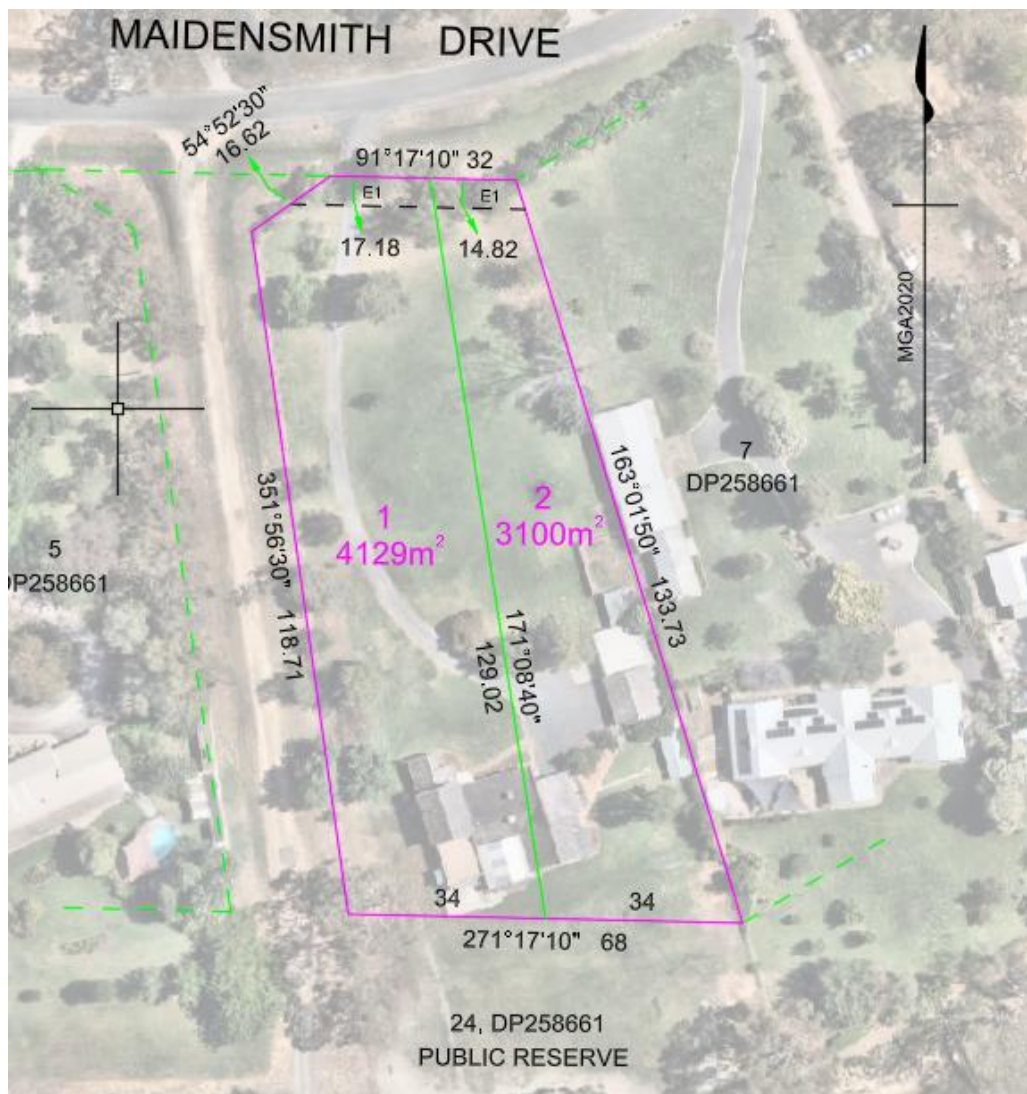




Development Application

06 Maidensmith Drive, Moama

Lots 6 DP 258661



Demolition & 2 Lot Subdivision

Contents

	Page
1.0 EXECUTIVE SUMMARY	3
2.0 INTRODUCTION	4
3.0 SITE DESCRIPTION	4
3.1 Subject Site	4
3.2 Surrounding Land Uses	5
4.0 PROPOSAL	6
5.0 SUPPORTING DOCUMENTATION	7
5.1 Proposal Plans	7
5.2 Other Supporting Documents	7
6.0 PLANNING PROVISIONS	8
6.1 Planning Instruments	8
6.1.1 State Environmental Planning Policies	8
6.1.2 Local Environmental Plans	8
6.1.3 Development Control Plan	8
6.1.4 Zone	9
7.0 PLANNING ASSESSMENT	9
7.1 Murray Development Control Plan 2012	9
7.1.1 Clause 6.0 SLUP	9
7.1.2 Clause 7.0 Subdivision	10
7.1.3 Clause 9.0 Vegetation Removal	13
7.1.4 Zone R1 – General Residential	13
7.2 Moama North West Master Plan 2009	13
7.3 Responses to Council RFI's	14
8.0 CONCLUSION	15

APPENDICES

Appendix 1: Concept Development Plan
Appendix 2: Stormwater Management Plan
Appendix 3: Service Plan
Appendix 4: Landscape Plan
Appendix 5: Bushfire Assessment Report
Appendix 6: Statement of Environmental Effects
Appendix 7: Cultural and Heritage Due Diligence Information
Appendix 8: Environmental Assessment
Appendix 9: Development Control Plan
Appendix 10: Titles

1.0 EXECUTIVE SUMMARY

Site Details

Address	06 Maidensmith Drive, Moama
Property Description	Lots 6 DP 258661
Area	0.7229 Ha
Local Authority	Murray River Council
Current Use	Residential

Planning Authority

State	Department of Planning and Infrastructure - New South Wales State Government
Local	Murray River Council

Planning Scheme Provisions

Town Planning Reference	Murray Local Environment Plan 2011 Murray Development Control Plan 2012
Locality	Moama
Zone	Low Density Residential – R2

Application Details

Applicant	North East Survey Design
Proposal	Two Lot Subdivision.
Application Type	Subdivision & Residence Demolition

2.0 INTRODUCTION

This report has been prepared in support of a new development application for a 2 lot residential subdivision and demolition (refer to Figure 1). The application is for subdivision of Low Density Residential land and demolition of an existing residence and carport/shed.

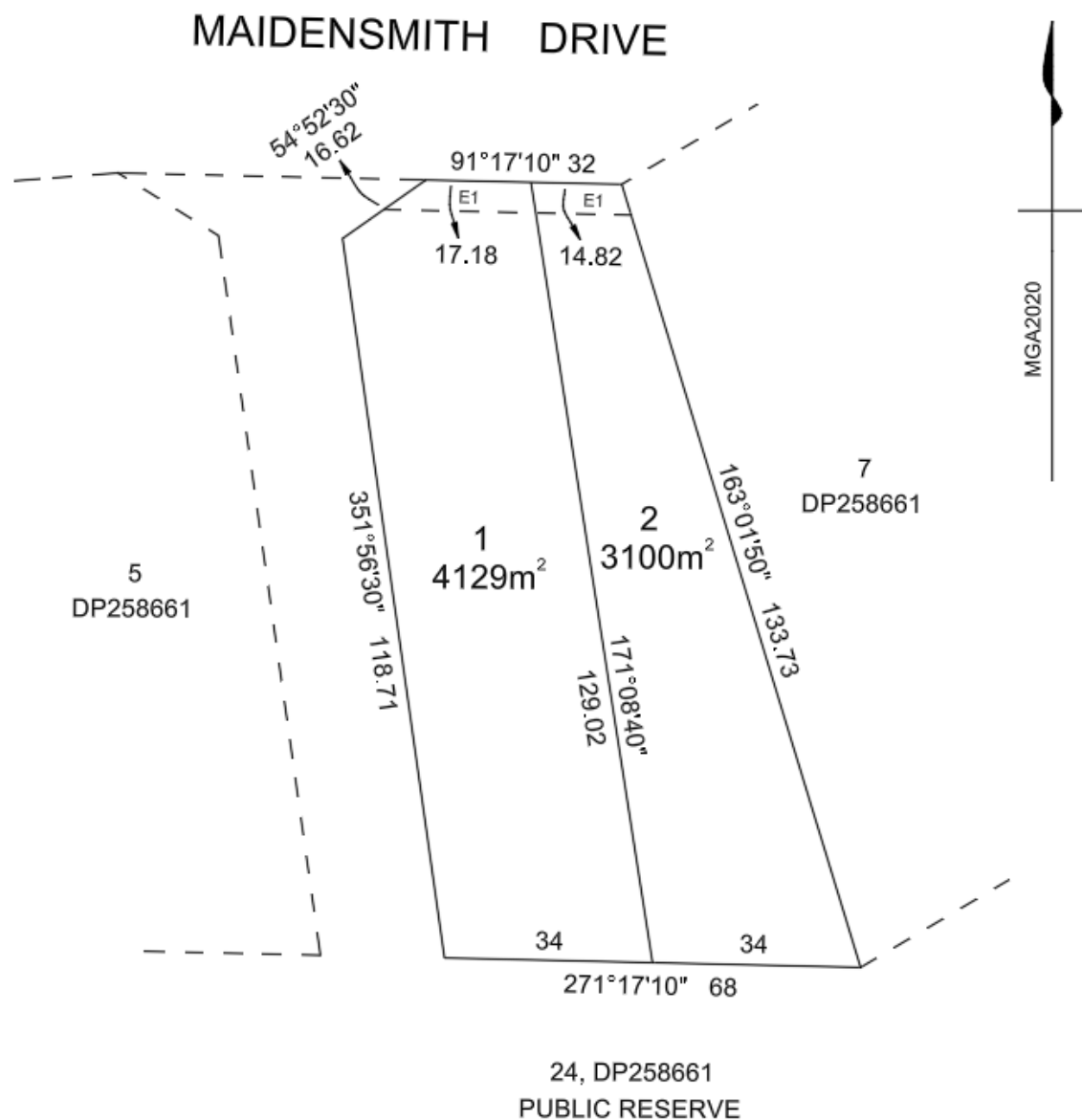


Figure 1: The proposed subdivision layout

This report addresses the planning provisions of the Murray River Council; Murray Local Environment Plan 2011 and Murray Development Control Plan 2012.

3.0 SITE DESCRIPTION

3.1 Subject Site

The subject land is known as 06 Maidensmith Drive, Moama and is Lot 06 of DP 258661. The total area is approximately 0.7229 hectares in size and has been used historically for residential purposes.



Figure 1.0 – Aerial View of site

The topography is flat to gently sloping which is consistent with the general locality. The land is sparsely treed and slopes towards the Murray River Bank.

The subject land has existing road frontage to Maidensmith Drive to the northern boundary and services.

3.2 Surrounding Land Uses

The site is located within an established low density residential area and abuts the Murray River. The zoned minimum lot size for the area is 3000m². The site is located close to the newly developed shopping precinct on the corner of Perricoota Rd & Cobb Hwy and close to the towns sporting facilities and schools.

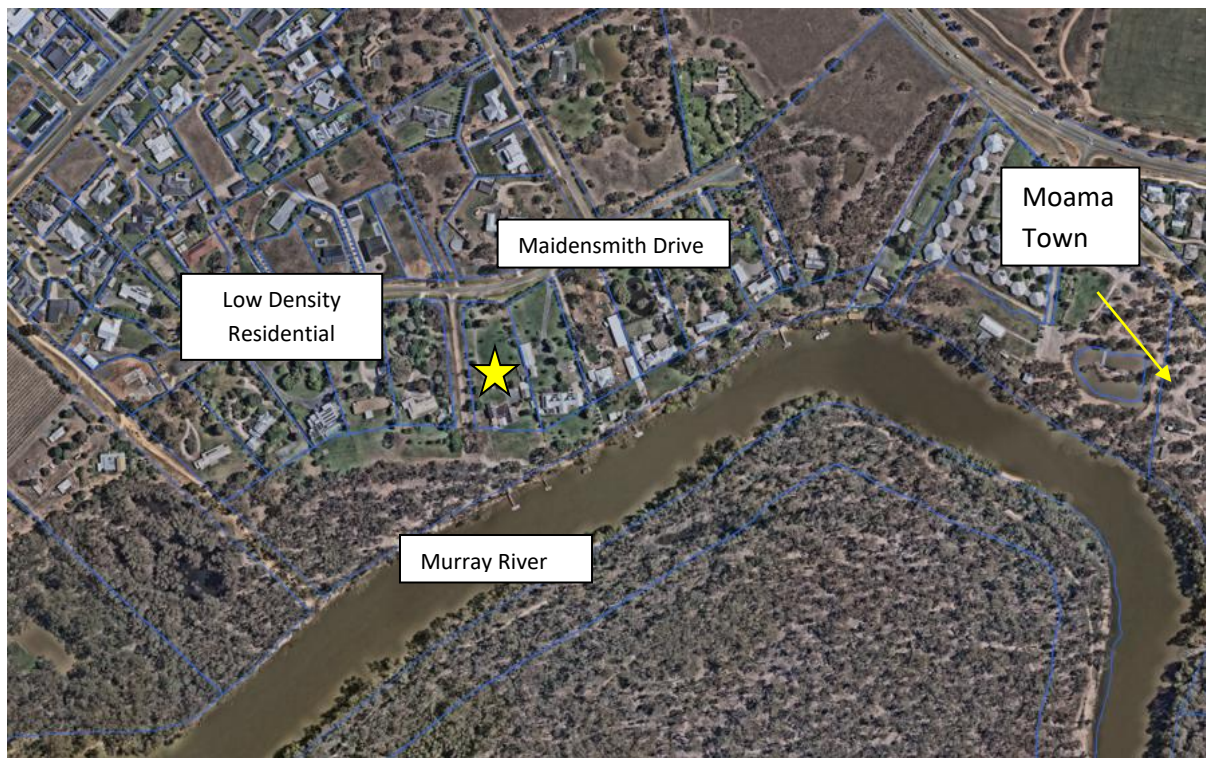


Figure 2: Subject site and surrounds



Figure 3: Southerly Aspects - Existing House



Figure 4: Northern Aspects



Figure 5: Northern Aspects – Existing House

4.0 PROPOSAL

4.1 The Subdivision

This application is for the subdivision of residential land into Two lots, one lot sized at 3100m² and the second 4129m². The subdivision will provide two elongated lots with river frontage. The development includes demolition of the existing property and shedding, as well as connection to existing services within the Maidensmith Drive road reserve. Two existing planted trees will be removed to allow for fencing of the new lots.

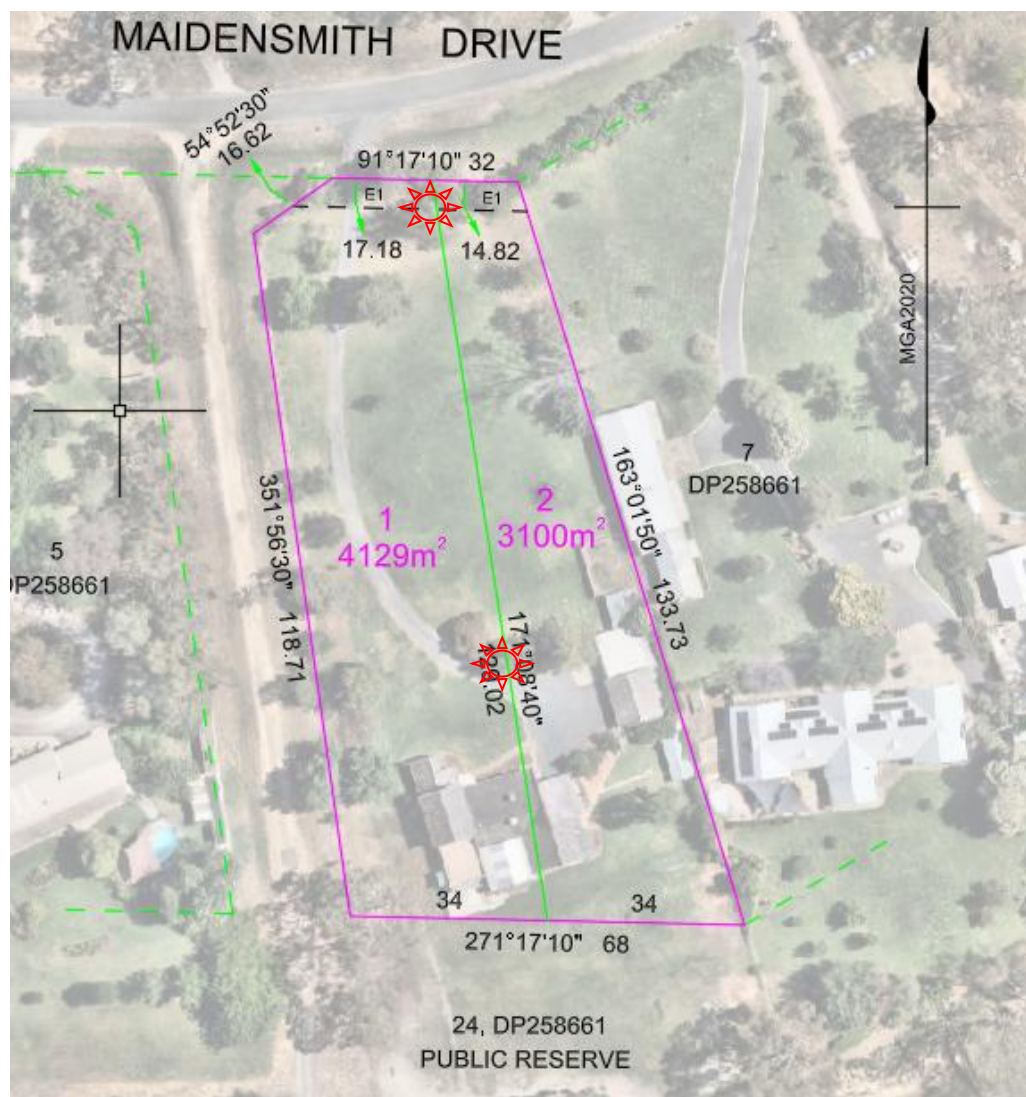


Figure 6: Portion of ODP

4.1.1 Zone

The land is within the Low Density Residential (R2) Zone (refer to Figure 7). This zone requires an approval to be obtained for subdivision. A minimum subdivision lot size of 3000m² applies to the site. The site abuts land zoned Low Density Residential (R2 - minimum 3000m²) to the north and Environmental Management (C3) to the South. All adjoining land is zoned R2. The development is in the vicinity of a Local Centre Zone (B2) to the south-east.



Figure 7: Zoning map showing subject site zoned General Residential Zone

5.0 Planning Assessment

Under Section 4.15(1) of the EP&A Act when considering an application for development, the consent authority must take into consideration the relevant environmental planning instruments. This section details and responds to the relevant planning framework applicable to the proposal.

5.1. Applicable Environmental Planning Policies, Instruments and Controls

- Biodiversity Conservation Act 2016
- Environmental Planning and Assessment Act 1979
- State Environmental Planning Policy (Resilience and Hazards) 2021
- State Environmental Planning Policy (Biodiversity and Conservation) 2021
- State Environmental Planning Policy (Biodiversity and Conservation) 2021 - Chapter 2 Vegetation in non-rural areas
- State Environmental Planning Policy (Biodiversity and Conservation) 2021 – Chapter 4 Koala habitat protection 2021
- State Environmental Planning Policy (Biodiversity and Conservation) 2021 - Chapter 5 River Murray lands
- Murray Local Environmental Plan 2011
- Murray Development Control Plan 2012

Compliance with the applicable legislation and policies is discussed below

5.2. Biodiversity Conservation Act 2016

The NSW *Biodiversity Conservation Act 2016* (“the BC Act”) is the NSW state legislation that seeks to maintain a healthy, productive, and resilient environment for the greatest well-being of the community, now and into the future, consistent with the principles of ecologically sustainable development. This legislation includes the requirements considerations regarding biodiversity conservation.

In respect of Part 4 developments, the *Biodiversity Conservation Act 2016* (BC Act) establishes a framework to avoid, minimise and offset the impacts of the proposed development and land-use change on biodiversity. It provides a scientific method for assessing the likely impacts of the proposed development on biodiversity values, for calculating measures to offset those impacts and for assessing improvements in biodiversity values. The Act aims to maintain the diversity and quality of ecosystems and to support conservation and threat abatement action to slow the rate of

biodiversity loss and conserve threatened species and ecological communities in nature.

The primary requirement of the BC Act is to determine if a proposed development is considered *likely to significantly affect threatened species*. According to clause 7.7(2), this is if:

- a) *The development is likely to significantly affect threatened species or ecological communities, or their habitats, according to the test in section 7.3, (5-part Test) or*
- b) *The development exceeds the biodiversity offsets scheme threshold if the biodiversity offsets scheme applies to the impacts of the development on biodiversity values, or*
- c) *The development is carried out in a declared area of outstanding biodiversity value.*

As assessment has been conducted against the BC Act Thresholds in the supporting Biodiversity Assessment. Note that Biodiversity Certified Land is not required to be considered. No thresholds have been exceeded and a BDAR is not required.

5.3. Environmental Planning and Assessment Act 1979

The Environmental Planning and Assessment Act 1979 (“the EP&A Act”) is the principal piece of legislation governing the use and development of land in NSW. The objects of the Act are:

- (a) to promote the social and economic welfare of the community and a better environment by the proper management, development and conservation of the State’s natural and other resources,*
- (b) to facilitate ecologically sustainable development by integrating relevant economic, environmental and social considerations in decision-making about environmental planning and assessment,*
- (c) to promote the orderly and economic use and development of land,*
- (d) to promote the delivery and maintenance of affordable housing,*
- (e) to protect the environment, including the conservation of threatened and other species of native animals and plants, ecological communities and their habitats,*
- (f) to promote the sustainable management of built and cultural heritage (including Aboriginal cultural heritage),*
- (g) to promote good design and amenity of the built environment,*
- (h) to promote the proper construction and maintenance of buildings, including the protection of the health and safety of their occupants,*

-
- (i) to promote the sharing of the responsibility for environmental planning and assessment between the different levels of government in the State,*
 - (j) to provide increased opportunity for community participation in environmental planning and assessment.*

The objects of the EP&A Act are intended to guide land planning and management. Section 4.15 (discussed below) of the Act lists matters for consideration when assessing and determining a development application.

5.3.1. Section 4.15 - Evaluation

Section 4.15 of the EP&A Act 1979 sets out the statutory matters for consideration against which are as follows:

(1) Matters for consideration—general

In determining a development application, a consent authority is to take into consideration such of the following matters as are of relevance to the development the subject of the development application:

- (a) the provisions of:*
 - (i) any environmental planning instrument, and*
 - (ii) any proposed instrument that is or has been the subject of public consultation under this Act and that has been notified to the consent authority (unless the Secretary has notified the consent authority that the making of the proposed instrument has been deferred indefinitely or has not been approved), and*
 - (iii) any development control plan, and*
 - (iiia) any planning agreement that has been entered into under section 7.4, or any draft planning agreement that a developer has offered to enter into under section 7.4, and*
 - (iv) the regulations (to the extent that they prescribe matters for the purposes of this paragraph), and (v) any coastal zone management plan (within the meaning of the Coastal Protection Act 1979), that apply to the land to which the development application relates,*
- (b) the likely impacts of that development, including environmental impacts on both the natural and built environments, and social and economic impacts in the locality,*
- (c) the suitability of the site for the development,*
- (d) any submissions made in accordance with this Act or the regulations,*
- (e) the public interest.”*

The matters for consideration identified in Section 4.15(1) of the EP&A Act 1979 are addressed in the following section. Subsections (b) to (e) of Section 4.15(1) of the EP&A Act 1979 are addressed in Section 6 of this Development Application

5.3.2. Division 4.8 – Integrated Development

The application has been identified as Integrated Development under Section 4.46 of the Environmental Planning and Assessment Act 1979 as the subject development requires concurrence under the following Acts:

- *Rural Fires Act 1997 (s100B) - authorisation under section 100B in respect of bush fire safety of subdivision of land that could lawfully be used for residential or rural residential purposes or development of land for special fire protection purposes. As the development application proposes subdivision on bushfire prone land, concurrence is required from the NSW Rural Fire Service.*

Before granting development consent to an application for consent to carry out the development, the consent authority must, in accordance with the regulations, obtain from each relevant approval body the general terms of any approval proposed to be granted by the approval body concerning the development.

5.3.3. State Environmental Planning Policy (Resilience and Hazards) 2021

State Environmental Planning Policy (Resilience and Hazards) 2021 (formerly State Environmental Planning Policy No. 55 – Remediation of Land (“SEPP 55”)) sets out considerations relating to land contamination across the state. The SEPP intends to establish ‘best practice’ guidelines for managing land contamination through the planning and development control process.

In the context of this application, Chapter 4 of SEPP Resilience and Hazards generally requires that consideration be given to whether or not land proposed for development is contaminated and fit for use for its intended purpose.

The subject land has historically been used for large lot rural residential purposes and is therefore not expected to be at risk of any significant contamination given its historical use and surrounding context. The subject allotment is zoned for residential purposes and is intended for the use proposed.

Consequently, the land is considered fit for use for its intended purposes (residential) and therefore the relevant considerations of SEPP Resilience and Hazards are satisfied by the current proposal.

5.3.4. State Environmental Planning Policy (Biodiversity and Conservation) 2021 - Chapter 2 Vegetation in non-rural areas

State Environmental Planning Policy (Vegetation in Non-Urban Areas) 2017 ("Vegetation SEPP") has since been repealed by the *State Environmental Planning Policy (Biodiversity and Conservation) 2021*, yet both policies aim to protect the biodiversity and amenity values of trees and other vegetation in non-rural areas of the State.

The *SEPP (Biodiversity and Conservation) 2021* applies to vegetation in any non-rural area of the State (such as the R2 Low Density Residential zone) that is declared by a Development Control Plan to be vegetation to which this Vegetation SEPP applies. Section 9 of the *Murray Development Control Plan 2012* ("the DCP") states that the vegetation to which clause 5.9 of the LEP applies (which has been repealed and replaced by the SEPP provisions) is:

- "trees over 5 metres in height and contains a diameter of 20cm or more",
- is located in a prescribed zone, and
- is of a particular species as listed in Section 9(3) of the DCP. For the Vegetation SEPP, this represents the relevant 'prescribed vegetation'.

It is noted that the provisions of this Vegetation SEPP do not apply in that vegetation which fits the criteria is not proposed to be removed.

5.3.5. State Environmental Planning Policy (Biodiversity and Conservation) 2021 – Chapter 4 Koala habitat protection 2021

The former *State Environmental Planning Policy (Koala Habitat Protection) 2021* ("Koala SEPP") is now contained within Chapter 4 of the *State Environmental Planning Policy (Biodiversity and Conservation) 2021*. This chapter aims to encourage the conservation and management of areas of natural vegetation that provide habitat for koalas to support a permanent free-living population over their present range and reverse the current trend of koala population decline.

The policy applies as the Murray River Council Local Government Area is listed in Schedule 2 to the SEPP that identifies which areas to which the SEPP applies. Clause

4.9 applies to the subject development as there is no approved koala plan of management for the land, and the land has an area of at least 1ha. Before a council may grant consent to a development application for consent to carry out development on the land, the council must assess whether the development is likely to have any impact on koalas or koala habitat. It is considered that the development is likely to have low or no impact on koalas or koala habitat. This is evidenced by the Test of Significance prepared by Hamilton Environmental Services that states;

"[Koala's] Inhabit eucalypt woodlands and forests. Spend most of their time in trees, but will descend and traverse open ground to move between trees. The property is not suitable habitat. No records within 10 km. Likelihood: Unlikely to be present"

Therefore, the development complies with the requirements (5)(a) and thus satisfying the requirements and considerations of the SEPP.

5.4. State Environmental Planning Policy (Biodiversity and Conservation) 2021 - Chapter 5 River Murray lands

The Murray Regional Environmental Plan No 2 – Riverine Land (deemed SEPP) has been repealed and it is now contained within *State Environmental Planning Policy (Biodiversity and Conservation) 2021 - Chapter 5 River Murray lands*.

The subject site falls within the area to which *Chapter 5 River Murray lands* applies. The aims of the *Chapter 5 River Murray lands* are to conserve and enhance the riverine environment of the River Murray for the benefit of all users.

The objectives of the MREP are:

- (a) *to ensure that appropriate consideration is given to development with the potential to adversely affect the riverine environment of the River Murray;*
- (b) *to establish a consistent and coordinated approach to environmental planning and assessment along the River Murray; and*
- (c) *to conserve and promote the better management of the natural and cultural heritage values of the riverine environment of the River Murray.*

Chapter 5 River Murray lands requires Council to take into account a number of general and specific principles when considering development proposals to which the plan applies. These controls generally relate to the protection of the River Murray.

Chapter 5 River Murray lands requires Council to take into account a number of general and specific principles when considering development proposals to which the plan applies. These are addressed in **Table 1** below.

The type of development proposed in this application is not included in the list of specific developments for which MREP2 requires additional notification and referral.

Table 1 – Consideration of planning principles in *Chapter 5 River Murray lands*

Principles to be taken into account	Consistency
General	
(a) the aims, objectives and planning principles of this plan.	Satisfaction against the general objectives can be determined by the assessment against the specific principles below.
(b) any relevant River Management Plan	There are no known river management plans endorsed by the Murray Darling Basin Authority (MDBA) relevant to the proposal.
(c) any likely effect of the proposed plan or development on adjacent and downstream local government areas.	Polluted stormwater is the only consequence of the development that potentially could have a detrimental downstream impact. The fact that stormwater will be discharged to council's drainage network the risk of contaminating river water is low.
(d) the cumulative impact of the proposed development on the River Murray.	The development is not expected to have a cumulative impact on the Murray River.
Access	

Principles to be taken into account	Consistency
The waterway and much of the foreshore of the River Murray is a public resource. Alienation or obstruction of this resource by or for private purposes should not be supported.	Not applicable, all works will be contained within the lot boundary.
Development along the main channel of the River Murray should be for public purposes. Moorings in the main channel should be for the purposes of short stay occupation only.	Not applicable, the subject land is not located adjacent to the main channel.
Human and stock access to the River Murray should be managed to minimise the adverse impacts of uncontrolled access on the stability of the bank and vegetation growth.	The subject land does not contain any stock and none are proposed.
Bank disturbance	
Disturbance to the shape of the bank and riparian vegetation should be kept to a minimum in any development of riverfront land.	Not applicable, all works will be contained within the lot boundary.
Flooding	
Where land is subject to inundation by floodwater: (a) the benefits to riverine ecosystems of periodic flooding, (b) the hazard risks involved in developing that land, (c) the redistributive effect of the proposed development on floodwater, (d) the availability of other suitable land in the locality not liable to flooding, (e) the availability of flood free access for essential facilities and services, (f) the pollution threat represented by any development in the event of a flood, (g) the cumulative effect of the proposed development on the behaviour of floodwater, and (h) the cost of providing emergency services and replacing infrastructure in the event of a flood.	The subject land is not identified as being flood prone
Flood mitigation works constructed to protect new urban development should be designed and maintained to meet the technical specifications of the Department of Water Resources	See above for further details.
Land degradation	

Principles to be taken into account	Consistency
Development should seek to avoid land degradation processes such as erosion, native vegetation decline, pollution of ground or surface water, groundwater accession, salination and soil acidity, and adverse effects on the quality of terrestrial and aquatic habitats.	All works will be conducted in accordance with a sediment and erosion control plan. SWMP will ensure stormwater is directed to Council drainage system.
Landscape	
Measures should be taken to protect and enhance the riverine landscape by maintaining native vegetation along the riverbank and adjacent land, rehabilitating degraded sites and stabilising and revegetating riverbanks with appropriate species.	All works and works processes will contained within the lot boundary.
River related uses	
Only development which has a demonstrated, essential relationship with the River Murray should be located in or on land adjacent to the River Murray. Other development should be set well back from the bank of the River Murray	Not applicable.
Development which would intensify the use of riverside land should provide public access to the foreshore.	The proposal will not alter existing public access arrangements.
Settlement	
New or expanding settlements (including rural-residential subdivision, tourism and recreational development) should be located: (a) on flood free land, (b) close to existing services and facilities, and (c) on land that does not compromise the potential of prime crop and pasture land to produce food or fibre.	The development appropriately responds to the natural constraints of the site as demonstrated within this report.
Water quality	
All decisions affecting the use or management of riverine land should seek to reduce pollution caused by salts and nutrients entering the River Murray and otherwise improve the quality of water in the River Murray.	The proposed land use will not cause 'salt and nutrients' to enter the river
Wetlands	
Land use and management decisions affecting wetlands should: (a) provide for a hydrological regime appropriate for the maintenance or restoration of the productive capacity of the	Not applicable, the subject land is contain a wetland

<p>wetland,</p> <p>(b) consider the potential impact of surrounding land uses and incorporate measures such as a vegetated buffer which mitigate against any adverse effects,</p> <p>(c) control human and animal access, and</p> <p>(d) conserve native plants and animals</p>	
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5.5. Murray Local Environmental Plan 2011

Murray Local Environmental Plan 2011 ("the LEP") is the principal planning instrument that guides development within the LGA. The below provides an overview of consistency and compliance of the proposal against the relevant provisions.

The applicable provisions of the LEP are:

- Clause 2.3 – Zone objectives and Land Use Table
- Clause 2.6 - Subdivision Consent Requirements
- Clause 4.1 – Minimum subdivision lot size
- Clause 6.1 – Arrangements for designated State public infrastructure
- Clause 6.2 – Public utility infrastructure
- Clause 6.3 – Development control plan
- Clause 5.10 – Heritage conservation
- Clause 7.1 – Essential services
- Clause 7.2 – Earthworks

Table 2 below provides an assessment of consistency and compliance of the proposal against the relevant provisions.

Table 2 – LEP Provisions Overview

Clause	Assessment Response
Clause 2.3 – Zone Objectives and Land Use Table	<p>The subject land is predominantly within the R2 Low Density Residential Zone ('R2 zone') for which the objectives are:</p> <ul style="list-style-type: none"> • To provide for the housing needs of the community within a low density residential environment. • To enable other land uses that provide facilities or services to meet the day to day needs of residents. • To avoid potential land use conflict and protect the amenity of residents.

	<p>The subject development provides additional housing for the community within the low density environment with appropriate access to facilities and services that meet the day-to-day needs of the residents. The development is well sited to ensure that land use conflicts are minimised and to ensure the protection of the amenity of residents is protected.</p>
<p>Clause 2.6 - Subdivision Consent Requirements</p>	<p>Clause 2.6 of the LEP sets out the development consent requirements associated with any land to which the Plan applies.</p> <p>(1) The subject development is not specified as exempt development in the applicable environmental planning instrument or under State Environmental Planning Policy (Exempt and Complying Development Codes) 2008.</p> <p>(2) The subject development is not classified as complying development under State Environmental Planning Policy (Exempt and Complying Development Codes) 2008 as strata subdivision is not proposed.</p> <p>(3) Clause 2.6(2) is not applicable for the subject development.</p> <p>The subject Development Application complies with the requirements of Clause 2.6 of the LEP.</p>
<p>Clause 4.1 – Minimum subdivision lot size</p>	<p>The development is compliant with the minimum lot size of 3000m². Both lots proposed exceed the minimum lot size.</p>

Clause	Assessment Response
<p>Clause 5.10 – Heritage Conservation</p>	<p>Clause 5.10 of the LEP relates to heritage conservation and seeks to conserve the environmental heritage of the Murray River LGA, the heritage significance of heritage items and heritage conservation areas, archaeological sites and Aboriginal objects and places of heritage significance.</p> <p>The subject land is not identified as a heritage item nor is it located within a heritage conservation area following a review of Schedule 5 and the Heritage Map of the LEP.</p> <p>Similarly, matters regarding Aboriginal Cultural Heritage have also been investigated. The Aboriginal Heritage Information Management System (AHIMS) is a legal database of previously recorded Aboriginal heritage sites. A search of the AHIMS database was conducted over the site within a 50 m buffer centred on the proposal area on 08 April 2025. No records have been identified.</p>
<p>Clause 6.1 – Arrangements for designated State public infrastructure</p>	<p>The subject site is located within an identified Urban Release Area (URA) and per the provisions of this clause, satisfactory arrangements need to be made for the provision of State public infrastructure.</p> <p>A development consent must not be granted for the subdivision of land in the URA unless the Director-General has certified in writing that satisfactory arrangements have been made to contribute to the provision of designated State public infrastructure concerning the land.</p> <p>Notwithstanding the above, it is understood that the NSW Department of Planning and Environment has previously advised Murray River Council that no State infrastructure levies are required for the Urban Release Area. If this is not the case, it is expected that Council will request documentation from the Director-General to certify that satisfactory arrangements have been made for the subject land and that the Department does not object to council determining subdivision applications for this land.</p>

<p>Clause 6.2 – Public utility infrastructure</p>	<p>Clause 6.2 of the LEP requires that development consent must not be granted for the development of land in the URA unless Council is satisfied that any public utility infrastructure that is essential for the proposed development is available or that adequate arrangements have been made to make this infrastructure available.</p> <p>The subject site is residentially zoned and has access to reticulated services and infrastructure, which can be extended from the adjoining residential development to the north-west.</p> <p>Further details regarding infrastructure provision are discussed in response to Clause 7.1 of the LEP.</p>
<p>Clause 6.3 - Development Control Plan</p>	<p>Clause 6.3 of the LEP seeks to ensure that development occurs logically and cost-effectively and specifies that a development application cannot be considered by Council in the URA until a site-specific Development Control Plan has been prepared and adopted.</p> <p>The DCP is required to address the following:</p> <ul style="list-style-type: none"> <i>(a) a staging plan for the timely and efficient release of urban land, making provision for necessary infrastructure and sequencing,</i> <i>(b) an overall transport movement hierarchy showing the major circulation routes and connections to achieve a simple and safe movement system for private vehicles, public transport, pedestrians and cyclists,</i> <i>(c) an overall landscaping strategy for the protection and enhancement of riparian areas and remnant vegetation, including visually prominent locations, and detailed landscaping requirements for both the public and private domain,</i> <i>(d) a network of passive and active recreational areas,</i> <i>(e) stormwater and water quality management controls,</i> <i>(f) amelioration of natural and environmental hazards, including bush fire, flooding and site contamination and, in relation to natural hazards, the safe occupation of, and the evacuation from, any land so affected,</i> <i>(g) detailed urban design controls for significant development sites,</i>

	<p><i>(h) measures to encourage higher density living around transport, open space and service nodes,</i></p> <p><i>(i) measures to accommodate and control appropriate neighbourhood commercial and retail uses,</i></p> <p><i>(j) suitably located public facilities and services, including provision for appropriate traffic management facilities and parking.</i></p> <p>As a means of satisfying this requirement, the Council has adopted Part 7 'Subdivision' of the DCP as it relates to 'General Urban Release Area Provisions'. Adopting this Plan avoids the need for individual landowners to prepare a site-specific DCP's. Further details regarding compliance with the provisions of Part 7 are provided in Section 5.6.3 of this report, and the attached DCP compliance tables.</p>
Clause 7.1 – Essential Services	<p>Clause 7.1 of the LEP requires that development consent must not be granted unless the consent authority is satisfied that services that are essential for the proposed development are available or that adequate arrangements have been made to make them available when required.</p> <p>The subject land is residentially zoned and therefore has access to all relevant infrastructure and services including reticulated water, sewerage, electricity, drainage, telecommunications, gas, and vehicular access.</p> <p>The existing site contains the provision of relevant services, and it is considered that these will be adequate to enable appropriate servicing of the site. Where services are required to be augmented as a result of the subdivision, this will be done by the developer as part of the subdivision works.</p>
Clause 7.2 – Earthworks	<p>Clause 7.2 of the LEP requires development consent for earthworks to ensure that the works will not have a detrimental impact on environmental functions and processes. In this instance, the development is seeking to demolish an existing dwelling located on private land and no changes environmental function are envisaged.</p> <p>Therefore, consideration of this clause is not required.</p>

5.6. Murray Development Control Plan 2012

The Murray Development Control Plan 2010 (“the DCP”) provides specific requirements for development within the LGA, including the subject site.

The following chapters of the DCP are applicable to the proposed works:

- Part 6 – Strategic Land Use Plan
- Part 7 – Subdivision
- Part 8 – Urban Release Areas
- Part 9 – Vegetation Removal

These matters are addressed in the following sections below.

5.6.1. Part 6 – Strategic Land Use Plan

This chapter of the DCP relates to application of Council’s Strategic Land Use Plan (SLUP). The SLUP was prepared as the strategic planning basis for the Murray Local Environmental Plan 2011 (“the LEP”). The overall purpose of the SLUP is to guide the future development and use of land within the Shire for the next 20 years and beyond.

The proposed development is consistent with the SLUP as the land is identified for encouraging restructuring of lots for urban development through the provision of services. The subject land is already appropriately zoned for residential purposes.

5.6.2. Part 7 – Subdivision

This Part of the DCP applies to the subdivision of land in the Murray River Shire. Compliance with Part 7 is addressed in **Table 4** in **Appendix 8**.

5.6.3. Part 8 – Urban Release Areas

This chapter of the DCP applies to land shown on the Urban Release Area (URA) Map of the Murray Local Environmental Plan 2011 (“the LEP”). This land is essentially the ‘greenfield’ development area to accommodate the future growth of Moama over the next 15 to 20 years.

The overall objective of the chapter is to ensure the logical and cost-effective development of future urban land. The chapter is in response to the direction of the Department of Planning and Infrastructure for Council to include Part 6 in the LEP relating to Urban Release Areas. Clause 6.3 of Part 6 prevents any development within the URA unless in accordance with a DCP that addresses a range of development matters. These requirements duplicate many of those already required by other chapters of the DCP. Consequently, compliance with the DCP requirement of Clause 6.3 can be achieved by simply cross-referencing to the relevant section of other chapters in the Murray Development Control Plan 2012.

As such reference is made to Part 7 of the DCP which applies to subdivision. Compliance with Part 7 (for subdivision) will result in subsequent compliance with Part 8 of the DCP.

5.6.4. Part 9 – Vegetation Removal

This part of the Development Control Plan has been addressed in **Section 5.5** as part of its consideration against the State Environmental Planning Policy (Biodiversity and Conservation) 2021.

5.7. Murray Shire Council s94 Development Contributions Plan

The Murray Shire Council s94 (now s7.11) Development Contributions Plan applies to the subject site as the land is zoned R2 Low Density Residential as per the Murray Local Environmental Plan. It is expected that a s7.11 developer contribution will be levied from Council, and that this contribution would form part of a condition of consent on any future determination.

It is also acknowledged that contributions for water and sewer will likely be levied in accordance with Section 64 of the Local Government Act and that this contribution would form part of a condition of consent on any future determination.

5.8. Strategic Planning Considerations

5.8.1. Murray Local Strategic Planning Statement

The Murray River Council Local Strategic Planning Statement 2020-2040 (LSPS) establishes Council's 20-year vision for land use planning and growth focusing on the key themes of social, environmental and economic considerations. The LSPS establishes the community's priorities and aspirations which will guide Council's planning decisions on future land use activities.

The LSPS will inform future reviews of Council's Local Environmental Plan (LEP) and Development Control Plan (DCP), as well as identifying strategic planning investigations required to support future development.

The LSPS is based on three key themes as follows:

- A robust, growing and innovative economy.
- Liveable communities with social capital.
- Environment, heritage and climate change.

The subject development application responds to and is consistent with the following priorities:

- Priority 4 – Housing growth, supply and density
- Priority 5 – Recreation and open space
- Priority 6 – Servicing and utility infrastructure
- Priority 7 – Identify and protect environmental values

- Priority 8 – Celebrate culture and heritage

5.9. Murray River Council Local Housing Strategy

The *Murray River Council Local Housing Strategy* aims to produce a tailored, transparent, and proactive plan for housing supply in the right locations, at the right time. The *Implementation Plan* looks to forward to 2041 but seeks to be dynamic and responsive.

Moama is identified as the administrative centre of Murray and is noted for its exceptional high demand and pressure on supply of residential land here. Housing and rental stress is a key concern and the Table 2-15 – Urban land analysis identified a need for 1,407 new dwellings. Figure 2-14 on Page 37 of the strategy highlights the proposed subdivision area for review for R1 and 750 sqm. The market and character of Moama seeks a lot size of 1,000 sqm and the proposal offers an adequate transitional lot sizing.

In the years 2019-2020, a mere 37 lots were released, and 20 dwellings approved. This single proposal for 2 lots subdivision fits with Council's strategy that consolidation of these larger lots occurs overtime. The proposal is still in keeping with the character of the area.

5.10. Murray Shire Strategic Land Use Plan 2010-2030

The *Murray Shire Strategic Land Use Plan 2010-2030* (Strategic Land Use Plan) seeks to guide the future development and use of land within the Shire for the next 20 years and beyond.

The subject land is located within the township of Moama and the Strategic Land Use Plan outlines the following with regards to 'residential form':

The residential market has become more sophisticated in recent times with the demand for larger residential lots being met more by lots in the range 1,000 to 1,500m² rather than the 'traditional' 4,000m² rural residential allotment. Some of the older and much larger rural residential development (e.g. Maidensmith Drive) should be considered for redevelopment at an urban density to make more efficient use of land closer to Moama's centre.

The Strategic Land Use Plan identifies the land as being within an area that should 'encourage restructuring of lots for urban development through the provision of services'. Land on Maidensmith Drive is directly referenced. The proposed Development Application is considered to be consistent with the Murray Shire Strategic Land Use Plan.

5.10.1. Murray Community Engagement Strategy (Community Participation Plan)

The Community Participation Plan is required to be prepared by the relevant local authority under Division 2.6 of the Environmental Planning and Assessment Act 1979 (EP&A Act). In particular, Section 2.23 of the EP&A Act stipulates that;

(1) 'A planning authority ... is required to prepare a community participation plan about how and when it will undertake community participation when exercising relevant planning functions'.

The purpose of the Plan is to clearly explain how and when Council will undertake community engagement in relation to planning matters such as assessment and determination of development applications, including revised plans, modifications and review of applications.

Page 15 of the Community Participation Plan states that notification is required for the subject development. The proposal is not identified as a type of development exempt from notification and therefore must be notified in accordance with the requirements of the Community Participation Plan and Council's Development Control Plan.

5.10.2. Planning for Bushfire Protection 2019

Planning for Bush Fire Protection 2019 (PBP) provides development standards for designing and building on bush fire prone land in New South Wales. PBP provides standards and guidance for:

- strategic land use planning to ensure that new development is not exposed to high bush fire risk;
- creating new residential and rural residential subdivision allotments;
- special fire protection purpose (SFPP) development taking account of occupant vulnerability;
- bush fire protection measures (BPMs) for new buildings; and
- upgrading and maintaining existing development.

PBP is applicable to all development on bush fire prone land (BFPL) in NSW. The general principles underlying this document are that:

- a suite of BPMs are required to reduce the impact of a bush fire;
- protection measures are governed by the degree of threat posed to a development and the vulnerability of occupants;
- minimising the interface of a development to the hazard reduces the bush fire risk to the development; and
- good practice in planning, building and management reduces the risk to developments and their occupants, and increases their resilience.

All development on BFPL must satisfy the aim and objectives of Planning for Bush Fire Protection (PBP). A bush fire assessment report has been prepared to support this application. In particular it is noted due to the type of development proposed, the application will be classed as 'integrated development' as it requires a 'bush fire safety authority' issued by the NSW Rural Fire Service along with their general terms of approval (GTA) for the purposes of Division 4.8 of the EP&A Act.

The bushfire assessment report has been included at **Appendix 5** and demonstrates how the proposed development complies with PBP 2019.

6.0 Assessment of Environmental Impacts

This section of the SEE identifies potential impacts which may occur as a result of the proposed development and are relevant matters for the consideration of the DA under Section 4.15(1)(b) to (e) of the EP&A Act 1979.

6.1. Context and Setting

The land represents a small parcel of land within the urban release area west of Moama's town centre. It represents a modest expansion of the existing residential area which will lean on existing infrastructure links.

The subdivision is considered to represent a preferred design having regard to its context. The layout proposed still provides two large lots in keeping with adjacent lots and recent subdivision of the area.

The subject land is zoned R2 Low Density Residential and the development is seeking to achieve low density development outcomes following the reduction in minimum lot sizes over recent years. Each lot achieves the 3000m² minimum lot size of the LEP and the size and dimensions of the allotments will allow future dwelling development to be consistent with the character of the surrounding area, as well as allowing for adequate spatial separation and privacy between dwellings.

The lot sizes of the proposed subdivision are considered to be generally consistent with the surrounding context of Moama. The creation of additional residential allotments is considered appropriate for the location as it increases land availability, variety and choice within Moama.

6.2. Access and Traffic

Matters regarding traffic and access have been considered and are appropriate in this instance.

The subject land is currently serviced by the adjoining sealed Maidensmith Drive. The proposed subdivision will only provide a minor increase the volume of traffic on the local road network, and the existing standard of local roads, the proposal is considered to avoid creating adverse impacts on the surrounding network.

6.3. Infrastructure and Services

In general a 2 lot subdivision will not require new and upgraded services and infrastructure to accommodate the expected growth. The subject land is located in Moama's residential growth front and therefore has access to a range of infrastructure and services. The subject land adjoins a newly constructed residential subdivision to the north. Therefore, the subject land has readily available access to reticulated infrastructure and services including water, sewerage, stormwater drainage, road access, telecommunications, electricity and gas.

infrastructure network to accommodate the proposed development. Further consideration of infrastructure and services will be undertaken as part of the development application process. Specifically, Part 6 (Urban Release Areas) and Clause 7.1 of the MLEP provides requirements for the provision of infrastructure to ensure development in greenfield areas (such as the subject site) are adequately able to be serviced by public infrastructure.

The DA plan set includes a Servicing Plan for Sewer and a Servicing Plan for Drainage, these plans demonstrate that the land can be serviced by new and expanded infrastructure without detriment to the existing conditions.

6.4. Open Space

The subject subdivision does not propose any additional open space provision as a result of the development.

6.5. European Heritage

The subject land and its surrounds are not identified within Schedule 5 of the LEP. Therefore, it is considered that there will be no impact on European heritage matters.

6.6. Cultural Heritage

The subject land is a highly modified site and has a low likelihood of containing any items of cultural heritage significance. A review of the Aboriginal Heritage Information Management System (AHIMS) database was undertaken and it is confirmed that there are no recorded items of Aboriginal cultural significance within 50 metres of the subject site.

In the event that the proponent does identify or uncover archaeological items during works, the items will be left in place and appropriate protocols for dealing with such instances will be observed ('unexpected finds protocol').

A copy of the AHIMS search is **attached Appendix 7**.

6.7. Soils

The subject land represents former large lot residential development and has been subject to previous site disturbance. As outlined in response to SEPP 55, the subject land is not expected to be contaminated given the previous activities conducted on-site.

In order to avoid impacts of sediment loss or erosion, an Erosion and Sediment Control Plan (ESCP) will be prepared in accordance with Managing Urban Stormwater: Soils & Construction (Landcom 2004) and will be implemented throughout the life of the project to minimise impacts. This plan will include provisions to:

- Install erosion and sediment controls prior to and during construction;
 - An inspection protocol for erosion and sediment controls, particularly following large rainfall events;
 - Regular equipment cleaning to minimise the tracking of sediment from vehicles, plant and equipment;
 - Stockpile topsoil appropriately to minimise weed infestation and maintain soil organic matter, soil structure and microbial activity; and
-
- Minimise surface disturbance and maintain surface cover where possible; and
 - Minimise excavation and compaction of soils.

6.8. Flora & Fauna

The site does not contain any remnant vegetation. The site is not identified on the Terrestrial Biodiversity, Riparian Waterways or the Wetlands Maps contained within MLEP. Similarly, the land is not identified on NSW Biodiversity Values Map, and is not classified as a Matter of National Environmental Significance under the *Environment Protection and Biodiversity Conservation Act 1999* (EPBC Act).

Therefore no Test of Significance is required.

6.9. Bushfire

The subject site is identified as being bushfire prone. The primary risk presented from the land to the surrounding boundaries will remain and require suitable Asset Protection Zone and design outcomes where the bushfire impact exists. A Bush Fire Assessment Report has been prepared in support of the development and is attached for consideration.

The BFAR considers the proposed layout and identified that the proposed lots can accommodate the required APZ and other necessary bushfire protection measures.

Asset Protection Zones are to be established within the subject land to provide protection to future dwellings. **See Appendix 5.**

6.10. Flooding

The subject site is not identified as being 'flood prone' for the purposes of Clause 5.21 of the Murray LEP 2011. Therefore, no further consideration is considered relevant.

6.11. Waste

Waste will be generated as part of the construction works for the subdivision, and comprise waste material and products from new services, concrete, spoil and other materials associated with civil works. It is expected that the applicant will be required to prepare a suitable Construction Management Plan for the proposed works, which will detail expected waste, locations of collect areas, removal regimes/frequency and the like.

Waste is also expected from future individual development of proposed lots for residential purposes, both at the construction stage and ongoing occupation. The future development of the proposed lot will generate waste which would be reasonably expected from residential allotments and could be removed via building contractors during construction and via kerbside waste collection services during the residential occupation.

The future development of the proposed allotments will generate waste that would be reasonably expected from residential allotments. The proposed lots will be serviced by kerbside waste collection services.

Existing waste collection services are considered more than adequate to cater for the likely level of waste to be generated. With constant implementation of waste reduction methods at the local Council's landfill, the additional inputs from the subdivision are likely to have no effect.

The location of the land adjacent to the environmental reserves is noted as presenting risk of household wastes and garden wastes entering the reserves. The design of the subdivision includes roads edging the environmental reserves, providing separation of dwellings from the reserve, and a high degree of passive surveillance. These factors act to discourage disposal of waste by future residents into these areas. The reserves will also remain highly accessible for maintenance services from the internal edge roads.

A preliminary Construction Waste Management Strategy is set out within **Table 4** below. This preliminary Strategy sets out the anticipated waste that will be generated at the construction, operation and decommissioning phases of the development.

Table 3: Preliminary Construction Waste Management Strategy

Stage	Anticipated Waste Material	Propose Management
Construction	<ul style="list-style-type: none"> -Excess concrete from infrastructure installation -Off cuts and excess construction materials -Excess soil and excavated material -Packaging materials including plastics wrapping, cardboard and wooden plastics -Cable reels and other electrical materials Domestic and putrescible waste (incl. food waste, bottles, cans and paper) Unused or spent chemicals 	<p>Construction waste will be sorted and stored in stockpiles and skip bins as required, located within a defined laydown area in accordance with the NSW EPA Waste Classification Guidelines for recycling and landfill, as follows:</p> <p><u>Recycling</u> <u>Landfill</u></p> <p>Steel metal General Waste</p> <p>Recycle Plastics Domestic waste</p> <p>Cardboard p. Non-recycl. Plastics</p> <p>Timber products</p> <p>Recycling and landfill waste will be collected and taken to off-site waste management facilities which can lawfully accept the waste. As required.</p>

6.12. Noise

Demolition noise for the subdivision works will be temporary and isolated to weekday daylight hours only. Subsequent residential construction noise is considered to be of little impact given it is not unreasonable for short-term construction works to occur within residential areas.

6.13. Social Impact & Economic Impact

The proposed subdivision will provide greater variety in lot sizes and housing provision within Moama and within the Murray River region in general. The development also increases the opportunities for low density residential living within a preferred 'lifestyle' location. The development has the potential to increase the permanent population within Moama.

There will be a positive social and economic effect for the Moama community resulting from the development through the provision of additional choice and availability of residential land. The new residents will increase support for both community and commercial interests in the town and will provide an overall positive economic and social impact. The development provides an increase in land availability in Moama and encourages greater investment in preferred lifestyle areas of the Murray River LGA.

7.0 SUPPORTING DOCUMENTATION

7.1 Proposal Plans

A Concept Development Plan showing the subdivision layout has been prepared by North East Survey Design and included at **Appendix 2**.

7.2 Other supporting documents

This development application is supported by the following documents:

- Site Plan included at **Appendix 1**
- Service Plan included at **Appendix 3**
- Landscape Master Plans at **Appendix 4**
- Bushfire Assessment Report at **Appendix 5**
- Statement of Environmental Effects at **Appendix 6**
- Cultural and Heritage Due Diligence Information at **Appendix 7**
- Development Control Plan at **Appendix 8**.

7.3 Conclusion

The DA seeks consent for Demolition and a 2 Lot Residential subdivision of land described as Lot 06 DP 258661 and addressed as 06 Maidensmith Drive, Moama.

The application seeks development consent under Part 4 of the EP&A Act and has been assessed against the provisions of Section 4.15(1) of the EP&A Act.

As demonstrated by the detailed assessment above, the proposal satisfies the intent of the provisions of the applicable EPIs and will result in a positive development outcome in terms of social, environmental, and economic impacts.

Having regard for the content of this report, the proposal deserves the support of Council because:

-
- it is consistent with the relevant environmental planning instruments and development control plan.
 - it is consistent with council's long term strategic planning directions as outlined within the Murray Shire Strategic Land Use Plan
 - it represents an appropriate low density residential development within an area already characterised and identified for this typology of residential development
 - it will not create any adverse environmental or social impacts, nor will it create any land use conflicts with adjoining lands due to the layout and design of the proposed subdivision,

In light of the above considerations, it is our opinion that the proposal is appropriate from a planning point of view and is in the public interest. The proposed development warrants support by Council.

APPENDIX 1

Site Plan

APPENDIX 2

Concept Development Plan

APPENDIX 3

Service Plan

APPENDIX 4

Preliminary Landscape Plan

APPENDIX 5

Bushfire Assessment Report

APPENDIX 6

Statement of Environmental Effects

	How the environmental impacts of the development have been identified	The potential environmental impacts of the development	The steps taken to protect the environment or to lessen the expected harm to the environment
Public Domain	Visual inspection of the site and surrounds.	The proposal will have no impact on existing levels of public access and movement in the vicinity of the site.	N/A
Infrastructure	Anticipated	Potential detriment to existing services due to increased load on services as result of additional patron capacity	No detrimental impact given the small nature of the subdivision.
Heritage	Schedule 5 of the ALEP for list of heritage items	None as there were no identified heritage objects in the development area	N/A
Archaeology	Site Inspection AHIMS search	None as no objects were identified	N/A
Land Resources	Anticipated	No known resources in site area	N/A
Soils	Anticipated	Potential Negative impact through sediment transfer from works associated with construction Potential for unstable soils to be present during construction and following works to remove topsoil	Appropriate soil stabilisation will be implemented during the demolition and construction stages to minimise the extent of soil movement. Any construction works will utilise councils soil and water management guidelines
Air & Microclimate	Anticipated	Potential negative impact of increased dust Potential positive impact on climate through provision of an allotment that allows adequate opportunity for the future dwelling development within the proposed lot to be designed with maximum energy and water efficiency	Dust generation is only expected in demolition and early settlement, and thus construction will use dust suppression methods such as water to reduce the effect on the surrounding area

Flora & Fauna	Site Inspection	Little potential impact on flora and fauna as site is heavily cleared	Attempt to conserve as much existing vegetation as possible
Waste	Anticipated	Potential detrimental effect on landfill due to the occupancy of the lots as well as land occupancy density	The subdivision works will have very little waste generation. Future dwellings will have access to domestic waste collection services which operate within Moama
Noise	Anticipated	Potential loss of amenity for residents due to increased traffic noise generated from greater use of land	N/A
Natural Hazards	Council Bushfire prone land map Council flooding planning map	Potential natural hazard due to being bushfire prone	The appropriate responses to the bushfire hazard are outlined in the Bushfire Management Plan
Social Impact	Anticipated	Potential positive impact through the provision of additional housing in an identified growth area of Moama. Potential positive impact on the overall growth of population	The proposed provides for additional housing.
Economic Development	Anticipated	Potential positive impact through increased residential development and investment in Moama	The proposal provides an increase in confidence of residential development.

Cultural and Heritage Due Diligence Report

APPENDIX 8

Development Control Plan

Standard	Complies	Comment
7.1 Context		
Controls		
General i. Subdivision shall be consistent with the <i>Murray Shire Strategic Land Use Plan</i>	Yes	The proposed residential subdivision is consistent with the recommendations contained in the <i>Murray Shire Strategic Land Use Plan</i> . More specifically, the subject land has been identified as Low Density 'R2' on the Moama Strategic Land Use Plan and satisfies the recommendations of the Strategic Land Use Plan as it will help support anticipated population growth within the town inclusive of a variety of residential allotments.
Residential ii. On land to which the <i>Moama North West Masterplan</i> (2008) applies, subdivision should be consistent with the recommendations of that plan.	N/A	N/A
7.2 Neighbourhood Character		
General i. Subdivision to be generally consistent with the theme and character of the development relating to the same land use within the vicinity of the subject development.	Yes	The subject land is located adjacent to various residential developments and thus a variety of allotment sizing will be provided to gradually shift from area to area. The proposed subdivision will encompass smaller sized lots to the east and larger sized lots to the west to match into existing residential characteristics adjacent to the development site.
Residential ii. On land to which the Moama North West Master Plan (2008) applies, consistency with the recommendations of that plan.	Yes	The Moama North West Master Plan states a minimum lot size of 750m ² , zoning provides for a minimum lot size of 3000m ² the development is in keeping with these requirements.
iii. Requests to vary minimum lot size on land zoned residential west of Lignum Road will be considered by Council to be inconsistent with the objectives for neighbourhood character.	N/A	N/A

iv. Where land zoned R1 or RU5 adjoins land zoned R2 or R5 Council will regard any of the following as inconsistent with the objectives for neighbourhood character: - More than two lots in the R1 or RU5 zones adjoining a single lot in the R2 or R5 zones. - A lot with an area of less than 1300m ² in the R1 or RU5 zone adjoining a lot in R2 or R5 zone.	N/A	N/A
7.3 Staging		
General i. Where staging of a subdivision is proposed, the lodgement of a staging plan with the development application.	N/A	No staging
ii. Consistency with Councils Strategic Land Use Plan.	Yes	The Strategic Land Use Plan proposes an average lot density of 750-1500m ² which has been achieved. However give the minimum lot size R2 we are consistent with these.
Council will consider any subdivision that is isolated from existing services and infrastructure or remote from existing urban development as inconsistent with the objective of this control.	N/A	Development is connected to existing services and infrastructure.
7.4 Movement Network		
General i. Compliance with the <i>Murray Shire Engineering Guidelines for Subdivisions and Development Standards</i> .	N/A	No new infrastructure proposed.
ii. The use of cul-de-sacs in subdivision design should only be contemplated in circumstances where constraints dictate a through street cannot be accommodated.	N/A	Cul-de-sacs are not used within the development.
Residential iii. On land to which the <i>Moama North West Masterplan</i> (2008) applies, consistency with the recommendations of that plan.	N/A	N/A
7.5 Activity Centres & Community Facilities		
General i. Subdivision shall be consistent with the <i>Murray Shire Strategic Land Use Plan</i> .	N/A	The subject land has not been identified for an activity centre or community facility, but rather residential development, which as outlined above is consistent with the recommendations of this land use plan.
Residential ii. On land to which the <i>Moama North West Masterplan</i> (2008) applies, consistency with the recommendations of that plan.	N/A	The subject site is not been identified to require an activity centre.

7.6 Public Open Space		
General i. Compliance with the <i>Murray Shire Engineering Guidelines for Subdivisions and Development Standards</i> .	N/A	N/A
ii. Applications for residential subdivision are to address the provision of Public Open Space (POS). All proposed residential subdivisions seeking consent for 25 lots or more are to provide POS on the subject site to the satisfaction of Council, unless Council is satisfied of an alternative solution which does not require additional POS to be provided. Requirement to provide POS will be assessed by Council on the merits of the application based on the following: <ul style="list-style-type: none"> - Proximity of the proposed subdivision to existing POS - No additional POS will be required if the application can suitably demonstrate that the following is safely and easily accessible to the proposed subdivision: - District parks, consisting of 3 ha minimum area and containing a range of recreation settings, are provided within 2 km of all dwellings within the proposed subdivision; and/or - Large local parks consisting of 0.4-1.0 ha minimum area provided within 500 m safe walking distance of all dwellings within the proposed subdivision; and/or - Small local parks consisting of 0.2 ha minimum area provided they are located within 300 m safe walking distance of all dwellings within the proposed subdivision. - Access to Council's recreation reserves is available within 1km of all the dwellings within the proposed subdivision - Connectivity of the proposed subdivision to existing POS via walking and cycling paths; - Capacity of the existing POS (detailed above) to cater for incoming development (or incapacity). - The requirement to provide new POS as part of new residential subdivisions will be at the discretion of Council 	N/A	N/A
Residential iii. On land to which the <i>Moama North West Masterplan</i> (2008) applies, consistency with the recommendations of that plan.	N/A	N/A

7.7 Landscaping		
General	Yes	Attached with the submission of the Development Application.
i. A Landscape Plan is required to be submitted to Council detailing proposed landscaping.		
ii. On land to which Council's <i>Roadside Vegetation Management Plan</i> (2000) applies, consistency with the recommendations of that plan.	Yes	Significant roadside vegetation will be protected where possible to ensure the safety of the sites biodiversity.
iii. On land to which the <i>Local Environmental Study – 2040 Perricoota Road, Moama</i> (2008) applies, consistency with the recommendations of that study.	N/A	The land is not located on 2040 Perricoota Road.
iv. On land to which any <i>Local Environmental Study</i> has been prepared for Murray LEP 2011 or subsequent amendment, consistency with the recommendations of that study.	N/A	No local or environmental study has been prepared for the land.
v. On land identified on the <i>Natural Resources Sensitivity Map</i> in the LEP as 'Remnant Vegetation Cover', an assessment of that vegetation for biodiversity value and retention if necessary in any future development.	N/A	N/A
7.8 Lot Design		
General	N/A	It is noted that there are no lot design standards contained in the <i>Murray Shire Engineering Guidelines for Subdivisions and Development Standards</i> . The proposed subdivision complies with the lot design
i. Compliance with the <i>Murray Shire Engineering Guidelines for Subdivisions and Development Standards</i> .		
Residential	N/A	There are no battle-axe handles proposed.
ii. For battle-axe allotments a minimum width of the access handle is to be: - 3.5m for a maximum length 20 metres; - 4m for a maximum length 30 metres; and - 5m for lengths greater than 30 metres.		
iii. Subdivisions are to be designed to maximise solar access and the number of rectangular shaped allotments	Yes	The proposed subdivision has predominantly rectangular lots facing North South to provide good solar access.
iv. On land to which the <i>Moama North West Masterplan</i> (2008) applies, consistency with the recommendations of that plan.	Yes	The lot layout across the subdivision is generally north-south in orientation, achieving good solar access for all lots. There are no rear loading lots in this subdivision, and no native vegetation present that requires retention within lots. Larger lots are located on the western boundary of the subdivision, providing a transition from the existing low density residential area

		to the west on Lignum road.
v. Subdivisions must demonstrate a building envelope measuring 10 metres by 15 metres on each lot or display a dwelling to be constructed on the lot(s) consistent with the objectives and controls of Chapter 2- of this DCP.	Yes	The proposed subdivision does not comply with this requirement as it doesn't propose any building envelopes. Notwithstanding, given the size of the proposed allotments 3000m ² and greater, there is clearly ample opportunities to place a dwelling on these lots consistent with the requirements of chapter 2 of the DCP.
7.9 Infrastructure & Services		
General i. Compliance with the <i>Murray Shire Engineering Guidelines for Subdivisions and Development Standards</i> .	Yes	The proposed subdivision will be connected to council's reticulated services including, roads, water, sewerage and drainage in accordance with the <i>Murray Shire Engineering Guidelines for Subdivisions and Development Standards</i> .
Residential ii. On land to which the <i>Moama West Infrastructure Strategy</i> (2005) applies, consistency with the recommendations of that strategy.	N/A	-N/A
iii. On land to which the <i>Moama North West Masterplan</i> (2008) applies, consistency with the recommendations of that plan.	N/A	There is no section in the Moama North West Master Plan that is applicable with this section.
7.10 Natural Hazards		
General i. On land mapped as bushfire prone, compliance with the NSW Rural Fire Service document Planning for Bushfire Protection (2006).	Yes	A Bushfire Management Plan has been attached detailing the requirements for the few effected lots.
ii. On land identified as flood prone in the Moama Floodplain Management Study (1999), compliance with clause 7.8 of the LEP and the State Government's Floodplain Development Manual (2005).	N/A	The land is not flood prone.
iii. On land to which the Moama Floodplain Management Study (1999) applies, consistency with the recommendations of that study.	N/A	The land is not flood prone.
iv. On land that is, or has previously been used for viticulture, an investigation of the land for potential contamination in accordance with the requirements of <i>State Environmental Planning Policy No.55 – Remediation of Land</i> . An investigation should be in accordance with the process detailed in the State Government's <i>Managing Land Contamination – Planning</i>	N/A	No viticulture has taken place on the proposed subdivision land.

<i>Guidelines SEPP55 Remediation of Land (1998).</i>		
v. A chemical spray drift buffer is to be provided between existing viticulture activity and residential lots. The applicant is to submit information prepared by a suitably qualified person with the development application that demonstrates an appropriate buffer distance.	N/A	No viticulture has taken place on the proposed subdivision land.
7.11 Site Management		
General i. Compliance with the Murray Shire Engineering Guidelines for Subdivisions and Development Standards.	Yes	See attached plans for further details.
ii. The <i>Blue Book – Managing Urban Stormwater: Soils and Construction</i> (2004).	Yes	The proposed subdivision will drain to Councils existing drainage network.