preserved and if necessary for its continued viability be reconstructed to suit the new landform. Public infrastructure continuity shall be preserved at external boundaries. - Alteration of the locations of cross boundary stormwater drainage/watercourse discharge should be avoided. If alterations are proposed, then the written agreement of all effected downstream landowners is required. (b) Perimeter levels; Pre development levels must be preserved at external (perimeter) boundaries of a subdivision, preferably without the use of boundary (or within 3m of the boundary) retaining walls exceeding 1.2m in height. The application of this criteria may be varied in infill subdivisions in flood liable areas where there is general filling to provide flood	The proposal is accompanied by a Stormwater Management Plan. These matters are addressed in the reports at Appendix S.

immunity.	
B - Mass Landform Change Criteria	
1. Residential, includes residential subdivisions in Village, Urban Expansion and Rural Living zones. The proportion of a subdivision site (plan area) that contains cut or fill areas with finished surface levels that depart from natural surface levels by more than 5m shall not exceed 10%. Variations up to 15% of site area may be considered if such variations have a demonstrated environmental benefit (eg. avoidance of importing borrowed fill off site). 2. Industrial, Business and Mixed Use Subdivision, includes industrial, business and mixed use subdivisions in Village and Urban Expansion zones. The proportion of a subdivision site (plan area) that contains cut or fill areas with finished surface levels that depart from natural surface levels by more than 8m shall not exceed 20%. For the purpose of this Section "subdivision site" includes the parcels of land created for private sale and formal parks, and does not include undeveloped areas, areas retained for environmental purposes, roads, or residual allotments. If a subdivision contains a mix of urban and rural/rural residential uses, the rural/rural residential areas must be excluded from the urban areas for the purposes of complying with this Clause.	Precursor earthworks are to be undertaken in accord with DA15/1026. The application only include earthwork for final levelling and infrastructure construction. Refer Appendix T and Appendix U for services locations.
C - Shape/Surface Criteria	
1. Residential and Rural Living Subdivision, includes residential subdivisions in Village and Urban Expansion zones: - The finished landform shape (concave/convex, rolling, stepped etc) of the subdivision site should mimic existing and local surrounding natural topography. - Except as provided in Note 1 below, no sharp changes of gradient (eg associated with batters or retaining walls) are permitted at or near inter lot boundaries or within lots. - Batters and retaining walls are not permitted for the purpose of creating terraced lots. - Sharp changes of gradient are permitted at road and public land boundaries. - See Figure 4.2.2. Note 1: A retaining wall or batter of maximum	Precursor earthworks are to be undertaken in accord with DA15/1026. The application only include earthwork for final levelling and infrastructure construction. Refer Appendix T and Appendix U for services locations.

"combined height" (as defined in Section E) of 1.2m at or adjacent to inter lot boundaries may be permitted to ease lot gradients, where lot longitudinal or cross gradient would exceed 10% in the absence of such retaining wall or batter.	
2. Industrial, Business and Mixed Use Subdivision, includes industrial, business and mixed use subdivisions in Village and Urban Expansion zones: - Terraced lots with sharp changes of gradient associated with retaining walls or batters are permitted. Sharp changes of gradient (ie. associated with batters or retaining walls) are permitted at or near lot, road and public land boundaries. Sharp changes of gradient are permitted within lots.	See Above
D - Plans Criteria	
Site regrading proposals must be accompanied by the plans specified in Development Design Specification D13 – Engineering Plans (Subdivisions) clause D13.03 5(a)	Precursor earthworks are to be undertaken in accord with DA15/1026. The application only include earthwork for final levelling and infrastructure construction. Refer Appendix T and Appendix U for services locations.
E - Retaining Walls and Batters Criteria	
1. Definitions: “retaining wall” is defined as a structure required to retain soil, rock and other materials. It includes retaining and revetment structures as defined in clause 1.1 of AS 4078 - 2002. “batter” is defined as the sloping surface of artificial cuttings and embankments that have a gradient exceeding 25%. It excludes natural slopes. "Combined height" is defined as the vertical height difference at or adjacent to the boundary between top of batter or retaining wall and bottom of batter or retaining wall. Adjacent to a boundary includes any batters or retaining walls that lie either wholly or partly within a distance of 5m measured horizontally from the allotment boundary.	Noted.
2. Criteria (a) The combined height of retaining walls or cut/fill batters on an allotment boundary shall not exceed the following.	Precursor earthworks are to be undertaken in accord with DA15/1026. The application only include earthwork for final levelling and infrastructure construction. Refer Appendix T and Appendix U for services locations.

MAXIMUM PERMISSIBLE COMBINED HEIGHT OF RETAINING WALL BATTERS				
Type of Subdivision	Perimeter boundary of subdivision	Boundaries of lots created within subdivis		
		Side and Rear Boundaries	Street Boundary	
			Above Street Level	Below Level
Residential	1.2	1.2 see Note 1 of Table A5-3(C)(1)	1.8	2.4
Industrial	1.2	5	2.5	5
Business	1.2	5	1.2	2.4
Rural Living	1.2	Nil	1.2	2.4

(b) Where retaining walls or batters are utilised to create a level difference between adjacent allotments or an allotment and a road and the retaining wall is located in the lower allotment, the top of batter or top of retaining wall shall be located a minimum 0.5m horizontally from the boundary.	Precursor earthworks are to be undertaken in accord with DA15/1026. The application only include earthwork for final levelling and infrastructure construction. Refer Appendix T and Appendix U for services locations.
A5.4.6 – Stormwater Runoff, Drainage, Waterways and Flooding	
Provision	Comments
Water Sensitive Urban Design	The proposal is accompanied by a Stormwater Management Plan. These matters are addressed in the reports at Appendix S.
Erosion and Sedimentation Control	The proposal is accompanied by a Stormwater Management Plan. These matters are addressed in the reports at Appendix S.
Permanent Stormwater Quality Facilities	The proposal is accompanied by a Stormwater Management Plan. These matters are addressed in the reports at Appendix S.
Drainage - (lawful point of discharge) (Major Drainage systems) (Minor drainage systems) (Drain Safety) (Attenuation of peak flow rates) (Watercourses traversing the subdivision) (Waterways; water bodies; riparian areas and riparian vegetation)	The proposal is accompanied by a Stormwater Management Plan. These matters are addressed in the reports at Appendix S.
(Riparian Buffer Widths)	The proposed subdivision does not comprise subdivision works within a riparian area.
Flood Liable Land	Refer comment under Section 3.11 of this statement
Drainage and water quality facilities in parks	The proposal is accompanied by a Stormwater Management Plan. These matters are addressed in the reports at Appendix S.
A5.4.10 – Movement Network	
Requirement	Compliance
No more than 15% of lots fronting cul-de-sac.	Complies – no lots front a cul-de-sac.
Maximum cul-de-sac length 100m serving no more than 12 dwellings with clear view for full length of cul-de-sac.	Complies – no lots front a cul-de-sac.
Linking access for pedestrians and cyclists.	Complies – dedicated footpath and on road

	connections are provided around and through the proposed subdivision, refer Appendix A – Subdivision Plans.
Bus route/stops should be located at an average spacing of 300 – 400m.	Complies – see Appendix N – Traffic Impact Assessment.
Street design to achieve target street speeds.	Complies – width and alignment designed to discourage high speeds, refer Appendix A – Subdivision Plans.
Cycleway network required.	Complies – see Appendix N – Traffic Impact Assessment.
A5.4.11 – Open Space Network	
Requirement	Compliance
Dedication of environmentally sensitive areas.	Environmental sensitive areas are to be dedicated as per the requirements of MP06_0316
Casual parks – 1.13 hectares/1000 population (11.3m2/person). Desirable minimum area 2500m2 – 4000m2.	Complies – Refer Appendix A – Subdivision Plan and Appendix P – Open Space Discussion.
95% of residences within 400m walking distance of casual parks.	Complies – all lots are within 400m walking distance, see Appendix A - Subdivision Plans.
Land form of casual park – slopes less than 8%.	Complies – see Appendix A – Subdivision Plans.
Access from more than one local road.	Complies – see Appendix A – Subdivision Plans.
Road frontage – 50% of perimeter.	Refer Appendix A – Subdivision Plan and Appendix P – Open Space Discussion.
Embellishment.	Complies – the local parks will be embellished in accordance with Council requirements, Refer Appendix P – Open Space Discussion.
Sports playing field – 1.7 hectares/1000 persons (structured or active open space).	The required quantum of structured open space is to cater for the demand generated by future residential subdivision in surrounding precincts. Refer Appendix P – Open Space Discussion.
A5.4.12– Lot Layout	
Requirement	Compliance
Minimum residential lot size of 450m2 and 10 x 15m building envelopes for dwellings.	The Cobaki Concept Plan approval includes a Ministerial Order that the minimum lot size for dwelling houses is 120m2. The proposal complies with this development standard. Each lot has been designed to comply with the nominated lot provisions of the Cobaki Development Code, which ensures that the lots provide a suitable building envelope.
Dual occupancy lots minimum 900m2 or 1000m2 for corner lots.	Dual Occupancy lots have been nominated in accord with the Cobaki Development Code.
Solar access – 70% of lots oriented from 340o to 20o or 70o to 1200.	Complies – see Appendix A – Subdivision Plan.
Generally rectangular shaped lots.	Complies – see Appendix A – Subdivision Plan.
East – west lots must have a minimum width of 14m.	See subdivision Plans at Appendix A. Most east west lots generally 14m and above.
A5.4.13 - Infrastructure	

A5-10 – Subdivision Infrastructure Requirements			
Infrastructure Required	Where Required	Standard Infrastructure	Comments
Sealed road	All lots for private	See Development	Will comply

frontage with kerb and gutter both sides	occupation, community facilities lots and public open space lots.	Design Specification D1.	
Landform			Previously approved under DA15/1026.
Water Supply	All lots for private occupation, community facilities lots, sports fields, parks, play areas, other utility facilities (pump stations etc.).	See Development Design Specification D11.	Complies - see Appendix U.
Sewerage	As Above	See Development Design D12.	Complies - see Appendix T.
Electricity	As Above	Must be underground and provided in accordance with suppliers and Australian standards. Verge service location is to comply with Development Design Specification D1.	Complies – Internal reticulation will be underground.
Telecommunications	All lots for private occupation, community facilities lots and sports fields. As required for other utility facilities).	As above, service must be such that standard connection is available to local/national/ overseas networks.	Complies – telecommunication facilities will be provided underground.
Gas	Optional	As Above	Investigations are being made as to the possible connection to the existing gas infrastructure located in Golden Four Drive, Tugun.
Drainage Systems	Must provide Q100 local flooding immunity for all lots for private occupation and community facilities. Major/minor system required, roads public open space may (subject to other development standards) be used for Q100 overland flow paths.	See Development Design Specifications D5 and D7.	Complies - see Appendix S.
	Must be equipped with stormwater treatment facilities to meet Chapter 3, PC7.15 standards.		Complies - see Appendix S.
Flood Immunity	All lots for private occupation must have surface levels above the Q100 level for regional creek/river flooding. See section 4.26 of this chapter for public open space standards.	See Section A3 - Development of Flood Liable Land for detailed requirements.	Complies - see Appendix V.

External Connections and/or upgrades	The subdivider must provide all external connections required to connect subdivision infrastructure and upgrade external infrastructure to cater for the additional subdivision load. See also D1, D5, D7, D11, D12.		Complies - see Appendix T and Appendix U.

In summary the proposal will be delivered in accord with the requirements of the Section A5 the Cobaki Development Code and is generally consistent with the requirements of Concept Approval MP06_0316.

3.13 Section A11 – Public Notification of Development Proposal.

It is noted Section A11 of the Tweed Development Control Plan 2008 identifies subdivision of 20 lots or greater in residential zone as requiring notification of adjoining owners. However, from discussions with Tweed Shire Council, it is understood advertising of the proposal will be undertaken.

3.14 Section A13 – Socio-Economic Impact Assessment

The Cobaki Development Code does not call up Section A13 of the Tweed Development Control Plan 2008 and as such a Socio Economic Impact Assessment is not required in support of this application. This is on the basis that a Demographic Report was undertaken as part of Concept Approval MP06_0316 to demonstrate that the proposal would result in positive social and economic outcomes.

The proposal is consistent with the Concept Plan approval and will result in the recreation of 464 residential allotments as well as ancillary urban infrastructure, open space, etc.

Accordingly it is considered that the proposed development is unlikely to create any adverse social or economic impact and a Social Impact Assessment is not necessary for this application. Despite this Council standard Section A13 checklist is provided under Appendix W – Section A13 Checklist.

3.15 Section A15 – Waste Minimisation and Management

The proposal is for subdivision only. All future built form will comply with the waste servicing requirements of Section A15. The proposed subdivision layout is appropriate to facilitate standard waste service collection.

3.16 Section A16 – Preservation of Trees or Vegetation

This application does not seek consent for the removal of vegetation. All land forming and clearing has been approved under separate application for Stage 1 bulk earthworks, refer DA15/1026. It is noted however that all vegetation will be managed in accord with that under Appendix D – Vegetation Management Plan. The proposal is considered to comply with Clause 5.9AA and Section A16 of the TDCP 2008.

(iv) any matters prescribed by the regulations

Pursuant to Clause 50 of the Environmental Planning & Assessment Regulations, reference is made to the following:-

Potential areas of concern arising from the proposed development are identified as follows:-

- Water Quality Impacts;
- Impacts on Heritage Items;
- Impacts on Flora and Fauna
- The need to restrict any likely loss of amenity; and

- The suitability of the proposed design.

The above matters have been identified by way of inspection of site, review of applicable planning controls, consultation with property owners and completion of detailed survey.

The measures proposed to ameliorate those matters identified above are summarised as follows:-

- General compliance with Council's controls and regulations; and
- Production of all relevant management plans and investigations within this application consistent with all requirements of and the commitments made under the Cobaki Lake Concept Approval No.MP06_0316.

Clause 92(a) Government Coastal Policy

Council's Coastal Policy maps identify the site as being within that area to which the Policy applies. Of most relevance to the proposed development are the provisions of Table 2 of the Policy. The following table provides comments against the strategic actions relevant to 'development control' and hence the proposed development:

Strategic Action No.	Strategic Action	Comment
1.3.2 & 1.3.8	Stormwater Quality	Refer Engineering Plans – Appendix A and Erosion and Sediment Control Plan – Appendix E.
1.4.5	Coastal Hazards	The subject site is not affected by coastal hazards.
2.1.4	Acid Sulphate Soils	Refer Appendix D – ASS Management Plan.
3.2.1	North Coast Design Guidelines	The proposal is for Subdivision with no built form proposed. However a plan of development and design guidelines for future built form have been prepared in accord with the requirements of MP06_0316 and the corresponding statement of commitments. These documents are generally consistent with the North Coast Design Guidelines.
7.1.5	Public Foreshore Access	Public access to foreshore areas will not be affected by the proposal.

The proposed development is considered to be consistent with the relevant provisions of the NSW Government Coastal Policy 1997.

Clause 92(b) Applications for demolition

N/A.

(b) The likely impacts of that development, including environmental impacts on both the natural and built environment, and social and economic impacts in the locality

The proposal is part of a staged development application for the development of precinct 6, 7, 8, 9, 10, 11 and 12. This proposal seeks consent for Stage 2 and 3 being the subdivision of Part Precinct 6 and Part Precinct 7. Cobaki Lakes is subject to a Concept Approval issued by the Minister and has been subject to a significant number of previous assessment and background studies. The proposed subdivision is accompanied by the relevant studies and management plans consistent with the requirements of and the commitment made under the Cobaki Lakes Concept Plan approval. Specific reference is made to the following:

- Subdivision Plans – Appendix A
- Example POB – Appendix B
- Design Guidelines – Appendix C
- Vegetation Management Plan – Appendix D
- Site Regeneration and Revegetation Plan – Appendix E
- Erosion and Sediment Control Plan – Appendix F
- Ground Water Management Plan – Appendix G
- Geotechnical Investigation – Appendix H
- Fauna Management Plan – Appendix I
- Construction Environmental Management Plan – Appendix J
- Acid Sulfate Soils Managment Plan – Appendix K
- Bushfire Threat Assessment – Appendix L
- Aboriginal Cultural Heritage Report – Appendix M
- Traffic Impact Assessment – Appendix N
- Statement of Landscape Intent – Appendix O
- Open Space Discussion – Appendix P
- Noise Impact Assessment – Appendix Q
- Environmental Support Information – Appendix R
- Stormwater Quality Management Plan – Appendix S
- Sewage Master Plan – Appendix T
- Water Network Analysis – Appendix U
- Extent of Flood Mapping – Appendix V

The proposal is undertaken in accord with the above appendices and will be consistent with the existing concept approval and will not result in any adverse impacts that have not previously been assessed or for which appropriate offsets and measure have been adopted.

It is noted that as this application is part of a staged development in accord with Section 83B of the EP&A Act 1979. Further development applications will be lodged for remaining stages as outlined under DA15/1026.

(c) The suitability of the site for the development

The site is considered suitable for the proposed development by virtue of the existing Concept Plan approval for Cobaki Lake.

(d) Any submissions made in accordance with the Act or the Regulations

Council will need to consider any submissions it may receive from the public or state government agencies.

(e) The public interest

It is submitted the proposed development will not prejudice or compromise the public interest.

3.16 Threatened Species Conservation Act

It is noted that the issue of threatened species and vegetation removal has been assessed as part of previous application on the subject land. In this regard all development within precincts 6, 7, 8, 9, 10, 11 & 12 is to be undertaken consistent with the requirements of the Cobaki Lakes Concept Approval. It is noted this approval requires a number of management plans to be produced; in this regard we refer to the following in relation to the Threatened Species Conservation Act

- Subdivision Plans – Appendix A
- Example POB – Appendix B
- Design Guidelines – Appendix C
- Vegetation Management Plan – Appendix D
- Site Regeneration and Revegetation Plan – Appendix E
- Erosion and Sediment Control Plan – Appendix F
- Ground Water Management Plan – Appendix G
- Geotechnical Investigation – Appendix H
- Fauna Management Plan – Appendix I
- Construction Environmental Management Plan – Appendix J
- Acid Sulfate Soils Managment Plan – Appendix K
- Bushfire Threat Assessment – Appendix L
- Aboriginal Cultural Heritage Report – Appendix M
- Traffic Impact Assessment – Appendix N
- Statement of Landscape Intent – Appendix O
- Open Space Discussion – Appendix P
- Noise Impact Assessment – Appendix Q
- Environmental Support Information – Appendix R
- Stormwater Quality Management Plan – Appendix S
- Sewage Master Plan – Appendix T
- Water Network Analysis – Appendix U
- Extent of Flood Mapping – Appendix V

Subject to the measures within these documents, the project will not impact significantly on threatened species.

3.17 Native Vegetation Act, 2003

Section 5 of this Act provides that the Act does not apply to land described in Part 3 of Schedule 1. Schedule 1, Part 3, Paragraph 14 provides that land within a zone being R1 General Residential is excluded from the operation of the Act. This act does not apply.

3.18 Rural Fires Act, 1997

The subject land is mapped as bushfire prone land. This Act requires an authority from the Rural Fire Service for certain development types including subdivisions to be used for residential purposes. These forms of development would normally be integrated development under the provisions of Section 91 of the Environmental Planning and Assessment Act. However, Section 75P provides that development subject to a Concept Plan approval is not integrated development. Accordingly a Bushfire Safety Authority under Section 100B of the Rural Fires Act is not required in respect of the proposed development.

A bushfire threat assessment has been prepared and is included under Appendix L – Bushfire Threat Assessment.

3.19 Water Management Act, 2000

Approvals would normally be required under this Act for certain activities including dewatering however, Section 75P of the Environmental Planning and Assessment Act provides that development subject to a Concept Plan approval is not integrated development. Accordingly, Water Use Approval under Section 89, a Water Management Work Approval under Section 90 or an Activity Approval under Section 91 of this Act is not required in respect of this Development Application.

It is noted Part 3A of the EP&A Act 1979 was repealed in 2011. Upon repeal of Part 3A The Major Development SEPP only applies subject to Schedule 6A of the EP&A Act 1979. In this regard Cobaki Lakes is considered to be a transition Part 3A Project.

The development will be undertaken in accordance with the Groundwater Management Plan prepared by Gilbert and Sutherland which was approved as part of the Concept Plan for the site. A detailed site specific management plan is included under Appendix G - GWMP.

4 - Conclusion

As detailed in the foregoing submission, the staged subdivision of Part Precincts 6 and Part Precinct 7 of Cobaki Lakes demonstrates compliance with the relevant policy and statutory requirements outlined within Council and State controls. It is also consistent with the existing Concept Plan approval for the site under MP06_0316 and with the concept contained within DA15/1026. No impacts are anticipated upon the built or natural environment or the amenity of the locality by Council consenting to this application.

Future development applications are to be made for the remaining stages of the staged development as outlined within DA15/1026. These applications will be made in accord with Section 83B of the EP&A Act 1979.

The proposal is considered to be warranting of Council support.

Council's support for the proposed staged development is respectfully requested.

Planit Consulting Pty Ltd
January 2016

A – Subdivision Plans

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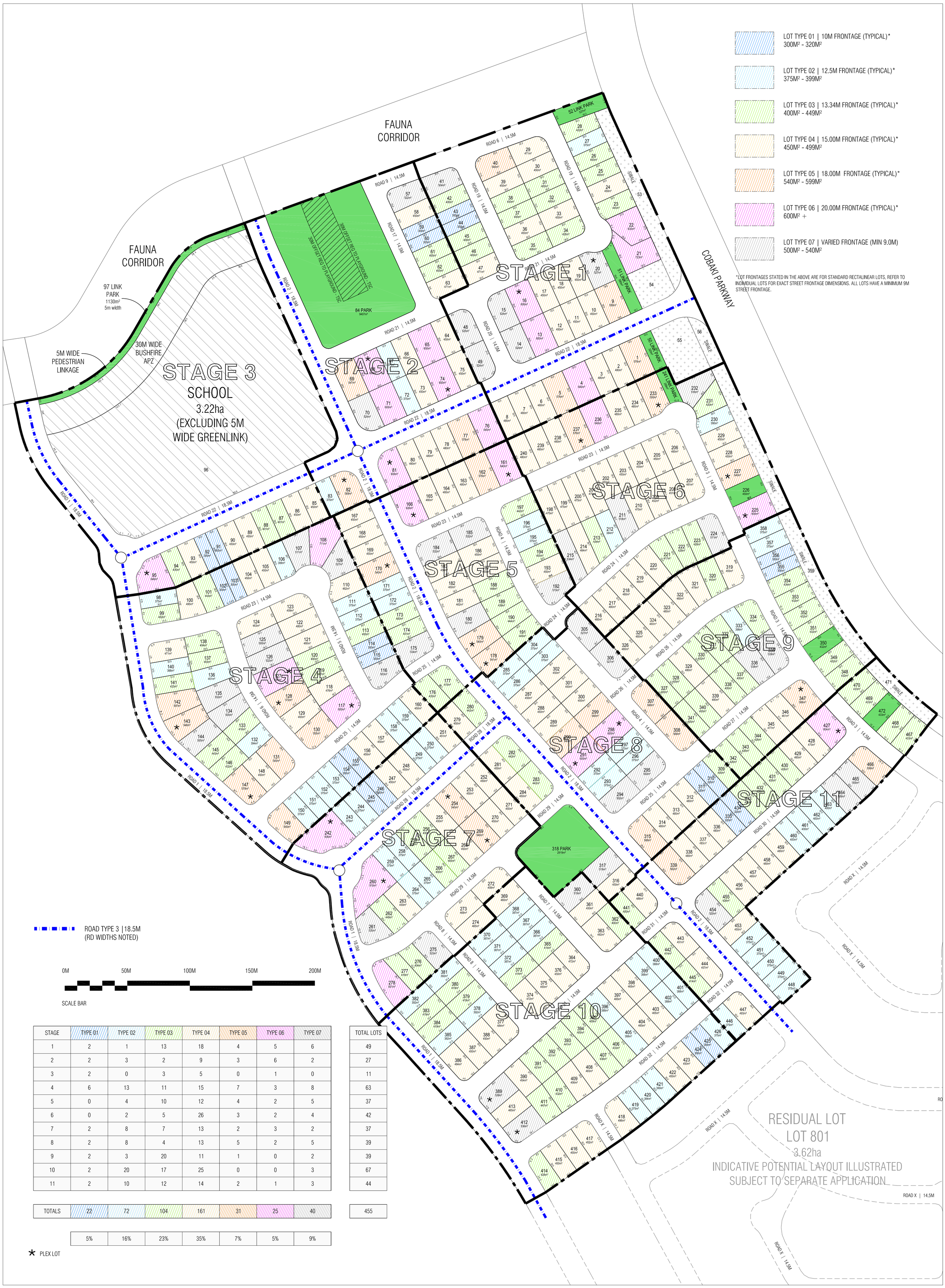

STAGE	TYPE 01	TYPE 02	TYPE 03	TYPE 04	TYPE 05	TYPE 06	TYPE 07	TOTAL LOTS
1	2	1	13	18	4	5	6	49
2	2	3	2	9	3	6	2	27
3	2	0	3	5	0	1	0	11
4	6	13	11	15	7	3	8	63
5	0	4	10	12	4	2	5	37
6	0	2	5	26	3	2	4	42
7	2	8	7	13	2	3	2	37
8	2	8	4	13	5	2	5	39
9	2	3	20	11	1	0	2	39
10	2	20	17	25	0	0	3	67
11	2	10	12	14	2	1	3	44
TOTALS	22	72	104	161	31	25	40	455
	5%	16%	23%	35%	7%	5%	9%	

* PLEX LOT

PROJECT TITLE
COBAKI

DRAWING TITLE
PART PRECINCT 6, 7 AND 8 LOT SUBDIVISION PLAN
DA 1 STAGE 1 TO 11

BASES: SEDGMAN | MICHEL GROUP SERVICES

NO	DATE	REVISION	BY
2	JULY 16	LOT CALC - RFI AMENDMENTS 01	JB
3	AUG16	LOT CALC - RFI AMENDMENTS 02	JB
4	SEPT 16	LOT CALC - RFI AMENDMENTS 03 | LOT NUMBERING CONFIRMATION	JB
5	SEPT 16	LOT CALC - RFI AMENDMENTS 04 | STAGE 11 RAB	JB
6	OCT 16	LOT CALC - RFI AMENDMENTS 05 | LOT POS 226	JB
7	OCT 16	LOT CALC - AMENDMENTS 06 | LOT POS 350	JB

SCALE: 1:1500 AT A1 | 1:3000 AT A3
DATE: NOVEMBER 2015
DESIGN: JB | BS
CHECKED: BS
DRAWN: JB
DRAWING NO: COBAKI_P678_2015_V13_DA 1_1

LEDA

NORTH

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PARK DESCRIPTION	LOT	PARK AREA M²	TOTAL CREDITABLE AREA
NEIGHBORHOOD PARK	84	9047	9047
LINK PARK	52	537	0
LINK PARK	51	580	0
LINK PARK	50	320	0
LINK PARK	97	1130	0
LINK PARK	226	450	0
LINK PARK	241	289	0
LINK PARK	350	423	0
LOCAL PARK	318	2919	2919
LINK PARK	472	433	0
	TOTAL CREDITABLE PARK:		11966

* PLEX LOT

400M RADIUS FROM POS

0M 50M 100M 150M 200M

SCALE BAR

PROJECT TITLE: COBAKI

DRAWING TITLE: PART PRECINCT 6, 7 AND 8 LOT SUBDIVISION PLAN
DA 1 STAGE 1 TO 11 | POS

BASES: SEDGMAN | MICHEL GROUP SERVICES

NO	DATE	REVISION	BY
2	JULY 16	LOT CALC - RFI AMENDMENTS 01	JB
3	AUG16	LOT CALC - RFI AMENDMENTS 02	JB
4	SEPT 16	LOT CALC - RFI AMENDMENTS 03 | LOT NUMBERING CONFIRMATION	JB
5	SEPT 16	LOT CALC - RFI AMENDMENTS 04 | STAGE 11 RAB	JB
6	OCT 16	LOT CALC - RFI AMENDMENTS 05 | LOT POS 226	JB
7	OCT 16	LOT CALC - AMENDMENTS 06 | LOT POS 350	JB

SCALE: 1:1500 AT A1 | 1:3000 AT A3

DATE: NOVEMBER 2015

DESIGN: JB | BS

CHECKED: BS

DRAWN: JB

DRAWING NO: COBAKI_P678_2015_V13_POS_2

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PLANIT CONSULTING

STAGE 01

LOT TYPE 01 | 10M FRONTAGE (TYPICAL)*
300M² - 320M²

LOT TYPE 02 | 12.5M FRONTAGE (TYPICAL)*
375M² - 399M²

LOT TYPE 03 | 13.34M FRONTAGE (TYPICAL)*
400M² - 449M²

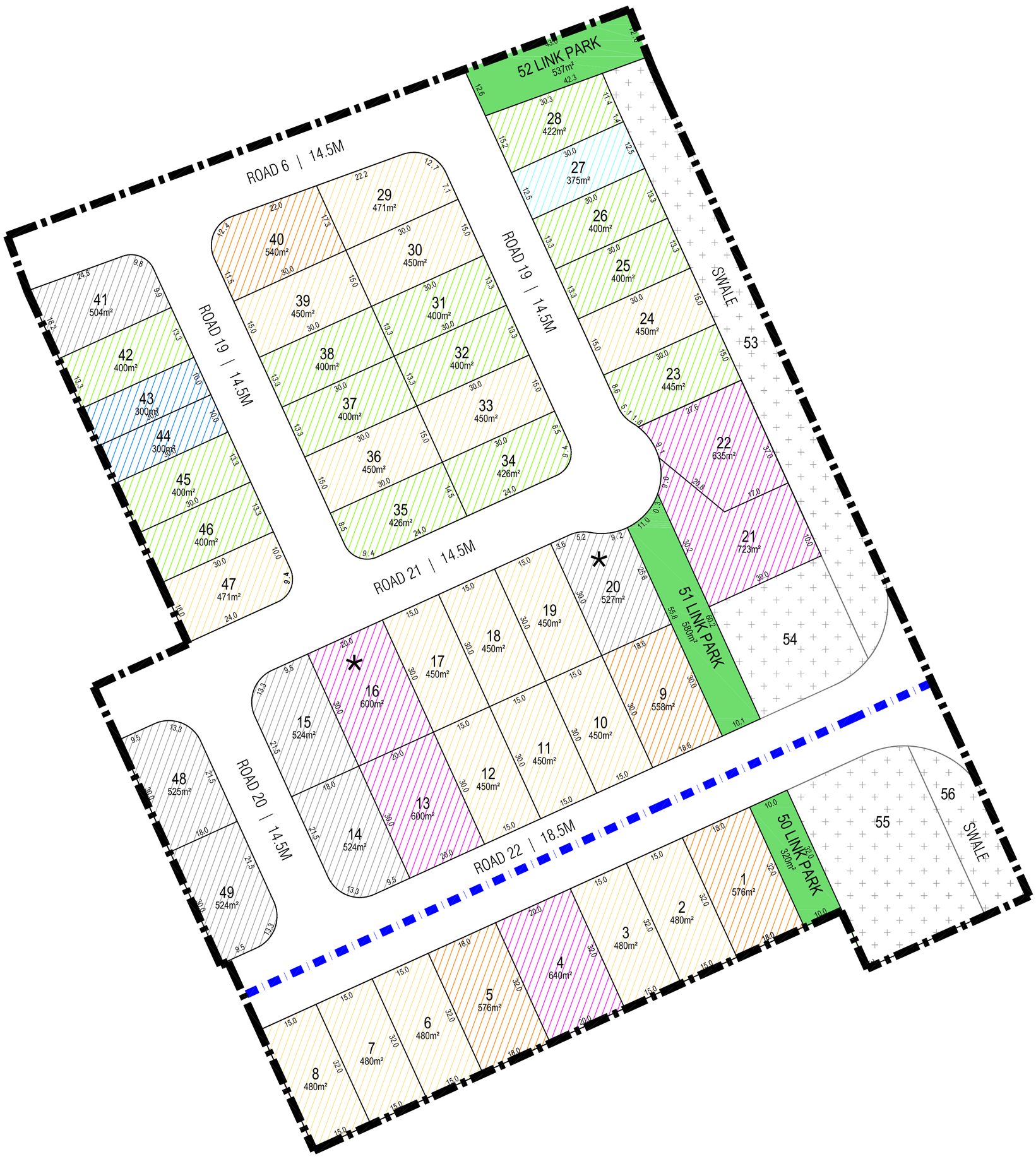
LOT TYPE 04 | 15.00M FRONTAGE (TYPICAL)*
450M² - 499M²

LOT TYPE 05 | 18.00M FRONTAGE (TYPICAL)*
540M² - 599M²

LOT TYPE 06 | 20.00M FRONTAGE (TYPICAL)*
600M² +

LOT TYPE 07 | VARIED FRONTAGE (MIN 9.0M)
500M² - 540M²

*LOT FRONTAGES STATED IN THE ABOVE ARE FOR STANDARD RECTALINEAR LOTS, REFER TO INDIVIDUAL LOTS FOR EXACT STREET FRONTAGE DIMENSIONS. ALL LOTS HAVE A MINIMUM 9M STREET FRONTAGE.



STAGE	TYPE 01	TYPE 02	TYPE 03	TYPE 04	TYPE 05	TYPE 06	TYPE 07
1	2	1	13	18	4	5	6
	4%	2%	27%	37%	8%	10%	12%

TOTAL LOTS
49

* PLEX LOT

ROAD TYPE 3 | 18.5M
(RD WIDTHS NOTED)

0M 50M 100M 150M 200M

SCALE BAR

PROJECT TITLE
COBAKI

DRAWING TITLE
PART PRECINCT 6, 7 AND 8 LOT SUBDIVISION PLAN
DA 1 STAGE 1 TO 11

BASES: SEDGMAN | MICHEL GROUP SERVICES

NO	DATE	REVISION	BY
2	JULY 16	LOT CALC - RFI AMENDMENTS 01	JB
3	AUG16	LOT CALC - RFI AMENDMENTS 02	JB
4	SEPT 16	LOT CALC - RFI AMENDMENTS 03 | LOT NUMBERING CONFIRMATION	JB
5	SEPT 16	LOT CALC - RFI AMENDMENTS 04 | STAGE 11 RAB	JB
6	OCT 16	LOT CALC - RFI AMENDMENTS 05 | LOT POS 226	JB
7	OCT 16	LOT CALC - AMENDMENTS 06 | LOT POS 350	JB

SCALE: 1:1500 AT A1 | 1:3000 AT A3
DATE: JULY 2016
DESIGN: JB | BS
CHECKED: BS
DRAWN: JB
DRAWING NO: COBAKI_P678_2015_V13_DA 1_3

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PLANIT CONSULTING

STAGE 02

LOT TYPE 01 | 10M FRONTAGE (TYPICAL)*
300M² - 320M²

LOT TYPE 02 | 12.5M FRONTAGE (TYPICAL)*
375M² - 399M²

LOT TYPE 03 | 13.34M FRONTAGE (TYPICAL)*
400M² - 449M²

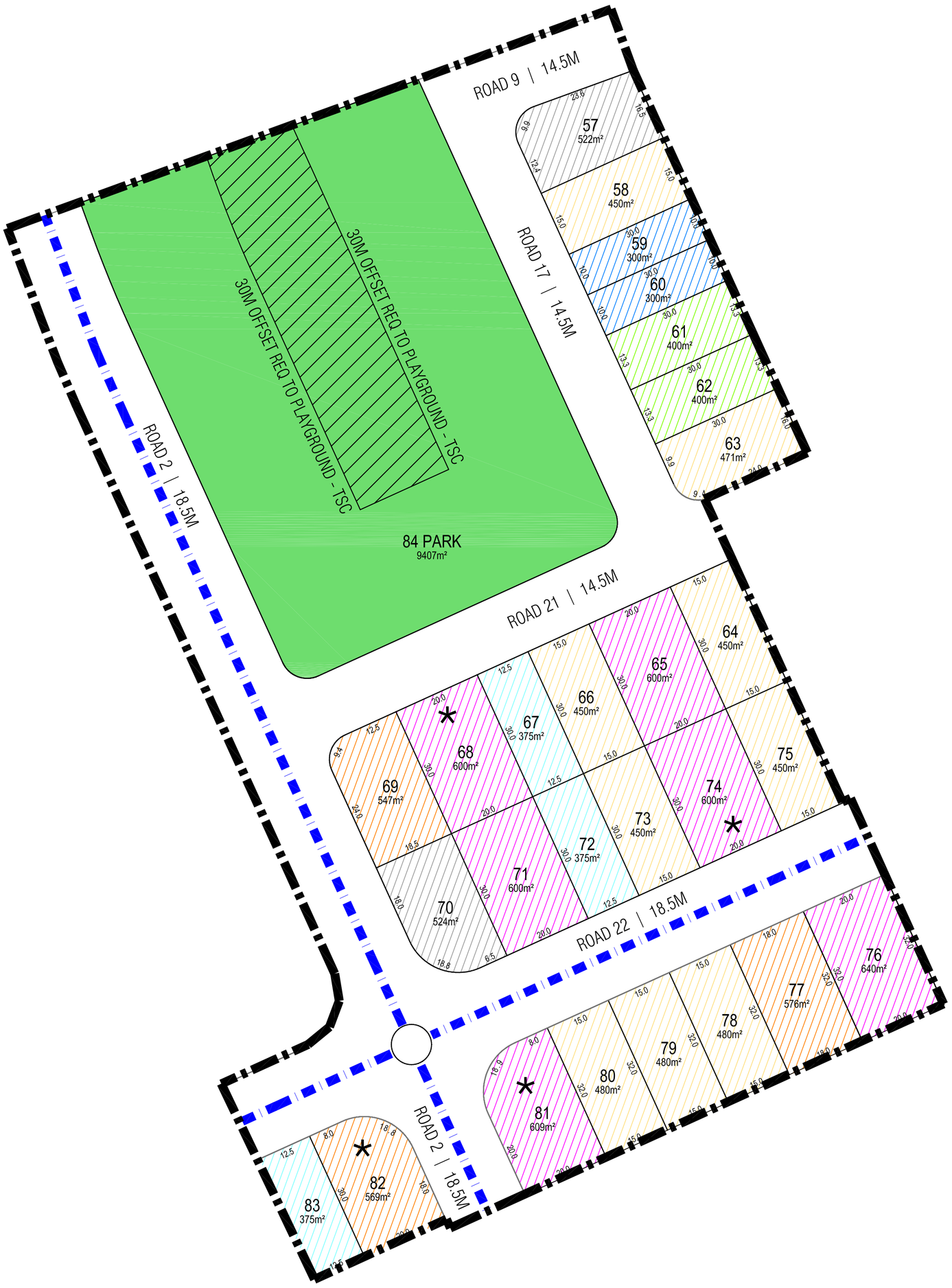
LOT TYPE 04 | 15.00M FRONTAGE (TYPICAL)*
450M² - 499M²

LOT TYPE 05 | 18.00M FRONTAGE (TYPICAL)*
540M² - 599M²

LOT TYPE 06 | 20.00M FRONTAGE (TYPICAL)*
600M² +

LOT TYPE 07 | VARIED FRONTAGE (MIN 9.0M)
500M² - 540M²

*LOT FRONTAGES STATED IN THE ABOVE ARE FOR STANDARD RECTALINEAR LOTS, REFER TO INDIVIDUAL LOTS FOR EXACT STREET FRONTAGE DIMENSIONS. ALL LOTS HAVE A MINIMUM 9M STREET FRONTAGE.



STAGE	TYPE 01	TYPE 02	TYPE 03	TYPE 04	TYPE 05	TYPE 06	TYPE 07
2	2	3	2	9	3	6	2
	7%	11%	7%	33%	11%	22%	7%

TOTAL LOTS
27

* PLEX LOT

ROAD TYPE 3 | 18.5M
(RD WIDTHS NOTED)

0M 50M 100M 150M 200M
SCALE BAR

PROJECT TITLE
COBAKI

DRAWING TITLE
PART PRECINCT 6, 7 AND 8 LOT SUBDIVISION PLAN
DA 1 STAGE 1 TO 11

BASES: SEDGMAN | MICHEL GROUP SERVICES

NO	DATE	REVISION	BY
2	JULY 16	LOT CALC - RFI AMENDMENTS 01	JB
3	AUG16	LOT CALC - RFI AMENDMENTS 02	JB
4	SEPT 16	LOT CALC - RFI AMENDMENTS 03 | LOT NUMBERING CONFIRMATION	JB
5	SEPT 16	LOT CALC - RFI AMENDMENTS 04 | STAGE 11 RAB	JB
6	OCT 16	LOT CALC - RFI AMENDMENTS 05 | LOT POS 226	JB
7	OCT 16	LOT CALC - AMENDMENTS 06 | LOT POS 350	JB

SCALE: 1:1500 AT A1 | 1:3000 AT A3
DATE: JULY 2016
DESIGN: JB | BS
CHECKED: BS
DRAWN: JB
DRAWING NO: COBAKI_P678_2015_V13_DA 1_4

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PLANIT CONSULTING

STAGE 03

LOT TYPE 01 | 10M FRONTAGE (TYPICAL)*
300M² - 320M²

LOT TYPE 02 | 12.5M FRONTAGE (TYPICAL)*
375M² - 399M²

LOT TYPE 03 | 13.34M FRONTAGE (TYPICAL)*
400M² - 449M²

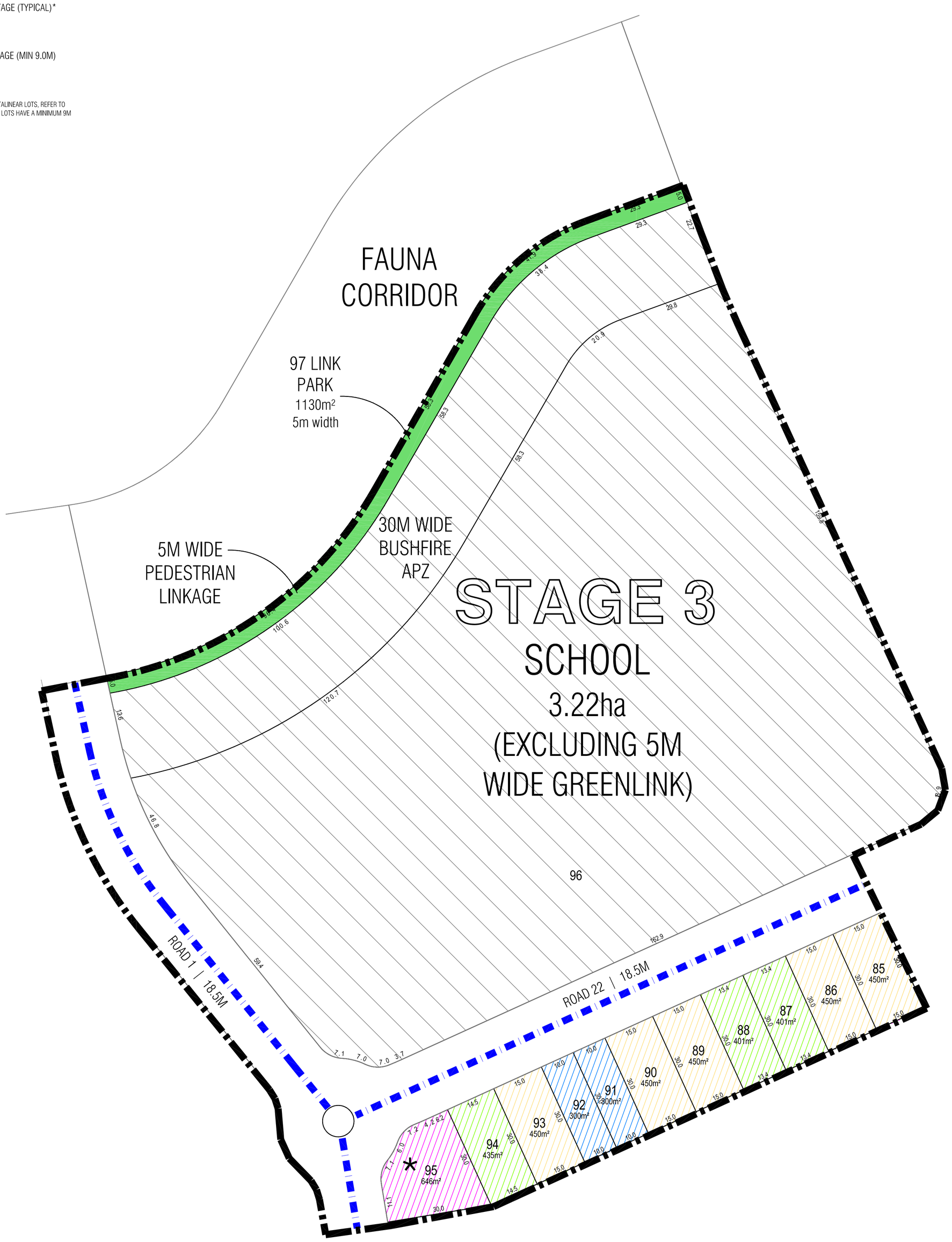
LOT TYPE 04 | 15.00M FRONTAGE (TYPICAL)*
450M² - 499M²

LOT TYPE 05 | 18.00M FRONTAGE (TYPICAL)*
540M² - 599M²

LOT TYPE 06 | 20.00M FRONTAGE (TYPICAL)*
600M² +

LOT TYPE 07 | VARIED FRONTAGE (MIN 9.0M)
500M² - 540M²

*LOT FRONTAGES STATED IN THE ABOVE ARE FOR STANDARD RECTALINEAR LOTS, REFER TO INDIVIDUAL LOTS FOR EXACT STREET FRONTAGE DIMENSIONS. ALL LOTS HAVE A MINIMUM 9M STREET FRONTAGE.



STAGE	TYPE 01	TYPE 02	TYPE 03	TYPE 04	TYPE 05	TYPE 06	TYPE 07
3	2	0	3	5	0	1	0
	18%	0%	27%	45%	0%	9%	0%

TOTAL LOTS
11

* PLEX LOT

ROAD TYPE 3 | 18.5M
(RD WIDTHS NOTED)

0M 50M 100M 150M 200M
SCALE BAR

PROJECT TITLE
COBAKI

DRAWING TITLE
PART PRECINCT 6, 7 AND 8 LOT SUBDIVISION PLAN
DA 1 STAGE 1 TO 11

BASES: SEDGMAN | MICHEL GROUP SERVICES

NO	DATE	REVISION	BY
2	JULY 16	LOT CALC - RFI AMENDMENTS 01	JB
3	AUG16	LOT CALC - RFI AMENDMENTS 02	JB
4	SEPT 16	LOT CALC - RFI AMENDMENTS 03 | LOT NUMBERING CONFIRMATION	JB
5	SEPT 16	LOT CALC - RFI AMENDMENTS 04 | STAGE 11 RAB	JB
6	OCT 16	LOT CALC - RFI AMENDMENTS 05 | LOT POS 226	JB
7	OCT 16	LOT CALC - AMENDMENTS 06 | LOT POS 350	JB

SCALE: 1:1500 AT A1 | 1:3000 AT A3
DATE: JULY 2016
DESIGN: JB | BS
CHECKED: BS
DRAWN: JB
DRAWING NO: COBAKI_P678_2015_V13_DA 1_5

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STAGE 04

LOT TYPE 01 | 10M FRONTAGE (TYPICAL)*
300M² - 320M²

LOT TYPE 02 | 12.5M FRONTAGE (TYPICAL)*
375M² - 399M²

LOT TYPE 03 | 13.34M FRONTAGE (TYPICAL)*
400M² - 449M²

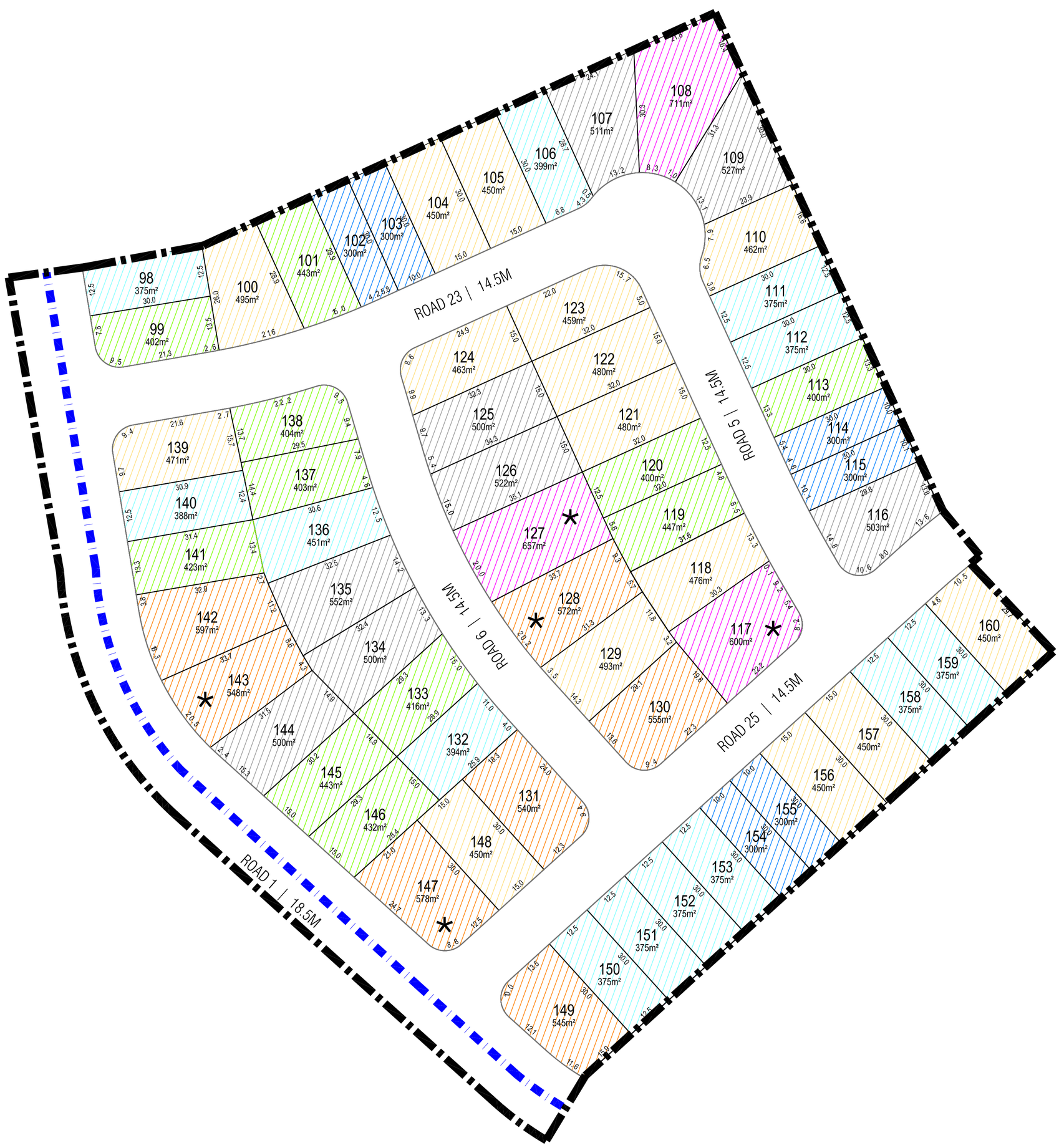
LOT TYPE 04 | 15.00M FRONTAGE (TYPICAL)*
450M² - 499M²

LOT TYPE 05 | 18.00M FRONTAGE (TYPICAL)*
540M² - 599M²

LOT TYPE 06 | 20.00M FRONTAGE (TYPICAL)*
600M² +

LOT TYPE 07 | VARIED FRONTAGE (MIN 9.0M)
500M² - 540M²

*LOT FRONTAGES STATED IN THE ABOVE ARE FOR STANDARD RECTALINEAR LOTS, REFER TO INDIVIDUAL LOTS FOR EXACT STREET FRONTAGE DIMENSIONS. ALL LOTS HAVE A MINIMUM 9M STREET FRONTAGE.



STAGE	TYPE 01	TYPE 02	TYPE 03	TYPE 04	TYPE 05	TYPE 06	TYPE 07
4	6	13	11	15	7	3	8
	10%	21%	17%	24%	11%	5%	13%

TOTAL LOTS
63

* PLEX LOT

ROAD TYPE 3 | 18.5M
(RD WIDTHS NOTED)

0M 50M 100M 150M 200M

SCALE BAR

PROJECT TITLE
COBAKI

DRAWING TITLE
PART PRECINCT 6, 7 AND 8 LOT SUBDIVISION PLAN
DA 1 STAGE 1 TO 11

BASES: SEDGMAN | MICHEL GROUP SERVICES

NO	DATE	REVISION	BY
2	JULY 16	LOT CALC - RFI AMENDMENTS 01	JB
3	AUG16	LOT CALC - RFI AMENDMENTS 02	JB
4	SEPT 16	LOT CALC - RFI AMENDMENTS 03 | LOT NUMBERING CONFIRMATION	JB
5	SEPT 16	LOT CALC - RFI AMENDMENTS 04 | STAGE 11 RAB	JB
6	OCT 16	LOT CALC - RFI AMENDMENTS 05 | LOT POS 226	JB
7	OCT 16	LOT CALC - AMENDMENTS 06 | LOT POS 350	JB

SCALE: 1:1500 AT A1 | 1:3000 AT A3
DATE: JULY 2016
DESIGN: JB | BS
CHECKED: BS
DRAWN: JB
DRAWING NO: COBAKI_P678_2015_V13_DA 1_6

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PLANIT CONSULTING

STAGE 05

LOT TYPE 01 | 10M FRONTAGE (TYPICAL)*
300M² - 320M²

LOT TYPE 02 | 12.5M FRONTAGE (TYPICAL)*
375M² - 399M²

LOT TYPE 03 | 13.34M FRONTAGE (TYPICAL)*
400M² - 449M²

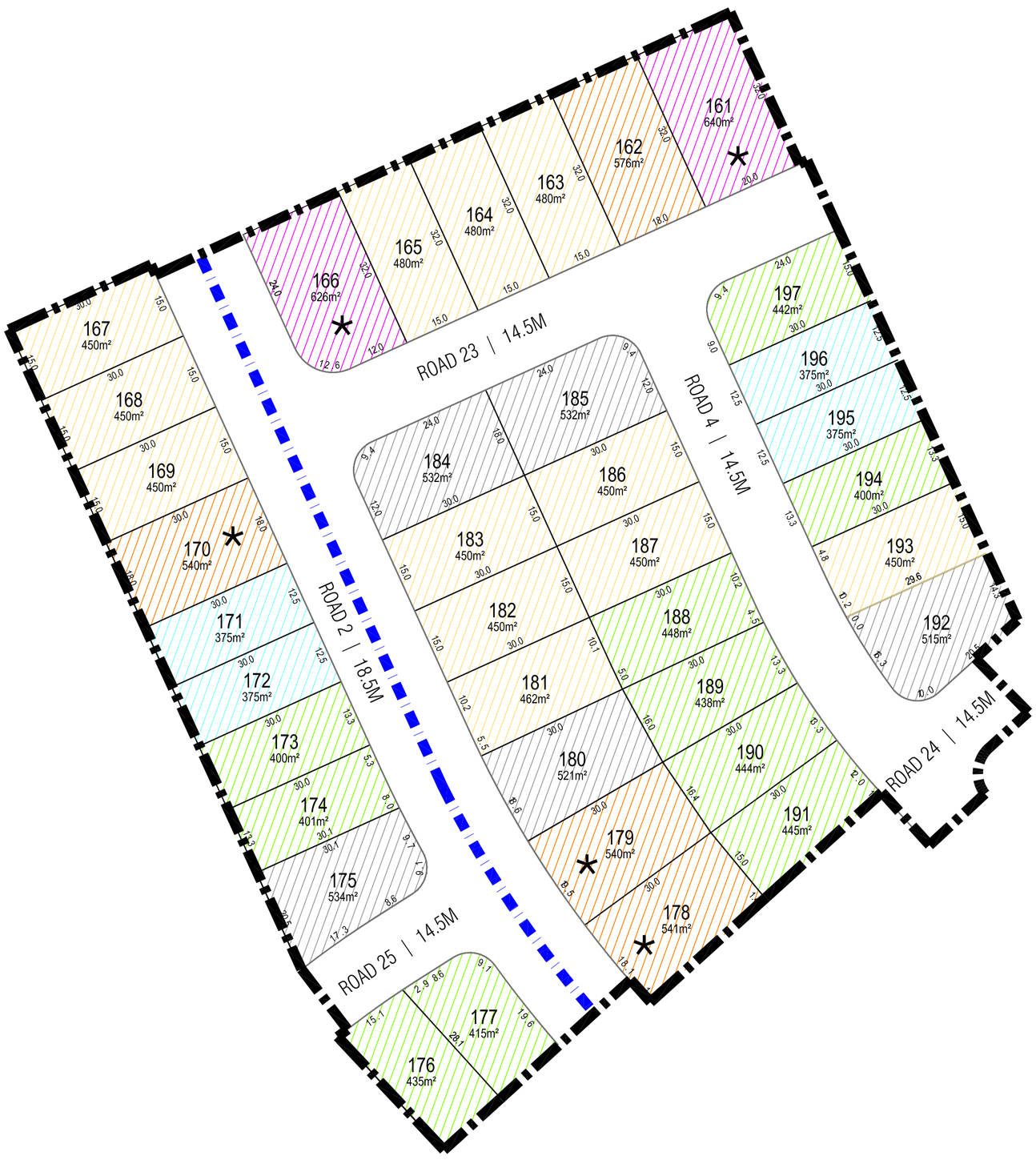
LOT TYPE 04 | 15.00M FRONTAGE (TYPICAL)*
450M² - 499M²

LOT TYPE 05 | 18.00M FRONTAGE (TYPICAL)*
540M² - 599M²

LOT TYPE 06 | 20.00M FRONTAGE (TYPICAL)*
600M² +

LOT TYPE 07 | VARIED FRONTAGE (MIN 9.0M)
500M² - 540M²

*LOT FRONTAGES STATED IN THE ABOVE ARE FOR STANDARD RECTALINEAR LOTS, REFER TO INDIVIDUAL LOTS FOR EXACT STREET FRONTAGE DIMENSIONS. ALL LOTS HAVE A MINIMUM 9M STREET FRONTAGE.



STAGE	TYPE 01	TYPE 02	TYPE 03	TYPE 04	TYPE 05	TYPE 06	TYPE 07
5	0	4	10	12	4	2	5
	0%	11%	27%	32%	11%	5%	14%

TOTAL LOTS
37

* PLEX LOT

ROAD TYPE 3 | 18.5M
(RD WIDTHS NOTED)

0M 50M 100M 150M 200M

SCALE BAR

PROJECT TITLE
COBAKI

DRAWING TITLE
PART PRECINCT 6, 7 AND 8 LOT SUBDIVISION PLAN
DA 1 STAGE 1 TO 11

BASES: SEDGMAN | MICHEL GROUP SERVICES

NO	DATE	REVISION	BY
2	JULY 16	LOT CALC - RFI AMENDMENTS 01	JB
3	AUG16	LOT CALC - RFI AMENDMENTS 02	JB
4	SEPT 16	LOT CALC - RFI AMENDMENTS 03 | LOT NUMBERING CONFIRMATION	JB
5	SEPT 16	LOT CALC - RFI AMENDMENTS 04 | STAGE 11 RAB	JB
6	OCT 16	LOT CALC - RFI AMENDMENTS 05 | LOT POS 226	JB
7	OCT 16	LOT CALC - AMENDMENTS 06 | LOT POS 350	JB

SCALE: 1:1500 AT A1 | 1:3000 AT A3
DATE: JULY 2016
DESIGN: JB | BS
CHECKED: BS
DRAWN: JB
DRAWING NO: COBAKI_P678_2015_V13_DA 1_7

LEDA

NORTH

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PLANIT CONSULTING

STAGE 06

LOT TYPE 01 | 10M FRONTAGE (TYPICAL)*
300M² - 320M²

LOT TYPE 02 | 12.5M FRONTAGE (TYPICAL)*
375M² - 399M²

LOT TYPE 03 | 13.34M FRONTAGE (TYPICAL)*
400M² - 449M²

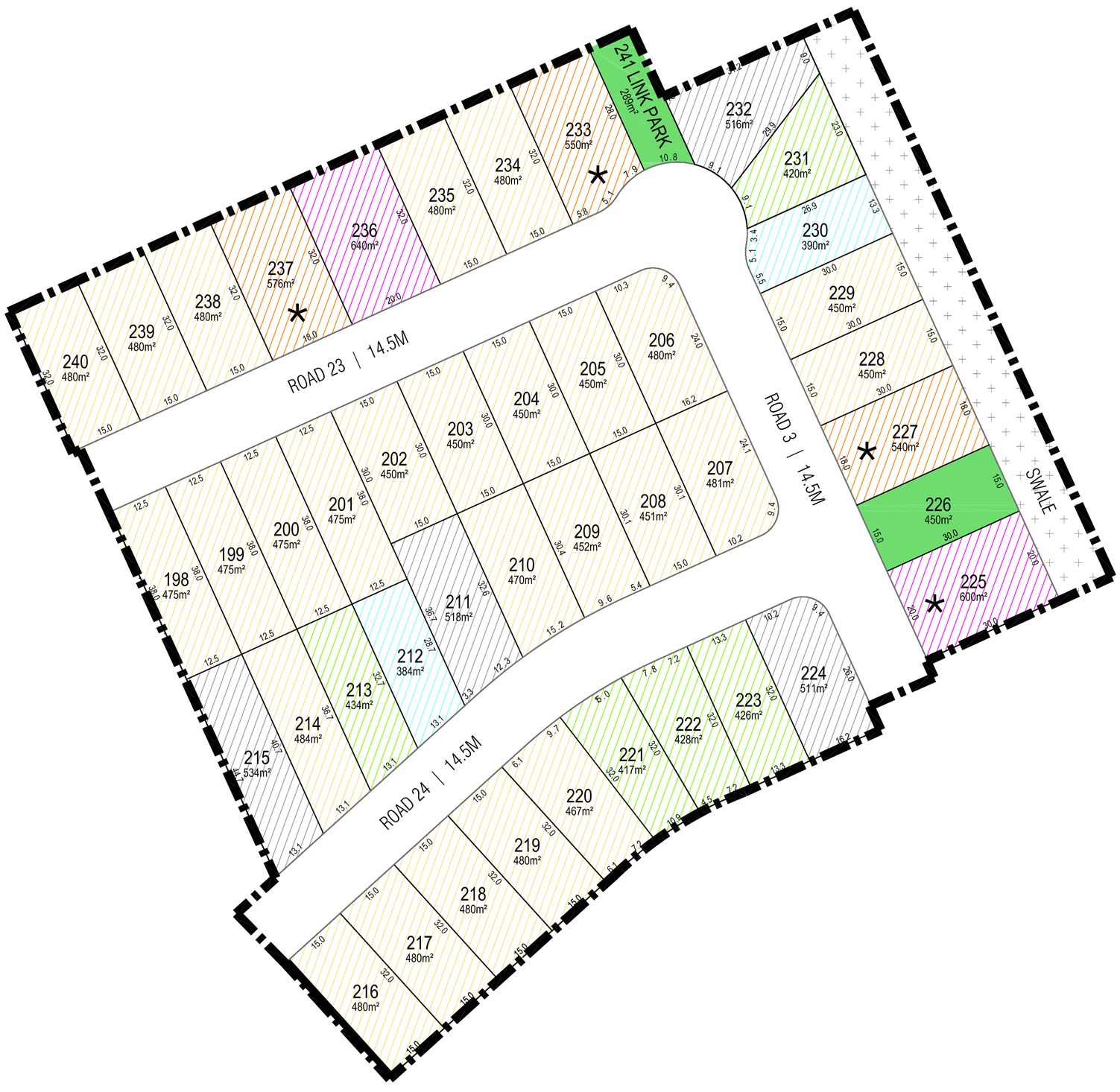
LOT TYPE 04 | 15.00M FRONTAGE (TYPICAL)*
450M² - 499M²

LOT TYPE 05 | 18.00M FRONTAGE (TYPICAL)*
540M² - 599M²

LOT TYPE 06 | 20.00M FRONTAGE (TYPICAL)*
600M² +

LOT TYPE 07 | VARIED FRONTAGE (MIN 9.0M)
500M² - 540M²

*LOT FRONTAGES STATED IN THE ABOVE ARE FOR STANDARD RECTALINEAR LOTS, REFER TO INDIVIDUAL LOTS FOR EXACT STREET FRONTAGE DIMENSIONS. ALL LOTS HAVE A MINIMUM 9M STREET FRONTAGE.



STAGE	TYPE 01	TYPE 02	TYPE 03	TYPE 04	TYPE 05	TYPE 06	TYPE 07
6	0	2	5	26	3	2	4
	0%	5%	12%	62%	7%	5%	10%

TOTAL LOTS
42

* PLEX LOT

ROAD TYPE 3 | 18.5M
(RD WIDTHS NOTED)

0M 50M 100M 150M 200M

SCALE BAR

PROJECT TITLE
COBAKI

DRAWING TITLE
PART PRECINCT 6, 7 AND 8 LOT SUBDIVISION PLAN
DA 1 STAGE 1 TO 11

BASES: SEDGMAN | MICHEL GROUP SERVICES

NO	DATE	REVISION	BY
2	JULY 16	LOT CALC - RFI AMENDMENTS 01	JB
3	AUG16	LOT CALC - RFI AMENDMENTS 02	JB
4	SEPT 16	LOT CALC - RFI AMENDMENTS 03 | LOT NUMBERING CONFIRMATION	JB
5	SEPT 16	LOT CALC - RFI AMENDMENTS 04 | STAGE 11 RAB	JB
6	OCT 16	LOT CALC - RFI AMENDMENTS 05 | LOT POS 226	JB
7	OCT 16	LOT CALC - AMENDMENTS 06 | LOT POS 350	JB

SCALE: 1:1500 AT A1 | 1:3000 AT A3
DATE: JULY 2016
DESIGN: JB | BS
CHECKED: BS
DRAWN: JB
DRAWING NO: COBAKI_P678_2015_V13_DA 1_8

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PLANIT CONSULTING

STAGE 07

LOT TYPE 01 | 10M FRONTAGE (TYPICAL)*
300M² - 320M²

LOT TYPE 02 | 12.5M FRONTAGE (TYPICAL)*
375M² - 399M²

LOT TYPE 03 | 13.34M FRONTAGE (TYPICAL)*
400M² - 449M²

LOT TYPE 04 | 15.00M FRONTAGE (TYPICAL)*
450M² - 499M²

LOT TYPE 05 | 18.00M FRONTAGE (TYPICAL)*
540M² - 599M²

LOT TYPE 06 | 20.00M FRONTAGE (TYPICAL)*
600M² +

LOT TYPE 07 | VARIED FRONTAGE (MIN 9.0M)
500M² - 540M²

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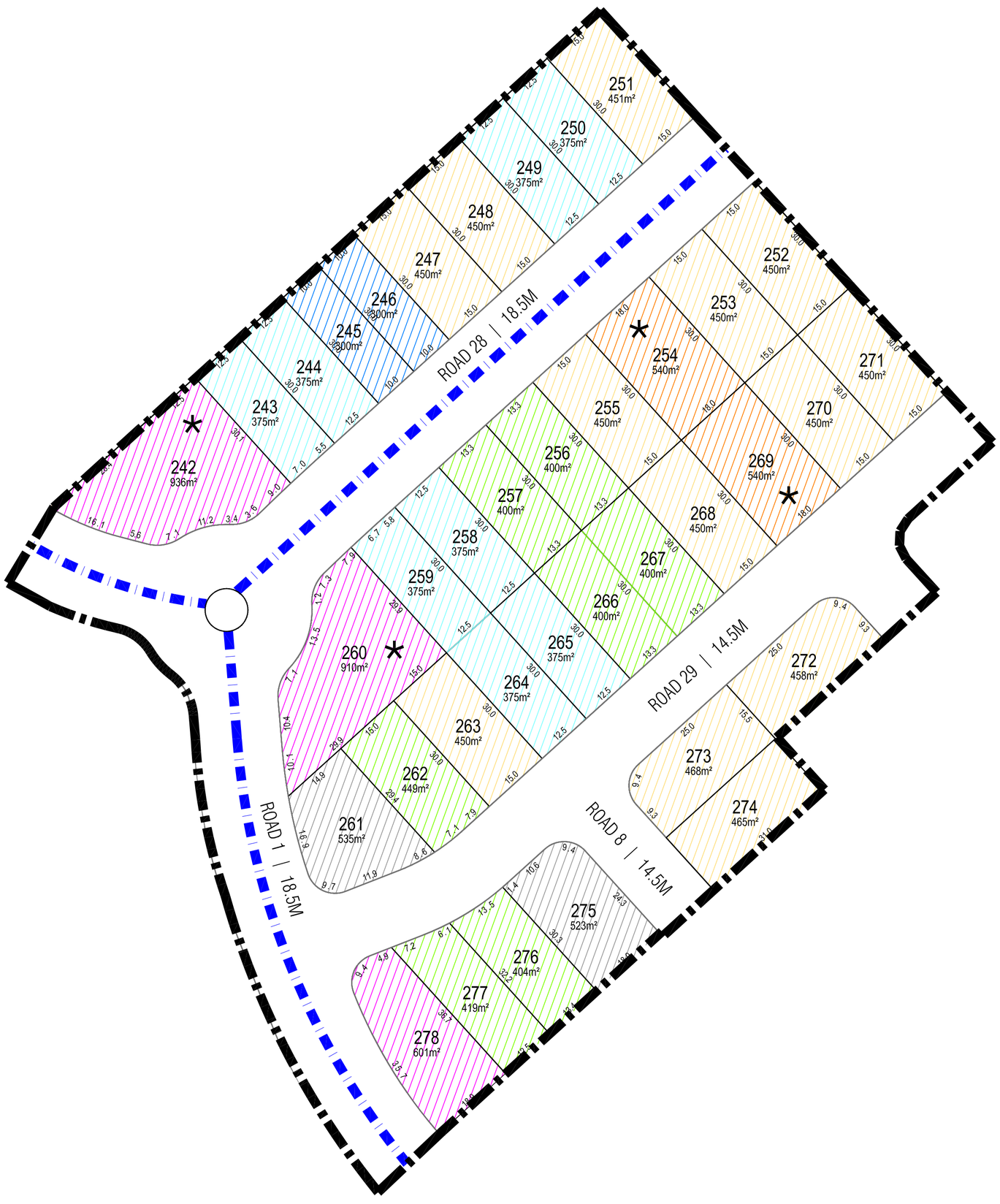

STAGE	TYPE 01	TYPE 02	TYPE 03	TYPE 04	TYPE 05	TYPE 06	TYPE 07
7	2	8	7	13	2	3	2
	2%	22%	19%	35%	5%	8%	5%

TOTAL LOTS
37

* PLEX LOT

ROAD TYPE 3 | 18.5M
(RD WIDTHS NOTED)

0M 50M 100M 150M 200M

SCALE BAR

PROJECT TITLE
COBAKI

DRAWING TITLE
PART PRECINCT 6, 7 AND 8 LOT SUBDIVISION PLAN
DA 1 STAGE 1 TO 11

BASES: SEDGMAN | MICHEL GROUP SERVICES

NO	DATE	REVISION	BY
2	JULY 16	LOT CALC - RFI AMENDMENTS 01	JB
3	AUG16	LOT CALC - RFI AMENDMENTS 02	JB
4	SEPT 16	LOT CALC - RFI AMENDMENTS 03 | LOT NUMBERING CONFIRMATION	JB
5	SEPT 16	LOT CALC - RFI AMENDMENTS 04 | STAGE 11 RAB	JB
6	OCT 16	LOT CALC - RFI AMENDMENTS 05 | LOT POS 226	JB
7	OCT 16	LOT CALC - AMENDMENTS 06 | LOT POS 350	JB

SCALE: 1:1500 AT A1 | 1:3000 AT A3
DATE: JULY 2016
DESIGN: JB | BS
CHECKED: BS
DRAWN: JB
DRAWING NO: COBAKI_P678_2015_V13_DA 1_9

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STAGE 08

LOT TYPE 01 | 10M FRONTAGE (TYPICAL)*
300M² - 320M²

LOT TYPE 02 | 12.5M FRONTAGE (TYPICAL)*
375M² - 399M²

LOT TYPE 03 | 13.34M FRONTAGE (TYPICAL)*
400M² - 449M²

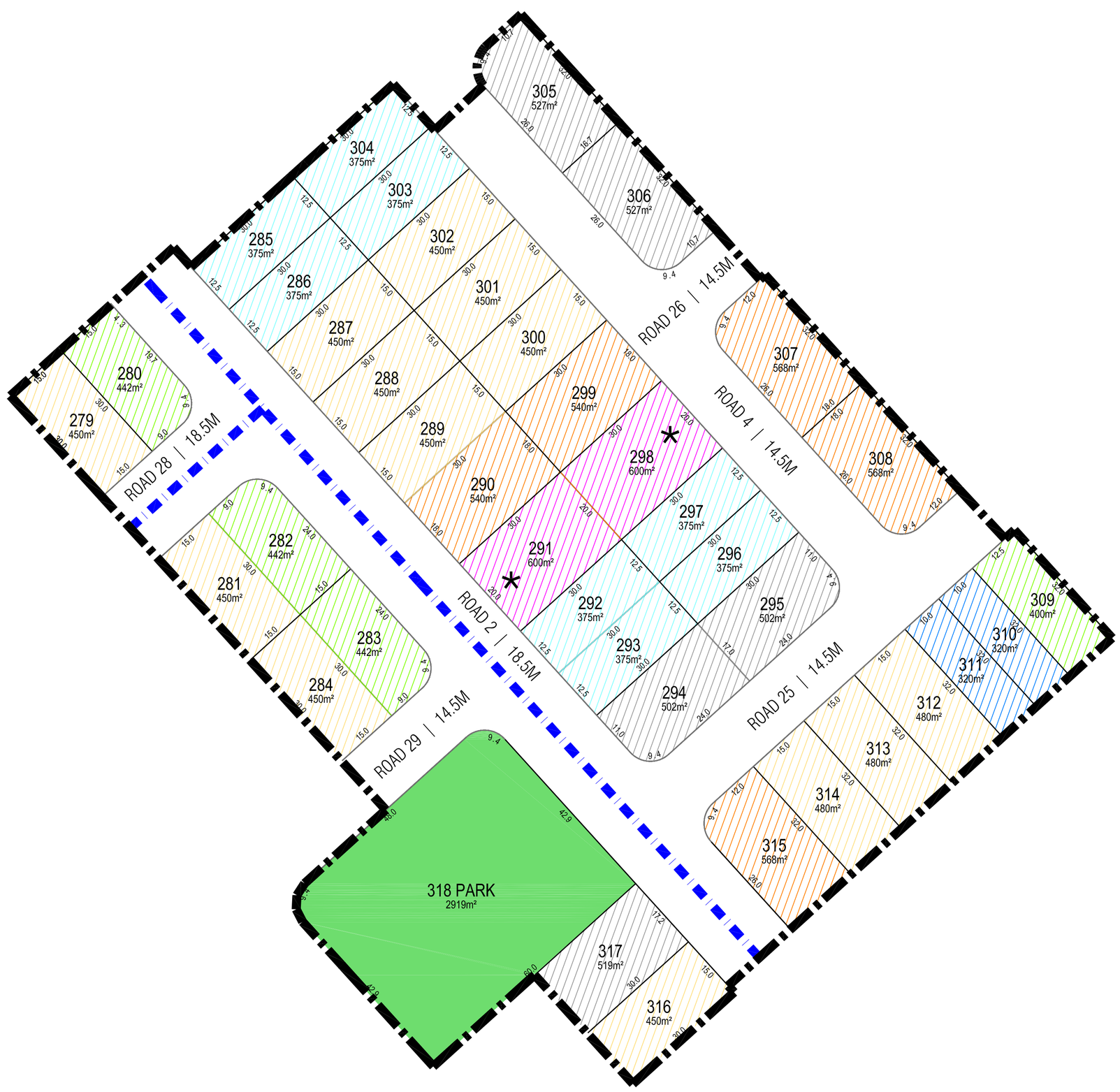
LOT TYPE 04 | 15.00M FRONTAGE (TYPICAL)*
450M² - 499M²

LOT TYPE 05 | 18.00M FRONTAGE (TYPICAL)*
540M² - 599M²

LOT TYPE 06 | 20.00M FRONTAGE (TYPICAL)*
600M² +

LOT TYPE 07 | VARIED FRONTAGE (MIN 9.0M)
500M² - 540M²

*LOT FRONTAGES STATED IN THE ABOVE ARE FOR STANDARD RECTALINEAR LOTS, REFER TO INDIVIDUAL LOTS FOR EXACT STREET FRONTAGE DIMENSIONS. ALL LOTS HAVE A MINIMUM 9M STREET FRONTAGE.



STAGE	TYPE 01	TYPE 02	TYPE 03	TYPE 04	TYPE 05	TYPE 06	TYPE 07
8	2	8	4	13	5	2	5
	5%	21%	10%	33%	13%	5%	13%

TOTAL LOTS
39

* PLEX LOT

ROAD TYPE 3 | 18.5M
(RD WIDTHS NOTED)

0M 50M 100M 150M 200M

SCALE BAR

PROJECT TITLE
COBAKI

DRAWING TITLE
PART PRECINCT 6, 7 AND 8 LOT SUBDIVISION PLAN
DA 1 STAGE 1 TO 11

BASES: SEDGMAN | MICHEL GROUP SERVICES

NO	DATE	REVISION	BY
2	JULY 16	LOT CALC - RFI AMENDMENTS 01	JB
3	AUG16	LOT CALC - RFI AMENDMENTS 02	JB
4	SEPT 16	LOT CALC - RFI AMENDMENTS 03 | LOT NUMBERING CONFIRMATION	JB
5	SEPT 16	LOT CALC - RFI AMENDMENTS 04 | STAGE 11 RAB	JB
6	OCT 16	LOT CALC - RFI AMENDMENTS 05 | LOT POS 226	JB
7	OCT 16	LOT CALC - AMENDMENTS 06 | LOT POS 350	JB

SCALE: 1:1500 AT A1 | 1:3000 AT A3
DATE: JULY 2016
DESIGN: JB | BS
CHECKED: BS
DRAWN: JB
DRAWING NO: COBAKI_P678_2015_V13_DA 1_10

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STAGE 09

LOT TYPE 01 | 10M FRONTAGE (TYPICAL)*
300M² - 320M²

LOT TYPE 02 | 12.5M FRONTAGE (TYPICAL)*
375M² - 399M²

LOT TYPE 03 | 13.34M FRONTAGE (TYPICAL)*
400M² - 449M²

LOT TYPE 04 | 15.00M FRONTAGE (TYPICAL)*
450M² - 499M²

LOT TYPE 05 | 18.00M FRONTAGE (TYPICAL)*
540M² - 599M²

LOT TYPE 06 | 20.00M FRONTAGE (TYPICAL)*
600M² +

LOT TYPE 07 | VARIED FRONTAGE (MIN 9.0M)
500M² - 540M²

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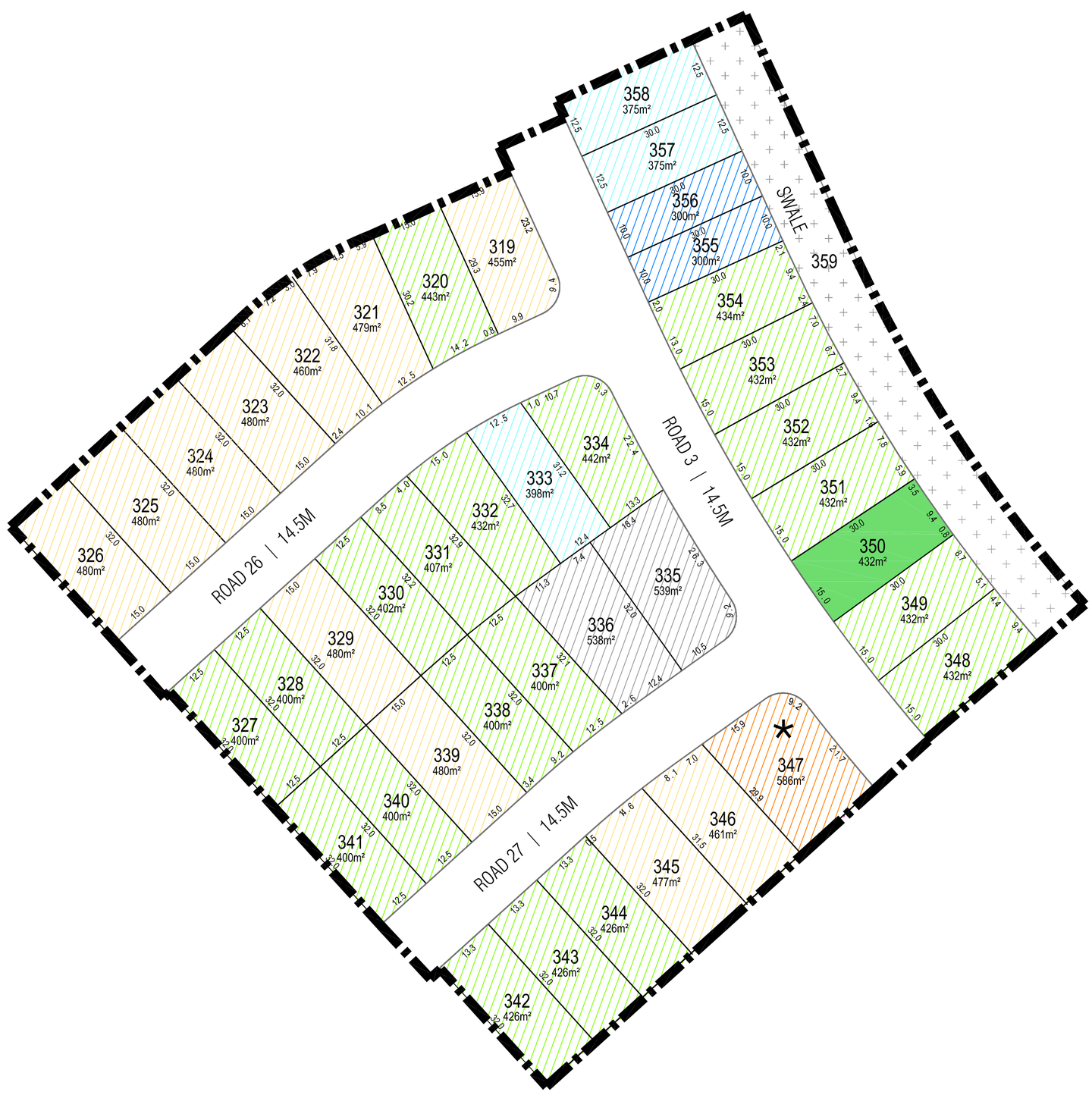

STAGE	TYPE 01	TYPE 02	TYPE 03	TYPE 04	TYPE 05	TYPE 06	TYPE 07
9	2	3	20	11	1	0	2
	5%	8%	53%	28%	3%	0%	5%

TOTAL LOTS
39

* PLEX LOT

ROAD TYPE 3 | 18.5M
(RD WIDTHS NOTED)

0M 50M 100M 150M 200M

SCALE BAR

PROJECT TITLE
COBAKI

DRAWING TITLE
PART PRECINCT 6, 7 AND 8 LOT SUBDIVISION PLAN
DA 1 STAGE 1 TO 11

BASES: SEDGMAN | MICHEL GROUP SERVICES

NO	DATE	REVISION	BY
2	JULY 16	LOT CALC - RFI AMENDMENTS 01	JB
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4	SEPT 16	LOT CALC - RFI AMENDMENTS 03 | LOT NUMBERING CONFIRMATION	JB
5	SEPT 16	LOT CALC - RFI AMENDMENTS 04 | STAGE 11 RAB	JB
6	OCT 16	LOT CALC - RFI AMENDMENTS 05 | LOT POS 226	JB
7	OCT 16	LOT CALC - AMENDMENTS 06 | LOT POS 350	JB

SCALE: 1:1500 AT A1 | 1:3000 AT A3
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STAGE 10

LOT TYPE 01 | 10M FRONTAGE (TYPICAL)*
300M² - 320M²

LOT TYPE 02 | 12.5M FRONTAGE (TYPICAL)*
375M² - 399M²

LOT TYPE 03 | 13.34M FRONTAGE (TYPICAL)*
400M² - 449M²

LOT TYPE 04 | 15.00M FRONTAGE (TYPICAL)*
450M² - 499M²

LOT TYPE 05 | 18.00M FRONTAGE (TYPICAL)*
540M² - 599M²

LOT TYPE 06 | 20.00M FRONTAGE (TYPICAL)*
600M² +

LOT TYPE 07 | VARIED FRONTAGE (MIN 9.0M)
500M² - 540M²

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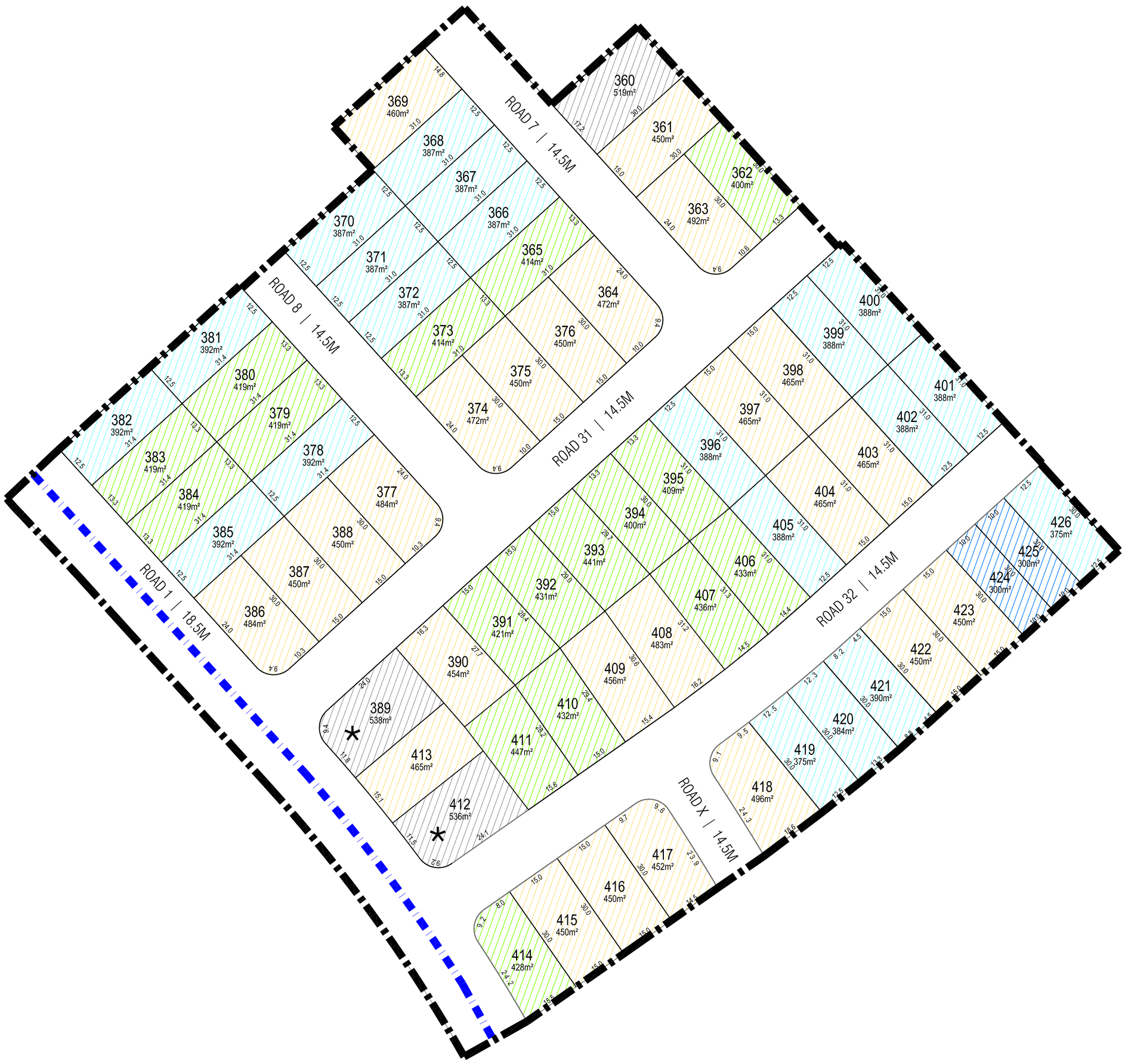

STAGE	TYPE 01	TYPE 02	TYPE 03	TYPE 04	TYPE 05	TYPE 06	TYPE 07
10	2	20	17	25	0	0	3
	3%	30%	25%	37%	0%	0%	4%

TOTAL LOTS
67

* PLEX LOT

ROAD TYPE 3 | 18.5M
(RD WIDTHS NOTED)

0M 50M 100M 150M 200M

SCALE BAR

PROJECT TITLE
COBAKI

DRAWING TITLE
PART PRECINCT 6, 7 AND 8 LOT SUBDIVISION PLAN
DA 1 STAGE 1 TO 11

BASES: SEDGMAN | MICHEL GROUP SERVICES

NO	DATE	REVISION	BY
2	JULY 16	LOT CALC - RFI AMENDMENTS 01	JB
3	AUG16	LOT CALC - RFI AMENDMENTS 02	JB
4	SEPT 16	LOT CALC - RFI AMENDMENTS 03 | LOT NUMBERING CONFIRMATION	JB
5	SEPT 16	LOT CALC - RFI AMENDMENTS 04 | STAGE 11 RAB	JB
6	OCT 16	LOT CALC - RFI AMENDMENTS 05 | LOT POS 226	JB
7	OCT 16	LOT CALC - AMENDMENTS 06 | LOT POS 350	JB

SCALE: 1:1500 AT A1 | 1:3000 AT A3
DATE: JULY 2016
DESIGN: JB | BS
CHECKED: BS
DRAWN: JB
DRAWING NO: COBAKI_P678_2015_V13_DA 1_12

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STAGE 11

LOT TYPE 01 | 10M FRONTAGE (TYPICAL)*
300M² - 320M²

LOT TYPE 02 | 12.5M FRONTAGE (TYPICAL)*
375M² - 399M²

LOT TYPE 03 | 13.34M FRONTAGE (TYPICAL)*
400M² - 449M²

LOT TYPE 04 | 15.00M FRONTAGE (TYPICAL)*
450M² - 499M²

LOT TYPE 05 | 18.00M FRONTAGE (TYPICAL)*
540M² - 599M²

LOT TYPE 06 | 20.00M FRONTAGE (TYPICAL)*
600M² +

LOT TYPE 07 | VARIED FRONTAGE (MIN 9.0M)
500M² - 540M²

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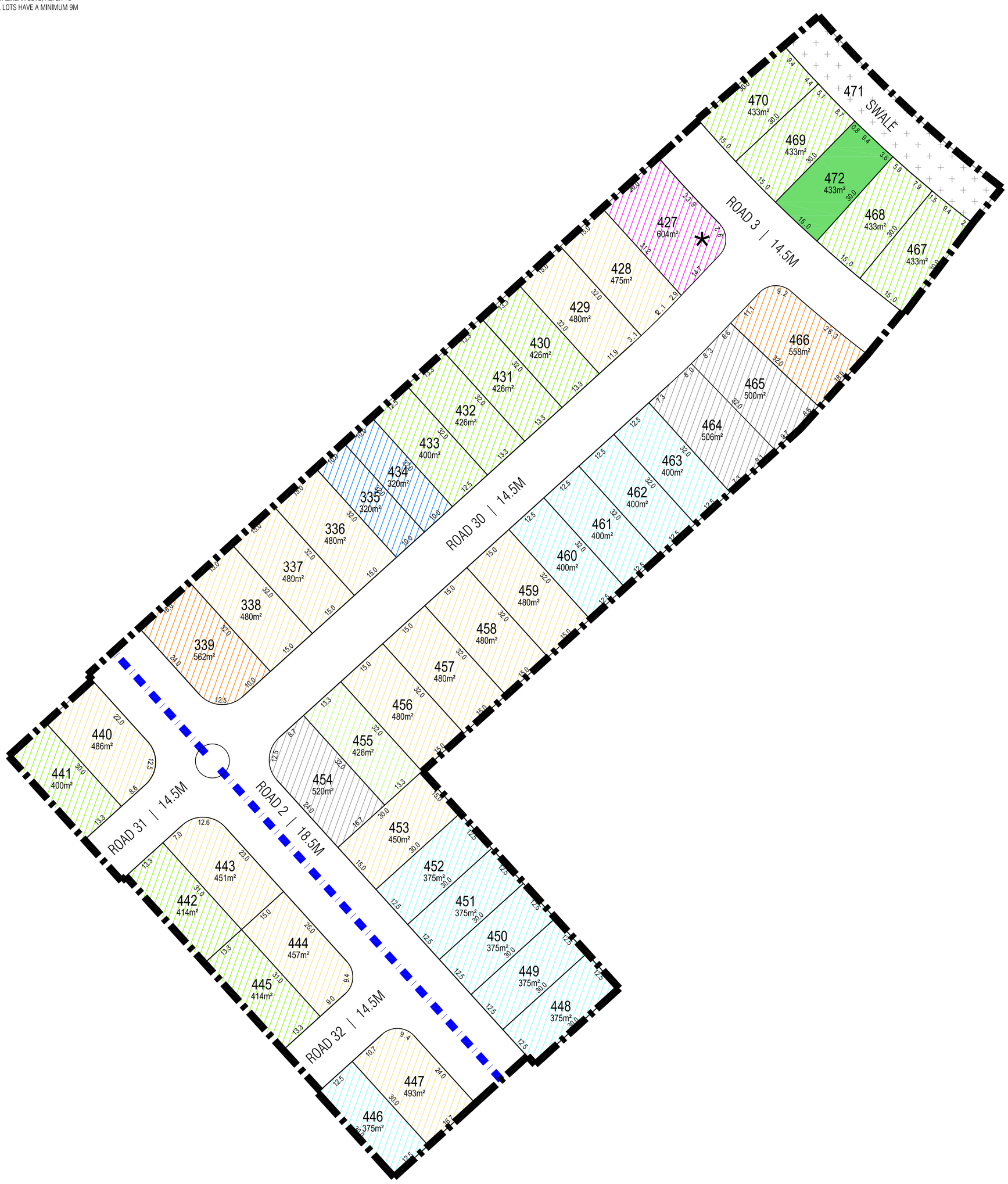

STAGE	TYPE 01	TYPE 02	TYPE 03	TYPE 04	TYPE 05	TYPE 06	TYPE 07
11	2	10	12	14	2	1	3
	5%	23%	27%	32%	5%	2%	7%

TOTAL LOTS
44

* PLEX LOT

ROAD TYPE 3 | 18.5M
(RD WIDTHS NOTED)

0M 50M 100M 150M 200M

SCALE BAR

PROJECT TITLE
COBAKI

DRAWING TITLE
PART PRECINCT 6, 7 AND 8 LOT SUBDIVISION PLAN
DA 1 STAGE 1 TO 11

BASES: SEDGMAN | MICHEL GROUP SERVICES

NO	DATE	REVISION	BY
2	JULY 16	LOT CALC - RFI AMENDMENTS 01	JB
3	AUG16	LOT CALC - RFI AMENDMENTS 02	JB
4	SEPT 16	LOT CALC - RFI AMENDMENTS 03 | LOT NUMBERING CONFIRMATION	JB
5	SEPT 16	LOT CALC - RFI AMENDMENTS 04 | STAGE 11 RAB	JB
6	OCT 16	LOT CALC - RFI AMENDMENTS 05 | LOT POS 226	JB
7	OCT 16	LOT CALC - AMENDMENTS 06 | LOT POS 350	JB

SCALE: 1:1500 AT A1 | 1:3000 AT A3
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B – Example Plan of Development

PO Box 1623 Kingscliff NSW 2487
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Fax: 02 66745003
info@planitconsulting.com.au

C – Design Guidelines

PO Box 1623 Kingscliff NSW 2487
Phone: 02 66745001
Fax: 02 66745003
info@planitconsulting.com.au

D – Vegetation Management Plan

PO Box 1623 Kingscliff NSW 2487
Phone: 02 66745001
Fax: 02 66745003
info@planitconsulting.com.au

E – Site Regeneration and Revegetation Plan

PO Box 1623 Kingscliff NSW 2487
Phone: 02 66745001
Fax: 02 66745003
info@planitconsulting.com.au

F – Erosion & Sediment Control Plan

G – Ground Water Management Plan

PO Box 1623 Kingscliff NSW 2487
Phone: 02 66745001
Fax: 02 66745003
info@planitconsulting.com.au

H – Geotechnical Investigation

I – Fauna Management Plan

PO Box 1623 Kingscliff NSW 2487
Phone: 02 66745001
Fax: 02 66745003
info@planitconsulting.com.au

J – Construction Environmental Management Plan

PO Box 1623 Kingscliff NSW 2487
Phone: 02 66745001
Fax: 02 66745003
info@planitconsulting.com.au

K – ASS Management Plan

PO Box 1623 Kingscliff NSW 2487
Phone: 02 66745001
Fax: 02 66745003
info@planitconsulting.com.au

L – Bushfire Threat Assessment Report

PO Box 1623 Kingscliff NSW 2487
Phone: 02 66745001
Fax: 02 66745003
info@planitconsulting.com.au

M – Aboriginal Cultural Heritage Report

N – Traffic Impact Assessment

O – Statement of Landscape Intent

PO Box 1623 Kingscliff NSW 2487
Phone: 02 66745001
Fax: 02 66745003
info@planitconsulting.com.au

P – Open Space Discussion

Q – Noise Impact Assessment

R – Environmental Supporting Information

PO Box 1623 Kingscliff NSW 2487
Phone: 02 66745001
Fax: 02 66745003
info@planitconsulting.com.au

S – Stormwater Quality Management Plan

PO Box 1623 Kingscliff NSW 2487
Phone: 02 66745001
Fax: 02 66745003
info@planitconsulting.com.au

T – Sewage Master Plan

U – Water Network Analysis

PO Box 1623 Kingscliff NSW 2487
Phone: 02 66745001
Fax: 02 66745003
info@planitconsulting.com.au

V – Extent of Flood Mapping

W – Section A13 Checklist

X – Consolidated Concept & Project Approval Conditions

Cobaki - DA16/0056 Subdivision P6 and 7 (first ~500 Lots)

	ISSUE	RESPONSE
Planning		
1. Statement of Environmental Effects (SEE)		
a.	Concept Plan Approval Condition C1 *Plan of Development* requires a Plan of Development (POD) to be submitted with each application for subdivision. Whist it is acknowledged that an example POD has been submitted for Stage 1 only, POD's for all stages will be required to be submitted. Please provide such POD's, taking into consideration the more detailed comments below (Item 3).	Please refer to Attachment A which contains the required Plan of Development (POD) for the application. These plans detail controls for each of the residential allotments. Please note there are no future development lots within DA16/0056 and one (1) allotment has been identified for a future school. No POD has been prepared for the school allotment.
b.	a. Concept Plan Approval Conditions C17 (*Contamination Assessment*), C18 (*Tweed Shire Council Development Consents*) and C19 (*Biodiversity Offsets*) have not been addressed. It is noted that the SEE incorporates Condition C10 *Groundwater* , which is inconsistent with the Concept Approval, which nominates C10 as *Affordable Housing* . Please amend Section 1.3.1 of the SEE accordingly.	Please refer to Attachment D for copy of amended Statement of Environmental Effects. Section 1.3.1 has been amended accordingly. Please also refer Attachment O for copy of consolidated conditions response addressing Condition C18.
c.	Section 1.6.2.1 *Balance residual lots(s)* of the SEE states that the remaining land around the site of the development will be included in residual allotments. Subdivision Plans are required with regard to the parcels of land adjacent to the residential land being proposed for subdivision under DA16/0056 (i.e. outside Precincts 6 & 7).	Please refer to Attachment B whcih contains balance lot subdivsion plan prepared by project Surveyors Michels. With regards to the balance lots, it is noted these have a direct interface with the Master Lot subdivision component that is required by the Concept and Project approval for Cobaki. In this regards Council is requested to include a condition of consent that would allow with Council review (not modification of the consent), minor changes to the proposed balance lot subdivsion plan to ensure consistency with the final master lot plan.
d.	Commitment 14 *Tweed Shire Council DCP* requires development to be generally consistent with Council's DCP and Design & Construction Specifications, where not inconsistent with the Cobaki Concept Plan and Development Code. Table 2 of the SEE notes that this commitment has been addressed by "*Section ??"* of the SEE. Please amend Section 1.3.2 of the SEE accordingly.	Please refer to Attachment D for copy of amended Statement of Environmental Effects. This item has been corrected.
e.	Section 3.9 of the SEE relates to the assessment of the proposed development against the provisions of TLEP 2000. Similar to that provided for DA15/1026, please update the SEE to incorporate these matters and amend the revision date of the report accordingly.	Please refer to Attachment D for copy of amended Statement of Environmental Effects. Section 3.9 has been amended accordingly.
2. Development Code		

a.	Section 5.1 (6) of Table 3 – Cobaki Development Code Compliance in the SEE requires connection of parks, public spaces, main streets etc. The SEE notes that subdivision provides appropriate distribution and connection of open space within the site by way of internal pedestrian and cycleway links. Please amend the Plans to incorporate pedestrian and cycleway connections taking into consideration comments from Items 7 and 32 below.	Please refer to Attachment E for copy of the Cobaki Estate Open Space Master Plan (OSMP). This document is to be a reiterative document which guides future development applications in terms of the quantitatively and qualitatively delivery of open space. The document identifies the distribution of open space and the network of roads, cycleways and pedestrian paths to provide a permeable estate which promotes walkability and access to passive and active recreational opportunities. A Landscape Master Plan (LMP) has also been prepared and included in Attachment E to guide the desired landscape character and visual amenity of Cobaki Estate. The document breaks the Cobaki Estate down into discernible precincts and broad landscape design intents are outlined for each. These landscape design intents were conceived in response to the environmental, historical cultural and contextual associations of the site and locality. The document is broad in intent with refinement and detailed designs to be provided as the subsequent layouts and or applications are resolved within each precinct. The document addresses the public space and identifies new street tree plantings, gardens, hardscape areas for informal seating and outdoor dining and opportunities for public art and a distinctive suite of street furniture. The document also addresses appropriate plantings and designs for the various types of open space types to be delivered.
b.	Section 5.4 (2) of Table 3 in the SEE requires pedestrian and cycle networks to provide connections to public open space, public transport nodes, education and other public facilities. The SEE notes that pedestrian and cycle networks are provided through and around the proposal. Similar to Item 2a above, please amend the Plans to incorporate pedestrian and cycle networks taking into consideration comments from Items 7 and 32 below.	Please refer to the the access and mobility plan contained within the OSMP under Attachment E and is separately provided in Attachment F.
c.	Section 5.4 (12) of Table 3 in the SEE requires an on-street parking plan to demonstrate the availability of on-street parking as required. The SEE notes that the on-street parking has not been shown as *each lot* will provide one on-street car space adjacent to the lot frontage. Please demonstrate that sufficient parking is available to corner (SDD) allotments and Lot numbers 26, 27, 99 – 101 and 215 – 217.	Please refer to Attachment C for amended subdivision layout and Attachment N for updted Traffic Impact Assessment. The revised documents address the on street parking issues.
d.	Section 5.5 (1) of Table 3 in the SEE requires the nomination of housing type on the POD. Whilst the SEE notes that all residential lots are nominated, it is unclear as to what version of the Development Code is being relied upon. Please note that if the "Final Code" is being relied upon, the proposed development cannot be determined until a Concept Plan Mod (incorporating the Final Code) is approved. Please update the SEE accordingly.	Please refer to Attachment A which contains the POD for each residential allotment. The attached POD has been based upon the approved current version of the Cobaki Estate Development Code.
e.	Section 5.5 (2) of Table 3 in the SEE requires the nomination of bedrooms per dwelling and per lot on the POD. Again, the SEE references the "Final Code", noting that this will allow applicable contribution charges at a per lot rate. Whilst the method being proposed is considered appropriate, such methods are relying upon a Code that is not yet approved. Please clarify this matter.	Please refer to Attachment A which contains the POD for each residential allotment. All residentail allotments will have a minimum of 3 bedrooms as is noted on the POD.
3. Plan of Development (POD)		

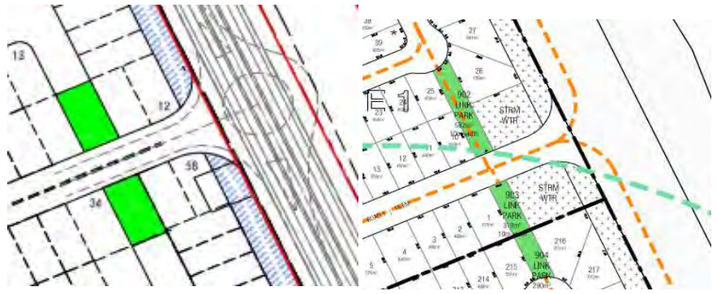
a.	It is considered appropriate to identify the location and width of the APZ's on all POD's, as required by Section 5.6(1)(a) of Table 3 – Cobaki Development Code Compliance of the SEE. Please amend accordingly.	Council comments regarding APZ's is noted. Please refer to Attachment A whcih contains the POD. A note regarding the preparation of seperate BAL plan should one be requried is retained on the POD's. This approach will allow a seperate Bushfire Safety Authority to be sought prior to commencement of works. A relevant condition of consent regarding the inclusion of a APZ / BAL plan in the POD should the Bushfire Safety Authority indentify one as required can be included within the consent.
b.	Section 5.6(1)(b) of Table 3 in the SEE states that an "…*appropriate note has been made on the POD to refer landowners to qualified bushfire consultants at those stages of the development*". The example POD does not make any reference to bushfire requirements. It should be noted that a Section 100B Bushfire Safety Authority is required prior to the commencement of works. The POD's will need to incorporate the BAL level of construction.	
c.	As required by Section 5.6(1)(c), the development type intended for each allotment is to be noted on the POD's. As previously noted, if the housing type being proposed is based on the "Final Code", the proposed development cannot be determined until that the Code is approved by a Concept Plan Mod	Please refer to Attachment A which contains the POD for each residential allotment. The attached POD has been based upon the approved version of the Cobaki Estate Development Code and uses the approved code terminology i.e Plex dwelling, etc.
d.	Section 5.6(1)(d) of Table 3 in the SEE requires fill and finished floor level requirements on flood prone lots. The SEE notes that the minimum finished floor levels are shown on the POD. The example POD (Attachment….) does not incorporate fill or finished floor levels. The POD is to be amended accordingly	Please refer to Attachment A which contains the POD for each residential allotment. All allotments are filled to a minimum of 200m above the Q100 level which is 3.4m in part of Stage 1 and 2 and 3.1m for the balance of the stages. The provision of a slab and footings associated with dwellings adds another 300mm ensuring all floor levels comply with Tweed Shire Council requirements of 500mm free board. Please refer to Attachment G for the detailed civil drawings which illustrate the allotments are filled to this minimum level. The POD also note minimum floor levels for buildings and the Q100 level.
e.	Section 5.6(1)(e) of Table 3 in the SEE requires all necessary easements and 88B instruments. Whilst it is acknowledged that there are no easements proposed within residential lots, the zero lot line allotments are required to have 88B instruments applied, as per Section 5.4(9) and any 88B requirements pertaining to bus stop provisions (refer to Item 25 below).	We note Council comment and with regards to 88B requirements for zero lot line dwelling an appropriate condition of consent can be included to address this issue. With regards to busstops please refer to Attachment N for updated Traffic Impact Assessment. The assessment identifies the locaiton of bus stops to service the precincts subject to this application and note that no bus stop will be located within the internal road network (with exception of bus service to the school). As such no encumberance on any of the residential lots will be required to address bus stops.
f.	In Section 5.6(1)(f), the SEE refers to the final Development Code. As noted previously, the final Development Code has not been approved by a Concept Plan Mod. Please address this issue	Please refer to Attachment A which contains the POD for each residential allotment. The attached POD has been based upon the approved current version of the Cobaki Estate Development Code.
g.	Section 5.6(1)(m) of Table 3 in the SEE refers to fencing types. The example POD makes reference to fence type T1 – T5, yet such reference is not incorporated on the POD itself. Please clarify	The types of fencing applicable are those illustrated in the Code and these and there location are nominated on the POD for each allotment. Note the fencing types have been reduced to two.
4. Design Guidelines		
a.	Please ensure that all provisions of the Design Guideline Controls as prescribed by Section 5.7 of the Development Code have been addressed	Please refer to Attachment H for Amended Design Guidelines addressing Section 5.7 of the Development Code.
b.	Dot point 9 of the Soft Landscaping controls within the Design Guidelines makes reference to the "*Plant Selection Schedule*". Please provide a copy of the Schedule. Will this be incorporated into the Guidelines document or noted on the POD.	Please refer to Attachment E Open Space Master Plan & Landscape Master Plan. Planting schedules can be found within the Landscape Master Plan and are specific to the different precincts of the estate.
5. Submissions		

	Please be advised that Council did not receive any submissions in relation to the notification process for the proposed development. Please note that several submissions have been made by various authorities (RFS, RMS and Essential Energy). Comments in this regard are noted below in Items 35, 36 & 37	Noted.
Urban Design		
6. Lot Orientation		
a.	Whilst the SEE notes that many trial layouts have been undertaken, a site analysis has not been provided and there appears to be little consideration for solar orientation in the configuration of the subdivision. It is considered appropriate to have the overall orientation of the allotments (30 degrees either side of true North) where possible, in order to provide a higher percentage of allotments with good solar orientation	Please refer to the Solar Orientation Plan contained within Attachment I. This plan notes the particular orientation of the lots and establishes the percentage of lots facing a particular orientation. The right house block orientation is one that allows the main daytime living and outdoor areas to be facing north. Northern facing building alignments promte natural lighting and energy efficiency. In the summer when the sun is high in the sky the windows and walls are shaded by the use of eaves and shade screens. By excluding the summer sun from the house it remains cooler for longer reducing the reliance on artificial cooling. In the winter when the sun is low in the sky these same windows and walls will capture the sun and allow the room to be warmed. If the home is properly designed the sun will heat the slab floor and then at night when the temperature drops the slab will radiate the stored heat back into the home. This reduces the requirement for artificial heating. Obviously not all blocks in a subdivision can have the rear yard facing north. While ideal orientation is solar north, blocks with orientations of up to 20° west and 30° east of north still allow good passive sun control. The critical design element for lots and dwellings is to maximise the length of the lot or building to the north. From this principle east west orientated blocks have better solar orientation as they maximise length of the building/lot to the north. As can be seen from the attachment approximately 39%of allotments fall within this category. When combined with northern orientated lots the percentage of lots with good solar access increases to 72%. South orientated allotments may still have north orientated open space and living areas however do have a reduced northern aspect. We are of the view the layout has been designed to maximise solar orientation. These design choices predicates design options for the site and thus street alignments.
b.	The relationship of lot depth / width to orientation and resultant housing type needs to be considered. Good solar planning generally aligns long boundary dimensions to the north which will enable house design to more easily respond to solar orientation. As a general rule of thumb, allotments having on an East-West orientation should have a wider street frontage enabling north facing living space and yard. Allotments that have a North-South orientation with narrow frontages result in more lots overall having a northern orientation in the context of an overall subdivision layout. However this needs to be considered in terms of housing type and housing design where optimum living spaces and yards will be in either the front or back yard depending on which side of the street the allotment is on	As outlined above we have orientated allotments to maximise an east west or northern orientation. The layout also incorporates a variety of other design parameters to provide diversity and interest in the street scape. This is achieved by varying lot widths and other design controls contained in the POD. In respect to the requirement to maximise, allotments private open space and living areas achieving the desired solar benefits, controls are place on allotments with frontages less than 12.5m. The POD identifies that where an allotment shares both side boundaries with a lot with frontages equal to and less than 12.5m, only single storey dwellings may be constructed. Through this amenity and liveability elements such as breezes and solar access impacts are reduced. This approach also ensures overlooking and privacy issues are addressed.
7. Connectivity		

a.	The proposed vehicular connectivity is generally considered to be satisfactory. However, stronger East-West connections are encouraged (particularly in terms of pedestrian / cyclists), to link open space with perimeter roads improving overall connectivity and legibility. For example, it is recommended that Road 20 be extended further north east (towards the Cobaki Parkway), providing a 4 way intersection with Road 8. This also provides an opportunity to incorporate traffic slowing devices (roundabout) at this location	Please refer to Amended Subdivision Plan under Attachment C. The proposal plan has been amended to incorporate improved circulation through the stages and to the central open space. The modified grid structure of the layout also assists with legibility. This is further enhanced by the road layout which terminates at open space areas. The new east west linkage of Road 30 and 31 will create a 4-way intersection which will accommodate a roundabout and delivery the traffic calming sought in the information request. To split 176-191 would have the intersections of road 25 and road 28 to close to the new suggested road same for 285 – 304
b.	The application should consider and address the connectivity of Stages 2 and 3 with other stages of the development	Please refer to the access and mobility plan under Attachment F which identifies stage 2 and 3 being connected to the broader Cobaki Estate though a legible road network, pedestrian and cycle connections.

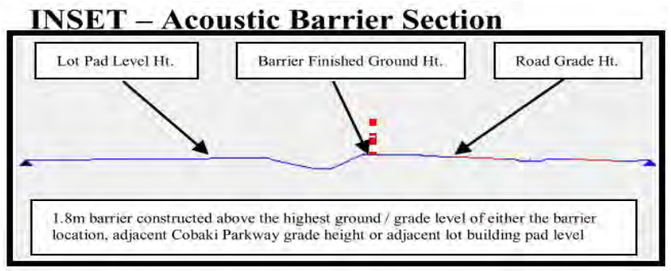
8. Open Space Location		
a.	Consideration should be given to the location of local parks being located adjacent to the main intersections, in order to provide precinct character and articulation of the key intersections by way of providing green space along the road spine	All neighbourhood and local parks have been located on collector streets with minimum 75% road frontage. These locations provide legibility within the estate and also opportunities to establish the desired landscape character. The termination of a number of roads at open space further assists in reinforcing the landscape and open space character of the state.
b.	It is recommended that the Park in Stage 1 be relocated to the block of allotments nominated as Lots 17, 18, 51 – 60, to enabling greater legibility, visual surveillance and access to the park. The revised location, being along the connector road and opposite the proposed school site, will potentially have a good cross-over use between adjoining school and residential uses as well as provide a high level of character defining landscape visual amenity to this precinct	Please refer to Amended Subdivsion Plan under Attachment C. As part of layout changes the local park has been relocated adjacent to Road 2 and opposite the school allotment. This location provides for increased legibility and amenity outcomes.
9. Lot Layout		
a.	Whilst each stage has a wide variety of Lot Types, there appears to be little justification for the proposed allotment locations. For example, allotments nominated as Lot Type 4 appear in all stages in different orientations. It is considered more appropriate to incorporate the solar design principles and apply allotments of differing lot width / depth accordingly	As advised a diverse street scape is sought to be delivered which necessitates the provision of varying sized blocks and thus width. We recognise that concentrating lower sized allotments and thus frontage widths would negatively impact on the overall character of the estate, stage and street. As noted controls are included in the POD to address lots with frontages less than 12.5m in respect to impacts on solar access.
b.	Whilst it is good to encourage a mixture and diversity of housing types throughout the precinct, there is also opportunity for some of the housing typologies be grouped together, to give stronger character to that particular stage. An example of this could be a block group of narrow frontage allotments (10m) with a strong coherent design	Whilst the point raised is noted, the character sought in this precinct is of detached semi detached dwellings. We do anticipate that smaller dwelling typologies and thus urban character will be delivered in the estate in close proximity to the neighbourhood and town centres.
c.	Consideration should be given to the use of rear loaded allotments (as used in Seaside City for example), taking advantage of solar orientation and providing a rear lane access in a block of development	Rear load allotments are not proposed in this application. As noted 72% of allotments have desired solar orientation.
d.	Consider deeper allotments along Cobaki Parkway to increase the distance from the main roadway and improve acoustic issues	In discussions with the acoustic consultant lot depths would need to increase significantly to improve acoustic issues. The location of the acoustic fence delivers optimum acoustic benefits where it is adjacent to the receptor or source. Accordingly the lots have not been increased in depth. Please refer to Attachment L for Amended Acoustic Report.
e.	Consider the use of a "slip lane" along the Cobaki Parkway, which would provide increased visual amenity from the Parkway with the front of houses being seen rather than back fences, but would need to take into consideration acoustic requirements for these allotments	Following discussions with Tweed Shire Council a number of alternative layouts were considered and these did not result in as efficient subdivision. In addition, the introduction of a slip road raises the issue of acoustic treatment. the use of slip lane and then incorporating acoustic treatments to the buildings and including solid fencing to any private open space areas fronting the slip road was investigated. This is considered not to provide an acceptable residential or street scape outcome. It was also considered that less activation would be provided along the slip road due to the lower/noisy acoustic environment. As is shown in the acoustic modelling the provision of the fence on the boundary of the road reserve provides the greatest benefits to reducing noise impacts.
Development Engineering		
10. Annexure A – Subdivision Plans		

a.	Insufficient street frontage is proposed for Lots 26, 27, 100, 216, 217 (based on dimensions provided). Council's DCP A5 specifies a Minimum Kerb Frontage of 9.0m (which equates to a property frontage of approximately 12.5m). Please amend lot layouts accordingly	Please refer to Amended Subdivision Plans under Attachment C. Lots widths have been amended.
b.	Many of the corner blocks proposed as Dual Occupancy allotments have an insufficient secondary frontage to accommodate a compliant second driveway. The minimum requirement for secondary frontages is 10.50m from tangent point. Please amend plans accordingly	Please refer to Amended Subdivision Plans under Attachment C. Lots widths have been amended.
c.	Several allotments are not dimensioned (including Lot 16, 17, 18, 19, 55, 56, 77, 89, 98, 99, 100, 101, 123, 124, 125, 126, 127, 129, 130, 140, 148, 149, 151, 152, 153, 154, 155, 161, 162, 184, 185, 186, 187, 188, 189, 190, 191, 192, 193, 194, 195, 196, 226, 229, 230, 231, 232, 233, 239, 240, 241, 242, 243, 252, 253, 254, 255, 260, 261, 272, 282, 283, 284, 285, 286, 287, 289, 303, 326, 327, 328, 329, 330, 331, 332, 338, 342, 343, 344, 360, 388, 405, 414, 417, 428, 433, 436, 437, 438, 442, 443, 444, 445, 446, 448, 449, 450, 451, 452, 453, 454, 460, 461 & 462). Please amend the Subdivision Plans accordingly	Please refer to Amended Subdivision Plans under Attachment C. All lots have been dimensioned.
d.	A proposed road width in Stage 6 appears to be incorrect. It is considered that Road 18 should reference 14.5m, rather than 16.5m. Please amend accordingly	Please refer to Amended Subdivision Plans under Attachment C. Road widths notations have been corrected.
11. Annexure F - Erosion and Sediment Control Plan (ESCP)		
a.	A Draft Erosion and Sediment Control Plan (ESCP) for Precincts 6 – 12 has been submitted. This document should be "Preliminary" not "Draft". It is also noted that the submission has not been signed or approved by the Consultant. Please address these issues	Please refer to the amended erosion and sediment control plan included under Attachment J.
b.	The ESCP states that "*…the maximum disturbed area (that has not been permanently vegetated) at any time shall not exceed 10.0ha*". Council's standard is 5.0ha. Please amend the ESCP accordingly	Please refer to the amended erosion and sediment control plan included under Attachment J.

c.	The Appendix A – Site Plan (of the ESCP) shows a layout inconsistent with other plans submitted with the DA. Most notably, the Site Plan shows residential allotments, not stormwater treatment space at the intersection of Stage 1 and Cobaki Parkway. The ESCP should be amended accordingly, to ensure consistency with the proposed subdivision plans 	Please refer to the amended erosion and sediment control plan included under Attachment J.
d.	Appendix B (of the ESCP) Plans are stamped as "*Drawings in Progress*". As per above, the document needs to be finalised, signed / approved by the Consultant, be consistent with other documents that form part of this application and resubmitted as a "Preliminary ESCP"	Please refer to the amended erosion and sediment control plan included under Attachment J.
e.	Several of the proposed Basins (as shown on Appendix B Plan A443-BE- S-0003 Rev A) are not labelled. All documentation should be checked and resubmitted accordingly	Please refer to the amended erosion and sediment control plan included under Attachment J.
12. Annexure H – Geotechnical Investigation		
a.	The submitted Geotech Investigation Report is the same document that was submitted with the Stage 1 BEW's DA, however it has been prepared in regards to the proposed residential development (not just BEW's) over Precincts 7, 8, 10 and 12. The Report is to be amended to incorporate Precinct 6	Please refer to the addendum Geotechnical Investigation included under Attachment K which include Precinct 6.
b.	As per with Stage 1 BEW's, the Report makes reference that "*Rock breakers may be required for removal of buried concrete, if encountered, subject to trafficability*". Please clarify where this may be applicable. It is noted that Level 1 Certification could not be issued if such uncontrolled filling has occurred	Please refer to the addendum Geotechnical Investigation included under Attachment K which include Precinct 6.
13. Annexure J – CEMP		
a.	The submitted CEMP was prepared for both the proposed BEW's and the construction phase of Precincts 7 - 12. The CEMP is to be amended to include Precinct 6	Please refer Attachment R for Amended CEMP. We note discussion with Tweed Shire Council regarding defering the inclusion of Precinct 6 into the revised documents at this stage. Based on this discussion the approved measures for Precinct 6 have not yet been incorporated into a combined document. This will however occur prior to issue fo CC for earthworks as requried under DA15/1026 and any condition of consent that Council may choose to impose on this consent.
b.	Section 2.1 of the CEMP states "*This CEMP has been prepared in accordance with Condition C4 of MP06_0316 of Insert Name of Document Here*". Please amend the CEMP and incorporate the name of the appropriate document	Please refer Attachment R for Amended CEMP.

c.	Page 31 of the CEMP states that "*As a requirement of Condition C4 of MP06_0316, Fauna Management Plans (FMP) were prepared for Precincts 7, 8, 9, 10, 11 and 12 (SMEC, 2015) "*. The CEMP will need to be amended to incorporate the updated FMP (as per the requirements under DA15/1026)	Please refer Attachment R for Amended CEMP.
d.	Page 34 of the CEMP states that "In accordance with Condition C4 of MP06_0316, Vegetation Management Plans (VMP's) were prepared for Precincts 7, 8, 9, 10, 11 and 12 (SMEC, 2015)". As per above, the CEMP will need to be amended to incorporate the updated VMP (as per the requirements under DA15/1026)	Please refer Attachment R for Amended CEMP.
e.	Page 40 of the CEMP states that "In accordance with Condition C5 of MP06_0316, an Acid Sulphate Soils Management Plan has been prepared for Precincts 7, 8, 9, 10, 11 and 12 (SMEC, 2015)". As per above, the CEMP will need to be amended to incorporate the updated ASSMP (as per the requirements under DA15/1026).	Please refer Attachment R for Amended CEMP.

Annexure N – Traffic Assessment Report		
a.	It is noted that several of the plans within this report have been superseded (i.e. some are still showing the lake). The Report is to be up-dated and resubmitted accordingly	Please refer to the Amended Traffic Impact Assessment under Attachment N. Relevant figures within the report have been updated.
b.	Table 2 of the SEE indicates that Appendix N (Traffic Assessment Report) addresses how the proponent will meet it's legal obligations of the numerous existing deeds, as outlined in the Concept Plan – Statement of Commitments, however Appendix N make no reference to any of the deeds	Please refer to the Amended Traffic Impact Assessment under Attachment N. The deed requirements have been discussed and address within the amended report.
15. Annexure P - Open Space Discussion		
	It is noted that Figure 1 of this Report shows an old layout. The document should be amended and resubmitted to be consistent with the current proposal	Please refer to Attachment E Open Space Master Plan & Landscape Master Plan. These documents now superceed the previously supplied open space discussion document.
16. Annexure Environmental Noise Impact Report		
a.	The modelling assumes that dwellings will be in the order of 10m from the nearest road lane (i.e. will have a 6.0m approx. setback). If this is not proposed by Leda, it should be clarified as to whether the Acoustic modelling needs to be recalibrated	Please refer to the Amended Acoustic Report included under Attachment L. The report address the setback assumptions of the report.
b.	Concern is raised in regards to the proposed location of the acoustic fence along Cobaki Parkway. This will restrict Council access to the proposed linear swale drain (for maintenance) as well as once property owners fence their property, the linear swale drain will have fencing both sides and so may become a dumping ground and become unsafe	Please refer to the Amended Acoustic Report included under Attachment L. The acoustic barrier will be incorporated into the rear fencing of the allotments running along Cobaki Parkway. The amended barrier position will not hinder Council access to the swale nor create a coralled dumping area.

c.	Please confirm that the acoustic barrier will be incorporated into the rear fencing of the allotments running along Cobaki Parkway (ie installed just inside the rear boundary of the private property) and that they will become the ongoing responsibility of the benefitting property owner, not Council  	Please refer to the Amended Acoustic Report included under Attachment L. The acoustic barrier will be incorporated into the rear fencing of the allotments running along Cobaki Parkway. it is acknowledged the on going responsibility for the acoustic barrier will be the benefiting property owner.
17. <u>Annexure R - Environmental Supporting Information (Precincts 6B & 7)</u>		
	It is noted that this Report states that it was prepared to support application for the "*Construction Certificate (Subdivision Works)*" of Precincts 6B and 7. Please clarify as this only DA stage.	We note council comment and any reference to construction certificate within this report can be taken as a reference to Development Application.

18. Annexure S – Stormwater Quality Management Plan		
a.	It is noted that it is proposed to provide a bio-swale within the East-West fauna corridor for stormwater treatment of catchments A & B from Precinct 6 and a significant catchment from the Town Centre / University site. Council have previously advised that the Central Open Space, which includes the East-West fauna corridor is not to be used for stormwater treatment. If treatment within the fauna corridor is accepted, it needs to be shown how sections of this bio-swale will adequately treat the individual catchments, taking into consideration any upstream catchment that does not bypass the swale. (i.e. If the upper Xm of swale treats runoff from Catchment A, what length of swale is required to treat runoff from Catchment B (downstream of the Catchment B outlet, taking into consideration the "now clean" runoff of Catchment A, if Catchment A's runoff does not bypass the swale)	Please refer to Amended Stormwater Quality Management Plan included under Attachment M. Section 6 of the Amended Stormwater Quality Management Plan includes a response to the Annexure S request items.
i	Is the swale long enough to treat these catchments, with the same occurring for the proposed discharge of Town Centre runoff?	Please refer to Amended Stormwater Quality Management Plan included under Attachment M. Section 6 of the Amended Stormwater Quality Management Plan includes a response to the Annexure S request items.
ii	Supporting calculations are required with the SQMP to justify the proposal. 	Please refer to Amended Stormwater Quality Management Plan included under Attachment M. Section 6 of the Amended Stormwater Quality Management Plan includes a response to the Annexure S request items.
b.	It is noted that Section 3.5.1 of the SQMP states that "*the proposed strategy meets the required LRO's* " and provides a results table for the entire Strategy	Please refer to Amended Stormwater Quality Management Plan included under Attachment M. Section 6 of the Amended Stormwater Quality Management Plan includes a response to the Annexure S request items.
i	It needs to be explained within the SQMP how this has been concluded	Please refer to Amended Stormwater Quality Management Plan included under Attachment M. Section 6 of the Amended Stormwater Quality Management Plan includes a response to the Annexure S request items.

ii	The SQMP needs to include an additional Appendix documenting the MUSIC modelling inputs and outputs for each individual catchment to show that each proposed treatment complies, not an overall summation as currently provided	Please refer to Amended Stormwater Quality Management Plan included under Attachment M. Section 6 of the Amended Stormwater Quality Management Plan includes a response to the Annexure S request items.
c.	As noted above, further detail is required in relation to the proposed Bio-swale in the East-West Fauna Corridor	Please refer to Amended Stormwater Quality Management Plan included under Attachment M. Section 6 of the Amended Stormwater Quality Management Plan includes a response to the Annexure S request items.
d.	With regard to Bio-basin E, it appears that 3 opposing inlets are proposed into this basin, which appears undersized. It needs to be shown that the required detention / treatment time is achieved taking into consideration the proposing inlet arrangement	Please refer to Amended Stormwater Quality Management Plan included under Attachment M. Section 6 of the Amended Stormwater Quality Management Plan includes a response to the Annexure S request items.
e.	With regard to Bio-swale F, it needs to be shown that compliant detention / treatment time is achieved for the proposed swale taking into consideration any external catchment that may come from Catchment D and others	Please refer to Amended Stormwater Quality Management Plan included under Attachment M. Section 6 of the Amended Stormwater Quality Management Plan includes a response to the Annexure S request items.
i	It also needs to be shown that this swale can accommodate the size and invert level of the discharging pipe. Due to the size and flatness of the catchment, Council is concerned that this swale will be required to be significantly deep or wider that currently allocated, raising challenges for its performance, access for ongoing maintenance and ability to discharge. Council needs to be shown that the proposed arrangement complies and is achievable	Please refer to Amended Stormwater Quality Management Plan included under Attachment M. Section 6 of the Amended Stormwater Quality Management Plan includes a response to the Annexure S request items.

f.	With regard to Bio-basin G, it appears that two opposing inlets are proposed into this basin. It needs to be shown that the required detention / treatment time is achieved taking into consideration the proposing inlet arrangement	Please refer to Amended Stormwater Quality Management Plan included under Attachment M. Section 6 of the Amended Stormwater Quality Management Plan includes a response to the Annexure S request items.
g.	The documentation needs to demonstrate that all proposed treatment devices can be accommodated within the space allocated, taking into consideration, inlet and outlet pipe inverts, required batters, access requirements, etc	Please refer to Amended Stormwater Quality Management Plan included under Attachment M. Section 6 of the Amended Stormwater Quality Management Plan includes a response to the Annexure S request items.
19. Annexure V – Extent of Flood Mapping		
a.	Annexure V only includes the amended, Extent of Flooding Map. It needs to also include wording to shown how Concept Plan requirement C9 has been addressed	Please Refer to Attachment S for addendum flooding information
b.	Commitment 6.2.3 of the Concept Plan (MP06_0316) Statement of Commitments states that a detailed Flood Impact Assessment shall be provided for project applications on flood liable land, which this is. The required, detailed Flood Impact Assessment was not submitted. Please address accordingly	Please Refer to Attachment S for addendum flooding information
Roads & Stormwater		
20. Appendix A - Subdivision Plans		
a.	Lots 26, 27, 216, 217, 233 and 253 are considered to have poor lot orientation / shape. These allotments will potentially be difficult to achieve compliant driveway accesses, particularly if conflicting with drainage, power/ telecommunication nodes etc	Please refer to the amended subdivison plans included under Attachment C. Amendments to the design of the lots in these locations has been undertaken.
b.	Dual Occupancy (SDD) lots are nominated on the majority of corner allotments. This appears to be due to the potential for a separate driveway on each street frontage. Refer to Appendix N (Item 22 below) for further comments	Please refer to Attachment N - Amended Traffic Impact Assessment. Note driveway crossovers have been addressed within the amended report. Please refer to corresponding design amendments within the Amended Subdivision Plan under Attachment C and within the POD's under Attachment A.
c.	A conceptual school layout would be desirable, to confirm that there is adequate area provided to satisfy access, parking, drop off, building and open space requirements on site.	The proponents have undertaken preliminary discussions with the Education Department at this time and no desire to undertaken conceptual layout of a future school with forth coming.
d.	Clarification of tenure of the 5m wide pedestrian link shown within the school lot is requested.	Please refer to Amended Subdivsion Plan under Attachment C. The 5m pedestrian linkage behind the school lot is now shown an allotment (nominated as Lot 97) and will be a link park dedicated to Tweed Shire Council.
21. Appendix B - Plans of Development		
	Refer comments Appendix N (Item 22 below) regarding dual driveways for SDD lots	Please refer to Attachment N - Amended Traffic Impact Assessment. Note driveway crossovers have been addressed within the amended report. Please refer to corresponding design amendments within the Amended Subdivision Plan under Attachment C and within the POD's under Attachment A.
22. Appendix N - Traffic Impact Assessment		
a.	The report assumes a 60km/h speed limit of Cobaki Parkway. This has yet to be determined - it may be 80km/h, subject to assessment of Roads and Maritime Services. While this will not have a material impact on the report, this should be acknowledged by the traffic consultant	Please refer to Attachment N - Amended Traffic Impact Assessment. Note the requested acknowlegment is noted in section 2.1 of the amended report.

b.	Dual driveways for corner SDD lots are not addressed in the traffic report. Second driveways will only be supported if they comply with Council's Driveway Design Specification. Many of those smaller SDD lots may not comply with driveway setback requirements from the corner and boundary fencing on the shorter frontage. This needs to be assessed and the Subdivision Plans / Plans of Development amended accordingly	Please refer to Attachment N - Amended Traffic Impact Assessment. Note driveway crossovers have been addressed within the amended report. Please refer to corresponding design amendments within the Amended Subdivision Plan under Attachment C and within the POD's under Attachment A.
c.	Footpaths are shown on both sides of subdivision access streets. This is a higher standard than required by Development Design Specification D1 and typical road section Standard Drawings, which only require footpath on one side of access streets. There is scope to reduce footpath provision on some streets, particularly if this solves conflicts with the provision of underground services. Collector streets still require footpath / shared user pathways as proposed	Please refer to Attachment N - Amended Traffic Impact Assessment. Foothpath locations have been addressed.
Appendix S - Stormwater Management Plan		
a.	The applicant shall provide additional design details to demonstrate spatially that there is sufficient room and space to accommodate the proposed treatment systems. The SQM Strategy Plan within Appendix B of the reporting has insufficient detail to demonstrate that the treatment devices can be accommodated onsite without potential loss of proposed allotments	Please refer to Amended Stormwater Quality Management Plan included under Attachment M. Section 6 of the Amended Stormwater Quality Management Plan includes a response to the Annexure S request items.
b.	Sufficient details shall be provided to demonstrate that the discharges can be physically accommodated onsite within the development footprint. In addition the sizing requirements are not all specified within the submitted documentation. The input and output Music files shall be provided for council to adequately assess the stormwater strategy proposed onsite	Please refer to Amended Stormwater Quality Management Plan included under Attachment M. Section 6 of the Amended Stormwater Quality Management Plan includes a response to the Annexure S request items.

24. Appendix V - Extent of Flood Mapping		
	There is some inconsistency between the design flood levels shown on this map and the fill and floor levels described in the SEE. According to the map, the design flood level, and therefore the minimum fill level for all residential allotments is RL 2.9m AHD. This creates a minimum habitable floor level of RL 3.4m AHD	Please refer to Attachment S for addendum flooding information and Attachment D for amended SEE addressing flood and filling levels.
25.Bus Routes and Bus Stops		
a.	Please submit a proposed bus route and bus stop schedule for the development, to demonstrate compliance with DCP A5.4.10 and Development Design Specification D1 (Section D1.21)	Please refer to Attachment N for updated Traffic Impact Assessment. The assessment identifies the locaiton of bus stops to service the precincts subject to this application and note that no bus stop will be located within the internal road network (with exception of bus service to the school). As such no encumberance on any of the residential lots will be required to address bus stops.
b.	Please note that where proposed bus stops are to be located outside private property frontages (being land which is the subject of the application or an undeveloped part of the overall project), a Section 88(b) instrument shall be applied over an easement created within the immediate frontage of at least 5 metres by 1 metre for the purpose of footpath widening to accommodate a bus shelter without obstructing public passage. This will signal the intended footpath use to future purchasers and permit later extinguishment at no cost if no longer required. The above applies to Neighbourhood Collector and Distributor roads at 400m spacing.	
Water / Wastewater		
26. Water Supply / Sewerage		
	All outstanding water / wastewater matters will be addressed under separate cover.	See Below.
Natural Resource Management		
27. Pest Management		
a.	The SEE (Item 5 of Table 2 – Statement of Commitments) notes that the provisions of the *Biting Midge & Mosquito Control Plan (Mosquito Consulting Services, May 2008)* will be implemented and refers to Appendix E – Site Regeneration and Revegetation Plan. The Biting Midge & Mosquito Control Plan is not incorporated within Appendix E. Please amend accordingly	Please Refer Attachment D for copy of amended SEE and Attachment R for copy of amended CEMP. Note the reference has been change from the Site Regeneration and Revegetation Management Plan to the CEMP.
b.	Council requests acknowledgement that the Pest Management Unit be granted access to mosquito breeding areas (prior to the dedication of such land) to sample after events that may trigger mosquito breeding such as rainfall or large tides. Sampling would then be carried out after any proposed treatment has been carried out	It is understood discussion on this matter have taken place between the proponent and Tweed Shire Council.
28. Environmental Management Plans		
	The Environmental Management Plans will need to be updated, as per the requirements under DA15/1026	Please refer Attachment R for Amended CEMP; Attachment T for Amended Site Regeneration & Revegetation Plan; Attachment U for Amended Fauna Management Plan; Attachment V for Amended Vegetation Management Plan; Attachment W for Amended ASS Managment Plan; and Attachment G for Amended Ground Water Management Plan. We note discussion with Tweed Shire Council regarding defering the inclusion of Precinct 6 into the revised documents at this stage. Based on this discussion the approved measures for Precinct 6 have not yet been incorporated into a combined document for each of the above managements plans. This will however occur prior to issue fo CC for earthworks as requried under DA15/1026 and any condition of consent that Council may choose to impose on this consent.

Environmental Health		
29. Groundwater Management Plan		
	It is noted that Section 3.2 of the Environmental Supporting Document advises that a Groundwater Management Plan has also been prepared by SMEC for Precinct 7 and dated August 2015, yet the Groundwater Management Plan submitted with this application is dated June 2015 (SMEC). Please advise confirm which Management Plan is being relied upon and update documentation accordingly	Please refer to Attachment G for Amended Ground Water Management Plan. The attached document is the latest and superceeds any other items referenced.
Recreation Services		
30. Population and casual open space dedication requirements		
a.	The subdivision plans indicate 464 residential lots. Based on 2.4 persons per Lot, this equates to a predicted population of 1,114 people. At the casual open space rate of 1.13 hectares per 1,000 people, the requirement for casual open space would be 12,584m2. The subdivision plans indicate a casual open space dedication of 11,863m2 which results in a shortfall of around 720m2	Please refer to the Open Space Master Plan (OSMP) included under Attachment E. This document is intended to guide the location and type of open space to be dedicated across the site. The document quantifies in a table the total casual and structured open space demand for the estate based upon the maximum 5500 dwellings permitted. A plan accompanies the table which conceptually locates the distribution of required open space across the Cobaki Estate. It is intended that this document and the table be utilised as a measure to track/reconcile the location and quantum of open space which is actually delivered through the subdivision process to ensure adequate open space is delivered through the Cobaki Estate and meets the needs of the population. With each application the open space reconciliation table will be updated. Is respect to this application, which occurs within part Precinct 6 and 7 below is the reconciliation table for this application. We note the final yield is a total of 456 lots with a potential of 521 dwellings. This equates to an equivalent population, based on the adopted TSC rate of 2.4 persons per dwelling of 1250. Casual open space(1.13ha/1000 pop) and structured open space(17m2/person) demands are thus 1.4125ha and 2.1250ha.
b.	An additional 5 parcels provide linear linkages that total 2,850m2. While these offer desirable pedestrian linkages, they cannot be considered in the total casual open space dedication	

c.	Given anticipated further development of residential areas to the south, the central drain area to the west and the university to the north, the 720m2 discrepancy may not be significant however will need to be addressed in an overall open space concept plan. Please submit a concept plan for casual and active open space across the development site and in particular for Precincts 6 to 12. Such a concept plan needs to consider a hierarchy of casual open space (parks) including local, neighbourhood and district parks and identify the most effective size and location for each park to ensure maximum accessibility for the residents. The plan will need to demonstrate how the shortfall of 720m2 in Stages 1 to 11 as submitted can be addressed	The development provides for 1.1966 of creditable park. This consists of a Neighbourhood Park of 9047m2 and a Local park of 2919m2. Of this the neighbourhood park will be delivered in Stage 2 and before any residents occupy the site, given the lag in dwelling construction from sealing of lots. We note no structured open space is provided. Based on the layout a short fall of 2159m2 arises. We note this short fall is intended to be recouped with the subsequent development of the balance of Precincts 6 – 8 as per the Open Space Demand Table within the OSMP. This document illustrates the proposed open space dedications across the site. Overall the combined structured open space and casual open space exceed the minimum requirements. In respect to the open space, the parks are regular in shape with minimum 75% road frontage and all lots are within a 400m walkable radius of the parks. In addition to this a number of linkage parks are also proposed to be dedicated. Whilst these are non creditable they are important for delivering a permeable estate which promotes walkability and cycle use. Key linkages include the combined pedestrian/cycle path adjacent to the school site, the linkages at the end of cul-de-sacs and the 2 linkages to Cobaki Parkway which provide pedestrian links to the future bus stops. These linkages total 3739m2. In respect to structure open space we note this occurs to the north west of the stages and is intended to be provided with the balance of Precinct 6 – 8. In this context it is considered the recreational needs of the future residents of these stages is met.
31. <u>Park assessment:</u>		
a.	Park 1 (Lot 900) is an acceptable size (8,948m2) and configuration for a larger neighbourhood park. Park 2 (Lot 906) is an acceptable size (2,915m2) and configuration for a small local park. Basic embellishment such as seating, shade and pathways would be appropriate for Park 2, noting that it appears too small for play equipment. The four 'link parks'	Please refer to the amended subdivison plans included under Attachment C and the Open Space Master Plan included under Attachment E. The proposals open space is materially the same as noted in the comments with a minor increase in the size of the Neighbourhood park to 9407m2, with the park moving closer to the school lot. Two (2) additional link parks have also been included being proposed lots 226 (450m2) and Lot 472 (433m2). These new link parks have been included to facilitate access to the future public bus stop on Cobaki Parkway adjacent to Stage 6 and 9.
b.	The general level of embellishment to the parks and 'link parks' shown in Appendix O (Statement Of Landscape Intent) is generally acceptable however variations are anticipated at the detailed design stage	
32. <u>Cycleway and pedestrian connection</u>		
	Generally the cycle and footpaths (as identified within the Traffic Report) offer good permeability through the area shown, however	
a.	The Statement of Landscape Intent does not indicate any cycleway connections	
b.	The Statement of Landscape Intent shows a number of 'link parks' with either footpath or cycle paths through them. The aim of these link parks is presumably to encourage either pedestrian or cycle movement through the subdivision. Please amend the footpath and cycle path plan to incorporate the link parks	

c.	With regard to the cycle paths, residents moving to the large northern park from the south would need to ride past the park before entering it from the north. It is desirable to encourage access from the south which is where the resident population is. It is also considered desirable to encourage access to and use of the northern park by providing a footpath on at least the east west road frontage. It is considered appropriate to use the cycle path network to connect the northern park with the smaller park proposed in the southern part of the subdivision.	Please refer to the circulation plan under Attachment F which identifies stage 2 and 3 being connected to the broader Cobaki Estate though a legible road network, pedestrian and cycle connections. Please also refer to Attachment N for copy of amended TIA discussion cycled way and pedestrian connection.
d.	Without a broader picture of the open space and connecting paths planned across the entire subdivision, it is difficult to understand how the cycle paths will interface with those future developments to the north and south, and to the sports fields and drainage area to the west	
33. Hierarchy of parks		
	The submitted Statement of Landscape Intent and Open Space Discussion Paper do not consider a hierarchy of the parks to be provided. Two key Council planning documents (the Subdivision Manual and the Open Space Infrastructure Policy) refer to the need for a hierarchy of parks including Local, Neighbourhood and District Parks	Please refer to Attachment E for copy of the Cobaki Estate Open Space Master Plan (OSMP). This document is to be a reiterative document which guides future development applications in terms of the quantitatively and qualitatively delivery of open space.
34. Open Space planning for the entire development		
a.	There have been changes to park locations and size over recent years. Noting the need for a hierarchy of parks and the apparent lack of around 720m2 of casual open space in 'Stages 1 to 11 of part Precincts 6 and 7', it's important that council considers the casual open space proposed across the development and particularly in areas adjacent to stages 1 to 11	Please refer to Attachment E for copy of the Cobaki Estate Open Space Master Plan (OSMP). This document is to be a reiterative document which guides future development applications in terms of the quantitatively and qualitatively delivery of open space.
b.	The size of the overall Cobaki development makes it possible to plan suitable locations for local, neighbourhood and district parks that maximise the accessibility and minimise walking distance. Changes to park sizes and locations on a precinct or stage basis means this cannot occur	Please refer to Attachment E for copy of the Cobaki Estate Open Space Master Plan (OSMP). This document is to be a reiterative document which guides future development applications in terms of the quantitatively and qualitatively delivery of open space.
Rural Fire Services (RFS)		
35. Bushfire Safety Authority		
	The NSW RFS have advised that irrespective of the interpretation of the transitioned Part 3A legislation, there is a legal requirement to obtain a Bush Fire Safety Authority (BSFA) under s100B of the Rural Fires Act 1997 before commencing development. Any bushfire issues impacting the development where a BFSA has not obtained through the development assessment process would be at the liability of the developer	The NSW RFS comments are noted and the proponent agrees to accept relevant condition of consent requiring a Bushfire Safety Authority to be sought, where requried, prior to commencement of works. The proponent acknowledges and accepts the liability of deferring this matter.

Roads & Maritime Services (RMS)		
36. Clause 104 Infrastructure SEPP		
	The RMS has undertaken an assessment of the proposed subdivision, as required by Clause 104 of the ISEPP – *Traffic Generating Development* . Comments provided by the RMS note that they have reviewed the Cobaki Lakes Stage 2 Traffic Impact Statement prepared by Bitzios Consulting raise no objections to the conclusions draw by that report. RMS also note that "…the future function of the Cobaki Parkway will be that of a distributor road for traffic generated by the development of Cobaki Lakes. To maintain this functionality into the future, direct access to this road for individual lots should be restricted".	RMS comment is noted. The proposal layout restricts direct access by residential allotments to Cobaki Parkway.
Essential Energy		
37. Easement Requirements		
	Essential Energy has provided comment on the proposed development, raising no objections subject to the following:	
a.	*As part of the subdivision, easements are created for the existing electrical infrastructure. The easements are to be created using Essential Energy's standard easement terms current at the time of registration of the plan of subdivision. An easement width of 20m is required. Currently reference should be made to Part A of Memorandum AG189384*	Essential Energy comment are noted. Relevant conditions to this effect can be included within any approval issued.
b.	*Any existing encumbrances in favour of Essential Energy (or its predecessors) noted on the title of the above property are complied with*	Essential Energy comment are noted. Relevant conditions to this effect can be included within any approval issued.
c.	*Council ensures that a Notification of Arrangement (confirming satisfactory arrangements have been made for the provision of power) is issued by Essential Energy with respect to all of the proposed lots which form part of the subdivision, prior to Council releasing the Subdivision Certificate. It is the applicant's responsibility to make the appropriate application with Essential Energy for the supply of electricity to the subdivision, which may include the payment of fees and contributions*	Essential Energy comment are noted. Relevant conditions to this effect can be included within any approval issued.
Sewer		
1.	The Sewerage Strategy Plan shows a sewer pump station outside the area of the subdivision within the Central Open Space precinct. Has this lot previously been subdivided or will it be subdivided as part of this application? The developer is required to provide a lot transferred to Council in fee simple for the sewer pump station. The lot shall be of a size and shape suitable for the sewer pump station, including access driveway and turning head and all future structures that may be required, and shall meet minimum buffers to adjoining development in accordance with Council's Development Design Specification D12	

2.	The Sewerage Strategy appendix consists of a single drawing showing a sewer layout and peak wet weather flow calculations. This is deficient in several aspects	
a.	Parameters used are not fully declared and those declared or deduced do not match the D12 criteria. (Note: New D12 criteria for EP/ET adopted but not the GWI, N, S, and Containment factor criteria.) Justification should be provided	
b.	The size of the school used for flow estimation is not given and the figure of 0.2EP/student is inconsistent with Council's adopted figure of 0.05ET/person	
c.	The number of ETs from Precinct 5 (20%P5) is not given. The area included should be shown in the strategy drawing	
d.	The calculation of flows at nodes 9, 10 and 12 appear to be different to W&WWU's calculation based on the information provided. It would appear that PWWF for the sewer pump station is significantly over estimated if the parameters apparently adopted in the calculation are accepted	
e.	The sewer layout plan shown on the Sewer Strategy Plan does not service all lots. It can only be imagined that the intention is to use long property connection sewers crossing the road at intervals. Property connection sewers in excess of 10m are not permitted and the practice of multiple street crossings is not endorsed. Please amend the drawing to show all lots being serviced. The layout avoids sewers at the rear of properties which will result in a greater length of sewer but would require easements and be more difficult to access. The layout does follow the direction of the Cobaki Development Code.	Please refer to Attachment P - Sewer Capacity Report and Attachment Q - Technical Memo prepared to address these items of the information request. In preparation of any conditions relating to the design and delivery of sewer services for the proposal, appropriate flexibility in the wording of such conditions is sought to enable either a service solution pursuant to the Water Industry Competition Act 2006 to be pursued or tradition service solution via Cuncil withou the need to seek amendment to the conditions of the development consent.
3.	There is no sewer grading design provided with the layout submitted. With some past developments, it has been found that the layout submitted at development consent stage has not considered grading in accordance with standards and pump station placement has been sub-optimal, resulting in excessively flat sewers. It is required that a grading design be submitted to ensure that the development can be serviced in accordance with Council's Development Design Specification D12	

4.	W&WWU requests a revision of the Sewer and Water Infrastructure Strategy Report as a consequence of a revision of Council's Strategy for the Banora Point Sewerage Strategy. Council has been unable to secure a suitable site for the previously proposed SPS 2052 (at either Boyd Family Park or on Tulgi Way) taking into account land and odour issues. Accordingly, Council's Strategy is to develop the proposed Cobaki Regional SPS to pump for the full distance to Banora Point Wastewater Treatment Plant. This may involve larger pumps than previously envisaged and may preclude individual pump stations pumping to the existing system in the short term. W&WWU would like to discuss this strategy with engineers representing Leda Manorstead to develop a way forward including any potential Council contribution as a result of the change of strategy, taking into account changes to odour control requirements. Other factors to be considered is the proposed change in the area serviced by the pump station in this development application and the proposed university facilities.	
5.	Any approval of this stage would have to be contingent upon construction of the appropriate trunk infrastructure for the sewerage connection including mains between Tulgi Way and Gollan Drive, Cobaki Creek to Tulgi Way, connections across Cobaki Creek to the Cobaki Regional SPS site and along Cobaki Parkway to Precinct 6 connection point	
6.	Overflow risk assessment has not been addressed in relation to the proposed sewer pump station. As part of the design approval process, a risk assessment in relation to overflow as described in the Licensing Guidelines for Sewage Treatment Systems.	
Water Supply		
7.	Section 1.4.1 of the Water Network Analysis should be updated to reflect the current state of infrastructure constructed:	We note Councils comments, in this regard the matter noted a minor and additional detail to address this can be provided at Construction Certificate stage. In this regard releavnt conditions of consent are requested. In preparation of any conditions relating to the design and delivery of water services for the proposal, appropriate flexibility in the wording of such conditions is sought to enable either a service solution pursuant to the Water Industry Competition Act 2006 to be pursued or tradition service solution via Cuncil without the need to seek amendment to the conditions of the development consent.
a.	The 375mm trunk water main has been constructed by Cobaki from Piggabeen Road/Tulgi Way roundabout along Tulgi Way to Piggabeen Way to just east of Skyline Drive by the developer	We note Councils comments, in this regard the matter noted a minor and additional detail to address this can be provided at Construction Certificate stage. In this regard releavnt conditions of consent are requested. In preparation of any conditions relating to the design and delivery of water services for the proposal, appropriate flexibility in the wording of such conditions is sought to enable either a service solution pursuant to the Water Industry Competition Act 2006 to be pursued or tradition service solution via Cuncil without the need to seek amendment to the conditions of the development consent.
b.	The sections between Gollan Drive and Tulgi Way, and from Skyline Drive to the development site are still to be constructed by the developer but approvals for the section external to the site were granted previously	We note Councils comments, in this regard the matter noted a minor and additional detail to address this can be provided at Construction Certificate stage. In this regard releavnt conditions of consent are requested. In preparation of any conditions relating to the design and delivery of water services for the proposal, appropriate flexibility in the wording of such conditions is sought to enable either a service solution pursuant to the Water Industry Competition Act 2006 to be pursued or tradition service solution via Cuncil without the need to seek amendment to the conditions of the development consent.

c.	The 375mm main from Walmsleys Reservoir to Tulgi Way at Carramar Dive has been constructed by Council, but not yet commissioned, pending the completion of the link between Tulgi Way and Gollan Drive by the developer	We note Councils comments, in this regard the matter noted a minor and additional detail to address this can be provided at Construction Certificate stage. In this regard releavnt conditions of consent are requested. In preparation of any conditions relating to the design and delivery of water services for the proposal, appropriate flexibility in the wording of such conditions is sought to enable either a service solution pursuant to the Water Industry Competition Act 2006 to be pursued or tradition service solution via Cuncil without the need to seek amendment to the conditions of the development consent.
8.	The document contains the following referencing error "*Error! Reference source not found.*" on Page 5 2nd paragraph. Please amend accordingly	We note Councils comments, in this regard the matter noted a minor and additional detail to address this can be provided at Construction Certificate stage. In this regard releavnt conditions of consent are requested. In preparation of any conditions relating to the design and delivery of water services for the proposal, appropriate flexibility in the wording of such conditions is sought to enable either a service solution pursuant to the Water Industry Competition Act 2006 to be pursued or tradition service solution via Cuncil without the need to seek amendment to the conditions of the development consent.
9.	The Report does not give a school population nor details as to how the demand for the school site was calculated. Council Fees and Charges use 0.03ET/person for water equivalent tenements	The submitted Sedgman report being, 'Cobaki Residential Development, Tweed Heads – Water Network Analysis – Precinct 6', Document #:A443-WN-06-R02 – Jarrin Lamb, Revision 02 makes the following allowance for the school: - Table 2.1 – 'Stage 3' for 11 Lots (no duplex) and School is 68ET total. Therefore school component is 57ET. Based on Section 3.1.1.1 the school calculations have been calculated at 0.2EP/student. Given the allocation of 57ET in Sedgmans report, this equates to an allowance of 798 students. In accordance with the advice from TSC in the RFI, 0.03ET/person should however be allowed for. Using TSC's calculations for 798 students X 0.03ET/person = 23.94ET. This is noted as being far less than the allowance in Sedgman's report. Therefore using TSC methodology proposed in the RFI does not increase the ET loading when the same number of students is adopted. Therefore the outcomes of the report should not be impacted adversely (e.g. pipe sizes going up). Furthermore it is noted that using the TSC methodology for the allocated 57ET based on the Sedgman report equates to 1900 students. We do however note that in the overarching sewer/water report by Sedgman 1000 students was quoted for the primary school. Based on the above it appears that adequate loading allocation has been allowed for the expected student population of 1000 students when adopting TSC methodology. Finalised numbers and demands can however be confirmed in an updated Water Assessment at the Construction Certificate phase of the works however the expected difference in ET appears to be within the range of plus/minus 10ET, which is expected to have negligible impact on the proposed water network based on current Sedgman results.
10.	Appendix B	
a.	Drawings indicate in the legend the use of PVC water main. Council requires all reticulation mains to be constructed using ductile iron cement lined (DICL) pipe. Council only permits PVC water main where it is not a reticulation main and will not be tapped for house services	We note Councils comments, in this regard the matter noted a minor and additional detail to address this can be provided at Construction Certificate stage. In this regard releavnt conditions of consent are requested. In preparation of any conditions relating to the design and delivery of water services for the proposal, appropriate flexibility in the wording of such conditions is sought to enable either a service solution pursuant to the Water Industry Competition Act 2006 to be pursued or tradition service solution via Cuncil without the need to seek amendment to the conditions of the development consent.
b.	As the proposed SPS site is at the north-western corner of the precinct, the line shown as future should be constructed during this development to enable the provision of the water service to the pump station site. Please amend in the drawings provided and include in the water supply design	We note Councils comments, in this regard the matter noted a minor and additional detail to address this can be provided at Construction Certificate stage. In this regard releavnt conditions of consent are requested. In preparation of any conditions relating to the design and delivery of water services for the proposal, appropriate flexibility in the wording of such conditions is sought to enable either a service solution pursuant to the Water Industry Competition Act 2006 to be pursued or tradition service solution via Cuncil without the need to seek amendment to the conditions of the development consent.
11.	Any approval of this stage would have to be contingent upon construction of the appropriate trunk infrastructure for the water supply connection including mains between Tulgi Way and Gollan Drive, Cobaki Creek to Tulgi Way, connections across Cobaki Creek to the Cobaki future Water Pump Station site and along Cobaki Parkway to Precinct 6 connection point	We note Councils comments, in this regard the matter noted a minor and additional detail to address this can be provided at Construction Certificate stage. In this regard releavnt conditions of consent are requested. In preparation of any conditions relating to the design and delivery of water services for the proposal, appropriate flexibility in the wording of such conditions is sought to enable either a service solution pursuant to the Water Industry Competition Act 2006 to be pursued or tradition service solution via Cuncil without the need to seek amendment to the conditions of the development consent.

12.	Approval would also require the provision of the temporary water pressure boosting station at the time that the level of development exceeds 355 ET as indicated in the Sewer and Water Infrastructure Strategy Report for Cobaki Development and cited in 1.4.2 of the Water Network Analysis Report. The application has indicated that this would be located at the southern intersection of Cobaki Parkway and Sandy Road	We note Councils comments, in this regard the matter noted a minor and additional detail to address this can be provided at Construction Certificate stage. In this regard releavnt conditions of consent are requested. In preparation of any conditions relating to the design and delivery of water services for the proposal, appropriate flexibility in the wording of such conditions is sought to enable either a service solution pursuant to the Water Industry Competition Act 2006 to be pursued or tradition service solution via Cuncil without the need to seek amendment to the conditions of the development consent.
13.	Rainwater Tanks are an important part of Council's Demand Management Strategy. To this end, the Cobaki Development Code has included Appendix C giving required rainwater tank size but with no apparent enforcement mechanism. The Cobaki Design Guidelines (Appendix C of the SEE) includes "Ensure the house design allows the majority of roof water to be directed to the rainwater tank/s", but does not mandate rainwater tanks of minimum sizes with minimum connected roof area as listed in Appendix C of the Cobaki Development Code. It would be an improvement for the Cobaki Design Guidelines to mandate conformance to the minimums set out in the Cobaki Development Code Appendix C: Council's Rainwater Harvesting Requirements.	Please refer attachment H - Amended Cobaki Design Guidelines Precinct 6, 7 & 8, reference to compliance with Appendix C of the Cobaki Development Code has been made.

Appendix 3.7.1A. Home Owner's Manual

(Table of Contents Only)

COBAKI ESTATE TWEED HEADS NSW

Home Owners Manual for

Pressure Sewer System

NWS

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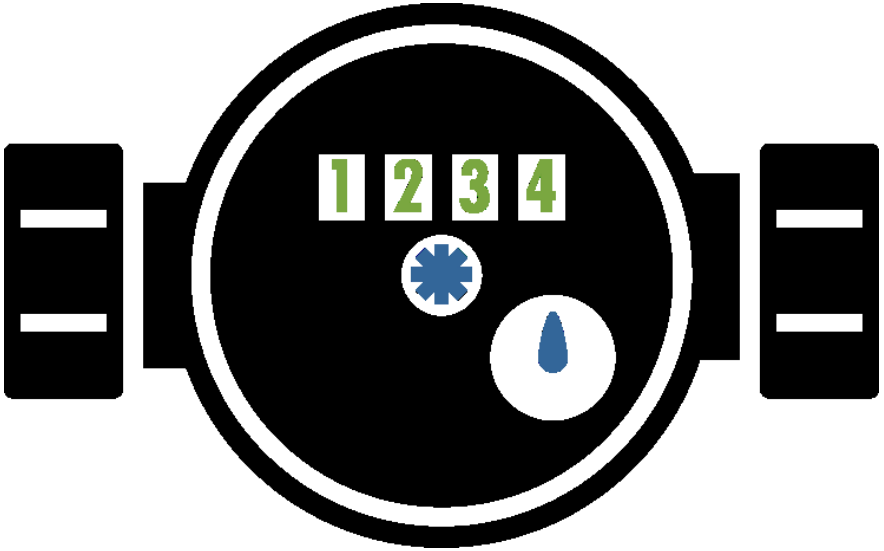

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