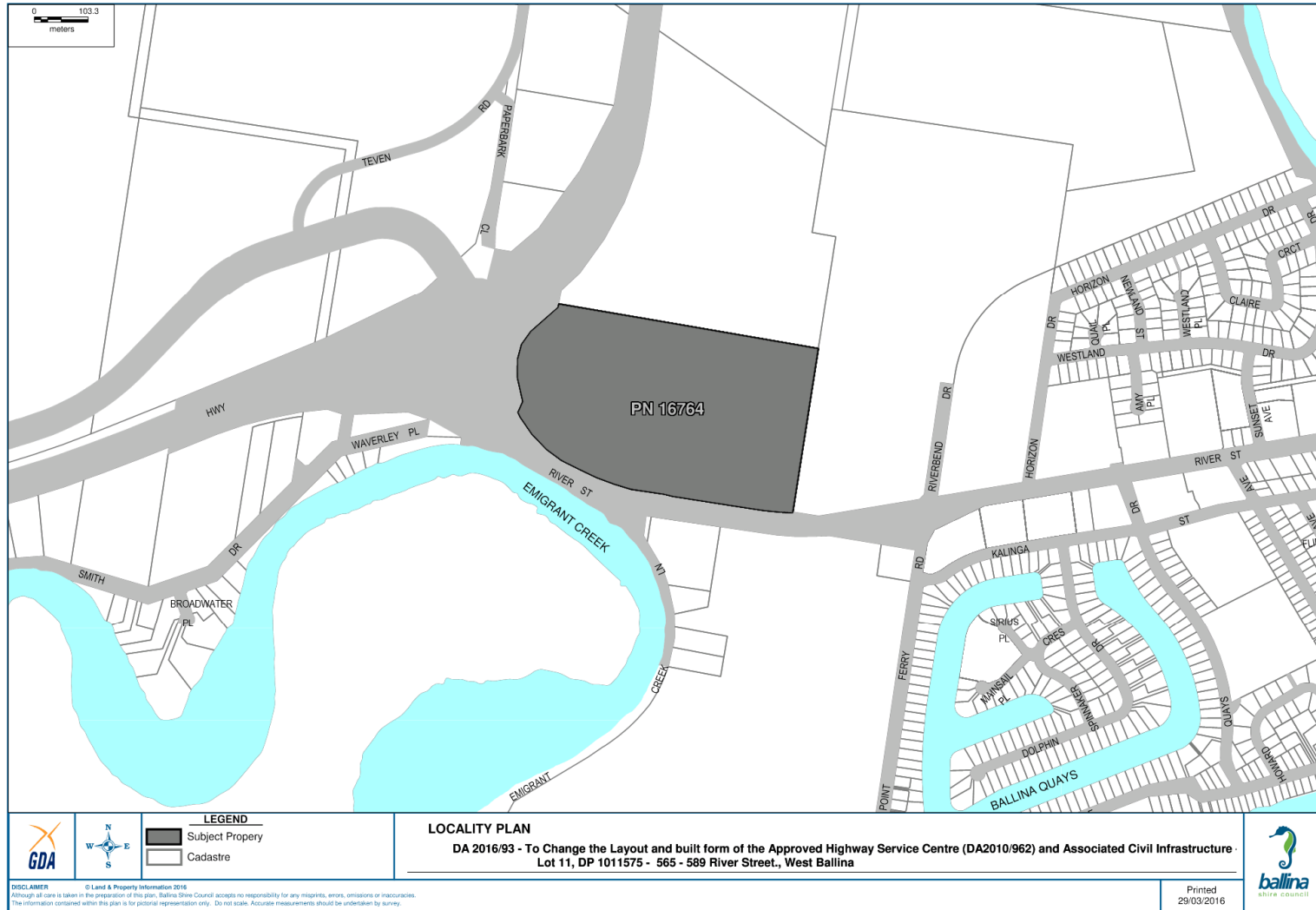
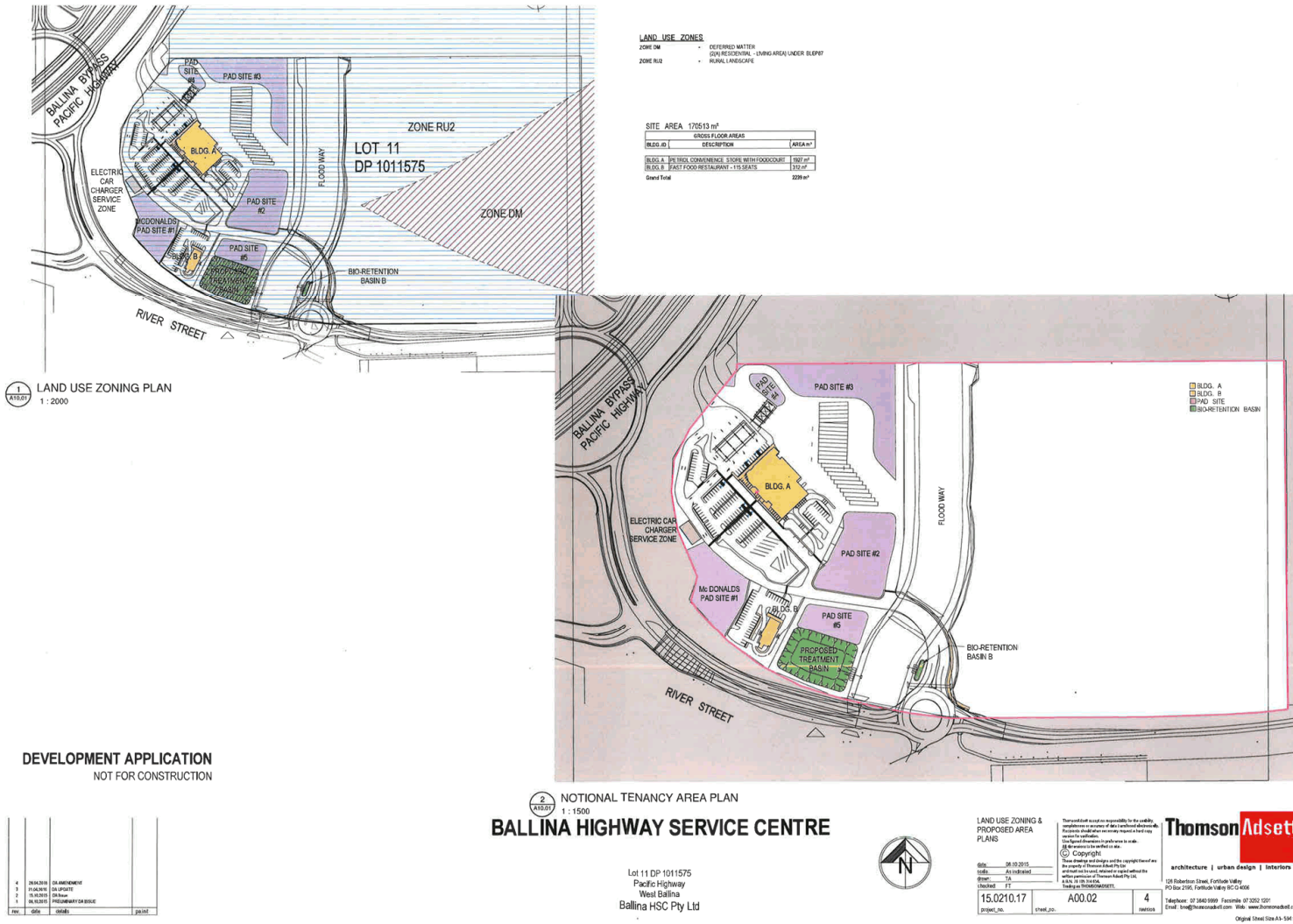


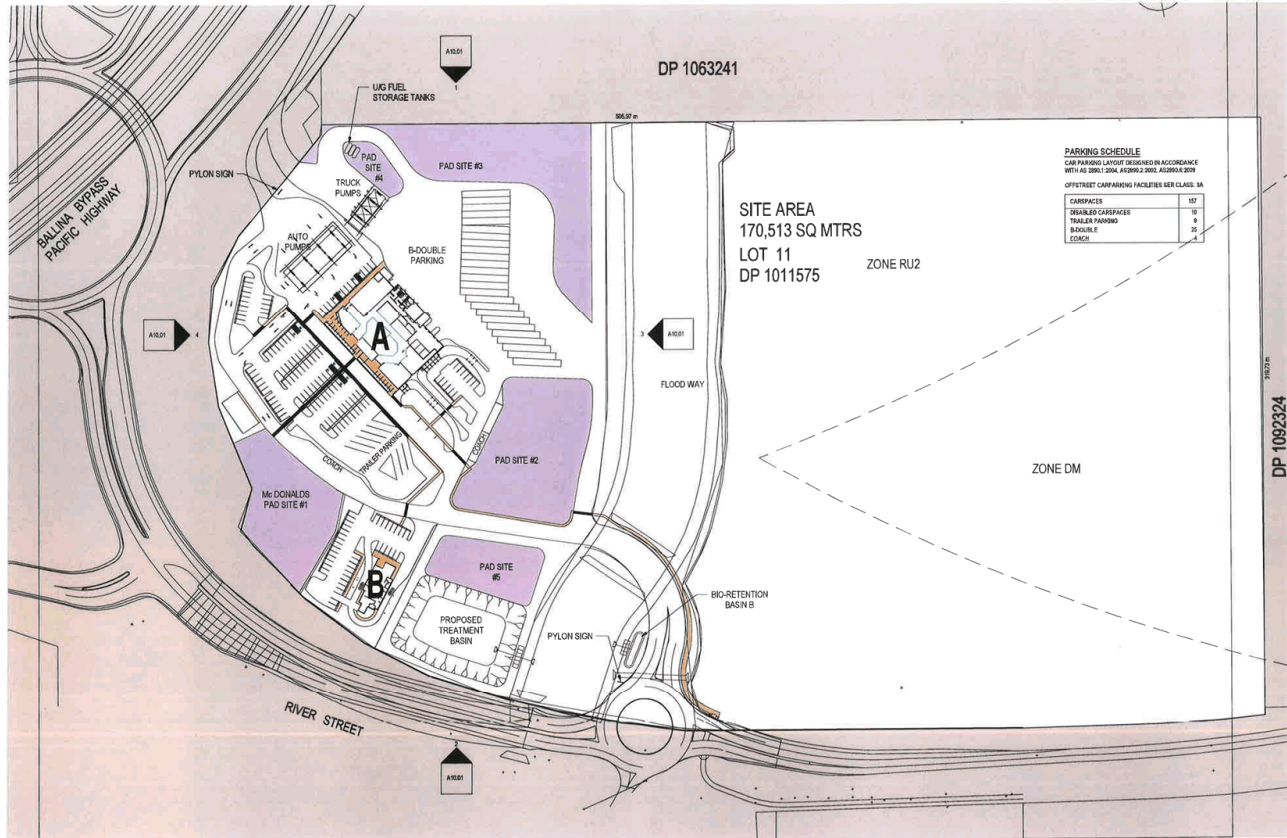
8.2 **DA 2016/93 - Highway Service Centre, Ballina - Amendments.DOC**



8.2 DA 2016/93 - Highway Service Centre, Ballina - Amendments.DOC



8.2 DA 2016/93 - Highway Service Centre, Ballina - Amendments.DOC



**PARKING SCHEDULE**  
CAR PARKING LAYOUT DESIGNED IN ACCORDANCE WITH AS 2861:2004, AS2869.2:2003, AS2885.6:2009

| OFF-STREET CAR PARKING FACILITIES PER CLASS 1A |     |
|--|-----|
| CARSPACES                                      | 157 |
| BIKES/SCOOTER SPACES                           | 10  |
| TRAILER PARKING                                | 0   |
| BIKES/SCOOTER                                  | 25  |

1 MASTER SITE PLAN  
1 : 1000

| REV | DATE       | DESCRIPTION | BY | CHKD | APPD |
|-----|------------|-------------|----|------|------|
| 1   | 06.10.2015 | DEVELOPMENT |    |      |      |
| 2   | 15.02.2017 | AMENDMENT   |    |      |      |
| 3   | 15.02.2017 | AMENDMENT   |    |      |      |
| 4   | 15.02.2017 | AMENDMENT   |    |      |      |
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| 99  | 15.02.2017 | AMENDMENT   |    |      |      |
| 100 | 15.02.2017 | AMENDMENT   |    |      |      |

**BALLINA HIGHWAY SERVICE CENTRE**

Lot 11 DP 1011575  
Pacific Highway  
West Ballina  
Ballina HSC Pty Ltd



**DEVELOPMENT APPLICATION**  
NOT FOR CONSTRUCTION

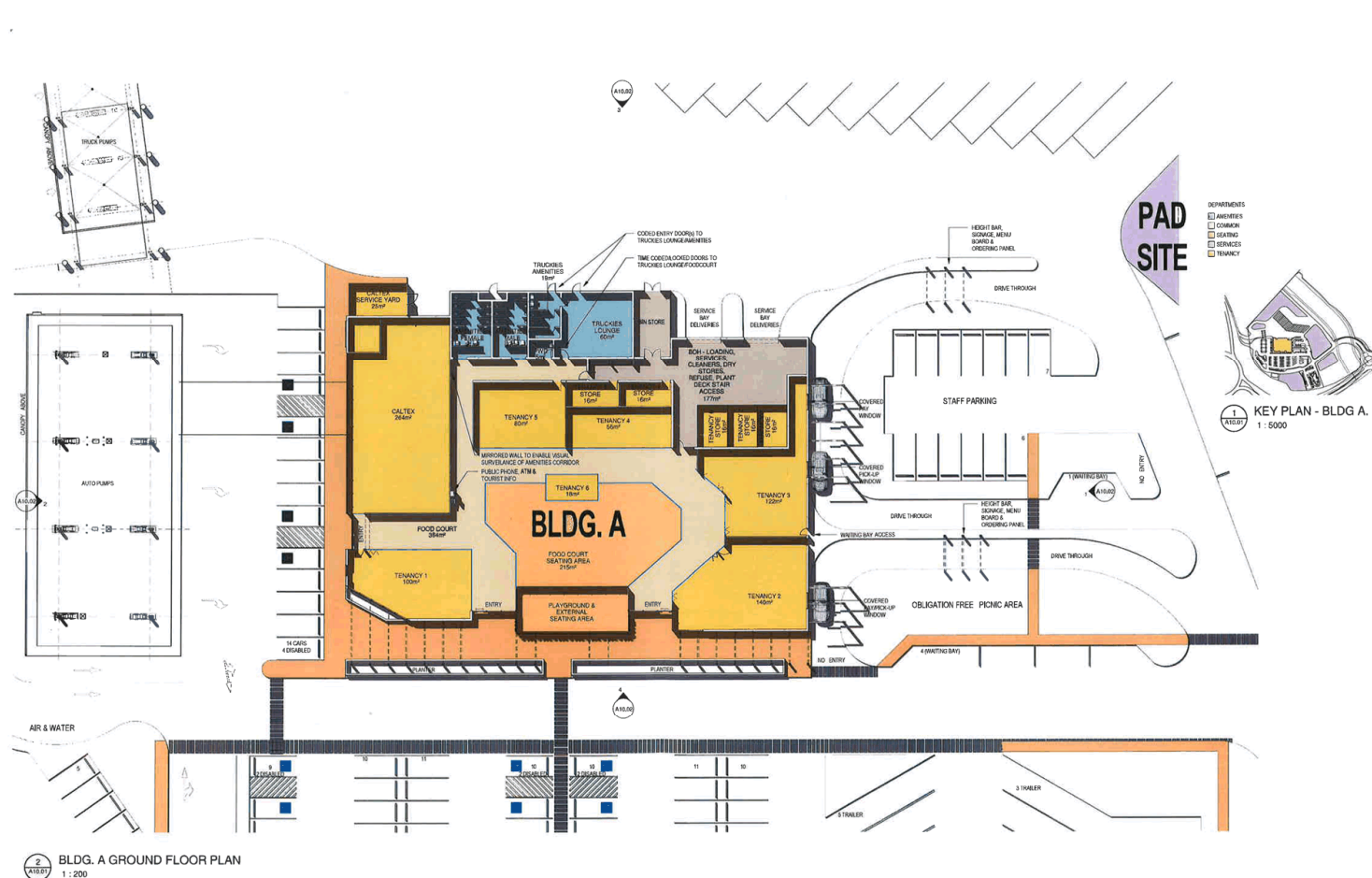
GROUND LEVEL SITE  
PLAN & PARKING  
NUMBERS

|         |            |
|---------|------------|
| DATE    | 06.10.2015 |
| DRAWN   | ARCHITECT  |
| CHECKED | ARCHITECT  |
| DATE    | 15.02.17   |
| DRAWN   | ARCHITECT  |
| CHECKED | ARCHITECT  |

15.0210.17  
A04.01  
6  
1:1000

**Thomson Adsett**  
architect | urban design | interiors  
128 Robertson Street, Fortitude Valley  
PO Box 2161, Fortitude Valley BC Q 4006  
Telephone: 07 2463 9969 Fax: 07 2463 1201  
Email: info@thomsonadsett.com Web: www.thomsonadsett.com  
Original Sheet Size A1 584 x 840

8.2 DA 2016/93 - Highway Service Centre, Ballina - Amendments.DOC



2 BLDG. A GROUND FLOOR PLAN  
1:200

|      |            |    |       |          |
|------|------------|----|-------|----------|
| REV. | DATE       | BY | CHKD. | PRJKT.   |
| 1    | 06.10.2015 | DA | AM    | 15021017 |
| 2    | 06.10.2015 | DA | AM    | 15021017 |
| 3    | 06.10.2015 | DA | AM    | 15021017 |
| 4    | 06.10.2015 | DA | AM    | 15021017 |
| 5    | 06.10.2015 | DA | AM    | 15021017 |
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| 7    | 06.10.2015 | DA | AM    | 15021017 |
| 8    | 06.10.2015 | DA | AM    | 15021017 |
| 9    | 06.10.2015 | DA | AM    | 15021017 |
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| 13   | 06.10.2015 | DA | AM    | 15021017 |
| 14   | 06.10.2015 | DA | AM    | 15021017 |
| 15   | 06.10.2015 | DA | AM    | 15021017 |
| 16   | 06.10.2015 | DA | AM    | 15021017 |
| 17   | 06.10.2015 | DA | AM    | 15021017 |
| 18   | 06.10.2015 | DA | AM    | 15021017 |
| 19   | 06.10.2015 | DA | AM    | 15021017 |
| 20   | 06.10.2015 | DA | AM    | 15021017 |

**BALLINA HIGHWAY SERVICE CENTRE**

Lot 11 DP 1011575  
Pacific Highway  
West Ballina  
Ballina HSC Pty Ltd



**DEVELOPMENT APPLICATION**

NOT FOR CONSTRUCTION  
BUILDING A - GROUND FLOOR PLAN

|              |              |
|--------------|--------------|
| DATE         | 06.10.2015   |
| SCALE        | As indicated |
| DRAWN        | DA           |
| CHECKED      | FT           |
| DATE         | 06.10.2015   |
| PROJECT NO.  | 15.0210.17   |
| DRAWING NO.  | A06.01       |
| SHEET NO.    | 6            |
| TOTAL SHEETS | 6            |

**Thomson Adsett**

architects | urban design | interiors

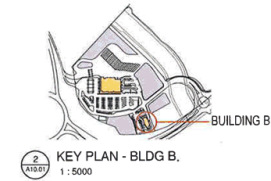
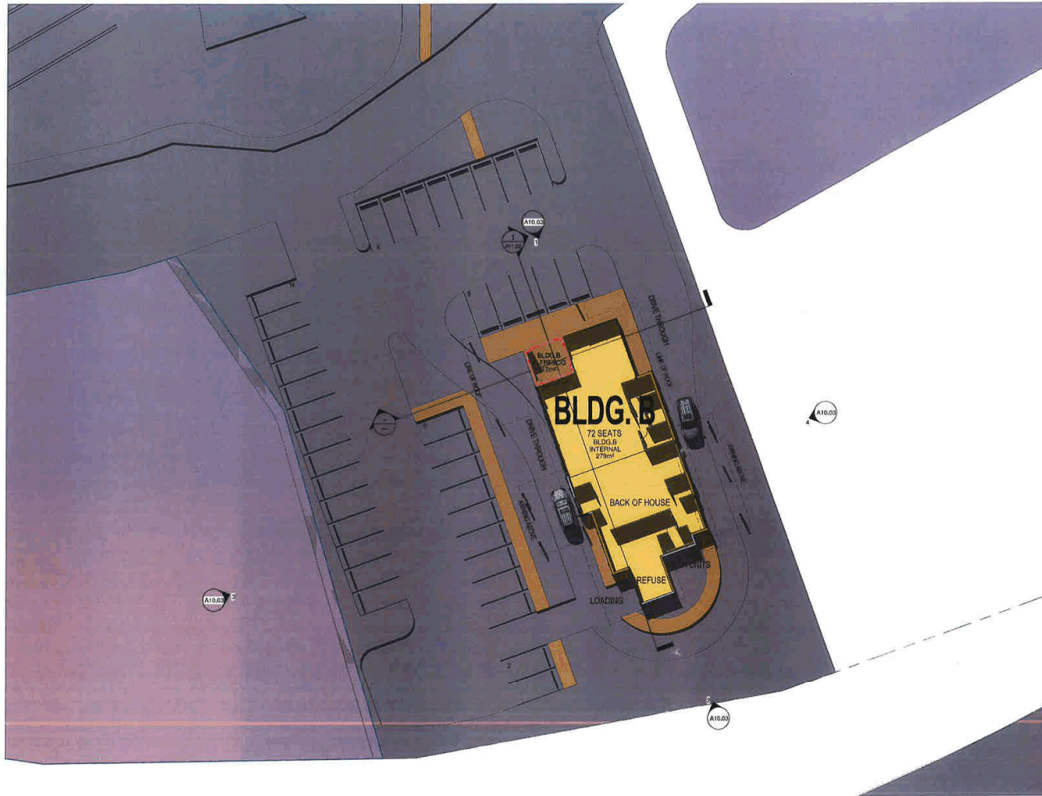
133 Robinson Street, Forth Valley  
PO Box 276, Forth Valley SC 6400

Telephone: 07 3442 9999 Fax: 07 3442 1071  
Email: info@thomsonadsett.com Web: www.thomsonadsett.com

Original Sheet Size A1 594 x 846



8.2 **DA 2016/93 - Highway Service Centre, Ballina - Amendments.DOC**



**1** BLDG. B GROUND FLOOR PLAN  
1 : 200

| REV. | NO.      | DATE       | DESCRIPTION          |
|------|----------|------------|----------------------|
| 4    | 15.04.17 | 04.04.2017 | DA SUBMITTAL         |
| 3    | 15.04.17 | 04.04.2017 | DA UPDATE            |
| 2    | 15.03.17 | 04.04.2017 | DA SUBMITTAL         |
| 1    | 15.03.17 | 04.04.2017 | PRELIMINARY DA ISSUE |

**BALLINA HIGHWAY SERVICE CENTRE**

Lot 11 DP 1011575  
Pacific Highway  
West Ballina  
Ballina HSC Pty Ltd



**DEVELOPMENT APPLICATION**

NOT FOR CONSTRUCTION  
BUILDING B - GROUND FLOOR PLAN

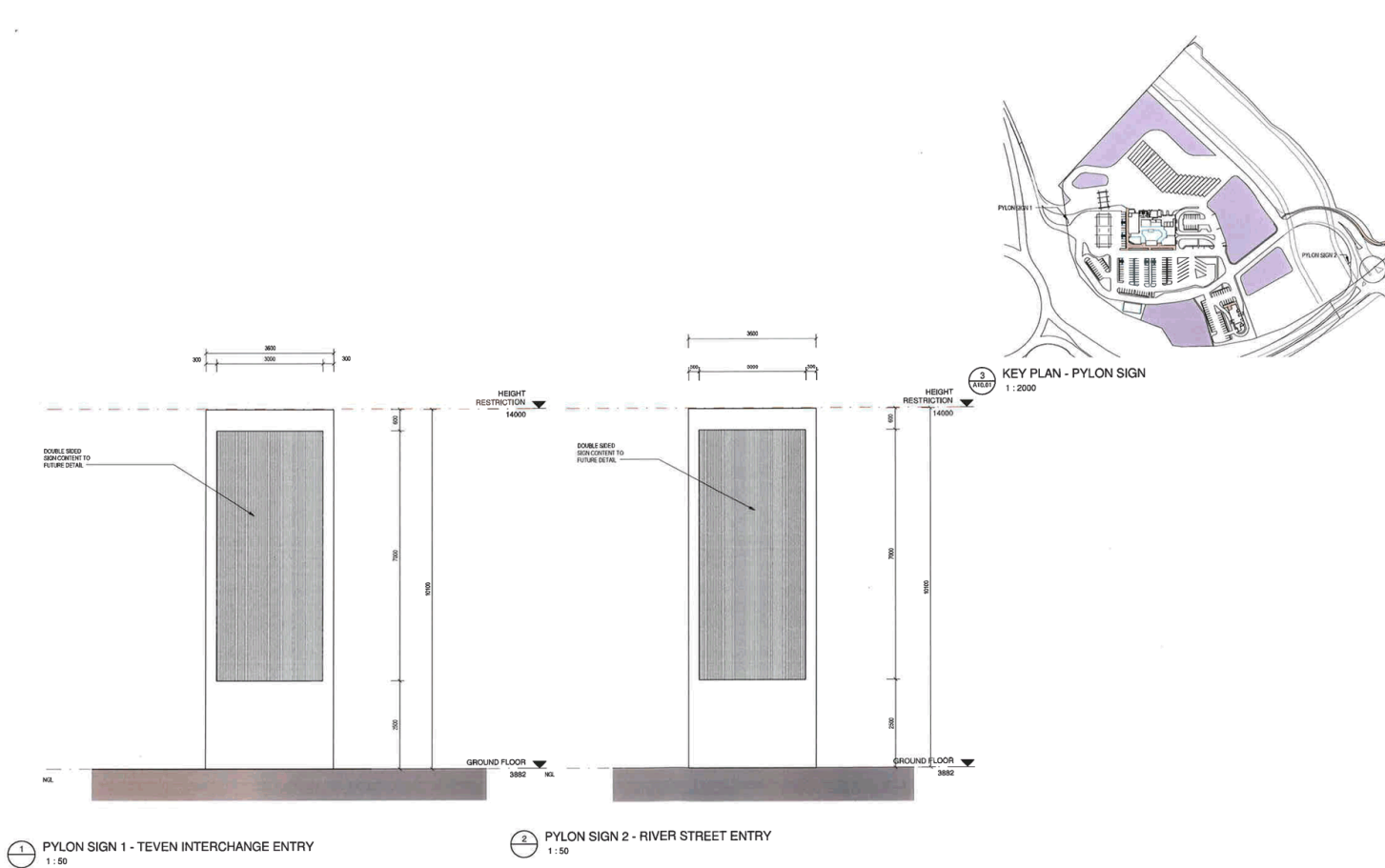
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| DATE         | 06.10.2015   |
| SCALE        | As Indicated |
| STATUS       | Public       |
| DRAWN BY     | Chenier      |
| DATE         | 15.02.10.17  |
| PROJECT NO.  | A07.01       |
| SHEET NO.    | 4            |
| TOTAL SHEETS | 4            |



arch|structure | urban design | interiors  
128 Robertson Street, Fortitude Valley  
PO Box 2190, Fortitude Valley QLD 4006  
Telephone: 07 3443 9900 Fax: 07 3222 1201  
Email: info@thomsonadsett.com Web: www.thomsonadsett.com

P:\PROJECTS\11 - BALLINA HSC\Design\DWG\11 - BLDG B GROUND FLOOR PLAN - 150210.17.DWG

8.2 **DA 2016/93 - Highway Service Centre, Ballina - Amendments.DOC**



1 PYLON SIGN 1 - TEVEN INTERCHANGE ENTRY  
1:50

2 PYLON SIGN 2 - RIVER STREET ENTRY  
1:50

|      |          |                   |
|------|----------|-------------------|
| 4    | 16.10.15 | DA AMENDMENT      |
| 3    | 15.10.15 | DA UPDATE         |
| 2    | 16.08.15 | DA PLAN           |
| 1    | 16.10.15 | PROVISIONAL TABLE |
| REV. | DATE     | DESCRIPTION       |

**BALLINA HIGHWAY SERVICE CENTRE**

Lot 11 DP-1011575  
Pacific Highway  
West Ballina  
Ballina HSC Pty Ltd

**DEVELOPMENT APPLICATION**  
NOT FOR CONSTRUCTION

PYLON SIGN

15.0210.17  
Project No.

A60.01  
Title

**ThomsonAdsett**  
Architecture | Urban design | Interiors  
120 Robertson Street, Fortitude Valley  
PO Box 2706, Fortitude Valley BC Q 4006  
Telephone: 07 3460 0900 Fax: 07 3460 1201  
Email: info@thomsonadsett.com Web: www.thomsonadsett.com  
Original Sheet Size A1 594 x 840

34 Keith Hall Lane

BALLINA. 2478

1<sup>st</sup> APRIL 2016

The General Manager  
BALLINA SHIRE COUNCIL



Dear Sir,

I refer to DA 2016/93

**PROPOSED HIGHWAY SERVICE CENTRE**

I again wish to reiterate the fact that my adjoining property is currently zoned for agriculture and used to produce sugar cane.

I am very concerned that no detail has been made available to me for the alterations to storm water runoff and drainage that will be required should this development proceed.

I also believe that the access to my property provided by the then RTA as a result of the construction of the Ballina Bypass will be cut off, Mangrove Lane that the council is now responsible for will be closed.

I have not been consulted about or given details of any satisfactory alternative access to my land.

Sugar cane farming is an intensive form of agriculture, requiring cultivation that results in dust, herbicide application, pre harvest burning with the associated smoke, harvest activities producing noise and dust and general operation of machinery to maintain the crops and the property.

This proposal is sited very close to my boundary and I can only imagine the problems that I will have to contend with when or if the highway service centre is ever constructed.

Council has already approved the Riverbend development immediately adjoining my property to the east and this has dramatically affected my farming activities.

Do I have any recourse on council should the approval and construction of this service centre end my ability to continue farming on my land?

Due to the construction of the Ballina Bypass and the associated drainage problems that have been created, the RMS have resumed another 11 ha. of my property.

I am left with 18.13 ha of the original 40 ha .

I request that council consider the position that this agriculture zoned land will be put in with development on the east and south boundaries as well as the Ballina Bypass on the west boundary.

Drainage and stormwater runoff must be given major consideration.

I would appreciate the opportunity to address council concerning these major issues associated with development in this area.

Yours Faithfully



Tony Ellis





File No: NTH 16/00035  
Your Reference DA:2016/93

General Manager  
Ballina Shire Council  
PO Box 450  
BALLINA NSW 2478

Attention: Hugh Johnson

Dear Sir

**DA 2016/93 Ballina Highway Service Centre, River Street, West Ballina**

I refer to your letter of 11 March 2016 regarding the abovementioned development application forwarded to Roads and Maritime Services for consideration.

**Roles and Responsibilities**

The key interests for Roads and Maritime are the safety and efficiency of the road network, traffic management, the integrity of infrastructure assets and the integration of land use and transport.

In accordance with Clause 104 of the State Environmental Planning Policy (Infrastructure) 2007 (ISEPP), Roads and Maritime is given the opportunity to review and provide comment on the application as it is a Traffic Generating Development listed under Schedule 3.

The Pacific Highway is classified as freeway at this location and Roads and Maritime is the Roads Authority in accordance with Section 7 of the Roads Act 1993. The carrying out of work a freeway must only be undertaken with the consent of Roads and Maritime. Consent is provided through the Works Authorisation Deed (WAD) process.

**Roads and Maritime Response**

The referred information has been reviewed and the following comments are provided to assist the consent authority in making a determination;

1. The architectural drawings for the current modification show a physical obstruction between the car and truck fuelling areas. There needs to be the opportunity for vehicles that take the wrong entry to correct their mistake without circulating through the site. A gap is required in the barrier separating the fuelling areas.
2. Signage in the median area separating the light and heavy vehicle accesses is needed to reinforce the correct entry for vehicles.
3. Signage is required on the entry from River Street prior to pad site 2 to ensure that heavy vehicles accessing from River Street are guided to the correct fuelling area.
4. It is noted that the swept paths for the heavy vehicle fuelling and parking area appears congested. It may be necessary to use part of the land identified for pad sites 2 and 3 to provide more manoeuvrability for heavy vehicles.

**Roads and Maritime Services**

76 Victoria Street, Grafton NSW 2460 |  
PO Box 576, Grafton NSW 2460 |

[www.rms.nsw.gov.au](http://www.rms.nsw.gov.au) | 13 22 13

- 2 -

5. It is suggested that the obligation free outdoor picnic area just west of pad site 2 be provided with shade structures to encourage use.
6. The drive through layout for building B conflicts with pedestrian desire lines from the adjacent carpark. Ideally the drive through should be designed to be free of pedestrian conflict or have as little conflict as possible.
7. Construction of the access to the site from the southbound Pacific Highway off ramp will impact on the existing access to the property immediately north of the service centre site. Access must be maintained to this property to the north and a right of way through the service centre site will be required.
8. As construction of the ramp to the site from Pacific Highway will involve works on the freeway the developer will be required to enter into a Works Authorisation Deed (WAD) with Roads and Maritime prior to the issue a Construction Certificate and a pre-qualified contractor will be required to complete all roads works under the WAD to practical completion prior to the issue of any Occupation Certificate (interim or final) for the development.

All works will be undertaken at full cost to the Developer to the satisfaction of Roads and Maritime. Further information on undertaking private developments adjacent to classified roads can be accessed on the Roads and Maritime website at:

<http://www.rms.nsw.gov.au/projects/planning-principles/index.html>

The service centre will need to be signposted for highway traffic. Approval of highway signposting will be managed under the WAD process.

If you require further information please contact Manager Land Use Assessment Liz Smith on 66401362 or email [Development.Northern@rms.nsw.gov.au](mailto:Development.Northern@rms.nsw.gov.au).

Yours faithfully



6 April 2016

for Monica Sirol  
Network and Safety Manager, Northern Region

**Schedule of Proposed Conditions - DA 2016/93**

**1. GENERAL**

- 1.1. Development being carried out generally in accordance with the plans and associated documentation lodged by or on behalf of the applicant, including Project No. 15.0210.17 Dated 28/4/2016 – Master Site Plan 1-A10.01, Drawing No.'s A00.01 Rev 4, 01DA, A00.02DA Rev 4, A00.50 Rev 5, A00.51 Rev 4, A04.01. Rev 6, A06.01 Rev 6, A06.05 Rev 4, A07.01 Rev 4, A07.05 Rev 4, A10.01 Rev 4, A10.02 Rev 5, A10.03 Rev 5, A11.01 Rev 4, A11.02 Rev 4, A50.02, Rev 4, A50.03 Rev 4, A60.01 Rev 4, Updated Architecture for the Ballina Highway Service Centre – Planners North Dated February 2016, Traffic Impact Report – Knobel Consulting Dated 25 February 2016, Conceptual Stormwater Management Plan - Knobel Consulting Rev B Dated 28 April 2016 and Engineering Infrastructure Report - Knobel Consulting Dated 28 October 2015 and Landscape Plan – Site Plan prepared by Jackie Amos, except as modified by any condition in this consent, and by the reports/details & plans to be carried out in accordance with the conditions of this consent.
- 1.2. **Commencement of occupation or use**  
Occupation or use of the premises for the purposes authorised by this consent shall not commence until all conditions of this consent have been complied with, and necessary Occupation Certificates obtained, unless alternative arrangements have been made with Council.
- 1.3. **Modification of development consent No. 2010/962.12**  
In accordance with Section 80A(1)(b) of the Environmental Planning and Assessment Act 1979, this condition requires the modification of Development Consent No. 2010/962.12 as follows:

**Amend Condition No. 2.1 to read**

Development being carried out generally in accordance with the plans and associated documentation lodged by or on behalf of the applicant, including Project No. K3270 DWG No P009 Issue C date 11/2/16 Prepared by Knobel Consulting "Swept Path Analysis", as modified by Cardno drawings "Floodway Culvert Schematic sketches B1009/23 A", sheet 7 Rev B (Stamped approved 17/12/2014 and amended in red), sheet 8 Rev C (Stamped approved 17/12/2014 and amended in red), sheet 9 Rev B (Stamped approved 17/12/2014 and amended in red) & sheet 10 Rev B (Stamped approved 17/12/2014 and amended in red) dated July 2013, BMT WBM Flood Impact Assessment Report dated January 2009 and associated document dated 13/09/10, BMT WBM report entitled "West Ballina Flood Relief Optimisation Study" dated 5 December 2013, Coffey Geotechnical Report & plans "Interim Geotechnical Design for preload works: Ballina Highway Service Centre dated 30 September 2010, except as modified by any condition in this consent, and by the reports/details & plans to be carried out in accordance with the conditions of this consent.

**Delete condition No. 4.17**

**Delete condition No. 4.18**

**Amend condition No. 4.26 Stormwater to read**

The provision of stormwater controls on site in accordance the report entitled "Conceptual Stormwater Management Plan" prepared by Knobel Consulting, K3270-0012-B, 28 April 2016. This is to include the shaping of driveways and paved areas to drain to landscaped/vegetated areas. Details are to be submitted to and approved by Principal Certifying Authority prior to the issue of the Civil Construction Certificate.

**Delete condition No. 4.27**

**Amend condition No. 4.31 to read**

The applicant shall be responsible for all costs associated with the installation of a new rising main from the development to connect with Council's sewerage pump station sewer pressure main located on the South side of River Street, directly opposite the Ballina Highway Service Centre site in accordance with the Northern Rivers Local Government Development Design & Construction Manuals (as current at the time of construction works commencing). Design plans are to be submitted to and approved by Council prior to issue of the Civil Construction Certificate.

**Delete condition No. 5.22**

**Delete condition No. 5.23**

**Delete condition No. 11.6**

**Delete condition No. 11.7**

**Delete condition No. 11.11**

**Delete condition No. 11.15**

**Delete condition No. 11.16**

**Delete condition No. 12.7**

**Amend condition No. 12.18 to read**

At the full cost to the developer, a right of way benefitting Lot 226 DP 1121079 and Ballina Shire Council is to be established over the Lot 11 DP 1011575. Details are to be submitted to and approved by the Principal Certifying Authority prior to issue of an Occupation Certificate.

**Delete Advisory Note 6**

1.4. ***No signs without approval***

No additional advertising signs are to be erected or displayed without prior submission of a development application to, and approval from, Council.

1.5. ***Residential Access to Lot 226 DP 1121079***

At all times during the carrying out of works associated with the development, the existing residential access over the site to Lot 226 DP 1121079 to the north of the development is to be maintained.

1.6. **Waste**

The discharge of sediment and waste materials including concrete waste, paint, plaster and the like material into any roadway, natural or constructed drainage system, watercourse and/or adjoining land constitutes a breach of development approval conditions. Council's Authorised Officers may issue a Clean Up Notice, Prevention Notices and/or an on-the-spot fine in accordance with the Protection of the Environment Operations Act 1997.

2. **PRIOR TO ISSUE OF CONSTRUCTION CERTIFICATE (Building)**

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

2.1. **Compliance with DA 2010/962 (as modified)**

No Construction Certificate for the development is to be approved until all relevant conditions of DA 2010/962 (as amended) have been satisfactorily complied with, unless alternative arrangements have been made with Ballina Shire Council.

2.2. **Issue of construction certificate**

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

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

2.3. **Administration/inspection fees**

Where Council is not chosen as the Principal Certifying Authority, the relevant certificate registration fee and required sewer inspection fees are to be paid to Council in accordance with Council's Fee Schedule, prior to the issue of a Construction Certificate.

2.4. **Buildings to comply with BCA**

All aspects of the building design shall comply with the performance requirements of the Building Code of Australia so as to achieve and maintain acceptable standards of structural efficiency, safety, health, and amenity for the ongoing benefit of the community. Compliance with the performance requirements can only be achieved by:

- (a) complying with the deemed to satisfy provisions,
- (b) formulating an alternative solution which:
  - (i) complies with the performance requirements, or
  - (ii) is shown to be at least equivalent to the deemed to satisfy provision.
- (c) combination of (a) and (b).

Details are to be included with the plans and specification accompanying a Construction Certificate application.



2.5. **Section 68 Application**

A Section 68 Application, under the provisions of the Local Government Act, must be submitted to Council for approval prior to the issue of the Construction Certificate. Such application must be accompanied by following to meet all relevant Australian Standards and NSW legislative requirements.

The Council's Fee Schedule application is to address, but not be limited to the following matters:

- Hydraulic plans, specifications and design prepared by a qualified practising hydraulics consultant for the:
  - Water supply
  - Drainage – Sewerage
  - Drainage – Stormwater
  - Trade waste

2.6. **Building waste containment**

A suitable waste container capable of holding blowable type building waste must be made available on the building site during the course of construction. Building waste such as paper, plastic, cardboard, sarking etc. must be regularly cleaned up and placed in the waste container so that it cannot be blown off the building site and litter the locality.

2.7. **Safety fencing**

The building site is to be provided with adequate safety fencing preventing public access onto the site. Such protection measures are required to protect the public from construction works including dangerous excavations. Signage, restricting unauthorised site entry, containing the builder's name, licence number and contact telephone numbers is to be provided in a visually prominent location on the site.

2.8. **Construction certificate to be consistent with DA**

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

2.9. **Compliance with Codes**

All drainage and sanitary plumbing work must be carried out in accordance with the requirements of the *NSW Code of Practice Plumbing and Drainage and National Plumbing and Drainage Code AS 3500*.

2.10. **Long Service Levy**

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

**Waste**

- 2.11. Prior to the issue of a Construction Certificate (Building), the proponent is to submit to the Accredited Certifier details of all Hydraulic Services for water supply, sewerage, stormwater and trade waste treatment facilities including required essential Fire services e.g. Fire Hose Reels and Fire Hydrants.

- 2.12. Adequate provision must be made on site for the storage and disposal of solid and liquid wastes from the development. The waste disposal area/s are to be screened, covered, graded and drained to the sewer and if required via a pre-treatment device. Details of the location and method of storing and disposing of waste materials are to be incorporated into hydraulic plans that must be submitted to and approved by the Accredited Certifier prior to the issue of the Construction Certificate (Building).

**Environmental**

- 2.13. For all relevant stages of the development a Soil and Water Management Plan (SWMP) which has been prepared in accordance with the requirements of Managing Urban Stormwater – Soils and Construction, LANDCOM, March 2004 shall be implemented in full during the construction period.
- 2.14. For all relevant stages of the development sediment and erosion control measures shall be installed and effectively maintained to control stormwater runoff. All disturbed areas shall be immediately stabilised and revegetated on completion of earthworks.
- 2.15. For all relevant stages of the development dust control measures such as wetting down, covering stockpiles and physical barriers shall be used to control and prevent a dust nuisance to surrounding properties.

2.16. **Construction**

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

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

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

2.17. **Fill**

The applicant shall ensure that any fill material imported to the site for the proposed development is obtained from fill sources that have an approved testing regime. The supplier of the fill material must certify to Council at the completion of the construction of the development that the material was free of contaminants, being natural or otherwise.

2.18. **Dewatering**

If dewatering is required a management plan for all dewatering activities on site shall be submitted to and be approved by Principal Certifying Authority prior to the release of extracted water. The plan is to give consideration to the acid sulfate soils issues on site and the impact this may have on groundwater and dewatering activities proposed. Prior to the release of any water extracted during dewatering operations the test results and interpretation of results are to be submitted to and approved by Council. Note: Dewatering activities may require a license issued by the NSW Office of Water.

2.19. **Roadways and parking bays**

The roadways and parking bays within the development are to be constructed of asphaltic concrete or similar paved material. All roadway areas are to be adequately graded and drained to the stormwater system to ensure that stormwater is not directed onto adjoining properties. Design plans are to be submitted to and approved by the Principal Certifying Authority prior to issue of the Construction Certificate.

2.20. **Flooding**

The Highway Service Centre site west of the floodway (inclusive of the spine road) must be filled to a minimum level of RL 2.4 metres AHD and the Highway Service Centre buildings, underground fuel tank and fuel bowser areas shall have a minimum finished fill level of 2.7m AHD and a minimum finished floor level of RL 2.9m AHD except where floodway hydraulics and environmental hazards prevail. Masonry retaining walls and dish gutters shall be constructed, and wholly contained, within side and rear boundaries of the site, such that no stormwater is discharged from the site onto the adjoining properties. The adjoining properties shall be drained at the common boundary with the site via a concrete dish drain such that no water ponds on any neighbouring properties due to filling of the site. The stormwater drainage shall be discharged to Council's drainage system. Details are to be submitted to and approved by Principal Certifying Authority prior to the issue of the Construction Certificate.

2.21. **Sewer Connection (standard)**

The applicant shall be responsible for all costs associated with the installation of a new rising main from the development to connect with Council's sewerage pump station sewer pressure main located on the South side of River Street, directly opposite the Ballina Highway Service Centre site in accordance with the Northern Rivers Local Government Development Design & Construction Manuals (as current at the time of construction works commencing). Design plans are to be submitted to and approved by Accredited Certifier prior to issue of the Construction Certificate.

**Water connection**

2.22. **Potable and Recycled Water Supply**

The applicant shall provide and be responsible for all costs associated with the connection of Council's reticulated potable and recycled water supply systems to each tenancy within the development. All connections shall be in accordance with Council's Dual Water Supply Plumbing Policy. Recycled water is to be provided to all toilets, irrigation, clothes laundry, car wash/wash down area. The proponent will be required to enter into a User Agreement with Council for the supply of Recycled Water.

Note 1: Until the West Ballina Recycled Water Scheme is completed, indoor use will initially be supplied via the potable water system.

Note 2: Until the West Ballina Recycled Water Scheme is completed, outdoor use may be supplied via the potable water system.

2.23. **Water Meters**

Prior to the issue of the Construction Certificate, the applicant is required to submit an "Application for a Water Service" to Council in accordance with Council's Water Metering Policy for potable and recycled water supply (as current at the time of Construction works commencing). Each tenancy is to be fitted with dual water meters of a minimum size of 20mm depending on the nature and size of the development. The applicant shall be responsible for all costs associated with water meter installations.

2.24. **Backflow Prevention**

The sites containment backflow prevention shall be to current standards as per AS/NZS 3500 and Councils Backflow Prevention Policy. The design must be certified by a suitably qualified professional and submitted to and approved by Accredited Certifier prior to the issue of a Construction Certificate.

Testable backflow devices will be required to be tested and certified annually by a suitably qualified NSW licensed plumber and the annual certificate submitted to Council.

2.25. **Water Supply Standards**

Where applicable all water supply works are to be in accordance with the Northern Rivers Local Government Development Design & Construction Manuals (as current at the time of construction works commencing). Design plans for the water supply works are to be submitted to and approved by Accredited Certifier prior to issue of the Construction Certificate.

2.26. **Acid Sulfate Soil Management**

Prior to the issue of the Construction Certificate the applicant is to submit to the Principal Certifying Authority for review and approval the Acid Sulphate Soil Management Plan. Upon completion of construction the Principle Certifying Authority must then validate the management of the approved Acid Sulfate Soil Management Plan prior to issue of Occupancy Certificate.

2.27. **External finishes to be submitted**

A schedule of all external building materials, finishes and colour schemes shall be submitted to and approved by the Accredited Certifier prior to the issue of the Construction Certificate (Building).

2.28. **External Lighting**

All external lighting to be installed and operated on site shall comply with Australian Standard AS 4282:1997 Control of the Obtrusive Effects of Outdoor Lighting. Details demonstrating compliance with these requirements are to be submitted and approved by the Accredited Certifier prior to the issue of the Construction Certificate (Building).

2.29. **Heavy Vehicle Lights**

The applicant is to engage a suitably qualified person to assess the impacts of lights from heavy vehicles traversing the proposed Ballina Highway Service Centre on residents within the Riverbend development and Ballina Waterfront Village and Tourist Park. A report which details any potential lighting impacts and resultant mitigation measures is to be submitted to the Accredited Certifier for approval prior to issue of Construction Certificate (Building).

2.30. **Surface water management on covered forecourt areas**

All surface water drainage, including waste collection, treatment and disposal, on the covered forecourt area must be designed to incorporate the requirements of NSW EPA Environmental Guidelines: Surface Water Management on the Covered Forecourt Areas of Service Stations.

The plans and specifications must be submitted to and approved by the Accredited Certifier prior to the issue of the Construction Certificate (Building).

2.31. **Dangerous goods storage and handling**

Detailed plans and specifications are to be submitted to and approved by the Accredited Certifier prior to the issue of the Construction Certificate (Building) demonstrating compliance with the NSW Occupational Health and Safety (OH&S) Act 2000, the OH&S Regulation 2001, and the NSW Code of Practice 2005 for the Storage and Handling of Dangerous Goods. The plans and specifications must be prepared by a "competent" person as defined within Clause 3 of the OH&S Regulation 2001.

2.32. **Bunding**

An impermeable banded and roofed on site storage area shall be provided to contain liquid contaminants and other possible pollutants. Full details shall be submitted to and approved by the Accredited Certifier prior to the issue of the Construction Certificate (Building).

2.33. **Water Sensitive Urban Design**

Consideration must be given to the principles of Water Sensitive Urban Design in regard to the storage and recycling of water on site. Details are to be submitted to and approved by the Accredited Certifier prior to the issue of the Construction Certificate (Building).

2.34. **Noise**

The applicant is to engage a suitably qualified person to assess the noise impacts of vehicles entering and leaving the site via the access way on the Pacific Highway on residents at the Ballina Waterfront Village Caravan Park and Riverbend. The report and associated recommendations are to be submitted to the Accredited Certifier for approval prior to issue of Construction Certificate (Building).

2.35. **Disabled Access**

Detailed plans of the proposed disabled access ramps to the buildings are to be submitted to the Accredited Certifier for approval prior to the issue of the Construction Certificate (Building).

2.36. **External Plant and Equipment**

The design and location of all internal and external plant and equipment (including proposed methods of screening), noise level emissions and if required, design of noise control measures are to be submitted to and approved by the Accredited Certifier prior to the issue of the Construction Certificate (Building).

**Developer Contributions/Charges/Bonds**

2.37. **Developer Contributions**

Prior to issue of the Construction Certificate (Building) where building work is proposed, payment to Council of non-refundable monetary contributions shall be made towards the provision of public services, infrastructure and amenities, which are required as a result of the development in accordance with the following contribution plans prepared under Section 94 of the Environmental Planning & Assessment Act, 1979:

| <b>Contribution Plan/Development Servicing Plan</b> | <b>Adopted</b>   |
|---|------------------|
| Ballina Shire Contributions Plan 2008               | 23 October 2008  |
| Ballina Shire Roads Contribution Plan 2010          | 25 February 2010 |
| Ballina CBD Car Parking Contribution Plan           | 14 May 2014      |
| Ballina Shire Heavy Haulage Contribution Plan       | 27 October 2011  |



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

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

- 2.38. Prior to issue of the Construction Certificate (Building) where building work is proposed, payment to council of non-refundable monetary charges shall be made towards the provision of bulk water supply, water reticulation and sewer infrastructure which are required as a result of the development in accordance with the charges set by Ballina Shire Council and Rous Water as water supply authorities under the Water Management Act 2002. The amount payable will be the assessed additional equivalent tenements generated by the development multiplied by the charge applicable at the time of payment.

Certificates of Compliance pursuant to Section 306 of the Water Management Act 2002 shall be deemed to have been issued where the required charges have been paid and all construction works required by the water supply authority for the development have been completed.

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

| Water Supply Authority | Contribution Servicing Plan                            | Plan/Development               | Adopted          |
|------------------------|--|--------------------------------|------------------|
| Ballina Shire Council  | Ballina Shire Council Infrastructure Development Plans | Water Supply Servicing         | 27 February 2015 |
| Ballina Shire Council  | Ballina Shire Council Infrastructure Development Plans | Sewerage Development Servicing | 27 February 2015 |
| Rous Water             | Rous Water Development Plan                            | Servicing                      | April 2009       |

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

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

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

- 2.39. **Signage**

A plan showing the proposed road and pedestrian signage for the development is to be prepared submitted and approved by the Accredited Certifier prior to issue of the Construction Certificate. This is to include all of the signage relevant to car circulation, caravan circulation and parking, truck circulation and parking, coach circulation and parking and any associated directional and parking signage required by the development.

2.40. **Internal Pedestrian access**

Pathways are to be provided at locations designated on the "Landscape Architecture Plan" appended to the application. Pathways depicted by yellow colouring are to be concrete 1.2m wide. Pathways depicted by grey stippled rectangular line work are to be stencil paintwork on bitumen/asphalt pavement 2m in width. Details are to be submitted to and approved by Accredited Certifier prior to the issue of the Construction Certificate

**Carparking**

2.41. The design of all car parking and vehicular accesses is to be in accordance with the Australian Standard AS/NZS 2890.1: (as current at time of construction). Design plans are to be submitted to and approved by Accredited Certifier prior to issue of the Civil Construction Certificate (Building).

2.42. **Car parking & vehicular access**

The development shall provide the following parking spaces on site:

|                |                        |
|----------------|------------------------|
| Light vehicles | 176 spaces             |
| Heavy Vehicles | 29 spaces              |
| Bus/Coachs     | 60 m of kerbside space |

2.43. The design of all car parking and vehicular accesses are to be in accordance with the relevant sections of Australian Standard AS/NZS 2890. Design plans are to be certified by a suitably qualified professional and approved by the Principal Certifying Authority prior to issue of the Construction Certificate.

2.44. **Loading/Unloading Service Vehicles**

Back of house loading/unloading spaces are to be provided for Heavy Rigid Vehicles (HRV) in Building A as designated on drawing A06.01 appended to the application.

The loading/unloading space for Building B designated on drawing A07.01 appended to the application, will create conflicts with drive through customer vehicles and pedestrians. Revised arrangements to minimise these conflicts are to be submitted to and approved by Accredited Certifier prior to the issue of a construction certificate.

**Disabled Carparking**

2.45. The design, number and location of disabled car parking spaces shall be in accordance with Australian Standard AS/NZS 2890.6: 2009, Building Code of Australia and relevant legislation. This is to include a shade structure to protect the vehicle occupants from the weather. Design Plans are to be certified by a suitable qualified professional and approved by the Principal Certifying Authority prior to the issue of the Construction Certificate.

2.46. An additional covered accessible car parking space is to be provided within the car park adjacent to Building B.

2.47. **Vehicle Management Plan**

Prior to the issue of the Construction Certificate, the applicant shall submit to Council for approval a Vehicle Management Plan for vehicles servicing the site. The plan must be in accordance with AS2890 and include the following minimum requirements:

- The maximum size of vehicles servicing the site.
- The service vehicle travel path through the site and associated swept path analysis.

- Any proposed/necessary restrictions on the hours vehicles can service the development or parts of the development.
- A traffic management plan to delineate and close those parts of the site required to minimise conflicts between service/delivery/waste collection vehicles, customer vehicles and/or pedestrians.
- To include all loading areas that obstruct car space access addressing responsible parties, driver expectations, delivery times, repercussions, unloading practices and parking management.

2.48. **Water Carrier Filling Area**

A dedicated hydrant from an unmetered recycled water main and an associated area for filling of licensed water carriers is to be provided on the site. This main would be operated by Council as a public water main. The filling area must be suitably surfaced and accessible by heavy vehicles. Funding for this public main and filling area will be provided by Council at a cost to be agreed with the proponent.

2.49. **Light/Heavy Vehicle Signage**

Signage is to be provided in the median area separating light from heavy vehicles accesses to reinforce the correct entry for each type of vehicle. Signage is required on the entry from River Street prior to pad site 2 to ensure that heavy vehicles accessing from River Street are guided to the correct fueling area.

2.50. **Outdoor Picnic Area**

An obligation free outdoor picnic area, just west of pad site 2 is to be provided and equipped with shade structures. Details are to be submitted to and approved by Accredited Certifier prior to the issue of the Construction Certificate.

2.51. **Vehicle Conflicts, Building B**

The drive through layout for Building B conflicts with pedestrian desire lines from the adjacent carpark. Revised arrangements to minimise these conflicts are to be submitted to and approved by Accredited Certifier prior to the issue of a construction certificate.

**3. PRIOR TO CONSTRUCTION WORK COMMENCING**

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

3.1. **Notice of Commencement and Appointment of Principal Certifying Authority**

Where Council is not nominated as the Principal Certifying Authority (PCA), the person having the benefit of this development consent is to submit to Council the following information:

- Written notification of the name and details of the Principal Certifying Authority (PCA); and
- The date of commencement and details of the Development Consent and associated Construction Certificate.

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

3.2. **Erection of Signs**

- (1) A sign must be erected in a prominent position on any site on which building work, subdivision work or demolition work is being carried out:

- a) showing the name, address and telephone number of the Principal Certifying Authority for the work, and
  - b) showing the name of the principal contractor (if any) for any building work and a telephone number on which that person may be contacted outside working hours, and
  - c) stating that unauthorised entry to the work site is prohibited.
- (2) Any such sign is to be maintained while the building work, subdivision work or demolition work is being carried out, but must be removed when the work has been completed.
  - (3) This clause does not apply in relation to building work, subdivision work or demolition work that is carried out inside an existing building that does not affect the external walls of the building.
  - (4) This clause does not apply in relation to Crown building work that is certified, in accordance with Section 109R of the Act, to comply with the technical provision of the NSW Government's building laws.

3.3. **Traffic control**

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

- Hours of operation;
- Contact details of the site manager;
- Traffic management;
- Noise, dust and vibration management;
- Waste management;
- Erosion and sediment control.

Details are to be submitted to Council prior to the commencement of construction.

**4. DURING CONSTRUCTION**

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

4.1. **Civil Works**

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

4.2. **Traffic Control**

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

**Environmental**

4.3. **Implement erosion and sediment control plan**

A Soil and Water Management Plan (SWMP) or Erosion and Sediment Control Plan (ESCP) which has been prepared in accordance with the requirements of Managing Urban Stormwater – Soils and Construction, LANDCOM, March 2004 shall be implemented in full during the construction period.

The applicant will ensure that the stormwater system maintains a nil pollutant load increase during the construction phase. Detailed reporting must be submitted to The Principal Certifying Authority during the construction phase to demonstrate compliance with the requirements of the approved SWMP/ESCP.

4.4. **Shake Down Grid**

The construction access to the site shall have a shake down grid or equivalent to minimise the transportation of material onto the road network via vehicular movements from the site.

4.5. A water truck designed to suppress dust from exposed surfaces and access roads shall be available at the site or in the immediate vicinity. Exposed surfaces and access pads shall be regularly wetted to suppress dust generation until such time that construction is completed and areas have been revegetated. All disturbed areas shall be revegetated immediately they are completed.

4.6. All weather accessways are to be provided on site that extends from the kerb to the building construction site. All construction vehicles are to enter and exit the site via these accessways so as to minimise erosion on site and prevent the movement of soil material onto surrounding roadways (if required provide a 'shake down' grid area for truck wheel washing). When necessary, roadways shall be swept and all drains and gutters cleaned of sediment material. **Failure to comply with this requirement may result in an on-the-spot fine being issued by an Authorised Officer of Council.**

4.7. All work, including demolition, excavation and building work must generally comply with Australian Standard AS 2436:1981 *Guide to Noise Control on Construction, Maintenance and Demolition Sites* and *NSW Interim Construction Noise Guidelines* (DECC 2009). As the development will involve construction for a greater period than 26 weeks, the LA10,15min SPL at the nearest noise sensitive place (Ballina Waterfront Village Caravan park (old Sunmaid Caravan park), Riverbend Development) should not exceed 5 dB(A) above background.

4.8. Any new information which comes to light during remediation, demolition or construction works which has the potential to alter previous conclusions about the site contamination must be immediately notified to the Council and the Principle Certifying Authority.

**5. PRIOR TO ISSUE OF AN OCCUPATION CERTIFICATE**

*Unless otherwise stated all development and works referred to in other sections of this consent are to be completed together with the following conditions prior to occupation or use.*

5.1. **Occupation Certificate**

An application for an Occupation Certificate to the Principal Certifying Authority is to be accompanied by a written statement confirming how each condition of consent has been complied with.



- 5.2. **Works as executed (drawings)**  
Prior to the issue of the Occupation Certificate. The applicant shall submit to Council an electronic copy of the WAE information for any public infrastructure on the site in AutoCAD and PDF format. All AutoCAD data is to be on MGA zone 56 coordinates and AHD for levels. The applicant shall be deemed to have indemnified all persons using such drawings against any claim or action in respect of breach of copyright.
- 5.3. **Civil works**  
All works approved with the Construction Certificate and under Section 138 of the Roads Act 1993 and Section 68 of the Local Government Act 1993 for this application and all works required by the consent for DA 2010/962, are to be completed to the satisfaction of Council prior to issue of an Occupation Certificate. All works are to be completed in accordance with the Northern Rivers Local Government Development Design and Construction Manuals and/or in accordance with other design requirements from Austroads, Australian Standards or Roads & Maritime Services where specified.
- 5.4. **Environmental**  
To prevent littering and the pollution of waters, cigarette butt bins must be provided externally on site for the disposal of cigarette butts. Positioning must be in convenient locations to the carpark areas and the entry and exits to the development but at a sufficient distance that smoke does not enter the building structure.
- 5.5. **Acid Sulfate Soil Management**  
Upon completion of construction, the Principal Certifying Authority must then validate the management of the approved Acid Sulfate Soil Management Plan prior to the issue of the Occupation Certificate.
- 5.6. **External Lighting**  
All external lighting to be installed and operated on site shall comply with the AS 4282:1997 "Control of the Obtrusive Effects of Outdoor Lighting". Upon installation of lighting and before final commissioning, a report from a qualified consultant shall be submitted to Council demonstrating compliance with AS 4282:1997 "Control of the Obtrusive Effects of Outdoor Lighting".
- 5.7. **Parking**  
The construction of all parking and vehicular accesses is to be in accordance with the approved Construction Plans and Australian Standard AS/NZS 2890. All works are to be certified by a suitably qualified consultant prior to issue of the Occupation Certificate.
- 5.8. **Car parking (disabled)**  
The construction of all disabled car parking spaces is to be in accordance with the approved Construction Plans and Australian Standard AS /NZS 2890.6: 2009. All works are to be certified by a suitably qualified consultant prior to issue of the Occupation Certificate.
- 5.9. **Right of Carriageway Way**  
At the full cost to the developer, a right of way benefitting Lot 226 DP 1121079 and Ballina Shire Council is to be established over the Applicant's Land. Details are to be submitted to and approved by the Principal Certifying Authority prior to issue of an Occupation Certificate.

5.10. **Fire safety certificate**

On completion of the erection of the building, the owner is required to provide Council with a Fire Safety Certificate certifying that all essential services installed in the building have been inspected and tested by a competent person and were found to have been designed and installed to be capable of operating to the minimum standard required by the BCA.

**6. CONDITIONS OF USE/DURING OCCUPATION**

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

6.1. **Fire safety statement**

The owner of the building must provide Council with an annual Fire Safety Statement at least once in each twelve months certifying that the essential and statutory fire safety measures in the building have been inspected and tested by a competent person and were found to have been designed, installed and capable of operating to the minimum standard required by the Fire Safety Schedule. A copy of the Annual Fire Safety Statement together with a copy of the Fire Safety Schedule are to be forwarded to the Commissioner, NSW Fire Brigades, and a copy of the Fire Statement and Schedule, prominently displayed in the building.

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

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

6.3. **Industrial Noise**

To aid in minimising noise from service & heavy vehicles (the dominant noise source from the development's operations) the following requirements are imposed.

- a) All delivery vehicle companies and their respective drivers are to be instructed to operate delivery vehicles in as quiet a manner as possible whilst on site. Such measures include:
  - i. travel at low speeds;
  - ii. minimise use of excessive engine revving and no rapid acceleration;
  - iii. do not use exhaust breaks whilst on site; and
  - iv. do not park external to a loading dock with engines running for extended periods of time.
- b) The operator shall erect appropriate signage in the service vehicle roadways and loading dock areas advising of the necessity to minimise noise so as to protect neighbouring residents' amenity;

- c) Staff will be instructed to minimise noise by careful work practices (i.e. no dropping of pallets);
- d) Institute a complaint response procedure to be used in the instance of complaints regarding noise from site activities.

6.4. **No interference with amenity of neighbourhood**

The proposed use of the premises shall not interfere with the amenity of the neighbourhood by reason of noise, vibration, smell, fumes, smoke, dust, wastewater or otherwise. In particular:

- a) The noise level emanating from the use of the premises must comply with the New South Wales Industrial Noise Policy.
- b) Only clean and unpolluted water is permitted to be discharged to Councils' stormwater drainage system or any waters.
- c) All trade waste pre-treatment devices and other waste storage facilities shall be serviced and maintained to ensure that all relevant environment protection standards are satisfied.

The site shall be operated in accordance with the requirements of the Protection of the Environment Operations (UPSS) Regulation 2008 and Australian Standards AS4897-2008: *Design, installation and operation of underground petroleum storage systems* (AS 2008a) and AS 1940-2004 *The Storage and Handling of Flammable and Combustible Liquids* (AS 2004).

6.5. **Loading and unloading**

All loading and unloading of goods are to be carried out in accordance with the Principal Certifying Authority approved Vehicle Management Plan for vehicles servicing the site.

**Environmental**

- 6.6. The forecourt area of the service station shall be spot cleaned using a suitable absorbent material. The forecourt area is not to be hosed or washed to the stormwater drainage system under any circumstances.
- 6.7. Clean up equipment including suitable absorbent material shall be stored on site to effectively deal with liquid contaminates such as oils and chemical spills.
- 6.8. All plant and equipment installed or used in or on the premises shall be maintained in a serviceable condition and operated in a proper and efficient manner at all times.
- 6.9. In the event of a pollution incident on the premises, that has caused, is causing, or is likely to cause harm to the environment, the incident shall be reported in accordance with the requirements of section 148 of the Protection of the Environment Operations Act 1997.
- 6.10. All waste generated on site is to be disposed to and stored in the nominated waste area/s.
- 6.11. Waste collection must occur as required to prevent the creation of an odour or pest nuisance.

- 6.12. The forecourt of the service station is to be adequately bunded to capture potentially contaminated stormwater to enable treatment prior to discharge to stormwater. The stormwater shall be treated to remove oils, fuels, heavy metals and nutrients to a quality suitable for discharge to the environment. The treatment device shall be installed, operated and maintained in accordance with the manufacturer's recommendations.

**REASONS FOR CONDITIONS**

- ensure compliance with the requirements of the Environmental Planning & Assessment Act, 1979;
- ensure compliance with the objectives of the Ballina Local Environmental Plan 2012;
- ensure an appropriate level of amenities and services is available;
- protect the existing and likely future amenity of the locality;
- maintain, as far as practicable, the public interest;
- ensure compliance with the Building Code of Australia and relevant Australian Standards;
- ensure satisfactory compliance with relevant Council plans, codes and policies.

**ADVISORY MATTERS**

**1. Flooding and Stormwater**

Stormwater controls shall be provided on site in accordance Ballina Development Control Plan 2012, Chapter 2 – Section 3.9 – Stormwater Management and Knobel Consulting "Conceptual Stormwater Management Plan" dated 28 April 2016. Details, including a construction phase erosion and sediment control plan, must be provided and approved by the Principal Certifying Authority prior to the issue of the Construction Certificate.

**2. Disability Discrimination Act 1992**

The granting of this consent does not imply or confer compliance with the requirements of the Disability Discrimination Act 1992 (DDA). The applicant is advised to investigate any liability that may apply under that Act. Australian Standard AS 1428 – Design for Access and Mobility should be consulted for guidance. The prescriptive requirements of Part 1 of the Standard apply to ceRMSin buildings requiring development consent.

Compliance with the BCA does not guarantee compliance with the DDA. The BCA provides important access provisions however:

- (a) it does not cover all developments that are subject to the provisions of the DDA;
- (b) it focuses primarily on access for people with disabilities which affect their mobility and does not address other disabilities, such as sensory disabilities; and
- (c) while it mandates improved access for people with disabilities, it is not framed in terms of "equality of access".

You are therefore advised to investigate your liability under the DDA with respect to any existing and proposed future works.

**3. Protection of the Environment Operations Act 1997**

It is an offence under the provisions of the Protection of the Environment Operations Act 1997 to act in a manner causing, or likely to cause, harm to the environment. Anyone allowing material to enter a waterway or leaving material where it can be washed Off-site may be subject to a penalty infringement notice ("on-the-spot fine") or prosecution.

4. **Noise control**  
Use of the premises/services/equipment/ancillary fittings shall not give rise to an "offensive noise" as defined under the provisions of the Protection of the Environment & Operations Act 1997.
5. A minimum of twenty-four hours notice is required prior to inspection. Inspections can be arranged by telephoning 6686 4444 during normal office hours. A fee is levied upon the operator for such inspections.
6. **Compliance with Codes**  
All drainage and sanitary plumbing work must be carried out in accordance with the requirements of the NSW Code of Practice Plumbing and Drainage and National Plumbing and Drainage Code AS 3500.
7. **Fire safety statement**  
The owner of the building must provide Council with a Fire Safety Statement at least once in each twelve month period, certifying that the essential services installed in the building have been inspected and tested by a competent person and at the time of that inspection, were capable of operating at the minimum standard required by the development consent. This certificate is to be kept in the building to which it relates.
8. **WorkCover requirements**  
The premises shall be operated in accordance with the requirements of the WorkCover Authority.
9. **Wastewater management advice**  
All work carried out in connection with this approval must comply with any applicable standard established by the *Local Government (Approvals) Regulation 1993*, the *Local Government (Water, Sewerage and Drainage) Regulation 1993*, or by or under the Act.
10. The applicant is advised to take care in ensuring that no damage is done to or unauthorised modifications are carried out on either Council's or any other organization's underground infrastructure assets. Any Council sewer, stormwater or water main or other organization owned electricity supply or telecommunication facility is not to be damaged or altered in any way without the necessary approvals being obtained beforehand from the relevant server.

**Advisory Note:**

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

**You are advised to contact the following:**

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

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

**SCHEDULE 1**

| <b>Contribution</b>                           | <b>Receipt Code</b> | <b>Contribution Unit</b>         | <b>Rate per contribution Unit</b> | <b>Total Contribution Units Payable</b> | <b>TOTAL COST</b>     |
|---|---------------------|----------------------------------|-----------------------------------|---|-----------------------|
| Roads Contribution Plan V4.0 (2015)           | 5204                | equivalent residential allotment | \$11,369.00                       | 49.1240                                 | \$558,490.76          |
| Roads Administration V4.0 (2015)              | 5205                | equivalent residential allotment | \$171.00                          | 49.1240                                 | \$8,400.20            |
| West Ballina Wastewater Services (DSP Area B) | 3001                | equivalent tenement              | \$4,834.00                        | 38.7400                                 | \$187,269.16          |
| West Ballina Water Supply (DSP Area B)        | 2001                | equivalent tenement              | \$3,159.00                        | 24.1400                                 | \$76,258.26           |
| Rous Water 2009                               | 5001                | equivalent tenement              | \$9,246.00                        | 24.1400                                 | \$223,198.44          |
| <b>TOTAL</b>                                  |                     |                                  |                                   |   | <b>\$1,053,616.82</b> |