



NOTICE OF DETERMINATION OF A DEVELOPMENT APPLICATION

Application number	DA-11-2024 PAN-416621
Applicant	Matt Clarkson [REDACTED]
Description of development	Subdivision - One (1) Lot into Eight (8) Lots
Property	828 BUNDARRA ROAD SAUMAREZ PONDS 2350 2/-/DP577140
Determination	Deferred commencement Consent Authority - Council
Date of determination	27/08/24
Date on which the consent lapses	27/08/29

Under section 4.18(1) of the EP&A Act, notice is given that the above development application has been determined by the granting of deferred commencement consent using the power in section 4.16(3) of the EP&A Act, subject to the conditions set out in this notice.

Relevant matters

This consent does not operate and may not be acted on until the consent authority is satisfied of the following matters:

Provide an amended plan of development generally in accordance with the submitted plan ref: 1376 Danieli Rev E, dated 30.01.24, prepared by Croft Surveying and Mapping demonstrating the following matters:

- Prevention of direct access to Bundarra Road (except for Lot 1); and
- Appropriate provision for school bus stops and waste collection.

Reasonable variance to lot layout may occur as a result of the deferred commencement matters, however no lot shall be less than 2ha in size, and any access handle shall be excluded from this area standard. Internal road(s) may be constructed within the site in accordance with relevant conditions, to satisfy the deferred commencement matters.

Evidence of the above relevant matter(s) must be produced to the consent authority, within five (5) years of the date of the determination, otherwise the consent will lapse.

Under section 88(3) of the EP&A Regulation, the consent authority will notify you in writing if the matters above have been satisfied and the date from which this consent operates.

The conditions of development consent below apply from the date that this consent operates.

Note: Section 76(3) of the EP&A Regulation enables a consent authority to specify the period within which the applicant must produce evidence to the consent authority sufficient enough to enable it to be satisfied as to the relevant matter(s) that it requires before a deferred commencement consent can operate. Where a period is specified under section 76(3), a deferred commencement consent will lapse if the applicant has not produced sufficient evidence for the consent authority to be satisfied of the relevant matters on the expiration of the specified period.

Where the applicant produces evidence of the relevant matters in accordance with section 76(4) of the EP&A Regulation, the consent authority must notify the applicant whether or not it is satisfied as to the relevant matter(s). If the consent authority has not notified the applicant within 28 days after receiving the applicant's evidence, the consent authority is taken to have notified the applicant that it is not satisfied about the relevant matter(s) on the date on which that period expires, for the purposes of section 8.7 of the EP&A Act (see sections 76(4), (5) and (6) of the EP&A Regulation).

Right of appeal / review of determination

If you are dissatisfied with this determination:

Request a review

You may request a review of the consent authority's decision under section 8.3(1) of the EP&A Act. The application must be made to the consent authority within 6 months from the date that you received the original determination notice provided that an appeal under section 8.7 of the EP&A Act has not been disposed of by the Court.

Rights to appeal

You have a right under section 8.7 of the EP&A Act to appeal to the Court within 6 months after the date on which the determination appealed against is notified or registered on the NSW planning portal.

The Dictionary at the end of this consent defines words and expressions for the purposes of this determination.



Toni Averay

General Manager

Person on behalf of the consent authority

For further information, please contact Simon Vivers / Interim Manager Development and Planning

Terms and Reasons for Conditions

Under section 88(1)(c) of the EP&A Regulation, the consent authority must provide the terms of all conditions and reasons for imposing the conditions other than the conditions prescribed under section 4.17(11) of the EP&A Act. The terms of the conditions and reasons are set out below.

General Conditions

1	<p>Erection of signs</p> <ol style="list-style-type: none"> 1. This section applies to a development consent for development involving building work, subdivision work or demolition work. 2. It is a condition of the development consent that a sign must be erected in a prominent position on a site on which building work, subdivision work or demolition work is being carried out— <ol style="list-style-type: none"> a. showing the name, address and telephone number of the principal certifier for the work, and b. showing the name of the principal contractor, if any, for the building work and a telephone number on which the principal contractor may be contacted outside working hours, and c. stating that unauthorised entry to the work site is prohibited. 3. The sign must be— <ol style="list-style-type: none"> a. maintained while the building work, subdivision work or demolition work is being carried out, and b. removed when the work has been completed. 4. This section does not apply in relation to— <ol style="list-style-type: none"> a. building work, subdivision work or demolition work carried out inside an existing building, if the work does not affect the external walls of the building, or b. Crown building work certified to comply with the <i>Building Code of Australia</i> under the Act, Part 6. <p>Condition reason: Prescribed condition under section 70 of the Environmental Planning and Assessment Regulation 2021.</p>																		
2	<p>Approved plans and supporting documentation</p> <p>Development must be carried out in accordance with the following approved plan and documents, except where the conditions of this consent expressly require otherwise.</p> <table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td colspan="3">Approved plan</td> </tr> <tr> <td style="width: 40%;">Plan Reference</td> <td style="width: 30%;">Drawn by</td> <td style="width: 30%;">Date of plan</td> </tr> <tr> <td colspan="3">To be included following satisfaction of deferred commencement matters.</td> </tr> <tr> <td colspan="3">Approved documents</td> </tr> <tr> <td style="width: 50%;">Document title</td> <td style="width: 20%;">Prepared by</td> <td style="width: 30%;">Date of document</td> </tr> <tr> <td>Biodiversity Assessment Report & Koala Habitat Assessment</td> <td>Stephen Cotter</td> <td>01.03.2024</td> </tr> </table> <ul style="list-style-type: none"> • In the event of any inconsistency between the approved plan (following satisfaction of deferred commencement matters) and document, the approved plan will prevail. • In the event of any inconsistency with the approved plan (following satisfaction of deferred commencement matters) and a condition of this consent, the condition prevails. <p>For the avoidance of doubt, this consent relates only to Lot 2 DP577140.</p>	Approved plan			Plan Reference	Drawn by	Date of plan	To be included following satisfaction of deferred commencement matters.			Approved documents			Document title	Prepared by	Date of document	Biodiversity Assessment Report & Koala Habitat Assessment	Stephen Cotter	01.03.2024
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ADVISING: Council is satisfied that the findings of the approved document would not be inconsistent with deferred commencement matters, as conditioned.

Condition reason: To ensure all parties are aware of the approved plans and supporting documentation that applies to the development.

3

Subdivision Works Certificate

In accordance with the provisions of Section 6.12 and 6.13 of the Environmental Planning and Assessment Act 1979, works approved by this consent must not commence until:

- A Subdivision Works Certificate has been issued by Council or an Accredited Certifier. Either Council or an Accredited Certifier can act as the “Principal Certifier”;
- A Principal Certifier has been appointed and Council has been notified; and
- At least two (2) days notice has been given to Council of the intention to commence work.

The documentation required under this condition must show that the proposal complies with all development consent conditions and is not inconsistent with the approved plans.

Condition reason: To ensure the development proceeds in an appropriate manner.

4

Application for Subdivision Certificate

An Application for a Subdivision Certificate is to be submitted via the NSW Planning Portal, with all relevant documentation and plans, including a statement of how each of the conditions has been satisfied.

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.

Condition reason: To ensure that the relevant consent requirements are addressed.

5

Staging (if required)

Any staging of the subdivision and staging of related works/infrastructure required under this consent, is to ensure that each stage addresses all relevant conditions of this consent and is self-sufficient in terms of servicing and functionality. 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.

Details of any staging plans and any proposal (i.e. surveyor plans) to amend the proposed lot numbering for the subdivision, may be required to be the subject of an application for the modification of this consent, if necessary, to ensure that the consent properly reflects the manner in which the subdivision is to be implemented.

Condition reason: To ensure the development proceeds in an acceptable manner.

6

Approved Plan - Amendments

Notwithstanding the deferred commencement matters, the approved plan of development (following satisfaction of deferred commencement matters) is to be varied as follows:

Variation to Plan	Details
Dedication of land at Bundarra Road frontage to Council.	The land subject to dedication shall be the entire span at the Bundarra Road frontage. The amended southern boundary of all lots joining Bundarra Road shall be level with the southern boundary of Lot 1 DP241491.

Details are to be demonstrated as part of:

- A Subdivision Certificate application; and
- Any required Subdivision Works Certificate documentation

	<p>Minor variances to lot layout may occur as a result of the condition, however no lot shall be less than 2ha in size (and any access handle shall be excluded from this area standard).</p> <p>ADVISING: It is recommend that the above variation is shown on the amended plan associated with the deferred commencement matters.</p> <p>Condition reason: To ensure that future development of the land and wider area is appropriately safeguarded.</p>
7	<p>ADVICE - Essential Energy</p> <ul style="list-style-type: none"> • Any existing encumbrances in favour of Essential Energy (or its predecessors) noted on the title of the above property should be complied with; • Any activities in proximity to electrical infrastructure must be undertaken in accordance with the latest industry guideline currently known as ISSC 20 Guideline for the Management of Activities within Electricity Easements and Close to Infrastructure; • Prior to carrying out any works, a “Dial Before You Dig” enquiry should be undertaken in accordance with the requirements of Part 5E (Protection of Underground Electricity Power Lines) of the Electricity Supply Act 1995 (NSW); and • It is the responsibility of the person/s completing any works around powerlines to understand their safety responsibilities. SafeWork NSW (www.safework.nsw.gov.au) has publications that provide guidance when working close to electricity infrastructure. These include the Code of Practice – Work near Overhead Power Lines and Code of Practice – Work near Underground Assets. <p>Condition reason: N/A - Advice</p>

Subdivision Work

Before issue of a subdivision works certificate

8	<p>Work on Council Land (s138)</p> <p>For all construction work on Council land, the developer is required to submit an Application to Conduct Work on Land to Which Council is the Regulatory Authority, which will incorporate seeking any necessary approvals for work in road reserves under the Roads Act 1993. The relevant work required under this consent includes:-</p> <ul style="list-style-type: none"> • Provision of new driveway crossovers and associated layby areas to the satisfaction of Council; • Construction of intersection within road reserve; and • Upgrade of road reserve <p>Details shall be in accordance with specified development standards and approved prior to the issue of a Subdivision Works Certificate.</p> <p>Condition reason: To ensure that new lots have lawfully constructed access.</p>
9	<p>Road Naming</p> <p>Suggestions (and reasons) for the name of the road reserve and new internal road(s) shall be submitted with an application for a Subdivision Works Certificate for the development.</p> <p>Proposed new road names 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, at the cost of the developer.</p> <p>ADVISING: The Geographical Names Board of NSW favours names with historical, zoological, botanical or geographic association with the locality. Council can provide advice on appropriate names on request.</p> <p>Condition reason: To ensure the road reserve is appropriately named.</p>
10	<p>Stormwater</p>

	<p>Before the issue of a Subdivision Works Certificate, details of all proposed stormwater drainage works required for the development are to be submitted for approval by Council's Development Engineer. Designs are to comply with the requirements of the Armidale Regional Council Engineering Code Design Specification D5 and associated Handbook.</p> <p>Condition reason: To ensure stormwater from the development is appropriately managed.</p>				
11	<p>Erosion and Sediment Control</p> <p>Before the issue of a Subdivision Works Certificate, an Erosion and Sediment Control Plan (ESCP) and accompanying specifications for the construction phase of the works shall be submitted to and approved by the relevant Certifying Authority or Council (where a certifier is not required).</p> <p>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:</p> <ul style="list-style-type: none"> • 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. <p>Condition reason: To ensure sediment laden runoff and site debris do not impact local stormwater systems and waterways during the construction phase.</p>				
12	<p>Construction Management Plan</p> <p>Before the issue of a Subdivision Works Certificate, a construction site management plan must be prepared, and provided to the Principal Certifier or Council (where a certifier is not required). The plan must include the following matters.</p> <ul style="list-style-type: none"> • Provisions for public safety; • Pedestrian and vehicular site access points and construction activity zones; • Details of construction traffic management including: Proposed truck movements to and from the site; Estimated frequency of truck movements; and Measures to ensure safety near the site • Details of bulk earthworks to be carried out; • The location of site storage areas and sheds (if required); • The equipment used to carry out works; • The location of a garbage container with a tight-fitting lid; • Dust, noise and vibration control measures; and • The location of temporary toilets <p>A copy of the construction site management plan must be kept on-site at all times while work is being carried out.</p> <p>Condition reason: To require details of measures that will protect the public, and the surrounding environment, during site works and construction.</p>				
13	<p>Development Standards</p> <p>Roads, Intersection and Crossovers shall be designed in accordance with the following standards:</p> <table border="1"> <thead> <tr> <th>Description of Work</th> <th>Standards</th> </tr> </thead> <tbody> <tr> <td>Road Reserve & Intersection at Western Boundary (associated with deferred commencement matter)</td> <td> <p>Armidale Regional Council Engineering Design Code Specification D1, Rural Design Criteria, and including the following provisions:</p> <ul style="list-style-type: none"> • Road surface (within existing road reserve) is to be sealed from Bundarra Road to the boundary of Lot 7; and </td> </tr> </tbody> </table>	Description of Work	Standards	Road Reserve & Intersection at Western Boundary (associated with deferred commencement matter)	<p>Armidale Regional Council Engineering Design Code Specification D1, Rural Design Criteria, and including the following provisions:</p> <ul style="list-style-type: none"> • Road surface (within existing road reserve) is to be sealed from Bundarra Road to the boundary of Lot 7; and
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	<ul style="list-style-type: none"> Intersection to consider Auxiliary Lane Right Turn Treatment, if required by Armidale Regional Council Engineering Design Code Specification D1, Rural Design Criteria.
Any new road(s) within the site (associated with deferred commencement matter)	<p>Armidale Regional Council Engineering Design Code Specification D1, Rural Design Criteria, and including the following provisions:</p> <ul style="list-style-type: none"> Road reserve to be minimum 20m wide, dedicated to Council and incorporate splay corners minimum 5m x 5m at intersection with existing road reserve at western boundary.
Any bus stop layby area (associated with deferred commencement matter)	Armidale Regional Council Standard Drawing No 030-074, Sheet 1 of 1 or Transport for NSW standards, whichever is applicable.
Driveway Crossovers	<p>Armidale Regional Council Standard Rural Property Access Drawing No 030-073, Sheet 1 of 2.</p> <p>Crossovers shall be sealed from the road edge to the property boundary (where the Crossover fronts the bitumen seal [not required for Lot 7]).</p> <p>A shared crossover may be provided (if desired) for up to 2 lots, and width of crossover increased accordingly.</p> <p>A Crossover shall be provided to the balance/residual lot.</p>
Driveway Crossover - Bundarra Road Frontage - Lot 1	Provision of a sealed driveway crossover for a minimum distance of 5m from the edge of bitumen/edgeline.
Plans demonstrating compliance with the above matters to be provided to the relevant Certifying Authority for approval before the issue of a Subdivision Works Certificate for the development.	
Condition reason: To ensure the safety and efficiency of Council's road network and the classified road.	

Before subdivision work commences

No additional conditions have been applied to this stage of development.

During subdivision work

14	<p>Discovery of relics and Aboriginal objects</p> <p>While site work is being carried out, if a person reasonably suspects a relic or Aboriginal object is discovered:</p> <ol style="list-style-type: none"> the work in the area of the discovery must cease immediately; the following must be notified <ol style="list-style-type: none"> for a relic – the Heritage Council; or for an Aboriginal object – the person who is the authority for the protection of Aboriginal objects and Aboriginal places in New South Wales under the National Parks and Wildlife Act 1974, section 85. <p>Site work may recommence at a time confirmed in writing by:</p> <ol style="list-style-type: none"> for a relic – the Heritage Council; or for an Aboriginal object – the person who is the authority for the protection of Aboriginal objects and Aboriginal places in New South Wales under the National Parks and Wildlife Act 1974, section 85. <p>Condition reason: To ensure the protection of objects of potential significance during works.</p>
15	<p>Hours of work</p> <p>The hours of construction 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.</p>

	<p>Any proposed construction 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.</p> <p>ADVISING: Breaches of this condition may result in the issuing of a Penalty Infringement Notice or prosecution.</p> <p>Condition reason: To protect the amenity of the surrounding area.</p>
16	<p>Noise and Vibration requirements</p> <p>While site work is being carried out, noise generated from the site must not exceed an LAeq (15 min) of 5dB(A) above background noise, when measured at a lot boundary of the site.</p> <p>Condition reason: To protect the amenity of the neighbourhood during construction.</p>
17	<p>Tree protection during work</p> <p>While site work is being carried out, tree protection measures must accord with:</p> <ol style="list-style-type: none"> 1. the relevant requirements of AS 4970 Protection of trees on development sites. <p>This includes maintaining adequate soil grades and ensuring all machinery, builders refuse, spoil and materials remain outside tree protection zones.</p> <p>Condition reason: To protect trees during the carrying out of site work.</p>
18	<p>Control of Dust</p> <p>Effective dust control measures to be maintained during construction to maintain public safety/amenity and construction activities are to be restricted solely to the subject site. Failure to take effective action may render the developer liable to prosecution under the NSW Protection of the Environment Operations Act.</p> <p>Condition reason: To protect the neighborhood amenity from the effects of dust.</p>
19	<p>Civil Works</p> <p>No storage of building materials, soil or equipment is to occur on Council's property or roads without the written consent of Council or nominee. No unfenced, potentially dangerous activity or material to be located in close proximity to the boundary or road reserve adjoining the site. No unsupervised transit of plant, equipment or vehicles across public areas or other obstruction of those areas is permitted.</p> <p>Condition reason: To protect public safety.</p>

Before issue of a subdivision certificate

20	<p>Repair of infrastructure</p> <p>Before the issue of a Subdivision Certificate:</p> <ol style="list-style-type: none"> 1. any public infrastructure damaged as a result of the carrying out of work approved under this consent (including damage caused by, but not limited to, delivery vehicles, waste collection, contractors, sub-contractors, concreting vehicles) must be fully repaired to the written satisfaction of Council, and at no cost to Council. <p>Condition reason: To ensure any damage to public infrastructure is rectified.</p>
21	<p>Telecommunications and Electricity</p> <p>Before the issue of a Subdivision Certificate, written advice from telecommunications and electricity providers, confirming that satisfactory arrangements have been made for the provision of telecommunications and electricity services to the development, are to be submitted to the Principal Certifier or Council.</p> <p>The location of any new pole or ground mounted substation for the development is to be confirmed with and approved by Council.</p>

	ADVISING: Such infrastructure shall be located within the property where feasible.														
	Condition reason: To ensure the development is capable of being provided with relevant utilities.														
22	Fencing														
	Before the issue of a Subdivision Certificate, the developer shall provide a dog/stock proof fence to the lot boundaries in accordance with relevant restrictions.														
	Condition reason: To ensure an adequate standard of fencing is provided to the proposed new lots and for boundary delineation.														
23	Completion of Works														
	For the avoidance of doubt, conditions of this consent requiring any of the following to be carried out:														
	<ul style="list-style-type: none"> • Earthworks; • Stormwater drainage; • Erosion and sedimentation control; • Road and Driveway Crossover Work; • Road Naming (including new road signage); • Fencing; and • Provision of infrastructure 														
	are to be completed and inspected by the relevant Certifying Authority prior to the issue of a Subdivision Certificate.														
	Condition reason: To ensure the required work is carried out.														
24	Title Restrictions/Covenants														
	Appropriate title restrictions/covenants shall be created in relation to the following matters and submitted with an application for a Subdivision Certificate for the development:														
	<table border="1"> <thead> <tr> <th>Theme</th> <th>Details</th> </tr> </thead> <tbody> <tr> <td>Dogs</td> <td>Restriction on the ownership or accommodation of dogs by the residents of any lot, given the rural residential nature of the locality which includes farming enterprises with livestock, i.e. dogs kept on the proposed lots are to be housed within a suitable enclosure to prevent the dogs from escaping from the property, consistent with the NSW Companion Animals Act 1998.</td> </tr> <tr> <td>Fencing</td> <td>Restriction requiring boundary fencing to all new R5 sized lots to consist of plain wire strands or other methods but exclude use of barbed wire to limit harm to fauna (in accordance with Biodiversity Impact Assessment and Koala Assessment).</td> </tr> <tr> <td>Access</td> <td>Restriction preventing direct access from any Lot except Lot 1 from Bundarra Road</td> </tr> <tr> <td>Vegetation</td> <td>Restriction to prevent removal of any existing trees greater than 3m in height within all lots other than Lot 1, given the land is not defined as for 'primary production'</td> </tr> <tr> <td>Water</td> <td>Restriction on all lots other than Lot 1, to prevent any bore water to be used as drinking water, given proximity to on-site wastewater systems.</td> </tr> <tr> <td>Stormwater</td> <td>Restrictions to allow for: <ul style="list-style-type: none"> • Ensuring the permanency and operation of any stormwater drainage infrastructure. The restrictions shall in accordance with stormwater drainage works details approved by Council's Development Engineer; and • protection of natural drainage lines and natural overland flow where required. </td> </tr> </tbody> </table>	Theme	Details	Dogs	Restriction on the ownership or accommodation of dogs by the residents of any lot, given the rural residential nature of the locality which includes farming enterprises with livestock, i.e. dogs kept on the proposed lots are to be housed within a suitable enclosure to prevent the dogs from escaping from the property, consistent with the NSW Companion Animals Act 1998.	Fencing	Restriction requiring boundary fencing to all new R5 sized lots to consist of plain wire strands or other methods but exclude use of barbed wire to limit harm to fauna (in accordance with Biodiversity Impact Assessment and Koala Assessment).	Access	Restriction preventing direct access from any Lot except Lot 1 from Bundarra Road	Vegetation	Restriction to prevent removal of any existing trees greater than 3m in height within all lots other than Lot 1, given the land is not defined as for 'primary production'	Water	Restriction on all lots other than Lot 1, to prevent any bore water to be used as drinking water, given proximity to on-site wastewater systems.	Stormwater	Restrictions to allow for: <ul style="list-style-type: none"> • Ensuring the permanency and operation of any stormwater drainage infrastructure. The restrictions shall in accordance with stormwater drainage works details approved by Council's Development Engineer; and • protection of natural drainage lines and natural overland flow where required.
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	ADVISING: Stormwater details are considered reasonable to be included, given the deferred commencement matters will require additional stormwater management considerations.														
	ADVISING: The above does not authorise installation of any bore, which is subject to separate approvals.														
	Condition reason: To ensure that appropriate restrictions are imposed for the life of the development.														
25	Section 7.12 Contribution														
	Before the issue of a Subdivision Certificate, a contribution is to be paid to Council towards the provision or improvement of public facilities, in accordance with Uralla Shire Council's Section 7.12 Contributions Plan 2021).														

An updated cost summary report (to the satisfaction of Council) shall be provided to and approved by Council, before the issue an invoice for the contribution. The determination of the proposed cost of the development shall be in accordance with Part 9, Division 2 of the Environmental Planning and Assessment Regulation 2021, and shall be based on commercial costs for the undertaking of works.

ADVISING: This condition is reasonable to be included, given deferred commencement matters will likely increase the cost of development.

Condition reason: To assist the Council to provide the appropriate public facilities which are required to maintain and enhance amenity and service delivery within the area.

Ongoing use for subdivision work

No additional conditions have been applied to this stage of development.

General advisory notes

This consent contains the conditions imposed by the consent authority which are to be complied with when carrying out the approved development. However, this consent is not an exhaustive list of all obligations which may relate to the carrying out of the development under the EP&A Act, EP&A Regulation and other legislation. Some of these additional obligations are set out in the [Conditions of development consent: advisory notes](#). The consent should be read together with the *Conditions of development consent: advisory notes* to ensure the development is carried out lawfully.

The approved development must be carried out in accordance with the conditions of this consent. It is an offence under the EP&A Act to carry out development that is not in accordance with this consent.

Building work or subdivision work must not be carried out until a construction certificate or subdivision works certificate, respectively, has been issued and a principal certifier has been appointed.

A document referred to in this consent is taken to be a reference to the version of that document which applies at the date the consent is issued, unless otherwise stated in the conditions of this consent.

Dictionary

The following terms have the following meanings for the purpose of this determination (except where the context clearly indicates otherwise):

Approved plans and documents means the plans and documents endorsed by the consent authority, a copy of which is included in this notice of determination.

AS means Australian Standard published by Standards Australia International Limited and means the current standard which applies at the time the consent is issued.

Certifier means a council or a person that is registered to carry out certification work under the *Building and Development Certifiers Act 2018*.

Construction certificate means a certificate to the effect that building work completed in accordance with specified plans and specifications or standards will comply with the requirements of the EP&A Regulation and *Environmental Planning and Assessment (Development Certification and Fire Safety) Regulation 2021*.

Council means URALLA SHIRE COUNCIL.

Court means the Land and Environment Court of NSW.

EPA means the NSW Environment Protection Authority.

EP&A Act means the *Environmental Planning and Assessment Act 1979*.

EP&A Regulation means the *Environmental Planning and Assessment Regulation 2021*.

Independent Planning Commission means Independent Planning Commission of New South Wales constituted by section 2.7 of the EP&A Act.

Occupation certificate means a certificate that authorises the occupation and use of a new building or a change of building use for an existing building in accordance with this consent.

Principal certifier means the certifier appointed as the principal certifier for building work or subdivision work under section 6.6(1) or 6.12(1) of the EP&A Act respectively.

Site work means any work that is physically carried out on the land to which the development the subject of this development consent is to be carried out, including but not limited to building work, subdivision work, demolition work, clearing of vegetation or remediation work.

Stormwater drainage system means all works and facilities relating to:

- the collection of stormwater,
- the reuse of stormwater,
- the detention of stormwater,

- the controlled release of stormwater, and
- connections to easements and public stormwater systems.

Strata certificate means a certificate in the approved form issued under Part 4 of the *Strata Schemes Development Act 2015* that authorises the registration of a strata plan, strata plan of subdivision or notice of conversion.

Subdivision certificate means a certificate that authorises the registration of a plan of subdivision under Part 23 of the *Conveyancing Act 1919*.

Subdivision work certificate means a certificate to the effect that subdivision work completed in accordance with specified plans and specifications will comply with the requirements of the EP&A Regulation.

Sydney district or regional planning panel means Northern Regional Planning Panel.