

MINUTES OF THE NORTHERN JOINT REGIONAL PLANNING PANEL MEETING HELD AT MOREE PLAINS SHIRE COUNCIL ON FRIDAY 10 MAY 2013 AT 9.30AM

PRESENT:

Garry West	Chair
John Griffin	Panel Member
Bruce Clarke	Panel Member

IN ATTENDANCE:

Angus Witherby	Planning Consultant for Moree Plains Shire Council
Murray Amos	Moree Plains Shire Council
Daniel Boyce	Moree Plains Shire Council
Mark Conolly	Moree Plains Shire Council
Leanne Ivanov	Moree Plains Shire Council
Belinda Olsen	Moree Plains Shire Council
John Carleton	Moree Plains Shire Council
Lester Rodgers	Moree Plains Shire Council

APOLOGY: Nil

1. The meeting commenced at 9.37am.

2. Declarations of Interest

Prior to the meeting, the council nominated members to the regional panel, Cr Sue Price, Cr Claudia Gall and Cr Katrina Humphries, declared an interest in the matter, as they are current serving Councillors / Mayor and the development application is being made on behalf of council. Consequently, the members chose to stand down from the regional panel.

3. Business Items

ITEM 1 - 2013NTH002 - Moree Plains Shire Council - DA2013-3 - 25 lot subdivision and associated infrastructure works, Lot 5 DP 817286 & Lot 11 DP 848790, Newell Highway, Moree

ITEM 2 - 2013NTH003 - Moree Plains Shire Council - DA2013-2 - 11 lot subdivision and associated infrastructure works, Lot 1 DP 111137, Newell Highway, Moree

Angus Witherby gave an overview of the development application on behalf of Moree Plains Shire Council.

4. Public Submission

David Warburton	Addressed the panel against the item
Ian Bailey	Addressed the panel against the item
Cr Katrina Humphries	Addressed the panel for the item
Cr Sue Price	Addressed the panel for the item
Mark Connolly	Addressed the panel for the item
Gavin Maberly-Smith	Addressed the panel on behalf of the applicant
Luke Vanderwerf	Addressed the panel against the item

5. Business Item Recommendations

ITEM 1 - 2013NTH002 - Moree Plains Shire Council - DA2013/03 - 25 lot subdivision and associated infrastructure works, Lot 5 DP 817286 & Lot 11 DP 848790, Newell Highway, Moree

ITEM 2 - 2013NTH003 - Moree Plains Shire Council - DA2013/02 - 11 lot subdivision and associated infrastructure works, Lot 1 DP 111137, Newell Highway, Moree

Motion:

That the Joint Regional Planning Panel resolve to approve DA2013/02 for a twenty-five (25) lot subdivision and DA2013/03 for an eleven (11) lot subdivision subject to the conditions outlined in the assessment report, with the exception of the deferred commencement condition, with condition 28 amended to reflect hours of work to be Saturday 8.00am – 6.00pm and as amended by the document “Proposed modification to Conditions” by the assessing consultant dated 9 May 2013.

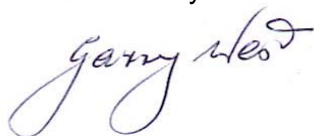
[The approved conditions are attached to this document as Appendix A]

Moved John Griffin **Seconded** Bruce Clarke

MOTION CARRIED UNANIMOUSLY

6. The meeting concluded at 11.18am.

Endorsed by



Garry West
Chair, Northern Joint Regional Planning Panel
16 May 2013

APPENDIX A

APPROVED CONDITIONS OF CONSENT

Changes made by the regional panel to the proposed conditions of consent drafted by council are shown

CONDITIONS APPLYING TO BOTH SUBDIVISIONS

~~DEFERRED COMMENCEMENT CONDITION~~

- ~~1. Commencement of the development shall not occur until the written consent of NSW RMS is obtained for the proposal.~~

GENERAL CONDITIONS

1. This consent will be void if not physically commenced within five (5) years from the date of approval.
Reason: To ensure that the development is commenced within a satisfactory time frame.
2. The development is to be undertaken to the satisfaction of Council and in conformity with the Environmental Planning and Assessment Act, the Local Government Act, appropriate Australian Standards, Environmental Planning Instruments where applicable, the application made, and specification attached, except as modified by the conditions of this consent.
Reason: To confirm and clarify the terms of Council's approval.
3. Before lodgement of a Construction Certificate, amended plans and documents and a schedule of plans and documents to the satisfaction of Council must be submitted to be approved by Council. When approved, the plans and documents and schedule of plans and documents will be endorsed with Council's stamp and will then form part of the consent. The plans must be drawn to scale with dimensions and three copies must be provided. The plans and documents must be generally in accordance with the plans and documents submitted with the application, but modified to comply with the conditions of this consent.
Reason: To ensure that endorsed plans and documents reflect the approval as issued.
4. Power supplies and telecommunication facilities within the subdivision shall be by way of underground cable, to the requirements of the relevant authority.
5. The construction of the subdivision may be staged. If this occurs, each approved construction stage is to be fully self-contained. Reconstruction of the Blueberry Road intersection shall be included within the first stage. All conditions relevant to a stage are to be complied with as part of the construction of that stage and prior to the release of the Subdivision Certificate for that stage. Any construction of roads which would create a dead end shall include the provision of a temporary turning head, with the design and construction methods shown on the relevant Construction Certificate. Council will require a bond to be paid, equivalent to the contract cost of constructing a permanent turning head, plus 20%, prior to the release of a Construction Certificate including a temporary turning head. This bond would be returned by Council on the construction of an adjoining future stage of the subdivision or a permanent turning head. If an adjoining future stage of the subdivision or a permanent turning head is not constructed within five (5) years of the approval of the relevant temporary head, Council may construct a permanent turning head, at its discretion, utilising the bond funds.

Reason: To permit staging of the proposal, while ensuring that the proposal, if partially completed, can function properly.

6. All conditions and recommendations (including the need for specific approvals) provided by the NSW RMS shall be incorporated into the project, including the plans prepared for the Construction Certificate. In the event of a conflict between the specific RMS requirements as part of any approval, and the other conditions of this consent, the RMS requirements shall prevail.

Reason: To ensure that the design of and access to the proposal are consistent with RMS requirements.

7. The site is affected by height restrictions associated with Moree Airport and the metrological radar facility. No works, the subject of this consent, shall penetrate the Obstacle Limitation Surface or exceed 16m in height (whichever is the lesser), including landscaping at maturity. Satisfactory confirmation is to be provided to the Bureau of Meteorology and Council (as relevant) of compliance with this requirement prior to issue of the Construction Certificate.
Reason: to ensure that no operational constraints are imposed on the adjoining Moree Airport or weather radar facility.

Note: The use of cranes during construction may penetrate the Obstacle Limitation Surface and PANS-OPS protection surfaces. Should cranes be proposed to be used that would ~~penetrate this Surface~~ come within 2.0 m of penetrating the OLS, approval is to be requested from the Airport Manager, Moree Airport to ensure that safe aircraft operations are maintained.

CONSTRUCTION CERTIFICATE CONDITIONS

8. Prior to construction of the approved development, it is necessary to obtain a Construction Certificate. A Construction Certificate may be issued by Council or an Accredited Certifier. Plans and documents submitted with the Construction Certificate are to incorporate all the conditions of the development consent. As part of development of the Construction Certificate drawings, consultation shall take place with Council's Airport Manager on the status of the Airport Master Plan revisions and whether any consequential issues of design detail should be incorporated within the Construction Certificate plans. In this regard the Airport Manager is to endorse the proposed construction details as satisfactory prior to issue of the Construction Certificate.

Reason: Statutory requirement.

9. A Construction Certificate issued by a Private Accredited Certifier is to be deposited with Council at least 48 hours prior to the commencement of any earthworks, engineering or building work on the site.

Reason: To confirm and clarify the terms of Council's approval.

10. A weed management plan shall be prepared for the site and approved by Council prior to issue of a Construction Certificate. The plan shall give specific consideration to recommendations of the report "Targeted Ecology Assessment, Search and Mapping *Desmodium campylocaulon* in a Proposed Subdivision in Moree Shire Plains" April 2013, Oz Ark Environmental and Heritage Management Pty Ltd.

Reason: To ensure noxious weeds on the site are appropriately managed.

11. A Wildlife Hazard Management Plan is to be prepared and approved by Council prior to the issue of a Construction Certificate. This Plan which is to be endorsed by Council's Airport Manager, and, if detention basins are to be provided, by an appropriately qualified and experienced ornithological consultant, is to address wildlife hazards to aircraft associated with the development, in particular potential bird strike risk associated with the drainage and detention basin system. In this regard, detention basins are not to be designed as permanent water features. Provision is to be made for control of birds through netting or other appropriate method should birds be attracted to the drainage facilities. Vegetation included in the landscaping plan should not include species that are particularly attractive to birds.

Reason: To minimise the impacts of the development on operations at Moree Airport.

12. The applicant must ensure that the peak storm water discharge rate in a 1 in 20 year event from the proposed development will be no greater than was previously produced by the site in its natural state. Overland flow paths are to be identified in the Construction Certificate and overland flows from the site must not impact on adjoining or adjacent land including the Newell Highway. All excess storm water must be discharged to the storm water system or to appropriate receiving waters. In addition:
- A comprehensive assessment and report certifying that the on-site storm water detention system complies with this condition shall be submitted to and approved of by Council's Engineering Department prior to the issue of a Construction Certificate.
 - Storm water detention areas and overland flow paths must be identified on plans submitted to Council. These areas are to be protected by an appropriate section 88B instrument prior to the issue of a Subdivision Certificate.

Reason: To ensure appropriate disposal of storm water from the site.

Note: The design of the pump-out system pits in the detention basins are to raise the inlet pit above the floor of the basin allowing grit and sediment to settle in the basin prior to discharge. Open swale drains are not to include a concrete lined base. A more suitable arrangement is a natural grass-lined channel that can be mowed regularly and re-graded as required.

13. Street lighting shall be provided to the proposed subdivision in accordance with the Australian Standard 1158 series – Road lighting. A detailed plan of the proposed street lighting is to be submitted to and approved by Council's Engineering Department, Council's Airport Manager, CASA and the local energy authority prior to the issue of a Construction Certificate for Civil Engineering Works.

Reason: To ensure suitable street lighting is provided to the proposed development.

Note: because of proximity to Moree Airport, the proposed street lighting would be referred to the Civil Aviation Safety Authority for their comments. Lighting would be required to comply with the Authority's best practice as may be promulgated from time to time to reduce upwards glare and glare that would

potentially affect aircraft operations. This would involve the use of fixtures specifically designed to minimise horizontal and upwards glare. It should also be noted that a 16 m height limit applies to street lighting fixtures.

14. The proposed roadwork shall be done in accordance with the Austroads Guide to Road Design or RTA Road Design Guide. Engineering design plans and specifications are to include details of geometric design, existing and proposed levels and gradients on the longitudinal sections, cross sections, kerb returns, existing services and structures, cut and fill, intersection design and any other relevant details. Construction Certificate plans shall show the road parallel to the runway in a curvilinear alignment within the proposed road reserve. The landscaping plan shall address the use of landscaping to minimise the "straight line" effect of the proposed road. Laybacks shall be provided to service existing development, if required, in accordance with Council's standard driveway access provisions. Details of works connecting to or affecting the Newell Highway (SH17) must also be lodged with and be to the satisfaction of the NSW RMS, and be in compliance with their advice and recommended conditions. Individual lot laybacks are not required to be provided with the subdivision but would be assessed at the time of individual lot development. Details of the proposed construction works must be submitted to and approved of by Council and/or the RMS prior to the issue of a Construction Certificate.
Reason: To ensure roadworks are designed and constructed to a satisfactory standard.
15. Regulatory signposting and line marking is to be provided in accordance with the "RTA Guide to Signs and Marking Reference Lists (April 2010), AS1742 - Manual of Uniform Traffic Control Devices or Austroads Guide to Traffic Management-Part 10 (Traffic Control and Communication Devices). A signposting and line marking plan is to be submitted to and approved of by Council and/or the RMS prior to the issue of a Construction Certificate. This plan shall address (among other requirements) constraints on access for articulated vehicles with appropriate signposting.
Reason: To ensure appropriate signposting and line marking is provided in accordance with relevant standards.
16. A landscaping plan prepared by a qualified and experienced person shall be provided and approved by Council prior to issue of the Construction Certificate. This plan shall **generally** be in accordance with Moree Plains DCP 2013 - Gateway Precinct Chapter (as modified by various conditions of this consent) and shall incorporate a minimum of two rows of tree planting along the **eastern side of the Newell Highway in the areas with highest exposure to dust**. Species selected and spacing of vegetation shall be such as to provide assistance in mitigation of dust generated by adjoining land uses to the east of the Newell Highway. Landscaping shall not include any permanent water feature that would attract birdlife.
Reason: To enhance the public realm, in particular the southern entry to Moree, to provide initial landscaping for public areas of the subdivision and buffers to adjoining land uses including dust generating uses to the east, and to minimise the likelihood of birds utilising water features for nesting.

17. A Traffic Control Plan (TCP)/Traffic Management Plan (TMP) relating to construction works in the road reserve shall be submitted to and approved of by Council and/or the RMS as relevant prior to issuance of a Construction Certificate. The requirements of the approved TCP/TMP shall be implemented at all times during construction work in the road reserve.
Reason: To provide a safe environment during construction.
18. A cut and fill management plan is to be submitted to and approved by Council prior to issue of a Construction Certificate. The Plan shall indicate the proposed sources of fill (including both on and off site) together with the proposed approach to achieving adequate compaction for building purposes of affected allotments. The Plan shall address likely volumes of fill import and address the implications of the associated traffic movements during the construction phase.
Reason: To ensure that of fill to the site is appropriately managed and that proper compaction of fill materials takes place.
19. Prior to the commencement of any earthworks on site and during any earthworks the applicant is to ensure that appropriate erosion and sedimentation controls are in place in accordance with Landcom - Managing Urban Stormwater Soils and Construction Guidelines, 4th Edition, March 2004. All earthworks are to be stabilised on completion through effective methods to minimise erosion. Particular attention is to be given to minimising dust generation, in particular dust that might impede the operations of the adjoining Moree Airport. An Erosion and Sediment Control Plan consistent with this condition shall be submitted to and approved by Council prior to the issue of a Construction Certificate.
Reason: To protect the environment from possible erosion.

CONTRIBUTIONS CONDITION

20. Pursuant to section 94A(1) of the Environmental Planning and Assessment Act 1979, and the Moree Plains Development Contributions Plan 2006, a levy of \$55,000 shall be paid to Council in respect of the development being 1% of the indicated cost of carrying out the development as determined by the Council in accordance with Act and Regulations.
- a. The amount to be paid is to be adjusted at the time of payment, in accordance with the provisions of the Moree Plains Development Contributions Plan 2006 and the Regulation.
 - b. The contribution is to be paid prior to the issue of a Construction Certificate.
 - c. When construction is staged, the contribution shall cover the percentage of the total site area that is the subject of that stage.
- Reason: To ensure the provision of community facilities and services pursuant to Section 94A of the Environmental Planning and Assessment Act 1979.

CONSTRUCTION CONDITIONS

21. The site has recorded a threatened species, *Desmodium campylocaulon*. Stripped soils are to be spread on the Moree Airport Precinct in accordance with the recommendations of the report "Targeted Ecology Assessment, Search

and Mapping *Desmodium campylocaulon* in a Proposed Subdivision in Moree Shire Plains" April 2013, Oz Ark Environmental and Heritage Management Pty Ltd.

Reason: To minimise impacts on a threatened species.

22. Site clearing shall take place in accordance with the recommendations of the report "Targeted Ecology Assessment, Search and Mapping *Desmodium campylocaulon* in a Proposed Subdivision in Moree Shire Plains" April 2013, Oz Ark Environmental and Heritage Management Pty Ltd.

Reason: To minimise impacts on potential fauna habitat.

23. Construction contractors sheds, waste containers and building materials must be stored wholly within the site during the construction phase and must be at least 20m from any existing dwelling or caravan. All waste must be appropriately disposed of to Moree's waste management facility and temporary building structures removed before the issuing of a Subdivision Certificate.

Reason: To ensure that public places and road reserves are not obstructed.

24. Should Aboriginal relics be discovered work shall cease immediately and application be made for consent for Destroy and Care and Control Permits under the provisions of the NSW National Parks and Wildlife Act 1974. Any applications for permits shall be supported by written documentation from the Local Aboriginal Land Council demonstrating appropriate consultation.

Reason: To ensure compliance with the NSW National Parks and Wildlife Act 1974 and protection of Aboriginal relics.

25. A copy of all stamped approved plans, specifications and documents (including the Construction Certificate if required for the work incorporating certification of conditions of approval) must be kept on site at all times so as to be readily available for perusal by any officer of Council or the Principal Certifying Authority.

Reason: To ensure that the form of the development undertaken is in accordance with the determination of Council.

26. Any necessary alterations to, or relocations of, utility services must be carried out at no cost to the Council or a relevant public authority. In the event that the Council acts on the consent, any necessary alterations to, or relocations of, utility services must be carried out at no cost to any other public authority

Reason: To ensure costs associated with the development are not transferred to the public.

27. Toilet facilities must be provided on the work site at the rate of one toilet for every 20 persons or part of 20 persons employed at the work site. Each toilet provided must:

- a. Be a standard flushing toilet, connected to a public sewer, or
- b. If connection to a public sewer is not available, to an on-site effluent disposal system approved by the council, or
- c. A portable toilet.
- d. The provision of toilet facilities must be completed before any other work is commenced.

Reason: To ensure the health and safety of the community and workers on the site.

28. All construction works are to be carried out during the following hours:

a. Between Monday to Friday (inclusive) – 7.00am to 6.00pm,

b. On a Saturday – 8.00am to ~~6~~1.00pm.

Construction must not be carried out on a Sunday or a public holiday.

Reason: To ensure that works do not interfere with reasonable amenity expectations of residents and the community.

29. All fill proposed to allotments shall be compacted to an adequate standard for future building works. A notation shall be placed on the Section 88B Instrument covering all filled lots in particular to indicate any special footing requirements as a result of the filling of the land. Soil compaction tests in accordance with AS 1289 are to be provided to Council prior to the release of a Subdivision Certificate.

Reason: To ensure that filled lots are suitable for their intended purpose.

Note: The relevant standard is AS 1289 which identifies a 95% standard compaction. It is noted that some soil types in the Moree area may not permit compaction to the Australian Standard.

30. No clearing of existing vegetation (other than the removal of exotic species or weed species) shall occur other than may be necessary for the construction of the subdivision and the provision of infrastructure.

Reason: To minimise land disturbance and erosion.

SUBDIVISION CERTIFICATE CONDITIONS

31. A plan of survey and three (3) copies, prepared by a Registered Surveyor, are to be submitted for endorsement by Council with the application for a Subdivision Certificate.

Reason: To enable the plan to be legally registered.

32. Adequate protection must be provided for public infrastructure prior to work commencing and during construction operations and any such damage made good to the satisfaction of the Council or the relevant public authority. Council must be notified of any damage to the public infrastructure such as road pavement, kerb and gutter, concrete footpaths, drainage structures, utilities and landscaping fronting the development. In this regard:

c. Prior to the commencement of construction a public infrastructure existing condition report (dilapidation report) prepared by a competent and experienced person shall be prepared, submitted to and verified by the Council.

d. Prior to the issue of a Subdivision Certificate an updated public infrastructure condition report shall be supplied identifying to the Council any damage to such and means of rectification for the approval of Council. Any damage to public infrastructure caused during construction shall be made good prior to the issue of a Subdivision Certificate.

Note: The person acting on the consent shall be held responsible for and may be required to pay the full reinstatement costs for damage caused to Council or RMS property (such as road pavement, kerb and guttering, footway, stormwater drainage etc). If in the opinion of Council, works associated with the development have worsened any existing damage, Council may also require full reinstatement. If damage does occur during construction, prior to reinstating any damage to public property, person acting on this consent shall supply design specifications of all proposed restoration works to the relevant authority. Restoration/construction works within the road reserve shall be carried out by a licensed construction contractor at the expense of the person acting on this consent and shall be inspected by Council and/or the RMS prior to placement of concrete and/or asphalt.

Reason: To protect public infrastructure.

33. Prior to the issue of a Subdivision Certificate, the person acting on this consent must apply to Council and receive written confirmation of the allocated street/road address(s) and house number(s) for the completed project. These are the numbers that will be recorded in Council records and must be displayed at the property in accordance with the provisions of AS/NZS 4819:2003 – Geographic information – Rural and urban addressing.

Reason: To ensure that Council records are accurate, and that house numbering complies with the requirements of Council's House Numbering Policy. Proper house numbering also assists emergency services in readily locating properties.

34. Work-as-Executed Drawings shall be submitted to Council and the RMS as relevant on completion of the roadwork and drainage works and prior to the issue of a Subdivision Certificate. The detailed design drawings may form the basis of this information however any changes must be noted on these drawings.

Reason: To ensure that the roadwork complies with the approved drawings and Council/RMS specifications.

35. A letter from the relevant power authority shall be provided to Council stating that satisfactory arrangements have been made for the supply of electricity to the boundary of each lot in the subdivision (other than a lot created for drainage purposes only) at the developer's expense. The letter is to be submitted to Council prior to issue of a subdivision certificate. Electricity supply is to be underground.

Reason: To ensure that the required infrastructure is provided in accordance with community expectations.

36. A letter from the relevant telecommunications authority shall be provided to Council stating that satisfactory arrangements have been made for the supply of telecommunications to the boundary of each lot in the subdivision (other than a lot created for drainage purposes only) at the developer's expense. The letter is to be submitted to Council prior to issue of a Subdivision Certificate. Telecommunications facilities are to be underground.

Reason: To ensure that the required infrastructure is provided in accordance with community expectations.

37. Easements are to be created over all services including sewerage, water supply and stormwater drainage where these cross individual allotments. Restrictions as to use must be created to protect storm water detention areas and swales. These restricted areas are to be shown on the stormwater design provided by the engineer.

Reason: To ensure appropriate easements are provided to facilitate ongoing maintenance of services and facilities.

38. The Section 88B/E instrument will be submitted to Council prior to endorsement of a plan of subdivision. Alternatively, Council will accept, at the discretion of the Director of Planning and Development, a copy of the Section 88B/E instrument with an accompanying letter from the acting Solicitor giving a binding undertaking that the Section 88B instrument will be signed and submitted as presented to Council, unaltered, to the Land Titles Office for registration with the plan of subdivision.

Reason: To ensure the Section 88B/E Instrument is submitted to the Land Titles Office in the same form as it is submitted to Council.

Note: The Section 88B/E Instrument will need to make provision for the proposed rights of way. Rights of way should generally not overlap lot boundaries. The right-of-way servicing proposed Lot 25 should be across proposed Lot 21 unless alternative arrangements satisfactory to Council are proposed. All rights of way should provide for appropriate reciprocal access to ensure that all affected lots are appropriately benefited.

39. All work required by the conditions of this consent must be completed prior to issue of a Subdivision Certificate, as relevant to the specific stage(s) included in the Subdivision Certificate.

Reason: To ensure the requirements of the Environmental Planning & Assessment Act 1979 are satisfied.

40. All proposed Lots (with the exception of lots created solely for drainage purposes) shall be provided with an independent water service from Council's main prior to the issue of the Subdivision Certificate.

Reason: To provide each lot with an independent water service.

Note: The design of water infrastructure is to be in accordance with Aus-spec and/or Council's standard requirements. A compliance certificate under Section 307 of the Water Management Act 2000 must be obtained from Council as the local water supply authority. All water service crossings must be in conduits to aid future access. The minimum service connections size of the main line is to be 32 mm diameter pipe.

41. All proposed Lots shall be provided with a sewerage junction and associated infrastructure prior to the issue of the Subdivision Certificate. Unless direct connection is provided to Council's existing sewerage system by conventional gravity mains and in accordance with Council's standards, sewerage within the estate is to be provided by an E-One pumping station system or equivalent. Full details of the proposed system are to be submitted with the Construction Certificate. Maintenance of sewage infrastructure on private property including grinder pumps, tanks and sewerage lines shall be the responsibility of the landholder. This shall be noted on the 88E instrument which shall

include a requirement for landholders to maintain their infrastructure in accordance with the manufacturer's recommendations, including such regular servicing as may be required.

Reason: To provide each lot with an independent sewerage service and to ensure the ongoing maintenance of the system without community cross-subsidy.

Note: The design of the sewerage infrastructure is to be in accordance with Aus-spec and/or Councils standard requirements.

42. An inspection of the on-site detention ponds, drainage works, roadway works and driveway crossings (as relevant) is required to be carried out by Council's Engineer prior to the issue of a Subdivision Certificate.

Reason: To ensure compliance with the approval.

43. All landscaping, roadworks and drainage infrastructure provided as part of the development shall be subject to a 12 month maintenance period following release of the Subdivision Certificate. A bond equivalent to 10% of the value of these works shall be provided to Council prior to the release of the Subdivision Certificate. At the conclusion of the maintenance period written application may be made to Council for release of the bond. Council will only release the bond if it is satisfied that the works subject to this condition are in good condition. Any defects if not rectified by the developer may be rectified by Council out of the bond moneys following the conclusion of the 12 month maintenance period and a 6 month period for rectification.

Reason: To ensure that works are in a satisfactory condition prior to acceptance by the Council.

44. Any surplus bond moneys once conditions of this consent have been complied with shall be returned to the person lodging the bond unless they provide alternative written instructions.

Reason: To ensure that unexpended bond moneys are returned.

CONDITIONS APPLYING TO DA 2013/02 ONLY (SITE A)

1. This approval does not authorise any construction works over land identified as SITE C (proposed lot 35) other than the construction of a temporary turning head.
2. A compliance certificate under section 305 of the Water Management Act 2000 must be obtained from the Council (as the local water supply authority) prior to issue of the Subdivision Certificate. Council requires the following payments prior to issuing a compliance certificate to allow continued funding of water and sewer facilities.
 - a. Water headworks contribution is \$77,616 (the water head works charge will be based on 1 (one) ET per created lot (not including the drainage reserve lot, and with two ET credits for the existing lots, a total of 22 lots). Value of 1ET=\$3,528.00.
 - b. Sewer headworks contribution is \$99,660 (the sewer headworks charge will be based on 1 (one) ET per created lot (not including the drainage reserve

lot, and with two ET credits for the existing lots, a total of 22 lots). Value of 1ET=\$4,530.00.

Reason: To ensure contributions are collected for water and sewer headworks.

Note: The above contributions have been adopted under the appropriate Council Management Plan. Revised rates adopted in subsequent Management Plans will apply to lots released in later financial years.

Council will assess the need for additional contributions at the time of development of the land for a specific use, based on the demands of that use. One ET credit will be given at that time.

CONDITIONS APPLYING TO DA 2013/03 ONLY (SITE B)

DEFERRED COMMENCEMENT CONDITION

1. Issue of a subdivision certificate over Lot 11 DP 848790 for the creation of proposed lots 18, 19, 20, 21 and 25 shall not occur (with the exception of dedication of the existing right of way over Blueberry Road as public road) until the Public Reserve classification of Lot 11 DP 848790 has been lifted.

Note: This condition does not affect the construction of any works associated with the subdivision including drainage works within the current Lot 11, DP 848790 and the creation of lot 17 which is for drainage purposes only.

ADDITIONAL GENERAL CONDITIONS

2. A Landscape Buffer Zone of 15m shall be implemented in all lots adjoining the existing caravan park except where an acoustic wall is required. This zone shall be identified on the 88B Instrument and shall be landscaped as part of the construction of the subdivision. The landscape plan submitted to Council shall address this buffer, in particular the use of species that are low maintenance and which provide good visual shielding.
3. Legal and physical access shall be provided to the proposed lot 25 either by a right of way or by direct road frontage. Such access shall be constructed to a trafficable standard for a two-wheel drive vehicle, including a gravel surface of minimum width of 3.5m.
Reason: To ensure legal and physical access to proposed lot 25.
4. A noise barrier, minimum height of 2.5m and minimum density of 12 kg/m² shall be erected against the Caravan Park boundary, against the two sides of Lot 4, DP 817786 which directly abut the proposed development.
5. A compliance certificate under section 305 of the Water Management Act 2000 must be obtained from the Council (as the local water supply authority) prior to issue of the Subdivision Certificate. Council requires the following payments prior to issuing a compliance certificate to allow continued funding of water and sewer facilities.

- a. Water headworks contribution is \$28,224 (the water head works charge will be based on 1 (one) ET per created lot (not including drainage reserve lots, and with one ET credit for the existing lot, a total of 8 lots). Value of 1ET=\$3,528.00.
- b. Sewer headworks contribution is \$36,240 (the sewer head works charge will be based on 1 (one) ET per created lot (not including drainage reserve lots, and with one ET credit for the existing lot, a total of 8 lots). Value of 1ET=\$4,530.00.

Reason: To ensure contributions are collected for water and sewer headworks.

Note: The above contributions have been adopted under the appropriate Council Management Plan. Revised rates adopted in subsequent Management Plans will apply to lots released in later financial years.

Council will assess the need for additional contributions at the time of development of the land for a specific use, based on the demands of that use. One ET credit will be given at that time.

ADVICES (Both applications)

- 1.** This approval is for subdivision and associated works only. Potential land uses of individual allotments are not authorised by this consent and are subject to separate consent requirements.
- 1.2.** The development of the project if implemented in accordance with these conditions may require amendment to Council's Masterplan, as included in Moree Plains DCP 1013. Such amendments should be processed to ensure that the DCP and Masterplan reflect the approved subdivision of the site.