

Attachment B: Tables of Compliance

Assessment against Clarence Valley Residential Zones Development Control Plan 2011

Clause	Comment	Compliance
Part C. General Development Controls for Residential Zones		
<p>C3. Site Assessment Requirements</p> <p>The site assessment should consider the existing characteristics, opportunities and constraints of the site and the surrounding area, which should form the basis for site layout and building design.</p>	<p>The proposed development has been designed to respond to constraints that apply to the site including natural hazards. As contained in the detailed discussion below, the proposal is generally consistent with the controls that apply to the West Yamba Urban Release Area under Part X Schedule 1 to provide a consistent development outcome.</p>	Yes
<p>C5.2. The maximum height for cut and fill is 1.2 metres above or below the existing ground level, except where the cut and fill is incorporated into the design of the building.</p>	<p>The application proposes up to 2.7m of fill over the site. This control applies to building requirements, as such this control does not apply to subdivisions and other controls apply to fill management under Part X Schedule 1 of the DCP.</p> <p>The proposed retaining walls shown in the Earthworks Plans and fencing and landscaping in the Landscaping Strategy propose an outcome that meets in the Objectives of Part C of the DCP.</p>	<p>No</p> <p>Complies with Objectives of Part C – Streetscape and Landscaping and controls under Part X</p>
<p>C9 In the R1 General Residential, R2 Low Density and R3 Medium Density zones a minimum site area of 400 m² for dwelling houses applies Within this area it must be possible to fit a rectangle suitable for building measuring 10 metres by 15 metres behind the building line.</p>	<p>All lots proposed are above 400m², the applicant has submitted concept drawings to show that a building envelope can be situated on lots whilst complying with other controls under the DCP relating to setbacks, landscaped area and private open space.</p>	Yes.
<p>C24 The controls in this part of the DCP provide further guidance in relation to clause 7.8 Essential Services of the Clarence Valley LEP 2011. Refer also to Part J of this DCP.</p> <p>Clause 7.8 requires Council to be satisfied that any utility infrastructure that is essential for the proposed development is available or that adequate arrangements have been made to make that infrastructure available.</p>	<p>The applicant has provided satisfactory information pertaining to provision of services for the proposed subdivision.</p> <p>Extension of the existing water main located on the corner of Carrs Drive and Miles Street is required to service each stage of the development such that each lot has frontage and service to reticulated main infrastructure.</p> <p>The sewer trunk main to the Yamba Sewerage Treatment Plant from West Yamba has been constructed by other developers in West Yamba which caters for the cumulative demand generated by the area.</p> <p>A traffic impact assessment which identifies what external upgrades are required for the development and the road standards for the upgrading of Miles Street, Carrs Drive and the internal Road network in accordance with NRDC.</p> <p>Details of the proposed extensions of the services outlined above shall be provided with the Subdivision Works Certificate for each stage.</p> <p>Other infrastructure such as energy/electricity and telecommunication services/NBN will also need to be</p>	Yes

Clause	Comment	Compliance
	planned for and provided for the development. Satisfactory arrangements will need to be made with designated State and Local Authorities to determine availability, timing and cost arrangements, including the payment of contributions where required prior to release of lots within any relevant stage.	
C25 Development of flood prone land must comply with the requirements of PART D of this DCP.	Refer to comments below, compliance with part D has been demonstrated	Yes
C26 Controls for Bush Fire Prone Land On bush fire prone land, a DA must comply with the NSW RFS <i>Planning for Bushfire Protection 2006</i> .	The proposal has been referred to the RFS. RFS has responded and issued General Terms of approval for the proposal.	Yes
C27 Development of land with Acid Sulfate Soils Specific controls apply to disturbance of land classified and identified as Acid Sulfate Soils on the Clarence Valley LEP 2011 Acid Sulfate Soils Map.	An Acid Sulfate Soils Management Plan has been submitted with the DA. Recommendations are provided in relation to earthworks on the site. These form conditions of consent.	Yes
Part D. Floodplain Management Controls		
<p>D3.1 Performance Criteria All development requiring Council consent must comply with the following performance criteria:</p> <p>(a) The proposed development should not result in any increased risk to human life.</p> <p>(c) The proposal should only be permitted where effective warning time and reliable access is available for evacuation from an area potentially affected by floods to an area free of risk from flooding. Evacuation should be consistent with any relevant flood evacuation strategy.</p> <p>(d) Development should not detrimentally increase the potential flood effects on other development or properties either individually or in combination with the cumulative impact of development that is likely to occur in the same floodplain.</p>	<p>Two (2) Flood Impact and Risk Assessment Reports have been prepared by BMT 25 November 2022 and 30 October 2023, one to consider the 2013 Model and respond to previous questions raised in the peer review of the Flood Impact Assessment and secondly to consider the 2022 Model.</p> <p>The assessment of impacts associated with the development under the 2022 Flood Impact and Risk Assessment Report include:</p> <ul style="list-style-type: none"> Option 1 includes the proposed Yamba Gardens development and all approved and current WYURA applications. Option 2 is as Option 1 but also includes filling of all remaining WYURA development. Option 3 is as Option 2 but with the inclusion of a representation of the Yamba Bypass along the northern perimeter of the WYURA. <p>All three options were assessed for the 1 in 20 and 1 in 100 Annual Exceedance Probability (AEP) flood events and the peak flood levels have been compared to the Base Case (pre West Yamba development) flood levels. The report was expanded to include a 1 in 100 AEP event with a 10% increase in rainfall.</p> <p>It should be noted that the Council adopted 2022 Flood Model used for the 2023 Flood Impact and Risk Assessment Report has higher assumptions for climate change than the 2022 Flood Impact and Risk Assessment Report prepared by BMT.</p> <p>The assessment of impacts associated with the development under the 2022 Report include:</p> <p>Two scenarios have been modelled to represent different landforms. The scenarios have been defined to capture the cumulative flood impact from all WYURA development.</p>	Yes

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	<ul style="list-style-type: none"> The pre-development scenario includes all the WYURA development filling completed before 2022, such as Yamba Parklands, Clifton Lifestyle Manufactured Home Estate (MHE) and Golding Street MHE. It also includes approved Carrs Drive upgrade plans within the Yamba Parklands design between Harold Tory Drive and Miles Street. The post-development scenario was as the pre-development scenario but included the filling of all the lots within WYURA. <p><u>Impacts</u> Council initiated the review of a previous flood impact assessment prepared by BMT, The impact assessment submitted with this application considers the findings of the review and has amended the Flood Risk Impact Assessment 2022 accordingly. The impacts are:</p> <p><i>For mapping and reporting purposes we maintained an impact reporting threshold of 30mm. This is to maintain consistency with all previous West Yamba assessments and allow all developments to be assessed in a consistent and fair manner. We note too that this is lower than the value of 50mm adopted for the Pacific Highway Upgrade which also used the lower Clarence flood model as the basis of its assessment.</i></p> <p><i>With regards to the different flood events, Council's adopted model (Lower Clarence Flood Model Update 2013), includes the following AEPs: 1 in 5, 1 in 20, 1 in 50, 1 in 100 along with an extreme event. Council therefore does not have adopted events for the 1 in 500 and 1 in 200 AEPs. We note that the previous Council flood study, undertaken in 2004, did include the 1 in 500 AEP (referred to as the 500 year ARI event). To address the peer review comment we have modelled the 1 in 500 AEP event based on the 2004 flood study inputs and assumptions. The 1 in 500 AEP main Clarence River inflow has been sourced from a study BMT is currently preparing for Council and is based on an updated flood frequency analysis at Grafton. The 1 in 500 AEP peak flow is similar to that from the original 2004 study. We have assessed the 1 in 500 AEP event for flood impacts and presented results within Annex A, B and C. We have also additionally modelled the 1 in 50 AEP event and assessed this event for impacts.</i></p> <p><i>We have not assessed any events with a smaller magnitude than the 1 in 20 AEP event as the 1 in 20 AEP event showed minimal impacts. It is assumed the comment regarding assessment of the 1 in 5 and 1 in 10 AEP events is more targeted for local catchment runoff assessment which is outside the scope of this assessment.</i></p>	

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	<p><i>To assist Council in interpreting the impacts and to address the peer review comments we have undertaken the following for each assessed AEP event and for Option 1 and 2:</i></p> <ul style="list-style-type: none"> • <i>Mapped peak flood level impacts for additional AEPs (1 in 50, 1 in 500 and 1 in 100 with climate change) – presented in Annex A.</i> • <i>Mapped peak flood velocity impacts – presented in Annex B</i> • <i>Mapped peak flood hazard category impacts – presented in Annex C</i> • <i>Presented plots showing potential changes in flood duration at impacted locations – presented in Annex D</i> • <i>Presented updated tables of above floor level impacts for Options 1 and 2. The updated information includes additional details on whether or not a property is flooded above floor level in the base case and to what depth – presented in Annex E.</i> <p><i>Results show no notable impacts above those presented in the BMT report including when considering the larger magnitude events of the 1 in 500 AEP and the 1 in 100 AEP with climate change (1 in 100CC AEP). There are some additional dwellings shown to have impacts of 30mm or more in the 1 in 500 and 1 in 100CC AEP events (see Annex E) but the higher Base Case flood levels in these events means that these same dwellings are also inundated above floor level in the Base Case.</i></p> <p><i>As noted by WMAwater, there are some increases in peak velocity on Carrs Drive within the WYURA, for example in the 1 in 100 AEP under Option 2 (see Map B-6). However, there is a decrease in flood hazard along Carrs Drive at the same locations showing these velocity increases (see map C-6). This is due to the increased height of Carrs Drive as part of the development resulting in lower flood depths. The flood hazard (which is a function of both depth and velocity) shows an overall reduction. There is no meaningful change in flood duration for all events modelled under both Option 1 and Option 2 (see Annex D).</i></p> <p><i>The analysis of impacts greater than 30mm at residential dwellings shows no properties impacted above floor level for the 1 in 50 AEP for both Options 1 and 2. As shown in Annex E, in the 1 in 100 AEP there is one dwelling impacted by 30mm or more above floor level for Option 1 and two additional dwellings impacted in Option 2 (3 in total). Of these three dwellings impacted by 30mm or more, only one at 28 Golding Street is not inundated above floor level in the 1 in 100 AEP Base Case but is inundated above floor level under Option 2. It is noted that this</i></p>	

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	<p><i>dwelling is located within the land identified as floodway in the WYURA.</i></p> <p><i>In both the 1 in 500 AEP event and the 1 in 100 AEP event with climate change, there are two dwellings impacted by 30mm or more above floor level under Option 1 and a further four dwellings impacted by 30mm or more above floor level under Option 2 (6 in total). In all cases the dwellings are inundated above floor level in the Base Case although at 28 Golding Street, the Base Case inundation depth above floor is very shallow.</i></p> <p>The findings of the review of the Flood Risk Impact Assessment 2023 found:</p> <p><i>BMT provided a detailed response letter in November 2022 to the first review by WMAwater (September 2022), with additional model runs and new maps. However, a new FIRA for the WYURA was developed in 2023 (BMT, 2023a), based on the Lower Clarence Flood Model Update 2022 (BMT, 2023b); this new FIRA supersedes the previous FIRA (BMT, 2021) that was reviewed in 2022, as also stated in Donges (2023).</i></p> <p><i>The most recent FIRA (BMT, 2023a) includes several updates and improvements on the model adopted for the regional flooding assessment. These updates are clearly stated in the report provided (Table 3.1 in BMT, 2023a). A major change in the flood model is the implementation of the tidal boundary conditions, which are lower than in previous studies. The most recent model uses the OEH (2015) guidelines and combines a 5% AEP peak storm tide level with the 1% AEP flood event. The riverine flood peak and storm tide peak are also assumed to occur at the same time. Pre- and post-development scenarios were compared, with the post-development including design landforms for the Yamba Gardens. The events considered were 10%, 5%, 1%, 0.5%, 0.2% AEP, PMF, and 1% AEP including climate change (CC) conditions for an intermediate scenario with a warming of about 2.4°C by 2100 (scenario SSP2/4.5, analogous to RCP4.5).</i></p> <p><i>The impact of development was found to be less than the previous study (BMT, November 2021) reviewed by WMAwater. This is most likely due to the lower tidal level implemented in the updated model. The model showed no impact on residential properties in the new development or in areas surrounding the development. Increases up to 24 mm in flood levels were modelled at St James Catholic Primary School in the 0.2% AEP and 1% AEP CC events without change in their H3 hazard category. However, the school is also flooded in pre-developed conditions. The increased</i></p>	

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	<p><i>level to the Primary School could be considered a significant risk depending on the time available to evacuate and roads evacuation capacity. It is therefore recommended to investigate if the development would impact the evacuation potential in the school area.</i></p> <p>Given that Clause 5.21 of the LEP includes consideration of climate change, weight must be given to the findings of the revised 2023 Flood Impact Assessment submitted with the application (which considers Council's 2022 Flood Model). The assessment is based on Council's adopted climate change position per the Risk Frontiers report. Furthermore, this model has been developed with DCCEEW guidance and peer reviewed by technical experts. The impacts under the assessment showed no impact on residential properties in the new development or in areas surrounding the development when considering the fully developed case of West Yamba. Consideration of this application in isolation from other vacant land in West Yamba to be developed, this development does not impact on surrounding properties.</p> <p>To consider the impacts of the development on flooding against the LEP and DCP provisions, impacts to flood behaviour, property and evacuation are relevant. The applicant has demonstrated in the Flood Impact Assessments that the development shows no impact on residential properties in the new development or in areas surrounding the development in terms of changes in flood extent, flood velocity, or time of inundation. The main changes to these flood behaviours are due to the raising of Miles Street and Carrs Drive, thus reducing the depth over these roads however increasing velocity, importantly the hazard category remains the same.</p> <p>The impacts are detailed below extract from Part 5 of the 2023 Flood Impact Assessment which models 10mm increments which is different to the previous impact assessment that uses 30mm tolerance:</p> <p>Changes in Flood Level</p> <p>No increase in flood levels affected residential properties in all the analysed flood events. The changes in flood levels affecting non-residential properties can be summarised as follows:</p> <ul style="list-style-type: none"> - <i>No changes in 10% AEP flood level were observed in any adjacent properties. An increase in 10% AEP flood levels of 20mm was observed in the drain located along the south-east boundary of Golding Street MHE.</i> - <i>No changes in 5% AEP flood level were observed in any adjacent properties. An increase in 5% AEP flood levels of 33mm is observed in the drain located along the south-east boundary of Golding Street MHE. A localised increase in flood levels of 28mm was observed on a 35m long section of Carrs Drive in proximity of</i> 	

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	<p><i>the drain included in the Clifton Lifestyle MHE development. However, this increase in flood level did not change the flood hazard category of the road in this location, which is classified as H1 (i.e., generally safe for people and vehicles) in both the pre- and post-development scenarios. An increase in flood hazard category from H2 to H3 was observed within the new floodway expansion located east of Lot 18 DP1090409 in the 0.5%, 0.2% AEP and 1% AEP CC1 events.</i></p> <ul style="list-style-type: none"> - <i>A reduction in flood hazard category from H3 to H2 was observed in some sections of Miles Street in the 0.5% and 0.2% AEP events. Even though there is an improvement in the overall flood hazard classification along Miles Street, it is noted that some sections of Miles Street still remain classified as H3 category, i.e. unsafe for vehicles, children and the elderly during the 0.5% and 0.2% AEP events.</i> - <i>A reduction in flood hazard category from H4 to H3 was observed in a section of Miles Street in the 1% AEP CC1 event. Even though there is an improvement in the overall flood hazard classification along Miles Street, it is noted that some sections of Miles Street still remain classified as H4 category, i.e. unsafe for people and vehicles during the 1% AEP CC1 event.</i> - <i>No changes in flood hazard category were observed in the PMF event. The reduction in flood hazard category affecting the proposed development fill areas is due to a reduction in flood depths occurring between the pre- and post-development conditions as a result of the filling.</i> <p>It is therefore considered that the development does not adversely impact flood behaviour or increase the hazard/risk category of properties that are already subject to flooding in a range of events from more frequent to less frequent. As a result of flood behaviour being similar post development, the impacts on flood evacuation and ability to evacuate are not detrimentally impacted for existing and future residents. The critical test within the DCP for impacts within the urban release area is no net increase in the number of existing dwellings whose habitable floor levels become inundated by filling in West Yamba. As such the development under the current flood modelling and having given consideration to climate change, the number of dwellings inundated during the base case compared to the post development case remains the same.</p>	

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	<p>In regard to impacts to the St James Primary School, the report finds the school property is currently affected by flooding under the 1% AEP. As per the extract above, the impacts are noted in the 0.2% AEP however these are largely related to the grounds and not the buildings. The school does see an increase in the 1% AEP Climate Change Scenario in 2023 of 24mm however the school is currently affected by flood hazard category ranging between H2 (i.e., unsafe for small vehicles) and H3 (i.e., unsafe for vehicles, children and the elderly), therefore, the school should already be evacuated during a 1% AEP flood event of this magnitude.</p> <p>As detailed below in 5.3, <i>the development proposal will not exceed the capacity of existing evacuation routes for the surrounding area in the event of a flood.</i> Given the warning time available it is considered that in a flood event of significant magnitude, evacuation of the school can occur substantially before any such flood, meaning the development does not substantially increase risk to life or ability for evacuation.</p> <p>In terms of flood storage, the volume of fill at West Yamba is extremely small compared with the overall flood storage in the floodplain, with the Clarence River floodplain being the largest within coastal NSW and an approximate area of 500km². The biggest influence on flood storage is whether it is “available” (i.e. if the flood storage may be reduced because of previous rainfall or flood events). In the February/March 2022 flood event the main influence on available flood storage was the minor flood which occurred three days before the “main” flood.</p> <p><u>Conclusion</u></p> <p>Overall, the proposed flood impacts for the site and surrounding area have been considered against Council’s current flood planning controls and it has been demonstrated that the proposed filling of land will not result in any detrimental impacts on the flood plain flows or neighbouring properties. Upon considering the findings of the peer review by WMA and subsequent response by the applicant, Council Engineers consider that the development appropriately manages the flooding risks while not creating unreasonable impacts upon adjoining properties through the design of the development including engineering design of the built form and increasing the width of the floodway on the subject land, thus reducing necessary earthworks.</p>	
D3.2 Schedules D3 and D4 outline the controls relevant to each of the floodplains to which this Plan applies. Compliance with the prescriptive controls as defined in Schedules D3 and D4 is deemed to comply with the performance criteria specified in Clause D3.1 unless, in Council’s opinion, particular circumstances apply that require a variation in light of D3.1.	The assessment provided against D3.1 above shows that the development can meet the prescriptive controls in Schedule D3 and D4 of the DCP when considering the development in conjunction with currently approved/under assessment applications and when considering the cumulative impacts of the entire West Yamba Urban Release Area being developed.	Yes.
Part H Sustainable Water Controls		

Clause	Comment	Compliance
<p>To maintain water quality and hydrology to predevelopment flows.</p> <p>Prevent or minimise pollutants entering stormwater and treat stormwater on the site of the development.</p> <p>To enable a more efficient use of potable water.</p> <p>To reduce stormwater runoff volumes and peaks and to mimic natural tail water flows.</p>	<p>The development proposes two (2) stormwater basins located centrally to the development with bespoke outlet structures to control outgoing stormwater volumes to match the pre-development scenario. Road water is to be managed via on-street stormwater quality treatment consists of modules distributed throughout the development to capture stormwater runoff. These modules are constructed within the verge, inline with piped stormwater infrastructure and capture stormwater runoff and direct flows to a permeable media and select vegetation to reduce sediment and pollutant loading before discharge to the large basins. Roof water from future dwelling is to be captured in rainwater tanks and discharged to the two basins. The overall result of the proposed stormwater system incorporates best practice principles of water sensitive design that adds streetscape value which meets Council's Sustainable Water controls and current water quality pollution targets in line with Part H of the DCP.</p>	Yes
Part I Erosion and Sediment Control		
<p>Prevent land from being degraded by soil erosion or unsatisfactory land and water management practices. Protect the Clarence River and other streams and waterways from being degraded by erosion and sedimentation caused by unsatisfactory land and stormwater management practices.</p>	<p>A Concept sediment and erosion control plan has been submitted and further details are required prior to issue of any future subdivision works certificate.</p>	Yes.
Part J. Subdivision and Engineering Controls		
<p>J6.2 The proposed road network must:</p> <ul style="list-style-type: none"> (a) Provide for safe and functional vehicle and pedestrian movement. (b) Connect efficiently with external traffic routes. Proposed roads must link with other roads that have the capacity to accommodate increased traffic. (c) Locate intersections to create safe and convenient vehicle movements. 	<p>The proposed Road Hierarchy plan is consistent with Figure X1.2 of the DCP.</p> <p>The submitted plans nominate one collector road (Road 1) which provides connection from the Carrs Drive intersection, through to the Miles Street roundabout (east intersection), with the other internal main roads being Road 2, which provides connection from Road 1 to Miles Street (west), Road 7 (connecting Road 1 to Road 11) and Road 11, which functions as a perimeter road to the lots on the southern side of the two drainage reserves. All remaining internal roads are accessed via these main roads.</p>	Yes
<p>J7.1 A variety of lot sizes should be provided to meet market demand. Lots should be regular and rectangular in shape.</p>	<p>The proposed residential subdivision is situated within the R1 zone and varied lot sizes that provide opportunities for various types of residential development including, single dwelling houses, attached dwellings, dual occupancies, multi dwelling housing, residential flat buildings, secondary dwellings, in the future</p>	Yes
<p>7.5. Battle axe shaped lots</p> <p>Where battle axe blocks have been allowed under clause J7.1, the access corridor providing frontage to a public road must have a minimum total width and sealed carriageway width that complies with the requirements of the</p>	<p>Battle axe lots are proposed within the development – Lots 27, 30 and 152. The maximum length of these access handles is 19.5m and 7m wide. Each access only services 1 property.</p> <p>Further details of the access handle construction and provision of services within the handle will be required for these lots prior to issue of a Subdivision Works Certificate.</p>	Yes

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<p>NR Design Manuals. The lot must meet the minimum area requirements.</p> <p>No more than 2 access ways shall be shared by use of reciprocal rights-of-way.</p> <p>For land in the R1, R2 and R3 residential zones, the combined width of the access way must have a minimum width of 5 metres and a detailed plan must be submitted showing adequacy of the 5 metres to provide access and services. A maximum length of 40 metres applies.</p>		
<p>J8 Subdivision Requirements for lots less than 560m²</p> <p>For lots less than 560m² but greater than 450m² a development application for subdivision must include a plan showing a concept design for a dwelling demonstrating full compliance with the DCP, in particular compliance with the landscaped area and private open space provisions, clause C19 and C20.</p> <p>In order to subdivide to create a lot less than 450m² a development application is required for subdivision and construction of a dwelling. Plans submitted in support of the development application must show full compliance with the DCP, in particular compliance with the landscaped area and private open space provisions, clause C19 and C20.</p>	<p>The applicant has demonstrated for smaller lots that the dimensions provide sufficient area and dimensions to enable the construction of dwellings, on-site parking, provision of private open space, solar access and adequate safe vehicular access.</p> <p>A plan showing a concept design for a dwelling demonstrating full compliance with the DCP, in particular compliance with the landscaped area and private open space provisions, clause C19 and C20 has been provided as part of the application for lots less than 560m².</p> <p>For lots smaller than 450m², the applicant has sought to seek departure from the DCP to not require the proposal to also seek approval for dwellings.</p> <p>This is consistent with Council's current adopted register of operational decisions to enable a variation to not include a dwelling as part of the DA however proof of concept and DCP compliance as discussed above remains valid.</p>	<p>No however the development complies with the objectives of Part J in that the development provides for suitably serviced residential lots and requirements of J7.</p>
<p>J10.1 Stormwater management and drainage systems should be an integral part of the subdivision design.</p> <p>Stormwater management, open space networks and habitat corridors should be integrated. Stormwater should be managed so there is minimal or no impact on the natural environment.</p>	<p>The application proposes management of stormwater through large basins and individual biopods. On balance the proposal aims to protect existing vegetation on the subject site and integrates the provision of passive/active open space around stormwater infrastructure and points of interest around the site.</p> <p>Specific controls apply to integration of stormwater, native vegetation and open space under Part X Schedule 1 of the DCP.</p>	<p>Yes.</p>
Part X Urban Release Area Controls		
2. Staging and servicing		
<p>C2. A Servicing Strategy to the satisfaction of the consent authority to be lodged prior to consent being granted for a DA to subdivide land within the WYURA.</p>	<p>A suitable servicing strategy has been provided to demonstrate that the development can be serviced with essential services.</p>	<p>Yes</p>
3. Transport Movement Hierarchy and road network design and provision		
<p>C1. All development applications for subdivision are to be generally in accordance with the indicative Road Hierarchy Plan.</p>	<p>The proposed Road Hierarchy plan is consistent with Figure X1.2 of the DCP.</p>	<p>Yes</p>
<p>C2 Consent will not be granted to the subdivision of land unless a</p>	<p>The TIA has been submitted to the satisfaction of Council which assesses the impacts of the</p>	<p>Yes</p>

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<p>contemporary Transport Management Plan (TMP; or equivalent transport or traffic study) has been completed to the satisfaction of (and lodged with) the consent authority. Such plan/study should address a range of matters.</p>	<p>development, external road improvements and internal road hierarchy.</p> <p>The submitted TIA recognises that adjacent developments will generate 302 AM and 313 PM peak hour trips, while the subject development (including the proposed commercial lot) will generate 299 AM and 319 PM peak hour trips. The forecast traffic generated by the development considers a 20% reduction in vehicles to/from the commercial site due to local pedestrian traffic. This is consistent with TfNSW Guide to Traffic Generating Developments and is considered reasonable in this instance.</p> <p>SIDRA assessments for 2033 and 2043 were provided with the TIA to consider design traffic and seasonal traffic scenarios for key intersections (Yamba Road/Treelands Drive roundabout, Yamba Road/Carrs Drive roundabout, Yamba Road/Shores Drive roundabout and Yamba Road/Golding Street roundabout). The assessment considered impacts to these intersections with and without access to Golding Street for this development. It is noted that access via Carrs Drive only was not considered in the 2043 scenario as the Golding Street connection is proposed within this development.</p> <p>The TIA recognises that all intersections operate within a Level of Service A (delay <10s) and Degree of Saturation (DoS) <0.85, with the exception of:</p> <ul style="list-style-type: none"> • Carrs Drive/Golding Street intersection producing a DoS of 0.89 in the 2043 seasonal traffic PM scenario • Yamba Road/Carrs Drive intersection producing a DoS of 0.93 and 0.87 for 2033 seasonal traffic scenarios • Yamba Road/Golding Street intersection producing a Dos of 0.9 in the 2033 seasonal traffic scenario and 0.93 and 1.04 for the 2043 background and seasonal traffic scenarios respectively. <p><u>TIA upgrade triggers</u></p> <p>Due to the above mentioned impacts to key external intersections, connection of the WYURA to Golding Street is required to reduce traffic loading on the Yamba Road/Carrs Drive intersection. The TIA states that the completion of the subject development and adjacent sites will result in this intersection being overcapacity by 2033.</p> <p>The identified trigger point for the link was determined by incrementally adding development traffic loading to the background model and was found to be either:</p> <ul style="list-style-type: none"> • Development of the commercial site, medium density site and a maximum of 350 low-density residential lots, or • Development of the maximum 450 low-density residential lots. 	

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	<p>While the TIA modelling does not necessarily communicate with other reports submitted with the DA, this upgrade has been conditioned to be required prior to the release of Stage 11 or as per the triggers above should other developments be approved within the urban release area.</p> <p><u>External Roads</u> Directly servicing the development, two access points are proposed from Miles St (one signalised intersection and one roundabout) and one signalised intersection accessing Carrs Drive. Turn warrant assessments were provided with the TIA and recognise that Basic Left and Basic Right (BAL/BAR) intersections are sufficient for the initial connection points to Carrs Drive and Miles Street, with the second eastern access to Miles Street requiring a roundabout.</p> <p><u>Internal Roads</u> The submitted plans nominate one collector road (Road 1) which provides connection from the Carrs Drive intersection, through to the Miles Street roundabout (east intersection), with the other internal main roads being Road 2 and Road 11, which functions as a perimeter road to the lots on the southern side of the two drainage reserves. All remaining internal roads are accessed via these main roads. The proposed road types and associated carriageway widths are compliant with the requirements of NRDC Table D1.5.</p>	
C4. Consent will not be granted for the subdivision of land unless a 'Bike Plan and Pedestrian Access and Mobility Plan' (PAMP) has been completed to the satisfaction of (and lodged with) the consent authority.	A detailed PAMP has not been provided with the application however a concept shared pathway plan has been submitted with the application showing major pedestrian linkages to existing facilities in Carrs Drive and proposed connections to Yamba Road via Golding Street. On balance while a PAMP has not been provided, the applicant has provided footpaths and pedestrian facility that permeate through the subdivision and connect into external networks. The internal network will be required to comply with Council development controls and engineering standards which are included in conditions of consent.	No, however on the basis of the comments and information submitted Council is satisfied with the proposed network.
4. Landscaping strategy – biodiversity, environmental conservation and management and managing visual amenity		
C1. Consent will not be granted for the subdivision of land unless a Vegetation Management Plan (VMP) has been completed to the satisfaction of (and lodged with) the consent authority.	The Vegetation Management Plan (VMP) submitted is to the satisfaction of the consent authority for ongoing management of the retained vegetation to ensure that the suitable habitat for threatened species is retained and those species do not go into decline. Additional conditions are recommended to ensure all requirements of the BDAR and specialist Rotala Report are included in the VMPs for the site including the recommendation from Department of Climate Change, Energy, the Environment and Water for a longer duration of annual monitoring from 5 years to 10 years.	Yes
C4 Consent will not be granted for the subdivision of land unless a Landscaping Strategy has been completed to the satisfaction of (and lodged with) the consent authority.	A Landscaping Strategy to the satisfaction of the consent authority has been submitted for consideration, further detailed design will be required with each subdivision works certificate.	Yes
5. Open space and recreation		

Clause	Comment	Compliance
C1 Open space areas are to be linked by pedestrian and cycle paths to provide an accessible network of open space.	<p>The Road Hierarchy plan shown on drawings 33801-PR2-005 and 006 Rev A denote the proposed road hierarchy under 'Access Street', 'Local Street' and 'Collector Street' criteria.</p> <p>The development nominates an external 2.5m shared path network along Carrs Drive and Miles Street, connecting through to Golding Street. Internally, all major internal roads (Road 1, Road 2 and Road 11) have a 2.5m shared path proposed, with connection to the external network provided at each intersection point.</p>	Yes
C2. Open space/recreation areas are to be located and sized to maximise connections to adjoining land uses and local roads; provided open space is to have a road frontage.	The plans incorporate a suitably sized central open space area, two large stormwater basins, high quality landscaping, retention of natural and vegetated areas, these areas will ensure this development can function in its own right until such time as the larger regional park to service West Yamba is provided by other developers.	Yes
6. Natural and environmental hazards – Flood and Fill Management		
The background for this section of the DCP requires that West Yamba have an accessible refuge above the Probable Maximum Flood of 3.8m AHD.	<p>Council has adopted a new 2022 Flood Model which includes a higher extreme flood event than the previous 2013 flood model, with the site being affected by the extreme flood in both flood models. The updated extreme flood model, which uses updated rainfall information, has a probability of occurring of around 1 in 90,000 in any given year with a height of 7.2m AHD. The extreme flood event used in the previous model had a probability of occurring of around 1 in 9000 in any given year with a height of 3.8m AHD.</p> <p>The higher maximum flood has not been adopted for planning purposes by Council as no risk management study or plan has been undertaken to inform how planning decisions are made in regard to this extremely rare event however consideration should be given. Should a rare event of this magnitude occur, sheltering in place on the high flood island will not be available and evacuation will be required.</p> <p>The proposal contains areas that are above the probable maximum flood event of 3.8m enabling people to seek refuge on-site during significant events and have not evacuated. The applicant has prepared an evacuation plan which is consistent with any relevant flood evacuation strategy, Flood Plan adopted by Council or similar plan. The controls under Part X of the DCP require evidence from the applicant of consultation with the SES regarding any necessary updating to the Local Flood Plan and this has been provided by the applicant.</p>	Yes – the Probable maximum flood event has changed as a result of the updated 2022 Flood Model which has significantly increased the height of this extremely rare flood event. The overall objective to provide West Yamba as a high flood island is maintained as the development will achieve refuge in rare flood events.
The objectives include directions to ensure the drainage impacts are considered for the entire urban release area and to minimise the impacts of flooding. A key control in determining the impacts on adjoining residential neighbourhoods and property including ensuring that there is no net increase in the number of existing dwellings whose habitable floor levels become	As a result of flood behaviour being similar post development, the impacts on flood evacuation and ability to evacuate are not detrimentally impacted for existing and future residents. The critical test within the DCP for impacts within the urban release area is no net increase in the number of existing dwellings whose habitable floor levels become inundated by filling in West Yamba. As such the development under the current flood modelling and having given consideration to climate change, the	Yes

Clause	Comment	Compliance
inundated by the ultimate filling and development of the entire WYURA	number of dwellings inundated during the base case compared to the post development case remains the same.	
C1. The consent authority must not grant consent to the commencement of land fill or other earthworks associated therewith unless an Earthworks Management Plan (EMP) is prepared to ensure that level of finished lots are is at least at the level of the 1 in 100 year flood event, whilst also maintaining an effective drainage network, overland flow path/s and meeting other development standards of Council.	<p>An EMP is not required under the DCP until such time as work commences however assessment is provided to ensure that the objectives are achieved.</p> <p>Existing fill material lawfully placed on-site has been through truck and dog vehicle movements hauling material on Yamba Road to the development site. The impact of construction traffic, and especially the volume of trucks that will be required for the site filling will significantly differ from the existing traffic in Carrs Drive. Unless alternative filling options such as dredging become available, the traffic impact is an inevitable consequence of developing this and other adjacent areas. Provision of a roadworks speed limit during construction and earthworks activities will partially mitigate the impacts.</p> <p>Additional traffic in Carrs Drive will increase the rate of deterioration of the road pavement. It is a requirement that the existing road pavement is to be reconstructed south of the current approved works in Carrs Drive to the proposed access to this development. It is a requirement that developers work together to ensure each section of road is successfully constructed and integrated appropriately with existing road pavement. The road pavement design will cater for future traffic loading. A condition assessment/dilapidation report will be conducted before any work commences to determine a baseline condition that the developer will need to maintain during and on completion of the work. Additionally, a maintenance bond will be required prior to works commencing should any maintenance works be required during construction to ensure the continued safe use of the road.</p> <p><u>Groundwater impacts</u></p> <p>Groundwater monitoring wells were placed over the subject site and neighbouring Lot 18 DP1090409 and Lot 21 DP 1277589 from March, 2022. During this period, groundwater heights showed correlation between tidal movements and significant rainfall events. The applicant has provided a Geotechnical Report considering the impact of fill on groundwater, refer extract below:</p> <p><i>'Groundwater levels would be expected to fluctuate at the site by up to about 1m due to tidal influences and in response to rainfall and particularly extended rainfall events. On this basis and due to the limited predicted consolidation settlement, the influence of the fill surcharge on the groundwater levels on surrounding sites is expected to be negligible'.</i></p> <p>Additional assessment is provided elsewhere within this DCP regarding maintaining an effective drainage network, overland flow path/s and meeting other development standards of Council.</p>	Yes
C2. Where surface soils are stripped and there is a potential for sulphate soils to be disturbed, measures are to be identified in the EMP and are to be	A An Acid Sulfate Soils Management Plan has been submitted with the DA. Recommendations are provided in relation to earthworks on the site. These form conditions of consent.	Yes

Clause	Comment	Compliance
in place to manage this occurrence and neutralise any ASS contamination outside of the treatment site.		
<p>C3. A EMP must include the following:</p> <p>(a) A statement of environmental effects/impacts including assessment and management acid sulphate soils.</p> <p>(b) All required licencing approvals from State Government Authorities.</p> <p>(c) Staging Plans and detail of finished survey levels for fill.</p> <p>(d) Area and extent of fill requirements, supported by engineering design detail.</p> <p>(e) dredge location/s and proposed pipe routes to WYURA.</p> <p>(f) maintenance and management plan for the period of the dredging at and in the vicinity of the URA.</p> <p>(g) The design and location of all stormwater drainage corridors.</p> <p>(h) Overland flow paths to reach local estuaries/waterways (including Oyster channel) and the URA drainage reserve/floodways.</p> <p>(i) The required widths/depths of overland flow paths.</p> <p>(j) A program of works detailing actions and duration of filling activity and compaction</p>	<p>An EMP is not required under the DCP until such time as work commences however the assessment below demonstrates the objectives of the DCP are met.</p> <p>The DCP controls infer that material for landfilling is to be sourced via dredge material from the Clarence River as opposed to haulage of suitable product by road.</p> <p>The Secretary's Environmental Assessment Requirements (SEARs) have been issued for consideration of a state significant development application for dredging of the river to use as a source of general fill for remaining developments in West Yamba.</p> <p>The documentation submitted to Council accompanying the site specific DCP for West Yamba in 2014/15 included the following information:</p> <p><i>A separate development application for the filling of any land will be required together with environmental planning approval from the State Government before the issue of the necessary dredging licenses. The application is to include:</i></p> <ul style="list-style-type: none"> <i>A Statement of Environmental Impacts.</i> <i>Staging Plans and detail of survey levels for fill.</i> <i>Area and extent of fill requirements, backed by engineering design detail.</i> <i>The dredge location and proposed pipe routes to WYURA.</i> <i>A maintenance and management plan for the period of the dredging.</i> <i>The design and location of all stormwater drainage corridors.</i> <i>Overland flow paths to reach the Harbour, the Lake or Oyster channel.</i> <i>The required widths/depths of overland flow paths.</i> <i>A program of works detailing actions and duration of fill and compacting.</i> <p>The use of dredge material as a source of fill has significant public benefits, namely the reduction in construction vehicle movements which will inevitably reduce congestion on the road network and significantly lower the potential impacts on Council's road assets. The applicant has delayed progression of an application to dredge material suitable for use on-site as general fill material until development approval has been issued. Should this be revisited, an updated Geotechnical Report which considers its application and suitability for intended use shall be submitted to Council.</p> <p>As highlighted under Section 5.1 and 5.2 above, the applicant has provided technical reports that demonstrate there are no significant impacts</p>	Yes

Clause	Comment	Compliance
	<p>associated with filling of the site in regard to flooding and stormwater.</p> <p>Subject to the imposition of suitable conditions requiring the developer to exhaust all avenues to obtain a dredging permit to source general fill material first, the impacts associated with the importation of fill can be suitably managed during the construction phase of the development. Importation of material will still be required to provide suitable material to construct roads, stormwater and other infrastructure required by the development.</p> <p>Further detailed design will be required prior to Subdivision Works Certificate regarding filling operations for the site and geotechnical analysis.</p>	
7.Stormwater management and water quality		
C1 All development applications for subdivision are to be generally in accordance with the conceptual Stormwater Network Plan except where more detailed and approved Stormwater Management Plan/s (SMP) justify variation.	The applicant has sought a variation to the conceptual stormwater network plan which is supported due to the SWMP submitted and discussion below.	Yes – the applicant has prepared a detailed SWMP to demonstrate the stormwater network proposed is capable of meeting Council's controls and objectives of this section.
<p>C2 A SMP or SMPs for the WYURA must be completed to the satisfaction of (and lodged with) the consent authority outlining appropriate management practices to ensure the maintenance of existing hydrological and water quality conditions.</p> <p><i>Note – Clause 1.03 Stormwater Management Plans of NRDC Section D10 Handbook of Stormwater Drainage Design setouts out the specific requirements that a SMP must address.</i></p>	<p>The SWMP conceptually addresses the requirements of the Sustainable Water Controls. There is specific mention in the SWMP that stage specific construction plans are required (and have been conditioned for), but the conceptual design and proposed treatment methods has sufficiently demonstrated that the targets set in the DCP and required by NRDC can be achieved. Further detailed design will be required prior to construction to ensure relevant infrastructure is provided and any necessary upgrade to existing infrastructure is undertaken.</p> <p>The stormwater concept does not consider on-site detention through rainwater tanks however each dwelling will be required to provide a rainwater tank to comply with BASIX requirements which will inevitably add a buffer into the stormwater system with ongoing rainwater reuse for each dwelling.</p> <p>Refer to additional detailed comments for the SWMP below.</p>	Yes.
C3. When lodging detailed design outcomes with various DAs for subdivision the SMP will require the following to meet the following objectives and measures: (a) Details of drainage works, to be in accordance with NRDC, and BMT WBM flood impact assessments and	The development proposes two (2) stormwater basins located centrally to the development with bespoke outlet structures to control outgoing stormwater volumes to match the pre-development scenario. Road water is to be managed via on-street stormwater quality treatment consists of modules distributed throughout the development to capture stormwater runoff. These modules are constructed	Yes.

Clause	Comment	Compliance
<p>consistent with the outcomes presented in the DCP – including demonstrating that there will be no worsening of flood impacts and to the satisfaction of Council.</p> <p>(b) An overall conceptual / strategic plan of the development area including drainage network solutions for both minor and major systems is required, including calculations.</p> <p>(c) Any upgrades to existing infrastructure or the construction of new control structures to facilitate the operation of the flooding and drainage system for any development area is to be identified, documented and costed. The future risk, liability and maintenance cost to Council should be considered - for example any 'causeway' crossing of Golding Street.</p> <p>(d) life cycle cost analysis and include a maintenance management plan of WSUD facilities in public domain areas.</p> <p>(e) The proposed lot layout must provide a flood impact assessment and consider existing natural and proposed flow-paths and 1% AEP flood widths.</p> <p>(f) Water quality and quantity issues are to be identified and addressed in accordance with NRDC and demonstrate compliance to NSW Water Quality Objectives in NSW Office of Environment and Heritage. A neutral or beneficial affect is to be achieved (NorBe) for stormwater quality and quantity throughout the WYURA.</p> <p>(g) Gross pollutant traps and first flush systems shall be provided to protect downstream wetlands, water-bodies and waterways.</p> <p>(h) Integration of measures and proposals and consistency with:</p> <ul style="list-style-type: none"> • required Landscaping Strategy and VMPs • Council's Clarence Valley Open Space Strategic Plan • The design for the collector road and local street network 	<p>within the verge, inline with piped stormwater infrastructure and capture stormwater runoff and direct flows to a permeable media and select vegetation to reduce sediment and pollutant loading before discharge to the large basins. Roof water from future dwelling is to be captured in rainwater tanks and discharged to the two basins. The assessment provided includes consideration of rainfall events at both a local and regional level, i.e. raised tailwater, which enables consideration of flooding at both scales.</p> <p><u>Stormwater Quantity</u> The model considers both pre and post development scenarios, with the post development scenario consisting of the following:</p> <ul style="list-style-type: none"> • Two stormwater basins are proposed, with bespoke outlet structures to control outgoing stormwater volumes to match the pre-development scenario. • Additional detention is proposed within the Miles Street swale drain. <p><u>Stormwater Quality</u> The Stormwater Management Plan modelled the site into 4 internal developed catchments, with those catchments divided into sub-catchments of roof, road and ground level areas (nominally split 35%, 25% and 40% respectively) in accordance with the accompanying subdivision layout plans.</p> <p>An assumed roof area of 250m² per lot was considered for this assessment – future DA compliance should consider this total roof area per lot, with further detention required for any additional impervious area over this amount.</p> <p>The nominated quality treatment for the development consists of:</p> <ul style="list-style-type: none"> • 3kL rainwater re-use tanks per lot, with overflow directed towards the proposed Inter Allotment Drainage network • Streetscape Bio-retention 'pods' throughout the development to capture and treat road catchment areas. • Grass lined stormwater detention basins • Grass lined swale drainage (Miles Street only) <p><u>Rainwater detention</u> A restriction shall be placed on the title of each lot which requires no less than 3kL of rainwater storage for re-use (this is inclusive of BASIX requirements). A condition has been provided to flag future assessments of additional storage requirements for developments which propose a roof/impervious area including driveways greater than 250m² to ensure the stormwater system can accommodate additional runoff generated by future dwellings.</p> <p><u>Bio-retention pods</u> The proposed on-street stormwater quality treatment consists of modules distributed throughout the</p>	

Clause	Comment	Compliance
	<p>development to capture stormwater runoff from road areas. These modules are constructed within the verge, inline with piped stormwater infrastructure and capture stormwater runoff and direct flows to a permeable media and select vegetation to reduce sediment and pollutant loading. Following treatment, stormwater flows are channelled to piped infrastructure for quantity treatment downstream.</p> <p><i>Maintenance</i> The future maintenance costs of these stormwater systems has been discussed at length between Council and the developer representatives, with this design being considered suitable given site constraints for stormwater quality treatment and zoning density. The SWMP provides recommended inspection frequency and maintenance measures for this system.</p> <p>Maintenance bonds which separate bio-retention areas from other civil assets shall be required until development of the applicable stage is greater than 80% dwelling construction rate. The SWMP recommends either surface protection of the filter media or bypass of the biopods via temporary bunding (Ch7.5.2). Either option will negate stormwater quality treatment of road catchment areas and the interim treatment of these areas needs to be considered during construction stages. It is particularly critical in this development that future dwelling constructions have adequate on-site erosion and sediment control measures in place to ensure no impacts to on-street stormwater quality treatment devices.</p> <p><i>Lot access constraints</i> The volume and size of the bio-retention pods have been considerate of the lot layout throughout the development and will not prohibit future dwelling accesses. It will be important to monitor throughout early stages of dwelling construction to ensure that contractor vehicles do not impede traffic flows or damage the on-street infrastructure.</p> <p>The applicant has demonstrated conceptually that the proposed stormwater treatment system can meet Council's targets and will be subject to further detailed analysis at subdivision works certificate for each stage of the development to ensure each stage can function on its own.</p>	
8.Hazard Management		
Council must not grant consent to the carrying out of development within the WYURA unless the applicant provides documentary evidence that it has consulted with the SES with respect to any required updating (including details of those requirements) of the existing Clarence Valley Local Flood Plan (as it relates to the Yamba Sector) as a consequence of the future urban development of the WYURA.	Evidence of consultation with State Emergency Services or a Flood Evacuation Plan has been submitted and confirmation that the triggers in the West Yamba Evacuation Plan are consistent with those in the Yamba Sub Plan.	Yes.
9. Urban design		

Clause	Comment	Compliance
C1. Subdivision layouts within the WYURA should feature a clear and identifiable road hierarchy to achieve permeability and inter-connectivity.	The submitted plans nominate one collector road (Road 1) which provides connection from the Carrs Drive intersection, through to the Miles Street roundabout (east intersection), with the other internal main roads being Road 2, which provides connection from Road 1 to Miles Street (west), Road 7 (connecting Road 1 to Road 11) and Road 11, which functions as a perimeter road to the lots on the southern side of the two drainage reserves. All remaining internal roads are accessed via these main roads.	Yes
C5. No direct vehicular access will be allowed off either Miles Street or Carrs Drive being collector roads.	No direct vehicular access to individual lots is taken off either Miles Street or Carrs Drive.	Yes
C6. Access to the WYURA is to be constructed off the existing access points (Yamba Road and Carrs Drive) and the internal road pattern is to provide a link between these two points. Over time further access points will be developed as the subdivision and road planning develops and a new roundabout is created at the northern end of Golding Street.	<p>Due to impacts to key external intersections, connection of the WYURA to Golding Street is required to reduce traffic loading on the Yamba Road/Carrs Drive intersection. The TIA states that the completion of the subject development and adjacent sites will result in this intersection being overcapacity by 2033.</p> <p>The identified trigger point for the link was determined by incrementally adding development traffic loading to the background model and was found to be either:</p> <ul style="list-style-type: none"> • Development of the commercial site, medium density site and a maximum of 350 low-density residential lots, or • Development of the maximum 450 low-density residential lots. <p>This upgrade has been conditioned to be required prior to the release of Stage 11, however revised modelling will need to be submitted with future SWCs to ensure that the upgrades are provided when required in the event that other developments are approved in West Yamba and construction and release of lots on other sites occurs simultaneously.</p>	Yes
C9 The drainage reserve areas are to incorporate an inter-connected, multi-purpose pathway with a 1.5m wide trail extending around the perimeter of the WYURA site and connecting to other bike and pedestrian corridors	A trail around the perimeter of the urban release area as applicable to this site has been provided which incorporates areas of refuge/resting places for users of this infrastructure. This path connects in with other pedestrian facilities internal and external to the development.	Yes.
11. Neighbourhood Commercial Development		
<p>A proposed WYURA neighbourhood centre should be located:</p> <ul style="list-style-type: none"> • in close proximity to the existing school; • with pedestrian and cycle path accessibility; and • as central as possible to the majority of future residential development. <p>Note: Figure X1.2 depicts an indicative location of a future neighbourhood centre.</p>	<p>A neighbourhood centre lot has been provided in the north West corner of the site, the lot will have frontage to a shared pathway and proposed roads are able to accommodate a future bus service.</p> <p>The subdivision layout enables future DAs to be made for 'neighbourhood centre' land uses on either or both of Lots 278 and 279.</p>	Yes
12. Public Infrastructure and Services		
C1. The consent authority must not grant consent to the carrying out of any works unless there is in place for	Extension of the existing water main located on the corner of Carrs Drive and Miles Street is required to service each stage of the development such that	Yes.

Clause	Comment	Compliance
<p>WYURA a Servicing Strategy, to Council's satisfaction, which outlines the sequencing, cost and program of water and sewer infrastructure requirements.</p>	<p>each lot has frontage and service to reticulated main infrastructure. Details of the proposed extensions shall be provided with the Subdivision Works Certificate for each stage. A Water Network Plan has been submitted with the application which shows observed pressures from the existing 315mm HDPE main on Carrs Drive. While this recognises that there is currently sufficient pressure to support the development, it does not consider the cumulative impact as the WYURA progressively gets developed. It is noted that the supporting Water and Sewer Servicing Plan and associated Water Supply Servicing Strategy prepared by Hunter H₂O considered the full development of the WYURA and the network identified a DN250 ring main which looped the existing 315mm HDPE main back to the reticulated water network on Yamba Road via Golding Street. In accordance with the identified reticulated water network within WYURA, Stage 1 of the development shall extend the reticulated water network from the existing 315mm HDPE line on Carrs Drive with DN250, in accordance with the Water Supply Servicing Strategy. The development shall then provide internal connection from this main.</p> <p>The sewer trunk main to the Yamba Sewerage Treatment Plant from West Yamba has been constructed by other developers in West Yamba which caters for the cumulative demand generated by the area. Each Subdivision Works Certificate shall nominate the proposed internal pressure sewer network and for applicable stages, connection detail to the trunk main on Miles Street shall be provided. Boundary pressure sewer kits are to be installed or bonded prior to Subdivision Certificates being issued for any stage of the development to facilitate future connection of dwellings.</p>	
<p>C5. Any developer will be required to appoint a level 1 & 3 Authorised Service Provider (ASP) to request a Design Information Pack (DIP) to comply with the Essential Energy design standards and requirements for the under grounding of the overhead infrastructure.</p>	<p>The applicant has provided general comments regarding electrical supply to the development site however have advised that Essential Energy will not consider the proposed development until such time as it is approved in regard to design information to service the development. It is noted in the DCP that:</p> <p><i>"Essential Energy would be able to supply from its existing distribution network up to 1MVA of load in real terms which will service 25% of the proposed 1,000 new lots. The existing network needs to be upgraded to cater for the new subdivision and greater Yamba long-term requirements; this will require sufficient lead time from the developers to Essential Energy to install the distribution infrastructure to increase the required capacity."</i></p> <p>Essential Energy have not raised any objections to the proposal as part of the referral under the T&A SEPP.</p>	<p>Yes</p>
<p>13. Aboriginal cultural heritage</p>		
<p>C1. DAs for subdivision and development within the URA are to demonstrate adequate:</p> <p>(a) assessment of cultural heritage values and protection and</p>	<p>There is a known Aboriginal place of heritage significance in the locality and an Aboriginal Cultural Heritage Site Assessment was submitted with the rezoning of the land, Further consultation with the Birrigan Gargle Local Aboriginal Land</p>	<p>Yes</p>

Clause	Comment	Compliance
<p>management of cultural heritage values including due diligence assessment in accordance with the Code of Practice for Archaeological Conduct in New South Wales (2010) (Code of Practice).</p> <p>(b) consultation with the OEH and BGLALC.</p>	<p>Council to assess and protect cultural heritage values has been undertaken and a letter from the Birrigan Gargle Local Aboriginal Land Council confirms and endorses the findings of the original 2011 report following an inspection of the site on 9 September 2022.</p>	