

MEMORANDUM

To: The Chair, Northern Joint Regional Planning Panel
From: Senior Development Assessment Officer (Planning)
Date: 10 October 2018
File: DA17/270
Subject: North Lismore Plateau Subdivision (2017NTH019)

Please note that Council has consulted with the applicant with regard to the Draft Conditions of Development Consent (as referenced in the Development Assessment Report).

The applicant has requested some changes to be made to the draft Conditions. Set out below are the changes that Council has agreed to, and duly amended in the Draft Conditions of Development Consent:

- 1 Condition No 1 has been updated to reflect the most up to date plans, being revision D dated 8 August 2018.
- 2 Condition No 3 refers to Concept Approval and s4.22 of the *Environmental Planning & Assessment Act 1979*.
- 3 Condition No 4 dot point 2 is not in bold.
- 4 Condition No 9 includes the words “under this consent” after the word “Development”.
- 5 Condition No 13 add the words “except where the works, services and/or public utility alterations form part of any contributions plan, Voluntary Planning Agreement or separate agreement formally adopted by Council”.
- 6 Condition No 16 delete the last sentence “Fill imported onto the site for use on the floodplain component of the development must be sources from the floodplain”.
- 7 Condition No 21 has been removed as it is not required.
- 8 Condition No 26 (now Condition No 25 following the removal of Condition No 21) the dot point reference as follows has been removed:
 - “Remove the following from Boulevard list due to root system issues being too large on shallow soils: Araucaria cunninghamii; Elaeocarpus sp.; Ficus sp.; and Flindersia schottiana.”
- 9 Condition No 32 (now Condition No 31) to be replaced with: “Bulk earthworks shall not commence on site until the Civil Construction Certificate for those bulk earthworks has been issued.”
- 10 Condition No 35 (now Condition No 34) add the words “within the development area” after “any existing or proposed lots” and before “can be directed” in the second sentence.
- 11 Condition No 41 (now Condition No 40) to include “above 1.2m in height” after the words “retaining walls” and before “in the development”.

- 12 Amend the heading above Condition No 45 (now Condition No 44) to state “Road works on Main Roads” and amend the first sentence to state: “As road works are required on a Main road...”
- 13 Amend the table in Condition No 46 (now Condition No 45) in the second line (Road 3) to change the reserve width to “14*” and include a Note at the end of the table that “* the width may be reduced to 12.5m subject to approval at CC stage as this road is adjacent to Hairy Joint Grass and reduction in road reserve width may be beneficial”.
- 14 Amend Point (1) of Condition No 46 (now Condition No 45) to state “Construction of an Auxiliary Left Turn (AUL) lane and Basic Right Turn (BAR)” at the beginning of the point.
- 15 Change the heading for Condition No 58 (now Condition No 57) to read “Construction Management Plan” and amend the first words to read “A Construction Management Plan”.
- 16 Amend Condition No 59 (now Condition No 58) point (c) to replace “MUTCD” with the words “Manual of Uniform Traffic Control Devices”.
- 17 Condition No 72 (now Condition No 71) amend the first dot point to read “Tree removal and any pruning works to be supervised by fully qualified and insured Arborist (AQF level 3 qualifications as a minimum).
- 18 Condition No 84 (now Condition No 83) section (b) amend “s.94” to “s7.11”.
- 19 Condition No 87 (now Condition No 86) to read “Following lodgement of the Biodiversity Certification Strategy ...”
- 20 Condition No 88 (now Condition No 87) to be amended to read:
“88 **Prior to the issue of the Subdivision Certificate for Precinct 2** the applicant shall apply traffic calming measures on the access road approved under DA5.2016.7.1 to reduce the risk of vehicle strike on wildlife. Details of the proposed measures must be submitted to and be approved by Council prior to any works/measures on this road being undertaken.”
- 21 Comment to be added to the Advisory Notes to the effect that “A separate development application is required to be lodged for the demolition of any structures on the proposed development site.”

Minor typographical errors were also corrected and conditions re-numbered as a result of the amendments listed above.

It is noted that some minor changes, as requested by the applicant, were not made to the consent and the reasons that the changes were not supported by assessment staff have been conveyed to the applicant.

Sue Thatcher
Senior Development Assessment Officer (Planning)