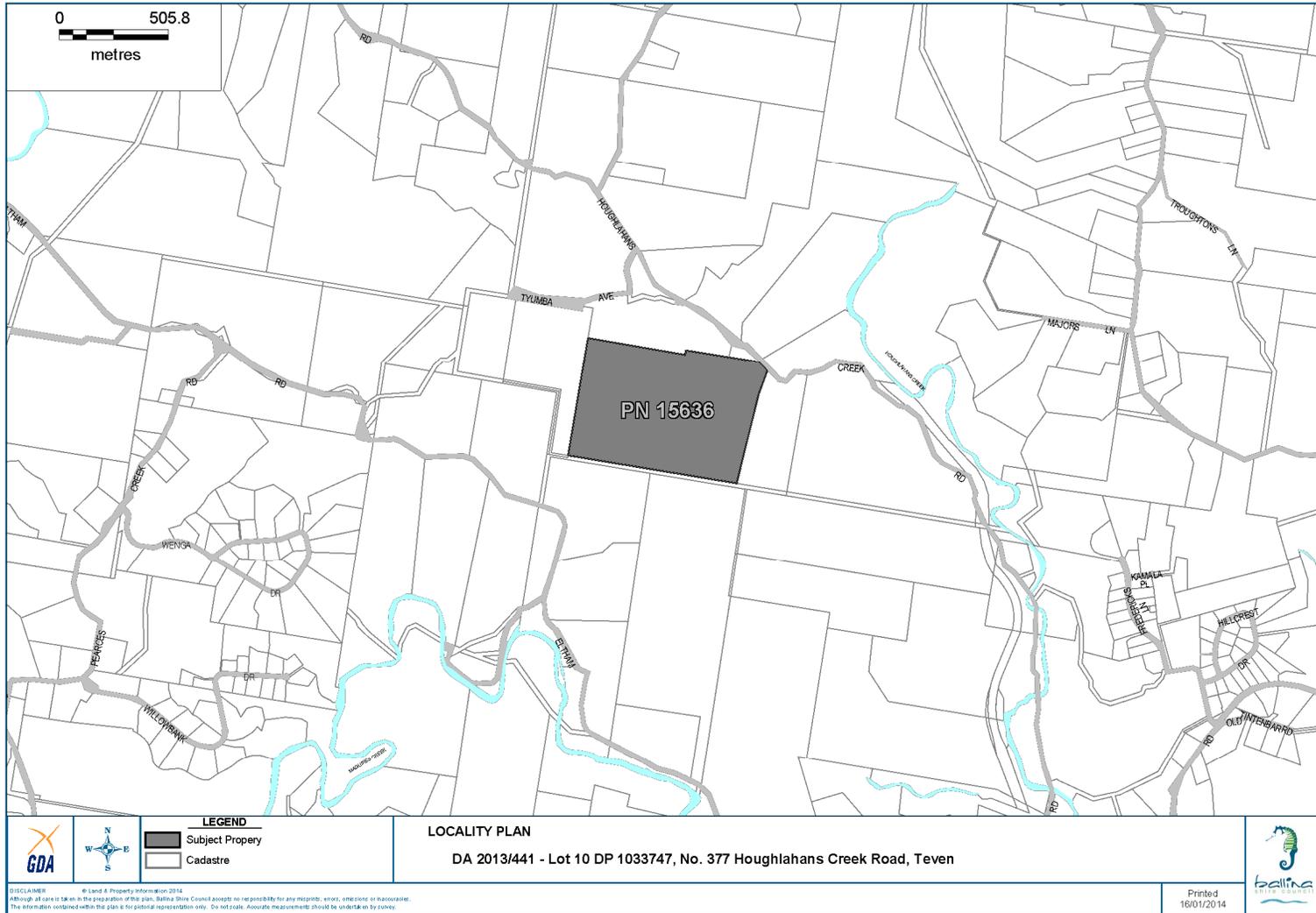
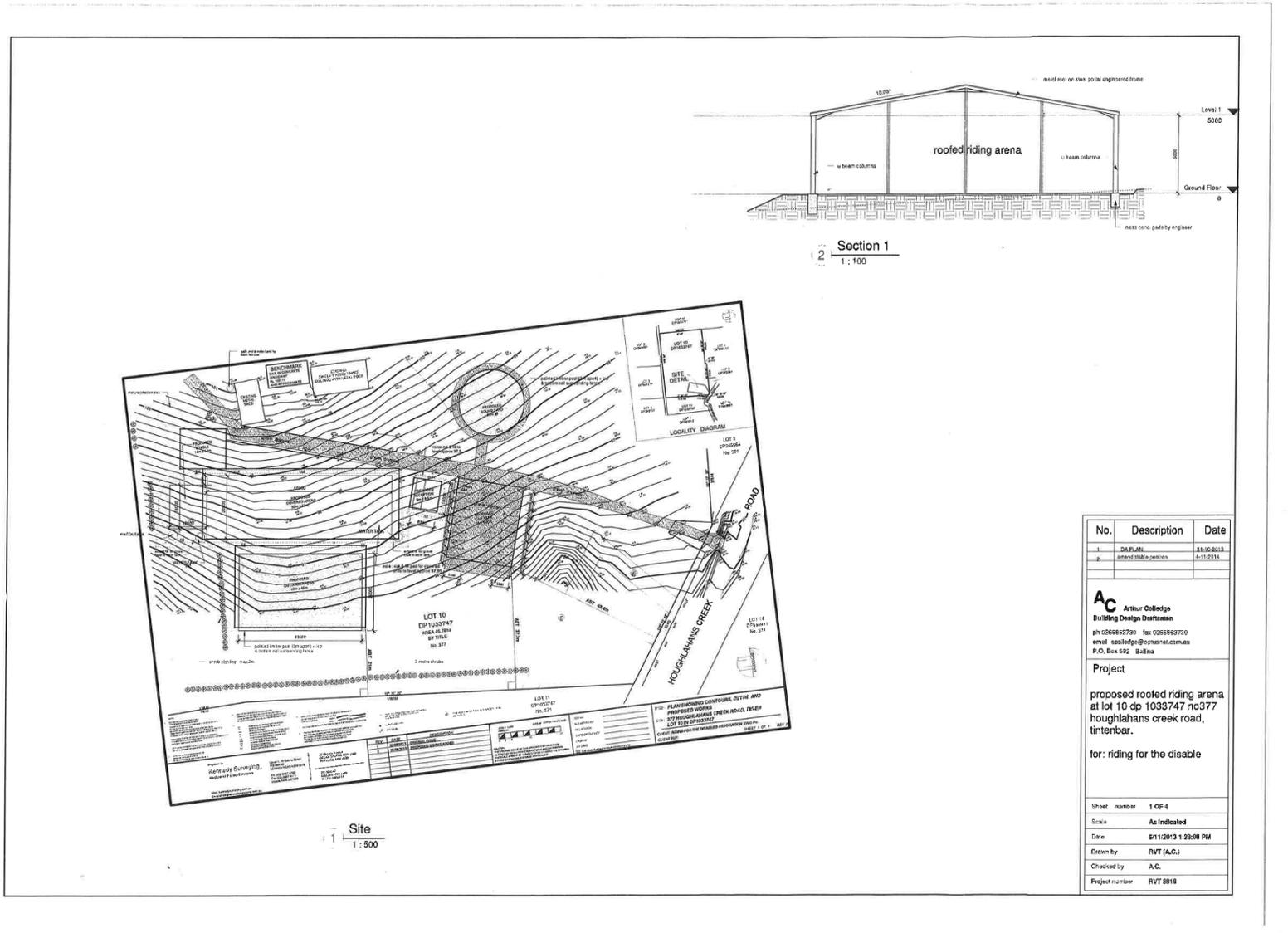


8.1 DA 2013/441 - 377 Houghlahans Creek Road, Booyong (Riding for the Disabled).DOC



8.1 DA 2013/441 - 377 Houghlahans Creek Road, Booyong (Riding for the Disabled).DOC



No.	Description	Date
1	SITE PLAN	21-10-2013
2	amend stable paddock	4-11-2014

**AC** Arthur Colledge  
 Building Design Draftsman  
 ph 0266562730 fax 0266562730  
 email acolledge@acorus.net.au  
 P.O. Box 592 Ballina

**Project**

proposed roofed riding arena  
 at lot 10 dp 1033747 no377  
 houghlahans creek road,  
 tinterbar.

for: riding for the disable

Sheet number	1 OF 4
Scale	As Indicated
Date	5/11/2013 1:23:00 PM
Drawn by	RVT (A.C.)
Checked by	A.C.
Project number	RVT 0818

8.1 DA 2013/441 - 377 Houghlahans Creek Road, Booyong (Riding for the Disabled).DOC

409 Houghlahans Creek Rd  
Booyong NSW 2480

3 December 2013

Ballina Shire Council  
PO Box 450  
BALLINA NSW 2478

Dear Sir

RE: DA 2013/441  
Applicant: Ardill Payne & Partners  
Property: Lot 10 DP1033747  
377 Houghlahans Creek Road, TEVEN

Proposal to establish a recreation facility outdoor for the purposes of an equestrian centre  
(riding for the disabled)

We refer to the above and advise that we do not object to the development application as proposed. Our only objection and concern is the traffic that this new facility will generate on the already unsafe and dangerous Houghlahans Creek Road between Tintenbar Road and 377 Houghlahans Creek Road. We note the road is not wide enough for 1 car and 1 truck to pass, there are open deep drains and there are no safety rails where the hill is very steep falling away from the road. The road is unsealed and always corrugated, which affects your vision from the dust.

We trust that this situation will be addressed as a part of this development application

Yours faithfully

Graeme Waller

13/77471  
ACKNOWLEDGED

RECORDS  
SCANNED  
4 - DEC 2013  
Doc No. 13/77400  
Batch No.

606

13.178301

Ballina Council  
DA 2013/441

I am sorry to know that the R.D.A is wanting to build a facility at 377 Houghlahans Creek Rd Terrew

I think the roads are dangerous and that the local residents will be affected by the noise, the dust and the extra traffic on the roads.

In the future if the R.D.A expands then the problems with the roads will be even worse.

There must be a better place for the R.D.A to set itself up that will be better for them and better for the people who use these roads.

Thank you

Russell WATTS

NOT A LAND OWNER IN THE AREA



Ballina Council  
DA 2013/441

I have just found out about the Riding for the Disabled application to council to have a Recreational Facility at 377 Houghlahans Creek Road Terren

I have lived in this area for more than 20 years and I know how winding and dangerous the roads are. Many of the cars, buses and trucks that use the roads around here have trouble passing each other safely. Accidents happen often because of the narrow roads.

When its raining a lot the roads flood and are very dangerous.

If there are more people using the roads more often then there might be more accidents.

I hope that the Riding for the Disabled find a better place to have their riding centre

Yours faithfully,

R. Watts

8.1 **DA 2013/441 - 377 Houghlahans Creek Road, Booyong (Riding for the Disabled).DOC**

Enrique & Julie-Ann Paredes  
325 Houghlahans Creek Road  
Teven 2478 NSW  
[eparedes@digisurf.net.au](mailto:eparedes@digisurf.net.au)

December 3, 2013

The General Manager  
Ballina Shire Council  
PO Box 450  
BALLINA NSW 2478  
[council@ballina.nsw.gov.au](mailto:council@ballina.nsw.gov.au)

Dear Sir/Madam,

**Re: Objection to Development Proposal DA 2013/441  
Recreation Facility and Equestrian Centre at 377 Houghlahans Creek Road, Booyong NSW.**

We wish to submit our strong objection to the proposed development of a Recreation Facility and Equestrian Centre DA 2013/441 at 377 Houghlahans Creek Road, Booyong.

While we find the entity of a riding facility offering services to those who would otherwise not have the opportunity for such experiences a worthy enterprise, we object to the establishment of a Recreation Facility and Equestrian Centre at 377 Houghlahans Creek Road on the grounds that an increase in traffic will have a dangerously negative impact on the safety of local as well as visiting drivers, and a negative impact on the environment, particularly local fauna.

Residents of Houghlahans Creek Road already share a treacherously narrow and unsealed road with school buses, semi-trailers and B-Double trucks which either service the area, or use it as a shortcut through to access the Pacific Highway. Ironically, even cyclists are attracted to the road for its natural ambience of bushland with overhanging vegetation and its misleading feel of a deserted winding country "lane".

Protected native fauna such as wallabies, carpet snakes, scrub turkeys and echidnas pose traffic hazards to unwary drivers, while local livestock quite regularly breach their enclosing fences. Local drivers are aware of and have come to expect an encounter with any or all of the above on a daily basis. But we feel that any additional cause for more traffic, particularly drivers with no expectation of such encounters on a loose gravel road with blind curves and constricted opportunities for avoidance, create potentially life threatening situations on what is already a dangerous stretch of road. Facilitating more traffic by approving this submission at this location can only be a recipe for disaster.

I should also be understood that increased traffic will lead to further deterioration of the road surface, which, more often than not, comprises sections of severe potholes, corrugated ruts and channelling due to heavy rainfall. Furthermore, regular flooding events severely affect the three causeway crossings at the eastern end of Houghlahans Creek Road and the increased

1

8.1 **DA 2013/441 - 377 Houghlahans Creek Road, Booyong (Riding for the Disabled).DOC**

likelihood of inexperienced drivers getting caught by rising water should also be taken into consideration.

We are equally disturbed about the environmental impact the location of the centre and its car park will have on our dam with its resident population of platypus.

The submission advises of the "possible" operating times increasing from three to six days a week with a 25 space car park to be located on the eastern side of the proposed centre. We are concerned that the water run off from this area will affect the spring-fed dam which we share with our western boundary neighbours. We do not want any situation to arise which would disturb or affect them by possible pollution. All the runoff from 377 Houghlahans Creek Road will potentially run into a shared gully on the Johnson's property and will end up in this dam contaminating the platypus's breeding ground. It is well known that platypus are particularly vulnerable to the effects of pollution.

We are not against this business per se, but in the interests and safety of all concerned, we feel, with the road in its present condition, that it would be better for the proposed facility to be located in an area with appropriate infrastructure able to service visitors and traffic flow well away from protected native fauna.

Thank you for your consideration in this matter.

Yours sincerely,

Enrique and Julie-Ann Paredes

8.1 **DA 2013/441 - 377 Houghlahans Creek Road, Booyong (Riding for the Disabled).DOC**

JJ & WT Webber  
374 Houghlahans Creek Rd  
BOOYONG NSW 2480



tel: 02 6687 9123 or 0404 834 795  
e-mail: j.w.webber@kahawaestate.com.au

4 December 2013

Mr Rod Willis  
Group Manager, Development and Environmental Health  
Ballina Shire Council  
PO Box 450  
BALLINA NSW 2478

Dear Mr Willis

**Objection to Development Application - DA 2013/441**

Thank you for the opportunity to make a submission in relation to the above development application. In making this submission, we wish to notify you that we have made no political donations or gifts to any local Councillor or employee of Ballina Shire Council in the 10 years we have lived at this address.

We wish to make three points:

**1. Development Application Form 1(A).**

On page 2 of the application, under the heading '*The Proposed Development*', the applicant has NOT ticked the box '*Change of use of land/building*'. Clearly there IS a change of use of the land proposed from rural residential and cattle grazing to an outdoor recreation facility/equestrian centre.

Is this an oversight or an attempt to mislead?

**2. Local Road Network.**

We refer to the submission by Ardill Payne & Partners, page 11, point 3.3 and we quote: '*Houghlahans Creek Rd has a bitumen seal approximately 10m to the west of the driveway.*' The submission chooses to ignore that to the right of the driveway is the unsealed treacherous eastern section of Houghlahans Creek Rd. Many vehicles attending the proposed centre will approach it from the east on this gravel road because this is the most direct route from Ballina. We have written to Ballina Shire Council on a number of occasions in the past to express our concern about this part of Houghlahans Creek Rd.

We live on the gravel road (eastern) section of Houghlahans Creek Rd in B ward of Ballina Shire Council, directly opposite the proposed development.

This eastern end of Houghlahans Creek Rd is a very dangerous road to travel on and is a disaster waiting to happen. Contributing factors are:

- i. the narrowness of the road in some places makes it impossible for two passenger vehicles travelling in opposite directions to pass each other, let alone heavy trucks and school buses;
- ii. this is compounded by the complete absence of a road shoulder in places with a precipitous drop off into the valley;

8.1 DA 2013/441 - 377 Houghlahans Creek Road, Booyong (Riding for the Disabled).DOC

- iii. the drains are either deeply eroded in some places, making it dangerous to get off the road for an oncoming vehicle, or non-existent in other places, which leads to erosion of the surface and deep ruts and corrugations across the road;
- iv. because of heavy vehicles using this road, deep potholes frequently develop in many places, e.g. adjacent to the dam at approximately 3.3 km and the approaches to the causeways and new bridge;
- v. last, but not least, numerous blind corners situated where the road is at its narrowest, make it impossible to anticipate approaching vehicles.

The danger to residents using this road and to those attending the proposed RDA facility is exacerbated by the number of heavy vehicles using this road as a short cut or link road (in particular, large gravel trucks towing trailers). It is a very unnerving experience when you meet one of these vehicles, or a semi-trailer servicing properties on the road, or the school bus on a blind corner with no road shoulder for an escape route. We have a wealth of anecdotal evidence of numerous near misses, minor accidents and some more serious accidents e.g. cars leaving the road on sharp corners. It is only good luck that there has not been a fatality on this road in recent times. It is a disaster waiting to happen and Council has been warned.

We urge Council to take the shocking state of Houghlahans Creek Road into account when considering the merits of this application. If the application is to succeed, then we would want to see a firm commitment from Ballina Shire Council to address the safety aspects of this road as outlined above. If Ballina Council cannot give this commitment, then we respectfully request that the application be rejected.

### 3. Zoning

We refer to the submission by Ardill Payne & Partners, page 17, point 5.1.

*'The vast bulk of the site is zoned RU1'* and the proposed development is defined as a *'recreational facility (outdoor)*. Our understanding is that an outdoor recreational facility is permitted within the RU1 zone – but only with the **consent** of Council.

We note that

- i. under the Ballina Local Environmental Plan a **'recreation facility (outdoor)** means a *building or place used predominantly for outdoor recreation, whether or not operated for the purposes of gain, including (amongst others) a golf course, paint-ball centre, lawn bowling green, equestrian centre, skate board ramp, go-kart track, rifle range or any other building or place of like character used for outdoor recreation*  
.....
- ii. the proponents are seeking permission to operate the facility 6 days a week.

Our concern is twofold:

- i. If permission is granted and the facility constructed, the RDA will seek to host other activities. The RDA is a charitable organisation and short of funds and it would not be unreasonable for them to seek to make the most of the facility and rather than see it standing idle, they may wish to host other equestrian events, set up a go-kart track, allow paint-ball competitions etc etc. The possibilities are endless. **All these options would result in increased traffic and would have a significantly adverse impact upon adjoining and adjacent land uses and dwellings - ours in particular.**

8.1 DA 2013/441 - 377 Houghlahans Creek Road, Booyong (Riding for the Disabled).DOC

- ii. If for any reason the RDA should sell this property in the future, what will stop someone else purchasing it to conduct any of the other activities permissible under the zoning of a **recreation facility (outdoor)**.

If council is to approve the application, then it must approve it **ONLY for equestrian use by the RDA**. Other uses as defined for an outdoor recreational facility must be specifically excluded.

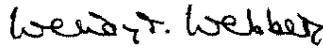
We are sympathetic to the need for the RDA to have a facility where they can carry on their excellent work in providing a recreational facility for people with a disability. However, this is not the right place for such a facility. It is relatively isolated from population centres and not safely accessible by road.

Thank you for the opportunity to make a submission in regard to the development application.

Yours sincerely



Jonathan Webber



Wendy Webber

Bob

2013/441

29 / 11 / 2013

RE: 377, Houghlahans  
Creek Rd.

MICHAEL SMITH,  
105, SANCTUARY POINT RD,  
SANCTUARY POINT,  
TREVIS BAY.

DEAR SIR/MADAM,

I AM BOTH SURPRISED AND SADDENED  
TO DISCOVER THAT SUCH A BEAUTIFUL LOCATION AS  
HOUGHLAHANS CREEK RD IS TO HAVE ITS LANDSCAPE  
ALTERED BY THE PROPOSED DEVELOPMENT.  
I BELIEVE THERE IS ENOUGH TRAFFIC PASSING THIS  
AREA AND ANYMORE HOUBA COMPLETELY RUIN THE  
CALM AND RELAXING ATMOSPHERE THAT THIS LOCATION  
OFFERS WHEN I VISIT FRIENDS AT 377.  
I ENJOY LONG STAYS IN THIS AREA AND HO HATE  
I CAN TO HELP THE SURROUNDING NATIVE BIRD AND  
ANIMALS.  
I FEEL THIS PLACE WILL NEVER BE THE SAME  
IF THIS PROPOSAL GOES AHEAD.  
I CANT BELIEVE COUNCIL WOULD EVEN CONSIDER  
SUCH A PROPOSAL ON THIS BEAUTIFUL LANDSCAPE.

KIND REGARDS

MICHAEL SMITH



RECORDS SCANNED
5-DEC-2013
Doc No. 13/78122
Batch No. ....

13/78145  
ACKNOWLEDGED

RECORDS SCANNED
4 - DEC 2013
Doc No. 13/77406
Batch No.

SUSAN. ELDRIDGE  
8 NUXLEY ST  
NOWRA. 2541  
N.S.W.

ph. 0421500648  
1/12/13.

Ballina Council,

I am writing to tell you I object to the proposed development at 377 Houghlahans Creek Rd, Teven in Ballina Shire. I strongly believe it will destroy the character & peacefulness of this area. Also it will mean a huge amount of extra vehicles on the road.

My children & I go there to help with the rehabilitation of the rainforest & often walk along the road to visit the people next door & walk to see the causeway when in flood also.

We ride our friends pushbikes along Kirklands lane because theres not to much traffic. Its very peaceful & safe.

The Council needs to respect & think of the already local residents that live & use the roads. To bring more cars & this development out there doesnt make any sense at all.  
No R.D.A. here please.

Yours Sincerely

S.K. Eldridge

13/77475

ACKNOWLEDGES

BOB 20/12/13

RE: Development Application 2013/441 - Bob 43 Tasmun Road  
for 377 Houghlahans Creek Road & Georges Basin  
Booyong NSW 2540  
29/11/13

To whom it may concern:

I write with regard to the above development application for the property bordering my sister and brother-in-law's property. From what I can gather, the development will impact severely on the whole local community.

My observations:

- \* The road access is narrow, winding and subject to frequent flooding
- \* There are deep gutters on each side of the road  
There are few places for cars to pass safely
- \* There have been several accidents in close proximity to the proposed development (always involving people who are not familiar with the road)
- \* Any increase in traffic on the road would severely impact on all the local residents in this quiet rural area.
- \* The road is used almost exclusively by local people who live along the road.
- \* The property slopes down to the bordering fence line and stormwater - or any water run off - will flood the creek which flows through both properties.
- \* This creek already carries a great load under normal circumstances, during rain events.

In conclusion - I feel that the proposed development is totally inappropriate for this particular property and I hope that my comments will be taken into consideration when the application for development is being looked at.

I remain

Yours sincerely

B Stevenson

B. Stevenson

13/77473  
ACKNOWLEDGE

RECORDS  
SCANNED  
1 - DEC 2013  
Doc No. 13/77403  
Batch No.

PS. I am a regular visitor to this beautiful area. 

RECORDS SCANNED
3 - DEC 2013
Doc No. 13/77054
Batch No. ....

377 Houghlahans Creek Rd  
Booyong 2480  
28<sup>th</sup> November 2013

13/11/2013

ACKNOWLEDGED

Dear Sir/Madam,

In regard to the D.A proposal for 377 Houghlahans Creek Road Booyong for the R.D.A I wish to clearly state my objections. They are many and varied and I will discuss only the most relevant and important.

Houghlahans Creek Road is a quiet rural road which carries local traffic and also trucks, buses and other vehicles that pertain to the rural activities that are conducted along its length. The road is narrow, winding and dangerous and through traffic would generally use a better road - eg Teven/Eltham road. In the dry it is dusty and corrugated - in the wet it floods and is slippery. The road along its whole length is not wide enough for 2 vehicles to pass safely. In places it is down right dangerous if meeting oncoming vehicles. To cause an increase in the traffic flow would be foolhardy and negligent!! Enough said.

The R.D.A are a charity as we all know. The work they do with the disabled is admirable and extraordinary. The land they were given was a very generous gift - but it is not the appropriate place for them.

2,

to set up their activities because for ever two things will constantly drain their resources. One is the limitations of the property being so far away from a main thoroughfare. The other is the drain of the land (maybe 95 acres) which is in excess to their needs. If they were to squeeze themselves onto the first 5 acres or so that they drive onto from the road they will forever be too close to all of the neighbouring properties. That means that all of the neighbours will be affected by every move they make forever. Every car movement, horse movement, every sound, every bit of runoff, rubbish and every inconvenience they inflict on their neighbours.

I will keep my objection brief but hope the R.D.A shows wisdom and sells the property and buys something that is more suitable to their needs and that will give them lots of potential for a long and fruitful future.

I live next door to 377 and am hoping to maintain a quiet and peaceful rural life. The R.D.A proposal affects all of the neighbours and is not in keeping with the existing surrounds. The people nearby and the environment will be better off without the R.D.A as a neighbour.

Thanks for your time  
Joanne Stevenson.

RECORDS SCANNED
3 - DEC 2013
Doc No. 13/77053
Batch No. ....

13/77217  
ACKNOWLEDGED

Dear Sirs,

I object strongly to the development at 377 Houghlahans Creek Rd. My wife and I travel to this area to visit our brother-in-law to enjoy the quiet farm life. We travel with a caravan in tow and think this D.A. proposal will put more traffic on already dangerous roads. We think a development as a "public facility" in the area is inappropriate,

yours,



Grenville Stevenson  
22 FISHERMAN CREW  
NAROOMA NSW, 2546

28-11-13

DA 2013 /441

371 HOUGHLAHANS CREEK ROAD  
TEVEN. VIA LISMORE

DEAR SIRs

I OBJECT TO THE DEVELOPMENT AT 377 HOUGHLAHANS CREEK ROAD BECAUSE IT WILL PUT EXTRA'S VEHICLES ON HOUGHLAHANS CREEK ROAD, THIS ROAD IS UN-SAFE FOR ANY EXTRA TRAFFIC, R.O.A. COULD SET A PRECEDENCE FOR FURTHER UN-WANTED DEVELOPMENT IN THIS AREA, IT WOULD BE BETTER IF THEY SOLD THE PROPERTY AND MOVED ELSEWHERE.

Yours Sincerely

J.W. Heard

13/75985

13/76048

ACKNOWLEDGED

DA 2013/441

RECORDS SCANNED
28 NOV 2013
Doc No. 13/75983
Batch No.

Nola DEANER.  
6 Purley Ave  
Bommoerry  
N.S.W 2541

Dear Sir,

I am a frequent visitor to  
377 Houghlahans Creek Rd.

My occupation is a theatre nurse and I am objecting to the development at 377 Houghlahans Creek if any R.OA disable person has a accident, medical help by way of an ambulance travelling a long way from down, and travelling along Houghlahans Creek Rd could put the patient in a life or death situation, also many of the drugs + medication these people can use are excreted via the kidneys then through a septic system and eventually end up in the water table creek and river systems.

I came into this open area to relax and unwind from my high pressure job it would be a real shame to see such a development proceed in this area, in my opinion such a development involving disabled people should be closer to down. to a down where medical facilities more accessible.

Yours faithfully  
Nola Deaner

13/76046

ACKNOWLEDGED

Mr Paul Hickey  
General Manager  
Ballina Shire Council  
Cherry Street  
BALLINA NSW 2478

RECORDS SCANNED
24 DEC 2013
Doc No. 13/182266
Batch No. ....

Kerry and David Johnston  
75 North Teven Road  
NORTH TEVEN NSW 2478  
18 December 2013

14/31  
**ACKNOWLEDGED**

Dear Sir

**Re DEVELOPMENT APPLICATION DA 2013/441**

As Founder of the Ballina and District Centre for Riding for the Disabled Association NSW and as the "landlords" for this Centre on our property at 75 North Teven Road North Teven we wish to offer our comments particularly in relation to the letters of objection received by Council. Some of these comments are offensive, outdated, discriminatory, based on fear and ignorance and are very much reminiscent of the "wonderful idea but not in my back yard" syndrome.

The people living adjacent and near to the proposed RDA Centre at 377 Houghlahans Creek Road Booyong were visited by members of the Committee and were invited to attend a session at the RDA centre at 75 North Teven Road North Teven. Not one person bothered to attend but then proceeded to write their letters of objection.

We wish to make the following comments:-

In 1979 the Centre started operating at the Boulder Beach Riding Ranch owned by Bob Wylie and in 1981 we arranged and agreed wholeheartedly for the Centre to move to our property at North Teven Road. This arrangement has always been harmonious with the Centre having access to our horses. There has never been any discord between ourselves and the Centre management. Kerry was Secretary from its inception in 1979 until 2011 and is at present is a member of the General Committee. Kerry is also a Life Member of Ballina and District centre as well as of Riding for the Disabled Association NSW.

The move to 377 Houghlahans Creek Road was made in the light of the wonderful generous bequest by the late Brian McNamara and for the opportunity for the Centre to own its own property. Over the last 32 years the Ballina and District Centre has been on our property we have not received any written or verbal complaints from the neighbours. There are six families living within a radius of 5 kilometres.

Many of the letters of objections refer to the state of the access road. Obviously this is a matter of long standing between the Council and the "opposing" neighbours Our question is "why should RDA suffer because of this?" The establishment of a RDA Centre should not be jeopardised as a result of this ongoing discussion.

8.1 **DA 2013/441 - 377 Houghlahans Creek Road, Booyong (Riding for the Disabled).DOC**

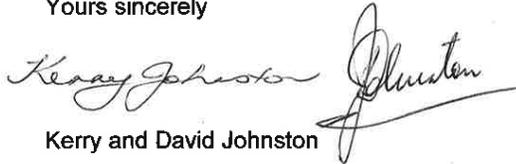
The comment about a "dustbowl" is not realistic at all – we have always had plenty of grass cover at the venue at North Teven. There is substantial natural grass at Glen Burnie. This situation would not be allowed to happen as the Centre adheres to a strict risk management policy. It should be noted that our property at 75 North Teven Road is 35 acres and the property at 377 Houghlahans Creek Road is 100 acres.

Comments about disturbance of visitors' sleep by horses and medication pollution is meaningless and should be disregarded. Objections from people who do not even reside in Ballina Shire should also be disregarded.

Many of the objectors comments dishonour a bequest made to help people with disabilities in the Ballina/Lismore/Byron community.

Alternate access is readily available to the property on a sealed road – Kirklands Lane to Fernleigh. The Centre has already advised that this is the best route to the property.

Yours sincerely

  
Kerry and David Johnston

8

RECORDS SCANNED
9 - DEC 2013
Doc No: 13/78633
Batch No: .....

WAYNE MORTLEY  
35/35 SKENNARS  
HEAD ROAD  
SKENNARS HEAD

Dear Sir,

I am writing to you to support the current Development Application in respect to 377 Houghlahans Creek Road by Ballina and District Riding for the Disabled. 2013/441.

The benefits of horse related activities to children and adults with physical and mental disabilities is widely acknowledged, and at times life changing.

Riders show gains in self-confidence, improved vocalisation, enhanced social skills as well as physical strength, balance and co-ordination. These are some of the benefits displayed that riding helps to develop.

As one of the many people who give their time freely so that this volunteer organisation can continue to provide for those in our community who have a great need, I encourage you to approve this application.

Yours Sincerely

13/78756  
ACKNOWLEDGED

Wayne Mortley

8.12.13

ASSISTANT COACH  
BALLINA RDA

**Bob Thornton**

---

**From:** Therese and Greg Simpson [gtsimpson@aapt.net.au]  
**Sent:** Thursday, 28 November 2013 8:55 PM  
**To:** Ballina Shire Council  
**Cc:** Bob Thornton  
**Subject:** 7605 Riding for the Disabled development application

To the Ballina shire council,

I hope you don't mind me writing to you, but I just wanted to share with you my experiences with our local riding for the disabled group. I know they have a development application in at the moment for the property at 377 Houghlahans Creek Road Teven.

In March this year, I rang up to speak to the head coach Peta Best about my daughter becoming involved. Chloe is 10 and has some complex medical needs. These impact on her in many ways. We were lucky enough to be offered a time the next week. On a personal level, I cannot put down into words the difference this has made to Chloe. She has developed an incredible relationship with her horse. His name is Gizmo. She has also developed some beautiful relationships with the volunteers that give their time so generously to such a worthy organisation. She has developed in confidence more in the past 9 months than at any other time in her life. She will always have painful medical procedures as part of her life, but a month after starting riding for the disabled, her pain levels appeared to have decreased. I thought I was imagining it so I did some research and it appears that horses really do have amazing powers that help people cope with stressful situations.

I have so much admiration for our local riding for the disabled group. It is incredibly well run. It is also very organised. It is a very peaceful place to be. One of my favourite days of the week is Wednesday as I come away from Chloe's riding time feeling very relaxed. The volunteers say it is the horses. I also think that a lot of it comes down to the beautiful people who volunteer to give their time to children and adults who need it. It sounds a bit soppy, but I feel riding for the disabled is good for my soul. I know it is good for Chloe's as well.

Watch the other children who ride, and witness their joy as well. How can it be anything but a positive organisation? There is an overwhelming sense of calm that is present there. It is quiet, and everyone has their role to play and they just get in and do it. Many of the volunteers have retired, and they come out there and work hard to do the best for the people that need help the most.

Because horses pick up on whatever happens around them, the whole environment is very controlled and very calm.

Thank you for your time, and thank you for listening to my reasons for supporting the development proposal. Our community is a much richer one for having our local Riding for the Disabled group.

Kind regards,

Therese Simpson



**Riding for the Disabled Association (N.S.W.) Ballina and District Centre**

Address: 75 North Teven Rd Teven NSW 2478

Phone: 02 66845451 Peta Best Secretary

e-mail: [ballinaanddistrict@rdansw.org.au](mailto:ballinaanddistrict@rdansw.org.au) website: [www.rdansw.org.au](http://www.rdansw.org.au)

28 November 2013

Dear Neighbours

Re: Riding for the Disabled (NSW) Association Ballina and District Development Application 377 Houghlahans Creek Rd Booyong

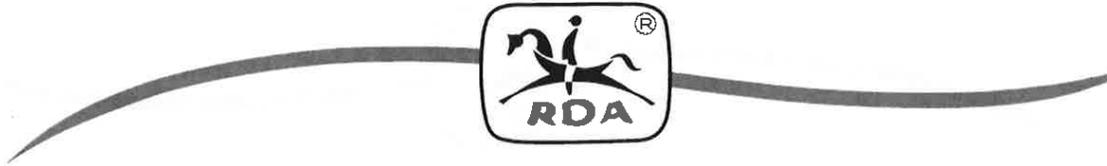
The Late Brian McNamara left this property to RDANSW Ballina and District to be used as an equestrian centre for people with a disability. Brian had a vision and Ballina and District RDA are keen to see that vision come true. A Development Application is in Council and we understand that now is the time for neighbours to put forward their concerns or complaints. We wish to address some of your concerns and incorrect information that is in the petition circulating.

The Ballina and District committee for RDANSW are dismayed and saddened to hear that a petition containing adversely prejudiced information has been put about. Our President Beatrice Gray and Vice President Shirley Mullens spoke to the adjoining neighbours in August and answered questions and discussed the proposed Equestrian Centre for people with a disability. Peta Best, after a phone discussion with neighbours, invited them to come along and have a look at our centre. To date no neighbours have come along to have a look.

We are saddened to hear that the proposed centre is seen as a waste of tax payers money. As this is to be a sport and recreational facility for people with a disability it is one of the few place in the district that people with a range of abilities can participate in a fun and challenging sport. It is only equitable in a just society that people with a disability have access to sport and recreational activities similar to their able bodied peers. In this society we take it for granted that children should have access to sporting facilities. Families with children who have disabilities know that this is not the case for their children. They cannot join the local sporting teams and use the usual facilities. The proposed equestrian facility will provide an accessible sporting and recreational option for people who would otherwise be

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"RDA (NSW) is a volunteer organisation providing equine assisted activities for people with disabilities to develop and enhance abilities"



disadvantaged and unable to meet their needs for life enhancing recreation and sport.

Our highly valued herd of nine horses will be kept on the property. Mark Spinaze, the long term tenant and friend of Brian has kindly, agreed to stay on and help look after the horses and care for the property.

Some of the points in the petition are misleading or just plain wrong. The information below may be more helpful:-

- i. As noted the horses will live and be cared for on the property.
- ii. Our parent body RDANSW is a well establish Registered Charitable Organisation with over 40 branches statewide of which Ballina and District is one. Being part of a large and respected organisation means that we will have access to funds and will be able to develop the proposed centre in stages.
- iii. The activities are quiet and the children supervised.
- iv. At present we have sessions 3 days a week Tuesday, Wednesday and Saturdays, 9am, 10am & 11am and all is finished by around 1pm. The maximum number of participants in a session is 6.
- v. There are **no** coach loads of people visiting us. The small Variety Club Biala Special School Bus comes at 10am on Tuesday and leaves around 12noon. It brings 6 children and 3 or 4 staff.
- vi. We will plant a privacy screen of shrubs on the boundary.
- vii. The proposed covered arena will abide by the Council regulations.

You are invited to observe a session at our present site 75 North Teven Rd Teven. We also suggest you ask the current neighbours about our centre's operations over the last thirty years. The neighbours have been kind and helpful and we will miss them.

Looking forward to hearing from you.

Kind Regards

*Peta Best*

Secretary

RDA(NSW) Association Ballina & District

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8.1 **DA 2013/441 - 377 Houghlahans Creek Road, Booyong (Riding for the Disabled).DOC**

5

**Bob Thornton**

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**From:** Lorissa Barrett [lorissa.barrett@bigpond.com]  
**Sent:** Tuesday, 26 November 2013 9:35 AM  
**To:** Ballina Shire Council  
**Subject:** Support for Riding for the Disabled DA - 377 Houghlahans Creek Knockrow

Hello,

I am writing to support the DA application submitted by Riding for the Disabled Ballina to relocate their premises to Houghlahans Creek Road.

I have a five year old daughter who attends RDA on Tuesday mornings. My daughter has Down syndrome and this service has been in essential in her occupational therapy and has assisted her in core strength development, important for movement, toileting and motor skills. My daughter has progressed enormously since attending the centre and will continue to benefit from the service when it is able to operate in it's new location.

Any significant delay in relocation of the centre will disadvantage the children who benefit from the service as regular therapy is important to its overall outcomes and consistency is very important to children with additional needs.

I encourage you to please approve the centre's development application for an essential service to children in our local area.

Yours sincerely

Lorissa Barrett  
77 Parkway Drive  
Ewingsdale 2481  
0409028153

**Bob Thornton**

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**From:** Lorraine [lorrainek2@dodo.com.au]  
**Sent:** Tuesday, 3 December 2013 9:40 PM  
**To:** Ballina Shire Council  
**Subject:** RDA letter of support for DA

The General Manager,  
Ballina Shire Council.

Dear Sir,

I have been a volunteer at RDA for the past 7 or 8 years and for the past 12 months in the capacity of coach attending the centre every Tuesday morning during school terms for our regular riding sessions. We have three groups of about 3 or 4 riders in each lesson running from 9 am to 12 middday. We also run lessons on Wednesdays and Saturdays over a similar time period on each of those days. On the Tuesdays the first lesson consists of a couple of children who are brought by car by their parents or carers. The other two lessons on Tuesdays are children from Biala Special school who arrive with their carers in a small bus. Apart from that, there are our volunteers who help in preparing the horses for the rides and help to support the children in the actual rides and assist in the games that they play.

The children who come to RDA are very special to us and gain a wonderful therapy in a way that is unique. It assists them not only physically but also mentally in the way they can connect with the animals when often they are unable to in any other way. It is a very rewarding experience seeing the joy and the way the children can respond due to the riding experience. We are very fortunate to have been given the opportunity to re-establish our service on a permanent site and it would be very difficult to try and sell this property and find another one in any way more suitable. Also, the time it would take to go through that process would see our kids missing out on their beneficial therapy for an extended period of time. There would not be a big impact on the neighbourhood in the area as we are only operating three mornings a week which does not bring large numbers of extra traffic in to the area. The remainder of the week there are just horses quietly grazing in the fields and being overseen by the current tenant in the house on the property, with the occasional visit of one or two volunteers when other maintenance or horse care is required.

RDA provides a very essential community service and brings a lot of happiness and well-being to a small handful of disabled children and young adults, not to mention the rewards we as volunteers receive in being a part of this organisation. We will be very grateful for a favourable outcome to our application to establish on the new property.

yours sincerely,  
Lorraine Tranter  
Coach, Ballina and District RDA.

8.1 DA 2013/441 - 377 Houghlahans Creek Road, Booyong (Riding for the Disabled).DOC

3

**Bob Thornton**

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**From:** Lyndall Palmer [lyndall56@gmail.com]  
**Sent:** Sunday, 1 December 2013 8:55 AM  
**To:** Ballina Shire Council  
**Subject:** DA 2013/441

I would like to submit a letter of support for the RDA's DA.

This is a hardworking, community minded, professional group of volunteers who help change the lives of people with disabilities.

This development will only add positively to the area.

As the grandmother of a youngster, who has benefitted from RDA, and who has spent time at the previous site, the grounds and infrastructure are sensitively developed and the scheduling of lessons is such that only a relatively few clients ride at any one time.

Ballina and surrounding communities will benefit greatly from having a development of this sort in the local area.

Yours sincerely,  
Lyndall Palmer.

2



Megan Huett

1106 Marom Creek Road

ROUS MILL, 2477

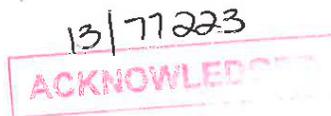
December 1, 2013

The General Manager,

Ballina Shire Council,

PO Box 450

BALLINA 2478



Dear Sir,

**SUBMISSION OF SUPPORT FOR RIDING FOR DISABLED - DEVELOPMENT APPLICATION 2013/441**

I would like to submit my support for the development of our new facility at 377 Houghlahans Creek Road. I have been a volunteer at the Riding for Disabled centre at Teven for nine years and during that time I have worked with many children and have watched them grow into adulthood and moved on into employment and to create a semi-independent life for themselves.

We are a very peaceful, low key operation and we only have lessons for 3 mornings a week. Our volunteers are very kind and caring people who give freely of their time to help others with a disability of some sort. We all have an affinity for animals and humans alike and it is very rewarding and therapeutic for us as well as our young riders.

It is lovely to see the children learning to ride a horse and watch the smiles on their faces as they play games and activities on horseback. The confidence that grows in them and the relationship that they form with a large animal is good for the soul. We have worked with children who are wheelchair bound and have no control over their own bodies but learning to sit on a horse and

moving with the gentle rocking motion allows them to development core muscles and balance that they never had before. Some children who never talk will start saying the names of objects that they see as they are playing the games while riding their horse.

We have been in operation on private land at Teven for over thirty years and now that the owners would like to have full use of their land again we have been extremely fortunate to have inherited a beautiful farm at 377 Houghlahans Creek Road from the late Brian McNamara who's wish was that the land be made available for a Riding for Disabled facility. We couldn't have been luckier than to have been given this land just at the time that we had to find a new home for our horses and riders.

I do hope that Council will favourably consider the nature of our facility and the negligible impact that it will have on the neighbouring properties. We do provide a service to the community by way of equine therapy for both children and adults with a disability.

Yours sincerely,



Megan Huett

Ph: 0266295281

Mob: 0407896124

8.1 **DA 2013/441 - 377 Houghlahans Creek Road, Booyong (Riding for the Disabled).DOC**

2

**Bob Thornton**

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**From:** Biala School Principal [principal@biala.org.au]  
**Sent:** Wednesday, 4 December 2013 6:16 PM  
**To:** Ballina Shire Council  
**Subject:** Support of DA for Houghlahans Rd. (RDA)

To Whom It may Concern

This letter is in support of the Riding for the Disabled Association NSW (RDA) application to their new premises. My name is Joanna McCracken and I have been a teacher at Biala Special School for 10 years. During this time I have been the school coordinator for RDA taking students with various disabilities, all of whom have benefitted enormously by this opportunity, physically and socially. Some of the present group of students have been riding every Tuesday for eight years and it has become a highlight of their life. Not only is it wonderful for them to learn to ride a horse (physically) they have also developed a caring attitude toward their horse and other horses they come in contact with at RDA. The students communication skills have benefitted from interacting with the fantastic group of hardworking volunteers and a real bond has been established over the years. We have a small group of students currently riding (up to three) in two sessions, due to a fluctuation in horses and volunteer numbers and we have at least 3 staff with this group. All staff are very experienced and most have been associated with RDA for many years. Students, staff and parents are looking forward to another year at RDA. We all hope the new setting at Houghlahans Road will be as successful as the present site at Tevan.

Ms Joanna McCracken

Special Education Teacher

Biala Special School  
PO Box 1279 BALLINA NSW 2478  
Ph: (02) 6686 3395  
Fax: (02) 6681 4785  
[www.biala.org.au](http://www.biala.org.au)



**GENERAL**

1. Development being carried out generally in accordance with the plans and associated documentation lodged by, or on behalf of, the applicant, including the following plans:

Prepared by	Drawing No	Sheet	Issue	Dated
Arthur Colledge	RVT 3819	1	2	4/11/2013
Arthur Colledge	RVT 3819	2	1	21/10/2013
Arthur Colledge	RVT 3819	3	1	21/10/2013
Arthur Colledge	RVT 3819	4	1	21/10/2013

2. **Commencement of occupation or use**  
Occupation or use of the site for the purpose authorised by this consent shall not commence until all relevant conditions of this consent have been complied with and a final occupation certificate has been issued by the Principal Certifying Authority (PCA), unless alternative arrangements have been made with Council.

3. **Local Government Act approval**  
Pursuant to Section 78A(3) of the Environmental Planning & Assessment Act 1979, this development consent authorises the carrying out of sewerage works as listed under Section 68 of the Local Government Act 1993, subject to full compliance with all other relevant conditions of this approval:

The Section 68 Application is to comply with Council's On-Site Sewage & Wastewater Management Strategy and is to include, in addition to the standard information, the following.

- Provide an on-site sewage management system operation and maintenance management plan, which shows a wastewater treatment train flow chart and nominates all critical points in the treatment process that will need to be monitored.
  - a) What is to be monitored
  - b) How it is to be monitored
  - c) When is it to be monitored
  - d) Who is to monitor
- Provide education information on how the on-site sewage management system works, what to do, what not to do and any staff training awareness programs. Provide details of the responsibilities for the owners, staff and general public. A maintenance plan is needed that will include information on trouble shooting if something goes wrong with the on-site sewage management system, emergency procedures and contacts etc;
- Details of the on-site sewage management system servicing requirements i.e. how often the on-site sewage management system will need to be serviced, standard service report check list.

This approval expires upon completion of the building works on the land.

As provided for in Section 78A(6) of the Act, the abovementioned approvals are granted only to the applicant and do not attach to or run with the subject land.

4. **BCA compliance**  
The buildings are to comply with the requirements of the Building Code of Australia and relevant Australian Standards.

**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.*

**5. Construction Certificate**

Prior to construction of the buildings on the site it is necessary to obtain a Construction Certificate. Either Council or an appropriately accredited certifier may issue a Construction Certificate. A separate application, complete with detailed plans and specifications, must be made to the Principal Certifying Authority for a Construction Certificate.

**6. Long Service Levy**

In accordance with Section 109F of the EP & A Act (Section 109 F) a Construction Certificate 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.

**7. Property access (rural) –** The design and construction of the rural driveway shall be in accordance with AS 2890 and Standard Drawings R14 & R15 of the Northern Rivers Local Government Development Design and Construction Manuals. Details are to be submitted to and approved by Council prior to the issue of the Construction Certificate.

**8. Civil Inspection Fee, Civil Construction Certificate Fee & Construction Bond**

Prior to the issue of a Civil Construction Certificate, a Civil Construction Certificate application is to be made as well as the following fees and bond are to be paid to Council which includes the amount of Goods and Services Tax payable. The fees and bond are subject to review and may vary from the time of consent till time of payment:

- Civil Construction Certificate Fee: Refer to Council's Schedule of Fees & Charges

**9. Flooding and Stormwater**

Stormwater controls shall include the shaping of driveways and hardstand areas to drain to landscaped/vegetated areas. There is to be no increase in pre development overland flows onto adjoining properties.

**10. Car parking & vehicular access**

The development shall provide an informal gravel car park capable of accommodating 20 parking spaces on-site. Design plans are to be approved by the Principal Certifying Authority prior to issue of the Construction Certificate.

**11. Site Waste Minimisation Management Plan**

A Site Waste Minimisation Management Plan in accordance with Chapter 2 of Ballina Council's Development Control Plan for the construction phase, must be submitted and approved by the Principal Certifying Authority prior to the issue of the construction certificate.

**12. Developer Contributions**

Prior to issue of a Construction Certificate where building works 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	25 November 2004
Lennox Head Village Centre Car Parking Contribution Plan	12 February 2004
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**).

**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.*

**13. Erection of Signs**

- (1) A sign must be erected in a prominent position on any site on which building 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, is being carried out, but must be removed when the work has been completed.

**14. 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.

**15. Builder's toilet**

A suitable builder's toilet is to be provided on-site before building work commences. Such facility is to either connect to Council's sewer or a suitable approved chemical closet is to be provided.

**16. 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.

**17. Home Building Act 1989 requirements**

1. For the purposes of Section 80A (11) of the Act, the following conditions are prescribed in relation to a development consent for development that involves any building work:
  - a. that the work must be carried out in accordance with the requirements of the Building Code of Australia,
  - b. in the case of residential building work for which the Home Building Act 1989 requires there to be a contract of insurance in force in accordance with Part 6 of that Act, that such a contract of insurance is in force before any building work authorised to be carried out by the consent commences.
2. Residential building work within the meaning of the Home Building Act 1989 must not be carried out unless the Principal Certifying Authority for the development to which the work relates (not being the Council) has given the Council written notice of the following information:
  - a. in the case of work for which a principal contractor is required to be appointed:
    - i. the name and licence number of the principal contractor, and
    - ii. the name of the insurer by which the work is insured under Part 6 of that Act,
  - b. In the case of work to be done by an owner-builder:
    - i. the name of the owner-builder, and
    - ii. if the owner-builder is required to hold an owner-builder permit under that Act, the number of the owner-builder's permit.
3. If arrangements for doing the residential building work are changed while the work is in progress so that the information notified under subclause (2) becomes out of date, further work must not be carried out unless the Principal Certifying Authority for the development to which the work relates (not being the Council) has given the Council written notice of the updated information.
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 provisions of the NSW Government's building laws.

**18. Notice of commencement of civil works**

Prior to the commencement of construction, the contractor must submit a completed copy of the "Notice of Commencement of Civil Development Work" form and a copy of their \$10M Public Liability Insurance Policy to Council. Copies of the form are available from Council's website.

**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.*

**19. No storage of materials on Council land**

There shall be no storage of building materials, plant or equipment on the road without the prior written consent of Council.

**20. Roof stormwater 3m clear of building**

Pipe all roof stormwater a minimum of three (3) metres clear of the building. A protective concrete surround and spillway is to be provided to the outlets.

**21. 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.

**22. Disabled access**

Disabled access is to be provided to the building and to those areas within the building to which the public would normally be expected to gain access in accordance with AS1428.1 – Design for Access and Mobility.

**23. Civil construction works**

All civil construction works shall be completed in accordance with the minimum requirements of the Northern Rivers Local Government Development Construction Manuals.

**24. Traffic Control**

All traffic control during construction shall be in accordance with the Roads and Traffic Authority - 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).

**25. Hours of 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.

**26. Prevention of pollution of waterways**

To prevent the pollution of waterways, the applicant/builder is to ensure adequate sediment and erosion control measures are in place prior to the commencement of works. These shall be designed, installed and maintained in accordance with *Managing Urban Stormwater – Soils and Construction LANDCOM, March 2004*.

These measures are to be maintained during the construction of the project until the site has been stabilised by permanent vegetation cover or a hard surface. This is to include:

- The prevention of soil erosion and the transportation of sediment material into any roadway, natural or constructed drainage systems, watercourse and or adjoining land;
- Service trenches being backfilled as soon as practical;
- Downpipes being connected as soon as practical or the use of temporary downpipes;
- Buffer vegetation zones being retained on sites that adjoin roadways, drainage systems and or watercourses;

- The erosion and sediment control measures must be regularly inspected, repaired and maintained in working order sufficient for a 10 year Average Recurrence Interval(ARI) rainfall event;
- Sediment and erosion control measures are to be maintained throughout the construction process and beyond by the owner, where necessary.

**Failure to comply with this requirement may result in an on-the-spot fine being issued by an Authorised Officer of Council.**

**27. Discharge of sediment and waste materials**

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.

All demolition, construction or the like waste is to be transported and disposed of to an approved waste facility. If alternative disposal methods are to be sought, written approval is to be granted by Council. **It is an offence to transport waste to a place that can not lawfully be used as a waste facility.**

**28. Fill material**

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.

**29. Hazardous and/or industrial waste**

Hazardous and/or industrial waste arising from the construction activities must be removed and/or transported in accordance with the requirements of NSW EPA and the NSW Work Cover Authority pursuant to the provisions of the following:

- (a) Protection of the Environment Operations Act 1997
- (b) Protection of the Environment Operations (Waste) Regulation 2005
- (c) Waste Avoidance and Resource Recovery Act 2001
- (d) New South Wales Work Health & Safety Act 2011
- (e) The Work Health & Safety Regulation 2011

**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.*

**30. Civil works**

All civil works approved with the Construction Certificate under Section 138 of the Roads Act 1993 and Section 68 of the Local Government Act 1993, 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.

**31. Property access (rural)**

The all weather rural access is to be completed and approved by the Principal Certifying Authority prior to issue of the Occupation Certificate.

**32. On Sight Sewerage Management System**

The existing septic tank is to be decommissioned and the wastewater from the existing dwelling is to be discharged into the proposed OSSM system to be used by the proposed development.

**33. Water supply**

Prior to commencement of operations the water supply is to be sampled and analysed by a NATA certified laboratory for chemical, physical and microbiological parameters in order to verify suitability of supply. The water sampling results are to be submitted to Council within 14 days of receipt of results. Further assistance can be sought by referring to the NSW Health Department's "Private Water Supply Guidelines" – copies are available from Council's Environmental Health Section.

**34. Private Water Supplies**

All Private Water Supplies must be managed in accordance with NSW Health's Private Water Supply Guidelines (2007), the potable water must consistently meet the Australian Drinking Water Guidelines requirements. In accordance with the Guidelines a water supply management plan must be developed, submitted to and approved by Council prior to the release of the interim Occupation Certificate.

**CONDITION OF USE/DURING OCCUPATION**

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

**35. Protection of the water supply**

The following measures are required to protect the water supply and be inspected by owner/manager after installation:

- Installation of a first flush diversion system to the water supplying the rainwater tank,
- Screen storage tank inlets and overflows with mesh and maintain such in good condition,
- De-sludge the tank on an annual basis, and
- Keep roof and guttering clean.

**36. Offensive Noise**

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.

**37. Waste generation**

All waste generated on site is to be disposed to and stored in the nominated waste area/s. The waste storage areas must be located in a position where it will not enter stormwater.

**38. Public health requirements for drinking water**

The *Public Health Act 2010* and the Public Health Regulation 2012 require drinking water suppliers to develop and adhere to a 'quality assurance program' (or drinking water management system) from 1 September 2014. As this facility will be providing water from a private water supply a quality assurance program must be submitted and approved by Council by 1 December 2014.

**39. 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.

**40. Bush Fire Provisions**

The development is to operate in accordance with the provisions of the Bushfire Risk Assessment, prepared by LandUse and submitted as part of the Statement of Environmental Effects lodged as part of the Development Application and the general terms of approval of the NSW Rural Fire Service.

**SCHEDULE 1**

Contribution	Receipt Code	Contribution Unit	Rate per contribution Unit	Total Contribution Units Payable	TOTAL COST
Rural Roads 2010	5202	equivalent residential allotment	\$10,874.00	0.7349	\$7,991.30
Roads Administration 2010	5203	equivalent residential allotment	\$165.00	0.7349	\$121.26
TOTAL					<b>\$8,112.56</b>