

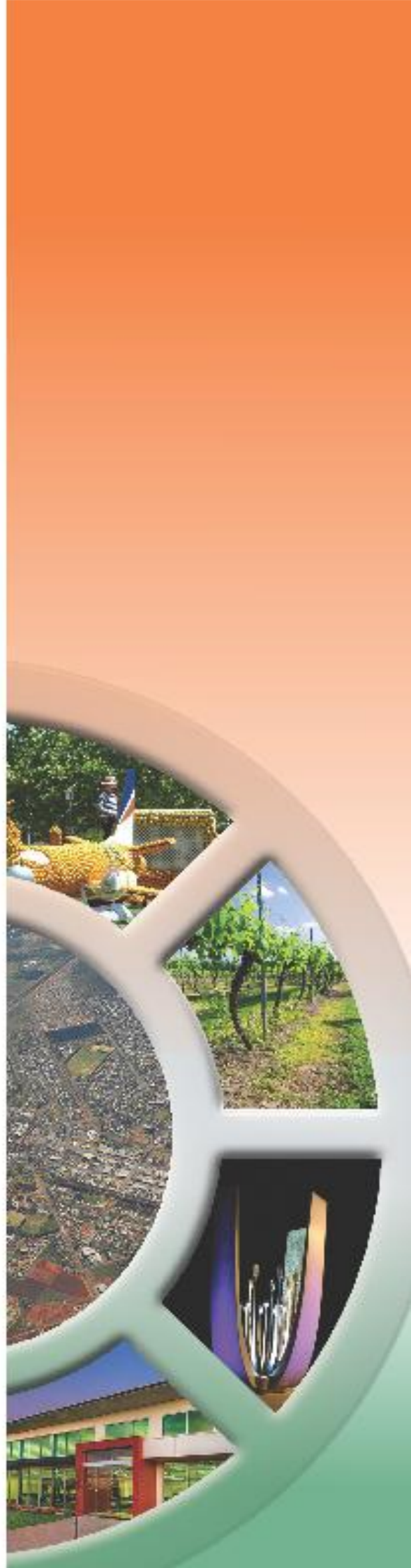


Ordinary Meeting

Tuesday, 12 August 2025

ATTACHMENTS UNDER SEPARATE COVER

- CL01 DA 172/2022 - 21 Large Lot Residential Subdivision, 2 Public Roads and Residue Lot**
- CL02 Yenda Growth Area Master Plan - Endorsement**



ATTACHMENTS UNDER SEPARATE COVER

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Griffith City Council**DA REPORT**

CLAUSE	CL01
PROPOSAL	DA 172/2022 - 21 LARGE LOT RESIDENTIAL SUBDIVISION, 2 PUBLIC ROADS AND RESIDUE LOT
PROPERTY	Lot 223 DP 1298684, (Residue of previous stage 2 development of Lot 146 DP 1214737) - South Lake Drive
LOCATION	Lake Wyangan
ZONING	R5 – Large Lot Residential
APPLICABLE PLANNING INSTRUMENT	Griffith Local Environmental Plan 2014
EXISTING DEVELOPMENT	Vacant Land
APPLICANT	Habitat Planning Pty Ltd, 409 Kiewa Street, ALBURY NSW 2640
OWNER	The Trustee for Lake Wyangan Land Estate Trust T/A LWLE Pty Ltd21 Bennu Circuit THURGOONA NSW 2640
DIRECTORS OF COMPANY (IF APPLICABLE)	Murray John Thomas Pigdon, Grant Anthony Luff
APPLICATION DATE	12 September 2022
REASON FOR REFERRAL FROM	Submissions objecting to the application Joanne Tarbit, Development Assessment Planner
TRIM REF	25/41166

SUMMARY***Proposal***

- Stage 1-3 of the proposed development have previously been approved and completed or under construction.
- The proposed development application relates to 21 new large residential lots known as Stage 4.
- Stages 5-7 will be the subject of a future Development Application following revision of the flood study for Lake Wyangan, which will include flood levels for the lake and surrounding properties.

Type of Development

Local and Integrated.

Main Issues

Submissions objecting to the development.

RECOMMENDATION

- (a) Griffith City Council as the consent authority pursuant to section 4.16 of the Environmental Planning & Assessment Act 1979, approve Development Application 172/2022 over Lot 223 DP 1298684 South Lake Drive, Lake Wyangan, subject to conditions.**
- (b) Development Application 172/2022 be delegated to the Director Sustainable Development for the preparation and issue of the Notice of Determination.**

In accordance with the Local Government Act (section 375A - Recording of voting on planning matters) Council must record the Councillors' votes in relation to this matter.

SITE DESCRIPTION

The site is bounded by Boorga Road to the east, Jones Road to the north and South Lake Drive to the south, and is approximately 1.3kms north of the village of Lake Wyangan. The land proposed to be developed has an area of approximately 30 hectares of which Stage 4 is a part of. The site is vacant with a natural wetland know as 'Little Swamp' and a vegetated perimeter located in the north western corner.

LOCATION MAP

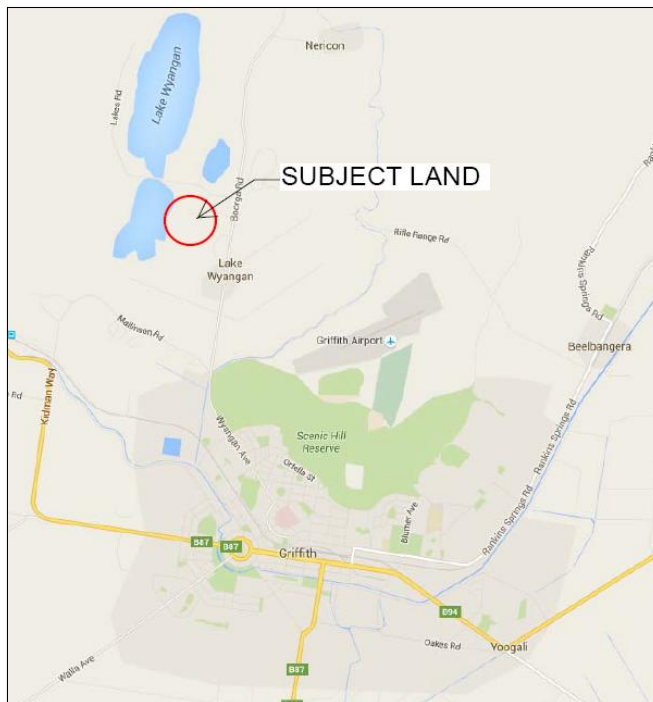


Figure 1: Site Location

BACKGROUND

Site History

The development history of the subject site has been established following research of Council's electronic data management system and research of Council's physical archives. Based on the information available the following can be established:

- S50/1999 DP 1016209 – Two (2) lot subdivision;
- S38/1999 DP 1030732 - 10 lot subdivision plus a water storage dam lot and residual lot,
- DA126/2016 DP 1119382 - 10 lot subdivision plus a residue lot;
- DP 1214737 – (Stage 1) Two (2) lot subdivision plus a pump station lot, and a residue lot.
- DA 286/2016(4) DP 1298684 – (Stage 2) 21 lot subdivision plus residue lot;
- Under construction – (Stage 3) 21 lot subdivision plus residue lot.

Timeline of Events Pertaining to the Development Application

- 12/09/2022 – DA lodgement.
- 13/09/2022 – Development Advisory Unit and allocation of application – Development Planner, Development Engineers, Environmental Health Officers and Flood Report, Essential Energy and Integrated Referral Heritage NSW.
- 15/09/2022 - Food report returned.
- 04/10/2022 - Additional Information request relating to flood impact assessment, stormwater, land ownership, walking tracks, native vegetation retention and assessment, weeds and legislation.
- 10/10/2022 - Essential Energy referral returned.
- 17/10/2022 - Lake Wyangan Flood including flooding of Lake Wyangan, subject site including Little Swamp and Jones Road.
- 28/06/2024 - Additional information requested on 04/10/2022 received.
- 05/07/2024 - Public notification of the application to owners within the vicinity of the site and Council's Catch-Up newsletter and Facebook Page, ending on 2 August 2024.
- 12/07/2024 - Additional Information relating to engineering design, constructed wetland design, and bushfire prone land requested following assessment of information submitted 28/06/2024.
- 09/08/2024 - Integrated Heritage Referral returned relating to Stages 4-7.
- 12/03/2025 - Amended Stage 4 Subdivision Plan received.
- 05/03/2025 - Environmental Health referral returned with conditions.
- 10/03/2025 - Development Engineers referral returned with conditions.
- 08/04/2025 - Development Assessment completed – waiting on updated Integrated General terms of Approval for Heritage matters.
- 14/05/2025 - Applicants amended Heritage Assessment for Stage 4 Received and forwarded to Heritage NSW for assessment.
- 21/05/2025 - Integrated Heritage referral amended response returned relating to Stage 4.

PROPOSAL IN DETAIL

The proposed development application relates to 21 new large residential lots known as Stage 4. Stages 5-7 will be the subject of a future Development Application following revision of the flood study for Lake Wyangan, which will include flood levels for the lake and surrounding properties.



Figure 2: Site Map indicating existing and proposed stages

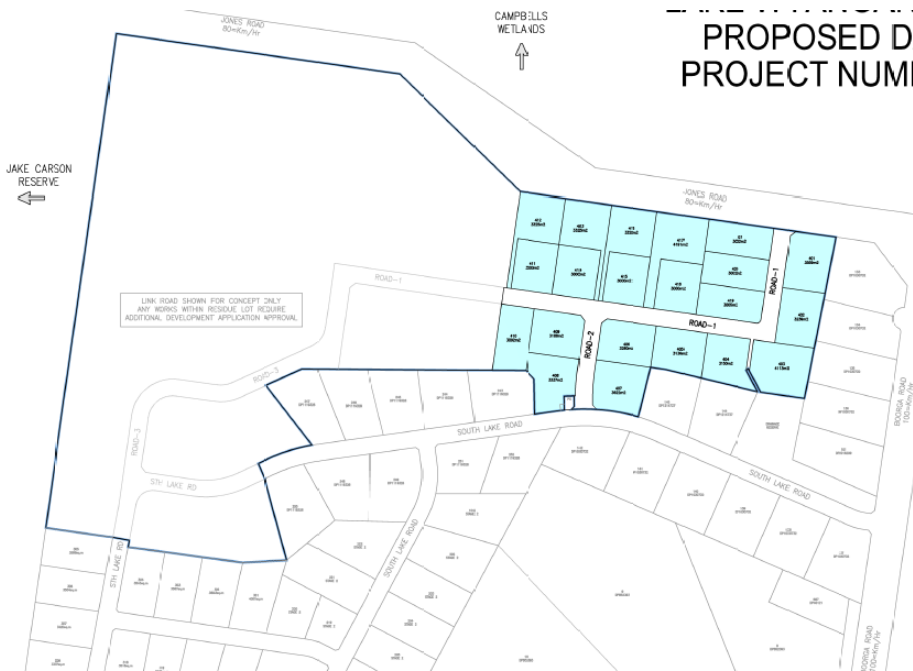


Figure 3: Stage 4 lot layout

ASSESSMENT UNDER THE ENVIRONMENTAL PLANNING AND ASSESSMENT ACT 1979

In determining a development application, a consent authority is to take into consideration Section 79C of the Environmental Planning and Assessment Act, 1979. The following matters are of relevance to the development and the subject development application.

**SECTION 4.15 (1)(a)(i) any environmental planning instrument
*Griffith Local Environmental Plan 2014***

(a) Permissibility

The subject land is zoned R5 Large Lot Residential and under clause 2.6 of Griffith Local Environmental Plan 2014, *subdivision* is defined as development that can only be permitted with the consent of Council. On this basis the proposed development is considered permissible.

(b) Aims and Objectives

The objectives for the R5 Large Lot Residential zone set down in the Land Use Table are as follows:


- To provide residential housing in a rural setting while preserving, and minimising impacts on, environmentally sensitive locations and scenic quality.
- To ensure that large residential lots do not hinder the proper and orderly development of urban areas in the future.
- To ensure that development in the area does not unreasonably increase the demand for public services or public facilities.
- To minimise conflict between land uses within this zone and land uses within adjoining zones.

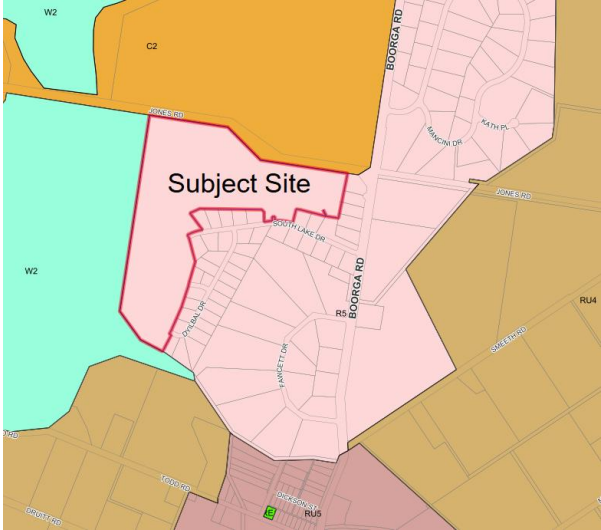
It is considered that the proposed development satisfies the aims of Griffith Local Environmental Plan 2014 and the objectives of the zone.

(c) Principal Development Standards & other LEP Provisions

Clause	Assessment Comment
2.6 Subdivision	Complies The land is to be subdivided with development consent.
4.1 Minimum Lot Size	Complies The minimum lot size is 5 hectares, except where reticulated sewerage can be provided (Area C) in which case the minimum lot size is 3000m ² . All lots are greater with lots in Stage 4 ranging from 3000m ² to 4191m ² which are to be connected to sewer.
5.10 Heritage Conservation	Applicable, Integrated Referral Received Clause 5.10 of Griffith Local Environmental Plan 2014 sets down objectives in respect to the conservation of environmental heritage within the Griffith local government area. Specifically, this clause applies to the protection of heritage items and heritage conservation areas; development affecting places or sites of known or potential Aboriginal heritage significance; development affecting known or potential archaeological sites of relics of non-Aboriginal heritage significance; development in the vicinity of a heritage item; provision of conservation incentives; and development in heritage conservation areas. While the subject site is not listed in Schedule 5 of Griffith LEP 2014 as

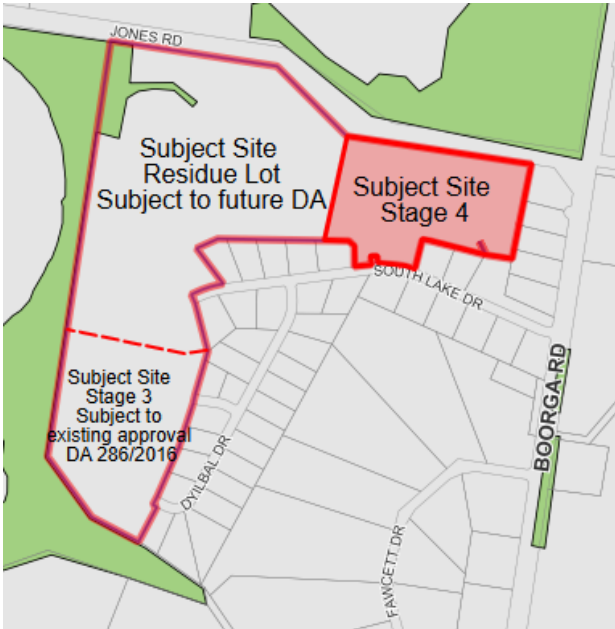
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Clause	Assessment Comment				
	<p>containing a heritage item, the archaeological report and the NSW AHIMS database indicate a concentration of cultural heritage artefacts on the site, particularly closer to Lake Wyangan and Little Swamp.</p> <p><u>AHIMS Web Service search for the following area at Lot : 223, DP:DP1298684, Section : - with a Buffer of 50 meters, conducted by Joanne Tarbit on 04 March 2025.</u></p> <p>The context area of your search is shown in the map below. Please note that the map does not accurately display the exact boundaries of the search as defined in the paragraph above. The map is to be used for general reference purposes only.</p>  <p>A search of Heritage NSW AHIMS Web Services (Aboriginal Heritage Information Management System) has shown that:</p> <table border="1"> <tr> <td>9</td> <td>Aboriginal sites are recorded in or near the above location.</td> </tr> <tr> <td>0</td> <td>Aboriginal places have been declared in or near the above location. *</td> </tr> </table> <p>An Integrated referral was made under Section 90 of the National Parks and Wildlife Act 1974, with General Terms of Approval received on 9 August 2024. Given the plan was amended on 12 March 2025 to include Stage 4 only, an amended Heritage Report was requested and General Terms of Approval were again sought and received on 22 May 2025. These were provided as a condition set which has been inserted as conditions into the Notice of Determination.</p>	9	Aboriginal sites are recorded in or near the above location.	0	Aboriginal places have been declared in or near the above location. *
9	Aboriginal sites are recorded in or near the above location.				
0	Aboriginal places have been declared in or near the above location. *				
5.16 Subdivision / dwellings on certain rural, residential & environmental protection land	<p>Complies</p> <p>The objective of this clause is to minimise potential land use conflict between existing and proposed development on land in the rural, residential or conservation zones concerned (particularly between residential land uses and other rural land uses).</p> <p>(4) <i>The following matters are to be taken into account —</i></p> <p>(a) <i>the existing uses and approved uses of land in the vicinity of the development,</i></p> <p>The subject site has been incrementally subdivided for the purpose of rural residential with zoning of the land to 1(c) Rural Residential for this purpose in 2002 with a masterplan for the site and first twenty lots being approved by the Notice of Determination for S38/1999. Whilst this</p>				

Clause	Assessment Comment
	<p>masterplan has been changed with each subsequent stage of the development, it has confirmed the intended use of the land.</p>  <p>Land use zoning provides a further clue to landuse in the locality with land to the south, east and north east zoned R5 Large Lot Residential, Land to the North and West zoned for Recreational waterways and environmental cnsevation and other lands in the locality zoned for primary production small lots and village use. It is considered unlikely that conflict will arise.</p> <p>(b) <i>whether or not the development is likely to have a significant impact on land uses that, in the opinion of the consent authority, are likely to be preferred and the predominant land uses in the vicinity of the development,</i></p> <p>The proposed development is unlikely to impact on the predominant land uses in the vicinity of the development.</p> <p>(c) <i>whether or not the development is likely to be incompatible with a use referred to in paragraph (a) or (b),</i></p> <p>The proposed development is unlikely to be incompatible with the predominant land uses in the vicinity of the development.</p> <p>(d) <i>any measures proposed by the applicant to avoid or minimise any incompatibility referred to in paragraph (c).</i></p> <p>No measures are required.</p>
5.21 Flood Planning	<p>Complies for Stage 4</p> <p>The objectives of Griffith Local Environmental Plan 2014 in respect to flood planning are as follows:</p> <p>(a) <i>to minimise the flood risk to life and property associated with the use of land,</i></p> <p>(b) <i>to allow development on land that is compatible with the land's flood hazard, taking into account projected changes as a result of climate</i></p>

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Clause	Assessment Comment
	<p><i>change,</i></p> <p><i>(c) to avoid significant adverse impacts on flood behaviour and the environment.</i></p> <p>Clause 7.2(3) states that development consent must not be granted to development on land to which this clause applies unless the consent authority is satisfied that the development:</p> <p><i>(a) is compatible with the flood hazard of the land, and</i></p> <p><i>(b) will not significantly adversely affect flood behaviour resulting in detrimental increases in the potential flood affectation of other development or properties, and</i></p> <p><i>(c) incorporates appropriate measures to manage risk to life from flood, and</i></p> <p><i>(d) will not significantly adversely affect the environment or cause avoidable erosion, siltation, destruction of riparian vegetation or a reduction in the stability of river banks or watercourses, and</i></p> <p><i>(e) is not likely to result in unsustainable social and economic costs to the community as a consequence of flooding.</i></p> <p>Council's Development Engineers have provided an extensive response to each matter of this clause in their assessment report dated 3 March 2025. A summary of the Engineers Report is provided in the attached Development Assessment Report.</p>
7.1 Earthworks	<p>Applicable</p> <p>The objective of this clause is to ensure that earthworks for which development consent is required will not have a detrimental impact on environmental functions and processes, neighbouring uses, cultural or heritage items or features of the surrounding land.</p> <p>The proposed development will require a Subdivision Works Certificate prior to the commencement of any earthworks, therefore the matters for consideration listed above will be addressed based on the information provided prior to the issue of a Subdivision Works Certificate.</p>
7.3 Terrestrial Biodiversity	<p>Applicable</p> <p>The subject site has been identified on the Terrestrial Biodiversity Map and in order to meet the objectives of Clause 7.3 the following matters have been taken into consideration:</p> <p><i>(a) whether the development is likely to have:</i></p> <p><i>(i) any adverse impact on the condition, ecological value and significance of the fauna and flora on the land, and</i></p> <p><i>(ii) any adverse impact on the importance of the vegetation on the land to the habitat and survival of native fauna, and</i></p> <p><i>(iii) any potential to fragment, disturb or diminish the biodiversity structure, function and composition of the land, and</i></p> <p><i>(iv) any adverse impact on the habitat elements providing</i></p>

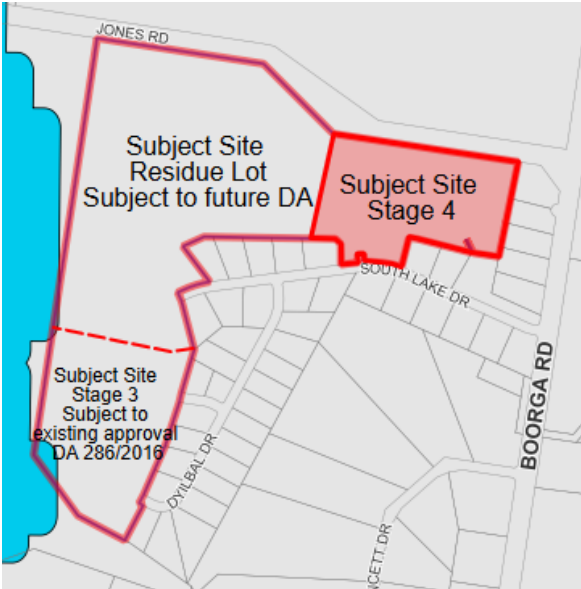
Clause	Assessment Comment
	<p><i>connectivity on the land, and</i></p> <p>(b) <i>any appropriate measures proposed to avoid, minimise or mitigate the impacts of the development.</i></p> <p>Furthermore Clause 7.3(4) states that development consent must not be granted to development on land to which this clause applies unless the consent authority is satisfied that:</p> <p>(a) <i>the development is designed, sited and will be managed to avoid any significant adverse environmental impact, or</i></p> <p>(b) <i>if that impact cannot be reasonably avoided by adopting feasible alternatives—the development is designed, sited and will be managed to minimise that impact, or</i></p> <p>(c) <i>if that impact cannot be minimised—the development will be managed to mitigate that impact.</i></p> <p>The following map is an extract from Griffith LEP 2014 overlayed on an aerial photograph mapping the terrestrial biodiversity over the land.</p>  <p>Stage 4 of the development will not impact on the main areas of native vegetation at the north western corner of the site. Some scattered native vegetation, mainly derived from Weeping Myall Community, located near the raw water storage dam in the east of the site will be removed. The applicant has submitted a Biodiversity Development Assessment Report for the development, and credits have been calculated. Credits relating to the removal of native vegetation for the construction of the stage 4 development will need to be retired prior to the issue of the Subdivision Certificate.</p> <p>Council is satisfied that the proposed development is consistent with the provisions of section 7.3 and that the application may be supported subject</p>

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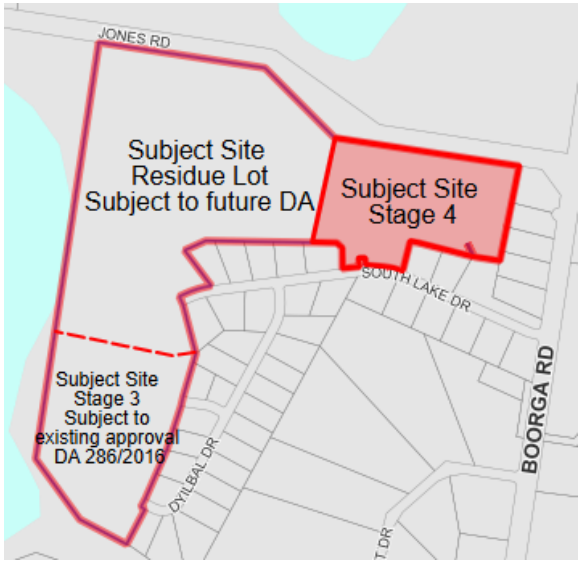
Clause	Assessment Comment
	to conditions in respect to tree perseverance and the removal of biosecurity weeds.
7.4 Groundwater vulnerability	<p>Applicable</p> <p>The subject site has not been mapped as being groundwater vulnerable and therefore Clause 7.4(3) technically does not apply, however for the sake of thoroughness Council should take into consideration the potential impact on ground water given its proximity to Lake Wyangan and Campbell Swamp. Clause 7.4(3) states:</p> <ul style="list-style-type: none"> (a) <i>the likelihood of groundwater contamination from the development (including from any on-site storage or disposal of solid or liquid waste and chemicals),</i> (b) <i>any adverse impacts the development may have on groundwater dependent ecosystems,</i> (c) <i>the cumulative impact the development may have on groundwater (including impacts on nearby groundwater extraction for a potable water supply or stock water supply),</i> (d) <i>any appropriate measures proposed to avoid, minimise or mitigate the impacts of the development.</i> <p>Clause 7.4(4) goes on to state that development consent must not be granted to development on land to which this clause applies unless the consent authority is satisfied that:</p> <ul style="list-style-type: none"> (a) <i>the development is designed, sited and will be managed to avoid any significant adverse environmental impact, or</i> (b) <i>if that impact cannot be reasonably avoided—the development is designed, sited and will be managed to minimise that impact, or</i> (c) <i>if that impact cannot be minimised—the development will be managed to mitigate that impact.</i> <p>The site is not mapped as groundwater vulnerability, however the development of the site is likely to influence the groundwater in the locality though due to the proximity of the wetland complex including direct influenced by water levels within Lake Wyangan. Measures are considered elsewhere in this assessment to ensure that the development is unlikely to impact on groundwater quality.</p>
7.5 Riparian Lands and water courses	<p>Applicable</p> <p>The objective of Clause 7.5 is to protect and maintain the water quality within watercourses; the stability of the bed and banks of watercourses; aquatic and riparian habitats; and ecological processes within watercourses and riparian areas. The subject site has been identified as being on riparian lands or is on land that is within 40 metres of the top of the bank of a watercourse</p> <p>Clause 7.5(4) states Development consent must not be granted to development on land to which this clause applies unless the consent authority is satisfied that:</p> <ul style="list-style-type: none"> (a) <i>the development is designed, sited and will be managed to avoid any</i>

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Clause	Assessment Comment
	<p><i>significant adverse environmental impact, or</i></p> <p>(b) <i>if that impact cannot be reasonably avoided—the development is designed, sited and will be managed to minimise that impact, or</i></p> <p>(c) <i>if that impact cannot be minimised—the development will be managed to mitigate that impact.</i></p> <p>In deciding whether to grant development consent for development on land to which this clause applies, the consent authority must consider:</p> <p>(a) <i>whether or not the development is likely to have any adverse impact on the following:</i></p> <p>(i) <i>the water quality and flows within the watercourse,</i></p> <p>(ii) <i>aquatic and riparian species, habitats and ecosystems of the watercourse,</i></p> <p>(iii) <i>the stability of the bed and banks of the watercourse,</i></p> <p>(iv) <i>the free passage of fish and other aquatic organisms within or along the watercourse,</i></p> <p>(v) <i>any future rehabilitation of the watercourse and riparian areas, and</i></p> <p>(b) <i>whether or not the development is likely to increase water extraction from the watercourse, and</i></p> <p>(c) <i>any appropriate measures proposed to avoid, minimise or mitigate the impacts of the development.</i></p>  <p>The proposed development has potential to impact on the quality and quantity of water leaving the site given the increase in hardstand</p>

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Clause	Assessment Comment
	<p>areas and change of site levels and ground surface cover.</p> <p>The Stage 4 development site drains to Campbells Wetland to the north rather than Lake Wyangan in the east and therefore drainage water will not have a direct impact on water quality within the mapped 'Riparian Land and Watercourses' area.</p> <p>Whilst not mapped, Campbell's Wetland is an important wetland of international significance. It also drains to Lake Wyangan (north) after prolonged wet seasons.</p> <p>To ensure the development does not create any adverse changes to water quality within Campbells Wetland, Council Engineers have place conditions on the development to ensure that adequate stormwater detention systems are in place to capture runoff of water from the site and suitable filtration system where stormwater leaves the subject site.</p> <p>The proposed development will also collect and dispose of all stormwater to the lake with water sensitive urban design principles utilised to treat water prior to discharge. The applicant will need to demonstrate that the proposed measures will work given the site conditions, in particular the hot dry summer conditions which may not be conducive to retaining the filtering qualities of grassed drainage swales.</p> <p>In addition all allotments will require some landscaping with native woody vegetation within the buffer of the building envelope. This will provide an additional native vegetation in to locality.</p>
7.6 Wetlands	<p>The subject site has been identified as draining to a mapped wetland (Campbell's Wetland) and as such needs to be preserved and protected from the impacts of development.</p> 

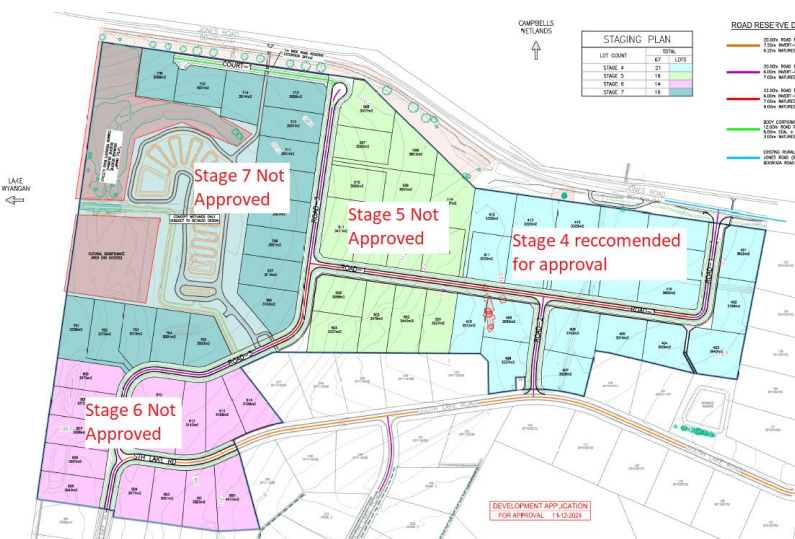
Clause	Assessment Comment
	<p>Prior to granting consent Council must be satisfied that</p> <ul style="list-style-type: none"> (a) <i>the development is designed, sited and will be managed to avoid any significant adverse environmental impact, or</i> (b) <i>if that impact cannot be reasonably avoided—the development is designed, sited and will be managed to minimise that impact, or</i> (c) <i>if that impact cannot be minimised—the development will be managed to mitigate that impact.</i> <p>In order to be satisfied Council must consider the following:</p> <ul style="list-style-type: none"> (a) <i>whether or not the development is likely to have any significant adverse impact on the following:</i> <ul style="list-style-type: none"> (i) <i>the condition and significance of the existing native fauna and flora on the land,</i> (ii) <i>the provision and quality of habitats on the land for indigenous and migratory species,</i> (iii) <i>the surface and groundwater characteristics of the land, including water quality, natural water flows and salinity, and</i> (b) <i>any appropriate measures proposed to avoid, minimise or mitigate the impacts of the development.</i> <p>The applicant has submitted a Biodiversity Development Assessment Report (BDAR) report with the application to address the removal and offsetting of remnant vegetation. The BDAR was written for the whole of the site.</p> <p><u>Stage 4 Development Only – Retirement of Credits:</u></p> <p>As the development has been reduced in scope to Stage 4 only, it has been identified that only 'PCT 26 – Weeping Myall open woodland of the Riverina Bioregion and NSW South Western Slopes Bioregion' will be impacted during the development of this stage. The two other identified communities requiring offsetting being located within the residue lot (previously known as Stage 5-7). As such a condition has been applied to the consent requiring only retirement of the credits relating to this community.</p> <p><u>Campbells Wetland:</u></p> <p>The applicant has proposed to use an existing drainage point exiting from the north of Stage 4, under Jones Road and into Campbell's Wetland. Stormwater is to be collected in vegetated drainage swales within the Stage 4 development site and directed to a pre-treatment system, before exiting the site. The applicant will be required to ensure quality of stormwater entering the lake meets Australian Standards, with information to be submitted prior to the issue of the subdivision works certificate.</p> <p>A condition has been placed on the notice of determination to require the pre-treatment of stormwater leaving the site.</p>

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Clause	Assessment Comment
7.7 Salinity	<p>Applicable</p> <p>The subject site has been identified and mapped as being affected by groundwater salinity and in determining the development application Council must take into consideration the following:</p> <ul style="list-style-type: none"> (a) <i>whether the development is likely to have any adverse impact on salinity processes on the land,</i> (b) <i>whether salinity is likely to have an impact on the development,</i> (c) <i>any appropriate measures proposed to avoid, minimise or mitigate the impacts of the development.</i> <p>In order for development consent to be granted Council must be satisfied that:</p> <ul style="list-style-type: none"> (a) <i>the development is designed, sited and will be managed to avoid any significant adverse environmental impact, or</i> (b) <i>if that impact cannot be reasonably avoided—the development is designed, sited and will be managed to minimise that impact, or</i> (c) <i>if that impact cannot be minimised—the development will be managed to mitigate that impact.</i> <p>Historical information of Council's groundwater monitoring bores nearby on Jones Road and Boorga Road suggest groundwater in some low-lying areas in the locality of less than 2m. These groundwater levels are controlled by regional groundwater gradients to Lake Wyangan. A shallow water table could potentially mobilise soil salts and contribute to the corrosion of infrastructure.</p> <p>Watertable depths of less than 2m can provide instability and corrosion of infrastructure and buildings. Conditions have been imposed to prevent the digging to greater than 2m or building within these areas.</p> <p>Measures to control salinity at the site can be conditioned and include:</p> <ul style="list-style-type: none"> • Revegetation of the site with deep rooted woody plants including trees and shrubs. • Community awareness including an information package for residents. • Ensuring water drains away from infrastructure and does not pond at the site in drainage swales. • Encouraging residents to establish gardens with low water requirements. <p>Based on the above Council can be reasonably satisfied that the development accords with the aims and objectives set out in clauses 7.3 to 7.7 and the key environmental issues may be mitigated through appropriate conditions of consent.</p>
7.8 Air Space	<p>Not Applicable</p> <p>The Obstacle Limitation Surface will not be penetrated by the proposed</p>

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Clause	Assessment Comment
Operations	development.
7.9 Aircraft Noise	<p>Not Applicable</p> <p>The objectives of this clause are to prevent certain noise sensitive developments from being located near the Griffith Airport and its flight paths, and to assist in minimising the impact of aircraft noise from that airport and its flight paths by requiring appropriate noise attenuation measures in noise sensitive buildings.</p> <p>The proposed development is not located on land near the Griffith Airport and is not on land in an ANEF contour of 20 or greater.</p>
7.10 Essential Services	<p>Complies</p> <p>Clause 7.10 states that development consent must not be granted to development unless the consent authority is satisfied that any of the following services that are essential for the development are available or that adequate arrangements have been made to make them available when required:</p> <ul style="list-style-type: none"> (a) <i>the supply of water,</i> (b) <i>the supply of electricity,</i> (c) <i>the disposal and management of sewage,</i> (d) <i>stormwater drainage or on-site conservation,</i> (e) <i>suitable vehicular access.</i> <p>Assessment: the land is able to connect to electricity, Council reticulated water and stormwater connection to the street network is available. Suitable vehicular access is available to the land through previous stages and via Jones Road.</p> <p>(a) <i>the supply of water,</i></p> <p>A Council-owned 100mm oPVC potable water main runs along the southern side of South Lake Drive, covering the full frontage of Stage 4 of the proposed development which will be connected to provide water to the site.</p> <p>(b) <i>the supply of electricity,</i></p> <p>The applicant is to make their own arrangements with the service provider for an adequate connection to electricity for the proposed development. All costs are to be borne by the applicant. Documentary evidence from Essential Energy is to be submitted to Council prior to the issue of a Subdivision Certificate for Stage 4, confirming that satisfactory arrangements have been made for the provision of an adequate domestic electricity supply.</p> <p>(c) <i>the disposal and management of sewage,</i></p> <p>The Statement of Environmental Effects states that reticulated sewer, water, and drainage are available from South Lake Road and can be extended to the new lots. Council expects a low-pressure system, similar to previous stages, will be used.</p> <p>(d) <i>stormwater drainage or on-site conservation,</i></p> <p>Stage 4 isn't flood-affected for the 1% AEP event, and stormwater will be</p>

Clause	Assessment Comment
	<p>directed to Campbell Wetlands, not impacting Lake Wyangan (South Lake). Preliminary engineering drawings propose a swale drainage network on both sides of Roads 1 and 2 to manage stormwater. A stormwater line along Lot 417's western boundary will connect to an existing system on Jones Road, discharging into Campbell Swamp.</p> <p>Stage 4 will create 21 residential lots, increasing stormwater runoff and pollutant export. To mitigate this, the applicant proposes a Spel Hydrosystem and Gross Pollutant Trap (GPT) for stormwater treatment. Open swale drains will reduce pollutants from roads before discharge.</p> <p>A Stormwater Management Plan (SMP) must be submitted with detailed design drawings to ensure alignment with Water Sensitive Urban Design (WSUD) principles.</p> <p>(e) suitable vehicular access.</p> <div></div> <p><i>Proposed Road Layout</i></p> <p>The figure above details the proposed internal road layout and connection points of Stage 4 to Council's existing road network. The applicant has proposed to access the subdivision via Jones Road and South Lake Drive by constructing internal public roads to service the allotments to be created as part of the subdivision.</p> <p>Road 1 and Road 2 within the stage 4 component of the development is to be designed and constructed to the specifications outlined below:</p> <ol style="list-style-type: none">20m wide road reserve,6m wide carriageway,7m wide verge on both sides of Road 1, <p>Kerb and gutter is not proposed within the subdivision. The applicant has proposed concrete dish drains along both sides of the road that will tail out to open swale drains on Jones Road.</p>

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Clause	Assessment Comment
	<p>The intersections at Road 1 and Road 2, and Road 1 and South Lake Drive, will be designed and constructed as T-intersections according to Austroads Guide to Road Design and TfNSW supplements. They need to be sealed and wide enough for the largest vehicles accessing the lots, with street lighting and linemarking.</p> <p>The intersection of Jones Road and proposed Road 2 will be a Basic Turn Right (BAR) design, also following Austroads and RMS guidelines. It must accommodate large vehicles and ensure safe pedestrian and cyclist crossings.</p> <p>Street lighting is required for all internal roads and intersections, including Jones Road and Road 2, as per Australian Standard 1158 and Essential Energy requirements. Lighting plans must be prepared by a qualified designer.</p> <p>A separate application must be made to Council for naming the public road. Griffith City Council will seek approval from the Geographical Names Board of NSW. Street nameplates must meet Council's standards and be installed before issuing a Subdivision Certificate for Stage 4.</p>

State Environmental Planning Policies

State Environmental Planning Policy (Resilience and Hazards) 2021

Chapter 4 Remediation of land

The provisions of Chapter 4.1 State Environmental Planning Policy (Resilience and Hazards) 2021 state that a consent authority must not consent to the carrying out of any development on land unless it has considered whether the land is contaminated.

The applicant of DA 286/2016 the most recent previous stages of the Pelican Shore subdivision, commissioned the authors of the Land Capability Study for the subject land in 1999 to undertake a review of that report as part of this Development Application.

Council can be reasonably satisfied that the historical and current use of the land for broad acre cropping, pasture and grazing as opposed to intensive horticulture is unlikely to have resulted in any significant contamination from the agricultural use of the land. It can be reasonably expected that herbicides and pesticides may have been used at some time, but given the land has remained unused during the past 25 years the any residual is likely to have been dispersed. A site inspection and a view of the aerial photography to 2004 do not indicate the location of any sheep or cattle dips which would also contribute to the contamination of the land.

Councils Environmental Health Officers have provided a condition relating to the unexpected finding of contaminants on the site which will be imposed on the consent.

Biodiversity and Conservation 2021

The subject site is zoned R5 Large Lot Residential and therefore, Chapter 4 of State Environmental Planning Policy (Biodiversity and Conservation) 2021 applies to the proposal. The applicant has submitted a Biodiversity Report Addressing this legislation in that report. Further, Griffith City Council is not listed in Schedule 2 and therefore the proposal is not subject to the requirements of the SEPP.

SECTION 4.15 (1)(a)(ii) any draft environmental planning instrument

At the time of preparing this report there is no draft environmental planning instrument that applies to the development or to land within the Griffith local government area.

SECTION 4.15 (1)(a)(iii) any development control plan

The Residential Development Control Plan applies to all land zoned R5 Large Lot Residential. An assessment of the proposed development against the relevant provisions of the Residential DCP is provided below.

Residential Development Control Plan - Section 8.0

- c) Setbacks in accordance with the table will imposed at the time of the development of each of the lots. Each lot has been designed in a manner that an adequate setback can be achieved due to the width and depth of each lot primarily being square to rectangular.
- e) Setbacks to environmental zoned land will be determined at the time of the development of each lot.
- f) Lots do not adjoin agricultural lands. N/A
- h) Side and rear setbacks must be landscaped, prioritising the installation of trees with a mature height of over 6 m. Condition to reflect this.
- j) Tree preservation order to be conditioned, however vegetation from the PTC26 Weeping Myall community to be removed in accordance with the approved BDAR upon retiring of credits.
- l) Reticulated water to be provided to each new lot.
- m) Sewer to be provided to each new lot.
- o) Each new lot to be provided with a crossover inclusive of culvert and headwalls.
- p) Driveways will be constructed in accordance with the required standards
- q) Driveway crossovers to be sealed.
- t) Concrete pipe headwalls will be provided.

SECTION 4.15 (1)(a)(iiia) any planning agreement

There are no planning agreements in place.

SECTION 4.15 (1)(a) (iv) the regulations

Section 4.15(1)(a)(iv) requires Council to take into consideration the provisions of clauses 61-63 of the Environmental Planning and Assessment Regulation 2021.

Clause 61(1)(b) of the Environmental Planning & Assessment Regulation 2021 requires the consent authority to consider the provisions of Australian Standard AS 2601-1991: The demolition of Structures. Where demolition is proposed, it is recommended that a condition of consent be imposed which sets out the requirements for demolition to be carried out in accordance with a construction/demolition management plan and this will be required to be submitted prior to the issue of a Construction Certificate. In this instance no demolition is proposed.

Clauses 62 and 64 of the Environmental Planning and Assessment Regulation 2021 do not apply in this instance as there are no buildings on the land, either existing or proposed.

SECTION 4.15 (1)(b) the likely impacts of the development

In taking into consideration Section 4.15(1)(b) of the Environmental Planning and Assessment Act 1979 Council must evaluate the likely impacts of the development on both the natural and built environments, and the social and economic impacts in the locality.

a) Impact on Built Environment

In terms of assessing and evaluating the impact on the built environment, the following matters have been taken into consideration:

(i) *Relationship of the development to the regional and local context*

The scenic qualities and features of the landscape are dominated by the foreshore of Lake Wyangan and the low ridge that passes through the site. The proposed subdivision layout uses the site features in terms of the lot layout and road design in a manner that is sympathetic to the locality.

The proposed development is generally respectful of the existing land uses and activities in the locality and the subdivision would not be detrimental to these activities.

(ii) *Potential impacts on adjacent properties*

The proposed subdivision is generally compatible with the adjacent land uses and the intended future use of undeveloped land.

(iii) *Accessibility and transport management measures for vehicles, pedestrians, bicycles and the disabled within the development and locality*

The proposed development will result in an increase in the traffic generated on the local and arterial road network, however is unlikely to result in any adverse impact. There are no public transport services available however as the locality develops there may be opportunities or a need for services to be provide. For the interim access to the site will be largely dependent of private motor vehicles.

(iv) *Potential impact upon the public domain*

The proposed development does not require the provision of additional public open space as it adjoins a significant area of nature reserves and the Lake. Future stages will allow for private natural areas around the Little Swamp.

(v) *Impact resulting from increased demands of the development impact upon utilities supply*

The subject site will require the amplification of utility services. Any amplification of services provided by Council, namely water, sewer and draiange; along with other services including electricity, gas and telecommunication will be the responsibility of the applicant.

(vi) *Potential impact on heritage significance of the property and of adjacent properties:*

The subject site is not listed as a heritage item under the provisions of Griffith Local Environmental Plan 2014 however it has been identified by AHIMS search as containing items of aboriginal cultural heritage.

The Department of Climate Change, Energy, the Environment and Water submitted general Terms of Approval for the aplication on 9 August 2024 however the application was then modified to include Stage 4 only. Given the reduced potential impact of the development, an ameded plan and heritage report was provided with a new set of conditions was provided by the Department on 21 May 2025 adressing heritage matters.

The conditions provided under this referral have been incorporated into the development Consent.

(vii) *Any effect on conserving and using valuable land resources*

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The proposed development is unlikely to have any detrimental impact in terms of the loss of productive agricultural land or other resources gained from mineral and other extractive industries.

(viii) Impact upon the conservation of water resources and the water cycle

This matter has been addressed previously in the report (see assessment against Clauses 7.4 to 7.7 of GLEP 2014). Council can be reasonably satisfied that subject to conditions any environmental impact can be adequately mitigated.

(ix) Sensitivity of the design in respect to existing environmental conditions and site attributes.

The general size, shape and design of allotments, and the associated location of easements and roads is sensitive to the topography of the land and site attributes.

(x) Health and safety of future occupants

No residential development is proposed at this stage and therefore no assessment has been made with respect to the type of materials to be used in construction. Materials used in the construction of dwellings on a neighbouring subdivision are typically masonry with tile or metal clad roofing.

No assessment can be made with regard to the likely compliance with the National Construction Code in terms of addressing the health and safety of future occupants.

(xi) Management of construction activities

Standard conditions of consent have been recommended which address construction management including controls relating to the hours of operation and sedimentation control measures.

b) Impact on Natural Environment

In terms of assessing and evaluating the impact on the natural environment, these matters have been duly considered as part of the assessment against the provisions of Clauses 7.3, 7.4, 7.5, 7.6 and 7.7 of Griffith Local Environmental Plan 2014. Relevant considerations include:

- Access should not be granted to the Lake Wyangan Crown Land as part of this development given the potential for erosion, weed infestation, degradation of natural ecosystems and destruction of foreshore vegetation.
- Conditions on the consent have been imposed by Council's Engineers regarding the construction of stormwater detention systems to ensure stormwater leaving the site end entering Campbell's Swamp meets minimum Australian Standards.
- Council maintains a number of groundwater bores in the locality of the proposed development. These were monitored for water table depth and salinity between 2006 - 2013, providing baseline data for groundwater depth in the locality.
- The development proposes water sensitive urban design to remove impervious surfaces from direct connection to the stormwater reticulation system. Stormwater is proposed to be directed to vegetated drainage swales via a pre-treatment system and to Campbell's Wetland.
- This area contains some challenges given that all drainage water will be directed into Campbell's Wetland, which needs to be maintained for wildlife including wetland bird species which are protected under international treaties. Salinity, sheet and scald erosion are also present on the reserve land. The applicant has provided a number of generic solutions on the conceptual development application plans for the management of stormwater and mitigation of soil erosion. Conditions will be applied for more detailed plans.

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- The applicant has also chosen to utilise water sensitive urban design principles to manage stormwater, however the drainages swale solution will need to ensure constant flow (ie not ponding of water) and also maintain a grass layer to be effective and not contribute to the water table accessions.

c) Social Impact in the Locality

There are no likely detrimental social impacts that would result from the development.

d) Economic Impact in the Locality

The proposed development would not have any adverse economic impact in the locality.

SECTION 4.15 (1)(c) the suitability of the site

The subject site is zoned R5 Large Lot Residential and the permissibility of the development under Griffith Local Environmental Plan 2014 provides a broad indication that the site is suitable for the proposed development.

In assessing the suitability of the development, Council has undertaken a review of the site analysis undertaken by the applicant and is satisfied in the following terms:

- The proposed subdivision generally fits the locality.
- There are no constraints posed by adjacent developments which would prohibit or purport to prohibit the proposed subdivision.
- The site is not subject to slip, tidal inundation or bushfire and while part of the site has been identified as being flood prone, it does not prevent future dwellings being erected upon the land.
- The site is no longer prime agricultural land and the development is unlikely to prejudice future agricultural production.

Based on the assessment under this and other sections within this report it is considered that the site is suitable for the proposed development.

SECTION 4.15 (1) (d) any submissions made in accordance with the Act or the Regulations

The provisions of the Environmental Planning and Assessment Act 1979, the Environmental Planning and Assessment Regulation 2021 and Community Participation Plan set down consultation, concurrence and advertising requirements for specific types of development applications and taking into consideration any submissions received in response to the notification process.

In addition to the statutory referral process, the notification of the development included the following:

Notification Description	Required	Submission Period
Publication in Council Catchup and on Facebook	Yes	5 July 2024 - 2 August 2024
Letters to Neighbours	Yes	5 July 2024 - 2 August 2024

As a result of the public participation process, Council received six (6) submissions in response to the notification and referral of the Development Application. The details of the submissions, which Council has taken into consideration in accordance with section 4.15(1)(d) are as follows:

Relevant issues raised in public submissions; Applicant's response to issues raised, Council Assessment Response

Issue 1: Public Open Space

Previous subdivision plans identified significant green space/public open space running along the rear of the lots fronting South Lake Drive.

This public open space was to achieve a number of outcomes:

- 1. Address ongoing issues regarding soil salinity;**
- 2. Provide a vegetated break and ensure privacy between individual allotments**
- 3. Enhance the liveability and value of blocks**

Applicant Response:

Matters regarding public open space have been considered and have informed the current subdivision design.

Specifically, the development incorporates a very large public open space area of 5.8 hectares in the north western corner of the site, which is consistent with the requirements of Condition C(2) of the previous Development Consent issued for the site (Ref No. 286/2016(1)).

This reserve achieves a number of outcomes, including stormwater drainage, flood storage, passive open space, as well as the protection of areas of both biodiversity and cultural heritage significance.

As per Council's request, this reserve will form part of the Neighborhood Association of the Community Title subdivision but will be required to be made publicly accessible to all other residents living within this estate.

The applicant had previously requested that this reserve be transferred to Council consistent with similar drainage infrastructure associated with other urban subdivisions.

Should Council change its mind, then this reserve could be made publicly available following the completion of relevant maintenance periods. Furthermore, the applicant is willing to embellish this open space area with playground equipment or the like, should the land be publicly owned.

Lastly, matters regarding the need for a vegetated/ landscaped buffer between existing and proposed future residents are acknowledged, but are considered not necessary in this instance due to the size of the proposed lots (3,000m²), as well as the fact that each allotment is to provide a 10 metre wide landscaped buffer around the perimeter of its site.

Consequently, this will result in a 20 metre wide vegetated buffer between residents, which will effectively screen and soften the development.

Council Assessment Response:

Council's Residential Development Control Plan (as amended in 2024) Section 8.0 relates to Large Lot Residential development. This section provides no requirements for parks or open space in Large Lot Residential Subdivisions.

Appendix 2, Section 4.0 of the same plan provides additional controls for Large Lot Residential Subdivision including lot size and layout. This section is also silent regarding any requirements for open space.

Section 1.6 Savings and transitional provisions state:

Relevant issues raised in public submissions; Applicant's response to issues raised, Council Assessment Response

'This Plan applies to any development application lodged with Council after the commencement of the Plan. Any development application lodged before the commencement of this plan will be assessed in accordance with any previous development control plan or other Council policy in force at the time of lodgement'.

Previous Development Control Plan which applied when the zone was 1(c) Rural Residential. i.e. Development Control Plan No 1 – Non Urban Development, does not have any requirements for Open Space or Parklands to be provided in conjunction with a Large Lot subdivision.

Note: All lands zoned 1(c) were transitioned into the R5 zone under GLEP2014.

It is acknowledged that a wide east to west swale of open space was approved in the master plan of the site in 1999. However, since this time, more recent master plans submitted in conjunction with development applications of the site did not provide this swale.

The exception of this is that the land within the natural basin known as 'Little Wetland' and the fenced area of land previously identified as being of archeological significance, have been retained as open areas, for the treatment of drainage water, the preservation of artefacts and the retention of native vegetation.

All lots will be required to provide a vegetation buffer to ensure privacy screening between lots and to aid the suppression of the water table, and reducing the mobilization of salinity through in the soils.

Each new lot will have access to town potable water and rainwater only, further reducing likely water use on gardens, which is also will reduce mobilization of salts.

**Issue 2: Stormwater Drainage easement
The proposed subdivision will disrupt existing drainage arrangements for Lots 244-247 fronting South Lake Road**

Applicant Response:

The proposed subdivision has incorporated all relevant stormwater drainage requirements. Specifically, each of the proposed new allotments will be connected to a new internal drainage network that will discharge to the existing point of discharge or to the new stormwater detention basin.

Existing stormwater drainage arrangements will be maintained and will remain unaffected by the new works subject to the completion of detailed engineering civil drawings.

Council Assessment Response:

Existing Lots that have swales along the rear of the property (e.g. 3 - 5 South Lake Drive) will be captured as part of the detailed design drawings.

It is noted that the submitted drawings do detail that the swales at the rear of the lots have been captured.

Drainage from 13-21 South Lake Drive will be captured under a new development application for future stages.

Issue 3: Flood impacts

Relevant issues raised in public submissions; Applicant's response to issues raised, Council Assessment Response

All of Stage 7 and parts of Stages 5 & 6 have experienced flooding in recent years of up to 1.5 metres. In order to remove these lots from the flood area, this will require landfilling that may impact on existing residents.

Applicant Response:

A Flood Impact Assessment has recently been prepared for the subject land, which addressed both historical and recent flood data.

Specifically, a number of flood models were prepared, which have demonstrated that the proposed stormwater drainage basin will achieve pre-development flows at the 1 in 100 year flood event. Consequently, these models have demonstrated that the filling of the proposed lots will not create additional flooding impacts.

Council have advised that they are currently in the process of preparing an updated flood study based on recent flood event data. The timeframe for the completion of this study is still to be confirmed.

Notwithstanding, the landowner/ applicant has agreed to construct the proposed subdivision above the relevant 1 in 100 year flood level. Similarly, all future dwellings to be established on these lots will be constructed 500mm above the 1 in 100 year flood level.

Council Assessment Response:

Council is only recommending approval of Stage 4 of the proposed development.

Stages 5, 6 and 7 which are subject to flooding under the current Lake Wyangan Flood Study will be subject to a separate DA at a later date.

Issue 4: Walking paths

Support the proposed walking and cycling paths, but however request that a new bike/walking path be provided that connects to eastern end of Court 2 to the southern end of Road 2.

Applicant Response:

Requests to provide an additional walking/bike track connecting Court 2 to Road 2 are noted.

Following a redesign, the revised subdivision now includes a loop road that that will connect Court 1 to Road 3 which will provide pedestrian connectivity in a north-south direction, which addressed the matters raised in this submission.

Requests to include shared cycle pathways are acknowledged and have been provided in the stormwater drainage basin.

Council Assessment Response:

The courts referred to in the submission are no longer being assessed as part of this application and will be the subject of a new DA at a later date.

Councils Engineering Guidelines do not require walking or cycling paths in large lot residential subdivisions so they have been deleted from the plan set.

Issue 5: Ownership of Drainage Basin.

Relevant issues raised in public submissions; Applicant's response to issues raised, Council Assessment Response

The drainage/sediment basin should be transferred/ceded to Council and made into a park.

Applicant Response:

*Agreed, the applicants' preference is to transfer the drainage basin to Council following the completion of necessary maintenance periods
It is understood that this approach is common for R1 General Residential Zoned land, but is not commonplace for R5 Large Lot Residential zoned land
Given the size of the reserve, the minimal ongoing maintenance costs and the fact that it will serve a large number of residents, it is recommended that Council reconsider its position to take ownership of this reserve*

Council Assessment Response:

The Little Wetland wetland is no longer being considered as part of this Development Application and will be subject to assessment as part of a separate DA to be submitted at a later date.

Issue 6: Impacts of Road Access

The road to the east of the sewerage pump station will enter South Lake Drive directly opposite our living area [12 South Lake Drive] which will cause considerable disruption

Recommend rerouting this road to the western side of the pump station

Applicant Response:

*Opportunities to relocate proposed Road 3 are unfortunately limited due to the characteristics of the site and the need to provide a direct north-south connection to the proposed new stages of the subdivision
Nonetheless, as a means of reducing potential amenity impacts, the applicant is willing to undertake roadside landscaping works, which will screen headlight glare from cars utilising this intersection*

Council Assessment Response:

The land owner of Lot 142 DP 1030732 has concerns over the placement of the road perpendicular to the property due to the potential of car vehicle lights shining into their living space.

The road placement as proposed is no different to other roads within the local government area. For example many streets in Collina terminate in front of another lot.

Moving the road to the west on the western side of the pump station may create an unsafe intersection due to sight distance requirements for vehicles turning left from the proposed road onto South Lake Drive.

Issue 7: Development Density

Concern is raised regarding the increase in the number of lots as it will create additional groundwater contamination and soil erosion

An increase in lots will also affect existing flooding conditions

Applicant Response:

Relevant issues raised in public submissions; Applicant's response to issues raised, Council Assessment Response

Concerns regarding an increase in the number of lots, whilst acknowledged are considered appropriate in this instance as they achieve the minimum lot size requirement (3,000m²) of the Griffith Local Environmental Plan 2010

Furthermore, each of the lots will be required to establish a 10m wide vegetated buffer zone around the perimeter of their lot is in place to address the issues of soil erosion, salinity and groundwater issues.

Matters regarding flooding have been addressed above

Council Assessment Response:

The current plan set for assessment of this application relates to the creation of 21 Residential lots under Stage 4 only, with the remainder of land being for associated roads and a residue lot.

These 21 proposed lots range from 3,002m² in size to 4,191m² in size.

The density of lots proposed meets Council's current Residential Development Control Plan which allows a minimum lot size of 3,000m², and provides a variety of lot sizes and shapes to meet market demand.

Council supports the increased density at the site, given the current housing shortage, and taking into consideration the Griffith Housing Strategy.

Issue 8: Ingress and Egress

The original plan included ingress and egress from Jones Road, which has been removed in the proposed plan, leaving only one internal access road within the estate, which will cause both amenity/traffic impacts for existing residents within this estate, as well as causing potential concern during a bushfire event

Applicant Response:

It is acknowledged that previous versions of the subdivision plan both included and then didn't include a direct ingress and egress point with the adjoining Jones Road to the north. It is noted that this road connector was previously removed at the request of Council.

Nonetheless, it is confirmed that the latest attached plan reinstates this road connection point.

Consequently, this will reduce traffic impacts on the existing internal road network and will help distribute traffic volumes out to Jones Road and Boorga Road. Furthermore, it has also been provided in accordance with the requirements of a Bushfire Risk Assessment prepared for the site.

Council Assessment Response:

A connection road has been provided to the proposed development from both Jones Road and South Lake Drive.

Issue 9: Collector Roads

The plans do not appear to cater for school buses or public transport stops. Consideration should be given to providing this within the estate.

Relevant issues raised in public submissions; Applicant's response to issues raised, Council Assessment Response

Applicant Response:

The provision of collector roads, which can support both public transport (buses) and large articulated vehicles (emergency service vehicles and garbage collection vehicles) is supported

In response, the South lake Road loop within Stage 1, 2, 3 and 6 support ridged buses (14.5m). This loop road will ensure that the majority of proposed allotments (52 out of the 67 new lots proposed) will be within 400m walking distance of the bus stops

Council Assessment Response:

A bus stop has not been conditioned as part of the development. As part of a recent development for Sunset Waters (DA 16/2025) a 'bus stop' was conditioned which only includes a j-pole. Given the new internal road children can be picked up from South Lake Drive on the 'dam lot' as mentioned in the submissions. A bus stop can be provided at a later date if necessary.

Issue 9: Ongoing vacant land management

There has been very little to no ongoing management of vacant land, which is causing a fire hazard. Is there a plan to maintain this space on an ongoing basis?

Applicant Response:

Matters regarding vacant land management will largely be resolved once the subdivision has been completed and the lots sold.

In the interim, the property owner will continue to maintain the land, however this has been restricted due to requests by the NSW Department of Climate Change, Energy, Environment and Water seeking to limit works on site due to the presence of items of Aboriginal Cultural Heritage Significance.

Ongoing management of the proposed drainage reserve is currently identified as being the responsibility of those within the proposed Community Title subdivision.

As outlined in response to other submissions received, the applicant has requested that Council take ownership of this reserve, subject to the completion of maintenance period See below further details regarding Community Title Subdivision.

Council Assessment Response:

Conditions have been imposed on the development approval for the applicant to maintain both bushfire and weed concerns at the site.

The landowner has been aware of maintenance requirements however has been waiting for approval of an Aboriginal Heritage Impact Permit (AHIP), to ensure any maintenance actions undertaken at the site were in accordance with Heritage requirements.

Conditions for maintenance of land have been provided by heritage NSW in conjunction with this application.

SECTION 4.15 (1) (e) the public interest

The provisions of section 4.15(1)(e) of the Environmental Planning and Assessment Act 1979 provides an overarching requirement to take into account the public interest. It is considered that the public interest is best served by the consistent application of the requirements of the relevant Commonwealth and State government legislation, environmental planning instruments, development control plan, Council policy, and by Council ensuring that any adverse effects on the surrounding area and the environmental are avoided.

The following matters have been considered as part of the public interest:

- In accordance with Biosecurity Act 2015 and Biosecurity Regulation 2017, Private occupiers of land must control weeds on land. This includes weeds listed in Schedule 1 of the regulation such as African Boxthorn and Prickly Pear which are scattered throughout the subject site.
- The Test of Significance referred to in Section 7.3 of the Biodiversity Conservation Act 2016 in addition to the Biodiversity Assessment Report under the Part 6 Biodiversity Offset Scheme has been considered, to determine whether the proposed works are likely to have a significant impact. These Acts have been considered under GLEP 2014 Section 7.3. Credits have been generated and will be retired as a result of clearing Weeping Myall and derived Weeping Myall Communities.

On the basis that the proposed development (Stage 4 only) is considered to be consistent with the aims and objectives of Griffith Land Use Strategy: Beyond 2030; Griffith Local Environmental Plan 2014 and other relevant environmental planning instruments, development control plans or policies; and Land and Environment Court Planning Principles, it is therefore unlikely to raise any issues that are contrary to the public interest

OPTIONS

OPTION 1

As per Recommendation

OPTION 2

Refusal to grant consent subject to reasons provided by Councillors

OPTION 3

Any other resolution

POLICY IMPLICATIONS

This proposal doesn't include any policy variations, and there are no adverse policy implications for Council.

FINANCIAL IMPLICATIONS

There are no adverse financial implications for Council through adopting the recommendation. If the application were to be refused, the applicant or owner has the lawful ability to pursue an appeal through the Land & Environment Court.

LEGAL/STATUTORY IMPLICATIONS

There are no reasonably anticipated legal or statutory implications for Council through adopting the recommendation.

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ENVIRONMENTAL IMPLICATIONS

There are no reasonably anticipated adverse environmental implications through supporting the proposal.

COMMUNITY IMPLICATIONS

There are not considered to be any adverse impacts for the wider community in supporting this application.

LINK TO STRATEGIC PLAN

This item links to Council's Strategic Plan item 7.1 Encourage Strategic planning, balanced growth and sustainable design.

CONSULTATION

Senior Management Team, Director Sustainable Development, Planning and Environment Manager, Acting Development Assessment Coordinator, Engineering Designs & Approvals Manager, Applicant and the Community through the Community Participation Plan.

ATTACHMENTS

- (a) Attachment A - DA 172-2022 - Draft Conditions of Consent (under separate cover)
- (b) Attachment B - DA 172/2022 - Application Plans (under separate cover)
- (c) Attachment C - DA 172/2022 - Submissions (under separate cover)
- (d) Attachment D - DA 172/2022 - Response to Submissions (under separate cover)
- (e) Attachment E - DA 172-2022 - Development Assessment Report (under separate cover)

CL01 Attachment (a) Attachment A - DA 172-2022 - Draft Conditions of Consent

Attachment A – Draft Conditions of Consent

Administrative Conditions

The development must be carried out in accordance with the following conditions of consent.

(1) Approved Development

Development consent has been granted for Stage 4 twenty one (21) large lot residential subdivision, one (1) residue lot and creation of two (2) dedicated public roads at lot 223 DP 1298684, South Lake Drive LAKE WYANGAN.

It is advised that the proposed development has been assessed in regards to the provision of the Griffith Local Environmental Plan 2014 and is considered to be a subdivision.

The development must be implemented in accordance with Development Application No. 172/2022(1) accepted by Council on 12 October 2022 and the below mentioned plans and/or documents, except where amended in red on the attached plans or modified by the conditions of this consent.

Drawing / Plan	Date Accepted by Council	Prepared or Drawn By
Cover Sheet - Site Plan Sheet 1 of 5	12 March 2025 25/29135	Development Outcomes
Pelican Shores – Stage 4 Existing Conditions - Sheet 2 of 5	12 March 2025 25/29135	Development Outcomes
Pelican Shores – Stage 4 Development Application Drawings Sheet 3 of 5	12 March 2025 25/29135	Development Outcomes

Document	Date Accepted by Council	Prepared or Drawn By
Statement of Environmental Effects August 2022	12 October 2022 22/104965	Habitat
Revised Aboriginal Cultural Heritage Assessment Report - March 2024	28 June 2024 24/75656	OzArk Environment and Heritage
Biodiversity Development Assessment Report April 2024 PCT 26 - Weeping Myall open woodland of the Riverina Bioregion and NSW South Western Slopes Bioregion. 35 Credits only	28 June 2024 24/75657	OzArk Environment and Heritage

If there is any inconsistency between the approved plans and documents referred to above, the conditions shall prevail.

Note: Stages 5-7 and associated road layout plans have **not** been granted approval with the subject application. These stages are to be the subject of a separate application once the Lake Wyangan Flood Study has been finalised.

(2) Subdivision Works Certificate

In accordance with the provisions of Part 6, Divisions 6.2 and 6.4 of the Environmental Planning and Assessment Act 1979, a person must not carry out subdivision works until such time as:

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- a) A Subdivision Works Certificate has been obtained from either Griffith City Council for each stage.
- b) A Principal Certifier has been appointed; and
- c) The person with the benefit of the development consent has given at least two (2) days notice to Griffith City Council and the Principal Certifier of the person's intention to commence the subdivision works.

Note: Should the plans submitted with the Subdivision Works Certificate differ substantially from the plans approved as part of the development consent then a Section 4.55 modification of consent will be required to be made to Council.

(3) Provision of Services

The applicant is to be responsible for all amplification, extension and adequate provision for connection to services at their own expense. The work is to be in accordance with Council's *Engineering Guidelines – Subdivisions and Development Standards* and relevant authorities' specifications.

(4) Lapsing of Consent

In accordance with Section 4.53 of the Environmental Planning and Assessment Act, 1979 this consent is valid for a period of five (5) years from the date of consent.

Note 1: Development consent for the purpose of the erection of a building or the subdivision of land or the carrying out of a work does not lapse if building, engineering or construction work relating to the development is lawfully and physically commenced on the land to which the consent applies before the date on which the consent would otherwise lapse.

Note 2: Development consent for the purpose of the use of the land, building or work the subject of the consent does not lapse if it is actually commenced the date on which the consent would otherwise lapse.

(5) Damage to Council property

If any damage is occasioned to Council property during construction and associated works, the cost of repairs will be recoverable. It is therefore requested that any damage which is obvious before works commence be immediately notified to Council to avoid later conflict.

(6) Existing Services

The applicant must check that the proposed works do not affect any Council, electricity, telecommunications, gas or other services. Any required alterations to services will be at the developer's expense.

(7) Tree Preservation

The applicant is advised that the land is subject to Council's Tree Policy and the requirements of that policy are to be strictly adhered to. Should the applicant/owner require advice in this regard they are to contact Council's Parks and Gardens Department.

(8) Clearing of Vegetation

Vegetation shall not be burned on the site. All vegetation that is approved to be cleared to allow the development shall be either relocated, chipped and/or mulched and removed from the site for disposal at an approved waste recycling or management depot.

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(9) Aboriginal Heritage

No Aboriginal objects may be harmed without an approval from Heritage NSW under the National Parks and Wildlife Act 1974.

If any Aboriginal object is discovered and/or harmed in, or under the land, while undertaking the proposed development activities, the proponent must:

- (a) Not further harm the object(s).
- (b) Immediately cease all work at the particular location.
- (c) Secure the area so as to avoid further harm to the Aboriginal object(s).
- (d) Notify the NSW Environment Line as soon as practical by calling 131 555 or emailing: info@environment.nsw.gov.au, providing any details of the Aboriginal object and its location.
- (e) Not recommence any work at the particular location unless authorised in writing by Heritage NSW.

If harm to Aboriginal objects cannot be avoided, an application for an Aboriginal Heritage Impact Permit must be prepared and submitted to heritage NSW before work may continue. In the event that skeletal remains are unexpectedly encountered during the activity, work must stop immediately, the area secured to prevent unauthorised access and NSW Police and the Department contacted of Planning, Industry and Environment.

(10) Other Cultural Heritage

Should any cultural artefacts, archaeological relics or any object having interest due to its age or association with the past be located during the course of works, all works are to cease immediately and notification shall be provided to the Office of Environment and Heritage in accordance with the *National Parks and Wildlife Act 1974*. Work shall not recommence in the area until this is authorised by the Office of Environment and Heritage.

Note. Depending on the significance of the object uncovered, an archaeological assessment and excavation permit under the Heritage Act 1977 may be required before further the work can continue.

(11) Public Road Gazettal

The portion of land proposed to be a public road as part of the proposed development is to be gazetted as a road reserve in accordance with Section 9 of the NSW Roads Act 1993. The plan of the subdivision to be registered with the office of the Registrar-General is to include a statement of intention to dedicate the specified land as a public road.

Prior to the issue of a Subdivision Works Certificate

Prior to commencing subdivision works you will need a Subdivision Works issued by Council. Before this certificate can be issued, compliance with the following conditions is to be demonstrated.

(12) Subdivision Works Certificate

An application for a **Subdivision Works Certificate** shall be submitted to Council and approved for the stormwater, potable water, and roadworks to be constructed. Detailed engineering design plans shall be submitted to Council for approval and a **Subdivision Works Certificate is to be obtained prior to any Civil Works commencing**. Such plans shall include designs and specifications for all proposed works as required for approval by Council. The requirement must conform to Council's *Engineering Guidelines – Subdivisions and Development Standards*, and Austroads specifications.

(13) Soil Erosion and Silt Control

Control measures are to be utilised to prevent soil erosion and silt entering the drainage systems. **Prior to the issue of a Subdivision Works Certificate** details of the proposed measures utilising the principles outlined in following document, *Soils and Construction – Managing Urban Stormwater by Landcom (Blue Book)* are to be submitted to Council for approval and implemented before, during and after development works.

(14) Tile Drainage System

If tile drainage exists, then appropriate treatment is required to obviate the collection of underground waters in unwanted places.

Documentation shall be submitted to Council **prior to the issue of a Subdivision Works Certificate** confirming Murrumbidgee Irrigation's requirements for the existing tile drainage system to either remain or be removed.

Should Murrumbidgee Irrigation require the tile drainage system to remain, an easement shall be created in accordance with Section 88B of the Conveyancing Act over all existing tile drainage lines. Matters to be addressed in the instrument shall include the width and location of the easement.

Should Murrumbidgee Irrigation require the tile drainage system to be made redundant, the tile drainage shall be either removed or disconnected to the satisfaction of Murrumbidgee Irrigation and Council.

Details of the work to be carried out on the existing tile drainage system shall be submitted to Council for approval **prior to the issue of a Subdivision Works Certificate**.

(15) Stormwater Drainage

Adequate arrangements are to be made for the disposal of stormwater. Stormwater runoff shall be directed to Campbells Wetland via an onsite detention system and water quality treatment systems that aligns with best practice Water Sensitive Urban Design (WSUD) principles. Stormwater runoff shall not be permitted to flow over the property boundaries onto the adjoining properties unless legally created easements in accordance with Section 88B of the Conveyancing Act are created.

Detailed design drawings and hydraulic calculations for proposed overland swales and other stormwater diversion structures are to be submitted to Council for approval in accordance with Council's Engineering Guidelines – Subdivision and Development Standards **prior to the issue of a Subdivision Works Certificate**.

(16) Onsite detention

Stormwater detention is to be created onsite for all events up to and including the 1% AEP event. The maximum developed stormwater discharge shall not exceed the pre-development stormwater discharge from the site. Design and details including hydraulic calculations are to be submitted to Council for approval in accordance with *Council's Engineering Guidelines – Subdivision and Development Standards*, *Council's Onsite Detention Policy (CS-CP-404)* and *Council's Stormwater Drainage & Disposal Policy (CS-CP-310)* **prior to the issue of a Subdivision Works Certificate**.

A qualified Civil Engineer with experience in Hydraulic Analysis shall design and certify the Onsite Detention System, which shall be maintained for the life of the project. The consultant is to sign off all drawings and calculations.

(17) Stormwater Management Plan (SMP)

A Stormwater Management Plan (SMP) is to be submitted in conjunction with the detailed design drawings to ensure that the proposed stormwater infrastructure aligns with best practice Water Sensitive Urban Design (WSUD) principles. The SMP should provide an assessment of the proposed swale system, inlet pits, underground pipe network and any proposed treatment systems to confirm their effectiveness in managing both water quality and quantity. The plan must demonstrate how the stormwater treatment measures will mitigate pollutant loads, reduce peak flow rates, and prevent adverse impacts on Campbell Swamp. The SMP should also consider long-term maintenance requirements to ensure ongoing performance of the stormwater infrastructure and compliance with Council's *Engineering Guidelines – Subdivisions and Development Standards*, and Council's *Stormwater Drainage & Disposal Policy (CS-CP- 310)*. The Stormwater Management Plan is to be submitted to Council **prior to the issue of a Subdivision Works Certificate**.

(18) Fencing over open swale

Prior to the issue of a Subdivision Works Certificate a design for a permanent fence to be constructed on the rear boundary of proposed Lot 417 adjacent to Jones Road over the proposed open drainage swale are to be submitted to Council for approval. The design of the fence shall ensure that the flow of stormwater through the open drainage swale is not restricted.

(19) Pavement Design

Prior to the issue of a Subdivision Works Certificate, a pavement design and specifications for all roadworks along the proposed internal roads are to be prepared by a qualified Geotechnical Engineer and are to be submitted to Council and approved. The pavement design must provide a minimum 20 year design life and conform to Council's *Engineering Guidelines - Subdivisions and Development Standards*, the *Austroads Guide to Pavement Technology*.

(20) Roadworks Design Drawings

Design drawings for all roadworks shall be submitted to Council and approved **prior to the issue of a Subdivision Works Certificate**. Such plans shall include designs and specifications for all proposed works as required for approval by Council. The requirements must conform to Council's *Engineering Guidelines - Subdivisions and Development Standards*, the *Austroads Guide to Road Design* as amended by the supplements adopted by Transport for New South Wales (TfNSW) for the prevailing speed limit and TfNSW Technical Directions.

(21) Road 1 & 2 Construction

Road 1 and 2 are to be designed and constructed to the specifications outlined below:

- a. 20m wide road reserve,
- b. 6m wide carriageway,
- c. 7m wide verge on both sides of Road 1,

Detailed engineering design drawings for the roadworks are to be in accordance with Council's *Engineering Guidelines – Subdivisions and Development Standards* and are to be submitted to Council and approved **prior to the issue of a Subdivision Works Certificate**. Such plans shall include designs and specifications for all proposed works as required for approval by Council.

The surface of the proposed road is required to be a minimum standard of two coat spray bitumen seal consisting of double bitumen and double stone surface.

(22) Accessway designs

Design details for the construction of all accessways to lots created as part of the proposed subdivision is to be submitted in conjunction with the detailed design drawings to ensure that the proposed accessway infrastructure aligns with best practice Water Sensitive Urban Design (WSUD) principles. The accessway design should provide details regarding the materials of construction and dimensions of the crossings to be provided over the open drainage swales constructed along both sides of proposed Road 2. The accessway designs is to be in accordance with Council's *Engineering Guidelines – Subdivisions and Development Standards*, and is to be submitted to Council **prior to the issue of a Subdivision Works Certificate**.

(23) Street and Intersection Lighting

Provision is to be made for the installation of street lighting along the proposed internal roads within the subdivision and at the intersection of proposed Road 2 and Jones Road in accordance with Austroads specifications, *Australian Standard 1158* and any prescribed requirement of Essential Energy. Details shall be submitted to Council for approval, **prior to the issue of a Subdivision Works Certificate**. Lighting drawings are to be prepared by a suitably qualified lighting designer/consultant.

(24) Intersection Treatment

Prior to the issue of a Subdivision Works Certificate, detailed design plans are to be submitted to Council for approval for the construction of the intersection of Jones Road and Road 2. The intersection is to be designed to incorporate a sealed Basic Right Turn (BAR) intersection treatment.

The BAR is to be designed in accordance with the Austroads Guide to Road Design as amended by the supplements adopted by Transport for NSW for the posted speed limit and to accommodate the largest size vehicle likely to access the development. Designs are to comply with Council's *Engineering Guidelines - Subdivisions and Development Standards* and Austroads Guidelines. All costs are to be borne by the developer.

(25) Design of Intersections

Prior to the issue of a Subdivision Works Certificate, as a minimum, the intersections of South Lake Drive and Road 1, and Road 1 and Road 2 are to be designed as T-Intersections in accordance with Austroads *Guide to Road Design* as amended by the supplements adopted by Transport for New South Wales (TfNSW) for the prevailing speed limit. Appropriate road tapers at the intersections are required to be sealed and constructed to a width to accommodate the largest sized vehicle likely to access the proposed allotments. The intersections are to be installed with street lighting and linemarked in accordance with Austroads Guidelines and TfNSW Delineation.

(26) Concrete dish drain

Concrete dish drain is to be constructed along both sides of proposed Road 1 and proposed Road 2 to Council's approval. Detailed engineering design drawings for the dish drain shall be submitted to Council for approval **prior to the issue of a Subdivision Works Certificate**. Such plans shall include designs and specifications for all proposed works as required for approval by Council. The requirements must conform to Council's *Engineering Guidelines - Subdivisions and Development Standards*.

(27) Temporary Turning Bulb

A temporary turning bulb with a minimum radius of 9.5m is to be constructed at the end of proposed Road 2 where the road constructed as part of Stage 4 of the development terminates at a dead-end. The turning bulb is to be constructed of a minimum depth of 250mm compacted road building gravel. An approved road sign is to be installed at the end of the turning bulb to indicate a dead end. Detailed engineering design drawings for the turning bulb shall be submitted to Council and approved **prior to the issue of a Subdivision Works Certificate**. Such plans shall include designs and specifications for all proposed works as required for approval by Council.

(28) Potable Water Main Extension

Council's reticulated potable water system is to be extended from the existing 100mm potable water main located on the southern side of South Lake Drive throughout the internal roads to service all lots within the proposed subdivision. The potable water main is to connect to the existing trunk potable water main on the western side of Boorga Road via Jones Road. The design of all new mains and other associated components normally associated with water main installations are to conform to the standards prescribed in *Council's Engineering Guidelines - Subdivisions and Development Standards*, the *Water Services Association of Australia – Water Supply Code of Australia (WSA 03—2011)*. Details and designs are to be submitted to Council for approval **prior to the issue of a Subdivision Works Certificate**.

(29) Flow rate and pressure test (Potable Water Main)

Prior to the issue of a Subdivision Works Certificate, a flow rate and pressure test shall be carried out, at the applicant's expense, to justify connection to Council's existing potable water main on South Lake Drive. Where the existing potable water main on South Lake Drive cannot provide adequate flows and pressure for the proposed development, Council's reticulated water main system on South Lake Drive is to be upgraded to ensure Council's potable water system can supply the minimum requirements outlined in Council's *Water – Supply Levels of Service Policy (WS-CP-210)* for the existing and proposed developments serviced by this infrastructure. All costs associated for the water main upgrading will be borne by the applicant.

(30) Hydraulic Calculations (Potable Water Main)

The applicant is to submit to Council for approval, hydraulic calculations for potable water from a suitably qualified Hydraulic Engineer **Prior to the issue of a Subdivision Works Certificate**. The calculations shall detail, as a minimum, the average day demand, the maximum day demand, the maximum hour demand and the instantaneous demand for the potable water use for the development. The calculations must demonstrate that the additional tenements created as a result of the proposed development will not reduce the pressure and flow rate of Council's existing potable water main along South Lake Drive below the minimum required under *Water Services Association of Australia – Water Supply Code of Australia (WSA 03—2011)* and Council's requirements.

Should the calculations prove that the existing water main on South Lake Drive is not suitable for the proposed development, then upgrade and amplification Council's reticulated water main system on South Lake Drive is to be conducted at the applicant's expense. The design of all new mains and other associated components normally associated with water main installations are to conform to the standards prescribed in *Council's Engineering Guidelines – Subdivisions and Development Standards* and the *Water Services Association of Australia – Water Supply Code of Australia (WSA 03—2011)*.

(31) Potable Water Extension for Hydrant Installation

Prior to the issue of a Subdivision Works Certificate design details are to be provided for the extension of a potable water main to terminate with a hydrant from proposed Road 2 within the development to the end of the battle-axe handle of proposed Lots 413, 412, 416 and 417. The location of the hydrant is to ensure the entire allotment has a maximum coverage/distance of 150m from the hydrant. The extension of the potable water main from the proposed Road 2 is to include the installation of a backflow prevention device and by-pass meter after the intersection of the water main on the internal road. All costs associated with this infrastructure are to be borne by the developer.

The design of all new mains and other associated components normally associated with water main installations are to conform to the standards prescribed in *Council's Engineering Guidelines - Subdivisions and Development Standards* and the *Water Services Association of Australia – Water Supply Code of Australia (WSA 03—2011)*.

(32) Extension of Council's sewer main

Prior to the issue of a Subdivision Works Certificate detailed sewer design plans are to be submitted to Council and approved for extending Council's low pressure sewerage system to service the proposed subdivision. Such plans shall include designs, calculations and specifications for all proposed works as required for acceptance and approval by Council. The requirements are to be in accordance Council's *Pressure Sewerage Policy (WS-CP-303)* and the *Water Services Association of Australia - Pressure Sewerage Code of Australia WSA 07—2007*. The design of the low-pressure system must be completed by or peer reviewed by an approved Council contractor as per Council's current Revenue Policy. All costs associated with the design and construction of the low-pressure sewerage system are to be borne by the applicant.

(33) Existing Sewer Pump Station

A hydraulic loading assessment of the existing Council owned LW2 sewer pump station is to be submitted to Council for approval to ensure that the existing sewer system can cater for the existing and additional demand created as part of the subject development **prior to the issue of a Subdivision Works Certificate**. In the event that the existing sewer pump station cannot handle the additional load, the sewer pump station is to be upgraded to cater for the additional loading. The detailed design and hydraulic calculations must be completed by or peer reviewed by an approved Council contractor as per Council's current Revenue Policy. All costs associated with the design and construction of the low-pressure sewerage system are to be borne by the applicant.

(34) Detailed Salinity Investigation

A detailed Salinity Investigation must be conducted **prior to the issue of a Subdivision Works Certificate**. The salinity investigation must:

- (a) Be prepared by a suitably qualified geotechnical engineer or soil scientist.
- (b) Be prepared in accordance with the former Department of Land and Water Conservation (2002) Site Investigations for Urban Salinity.
- (c) Include the excavation of test pits across the entire site including within or in proximity to each building envelope including laboratory testing, engineering analysis and reporting.
- (d) Provide classification of selected soil samples for soil texture, electrical conductivity (EC 1:5), pH, chloride, and sulphate, sodicity and Emerson crumb dispersibility tests at a NATA accredited analytical laboratory.
- (e) Provide a determination as to the suitability of each building envelope for the purposes of a dwelling given the findings of the investigation.

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(35) Salinity Management Plan

Based on the findings and recommendations of the Salinity Investigation, a Salinity Management Plan must be prepared and **prior to the issue of a Subdivision Works Certificate**. The Salinity Management Plan must:

- (a) Incorporate soil conservation measures to minimise soil erosion and siltation during construction and following completion of development. Evidence of soil and water management in accordance with Managing Urban Stormwater – Soils and Construction (as amended).
- (b) Provide management measures to be implemented during bulk earthworks for the civil works associated with the subdivision of land.
- (c) Provide recommendations and management strategies for the construction and installation of roads, drainage works and services including the installation of subsoil drainage.
- (d) Provide general recommendations and management strategies for the future construction of dwellings and outbuildings on each lot.
- (e) Include soil and water management measures in accordance with Managing Urban Stormwater – Soils and Construction (as amended).

(36) Waste management Plan

Prior to the issue of a Subdivision Works Certificate, a waste management plan for the development must be prepared and provided to Griffith City Council.

The plan must be prepared:

- (a) in accordance with:
 - i. The Environment Protection Authority's (EPA) *Waste Classification Guidelines* as in force from time to time, and
 - ii. A development control plan that provides for waste management that applies to the land on which the work or the clearing of vegetation is carried out, and
- (b) Include the following information:
 - i. The name and contact details of who is responsible for the plan and management of the waste onsite;
 - ii. The name and contact details of the person(s) removing waste;
 - iii. A description of each different waste type and an estimate of the quantity of each waste type expected to be produced;
 - iv. How each waste type will be managed onsite and offsite, including whether the waste is expected to be reused, recycled or sent to landfill;
 - v. Where any onsite management of waste will occur, such as for consolidation and collection;
 - vi. How each waste type will be characterised and classified for waste management and transport;
 - vii. Where each waste type is intended to be transported for disposal or other fate;
 - viii. How the quantity of each waste type will be measured and recorded;
 - ix. How each waste movement will be tracked;
 - x. Contingencies including to managing unexpected finds, such as asbestos.

A copy of the waste management plan must be kept on-site at all times while work approved under the development consent is being carried out.

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Waste material should be stockpiled on site for waste classification by an appropriately qualified person prior to disposal. Waste classification must be conducted in line with the six-step process outlined in the NSW EPA Waste Classification Guidelines – Part 1: Classifying Waste (2014), as follows:

- Step 1 – Establish if the waste is classified as special waste.
- Step 2 – If the waste is not classified as special waste, establish whether the waste is classified as liquid waste
- Step 3 – If the waste is not classified as special waste or liquid waste, establish whether the waste is of a type that is 'pre-classified'.
- Step 4 – If the waste is not classified as special waste, liquid waste or pre-classified (as set out in Step 3), establish if the waste has certain hazardous characteristics and therefore is classified as hazardous waste.
- Step 5 – Waste should be chemically assessed to determine whether it is hazardous, restricted solid or general solid waste. If the waste has not been classified after Steps 1 to 4 and is not chemically assessed under Step 5, it must be classified as hazardous waste.
- Step 6 – If the waste is chemically assessed under Step 5 as general solid waste, a further assessment is available to determine whether the waste is general solid waste putrescible or non-putrescible. If the waste is classified as general solid waste under Step 5 and this assessment is not undertaken, it must be classified as general solid waste (putrescible).

Sampling of waste material should be at a rate as specified by an appropriately qualified person. Waste should be tested for analytes detailed in Table 1 of the NSW EPA Waste classification guidelines Part 1: Classifying waste (2014). Once classified, the waste should be disposed of at a landfill facility licensed and able to accept the waste. Copies of all dockets, receipts and other documentation relevant to classification, transport and disposal should be kept on record.

Any fill material brought into the site as backfill or the like should undergo assessment for classification as Virgin Excavated Natural Material (VENM) or Excavated Natural Material (ENM). Assessment, sampling and analytical requirements for VENM and ENM material can be found in their respective NSW EPA resource recovery exemption.

(37) Environmental Management Plan

An environmental management plan (EMP) for the operation and ongoing management of the development is to be prepared. This shall include the monitoring details to ensure stormwater discharge to Campbell's Swamp meets Australian Standards and is acceptable at all times. The plan shall detail earthworks required for Campbell's Swamp for drainage and detail how the water will be discharged to the swamp. The plan shall detail monitoring required to be conducted by the applicant/developer until such time as the final maintenance period for all stages of this subdivision have ceased. The plan is to be approved by Council and documentary evidence of this is required to be submitted **prior to the issue of a Subdivision Works Certificate.**

The provisions of any Environmental Management Plan (EMP) approved as part of Development Consent No. 172/2022 are to be complied with at all times.

The EMP is to include information on managing conditions in the event that an aboriginal relic is encountered during the construction or life of the development.

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(38) Roadside Vegetation Landscape Plan – Jones Road

Prior to the issue of the Subdivision Works Certificate a detailed landscaping plan shall be designed for the proposed development. The plan is submitted to and approved by Council or the Principal Certifier.

The landscaping plan shall be drawn to scale (minimum 1:200) by a suitably qualified person and include:

- (a) Identification of all trees to be retained or removed
- (b) The location of all existing and proposed tree and shrub species
- (c) Height and spread of selected species at maturity
- (d) Irrigation measures

A row of *Acacia pendula* Weeping Myall to be provided south side of the Jones Road, within the road reserve, adjoining the rear of proposed lots 412 and 413 and extending to the existing Miljee Tree.

Prior to Commencement of Works

The following conditions need to be met prior to the commencement of works. The necessary documentation and information must be provided to the Principal Certifying Authority (PCA), as applicable.

(39) Traffic Management Plan (TMP)

A Traffic Management Plan (TMP) with all supporting documentation, including all relevant Traffic Guidance Schemes (TGS), is to be submitted to Council for approval **prior to the commencement of work** within Council's road reserve. The TMP must comply with the requirements of Transport for New South Wales' Traffic Control at Work Sites Technical Manual (TCAWS Manual), Standards Australia's Manual of uniform traffic control devices, Part 3: Traffic control for works on roads (AS1742.3), and Austroads' Guide to Temporary Traffic Management (AGTTM).

The TMP must be prepared by a person/s with a 'Prepare a Work Zone Traffic Management Plan' qualification. Strict compliance to the TMP is to be maintained throughout the duration of the works. All inspections of the TMP and collection of records must comply with the requirements of the TCAWS Manual.

(40) Construction Management Plan (CMP)

Prior to the commencement of work, a Construction Management Plan is to be prepared by a suitably qualified professional detailing the proposed traffic control and traffic management arrangements during the construction of the development. The Construction Management Plan is to be submitted to Council for approval and is to address, but not be limited to, the following:

- a. the management of traffic during construction;
- b. the management of loading and unloading of construction materials on site;
- c. material stockpiling/storage;
- d. identify parking for construction worker vehicles;
- e. dust mitigation measures; and
- f. complaint management and contingency measures.

The construction management measures specified in the approved Construction Management Plan shall be implemented for duration of construction.

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(41) Sedimentation and Erosion Controls

Effective dust, noise, sedimentation and erosion controls are to be implemented prior to the commencement of site works. This is to include (as a minimum):

- a. The installation of a sediment fence with returned ends across the low side of the works; and
- b. A temporary gravel driveway into the site. All vehicles needing to access the site are to use the temporary driveway.

The control measures are to be installed **prior to the commencement of site works** and maintained during works in order to ensure that site materials do not leave the site and/or enter the stormwater system and to maintain public safety/amenity.

(42) S138 Roads Act

Prior to the commencement of works within Council's road reserve, a Section 138 Roads Act application, including payment of fees, shall be lodged with Griffith City Council, as the Roads Authority for any works required within a public road. These works may include but are not limited to:

- a. vehicular crossings (including kerb reinstatement of redundant vehicular crossings)
- b. Road opening for utilities and stormwater (including stormwater connection to Council Infrastructure).
- c. Road Occupancy or road closures

All works shall be carried out with the Roads Act approval, the development consent including the stamped plans and Griffith City Council specifications.

(43) Aboriginal Heritage

Prior to the commencement of work, the following is to be undertaken:

- a. Inductions for construction workers and contractors is to include cultural heritage awareness procedure. The location of Aboriginal sites are to be shown on all relevant construction plans to ensure awareness of the protection of Aboriginal objects under the national Parks and Wildlife Act 1974.
- b. Fencing a buffer zone around Aboriginal site 49-2-0165 to ensure site protection and harm avoidance. The fencing is to remain in place until construction works have been completed.
- c. Demarcation through the placement of high-visibility flags along buffer points of the other aboriginal Cultural Heritage Assessment report; Stage 4, Lakeside Estate, Lake Wyangan prepared by OzArk, March 2024) to be erected prior to land maintenance works commencing. This includes for woody weed control (eg mechanical removal of boxthorn) and maintenance for bushfire control (eg Slashing) for the residue lot (Lot 146 DP 1214737).

During Construction

The following conditions of consent must be complied with at all times during the demolition, excavation and construction of the development.

(44) Sedimentation and Erosion Controls

The approved erosion and sediment control measures shall be implemented and maintained during works.

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(45) Hours of Work

The principal certifier must ensure that building work, demolition or vegetation removal is only carried out between:

7.00am to 6.00pm on Monday to Saturday.

The principal certifier must ensure building work, demolition or vegetation removal is not carried out on Sundays and public holidays, except where there is an emergency.

Unless otherwise approved within a construction site management plan, construction vehicles, machinery, goods or materials must not be delivered to the site outside the approved hours of site works.

Note: Any variation to the hours of work requires Council's approval.

(46) Civil Construction Works

All civil construction works such as; the installation of stormwater infrastructure, potable water infrastructure and roadworks associated with the development are to be in accordance with Council's *Engineering Guidelines – Subdivisions and Development Standards*.

All works shall be inspected by Council Officers or Council Nominee during normal office hours as specified in Council's *Engineering Guidelines - Subdivisions and Development Standards (Part 1 - Section 4)*. All requests for inspection are to be made to Council's Customer Service Department.

Apart from these inspections various tests are to be conducted in conjunction with the works. Test guidelines and type of tests required are identified in Council's *Engineering Guidelines - Subdivisions and Development Standards*.

(47) Burning of Waste or Refuse

No waste or refuse shall be burned on site. All building waste, excavated material, broken concrete, or the like, shall be removed from the site and disposed of at an approved waste management depot.

(48) Contaminated land - unexpected finds

In the instance that works cause the generation of odours or uncovering of previously unidentified contaminants, works must immediately cease, Council is to be notified and a suitably qualified environmental consultant appointed to further assess the site.

The exposed material/excavation is to be assessed by the environmental consultant and determine an appropriate response in accordance with the requirements of State Environmental Planning Policy (Resilience and Hazards) 2021, and in consultation with the applicant, which is agreed to by Griffith City Council, in order to make the site safe from potential human health and environmental harm.

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(49) Dust Control

The following measures must be implemented prior to the commencement of site works and during construction to control the emission of dust:

- (a) All stockpiles of materials that are likely to generate dust must be kept damp or covered. Water used for dust suppression must not be contaminated or allowed to enter the stormwater system.
- (b) All stockpiles of soil or other materials shall be placed away from drainage lines, gutters or stormwater pits or inlets.
- (c) All stockpiles of contaminated soil shall be stored in a secure area and be covered if remaining more than 24 hours or as directed by Griffith City Council.

(50) Waste management

While site work is being carried out:

- (a) All waste management must be undertaken in accordance with the waste management plan, and
- (b) Upon disposal or removal of the waste, records of the disposal or other fate (such as re-use on site) must be compiled and provided to the Principal Certifying Authority or Griffith City Council, detailing the following:
 - i. The name and contact details or the person(s) who removed the waste;
 - ii. The waste carrier vehicle registration;
 - iii. The date and time of waste collection;
 - iv. A description of the waste (type of waste, classification and estimated quantity) and whether the waste is to be reused, recycled, go to landfill or other fate;
 - v. The contact details and address of the disposal location or other offsite location(s) where the waste was taken;
 - vi. The corresponding tip docket/receipt from the site(s) to which the waste is transferred, nothing date and time of delivery, description (type and quantity) of waste.
- (c) The waste generated on-site during construction must be classified in accordance with the EPA's Waste Classification Guidelines, 2014 (as amended from time to time) and disposed of to an approved waste management facility or otherwise lawfully managed. If waste has been removed from the site where the waste is under an EPA Resource Recovery Order or Exemption, records in relation to and required by that Order or Exemption must be maintained and provided to the Principal Certifier and Council.

(51) Removal of waste

Upon completion:

- (a) All refuse, spoil and material unsuitable for use on-site must be removed from the site and disposed of in accordance with the approved waste management plan, and
- (b) Written evidence of the waste removal must be provided to the satisfaction of Griffith City Council; and
- (c) Any chemical waste generated throughout construction must be disposed of to an approved waste management facility or otherwise lawfully managed.

(52) Salinity Management

The following management strategies relating to the management of those factors with potential to impact on the bulk earthwork's aspects of the development:

- (a) When possible, placement of excavated soils in fill areas with similar salinity characteristics (i.e., to place material onto in-situ soils with a similar or higher

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- aggressivity or salinity classification). Alternatively, materials of higher salinity and/or aggressivity classification can be placed on to in-situ soils with a lower aggressivity or salinity classification, provided the placement location is tracked and the management protocols are upgraded for this area of the site to reflect the higher classification. Where this is not possible or not tracked, all fill areas will require to be treated as mildly aggressive to concrete, moderately aggressive to steel and very saline.
- (b) With respect to any imported fill material required, testing should be undertaken prior to importation, to determine the salinity characteristics of the material, which should be non-aggressive and non-saline to slightly saline where possible, but in any case, not more aggressive or more saline than the adopted sited classifications.
 - (c) Avoiding water collecting in low lying areas, in depressions, or behind fill. This can lead to water logging in the soils, evaporative concentrations of salts, and eventual breakdown in soil structure resulting in accelerated erosion.
 - (d) Any pavements should be designed to be well drained of surface water. There should not be excessive concentrations of runoff or ponding that would lead to waterlogging of the pavement or additional recharge to the groundwater through any more permeable zones in the underlying filling material.
 - (e) Surface drains should generally be provided along the top of batter slopes to reduce the potential for concentrated flows of water down slopes possibly causing scour.
 - (f) Salt tolerant grasses and trees should be considered for landscaping, to reduce soil erosion and to maintain the existing evapo-transpiration and groundwater levels. Reference should be made to an experienced landscape planner or agronomist.
- (53) Soil management
- All fill material imported to the site must be:
- (a) Virgin Excavated Natural Material as defined in Schedule 1 of the *Protection of the Environment Operations Act 1997*, or
 - (b) A material identified as being subject to a resource recovery exemption by the NSW EPA, or
 - (c) A combination of Virgin Excavated Natural Material as defined in Schedule 1 of the *Protection of the Environment Operations Act 1997* and a material identified as being subject to a resource recovery exemption by the NSW EPA.
- (54) Stormwater Discharge to Campbells Wetland
- The applicant is to be responsible for the construction of all works associated with discharge of stormwater to Campbell's Wetland. Following any bonding period, Council shall resume responsibility for this infrastructure.
- Note: The bonding period shall be twelve (12) months from the satisfactory completion of works.
- (55) Excavation depth
- Excavations are to be restricted to 2m in depth below the natural ground level to reduce the impact on the hydrogeology and groundwater movements. No excavations should be carried out where groundwater has been located at depths of not less than 2m.
- Infrastructure should not be located where groundwater has been located at depths of less than 2m.

Prior to the issue of the Subdivision Certificate

Before Council will release the subdivision plan, you will need to demonstrate compliance with the following conditions. The necessary documentation and information must be provided to the Principal Certifying Authority (PCA), as applicable.

(56) Subdivision Certificate

A Subdivision Certificate must be issued prior to lodgement of the Final Plan of Survey with the Land Registry Services. An application for a Subdivision Certificate is required upon completion of all conditions of consent. The application is to be lodged with the Principle Certifier via the NSW Planning Portal.

(57) Compliance with Conditions of Consent

The applicant is to ensure that all conditions of Development Application No. 172/2022 are completed **prior to the issue of the Subdivision Certificate**.

(58) Section 7.12 Development Contributions

In accordance with Section 7.12 of the *Environmental Planning and Assessment Act 1979* (former S94A) and Council's Development Contribution Plan 2010, this development requires the payment of a 7.12 contribution. The Section 7.12 Contribution is required towards the provision of public amenities and services in accordance with Councils adopted *Section 94A Contributions Plan 2010 (Amendment 2013)*. A copy of this policy is publicly available from Council's website www.griffith.nsw.gov.au.

Total payment shall be **\$24,460.00** (1% of the proposed cost of carrying out the development). In accordance with Council's Section 94A Contributions Plan 2010 (Amended 2013) the total payment amount will be indexed by the Consumer Price Index (All Groups Index for Sydney as published by the Australian Bureau of Statistics), applicable at the date of payment. Update when new cost estimate provided

The contribution is to be paid **prior to the issue of the Subdivision Certificate**. Payment is to be in the form of cash or bank cheque. Where bonding is accepted a bank guarantee is required.

(59) Section 64 Water Supply, Sewerage and Drainage Contributions

Pursuant to Section 64 of the *Local Government Act 1993* and the *Water Management Act 2000*, this development requires a payment of a S64 contribution. The amount payable at the time of issue of this consent is set out in the table below.

Table of Contributions Required – Water, Sewerage & Drainage

Type of contribution	Amount per tenement	Number of tenements	Amount to be paid
Water supply	\$ 8,956.00	21 ET	\$182,595.00
Sewerage	\$ 6,276.00	21 ET	\$127,953.00
Total			\$ 310,548.00

The total amount payable will be subject to review in accordance with Council's Revenue Policy current at the time of payment.

The contribution is to be paid **prior to the issue of the Subdivision Certificate** unless other arrangements acceptable to Council are made.

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The contribution is exclusive of the fees for the connection of water services to the individual allotments. Payment is to be in the form of cash or bank cheque. Where bonding is accepted a bank guarantee is required.

Reason: Pursuant to Section 64 of the *Local Government Act 1993* and the *Water Management Act 2000*, the applicant is required to apply to Council for a Compliance Certificate under the provisions of S305 of the *Water Management Act 2000*.

(60) Works As Executed Drawings

Works As Executed plans for approved civil works are to be submitted to Council upon completion of the development **prior to the issue of a Subdivision Certificate**. Works As Executed plans are to be in accordance with *Council's Engineering Guidelines – Subdivisions and Development Standards*.

(61) Maintenance Bond

A Bond Application and a monetary bond is to be submitted to Council to provide a twelve (12) month maintenance period for civil works relating to Council's infrastructure. It is the applicant's responsibility to notify the relevant departments regarding the commencement and finish of the maintenance period and adequate arrangements are to be made regarding any relevant inspections required.

A five percent (5%) bond of the total cost of works is to be submitted to Council for the works that need maintenance **prior to the issue of a Subdivision Certificate**.

(62) Engineering Inspections

The applicant is required to pay for all inspections carried out by Council's Engineers. Payment must be paid for all inspections as per Council's current Revenue Policy **prior to the issue of a Subdivision Certificate**.

(63) Civil Construction Works

All works specified on the approved Subdivision Works Certificate drawings are to be completed in accordance with Council's *Engineering Guidelines – Subdivisions and Development Standards* (and other authorities specifications outlined within this Development Application) and approved by Council **prior to the issue of a Subdivision Certificate**.

(64) S138 Roads Act Approval

Prior to the issue of a Subdivision Certificate, the Principle Certifying Authority shall ensure that all works associated with a S138 Roads Act approval have been inspected and signed off by Griffith City Council.

(65) Installation of stormwater infrastructure

Prior to the issue of a Subdivision Certificate, stormwater infrastructure is to be installed in accordance with the approved Subdivision Works Certificate drawings, Council's *Engineering Guidelines – Subdivisions and Development Standards*, and Council's *Stormwater Drainage & Disposal Policy (CS-CP- 310)*.

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(66) Interallotment Stormwater Drainage

Proposed interallotment drainage systems are **NOT** to be granted to Council. It is to be the responsibility of the properties served. A Restriction to User in accordance with Section 88E of the Conveyancing Act requiring lot owners to maintain the interallotment drainage system shall be imposed upon the created allotments. The Instrument is to be submitted to Council for approval, **prior to the issue of a Subdivision Certificate**.

(67) Stormwater Drainage

The stormwater detention, associated floodways and flow paths are to be protected by a Section 88E covenant in favour of Griffith City Council. The Instrument is to be submitted to Council for approval, **prior to the issue of a Subdivision Certificate**.

(68) Fencing over open swale

Prior to the issue of a Subdivision Certificate a permanent fence is to be constructed on the rear boundary of proposed Lot 417 adjacent to Jones Road over the proposed open drainage swale in accordance with the approved Subdivision Works Certificate plans. The construction of the fence shall ensure that the flow of stormwater through the open drainage swale is not restricted.

(69) External Service Providers

Prior to the issue of a Subdivision Certificate written advice shall be obtained from the electricity supply authority, an approved telecommunications carrier and an approved gas carrier (where relevant) stating that satisfactory arrangements have been made to ensure provision of adequate services to each of the proposed lots.

(70) Road 1 & 2 Construction

Prior to the issue of a Subdivision Certificate, Road 1 and 2 are to be constructed to the specifications outlined below:

- a. 20m wide road reserve,
- b. 6m wide carriageway,
- c. 7m wide verge on both sides of Road 1,

Construction is to be in accordance with *Council's Engineering Guidelines – Subdivisions and Development Standards*. The surface of the proposed road is required to be a minimum standard of two coat spray bitumen seal consisting of double bitumen and double stone surface.

(71) Roadworks Construction

All road infrastructure construction works specified within this Development Application are to be completed in accordance with Council's *Engineering Guidelines – Subdivisions and Development Standards* (and other authorities specifications outlined within this Development Application) and approved by Council **prior to the issue of a Subdivision Certificate**.

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(72) Street and Intersection Lighting

The installation of street lighting along the proposed internal roads within the subdivision and at the intersection of proposed Road 2 and Jones Road is to be in accordance with *Austroads Guide to Road Design*, Australian Standard 1158 and any prescribed requirement of Essential Energy. Street lights are to be installed in accordance with the approved design, **prior to the issue of a Subdivision Certificate**. Written approval is to be submitted to Council from Essential Energy to ensure that all works have been completed to their satisfaction.

(73) Intersection Treatment

Prior to the issue of a Subdivision Certificate, the intersection of Jones Road and Road 2 is required to be constructed to incorporate a sealed Basic Right Turn (BAR) intersection treatment.

The BAR is to be constructed in accordance with the approved construction plans, *Austroads Guide to Road Design* as amended by the supplements adopted by Transport for NSW for the posted speed limit and *Council's Engineering Guidelines - Subdivisions and Development Standards*.

(74) Concrete dish drain

Prior to the issue of a Subdivision Certificate concrete dish drain is to be constructed along both sides of proposed Road 1 and proposed Road 2 to Council's satisfaction in accordance with *Council's Engineering Guidelines – Subdivisions and Development Standards*.

(75) Internal Roads Signposting

Prior to the issue of a Subdivision Certificate, all proposed internal roads are to be appropriately delineated (linemarking, etc) in accordance with the signposting and line marking policy adopted by *Transport for New South Wales* and *Australian Standard 1742*.

(76) Naming of Roads

Separate written application must be made to Council requesting approval for naming of the internal road. Application will be made by Griffith City Council to the Geographical Names Board of New South Wales seeking approval for the road name, this approval must be given **prior to the issue of a Subdivision Certificate**.

Note: Ensure adequate lead time (approximately two months) for the naming of roads and associated process. Street Numbers will be allocated following the approval of road names.

(77) Street Name Plates

Street nameplates are to be provided to the proposed public roads to the colour arrangement as adopted by Council and the standard as prescribed by *Council's Engineering Guidelines – Subdivisions and Development Standards*. Council approval of street names must be obtained **prior to the issue of a Subdivision Certificate**.

(78) Gazetted Road Reserve

Prior to the issue of a Subdivision Certificate the portion of land proposed to be a public road as part of the proposed development is to be gazetted as a road reserve in accordance with Section 9 of the *NSW Roads Act 1993*. The plan of the subdivision to be

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registered with the office of the Registrar-General is to include a statement of intention to dedicate the specified land as a public road.

(79) Construction of Intersections

Prior to the issue of a Subdivision Certificate, as a minimum, the intersections of South Lake Drive and Road 1, and Road 1 and Road 2 are to be constructed as T-Intersections in accordance with *Austrroads Guide to Road Design* as amended by the supplements adopted by Transport for New South Wales (TfNSW) for the prevailing speed limit. Appropriate road tapers at the intersections are required to be sealed and constructed to a width to accommodate the largest sized vehicle likely to access the proposed allotments. The intersections are to be installed with street lighting and linemarked in accordance with *Austrroads Guidelines* and TfNSW Delineation.

(80) Intersection Signposting

Prior to the issue of a Subdivision Certificate, the intersections of South Lake Drive and Road 1, and Road 1 and Road 2 are to be appropriately signposted and line marked in accordance with the signposting and line marking policy adopted by Transport for New South Wales (TfNSW) and Australian Standard 1742.

(81) Temporary Turning Bulb

Prior to the issue of a Subdivision Certificate a temporary turning bulb with a minimum radius of 9.5m is to be constructed at the end of proposed Road 2 where the road constructed as part of Stage 4 of the development terminates at a dead-end. The turning bulb is to be constructed of a minimum depth of 250mm compacted road building gravel. An approved road sign is to be installed at the end of the turning bulb to indicate a dead end.

(82) Internal driveway

Prior to the issue of a Subdivision Certificate the internal driveway to proposed Lots 412, 413, 416 and 417 is to be 2-coat bitumen sealed (as a minimum) for the full length of the battle-axe handle in accordance with Council's *Engineering Guidelines – Subdivisions and Development Standards* and Council's *Residential Development Control Plan 2020*. A minimum depth of 200mm of compacted road building gravel is to be installed in the driveway and inspected by Council prior to sealing.

(83) Accessway construction

Prior to the issue of a Subdivision Certificate, a concrete or bitumen sealed access is to be provided between the property boundary and the road carriageway off proposed Road 2 to proposed Lots 412, 413, 416 and 417. The accessway shall include a concrete culvert with concrete headwalls and guideposts. The accessway is to be constructed in accordance with *Council's Engineering Guidelines – Subdivisions and Development Standards*.

(84) Access Restriction

Vehicular access to proposed Lots 401, 412, 413, 416, 417 and 421 within the subdivision from Jones Road is not permitted at any time. **Prior to the issue of a Subdivision Certificate**, a restriction to user shall be created over proposed lots 401, 412, 413, 416, 417 and 421 within the development in accordance with Section 88E of the Conveyancing Act. The restriction is to specify that vehicular access to the created allotments off Jones Road is not permitted at any time.

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(85) Potable Water Main Extension

Prior to the issue of the Subdivision Certificate, Council's reticulated potable water system is to be extended from the existing 100mm potable water main located on the southern side of South Lake Drive throughout the internal roads to service all lots within the proposed subdivision. The potable water main is to connect to the existing trunk potable water main on the western side of Boorga Road via Jones Road. All works are to be completed in accordance with Council's *Engineering Guidelines - Subdivisions and Development Standards*, the *Water Services Association of Australia – Water Supply Code of Australia (WSA 03—2011)*.

(86) Potable Water Extension for Hydrant Installation

Prior to the issue of a Subdivision Certificate a potable water main is to be extended to terminate with a hydrant from proposed Road 2 within the development to the end of the battle-axe handle of proposed Lots 413, 412, 416 and 417. The location of the hydrant is to ensure the entire allotment has a maximum coverage/distance of 150m from the hydrant. The extension of the potable water main from proposed Road 2 is to include the installation of a backflow prevention device and by-pass meter after the intersection of the water main on the internal road. All costs associated with this infrastructure are to be borne by the developer.

The construction of all new mains and other associated components normally associated with water main installations are to conform to the standards prescribed in *Council's Engineering Guidelines - Subdivisions and Development Standards* and the *Water Services Association of Australia – Water Supply Code of Australia (WSA 03—2011)*.

(87) Water Meters

Prior to the issue of a Subdivision Certificate, the developer is to provide a potable water service to each lot. Installation and location are to be in accordance with *Council's Engineering Guidelines - Subdivisions and Development Standards* and the *Water Services Association of Australia – Water Supply Code of Australia (WSA 03—2011)*.

(88) Extension of Council's sewer main

Prior to the issue of a Subdivision Certificate Council's pressure sewer system is to be extended to service all proposed Lots within the subdivision. All works shall be in accordance with the specifications outlined in *Council's Engineering Guidelines – Subdivision and Development Standards* and the *Water Services Association of Australia - Pressure Sewerage Code of Australia WSA 07—2007*.

(89) Extension of Council's sewer main

The applicant is required to pay for all 'On-Property Works' to be carried out by Council for the Pressure Sewerage System to be installed for each of the proposed allotments. "On-property works" include the Boundary Kit to (and including) the installation of the pumping unit. The amount, as per Council's current *Revenue Policy* is to be paid **prior to the issue of a Subdivision Certificate**.

(90) Murrumbidgee Irrigation Unconditional Consent

Murrumbidgee Irrigation's written unconditional approval for the entire development (Stage 4) is to be submitted to Council **prior to the issue of a Subdivision Certificate**.

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(91) Schedule for planting

Prior to the issue of the Subdivision Certificate the applicant is to prepare a 'Schedule for Planting' for each of the allotments to guide purchasers in how to prepare, establish, plant and maintain groundcover areas and vegetation buffers in saline soils. This Schedule shall form part of any contract of sale. The Schedule should contain essential elements selected from baseline reports included within the Development Application such as the salinity report, hydrology report and landscape notes.

Species selection shall predominantly be local natives selected from the 'Native Vegetation Guide for the Riverina' Second Addition pg. 144-145 published by Holbrook Johnstone Centre, Charles Sturt University Wagga, available on line at: https://revegetation.org.au/wp-content/uploads/2024/12/RIV_Reveg_Guide_2ndEd_Compressed.pdf

(92) Biodiversity Development Assessment Report

An addendum to the Biodiversity Development Assessment Report is to be submitted to Council providing a breakdown of the Biodiversity Assessment Method (BAM) Credit Summary Report for Stage 4 of the development only. This is to be submitted and obligations for Stage 4 retired, **prior to the issue of a Subdivision Certificate**.

Should an addendum not be provided to Council, the whole of the credits generated for 'Weeping Myall open woodland of the Riverina Bioregion and NSW South Western Slopes Bioregion' for both the 'Endangered Ecological Community' and 'unlisted' be retired being a total of 35 Ecosystem credits.

(93) Roadside Vegetation – Jones Road

Prior to the issue of the Subdivision Certificate, a row of *Acacia pendula* Weeping Myall is to be planted in the south of the Jones Road, road reserve adjoining proposed lots 412 and 413. The approved landscaping areas shall be installed to the satisfaction of Council and is to be maintained for the duration of the maintenance period including watering, weeding and replacement (where required).

(94) Biosecurity Act

Weeds including African Boxthorn and Prickly Pear are to be controlled in accordance with the Biosecurity Act 2015 and Schedule 3 of the Biosecurity Regulation 2017. Reasonable efforts to control these weeds throughout the subject site and on adjoining roadsides shall be achieved **prior to the issue of the Subdivision Certificate**.

(95) Stormwater Drainage Easements

Stormwater shall not cross property boundaries unless legally created easements in accordance with Section 88B of the Conveyancing Act are created. The location and widths of the easements are to be specified in the instrument for the purpose of protecting and identifying the stormwater drainage system. The Instrument is to be submitted to Council for approval **prior to the issue of a Subdivision Certificate**.

(96) Restriction to user

Prior to the issue of a Subdivision Certificate, a restriction to user shall be created over proposed Lot 417 in accordance with Section 88E of the Conveyancing Act. The restriction is to specify that any fence constructed over the proposed open drainage swale located along the eastern boundary of proposed Lot 417 shall ensure that the flow of stormwater through the open drainage swale is not restricted. Any fence constructed over the drainage swale is to be approved by Council and shall be permeable from the top of the swale to the bottom of the swale.

(97) Easement for Services

Prior to the issue of the Subdivision Certificate easements shall be established pursuant to Section 88B of the *Conveyancing Act 1919* where services cross property boundaries. The location and widths of the easements are to be specified in the instrument for the purpose of protecting and identifying the services.

(98) Restriction to User

Vehicular crossings to all lots created as part of the subdivision is to be constructed in accordance with the approved Construction Drawings. **Prior to the issue of a Subdivision Certificate**, a restriction to user shall be created over all lots created as of the subdivision in accordance with Section 88E of the Conveyancing Act. The restriction is to specify that vehicular crossings are to be constructed as detailed on the approved construction drawings and that only one access per lots is permitted.

(99) Restriction to User for Potable Water Main

Prior to the issue of a Subdivision Certificate a Restriction to User in accordance with Section 88E of the Conveyancing Act is to be created over proposed Lots 413, 412, 416 and 417 for the ongoing ownership and maintenance of the potable water infrastructure located within the battle-axe portion of Lots 413, 412, 416 and 417.

(100) 88B Instrument

Prior to the issue of the Subdivision Certificate, the following matters are to be reflected on the section 88B instrument for each allotment:

- (a) That buffer areas within allotments are appropriately landscaped and maintained, with a total minimum of twenty five percent (25%) of each new allotment to be planted with predominantly local native, woody vegetation.
- (b) That ground covers on lots are effectively established and maintained for the life of the development so that there are no significant areas of visible salt scalding or denudation.
- (c) Ensure that the keeping of animals including livestock is in accordance with limits set within Council Policy 'Keeping of Animals' GC-CP-703. The control and management of domestic animals within the subdivision to ensure no adverse impact to adjacent wetlands, flora and fauna, threatened species and to other persons within the subdivision.
- (d) To ensure that the development does not result in adverse accessions to groundwater.
- (e) Landowners to maintain the drainage swales and interallotment drainage systems.
- (f) Comply with any Environmental Management Plan requirements.
- (g) Grey water systems and diversion devices will not be permitted to be used on any allotment. All kitchen, laundry, toilet and bathroom waste water must be directed to reticulated sewerage.

On-Going Requirements

The following conditions or requirements must be complied with at all times, throughout the use and operation of the development.

(101) Existing native vegetation

The tree plantation located on the residue lot in the north west of the site is to be retained and incorporated into public open space or the vegetation buffer zones of residential allotments during the next stage of the development.

(102) There is to be no vehicular or pedestrian access from the proposed development to the Lake Wyangan Crown Reserve land.

Exclusion of access includes access for the development of fire trails, boat ramps, walking trails or the like. Should fire trails, asset protection zones, walking trails or similar be required, these are to be constructed entirely within the subject development site.

(103) Fenced Reserve

Only controlled access is permitted to the fenced area of aboriginal significance which is to be maintained to restrict access.

(104) Site Maintenance

The development site including the residue lot shall be maintained in a manner that meets bush fire prevention measures of the Rural Fires Act 1997 and Rural Fires Regulation 2022.

Attachment C – Advisory Notes

The following information is provided for your assistance to ensure compliance with the *Environmental Planning & Assessment Act 1979*, *Environmental Planning & Assessment Regulation 2021*, or other relevant legislation and Council's policies. This information does not form part of the conditions of development consent pursuant to Section 4.16 of the Act.

- (1) Conditions for future development applications for individual allotments
 - (a) An additional Salinity Investigation and Salinity Management Plan must be prepared as part of the development application for the construction of a dwelling and ancillary development on the subject lands. The Salinity Investigation and Salinity Management Plan must:
 - i. Be prepared by a suitably qualified geotechnical engineer or soil scientist.
 - ii. Provide details as to how the recommendations in the Salinity Investigation and Salinity Management Plan for the subdivision of the land can be implemented on each lot.
 - iii. Provide recommendations and management measures for the siting, design and construction of a dwelling and outbuildings on the lot. Management measures would include, but not be limited to:
 - Avoiding over-watering gardens and lawns.
 - Planting large native trees and shrubs in landscape areas.
 - Ensuring that water drains away from buildings and hard stand areas to avoid ponding.
 - Monitoring changes to water table levels and groundwater quality by installing piezometer ('monitoring bore') networks.
 - Establishing gardens with low water requirements.
 - Provide locations for the dwelling within the building envelope to avoid salinity hotspots.
 - Provide construction methodologies to ensure dwellings can withstand the effects of salinity.
 - (b) Salt tolerant grasses and trees should be considered for landscaping, to reduce soil erosion and to maintain the existing evapo-transpiration and groundwater levels. Reference should be made to an experienced landscape-planner or agronomist.
 - (c) No wastewater is to be generated by the swimming pool filtration system. As such, a cartridge filter or similar which does not require backwashing is to be used. If any on-site disposal of wastewater from the pool filtration system is proposed this would require a separate approval from Council.

Reason: Reuse on land in this case is not considered an acceptable option as long-term disposal of backwash water (containing a range of treatment products, such as chlorine and salts) from the filter system is likely to damage the soil.
- (2) To minimise the risk of salt damage on building materials used in construction all proposed dwellings and buildings are to comply with Council's Building in a Saline Environment booklet.
- (3) The applicant is advised that further development approval may be required should any downstream drainage works be required within Campbell's Wetland, Lot 407 DP 751743.

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(4) Essential Energy

Essential Energy makes the following general comments:

- a) As part of the subdivision, an easement is created for any existing electrical infrastructure. The easement is to be created using Essential Energy's standard easement terms current at the time of registration of the plan of subdivision;
- b) If the proposed development changes, there may be potential safety risks and it is recommended that Essential Energy is consulted for further comment;
- c) Any existing encumbrances in favour of Essential Energy (or its predecessors) noted on the title of the above property should be complied with;
- d) Council should ensure that a Notification of Arrangement (confirming satisfactory arrangements have been made for the provision of power) is issued by Essential Energy with respect to all proposed lots which will form part of the subdivision, prior to Council releasing the Subdivision Certificate. It is the Applicant's responsibility to make the appropriate application with Essential Energy for the supply of electricity to the subdivision, which may include the payment of fees and contributions;
- e) In addition, Essential Energy's records indicate there is electricity infrastructure located within the property. Any activities within this location 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*;
- f) 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);
- g) Given there is electricity infrastructure in the area, 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*.

Attachment D – Other Council Approvals and Consents

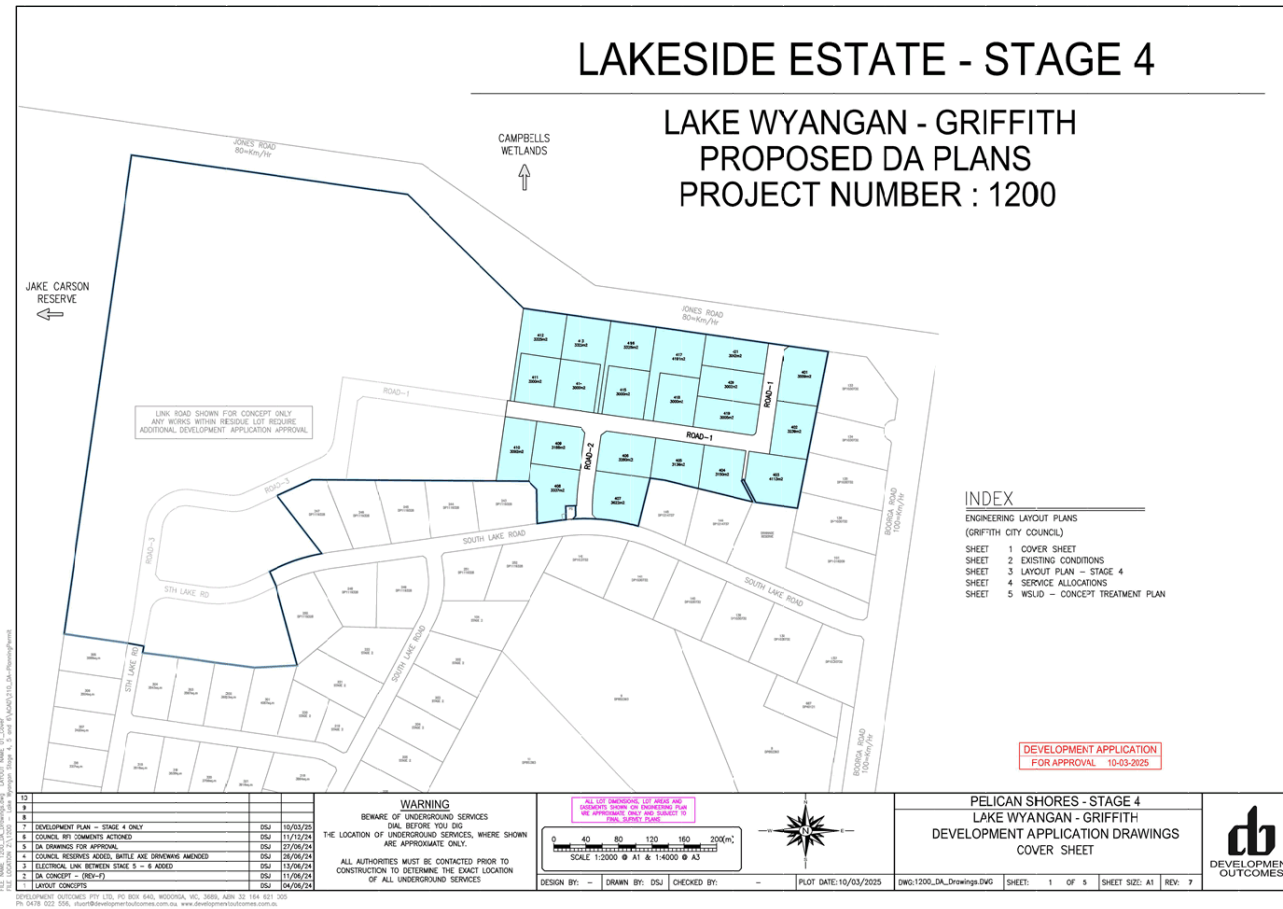
Section 68 Local Government Act 1993 Approvals

This consent includes the following approvals under Section 4.12 of the *Environmental Planning and Assessment Act 1979* and Section 68 of the *Local Government Act 1993*.

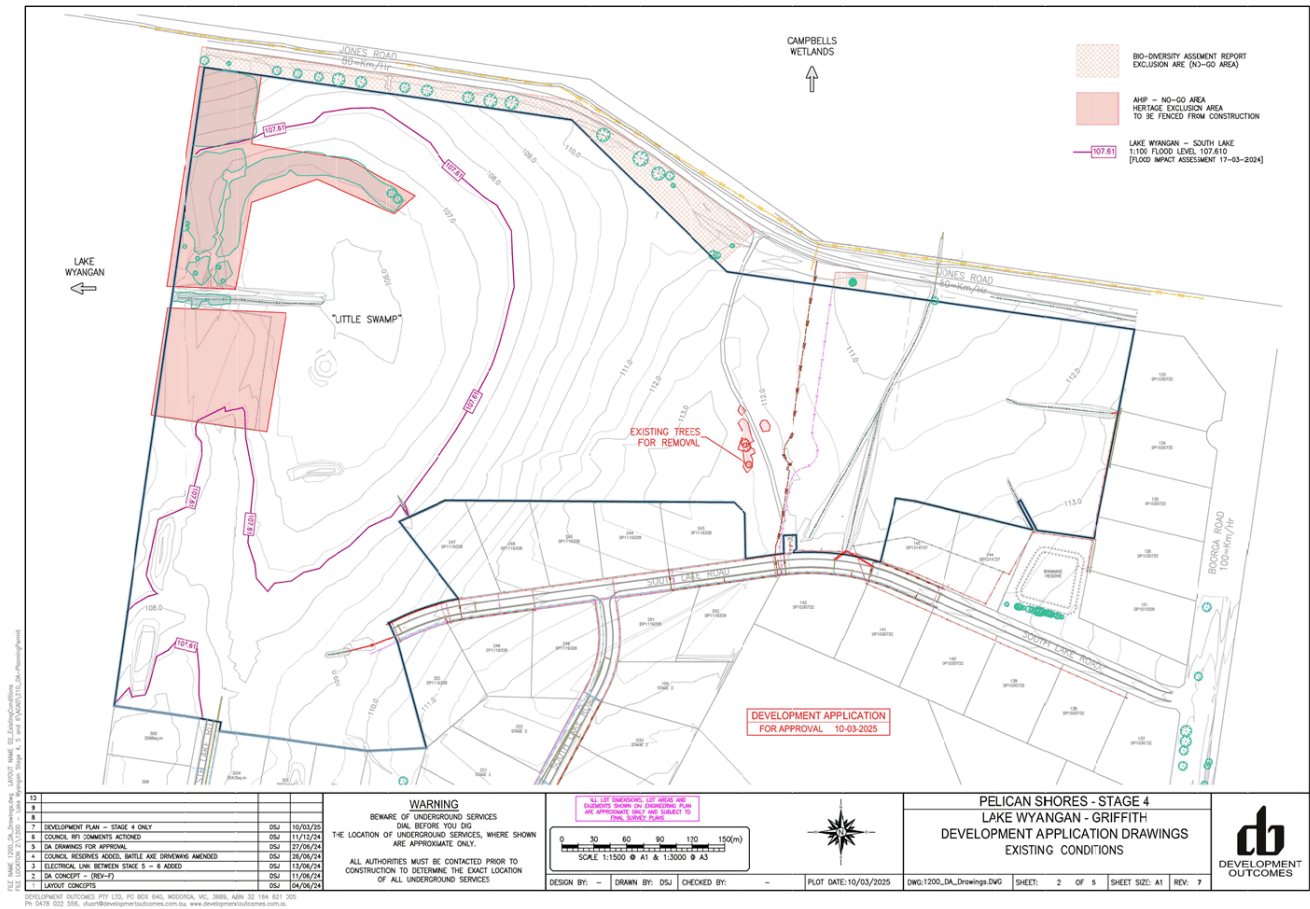
Nil

Page 55

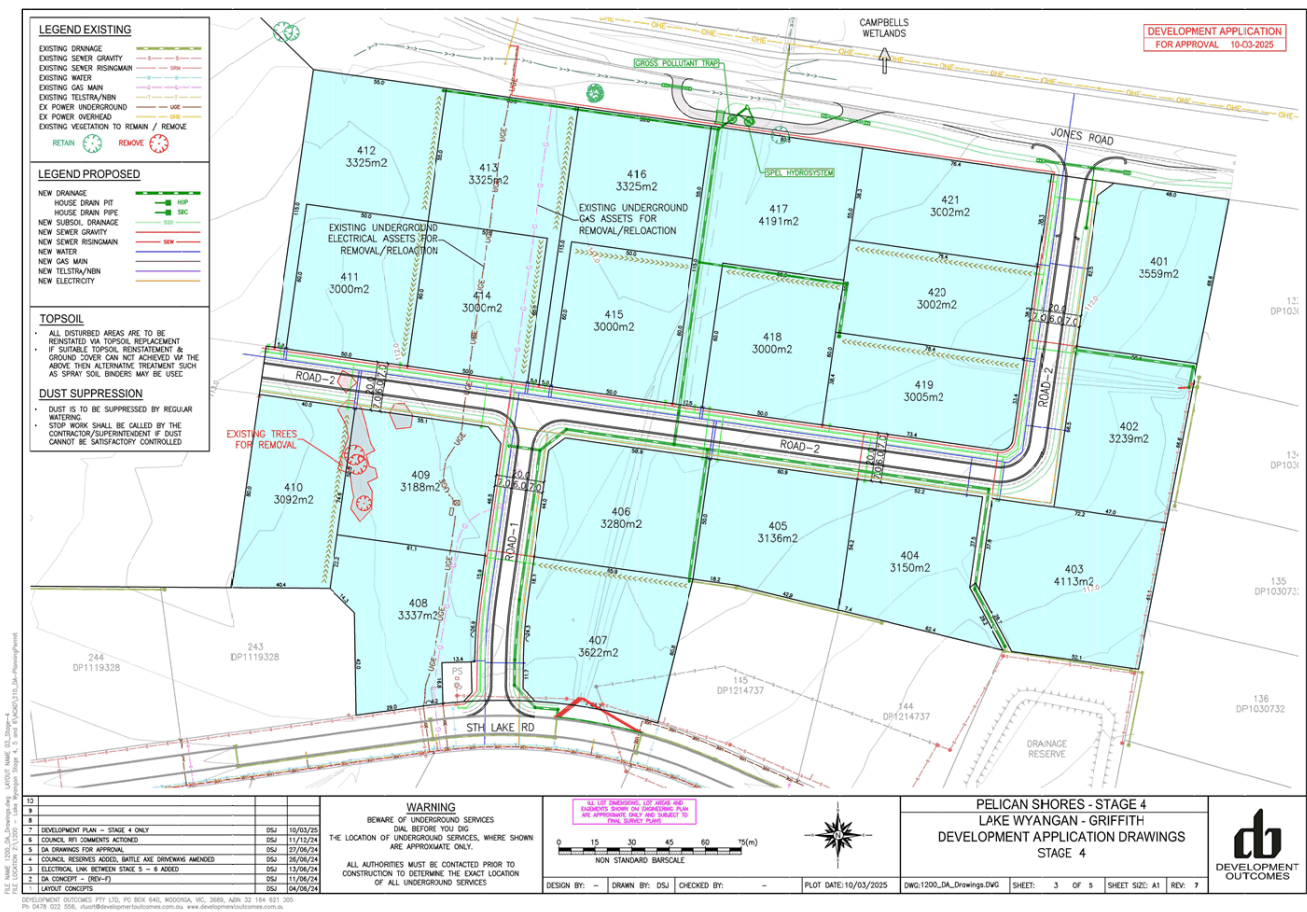
CL01 Attachment (b) Attachment B - DA 172/2022 - Application Plans



CL01 Attachment (b) Attachment B - DA 172/2022 - Application Plans



CL01 Attachment (b) Attachment B - DA 172/2022 - Application Plans



CL01 Attachment (c) Attachment C - DA 172/2022 - Submissions

Alana McGibbon

[REDACTED]
Sent: Wednesday, 31 July 2024 9:35 AM
To: GCC Admin Mailbox
Subject: Re: Proposed Development DA No. 172/2022(1) DP1214737 South Lake Drive Lake Wyangan

To whom it may concern,

I am writing in relation to the proposed development (DA 172/202 (1) at Lake Wyangan. When we originally purchased out block in 2015 the DA for the remaining blocks aligning with the blocks in this renewed submission had a significant green space running along the back of the blocks on South Lake Drive (northern side) and around the sewer substation.

This green space –

- Was proposed to be planted to trees by the developer (maintained by residents) and was there to assist in managing soil salinity levels so that the salinity didn't affect the structural integrity of our homes.
- Was to ensure that the lifestyle appeal of the blocks was enhanced by a natural vegetation break that gave a sense of privacy from blocks on the other side of the green space.
- Enhanced the "value" of our blocks both financially and in terms of livability due to the managed salinity and the natural, private setting.

I am certainly not against the development of the area in the DA, but I would like to see the original planned green spaces maintained so as not to devalue both financially and in terms of livability the value of properties we have invested in under the vision of the original DA. I feel it is unfair to devalue existing owners investments to the community against increasing the returns for new developers by squeezing blocks into every last cm of the area.

Kind regards,

MN

[REDACTED]
Freundliche Grüße / Best regards,

Mark Norbiato
Regional Sales Manager - Eastern Broadacre

////////////////////

Bayer CropScience Pty Limited
Regional Sales Manager – Eastern Broadacre
[REDACTED]

CL01 Attachment (c) Attachment C - DA 172/2022 - Submissions

31 July 2024

To: Griffith City Council
Re: Development Application No. 172/2024 (1) for Lot 146 DP 1214737 South Lake Drive, Lake Wyangan.

Thanks for considering my submission regarding DA #172/2024.

I would like to commend the developer on keeping some of the natural wetland that is important habitat for many species, including some threatened species. Particularly for migratory birds such as the Australasian Bittern (*Botaurus poiciloptilus*) which is nationally and globally endangered.

I do also have a number of concerns and suggestions:

1. There is an easement for drainage that runs behind the current house lots 244-247. I live at Lot 247 where the easement turns to the NW then spreads out and follows the natural slope of the land towards the lowest area shown as sediment basin on the supplied maps. The drainage runs through what are shown as lots 506, 705, and possibly 706. I ask that consideration of the application ensure uninterrupted drainage from the easement behind the Lots 244-47.
2. All of Stage 7 and parts of Stages 5&6 have been under water in recent years. Water reached slightly beyond the 108m contour and was over 1.5m deep where some lots are proposed. See attached map and photos. Water has filled this area 3 times since we moved here in 2010. Lots below the 108m contour should not be developed as house lots. To reduce the danger from flooding, significant fill dirt would need to be added. This would reduce the capacity of the area to deal with flooding and may lead to flooding problems in other areas. It would be much better to increase the size of the constructed wetlands to include the areas prone to flooding.
3. Lot 506 should not be developed as mentioned above. If it is to be developed, it should be done as part of Stage 7 rather than Stage 5. Looking at the map this seems obvious. Lot 506 is crucial to the overall drainage and flood mitigation of the entire development. Particularly for the drainage easement that runs behind Lots 244-247. I ask that Lot 506 be switched to Stage 7 and not be developed until the drainage concerns have been resolved and works completed for all of Stage 7.
4. When the owners of Stage 2 Lots purchased their lots, it was with the understanding that there would be a nature strip approximately 30m wide behind Lots 243-247. There was also meant to be a connecting natural area to the west of Lot 247. These open spaces were important in the decision to purchase in the development. It was stipulated in the development application that the next stage was not to proceed until this had been completed.
5. It is good to see access to the constructed wetlands. If the wetlands are done well, it will be a strong selling point and showpiece of the development. I would like to see a bike/walking path connecting the east end of Court -2 to the south end of Road-2.

CL01 Attachment (c) Attachment C - DA 172/2022 - Submissions

6. The sediment basin should be ceded to the city and made into a park. These were common where I grew up in California and were well used. Big ones often had soccer goals in them. The only maintenance required would mowing of the grass. Access gates were chained shut, but with enough room for people (not vehicles) to get through. Most of the time they were an open grassy park, but when big rains occurred, they doubled as a flood basin. Trees could be planted at the tops of the banks providing shade and helping to reduce salinity.

7. Stage 2 required a 10m buffer zone of native vegetation in each lot. This should be retained for the current development. It helps to lower the water table, reduces salinity, reduces summer temperatures, reduces water runoff, and provides corridors of habitat for species in this natural wetland environment.

Thank you for consideration of my submission. I am happy to be contacted by Griffith City Council or the developer if I can help to facilitate the proposed development.

Sincerely,
Rob Wepler

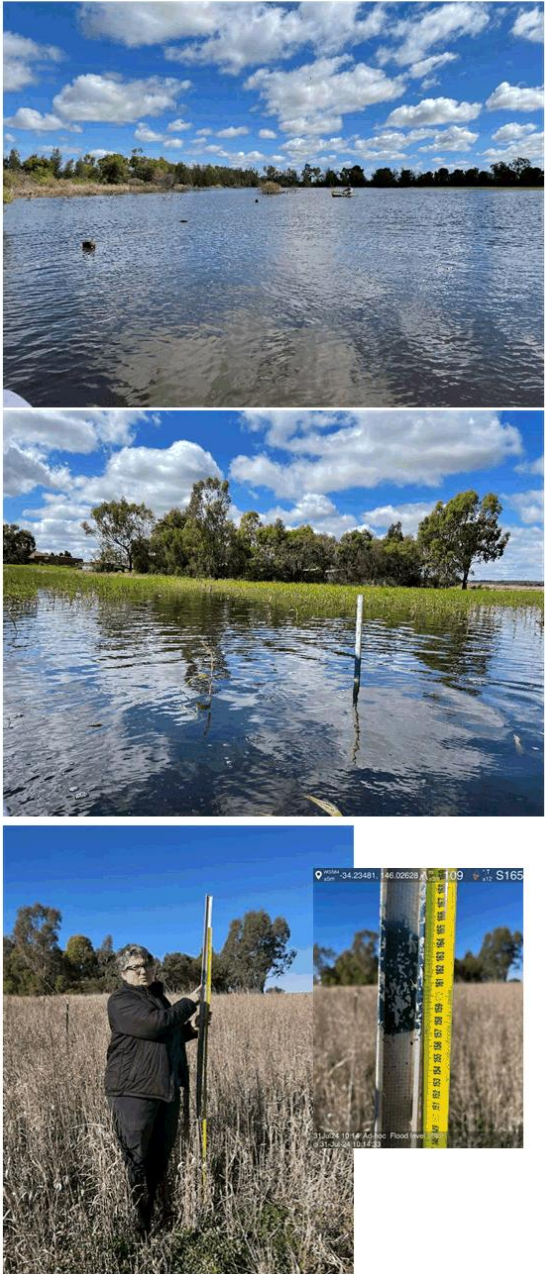


See attachments



CL01 Attachment (c) Attachment C - DA 172/2022 - Submissions

Photos of 2022/2023 flood level:



CL01 Attachment (c) Attachment C - DA 172/2022 - Submissions

Judith Pedler



31st July 2024

Re: Integrated Development Application No. 172/2022 (1) proposed for Lot 146 DP 1214737

Dear Griffith City Council and Councillors,

It is both disappointing and depressing to see yet another development plan for the Pelican Shores area that does not consider the inundations of 2012 and 2016, and most recently, 2022. Having had three (3) “one in one hundred year” events within the last fifteen years clearly indicates that the flood line needs to be drastically reassessed with regards to area in the suggested development, and perhaps other areas in the Lake Wyangan district. Our experiences of the inundations have shown consistently that the land below at least the 108-metre contour was flooded for over six (6) months each time, and in some irregular areas the land up to the 109-metre contour was saturated for extensive periods during those inundations.

The drainage easement that exists through the northern edge of the properties of 13, 15, 17, 19 and 21 South Lake Drive flows with water frequently in strong rain events, and back fills with water significantly when the area below the contour at 108 metres is inundated. Filled with water in October 2022 (Photo 2), the easement through 21 South Lake Drive did not drain fully or dry out until early February 2023. Considering this, and the vastly increased likelihood of mosquito borne disease due to standing water near our house, our household vaccinated against Japanese encephalitis that season.

There is no recognition in the proposal of the importance of this drainage easement for the drainage of storm water from the present houses. The proposed Block 506 and the proposed Block 706 lie across the easement drainage from the households on the northern side of South Lake Drive into the natural wetland and proposed created wetland (see Pelican Shores Stage 4-7 Staging Plan). Our property would be particularly and profoundly affected by any change of the easement outflow into the wetland areas (Photos 1, 2 & 3).

From November 2022 until mid-January 2023 we could kayak on open water out through our back gate, across the proposed Stage 7 to Jones Road. In November 2022 I kayaked out and placed an aluminium stake through the water into the ground, approximately in the centre of the proposed block 506 (Photo 4) and later spray painted the water height (Photo 5). The spray paint mark is 157cm above ground (Photo 6 & 7). The area approximately encompassing the proposed blocks “behind” our house (506, 704, 705, 706 and 707) was

CL01 Attachment (c) Attachment C - DA 172/2022 - Submissions

not free from open water until after April of 2023. Large parts of the proposed Stage 6 were also under water for months.

The whole of Stage 7, the proposed blocks in Stage 6 near Court 2, and Road 4 and the bottom of South Lake Drive and Block 506 in the proposed Stage 5 are untenable as areas to be developed for dwellings, without major land reclamation that would affect the natural drainage in to Lake Wyangan and possibly affect more present dwellings already in the neighbourhood. The known inundations and ephemeral lake formations in 2012, 2016 and 2022 occurred unexpectedly and very swiftly after rainstorms, allowing little time for evacuation or flood preparation. Houses in Stages 6 and 7 would be trapped between overflow from South Lake Wyangan, the channel draining out of the Lake Wyangan village and natural drainage from the land above the 109-metre contour. Finally, the high salinity and high sodicity of the soil in many of these proposed blocks may make engineering for dwellings prohibitively expensive.

Various parts of the proposed development are to be strongly applauded. Recognition of part of the area as having cultural significance and restricting access to that area is very important and strongly desired. Recognising the potential of the area for passive recreation through encouraging wetland development is a brilliant use. Planning pedestrian access laneways between house properties, linking the drainage areas, such as the Pelican Shores dam and with cul de sac ends and other roads or courts encourages active recreation, community engagement and enjoyment of the environment.



Photo 1: Back gate of 21 South Lake Drive, at NW corner of property. This is a panorama photo that also shows the flooded drainage easement. Photo taken 18th January 2023.

CL01 Attachment (c) Attachment C - DA 172/2022 - Submissions



Photo 2 & 3: Drainage easement trench out of our property at NW corner of 21 South Lake Drive. October and December 2022

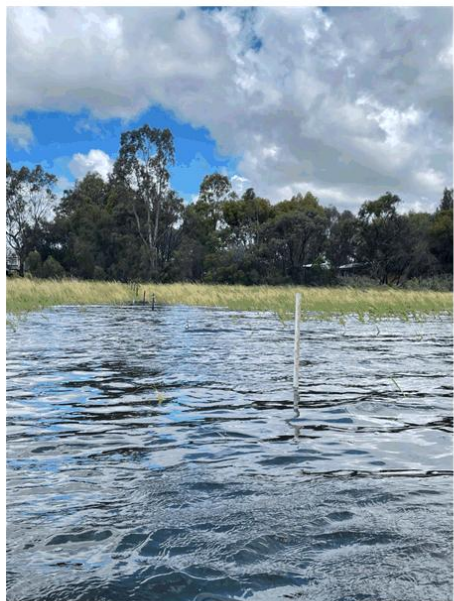


Photo 4 November 2022

CL01 Attachment (c) Attachment C - DA 172/2022 - Submissions



Photo 5 November 2022



Photo 6 & 7 July 2024



CL01 Attachment (c) Attachment C - DA 172/2022 - Submissions

Pelican Shores Stage 4-7
21 South Lake Drive is at 



CL01 Attachment (c) Attachment C - DA 172/2022 - Submissions

2 August 2024

Tim and Jenny Ellis



Brett Stonestreet
General Manager
Griffith City Council

Dear Mr Stonestreet,

RE: Integrated DA no 172/2022(1) on lot 146 DP 1214737

Thank you for your letter regarding DA 172/2022(1). As residents of 12 South Lake Drive, Lake Wyangan, we have four main concerns about this submission:

1. Proposed Road Placement:

- The proposed road to the east of the sewerage pump station will enter South Lake Drive directly opposite our living areas at 12 South Lake Drive, affecting our privacy and causing considerable disruption from car lights shining into our home.
- We suggest rerouting this road to the western side of the pump station to reduce the impact of lights or, preferably, retaining the land as open space according to the stage 2 landscaping plan.

2. Landscaping and Open Spaces:

- Condition 17 of the original stage 2 subdivision required landscaping associated Open Spaces before the subdivision certificate was issued. This was not done. This area should be open space as per stage 2 plans, extending behind houses 13-21 South Lake Drive.
- There is a stormwater easement at the rear of these blocks, and we believe the open spaces from stage 2 should be retained. The lack of open spaces and parklands in the current proposal needs to be addressed.

3. Increase in Lots:

- The original development limited the number of lots to about 85, while the current plan proposes over 130 lots. Condition 28 of the original DA emphasized sustainable development to prevent soil erosion, groundwater contamination, and to ensure a pleasant rural residential amenity. Condition 3 required 50% of the site to have woody vegetation.
- We are concerned about the impact of increased lots on nutrient-rich runoff into South Lake, which has previously contributed to blue-green algae, affecting lake usage and the lifestyle of the Griffith Community.
- The increase in lots and roads will also affect flood-prone areas, as evident from the 22/23 floods that encroached on many of the proposed and existing lots.

CL01 Attachment (c) Attachment C - DA 172/2022 - Submissions

4. Ingress and Egress:

- The original plan included ingress and egress traffic access to Jones Road, which seems to be removed in the proposed plan, leaving only one ingress and egress for the entire estate.
- We are concerned about the impact on traffic on South Lake Drive and the exit onto Boorga Road, especially considering the increase in lots. Additionally, in case of a fire, having only one ingress/egress is a safety concern.

In summary, our concerns are the increase in the number of proposed lots, lack of open green spaces, positioning and increase of roads, single ingress/egress, potential increase in nutrient-rich runoff leading to more algae in the lakes, and increased flooding risk impacting many proposed and existing lots, particularly at 19 and 21 South Lake Drive.

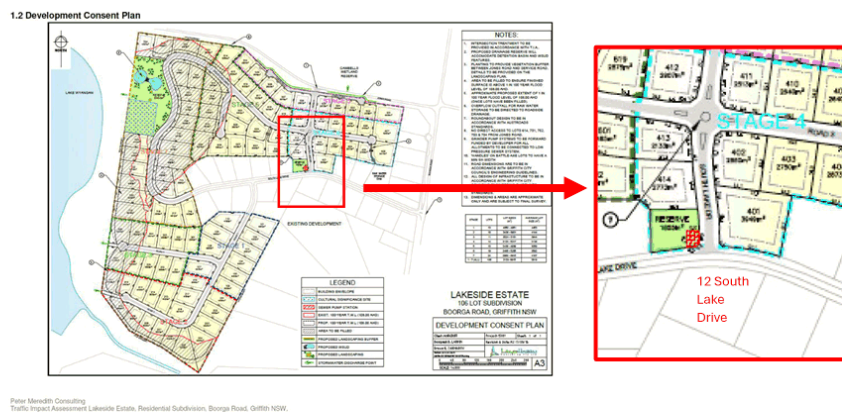
While the proposed DA may meet rural residential guidelines, the environmental concerns raised by the council in the original DA remain valid. The recent flooding and increase of blue-green algae in the lakes underscore the importance of the original development restrictions. We ask that similar considerations be applied to the proposed DA.

Sincerely,

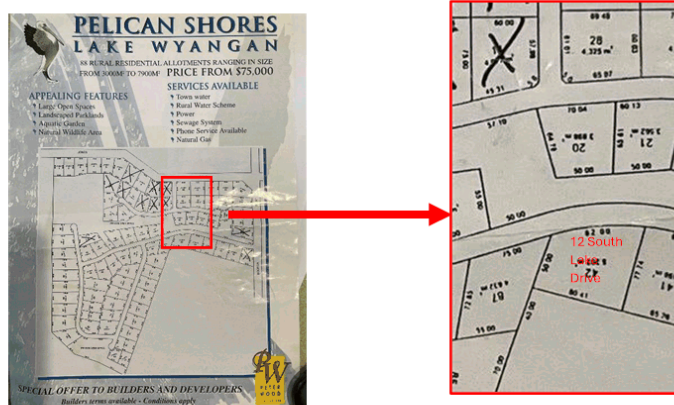
Tim and Jenny Ellis

CL01 Attachment (c) Attachment C - DA 172/2022 - Submissions

Proposed Road Opposite 12 South Lake Drive, Lake Wyangan



Original Design for Pelican Shores. 12 South Lake Drive was bought and developed in 2002 with the understanding that one day they would see the back fence of a house with green space in front. At no time was a road considered to be directed straight at their house.



CL01 Attachment (c) Attachment C - DA 172/2022 - Submissions



The proposed road would mean headlights would be directed straight towards the living areas of 12 South Lake Drive.



The current dirt road leading from Jones Rd to South Lake Drive (which matches the original plan) is on the Western (lake side) side of the Sewer Pump Station. There would be negligible disturbance to both 12 and 14 Southlake Drive.

CL01 Attachment (c) Attachment C - DA 172/2022 - Submissions

Pelican Shores Residents Association Inc.
PO Box 1600 GRIFFITH, NSW 2680



2nd August 2024

Griffith City Council

Att: Joanne Tarbit

RE: DA 172/2022 (1) Proposed development on Lot 146 DP 1214737

To Whom It May Concern,

We write on behalf of the 23 members of the Residents Association and forward consideration of the below for the proposed DA. The Association is excited and supportive of all proposed neighbouring development to the adjoining lots and look forward to the completion of the entire estate that has the opportunity to be a premier destination for families searching for opportunities to engage in a larger lot lifestyle choices.

The observations presented are a combination of thought for the sustainable development of the site and lifestyle aspect that can be created in the estate. Other thoughts are raised from knowledge in living in the area, various impacts on existing properties and previous unfulfilled conditions of DA consents over the years. It is the ambition of the Association to gain a full understanding to work in a proactive and mutually beneficial outcome for existing residents, developers and future landowners of the estate.

We draw consideration to the following areas of "objection" in the proposed plans;

- a) Existing properties 3 -5 and 13-21 as per the provided map, are subject to an existing drainage easement within the boundaries of these lots. Do the current design plans intend on utilising this service, if so, will it be piped? The question is raised given the flood events most recently in 2022 that had seen very high levels of flood water fill the swamp and back fill the existing drainage infrastructure in the existing properties and neighbouring vacant land to 21 Southlake Drive. The proposed number of lots, buildings and hard surfacing would be a concern on capacity for this existing service and the swamp itself.
- b) Existing DA consents had seen the requirement to beautification works to be completed to the entrance of the estate on South Lake Drive, a condition of stage 2 completion originally, in particular the "Dam" lot. Previous conditions of DA's include the requirement of parks, park equipment and green space in the subdivision plans that do not appear to be included in the proposed plans.
- c) Existing DA conditions included the requirement of green space and buffer zones to the rear of properties 3-5 and 13-21. Historic landowner's decision to purchase originally were heavily influenced buy this condition. Would this be an area where green space could still be achieved and perhaps be a service area for new and required infrastructure for the subdivision as well as make good on previous DA conditions. Original design and DA consent plans had indicated no neighbouring lots to these boundaries and the green space allowing this to be achieved. 13 South Lake Drive originally had no neighbouring lots adjoining either

CL01 Attachment (c) Attachment C - DA 172/2022 - Submissions

Pelican Shores Residents Association Inc.
PO Box 1600 GRIFFITH, NSW 2680



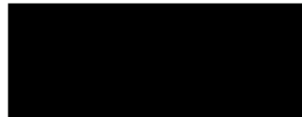
- boundary, currently vacant space. 21 South Lake Drive – Land to the east of this lot was originally identified to be green space given the low-lying levels of the land.
- d) Given likely expansion of the entire subdivision to be in excess of 100 lots when completed – it is the Associations opinion that consideration to green space and parks for lifestyle purposes should be a consideration of the Developers and Council. This will further align in delivering the lifestyle aspects expected by most in a modern subdivision design and ultimately choosing the location as a desired place to build homes.
 - e) Given the likely chance of families with school aged children considering the location, there does not appear to be consideration for services such as School buses or public transport stops in any design – could a consideration perhaps be included on the space currently owned by the Association on the Dam block? Currently children are required to wait on the roadside of Boorga Road. Increasing residential blocks will increase traffic further highlighting the safety issues with crossing main roads to utilise public services as well as having a suitable location for transport services to stop and allow passengers on and off a vehicle.
 - f) Ongoing vacant land management – There has been very little to no ongoing management of the subject site that has now seen it develop into thick scrub, weeds and potentially a fire danger in the warmer months. Is there a plan or condition attached to the need of maintaining this space on an ongoing basis?

On behalf of the Association, we ask that consideration in design, green space and practical lifestyle solutions be addressed in the process for approval of the proposed DA and also highlight the questions in relation to maintaining the sustainability of the area on both an environmental and lifestyle level.

On behalf of Pelican Shores Residents Association

Angelo Cirillo

President



CL01 Attachment (c) Attachment C - DA 172/2022 - Submissions

2nd August 2024

Griffith City Council

Att: Joanne Tarbit

RE: DA 172/2022 (1) Proposed development on Lot 146 DP 1214737

To Whom It May Concern,

I am a neighbour to the proposed subdivision, my residential address is 17 South Lake Drive, Lake Wyangan.

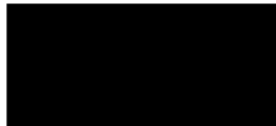
We support the potential subdivision, I am excited to see the area become established and potentially be one of the city's premier lifestyle residential areas. Whilst I do not object to the subdivision, I do have areas of concern in the planning designs provided based on historic DA consents granted at the time of my purchase of the property.

We draw consideration to the following areas of "objection" in the proposed plans;

- a) Our lot is subject to an existing drainage easement within the boundaries of these lots. Do the current design plans intend on utilising this service, if so, will it be piped? The question is raised given the flood events most recently in 2022 that had seen very high levels of flood water fill the swamp and back fill the existing drainage infrastructure in the existing properties and neighbouring vacant land to 21 Southlake Drive. The proposed number of lots, buildings and hard surfacing would be a concern on capacity for this existing service and the swamp itself.
- b) Existing DA conditions included the requirement of green space and buffer zones to the rear of properties 3-5 and 13-21. Our decision to purchase the property at the time was influenced by the DA conditions and this design plan at the time.
- c) Given the likely chance of families with school aged children considering the location, there does not appear to be consideration for services such as School buses or public transport stops in any design.
- d) Ongoing vacant land management – There has been very little to no ongoing management of the subject site that has now seen it develop into thick scrub, weeds and potentially a fire danger in the warmer months. Is there a plan or condition attached to the need of maintaining this space on an ongoing basis?

Thank you for your consideration.

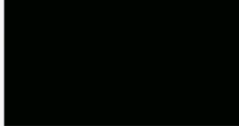
Angelo Cirillo



CL01 Attachment (c) Attachment C - DA 172/2022 - Submissions

2 August 2024

Tim and Jenny Ellis



Brett Stonestreet
General Manager
Griffith City Council

Dear Mr Stonestreet,

RE: Integrated DA no 172/2022(1) on lot 146 DP 1214737

Thank you for your letter regarding DA 172/2022(1). As residents of 12 South Lake Drive, Lake Wyangan, we have three main concerns about this submission:

1. Proposed Road Placement:

- The proposed road to the east of the sewerage pump station will enter South Lake Drive directly opposite our living areas at 12 South Lake Drive, affecting our privacy and causing considerable disruption from car lights shining into our home.
- We suggest rerouting this road to the western side of the pump station to reduce the impact of lights or, preferably, retaining the land as open space according to the stage 2 landscaping plan.

2. Landscaping and Open Spaces:

- Condition 17 of the original stage 2 subdivision required landscaping associated Open Spaces before the subdivision certificate was issued. This was not done. This area should be open space as per stage 2 plans, extending behind houses 13-21 South Lake Drive.
- There is a stormwater easement at the rear of these blocks, and we believe the open spaces from stage 2 should be retained. The lack of open spaces and parklands in the current proposal needs to be addressed.

3. Increase in Lots:


- The original development limited the number of lots to about 85, while the current plan proposes a grand total of over 130 lots. Condition 28 of the original DA emphasized sustainable development to prevent soil erosion, groundwater contamination, and to ensure a pleasant rural residential amenity. Condition 3 required 50% of the site to have woody vegetation.
- We are concerned about the impact of increased lots on nutrient-rich runoff into South Lake, which has previously contributed to blue-green algae, affecting lake usage and the lifestyle of the Griffith Community.
- The increase in lots and roads will also affect flood-prone areas, as evident from the 22/23 floods that encroached on many of the proposed and existing lots.

CL01 Attachment (c) Attachment C - DA 172/2022 - Submissions

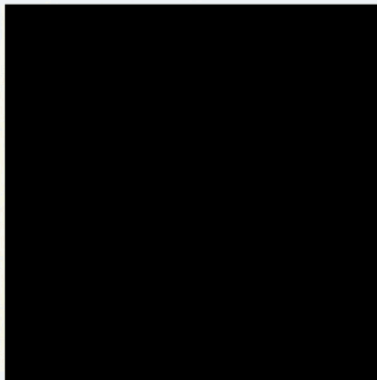
In summary, our concerns are the increase in the number of proposed lots, lack of open green spaces, positioning and increase of roads, potential increase in nutrient-rich runoff leading to more algae in the lakes, and increased flooding risk impacting many proposed and existing lots, particularly at 19 and 21 South Lake Drive.

While the proposed DA may meet rural residential guidelines, the environmental concerns raised by the council in the original DA remain valid. The recent flooding and increase of blue-green algae in the lakes underscore the importance of the original development restrictions. We ask that similar considerations be applied to the proposed DA.

Sincerely,



Tim and Jenny Ellis



CL01 Attachment (c) Attachment C - DA 172/2022 - Submissions



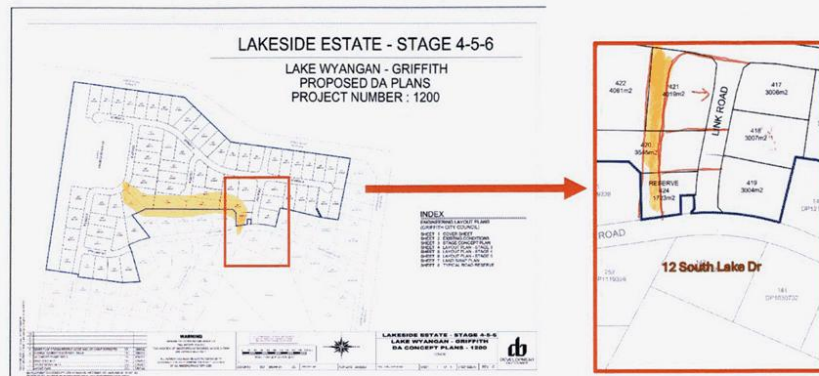
The proposed road would mean headlights would be directed straight towards the living areas of 12 South Lake Drive.



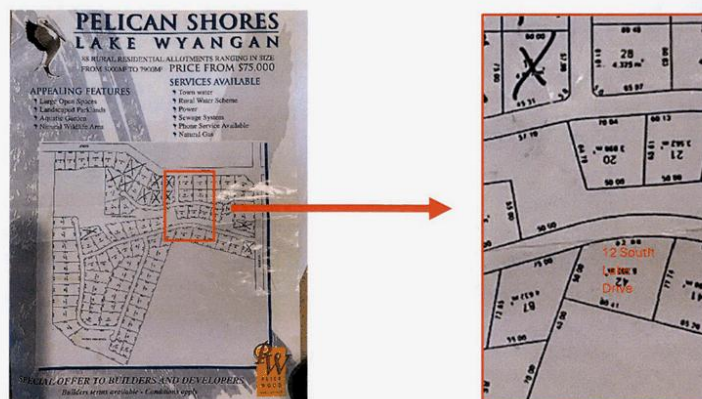
The current dirt road leading from Jones Rd to South Lake Drive (which matches the original plan) is on the Western (lake side) side of the Sewer Pump Station. There would be negligible disturbance to both 12 and 14 Southlake Drive.

CL01 Attachment (c) Attachment C - DA 172/2022 - Submissions

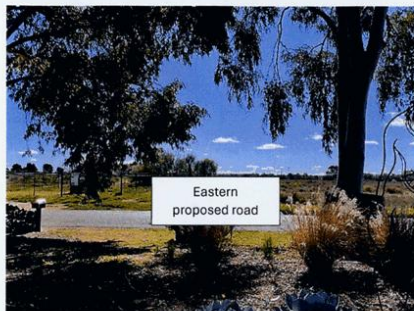
Proposed Road Opposite 12 South Lake Drive, Lake Wyangan



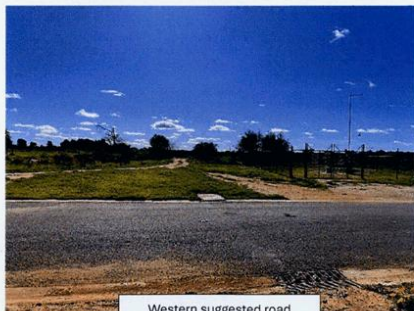
Original Design for Pelican Shores. 12 South Lake Drive was bought and developed in 2002 with the understanding that one day they would see the back fence of a house with green space in front. At no time was a road considered to be directed straight at their house.



CL01 Attachment (c) Attachment C - DA 172/2022 - Submissions



The proposed road would mean headlights would be directed straight towards the living areas of 12 South Lake Drive.



The current dirt road leading from Jones Rd to South Lake Drive (which is similar to the original plan) is on the Western (lake side) side of the Sewer Pump Station. There would be negligible disturbance to both 12 and 14 Southlake Drive.

CL01 Attachment (c) Attachment C - DA 172/2022 - Submissions

FORM
TRIM 14/14677

**(SD-FO-212) POLITICAL DONATIONS AND GIFTS
DISCLOSURE STATEMENT**

Office use only: Development Application No. 172, 2022(1)

Date Received: 2, 8, 2024

PIA DISCLAIMER – The personal information provided on this form is collected by Griffith City Council for the purposes of processing this application by Council employees and other authorized persons. This form will be stored within Council's record management system and may be available for public access and/or disclosure under various NSW Government legislation.

This form may be used to make a political donations and gifts disclosure under section 10.4 of the *Environmental Planning Assessment Act 1979* for applications or public submissions to a council.

Please read the following information before filling out the Disclosure Statement on pages 3 and 4 of this form. Also refer to the 'Glossary of terms' provided overleaf (for definitions of terms in *italics* below).

Once completed, please attach the completed declaration to your planning application or submission.

Explanatory information

Making a planning application to a council

Under section 10.4 of the Environmental Planning and Assessment Act 1979 ('the Act') a person who makes a *relevant planning application* to a council is required to disclose the following *reportable political donations* and *gifts* (if any) made by any *person with a financial interest* in the application within the period commencing 2 years before the application is made and ending when the application is determined:

- (a) all reportable political donations made to any local councillor of that council
- (b) all gifts made to any local councillor or employee of that council.

Making a public submission to a council

Under section 10.4 of the Act a person who makes a *relevant public submission* to a council in relation to a relevant planning application made to the council is required to disclose the following reportable political donations and gifts (if any) made by the person making the submission or any *associate of that person* within the period commencing 2 years before the submission is made and ending when the application is determined:

- (a) all reportable political donations made to any local councillor of that council
- (b) all gifts made to any local councillor or employee of that council.

A reference in sections 10.4 of the Act to a reportable political donation made to a 'local councillor' includes a reference to a donation made at the time the person was a candidate for election to the council.

How and when do you make a disclosure?

The disclosure of a reportable political donation or gift under section 10.4 of the Act is to be made:

- (a) in, or in a statement accompanying, the relevant planning application or submission if the donation or gift is made before the application or submission is made, or
- (b) if the donation or gift is made afterwards, in a statement of the person to whom the relevant planning application or submission was made within 7 days after the donation or gift is made.

What information needs to be in a disclosure?

The information requirements of the disclosure are outlined in the Act under section 10.4 for political donations and gifts.


Pages 3 and 4 of this document include a Disclosure Statement Template which outlines the relevant information requirements for disclosures to a council.

Note: A separate Disclosure Statement Template is available for disclosures to the Minister or the Director-General of the Department of Planning.

Warning: A person is guilty of an offence under section 9.37 of the *Environmental Planning and Assessment Act 1979* in connection with the obligations under section 10.4 only if the person fails to make a disclosure of a political donation or gift in accordance with section 10.4 that the person knows, or ought reasonably to know, was made and is required to be disclosed under section 10.4. The maximum penalty for any such offence is the maximum penalty under Part 6 of the *Election Funding and Disclosures Act 1981* for making a false declaration of disclosures lodged under that Part. Note: The maximum penalty is currently 200 penalty units (currently \$22,000) or imprisonment for 12 months, or both.

Approved: Coordinator Planning and Compliance	Group / System: Sustainable Development	Document ID: SD-FO-212	Version: 2
Relevant To:	Date issued: 31 Jan 2011	Revised: 12 Nov 2020	Status: Approved
			Page: 1 of 4

FORM



**(SD-FO-212) POLITICAL DONATIONS AND GIFTS
DISCLOSURE STATEMENT**

Glossary of terms (under section 10.4 of the *Environmental Planning and Assessment Act 1979*)

gift means a gift within the meaning of Part 6 of the *Election Funding and Disclosures Act 1981*. Note. A gift includes a gift of money or the provision of any other valuable thing or service for no consideration or inadequate consideration.

Note: Under section 84(1) of the *Election Funding and Disclosures Act 1981* gift is defined as follows:

gift means any disposition of property made by a person to another person, otherwise than by will, being a disposition made without consideration in money or money's worth or with inadequate consideration, and includes the provision of a service (other than volunteer labour) for no consideration or for inadequate consideration.

local councillor means a councillor (including the mayor) of the council of a local government area.

relevant planning application means:

- a formal request to the Minister, a council or the Director-General to initiate the making of an environmental planning instrument or development control plan in relation to development on a particular site, or
- a formal request to the Minister or the Director-General for development on a particular site to be made State significant development or declared a project to which Part 3A applies, or
- an application for approval of a concept plan or project under Part 3A (or for the modification of a concept plan or of the approval for a project), or
- an application for development consent under Part 4 (or for the modification of a development consent), or
- any other application or request under or for the purposes of this Act that is prescribed by the regulations as a relevant planning application,

but does not include:

- an application for (or for the modification of) a complying development certificate, or
- an application or request made by a public authority on its own behalf or made on behalf of a public authority, or
- any other application or request that is excluded from this definition by the regulations.

relevant period is the period commencing 2 years before the application or submission is made and ending when the application is determined.

relevant public submission means a written submission made by a person objecting to or supporting a relevant planning application or any development that would be authorised by the granting of the application.

reportable political donation means a reportable political donation within the meaning of Part 6 of the *Election Funding and Disclosures Act 1981* that is required to be disclosed under that Part. Note. Reportable political donations include those of or above \$1,000.

Note: Under section 86 of the *Election Funding and Disclosures Act 1981* reportable political donation is defined as follows:

86 Meaning of "reportable political donation"

- For the purposes of this Act, a reportable political donation is:
 - in the case of disclosures under this Part by a party, elected member, group or candidate—a political donation of or exceeding \$1,000 made to or for the benefit of the party, elected member, group or candidate, or
 - in the case of disclosures under this Part by a major political donor—a political donation of or exceeding \$1,000:
 - made by the major political donor to or for the benefit of a party, elected member, group or candidate, or
 - made to the major political donor.
- A political donation of less than an amount specified in subsection (1) made by an entity or other person is to be treated as a reportable political donation if that and other separate political donations made by that entity or other person to the same party, elected member, group, candidate or person within the same financial year (ending 30 June) would, if aggregated, constitute a reportable political donation under subsection (1).
- A political donation of less than an amount specified in subsection (1) made by an entity or other person to a party is to be treated as a reportable political donation if that and other separate political donations made by that entity or person to an associated party within the same financial year (ending 30 June) would, if aggregated, constitute a reportable political donation under subsection (1). This subsection does not apply in connection with disclosures of political donations by parties.
- For the purposes of subsection (3), parties are associated parties if endorsed candidates of both parties were included in the same group in the last periodic Council election or are to be included in the same group in the next periodic Council election.

a person has a financial interest in a relevant planning application if:

- the person is the applicant or the person on whose behalf the application is made, or
- the person is an owner of the site to which the application relates or has entered into an agreement to acquire the site or any part of it, or
- the person is associated with a person referred to in paragraph (a) or (b) and is likely to obtain a financial gain if development that would be authorised by the application is authorised or carried out (other than a gain merely as a shareholder in a company listed on a stock exchange), or
- the person has any other interest relating to the application, the site or the owner of the site that is prescribed by the regulations.

persons are associated with each other if:

- they carry on a business together in connection with the relevant planning application (in the case of the making of any such application) or they carry on a business together that may be affected by the granting of the application (in the case of a relevant planning submission), or
- they are related bodies corporate under the *Corporations Act 2001* of the Commonwealth, or
- one is a director of a corporation and the other is any such related corporation or a director of any such related corporation, or
- they have any other relationship prescribed by the regulations

Approved: Coordinator Planning and Compliance	Group / System: Sustainable Development	Document ID: SD-FO-212	Version: 2
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CL01 Attachment (c) Attachment C - DA 172/2022 - Submissions

FORM

**(SD-FO-212) POLITICAL DONATIONS AND GIFTS
DISCLOSURE STATEMENT**

If you are required under section 10.4 of the Environmental Planning and Assessment Act 1979 to disclose any political donations or gifts (see page 1 for details), please fill in this form and sign below.

Disclosure Statement Details					
Name of person making this disclosure statement <i>Tim & Jenny Ellis</i>			Planning application reference (e.g. DA number, planning application title or reference, property address or other description) <i>DA 172/2022(1)</i>		
Person's interest in the application (circle relevant option below)					
You are the APPLICANT YES / NO			OR You are a PERSON MAKING A SUBMISSION IN RELATION TO AN APPLICATION YES / NO		
Reportable political donations or gifts made by person making this declaration or by other relevant persons					
<p><small>* State below any reportable political donations or gifts you have made over the 'relevant period' (see glossary on page 2). If the donation or gift was made by an entity (and not by you as an individual) include Australian Business Number (ABN).</small></p> <p><small>* If you are the applicant of a planning application state below any reportable political donations or gifts that you know, or ought reasonably to know, were made by any persons with a financial interest in the planning application, OR</small></p> <p><small>* If you are a person making a submission in relation to an application, state below any reportable political donations or gifts that you know, or ought reasonably to know, were made by an associate.</small></p>					
Donation or gift?	Name of donor (or ABN if an entity); or name of person who made the gift	Donor's residential address or entity's registered address or other official office of the donor; address of person who the made the gift or entity's address	Name of party or person for whose benefit the donation was made; or person to whom the gift was made	Date donation or gift was made	Amount/ value of donation or gift
—	0				
—	0				
—	0				
<i>Please list all reportable political donations and gifts—additional space is provided overleaf if required.</i>					
By signing below, I/we hereby declare that all information contained within this statement is accurate at the time of signing.					
Signature(s) and Date [REDACTED]					
Name(s) <i>Timothy Ellis & Jenny Ellis</i>					

Approved: Coordinator Planning and Compliance	Group / System: Sustainable Development	Document ID: SD-FO-212	Version: 2
Relevant To:	Date Issued: 31 Jan 2011	Revised: 1 Mar 2018	Status: Approved
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CL01 Attachment (c) Attachment C - DA 172/2022 - Submissions

FORM

**(SD-FO-212) POLITICAL DONATIONS AND GIFTS
DISCLOSURE STATEMENT**

Donation or gift?	Name of donor (or ABN if an entity); or name of person who made the gift	Donor's residential address or entity's registered address or other official office of the donor; address of person who the made the gift or entity's address	Name of party or person for whose benefit the donation was made; or person to whom the gift was made	Date donation or gift was made	Amount/ value of donation or gift

Approved: Coordinator Planning and Compliance	Group / System: Sustainable Development	Document ID: SD-FO-212	Version: 2
Relevant To:	Date Issued: 31 Jan 2011	Revised: 1 Mar 2018	Status: Approved
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CL01 Attachment (d) Attachment D - DA 172/2022 - Response to Submissions

17 December 2023

Griffith City Council
1 Benerembah Street
Griffith NSW 2680

Attention: Joanne Tarbit, Development Assessment Planner

Via Planning Portal

Dear Joanne,

Re: Response to Submissions Received
Development Application No. 172/2022 – Residential Subdivision
Lot 146 DP1214737 South Lake Drive, Lake Wyangan

Habitat Planning continues to act on behalf of LWLE Pty Ltd in relation to Development Application No. 172/2022 for a proposed 67 lot staged residential subdivision at Lot 146, DP1214737 and addressed as South Lake Drive, Lake Wyangan.

The purpose of this letter is to respond to Council's previous requests for further information, as well as to provide a response to the issues raised during public notification.

Accompanying this response are amended plans and relevant technical sub-consultant reports.

Below is a summary of the key issues raised by Council and submitters and a response/s addressing each of these items.

1. Further Information Request Response

Table 1 | Further Information Response

Council Item	Response
1. Preliminary engineering design drawings for the subdivision including but is not limited to the preliminary design for potable water, stormwater and sewer.	Functional layout plans have been included for each stage showing applicable servicing. Service allocations have also been included. We note that Essential Energy has now adopted a standard 1.0m electrical offset for all of NSW
2. All properties draining into the proposed constructed wetland are to be part of the neighborhood association as they will all benefit and subsequently incur costs in relation to the maintenance such as cleaning of the sediment basin. An amended site plan indicating all lots draining to the basin is required. Where lots drain to the road reserve and/or inter-allotment drainage and this drainage then enters the wetland, these lots should also be included in the association	See separate response in relation to Community Title Subdivision.

T. 02 6021 0662 habitat@habitatplanning.com.au 409 Kiewa Street, Albury NSW 2640

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Town planning + Urban design

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<p>3. Preliminary design for the constructed wetland should include various zones in the main wetland such as the inlet pool, macrophyte zone and outlet pool and a high flow bypass. A preliminary design of the system including volumes of each basin, a cross section(s), location and depths of channels and suggested planting list is required.</p>	<p>Additional detail has been added for Little Swamp Constructed Wetlands.</p> <p>Plantings and vegetation comprise species outlined in Appendix A – Suggested Plant Species of Melbourne Water's Water Sensitive Urban Design Guideline.</p>
<p>4. Since the application was submitted, bushfire prone land mapping has changed and some of the site is now mapped as bushfire prone land buffer. Council requires consideration of the matter in terms of impact to the subdivision in the form of a Bushfire Assessment Report by a suitably qualified person.</p>	<p>See enclosed Bushfire Risk Assessment report.</p> <p>In summary, the development will require the establishment of a 10 metre wide Asset Protection Zone (APZ) along the northern and western boundaries of the site.</p>
<p>5. Water being directed from Stage 4 (inclusive of existing drainage from the site) to Campbell's Swamp will require pre-treatment to improve storm water quality prior to leaving the site.</p>	<p>It is clarified that water treatment measures have only been calculated in relation to the Stage 4, 5 and 6 catchment areas.</p> <p>Requests to also include existing drainage from the site as part of Stages 1, 2 and 3 are acknowledged, however we do not believe that water treatment methods for these stages should be addressed as part of the current application as they were addressed in previous approvals for the site.</p> <p>Stormwater run-off from Stage 4 of the proposed subdivision will be pre-treated prior to entering Campbell's Swamp.</p> <p>Specifically, this will be treated via a Spel Hydrosystem solution. This will ensure that water quality is maintained prior to entering this waterway.</p>
<p>6. Detailed plans for the treatment of stormwater from each catchment will be required prior to the Civil Works Construction Approval for each relevant stage, but type of treatment and basic details are required as preliminary plans for assessment (e.g. location of pipes, swales, basins, tanks). Note this could include MUSIC or other water sensitive urban design modelling.</p>	<p>Included with this further information response letter are detailed engineering plans identifying proposed stormwater treatment systems.</p> <p>Specifically, this includes water sensitive urban design techniques including the use of a hydrosel system in Stage 4, as well as the construction of a wetland drainage basin as part of Stages 5-7.</p> <p>The estimated wetland areas have been calculated for treatment of each complete catchment area.</p>

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CL01 Attachment (d) Attachment D - DA 172/2022 - Response to Submissions

	This will ensure that water leaving the site into nearby receiving bodies has been treated.
<p>7. <i>The BMT Flood Impact Assessment Report for lot 146 South Lake Drive submitted on 28 June 2024, is based from the 2013 Lake Wyangan Flood Study. Confirmation is required as to the assumed lake water level, for both the pre and post development calculations for the modelled storm events as this is not stated in the report. The model has only been updated to compare predevelopment works and post development works. Although the conclusion of the report details that the development will have negligible impact on flood water behaviour, and the proposed floor levels are to be 500mm above the 1%AEP. This is based on the 2012 / 2013 flood study lakes initial water levels detailed below.</i></p>	<p>Matters regarding flooding are acknowledged and agreed.</p> <p>In order to achieve the relevant flood level, the enclosed set of plans do not include an earthworks level as this will be determined and applied once the latest flood study has been completed.</p> <p>Given the timeframe to complete this Study, it is requested that a minimum earthworks/ finished floor level be required as a condition either prior to the issue of a Construction Certificate, or as a Deferred Commencement condition.</p>
<p>8. <i>With regards to the proposed staging of the subdivision whereby stages which drain to 'Little Swamp' are proposed to be released prior to the constructed wetland being developed, detailed plans for sedimentation and erosion control measures will be required prior to the Civil Works Construction Approval for each relevant stage. A robust system is to be implemented due to the potential for future stages to be delayed.</i></p>	<p>It is confirmed that the proposed wetland will be constructed as part of the initial stage of the subdivision.</p> <p>Appropriate sediment and erosion control measures will be implemented accordingly as part of each subsequent stage.</p>
<p>9. <i>The proposed constructed wetland and surrounding land is not to be dedicated to Council. Community title subdivision appears to be the best way to manage the area with the greatest number of lots to be included to reduce costs per lot. If only the Stage 7 lots are to be included in the community title, details of how drainage from the stage 5 and 6 lots are going to work? We are aware that other existing lots will also drain into 'Little Swamp' via existing inter-allotment drainage and/or the road network, noting that it is not possible to include these lots in the proposed community title.</i></p>	<p>See separate response in relation to Community Title Subdivision.</p>

Response to Submissions Received Lot 146 DP1214737 South Lake Drive, Lake Wyangan

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2. Response to Submissions Received

Table 2 | Response to Submissions Received

Issue Raised	Response
<p>Public Open Space</p> <p><i>Previous subdivision plans identified significant green space/public open space running along the rear of the lots fronting South Lake Drive.</i></p> <p><i>This public open space was to achieve a number of outcomes:</i></p> <ol style="list-style-type: none"> 1. Address ongoing issues regarding soil salinity; 2. Provide a vegetated break and ensure privacy between individual allotments 3. Enhance the liveability and value of blocks 	<p>Matters regarding public open space have been considered and have informed the current subdivision design.</p> <p>Specifically, the development incorporates a very large public open space area of 5.8 hectares in the north western corner of the site, which is consistent with the requirements of Condition C(2) of the previous Development Consent issued for the site (Ref No. 286/2016(1)).</p> <p>This reserve achieves a number of outcomes, including stormwater drainage, flood storage, passive open space, as well as the protection of areas of both biodiversity and cultural heritage significance.</p> <p>As per Council's request, this reserve will form part of the Neighbourhood Association of the Community Title subdivision but will be required to be made publicly accessible to all other residents living within this estate.</p> <p>The applicant had previously requested that this reserve be transferred to Council consistent with similar drainage infrastructure associated with other urban subdivisions.</p> <p>Should Council change its mind, then this reserve could be made publicly available following the completion of relevant maintenance periods. Furthermore, the applicant is willing to embellish this open space area with playground equipment or the like, should the land be publicly owned.</p> <p>Lastly, matters regarding the need for a vegetated/landscaped buffer between existing and proposed future residents are acknowledged, but are considered not necessary in this instance due to the size of the proposed lots (3,000m²), as well as the fact that each allotment is to provide a 10 metre wide landscaped buffer around the perimeter of its site.</p> <p>Consequently, this will result in a 20 metre wide vegetated buffer between residents, which will effectively screen and soften the development.</p>
<p>Stormwater Drainage easement</p> <p><i>The proposed subdivision will disrupt existing drainage arrangements for Lots 244-247 fronting South Lake Road</i></p>	<p>The proposed subdivision has incorporated all relevant stormwater drainage requirements. Specifically, each of the proposed new allotments will be connected to a new internal drainage network that will discharge to the existing point of discharge or to the new stormwater detention basin.</p> <p>Existing stormwater drainage arrangements will be maintained and will remain unaffected by the new works subject to the completion of detailed engineering civil drawings.</p>

CL01 Attachment (d) Attachment D - DA 172/2022 - Response to Submissions

<p>Flood impacts</p> <p><i>All of Stage 7 and parts of Stages 5 & 6 have experienced flooding in recent years of up to 1.5 metres. In order to remove these lots from the flood area, this will require landfilling that may impact on existing residents.</i></p>	<p>A Flood Impact Assessment has recently been prepared for the subject land, which addressed both historical and recent flood data.</p> <p>Specifically, a number of flood models were prepared, which have demonstrated that the proposed stormwater drainage basin will achieve pre-development flows at the 1 in 100 year flood event. Consequently, these models have demonstrated that the filling of the proposed lots will not create additional flooding impacts.</p> <p>Council have advised that they are currently in the process of preparing an updated flood study based on recent flood event data. The timeframe for the completion of this study is still to be confirmed.</p> <p>Notwithstanding, the landowner/applicant has agreed to construct the proposed subdivision above the relevant 1 in 100 year flood level. Similarly, all future dwellings to be established on these lots will be constructed 500mm above the 1 in 100 year flood level.</p>
<p>Walking paths</p> <p><i>Support the proposed walking and cycling paths, but however request that a new bike/walking path be provided that connects to eastern end of Court 2 to the southern end of Road 2.</i></p>	<p>Requests to provide an additional walking/bike track connecting Court 2 to Road 2 are noted.</p> <p>Following a redesign, the revised subdivision now includes a loop road that that will connect Court 1 to Road 3 which will provide pedestrian connectivity in a north-south direction, which addressed the matters raised in this submission.</p> <p>Requests to include shared cycle pathways are acknowledged and have been provided in the stormwater drainage basin.</p>
<p>Ownership of Drainage Basin</p> <p><i>The drainage/sediment basin should be transferred/ceded to Council and made into a park.</i></p>	<p>Agreed, the applicants' preference is to transfer the drainage basin to Council following the completion of necessary maintenance periods.</p> <p>This will ensure that this basin is publicly available and appropriately maintained, rather than being maintained by a Neighbourhood Association.</p> <p>It is understood that this approach is common for R1 General Residential Zoned land, but is not commonplace for R5 Large Lot Residential zoned land.</p> <p>Given the size of the reserve, the minimal ongoing maintenance costs and the fact that it will serve a large number of residents, it is recommended that Council reconsider its position to take ownership of this reserve.</p>
<p>Impacts of Road Access</p> <p><i>The road to the east of the sewerage pump station will enter South Lake Drive directly opposite our living area [12 South Lake Drive] which will cause considerable disruption.</i></p>	<p>Opportunities to relocate proposed Road 3 are unfortunately limited due to the characteristics of the site and the need to provide a direct north-south connection to the proposed new stages of the subdivision.</p> <p>Nonetheless, as a means of reducing potential amenity impacts, the applicant is willing to undertake roadside landscaping works, which will screen headlight glare from cars utilising this intersection.</p>

Response to Submissions Received Lot 146 DP1214737 South Lake Drive, Lake Wyangan

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<p><i>Recommend rerouting this road to the western side of the pump station.</i></p>	
<p>Development Density</p> <p><i>Concern is raised regarding the increase in the number of lots as it will create additional groundwater contamination and soil erosion. An increase in lots will also affect existing flooding conditions.</i></p>	<p>Concerns regarding an increase in the number of lots, whilst acknowledged are considered appropriate in this instance as they achieve the minimum lot size requirement (3,000m²) of the <i>Griffith Local Environmental Plan 2010</i>.</p> <p>Furthermore, each of the lots will be required to establish a 10m wide vegetated buffer zone around the perimeter of their lot is in place to address the issues of soil erosion, salinity and groundwater issues.</p> <p>Matters regarding flooding have been addressed above.</p>
<p>Ingress and Egress</p> <p><i>The original plan included ingress and egress from Jones Road, which has been removed in the proposed plan, leaving only one internal access road within the estate, which will cause both amenity/traffic impacts for existing residents within this estate, as well as causing potential concern during a bushfire event.</i></p>	<p>It is acknowledged that previous versions of the subdivision plan both included and then didn't include a direct ingress and egress point with the adjoining Jones Road to the north. It is noted that this road connector was previously removed at the request of Council.</p> <p>Nonetheless, it is confirmed that the latest attached plan reinstates this road connection point.</p> <p>Consequently, this will reduce traffic impacts on the existing internal road network and will help distribute traffic volumes out to Jones Road and Boorga Road. Furthermore, it has also been provided in accordance with the requirements of a Bushfire Risk Assessment prepared for the site.</p>
<p>Collector Roads</p> <p><i>The plans do not appear to cater for school buses or public transport stops. Consideration should be given to providing this within the estate.</i></p>	<p>The provision of collector roads, which can support both public transport (buses) and large articulated vehicles (emergency service vehicles and garbage collection vehicles) is supported.</p> <p>In response, the South lake Road loop within Stage 1, 2, 3 and 6 support ridged buses (14.5m). This loop road will ensure that the majority of proposed allotments (52 out of the 67 new lots proposed) will be within 400m walking distance of the bus stops.</p>
<p>Ongoing vacant land management</p> <p><i>There has been very little to no ongoing management vacant land, which is causing a fire hazard. Is there a plan to maintain this space on an ongoing basis?</i></p>	<p>Matters regarding vacant land management will largely be resolved once the subdivision has been completed and the lots sold.</p> <p>In the interim, the property owner will continue to maintain the land, however this has been restricted due to requests by the NSW Department of Climate Change, Energy, Environment and Water seeking to limit works on site due to the presence of items of Aboriginal Cultural Heritage Significance.</p> <p>Ongoing management of the proposed drainage reserve is currently identified as being the responsibility of those within the proposed Community Title subdivision.</p>

Response to Submissions Received Lot 146 DP1214737 South Lake Drive, Lake Wyangan

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CL01 Attachment (d) Attachment D - DA 172/2022 - Response to Submissions

	<p>As outlined in response to other submissions received, the applicant has requested that Council take ownership of this reserve, subject to the completion of maintenance periods.</p> <p>See below further details regarding Community Title Subdivision.</p>
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3. Community Title Subdivision

It is noted that Council have requested that all lots draining into the proposed constructed wetland are to form part of a community title subdivision, which will manage the ongoing maintenance of this facility. A request had previously been made to dedicate this drainage reserve to Council, however Council have previously advised that it does not want to accept ownership of this reserve.

Notwithstanding, Council is requested to provide further consideration to this request based on the following:

- Of all the lots to be drained to this new drainage basin, it is noted that a number of these have already been approved and developed as part of the initial stages of the subdivision. As these properties already exist, there is no opportunity to now include them within a Community Title subdivision.

Consequently, full compliance with this request cannot be achieved, which undermines the intent of the request.

- Concern is raised regarding user rights and access to the reserve. For example, under a Community Title Scheme, affected owners would be responsible for contributing (financially) to the ongoing maintenance and upkeep of this facility.

Notwithstanding, as Council have requested that this reserve be made available for public open space purposes, the implications are that persons not subject to the Community Title will be able to have access to this reserve without contributing towards its upkeep.

A similar example of this situation currently exists within Albury, which has created ongoing conflicts between residents living within and outside of the Community Title Scheme. This has resulted in Council having to become involved and a portion of this estate being fenced off to prevent access by users outside of the scheme. This approach is not preferred by the landowner.

- It is understood that Council is reluctant to take on ownership of the proposed drainage basin as the land is zoned R5 Large Lot Residential. This is compared to R1 General Residential zone land, where it is commonplace for stormwater drainage to be dedicated to Council.

Whilst the zoning of the land is for large lot purposes, given the number of lots that this infrastructure will serve and its relative close proximity to the main urban area of Griffith, this request is considered to be consistent with other infrastructure dedicated to Council.


- Following a review of Council's Engineering Design Guidelines, no requirement could be found restricting the dedication of drainage reserves to Council based on their zone.
- Compliance/completion of required land management activities for the community title lot are also likely to be better achieved under Council ownership and can be included in an annual maintenance program as compared to private owners. Furthermore, the reserve contains items of Aboriginal Cultural Heritage Significance, which are considered to be more appropriately located on public land.

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Response to Submissions Received Lot 146 DP1214737 South Lake Drive, Lake Wyangan

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CL01 Attachment (d) Attachment D - DA 172/2022 - Response to Submissions



- In support of this request, the owner is willing to enter into an extended maintenance period to ensure that the level of ongoing maintenance imposed on Council is minimised. This maintenance period can accommodate any reasonable Council requests, but could include an extension of time to capture the likely construction window for any future dwellings.

Given the nature of the proposed drainage reserve design, the level of ongoing maintenance following post civil and housing construction works is expected to be minimal.

We trust that this information will enable Council to progress to a determination of this matter. Should you have any queries please contact the undersigned directly on 6021 0662 or matt@habitatplanning.com.au.



Matt Johnson
Associate

Response to Submissions Received Lot 146 DP1214737 South Lake Drive, Lake Wyangan

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Development Assessment Report

PART A: GENERAL ADMINISTRATION

DA No:	172/2022(1)
Property Information:	LOT 223 DP 1298684, (Residue of previous stage 2 development of LOT 146 DP 1214737) South Lake Drive LAKE WYANGAN
Proposed Development:	Lodged as: 67 Lot Staged Large Lot Residential Subdivision & Associated Works Reduced to: Single Stage, 21 Large Lot Residential Development and associated works (including 1 residue lot)
Type of Development:	Integrated
Lodgement Date:	12 September 2022
Statutory Timeframe:	40 Days
Value of Development:	\$7,725,709.00
Applicant's Details:	Habitat Planning Pty Ltd 409 Kiewa Street ALBURY NSW 2640
Land Owner's Details:	The Trustee for Lake Wyangan Land Estate Trust T/A LWLE Pty Ltd 21 Bennu Circuit THURGOONA NSW 2640
Report Author/s:	Mrs J V Tarbit Development Assessment Planner

CL01 Attachment (e) Attachment E - DA 172-2022 - Development Assessment Report



172/2022(1)

PART B: EXECUTIVE SUMMARY

- The application has been referred to the Ordinary Meeting of Council on the basis of six (6) submissions received.
- The proposed development is for a four stage, 67 large lot subdivision including Stages 4-7.
- Stage 4 drains to the Campbell's Wetland catchment and Stages 5-7 drain to the Lake Wyangan (South) catchment via Little Swamp.
- Stages 5-7 are located within the Lake Wyangan flood zone.
- Council staff do not support development of land within the Lake Wyangan flood zone until such time as the flood study has been completed and adopted. This is expected to occur within the next twelve months.
- It is recommended that the application be partially approved (Stage 4 only) based on the details contained in report.

PART C: PROPOSAL

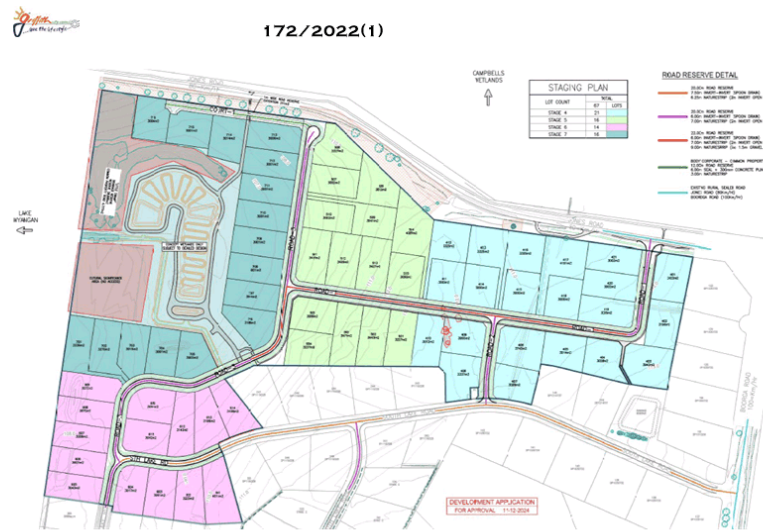
The proposal originally sought approval to subdivide the northern portion of the subject site into sixty-seven (67) residential lots and carry out associated civil construction works including the creation of internal roads and infrastructure. The development will also include a biodiverse drainage reserve and protected indigenous land located towards the north western boundary.

The remaining southern half of the 'Pelican Shores' site is currently undergoing civil works associated with the previously approved subdivision, and this part of the site is consequently not subject to this application.

The works were proposed to be constructed in four (4) stages, representing Stages 4, 5, 6 and 7 of the overall 'Lakeside Estate' development, with the development to integrate South Lake Road and the approved internal road layout associated with former stages.

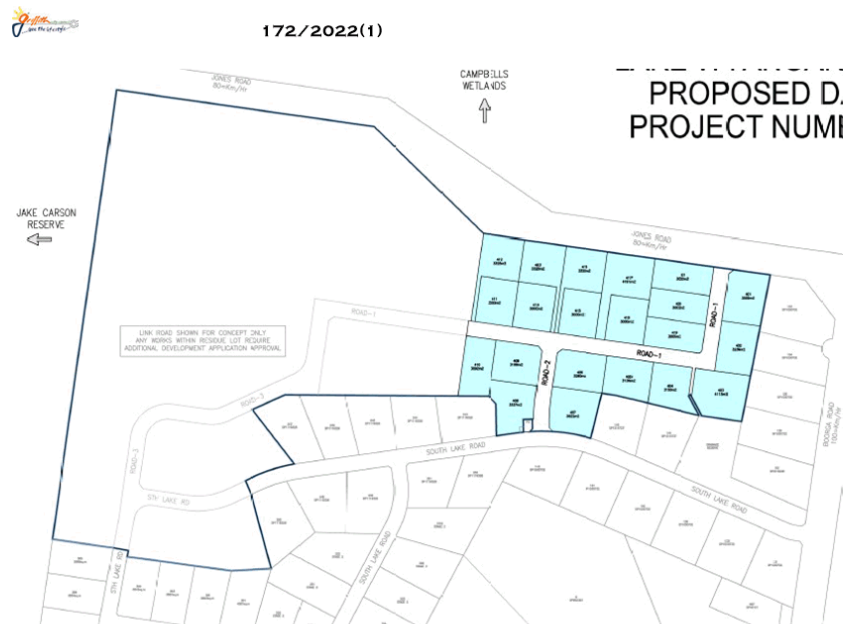
The most recent proposed plan of the Stage 4-7 subdivision submitted to Council on 13 December 2024 is provided below:

CL01 Attachment (e) Attachment E - DA 172-2022 - Development Assessment Report



The proposed development however has been reduced in size with new plans submitted on 12 March 2025 to relect a Stage 4 development only. This reduction in the area of land to be assessed under this application was requested by Council Staff as it was identified that Stages 5-7 could not be approved until such time as the Lake Wyangan Flood Study was complete. As this is likley to occur twelve months from now if was decided that a partial approval would allow the applicant to commence this stage, and other stages to be assessed once the flood information becomes available.

As such the following stage 4 plan has been submitted for assessment. This plan being consistant with the Stage 4-7 plan originally submitted with this application.



PART D: SITE DESCRIPTION AND LOCALITY

An inspection of the site and the locality was undertaken on multiple dates between 2022 and 2025, inclusive of the flood peak 22 November 2022. On this date, flood water was visible within the rear of existing of 247 DP 119328 and over Jones Road between the lakes.

The site is bounded by Jones Road to the north and South Lake Drive to the south and is approximately 1.3k north of the village of Lake Wyangan. The land proposed to be developed has an area of approximately 40 hectares of irregular shape and has a depth of approximately 880 metres and length of 590 metres and currently is vacant with a natural Wetland 'Little Swamp' and vegetated perimeter located in the north western corner. However the area of the land proposed to be developed in this 'Stage 4' application has an area of approximately 7.9 hectares is vacant. The site can be accessed via South Lake Drive with several informal tracks throughout the site connecting to Jones Road.

The eastern section of the site drains to Campbells Wetland to the north via a culvert under Jones Road. Campbell's Wetland is a significant environmental wetland of international importance, being part of the JAMBA, CAMBA and RoKAMBA Agreements for migratory shorebirds. The remainder of the site drains to Little Swamp which then overflows to Lake Wyangan (South).

The site is gently undulating and contains a variety of pasture grasses and weeds as the site had historically been cleared for agricultural grazing and associated dairy.

The locality comprises large lot residential adjoining Campbells Wetland and Lake Wyangan (south) and is adjoining by similar large lot residential development. To the north, Campbell's Wetland is a significant environmental protection area. To the west is Lake Wyangan, (south) is a major water storage and catchment area. Over recent years the water of the lake has suffered



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Aerial image Stage 4 lands to be developed as part of this subdivision, indicating location where drainage water will leave the site and enter Campbells Wetland. The red dashed line represents the western boundary of the extent of works, and is located on a low rise which separates the land into Lake Wyanagn and Campbells Wetland Catchments. Water (blue) and Sewer (yellow) infrastructure are also shown on the plan.

PART E: BACKGROUND INFORMATION AND HISTORY OF THE SITE

Development Assessment Panel

The matter was considered at the Development Assessment Panel meeting on 13 September 2022 and the following matters were raised during the preliminary assessment of the application which are potential issues or where further information from the applicant is required:

- ASIC Extract for owners details & additional DA fees (integrated dev)
- Frost Fan buffer - condition for noise
- biodiversity assessment - clearing of native vegetation includes native grasses
- preliminary engineering designs for stormwater & sewer reticulation
- Filling of land
- Integrated development destroying Aboriginal Artefact
- Additional Information
- Other Issues ASIC extract for owners details
- preliminary engineering designs for stormwater & sewer reticulation
- (Hold add info until Joe Rizzo returns)

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Development History of Site

The development history of the subject site has been established following research of Council's electronic data management system and research of Council's physical archives. Based on the information available the following can be established:

S50/1999	DP 1016209 - Two lot subdivision
S38/1999	DP 1030732 - 10 lots plus water storage dam lot and residual lot DP 1119382 - 10 lots plus residue lot
DA126/2016	DP 1214737 – (Stage 1) 2 lot subdivision plus pump station lot and residue lot.
DA 286/2016(4)	DP 1298684 – (Stage 2) 21 lot subdivision plus residue lot Under construction – (Stage 3) 21 lot subdivision plus residue lot

PART F: STATUTORY REFERRALS

The following statutory referrals were considered as part of the assessment of the application:

AGENCY	LEGISLATION	APPLIES
DPI	Fisheries Management Act 1994 Mines Subsidence Compensation Act 1961 Mining Act 1992	No
EE&S	Petroleum (Onshore) Act 1991 National Parks, & Wildlife Act 1974 Protection of the Environment Operations Act 1997 Water Management Act 2000	No
NSW Heritage	Heritage Act 1977	Yes
Transport for NSW	Roads Act 1993 SEPP Infrastructure – Division 17 Roads and Traffic	No
RFS	Rural Fires Act 1997	No
Transport NSW	SEPP Infrastructure – Division 15 Railways	No

As part of the assessment of the application the development applications were referred to the following agencies:

- Essential Energy
- Heritage NSW

Submissions received in response to the abovementioned referrals are addressed in Part G: Matters for Consideration, s4.15(1)(d) – any Submissions Made in Accordance with the Act or Regulation.

Matters raised by each agency have been considered and incorporated into the conditions of consent.

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PART G: SECTION 4.15 EVALUATION

In determining a development application, a consent authority is to take into consideration Section 4.15 of the Environmental Planning and Assessment Act 1979. The following matters are of relevance to the development the subject of the development application.

SECTION 4.15(1)(a)(i) any environmental planning instrument.

Griffith Local Environmental Plan 2014

(a) Permissibility

The subject land is zoned R5 Large Lot Residential and under clause 2.6 of Griffith Local Environmental Plan 2014 *subdivision* is development that can only be permitted with the consent of Council. On this basis the proposed development is considered permissible.

(b) Aims and Objectives

The proposed development has been considered with regard to the aims of Griffith Local Environmental Plan 2014 as set down in Part 1, clause 1.2(2) which states:

- (a) *to prevent unnecessary urban sprawl by promoting business, industrial, rural and residential uses within and adjacent to existing precincts related to those uses,*
- (b) *to minimise land use conflict in general by creating areas of transition between different and potentially conflicting land uses,*
- (c) *to provide a variety of development options to meet the needs of the community with regard to housing, employment and services,*
- (d) *to manage and protect areas of environmental significance,*
- (e) *to recognise the historical development of the area and to preserve heritage items associated with it.*

The objectives for the R5 Large Lot Residential zone set down in the Land Use Table are as follows:

- To provide residential housing in a rural setting while preserving, and minimising impacts on, environmentally sensitive locations and scenic quality.
- To ensure that large residential lots do not hinder the proper and orderly development of urban areas in the future.
- To ensure that development in the area does not unreasonably increase the demand for public services or public facilities.
- To minimise conflict between land uses within this zone and land uses within adjoining zones.

It is considered that the proposed development satisfies the aims of Griffith Local Environmental Plan 2014 and the objectives of the zone.

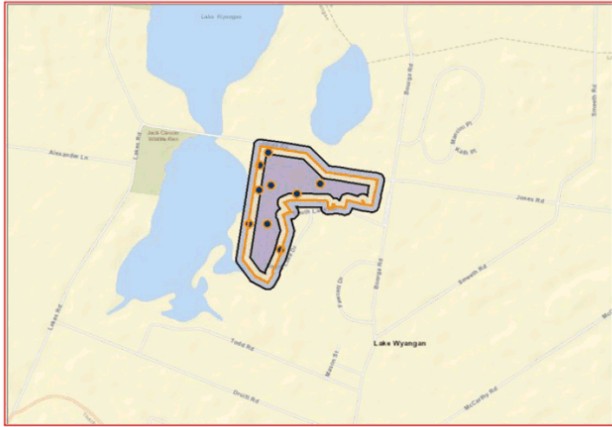
(b) Principal Development Standards & other LEP Provisions

Clause	Assessment Comment
2.6 Subdivision	Satisfactory - The land is to be subdivided with development consent.
4.1 Minimum Lot Size	Satisfactory - The minimum lot size is 5 hectares, except where reticulated sewerage can be provided (Area C) in which case the minimum lot size is 3000m ² . All lots are greater with lots in Stage 4 ranging from 3000m ² to 4191m ²

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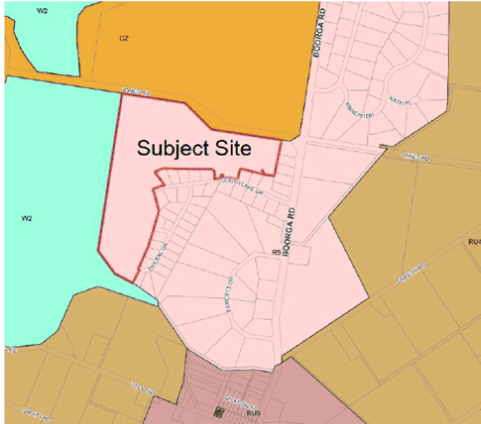
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Clause	Assessment Comment				
5.10 Heritage Conservation	<p>Clause 5.10 of Griffith Local Environmental Plan 2014 sets down objectives in respect to the conservation of environmental heritage within the Griffith local government area. Specifically, this clause applies to the protection of heritage items and heritage conservation areas; development affecting places or sites of known or potential Aboriginal heritage significance; development affecting known or potential archaeological sites of relics of non-Aboriginal heritage significance; development in the vicinity of a heritage item; provision of conservation incentives; and development in heritage conservation areas.</p> <p>While the subject site is not listed in Schedule 5 of Griffith LEP 2014 as containing a heritage item, the archaeological report and the NSW AHIMS database indicate a concentration of cultural heritage artefacts on the site, particularly closer to Lake Wyangan and Little Swamp.</p> <p><u>AHIMS Web Service search for the following area at Lot : 223, DP:DP1298684, Section :- with a Buffer of 50 meters, conducted by Joanne Tarbit on 04 March 2025.</u></p> <p>The context area of your search is shown in the map below. Please note that the map does not accurately display the exact boundaries of the search as defined in the paragraph above. The map is to be used for general reference purposes only.</p>  <p>A search of Heritage NSW AHIMS Web Services (Aboriginal Heritage Information Management System) has shown that:</p> <table border="1"> <tr> <td>9</td> <td>Aboriginal sites are recorded in or near the above location.</td> </tr> <tr> <td>0</td> <td>Aboriginal places have been declared in or near the above location. *</td> </tr> </table> <p>An Integrated referral was made under Section 90 of the National Parks and Wildlife Act 1974, with General Terms of Approval received on 9 August 2024. Given the plan was amended on 12 March 2025 to include Stage 4 only, an amended Heritage Report was requested and General Terms of Approval were again sought and received on 22 May 2025. These were provided as a condition set which has been inserted as conditions into the Notice of Determination.</p>	9	Aboriginal sites are recorded in or near the above location.	0	Aboriginal places have been declared in or near the above location. *
9	Aboriginal sites are recorded in or near the above location.				
0	Aboriginal places have been declared in or near the above location. *				

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Clause	Assessment Comment
5.16 Subdivision / dwellings on certain rural, residential & environmental protection land	<p>The objective of this clause is to minimise potential land use conflict between existing and proposed development on land in the rural, residential or conservation zones concerned (particularly between residential land uses and other rural land uses).</p> <p><i>(4) The following matters are to be taken into account —</i> <i>(a) the existing uses and approved uses of land in the vicinity of the development,</i></p> <p>The subject site has been incrementally subdivided for the purpose of rural residential with zoning of the land to 1(c) Rural Residential for this purpose in 2002 with a masterplan for the site and first twenty lots being approved by the Notice of Determination for S38/1999. Whilst this masterplan has been changed with each subsequent stage of the development, it has confirmed the intended use of the land.</p>  <p>Land use zoning provides a further clue to land use in the locality with land to the south, east and north east zoned R5 Large Lot Residential, land to the North and West zoned for Recreational waterways and environmental conservation and other lands in the locality zoned for primary production small lots and village use. It is considered unlikely that conflict will arise.</p> <p><i>(b) whether or not the development is likely to have a significant impact on land uses that, in the opinion of the consent authority, are likely to be preferred and the predominant land uses in the vicinity of the development,</i></p> <p>The proposed development is unlikely to impact on the predominant land uses in the vicinity of the development,</p> <p><i>(c) whether or not the development is likely to be incompatible with a use referred to in paragraph (a) or (b),</i></p> <p>The proposed development is unlikely to be incompatible with the predominant land uses in the vicinity of the development,</p>

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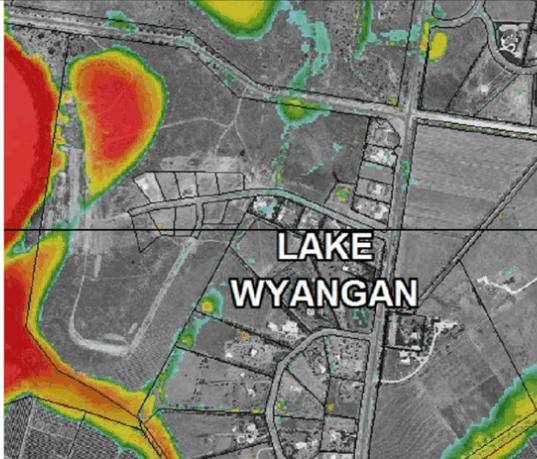


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Clause	Assessment Comment
	<p>(d) <i>any measures proposed by the applicant to avoid or minimise any incompatibility referred to in paragraph (c).</i></p> <p>No measures are required.</p>
5.21 Flood Planning	<p>The objectives of Griffith Local Environmental Plan 2014 in respect to flood planning are as follows:</p> <p>(a) <i>to minimise the flood risk to life and property associated with the use of land,</i></p> <p>(b) <i>to allow development on land that is compatible with the land's flood hazard, taking into account projected changes as a result of climate change,</i></p> <p>(c) <i>to avoid significant adverse impacts on flood behaviour and the environment.</i></p> <p>Clause 7.2(3) states that development consent must not be granted to development on land to which this clause applies unless the consent authority is satisfied that the development:</p> <p>(a) <i>is compatible with the flood hazard of the land, and</i></p> <p>(b) <i>will not significantly adversely affect flood behaviour resulting in detrimental increases in the potential flood affectation of other development or properties, and</i></p> <p>(c) <i>incorporates appropriate measures to manage risk to life from flood, and</i></p> <p>(d) <i>will not significantly adversely affect the environment or cause avoidable erosion, siltation, destruction of riparian vegetation or a reduction in the stability of river banks or watercourses, and</i></p> <p>(e) <i>is not likely to result in unsustainable social and economic costs to the community as a consequence of flooding.</i></p> <p>Council's Development Engineers have provided an extensive response to each matter of this clause in their assessment report dated 3 March 2025 CM 25/35072. A summary of this information is provided below.</p> <p>The Aerial Laser Survey (ALS) of Griffith and its surrounding area was carried out as part of the Griffith Lake Wyangan Floodplain Risk Management Study and Plan, completed in 2012. Flood level information for the site has been derived from this study. According to the flood mapping, the site is considered flood-prone for the 1% Annual Exceedance Probability (AEP), as shown in the Figure below.</p>

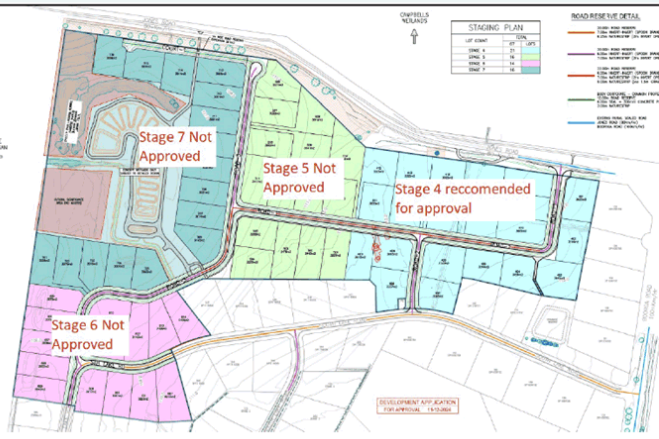


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Clause	Assessment Comment
	<div data-bbox="592 465 1131 922" data-label="Figure">  </div> <p data-bbox="512 925 1187 947"><i>Lake Wyangan floodplain risk management study peak flood depths for 1% Aep</i></p> <p data-bbox="512 992 1217 1167">Since the 2012 flood study by BMT, a major flood event in 2022 affected a larger area than previously modelled. This suggests that the current flood mapping and modelling may not accurately reflect the extent or severity of flooding at the site. The 2022 event caused widespread inundation beyond predicted levels, making it necessary to reassess the flood risk for the proposed development. Council is updating the flood study to incorporate the recent event and ensure development decisions are based on accurate, current information. Until the study is complete and reviewed, the full extent of flood impacts remains uncertain.</p> <p data-bbox="512 1189 1217 1344">Approving the subdivision in flood-prone areas now would be premature, as it could increase flood risk for future occupants. If the site were raised to achieve flood immunity, floodwater may be displaced, potentially worsening flooding on neighbouring properties or elsewhere in the floodplain. Without a thorough assessment of these impacts and a new flood study considering the 2022 event, there is no certainty that flood storage capacity will be maintained or that displaced water won't create additional risks downstream.</p> <p data-bbox="512 1366 1217 1520">Therefore, Council's Engineers will not approve the subdivision in flood-affected areas until the updated study is finalised and confirms that development can proceed safely without exacerbating flood risks. As such, Stages 5, 6, and 7 of the subdivision will not be recommended for approval, while Stage 4 is assessed, as it is not flood-affected for the 1% AEP and its stormwater will be directed to Campbell Wetlands, which won't impact flooding in south Lake Wyangan. See figure 2 below.</p>

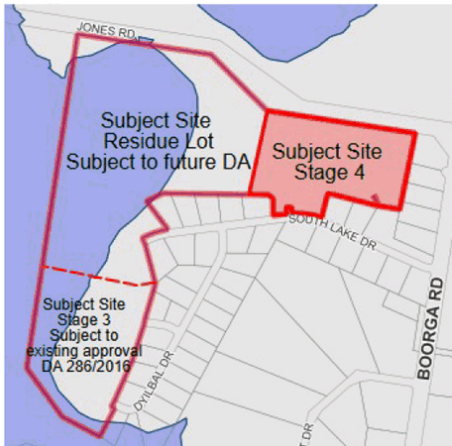


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Clause	Assessment Comment
	<div></div> <p><i>Plan of stages recommended to be approved and not approved.</i></p> <p>Council is updating the flood study following the recent flood event to ensure development decisions are based on the most current and accurate flood risk data. Until the updated study is completed and reviewed, the full extent of flood impacts on the site remains uncertain. Approving the subdivision on flood-affected land now would be premature, as it could increase flood risk for future residents. Additionally, filling the site to achieve flood immunity could displace floodwater, potentially worsening flooding on neighbouring properties or elsewhere in the floodplain. Without a thorough assessment of these impacts and the 2022 flood events, there's no guarantee that flood storage capacity will be maintained or that displaced water won't cause further risks downstream. As a result, Council's Engineers will not recommend approval of the subdivision until the updated study is finalised, adopted, and confirms the development can proceed safely without increasing flood risks.</p> <p>The proposed stormwater system incorporates a swale drainage network on both sides of Road 1 and 2, which will serve as the primary method of stormwater conveyance. These swales are designed to collect and direct surface runoff toward inlet pits, which then channel the stormwater into a piped network. A stormwater line is proposed along the western boundary of Lot 417 which connects to an existing stormwater system on Jones Road. The stormwater is then conveyed through an existing earthen swale and pipe culverts across Jones Road before being discharged into Campbell Swamp.</p> <p>Stage 4 of the proposed development will result in the creation of 21 residential allotments and as a result, an increased stormwater runoff volume as well as higher peak discharge rates will be discharged from the subject site. This in turn increases potential export of pollutants from the site. In order to ameliorate the impacts associated with increased stormwater runoff and the increase of pollutants from the development the applicant has proposed to implement a Spel Hydrosystem and a Gross Pollutant Trap (GPT) into the stormwater treatment process to clean the stormwater runoff from the proposed subdivision. Additionally, the use of open swale drains on both sides of the road will result in the reduction of</p>



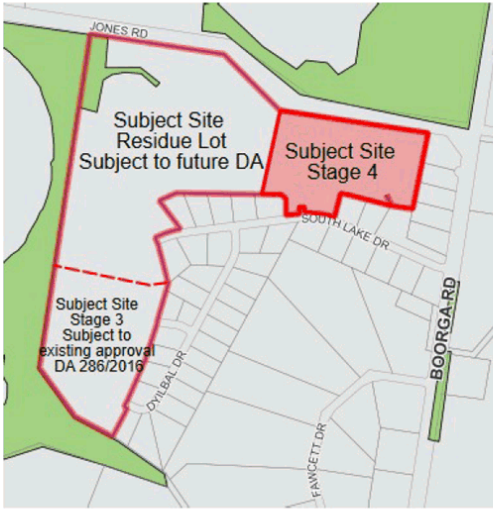
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Clause	Assessment Comment
	<p>pollutants introduced by the additional hardstand areas such as roads, by removing impurities prior to the water being discharged to the drainage systems external to the site.</p> <p>A Stormwater Management Plan (SMP) will be required alongside the detailed design drawings to ensure the stormwater infrastructure aligns with best-practice Water Sensitive Urban Design (WSUD) principles. The SMP should assess the effectiveness of the proposed systems, including the swale, inlet pits, underground pipes, Spel Hydrosystem, and Gross Pollutant Trap, in managing water quality and quantity. As the site is within an urban Water Sensitive Zone, the plan must show how the treatment measures will reduce pollutant loads, control peak flow rates, and protect Campbell Swamp. It should also address long-term maintenance to ensure ongoing effectiveness and compliance with Council's stormwater management goals.</p>  <p>Land indicated in blue is subject to flooding as demonstrated under the existing Lake Wyangan Flood Study.</p>
7.1 Earthworks	<p>The objective of this clause is to ensure that earthworks for which development consent is required will not have a detrimental impact on environmental functions and processes, neighbouring uses, cultural or heritage items or features of the surrounding land.</p> <p>The proposed development will require a Subdivision Works Certificate prior to the commencement of any earthworks, therefore the matters for consideration listed above will be addressed based on the information provided prior to the issue of a Subdivision Works Certificate.</p>
7.3 Terrestrial Biodiversity	<p>The subject site has been identified on the Terrestrial Biodiversity Map and in order to meet the objectives of Clause 7.3 the following matters have been taken into consideration:</p> <p>(a) <i>whether the development is likely to have:</i></p>

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Clause	Assessment Comment
	<p>(i) any adverse impact on the condition, ecological value and significance of the fauna and flora on the land, and</p> <p>(ii) any adverse impact on the importance of the vegetation on the land to the habitat and survival of native fauna, and</p> <p>(iii) any potential to fragment, disturb or diminish the biodiversity structure, function and composition of the land, and</p> <p>(iv) any adverse impact on the habitat elements providing connectivity on the land, and</p> <p>(b) any appropriate measures proposed to avoid, minimise or mitigate the impacts of the development.</p> <p>Furthermore Clause 7.3(4) states that development consent must not be granted to development on land to which this clause applies unless the consent authority is satisfied that:</p> <p>(a) the development is designed, sited and will be managed to avoid any significant adverse environmental impact, or</p> <p>(b) if that impact cannot be reasonably avoided by adopting feasible alternatives—the development is designed, sited and will be managed to minimise that impact, or</p> <p>(c) if that impact cannot be minimised—the development will be managed to mitigate that impact.</p> <p>The following map is an extract from Griffith LEP 2014 overlayed on an aerial photograph mapping the terrestrial biodiversity over the land.</p>  <p>Stage 4 of the development will not impact on the main areas of native vegetation</p>

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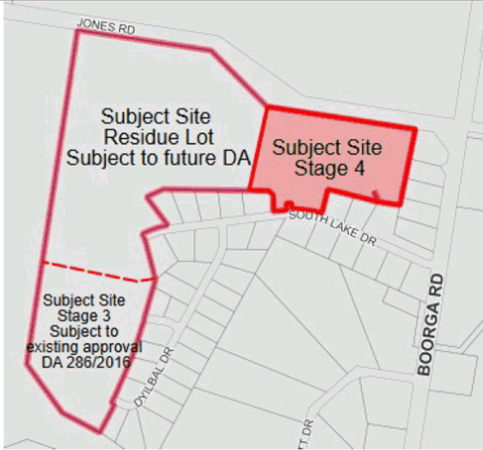


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Clause	Assessment Comment
	<p>at the north western corner of the site. Some scattered native vegetation, mainly derived from Weeping Myall Community, located near the raw water storage dam in the east of the site will be removed. The applicant has submitted a Biodiversity Development Assessment Report for the development, and credits have been calculated. Credits relating to the removal of native vegetation for the construction of the stage 4 development will need to be retired prior to the issue of the subdivision certificate.</p> <p>Council is satisfied that the proposed development is consistent with the provisions of section 7.3 and that the application may be supported subject to conditions in respect to tree perseverance and the removal of biosecurity weeds.</p>
7.4 Groundwater vulnerability	<p>The subject site has not been mapped as being groundwater vulnerable and therefore Clause 7.4(3) technically does not apply, however for the sake of thoroughness Council should take into consideration the potential impact on ground water given its proximity to Lake Wyangan and Campbell Swamp. Clause 7.4(3) states:</p> <ul style="list-style-type: none"> (a) <i>the likelihood of groundwater contamination from the development (including from any on-site storage or disposal of solid or liquid waste and chemicals),</i> (b) <i>any adverse impacts the development may have on groundwater dependent ecosystems,</i> (c) <i>the cumulative impact the development may have on groundwater (including impacts on nearby groundwater extraction for a potable water supply or stock water supply),</i> (d) <i>any appropriate measures proposed to avoid, minimise or mitigate the impacts of the development.</i> <p>Clause 7.4(4) goes on to state that development consent must not be granted to development on land to which this clause applies unless the consent authority is satisfied that:</p> <ul style="list-style-type: none"> (a) <i>the development is designed, sited and will be managed to avoid any significant adverse environmental impact, or</i> (b) <i>if that impact cannot be reasonably avoided—the development is designed, sited and will be managed to minimise that impact, or</i> (c) <i>if that impact cannot be minimised—the development will be managed to mitigate that impact.</i> <p>The site is not specifically mapped as groundwater vulnerability, however the development of the site is likely to influence the groundwater in the locality though due to the proximity of the wetland complex including direct influenced by water levels within Lake Wyangan. Measures are considered elsewhere in this assessment to ensure that the development is unlikely to impact on groundwater quality.</p>

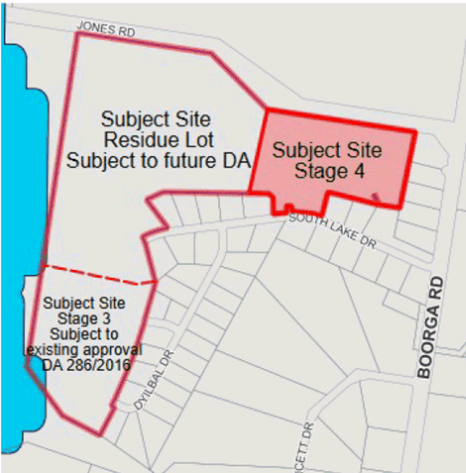


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Clause	Assessment Comment
	
7.5 Riparian Lands and water courses	<p>The objective of Clause 7.5 is to protect and maintain the water quality within watercourses; the stability of the bed and banks of watercourses; aquatic and riparian habitats; and ecological processes within watercourses and riparian areas. The subject site has been identified as being on riparian lands or is on land that is within 40 metres of the top of the bank of a watercourse</p> <p>Clause 7.5(4) states Development consent must not be granted to development on land to which this clause applies unless the consent authority is satisfied that:</p> <ul style="list-style-type: none"> (a) <i>the development is designed, sited and will be managed to avoid any significant adverse environmental impact, or</i> (b) <i>if that impact cannot be reasonably avoided—the development is designed, sited and will be managed to minimise that impact, or</i> (c) <i>if that impact cannot be minimised—the development will be managed to mitigate that impact.</i> <p>In deciding whether to grant development consent for development on land to which this clause applies, the consent authority must consider</p> <ul style="list-style-type: none"> (a) <i>whether or not the development is likely to have any adverse impact on the following:</i> <ul style="list-style-type: none"> (i) <i>the water quality and flows within the watercourse,</i> (ii) <i>aquatic and riparian species, habitats and ecosystems of the watercourse,</i> (iii) <i>the stability of the bed and banks of the watercourse,</i> (iv) <i>the free passage of fish and other aquatic organisms within or along the watercourse,</i> (v) <i>any future rehabilitation of the watercourse and riparian areas, and</i> (b) <i>whether or not the development is likely to increase water extraction from the watercourse, and</i>



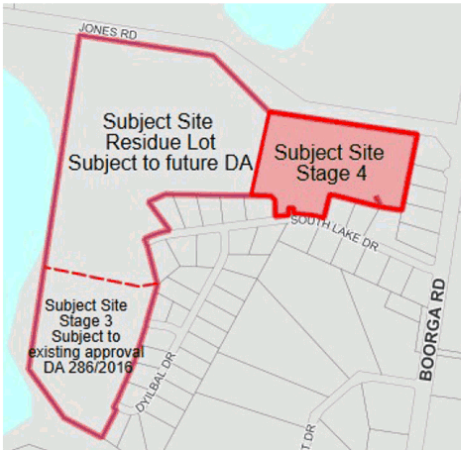
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Clause	Assessment Comment
	<p>(c) any appropriate measures proposed to avoid, minimise or mitigate the impacts of the development.</p>  <p>The proposed development has potential to impact on the quality and quantity of water leaving the site given the increase in hardstand areas and change of site levels and ground surface cover.</p> <p>The Stage 4 development site drains to Campbells Wetland to the north rather than Lake Wyangan in the east and therefore drainage water will not have a direct impact on water quality within the mapped 'Riparian Land and Watercourses' area.</p> <p>Whilst not mapped, Campbell's Wetland is an important wetland of international significance. It also drains to Lake Wyangan (north) after prolonged wet seasons.</p> <p>To ensure the development does not create any adverse changes to water quality within Campbells Wetland council engineers have inserted a condition on the development to ensure that adequate stormwater detention systems are in place to capture runoff of water from the site and suitable filtration system where stormwater leaves the subject site.</p> <p>The proposed development will also collect and dispose of all stormwater to the lake with water sensitive urban design principles utilised to treat water prior to discharge. The applicant will need to demonstrate that the proposed measures will work given the site conditions, in particular the hot dry summer conditions which may not be conducive to retaining the filtering qualities of grassed drainage swales.</p> <p>In addition all allotments will require some landscaping with native woody vegetation within the buffer of the building envelope. This will provide an additional native vegetation in to locality.</p>

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Clause	Assessment Comment
7.6 Wetlands	<p>The subject site has been identified as draining to a mapped wetland (Campbell's Wetland) and as such needs to be preserved and protected from the impacts of development.</p>  <p>Prior to granting consent Council must be satisfied that</p> <ul style="list-style-type: none"> (a) <i>the development is designed, sited and will be managed to avoid any significant adverse environmental impact, or</i> (b) <i>if that impact cannot be reasonably avoided—the development is designed, sited and will be managed to minimise that impact, or</i> (c) <i>if that impact cannot be minimised—the development will be managed to mitigate that impact.</i> <p>In order to be satisfied Council must consider the following:</p> <ul style="list-style-type: none"> (a) <i>whether or not the development is likely to have any significant adverse impact on the following:</i> <ul style="list-style-type: none"> (i) <i>the condition and significance of the existing native fauna and flora on the land,</i> (ii) <i>the provision and quality of habitats on the land for indigenous and migratory species,</i> (iii) <i>the surface and groundwater characteristics of the land, including water quality, natural water flows and salinity, and</i> (b) <i>any appropriate measures proposed to avoid, minimise or mitigate the impacts of the development.</i> <p>The applicant has submitted a Biodiversity Development Assessment Report (BDAR) report with the application to address the removal and offsetting of remnant vegetation. The BDAR was written for the whole of the site, (including the what is now the residue). The following summary is provided in the report:</p>

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Clause	Assessment Comment
	<p><i>The proposal would clear up to 5.48 ha of native vegetation on Lot 146/-/DP1214737. The proposal triggers entry into the NSW Biodiversity Offsets Scheme (BOS) as it exceeds the vegetation clearance threshold of 0.50 ha; consequently, the proponent is required to prepare a Biodiversity Development Assessment Report (BDAR) and to offset impacts to biodiversity.</i></p> <p><i>This report documents the assessment, which has been completed in accordance with the Biodiversity Assessment Method 2020 (BAM 2020) and details the proponent's biodiversity offset requirement (number of ecosystem and species credits).</i></p> <p><i>The native vegetation present in the disturbance footprint consists of three Plant Community Types (PCTs):</i></p> <ul style="list-style-type: none"> <i>PCT 16 – Black Box grassy open woodland wetland of rarely flooded depressions in south western NSW (mainly Riverina Bioregion and Murray Darling Depression Bioregion).</i> <i>PCT 26 – Weeping Myall open woodland of the Riverina Bioregion and NSW South Western Slopes Bioregion.</i> <i>PCT 181 – Common Reed - Bushy Groundsel aquatic tall reedland grassland wetland of inland river systems.</i> <p><i>In accordance with the BAM, PCTs were further stratified into vegetation zones based on observed condition. This process resulted in six vegetation zones being recognised:</i> <i>16_Moderate, 16_Low, 16_Derived, 26_Remnant, 26_Derived, and 181_Moderate.</i></p> <p><i>PCT 26 is associated with the following Threatened Ecological Communities (TECs):</i></p> <ul style="list-style-type: none"> <i>NSW Biodiversity Conservation Act 2016 (BC Act)-listed Endangered Ecological Community (EEC): Myall Woodland in the Darling Riverine Plains, Bragalow Belt South, Cobar Penneplain, Murray-Darling Depression, Riverina and NSW South Western Slopes bioregions.</i> <i>Commonwealth Environment Protection and Biodiversity Conservation Act 199 (EPBC Act)-listed EEC: Weeping Myall Woodlands.</i> <p><i>Zone 26_Remnant was found to meet the thresholds to be considered an example of the BC Act-listed EEC but not the EPBC Act-listed equivalent. Zone 26_Derived did not meet the thresholds for either listing. In total, 0.09 ha of the BC Act-listed EEC will be impacted by this proposal.</i></p> <p><i>PCT 181 is associated with the following TEC: BC Act-listed Critically Endangered Ecological Community (CEEC): Artesian Springs Ecological Community in the Great Artesian Basin.</i></p> <p><i>PCT 181 does not meet the conditions to be considered an example of this CEEC as the site is not within the Great Artesian Basin and no artesian spring activity was noted.</i></p> <p><i>PCT 16 is not associated with any TEC.</i></p> <p><i>Impacts to native vegetation will generate an obligation to retire a total of 90</i></p>

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	<p>ecosystem credits.</p> <p><i>In total, 17 species credit species were generated by the BAM Calculator (BAM-C). The habitat suitability of the subject land for these species was assessed. According to the BAM, if suitable habitat for these species occurs on the subject land, they must be the subject of targeted survey according to recommended guidelines, or else assumed present. After consideration of geographical and habitat constraints, five species could be discounted due to the absence of features necessary for breeding and 12 species credit species were retained in the assessment. Surveys were conducted for all 12 of these species, following relevant and approved BAM survey methodologies. These species were not detected on site. Consequently, the proposal will not generate a requirement to offset any species credits.</i></p> <p><i>The proponent intends to satisfy their offset obligations by buying and retiring the necessary credits from the open market or, if appropriate credits are not available, by paying directly into the Biodiversity Conservation Fund.</i></p> <p><i>The significance of the proposed impact to EPBC Act-listed threatened, migratory, wetland and marine species, populations and communities predicted to occur within a 10 km search area was assessed. No significant impact to any threatened entity likely to result in the extinction of a local population was identified. The residual ecological impacts of the proposal would be adequately mitigated and offset using the management actions recommended and the offset requirements detailed within this BDAR. Therefore, a referral of the proposal to the Australian Government Department of Climate Change, Energy, the Environment and Water (DCCEEW) for these matters is not required.</i></p> <p><i>This assessment covers the current form of the proposal. Any change to the scope of work may require re-assessment.'</i></p> <p>Stage 4 Development Only – Retirement of Credits: As the development has been reduced in scope to Stage 4 only, it has been identified that only 'PCT 26 – Weeping Myall open woodland of the Riverina Bioregion and NSW South Western Slopes Bioregion' will be impacted during the development of this stage. The two other identified vegetation communities requiring offsetting being located within the residue lot (previously known as Stage 5-7). As such a condition has been applied to the consent requiring only retirement of the credits relating to this vegetation community.</p> <p>Campbells Wetland: Stormwater drainage water will be directed to Campbells Wetland via a pipe under Jones Road.</p> <p>Over 60 species of wetland birds have been recorded at Campbell's Wetland including Freckled Duck, Blue-billed Duck, Australian Spotted Crake, Australian Spotless Crake, Ballions Crake, Magpie Goose, Black Swan, Black-fronted Dotterel and red-kneed Dotterel. These species rely on the shallow waters for wading, feeding and habitat. A change in turbidity and nutrient levels could potentially alter algae, macroinvertebrates and vegetation in these zones making them unsuitable (or toxic) for use by these species.</p> <p>Vegetation surrounding Campbell's Wetland is considered to be of medium to high</p>

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	<p>habitat value, providing shrubland dominated by Yarran and Miljee wattles, native grass and saltbush on the slopes, grading into reed beds of Cumbungi and Phragmites for the breeding, shelter and feeding of waterbirds, fish and other wildlife. These reed beds provide bank stability and filter overland water flows entering the wetland. Native trees and shrubs which have been planted by direct seeding at the site to provide improved diversity and habitat value.</p> <p>Given the above, it is essential that it can be shown by the developer that adequate treatment of storm water can be achieved prior to the water leaving the estate Stage 4 development site. This is because storm water may contain increased nutrient loads picked up from runoff.</p> <p>The applicant has proposed to use an existing drainage point exiting from the north of Stage 4, under Jones Road and into Campbell's Wetland. Stormwater is to be collected in vegetated drainage swales within the Stage 4 development site and directed to a pre-treatment system, before exiting the site. The applicant will be required to ensure quality of stormwater entering the lake meets Australian Standards, with information to be submitted prior to the issue of the subdivision works certificate.</p> <p>A condition has been placed on the notice of determination to require the pre-treatment of stormwater leaving the site.</p>
7.7 Salinity	<p>The subject site has been identified and mapped as being affected by groundwater salinity and in determining the development application Council must take into consideration the following:</p> <ul style="list-style-type: none"> (a) <i>whether the development is likely to have any adverse impact on salinity processes on the land,</i> (b) <i>whether salinity is likely to have an impact on the development,</i> (c) <i>any appropriate measures proposed to avoid, minimise or mitigate the impacts of the development.</i> <p>In order for development consent to be granted Council must be satisfied that:</p> <ul style="list-style-type: none"> (a) <i>the development is designed, sited and will be managed to avoid any significant adverse environmental impact, or</i> (b) <i>if that impact cannot be reasonably avoided—the development is designed, sited and will be managed to minimise that impact, or</i> (c) <i>if that impact cannot be minimised—the development will be managed to mitigate that impact.</i> <p>Historical information of Council's groundwater monitoring bores nearby on Jones Road and Boorga Road suggest groundwater in some low-lying areas in the locality of less than 2m. These groundwater levels are controlled by regional groundwater gradients to Lake Wyangan. A shallow water table could potentially mobilise soil salts and contribute to the corrosion of infrastructure.</p> <p>Watertable depths of less than 2m can provide instability and corrosion of infrastructure and buildings. Conditions have been imposed to prevent the digging to greater than 2m or building within these areas.</p>

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	<p>Measures to control salinity at the site can be conditioned and include:</p> <ul style="list-style-type: none"> • Revegetation of the site with deep rooted woody plants including trees and shrubs. • Community awareness including an information package for residents. • Ensuring water drains away from infrastructure and does not pond at the site in drainage swales. • Encouraging residents to establish gardens with low water requirements. <p>Based on the above Council can be reasonably satisfied that the development accords with the aims and objectives set out in clauses 7.3 to 7.7 and the key environmental issues may be mitigated through appropriate conditions of consent.</p>
7.8 Air Space Operations	The Obstacle Limitation Surface will not be penetrated by the proposed development.
7.9 Aircraft Noise	<p>The objectives of this clause are to prevent certain noise sensitive developments from being located near the Griffith Airport and its flight paths, and to assist in minimising the impact of aircraft noise from that airport and its flight paths by requiring appropriate noise attenuation measures in noise sensitive buildings.</p> <p>The proposed development is not located on land near the Griffith Airport and is not on land in an ANEF contour of 20 or greater.</p>
7.10 Essential Services	<p>Clause 7.10 states that development consent must not be granted to development unless the consent authority is satisfied that any of the following services that are essential for the development are available or that adequate arrangements have been made to make them available when required:</p> <ul style="list-style-type: none"> (a) the supply of water, (b) the supply of electricity, (c) the disposal and management of sewage, (d) stormwater drainage or on-site conservation, (e) suitable vehicular access. <p>Assessment: the land is supplied with Council reticulated electricity, water and stormwater connection to the street network is satisfactory. A driveway is existing.</p> <p>(a) the supply of water,</p> <p>A Council-owned 100mm oPVC potable water main runs along the southern side of South Lake Drive, covering the full frontage of Stage 4 of the proposed development. Currently, the site isn't connected to the Council's potable water system.</p> <p>Preliminary design drawings submitted by Development Outcomes on 13 December 2024 outline plans to extend the Council's potable water main to service the new lots in Stage 4. This extension will provide water service to each new allotment.</p> <p>The developer must prove that the new lots won't reduce the pressure and flow rate of the existing water system. They need to submit hydraulic calculations for</p>

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	<p>average, maximum, and instantaneous demand, prepared by a qualified engineer, for Council approval before getting a Subdivision Works Certificate for Stage 4. If the current system can't support the development, upgrades will be required at the developer's expense.</p> <p>Additionally, a potable water main will be extended from proposed Road 2 to the end of the battle-axe handle of proposed Lots 412, 413, 416, and 417, ensuring fire coverage. This extension will include a hydrant, backflow prevention device, and bypass meter. The developer will cover all associated costs, and this section of the main will be privately owned.</p> <p>Detailed design drawings must be approved by Council before issuing a Subdivision Works Certificate for Stage 4. All new mains and components must meet Council's standards and the Water Supply Code of Australia. Council is confident that these conditions will ensure a suitable water supply for the development.</p> <p><i>(b) the supply of electricity,</i></p> <p>The applicant is to make their own arrangements with the service provider for an adequate connection to electricity for the proposed development. All costs are to be borne by the applicant. Documentary evidence from Essential Energy is to be submitted to Council prior to the issue of a Subdivision Certificate for Stage 4 for Stage 4, confirming that satisfactory arrangements have been made for the provision of an adequate domestic electricity supply.</p> <p><i>(c) the disposal and management of sewage,</i></p> <p>The applicant hasn't detailed how sewage will be managed. The Statement of Environmental Effects mentions that reticulated sewer, water, and drainage are available from South Lake Road and can be extended to the new lots. Council expects a low-pressure system, similar to previous stages, will be used.</p> <p>For Stages 2 and 3, Pressure Systems Solutions Pty Ltd designed a pressure sewer system, which was deemed suitable for those stages. However, the pump capacity and emergency storage will need review for future stages. Detailed design drawings and hydraulic calculations for the LW2 sewer pump station must be submitted to Council for approval before a Subdivision Works Certificate for Stage 4 is issued. If the current system can't handle the additional load, it must be upgraded at the applicant's expense.</p> <p>The applicant must submit detailed sewer design plans for extending the low-pressure sewerage system to Stage 4. These plans must meet Council's standards and be approved before a Subdivision Works Certificate is issued. All design and construction costs are the applicant's responsibility.</p> <p>The applicant must also pay for all 'On-Property Works' for the Pressure Sewerage System, including the installation of the pumping unit. All sewerage infrastructure must comply with Council's guidelines and be approved before a Subdivision Certificate for Stage 4 is issued.</p>

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	<p>(d) <i>stormwater drainage or on-site conservation,</i></p> <p>he Griffith Lake Wyangan Floodplain Risk Management Study from 2012 shows the site is flood-prone for the 1% AEP event. A significant flood in 2022 affected a larger area than the 2012 study predicted, suggesting the need for updated flood risk assessment.</p> <p>Council is updating the flood study to ensure accurate flood risk information. Approving the subdivision now could increase flood risk for future occupants. Filling the site to achieve flood immunity might displace water, worsening flooding elsewhere. Council won't recommend approval for Stages 5, 6, and 7 until the updated study confirms the development can be safely accommodated.</p> <p>Stage 4 isn't flood-affected for the 1% AEP event, and stormwater will be directed to Campbell Wetlands, not impacting South Lake Wyangan. Preliminary engineering drawings propose a swale drainage network on both sides of Roads 1 and 2 to manage stormwater. A stormwater line along Lot 417's western boundary will connect to an existing system on Jones Road, discharging into Campbell Swamp.</p> <p>Stage 4 will create 21 residential lots, increasing stormwater runoff and pollutant export. To mitigate this, the applicant proposes a Spel Hydrosystem and Gross Pollutant Trap (GPT) for stormwater treatment. Open swale drains will reduce pollutants from roads before discharge.</p> <p>A Stormwater Management Plan (SMP) must be submitted with detailed design drawings to ensure alignment with Water Sensitive Urban Design (WSUD) principles. The SMP should assess the effectiveness of the swale system, inlet pits, underground pipes, Spel Hydrosystem, and GPT in managing water quality and quantity. It must also consider long-term maintenance.</p> <p>Conditions will ensure onsite stormwater detention for events up to the 1% AEP event, maintaining pre- and post-development flows. Detailed design drawings and hydraulic calculations must be approved by Council before issuing a Subdivision Works Certificate for Stage 4. The stormwater system must meet Council's standards.</p> <p>Stormwater disposal arrangements must be made before issuing a Subdivision Certificate for Stage 4. Runoff shouldn't flow onto adjoining properties unless easements are created. Interallotment drainage systems won't be granted to Council and will be the responsibility of the properties served.</p> <p>Onsite detention, floodways, and flow paths must be protected by a Section 88E covenant in favour of Griffith City Council, ensuring they remain operational for the development's lifetime. Council believes these conditions will prevent adverse flood impacts on other properties.</p> <p>(e) <i>suitable vehicular access.</i></p>

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	<p>designed and constructed to the specifications outlined below:</p> <ul style="list-style-type: none"> a. 20m wide road reserve, b. 6m wide carriageway, c. 7m wide verge on both sides of Road 1, <p>Kerb and gutter is not proposed within the subdivision. The applicant has proposed concrete dish drains along both sides of the road that will tail out to open swale drains on Jones Road.</p> <p>The intersections at Road 1 and Road 2, and Road 1 and South Lake Drive, will be designed and constructed as T-intersections according to Austroads Guide to Road Design and TfNSW supplements. They need to be sealed and wide enough for the largest vehicles accessing the lots, with street lighting and linemarking.</p> <p>The intersection of Jones Road and proposed Road 2 will be a Basic Turn Right (BAR) design, also following Austroads and TfNSW guidelines. It must accommodate large vehicles and ensure safe pedestrian and cyclist crossings.</p> <p>Street lighting is required for all internal roads and intersections, including Jones Road and Road 2, as per Australian Standard 1158 and Essential Energy requirements. Lighting plans must be prepared by a qualified designer.</p> <p>The land for the public road will be gazetted as a road reserve under the NSW Roads Act 1993. The subdivision plan must state the intention to dedicate this land as a public road.</p> <p>A separate application must be made to Council for naming the public road. Griffith City Council will seek approval from the Geographical Names Board of NSW. Street nameplates must meet Council's standards and be installed before issuing a Subdivision Certificate for Stage 4.</p>

State Environmental Planning Policies

The following is a list of State Environmental Planning Policies that apply to the Griffith City Council area. The table also identifies the applicability of the policy with respect to the subject development proposal. Where a policy has been identified as being applicable, further assessment is provided

SEPP TITLE	APPLIES
Exempt and Complying Codes 2008	No
Biodiversity and Conservation 2021	Yes
Housing 2021	No
Industry and Employment 2021	No
Planning Systems 2021	No
Primary Production	No
Resilience and Hazards 2021	Yes
Resources and Energy 2021	No
Transport and Infrastructure 2021	No
Building Sustainability 2022 (i.e. BASIX)	No

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State Environmental Planning Policy (Resilience and Hazards) 2021
Chapter 4 Remediation of land

The provisions of Chapter 4.1 State Environmental Planning Policy (Resilience and Hazards) 2021 state that a consent authority must not consent to the carrying out of any development on land unless it has considered whether the land is contaminated.

Clause 4.6 states that before determining an application for consent to carry out development that would involve a change of use on any of the land specified in subclause (4), the consent authority must consider a preliminary investigation of the land concerned carried out in accordance with the contaminated land planning guidelines.

With regard to sub-clause 4, it identifies triggers for a preliminary investigation, including:

- (a) land that is within an investigation area,
- (b) land on which development for a purpose referred to in Table 1 to the contaminated land planning guidelines is being, or is known to have been, carried out,
- (c) to the extent to which it is proposed to carry out development on it for residential, educational, recreational or child care purposes, or for the purposes of a hospital—land—
 - (i) in relation to which there is no knowledge (or incomplete knowledge) as to whether development for a purpose referred to in Table 1 to the contaminated land planning guidelines has been carried out, and
 - (ii) on which it would have been lawful to carry out such development during any period in respect of which there is no knowledge (or incomplete knowledge).

The subject site is not within an investigation area as set out in Clause 4.6, however it is land that is listed in Table 1 as being an activity that may have caused contamination.

The main objective of a preliminary investigation is to identify any past or present potentially contaminating activities and provide a preliminary assessment of any site contamination and, if required, provide the basis of a detailed investigation. The preliminary investigation contains a detailed appraisal of the site's history and a report based on a visual site inspection and assessment.

Of the activities listed in Table 1, agriculture is an activity that would potentially contaminate sites.

Sub-clause 4(c) identifies land uses which are considered sensitive to contamination, these being residential, educational, recreational, or child care purposes or for the purpose of a hospital.

The applicant of DA 286/2016 the most recent previous stages of the Pelican Shore subdivision, commissioned the authors of the Land Capability Study for the subject land in 1999 to undertake a review of that report as part of this development application. This review concluded:

'The contamination assessment completed targeted pesticides which given the previous land-use as agriculture is acceptable. The number of sampling points does not meet the minimum required for the area of land being investigated (per AS 4428.1). However given that all samples analysed did not register above the laboratory limits the risk associated with widespread significant pesticide contamination is considered extremely low to non-existent.'

Council can be reasonably satisfied that the historical and current use of the land for broad acre cropping, pasture and grazing as opposed to intensive horticulture is unlikely to have resulted in any significant contamination from the agricultural use of the land. It can be reasonably expected that herbicides and pesticides may have been used at some time, but given the land has remained unused during the past 25 years the any residual is likely to have been dispersed. A site

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inspection and a view of the aerial photography to 2004 do not indicate the location of any sheep or cattle dips which would also contribute to the contamination of the land.

Councils Environmental Health Officers have provided a condition relating to the unexpected finding of contaminants on the site which will be imposed on the consent.

Biodiversity and Conservation 2021

The subject site is zoned R5 Large Lot Residential and therefore, Chapter 4 of State Environmental Planning Policy (Biodiversity and Conservation) 2021 applies to the proposal. The applicant has submitted a Biodiversity Report Addressing this legislation in that report. Further, Griffith City Council not listed in Schedule 2 and therefore the proposal is not subject to the requirements of the SEPP.

SECTION 4.15(1)(a)(ii) any draft environmental planning instrument.

At the time of preparing this report there is no draft environmental planning instrument that applies to the development or to land within the Griffith local government area.

SECTION 4.15(1)(a)(iii) any development control plan.

The following is a list of development control plans that apply to the Griffith City Council area. The table also identifies the applicability of the policy with respect to the subject development proposal. Where a policy has been identified as being applicable, further assessment is provided.

DCP No.	DCP TITLE	APPLIES
DCP No. 1	Non-Urban Development	No
DCP No. 3	Industrial Development	No
DCP No. 11	Urban Subdivision	No
DCP No. 19	Mixed Development	No
DCP No. 20	Off Street Parking Policy	No
DCP 2020	Residential Development Control Plan	Yes

Development Control Plan - Residential

Section 8.0 - Relevant Controls for subdivision listed only.

c) Setbacks in accordance with the table will imposed at the time of the development of each of the lots. Each lot has been designed in a manner that an adequate setback can be achieved due to the width and depth of each lot primarily being square to rectangular.

e) Setbacks to environmental zoned land will be determined at the time of the development of each lot.

f) Lots do not adjoin agricultural lands. N/A

h) Side and rear setbacks must be landscaped, prioritising the installation of trees with a mature height of over 6 m. Condition to reflect this.

j) tree preservation order to be conditioned, however vegetation from the PTC26 Weeping Myall community to be removed in accordance with the approved BDAR upon retiring of credits.

l) reticulated water to be provided to each new lot.

m) reticulated sewer to be provided to each new lot.

o) each new lot to be provided with a crossover inclusive of culvert and headwalls.

p) Driveways will be constructed in accordance with the required standards

q) Driveway crossovers to be sealed.

t) concrete pipe headwalls will be provided.

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SECTION 4.15(1)(a)(iia) any planning agreement.

There are no planning agreements in place.

SECTION 4.15(1)(a) (iv) the regulations.

Section 4.15(1)(a)(iv) requires Council to take into consideration the provisions of clauses 61-64 of the Environmental Planning and Assessment Regulation 2021.

Clause 61(1)(b) of the Environmental Planning & Assessment Regulation 2021 requires the consent authority to consider the provisions of Australian Standard AS 2601-1991: The demolition of Structures. Where demolition is proposed, it is recommended that a condition of consent be imposed which sets out the requirements for demolition to be carried out in accordance with a construction/demolition management plan and this will be required to be submitted prior to the issue of a Construction Certificate. In this instance no demolition is proposed.

Clauses 62 and 64 of the Environmental Planning and Assessment Regulation 2021 do not apply in this instance as there are no buildings on the land, either existing or proposed.

SECTION 4.15(1)(b) the likely impacts of the development.

In taking into consideration section 4.15(1)(b) of the Environmental Planning and Assessment Act 1979 Council must evaluate the likely impacts of the development on both the natural and built environments, and the social and economic impacts in the locality.

a) Impact on Built Environment

In terms of assessing and evaluating the impact on the built environment, the following matters have been taken into consideration:

(i) Relationship of the development to the regional and local context

The scenic qualities and features of the landscape are dominated by the foreshore of Lake Wyangan and the low ridge that passes through the site. The proposed subdivision layout uses the site features in terms of the lot layout and road design in a manner that is sympathetic to the locality.

The proposed development is generally respectful of the existing land uses and activities in the locality and the subdivision would not be detrimental to these activities.

(ii) Potential impacts on adjacent properties

The proposed subdivision is generally compatible with the adjacent land uses and the intended future use of undeveloped land

(iii) Accessibility and transport management measures for vehicles, pedestrians, bicycles and the disabled within the development and locality

The proposed development will result in an increase in the traffic generated on the local and arterial road network, however is unlikely to result in any adverse impact. There are no public transport services available however as the locality develops there may be opportunities or a need for services to be provided. For the interim access to the site will be largely dependent of private motor vehicles.

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(iv) *Potential impact upon the public domain*

The proposed development does not require the provision of additional public open space as it adjoins a significant area of nature reserves and the Lake. Future stages will allow for private natural areas around the Little Swamp.

(v) *Impact resulting from increased demands of the development impact upon utilities supply*

The subject site will require the amplification of utility services. Any amplification of services provided by Council, namely water, along with other services including electricity, gas and telecommunication will be the responsibility of the applicant.

(vi) *Potential impact on heritage significance of the property and of adjacent properties:*

The subject site is not listed as a heritage item under the provisions of Griffith Local Environmental Plan 2014 however it has been identified by AHIMS search as containing items of aboriginal cultural heritage.

(vii) *Any effect on conserving and using valuable land resources*

The proposed development is unlikely to have any detrimental impact in terms of the loss of productive agricultural land or other resources gained from mineral and other extractive industries.

(viii) *Impact upon the conservation of water resources and the water cycle*

This matter has been addressed previously in the report (see assessment against Clauses 7.4 to 7.7 of GLEP 2014). Council can be reasonably satisfied that subject to conditions any environmental impact can be adequately mitigated.

(ix) *Sensitivity of the design in respect to existing environmental conditions and site attributes.*

The general size, shape and design of allotments, and the associated location of easements and roads is sensitive to the topography of the land and site attributes.

(x) *Health and safety of future occupants*

No residential development is proposed at this stage and therefore no assessment has been made with respect to the type of materials to be used in construction. Materials used in the construction of dwellings on a neighbouring subdivision are typically masonry with tile or metal clad roofing.

No assessment can be made with regard to the likely compliance with the National Construction Code in terms of addressing the health and safety of future occupants.

(xi) *Management of construction activities*

Standard conditions of consent have been recommended which address construction management including controls relating to the hours of operation and sedimentation control measures.

b) Impact on Natural Environment

In terms of assessing and evaluating the impact on the natural environment, these matters have been duly considered as part of the assessment against the provisions of Clauses 7.3, 7.4, 7.5, 7.6 and 7.7 of Griffith Local Environmental Plan 2014. Relevant considerations include:

- Access should not be granted to the Lake Wyangan Crown land as part of this development given the potential for erosion, weed infestation, degradation of natural ecosystems and destruction of foreshore vegetation.

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- Conditions on the consent have been imposed by Council's Engineers regarding the construction of stormwater retention systems to ensure stormwater leaving the site end entering Campbell's Swamp meets minimum Australian Standards.
- Council maintains a number of groundwater bores in the locality of the proposed development. These were monitored for water table depth and salinity between 2006 -2013, providing baseline data for groundwater depth in the locality.
- The development proposes water sensitive urban design to remove impervious surfaces from direct connection to the stormwater reticulation system. Stormwater is proposed to be directed to vegetated drainage swales via a pre-treatment system and to Campbell's Wetland.
- This area contains some challenges given that all drainage water will be directed into Campbell's Wetland, which needs to be maintained for wildlife including wetland bird species which are protected under international treaties. Salinity, sheet and scald erosion are also present on the reserve land. The applicant has provided a number of generic solutions on the conceptual development application plans for the management of stormwater and mitigation of soil erosion. Conditions will be applied for more detailed plans.
- The applicant has also chosen to utilise water sensitive urban design principles to manage stormwater, however the drainages swale solution will need to ensure constant flow (ie not ponding of water) and also maintain a grass layer to be effective and not contribute to the water table accessions.

c) Social Impact in the Locality

There are no likely detrimental social impacts that would result from the development.

d) Economic Impact in the Locality

The proposed development would not have any adverse economic impact in the locality.

SECTION 4.15(1)(c) the suitability of the site.

The subject site is zoned R5 Large Lot Residential and the permissibility of the development under Griffith Local Environmental Plan 2014 provides a broad indication that the site is suitable for the proposed development.

In assessing the suitability of the development, Council has undertaken a review of the site analysis undertaken by the applicant and is satisfied in the following terms:

- The proposed subdivision generally fits the locality.
- There are no constraints posed by adjacent developments which would prohibit or purport to prohibit the proposed subdivision.
- The site is not subject to slip, tidal inundation or bushfire and while part of the site has been identified as being flood prone, it does not prevent future dwellings being erected upon the land.
- The site is no longer prime agricultural land and the development is unlikely to prejudice future agricultural production?

Based on the assessment under this and other sections within this report it is considered that the site is suitable for the proposed development.

SECTION 4.15 (1) (d) any submissions made in accordance with the Act or the Regulation

The provisions of the Environmental Planning and Assessment Act 1979 the Environmental Planning and Assessment Regulation 2021 and Community Participation Plan set down

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consultation, concurrence and advertising requirements for specific types of development applications and taking into consideration any submissions received in response to the notification process.

In addition to the statutory referral process identified in Part F of this report, the 'Integrated' notification of the development included the following:

Notification Description	Required	Submission Period
Publication in Council Catchup and on Facebook	Yes	5 July 2024 - 2 August 2024
Letters to Neighbours	Yes	5 July 2024 - 2 August 2024

As a result of the public participation process, Council received six (6) submissions in response to the notification and referral of the development application. The details of the submissions, which Council has taken into consideration in accordance with section 4.15(1)(d) are as follows:

Issue raised	Applicants Response	Council response
<p>Public Open Space</p> <p>Previous subdivision plans identified significant green space/public open space running along the rear of the lots fronting South Lake Drive.</p> <p>This public open space was to achieve a number of outcomes:</p> <ol style="list-style-type: none"> 1. Address ongoing issues regarding soil salinity; 2. Provide a vegetated break and ensure privacy between individual allotments 3. Enhance the liveability and value of blocks 	<p>Matters regarding public open space have been considered and have informed the current subdivision design.</p> <p>Specifically, the development incorporates a very large public open space area of 5.8 hectares in the north western corner of the site, which is consistent with the requirements of Condition C(2) of the previous Development Consent issued for the site (Ref No. 286/2016(1)).</p> <p>This reserve achieves a number of outcomes, including stormwater drainage, flood storage, passive open space, as well as the protection of areas of both biodiversity and cultural heritage significance.</p> <p>As per Council's request, this reserve will form part of the Neighbourhood Association of the Community Title subdivision but will be required to be made publicly accessible to all other residents living within this estate.</p> <p>The applicant had previously requested that this reserve be transferred to Council consistent with similar drainage infrastructure associated with other urban subdivisions.</p> <p>Should Council change its mind, then this reserve could be made publicly available following the completion of relevant maintenance periods. Furthermore, the applicant is willing to embellish this open space area with playground equipment or the like, should the land be publicly owned.</p> <p>Lastly, matters regarding the need for a vegetated/landscaped buffer between existing and proposed future residents are acknowledged, but are considered not necessary in this instance due to the size of the proposed lots (3,000m²), as well as the fact that each allotment is to provide a 10 metre wide landscaped buffer around the perimeter of its site.</p> <p>Consequently, this will result in a 20 metre wide vegetated buffer between residents, which will effectively screen and soften the development.</p>	<p>Councils Residential Development Control Plan 2020 (and as amended in 2024) Section 8.0 relates to Large Lot Residential development. This section provides no requirements for parks or open space in Large Lot Residential Subdivisions.</p> <p>Appendix 2, Section 4.0 of the same plan provides additional controls for Large Lot Residential Subdivision including lot size and layout. This section is also silent regarding any requirements for open space.</p> <p>Section 1.6 Savings and transitional provisions state: 'This Plan applies to any development application lodged with Council after the commencement of the Plan. Any development application lodged before the commencement of this plan will be assessed in accordance with any previous development control plan or other Council policy in force at the time of lodgement'.</p> <p>The previous Development Control Plan for the development of this zone which was 1(c) Rural Residential at that time, Development Control Plan No 1 – Non Urban Development, does not have any requirements for Opens Space or Parklands to be provided in conjunction with a Large Lot subdivision.</p> <p>Note: All lands zoned 1(c) were transitioned into the R5 zone under GLEP2014.</p>

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		<p>It is acknowledged that a wide east to west swale of open space was approved in the master plan of the site in 1999. However, since this time, more recent master plans submitted in conjunction with development applications of the site did not provide this swale.</p> <p>The exception of this is that the land within the natural basin known as 'Little Swamp' and the fenced area of land previously identified as being of archeological significance, have been retained as open areas, for the treatment of drainage water, the preservation of artefacts and the retention of native vegetation.</p> <p>All lots will be required to provide a vegetation buffer to ensure privacy screening between lots and to aid the suppression of the water table, and reducing the mobilization of salinity through in the soils.</p> <p>Each new lot will have access to town potable water and rainwater only, further reducing likely water use on gardens, which is also will reduce mobilization of salts.</p>
<p>Stormwater Drainage easement</p> <p>The proposed subdivision will disrupt existing drainage arrangements for Lots 244-247 fronting South Lake Road</p>	<p>The proposed subdivision has incorporated all relevant stormwater drainage requirements. Specifically, each of the proposed new allotments will be connected to a new internal drainage network that will discharge to the existing point of discharge or to the new stormwater detention basin.</p> <p>Existing stormwater drainage arrangements will be maintained and will remain unaffected by the new works subject to the completion of detailed engineering civil drawings.</p>	<p>Existing Lots that have swales along the rear of the property (e.g. 3 - 5 South Lake Drive) will be captured as part of the detailed design drawings.</p> <p>It is noted that the submitted drawings do detail that the swales at the rear of the lots have been captured.</p> <p>Drainage from 13-21 South Lake Drive will be captured under a new development application for future stages.</p>
<p>Flood impacts</p> <p>All of Stage 7 and parts of Stages 5 & 6 have experienced flooding in recent years of up to 1.5 metres. In order to remove these lots from the flood area, this will require landfilling that may impact on existing residents.</p>	<p>A Flood Impact Assessment has recently been prepared for the subject land, which addressed both historical and recent flood data.</p> <p>Specifically, a number of flood models were prepared, which have demonstrated that the proposed stormwater drainage basin will achieve pre-development flows at the 1 in 100 year flood event. Consequently, these models have demonstrated that the filling of the proposed lots will not create additional flooding impacts.</p> <p>Council have advised that they are currently in the process of preparing an updated flood study based on recent flood event data. The timeframe for the</p>	<p>Council's Engineers are only recommending approval of Stage 4 of the proposed development.</p> <p>Stages 5, 6 and 7 will be submit to a separate DA. Council is currently in the process of updating the flood study due to the recent flood event to ensure that development decisions are based on the most accurate and up to-date flood risk information. Until this updated flood study is completed and reviewed, the full extent of flood impacts on the subject site</p>

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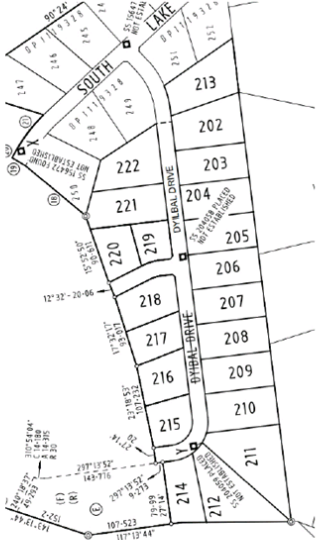
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	<p>completion of this study is still to be confirmed.</p> <p>Notwithstanding, the landowner/ applicant has agreed to construct the proposed subdivision above the relevant 1 in 100 year flood level. Similarly, all future dwellings to be established on these lots will be constructed 500mm above the 1 in 100 year flood level.</p>	<p>remains uncertain. Approving the subdivision in flood affected land at this stage would be premature, as it could result in increased flood risk to future occupants. Therefore, Council's Engineers will not recommend approval of the subdivision of land within the flood affected area until the updated flood study has been finalised, adopted by Council and confirms that the proposed development can be safely accommodated without exacerbating flood impacts in the area. Further justification can be found in my report if required.</p>
<p>Walking paths</p> <p>Support the proposed walking and cycling paths, but however request that a new bike/walking path be provided that connects to eastern end of Court 2 to the southern end of Road 2.</p>	<p>Requests to provide an additional walking/bike track connecting Court 2 to Road 2 are noted.</p> <p>Following a redesign, the revised subdivision now includes a loop road that that will connect Court 1 to Road 3 which will provide pedestrian connectivity in a north-south direction, which addressed the matters raised in this submission.</p> <p>Requests to include shared cycle pathways are acknowledged and have been provided in the stormwater drainage basin.</p>	<p>The courts referred to in the submission are no longer being assessed as part of this application and will be the subject of a new DA.</p> <p>Councils Engineering guidelines do not require walking or cycling paths in large lot residential subdivisions so these have been deleted from the plan set.</p> <p>That said, walking tracks will most likely be required for recreation in the 'Little Swamp' area at such time as the residue lot is assessed and developed.</p>
<p>Ownership of Drainage Basin</p> <p>The drainage/sediment basin should be transferred/ceded to Council and made into a park.</p>	<p>Agreed, the applicants' preference is to transfer the drainage basin to Council following the completion of necessary maintenance periods.</p> <p>This will ensure that this basin is publicly available and appropriately maintained, rather than being maintained by a Neighbourhood Association.</p> <p>It is understood that this approach is common for R1 General Residential Zoned land, but is not commonplace for R5 Large Lot Residential zoned land.</p> <p>Given the size of the reserve, the minimal ongoing maintenance costs and the fact that it will serve a large number of residents, it is recommended that Council reconsider its position to take ownership of this reserve.</p>	<p>The Little Swamp wetland is no longer being considered as part of this development application.</p> <p>Matters relating to this land will be considered once the Lake Wyangan Flood Study has been finalised and adopted.</p>
<p>Impacts of Road Access</p> <p>The road to the east of the sewerage pump station will enter South Lake Drive directly opposite our living area [12 South Lake Drive] which will cause considerable disruption.</p> <p>Recommend rerouting this road to the western side of</p>	<p>Opportunities to relocate proposed Road 3 are unfortunately limited due to the characteristics of the site and the need to provide a direct north-south connection to the proposed new stages of the subdivision.</p> <p>Nonetheless, as a means of reducing potential amenity impacts, the applicant is willing to undertake roadside landscaping works, which will screen headlight glare from cars utilising this intersection.</p>	<p>The land owner of Lot 142 DP 1030732 has concerns over the placement of the road perpendicular to the property due to the potential of car vehicle lights shining into their living space.</p> <p>The road placement as proposed is no different to anywhere else. For example many streets in Collina terminate in front of another lot.</p>

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<p>the pump station.</p> <p>Development Density</p> <p>Concern is raised regarding the increase in the number of lots as it will create additional groundwater contamination and soil erosion.</p> <p>An increase in lots will also affect existing flooding conditions.</p>	<p>Concerns regarding an increase in the number of lots, whilst acknowledged are considered appropriate in this instance as they achieve the minimum lot size requirement (3,000m²) of the <i>Griffith Local Environmental Plan 2010</i>.</p> <p>Furthermore, each of the lots will be required to establish a 10m wide vegetated buffer zone around the perimeter of</p> <p>their lot is in place to address the issues of soil erosion, salinity and groundwater issues.</p> <p>Matters regarding flooding have been addressed above.</p> 	<p>The current plan set for assessment of this application relates to the creation of 21 Residential lots under Stage 4 only, with the remainder of land being for associated roads and a residue lot.</p> <p>These 21 proposed lots range from 3002m² in size to 4191m² in size.</p> <p>The most recent release of land under DA 286/2016(4) ranged from 3094m² to 5077m² in size with one smaller corner lot of 2309m² providing for a variety of needs.</p> <p>The density of lots proposed meets Councils current Residential Development Control Plan which allows a minimum lot size of 3000m², and provides a variety of lot sizes and shapes to meet market demand.</p> <p>Council supports the increased density at the site, given the current housing shortage, and the Griffith Housing Strategy.</p>
<p>Ingress and Egress</p> <p>The original plan included ingress and egress from Jones Road, which has been removed in the proposed plan, leaving only one internal access road within the estate, which will cause both amenity/traffic impacts for existing residents within this estate, as well as causing potential concern during a bushfire event.</p>	<p>It is acknowledged that previous versions of the subdivision plan both included and then didn't include a direct ingress and egress point with the adjoining Jones Road to the north. It is noted that this road connector was previously removed at the request of Council.</p> <p>Nonetheless, it is confirmed that the latest attached plan reinstates this road connection point.</p> <p>Consequently, this will reduce traffic impacts on the existing internal road network and will help distribute traffic volumes out to Jones Road and Boorga Road. Furthermore, it has also been provided in accordance with the requirements of a Bushfire Risk Assessment prepared for the site.</p>	<p>A connection road has been provided to the proposed development from both Jones Road and South Lake Drive.</p>
<p>Collector Roads</p> <p>The plans do not appear to</p>	<p>The provision of collector roads, which can support both public transport (buses) and large articulated vehicles (emergency service vehicles and garbage</p>	<p>A bus stop has not been conditioned as part of the development. As part of a recent</p>

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cater for school buses or public transport stops. Consideration should be given to providing this within the estate	collection vehicles) is supported. In response, the South lake Road loop within Stage 1, 2, 3 and 6 support ridged buses (14.5m). This loop road will ensure that the majority of proposed allotments (52 out of the 67 new lots proposed) will be within 400m walking distance of the bus stops.	development for Sunset Waters (DA 16/2025) a 'bus stop' was conditioned which only includes a j-pole. Given the new internal road children can be picked up from South Lake Drive on the 'dam lot' as mentioned in the submissions. A bus stop can be provided if necessary.
Ongoing vacant land management There has been very little to no ongoing management vacant land, which is causing a fire hazard. Is there a plan to maintain this space on an ongoing basis?	Matters regarding vacant land management will largely be resolved once the subdivision has been completed and the lots sold. In the interim, the property owner will continue to maintain the land, however this has been restricted due to requests by the NSW Department of Climate Change, Energy, Environment and Water seeking to limit works on site due to the presence of items of Aboriginal Cultural Heritage Significance. Ongoing management of the proposed drainage reserve is currently identified as being the responsibility of those within the proposed Community Title subdivision. As outlined in response to other submissions received, the applicant has requested that Council take ownership of this reserve, subject to the completion of maintenance periods. See below further details regarding Community Title Subdivision.	Conditions have been imposed on the development approval for the applicant to maintain both bushfire and weed concerns at the site. The landowner has been aware of maintenance requirements however has been waiting for approval of an Aboriginal Heritage Impact Permit (AHIP), to ensure any maintenance actions undertaken at the site were in accordance with Heritage requirements. Conditions for maintenance of land have been provided by heritage NSW in conjunction with this application.

SECTION 4.15 (1) (e) the public interest

The provisions of section 4.15(1)(e) of the Environmental Planning and Assessment Act 1979 provides an overarching requirement to take into account the public interest. It is considered that the public interest is best served by the consistent application of the requirements of the relevant Commonwealth and State government legislation, environmental planning instruments, development control plan, Council policy, and by Council ensuring that any adverse effects on the surrounding area and the environmental are avoided.

The following matters have been considered as part of the public interest:

- In accordance with Biosecurity Act 2015 and Biosecurity Regulation 2017, Private occupiers of land must control weeds on land. This includes weeds listed in Schedule 1 of the regulation such as African Boxthorn and Prickly Pear which are scattered throughout the subject site.
- The Test of Significance referred to in Section 7.3 of the Biodiversity Conservation Act 2016 in addition to the Biodiversity Assessment Report under the Part 6 Biodiversity Offset Scheme has been considered, to determine whether the proposed works are likely to have a significant impact. These Acts have been considered under GLEP 2014 Section 7.3. Credit's have been generated and will be retired as a result of clearing Weeping Myall and derived Weeping Myall Communities.
- The subject land was not identified as Bushfire prone land at the time of lodgement. Mapping changed during the assessment process and the land is now located within the buffer zone for bush fire prone land mapping. and so the application was not assessed a

On the basis that the proposed development (Stage 4 only) is considered to be consistent with the aims and objectives of Griffith Land Use Strategy: Beyond 2030; Griffith Local Environmental Plan

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2014 and other relevant environmental planning instruments, development control plans or policies; and Land and Environment Court Planning Principles, it is therefore unlikely to raise any issues that are contrary to the public interest.

PART H: MONETARY CONTRIBUTIONS

Section 7.12 Contributions (Environmental Planning & Assessment Act 1979)

Section 7.12 of the Environmental Planning and Assessment Act 1979 states that if a consent authority is satisfied that development is likely to require the provision of or increase the demand for public amenities and public services within the area, it may grant the development consent subject to a condition requiring the payment of a monetary contribution in accordance with an approved contributions plan. The proposed development is for a 21 lot subdivision (Stage 4 only) and includes the construction of two public roads and a residue lot and is within the Lake Wangan precinct.

The calculations associated with the section 7.12 contributions payable based on the cost of works associated with this stage of development, based on \$2,046,000 total estimated cost charged at 1% = \$24,460.00.

Section 64 Contributions (Local Government Act, 1993)

The effect of section 64 of the Local Government Act 1993 is to give the functions of the Water Management Act 2000 to Council in the same way it applies to a water supply authority. Section 306(2) of the Water Management Act 2000 enables a water supply authority to require the applicant to do either or both of the following:

- (a) to pay a specified amount to the water supply authority by way of contribution towards the cost of such water management works as are specified in the notice, being existing works or projected works, or both,
- (b) to construct water management works to serve the development.

In calculating an amount for the purposes of subsection (2)(a) Council has adopted Development Servicing Plans. The proposed development involves (described the development in terms of Water Directorate & DSP triggers) and is within the (insert details) precinct. On this basis the following DSPs adopted by Griffith City Council apply:

Development Servicing Plan	Applies to Development
Sewerage Development Servicing Plan No. 1: Griffith	Y
Sewerage Development Servicing Plan No. 2: Yenda	N
Sewerage Development Servicing Plan No. 3: Bilbul	N
Water Development Servicing Plan No. 1: Griffith	Y
Water Development Servicing Plan No. 2: Yenda	N
Stormwater Development Servicing Plan: Collina	N

The calculations associated with the section 64 contributions payable are provided below:

Table of Contributions Required – Water, Sewerage & Drainage

Type of contribution	Amount per tenement	Number of tenements	Amount to be paid
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Water supply	\$ 8,956.00	21 ET	\$ 182,595.00
Sewerage	\$ 6,276.00	21 ET	\$127,953.00
Total			\$ 310,548.00

PART I: INTERNAL REFERRALS

As part of the assessment process, the following internal referrals were also undertaken.

DISCIPLINE	ADVICE, COMMENTS & CONDITIONS	DATE
Engineering	Engineering assessment in CM	26/3/25 & 25/3/25 & 21/3/25
Health	Memorandum in CM	6/3/25 & 4/3/25
Street/Rural No	Email in CM	21/3/25

The comments received in response to the internal referral place have been addressed in the assessment of the application and where applicable incorporated into the recommendation.

PART J: CONCLUSION AND RECOMMENDATION

Conclusion

The development application has been analysed and evaluated with regard to the matters for consideration listed in Section 4.15 of the Environmental Planning and Assessment Act 1979. The assessment has identified that:

- The proposed development is permissible within the zone under GLEP 2014 and is consistent with the aims, objectives and special provisions of that environmental planning instrument.
- The proposed development is consistent with the provision the relevant SEPP that apply.
- The proposed development is considered satisfactory with regard to the objectives and controls set down in the relevant development control plans.
- That where non-compliance with a development control has been identified, the proposed variation can be supported in the circumstances of the case, or has been addressed by way of a condition of consent.
- The proposed development is unlikely to have any unreasonable impact on the environment, and where an adverse impact has been identified appropriate conditions have been imposed to mitigate the effects.
- The subject site is suitable for the proposed development
- Where submissions were received they have been taken into consideration and where appropriate have been addressed by way of amended plans or conditions of consent.
- The proposed development does not raise any matter contrary to the public interest.

On this basis it is considered that the proposal has merit and can be supported.

Recommendation

- a) That Griffith City Council as the consent authority pursuant to section 4.16 of the Environmental Planning & Assessment Act 1979 grant consent to Development Application No: 172/2022(1) for the subdivision of 21 Large Lot Residential Lots, two public roads and 1 residue lot at South Lake Drive LAKE WYANGAN subject to conditions set out in Attachment 'B'.

ASSESSING OFFICER

Date


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Name: Mrs J V Tarbit 8/04/2025
Position: Development Assessment Planner
Signature: 

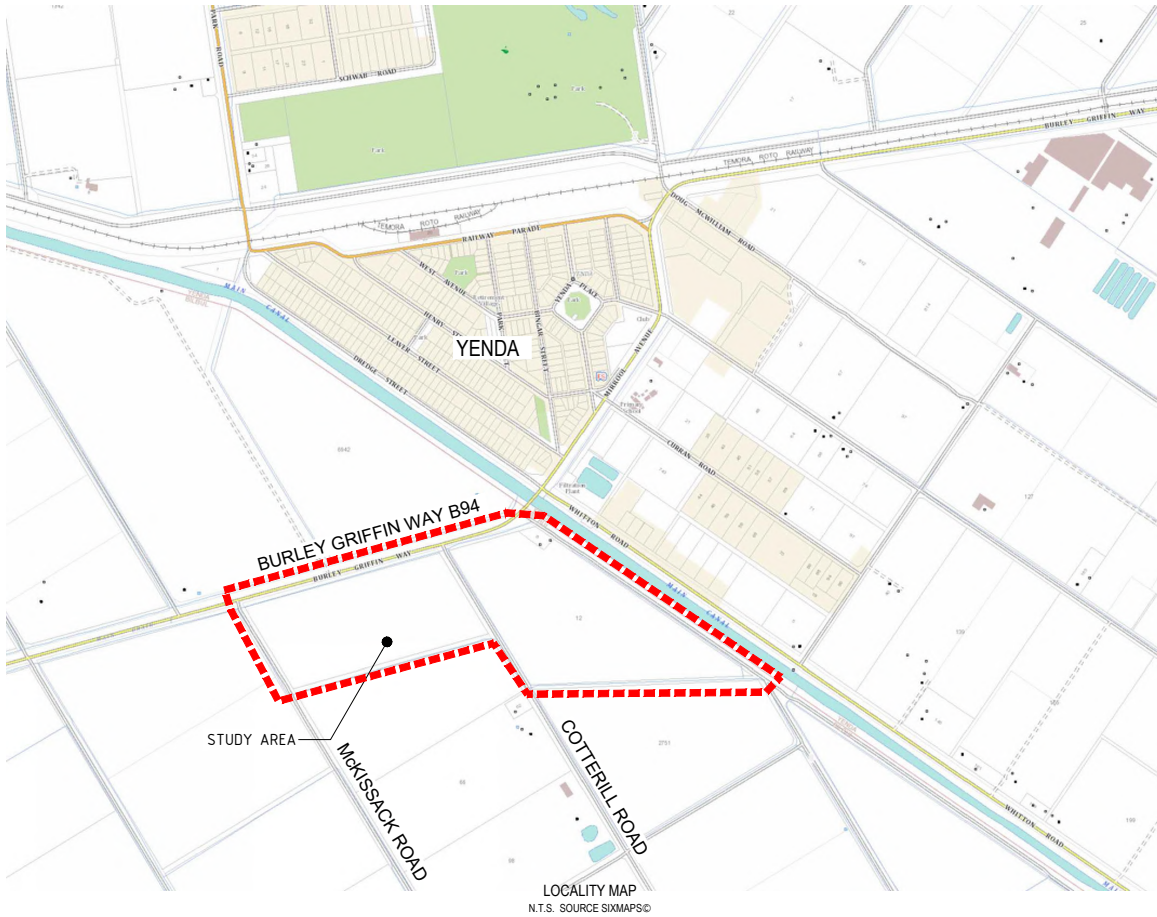
REVIEWING OFFICER

Name: Kerry Rourke 09/04/2025
Position: ADAC
Signature:



YENDA RESIDENTIAL DEVELOPMENT MASTERPLAN

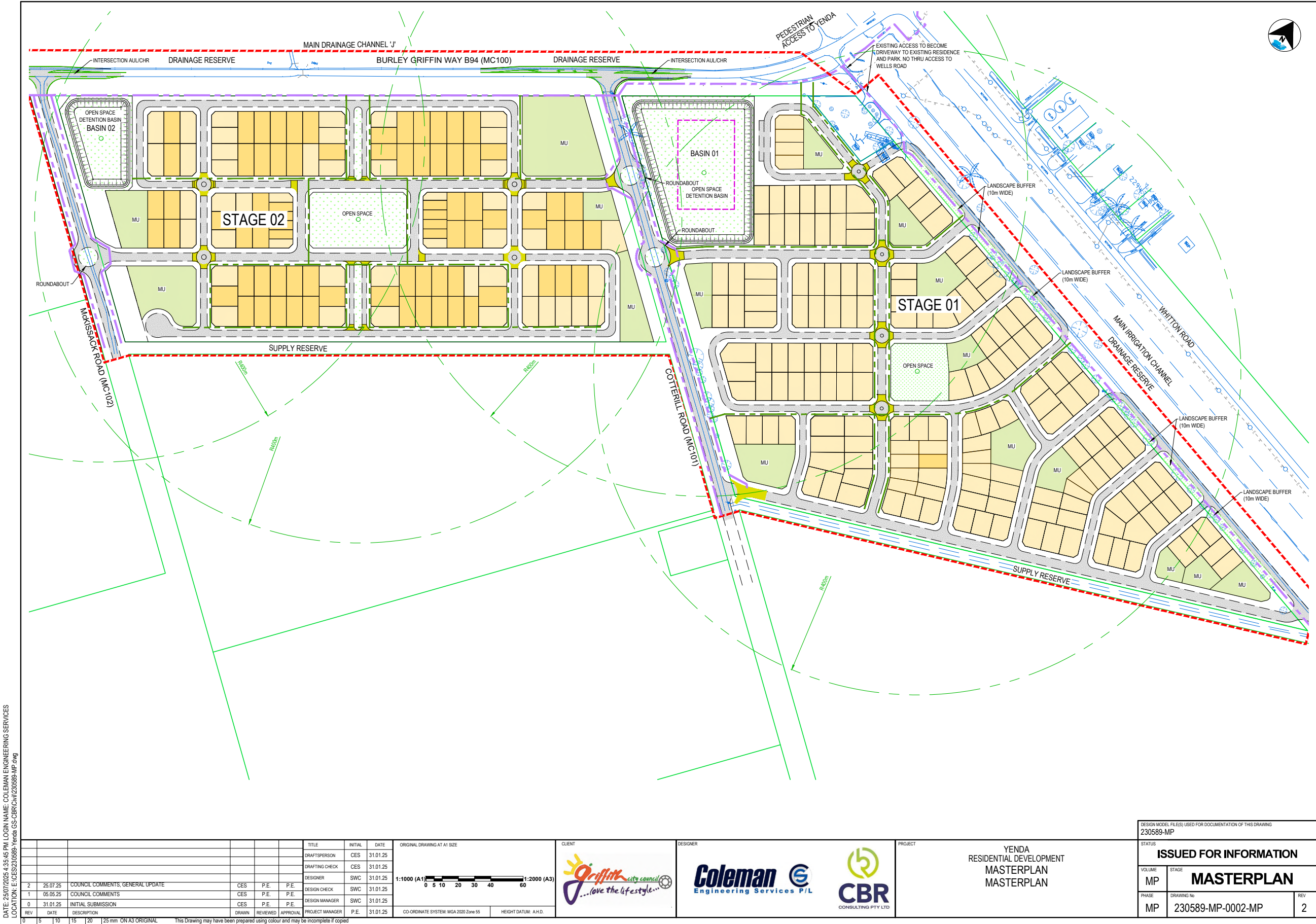
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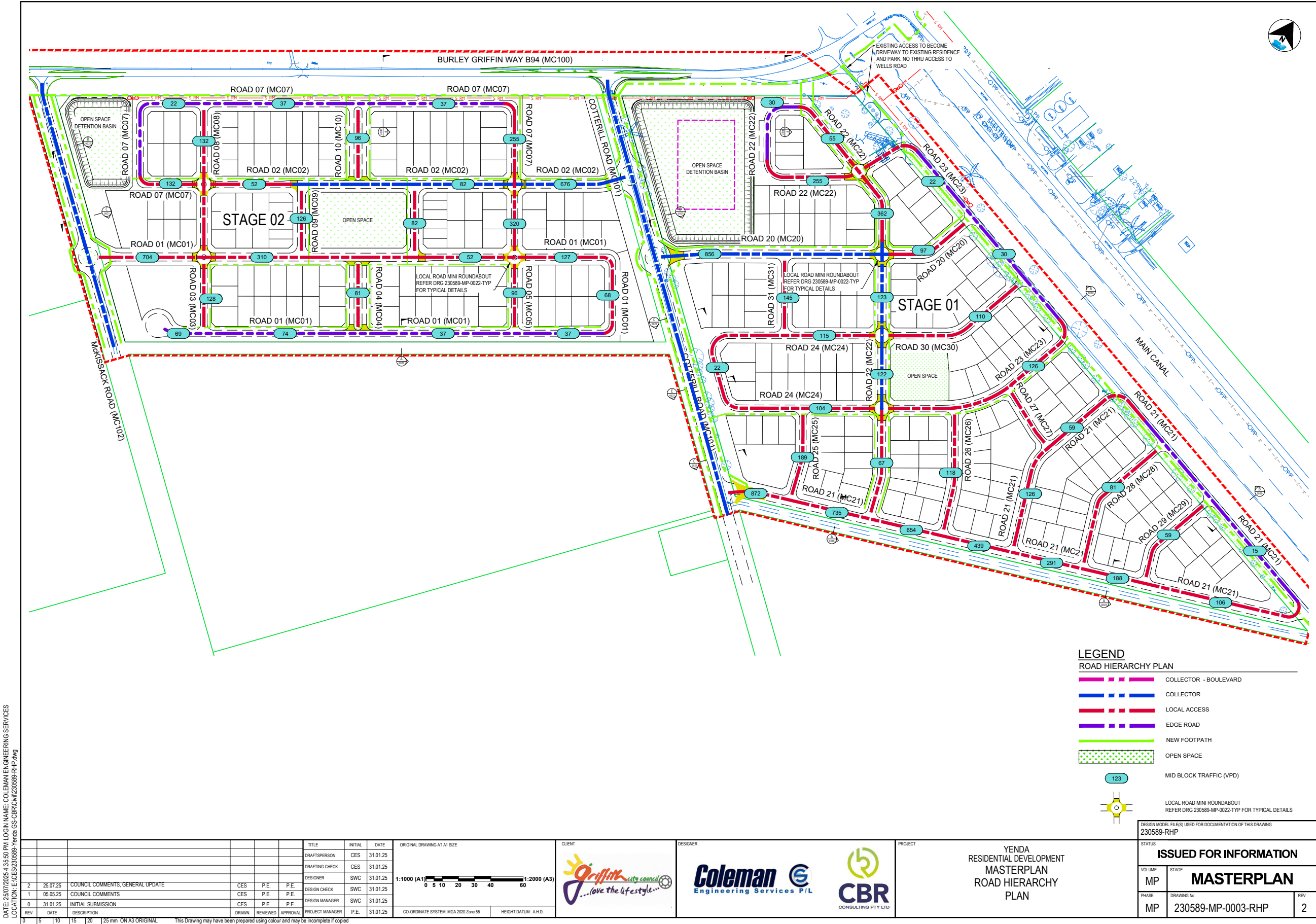


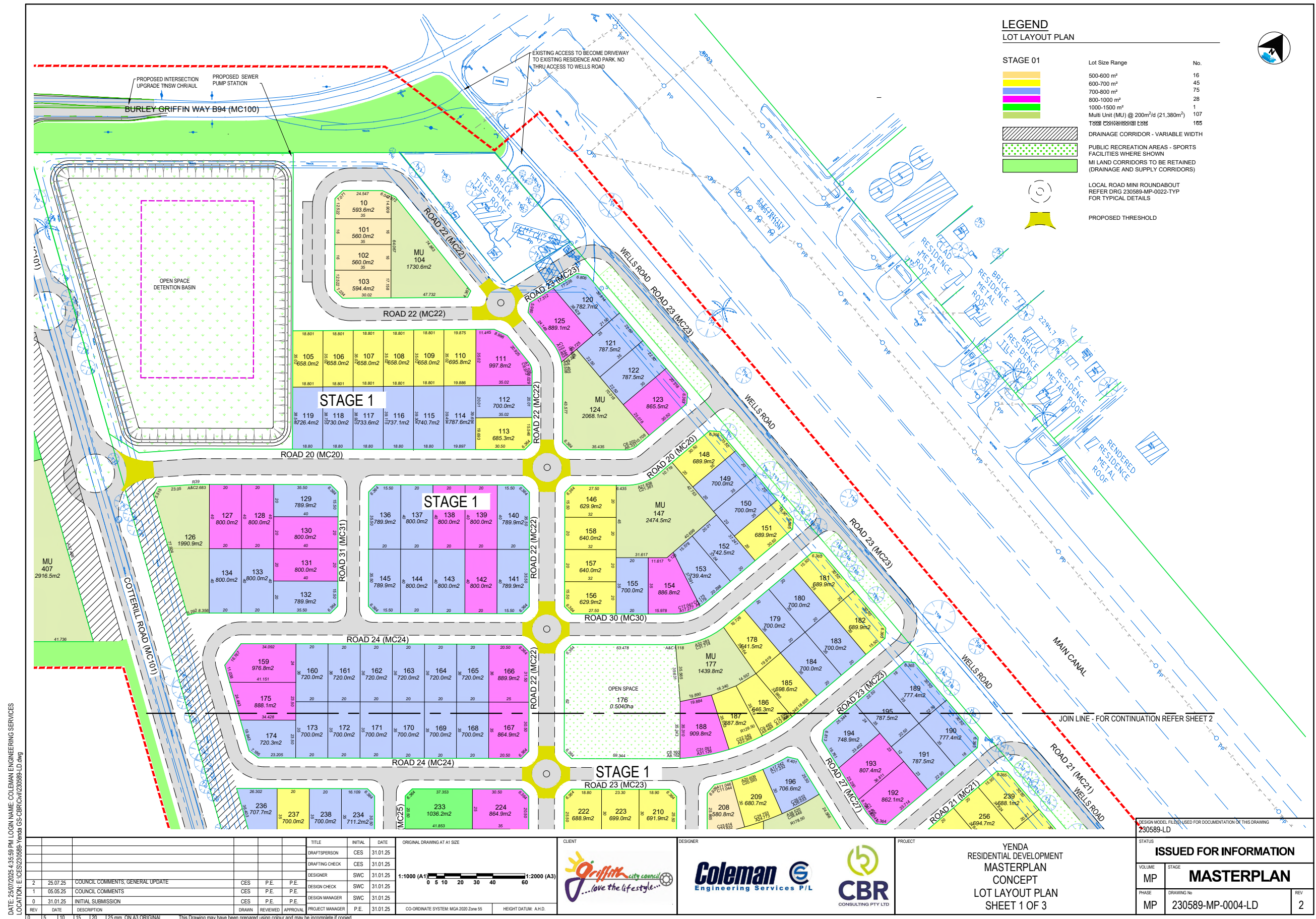
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230589-MP-0001-DP	EXISTING LOT LAYOUT PLAN
230589-MP-0002-MP	MASTERPLAN
230589-MP-0003-RHP	ROAD HIERARCHY PLAN
230589-MP-0004-LD	CONCEPT LOT LAYOUT PLAN SHEET 1 OF 3
230589-MP-0005-LD	CONCEPT LOT LAYOUT PLAN SHEET 2 OF 3
230589-MP-0006-LD	CONCEPT LOT LAYOUT PLAN SHEET 3 OF 3
230589-MP-0007-FP	ACTIVE TRAVEL PLAN
230589-MP-0010-GA	ROAD OVERLAND FLOW & GRADING CONCEPT PLAN SHEET 1 OF 3
230589-MP-0011-GA	ROAD OVERLAND FLOW & GRADING CONCEPT PLAN SHEET 2 OF 3
230589-MP-0012-GA	ROAD OVERLAND FLOW & GRADING CONCEPT PLAN SHEET 3 OF 3
230589-MP-0020-TYP	TYPICAL SECTIONS SHEET 1 OF 3
230589-MP-0021-TYP	TYPICAL SECTIONS SHEET 2 OF 3
230589-MP-0022-TYP	TYPICAL SECTIONS SHEET 3 OF 3
230589-MP-0030-ISO	EARTHWORKS ISOPACHS - DEPTH SHEET 1 OF 3
230589-MP-0031-ISO	EARTHWORKS ISOPACHS - DEPTH SHEET 2 OF 3
230589-MP-0033-ISO	EARTHWORKS ISOPACHS - DEPTH SHEET 3 OF 3
230589-MP-0040-BAS	CONCEPT BASIN PLAN
230589-MP-0050-SWMP	STORMWATER MASTERPLAN SHEET 1 OF 2
230589-MP-0051-SWMP	STORMWATER MASTERPLAN SHEET 2 OF 2
230589-MP-0060-SMP	SEWER MASTERPLAN
230589-MP-0070-WMP	WATER MASTERPLAN POTABLE AND RECYCLED

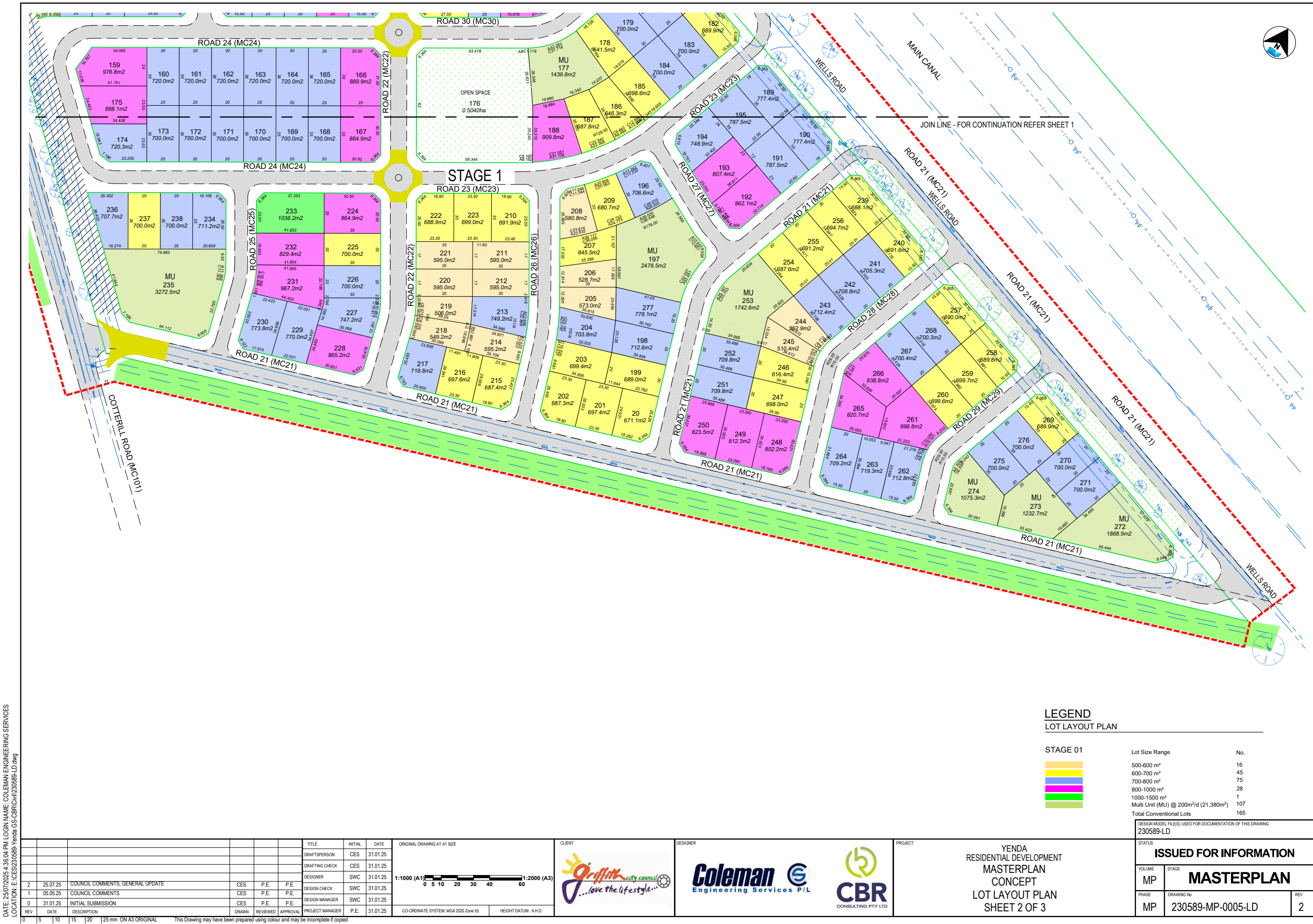
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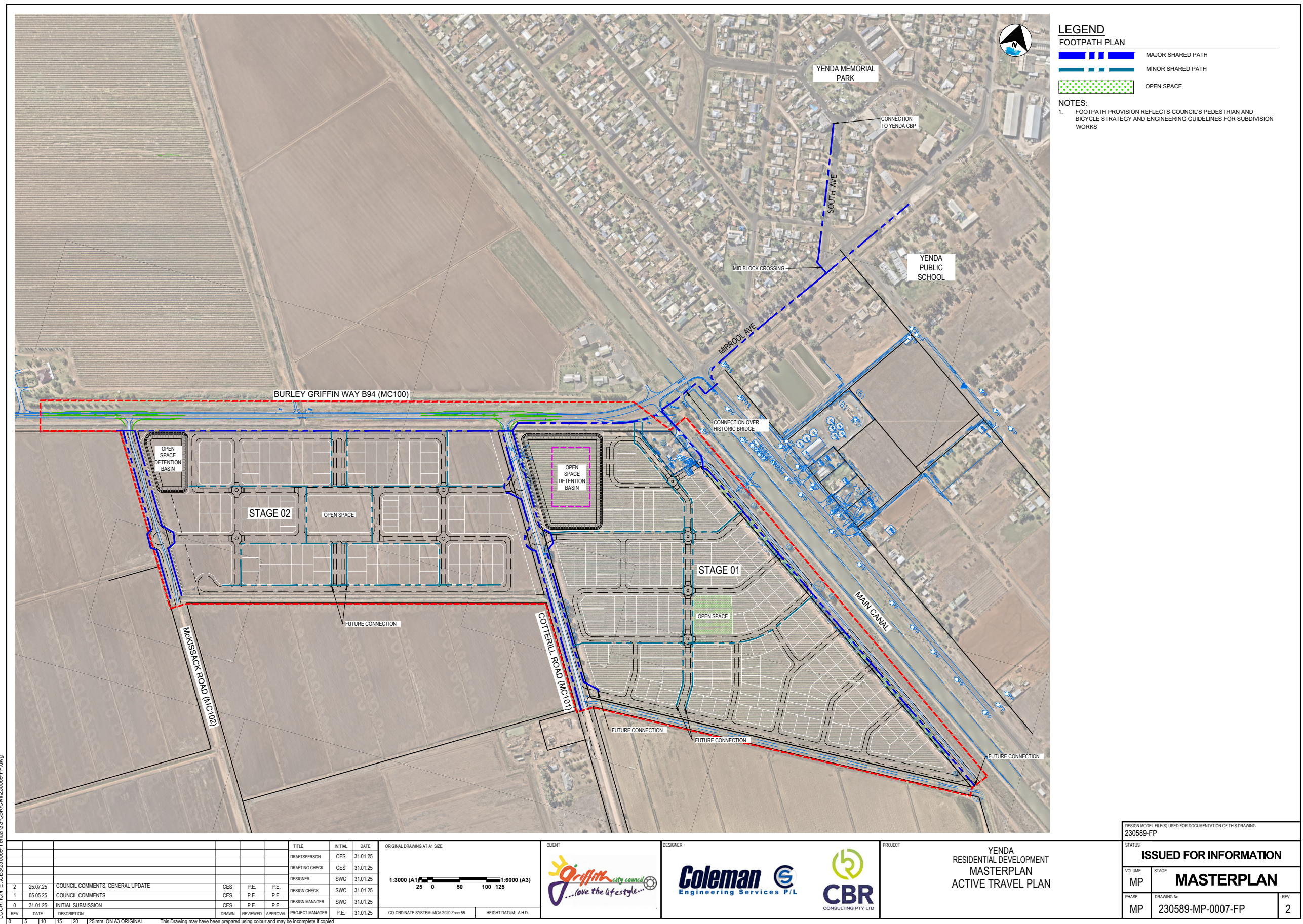


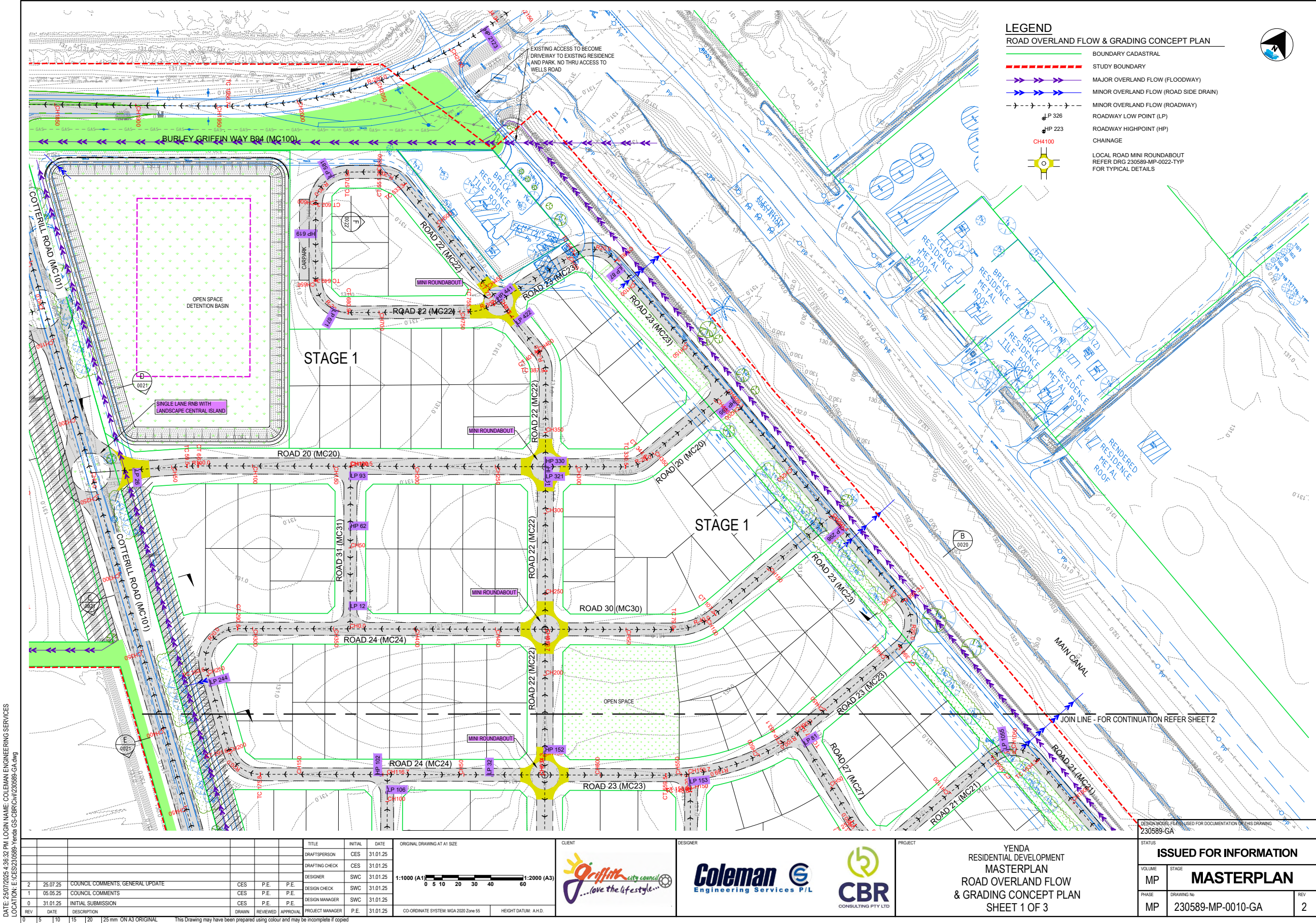


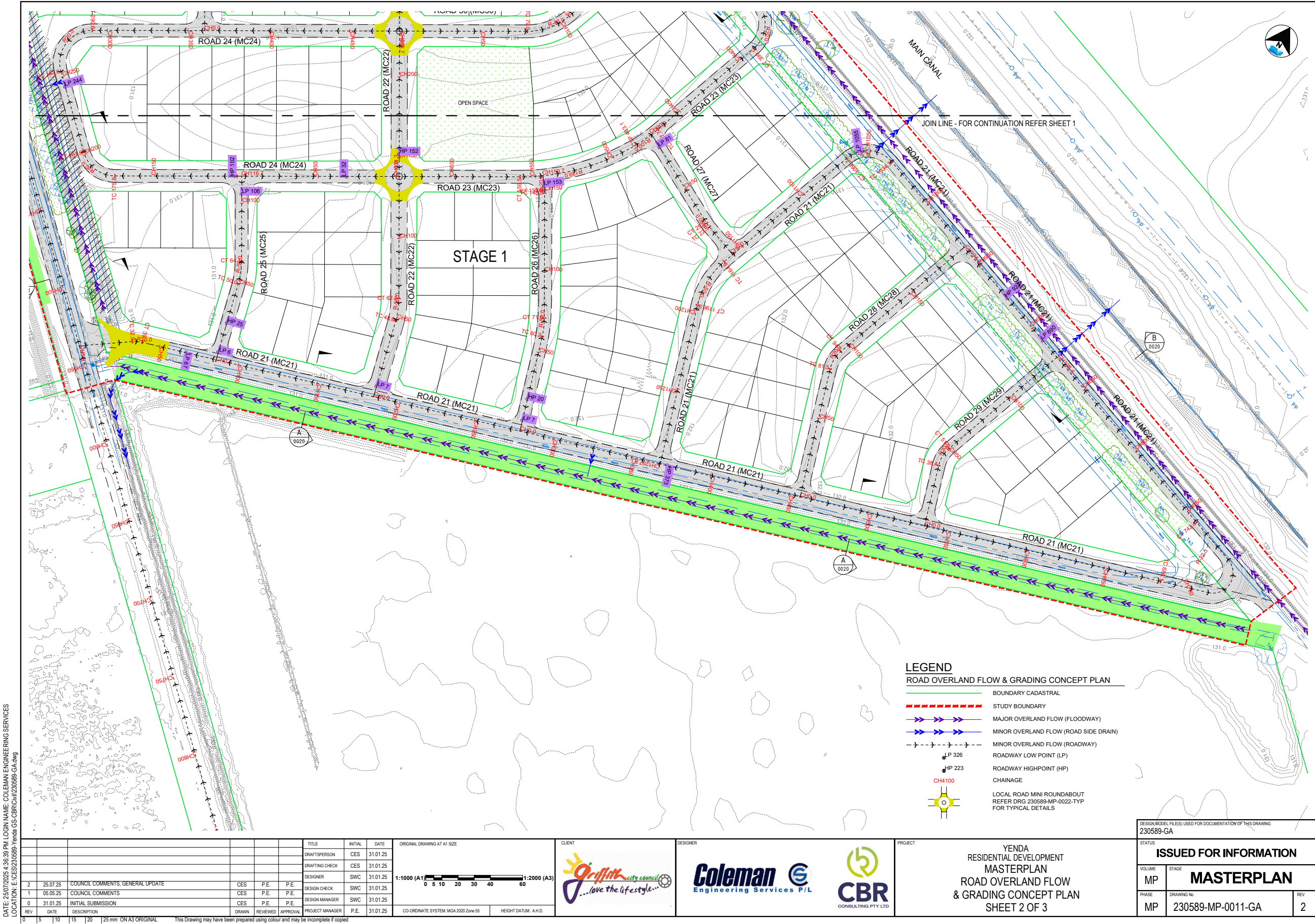


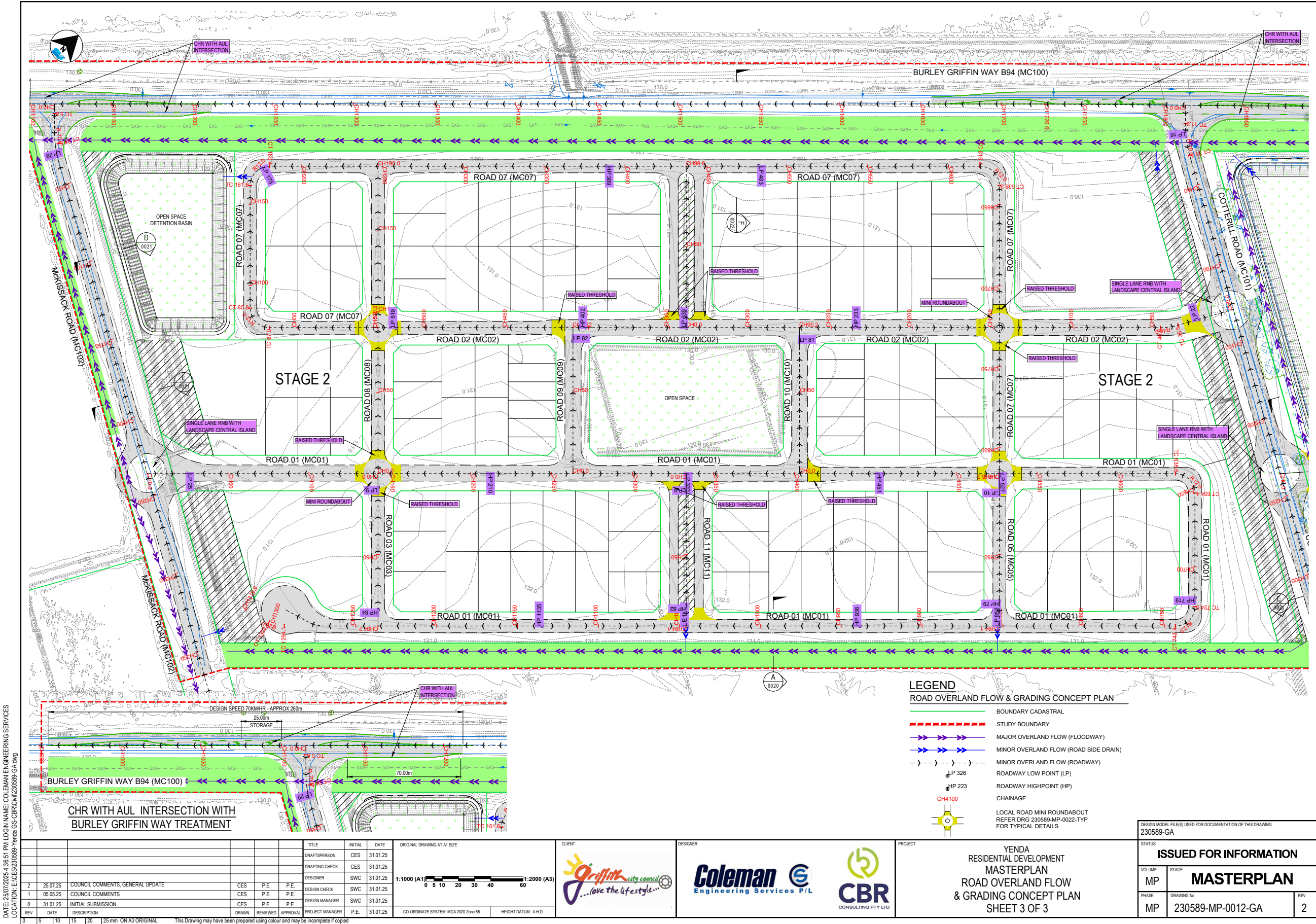


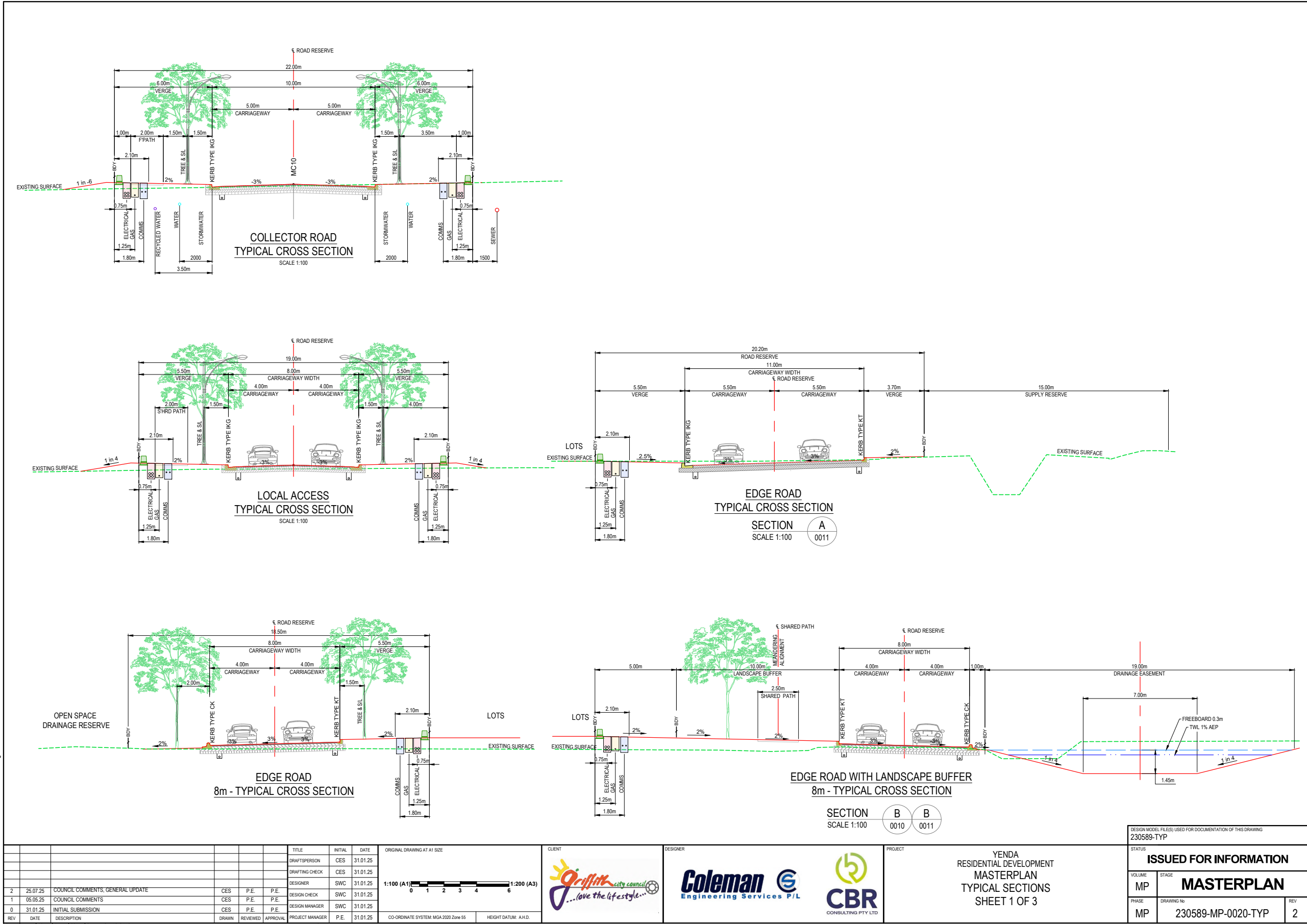












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1	05.05.25	COUNCIL COMMENTS	CES	P.E.	P.E.				
0	31.01.25	INITIAL SUBMISSION	CES	P.E.	P.E.				

TITLE	INITIAL	DATE
DRAFTSPERSON	CES	31.01.25
DRAFTING CHECK	CES	31.01.25
DESIGNER	SWC	31.01.25
DESIGN CHECK	SWC	31.01.25
DESIGN MANAGER	SWC	31.01.25
PROJECT MANAGER	P.E.	31.01.25

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1:200 (A3)

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CO-ORDINATE SYSTEM: MGA 2020 Zone 55

HEIGHT DATUM: A.H.D.

CLIENT

DESIGNER

PROJECT

YENDA
RESIDENTIAL DEVELOPMENT
MASTERPLAN
TYPICAL SECTIONS
SHEET 1 OF 3

STATUS

ISSUED FOR INFORMATION

VOLUME

MP

STAGE

MASTERPLAN

PHASE

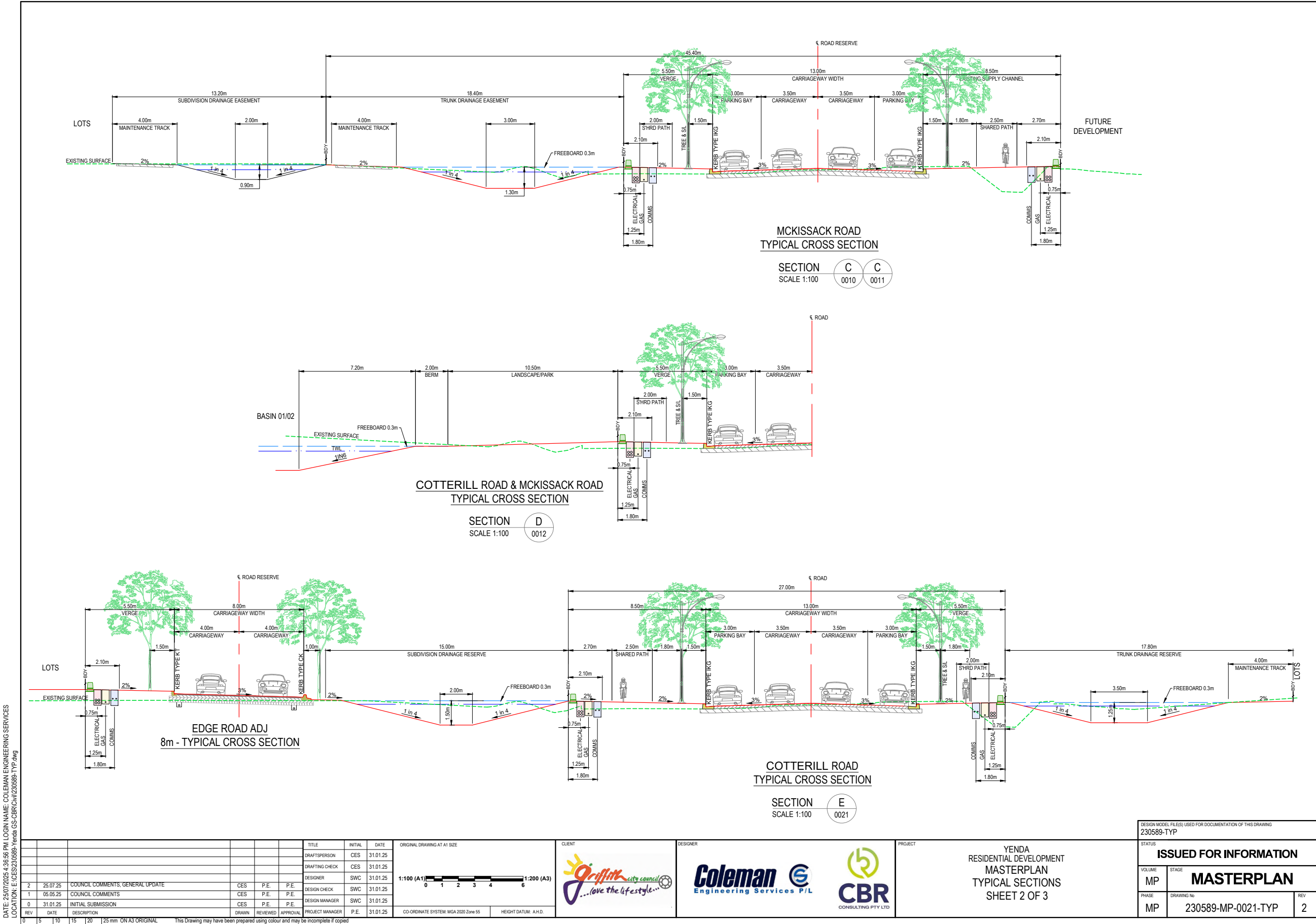
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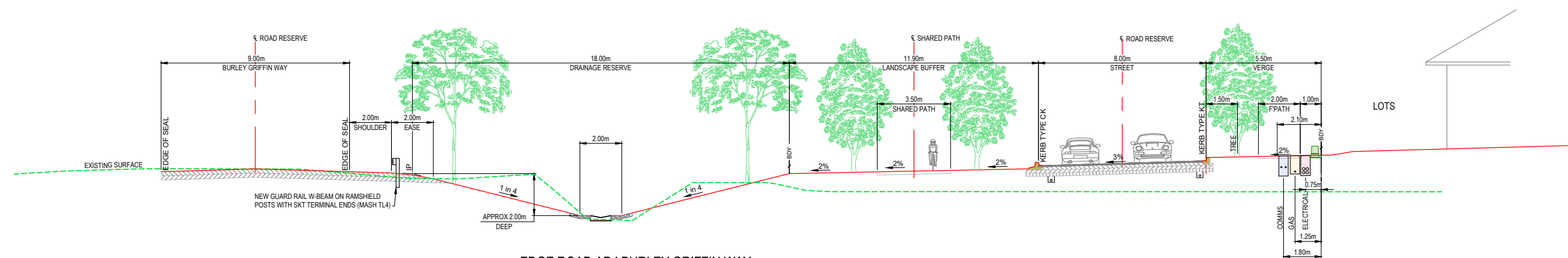
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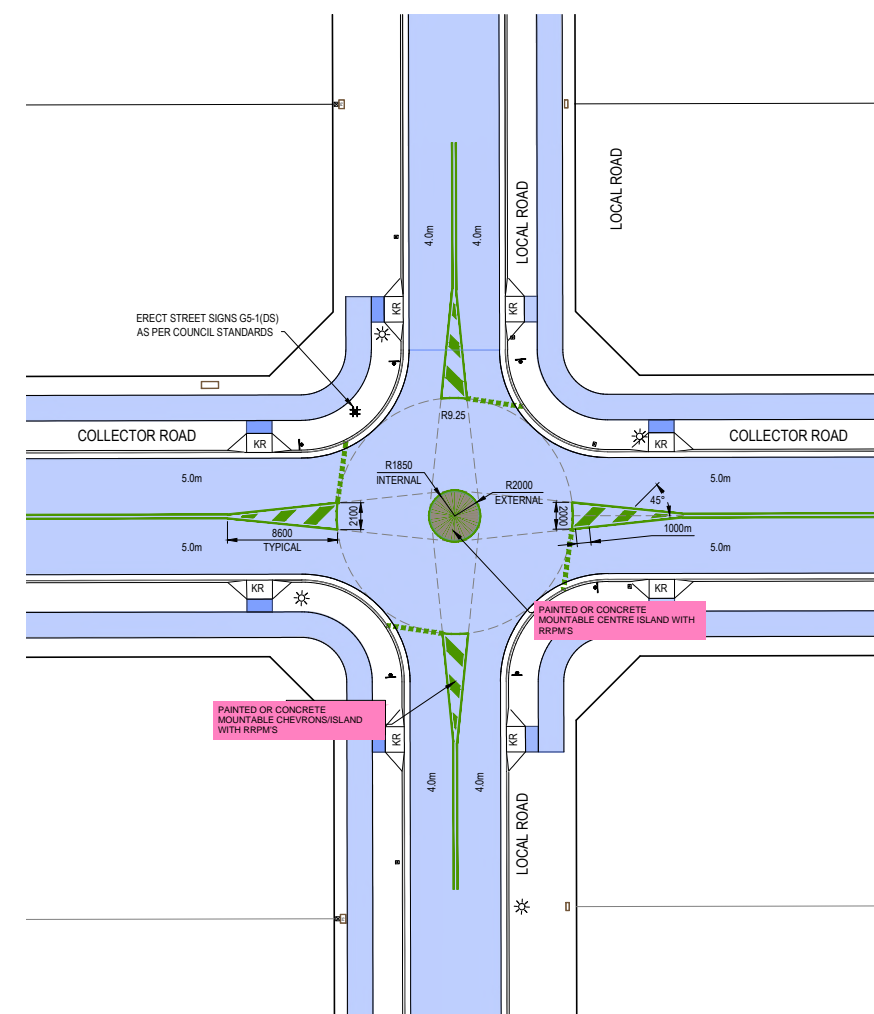




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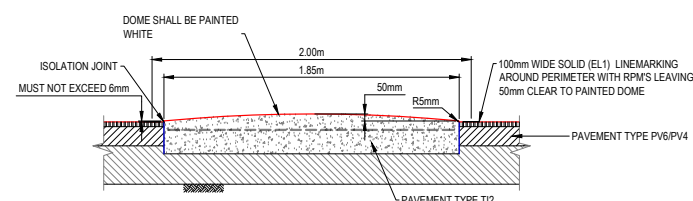
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F 0010 F 0012











LOCAL ROAD MINI ROUNDABOUT DETAIL

SCALE 1:250



MINI ROUNDABOUT CENTRE DOME DETAIL

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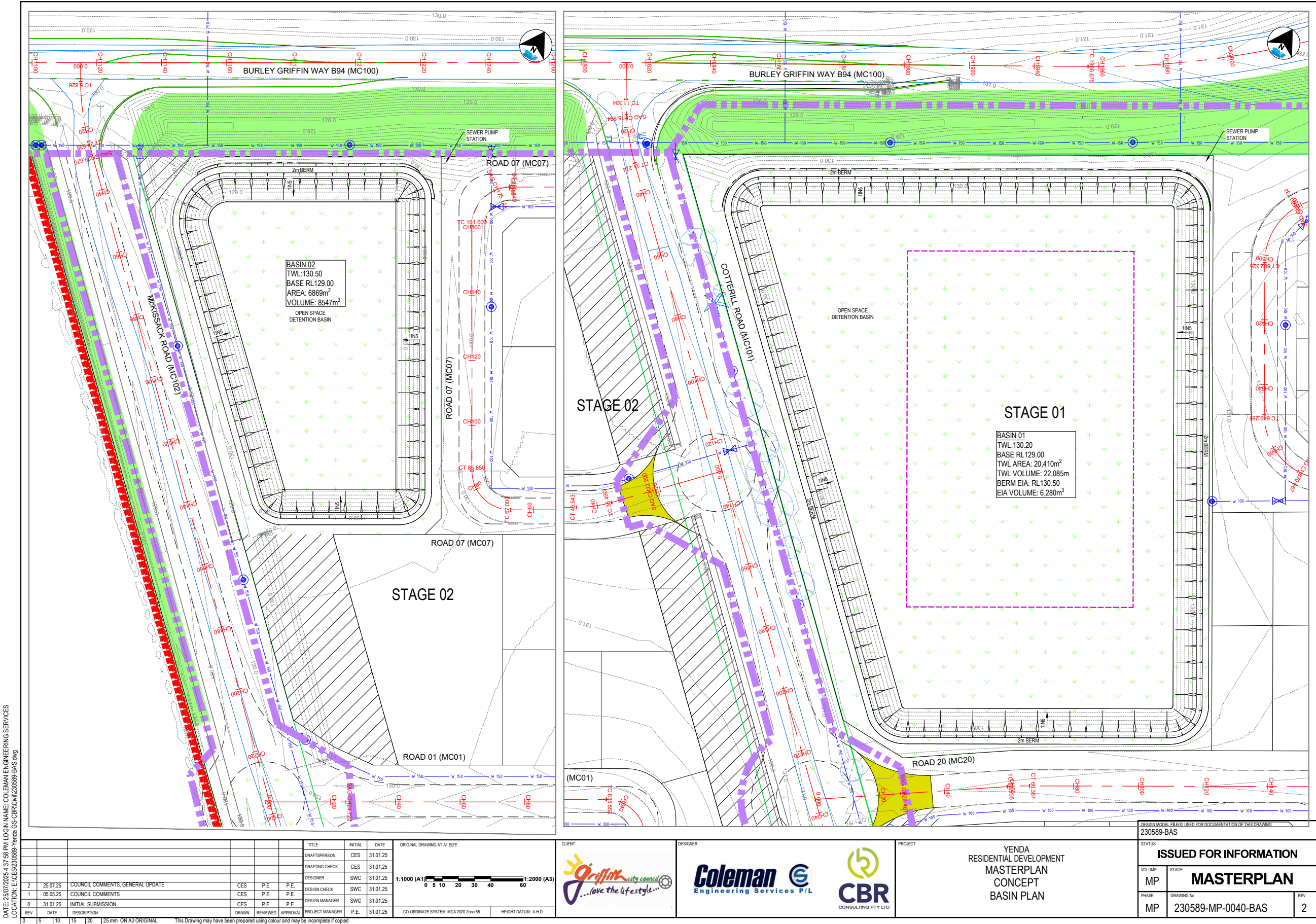
YENDA
RESIDENTIAL DEVELOPMENT
MASTERPLAN
TYPICAL SECTIONS
SHEET 3 OF 3

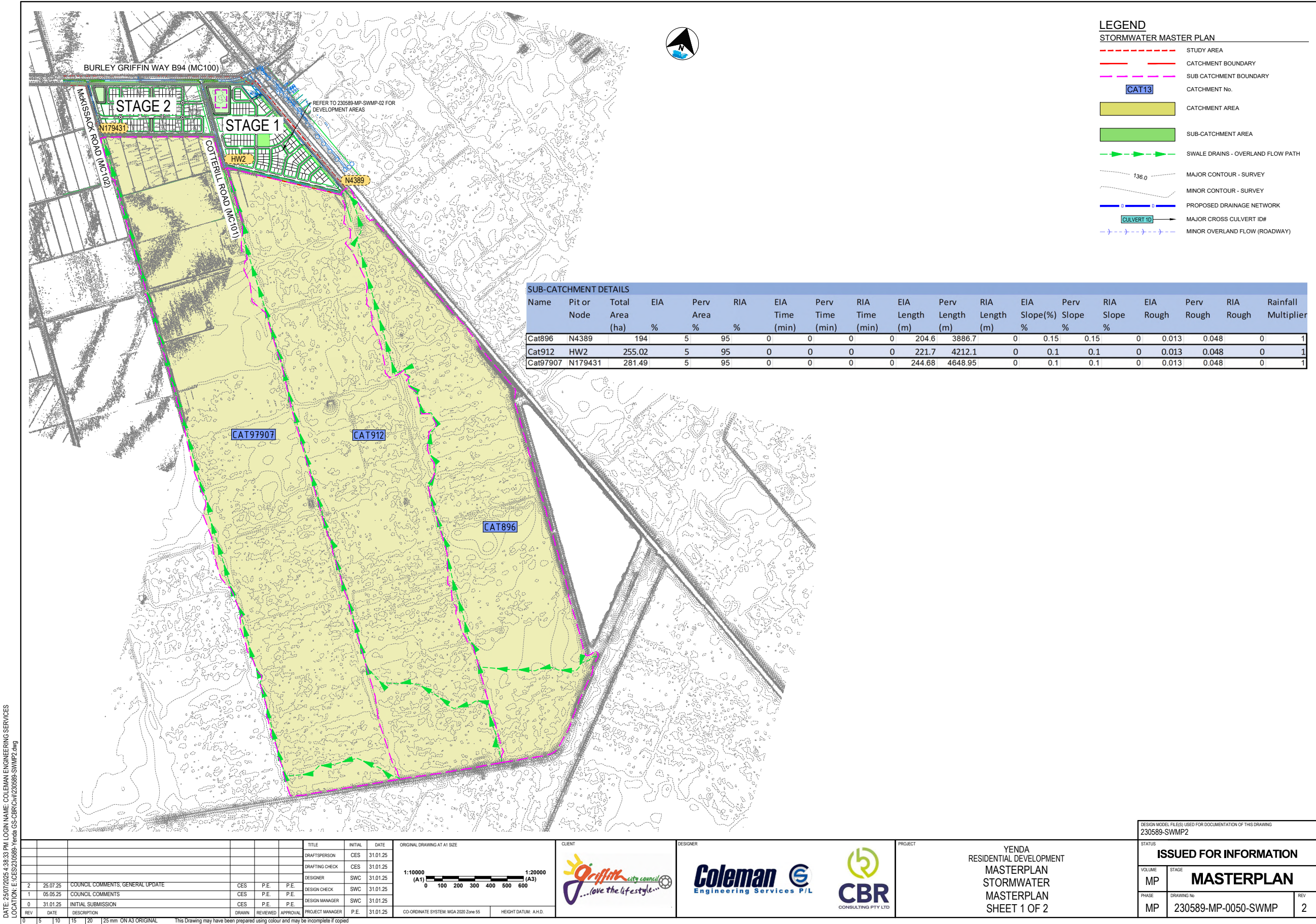
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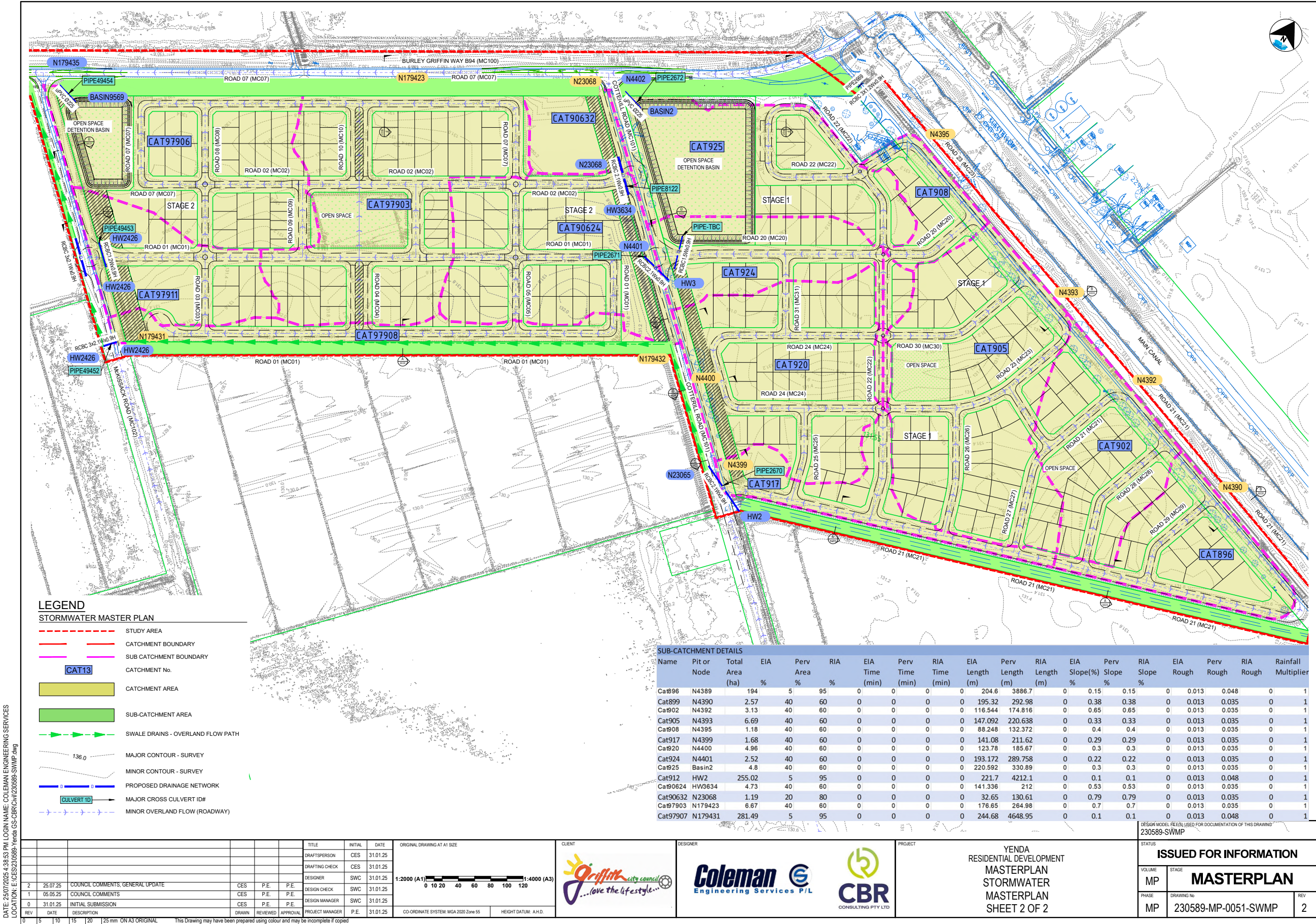
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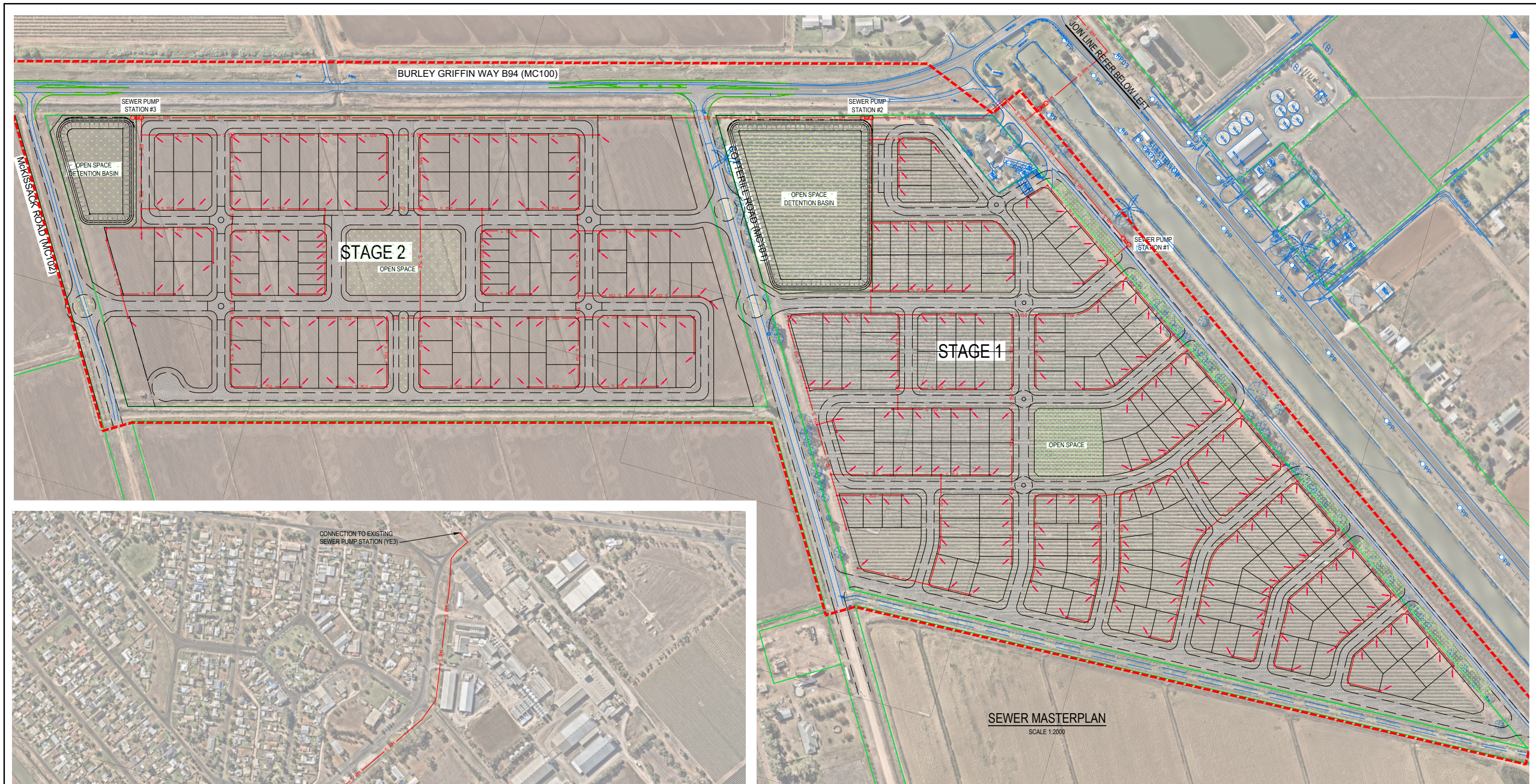
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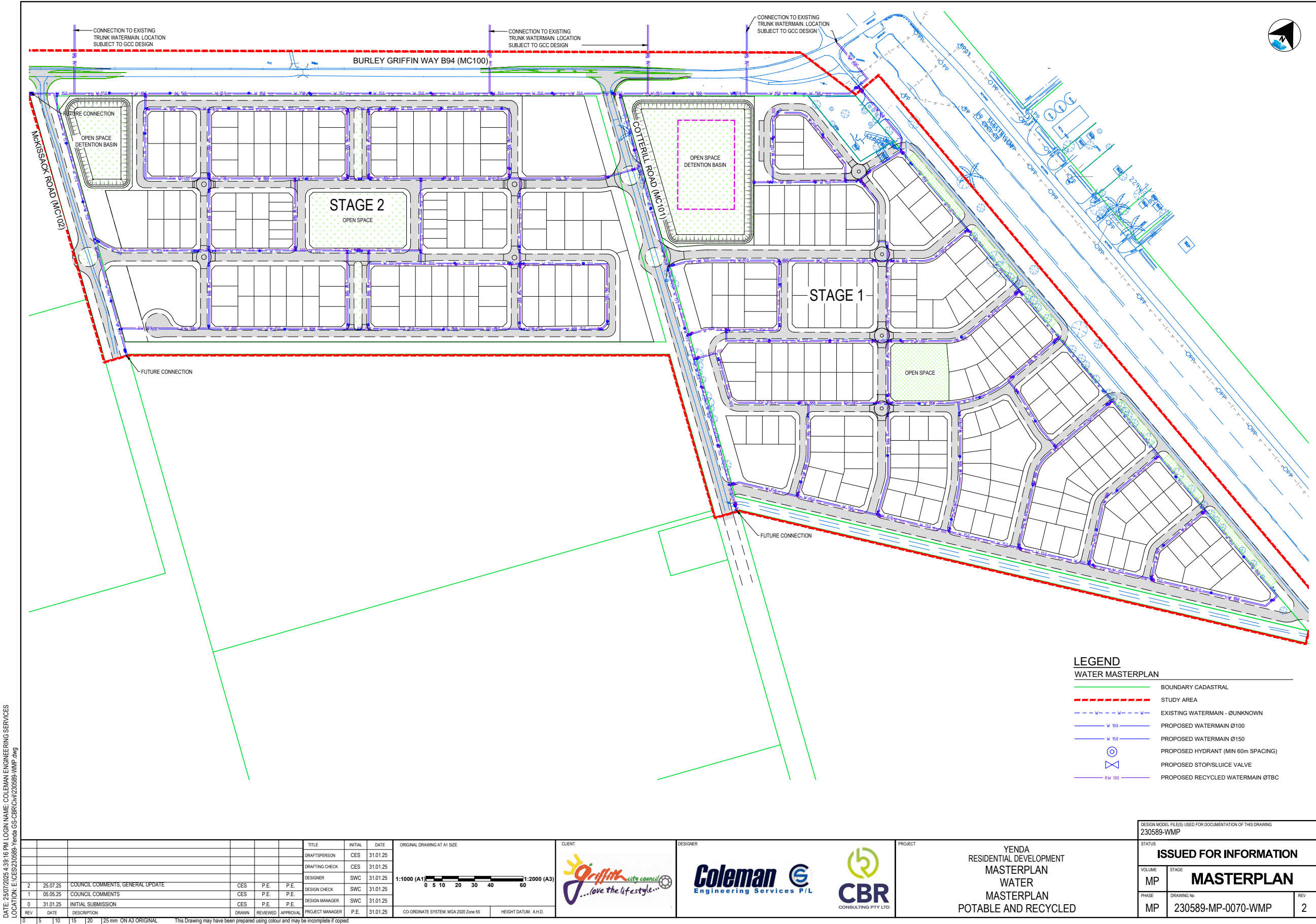
LEGEND

SEWER MASTERPLAN

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	STUDY AREA
	SEWER - CATCHMENT
	PROPOSED SEWERMAIN Ø150
	PROPOSED SEWER RISING MAIN Ø300
	PROPOSED SEWER CONNECTION POINT

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EXECUTIVE SUMMARY

In 2014, the Griffith Land Use Strategy identified a new growth area for Yenda to the south of the existing village along Burley Griffin Way. This area was selected as it was not considered flood prone, contained large developable lots and was not close to any large industries or constraints.

In response to requests from Yenda residents during a community meeting a motion was put forward and adopted to carry out a master planning exercise in Yenda to facilitate growth at the July 2022 Ordinary Meeting of Council.

The land subject to this Master Plan study is described as

Stage 1 – area defined as Lot 2 DP 1084525

Stage 2 – area defined as Lot 230 DP 751728

The issued study brief aim was to develop a statutory planning framework for the expansion of Yenda to the southwestern side of the Main Canal. The Flood mapping undertaken by Torrent Consulting “Griffith Main Drain J and Mirrool Creel – Yenda Flood mapping Update May 2021” shows this land flood free in a 1% AEP event.

The Master Plan document is a guidance document only and is subject to further detail design and development and planning policy. The master plan indicates the constraints and opportunities for the site along with issues found during the investigation of the site. It outlines approximate yields for the estimation of traffic, utility services, drainage and public open spaces requirements.

The Master Plan shows the site:

- Can provide suitable transport connections to Burley Griffin Way
- Can be serviced by water, sewer, power and telecommunications
- Is flood Free in a 1% AEP event

The site provides the following opportunities

- Can provide urban expansion of the Yenda Village.
- Reinforce the existing Yenda Village CBD
- Provide housing for an increase in population to help revitalise the Yenda Village
- Provide open space in an urban environment
- Provide pedestrian and Cyclist connections back to Yenda Village
- Design a sustainable community with WSUD and landscaping measures

The site has the following constraints

- The site is very flat and will require significant fill or reshaping to ensure site drainage
- The site is surrounded by Murrumbidgee Irrigation supply and drainage channels
- The site is somewhat disconnected from the existing village by the Main Canal

This Master Plan initiative provides an opportunity to revitalise Yenda with an increase in residents as well as to provide additional housing to support industry and services in Yenda.

1. INTRODUCTION

1.1 Background

In 2014, the Griffith Land Use Strategy identified a new growth area for Yenda to the south of the existing village along Burley Griffin Way. This area was selected as it was not considered flood prone, contained large developable lots and was not close to any large industries or constraints.

In response to requests from Yenda residents during a community meeting a motion was put forward and adopted to carry out a master planning exercise in Yenda to facilitate growth at the July 2022 Ordinary Meeting of Council. Council then applied for State government funding in August 2022 and was informed the bid was successful in December 2022.

Since then, Council has consulted with the landowners regarding the master planning exercise, carried out a detailed survey of the growth area in preparation to undertake a master plan for the growth area.

1.2 Study Area

The study area is divided into two stages:

Stage 1 – area defined as Lot 2 DP 1084525 and bounded by Burley Griffin Way to the north, Wells Road (and Main Canal) to the east, Cotterill Road to the west and Lot 5 DP838460 (and supply channel) to the south. This area is presently zoned RU5 – Village with an Urban Release overlay requiring the adoption of a master plan and development control plan (DCP) prior to release of the land for residential development.

Stage 2 – area defined as Lot 230 DP 751728 and bounded by Burley Griffin Way to the north, Cotterill Road to the east, McKissack road to the west and Lot 2282 DP 1193889 (and supply reserve) to the south. This area is presently zoned RU5 – Village with an Urban Release overlay requiring the adoption of a master plan and development control plan (DCP) prior to release of the land for residential development.

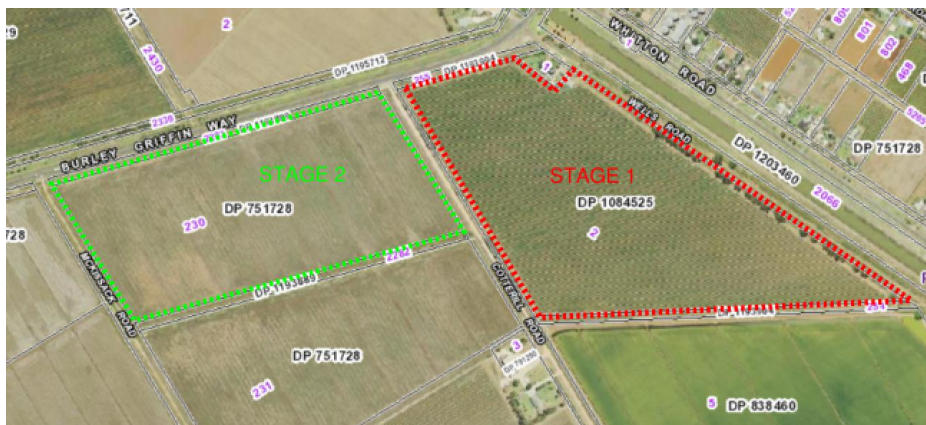


Figure 1 - The Study Area



The site was chosen as being located outside the predicted flood zone in an extreme flood event as per the Griffith Main Drain J and Mirrool Creek Flood Study update 2021 Vol1 (Source Torrent Consulting)

1.3 Aims of the Master Plan

The issued study brief proposes to develop a statutory planning framework for the expansion of Yenda to the southwestern side of the Main Canal. The brief requests:

- A detailed conceptual lot layout and road network will be developed for both stage 1 and 2.
- The master plan will be informed by a traffic assessment including intersections with Burley Griffin Way.
- Public open space, drainage detention to be considered in the master plan layout.
- Consider the provision of infrastructure including the construction, upgrade or extend roads, stormwater (including communal onsite detention), water and sewerage infrastructure to service each stage to enable Council to plan for costs will be recovered through Council's developer servicing plans and a new contribution plan for the growth area.
- Consultation with landowners.
- Lot sizes will be an average of 700 m2 with up to 50% available for multi-dwelling lots or smaller lots.
- Open space would be provided in the form of a neighbourhood park for each Stage which is roughly 1 ha in area and worked into the landscaping strategy.
- Potential locations for neighbourhood commercial areas
- The Master Plan must be designed in accordance with Appendix 2 of the Griffith Residential Development Control Plan 2022

The Master Plan document is a guidance document only and is subject to further detail design and development. The master plan indicates the constraints and opportunities for the site along with issues found during the investigation of the site. It outlines approximate yields for estimation of traffic, utility services, drainage and public open spaces requirements.

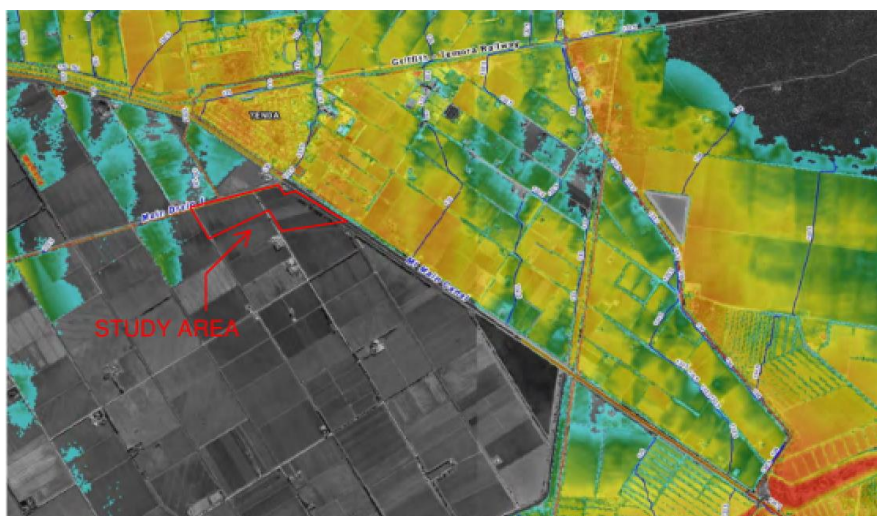


Figure 2 - Griffith Main Drain J and Mirrool Creek Flood Study Update 2021 Vol 1 - Yenda Flood Mapping Update

1.4 Deliverables

As per the issued brief the following deliverables will be required for the study area:

- Traffic Assessment to inform road upgrades / intersections and internal road network.
- Road Network Plan including pedestrian circulation and access to the Village
- Potable Water Circulation Plan -
- Sewage Network Plan — to inform amendments to Council's Developer Servicing Plan
- Lot Layout Plan
- Drainage Network Plan
- Concept Electrical Network Plan
- Open Space and Street Tree Plan



2. YENDA

2.1 A Brief History

Yenda is a village approximately 16km east from Griffith and located on Burley Griffith Way. It is recognised as being established on lands of the Wiradjuri people.

Early settlers in the area date back before the village of Yenda was established with selectors establishing farms in tough and barren semi arid conditions. One of these was North Hulong (or known as Ulong) with covered 28,000 acres and covered the area of Yenda in 1855 by Robert Tooth (a Sydney Brewer). With the establishment of the Murrumbidgee irrigation area (MIA) the selectors homes and holdings were resumed and given just two months to leave and compensation was only half of what they considered the value of the land at that time.

With the MIA works a number of work camps were set up. One of these work camps was at the current Yenda Village site and named East Mirrool. In 1911 a general store and butchery was established and in 1916 the Railway Station opened on the Temora-Roto line with the post office following in 1919.

The Murrumbidgee irrigation scheme was commissioned and water started flowing in the Yenda/East Mirrool section in 1913.

The Water Conservation and Irrigation Commission (WCIC) established a branch with a works office, bulk store and housing for staff. In 1916 the East Mirrool name made way for Yenda to be proclaimed and gazetted as a village.

Along with the WCIC facilities a sawmill and chaff shed was established. Workers, many with families, lived in tents and makeshift shacks. There were horse-yards and a blacksmith's shop in a growing village. By 1920 the population had grown to several hundred people.

Although the town is not officially recognised as a Walter Burley Griffin design town it certainly bears the influence of Griffins central node and radial design cues with avenues leading from this node. Yenda has a large central square park with avenues leading away and then establishing a somewhat traditional Georgian village pattern. A town was laid out with the four main roads, named North and South Avenue, East and West Avenue, meeting at a central park.

The growth period of the 1920's and 30's provided a unique art deco architecture heritage in the small buildings lining Yenda's avenues and some remain intact to this day awaiting reinvigoration. In 1925 the Yenda Hotel was established providing an anchor point for the village CBD. Also in 1925 the Yenda Producers was established for fresh produce and to supply farming supplies and still operates to this day. In 1938 the Diggers Club was established providing a bowling green to the town.

In 1940 Yenda had two clothing stores, two bakers, two butchers, two grocery stores, two barbers, one newsagency, one pharmacy, one cinema, one Greek restaurant.

Yenda became a vibrant village with the WCIC as a base attractor then later McWilliams Wines, Penfolds Wines and the Rice Mill. The Yenda Producers shop/admin in Yenda Place was also the towns general store and provided foot traffic for associated businesses. Setons Bakery was established and a fully staffed Police station, a Post office and Bank of New South Wales were also established to support the town. A pharmacy and a cinema (in the current Foodworks building) once featured in the CBD. Engineering and mechanical workshops serviced the rural industries of Rice, fruit and vineyards. A service station provided fuel to the locals along with Yenda Fruit and case for rural supplies and a modern indoor sports centre was built in the 1980's.



Yenda had two primary schools (St Therese and Yenda Public School) with a healthy school population. The town was also serviced by a Catholic, Uniting and Anglican Church

With large employment attractors the village boomed with many of the staff living in Yenda and working locally rather than making the trek to Griffith. Shoe stores, food and cafes were established and Yenda had a strong community sense of place with it's own street parades and celebrations quite distinct from Griffith.

2.2 Yenda Today

Yenda's population remains steady at 1000 to 1100 people but Yenda's CBD has seen a slow decline since the heydays of the 1960's and 1970's. Many of the art deco shops are now empty.

Like many country towns and villages many of the major services such as the Police Station, Bank of New South Wales (Westpac) have withdrawn. Many of the microbusinesses of the past have closed with empty shop fronts in a once vibrant village. Once a cornerstone of Yenda the popular Yenda Diggers Club has also closed.

The past established industries such as the rice mill and McWilliams wines have been replaced by Casella Wines and Berton Wines.

The decline is not unique with many country towns and villages experiencing the decline of retail and services due to many different reasons both economically and socially.

- Modern cars make the trip to Griffith much easier including two fully sealed roads.
- Many families have both parents working so daily foot traffic in the CBD is lacking to support businesses.
- Decline in labour intensive rural industries with the advent of mechanisation.
- Changing and competitive markets for produce.
- Cost of produce production and uncertainty in water availability.
- Lack of land for new housing
- Lack of main attractor in CBD
- Flooding events in Yenda have impacted desirability.

One of the benefits of low demand is the lack of urban renewal and preservation of art deco architecture in some of the small shops.

Yenda is primed for a revival with lots of "good bones" it just needs a strong strategy to start the ball rolling.

2.3 Flooding

Yenda has been subject to a number of major flood events and most notably in 1924, 1931, 1956, 1989, 2012 & 2018. Flooding in Yenda is predominately influenced by Mirrool Creek which has its origins at the base of the Great Dividing Range some 264km away and has a catchment of approximately 11,000km². Yenda is part of an extensive Mirrool Creek floodplain and is subject to shallow low velocity flood events.



1924

The annual average rainfall for Yenda is approximately 350mm. In 1924 500mm of rainfall was recorded causing localised flooding of the newly established village.

1931

Continued rains over a wet summer and autumn resulted in Mirrool Creek flooding and the bank of the Northern Branch canal gave way. This resulted in approximately 600mm of water inundating the village. After this event a set of cross flow flood gates were installed that allowed flow to be released from the Main Canal to Mirrool Creek on the downstream side of the canal. These gates were built at a junction point where Mirrool Creek crosses the Main Canal at approximately 8 kms east of Yenda. It may therefore be expected that Yenda would remain flood free to around the 2% AEP (1 in 50-year probability) event if the flood gates were operational, but would flood during events of a larger magnitude, once Mirrool Creek flows exceed this level. In 1939 after 3 weeks of heavy rain it was once again feared Mirrool Creek would overflow but the newly installed flood gates were opened and the water dissipated preventing the village from heavy flooding.

1956

Another wet year in 1956 (704mm of rain) resulted in flooding including large parts of NSW. This flood was widespread throughout both the Murray and Darling river catchments at the same time. This also resulted in heavy rainfall in the Mirrool Creek catchment.

1989

Heavy rainfall in March 1989 caused significant flooding to Griffith and surrounding villages, including Yenda. The flood in 1989 had a ARI of 50-100 year with over 100mm of rain falling. Flooding in Yenda included Mirrool Avenue, Leaver street, West Avenue, Henry Street, Railway Parade and the Myall park Road intersection was flooded. Some flooding reached a depth of 1m. it was found that the siphon under the Main Canal was blocked by debris which reduced its capacity.

2012

In 2012 Yenda experienced a 0.5%AEP flood vent (1 in 200 chance of occurring in any given year). This is the largest recorded event in Yenda's history. Over 500 buildings had flooding above floor levels leading to a majority of the town being inundated. Mirrool Creek once again was the major source for the flooding when waters overtopped the Northern Branch Supply canal and flowed into Yenda.

3. THE SUBJECT SITES

3.1 Stage 1

Stage 1 defined as Lot 2 DP 1084525 and bounded by Burley Griffin Way to the north, Wells Road (and Main Canal) to the east, Cotterill Road to the west and Lot 5 DP838460 (and supply channel) / Swales Road to the south. A separate allotment (Lot1 DP 1084525) at the north eastern corner has a dwelling under separate title.

The site is currently under crop to wine grapes with a number of eucalyptus trees along the eastern and western boundaries.

The site is very flat with minimal fall from the southeast corner to the northwest corner. Over a distance of 1000m the reduced levels are 130.780 to 130.340 giving just 440mm of fall. This is 0.044% fall. This presents the biggest challenge for the project, drainage.

Preliminary geotechnical reports on the site show the site is underlain by the Quaternary alluvium sediments (floodplain sediments) comprising unconsolidated clay, silt, sand and gravel in accordance with 1:250,000 Scale "Metallogenic Series Sheet SI/55-10 for Narrandera". The topsoil material is on average 100mm to 200mm deep leading to medium to high plasticity silty clay. No groundwater was observed onsite in the boreholes to a depth of 4m.

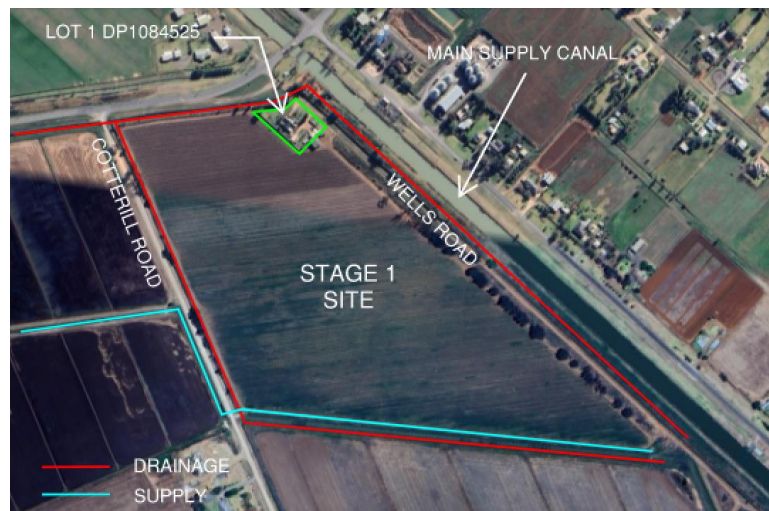


Figure 3 - Stage 1

Stage 1 – Site Constraints

The following site constraints were considered for the stage 1 allotment.

- Flatness – the site is very flat with only 0.044% fall. Griffith City Council minimum kerb and road grading is 0.33%. To produce fall the site will either need to be cut or filled. Cutting is not considered feasible as it will create a “bathtub” effect for drainage and flooding within the site.

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- Fill will need to be sourced either on site or from off site to enable the site to drain.
- Surrounding Murrumbidgee Irrigation assets – there is a supply channel along the southern boundary that is still considered active servicing downstream irrigators.
- The east, west and northern boundaries all have drainage channels conveying flows from further up the catchments. These channels are reasonably sharply incised and do not fit a urban environment. They will need to be modified to enable maintenance.
- Existing boundary trees – a number of larger eucalyptus trees surround the site on the western, eastern and northern boundaries. The trees will be close to proposed dwellings and some are in poor condition with poor form. It is recommended that the health of these trees be assessed and consideration of removal and new plantings suitable for the development.
- Financial Feasibility – with the very flat grades the site will likely require the importation of a large quantity of fill. This can be a financial constraint to the development.

Stage 1 - Site Opportunities

The following opportunities were considered for Stage 1:

- Housing the site will provide much needed housing to support local growth and industries.
- Create new identity – the development can create a new identity for Yenda and spur new development and attract employment opportunities
- Sense of place – the new development can create a new sense of place
- Open space – the new development will allow for open space for parks and sporting facilities
- New trees – works will allow for tree planting to increase the tree canopy cover for the new development
- Connected community – with the new development hi speed communications can be installed
- Pedestrian – the new development will have a extensive network of paths along with trunk pedestrian and cycling routes connecting back to Yenda's existing CBD
- Non potable water installation of a extended non potable water scheme can reduce the use of potable water by 50%. This will allow non potable water to be used for the establishment of new landscapes both for dwellings and open space.
- New development and building will create local jobs and encourage investment in Yenda.

3.2 Stage 2

Stage 2 defined as Lot 230 DP 7517028 and bounded by Burley Griffin Way to the north, Cotterill Road to the east, McKissack Road to the west and Lot 2282 DP119389 (drainage and supply reserve) to the south. The site is currently under cropping to rice and grain.

Once again the site is very flat with minimal fall from the southeast corner to the northwest corner. Over a distance of 1000m the reduced levels are 130.780 to 130.340 giving just 440mm of fall. This is 0.044% fall. This presents the biggest challenge for the project, drainage.

11



Preliminary geotechnical reports on the site show the site is underlain by the Quaternary alluvium sediments (floodplain sediments) comprising unconsolidated clay, silt, sand and gravel in accordance with 1:250,000 Scale "Metallogenic Series Sheet SI/55-10 for Narrandera". The topsoil material is on average 100mm to 200mm deep leading to medium to high plasticity silty clay. No groundwater was observed onsite in the boreholes to a depth of 4m.

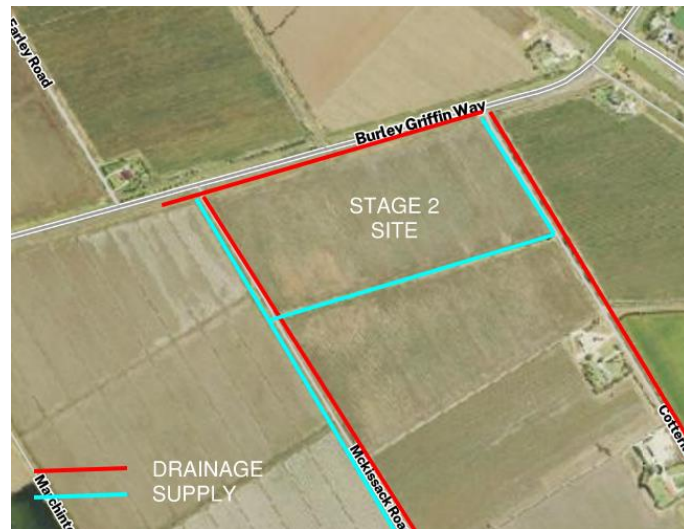


Figure 4 - Stage 2



4. MASTER PLANNING FRAMEWORK

4.1 Principals

The principals for the master plan framework include the following:

- To provide housing opportunities to the village of Yenda free from flooding
- To provide pedestrian and cyclist connectivity to the existing village including the Yenda Place commercial area.
- To reinforce the declining Yenda Place Commercial area by not providing new retail areas
- Provide larger village style lots to be an attractive and cost-effective alternative to smaller Griffith lots.
- Provide green open space for recreational activities
- Provide green streets with tree canopy to provide shade and cooling in Griffiths hot summers
- Provide safe interaction with the surrounding road network
- Provide minimal impact on the Murrumbidgee Irrigation drainage network

4.2 Key Principals

The following key principals were identified for the master plan:

Protect and invigorate the existing Yenda CBD

No new commercial areas are proposed to ensure the current Yenda Village Centre is protected and promoted. The current CBD is in decline with empty shops and vacant premises. Yenda has a unique opportunity to reinvent the art décor shopfronts and provide small footprint retail opportunities to new micro businesses and start ups. By not including additional retail and commercial space it is hoped new residents in areas proposed by the master plan will be encouraged to shop at the existing CBD and provide economic conditions to restart businesses. The art deco architecture provides a great base for low rents could be used to attract and promote micro businesses with smaller footprints and low start-up costs. Many smaller villages such as Uralla and Braidwood have successfully reinvented their towns using the above bases.

Through an increase in residents provided by the development of the growth area, hopefully new commercial businesses would choose to locate in the Village Centre in existing vacant shop fronts and reinvigorate the CBD area.

Connectivity to the “new” and “old” Yenda

Connectivity opportunities include:

Utilising the existing old heritage bridge across the main canal to remain as walkway connection. This would require resurfacing and some minor maintenance (painting and review of the handrails to standards) to be reused as a pedestrian and cyclist connection.



Provision of a safe pedestrian crossing of Whitton Road. At the end of the existing guard rail install a marked and lit pedestrian crossing to enable the passage of pedestrian and cyclists across the Whitton road. Crossing to be installed with safe storage distance for B double trucks turning from Burley Griffin Way.

Provision of 3m wide pedestrian and cycle path along the western side of Burley Griffin Avenue/Mirrool Avenue to connect to South Avenue and the Yenda primary School.

Provision of 3m path along the western side of South Avenue to connect with Yenda place.

Wells road has been offset to preserve the existing large boundary trees and provide a linear path the length of the development.

Design provides a cycleway/path along frontage of Burley Griffin Way. Edge road and edge roads to minimize back fences fronting the main road. This gives an active edge rather than lifeless corridor.

Central connector Road running north /south within development promoting central access for pedestrians.

Open Space and Amenities

The provision of good quality public open spaces and amenities enhance new development offerings and set the bones for an attractive place to live.

Open spaces provide opportunities for outdoor activities, promoting physical and mental well-being.

Aesthetic appeal. Green spaces enhance the overall appearance and attractiveness of a development.

Community Health. Open spaces encourage outdoor activities, promoting exercise and reducing sedentary lifestyles.

Air Quality. Trees and vegetation help to improve air quality by absorbing pollutants and releasing oxygen

Temperature Regulation. Trees and vegetation provide shade and help to cool urban areas, reducing the urban heat island effect

Biodiversity. Open spaces can provide habitat for wildlife and help to maintain biodiversity

Drainage and Detention

As mentioned above Yenda has a history of major flood events. The new site chosen for development is separated by the Main Canal which acts as a levee bank for the Mirrool Creek Flood waters.

The master plan will detail flood measures and drainage for the new development. Detention basins will double as usable public open space and limit site flows during large events.

5. THE MASTER PLAN

5.1 A Kit of Parts

A master plan is a kit of parts that together build the vision for the Master Plan. The parts cover planning, open space, landscaping, engineering, drainage, utility services and access.

5.2 Layout

The stage 1 lot has an unusual shape with the south eastern wedge making maintaining efficient lots difficult. The basic layout reflects mainly Georgian grid style of north south, east west streets.

The angle of the side boundaries make it difficult to achieve ideal solar orientation but most of the lots fall in the 15 to 20 degrees from north south or east west orientation range. The layout features a central spine running north south which will connect to any future southern development extension.

The master plan seeks to provide a range of lot sizes to increase development options and affordability. Different groups need different products in the community. Larger families may want a larger area with backyards to play, first home buyers with restricted budgets can find a smaller product as a stepping stone in their property journey, retirees may want a smaller product with less to maintain. Estates should be a knit of products and sizes to build an integrated community.

The layout also seeks to respond to the site characteristics including MI drains, major road access, vegetation and topography.



Figure 5 - The Master Plan



5.3 Services

Water

A trunk water main (250mm) is available on the northern side of Burley Griffin Way. As per the water master plan it is recommended two tapping's per stage to be made to ensure a loop for water recirculation has well as a dual supply in case of maintenance or a broken main.

The size of the tapping and watermain within the development are indicative only and should be modelled by Griffith City Council to determine pipe size for supply and fire requirements depending on detail design.

Non potable water

The existing village of Yenda has a non-potable water supply fed from MI raw water supply. It is supported to continue this dual water supply system to minimise the need for potable water. Non-potable water can reduce potable water consumption by up to 50%. This lowers water bills (raw water cheaper to supply) and reduces the energy requirements to produce potable water.

Non potable water can be used for watering gardens and green spaces, cleaning floors and cars, or flushing toilets.

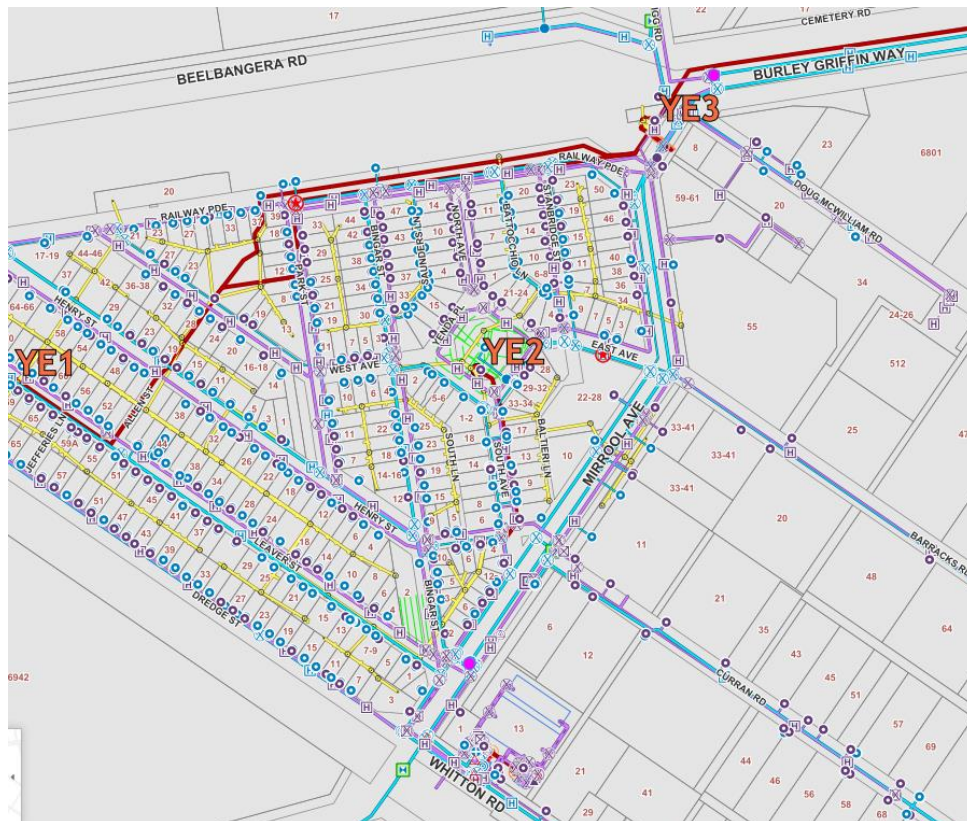
Sewer

The concept sewer master plan highlights the reticulated sewer mains at the front of lots. This negates the need for easements and mains at the rear of lots and enables Council to service and maintain sewer without the need to enter properties.

By removing the need for easements, it enables items such as sheds and structures be built in backyards without the need for easement offsets.

As the site is so flat the each stage will need 1-2 sewer pump stations. This can be modelled by Council to assess the difference in construction cost vs the depth of mains.

The pump stations will require a new sewer rising main pumping to existing pump station YE3. Other pump stations within the Yenda Village do not have the capacity to accept this new development. YE3 pumps to the Yenda Water Reclamation Plant YWRP near the Yenda Cemetery along the Whitton Stock Route



Power

Essential Energy have undertaken a Network Capacity Assessment. They have advised that the site is connected to the 11KV YEN3B3-Bilbul Feeder. The YEN3B3 11kV has a 300A OC and has 65A peak. Technical assessment by Essential Energy of the network indicates that an additional 105A on this feeder is achievable from the existing connection settings. Essential Energy have indicated no off site augmentation is required at this stage.



Figure 6 - Essential Energy Network Plan

When a DA is approved, Essential Energy will be requested for a Design Information Pack (DiP). The DiP will outline the internal reticulation requirements.

NBN

NBN have confirmed network is available to the Yenda development. Detail design will need to be undertaken to confirm back haul locations and requirements to service the site.

It should be noted that many households now only operate a mobile phone and have relinquished their fixed line phone options. Similarly other internet servicing options are now available including fixed wireless and satellite.

Natural Gas

Jemena was contacted regarding supply to the development and undertook a desktop analysis using historical gas loads for residential dwelling. They have advised the current 210Kpa medium pressure network located on Burley Griffin Way currently has capacity for this development. It should be noted that Jemena does not reserve capacity for any individual project.

Once construction is imminent, an application via the Jemena Portal should be so Jemena can make a formal offer for supply.

5.4 Traffic and Transport

This report provides a technical assessment of traffic and transport considerations for the Yenda Growth Area Master Plan in Griffith, NSW. The Master Plan guides residential development within the area bounded by Wells Road to the east, McKissack Road to the west, and Burley Griffin Way to the north, with farmland/Swales Road to the south.

The Master Plan proposes subdivision layouts and associated road and infrastructure networks to support residential development, targeting an average lot size of 700m², with 25% allocated for



multi-unit dwellings or smaller lots. A neighbourhood park for each stage is also planned, along with potential commercial opportunities.

The traffic analysis focused on Stage 1 of the development, with a conceptual framework for Stage 2 also being provided to ensure integration of future road and service connections as development progresses in the area.

Traffic Analysis and Assumptions

This section outlines the traffic assumptions and methodology used in the assessment of the Yenda Growth Area Master Plan. The analysis was undertaken in consultation with Griffith City Council and Transport for NSW (TfNSW) to ensure alignment with relevant guidelines and standards.

Traffic Generation Assumptions

Traffic generation rates have been determined based on the *RMS Updated Traffic Document* (TfNSW TDT 2013/04a) and the *RTA Guide to Generating Traffic Developments* (GTGD). The traffic generation rates proposed are as follows:

- Daily Trip Generation:
 - Standard low-density residential lots: 7.4 vehicles/house/day
 - Multi-unit (MU) super lots with villa-type dwellings: 5.5 vehicles/dwelling/day
- Peak Hour Trip Generation:
 - Standard lot (AM peak): 0.85 vehicles/house
 - Standard lot (PM peak): 0.9 vehicles/house
 - Multi-unit super lots (weekday peak): 0.55 vehicles/dwelling

These figures have been reviewed and agreed upon by Griffith City Council and reflect a conservative approach that ensures the assessment adequately captures the anticipated traffic impacts.

Midblock Traffic Volume Calculation Methodology

Midblock traffic volumes within the estate have been calculated using a structured approach to account for anticipated vehicle movements. The methodology includes:

1. Catchment areas were determined based on proximity to intersections and preferred travel paths to estate exits.
2. The number of standard residential lots contributing to each internal road segment was identified.
3. Traffic volumes were assigned based on the least resistance direction to egress from the estate, with cumulative totals calculated for each segment.
4. Multi-unit super lot traffic was estimated based on dwelling yield (1 dwelling per 300m²), and trip generation rates were applied accordingly.
5. The total number of standard and multi-unit dwellings was multiplied by the agreed trip generation rates to determine vehicles per day and midblock volumes.
6. Peak hour traffic volumes were extracted for use in the Burley Griffin Way intersection analysis.

A conservative approach was applied in overlapping catchment boundaries, ensuring that the worst-case scenario was assessed for both east and west estate areas. The catchment boundaries, based on a 70% and 30% split of traffic to Griffith and Yenda, respectively is as per the below figures. Areas that are highlighted in blue were assumed to exit the estates in both east and west directions for Stage 2 and north and south for Stage 1.

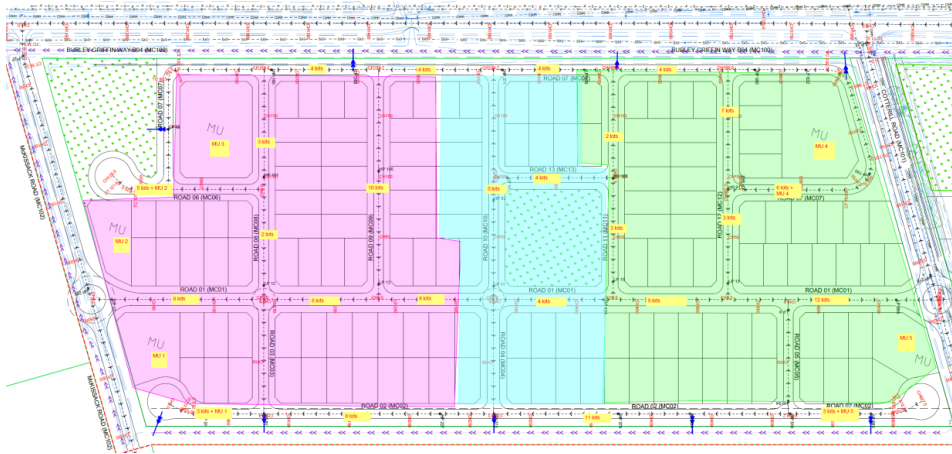


Figure 7 - Traffic Catchment Plan

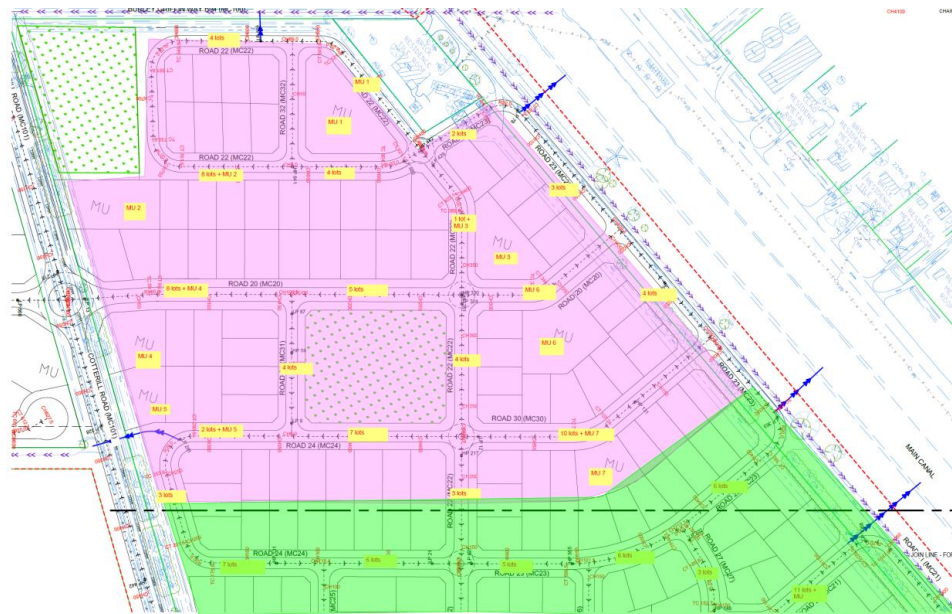


Figure 8 - Traffic Catchment Plan

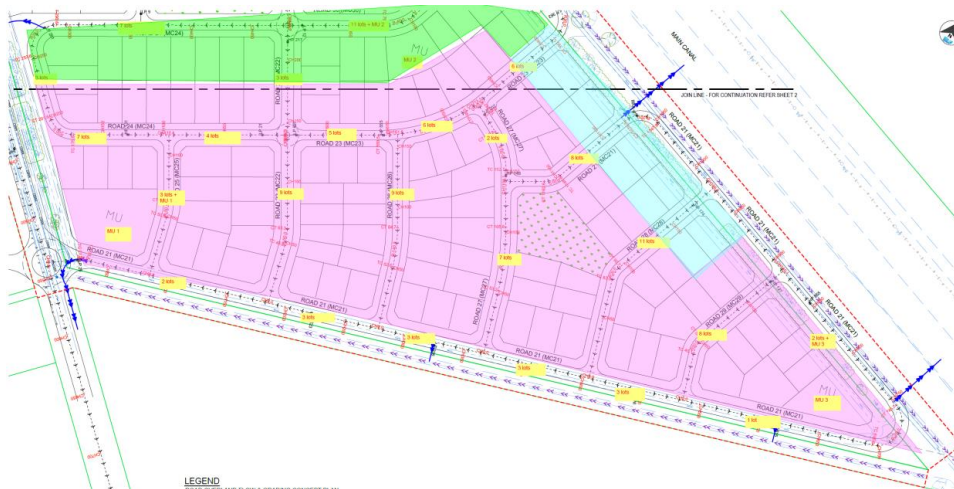


Figure 9 - Traffic Catchment Plan

The calculated midblock volumes using the above agreed methodology with Council resulted in the below traffic volumes.



Figure 10 - Mid-Block Volumes

Traffic Distribution and Volume Assumptions

Existing traffic volumes on Burley Griffin Way were obtained from traffic count data provided by Griffith City Council. The observed peak hour volumes are:

- Westbound peak hour traffic: 172 vehicles per hour (vph)
- Eastbound peak hour traffic: 136 vph

No growth factor was initially applied to these volumes. However, based on Council's advice, a 1% per annum growth rate has been adopted for future year traffic projections.



The traffic distribution assumptions for Burley Griffin Way and the new subdivision are based on discussions with Council and an analysis of anticipated travel patterns. As mentioned previously the following directional assumptions were made in the traffic analysis:

- 70% of traffic is assumed to originate from Griffith
- 30% of traffic is assumed to originate from Yenda

Based on these assumptions, the estimated turning movements at key intersections are:

- Cotterill Road Intersection:
 - Right turns into Cotterill Road: 140 vph
 - Left turns into Cotterill Road: 83 vph
- McKissack Road Intersection:
 - Right turns into McKissack Road: 111 vph
 - Left turns into McKissack Road: 25 vph

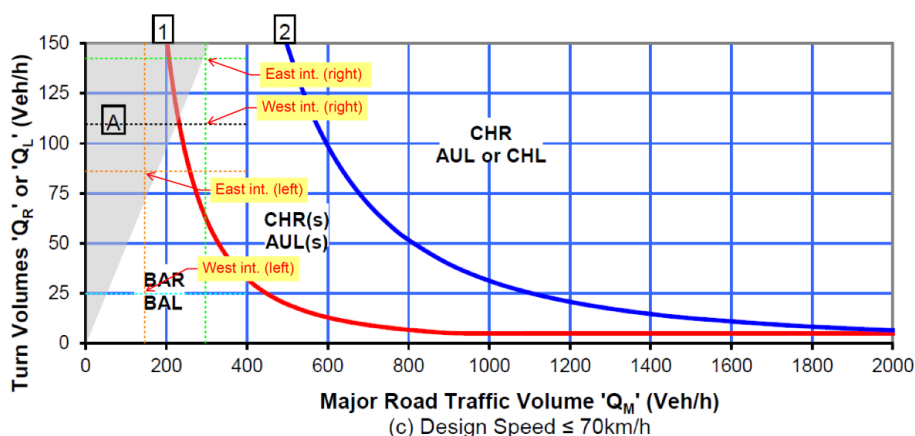
These turning volumes have been used in the intersection analysis to assess required treatments.

Intersection Treatments and Road Design Considerations

The design speed for Burley Griffin Way in the vicinity of the development has been assumed to be reduced to 70 km/h, aligning with discussions with Council and the anticipated reduction from the current rural 100km/h speed limits due to the urban development's environment.

Intersection treatments have been assessed using *Austroads Guide to Traffic Management Part 6 (AGTM06-20)*. Based on the warrant assessments, as can be seen in the figure below, the following treatments have been assessed:

- Basic Auxiliary Left (BAL) turn lanes for both intersections
- Channelised Right Turn (CHR short) lanes for both intersections



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Figure 4 – Warrants Assessment

Following further discussions with Council, and aligning the intersection treatment with best practice, it is recommended that an Auxiliary Left Turn (AUL short) treatment at the Cotterill Road intersection would be warranted to maintain traffic flow along Burley Griffin Way, given the potential for speed variations as vehicles exit Yenda village. This adjustment has been incorporated into the proposed intersection layouts.

Summary

The traffic analysis for the Yenda Growth Area Master Plan has been developed in accordance with relevant TfNSW and Austroads guidelines. The assessment incorporates agreed traffic generation rates, distribution assumptions, and intersection treatments, ensuring a thorough basis for evaluating the future subdivisions and associated existing intersection upgrades. The proposed intersection treatments, including CHR(s) and AUL(s) provisions, aim to maintain traffic efficiency and safety along Burley Griffin Way with a local speed reduction to at least 70km/h. These intersection treatments would reduce impact to any inefficiency experienced on Burley Griffin Way.

Public Transport Provision

Bus stops should be considered during the detail design of the estate. Stops should be positioned on Collector Roads ensuring walking distance is no more than 400m for each resident.

5.5 Flooding and Drainage

Introduction

Prior to undertaking a hydraulic and hydrological analysis of the proposed subject site, a site inspection of the study area was undertaken to inspect the general features of the study area and to gain a better perspective of the stormwater issues experienced by adjacent landowners. Catchment areas were also defined based on a visual assessment, which are described later in this report.

A review of the flood plans within the BMT Griffith Main Drain J Flood Study (2015) was undertaken to understand flood characteristics of the general subject site area. From the below except from this report, the 1% AEP flood model does not appear to impact the site, however the hydrology pertaining the site, given the catchment area, was confirmed. The mapping extract below shows that Main Drain J has minimal flow depths in the 1% AEP storm event, where discharge from the proposed estates will have minimal impact and afflux caused, as long as post development flows are reduced to at least pre-development levels.

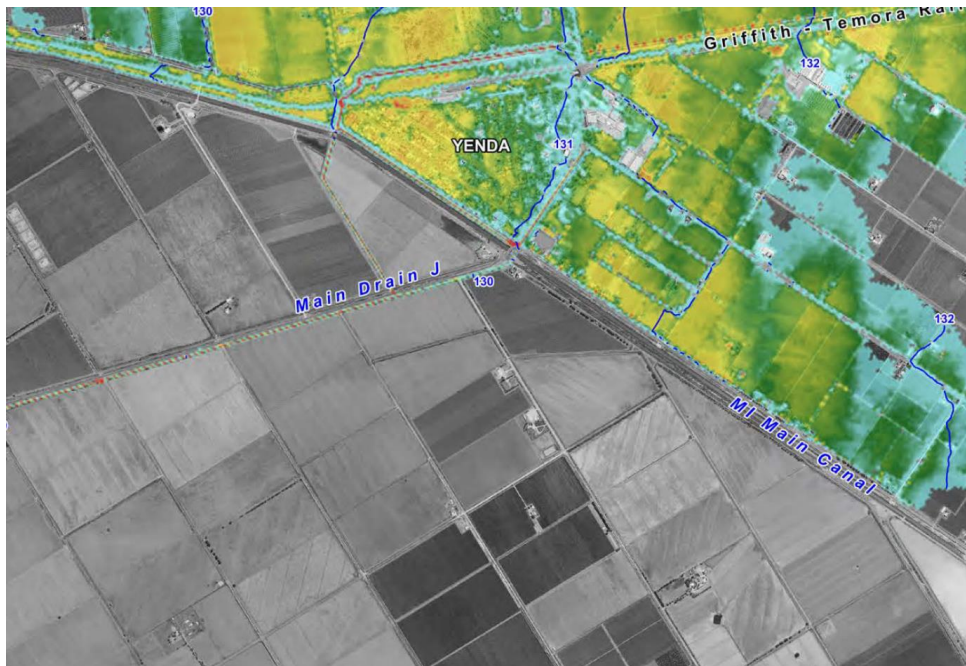


Figure 11 - BMT 1%AEP Flood mapping (BMT 2015)

It is understood that following flooding of Yenda in June 1931 a set of flood gates were installed that allow flow to be released from the Main Canal to Mirrool Creek on the downstream side of the canal. It may therefore be expected that Yenda would remain flood free to around the 2% AEP (1 in 50-year probability) event if the flood gates were operational, but would flood during events of a larger magnitude, once Mirrool Creek flows exceed this level. Given the current state of decommissioning of the flood gates, the existing capacity at the structure and hence flood immunity afforded to Yenda is something of the order of 5% AEP (1 in 20-year probability) event.

Yenda also was flooded in the heavy rain events that took place during 1989, which identified that the Murrumbidgee Irrigation's (MI) channel was cutting off flows to the future Growth Area.

The Riverina region suffered from some of the worst flooding in recorded history during the March 2012 flood event, where the community of Yenda in particular was severely impacted. The source of flooding in Yenda was from Mirrool Creek flood waters overtopping the irrigation infrastructure and spilling into the catchment of Main Drain J.

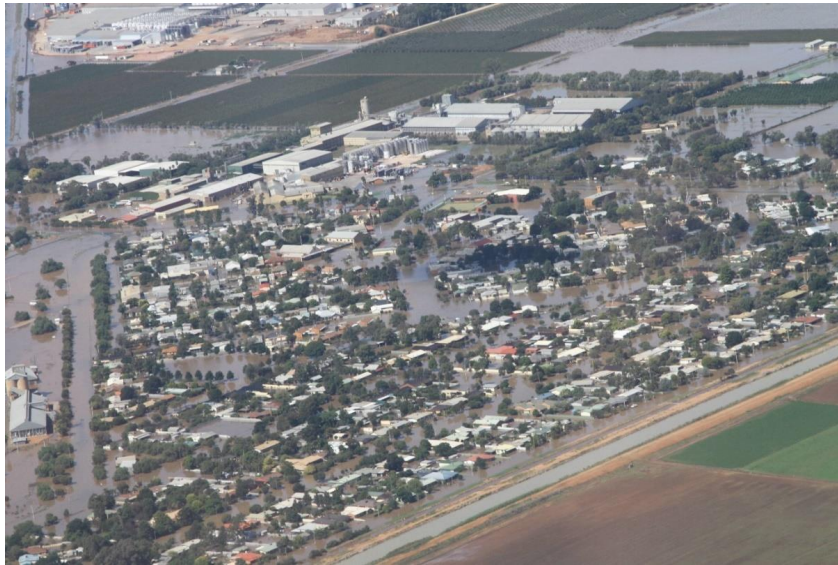


Figure 12 - 2012 Flood looking north east from Dredge Street. Note south of Main Canal is not flood effected



Figure 13 - 1989 Flood looking north east from Dredge Street. Note South of Main Canal not flood effected

Council's Floodplain Risk Management Study and Plan has also been reviewed to ensure that the most current flooding constraints and external catchments are considered in the drainage analysis. Below is another extract from Council's data in relation to floodway locations in the vicinity of the Study Area.

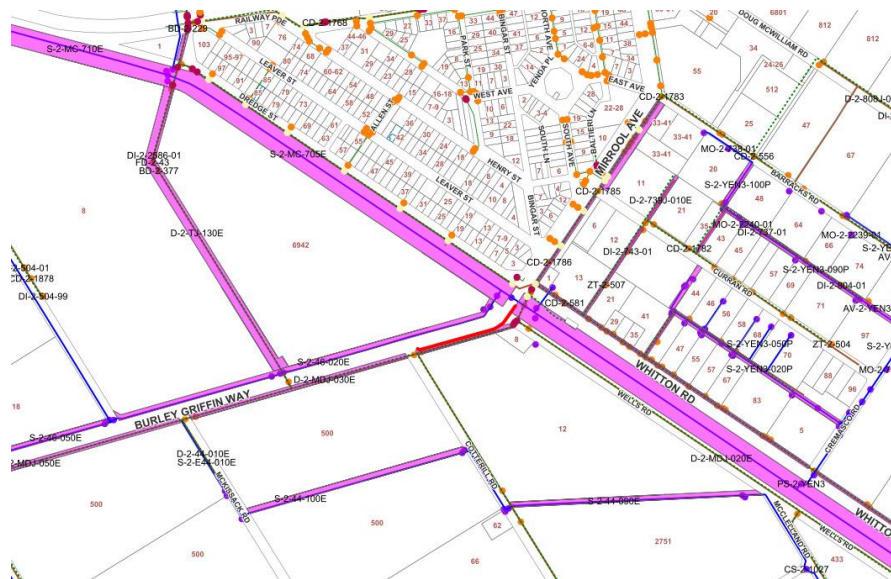


Figure 14 - GCC Floodplain Risk Management Plan

It is understood that there is an existing network of Murrumbidgee Irrigation's (MI) raw water supply infrastructure and drainage channels servicing the Study Area, with a major channel running north east of the Stage 1 boundary. It is noted that some of the supply infrastructure has been converted from open channels to buried pipes. The drainage channels remain, also serving to drain stormwater flows. There are corridors of land owned by MI that are understood to be within the study area, containing the supply infrastructure and drainage channels. These will be considered in the drainage design for the proposed development layout. The Murrumbidgee Irrigation supply and drainage infrastructure would be proposed to be retained and flows introduced to these channels, reduced to existing flows where possible. This infrastructure is understood to be important for the continued agricultural uses in the vicinity of the Study Area.

Urban development typically results in increased hard surfaces and impervious areas, which shed stormwater with increased velocity than pre-development agricultural land. The end results in significant increased peak flow rates downstream. The stormwater modelling in the Master Plan area will include the formation of upgraded drainage swales to convey stormwater flows in defined corridors. These swales and drainage structures at road crossings will be sized to accommodate the post-development stormwater flows and culminate in a detention basin at or near the low point of the Growth Area. Detailed design of these works will be required before construction and not included in this fee proposal.

Upgrading of existing drainage channels will also be explored to ensure that the land and infrastructure in close proximity to the sites are protected from major overland flows. This is only where these areas would be likely to be affected by significant increases in the stormwater runoff flow rates.

Analysis

A comprehensive stormwater hydrological and hydraulic analysis was conducted to evaluate pre-development and post-development catchments and flow paths within and contributing to the estates. The analysis included both major and minor storm events, with the major storm defined as



the 1% Annual Exceedance Probability (AEP) event and the minor storm as the 20% AEP event, in line with Griffith City Council's (GCC) Standards.

The hydrological analysis was undertaken using DRAINS computer software to model catchment areas, assumed flow paths, floodway alignments, and detention areas. This approach was designed to achieve effective estate drainage while ensuring that flows to the Main Drain J channel were not increased.

The stormwater modelling applied the Australian Rainfall and Runoff (ARR) 2019 methodology, which employs a median/mean ensemble of storms based on Intensity-Frequency-Duration (IFD) data sourced from the ARR database. The model incorporated initial and continuing loss parameters in line with ARR recommendations.

Climate change factors were not included in this analysis due to their relatively recent incorporation into ARR methodology and ongoing resolution of related issues raised by other councils. Additionally, the application of climate change adjustments to the IFD data would have significantly impacted the performance of the proposed Master Plan. This exclusion was considered appropriate to ensure the results align with practical and representative future conditions.

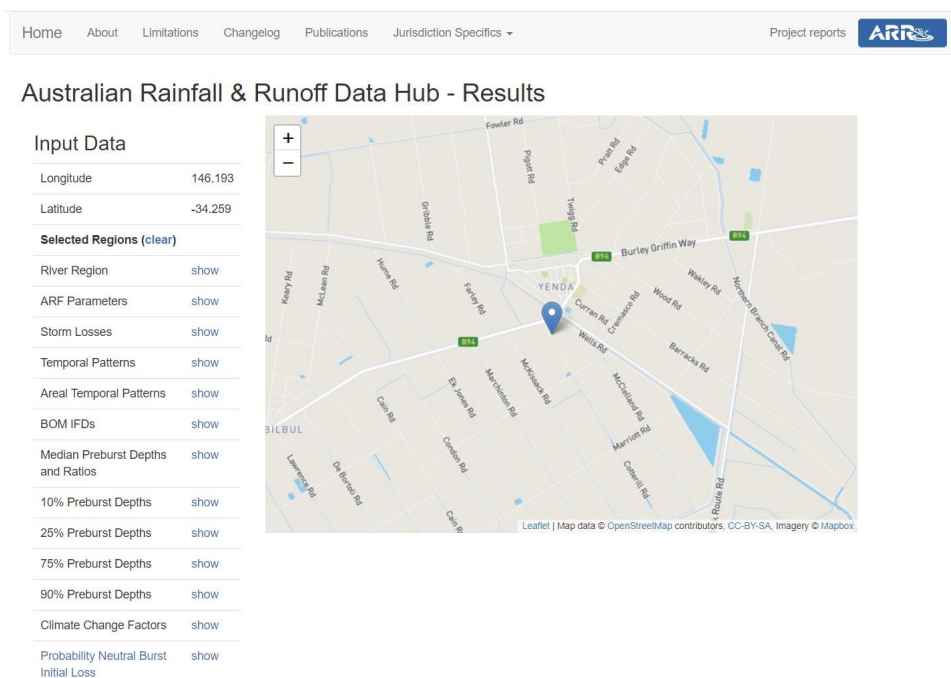


Figure 15 - ARR Extract within Site location

Based on the site inspection, upstream catchments to the site were determined. This was validated through a review of the LIDAR contours available in the area. There are three main catchments that lead toward the site, which are diagrammatically shown below with indicative flow arrows. The red arrows are drainage channels, blue arrows indicate supply channels and the black arrows show the general direction of flows, based on the existing grading of the land. The three catchments are broadly defined by:

1. Wells Road, Mirrool Branch Canal Road, and McClelland Road. This catchment is directed to the existing swale drain that runs along the north eastern edge of the Stage 1 boundary.
2. McClelland Road, Mirrool Branch Canal Road, Cotterill Road and the Stage 1 southern boundary. This catchment is directed to flow north along Cotterill Road, between Stages 1 and 2 of the proposed estates.
3. Cotterill Road, Mirrool Branch Canal Road, McKissack Road and the Stage 2 southern boundary. This catchment is directed to flow north along McKissack Road, west of the Stage 2 boundary.

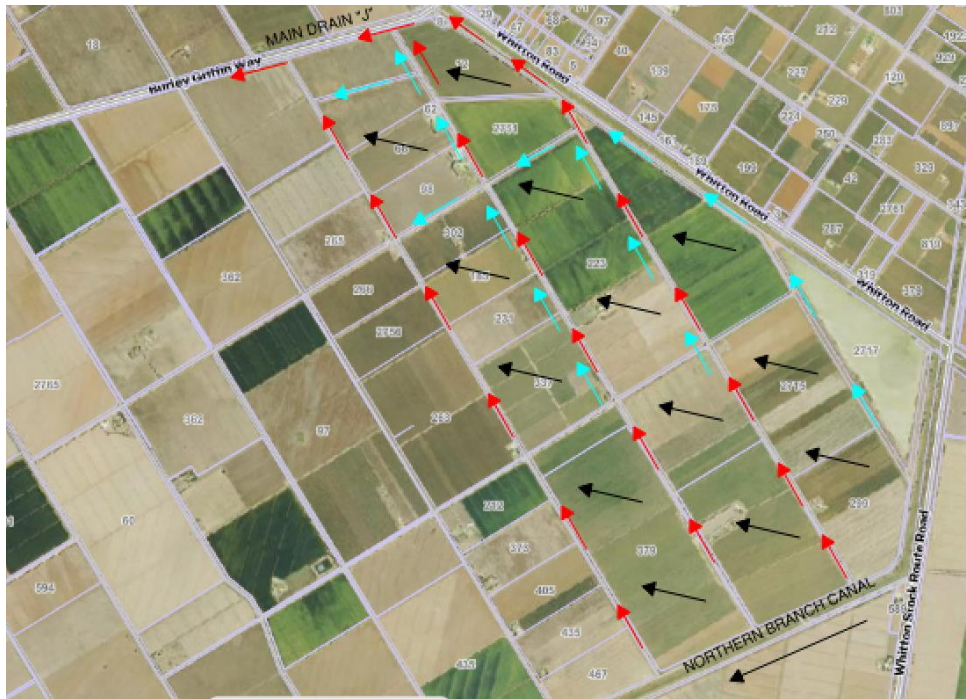


Figure 16 - Upstream Catchment

The three upstream catchments have been drawn, based on the site observations and analysis of LIDAR contours, as can be seen in the below figure extract from CAD. The catchment boundaries are indicated in magenta lines, whilst the flow paths are shown in the light blue lines. The catchment areas and their respective flow path lengths and grades have been calculated as:

- Easternmost catchment – 193.99 hectares, 4,091.25m at 0.15%.
- Central catchment – 255.018 hectares, 4,433.84m at 0.09%.
- Western catchment – 281.49 hectares, 4,893.63m at 0.06%.



Figure 17 - Upstream Catchments and Flow Paths

Some flow path grades have been calculated as being less than 0.1%, but because of the software limitations of DRAINS, these have been rounded up to 0.1% so that analysis could be completed.

Likewise, internal estate catchments were determined and drawn in CAD, together with the associated flow paths. These are based on the proposed estate grading, which has been optimised to ensure positive gravity drainage, whilst minimising earthworks. These can be seen in magenta lines in the below figure and light blue lines as the overland flow paths.

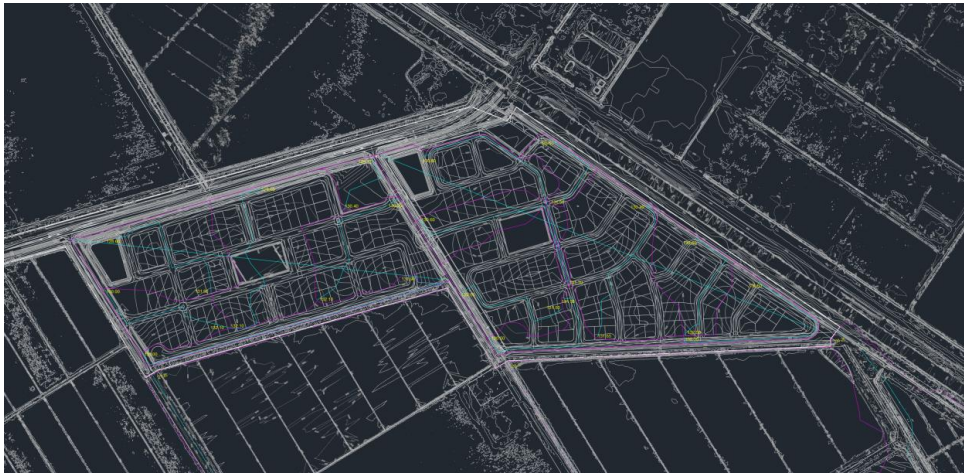


Figure 18 - Estate Catchment Areas and Flow Paths

The developed impervious area assumption was 40%, with an impervious area percentage of 60%, when combined with the proposed road reserves. The upstream catchments were only assumed to have a conservative 5% impervious area. Roughness coefficients were assumed as 0.035 in road verges, 0.013 for the hardstands within lots and roads and 0.035 for new drainage channels. The pervious areas in the upstream farm areas were assumed as 0.048. These assumptions are considered typical for subdivisions that are surrounded by farmland within Griffith.

Modelling

The stormwater modelling aimed to achieve effective drainage for the estate through the implementation of swale drains, culverts at road crossings, and detention basins designed to reduce off site flows. Swale drains were modelled with a maximum of 1 in 4 batters for maintenance reasons. Upstream flows were modelled and proposed to be separated as far as practicable from estate catchment flows to maximise the treatment of flows by entering the proposed detention basins. The detention basins were modelled with dimensions and depths that allow discharge to Main Drain J through outlets compliant with Murrumbidgee Irrigation's (MI) requirement of a maximum DN225 pipe. MI's requirements were significantly more stringent than those of the Council, which only required flows to be reduced to pre-development levels. Pre and post development flow testing and volume calculations were undertaken, where detailed results are provided later in this report. Minor storm event (20% AEP) checks were also completed to confirm that newly created and existing roads remain free from inundation in this minor event condition.

The drainage strategy incorporated several key components. For the eastern upstream catchment, flows were directed along an existing swale located northeast of the Stage 1 boundary. Additional flows from adjacent catchments draining to this swale necessitated its resizing. The swale channels these flows to the north, turning west before entering Main Drain J. An existing culvert crossing the entry road to the property north east of Stage 1 was also modelled and resized to accommodate the increased flow. It was noted that the eastern catchments bypass the proposed detention basin for the estate. To compensate for these bypass flows, the detention basin was oversized, considering all flows off the full Stage 1 development area.

Within Stage 1, flows from the remaining catchments were conveyed along the eastern side of Cotterill Road into a detention basin located in the northwest corner of the estate. The basin outlet was designed as a DN225 pipe, as required by MI, which significantly constrained drainage capacity beyond



the requirement to simply reduce flows to pre-development levels. The central upstream catchment was redirected to the western side of Cotterill Road through a box culvert, separating these flows that did not require detention from the Stage 1 western catchments.

In Stage 2, eastern catchments drain toward Cotterill Road combined with flows from the abovementioned central upstream catchment. These flows bypass treatment but are accounted for by oversizing the detention basin in the northwest corner of Stage 2. To separate upstream flows along McKissack Road, two parallel swales were proposed in the eastern verge. The western swale in this verge conveys upstream catchment flows directly into Main Drain J at Burley Griffin Way, while the eastern swale captures flows from Stage 2's western catchments, routing them into a detention basin that discharges via a DN225 pipe. The detention basin is designed to accept all incoming flows without overtopping during a 1% AEP event.

Additionally, a central catchment within Stage 2 was identified for direct discharge into Main Drain J. These unmitigated flows were compensated by oversizing the Stage 2 detention basin, ensuring overall flows remain well below pre-development levels.

Box culverts were designed across proposed intersections within Stages 1 and 2 to manage flows from the identified catchments and to provide flood protection for future allotments under 1% AEP conditions. Due to shallow site grades and extensive iterations of grading designs to minimise earthworks, box culverts were utilised at road crossings to achieve the required cover. This design approach ensures effective drainage and compliance with both flood management and infrastructure standards across both estates.

A screenshot of the completed model can be seen in the figure below.



Figure 19 - DRAINS Model with 1% AEP Results

Following sizing the detention basins using the above methods, pre and post developments flows were checked for compliance. The results of these are presented as follows.

Stage 1 Catchment Pre-Development Hydrograph – 1% AEP, 3 hour burst, Storm 8:

- Total volume = 18794.2 cu.m.
- Pervious volume = 17573.5 cu.m
- EIA volume = 1220.7 cu.m

Post Development Flow Hydrographs:

- Total Volume = 1953.8 cu.m. Through Basin and DN225 outlet (see below).



- Eastern Catchments from Stage 1 that lead into the north east swale that are unmitigated before discharge into Main Drain J:
 - Total volume = 625.2 cu.m. Pervious volume = 299.9 cu.m. EIA volume = 325.3 cu.m
 - Total volume = 1151.7 cu.m. Pervious volume = 599.3 cu.m. EIA volume = 552.3 cu.m
 - Total volume = 1627.5 cu.m. Pervious volume = 780.6 cu.m. EIA volume = 846.9 cu.m
 - Total volume = 287.1 cu.m. Pervious volume = 137.7 cu.m. EIA volume = 149.4 cu.m
 - Total volume (all east catchments) = 3691.5 cu.m.
- Total Post Development Flow Volume (Stage 1) = 5645.3 cu.m.

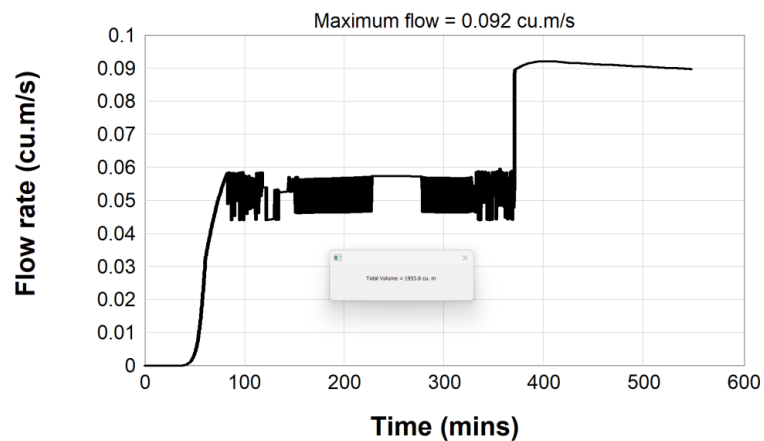


Figure 20 - Stage 1 Detention Basin Hydrograph

West Catchment Pre-Development Hydrograph – 1% AEP, 1.5 hour burst, Storm 6:

- Total volume = 11516.2 cu.m.
- Pervious volume = 10675.3 cu.m
- EIA volume = 840.9 cu.m

Post Development Flow Hydrographs:

- Total Volume = 2043.8 cu.m. Through Basin and DN225 outlet (see below).

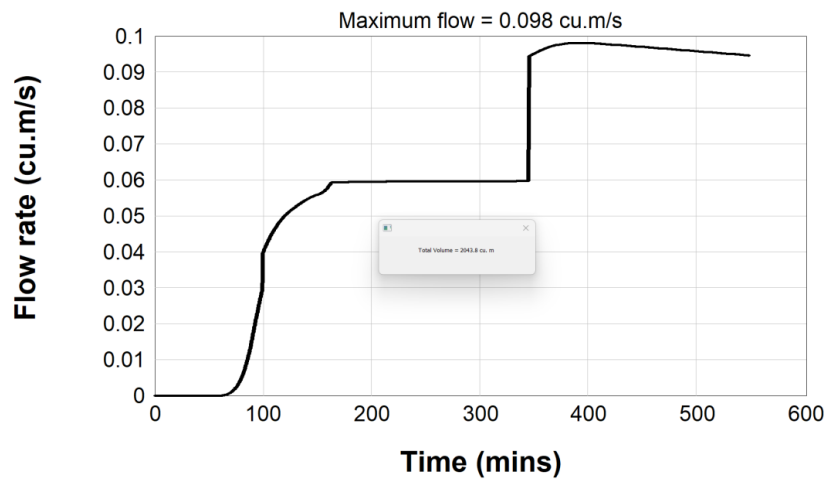


Figure 21 - Stage 2 Basin Hydrograph

- Eastern Catchments that lead into Cotterill Road (unmitigated):
 - Total volume = 1150.7 cu.m. Pervious volume = 551.9 cu.m. EIA volume = 598.8 cu.m.
 - Total volume = 345.2 cu.m. Pervious volume = 253.0 cu.m. EIA volume = 92.3 cu.m.
 - Total volume (all Stage 2 east catchments) = 1495.9 cu.m.
- Central Stage 2 Catchment Total Volume (see below hydrograph) = 1622.6 cu.m.
- Total Post Development Flow Volume (Stage 2) = 1622.6 cu.m.

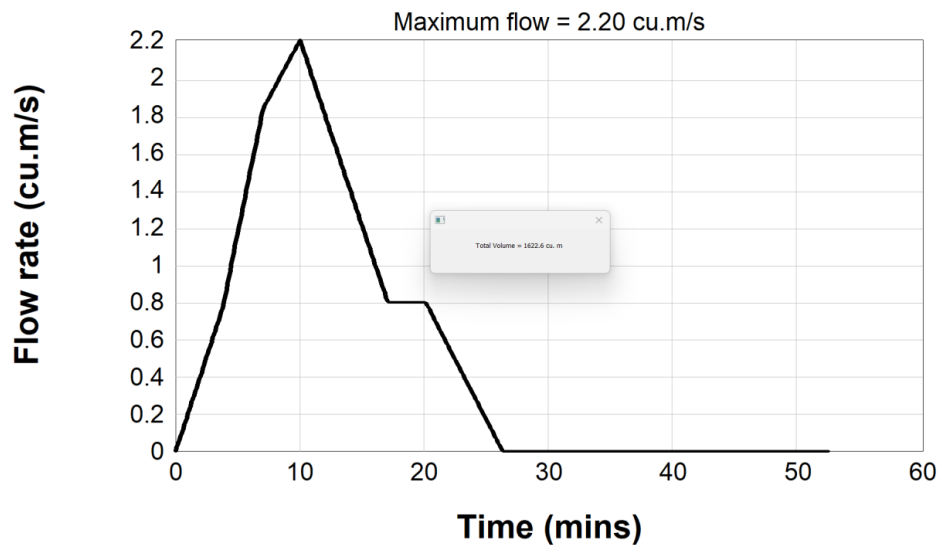


Figure 22 - Stage 2 Central Catchment Hydrograph

As can be seen, pre-development total flow volumes are significantly larger than post development flows. This can be attributed to the oversized detention basins and the significant earthworks required to steepen grades to promote effective gravity drainage.

All culvert crossings were checked for minor storm event compliance, which was verified to not cause any flooding in any location.

5.6 Open Space

Open space is essential in the creation of liveable communities. Public open space has been identified in the master plan and all lots are within 400m walking distance of public open space facilities including stormwater detention basins which will be dry most of the year and can be used for recreation purposes. People with access to public open space are healthier and happier than those without. Open spaces in communities are vital to maintain physical and mental health for residents and become an important focal point in the precinct. Well-designed parks and open space can be legacy spaces, taking the vision and ideas of the community and combining them with innovative design to deliver the right type of park for future generations to enjoy. More information and guidelines for design can be found at <https://www.planning.nsw.gov.au/policy-and-legislation/open-space/everyone-can-play>

Yenda has a great central park (Yenda Memorial Park) which forms the anchor for the CBD. With its central focus it is reminiscent of the central English green design with all sides fronting onto open space. This provides passive surveillance and a central green space.



Figure 23 - Yenda Memorial Park

Northern Basin - The northern park is designed as a detention basin to limit the post development drainage to predevelopment levels. The basin has a depth of approximately 1.5m and the sides are designed at a gentle 1 in 6 slope for easy maintenance. This depth will also allow passive surveillance from surrounding streets. The basin has been sized to accommodate a sports playing field. A carpark and area for the future construction of amenities.

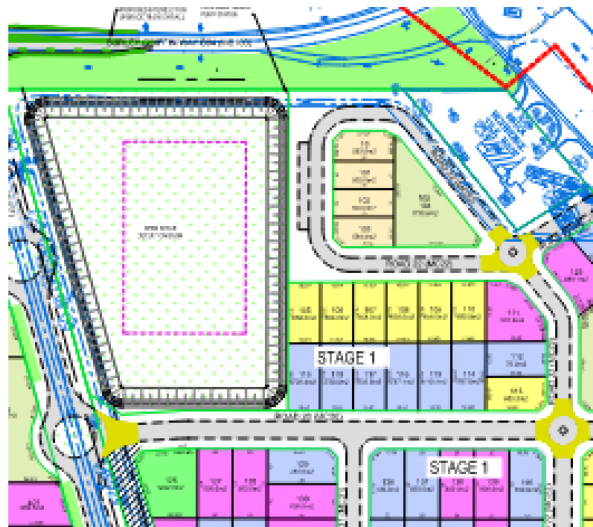


Figure 24 - Stage 1 Northern Basin

Central Park - This space is the main feature park in the development. 3 sides face streets to provide passive surveillance and it is approximately 5000m² (For comparison the Yenda Memorial Park is approximately 12,000m²). It is anticipated that this park will provide facilities such as a “everyone can play” design, BBQ and shelters and become a focal part of the development

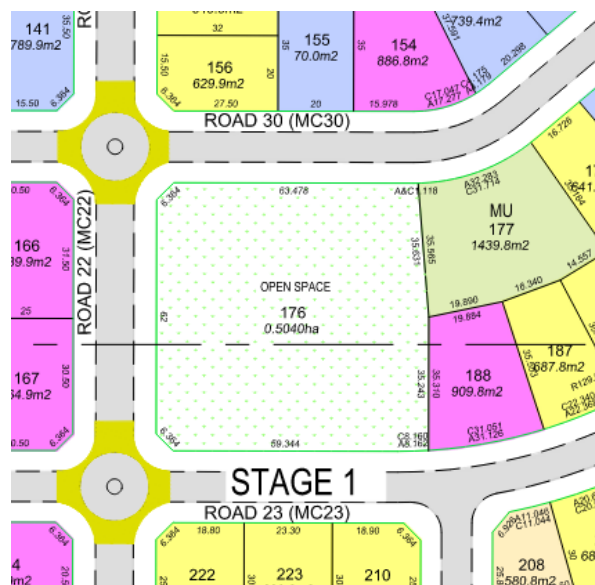


Figure 25 - Stage 1 Central Basin

Pedestrian/Cyclist shared corridors

The proposed design allows for pedestrian and cyclist connectivity throughout the precinct.

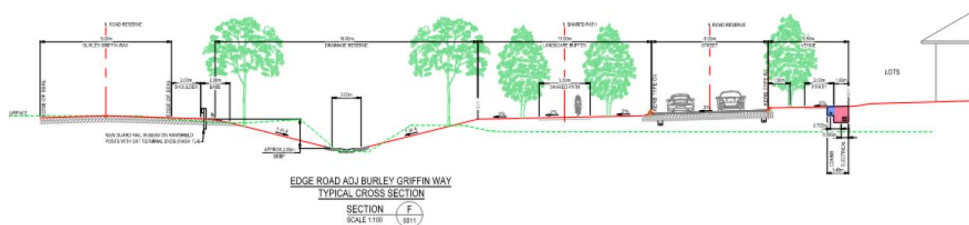


Yenda Link - The design allows for a pedestrian and cycling corridor offset along Burley Griffin Way connecting to the Yenda CBD and Yenda primary school along Mirrool Avenue. As per below this connection is well separated from Burley Griffin Way with drainage reserve and guard rail. This path connection should be min 3.5m wide (Austroad recreational path recommendation) with a smooth surface such as asphaltic concrete or concrete.

This path provides a link to both stages 1 and 2 to provide a feeder to the existing Yenda Village.

The link will need a marked pedestrian crossing on the Whitton Road (ideally located at the end of the existing guard rail). The crossing will need to be as per all relevant standards and lit with street lighting (to Australian Standard).

A second crossing of Mirrool Avenue will be required, ideally located in the vicinity of South Avenue, connecting to the north side of South Avenue. This connection could also be extended to Yenda Public School crossing Curran Road with a school crossing installed.



Wells Road - Another major shared path is proposed for the eastern edge of the site (Wells Road). This link can feed along the current road reserve and connect to future development to the south. It will also provide lateral connection to streets within the precinct.

Cotterill Road – will be the major vehicle feeder to future development to the south of the stage 1 site. It is proposed to have a shared/pedestrian path on both sides of this major connector to allow north/south connectivity. Particular attention to the landscape design

Central Avenue – The central avenue should have a major path (2.0m) path on both sides of this spine. This will be a important central north south connection to the central park and the northern link to the Yenda Link. This path will have passive surveillance from the passing estate vehicular traffic.



Figure 26 - Key pedestrian and Cyclist Links

Cool routes

All pedestrian and cyclists paths should be accompanied by planting large deciduous trees to form shade ways/breezeways/cool routes. These plantings help reduce heat and give users a cooler and more attractive route to use (refer urban heat island effect). Deciduous trees lose their leaves in winter allowing the winter sun to penetrate creating warm areas for users.

Street Trees

Street trees provide a wide range of benefits for local residents and visitors. These include

- increased comfort for residents through shading and visual amenity values,
- slow speed by adding bulk to a streetscape and closing down the openness.
- habitat for birds and other wildlife,
- improved health and wellbeing for local residents by softening the landscape,
- and in most settings, increased property values.
- Provide windbreaks



- Carbon Sequestration (a tree can absorb carbon dioxide at a rate of 21 kg/yr and manufacture oxygen to support two people.
- Removal of pollutants from the air by absorbing Stomates in the leaf surface (eg. Sulphur Dioxide, Ozone, Nitrogen Oxide and dust)
- Noise absorption in a dense tree canopy
- Detaining or slowing rainfall runoff

Trees achieve these benefits through ameliorating climate and environmental extremes (e.g. heat island effects, noise pollution, wind, airborne pollution); providing environmental benefits (e.g. carbon storage and sequestration, habitat and ecosystem restoration) and being pleasant to live near (providing benefits for mental health and wellbeing). T

Species recommended for an urban street scape in Yenda include:

- Liquidambar styraciflua ' Palo Alto'
- Pistachia chinensis (male clone)
- Ulmus parvifolia 'Emer II Alee'
- Pyrus calleryana 'Aristocrat'
- Pyrus calleryana ' Red Spire'
- Ulmus parvifolia 'Todd'
- Platanus acerifolia
- Platanus Orientalis 'Digitata'
- Japanese Elm - Zelkova serrata
- Manchurian Pear - Pyrus Ussuriensis

We do not recommend the planting of native eucalyptus trees in narrow verged urban streets. Eucalyptus trees present issues such as dropping branches and debris all year round, do not provide a dense sun blocking foliage and are invasive in kerbs and footpaths due to a shallow root system.



Figure 27 - Large Street Trees provide a cooling streetscape and autumn colour

WSUD

Council should consider the construction of WSUD (Water Sensitive Urban Design) design in the streetscape to provide passive watering for trees to encourage growth. WSUD street design allow first flush water and low intensity shower type rainfalls to be absorbed by trees, gardens and grasses before they become runoff. Options for streets include:

Rain gardens

Rain gardens are a planting area around a street tree allowing stormwater to enter (usually via a kerb opening). The planting area has a structured soil bed allowing water to permeate to a subsoil drain allowing the clean water to exit the stormwater system.

The raingarden has the advantages of:

- slowing water down by detaining water in the rain garden.
- The surface traps litter, leaves and sediment while the soil helps to filter and breakdown microscopic pollutants such as nutrients, heavy metals and hydrocarbons.
- Supports street level gardens and planting to soften the landscape.

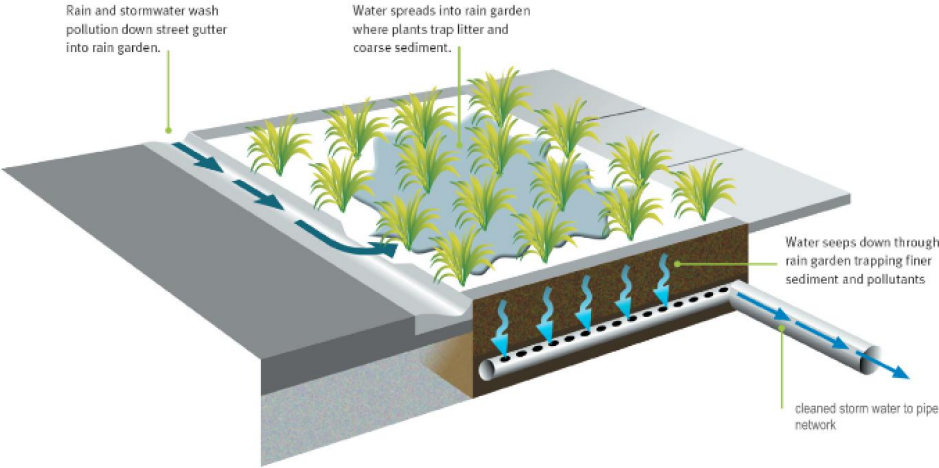


Figure 28- Typical rain garden features



Figure 29 - Rain gardens in a streetscape



Figure 30 – Rain gardens in a wider street verge

Castellated kerbs

The edge roads that surround the site have been designed as one way cross fall with castellated kerbs on the lower side. This allows the stormwater to permeate through the kerbs and self water grass verges and planting. This also allows the grasses to strip pollutants and nutrients out of the stormwater prior to it entering drains. The breaks in the kerb distribute and fan the water out as it flows through. It is recommended that the grass verge be mown a little longer, say up to 100mm will aid the filtering of the water.



Figure 31 - Castellated kerb



Drains

The Murrumbidgee Irrigation drains that surround the site will be not compatible with urban living. These drains are very flat and retaining water that in the summer contribute to algae blooms and mosquito populations. The drains are still functioning draining the upstream catchments past the sites. Although this is a common issue in the populated areas within the irrigation area the new development should try and minimise the impacts. During detail design we suggest discussions be held with Murrumbidgee Irrigation to the longer term treatment and maintenance of these drains to a standard compatible with urban development.

The design, where possible, has allowed for drains to be battered to 1:4 or 1:6 to allow for mowing and maintenance. It is recommended that consideration drains be given to fit drains with a concrete invert to minimise pooling water and lower banks planted with water compatible as suggested below:

- *Lomandra longifolia* 'Tanika' Mat rush
- *Myoporum parvifolium* Creeping boobialla
- *Carex appress* Tall sedge

Urban Heat Island Reduction

By planting out the new trees with large deciduous trees will provide cooling in the summer and sun through in the winter. Shade trees act like verandas and cool the air as it passes through the shaded areas. The shade lowers street temperature and provides a cooler breeze for housing.

Yenda has hot summer climate and planting large shady trees in verges can have the following benefits:

- Cool the local microclimate.
- Improve ecology and bird/animal habitat
- Increase carbon storage offsetting construction carbon generation
- Reduces noise pollution
- Improves air quality
- Traffic calming
- Improve visual amenity and landscape
- Increase property values
- Improve walkability
- Improve mental well being.



Figure 32 - Urban Heat Island Effect

Key Access Points

The key access point in Stage 1 will be a intersection with Burley Griffith Way leading to Cotterill Road being a central spine between stage 1 and 2.

Coterill road will also be the future connection to further development to the south. Stage 1 is connected via two roundabouts as the main access to the development.

The layout provides future connections to the south if further land is rezoned for growth.

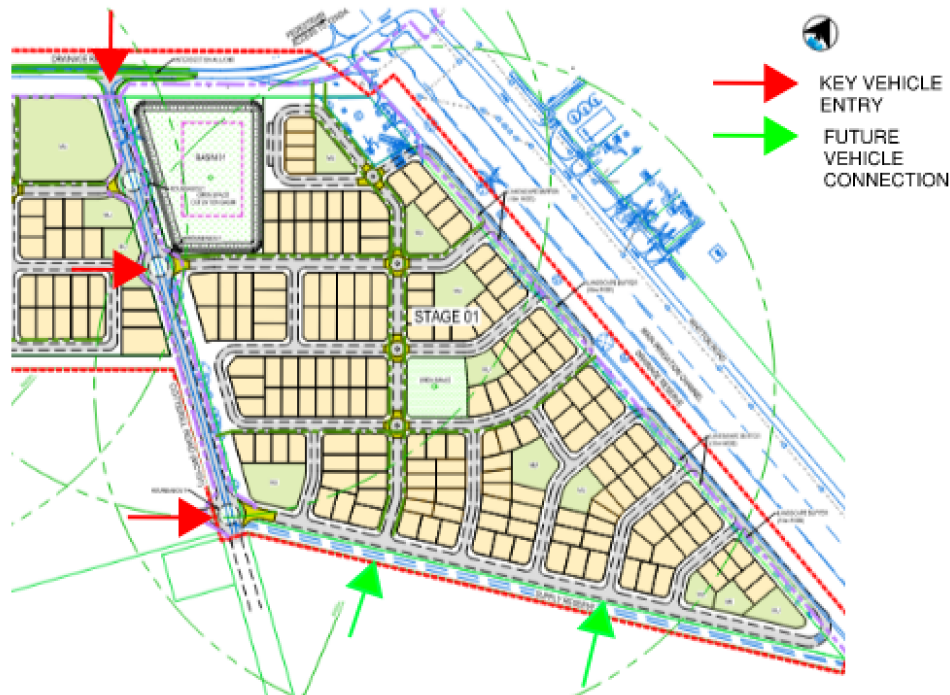


Figure 33 - Key Access Points

Murrumbidgee Irrigation Corridors

Murrumbidgee Irrigation has both supply and drainage channels surrounding the sites. It is difficult to integrate this infrastructure into a urban environment with earth unlined banks and slow moving and sometimes stagnant water. Due to the high nitrogen loading from farm water runoff algae tends to form in the stagnant water along with breeding grounds for mosquitos.

To counter these issues careful attention to design should be undertaken at detail design phase to widen the channel banks to a 1:6 grade (1:4 maximum) to allow mowing and maintenance. Concrete lining the inverts should be considered to ensure water does not pool and stagnate.

It is recommended that Griffith City Council and Murrumbidgee Irrigation develop a strategy for the treatment of Murrumbidgee Irrigation infrastructure when it is adjacent to urban development.

5.7 Construction and Feasibility

As part of the feasibility for the sites a preliminary civil design was undertaken.

Due to the very flat site it has been difficult to achieve required grades to achieve surface drainage. Griffith City Councils longitudinal grade for kerb and gutter is 0.33% when the site has falls of approx. 0.04%.



We explored a number of options but due to flooding the edges of the development should remain at their current level. Therefore to achieve falls to enable drainage, it will be required to fill the site to create the required falls. The shortest distance is to fall from the centre to the boundaries on the east and west sides. So we have adapted a “turtleback” type design where the grades fall to the shortest boundary

This design requires filling of over 1m along the central spine generally falling east and west.

Based on the current concept design approx. 150,000m³ will be required. Part of this can be offset by the cut generated by the drainage basin at the north of the site (32,000m³) will still require approx. 120,000m³ of suitable select fill.

There are two options for the filling of the site.

- Import from off site
- Win from on site

It should also be noted that the site is currently a vineyard. When clearing the site it is often difficult to remove the remaining roots and vegetative material in the top layers of the soil. This can be achieved by sieving the soil with a screen to separate the vegetative matter. This however can be time consuming and adds to expense

Careful consideration should be made to the feasibility of earthworks costs during the detail design phase of the development.

6. IMPLEMENTATION AND NEXT STEPS

Implementation

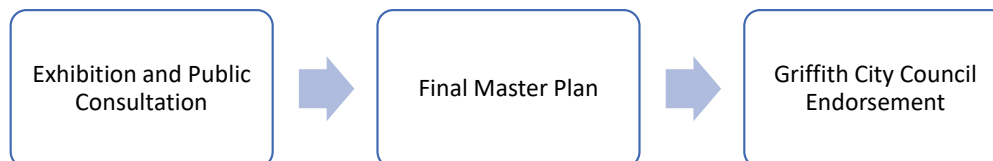
It is envisaged the Master Plan will be delivered over a number of stages depending on demand. It seeks to provide growth for the Yenda Village which is currently constrained by flooding issues.

Implementation will be achieved by:

- Exhibition and community consultation
- Adoption by Griffith City Council
- Close consultation between Griffith City Council and the developer to form a project specific team.
- Undertake detail design for the site and submission of a Development Application
- Liaison with utility services providers and statutory authorities for provision of utility services and approvals.
- Submission of a Subdivision works Certificate

Next Steps

To complete the Masterplan engagement with the community will be undertaken to seek feedback on the concepts. The final Master Plan will be presented to Council for endorsement.



Delivery

Delivery of the project will be by private developer investment.



APPENDIX A – SUPPORTING DRAWINGS



SUBMISSION 1

Respondent No: 1
Login: Anonymous
Email: n/a

Responded At: May 31, 2025 18:22:39 pm
Last Seen: May 31, 2025 18:22:39 pm
IP Address: n/a

Q1. Name

[REDACTED]

Q2. Residential Address

[REDACTED]

Q3. Email address

[REDACTED]

Q4. Withhold the following personal information
from the Business Paper

Name

Q5. Please provide your feedback

Hi all, By looking at the photos of the plan it looks like the whole of wells road isn't getting Tarred, only starting just after lot 1. Please take into consideration the amount of cars that will be using the road and the amount of damage it will do to the dirt road (especially when wet) also the dust inside of the house due the high number of cars wouldn't be ideal either. We would greatly appreciate if you would consider tarring the whole road to save alot of problems in the future. [REDACTED]

[REDACTED]

Q6. Upload any supporting documents

https://s3-ap-southeast-2.amazonaws.com/ehq-production-australia/354aed27f3eb715245f5675cf8d7b21aa5601d7f/original/1748679601/22880d77d62c4c6ef64b53995fda6f0b_inbound744513157676801287.jpg?1748679601

SUBMISSION 2

Respondent No: 2

Login: [REDACTED]

[REDACTED]

Responded At: Jun 18, 2025 19:53:15 pm

Last Seen: Jun 18, 2025 09:51:57 am

IP Address: 10.174.0.60

Q1. Name

[REDACTED]

Q2. Residential Address

[REDACTED]

Q3. Email address

[REDACTED]

Q4. Withhold the following personal information
from the Business Paper

Name

Residential Address

Email Address

Q5. Please provide your feedback

Great idea

Q6. Upload any supporting documents

not answered

SUBMISSION 3

Respondent No: 3
Login: Anonymous
Email: n/a

Responded At: Jun 26, 2025 15:32:28 pm
Last Seen: Jun 26, 2025 15:32:28 pm
IP Address: n/a

Q1. Name

[REDACTED]

Q2. Residential Address

[REDACTED]

Q3. Email address

[REDACTED]

Q4. Withhold the following personal information
from the Business Paper

Name
Residential Address
Email Address

Q5. Please provide your feedback

This is an exciting plan. Hopefully the main part of Yenda will be revived and businesses move into the empty premises. This plan will also be great for ensuring viability of the public school, pre-school, golf course etc. It will be important to ensure that upgrades continue to occur in the main part of Yenda eg. there is still work to be done to repair roads and finish kerb and guttering on the ends of almost all the roads in the village. Careful consideration will need to be given to the extremely high level of semi-trailer traffic coming through Yenda if this plan moves ahead. Predominantly travelling from Bilbul direction over the main canal bridge into yenda down Mirrool Avenue and visa versa in the other direction. These trucks are often travelling at high speed. With a larger population to reside in Yenda in the future leading to increased foot traffic, children cycling to school etc. this will need to be addressed. monitoring of the volume and speed of heavy vehicle traffic is needed. installation of safety signs may assist. see image attached thank you

Q6. Upload any supporting documents

https://s3-ap-southeast-2.amazonaws.com/ehq-production-australia/4357cad6e814ba2253b0ceb0e5b343e7d8b72316/original/1750915611/ac1bcff308a63bb0c0777884c58e07e3_speed%20signs.PNG?1750915611

SUBMISSION 4



Respondent No: 4
Login: Anonymous
Email: n/a

Responded At: Jun 27, 2025 13:54:53 pm
Last Seen: Jun 27, 2025 13:54:53 pm
IP Address: n/a

Q1. Name

[REDACTED]

Q2. Residential Address

N/A

Q3. Email address

[REDACTED]

Q4. Withhold the following personal information
from the Business Paper

Name
Residential Address
Email Address

Q5. Please provide your feedback

In response to the public exhibition of the Yenda Growth area Masterplan, please find the comments from the owners of the Stage 1 component [REDACTED] of the advertised proposal. While generally in support of the proposal the following are areas of concern. • Has the council undertaken a Tipping Point Analysis in order to determine whether the proposal, as currently proposed is viable? • Has the Council considered or can the Council consider proposing an R4 component increasing density and yield which will assist in making the project viable. • This area could be located along the bounding Burley Griffin Way portion of the site This increase in density will assist in ensuring the project viability and create a buffer between Burley Griffin Way and the remaining lower density – lower scale portion. • Can Council clarify whether the open space is to be acquired by council via a VPA process and have continued responsibility for maintenance. • Can council confirm ongoing responsibility for maintaining the road infrastructure will also occur via a VPA process

Q6. Upload any supporting documents

not answered

SUBMISSION 5

Respondent No: 5
Login: Anonymous
Email: n/a

Responded At: Jun 27, 2025 15:54:05 pm
Last Seen: Jun 27, 2025 15:54:05 pm
IP Address: n/a

Q1. **Name** Claire McWilliam

Q2. **Residential Address**

[REDACTED]

Q3. **Email address**

[REDACTED]

Q4. **Withhold the following personal information from the Business Paper**

Residential Address
Email Address

Q5. **Please provide your feedback**

The initial documents and draft plan are very well prepared, however there are some concerns for our business and neighbours that have not been covered or clearly explored which we would like to raise as points of consideration for the masterplan; see attachment.

Q6. **Upload any supporting documents**

https://s3-ap-southeast-2.amazonaws.com/ehq-production-australia/eb611fa97cd33e94d4226e5d332f113d36a28354/original/1751003632/4041b9915b80756fc916a1131c526da9_Draft%20Yenda%20Master%20plan%20-%20Maxsons%20submission%20-%2027062025.pdf?1751003632

SUBMISSION 5

Draft Yenda Growth Area Master Plan and Site Specific DCP Section *On behalf of the McWilliam Family from Maxsons Pty Ltd, 27th June 2025*

We farm the adjoining property to the first stage of the proposed subdivision, at [REDACTED] and neighbouring properties, [REDACTED]. We farm Rice, Grain Crops, Winegrapes, Livestock and Fodder Hay Crops on our holdings here in Yenda.

We have always been proud members and contributors to the Yenda community and have worked, lived and raised our families in Yenda for 4 generations since 1920. We welcome the growth plans for our beloved town, but are acutely aware of the impact this will have on prime agricultural land that has been historically, sustainably and successfully farmed by ourselves and neighbours.

The initial documents and draft plan are very well prepared, however there are some concerns for our business and neighbours that have not been covered or clearly explored which we would like to raise as points of consideration for the masterplan.

1. Road layout and the impact on business operations

Impact on businesses that use Cotterill Road

Many agricultural businesses use Cotterill Road as their main road and apart from the increased local traffic, adding 3 close, large roundabouts at the northern end of Cotterill Road would have a significant impact to these businesses and number of movements and vehicle types that use the road each day.

Due to the varied agricultural crops produced, there are many high movement times for large equipment and trucks throughout the year, including but not limited to; combine harvesters, trucks of all sizes including Semi trailers and B-Doubles, grape harvesters, large dual wheel tractors, often towing large or oversize implements and stock trucks, and quite often travelling at night or dusk/dawn carrying heavy loads.

In an average year and just from our farm alone, approximately 6000 tonnes of end product (not including incoming inputs such as fuel, fertiliser etc or machinery movements) relies on being transported via Cotterill Road and to a lesser extent Wells Road for the eastern parts of the farm. This is only from our farm, there would be similar if not greater additional amounts from neighbouring properties also relying on Cotterill Road for transit to market. Using alternate roads is not a simple solution; often the surrounding roads are not suitable for the size of vehicle, loads they are carrying or the frequency of travel.

Wells Road

It is not clear on the initial draft plans what is to happen to the existing Wells Road and whether it will still join from Swales Road to Burley Griffin Way. In seeking further clarification I have spoken to Kiani in Administration/Customer Service at Griffith City to connect with the Council Strategic Planners as instructed within the plan documents; but have not yet had a reply.

Wells Road is very important to our business as an additional road for freight and machinery/vehicle movements particularly in the eastern end of the property; using Swales

Road between Cotterill Road and Wells Road is not feasible as an alternative if there has been any moderate rainfall as it is a dry weather only road.

We urge and request that the planning authority discuss and consult with the current landholders along Cotterill Road and surrounding areas, who use the roads within the affected area, regarding any changes to the transport and access links within the masterplan. Any changes may have dire commercial and financial impacts on their business operations which predate any residential considerations for the area.

2. Risk to Livestock - Domestic Animals

Increased predation risk to livestock and wildlife

The large increase of dwellings, and therefore domestic animals, primarily dogs and their proximity to vulnerable stock is a significant risk, particularly at high vulnerability times such as lambing. 100% containment of domestic animals is not always possible.

In addition, other domestic animals such as cats may prey on the array of wildlife and birds in the area, attracted by the farm environment. The enticing nature of the farm environment will lead to animals straying and ending up in our land which becomes a management issue and impact on the environmental sustainability practices of our business.

We also have a duty as a landholder (under the Biosecurity Act 2015 and Game and Feral Animal Control Act 2002) to reduce and suppress vertebrate vermin such as foxes, some of the methods that are required such as 1080 bait and other methods which are not particularly compatible with a large amount of neighbours.

Increased traffic to surrounding areas, increased foot/cycle traffic to surrounding areas

The roads of Swales Road, McClelland Road, Wells Road will all see an increase in vehicle and foot/cycle traffic, however some of these are not suitable in wet weather/certain weather conditions, and will lead to a greater risk of vehicle accidents, personal injury, snake interaction, fire (from either motorbikes, discarded cigarettes etc) and also the increase of litter around the area. People walking their dogs around the relaxing rural surrounds of the new subdivision are a risk to our stock if the dogs are off lead or escape and chase/harass/attack our sheep.

The increased traffic (vehicle/foot/cycle) through and around our farm via the roads above also increases our Biosecurity risk to our stock and crops and require larger buffer zones as well as increased management responsibilities.

Impact on general operations

The neighbouring paddocks have been historically used to grow rice and other grain crops; with the subdivision going ahead, it will not be operationally or financially feasible to grow these crops in the directly neighbouring paddocks due to the limitations on operations due to the number of neighbouring houses.

General operations such as herbicide/fungicide/insecticide spraying, both aerially and on ground, harvesting and the accompanying dust as well as other very routine general operations are carried out year round and both night and day and do produce some noise, air and light pollution, that is minimised wherever possible, but not able to be reduced

completely. As a business we always commit to and prioritise the management of abiding by relevant Acts and Legislation and minimise intrusion to surrounding rural properties.

We do have alternative potential agricultural uses for this land, however this will reduce our potential return from the directly adjoining paddock of Farm 2751 by approximately 60% or greater per year.

We look forward to our submission being taken into consideration as further developments in this plan occur. We hope that the issues we have raised are able to be addressed in a collaborative manner during planning stages for the benefit of all neighbouring landholders and users of Cotterill Road and surrounds.

We welcome any feedback to this submission and can be contacted at any time at the details below.

Claire McWilliam
Operations Manager

[Redacted contact details for Claire McWilliam]

Greg McWilliam
Managing Director, Maxsons Pty Ltd

[Redacted contact details for Greg McWilliam]

SUBMISSION 5B

Kelly McNicol

From: [REDACTED]
Sent: Friday, 11 July 2025 4:15 PM
To: GCC Admin Mailbox; Kelly McNicol
Cc: Greg McWilliam
Subject: Re: Yenda Draft Expansion Plan - Cotterill Road - Maxsons Pty Ltd Follow up submission - 11th July 2025

Attn: General Manager, Griffith City Council and Kelly McNicol

Re: Yenda Draft Expansion Plan - Cotterill Road - Maxsons Pty Ltd
Follow up submission - 11th July 2025

We would like to acknowledge and give our appreciation to McNicol who met with us on the 2nd July 2025 to address some of our concerns following our initial feedback submitted on 28th June 2025.

Following on from that conversation, we would like to add the following points to our submission.

- **Removal of 1 roundabout**

We do not believe the roundabout located closest to our property is necessary and will be disruptive to the existing users of Cotterill Road. We can see the functionality of the 2 roundabouts closer to Burley Griffin Way for accessing each stage of the development, but wish to see the above mentioned one removed in future plans.

We would also like to confirm that these will be 'B-Double' suitable roundabouts, ie. low profile concrete constructions so large/oversized vehicles can travel over them when required.

- **Swales Road, Wells Road & surrounds**

We would like some clarification around Wells Road and its access to Swales Road (between Wells Road and Cotterill Road). It will need upgrading from a dry weather only road to at least a gravelled road to handle the increased traffic through that area.

- **Surrounding Roads - McClelland Road, Marriott Road etc.**

Is there a traffic plan for the adjoining roads of McClelland & Marriott? Extra gravel/road work would be required to these roads to support the increased local traffic in the area.

- **Future Aspirations**

We would like to be considered in the future if rezoning to accommodate a Stage 3 subdivision is considered/approved.

I would also appreciate if our contact numbers and emails are redacted from any publication of the submissions, our names and business names may continue to be used where appropriate. The other farm numbers not directly adjoining (433 & 2576) in the original submission may also be removed for privacy.

Regards,
Claire McWilliam
On behalf of the McWilliam Family & Maxsons Pty Ltd

SUBMISSION 6

Kelly McNicol

From: James Cremasco [REDACTED]
Sent: Sunday, 6 July 2025 11:57 AM
To: GCC Admin Mailbox
Subject: draft Yenda Growth Area Master Plan

I would like to make a submission to voice my concerns on the development and the extra pressure that this will put on the natural gas supply to yenda, as I rely on natural gas for my dehydration business. With already having issues with the supply to our business putting more houses in yenda will affect our supply. I believe in the growth of yenda and not opposing the development but natural gas is already a issue more load on this system will greatly effect everyone in my industry without upgrade too the supply into yenda.

Lastly In the plans that it shows 3 roundabouts along Cotteril Rd is there an option to remove these and in place make a simple intersection to enter the subdivision, as I use cotteril Rd with my trucks and will cause issues with my trucks.

Regards
James Cremasco

Yenda Master Plan – Review of Submissions

Submission No	Submitter	Landowner	Property Description	Existing Zoning	Submission or Summary of Submission	Map	Recommendation
1	Anonymous online	N/A	N/A	N/A	"By looking at the photos of the plan, it looks like the whole of Wells Road isn't getting tarred, only starting just after lot 1. Please take into consideration the number of cars that will be using the road and the amount of damage it will do to the dirt road (especially when wet), also the dust inside the house due to the high number of cars wouldn't be ideal either. We would greatly appreciate it if you consider tarring the whole road to save a lot of problems in the future."	N/A	Note the Submission Wells Road is to be closed at Burley Griffin Way and then reconstructed within the growth area. Vehicles coming from the south-west on the unsealed portion of Wells Road would turn east onto the new bitumen sealed road within the growth area to access a sealed Cotteril Road before exiting onto Burley Griffin Way. Sealing of Wells Road to the south-west of the growth area would be outside the scope of this exercise, but could be considered by Council in the future as the area develops.
2	Anonymous online	N/A	N/A	N/A	"Great idea"	N/A	Note the Submission
3	Anonymous	N/A	N/A	N/A	A Summary of the submission is as follows: <ul style="list-style-type: none"> The plan would hopefully benefit the main part of Yenda with businesses moving into empty premises. There are still upgrades to the main part of Yenda which should occur, including repairing roads, kerb and guttering. High levels of semi-trailer traffic coming through Yenda must be an ongoing consideration. Installation of safety signs prompting trucks and vehicles to slow down would be appropriate, including ones with radar. 	N/A	Note the Submission As part of the future development of the site and the extension of the Yenda Village, Council and TfNSW would review speed limits on roads in proximity to the growth area and potentially look to carry out speed reductions to reduce the safety risk of trucks entering in the village.
4	Anonymous	N/A	N/A	N/A	A Summary of the submission is as follows: <ul style="list-style-type: none"> Has the Council carried out a tipping point analysis to determine whether the proposal, as currently proposal, is viable? Has Council considered proposing an R4 component to increase density near Burley Griffin Way? Can Council clarify whether the open space is to be acquired by Council? Can Council clarify whether Council would carry out the road maintenance? 	N/A	Note the Submission. <ul style="list-style-type: none"> Council's consultants have carried out a feasibility analysis of two design options for the growth area. One including limited stormwater basins (cut) with a substantial import of soil to raise the land level (fill). The site is extremely flat, and to make the drainage system work, this was one of the options. However, due to the high cost of importing engineered fill to the site, this option was not considered viable. Option 2 included the use of larger basins to extract the fill necessary to raise portions of the site without the need to import substantial soil. This is the option that has been selected for the master plan, including a large basin and a stormwater pump to discharge into the main channel. The proposed master planning exercise does not include the rezoning of land. The land has been zoned RU5 – Village since 2014, similar to the remainder of the Yenda Village. The open space areas and roads would be transferred to Council once the development was complete. All ongoing maintenance of open space areas in Council's growth areas is carried out by Council. Unless the developer were to propose a Community Title Subdivision in which the open space areas and a Neighbourhood Association maintain roads.
5	Claire McWilliam	Owner of land in proximity of the site.		RU1	A Summary of the submission is as follows: <i>Road layout and impact on business operations</i> <ul style="list-style-type: none"> Many farming operations use Cotterill Road to access Burley Griffin Way. The location of the three roundabouts would impact the hundreds of trucks which use this road during harvest. 	N/A	Council acknowledges the concerns of the farmers in the locality. Council met with the submitter and discussed their concerns and the proposal in detail. The following amendments to the master plan have been made in recognition of the submission and the legitimate concerns raised:

Yenda Master Plan – Review of Submissions

					<ul style="list-style-type: none"> Use of alternative roads is not viable due to road conditions and truck size. Wells Road is important to our farming business. Swales Road is unsealed and cannot be utilised during wet periods. Further consultation is needed regarding the closure of Wells Road <p><i>Risk to Livestock – Domestic Animals</i></p> <ul style="list-style-type: none"> Future domestic animals pose risks to livestock in the area, as containment of domestic animals is not always possible. <p><i>Increased traffic to surrounding areas</i></p> <ul style="list-style-type: none"> The surrounding road network is not suitable for increased traffic, including foot traffic (ie. People walking their dogs). This could have biosecurity risks for out livestock. <p><i>Impact on General Operations</i></p> <ul style="list-style-type: none"> Potential to limit the viability of growing some crops due to proximity to dwellings. Alternative potential agricultural uses for the land would reduce returns. 		<ul style="list-style-type: none"> The southernmost roundabout has been removed. The roundabouts would be constructed so that trucks can travel straight over the middle of the roundabout when safe to do so – also referred to as trafficable roundabouts. Wells Road would have access to the new southern road within the master plan area via a new 'T' intersection. Trucks from Wells Road travelling to Burley Griffin Way would utilise the new bitumen sealed road to travel to Cotterill Road, then to Burley Griffin Way. Swales Road in the future could have a gravel all-weather surface, subject to the rollout of the master plan area and budgeting allocations. However, Swales Road would not be required as Wells Road would be connected to the master plan road network. The upgrade of other roads would be contingent on adjustments to Council's long-term infrastructure plans as the master plan develops over time. <p>Other comments regarding the submission are as follows:</p> <ul style="list-style-type: none"> Existing channels, proposed road reserves and landscaped buffers with tree planting would offer around a 50m buffer from adjacent agricultural operations. As the master plan area develops, similar to other growth areas, additional large lot residential or village residential land may be needed. Unfortunately, there will always be some land use conflict for growth areas in Griffith as farming operations dominate our entire non-urban areas. Historically, all growth areas in Griffith have expanded into agricultural areas, and some land use conflict arises.
5B	Claire McWilliam (submission 2)	Owner of land in proximity of the site.	N/A	RU1	<p>Council officers met with the submitter to discuss their concerns. The submitter requested to submit a further submission after speaking to Council and gaining some clarification</p> <p>A Summary of the submission is as follows:</p> <ul style="list-style-type: none"> Removal of 1 roundabout – a request for the southern-most roundabout to be removed. Swales Road, Wells Road & surrounds - We would like some clarification around Wells Road and its access to Swales Road (between Wells Road and Cotterill Road). It will need upgrading from a dry-weather-only road to at least a gravelled road to handle the increased traffic through that area. Surrounding Roads - McClelland Road, Marriott Road etc. – will these roads be upgraded as well? Future aspirations - We would like to be considered in the future if rezoning to accommodate a Stage 3 subdivision is considered/approved. 	N/A	
6	James Cremasco	Owner of land in proximity of the site.	N/A	RU1	<p>"I would like to make a submission to voice my concerns on the development and the extra pressure that this will put on the natural gas supply to yenda, as I rely on natural gas for my dehydration business. With already having issues with the supply to our business putting more houses in yenda will affect our supply. I believe in the growth of yenda and not opposing the development but natural gas is already a issue more load on this system will greatly effect everyone in my industry without upgrade too the supply into yenda.</p> <p>Lastly In the plans that it shows 3 roundabouts along Cotteril Rd is there an option to remove these and in place make a simple intersection to enter the subdivision, as I use cotteril Rd with my trucks and will cause issues with my trucks."</p>	N/A	<p>Note the Submission.</p> <ul style="list-style-type: none"> Council does not control the gas supply in Griffith. It is unclear at this point if a future developer would service the development with natural gas. As stated above, Council has removed the southern-most roundabout and will ensure all roundabouts are trafficable for heavy vehicles.

GRIFFITH RESIDENTIAL DEVELOPMENT CONTROL PLAN

12.4 YENDA GROWTH AREA SUBDIVISION CONTROLS

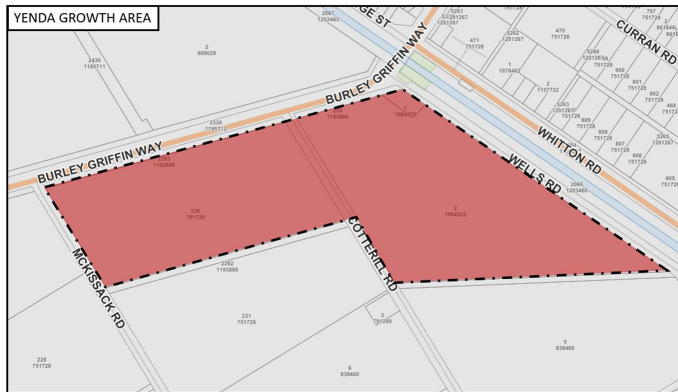


FIGURE 53: YENDA GROWTH AREA BOUNDARIES

The Yenda Growth Area (YGA) was master planned in 2025 by Council to expand the Yenda Village and provide land for an additional 700 dwellings to support the needs of Griffith's growing population. The controls in this section relate to the initial subdivision of each of the land holdings in the YGA. Any other development within the YGA is controlled under Section's **4-10** of this DCP and **Appendix 1** and **2**.

The development of the YGA should be generally in accordance with the following plans, unless otherwise agreed to by Council:

- Yenda Master Plan (YMP) – endorsed by Council on [\[insert date and link to Council website\]](#).

12.4.1 STAGING

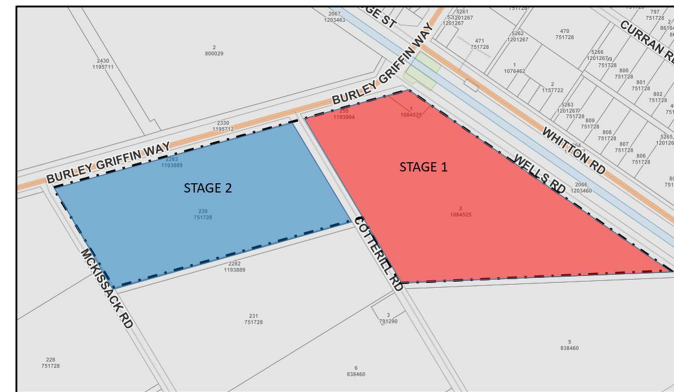


FIGURE 54: YENDA GROWTH AREA STAGING PLAN

- Staging of the YGA must be in accordance with the YGA Staging Plan (refer to **Figure 54**).
- The staging of the YGA should provide for the logical development of the area based on cost effective provision and availability of infrastructure and servicing arrangements.
- Development Applications for the residential subdivision of the YGA must:
 - consider infrastructure provision and sequencing;
 - provide proposed arrangements for essential services, including water and sewerage servicing:
 - the provision of sewerage servicing must be generally in accordance with the YGA

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- Sewer Plan and YGA Potable Water Plan or otherwise as agreed to by Council;
- ii. the release of allotments will be dependent on the satisfactory provision of reticulated water and sewerage services; and
 - iii. incorporate road networks, stormwater conveyance systems, active and passive recreation areas consistent with the overall staging and intended development outcomes for the YGA in the YMP.
- d) The release of Stage 2 of the YGA should only occur when 80% of the lots in Stage 1 have been granted a Subdivision Certificate from Council. However, Council at its discretion may release additional lands in Stage 2 by amending the Staging Plan and this Development Control Plan.
- c) Road network upgrades must be provided in accordance with the YMP and [Council's Engineering Standards: Subdivision and Development](#) (as amended) for the full frontage of the development site including intersection treatments.
- d) All four-way intersections are to incorporate a roundabout.
- e) Developers must consider alternative modes of transport in the planning for local road networks, including measures to encourage walking and cycling and access for public transport, community transport and taxis.
- f) Development Applications for the residential subdivision of the YGA must:
- I. include subdivision plans which are generally in accordance with the YMP and the requirements of this clause;
 - II. include an overall transport movement hierarchy showing major circulation routes and connections to achieve simple and safe movement systems for private vehicles, public transport, pedestrians and cyclists; and
 - III. include cross sections of each type of road proposed in the hierarchy.

12.4.2 TRANSPORT MOVEMENT HIERARCHY

The development of land in the YGA must adhere to the following requirements:

- a) The overall movement hierarchy for the YGA must be generally in accordance with the YMP.
- b) The overall pedestrian and cycleway network must be consistent with the YMP and provided in accordance with [Council's Pedestrian & Bicycle Strategy 2021](#) including a cycleway along Burley Griffin Way connecting to a shared path connecting to the village centre (Yenda Place).

12.4.3 LOT SIZE AND LAYOUT

Lot sizes and layout should generally be in accordance with the YMP. However, developers or landowners are permitted to propose alternative designs should the following key aspects of the YMP be achieved:

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- Road connections to adjacent development and intersections with existing roads and retention of the road hierarchy.
- Restricting road connections to Burley Griffin Way.
- Connection to main drainage infrastructure.
- Central location of neighbourhood parks in each Stage.
- Provision of the footpath / cycleway network.
- Provision of roads adjacent to drainage channels for maintenance purposes.

The subdivision of land in the YGA must adhere to the following requirements:

- a) The size of any lot subdivided must be in accordance with the relevant clauses in the GLEP. Variations to minimum lot sizes can be facilitated through clause 4.6 of the GLEP.
- b) Proposed lots must be of a size and have a shape and dimensions to enable the siting of a dwelling and ancillary structures that:
 - i. minimise impacts on adjoining properties including access to sunlight, privacy and views;
 - ii. provide usable principal private open space;
 - iii. provide vehicle access; and
 - iv. protect or replace significant trees.
- c) Larger lots should be provided in response to hazards such as flooding, bushfire or adjacent agricultural operations.
- d) Medium density lots, where provided, should be located in areas closer to open space, parks, community facilities and public transport routes.

- e) Lot layout should enable dwelling fronts to face other dwelling fronts across a public street and backyards to face backyards.
- f) Lots should be oriented and configured to maximise opportunities for solar access.
- g) Corner lots should be designed to enable the construction of a dwelling that can comply with the prevailing setback requirements along both street frontages (dual occupancy lot).
- h) Building envelopes on lots adjacent to active agricultural operations outside the YGA must be located at least 30 m from plantings or crops and include a 20 m wide vegetated buffer within the lot. Alternatively, periphery roads with a landscaped verge designed to reduce the impacts of dust and spray drift may be used.

12.4.4 STREET TREES AND VEGETATION

- c) Street Trees must be planted within the road reserves of the YGA in accordance with the following principles:
 - I. street trees should provide shade and enhance the visual quality of the streetscape;
 - II. existing street trees must be protected during construction;
 - III. street trees should be spaced at 10 m intervals;
 - IV. street trees should not interfere with underground and overhead utilities; and
 - V. street trees planted around hard surfaces should be provided with appropriate grates to protect the roots and best facilitate water infiltration.

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d) Development Applications for the residential subdivision of the YGA must include a landscape plan prepared in accordance with the principles set out in this clause and which includes street trees and shrub species selected in accordance with [Council's Tree Policy \(PG-CP-402\)](#); including:

- Liquidambar styraciflua 'Palo Alto'
- Pistachia chinensis (male clone)
- Ulmus parvifolia 'Emer II Alee'
- Pyrus calleryana 'Aristocrat'
- Pyrus calleryana 'Red Spire'
- Ulmus parvifolia 'Todd'
- Platanus acerifolia
- Platanus Orientalis 'Digitata'
- Japanese Elm - Zelkova serrata
- Manchurian Pear - Pyrus Ussuriensis

12.4.5 OPEN SPACE

The YMP provides for a centrally located neighbourhood Park in both Stage 1 and Stage 2. The Neighbourhood Parks must have the following minimum site areas located to ensure all lots are within 400 m walking distances as provided in the YMP:

Stage 1: 0.5 ha

Stage 2: 0.8 ha

Each Stage also includes an onsite detention basin which must be designed for dual use as open space with large turfed areas and shade trees to support open play and passive recreation.

Development applications for the residential subdivision of the LWGA are to include a preliminary design of open spaces in accordance with following principles and requirements:

- a) Park furniture, shaded areas and resting places must be provided to promote pedestrian comfort;
- b) A BBQ and shelter structure must be provided;
- c) Safe pedestrian crossing points must be provided where routes intersect with the road network;
- d) A connection to Essential Energy's electrical infrastructure must be provided;
- e) A council water meter must be provided;
- f) Landscaping must be provided which is low maintenance with species selected in consultation with Council;
- g) All landscaped areas must include an irrigation system designed and installed in consultation with Council;
- h) Easily identifiable access points must be provided;
- i) Frontage to abutting roads should be provided to optimise pedestrian access and visibility;
- j) Each neighbourhood park must include a playground system designed and selected in consultation with Council; and
- k) Each onsite detention basin must include a large open turfed area and shade trees on the peripheries.

12.4.6 STORMWATER / DRAINAGE

- a) Stormwater management for the YGA must be generally in accordance with the YMP.

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b) Development applications for the subdivision of land in the YGA must include a preliminary Stormwater Management Plan which:

- I. is designed in accordance with [Council's Engineering Standards: Subdivision and Development](#) (as amended), the YMP and [Council's Onsite Detention Policy \(CS-CP-404\)](#);
- II. ensures only one drainage connection point to the main drainage network is provided where possible;
- III. provides the location and conceptual design of the sediment basins to control run-off during the construction stage;
 - i. Sediment basins should also be sited and designed to cater for any proposed staging of the subdivision.
- IV. detail that the maximum impervious surfaces for the subdivision once developed is at or below 40% unless additional onsite detention is provided; and
- V. provides a minimum of a five-metre all-weather access track adjacent to channels. This can be achieved through the strategic location of roads and laneways adjacent to channels or alternatively a right of carriageway or other means to the satisfaction of Council. The channel access must ensure that a minimum turning radius of 12.5 m truck is provided.

12.4.7 WATER QUALITY

The following water quality reduction targets must be achieved by development in the YGA:

- Total Suspended Solids: 65%
- Total Phosphorous: 50%
- Total Nitrogen: 46%

Water quality reduction targets can be achieved through the following Water Sensitive Urban Design (WSUD) methods:

- *Grassed swales, which are stormwater conveyance and treatment measures that primarily treat runoff through filtering and deposition of sediments. These can be incorporated at the downstream end of edge roads and landscaped areas.*
- *Castellated kerbs: The edge roads that surround the site have been designed as one-way cross fall with castellated kerbs on the lower side. This allows the stormwater to permeate through the kerbs and self watering grass verges and planting. This also allows the grasses to strip pollutants and nutrients out of the stormwater prior to it entering drains. The breaks in the kerb distribute and fan the water out as it flows through. It is recommended that the grass verge be mown a little longer, say up to 100mm will aid the filtering of the water.*
- *Bioretention swales, which are swales with the addition of a bioretention trench with filter media and an underlying pervious (slotted) collector pipe that drains to the broader stormwater drainage network.*
- *Infiltration systems, which capture and detain flows to encourage infiltration in the form of streetscape tree pits as mentioned above.*
- *Buffer strips, which are zones of vegetation designed to intercept and treat surface stormwater flows before discharging to major drainage channels.*

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- Rain gardens which are a planting area around a street tree allowing stormwater to enter (usually via a kerb opening). The planting area has a structured soil bed allowing water to permeate to a subsoil drain allowing the clean water to exit the stormwater system.

Proprietary/non-natural mechanical systems are not preferred methods of reaching the abovementioned treatment targets.

Development applications for development in the YGA must include a WSUD Strategy including:

- Description of the proposed development/works and the existing site conditions, including the surrounding environment.
- Summary of the relevant site objectives pertaining to water quality, quantity, and other relevant factors.
- Explanation of the opportunities and limitations for applying WSUD solutions on the site.
- Description of the chosen WSUD assets for the site and the design approach employed.
- Site plans illustrating key features such as drainage pathways, as well as the location of the proposed WSUD assets (also known as a WSUD Concept Plan).
- Application of the MUSIC modelling approach and presentation of the results, demonstrating compliance with the reduction targets.

12.2.8 INFRASTRUCTURE

- The design and installation of sewerage, water and stormwater must be provided in accordance with [Council's Engineering Standards: Subdivision and](#)

[Development](#) (as amended) and the YMP unless other arrangements satisfactory to Council are proposed.

- The design of the subdivision must meet the requirements of [Fire and Rescue NSW's 'Fire Safety Guideline – Fire Hydrants for Minor Residential Development'](#).
- The design and installation of electricity, street lighting, telecommunications (including NBN) and gas services must be in accordance with the requirements of the relevant servicing authorities.
- Electricity and telecommunications infrastructure should be provided as underground services.
- Compatible public utility services should be coordinated in common trenching to minimise construction costs for underground services and reduce restrictions on landscaping within road reserves.
- Development Applications for subdivision in the YMP area must include draft servicing plans showing the location of all required utilities and demonstrating compliance with this section.

12.4.9 CONTAMINATION

- The Statement of Environmental Effects for subdivision to which this section relates should provide a history of the use of the site indicating whether there may have been any previous or current land uses that could have resulted in contamination of the site in accordance with [Council's Contaminated Land Management Policy \(EH CP 203\)](#).
- If there is a possibility the site could be contaminated from past uses, the development application must

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address the requirements of [State Environmental Planning Policy \(Resilience and Hazards \(2021\)\)](#), [Managing Land Contamination Planning Guidelines 1998 - Department of Urban Planning / Environment Protection Authority \(as amended or replaced\)](#) and [Council's Contaminated Land Management Policy \(EH_CP_203\)](#).

12.4.10 SAFETY

- a) Development applications should demonstrate how the lot, access, street and street lighting arrangements will promote the principles of [Crime Prevention Through Environmental Design \(CPTED\)](#), including but not limited to:
 - I. orienting building envelopes and car parking areas to minimise inactive streets;
 - II. casual surveillance of public spaces, including the street; and
 - III. appropriate lighting of public spaces and walkways.

12.4.11 MEDIUM DENSITY LOTS

The YMP includes the location of medium density nodes which have been strategically located near open space, key intersections, and on multiple frontages. As part of the detailed design of both Stage 1 and Stage 2, medium density lots are to be provided in accordance with the following:

- a) A total of **50%** of the developable lot area of the YGA can be utilised for medium density lots permitting the development of more than one dwelling.

- b) 25% of medium density lots must be located in nodes which are strategically located on multiple frontages and in close proximity to arterial roads, public transportation network and public open spaces. Nodes must have an average lot size of at least 2000m².
- c) 25% of medium density lots can be single lots strategically located throughout the development on corner lots, lots with multiple frontages and adjacent to open space areas.
- d) A Restriction as to User pursuant to Section 88B of the [Conveyancing Act 1919](#) must be placed on all lots within the LWGA stating that only one primary dwelling must be constructed with the exception of lots designated as medium density lots. This does not limit the construction of a secondary dwelling in accordance with the GLEP.
 - I. Any development of medium density allotments with impervious surfaces in excess of 40% of the lot area must provide onsite detention in accordance with [Council's Onsite Detention Policy \(CS-CP-404\)](#).

12.4.12 NEIGHBOURHOOD COMMERCIAL AND RETAIL USES

The [Griffith Local Environmental Plan 2014](#) permits commercial and retail uses within the RU5 – Village zone. However, Council will discourage the location of commercial uses within the YGA and support the redevelopment and revitalization of the Yenda Village centre around Yenda Place.

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12.4.13 FLOODING

- a) Development in the LWGA must be designed and sited in accordance with Clause 5.21 of the GLEP 2014 and the [Griffith Main Drain J and Mirrool Creek Flood Study and Risk Management Plan](#) as amended.
- b) No building or structure can be erected and no land filled by way of the deposition of any material within any area identified as a floodway except for minor alterations to ground levels which do not significantly alter the fundamental flow patterns for:
 - I. Roads;
 - II. Parking; and
 - III. Landscaping and open space.
- c) Development Applications for subdivision in the YMP area must include a design which takes into consideration the flood affectation of the land and the requirements of this clause.
- d) Development applications for land which is impacted by a floodway or flood storage area must be in accordance with [Council's Flood Liable Land Policy \(CS-CP-403\)](#).

12.4.14 BUSHFIRE PRONE LAND

This section contains development controls applying to Development Applications for subdivisions involving land that is classified as bushfire prone on Council's Bushfire Prone Land Map.

- a) A Bushfire Risk Assessment Report must be lodged together with the Statement of Environmental Effects in support of the Development Application on bushfire

prone lands. The Bushfire Risk Assessment Report must be prepared by a suitably qualified and experienced bushfire consultant and address the developments consistency with RFS's [Planning for Bushfire Protection Guidelines 2019](#) as amended or replaced.

- b) Bushfire protection measures are to be placed wholly within the development site. All proposed Asset Protection Zones are to be within the property to be subdivided and incorporated into affected lots. Asset Protection Zones will not be accepted on existing Council reserves, other public lands or in reserves proposed to be dedicated through the subdivision.
- c) Fire trails, if required, are not accepted on existing Council reserves proposed to be dedicated through the subdivision.