

DETERMINATION AND STATEMENT OF REASONS

NORTHERN JOINT REGIONAL PLANNING PANEL

DATE OF DETERMINATION	17 October 2017
PANEL MEMBERS	Garry West (Chair), Pamela Westing and Susan Budd
APOLOGIES	None
DECLARATIONS OF INTEREST	<p>Stephen Gow declared a non-pecuniary (perceived) conflict of duties / interest in this DA, pursuant to the Panels' 2016 Code of Conduct.</p> <p>This is because in 2012/2013 in his then capacity as the Planning Director of the Armidale Dumaresq Council, he presented reports and recommendations to the Council concerning the planning issues arising from the Armidale Industrial Lands Study (AEC Group, 2012).</p> <p>The Study was then adopted by Council in May 2013 after conditional approval by the Department of Planning & Infrastructure on 18 April 2013, as a background document for Planning Proposal purposes.</p> <p>The industrial land at the Airport subject of this DA was included in the Study as zoned land which was yet to be fully serviced.</p> <p>In addition, he recollects attending at least two preliminary meetings around the same time (at least one of which was with RMS representatives), about the issue of the roundabout access to the land from the New England Highway.</p> <p>That roundabout forms part of this DA.</p> <p>Ian Tiley, previously Council's Administrator declared a perceived conflict of interest.</p> <p>Peter Dennis declared a conflict of interest as ARC is the applicant for consent.</p>

Public meeting held at Armidale Regional Council Chambers, 135 Rusden St, Armidale on 17 October opened at 11.30am and closed at 12 noon.

MATTER DETERMINED

2017NTH009 – Armidale – 46/2017

10541 New England Highway Armidale

Armidale Regional Airport Industrial Development - Staged subdivision of 72 Industrial, Aviation and Business lots and new Highway Roundabout.

(AS DESCRIBED IN SCHEDULE 1)

PANEL CONSIDERATION AND DECISION

The Panel considered: the matters listed at item 6, the material listed at item 7 and the material presented at meetings and the matters observed at site inspections listed at item 8 in Schedule 1.

The Panel determined to approve the development application as described in Schedule 1 pursuant to section 80 of the *Environmental Planning and Assessment Act 1979*.

The decision was unanimous.

REASONS FOR THE DECISION

The reasons for the decision of the Panel were:

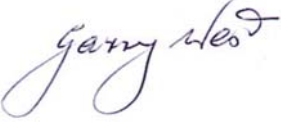


In terms of wider considerations, the Panel generally agreed with the environmental assessment and balance of considerations within the independent assessment report prepared by Sixhills Group Pty Ltd. The panel noted the following in particular:

- The permissibility of the proposal in the SP2 Infrastructure (Air Transport Facility) and IN2 Light Industrial zones
- The consistency of the proposal with the objectives of the zones;
- The compliance with key development standards in the Armidale Dumaresq DCP 2012;
- The allotments are not subject to inundation by flooding and are not classified as being bushfire prone;
- Access to the State Heritage listed Saumarez House will be maintained during the construction process and ultimately with access via a new road proposed by the development application;
- The subject land is not classified as 'core koala habitat' and therefore does not necessitate the preparation of a Plan of Management;
- The subject site is identified in Council's information system for potentially contaminated land. The Preliminary Site Investigation identified the existence of an underground storage tank located in proximity to / on the subject land, although the precise location could not be determined. During the site inspection, no visual or olfactory evidence of soil or surface water contamination was detected. It was concluded a detailed investigation was not considered necessary. A condition was imposed by the panel to provide for appropriate action to be undertaken in the event of contaminated land being discovered during the construction works;
- A Review of Environmental Factors was undertaken for the proposed roundabout and impacts of the development can be reasonably and practically mitigated;
- The proposed subdivision layout complies with the minimum lot size specified for the zone;
- Environmental offset arrangements have been provided to compensate for the loss of native vegetation.

CONDITIONS

The development application was approved subject to the conditions in the Council Assessment Report with the following amendments;

- Condition G005 was amended to change the reference to the authorisation from NSW Workcover from being a condition to an 'advising';
- Condition C039E was amended to reference the possible requirement for a Biobanking agreement from being a condition to an 'advising';
- Condition C039E was further amended to delete the conditions requiring payment of contributions prior to the release of each Subdivision Certificate. Council does not have a Developer Contributions Plan in place for this development and it was resolved after discussion with Council officers that this issue would best be resolved by resolution by Council.

PANEL MEMBERS	
 Garry West (Chair)	 Pamela Westing
 Susan Budd	

SCHEDULE 1		
1	PANEL REF – LGA – DA NO.	2017NTH009 – Armidale – 46/2017
2	PROPOSED DEVELOPMENT	Armidale Regional Airport Industrial Development - Staged subdivision of 72 Industrial, Aviation and Business lots and new Highway Roundabout
3	STREET ADDRESS	10541 New England Highway Armidale
4	APPLICANT/OWNER	Armidale Regional Council / NSW Department of Primary Industries – Lands; Armidale Regional Council
5	TYPE OF REGIONAL DEVELOPMENT	Council related development over \$5 million
6	RELEVANT MANDATORY CONSIDERATIONS	<ul style="list-style-type: none"> • Environmental planning instruments: <ul style="list-style-type: none"> • State Environmental Planning Policy No. 44 – Koala Habitat; • State Environmental Planning Policy No. 55 – Remediation of Land; • State Environmental Planning Policy (Infrastructure) 2007; • State Environmental Planning Policy (State and Regional Development) 2011; • Draft environmental planning instruments: Armidale Dumaresq Local Environmental Plan 2012 • Development control plans: Armidale Dumaresq Development Control Plan 2012 • Planning agreements: Nil • Provisions of the <i>Environmental Planning and Assessment Regulation 2000</i>: Nil • Coastal zone management plan: Nil • The likely impacts of the development, including environmental impacts on the natural and built environment and social and economic impacts in the locality • The suitability of the site for the development • Any submissions made in accordance with the <i>Environmental Planning and Assessment Act 1979</i> or regulations • The public interest, including the principles of ecologically sustainable development
7	MATERIAL CONSIDERED BY THE PANEL	<ul style="list-style-type: none"> • Council assessment report: 7 September 2017 • Written submissions during public exhibition: 2 • Verbal submissions at the public meeting: <ul style="list-style-type: none"> ○ Support – NIL ○ Object – Andrew Murray ○ On behalf of the applicant – NIL
8	MEETINGS AND SITE INSPECTIONS BY THE PANEL	<ul style="list-style-type: none"> • Site inspection and briefing meeting 17 October 2017 • Final briefing meeting to discuss council's recommendation, 17 October 2017, 11.30 am. Attendees: <ul style="list-style-type: none"> ○ <u>Panel members</u>: Garry West (Chair), Pamela Westing Panel Member, Susan Budd Panel Member, ○ <u>Council assessment staff</u>: Kate Campbell and John Goodall, Greg Myers and Ambrose Hallman
9	COUNCIL RECOMMENDATION	Approval
10	DRAFT CONDITIONS	Attached to the council assessment report

SCHEDULE 2 – Conditions approved by the Panel

Appendix 3 - Proposed Conditions of Development Consent

All Stages

General

G001E Compliance with Consent

To ensure this development is consistent with Council's consent, the development must take place in accordance with the approved plans (bearing the Council approval stamp); and all other documents submitted with the application, subject to the consent conditions in this notice. In the event of any inconsistency between the approved plans and the conditions of this consent, the conditions shall prevail.

The approved plans are attached to this consent notice and are listed below:

Plan Drawer	Plan Numbers / Revision	Date
Denis Atkinson Planning Pty Ltd	Statement of Environmental Effects for Proposed Staged Subdivision of Lands Zoned Light Industrial and Infrastructure (Air Transport Facility) at the Armidale Regional Airport Industrial Precinct Reference 16031	October 2016
Ardill Payne	Overall Layout Plan Option 1 – Stages 1A and 1B Revised Layout, Dwg No. SK05 Job No. 8019 Issue F	15/08/2017
EnviroAg Australia	Preliminary Site Investigation for Contamination, Project Document No. 23375.55454	04/09/2012
CCC Cohen Cultural Consultancy	Aboriginal Cultural Heritage Site Assessment Report	30/11/2015
Ardill Payne	Review of Environmental Factors for the Construction of a Roundabout on the New England Highway to service the Armidale Regional Airport Industrial Precinct, Job No. 8019	August 2016
Ardill Payne	Proposed Roundabout Detail Plan, Dwg No. C02 Job No. 8019 Issue C	20/12/2016
Ecological Australia	Preliminary Offset Review for the subdivision and planning proposal to rezone land adjacent to Armidale Regional Airport, Ref / Job No. 16ARM – 3654	17/03/2016
Ecological Australia	Armidale Regional Airport Biodiversity Offset: Part 1 Biodiversity Assessment Ref / Job No. 16ARM – 4175	30/06/2016

ADVISING: Further consent may be required for any change, enlargement or intensification of the premises or land use, including the display / erection of any new structure such as signage, partition walls or building fit-out (unless the proposed work is exempt from the need for consent). Please check with Council before commencement.

The proposed development is to comply with the Manual of Standards Part 139 Aerodromes as well as the requirements of the National Airports Safeguarding Framework

Prior to Issue of a Construction Certificate for Each Stage of Development

G002 Works in Accordance with Engineering Code

All Engineering works to be designed by a competent person and carried out in accordance with Council's Engineering Code, unless otherwise indicated in this consent, to ensure that these works are of a sustainable and safe standard.

C021E Road Design

Road design shall be in accordance with Council's Engineering Code. Plans demonstrating compliance with the Code are to be provided to the relevant Certifying Authority for approval prior to the issue of a Construction Certificate for each stage of the development.

C045E General S68 approvals

Approval is required from Council for the following activities pursuant to Chapter 7 Section 68 of the Local Government Act 1993:

- Water supply work,
- Sewerage work,
- Stormwater drainage work.

Approval must be obtained prior to the issue of a Construction Certificate for each stage of the development.

C038E Water Supply

Separate approval must be obtained from the Council as the Local Water Supply and Sewer Authority pursuant to Chapter 7 of the Local Government Act 1993 prior to the issue of a Construction Certificate for each stage of the development. Designs for the supply of water be completed in accordance with Council's Engineering Code D11 – Water Supply.

Provision of an adequate water supply by connecting to the Council's reticulated potable water supply system is required to serve each lot within the proposed subdivision. Details are to be submitted for the approval of Council's Development Engineer or nominee before the issue of a Construction Certificate and related Section 68 approval for each stage of the development.

The internal water mains are to form a looped system with no dead ends and each new lot shall have the main in its frontage. Water supply design is to comply with Council's Engineering Code (POL119) and provide for sustainable cost effective operation by Council in the future. Fire flows required are 11L/sec at a pressure of not less than 275 kPa (28m). These flows are to be supplied at the most disadvantaged hydrant in addition to peak instantaneous demands.

If any stage of the subdivision results in the temporary construction of a "dead end" main, then a legal agreement is to be drawn up at the developer's expense between the developer and Council as the water supply authority. The agreement is to include a contribution of capitalised maintenance and operational costs to Council to cover the design life (100 years) of any system that is not part of a minimum maintenance gravity system. This agreement is also to include a charge of \$2,000 to cover the capitalised cost of future flushing of the main and to be executed before the issue of a Subdivision Certificate. Fees will be refunded less expenses, upon request and completion of the main as a looped system.

Disposal and Management of Sewage

Designs for the disposal and management of sewage shall be completed in accordance with Council's Engineering Code D12 – Sewerage System and are to be submitted to Council as the Local Sewer Authority prior to the issue of a Construction Certificate for each stage of the development.

C031E Underground Piping of Stormwater

Stormwater management designs are to comply with Council's Engineering Standards, and details are to be submitted to Council prior to the issue of a Construction Certificate for each stage of the development.

Protection of the development by provision of underground drainage pipelines (within easements or roadways) to cater for a stormwater flood frequency of 20% Annual Exceedence Probability (AEP) and fail-safe aboveground floodways to cater as a minimum for a flooding frequency of 1% AEP. Trimming, filling or reshaping of the site is to be undertaken so that no ponding or other stormwater nuisance occurs, or concentration of flow is produced onto other property.

Inter-allotment drainage is to be provided for all lots which do not drain naturally to a public road, to protect those lots and adjoining property. All inter-allotment drainage is to be contained within a suitably located easement (minimum width 2m). Details are to be provided to the relevant Certifying Authority for approval prior to the issue of a Construction Certificate for each stage of the development.

Title Plan submissions are to confirm easement details including the function, form and levels of essential earth or other surface works including flood ways, to help ensure the permanency and designed operation of such facilities.

C033 Stormwater Detention

A stormwater detention system is to be designed to ensure the post-development flow from the detention basin is to be no greater than the pre-development flow from the catchment. Storm events to be provided for are the 1% Annual Exceedence Probability (AEP), 5% AEP and 20% AEP. Details are to be provided to the relevant Certifying Authority for approval prior to the issue of a Construction Certificate for each stage of the development.

C029 Erosion & Sediment Control Plan

The preparation of an Erosion and Sediment Control Plan (ESCP) and accompanying specifications for the construction phase of the works, prepared by a suitably qualified/experienced person and based on the Landcom manual *"Soils and Construction, Managing Urban Stormwater, Vol 1 4th Edition, March 2004"*, shall be lodged for approval of the certifying authority with the application for a Construction Certificate for each stage of the development. The approved ESCP controls shall be implemented, inspected and approved prior to the commencement of any site works and maintained for the life of the construction period and until revegetation measures have taken hold. The ESCP shall include, but not be limited to:

- Provision for the diversion of runoff around disturbed areas;
- Location and type of proposed erosion and sediment control measures;
- Location of and proposed means of stabilisation of site access;
- Approximate location of site sheds and stockpiles;
- Proposed staging of construction and ESCP measures;
- Clearance of sediment traps on a regular basis and after major storms;
- Proposed site rehabilitation measures, including seeding of all bare un-grassed areas and turfing where erosion or scouring is likely to occur;
- Standard construction drawings for proposed erosion and sediment control measures.

ADVISING: Failure to take effective action may render the developer liable to prosecution under the NSW Protection of the Environment Operations Act.

Traffic Management Plan

Prior to the issue of any Construction Certificate for the subdivision, the developer shall prepare a Traffic Management Plan (TMP), including appropriate Traffic Control Plans (TCPs), to manage traffic impacts during construction of the subdivision. TCPs should be prepared and implemented by suitably qualified person/s in accordance with RTA Traffic Control at Worksites Manual. Any traffic control proposed on the New England Highway will require a Road Occupancy Licence (ROL) to be obtained from Roads and Maritime Services.

Works Authorisation Deed

Prior to the issue of any Construction Certificate for the subdivision, the developer shall enter into a Works Authorisation Deed (WAD) with Roads and Maritime Services for construction of the proposed roundabout on the New England Highway.

Lighting

Street lighting is to be provided in accordance with the lighting level requirements of the Armidale Regional Council Engineering Code for the proposed industrial subdivision and the RMS requirements for the New England Highway roundabout. All lighting shall meet the requirements of the Civil Aviation Safety Authority for 'Lighting in the Vicinity of Aerodromes', which, by reason of its intensity, configuration or colour, must not cause confusion or glare to pilots that might endanger the safety of aircraft. Details shall be included with each application for a Construction Certificate.

Landscape Plan

A landscape plan shall be submitted with an application for a Construction Certificate for each stage of the development. This plan shall detail the proposed 10 metre wide landscaped mound between the site and the New England Highway as well as plantings along the road/s that will be accessed by Saumarez Homestead. Furthermore, in accordance with the Airport's Wildlife Hazard Management Plan, all landscaping provisions for the proposed development must consider final growth heights against the Obstacle Limitation Surface Map, and any attractions to birds which may cause a risk to aviation activities. The Plan shall also consider existing commercial signage in the vicinity and not propose any vegetation that will unduly obscure this signage.

Prior to Commencement of Works for Each Stage of Development

G009 Construction Certificate

A Construction Certificate for each stage of the development must be obtained before the work commences, in accordance with Section 81A of the Environmental Planning and Assessment Act 1979.

P003 cl.98A - Erection of Signs

Erection of signs

- (1) For the purposes of section 80A (11) of the Act, the requirements of subclauses (2) and (3) are prescribed as conditions of a development consent for development that involves any building work, subdivision work or demolition work.
- (2) A sign must be erected in a prominent position on any site on which building work, subdivision work or demolition work is being carried out:
 - (a) showing the name, address and telephone number of the principal certifying authority for the work, and
 - (b) showing the name of the principal contractor (if any) for any building work and a telephone number on which that person may be contacted outside working hours, and
 - (c) stating that unauthorised entry to the work site is prohibited.
- (3) Any such sign is to be maintained while the building work, subdivision work or demolition work is being carried out, but must be removed when the work has been completed.
- (4) This clause does not apply in relation to building work, subdivision work or demolition work that is carried out inside an existing building that does not affect the external walls of the building.
- (5) This clause does not apply in relation to Crown building work that is certified, in accordance with section 109R of the Act, to comply with the technical provisions of the State's building laws.
- (6) This clause applies to a development consent granted before 1 July 2004 only if the building work, subdivision work or demolition work involved had not been commenced by that date.

Note. Principal certifying authorities and principal contractors must also ensure that signs required by this clause are erected and maintained (see clause 227A which currently imposes a maximum penalty of \$1,100).

G007 Notice of Commencement & PCA

The owner/s of the property are to give Council written notice of the intention to commence works and the appointment of a Principal Certifying Authority (if the PCA is not Council) at least two days before the proposed date of commencement, in accordance with clauses 103, 103A and 104 of the Environmental Planning and Assessment Regulation 2000. Such notice is to be given using the form enclosed with this consent.

For development involving both building and subdivision work authorised by the same development consent, separate appointment of a Principal Certifying Authority for each type of work is required, in accordance with Section 109E of the Environmental Planning & Assessment Act 1979.

Stockpiles

All material stockpiled on the subject land shall be removed prior to the commencement of construction.

During Construction of Each Stage of Development

D006 Dust Control

Dust and loose refuse must be controlled during any construction in the vicinity of the aerodrome, to avoid any airborne particulates which could impair the visual condition of the aerodrome or be ingested into an aircraft orifice or engine.

ADVISING: Failure to take effective action may render the developer liable to prosecution under the NSW Protection of the Environment Operations Act.

Construction with Cranes, Concrete Pumps and Structures

In accordance with the Armidale Aerodrome Manual, approximately 12 weeks prior to any construction that involves

the use of cranes, concrete pumps or structures of any kind, the details of the object must be submitted to CASA via the District Aerodrome Inspector and to Airservices Australia Procedure Designers to assess the impact on PANS-OPS and published approach procedures.

D009 Construction Hours

The hours of building work are to be restricted to between 7.00am and 6.00pm on Monday to Friday and 8.00am to 1.00pm on Saturdays, to maintain the amenity of the locality.

Any proposed building work to be undertaken outside these hours or on Public Holidays must be the subject of prior written agreement from Council - consideration may be given to special circumstances and non-audible work if applicable.

ADVISING: Breaches of this condition may result in the issuing of a Penalty Infringement Notice or prosecution.

Access

Safe and uninterrupted access to Saumarez Homestead, the Animal Welfare Facility and private property shall be ensured at all stages throughout construction.

D016 Toilet on Site

Toilet facilities are to be provided at, or in the vicinity of the work site, at the rate of one toilet for every 20 persons or part of 20 persons employed at the site. Each toilet provided must be connected to an accredited sewage management facility approved by the council or some other sewage management facility approved by the council.

D017E Inspections

Should Council be appointed the Principal Certifying Authority for the building work, at least 2 days' notice is to be given to enable the following inspections to be undertaken:

- before covering any stormwater drainage connections

This is identified as a 'critical stage inspection', being a mandatory inspection pursuant to Section 109E of the EP&A Act 1979. Please note that a Subdivision Certificate cannot be issued for a development where a critical stage or other nominated inspection has not been carried out.

D018 Erosion/Sedimentation Control

The development must be carried out in accordance with *Managing Urban Stormwater: Soils & Construction* (4th edition, Landcom, 2004), commonly referred to as the "Blue Book" and as in force at the date of this consent; to maintain public and environmental safety and amenity, and prevent erosion and sedimentation.

ADVISING: Failure to take effective action may render the developer liable to prosecution under the NSW Protection of the Environment Operations Act.

Public Safety

Action being taken by the developer and contractors to ensure that public safety is maintained on roadways under construction at all times, by the provision of effective barriers to distinguish between adjacent public roadways and the roadways under construction.

Hoardings

A hoarding or fence must be erected between the work site and any public place if the work is likely to cause traffic (pedestrian or vehicular) in a public place to be obstructed or otherwise inconvenienced. The erected hoarding is to comply with AS 4687 (current edition) - Temporary fencing and hoardings and be sufficient to prevent any substance from or in connection with the work falling into the public place. The work site must be kept lit between sunset and sunrise if it is likely to be hazardous to persons in the public place. The hoarding, fence or awning is to be removed once the work has been completed.

Fill

Any fill which is placed on the site shall be free of any contaminants and placed in accordance with the requirements of AS 3798 (current edition) Guidelines on Earthworks for Commercial and Residential Developments. The developer's structural engineering consultant shall:

- identify the source of the fill and certify that it is free from contamination; and

- classify the area within any building envelope on any such filled lot in accordance with the requirements of "Residential Slabs and Footings" AS 2870.1 (current edition).

G005 Land Contamination

Any contaminated land discovered during construction is to be appropriately remediated in accordance with relevant legislation.

ADVISING: Separate authorisation is required from NSW Workcover for the removal of any fuel storage facilities on the site, to address employee and public safety issues. Advice is also to be provided to the NSW Office of Environment and Heritage in relation to works in connection with any underground petroleum systems.

G006 Tree Removal

Any approved tree removal shall be carried out by an appropriately qualified person (e.g. tree surgeon) to avoid any risk to life or damage to property. This person shall have adequate public liability insurance cover.

Prior to Issue of a Subdivision Certificate for Each Stage of Development

C027 Subdivision Certificate/Title Plan Release

An Application for a Subdivision Certificate is to be submitted to Council with three (3) copies of the Title Plan. Details of any staging, compliance with relevant consent conditions, and all required easements, positive covenants and restrictions as to user are to be included on the documentation submitted for a Subdivision Certificate for the subject lots, to ensure that the relevant consent requirements are addressed.

Protection of Infrastructure

All utility services located within private property are to be contained within suitably located easements. In this regard, appropriate Section 88B Instrument/s shall be lodged with any application for a Subdivision Certificate. The 88B Instrument/s shall also note the following restrictions over all allotments:

- There shall be no direct access to / from the New England Highway. All access shall be via the new internal roadways;
- There shall be no structures or signage, nor shall there be the storage of any goods or materials between the Title boundary and the New England Highway (i.e. within the 10m wide landscaped area);
- Landscaping shall be maintained in perpetuity in accordance with the approved Landscape Plan;
- Any replacement fencing shall match that approved and erected at the time of the Subdivision Certificate.

Defect Liability Period

In relation to the civil works required by this development which will become public assets, it is Council's usual requirement that these works be completed and accepted by Council before a Subdivision Certificate is issued. Upon completion and subsequent acceptance, Council will require these works to be placed on a 12 months' defect liability period and secured by means of a cash deposit or bank guarantee for 10% of the total construction contract price.

Upon application by the developer, Council will consider issuing a Subdivision Certificate before the subdivision works have been completed. In these cases an 'Agreement to Meet Costs' form and monetary security for outstanding civil works that are to become public assets must be provided to Council before the issue of any Subdivision Certificate. Security shall be in the form of cash deposit or bank guarantee, for an amount to the satisfaction of Council's Director Public Infrastructure or nominee. Application for a 90% refund of the security may be made on documented completion of the works, with full refund of the remaining 10% upon satisfactory completion of the 12 months' defects liability period.

C048 Completion/Inspection of Civil Works

All civil engineering and utility service works undertaken pursuant to this consent, including:

- Water supply work,
- Sewer drainage work,
- Stormwater drainage work,

- Roadwork, including kerb and gutter and footpath construction,
- Street lighting,

are to be inspected and tested upon completion, and details of works which will become public assets provided to Council's Development Engineer or nominee, before the issue of a Subdivision Certificate for each stage of the development.

One set of print film copies and an electronic copy of "work as executed" plans are to be provided to Council for works affecting Council property or benefiting Council. Each plan is to have a scale adjacent to the title block showing the scale used on that plan. The location of any fill introduced, by both plan limit and depth, together with relevant classifications shall be shown on the "work as executed" plans to be submitted to Council.

C017 Road Names

Suggestions (and reasons) for the names of new road(s) should be submitted at least 3 months before the submission of an application for a Subdivision Certificate for the development. Proposed new road name(s) should not be included on Title Plans submitted to Council with an application for a Subdivision Certificate, until such time as the name of any new road(s) has been approved by Council and other relevant authorities. Street name signs and posts are to be erected in accordance with Council's Engineering Code.

ADVISING: Council's Policy on Local Place Naming, Policy POL071, favours names with historical, zoological, botanical or geographic association with the locality. Council can provide advice on appropriate names on request.

O024 Completion / Inspection of Works

All conditions of this consent requiring any of the following to be carried out:

- Earthwork,
- Road work, including road pavement and road finishing,
- Stormwater drainage work,
- Landscaping work,
- Erosion and sedimentation control work,
- Excavation work,

are to be satisfied and inspected by the relevant Certifying Authority, before the issue of the relevant Subdivision Certificate for each stage of the development.

Fencing

Any fencing adjacent to the New England Highway shall be a maximum 3 metres above existing ground level, constructed of black wire mesh, and in accordance with the requirements of the Roads and Maritime Services. Any security fencing installed on the subject site shall be in accordance with the requirements of the Civil Aviation Safety Authority.

Ongoing Operations

Emissions

Exhaust plumes must not originate from any sources including chimneys, smoke stacks, smelters, combustion sources or flares.

Advice

A001 Aboriginal Artefacts

In the event that Aboriginal artefacts are identified on the site during development through earthworks or construction, the Applicant shall contact the National Parks and Wildlife Service (NPWS – part of the Office of Environment and Heritage) and cease work in the relevant location pending investigation and assessment of its heritage value by NPWS and the relevant local Aboriginal groups.

A 'Consent to Destroy' Application under section 90 of the National Parks and Wildlife Act 1974 must be submitted

and issued by the Director-General of National Parks and Wildlife for any Aboriginal archaeological sites that are to be damaged or destroyed as a result of any development. The Applicant shall consult with the relevant local Aboriginal groups and to the satisfaction of the NPWS prior to any 'Consent to Destroy' Application being submitted.

For further information see the NPWS Code of Practice for Archaeological Investigations in NSW:

<http://www.environment.nsw.gov.au/licences/archinvestigations.htm>

Signage

It is recommended that signage acknowledging the traditional owners of the land be erected within the subdivision in accordance with the requests of relevant local Aboriginal groups.

A002 European Artefacts

In the event that any relics, being any deposit, artefact, object or material evidence that:

- (a) relates to the settlement of the area that comprises New South Wales, not being Aboriginal settlement, and
- (b) is of State or local heritage significance,

are identified on the site during development through earthworks or construction, the Applicant/developer shall notify the NSW Heritage Council as required under s.146 of the Heritage Act 1977, as well as the Armidale Regional Council, of the find and await further advice before proceeding with the development.

Stage 1A

Prior to Issue of a Subdivision Certificate for Stage 1A

C039E Water and Sewer Developer Contributions

The owner is required to pay a contribution towards water and sewer infrastructure provided by Council for the benefit of this site in accordance with Council's Development Servicing Plan for Water and Sewerage. Upon payment of the required contribution or completion of appropriate arrangements for payment, which must be made before the issue of the Subdivision Certificate, Council will issue a Certificate of Compliance pursuant to s.64 of the Local Government Act 1993, and Division 5 of Part 2 of Chapter 6 of the Water Management Act 2000.

ADVISING: At the date of determination the applicable contributions for Stage 1A are \$471,954.00 (\$249,648.00 - water and \$222,306.00 – sewer). Please be advised that contributions are indexed annually at the end of each financial year. Contributions applicable at the date of payment can be reviewed on the 'On-line Services' on Council's website.

Construction of the Roundabout on the New England Highway

Prior to the issue of a Subdivision Certificate for any stage of the development, the roundabout on the New England Highway shall be completed in accordance with the requirements of the NSW Roads and Maritime Services.

Environmental Offset Land

Lot 3 DP 1198787 and Part Lot 21 DP 817347 shall be dedicated as environmental offset land. A Vegetation Management Plan (VMP) is to be prepared and finalised prior to release of the Subdivision Certificate for Stage 1A.

ADVISING: The preparation of a VMP may also include the requirement for a BioBanking agreement as well as the rezoning of the land in order to allow for the implementation and management of the offset area in perpetuity.

Directional Signage

Suitable directional signage is to be installed within the subdivision prior to the release of the Subdivision Certificate for Stage 1A of the development in order to direct traffic towards Saumarez Homestead.

Stage 1B

Prior to Issue of a Subdivision Certificate for Stage 1B

C039E Water and Sewer Developer Contributions

The owner is required to pay a contribution towards water and sewer infrastructure provided by Council for the benefit of this site in accordance with Council's Development Servicing Plan for Water and Sewerage. Upon payment

of the required contribution or completion of appropriate arrangements for payment, which must be made before the issue of the Subdivision Certificate, Council will issue a Certificate of Compliance pursuant to s.64 of the Local Government Act 1993, and Division 5 of Part 2 of Chapter 6 of the Water Management Act 2000.

ADVISING: At the date of determination the applicable contributions for Stage 1B are \$337,110.00 (\$178,320.00 - water and \$158,790.00 – sewer). Please be advised that contributions are indexed annually at the end of each financial year. Contributions applicable at the date of payment can be reviewed on the 'On-line Services' on Council's website.