



Ordinary Meeting

Tuesday, 22 September 2026

ATTACHMENTS UNDER SEPARATE COVER

**CL01 DA 227/2025 - Seventeen (17) Large Lot
Torrens Title Subdivision, New Public
Road and Demolition**

CL09 Investment Report - July 2026

**CL10 New Statewide Community Participation
Plan for Planning Matters**



ATTACHMENTS UNDER SEPARATE COVER

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Attachment B – 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 Seventeen (17) Lot Torrens Title Subdivision, opening of new public road and demolition of the existing dwelling at Lot 478 DP 751743 FNO 1821, 115 Mallinson Road 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 and Demolition.

The development must be implemented in accordance with Development Application No. 227/2025(1) accepted by Council on 19 January 2026 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
Civil Engineering Plan Project 250679 Sheet B1001 Rev P5	29 June 2026 26/61535	Xeros Piccolo Consulting Engineers

Document	Date Accepted by Council	Prepared or Drawn By
Statement of Environmental Effects	19 January 2026 25/153464	SKM Planning
Transport Impact Statement	19 January 2026 26/4545	TrafficWorks
Site Assessment for Effluent Disposal System Report	19 January 2026 25/153461	Aitken Rowe Testing Laboratories
Limited Phase 2 Site Investigation	19 January 2026 25/153460	Aitken Rowe Testing Laboratories
Flood Impact Assessment	27 May 2026 26/61531	RVD Consulting
Remedial Action Plan (RAP) Full Report	27 May 2026 26/61534	EBG Environmental Geoscience
Remedial Action Plan (RAP) Extract	27 May 2026 26/61536	EBG Environmental Geoscience
Targeted Detailed Site Investigation (DSI)	27 May 2026 26/61532	EBG Environmental Geoscience
Bushfire Assessment BR-2025-01588-D	31 August 2026 26/1068076	Bushfire Planning and Design
Biodiversity Development Assessment Report (BDAR)	19 June 2026 26/73784	Access Environmental Planning
Bush Fire Safety Authority Inserted as Attachment E	11 September 2026 26/112561	Rural Fire Service

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

(2) General Terms of Approval

The General Terms of Approval (**Attachment E**) issued by the NSW Rural Fire Service form part of this consent and shall be adhered to at all times by the person with the benefit of the development consent.

(3) 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:

- a. A Subdivision Works Certificate has been obtained from either Griffith City Council.
- 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 1: 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.

(4) 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.

(5) 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.

(6) 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.

(7) 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.

(8) 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.

(9) 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.

(10) 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.

(11) National Construction Code

All building work must comply with and be carried out in accordance with the requirements of the Building Code of Australia.

All plumbing and drainage works must comply with and be carried out in accordance with the requirements of the Plumbing Code of Australia.

(12) 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

(13) 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.

Prior to the issue of a Subdivision Works Certificate

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

(14) Payment of building and construction industry long service levy

Prior to the issue of a Construction Certificate, the applicant is to ensure that the person liable pays the long service levy as calculated at the date of this consent to the Long Service Corporation or Council under section 34 of the *Building and Construction Industry Long Service Payments Act 1986* and provides proof of this payment to the certifier.

(15) 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.

(16) Stormwater Drainage

Adequate arrangements are to be made for the disposal of stormwater. Stormwater is to be discharged into Council's existing stormwater drainage channel located on the southern side of Mallinson Road. 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 for the proposed stormwater drainage system including hydraulic calculations are to be submitted to Council for approval in accordance with Australian rainfall and runoff, *Council's Engineering Guidelines – Subdivision and Development Standards*. All works relating to the stormwater drainage system are to be completed and inspected by Council **prior to the issue of a Subdivision Works Certificate**.

A qualified Civil Engineer with experience in Hydraulic Analysis shall design, provide a written summary and certify the stormwater system. The consultant must sign off all drawings and calculations.

(17) 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 Australian rainfall and runoff, *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, provide a written summary 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.

(18) Fencing over open swale

Prior to the issue of a Subdivision Works Certificate a design for a permanent fence to be constructed on property boundaries where stormwater is proposed to cross boundaries via open drainage swales is to be submitted and approved by Council. The permanent fencing is to be designed in the following locations (however not limited to):

- Shared boundaries of proposed Lots 4-17,
- Southern boundary of proposed Lots 10 and 11 for the full length, and
- Northern boundary of proposed Lot 2 where the open drainage channel crosses into the Mallinson Road drainage channel.

The design of the fence shall ensure that the flow of stormwater through the open drainage swale is not restricted.

(19) Flood Storage Basin

Prior to the issue of a Subdivision Works Certificate, detailed design drawings for the proposed flood storage basins and associated stormwater infrastructure to be located on Lot 11 are to be submitted to Council for approval. The design of the basins and associated stormwater infrastructure is to be designed in accordance with the findings outlined in the submitted Flood Impact Assessment prepared by RVD Consulting (dated May 2026, received by Council 27 May 2026), *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)*.

(20) Pavement Design

Prior to the issue of a Subdivision Works Certificate, a pavement design and specifications for all roadworks along Mallinson Road and proposed Road 1 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*.

(21) 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.

(22) Road 1 Construction

Road 1 is to be designed to the specifications outlined below for the full length of the development:

- a. Local Access Road (Ultimately 20-metre-wide road reserve),
- b. 8-metre-wide carriageway,
- c. 6-metre-wide verge on both sides of the proposed road.

Detailed engineering design drawings for the roadworks are to be in accordance with *Council's Engineering Guidelines – Subdivisions and Development Standards, Griffith Residential Development Control Plan 2020* and is 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 road is required to be a minimum standard of two coat spray bitumen seal consisting of double bitumen and double stone surface.

(23) Roll Top Kerb and Gutter

Roll top kerb & guttering is to be constructed along both sides of proposed Road 1. Detailed engineering design drawings for the kerb and gutter 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 are to comply with Council's Engineering Guidelines - Subdivisions and Development Standards.

(24) Street and Intersection Lighting

(Provision is to be made for the installation of street lighting along proposed Road 1 and the intersections of Maegraith Place and Road 1, and Mallinson Road and Maegraith Place 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.

(25) Cul-de-sac for Dead End Roads

A cul-de-sac is to be constructed at the end of proposed Road 1 in accordance with Council's *Engineering Guidelines for Subdivisions and Development Standards* where the road constructed as part of the development terminates at a dead-end. Detailed engineering design drawings for the 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.

(26) Maegraith Place and Mallinson Road Intersection

Prior to the issue of a Subdivision Works Certificate, as a minimum, the intersection of Maegraith Place and Road 1 is to be designed as a T-Intersection in accordance with Austroads *Guide to Road Design* as amended by the supplements adopted by Transport for NSW for the prevailing speed limit. Appropriate road tapers at this intersection are required to be sealed and constructed to a width to accommodate the largest sized vehicle likely to access the proposed allotments. The intersection is to be installed with street lighting and linemarked in accordance with Austroads Guidelines and TFNSW Delineation. The intersection is to ensure appropriate measures for safe crossing of pedestrians and cyclists are provided.

(27) Mallinson Road and Maegraith Place Intersection Upgrade

Prior to the issue of a Subdivision Works Certificate, detailed design plans are to be submitted to Council for approval for the upgrade of the intersection of Mallinson Road and Maegraith Place. The intersection is to be designed to incorporate both a sealed Basic Right Turn (BAR) and a sealed Basic Left Turn (BAL) intersection treatment.

The BAR and BAL are to be designed in accordance with the Austroads Guide to Road Design as amended by the supplements adopted by Roads and Maritime Services 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.

(28) Existing Potable Water Main Upgrade

Council's existing 100mm AC potable water main is to be upgraded to a 150mm u-PVC water main from the existing 200mm u-PVC water main on the northern side of Mallinson Road to the intersection of Maegraith Place and the proposed internal road to service the development. 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). Details and designs are to be submitted to Council for approval **prior to the issue of a Subdivision Works Certificate**.

(29) Potable Water Main Extension

Council's reticulated potable water main is to be extended from the 150mm u-PVC to be constructed on Maegraith Place to service all allotments created as part of the subject Development Application. 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). Details and designs are to be submitted to Council for approval **prior to the issue of a Subdivision Works Certificate**.

(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 Mallinson Road and Maegraith Place 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 Mallinson Road and Maegraith Place is not suitable for the proposed development, then upgrade and amplification Council's reticulated water main system on Mallinson Road and Maegraith Place 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 Road 1 within the development to the end of the battle-axe handle of proposed Lot 3. 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 Council's potable water main on Road 1 is to include the installation of a backflow prevention device and by-pass meter after the intersection of the water main on Road 1. 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) Raw Water Main Extension

The existing raw water main is to be extended to service all allotments created as part of the subject Development Application. The design of all new raw water mains and other associated components normally associated with raw water main installations are to conform to the standards and specifications prescribed by Murrumbidgee Irrigation. Detailed design and Murrumbidgee Irrigations approval is to be submitted to Council for approval prior to the issue of a **Subdivision Works Certificate**.

(33) Landscape Plan – Maegraith Place / New Road intersection

Prior to the issue of the Subdivision Works Certificate a detailed landscaping plan shall be designed for the Maegraith Place / New Road intersection for approval by Council's Parks and Gardens Manager or delegated representative in consultation with the landowner at 21 Maegraith Place.

The landscaping plan shall be drawn to scale by a suitably qualified person and include:

- a) Minimum scale of 1:200
- b) The location of all existing and proposed tree and shrub species to be retained, removed or transplanted
- d) Height and spread of selected species at maturity
- e) Elevation of landscaped areas
- f) Irrigation measures and detailed design specifications
- g) Details (including location and method of installation if required) of any root barrier's to protect infrastructure
- h) Landscape maintenance strategy over the two year establishment period. The strategy is to address maintenance issues such as, but not limited to plant survival, irrigation, soil testing, weeding, staking, fertilising, remedial pruning and plant replacement.
- i) To reduce headlight glare at 21 Maegraith Place, a 1.8m high steel boundary fence is to be provided on the side boundary, extending from the existing side boundary fence to the front building line. This is to include a 300mm decorative lattice or slat topper on the new section of fence if requested by the landowner.

Notes:

- i) The purpose of the new fence and landscaping is to improve the amenity of the new intersection and to reduce headlight glare and improve privacy for the residents of the dwelling at 21 Maegraith Place.
- ii) Species selected are to be local natives and/or low water use species requiring minimal watering following the one-year maintenance period.

- iii) Planting is to occur with-in councils nature strip behind the pine log barrier to ensure no impact to sightlines.
- iv) All tree planting locations must meet the Griffith City Council- Tree Policy (PG-CP-402) with particular attention to section 3.6.1 Utilities and Services.
- v) Landscaping is to be the responsibility of the landowner at 21 Maegraith Place following the maintenance period.

(34) Habitat and Hollow Bearing Trees

Prior to the issue of the Subdivision Works Certificate, all hollow bearing and habitat trees identified to be retained as per figure 13 of the Biodiversity Development Assessment Report (BDAR) are to be clearly identified on the civil works plans.

(35) Pollution Control Plan

Prior to the issue of the Subdivision Works Certificate, the applicant shall submit to Griffith City Council and the Principal Certifier (if applicable) a Pollution Control Plan. The Pollution Control Plan shall provide the following details:

- (a) Soil erosion and sediment control measures that are designed in accordance with Managing Urban Stormwater: Soils and Construction 4th Ed (Landcom, 2004). The measures shall include:
 - i) Preventing solid waste, sediment, sand, soil, clay or stones from the site entering the stormwater drainage system. Only clean rain water will be permitted to discharge into the stormwater drainage system.
 - ii) Preventing vehicles from tracking materials onto the road which may enter stormwater drainage.
 - iii) Plans showing the location of sedimentation control fencing and details of any temporary driveways.
 - iv) Methods for the entire construction period and up until such times as an application is made for a Subdivision Certificate.
 - v) Means of dust suppression measures to be implemented during dry and/or windy weather conditions.
- (b) A waste management plan addressing all waste collection and disposal issues associated with waste generated by the development during the construction process.
- (c) In terms of disposal of waste, all material is to be disposed of at a licenced waste management facility. No material shall be burnt onsite.

(36) Crown Land Consent

Prior to the issue of the Subdivision Works Certificate, civil works plans and crown land owners' consent is to be provided to council for the connection to the fire trail from proposed lots 10 and 11 to Lot 7306 DP 1157775. This should detail any required removal of native vegetation, construction of the fire trail, any require stormwater swales, erosion control measures and approval for such works.

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.

(37) 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.

(38) External Service Providers

Prior to the commencement of works 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 the development.

(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.

(41) S138 Roads Act

Prior to the commencement of work in 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 works required within the road reserve. 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.

(42) Section 68 Application

Prior to the commencement of works on Council's potable water main and stormwater drainage system, a Section 68 application in accordance with the Local Government Act 1993 is to be obtained through Council by submitting an application via the NSW Planning Portal and linking it to the Development Application or Construction Certificate application. The application is to include design drawings and details that comply with Council's Engineering Guidelines - Subdivisions and Development Standards and the Water Services Association of Australia - Gravity Sewerage Code of Australia WSA 02—2014/ *Water Services Association of Australia - Pressure Sewerage Code of Australia WSA 07—2007/ Water Services Association of Australia – Water Supply Code of Australia (WSA 03—2011)*. All works associated with the sewer, stormwater and potable water works are to be completed at the expense of the applicant.

(43) Contaminated Land Remediation

Prior to the commencement of works, all remediation works shall be carried out in accordance with:

- The approved Remedial Action Plan (RAP);
- The Detailed Site Investigation (DSI);
- The National Environment Protection (Assessment of Site Contamination) Measure 1999 (as amended 2013); and
- Relevant NSW EPA contaminated land guidelines

The remediation shall include the excavation and off-site disposal of lead and zinc impacted soils identified within the former homestead area and any other contaminated material identified during remediation works.

(44) Habitat and Hollow Bearing Trees

Prior to the commencement of works, all hollow bearing and habitat trees identified to be retained as per figure 13 of the Biodiversity Development Assessment Report (BDAR) are to be fenced with a minimum 7m buffer provided around the base of the tree to be provided for protection.

During Construction

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

(45) 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.

(46) Sedimentation and Erosion Controls

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

(47) 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.

(48) Toilet Facilities

Adequate toilet facilities are to be provided on the site throughout the demolition/construction phase of the development. Such toilet facilities are to be provided, at the ratio of one (1) toilet for every twenty (20) persons (or part thereof) employed/working on the site. Each toilet provided must be a standard flushing toilet and must be connected to a public sewer, or an accredited sewage management facility approved by council. If connection to either a public sewer or an accredited sewage management facility is not practicable, it shall be connected to some other sewage management facility approved by council. Toilet facilities must be provided and functioning prior to the commencement of work.

In this clause:

accredited sewage management facility means a sewage management facility to which Part 2 of the Local Government (General) Regulation 2005 applies, being a sewage management facility that is installed or constructed to a design or plan the subject of a certificate of accreditation referred to in clause 41 of the Regulation.

public sewer has the same meaning as it has in the Local Government (General) Regulation 2005.

sewage management facility the same meaning as it has in the Local Government (General) Regulation 2005.

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.

(49) Subdivision Certificate

A Subdivision Certificate must be issued prior to lodgement of the Final Plan of Survey with the NSW Land Registry Services (LRS). 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.

(50) Compliance with Conditions of Consent

The applicant is to ensure that all conditions of Development Application No. 227/2025 are completed **prior to the issue of the Subdivision Certificate**.

(51) Section 7.12 Development Contributions

In accordance with Section 7.12 of the Environmental Planning and Assessment Act 1979 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 Council's adopted Section 7.12 Contributions Plan 2026. A copy of this policy is publicly available from Council's website www.griffith.nsw.gov.au.

Total payment shall be \$22,541.20 (1% of the proposed cost of carrying out the development). In accordance with Council's Section 7.12 Contributions Plan 2026, the contribution amount is to be indexed by the Consumer Price Index (All Groups Index for Sydney as published by the Australian Bureau of Statistics), calculated from the date of the original determination to the date of payment.

The contribution must be paid in full **prior to the issue of the Subdivision Certificate**. Applicants are advised to contact Council to confirm the final amount payable. Payment will only be accepted by cash, credit card, or electronic funds transfer (EFT), including direct deposit.

(52) 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	\$ 9,828.00	19.2 ET	\$188,697.60
Total			\$188,697.60

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**.

Applicants are advised to contact Council to confirm the final amount payable. Payment will only be accepted by cash, credit card, or electronic funds transfer (EFT), including direct deposit.

NOTE: The contribution is exclusive of the fees for the connection of water services to the individual allotments.

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*.

(53) 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.

(54) Works As Executed (WAE) 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*.

(55) 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**.

(56) 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.

(57) 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.

(58) 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.

(59) Section 68 Final Certificate of Completion

Prior to the issue of a Subdivision Certificate, a Section 68 Final Compliance Certificate is to be issued by Council at the completion of the works on Council's sewer main, potable water main and stormwater drainage system.

(60) Installation of stormwater infrastructure

Prior to the issue of a Subdivision Certificate, all drainage infrastructure including the onsite detention system 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)*.

(61) Fencing over open swale

Prior to the issue of a Subdivision Certificate, on property boundaries where stormwater is proposed to cross boundaries via open drainage swales is to be submitted and approved by Council. The permanent fencing is to be designed in the following locations (however not limited to):

- Shared boundaries of proposed Lots 4-17,
- Southern boundary of proposed Lots 10 and 11 for the full length, and
- Northern boundary of proposed Lot 2 where the open drainage channel crosses into the Mallinson Road drainage channel.

The design of the fence shall ensure that the flow of stormwater through the open drainage swale is not restricted.

(62) 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**.

(63) Flood Storage Basin

Prior to the issue of a Subdivision Certificate, the proposed flood storage basins and associated stormwater infrastructure to be located on Lot 11 are to be constructed in accordance with the findings outlined in the submitted Flood Impact Assessment prepared by RVD Consulting (dated May 2026, received by Council 27 May 2026), the approved Subdivision Works Certificate drawings, *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)*.

(64) 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.

(65) 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.

(66) Road 1 Construction

Prior to the issue of a Subdivision Certificate, Road 1 is to be constructed to the following specifications outlined below for the full length of the development:

- a. Local Access Road (Ultimately 20-metre-wide road reserve),
- b. 8-metre-wide carriageway,
- c. 6-metre-wide verge on both sides of the proposed road.

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

(67) Roll Top Kerb and Gutter Construction

Prior to the issue of a Subdivision Certificate roll top kerb & guttering is to be constructed along both sides of Road 2 in accordance with Council's *Engineering Guidelines – Subdivisions and Development Standards*.

(68) Cul-de-sac for Dead End Roads

Prior to the issue of a Subdivision Certificate, a cul-de-sac is to be constructed at the end of proposed Road 1 in accordance with Council's *Engineering Guidelines for Subdivisions and Development Standards* where the road constructed as part of the development terminate at a dead-end.

(69) Street and Intersection Lighting

The installation of street lighting along proposed Road 1 and the intersections of Maegraith Place and Road 1, and Mallinson Road and Maegraith Place is to be in accordance with *Austrroads 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.

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

(71) Naming of Roads

Separate written application must be made to Council requesting approval for naming of the internal roads. 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**.

(72) Street Numbering

Street numbers are to be applied for in conjunction with an application for the naming of the internal road, **prior to the issue of a Subdivision Certificate**.

(73) 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**.

(74) Intersection Signposting

Prior to the issue of a Subdivision Certificate, the intersection of Maegraith Place and proposed Road 1 is 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.

(75) Road 1 Signposting

Prior to the issue of a Subdivision Certificate, the internal road is 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) 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**.

(77) Restriction to User

Vehicular access to proposed Lots 1-3 from Mallinson 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 1-3 in accordance with Section 88E of the Conveyancing Act. The restriction

is to specify that vehicular access to the created allotments off Mallinson Road is not permitted at any time.

(78) Accessway construction – Proposed Lot 3

Prior to the issue of a Subdivision Certificate, a concrete vehicular crossing to proposed Lot 3 is to be constructed between the property boundary and road carriageway off the proposed internal Road 1. Accessway and layback construction for the proposed subdivision is to be completed in accordance with the approved Subdivision Works Certificate drawings and Council's Engineering Guidelines – Subdivisions and Development Standards.

(79) Internal driveway

Prior to the issue of a Subdivision Certificate, the internal driveway to proposed Lot 3 is to be all weather access for the full length of the battle-axe handle in accordance with accordance with Council's *Engineering Guidelines – Subdivisions and Development Standards* and Council's *Residential Development Control Plan 2020*.

(80) Redundant accessway

Prior to the issue of a Subdivision Certificate, the existing access way off Mallinson Road to the subject allotment shall be made redundant and the road reserve is to be reinstated to match the surrounding streetscape. This shall include the removal of the existing concrete culverts and the drainage channel is to be reformed to match existing levels. All costs associated with the works are to be borne by the applicant.

(81) Existing Potable Water Main Upgrade

Prior to the issue of a Subdivision Certificate, Council's existing 100mm AC potable water main is to be upgraded to a 150mm u-PVC water main from the existing 200mm u-PVC water main on the northern side of Mallinson Road to the intersection of Maegraith Place and the proposed internal road to service the development. 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 – Water Supply Code of Australia (WSA 03—2011)* and approved by Council.

(82) Potable Water Main Extension

Prior to the issue of a Subdivision Certificate, Council's reticulated potable water main is to be extended from the 150mm u-PVC to be constructed on Maegraith Place to service all allotments created as part of the subject Development Application. 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 – Water Supply Code of Australia (WSA 03—2011)* and approved by Council.

(83) 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 the proposed internal road within the development to the end of the battle-axe handle of proposed Lot 3. 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 internal road 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).

(84) 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 Lot 3 for the ongoing ownership and maintenance of the potable water infrastructure located within the battle-axe portion of Lot 3.

(85) Water Meters

Prior to the issue of a Subdivision Certificate, the developer is to provide a 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)*.

(86) Raw Water Main Extension

The existing raw water main is to be extended to service all allotments created as part of the subject Development Application. All works shall be in accordance with the standards and specifications prescribed by Murrumbidgee Irrigation. Documentary evidence from Murrumbidgee Irrigation shall be submitted to Council **prior to the issue of a Subdivision Certificate**.

(87) Murrumbidgee Irrigation

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

(88) Notice of Arrangement for Electricity Provision

Prior to the issue of the Subdivision Certificate, a copy of the Notice of Arrangement (NOA) from Essential Energy which states that satisfactory supply arrangements have been made for the provision of electricity to the proposed development is provided to Council.

(89) Landscape Plan – Maegraith Place Intersection

Prior to the issue of the Subdivision Certificate the approved landscape plan for the intersection of Maegraith Place and the new road shall be installed to the satisfaction of Council's Parks and Gardens Manager or delegated officer of that department. The commencement date for installation of plants or irrigation systems must be agreed to by the Parks and Gardens Manager or delegated officer. This work will be inspected by the delegated officer to ensure installation specifications are met. This is to include a final inspection once landscaping has been installed and written approval from the delegated officer.

The approved landscaping must be bonded along with the duration of the one (1) year maintenance period.

Landscaping will become the responsibility of the landowner at 21 Maegraith Place following the maintenance period.

(90) Asbestos – Tip Receipts

Documentary evidence in the form of tip receipts from an approved Waste Management Facility shall be obtained demonstrating the appropriate disposal of the asbestos waste. Tip receipts shall be provided to Council prior to any further works on the site and prior to subdivision certificate.

(91) Remediation Validation Report

Upon completion of remediation works and prior to the issue of the Subdivision Certificate, a Validation Report must be prepared by a suitably qualified and experienced contaminated land consultant.

(92) The Validation Report shall:

- (a) Confirm that remediation works have been undertaken in accordance with the approved RAP;
- (b) Detail all excavation, removal and disposal works undertaken;
- (c) Include plans showing validation sampling locations and excavation extents;
- (d) Include waste classification documentation and disposal receipts;
- (e) Include validation sampling and laboratory analysis results;
- (f) Demonstrate that all remaining soils comply with residential land-use criteria under the National Environment Protection (Assessment of Site Contamination) Measure 1999 (as amended 2013);
- (g) Demonstrate the remediation objectives of the RAP have been achieved; and
- (h) Confirm the site is suitable for its intended residential use.

The Validation Report shall be submitted to and approved by Council prior to the release of the Subdivision Certificate.

(93) Validation Report – Site Suitability Statement

The Validation Report shall include a statement from the contaminated land consultant confirming that the site has been remediated and validated in accordance with the approved Remedial Action Plan and is suitable for the proposed residential land use without the need for ongoing environmental management measures.

(94) Effluent Application Area – Site Plans

Prior to the issue of a Subdivision Certificate detailed subdivision design plans are to be submitted to Griffith City Council for the subdivision. The plans must demonstrate the location and size of the effluent land application area for the future Onsite Sewage Management Systems (OSSM)., in accordance with the recommendations in Aitkin Rowe's 'Site Assessment for Effluent Disposal System Report – Lot 476, No. 115 Mallinson Road, Lake Wyangan, NSW' dated 5 September 2025 (Report no: GS25-197).

Number of bedrooms	3	4	5
Minimum land application area (m ²)	200	250	300

Any variation of the above sizing for an individual allotment is to be supported by a site and soil assessment carried out by a suitably qualified person and reviewed and approved by Griffith City Council's environmental health department.

(95) Effluent Application Area (EAA) – buffer distances

The following minimum horizontal buffer distances must be maintained from the perimeter of the effluent land application area. Distances apply in accordance with the effluent flow direction (downslope/upslope):

Sensitive Receptor		Minimum Horizontal Buffer Distance (m) – Secondary Treatment Only
Property Boundary	Downslope	6
	Upslope	1.5
Buildings	Downslope	4
	Upslope	2
Swimming pool	Downslope	10
	Upslope	3
In-Ground Water Tank	Downslope	10
	Upslope	3
Permanent Water (Rivers & Lakes)		50
Intermittent Water (Dams & Channels)		15
Water Bore (Residential Supply)		15
Water Bore (Town/Commercial Supply)		250

Buffers must be measured from the edge of the irrigation area, not from sprinklers or dripper lines. No surface runoff from the irrigation area is permitted to enter adjoining properties, stormwater systems, buildings, driveways or water bodies. Surface gradients and site drainage measures must be incorporated into the design to prevent effluent migration.

Reason: Recommended buffer distances outlined in 'Onsite Wastewater Guides' and Aitkin Rowe's 'Site Assessment for Effluent Disposal System Report – Lot 476, No. 115 Mallinson Road, Lake Wyangan, NSW' dated 5 September 2025 (Report no: GS25-197).

(96) Effluent Application Area (EAA) – Section 88B instrument

The approved effluent land application area minimum size and all associated buffer distances are to be documented on the Section 88B instrument as a Restriction on the Use of the Land.

The Section 88B instrument shall identify both the minimum effluent application area and associated buffer distances and prohibit development within these areas that would compromise the operation of the onsite sewage management system.

(97) Murrumbidgee Irrigation

The applicant shall obtain written approval from Murrumbidgee Irrigation for the proposed Subdivision. Documentary evidence from Murrumbidgee Irrigation shall be submitted to Council prior to the issue of the **Subdivision Certificate**.

(98) Crown Land approval

As the development is adjacent to Crown Land and requires connection to a Fire Trail within the reserve, the applicant shall obtain written approval from Crown Lands for the proposed development/activity. Documentary evidence from Crown Lands shall be submitted to Council prior to the issue of the **Subdivision Certificate**.

(99) 'Fire trail' access road

Prior to the issue of a Subdivision Certificate, the fire trail access road must comply with the following requirements of *Planning for Bush Fire Protection 2019*:

- (a) a two-wheel drive, all-weather road;
- (b) the capacity of road surfaces is sufficient to carry fully loaded firefighting vehicles (up to 23 tonnes);
- (c) minimum 5.5m carriageway width for safe two-way access;
- (d) a minimum vertical clearance of 4m to any overhanging obstructions, including tree branches;
- (e) must provide suitable turning areas in accordance with Appendix 3;
- (f) curves have a minimum inner radius of 6m and are minimal in number to allow for rapid access and egress;
- (g) the minimum distance between inner and outer curves is 6m;
- (h) the cross fall is not more than 10 degrees; and,
- (i) maximum grades for sealed roads do not exceed 15 degrees and not more than 10 degrees for unsealed roads.

(100) Firetrail access

Prior to the issue of the Subdivision Certificate, the three fire trail driveways are to be constructed with a concrete crossover to the property boundary in accordance with Councils Engineering Guidelines.

(101) Access to lot 3

The proposed access to lot three is to be constructed prior to the issue of the subdivision certificate. The access is to be all weather for the length of the access handle and include a concrete crossover to the property boundary in accordance with the engineering guidelines.

(102) Ecosystem credit retirement

- (b) **Prior to the issue of the Subdivision Certificate**, the class and number of ecosystem credits in Table (A) must be retired to offset the residual biodiversity impacts of the development.
- (c) The requirement to retire credits may be satisfied by payment to the Biodiversity Conservation Fund of an amount equivalent to the class and number of ecosystem credits, as calculated by the BAM Credit Calculator (BAM-C).
- (d) Evidence of the retirement of credits or payment to the Biodiversity Conservation Fund in satisfaction of condition 2.1 must be provided to the consent authority **prior to the issue of the Subdivision Certificate**.

Table (A) Ecosystem credits required to be retired – like for like

Ecosystem credit amount	Attributes shared with matching credits						
	PCT name	PCT vegetation class	PCT vegetation formation	Associated TEC or EC	Offset trading group (BAM Section 10.2, Tables 4 & 5)	Hollow bearing trees present?	IBRA subregion (in which proposal is located)
13	70 – White Cypress	Floodplain transition woodlands	Grassy woodlands	No	Floodplain Transition Woodlands	Yes	Lachlan Plains

	pine woodland on sandy loams in central NSW wheatbelt				- ≥ 50% - < 70% cleared group (including Tier 3 or higher threat status).		
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Demolition Management

Demolition must be carried out in accordance with the following conditions.

(103) Demolition

Any demolition must be carried out in accordance with AS 2601—2001, *The demolition of structures*, and with the *Code of Practice: Demolition Work* by SafeWork NSW. The code is available for download from the SafeWork NSW website.

(104) Neighbour Notification

The person with the benefit of the development consent must give at least 2 days' notice in writing, of their intention to commence demolition work authorised by the consent, to the occupier of each dwelling that is on a lot with an adjoining boundary.

(105) Receipts

Copies of receipts stating the following must be given to the principal certifying authority:

- (a) the place to which waste materials were transported,
- (b) the name of the contractor transporting the materials,
- (c) the quantity of materials transported off-site and recycled or disposed of.

(106) Hazardous Materials Assessment

Prior to commencement of demolition of any existing building or structure on the site, Hazardous Materials Audit shall be undertaken by a suitably qualified consultant.

The assessment shall identify and provide management measures for:

- Asbestos containing materials;
- Synthetic mineral fibres (SMF);
- Lead-based paints;
- Lead-contaminated dust;
- Polychlorinated biphenyls (PCB's); and
- Any other hazardous building materials.

All identified hazardous materials shall be removed and disposed of in accordance with relevant SafeWork NSW and EPA requirements.

(107) Unexpected Finds

If during demolition, excavation, remediation or civil works, evidence of contamination is encountered that was not previously identified, including but not limited to:

- Stained soils;
- Petroleum odours;
- Hydrocarbon impacted soils;
- Buried waste;
- Drums or tanks;
- Asbestos containing materials or asbestos fragments; or
- Any other potentially contaminated material,

All work within the affected area shall cease immediately.

A suitably qualified contaminated land consultant shall investigate and assess the material and provide recommendations for further management. Any additional remediation required shall be undertaken prior to recommencement of works within the affected area.

Council shall be notified of any significant contamination identified. Council may require the preparation of an amended RAP or additional contamination assessment should significant contamination be identified.

(108) Waste Classification

Any excavated material removed from the site shall be classified by a suitably qualified person in accordance with:

- The NSW EPA Waste Classification Guidelines Part 1 – Classifying Waste (2014); and
- Any current NSW EPA Resource Recovery orders, exemptions and waste classification requirements.

All contaminated material shall be transported and disposed of at a facility lawfully permitted to receive that waste classification.

Documentary evidence of waste classification and lawful disposal shall be retained and submitted as part of the validation reporting requirements.

(109) Imported Fill

Any soil or fill imported to the site shall:

- Be Virgin Excavated Natural Material (VENM) or other material lawfully approved for reuse;
- Be sourced from a site free from contamination;
- Comply with relevant NSW EPA Resource Recovery Orders and Exemptions; and
- Be accompanied by documentation verifying its classification and suitability for residential land use.

All records relating to imported fill shall be retained and provided to Council upon request.

(110) 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.

(111) Asbestos Removal

Removal of dangerous or hazardous materials shall be carried out in accordance with the provisions of all applicable State legislation and with any relevant recommendations published by the National Occupational Health and Safety Commission (Safe Work Australia).

- Only suitably qualified persons shall carry out the removal
- Removal of asbestos or asbestos containing material, shall be in accordance with NSW SafeWork requirements, including the *How to Safely Remove Asbestos: Code of Practice*. The code is available for download from the SafeWork NSW website.

On-Going Requirements

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

(112) Landscape Plan – Maeraith Place Intersection (Ongoing)

The approved landscaping is to be maintained by the developer for an agreed two year period after planting, with maintenance to be handed over to Council after this period.

(113) Maintenance of Onsite Detention System

The onsite detention systems constructed on each lot as part of the subject Development Application is not to be dedicated to Council and is to be maintained for the lifetime of the subject development by each lot owner.

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) Before You Dig

If excavating, it is recommended you go to Before You Dig Australia at www.byda.com.au and lodge a free enquiry that helps keep people safe and protect underground infrastructure.

(2) Water meter location

In accordance with Council's *Engineering Guidelines – Subdivision and Development Standards*, potable water services are not permitted to be located through easements. Property services shall be located such that the point where the meter assembly is located is within 300mm of the property side boundary.

(3) 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) All Torrens lots must have access and frontage to a public road as per Service and Installation rules this is to allow for the provision of power/services to the new development, a right of carriageway can not to be used for the provision of power/services to any part of the new development.
- e) 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;
- f) 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*;
- g) 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);

- h) 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*.

Should you require any clarification, please do not hesitate to contact us.
Information about when and how to request safety advice from Essential Energy.
[Request for Safety Advice \(essentialenergy.com.au\)](http://essentialenergy.com.au)

(4) Building Envelopes

Building envelopes are **not** to be indicated on the on the final plan of subdivision. These will be applied as per the Residential Development Control Plan or equivalent at the time of development.

The exception to this is any easement created specifically for required infrastructure such as a detention basin or on-site sewerage management area.

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

Attachment E – ‘General Terms of Approval’ Rural Fire Service**RFS**

Griffith City Council
PO Box 485
GRIFFITH NSW 2680

Your reference: (CNR-91498) 227/2025
Our reference: DA20260120000210-S38-1

ATTENTION: Development Administration

Date: Thursday 10 September 2026

Dear Sir/Madam,

Integrated Development Application
s100B – Subdivision – Torrens Title Subdivision
115 MALLINSON RD LAKE WYANGAN NSW 2680, 478//DP751743

I refer to your correspondence dated 01/09/2026 seeking general terms of approval for the above Integrated Development Application.

The New South Wales Rural Fire Service (NSW RFS) has reviewed the submitted amended information. General Terms of Approval are now re-issued, under Division 4.8 of the *Environmental Planning and Assessment Act 1979*, and a Bush Fire Safety Authority, under section 100B of the *Rural Fires Act 1997*, are now issued subject to the following conditions.

General

1. The development proposal is to generally comply with the following plans/documents except where amended by the conditions of this Bush Fire Safety Authority.

- The plan titled "Proposed Site Plan, Drawn by Xeros Piccolo, Project No: 250679, Sheet B1001, Revision: P5 dated 26/05/2026"
- The bush fire assessment prepared by "Bushfire Planning & Design, Ref: BR-2025-01588-D dated 31/08/2026"

2. Prior to the issue of a subdivision certificate, a suitably worded legal mechanism (such as an instrument created pursuant of section 88B of the Conveyancing Act 1919) shall be created on proposed Lots 4-15 (inclusive) to:

- Prohibit habitable building development within the nominated APZ (asset protection zone) as depicted (dashed orange) on the plan titled "Proposed Site Plan, Drawn by Xeros Piccolo, Project No: 250679, Sheet B1001, Revision: P5 dated 26/05/2026"

The name of authority empowered to release, vary or modify any instrument must be Griffith City Council.

3. Prior to the issue of a subdivision certificate, a suitably worded legal mechanism (such as an instrument created pursuant of section 88B of the Conveyancing Act 1919) shall be created on proposed Lots 10 & 11 to provide:

1





RFS



- A 'fire trail' access road as depicted in Fig. C03.a of bush fire assessment by Bushfire Planning & Design. The access road shall be legally and practically available for fire fighting purposes for the life of the development - and remain unobstructed. This access shall be constructed in accordance with condition five (5) of this BFSa outlined below. Responsibility for fiscal and practical maintenance of this access road shall be specified. **Note:** Council is to be satisfied a connection to the southern fire trail within the adjoining allotment will be provided for the life of the development.

The name of authority empowered to release, vary or modify any instrument must be Griffith City Council.

Asset Protection Zones

The intent of measure is to provide sufficient space and maintain reduced fuel loads to ensure radiant heat levels at the buildings are below critical limits and prevent direct flame contact.

4. At the issue of a subdivision certificate and for the life of the development, the entire site must be managed in accordance with the requirements of Appendix 4 of *Planning for Bush Fire Protection 2019*.

Access Requirements

The intent of measure is to minimise the risk of bush fire attack and provide protection for emergency services personnel, residents and others assisting firefighting activities.

'Fire trail' access road

5. Prior to the issue of a subdivision certificate, the fire trail access road must comply with the following requirements of *Planning for Bush Fire Protection 2019*:

- a two-wheel drive, all-weather road;
- the capacity of road surfaces is sufficient to carry fully loaded firefighting vehicles (up to 23 tonnes);
- minimum 5.5m carriageway width for safe two-way access;
- a minimum vertical clearance of 4m to any overhanging obstructions, including tree branches;
- must provide suitable turning areas in accordance with Appendix 3;
- curves have a minimum inner radius of 6m and are minimal in number to allow for rapid access and egress;
- the minimum distance between inner and outer curves is 6m;
- the cross fall is not more than 10 degrees; and,
- maximum grades for sealed roads do not exceed 15 degrees and not more than 10 degrees for unsealed roads.

Access - Public Roads

The intent of measure is to provide safe operational access to structures and water supply for emergency services, while residents are seeking to evacuate from an area.

Internal public road

General

6. Access roads must comply with the following general requirements of Table 5.3b of *Planning for Bush Fire Protection 2019*:

- traffic management devices are constructed to not prohibit access by emergency services vehicles;
- maximum grades for sealed roads do not exceed 15 degrees and an average grade of not more than 10 degrees or other gradient specified by road design standards, whichever is the lesser gradient;
- the capacity of road surfaces and any bridges/causeways is sufficient to carry fully loaded firefighting vehicles (up to 23 tonnes); bridges/causeways are to clearly indicate load rating;
- hydrants are located outside of parking reserves and road carriageways to ensure accessibility to reticulated water for fire suppression;





RFS



- hydrants are provided in accordance with the relevant clauses of AS 2419.1:2021 - Fire hydrant installations System design, installation and commissioning; and
- there is suitable access for a Category 1 fire appliance to within 4m of the static water supply where no reticulated supply is available.

Additional internal road requirements

7. The internal road must comply with the following of *Planning for Bush Fire Protection 2019*:

- minimum 8m carriageway width kerb to kerb (as per proposed site plan) ;
- parking is provided outside of the carriageway width;
- hydrants (where constructed) are located clear of parking areas;
- curves of roads have a minimum inner radius of 6m;
- the road crossfall does not exceed 3 degrees; and
- a minimum vertical clearance of 4m to any overhanging obstructions, including tree branches, is provided.

Access – Property Access

The intent of measure is to minimise the risk of bush fire attack and provide protection for emergency services personnel, residents and others assisting firefighting activities.

8. Future property access roads must comply with the requirements of *Planning for Bush Fire Protection 2019*.

Water and Utility Services

The intent of measure is to provide adequate services of water for the protection of buildings during and after the passage of a bush fire, and to locate gas and electricity so as not to contribute to the risk of fire to a building.

9. Future provisions of water, electricity and gas must comply with *Planning for Bush Fire Protection 2019*.

Landscaping Assessment

The intent of measure is to minimise the risk of bush fire attack and provide protection for emergency services personnel, residents and others assisting firefighting activities.

10. Any new landscaping within the required asset protection zone must comply with Appendix 4 of *Planning for Bush Fire Protection 2019*.

General Advice – Consent Authority to Note

- Establishment of asset protection zones may require the clearing of vegetation. This bush fire safety authority does not authorise the clearing of any vegetation, nor does it include an assessment of potential ecological impacts of clearing vegetation for the purpose of establishing asset protection zones. Approvals necessary for the clearing of vegetation should be obtained prior to the establishment of any asset protection zones.
- This approval is for the subdivision of the land only. Any further development application for buildings as identified by the National Construction Code may be subject to separate application and address the requirements of the current document *Planning for Bush Fire Protection*.

This letter is in response to an assessment of the application based on the submitted further information and supersedes our previous general terms of approval dated 29/06/2026.



Document Application No.: 227/2025(1)

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RFS



For any queries regarding this correspondence, please contact Jamie Winter on 1300 NSW RFS.

Yours sincerely,

Michael Gray
Manager Planning & Environment Srv (Sth)
Built & Natural Environment





BUSH FIRE SAFETY AUTHORITY

Subdivision - Torrens Title Subdivision
115 MALLINSON RD LAKE WYANGAN NSW 2680, 478//DP751743
RFS Reference: DA20260120000210-S38-1
Your Reference: (CNR-91498) 227/2025

This Bush Fire Safety Authority is issued on behalf of the Commissioner of the NSW Rural Fire Service under s100b of the Rural Fires Act (1997) subject to the attached General Terms of Approval.

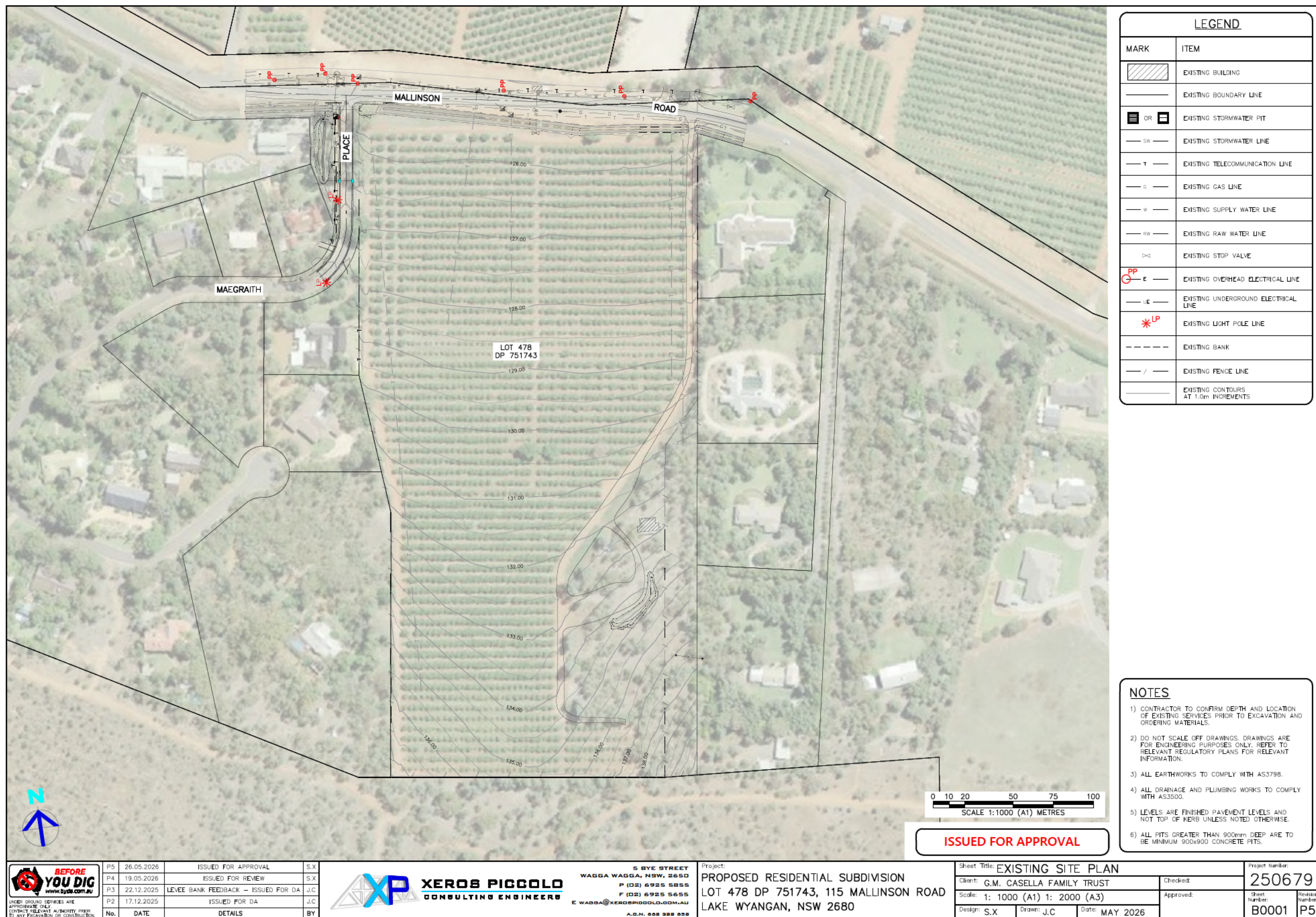
This authority supersedes the previous Bush Fire Safety Authority DA20260120000210-Original-1 issued on 29/06/2026 and confirms that, subject to the attached reissued General Terms of Approval being met, the proposed development will meet the NSW Rural Fire Service requirements for Bush Fire Safety under s100b of the Rural Fires Act 1997.

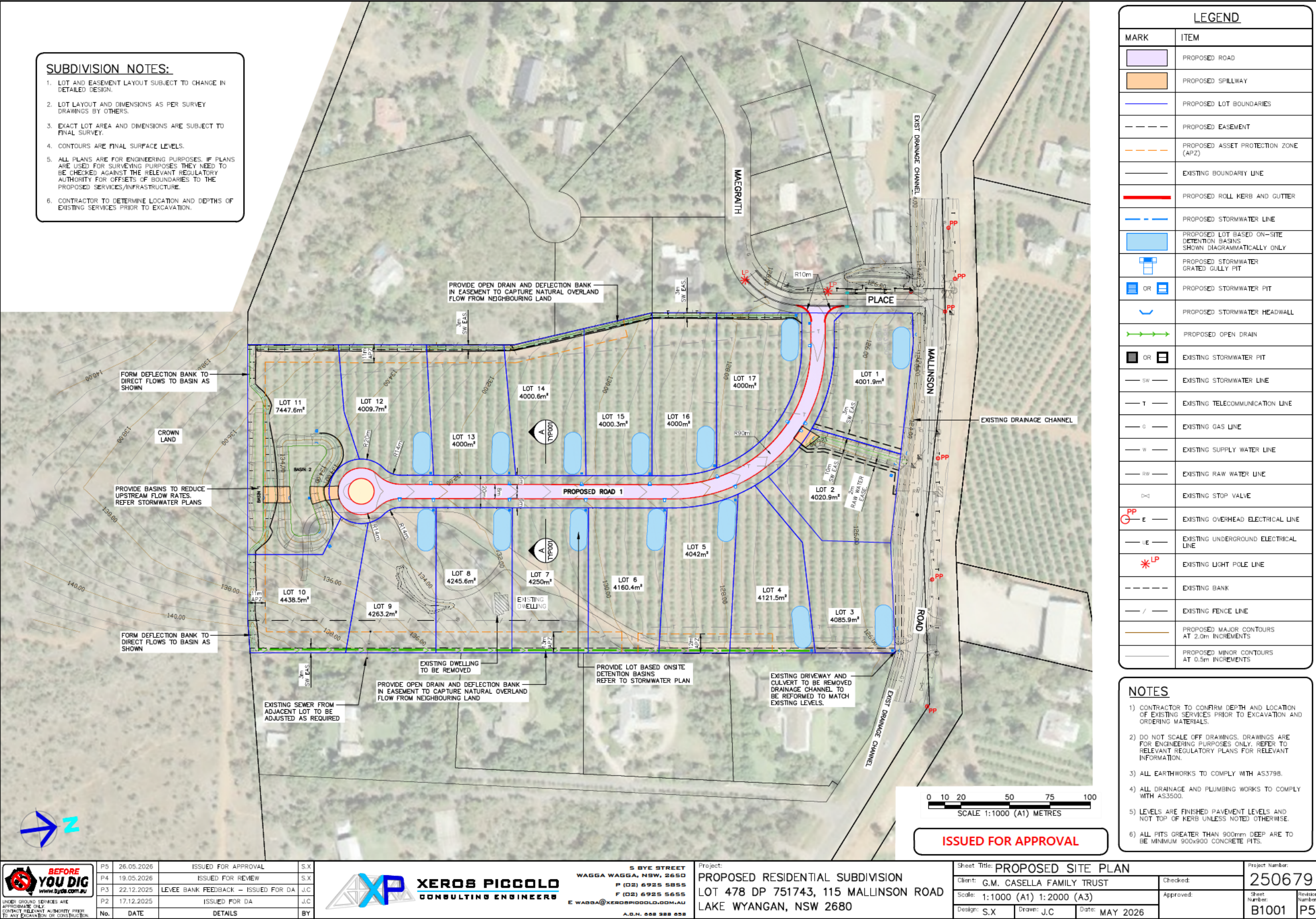
Michael Gray

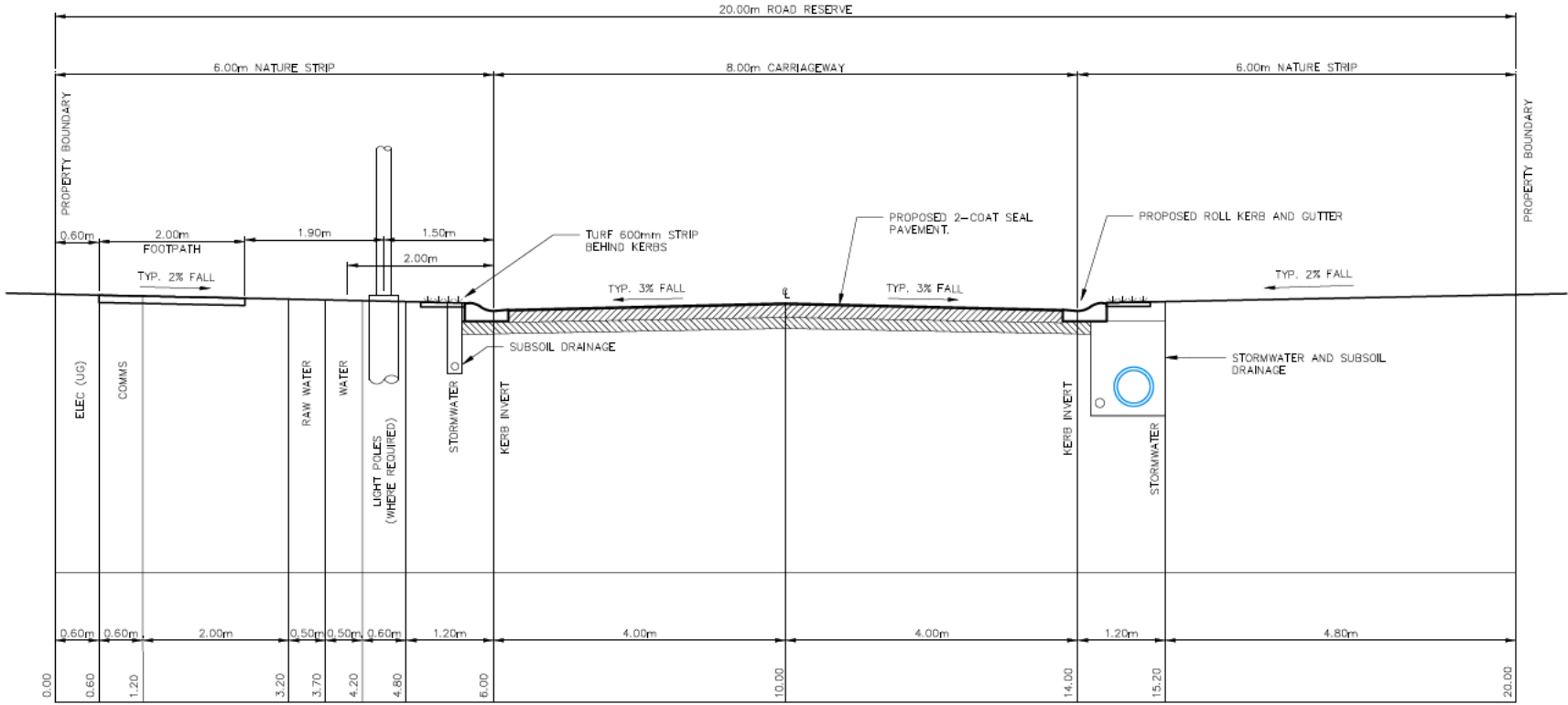
Manager Planning & Environment Srv (Sth)
Built & Natural Environment

Thursday 10 September 2026









SECTION A
C3

TYPICAL ROAD CROSS SECTION AND SERVICE ALLOCATIONS
ROAD 01
8m WIDE ROAD, 20m ROAD RESERVE
SCALE: 1:40 (A1) 1:80 (A3)

ISSUED FOR APPROVAL



P5	26.05.2026	ISSUED FOR APPROVAL	S.X
P4	19.05.2026	ISSUED FOR REVIEW	S.X
P3	22.12.2025	LEVÉE BANK FEEDBACK - ISSUED FOR DA	J.C
P2	17.12.2025	ISSUED FOR DA	J.C
No.	DATE	DETAILS	BY



XEROS PICCOLO
CONSULTING ENGINEERS

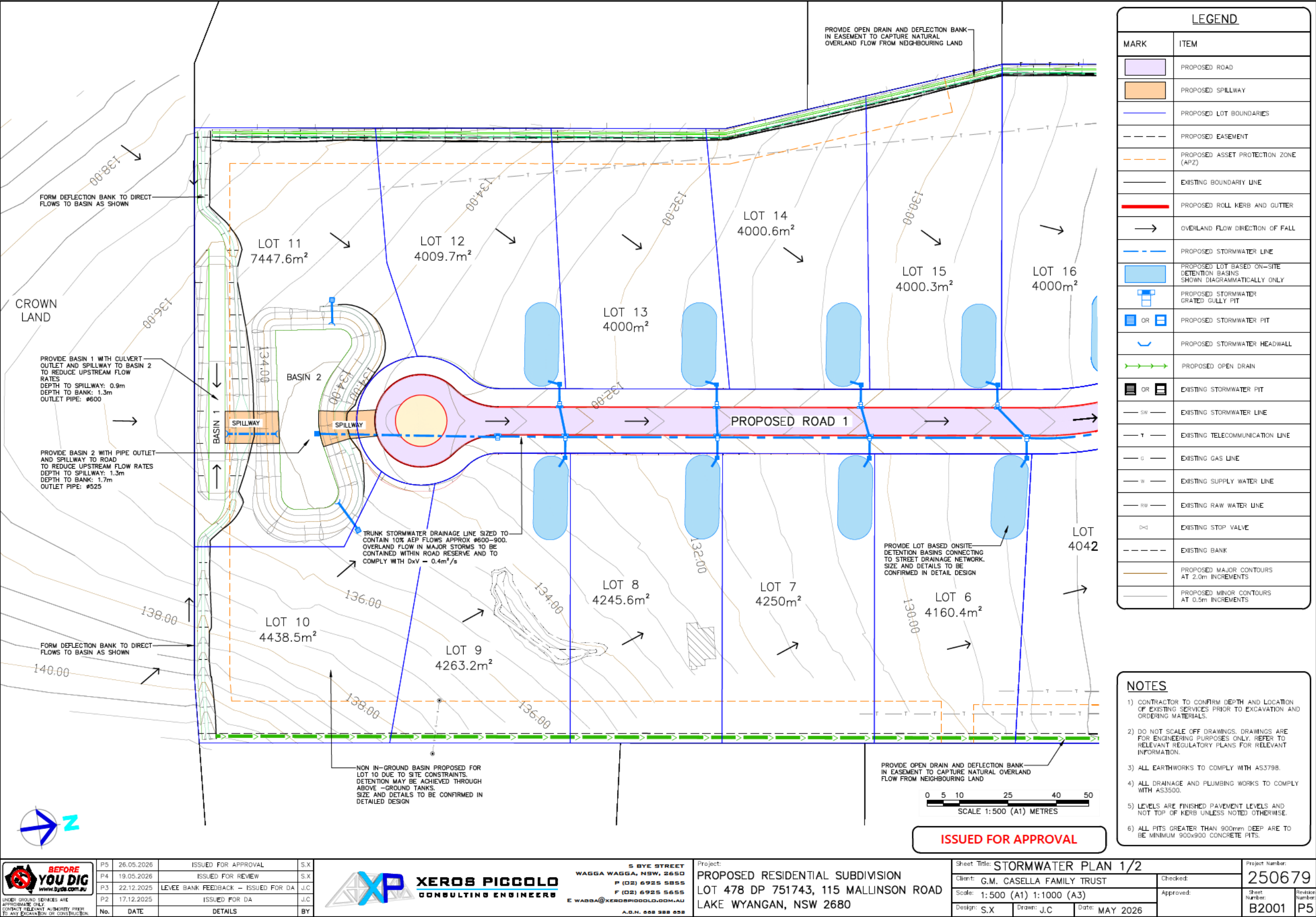
5 BYE STREET
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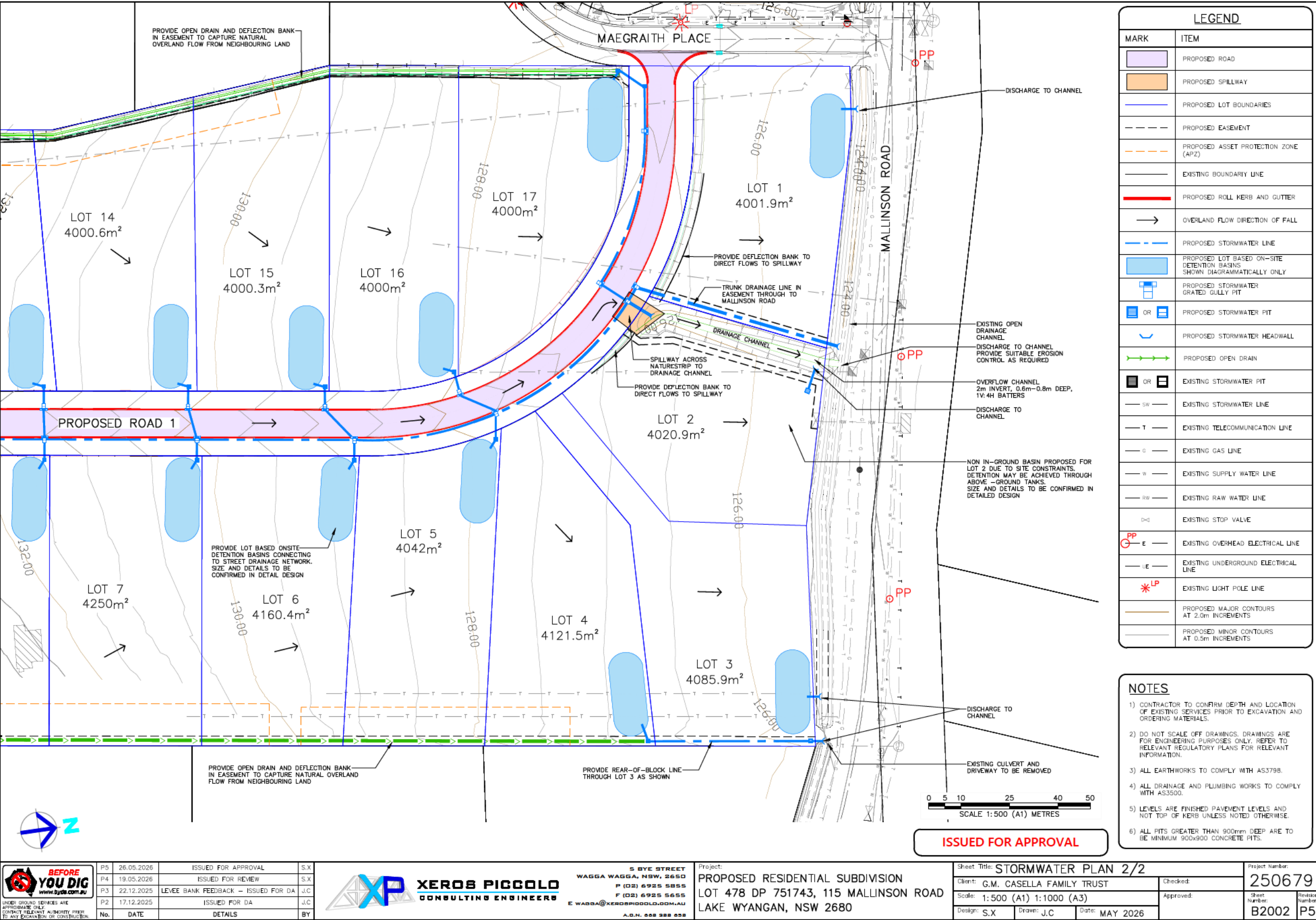
Project:
PROPOSED RESIDENTIAL SUBDIVISION
LOT 478 DP 751743, 115 MALLINSON ROAD
LAKE WYANGAN, NSW 2680

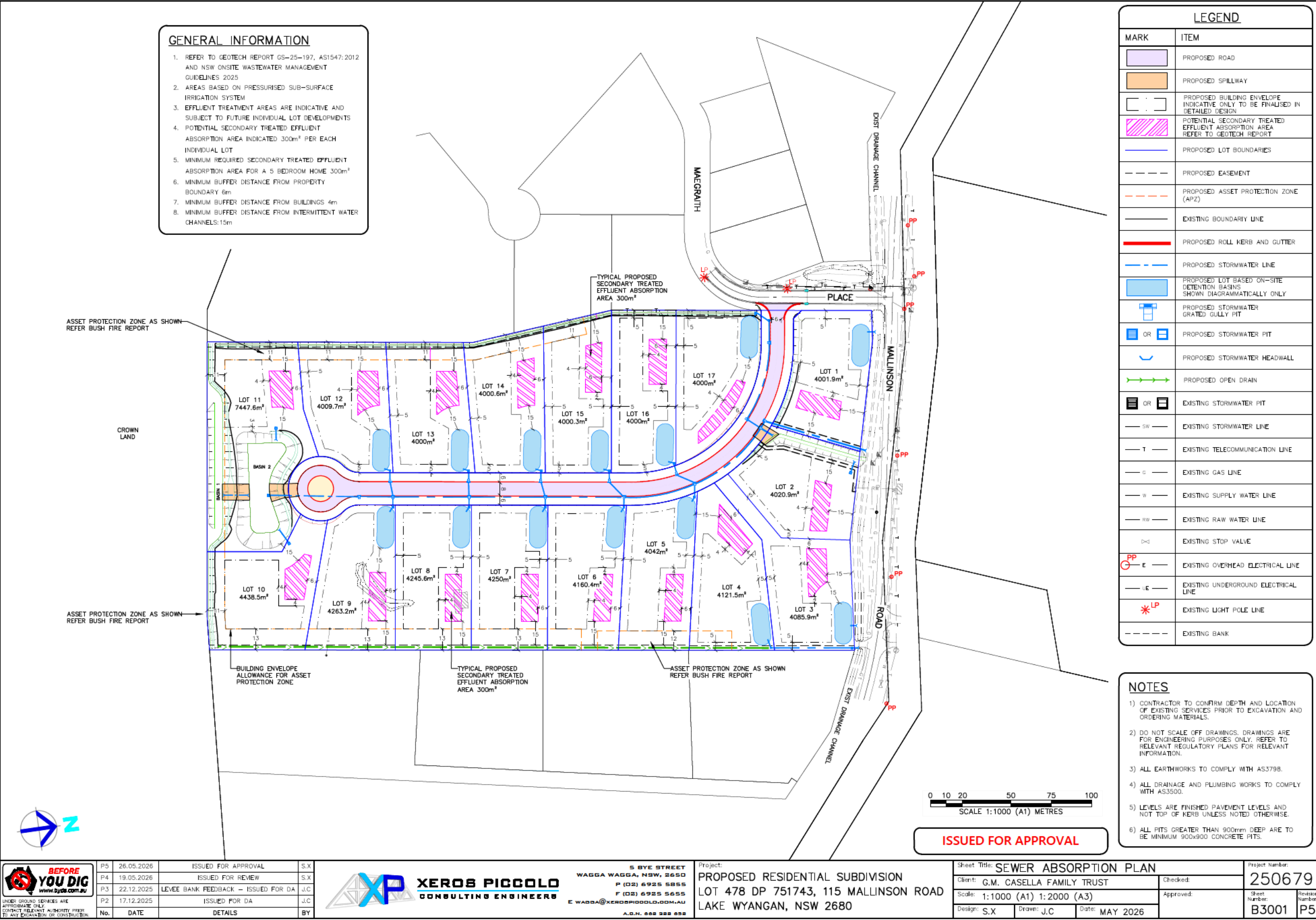
Sheet Title: TYPICAL SECTION
Client: G.M. CASELLA FAMILY TRUST
Scale: 1:40 (A1) 1:80 (A3)
Design: S.X
Drawn: J.C
Date: MAY 2026

Checked:
Approved:

Project Number:
250679
Sheet Number:
TYP001
Revision Number:
P5









Statement of Environmental Effects

Seventeen Lot Residential Subdivision



115 Mallinson Road Lake Wyangan

Lot 478 DP 751743

PREPARED FOR: GM CASELLA FAMILY TRUST
BY: SKM PLANNING PTY LTD – MURPHY CRESCENT, GRIFFITH NSW –
ADMIN@SKMPLANNING.COM

DATE OF FINAL ISSUE – 23/12/2025

PREPARED BY – KELLY MCNICOL M.PL (DIRECTOR)

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1 Executive Summary

This Statement of Environmental Effects has been prepared to accompany a development application for the subdivision of 115 Mallinson Road, Lake Wyangan. This application is prepared on behalf of the landowners G & N Casella.

The proposed subdivision seeks consent for the subdivision of Lot 478 DP 751743 into seventeen Torrens title allotments for future residential uses. The subject site is zoned *R5 Large Lot Residential* and has areas of terrestrial biodiversity significance and bushfire affected land. Potable water, Murrumbidgee Irrigation supply and drainage, electricity, and telecommunications are available to the site from Mallinson Road. The locality is comprised of a mixture of uses including established large lot residential properties and small horticultural properties.

The proposal is Integrated Development under clause 4.46 of the EP&A Act 1979 and 100B of the *Rural Fire Act 1997* and is required to be referred to the RFS for their approval and issuance of a Bushfire Safety Authority (BFSA). The proposal achieves compliance with majority of the controls specified in the *Griffith Residential Development Control Plan 2020* relating to large lot subdivisions. An assessment of the potential impacts of the proposed development is covered in this Statement of Environmental Effects and concludes that the subject site is suitable for the subdivision and proposed likely future uses. The proposal is considered to achieve the relevant provisions of the *Environmental Planning and Assessment Act 1979*.

The Statement of Environmental Effects has been made with reference to the following documents:

Document	Prepared By
Plan Of Subdivision	PHL Surveyors
Bushfire Assessment Report	Bushfire Planning and Design
Preliminary Engineering Plans	Xeros Piccolo
Traffic Impact Statement	Trafficworks
Geotechnical Report Site Assessment for Effluent Disposal Systems	Aitken Rowe Testing Laboratories
Geotechnical Report Limited Phase 2 Site Investigation	Aitken Rowe Testing Laboratories

2 The Site

2.1 Site Description & Existing Development

The site is located on Mallinson Road in Lake Wyangan, approximately 5 km from the centre of Griffith. The site has been used as a citrus orchard, and existing structures include a dilapidated dwelling. The land is presently zoned R5 Large Lot Residential and has been zoned for rural residential uses since 1994. It is one of two properties along Mallinson Road that have not been developed for residential purposes due to the owners' intention to continue horticultural operations. The site has an area of approximately 8 hectares, with frontage to Mallinson Road and also Maegraith Place. Potable water, Murrumbidgee Irrigation supply and drainage, electricity, and telecommunications are available to the site from Mallinson Road. The site has areas of terrestrial biodiversity, including some mature native vegetation around the curtilage of the former dwellings, and is also partly bushfire-prone land.



Figure 1: Subject Site

2.2 Locality & Surrounding Land Uses

The locality immediately surrounding the subject sites is zoned R5 Large Lot Residential to the east and west of the site, and the predominant uses are established large lot residential properties. Land to the northern side of Mallinson Road is zoned RU4 Primary Production Small Lots and uses include small horticultural properties with associated dwellings and farm buildings. Land to the south of the site is zoned C2 Environmental Conservation and consists of vegetation and bushland.



Figure 2: Locality Plan



Figure 3: View looking north along Maegraith Place, subject site to the right.

3 Proposed Development

3.1 Overview

	Details
Overview	17 lot Torrens title subdivision, construction of a new road.
LGA	Griffith City Council
Property	Lot 478 DP 751743
Address	115 Mallinson Road Lake Wyangan NSW 2680
Surrounding Land Uses	Established large lot residential properties, environmental protection land, and small horticultural properties
Local Environmental Plan	Griffith Local Environmental Plan 2014
Land Zoning	R5 Large Lot Residential
Development type	Integrated Development
Roads	The proposal includes a new 20m wide cul-de-sac road. This road is to intersect with Maegraith Place. Mallinson Road at its intersection with Maegraith Place will be provided with basic auxiliary right (BAR) and basic auxiliary left (BAL) turn treatments.

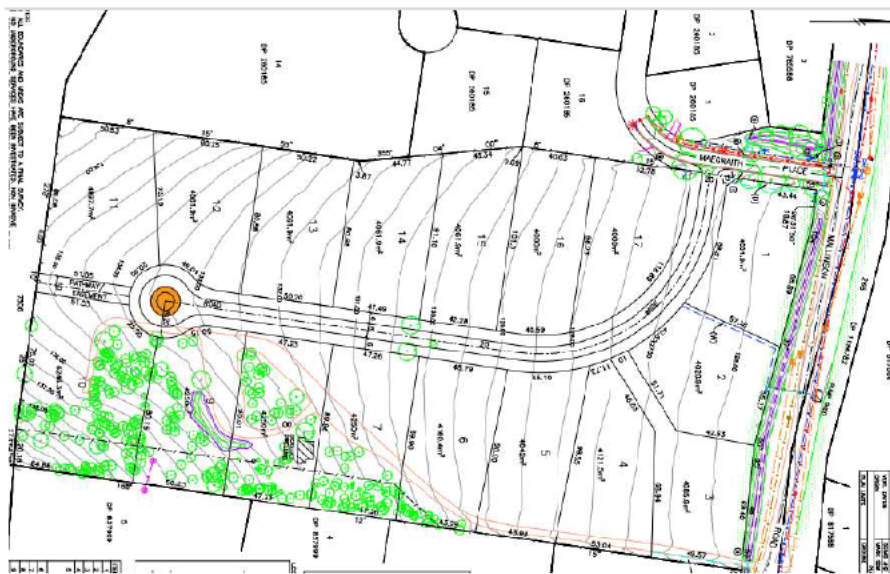


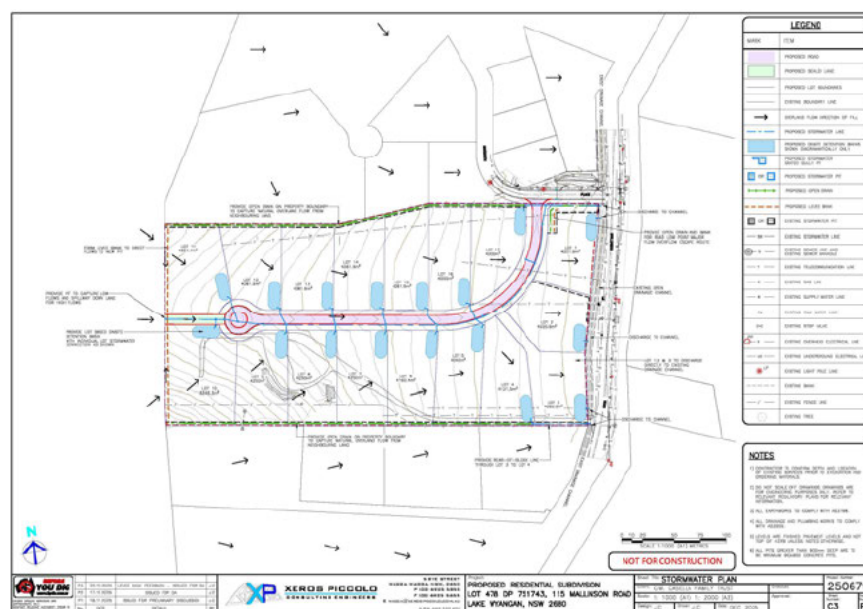
Figure 4: Proposed Subdivision Plan

The Proposal

The proposed development seeks consent for the creation of 17 residential lots ranging in size from 4,000 m² – 6246 m²). The proposal includes the construction of an internal cul-de-sac road, which will intersect with Maegraith Place. The proposal provides for the removal of vegetation that is identified as having terrestrial biodiversity significance for asset protection zones (APZs), and to facilitate modest building envelopes while retaining significant vegetation. The dilapidated existing dwelling is proposed to be removed, and site remediation works will be undertaken in the vicinity of this structure.

Lot design

All proposed lots have a site area of over 4000m², with lots having frontage to the proposed access road, with proposed Lot 3 to have a battleaxe handle. The lot design can provide for on-site detention basins, and 300m² secondary treated effluent absorption areas which observe the recommended distances from waterbodies and drainage lines. The lots have also shown the ability to include the required asset protection zones as specified by the Bushfire Report and sufficient building envelope



areas.

Figure 5: Lot layout including sewer absorption area, showing building envelopes and stormwater detention basins.

Biodiversity

The proposal would require the removal of some native vegetation for stormwater infrastructure, modest building envelope areas and the APZ's required by the Bushfire Assessment. The native vegetation, which is not impacted by the subdivision works, would be retained as much as possible. The subdivision has been designed so that the patches of native vegetation are all located within lots 7 to 10.

A total of 2300 m² of tree canopy and grasslands would need to be removed to facilitate the subdivision works; the remainder would be retained. This clearing area is under the threshold for clearing as stipulated in the Biodiversity Offset Scheme.

Minimum lot size associated with the property	Threshold for clearing, above which the Biodiversity Assessment Method and Biodiversity Offsets Scheme apply
Less than 1 ha	0.25 ha or more
1 ha to less than 40 ha	0.5 ha or more
40 ha to less than 1000 ha	1 ha or more
1,000 ha or more	2 ha or more

Figure 6: BAM Thresholds

The proposal also includes the demolition of the existing old dwelling shown on the subdivision plans. The owners would look to replace this shed as part of a new development application.

Roads & Traffic

The subject site has street frontage lengths of 210 m to Mallinson Road and 70 m to Maeraith Place. Vehicular access to the site is currently gained via Mallinson Road. The proposal includes the construction of an internal cul-de-sac road that would intersect with Maeraith Place. This is proposed to be a 20m wide road carriageway with 8m roadway, including semi-mountable kerb and gutter and would be dedicated to Council. A Traffic Impact Statement has been prepared to assess the proposal and the suitability of the surrounding road network for the development and future traffic demands. A summary of the conclusions and recommendations follows.

The traffic assessment estimates that once dwellings are constructed on the proposed lots, the subdivision is likely to generate 136 vehicle movements per day. All residential lots will have their access driveways connecting to the internal road network, with no direct access to Mallinson Road proposed. The assessment concludes there are no traffic engineering reasons that would prevent the development from proceeding, subject to the implementation of the following recommendations:

- **Conclusion 1:** *based on the crash history, we conclude that the roads in the vicinity of the subject site do not have a traffic safety problem that requires urgent remedial action.*
- **Conclusion 2:** *traffic generated by the development is expected to be in the order of 136 vehicles per day with peaks of 15 vehicles per hour.*

- **Conclusion 3:** *the design of the internal subdivision road complies with the criteria set out in Council's Development Guidelines.*
- **Conclusion 4:** *it will not be necessary to install traffic calming treatments on the internal road.*
- **Conclusion 5:** *Safe Intersection Sight Distance is available at the Mallinson Road/Maegraith Place intersection.*
- **Conclusion 6:** *Safe Sight Distance is achieved at the subdivision road intersection with Maegraith Place.*

The Assessment has identified the following matters that need to be addressed:

- **Recommendation 1:** *Include a cross-section that specifies the carriageway of the internal road to be bounded by semi-mountable kerb and channel.*

Comment: This has been provided in the Preliminary Engineering drawings provided by Xeros Piccolo, see drawing C4 Typical Section.

- **Recommendation 2:** *Detailed design of individual driveway locations should achieve compliance with the entering sight distance criteria in AS 2890.1 for the speed environment.*

Comment: Future dwellings will be able to achieve this.

- **Recommendation 3:** *Mallinson Road at its intersection with Maegraith Place should be provided with basic right (BAR) and basic left (BAL) turn treatments.*

Comment: It is understood that this will likely be included as a condition of consent and designs will be provided at the Civil Works stage.

- **Recommendation 4:** *The existing barrier installation at the Mallinson Road/Maegraith Place intersection requires upgrading as outlined in Section 4.3.1.*

Comment: This will be implemented as part of a future Subdivision Works Certificate application

Essential services

Water

Potable water will be installed within the new road reserve and connected to each allotment. A cross-section of the water main location has been provided in the civil works drawings.

Sewerage & Land Capability

The subject site is outside of the sewerage servicing area, and future dwellings will require on-site sewerage treatment and disposal. A land capability assessment has been undertaken to assess the site for the suitability of onsite treated effluent disposal systems. The borehole investigation revealed that the site is underlain by natural alluvial material comprising topsoil to 0.15m overlying low plasticity sandy clayey silt (BH7 and BH8 only) and various low to medium, medium, medium to high and high plasticity clays, silty clays, sandy silty clays, and gravelly clays extending to the borehole termination depth. The report identified that there was no sign of erosion, and the site should not pose the problem of uncontrolled run-off and erosion. The testing reveals that the site features range from very good to fair and are considered suitable for primary and secondary treated effluent disposal systems with appropriate management practices undertaken. See sewer absorption plans by Xeros Piccolo, which indicate potential locations for secondary treatment effluent absorption areas of 300m² based on the results of the Geotechnical Report GS-25-197 for a pressurised sub-surface irrigation system. All locations have observed the 6m setback from boundaries, 4m from buildings and 15m from channels.

2. Evapotranspiration – ETA/ETS Bed (Secondary Treated Effluent)

Based on the above assumptions, climatic data and water balance analysis undertaken, the following minimum dimensions for the disposal area for the evapotranspiration disposal system are recommended provided that the Design Loading Rate does not exceed 8.0mm/day. **It should be noted that this system is considered suitable for secondary treated effluent only.**

Table 3: Evapotranspiration Trench/Bed

Evapotranspiration Trench/Bed	3 Bedrooms	4 Bedrooms	5 Bedrooms
Minimum Absorption Area	100m ²	130m ²	150m ²
Minimum Trench Length (width 0.6m, depth 0.7m)	50m	65m	75m
Minimum Bed Length (Water Balance) (width 1.5m, depth 0.55m)	38m	50m	58m
Minimum Bed Length (AS1547:2012) (width 1.5m, depth 0.55m)	40m	50m	60m

Table 4: Pressurised Subsurface Irrigation

Pressurised Subsurface Irrigation	3 Bedrooms	4 Bedrooms	5 Bedrooms
Minimum Irrigation Area	200m ²	250m ²	300m ²

Table 5: Minimum Buffer Distances Table

Sensitive Receptor		Minimum Horizontal Buffer Distance (m)	
		Primary Treatment	Secondary Treatment
Property Boundary	Downslope	15	6
	Upslope	2	1.5
Buildings	Downslope	6	4
	Upslope	4	2
Swimming Pool	Downslope	15	10
	Upslope	6	3
In-Ground Water Tank	Downslope	15	10
	Upslope	6	3
Permanent Water (Rivers & Lakes)		100	50
Intermittent Water (Dams & Channels)		40	15
Water Bore (Residential Supply)		100	15
Water Bore (Town/Commercial Supply)		250	250

Table 1: Tables 4 to 6, which indicate minimum absorption areas, minimum irrigation areas and buffer distances table.

Drainage

Due to site constraints, the proposed subdivision design includes individual detention basins on each allotment. Diagrammatic examples of suitable locations for on-site detention basins for each lot have been provided in the preliminary engineering plans. The proposed pathway and easement for fire trail access is proposed to be paved with kerb and gutter and will serve as an overland flow path. It is also proposed to develop two 3m stormwater easements via open drain along the property boundaries on both the east and west boundaries to capture natural overland flow from adjoining lands. An 8m stormwater easement is also proposed on Lot 17 and 1. Proposed Lot 1, 2 and 3 will discharge directly from the detention basins to the existing drainage channel on Mallinson Road.

Electricity

Electricity will be connected to each proposed lot, from Mallinson Road and Maegraith place via underground cabling.

Land Contamination

The subject site is presently an operational horticultural farm (citrus orchard) proposed to be used for future residential purposes. A detailed phase 2 investigation including soil sampling and analysis has been undertaken to determine if there are acceptable levels of residual pesticide or other chemicals unsuitable for residential uses. The investigation and assessment assessed the site in two parts with section 1 being suitable for residential uses. Section 2 indicated levels of contaminants higher than accepted threshold and further testing of that section is to be undertaken. See further assessment under *SEPP (Resilience & Hazards) 2021*.

4 Legislative Context

This section provides an assessment of the proposal against the relevant planning legislation as prescribed in Section 4.15 of the Environmental Planning and Assessment Act 1979.

4.2 Biodiversity Conservation Act 2016 (BC Act)

The BCA Act includes a two-tiered approach to the assessment of biodiversity impacts of a development. The first tier of assessment (i.e. thresholds tests) for 'local development' assessed under Part 4 of the Environmental Planning and Assessment Act 1979 (EP&A Act) initially focuses on 'triggers' that otherwise indicate a requirement, or not, for a second tier of assessment performed under Part 7 of the BC Act. Threshold tests applied to determine if a development or activity is "likely to significantly affect threatened species" are listed below:

- Impacts exceed the biodiversity offsets scheme thresholds (Section 7.2 of the BC Act); or
- Impacts are likely to significantly affect threatened species or ecological communities, or their habitats (Section 7.3 of the BC Act); or
- Impact on declared area of outstanding biodiversity value.

'Yes' to any of the above triggers a requirement for an impact assessment performed in accordance with the Biodiversity Assessment Methodology (BAM) by an Accredited Person

Biodiversity Offset Scheme (BOS) Thresholds Test

An area criterion threshold determines the clearing limit of native vegetation before triggering a requirement for assessment in accordance with the BAM. The minimum lot size for the site is 4000m². Therefore, 2500 m² or more of clearing would trigger the BOS.

Minimum lot size of the land	Threshold for clearing, above which the BAM and offsets scheme apply
Less than 1 ha	0.25 ha or more
1 ha to less than 40 ha	0.5 ha or more
40 ha to less than 1000 ha	1 ha or more
1000 ha or more	2 ha or more

(Biodiversity Conservation Regulation 2017 cl. 7.2 (4))

Figure 7: Clearing Thresholds - BAM Method

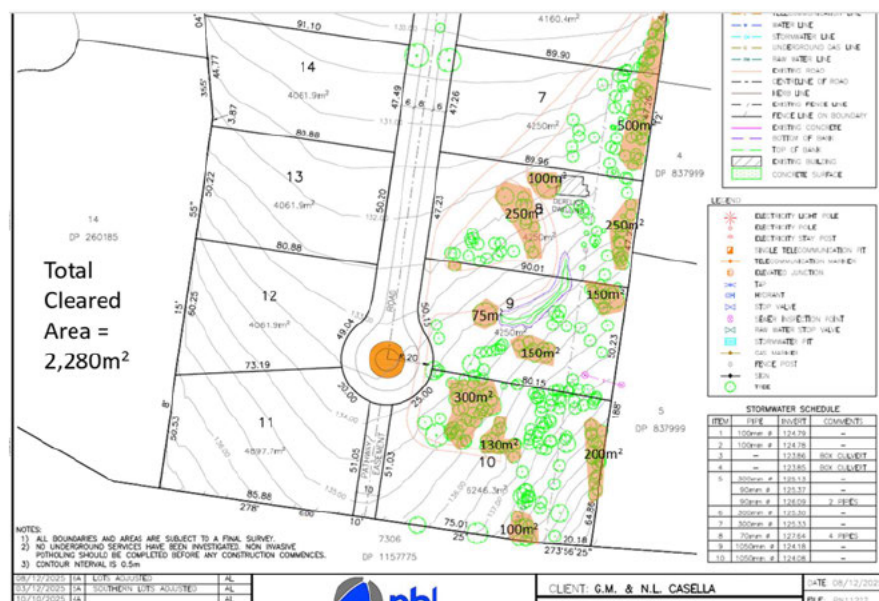


Figure 8: Vegetation Clearing Requirements

The clearing requirements of the development have been estimated based on the existing tree cover on the site and the maximum potential to disrupt native vegetation to facilitate the APZ's and modest building areas within a bushfire-protected but managed treed curtilage. In reality, the entire areas shown on **Figure 8** may not need to be cleared. The total maximum clearing attributed to the development would be 2280 m² and below the BAM and BOS thresholds. As such, Council can approve the proposal without a Biodiversity Assessment Report.

Biodiversity Values Map

The Biodiversity Values Map identifies land with high biodiversity value, as defined by the OEH Biodiversity Conservation Regulation 2017. A review of the Biodiversity Values Map has been carried out to understand if the site contains any areas identified as significant. The site is not considered to be mapped as having biodiversity values in both the State map and Council's LEP map.

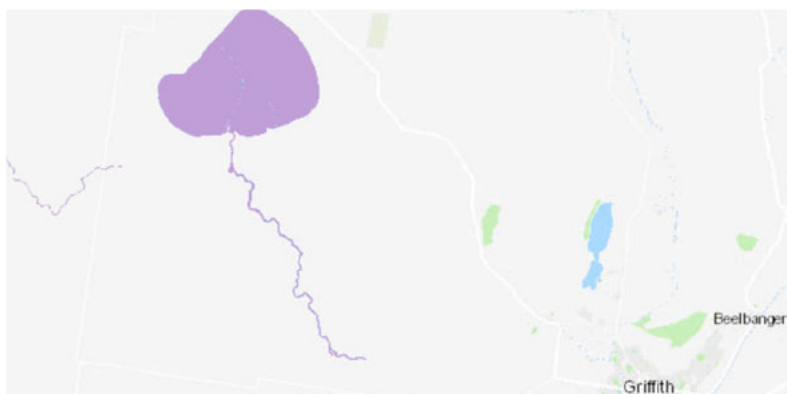


Figure 9: Griffith Biodiversity Values Map

Threatened Species

Fauna

The Threatened Species Test of Significance Guidelines state that a proposed development under Part 4 of the EP&A Act must identify if the site includes any threatened species (Schedule 1, BC Act).

A search of Bionet indicates that a few threatened fauna species have been sighted within 3 km of the site, including:

- 0504 *Pyrrholaemus sagittatus* - Speckled Warbler
- 0226 *Haliaeetus leucogaster* - White-bellied Sea-Eagle
- 0199 *Anseranas semipalmata* - Magpie Goose

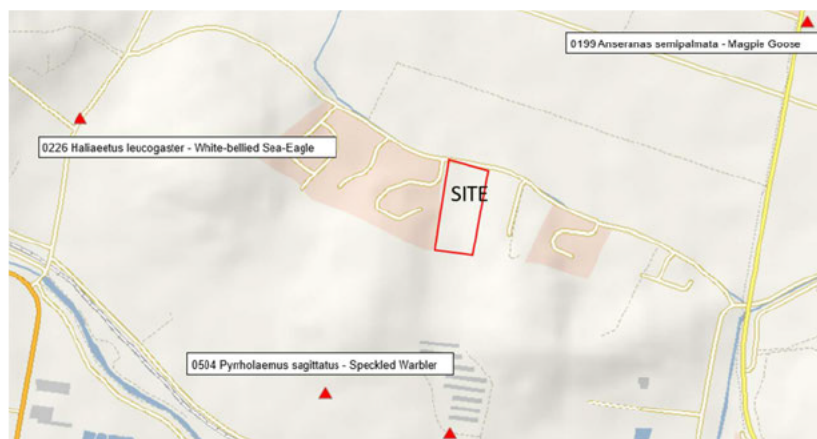


Figure 10: Spotted Threatened Species

The vegetation on the site is classified as being within Plant Community Type 82 - Western Grey Box - Poplar Box - White Cypress Pine tall woodland on red loams. The site and surrounding land is considered non-rural land for the purposes of the PCT mapping. As such, there is no mapped threatened fauna species on the site. The vegetation on site is degraded from past agricultural practices, with a sparse and degraded tree canopy. The vegetation is connected to and isolated from a larger patch of native vegetation located on the crown reserve to the north. The subdivision has been designed to retain as much native vegetation as possible and position significant tree patches within four allotments. Native vegetation would be retained and irrigated by treated effluent from AWTS where possible. Further, the location of the stormwater basins has been positioned away from the native vegetation.



Figure 11: PCT Map - Source: NSW SEED

Based on a desktop review of the potential threatened species or ecological communities on the site and in the locality, it would be unlikely that the removal of vegetation on the site would pose detrimental biodiversity impacts, subject to restricting the clearing of vegetation to below the BAM thresholds and the retention of trees within subdivided lots.

4.3 National Parks and Wildlife Act 1974 (NSW)

The National Parks and Wildlife Act 1974 is the New South Wales legislation covering the management and protection of Aboriginal Cultural Heritage. The Act provides for the proper care, protection and preservation of Aboriginal Objects and declared Aboriginal Places by establishing offences of harm. The NPW Act defines Aboriginal Objects and Aboriginal places: "Aboriginal object means any deposit, object or material evidence (not being a handicraft made for sale) relating to the Aboriginal habitation of the area that comprises New South Wales, being habitation before or concurrent with (or both) the occupation of that area by persons of non-Aboriginal extraction, and includes

Aboriginal remains." Section 87 of the NPW Act establishes defences against prosecution under s.86 (1), (2) or (4) - harming or desecrating Aboriginal objects and Aboriginal places. The defences are as follows:

1. An Aboriginal Heritage Impact Permit (AHIP) authorising the harm (s.87(1))
2. Exercising due diligence to establish Aboriginal Objects will not be harmed (s.87(2)). Due diligence may be achieved by compliance with requirements set out in the National Parks and Wildlife Regulation 2009 (the NPW Regulation) or a code of practice adopted or prescribed by the NPW Regulation (s.87(3))

4.4 The National Parks and Wildlife Regulation 2009 (NSW)

The NPW Regulation 2009 (cl.80A) assigns the Due Diligence Code of Practice for the Protection of Aboriginal Objects in NSW as one of the codes of practice that can be complied with pursuant to s.87 of the NPW Act. Disturbed land is defined by cl.80B (4) as; *"...disturbed if it has been the subject of a human activity that has changed the land's surface, being changes that remain clear and observable". Examples given in the notes to cl.80B (4) include "construction or installation of utilities and other similar services (such as above or below ground electrical infrastructure, water or sewerage pipelines, stormwater drainage and other similar infrastructure)".* The presence and extent of ground disturbance is a key determinant in establishing the cultural heritage potential of an area under the Due Diligence Code of Practice for the Protection of Aboriginal Objects in NSW. The site has historically been used for horticulture. The site is well and truly considered disturbed land. A desktop assessment has been carried out including an AHIMS search (no objects within 500 m of the site), review of geology, topography and vegetation and identification of archaeological sensitive landforms. This assessment has concluded the following:

- Previous disturbances exist throughout the activity area in the form of potential laser levelling, installation of irrigation channels and historic agricultural and cropping practices.
- It is likely that these significant previous disturbances have removed any likelihood for potential Aboriginal cultural heritage to be present.
- The activity area does not contain any previously recorded Aboriginal sites.
- The activity area does not contain any previously undisturbed archaeologically sensitive landforms, which have likely been removed through previous disturbances, including laser levelling, which is a common practice in this region
- The results of the desktop assessment have determined there is no requirement for a pedestrian site inspection of the project area as there is a low likelihood that unidentified Aboriginal cultural heritage will be present.
- An unexpected finds protocol can be implemented throughout the project in that event that previously unidentified Aboriginal heritage is encountered

4.3 Rural Fires Act 1997

The proposed development is categorised as 'Integrated Development' pursuant to Section 4.46 of the EP&A Act, given that the site is partially mapped as bushfire-prone land. The proposal requires a Bushfire Safety Authority from the New South Wales Rural Fire Service (RFS) for the subdivision of bushfire-prone land, pursuant to section 100B of the *Rural Fires Act 1997*. An integrated development referral to the RFS would be carried out as part of the development application process.

The Southern portion of the site is mapped as a buffer zone to Category 1 bushfire-prone land. A Bushfire Assessment Report prepared by Bushfire Planning and Design has confirmed that the development satisfies the maximum BAL-29 or less requirement for residential subdivision and can achieve the recommended 11m APZ to the South and South-West, 13m APZ to the South-East and 12m APZ to the East to comply with the acceptable solutions. The report specifies that a building footprint can be placed on the subject site, and future dwellings will not experience radiant heat loads greater than 29 kW/m² if exposed to bushfire. In terms of the need for a perimeter road, the report specifies that a road would only provide limited bushfire protection benefit in this context and would result in unnecessary environmental disturbance along the interface. The proposal, therefore, satisfies the intent of PBP's perimeter-road objective—safe, reliable emergency access—through subdivision layout and lot size rather than an urban-style perimeter loop. It is noted that an access and easement will be created for access from the proposed road to the existing fire trails on adjoining land.

Based on the bushfire assessment and the recommendations contained in the report, the proposed development is deemed to comply with the specific and broad objectives of PBP (2019), the requirements of the *Rural Fire regulations (2013)* and, therefore, is suitable for submission to the NSW RFS for the issuing of a bush fire safety authority.

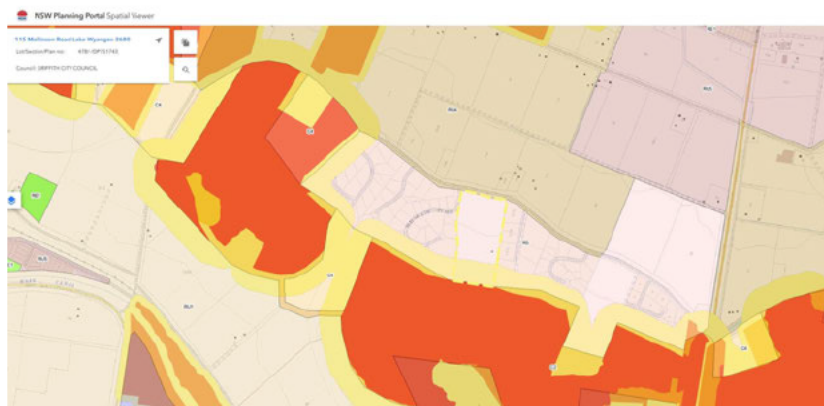


Figure 12: Bushfire Mapping

Roads Act 1993

The Roads Act 1993 (Roads Act) provides a framework for the management of roads in NSW. It provides for the classification of roads and the declaration of the TfNSW and other public authorities for both classified and unclassified roads. The Roads Act confers functions on TfNSW and other roads authorities and allows the distribution of such functions between RMS and other roads authorities. The Roads Act sets out procedures for the opening and closing of public roads and regulates the carrying out of various activities on public roads. As part of the development assessment, a Traffic Impact Statement (TIS) has been prepared, which outlines the requirements for the construction and use of roads in the area. Based on the findings of this TIA, the proposal would not be expected to have a discernible impact on the safety, capacity and efficiency of the local road network, subject to the recommendations in the report.

4.4 Environmental Planning and Assessment Act 1979 (EP&A Act)

Section 1.3 – Objects of the Act

- (a) to promote the social and economic welfare of the community and a better environment by the proper management, development and conservation of the State's natural and other resources,*
- (b) to facilitate ecologically sustainable development by integrating relevant economic, environmental and social considerations in decision-making about environmental planning and assessment,*
- (c) to promote the orderly and economic use and development of land,*
- (d) to promote the delivery and maintenance of affordable housing,*
- (e) to protect the environment, including the conservation of threatened and other species of native animals and plants, ecological communities and their habitats,*
- (f) to promote the sustainable management of built and cultural heritage (including Aboriginal cultural heritage),*
- (g) to promote good design and amenity of the built environment,*
- (h) to promote the proper construction and maintenance of buildings, including the protection of the health and safety of their occupants,*
- (i) to promote the sharing of the responsibility for environmental planning and assessment between the different levels of government in the State,*
- (j) to provide increased opportunity for community participation in environmental planning and assessment.*

Commentary: The proposal is not contrary to the objects of the EP&A Act.

Division 4.8 Integrated development

The proposed development is categorised as 'Integrated Development' pursuant to Section 4.46 of the EP&A Act given the site is partially mapped as bushfire prone land and the land can lawfully be used for residential purposes.

4.5 Griffith Local Environmental Plan 2014

A thorough review of the GLEP 2014 has been undertaken. An assessment of the proposal for compliance with the requirements of the relevant parts of the LEP has been provided below.

Land use zoning

The subject land is zoned Zone *R5 Large Lot Residential* under the provisions of the GLEP2014.

Objectives of zone

- *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.*

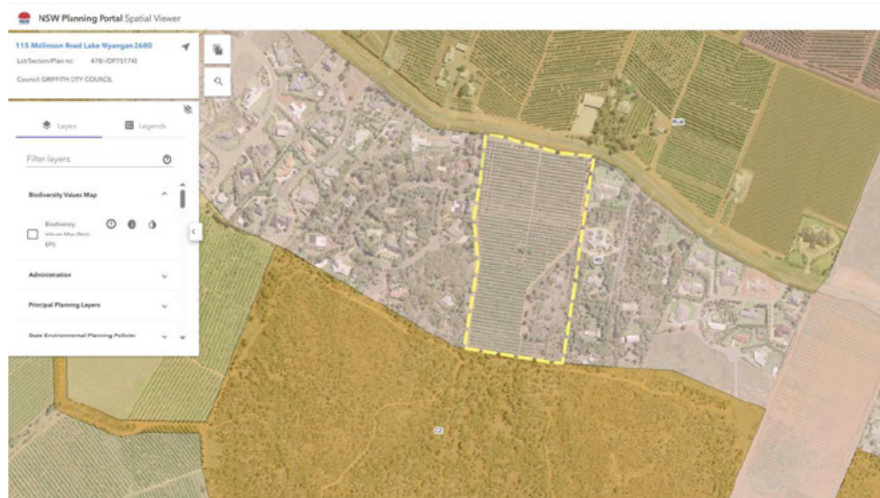


Figure 13: GLEP2014 zoning map.

Commentary: The proposal is not at odds with the zone objectives. It will facilitate achieving the zone's aims by providing lots ready for residential development in a rural setting. This subdivision and its proposed future use are suitable and would minimise conflicts with the ongoing horticultural operations on the site.

Clause 1.2 – Aims of the Plan

(1) This Plan aims to make local environmental planning provisions for land in Griffith in accordance with the relevant standard environmental planning instrument under section 3.20 of the Act.

(2) The particular aims of this Plan are as follows—

- (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.*

Commentary: The proposal is not contradictory to the aims of the GLEP2014, it is consistent with the aims of (a) by promoting residential uses in an area zoned for that use.

Clause 2.6 Subdivision – consent requirements

(1) Land to which this Plan applies may be subdivided, but only with development consent.

Commentary: The proposal seeks consent for subdivision as part of this application.

Part 4 Principal Development Standards

Clause 4.1 Minimum subdivision lot size

(1) The objectives of this clause are as follows—

- (a) to provide a minimum lot size for the subdivision of land,*
- (b) to ensure that subdivision does not unreasonably impact on the natural and environmental values of the area and will not lead to fragmentation of natural areas,*
- (c) to protect the productive capacity of agricultural land,*
- (d) to prevent the fragmentation of rural lands,*

- (e) to encourage a diversity of lot sizes, housing forms and densities in residential zones.
- (2) This clause applies to a subdivision of any land shown on the Lot Size Map that requires development consent and that is carried out after the commencement of this Plan.
- (3) The size of any lot resulting from a subdivision of land to which this clause applies is not to be less than the minimum size shown on the Lot Size Map in relation to that land.
- (3A) Despite subclause (3), the size of each lot resulting from the subdivision of land identified as "Area A", "Area B" or "Area C" on the Lot Size Map, if the lot is connected to a reticulated sewer or the consent authority is satisfied that it will be connected to a reticulated sewer, must not be less than the area shown in Column 2 of the Table to this subclause opposite the relevant area.

Column 1	Column 2
Area A	700 square metres
Area B	600 square metres
Area C	3,000 square metres

- (4) This clause does not apply in relation to the subdivision of any land—
- (a) by the registration of a strata plan or strata plan of subdivision under the Strata Schemes Development Act 2015, or
- (b) by any kind of subdivision under the Community Land Development Act 2021.

Commentary: The minimum lot size for this area is 4000m². All proposed lots meet or exceed this minimum.

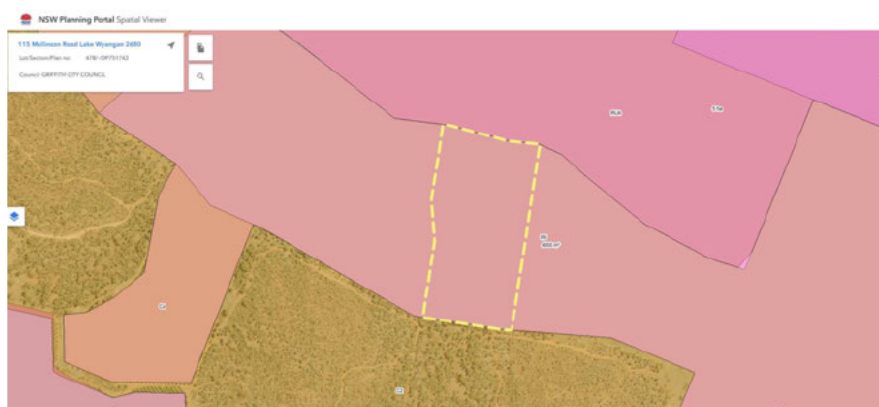


Figure 14: Lot Size Map

Part 5 Miscellaneous provisions

Clause 5.10 Heritage Conservation

(1) Objectives The objectives of this clause are as follows—

- (a) to conserve the environmental heritage of Griffith,*
- (b) to conserve the heritage significance of heritage items and heritage conservation areas, including associated fabric, settings and views,*
- (c) to conserve archaeological sites,*
- (d) to conserve Aboriginal objects and Aboriginal places of heritage significance.*

Commentary: The site is not listed as a heritage item or in a conservation area.

Clause 5.16 Subdivision of, or dwellings on, land in certain rural, residential or conservation zones

(1) 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).

(2) This clause applies to land in the following zones—

- (a) Zone RU1 Primary Production,*
- (b) Zone RU2 Rural Landscape,*
- (c) Zone RU3 Forestry,*
- (d) Zone RU4 Primary Production Small Lots,*
- (e) Zone RU6 Transition,*
- (f) Zone R5 Large Lot Residential,*
- (g) Zone C2 Environmental Conservation,*
- (h) Zone C3 Environmental Management,*
- (i) Zone C4 Environmental Living.*

(3) A consent authority must take into account the matters specified in subclause (4) in determining whether to grant development consent to development on land to which this clause applies for either of the following purposes—

- (a) subdivision of land proposed to be used for the purposes of a dwelling,*
- (b) erection of a dwelling.*

(4) The following matters are to be taken into account—

- (a) the existing uses and approved uses of land in the vicinity of the development,*
- (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,*
- (c) whether or not the development is likely to be incompatible with a use referred to in paragraph (a) or (b),*
- (d) any measures proposed by the applicant to avoid or minimise any incompatibility referred to in paragraph (c).*

Commentary: This development application seeks approval for the subdivision of land proposed for use as several dwellings. Adjacent land to the northern side of Mallinson Road is zoned RU4 Primary Production Small Lots, and land adjoining the site to the south is zoned C2 Environmental Conservation. The existing and approved land uses in the area are predominantly large lot residential developments. This is also the preferred and main land use near the site. The proposed subdivision and future residential development are unlikely to conflict with these existing established uses. The site has previously been zoned for rural residential uses and, under the current LEP, for large lot residential, but has not been used for this purpose, although surrounding land has. Since the subdivision will result in the cessation of horticultural activities, the proposal is likely to improve compatibility with existing uses.

Clause 5.21 Flood planning

(1) The objectives of this clause are as follows—

- (a) to minimise the flood risk to life and property associated with the use of land,*
- (b) to allow development on land that is compatible with the flood function and behaviour on the land, taking into account projected changes as a result of climate change,*
- (c) to avoid adverse or cumulative impacts on flood behaviour and the environment,*
- (d) to enable the safe occupation and efficient evacuation of people in the event of a flood.*

(2) Development consent must not be granted to development on land the consent authority considers to be within the flood planning area.

Comment: The subject site is not flood-affected land for the 1% AEP mapping included in the Lake Wyangan Floodplain Risk Management Study & Plan 2013.

Part 6 – Urban Release Areas: The subject site is not an Urban Release Area.

Part 7 Additional local provisions

Clause 7.1 – Earthworks

(1) 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.

(2) Development consent is required for earthworks unless—

- (a) the earthworks are exempt development under this Plan or another applicable environmental planning instrument, or*
- (b) the earthworks are ancillary to development that is permitted without consent under this Plan or to development for which development consent has been given.*

(3) *In deciding whether to grant development consent for earthworks (or for development involving ancillary earthworks), the consent authority must consider the following matters—*

- (a) the likely disruption of, or any detrimental effect on, drainage patterns and soil stability in the locality of the development,*
- (b) the effect of the development on the likely future use or redevelopment of the land,*
- (c) the quality of the fill or the soil to be excavated, or both,*
- (d) the effect of the development on the existing and likely amenity of adjoining properties,*
- (e) the source of any fill material and the destination of any excavated material,*
- (f) the likelihood of disturbing relics,*
- (g) the proximity to, and potential for adverse impacts on, any waterway, drinking water catchment or environmentally sensitive area,*
- (h) any appropriate measures proposed to avoid, minimise or mitigate the impacts of the development.*

Commentary: The proposal includes earthworks related to installation of infrastructure and roadworks and seeks consent for these works. As part of a Construction Environmental Management Plan, the Applicant will provide detailed measures to avoid erosion, sediment and dust impacts.

Clause 7.3 – Terrestrial Biodiversity

(1) *The objective of this clause is to maintain terrestrial biodiversity by—*

- (a) protecting native fauna and flora, and*
- (b) protecting the ecological processes necessary for their continued existence, and*
- (c) encouraging the conservation and recovery of native fauna and flora and their habitats.*

(2) *This clause applies to land identified as “Biodiversity” on the Terrestrial Biodiversity Map.*

Commentary:

A review of the proposal against the requirements of the Biodiversity Conservation Act 2016 has been provided previously in this report. The clearing required to facilitate the subdivision is below the clearing threshold for BAM and would not be expected to pose a threat to the overall ecological community within the locality. The vegetation on the site is degraded from past agricultural practices and contains several deceased trees. The subdivision has been designed to retain the existing healthy native vegetation within larger four larger lots.

Clause 7.4 Groundwater Vulnerability

(1) *The objectives of this clause are as follows—*

- (a) to maintain the hydrological functions of key groundwater systems,*
- (b) to protect vulnerable groundwater resources from depletion and contamination as a result of development.*

(2) This clause applies to land identified as "Groundwater vulnerable" on the Groundwater Vulnerability Map.

Commentary: The site is not identified as groundwater vulnerable as per the Groundwater Vulnerability maps.

Clause 7.5 Riparian land and watercourses

(1) The objective of this clause is to protect and maintain the following—

- (a) water quality within watercourses,*
- (b) the stability of the bed and banks of watercourses,*
- (c) aquatic and riparian habitats,*
- (d) ecological processes within watercourses and riparian areas.*

(2) This clause applies to all of the following—

- (a) land identified as "Watercourses" on the Riparian Lands and Watercourses Map,*
- (b) all land that is within 40 metres of the top of the bank of each watercourse on land identified as "Watercourses" on that map.*

Commentary: The subject site is located well over 40m from land identified on the riparian land and watercourses maps (Lake Wyangan north and south lakes).

Clause 7.6 Wetlands

(1) The objective of this clause is to ensure that wetlands are preserved and protected from the impacts of development.

(2) This clause applies to land identified as "Wetlands" on the Wetlands Map.

Commentary: The subject site is not land identified on the wetlands maps. It is noted that nearby wetlands include Campbells Wetland and Lake Wyangan north and south lakes.

Clause 7.8 Airspace operations

(1) The objectives of this clause are as follows—

- (a) to provide for the effective and ongoing operation of the Griffith Airport by ensuring that such operation is not compromised by proposed development that penetrates the Limitation or Operations Surface for that airport,*
- (b) to protect the community from undue risk from that operation.*

(2) If a development application is received and the consent authority is satisfied that the proposed development will penetrate the Limitation or Operations Surface, the consent authority must not grant development consent unless it has consulted with the relevant Commonwealth body about the application.

Commentary: The subject site is not located within the Limitation or Operations Surface area for the Griffith Airport.

Clause 7.10 – Essential Services

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—

- (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.*

Commentary:

- a) Water: As part of civil works, potable water will be provided to the subdivision and each allotment. Irrigation water from MI would also be provided throughout the subdivision as part of a neighbourhood association and a water sharing arrangement with MI.
- b) Electricity: Essential Energy's infrastructure is located in Mallinson Road, and will be extended to service the proposed allotments. A new underground network of electrical infrastructure within the road reserve would be provided to service the development. Detailed plans would be provided with the subdivision certificate application and submitted to Essential Energy with a Design Information Package
- c) Sewage: Council's sewer infrastructure is not available to the site. Future dwellings will be serviced by on-site treatment systems. A Land Capability Assessment has been provided, which concludes that the lots have sufficient area for sustainable disposal of treated effluent from future AWTS.
- d) Stormwater: Stormwater arrangements have been provided in the preliminary engineering plans and include open drains and onsite detention basins.
- e) Vehicle access: A new access to Maegraith Place is proposed for a new public road. All proposed lot are able to connect to this new road.

4.6 State Environmental Planning Policies (SEPP's)

State Environmental Planning Policy (Planning Systems) 2021

The purpose of SEPP (Planning Systems) is to identify development that is State Significant Development, State Significant Infrastructure, Critical State Significant Infrastructure and Regionally Significant Development. The proposed development is not categorised under Schedule 6 as Regionally Significant Development, as the value of the development does not exceed \$30 million.

State Environmental Planning Policy (Infrastructure) 2007

The aim of this SEPP is to facilitate the effective delivery of infrastructure across the State including identifying the environmental assessment category into which different types of development fall, identifying matters to be considered in the assessment of development adjacent to particular types of infrastructure, and providing for consultation with relevant public authorities about certain development during the assessment process. The below parts are identified as applicable to this proposal

- ***Division 5 Electricity transmission or distribution***
Subdivision 2 Development likely to affect an electricity transmission or distribution network

A referral to Essential Energy is not required for the proposed development as there are no existing infrastructure which would be impacted by the development.

- ***Chapter 2 Infrastructure, Part 2.3 Development controls, Division 17 Roads & Traffic, subdivision 2 Traffic-generating development***

Commentary: The proposal is not identified in Schedule 3 of the SEPP as traffic-generating development to be referred to TfNSW.

State Environmental Planning Policy (Resilience & Hazards) 2021

Chapter 4 Remediation of land

Chapter 4 of the Resilience & Hazards SEPP aims to promote the remediation of contaminated land for the purpose of reducing the risk of harm to human health or any other aspect of the environment. Clause 4.6 specifies 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:

4.6 Contamination and remediation to be considered in determining development application

- (1) A consent authority must not consent to the carrying out of any development on land unless—
- (a) it has considered whether the land is contaminated, and
 - (b) if the land is contaminated, it is satisfied that the land is suitable in its contaminated state (or will be suitable, after remediation) for the purpose for which the development is proposed to be carried out, and
 - (c) if the land requires remediation to be made suitable for the purpose for which the development is proposed to be carried out, it is satisfied that the land will be remediated before the land is used for that purpose.

Comment: The subject land has been used for citrus (horticultural) farming for many years. A Limited Phase 2 Site Investigation has been undertaken to assess the suitability of the site for future residential development and is summarised below. The assessment included a search of the sites listed by the EPA under the Contaminated Land Management Act 1997, a visual inspection of the site for potential onsite contamination, and an investigation that involved excavating 56 boreholes to a depth of 0.5m and collecting 14 composite soil samples for analysis. The analysis of the site was divided into two subsections, referred to as Sections 1 and 2 according to the site map below.



Figure 15: Site Investigation Areas

Soil Analytical Results Summary for Section 1 found no samples exceeded the criteria. The report concludes that due to the site history, the potential for significant and widespread contamination in Section 1 is considered low. The results of the sampling and analysis program showed that all samples analysed, excluding Sample No. 14, were found well below the adopted criteria (residential) for Organochlorine and Organophosphorus Pesticides, Polychlorinated Biphenyls, and metals. No asbestos was detected in any of the samples analysed. Section 1 is therefore considered suitable for the proposed residential subdivision. Based on the findings above, no further investigation of the contamination of the underlying materials is considered necessary across the citrus orchard tree removal area designated in this report as Section 1.

However, sample 14 from Section 2 found concentrations exceeded criteria for lead. This affected area of Sample No. 14 was obtained from a combined sample surrounding the existing dilapidated shed, as shown in the attached borehole location plan (proposed Lot 8 and Lot 7). The laboratory test results for Sample No. 14 indicated a lead concentration of 390mg/kg, which is only slightly above the adopted

maximum concentration of 300mg/kg. The Assessment concluded that some additional investigation is required at the Section 2 location, specifically the area surrounding the dilapidated shed. After the removal of the dilapidated shed structure, a detailed site investigation is to be undertaken a Site Remediation Action Plan will be developed, including further assessment and testing of the contaminated component. Based on those results, the remediation will be determined to be category 1 or 2 works. Should the works be category 1, further consent for remediation work will be sought. If the works are category 2, the site will be remediated in accordance with the action plan, and a site validation report will be provided to Council at completion. The owner requests that a DSI for this area be submitted as part of the development of Lot 8 or the Subdivision Works Certificate application. It is expected that the lead is from previous building materials associated with the dwelling, which can easily be excavated from the site.

4.7 Development Control Plans (DCP)

Griffith Residential Development Control Plan 2020

The *Griffith Residential Development Control Plan 2020* applies to this proposal. An assessment of the proposed development and the objectives, aims and design requirements of the GRDCP2020 follows.

2.2 Aims and Objectives

- a) To provide appropriate development control principles for the development of Griffith.*
- b) To encourage, facilitate and promote affordable housing in accordance with the Griffith Housing Strategy 2019.*
- c) Ensure high standards of residential development within Griffith.*
- d) Provide for a diversity of housing opportunities and residential lifestyle choices.*
- e) Encourage new residential development that is sympathetic to the existing streetscape and neighbourhood character of a particular locality.*

The proposal is consistent with the GRDCP aims and objectives, particularly e) as the proposal *encourages new residential development that is sympathetic to the existing streetscape and neighbourhood character of a particular locality.*

Control Type	Clause	Control	Proposal	Complies?
Subdivision	Appendix 2 4.0 Large Lot Residential Subdivision	<i>Part 4.0 applies to development in the R5, R1 and RU5 zones for lots larger than 3000 m².</i>	The subject site is zoned R5 and all lots are proposed to exceed 3000m ² in area.	Yes
	4.1 Lot Size and Layout	a) <i>Lot size must be in accordance with GLEP.</i> b) <i>Are lots of a size, shape and dimensions to site a dwelling and ancillary structures that: minimise impacts on adjoining properties including access to sunlight, privacy and views? provide usable principal private open space? provide vehicle access? Protect or replace significant trees?</i> c) <i>Are larger lots provided: In the vicinity of intensive agriculture? Fronting arterial roads and railway lines? Require larger areas for onsite detention or on-site waste disposal?</i> d) <i>Does the subdivision design avoid using access to a public road via a right of carriageway or battle-axe lot? Is the carriageway or access handle for battle-axe lots 8 m with a constructed driveway not less than 5 m wide?</i> e) <i>Can building envelopes be established on subdivision plans with 10m front setbacks and 10m side & rear setbacks?</i>	a) The proposed lot sizes meet the minimum lot size for the specified area. b) The lots are of a size, shape and dimension to site a dwelling and ancillary structures, and negate impacts on adjoining properties relating to access to sunlight, privacy and views. Sufficient space is available to provide private open space, vehicle access and onsite sewage disposal. c) Larger lots are proposed to allow sufficient area for on-site waste disposal. d) The subdivision proposes a battle-axe arrangement for proposed Lot 3 to the new road. The proposed width of the access handle is 10m wide. e) Sufficient building envelopes can be established on the vacant lots. f) Future development on the proposed lots are likely to achieve compliance with the provisions of section 7 (now 8) of this DCP given the large lot areas. See assessment below.	Yes

- f) Does the subdivision design ensure that all the requirements in Section 7.0 of the Residential DCP can be catered for on each lot?

8.0 Large lot Residential

- *General Controls: The height of dwellings is not to exceed two storeys include any balcony and viewing platforms.*
- *Setback Controls: All buildings including dwellings and outbuildings must be set back in accordance with the following: lots 3000m² – 1 ha: front: 7.5m, side: 5m, rear: 5m*
- *Landscaping: Side and rear setbacks must be landscaped.*
- *Siting: Existing vegetation and mature trees should be retained, protected and or replaced where possible. Dwellings must be sited away from visually prominent areas such as exposed ridgelines and utilise landscaped screens where prominent views to the site exist Access to the site must be sited and designed in accordance with Council's Engineering Standards.*
- *Outbuildings: The maximum floor area of all outbuildings is 15% of the total lot area. The maximum height of outbuildings is 5.5 m to the peak and 4 m to eaves.*
- *Fencing: Side and rear fences can be constructed of galvanised steel, corrugated galvanised iron, coated steel or prepainted steel to a height of 2 m above existing ground level including any retaining wall.*

The future residential development will be able to achieve the requirements of part 8 of the GR DCP. The proposed design provides sufficient building envelopes to enable the construction of a dwelling on each as well as outbuildings, landscaping and fencing. There are not considered to be any visually prominent areas such as exposed ridgelines in this location.

Yes

4.2 Roads	a) <i>Road networks (street length, intersection type, stagger and spacing) should be designed to control traffic speeds to appropriate limits.</i> b) <i>Design of roads should provide appropriate carriageway, widths, street trees, lighting and adequate footpaths and cycleways:</i> i. <i>Footpaths and cycleways must be provided in accordance with the Griffith Pedestrian and Bicycle Strategy – 2018; and</i> ii. <i>Roads must be designed in accordance with Council's Engineering Standards: Subdivision and Development.</i> c) <i>Development Applications for large lot residential subdivisions should:</i> i. <i>Include cross sections of each type of road proposed in the hierarchy including required footpaths and cycleways.</i>	The proposed road and intersection is considered to be appropriate and in accordance with Council's Engineering Standards: Subdivision and Development as confirmed by the Traffic Impact Statement. A cross section of the proposed road has been provided. Details of a pedestrian footpath can be provided at civil works stage.	Yes
4.3 Utilities and Stormwater	a) <i>Does the subdivision meet the requirements of section 3.4 for the provision of essential services and 3.5 for the control of stormwater?</i> b) <i>Does the proposal avoid individual onsite detention basins?</i> c) <i>Are communal raw water systems designed and constructed to meet any requirements of Murrumbidgee Irrigation?</i>	a) As the site is outside of the Sewerage DSP, the development application proposes onsite effluent treatment and disposal and all lots are capable of supporting an on-site sewerage management system. The sewerage dispersal areas can achieve disposal areas of 300 m². Council's reticulated water supply system can be connected to each lot in the subdivision. b) Stormwater is proposed to be detained in onsite detention basins for each allotment. Easements will be established to for drainage which disposes stormwater to the drain in Mallinson Road.	Yes

		c) Communal raw water systems are proposed and a neighbourhood association would be created to share the existing water entitlements of the lot.	
4.20 Essential Services	a) All dwellings must be provided with an adequate energy supply that meets the requirements of BASIX and the relevant service provider. b) Underground energy and telecommunications services should be provided where possible. c) All dwellings must be provided with adequate water and sewer services. Lots which cannot be connected to Council's reticulated sewer service must install an on-site sewage management system in accordance with Council's On-site Sewage Management Plan. i. The location and proposed method of wastewater disposal, ensuring a minimum area of 200 m² for effluent disposal, must be shown on plans submitted with a development application for a dwelling. ii. A Land Capability Assessment must be prepared by a suitably qualified Geotechnical Engineer and be provided with the development application for a dwelling on a lot with an area between 4000 m² and 1 ha which is not connected to Council's reticulated sewer service.	As part of the civil works component of the development, essential services including underground electricity, potable water and telecommunications can be provided. The location of onsite effluent disposal areas as recommended by the Land Capability Assessment have been shown on plans submitted for the subdivision, as indicative only; final locations can be indicated at dwelling DA stage.	Yes
4.4 Management of Communal Facilities	The proposed management structure for communal facilities or infrastructure, such as raw water dams, sewerage treatment systems, roads and common land associated with the subdivision must be described as part of the development application	No communal facilities proposed	n/a

which could include a Community Title Association or a Neighbourhood Association.

4.5 Battle-Axe Lots	<i>Are battle-axe shaped lots proposed only where full street frontage for all lots is not achievable due to site constraints? Single access handles must have a minimum width of 8 m and a maximum length of 100 m; ii. In calculating the area of a battle-axe lot, the area of the access handle is to be excluded; iv. The access handle must be of a size to accommodate the location of all services including a water meter located 1 m from any driveway and the placement of garbage and recycling bins</i>	Proposed Lot 3 has a total site area of 4085 m ² which includes the area of the access handle? The access handle has an area of approximately 510m ² which results in the lot area being less than 4000m ² .	Concession sought.
4.6 Bushfire Prone Land	<i>Is the land classified as bushfire prone on the Bushfire Prone land Map? a) A Bushfire Risk Assessment Report must be lodged together with the Statement of Environmental Effects. The Bushfire Risk Assessment Report must be prepared by a suitably qualified and experienced bushfire consultant. 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.</i>	The subject land is identified as bushfire-prone. A Bushfire Risk Assessment Report prepared by a suitably qualified and experienced bushfire consultant has been included with this application. All proposed Asset Protection Zones are to be within the property to be subdivided and incorporated into the affected lots.	Yes
4.7 Contamination	<i>Does the development application address the requirements of SEPP 55 - Remediation of Land, Managing Land Contamination Planning Guidelines</i>	SEPP (Resilience & Hazards) 2021 has been addressed earlier in this SEE.	Yes

- and Council's Contaminated Land Management Policy?

4.8 Salinity	<i>Is salinity is present or known to occur in the locality?</i>	A Management Plan is not necessary.	n/a
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4.8 Council Policies

Griffith Community Participation Plan

It is noted that the Griffith Community Participation Plan requires subdivisions of more than 5 lots to be publicly notified by written notice to adjoining landowners and occupants. Should any submissions be received regarding the proposal, it is requested that the applicant be provided an opportunity to address the issues raised.

Onsite Detention

The subject site is located north of the Main Branch Canal, and outside of the urban subcatchment zones. It is understood that an on-site detention system may be necessary for this subdivision; however it is requested that a detailed OSD design be provided prior to the Subdivision Works stage.

Contaminated Land Policy

The Contamination Lands Policy is reflective of the provisions of the SEPP (Resilience & Hazards) 2021 and has been previously addressed.

Griffith Pedestrian and Bicycle Strategy

The Griffith Pedestrian and Bicycle Strategy specifies a shared pathway along Mallinson Road.

Councils Development Servicing Plan for Water Supply 2012

It is noted that Council's Development Servicing Plan for Water Supply 2012 applies to the land and Section 64 contributions for 16 additional lots will be charged for water only.

5 Impact Assessment

This section provides an assessment of the potential impact arising from the proposal. The impact assessment is based on the matters for consideration listed in Section 4.15 of the EP&A Act.

5.1 Context and Setting

The proposed development would not negatively affect the local area. Current land uses nearby include a mix of residential properties and rural (horticulture farms) with related dwellings. The subdivision will enable the development of large residential lots as per the area's zoning. The land has been zoned for residential use since 1994. The plan involves creating 17 residential lots, each with vehicle access to the internal road. To prevent colourbond fences facing Mallinson Road, the applicant would place a restriction on the titles of lots fronting the road, limiting the construction of solid fences. This restriction would be enforced by the applicant and could also be upheld by the council in future development applications through conditions of consent or design standards.

5.2 Access and Traffic

A Traffic Assessment has been prepared and concluded that there are no traffic engineering reasons that would prevent the development from proceeding, subject to the implementation of recommendations, notably that Mallinson Road at its intersection with Maegraith Place should be provided with basic auxiliary right (BAR) and basic auxiliary left (BAL) turn treatments, and the existing barrier installation at the Mallinson Road/Maegraith Place intersection requires upgrading as outlined in Section 4.3.1 of the Traffic Assessment.

5.3 Heritage

The site is not listed as a local or state heritage item, or within a heritage conservation area.

5.4 Aboriginal Cultural Heritage

An AHIMS search has been conducted and no Aboriginal heritage items are located at or within a 50m proximity of the site. However, should any artefacts be found during construction, works will cease and the correct protocols will be followed to notify the OEH and the Local Aboriginal Land Council.

5.5 Environmental Significance

After a review of the maps associated with the Griffith Local Environmental Plan 2014, the subject site is not identified on the groundwater vulnerability, riparian lands and watercourses, or wetlands maps.

5.6 Suitability of the Site

The subject site is considered suitable for this development for the following reasons:

- The proposal is not contradictory to the planning framework, including the EP&A Act 1979, and the relevant state environmental planning policies.
- The development has demonstrated the ability to achieve compliance with the majority of Council planning policies and strategies.
- This proposal is considered to achieve the majority of the aims, objectives and the purpose of the Griffith Residential Development Control Plan 2020.
- The site is suitably zoned and the proposal encourages the zone objectives of *R5 Large Lot Residential* zone.
- The proposal is unlikely to have an unreasonable impact on the environment.

6 Conclusion

This development application seeks consent under Part 4 of the EP&A Act and has been assessed against the provisions of Section 4.15 of the same Act. As demonstrated by the detailed assessment of the proposed development in this SEE, the proposal satisfies the intent and requirements of the relevant legislation including the EP&A Act, SEPPs, DCPs and Council's Policies. The proposed design complies with majority of development controls and design criteria listed the Griffith Residential Development Control Plan 2020. The proposal is compatible with the locality and existing land uses.

Appendix 1: Request for Variation to a Development Control

A variation to a development control contained within the Griffith Residential Development Control Plan 2020 is sought.

1. What is the development control to be varied and the extent of variation?

The control seeking a variation is the requirement for access handle length for battle-axe lots, as specified in *Appendix 2 – Griffith Subdivision Code, 4.0 Large Lot Residential Subdivision, 4.5 Battle-Axe Lots, c) i: Battle-axe lots must meet the following requirements: Single access handles must have a minimum width of 8 m and a maximum length of 50 m. ii. In calculating the area of a battle-axe lot, the area of the access handle is to be excluded.*

Proposed Lot 3 is a battle-axe configured lot. The proposed access handle varies in length from 46m to 51.7m. The total site area of Lot 3 is 4085.9m² and includes the area of the access handle. A concession is sought to the length of the access handle and site area calculation for this battleaxe lot.

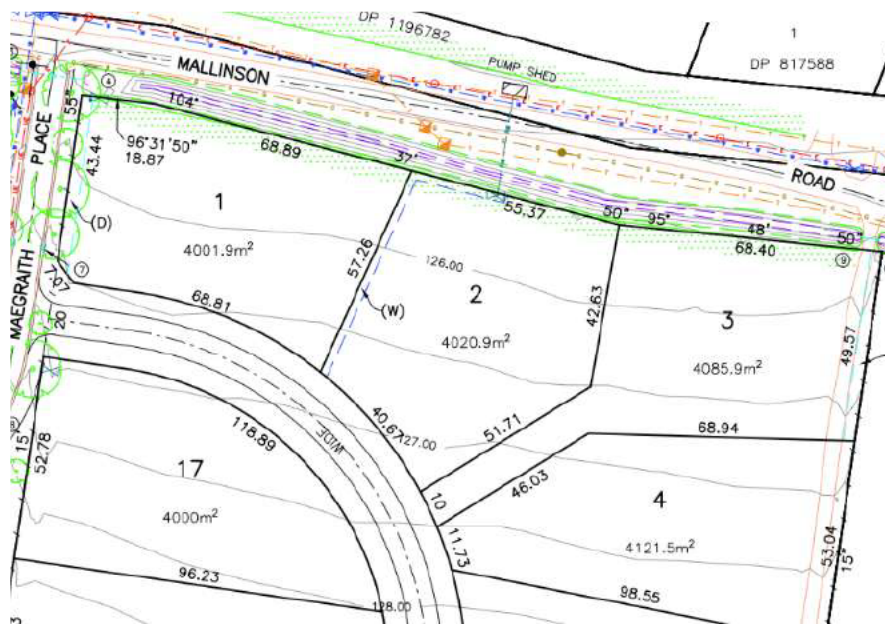


Figure 1: part site plan showing proposed lot battle-axe configuration.

2. Provide details of the specific circumstances of the variation and why it's being requested

Due to the proposed subdivision configuration, an initial design reduction from 19 to 17 lots, and economic feasibility, a battle-axe design has been proposed for Lot 3.

3. Are the controls considered unnecessary or unreasonable in the circumstances of the proposal?

In the instance of this development, it is not considered that strict enforcement of this control is necessary. Flexibility should be applied to the circumstance of this development as only one allotment is a battle-axe design, and the access handle services only Lot 3. The proposed development seeks consent for the creation of 17 residential lots ranging in size from 4,000 m² – 6,246m². The lot design of all lots including Lot 3 can provide for onsite detention basins, a 300m² secondary treated effluent absorption area which meet the recommended distances from waterbodies and drainage lines. The lot provides a sufficient building envelope to enable the construction of a dwelling. Proposed Lot 3 will have a site area excluding the access handle of over 3,500m².

4. If there are objectives of the control, how does the variation achieve them?

There is no specific objectives specified for access battle-axe lots. The objectives for the Subdivision Code overall are:

- a) *To ensure the subdivision of land and associated development is consistent with the Precinct Statement of the area through consistent lot size, shape, orientation and housing density.*
- b) *To improve the design and quality of the urban environment.*
- c) *To promote the energy efficient usage of land.*
- d) *To prevent the fragmentation of land.*
- e) *To ensure new lots sizes comply with the Griffith Local Environmental Plan 2014 (GLEP) and any development can meet the development controls of the DCP.*

The overall subdivision design will improve the design and quality of the urban environment, won't cause fragmentation of land, and lot sizes comply with the Griffith Local Environmental Plan 2014. The proposal otherwise meets all DCP controls.

5. Provide a justification as to why the development will not have additional adverse impacts as a result of the variation

The proposal is not likely to have any adverse impacts as a result of the requested concession to the access handle length or the inclusion of the handles area in the total site area. Only Lot 3 is to be a

battle axe lot. The length of the driveway only exceeds the maximum length by up to 1.7m. The allotment area is sufficient in size to cater for future development including onsite effluent treatment and disposal.

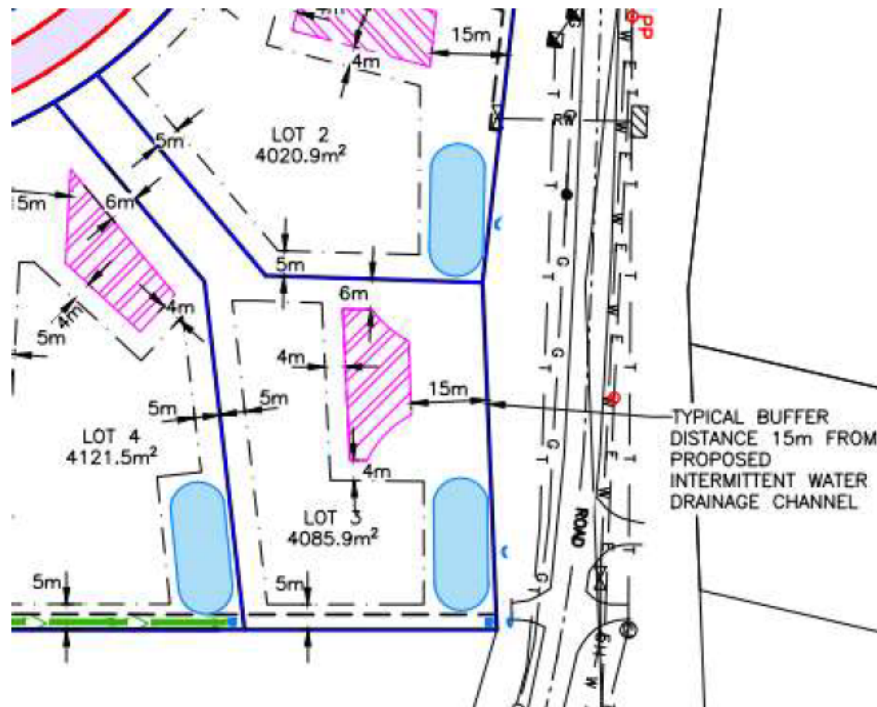


Figure 2: part site plan showing proposed lot battle-axe lot, building envelope and location of onsite sewage area and onsite detention basin.



Transport Impact Statement

Subdivision at 115 Mallinson Road, Lake Wyangan, NSW

Project Number 250434

Final Report 12/01/2026

Client G M Casella Family Trust



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250434 Subdivision at 115 Mallinson Road, Lake Wyangan, NSW – Transport Impact Statement
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Executive summary

G M Casella Family Trust engaged Trafficworks to prepare a desktop transport impact statement (TIS) for the proposed development of a 17-lot residential **Subdivision at 115 Mallinson Road, Lake Wyangan, NSW.**

The table below summarises the site and the proposed development, and our conclusions and recommendations.

Address	115 Mallinson Road, Lake Wyangan, NSW
Zoning	R5: Large Lot Residential Zone
Proposed development	17-lot residential subdivision
Road network	— Mallinson Road — Maegraith Place
Traffic generation	— Peak hour: 14 vph — Daily: 128 vpd
Conclusion	We conclude there are no traffic engineering reasons that would prevent the development from proceeding, subject to the implementation of our recommendations. Specific conclusions reached throughout this report are summarised in Section 5.
Recommendations	— 1: include a cross-section that specifies the carriageway of the internal road to be bounded by semi-mountable kerb and channel. — 2: detailed design of individual driveway locations should achieve compliance with the entering sight distance criteria in AS 2890.1 for the speed environment — 3: Mallinson Road at its intersection with Maegraith Place should be provided with basic right (BAR) and basic left (BAL) turn treatments — 4: the existing barrier installation at the Mallinson Road/Maegraith Place intersection requires upgrading as outlined in Section 4.3.1 — 5: the current access to No. 115 should be closed and the drain crossing at this location removed



Referenced documents

This assessment is based on the following plan made available by the client: *Plan of Proposed Subdivision for 115 Mallison Road, Lake Wyangan (Lot 478, DP 751743)*, prepared by Polkinghorne Harrison Longhurst Surveyors, Revision 6A, dated 8/12/2025.

References used in the preparation of this report include the following:

- Transport for NSW (TfNSW) Guide to Transport Impact Assessments, 2024 (GTIA)
- Griffith City Council:
 - Development Control Plan – Residential, August 2020 (DCP)
 - Local Environment Plan – 2014 (LEP)
 - Engineering Guidelines – Subdivisions and Development Standards, December 2008
- Australian Standard 2890: Parking Facilities
 - Part 1: Off-street car parking (2004)
- Austroads Guide to Traffic Management
 - Part 6: Intersections, interchanges and crossings management (AGTM6)
 - Part 8: Local area traffic management (AGTM8)
- Austroads Guide to Road Design:
 - Part 3: Geometric Design (AGRD3)
 - Part 4A: Unsignalised and signalised intersections (AGRD4A)



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5 Conclusions and recommendations22

Appendix 1 – Development plan

Appendix 2 – Guard Fence Treatment at Intersections

Appendix 3 – Acronyms and terms



1 Introduction

G M Casella Family Trust engaged Trafficworks to undertake a desktop transport impact statement (TIS) for the proposed development of a 17-lot residential **Subdivision at 115 Mallinson Road, Lake Wyangan, NSW.**

For the detail about:

- existing site conditions – see section 2
- description of the proposed development – see section 3.1
- transport impact of the proposed development – see section 3
- assessment of the access to the proposed development – see section 1
- our conclusions and recommendations – see section 5.



2 Existing conditions

2.1 Subject site

The site is:

- located at 115 Mallinson Road, Lake Wyangan, also known as Lot 478 of DP751743
- currently occupied by a dwelling and an orchard.

Vehicular access to the site is currently gained via Mallinson Road.

The property street frontage lengths are:

- 210 m to Mallinson Road
- 70 m to Maegraith Place.

Figure 1 shows the location of the site, which is surrounded by rural residential / farming properties.



Figure 1: Location plan (source: NSW explorer website)



Figure 2 shows the zoning for the site and the surrounding area.

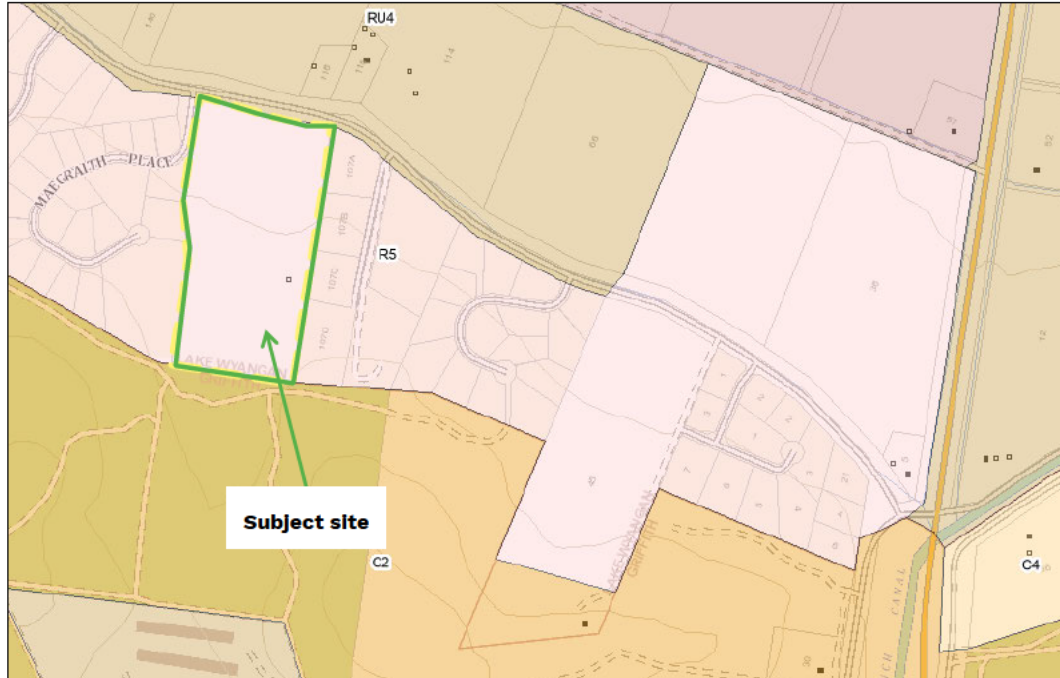


Figure 2: Extract of the Local Environment Plan (LEP), reproduced from the NSW Planning Portal Spatial Viewer



2.2 Road network

The access road network includes:

- Mallinson Road
- Maegraith Place

2.2.1 Mallinson Road

~~Table 1~~**Table 1** describes the features of this road.

Table 1: Mallinson Road features

Feature	Description
Road type	local collector street under the management of Griffith City Council (council)
Access	Generally aligned in a southeast to northwest direction and connects Lakes Road 1.4 km to the west with Abattoir Road 1.3 km to the east - 60 m west of the intersection with Wyangan Avenue, Boorga Road and Scott Road.
Road reservation	40.0 m wide (2 x 20 m abutting reserves)
Carriageway	approx. 7.0 m wide seal marked with centre line
Intersection	no turn treatments at the Maegraith Place intersection
Cross section	2-way undivided road, 2 x 3.5 m traffic lanes bounded by open swale drains
Speed limit	80 km/h posted (Google Street View image dated Nov 2020)

~~Figure 3~~**Figure 3** and ~~Figure 4~~**Figure 4** provide further information about the road.



Figure 3: Mallinson Road, view eastbound on approach to the intersection with Maegraith Place (Source: Google Street View, Nov 2020)



Figure 4: Mallinson Road, view westbound on approach to the intersection with Maegraith Place (Source: Google Street View, Nov 2020)



2.2.2 Maegraith Place

Table 2 describes the features of this road.

Table 2: Maegraith Place features

Feature	Description
Road type	local street under the management of council
Access	600 m long cul-de-sac servicing 21 residential properties within Somerton Park Estate
Road reservation	16.0 m, widening to 30 m on approach to Mallinson Road
Carriageway	7.6 m wide sealed formation
Cross section	2-way undivided road, with kerb and channel to both sides
Speed limit	default 50 km/h urban street

Figure 5 and Figure 6 provide further information about the road.



Figure 5: Maegraith Place, looking to the south at the location of the proposed development road intersection (Source: Google Street View, Jan 2008)



Figure 6: Maegraith Place, looking to the north towards Mallinson Road at the location of the proposed development road intersection (Source: Google Street View, Jan 2008)

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2.3 Traffic volumes

No traffic volumes were available for the roads in the vicinity of the proposed development. The following estimates were prepared using available information and the typical traffic generation rates provided in the TfNSW Guide to Transport Impact Assessments (GTIA).

The traffic generation rates are listed in Section 5.6.2 of the GTIA, which provides the following traffic generation rates applicable to low-density residential developments:

- daily trip rate of 7.53 trips per dwelling
- weekday AM and PM peak hour rates of 0.83 and 0.84 trips per dwelling, respectively.

2.3.1 Mallinson Road

The road's primary function is to provide access to the approx. 100 residential and rural properties that abut or connect via tributary cul-de-sacs.

Adopting the above daily traffic generation rate, this would equate to a daily volume of 753 vehicles per day (vpd). This is consistent with the local access road function of Mallinson Road, where the council's *Engineering Guidelines for Subdivisions and Development Standards* (Development Guidelines), indicate the maximum volume would be 1,000 vpd.

For this assessment, the adopted peak hour volume has been calculated using a rate of 0.835 trips per dwelling and distributed at 50/50 in each direction.

Therefore, the expected peak hour volume along Mallinson Road is likely to be around 42 vehicles per hour (vph) each way. It should be noted that the site is located approximately mid-block along Mallinson Road. As such, the assumed traffic volumes at the site, and the resultant assessments in this report, represent a conservative position.

2.3.2 Maegraith Place

Maegraith Place provides access to 21 residential properties. Using the same assumptions as the Mallinson Road calculations, the expected traffic generated along Maegraith Place is likely to be around 158 vpd with peak-hour volumes of 18 vph (or 9 each way).

2.4 Crash history

TfNSW Centre of Road Safety data portal, which details all injury crashes on roads throughout NSW, reports that one moderate injury crash has occurred on Mallinson Road at the Violi Drive intersection, 980 m east of the subject site, in the last five-year period (website viewed November 2025).

Conclusion 1: based on the crash history, we conclude that the roads in the vicinity of the subject site do not have a traffic safety problem that requires urgent remedial action.

2.5 Public transport

There are no public transport services on Mallinson Road. The nearest train station is in Griffith, located approx. 4.8 km southeast.



2.6 Pedestrians and cyclists

There is no provision for pedestrians or cyclists on Mallinson Road or Maegraith Place.



3 Traffic assessment of the proposed development

3.1 The proposal

The proposed development consists of 17 low-density residential lots (4,000 m² – 6,246 m²). It includes an internal road forming a cul-de-sac that intersects with Maegraith Place some 50 m south of Mallinson Road.

All residential lots will have their access driveways along the internal road network, with no direct access to Mallinson Road.

Figure 7 is an extract of the development plan, with the full plan available in Appendix 2.



Figure 7: Extract of the proposed development plan

No cross-section details are provided on the subdivision plan for the internal road. It is not known whether it is intended for the carriageway to be bordered by kerb and channel, as is the case for Maegraith Place.

Recommendation 1: include a cross-section that specifies the carriageway of the internal road to be bounded by semi-mountable kerb and channel.

3.2 Traffic generation

Again, using the typical traffic generation from the GTIA, the traffic expected to be generated by the proposed 17 lot subdivision is summarised in



Table 3~~Table 3.~~

Table 3: Daily and peak traffic flow for the proposed development

Land use	No. lots	Trip generation rate / dwelling		Trip generation (no. of vehicles)	
		Peak hour	Daily	Peak hour	Daily
Low density	17	0.84 vph	7.53 vpd	14	128

Conclusion 2: traffic generated by the development is expected to be in the order of 128 vpd with peaks of 14 vph.

3.3 Traffic distribution assumptions

We have assumed all traffic generated by the subject subdivision will use Maegraith Place to access Mallinson Road, with the following splits:

- AM peak – 80% departures / 20% arrivals
- PM peak – 30% departures / 70% arrivals

Our directional traffic distribution assumptions at the intersection of Maegraith Place with Mallinson Road are:

- 60% to/from the southeast – intersection with Abattoir Road and connecting to Wyangan Avenue (the most direct route to the Griffith Town centre)
- 40% to/from the northwest – intersection with Lakes Road.

3.4 Anticipated traffic volumes

Figure 8~~Figure 8~~ shows the anticipated overall peak hour traffic volumes, including development traffic in 2026 at full development.

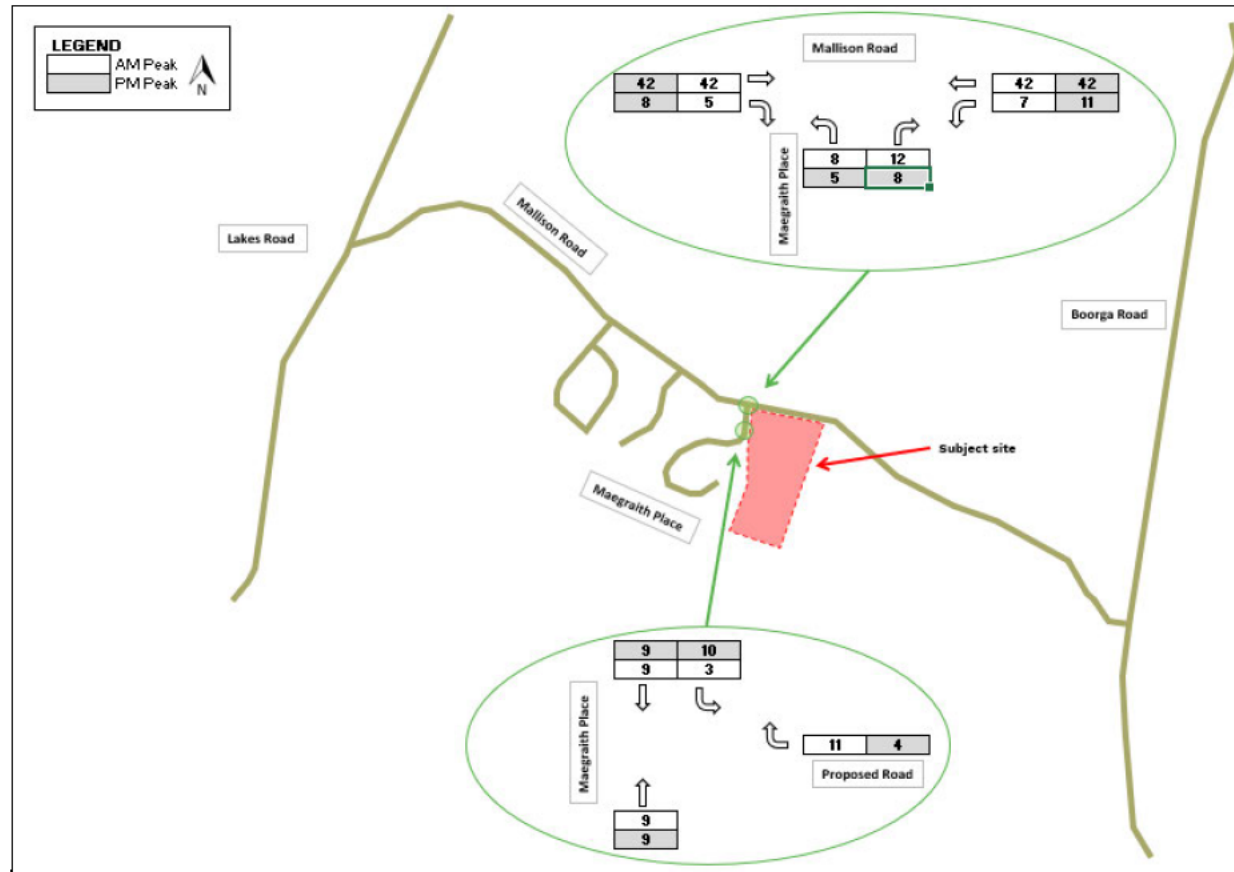


Figure 8: Anticipated peak hour traffic in 2026, including the development traffic

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4 Impact assessment

4.1 Internal road layout

4.1.1 Proposed development road cross-section

The council's Development Guidelines state that roads that provide access to more than 15 dwellings are not classified as a Cul-De-Sac. The proposed subdivision creates 17 residential lots. However, the Development Guidelines also state that cul-de-sacs can support a maximum of 150 vpd (vehicles per day). Using the previously calculated trip generation, the internal road would generate 136 vpd. Therefore, the cul-de-sac classification is deemed appropriate for this development.

A summary of the design criteria from Table 1 of the Development Guidelines applicable to a cul-de-sac and minor access road is as follows:

- minimum road reserve width of 16.0 m
- indicative maximum traffic volumes up to 150 vpd
- 8 m carriageway width
- footpaths not required.

Conclusion 3: the design of the internal subdivision road complies with the criteria set out in Council's Development Guidelines.

4.1.2 Traffic calming

It is expected that the proposed development will operate under the default urban speed limit of 50 km/h. Austroads Guide to Traffic Management, Part 8: Local Area Traffic Management, indicates that street section lengths (i.e. between slow or near-stop conditions) should be kept below 200 m to 250 m for target speeds of around 50 km/h. The subdivision design meets this guideline.

Therefore, since the proposed development road has a straight section less than 250 m long, it is expected that traffic speeds will be self-regulating (i.e. not exceeding the speed limit) and no traffic calming devices will be necessary.

Conclusion 4: it will not be necessary to install traffic calming treatments on the internal road.

4.1.3 Emergency and service vehicle access

The internal roads within the development must provide sufficient space to allow emergency vehicles, waste collection vehicles and street-cleaning vehicles to carry out their functions while travelling in a forward direction only throughout the development. The cross-section of the internal road is generally designed in accordance with the council's



Development Guidelines and will provide sufficient space for emergency and service vehicle access.

The internal road terminates at a cul-de-sac (or court bowl). A review of the proposed cul-de-sac indicates the outer radius of the bowl to be 14 m, which confirms compliance with the minimum radius of 9.5 m as set out in Section 2.24 of council's Development Guidelines.

4.1.4 Site access – access driveway sight distance requirements

Section 3.2.4 in AS 2980.1, sets out entering sight distance (ESD) criteria for a driver exiting an access driveway to traffic on the frontage road. Un-signalised access driveways shall be located so that the intersection sight distance available to drivers leaving the driveway along the frontage road is at least that shown in Figure 3.2 of AS 2890.1 (reproduced in [Figure 9](#)).

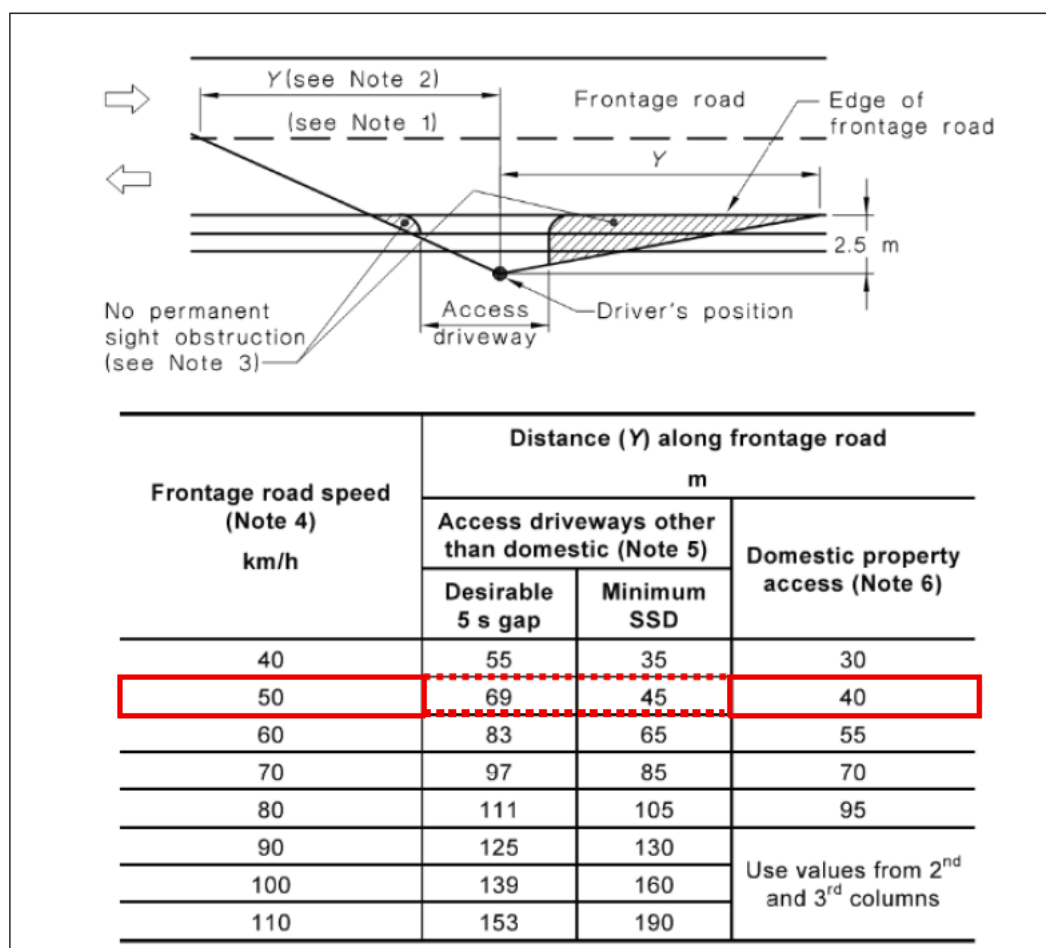


Figure 9: Sight distance requirements at driveways (Source: Figure 3.2 from AS 2890.1)



Detailed design of driveway locations to individual lots should consider visibility requirements for a likely 50 km/h speed environment for the internal road.

Recommendation 2: detailed design of individual driveway locations should achieve compliance with the entering sight distance criteria in AS 2890.1 for the speed environment.

4.2 Access to the site

4.2.1 Turn provision

The traffic turning from major roads into minor roads should not delay through traffic. Generally, turn treatments from major roads into minor roads at sign-controlled intersections are provided for safe and efficient operation of the intersection.

Figure 10 shows the anticipated traffic generated by the proposed development at the Mallinson Road/Maegraith Place intersection. Figure 10 shows the formulae used to determine the major road volume (Q_M) used in Table 4.

To determine the turning treatments for the intersections, the results are applied to Figure 3.26, in the Austroads Guide to Traffic Management Part 6 (AGTM6) reproduced in Figure 11.

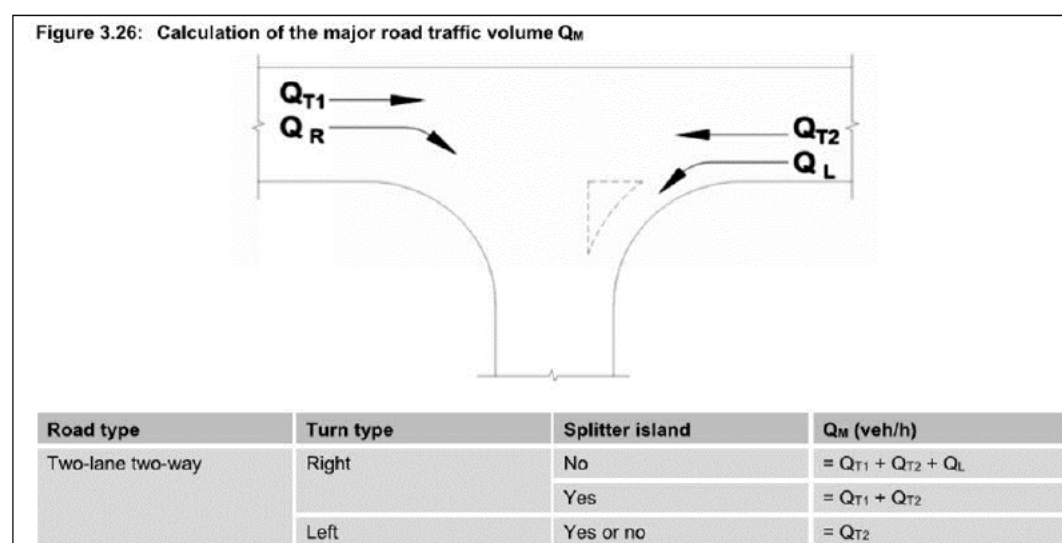


Figure 10: Formulae used to determine major road traffic (Source: Figure 3.26 from AGTM6)

4.2.2 Anticipated conditions for Maegraith Place / Mallinson Road intersection

To determine anticipated conditions at the intersection, traffic volumes from Figure 8 were used to determine the warrants shown in Table 4 and were applied in Figure 11.



Table 4: Right turn lane treatments on Mallinson Road at Maeграith Place intersection – anticipated conditions

Road	Peak period	Left turn Q_L (vph)	Right turn Q_R (vph)	Through Q_T (vph)	$Q_M = Q_{T2}$		$Q_M = Q_{T1} + Q_{T2} + Q_L$	
					Left turn		Right turn	
Mallinson Road / Maeграith Place	AM	7	5	Q_{T1}	42	42	91	
				Q_{T2}	42			
	PM	11	8	Q_{T1}	42	42	95	
				Q_{T2}	42			

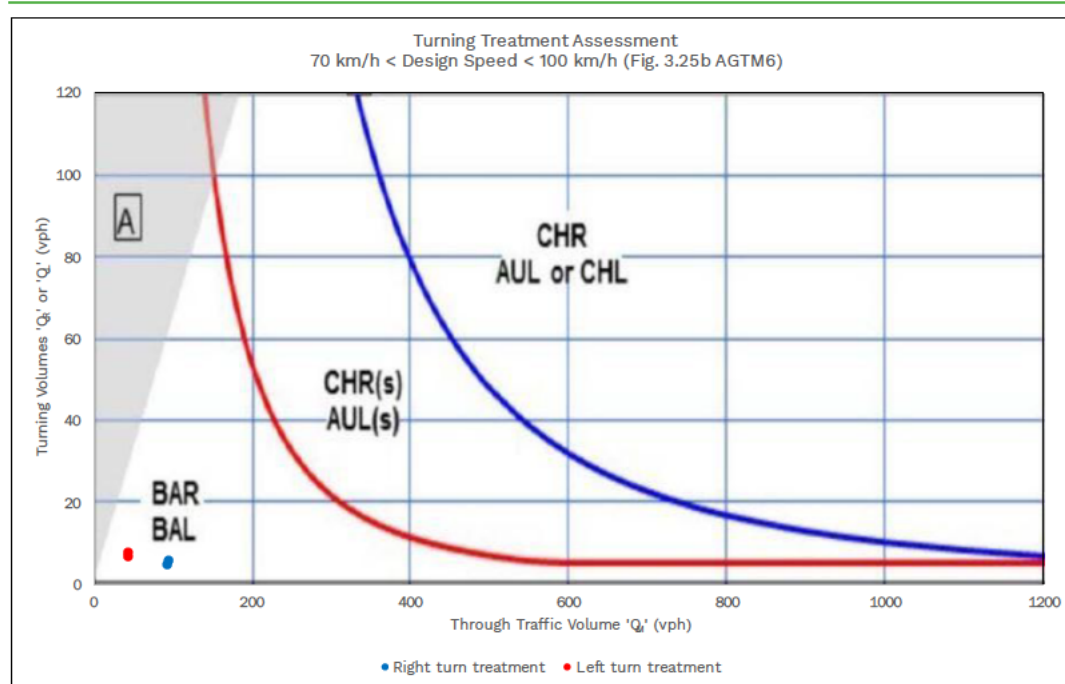


Figure 11: Graph used to determine the turn treatments on Mallinson Road, at Maeграith Place intersection – anticipated conditions

Figure 11 shows that, due to the very low turn volumes, the provision of only a basic left (type BAL) and basic right (type BAR) turn lane treatments are considered necessary at this intersection. These treatments would involve the following shoulder sealing works:

- Left turn: 1.2 m wide (to face of safety barrier) x 15 m long + 15 m taper (refer Fig 8.2 in AGRD4A)
- Right turn: 2.8 m wide (to achieve total eastbound lane width of 6.5 m) x 70 m long incorporating 40 m before intersection centreline (including 15 m taper) + 30 m after (including 15 m taper) (refer Fig 7.1 in AGRD4A).



Recommendation 3: Mallinson Road at its intersection with Maegraith Place should be provided with basic right (BAR) and basic left (BAL) turn treatments.

4.2.3 Safe Intersection Sight Distance (SISD)

The visibility criterion normally applied to intersections on arterial and collector roads is Safe Intersection Sight Distance (SISD). ~~Figure 12~~ shows the SISD, which:

- is nominated in the Austroads Guide to Road Design, Part 4A (AGRD4A) as the minimum distance that should be provided on a major road at any intersection (refer Section 3.2.2 in AGRD4A)
- provides sufficient distance for a driver of a vehicle on the major road:
 - to observe a vehicle from the minor access approach moving into a collision situation, e.g., in the worst case, stalling across the traffic lanes
 - to decelerate to a stop before reaching the collision point.

The minimum SISD criterion, specified in Table 3.2 of AGRD4A, requires clear visibility for a desirable minimum distance of 181 m, relating to the general reaction time RT of 2 seconds and a design speed of 80 km/h on Mallinson Road.

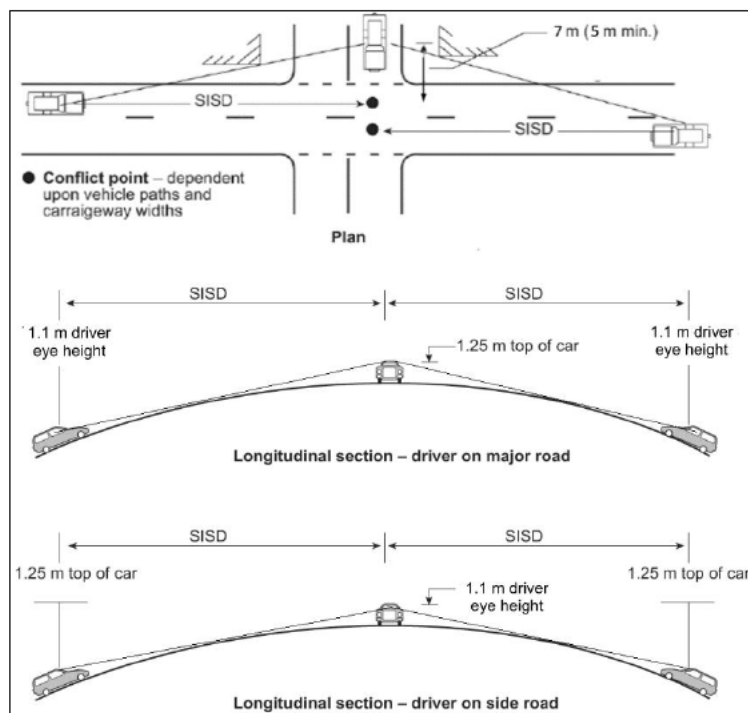


Figure 12: Safe Intersection Sight Distance (SISD) (Source: Figure 3.2 from AGRD4A)



The above criteria are applied to the intersection of Maegraith Place with Mallinson Road in Figures 13 and 14, which confirms that compliance with SISD is achieved along the prevailing flat terrain.

Conclusion 5: SISD is available at the Mallinson Road/Maegraith Place intersection.



Figure 13: Sight line from Maegraith Place of 181 m to the west along Mallinson Road is satisfied



Figure 14: Sight line from Maegraith Place of 181 m to the east along Mallinson Road is satisfied



4.2.4 Stopping Sight Distance (SSD)

The lower visibility criterion of Stopping Sight Distance (SSD) can be applied to intersections on local roads. [Figure 12](#) shows the SSD, which is nominated in the Austroads Guide to Road Design, Part 3 (AGRD3) as the distance to enable a normally alert driver, travelling at the design speed on wet pavement, to perceive, react and brake to a stop before reaching a hazard on the road ahead.

The minimum SSD criterion, specified in Table 5.5 of AGRD3, requires clear visibility for a desirable minimum distance of 55 m, relating to the general reaction time RT of 2 seconds and a design speed of 50 km/h on Maeграith Place.

The above criteria are applied to the intersection of the internal subdivision road with Maeграith Place in Figures 15, which confirms that compliance with SSD can be achieved along the prevailing flat terrain. It may be necessary to trim some lower limbs of the existing street trees, particularly to the north of the intersection (refer Figure 6).



Figure 15: Sight lines from the subdivision road of 55 m to the north and southwest along Maeграith Place are satisfied



Conclusion 6: SSD is achieved at the subdivision road intersection with Maeграith Place.

4.3 Other matters

4.3.1 Culvert at intersection

A significant drainage channel is piped under Maeграith Place at its junction with Mallinson Road, with the structure shielded by straight lengths of W-beam guard rail each side of Maeграith Place and a straight length of W-beam guard rail along the Mallinson Road east approach. This disconnected installation, without impact absorbing terminals, would not perform adequately under impact.



Figures 16 & 17: Existing guard fence installations at Maeграith Place intersection (Google Streetview).

The minimum improvements considered necessary for this installation to function appropriately and safely involve:

- connecting the two separate rails in the southeast corner with a curved section of rail to make a continuous barrier (refer example of treatment in Appendix 2)
- installing an ET 2000 or similar impact absorbing barrier terminal on the high-speed eastern approach to the installation.

Recommendation 4: the existing barrier installation at the Mallinson Road/Maeграith Place intersection requires upgrading as outlined in Section 4.3.1.

4.3.2 Closure of current access

The current site access consists of a driveway, including a culvert crossing of the drain, at the extreme eastern limit of the Mallinson Road property frontage.

This access is on the inside of a curve in Mallinson Road and provides limited sight lines, particularly to the east (see Figure 18).



Figure 18: current access driveway from Mallinson Road to No. 115 to be closed (Google Streetview).

This access should be closed and the culvert crossing removed as soon as alternative access from Maeraith Place is established at the new road connection.

Recommendation 5: the current access to No. 115 should be closed and the drain crossing at this location removed.



5 Conclusions and recommendations

We conclude there are no traffic engineering reasons that would prevent the development from proceeding, as outlined below:

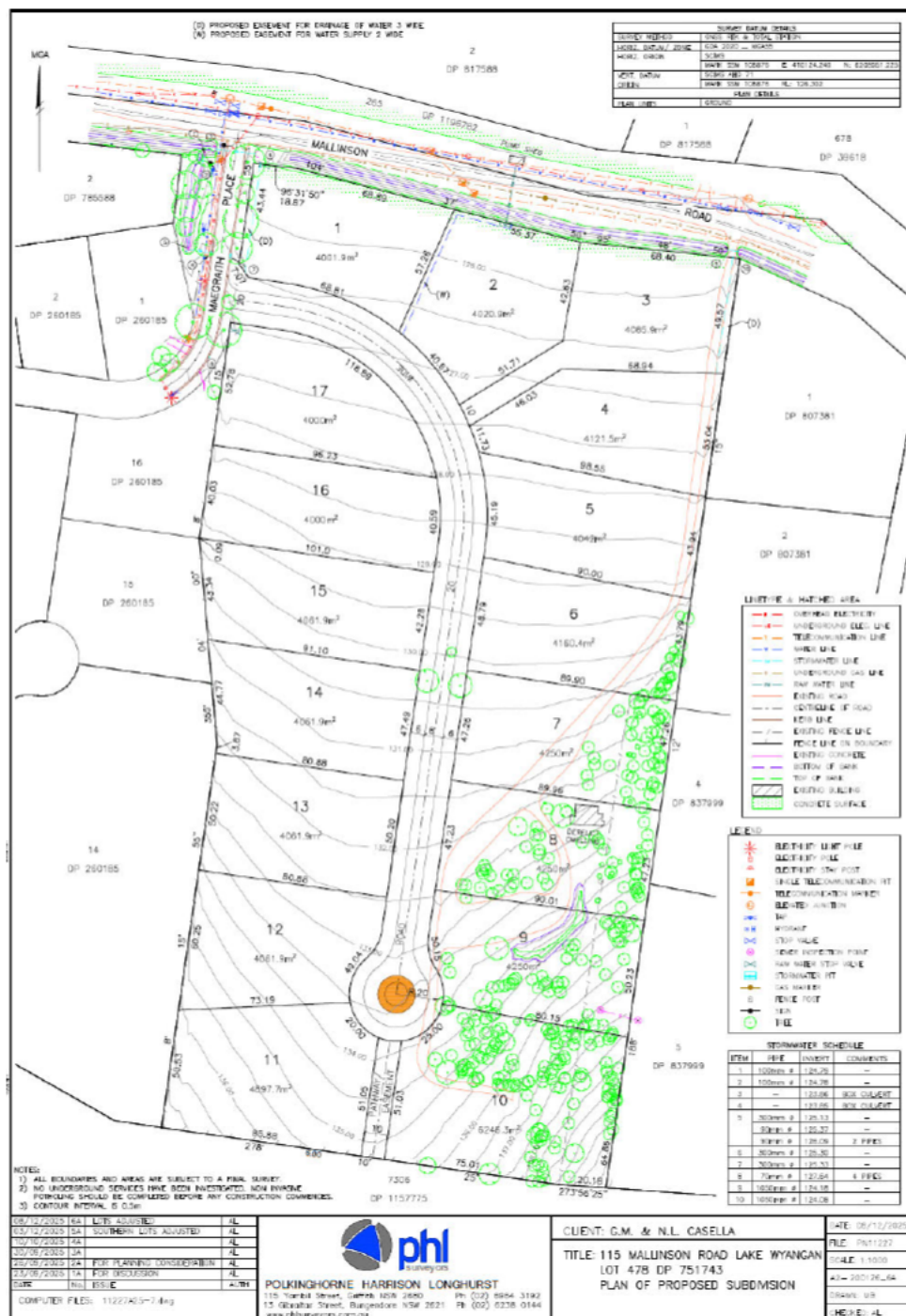
- **Conclusion 1:** based on the crash history, we conclude that the roads in the vicinity of the subject site do not have a traffic safety problem that requires urgent remedial action.
- **Conclusion 2:** traffic generated by the development is expected to be in the order of 128 vpd with peaks of 14 vph.
- **Conclusion 3:** the design of the internal subdivision road complies with the criteria set out in Council's Development Guidelines.
- **Conclusion 4:** it will not be necessary to install traffic calming treatments on the internal road.
- **Conclusion 5:** SISD is available at the Mallinson Road/Maeграith Place intersection.
- **Conclusion 6:** SSD is achieved at the subdivision road intersection with Maeграith Place.

However, this TIA has identified the following matters that need to be addressed:

- **Recommendation 1:** include a cross-section that specifies the carriageway of the internal road to be bounded by semi-mountable kerb and channel.
- **Recommendation 2:** detailed design of individual driveway locations should achieve compliance with the entering sight distance criteria in AS 2890.1 for the speed environment.
- **Recommendation 3:** Mallinson Road at its intersection with Maeграith Place should be provided with basic right (BAR) and basic left (BAL) turn treatments.
- **Recommendation 4:** the existing barrier installation at the Mallinson Road/Maeграith Place intersection requires upgrading as outlined in Section 4.3.1.
- **Recommendation 5:** the current access to No. 115 should be closed and the drain crossing at this location removed.

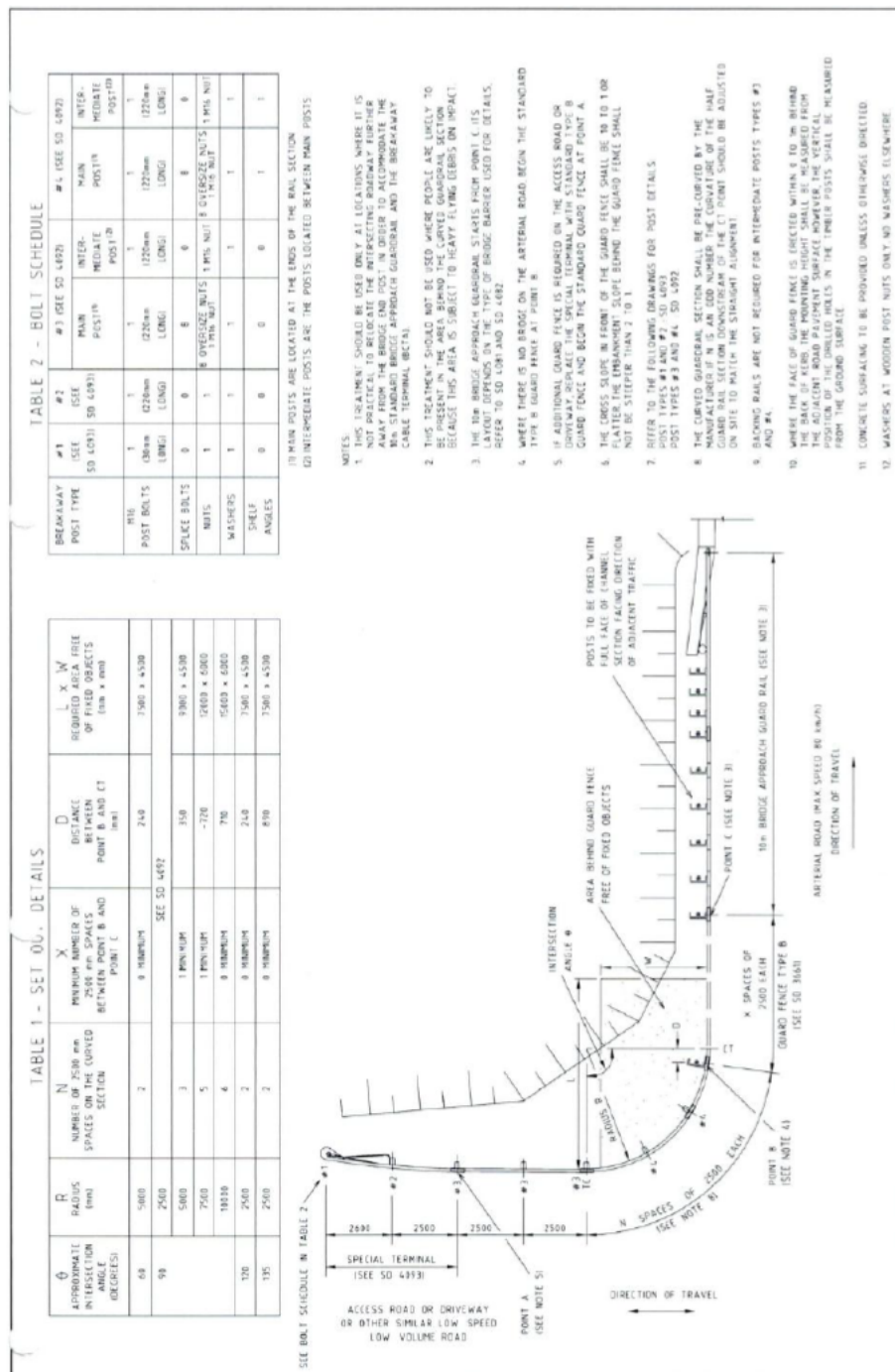
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Appendix 1 – Development plan



250434 Subdivision at 115 Mallinson Road, Lake Wyangan, NSW – Transport Impact Statement
 Final 12/01/2026

Appendix 2 – Guard Fence Treatment at Intersections



250434 Subdivision at 115 Mallinson Road, Lake Wyangan, NSW – Transport Impact Statement
Final 12/01/2026



Appendix 3 – Acronyms and terms

Acronyms / terms	Definition
AGRD4	Austroads Guide to Road Design Part 4 – Intersections and crossings
AGRD4A	Austroads Guide to Road Design Part 4A – Unsignalised and signalised intersections
AGTM6	Austroads Guide to Traffic Management Part 6 – Intersections, interchanges and crossings management
AGTM8	Austroads Guide to Traffic Management Part 8 – Local street management
DA	Development Application
DCP	Development Control Plan
ESD	Entering site distance
LEP	Local Environment Plan
SSD	Stopping sight distance
SISD	Safe intersection sight distance
TIS	Transport impact statement
TfNSW	Transport for NSW
vpd	vehicles per day
vph	vehicles per hour

Alana McGibbon

From: Doug and Julie <dougandjuliemcw@bigpond.com>
Sent: Tuesday, 7 July 2026 7:29 PM
To: GCC Admin Mailbox
Subject: DA 227/2025(1) 115 Mallinson road

To Griffith City Council,

I wish to comment on the proposed subdivision at 115 Mallinson Road Lake Wyangan, DA 227/2025(1).

Due to the increased traffic that will be turning into Maegraith place, there should be a left turning lane provision on Mallinson road into the entrance of Maegraith Place. This appears to be common to most of the other housing subdivisions along Mallinson road. The current road side entrance to Maegraith place is also too close to the drainage channel. A safer traffic entrance should be incorporated into the proposed development.

Yours sincerely,

Alana McGibbon

From: Doug and Julie <dougandjuliemcw@bigpond.com>
Sent: Thursday, 9 July 2026 9:23 AM
To: Alana McGibbon
Subject: FW: DA 227/2025(1) 115 Mallinson road

Hello Alana, Please note I have resent my email with additional comments to council.
Please acknowledge acceptance of this.

Thanks
Doug McWilliam

From: Doug and Julie [mailto:dougandjuliemcw@bigpond.com]
Sent: Thursday, 9 July 2026 9:05 AM
To: 'admin@griffith.nsw.gov.au'
Subject: RE: DA 227/2025(1) 115 Mallinson road

To Griffith City Council,
Further to my below submission re DA 227/2025(1). I would like to make the following comments in support of a
Left hand turn in lane from Mallinson road to Maegraith Place.

When I am approaching the entrance to Maegraith place, along Mallinson road from the East, to make a left hand
turn into Maegraith place; if there is a vehicle waiting to turn out of Maegraith Place, **then I have to actually stop on
Mallinson road** to let them enter Mallinson in front of me as there is insufficient room for me to squeeze between
their stationary vehicle and the safety barrier on my left as I try to turn left into Maegraith Place. The entrance is too
constricted. With more planned traffic exiting Maegraith place, this will only exacerbate this dangerous issue.



9th July, 2026

The General Manager
Griffith City Council
PO Box 485
Griffith NSW 2680

Dear Sir,

Re: Development Application No.227/2025(1) – 115 Mallinson Road, Lake Wyangan

We have been notified of a new subdivision at 115 Mallinson Road, Lake Wyangan.

Considering how many reports have been submitted with the Development Application and the relatively short period of time that we have to make a submission we have not had the opportunity to review all of the submitted documents in detail. Based on what we have reviewed so far we would like to let Council know that we have the following concerns with the subdivision as it is currently proposed:

- The traffic report says that Maegraith Place has a default 50km/hr urban street. if there are no speed signs on Maegraith Place does this mean that Maegraith Place actually has a 80km speed limit? Should Council or the developer install 50km signs at the bottom of Maegraith Place?
- The traffic report says that Maegraith Place has a 7.6m wide sealed formation and that the new subdivision will have an 8.0m wide sealed formation. Should the developer be made to widen the bottom of Maegraith Place to accommodate the additional traffic generated by the new subdivision?
- The traffic report says that no traffic volumes were available for the roads in the vicinity of the proposed development and that they used estimates to determine current traffic volumes along Mallinson Road and Maegraith Place.

Is this normal practice? What happens if Mallinson Road has more traffic than what the traffic report's author estimated. Presumably this mean that the traffic report author doesn't know how fast vehicles travel along Mallinson Road? We believe that the traffic report should be based on actual data for traffic volumes and traffic speed along Mallinson Road.

- .
 - The traffic report says that Mallinson Road provides access to approx 100 residential and rural properties that abut or connect to it via tributary cul-de-sacs. We think that there are more than 100 dwellings that currently get access off Mallinson Road without taking into account the new houses that will be built on the subdivision being developed near where Mallinson Road joins Abattoir Road & Boorga Road. We believe that the traffic report should take into consideration all of the current and future that will travel along Mallinson Road including vehicles that travel along Mallinson Road to the Tharbogang tip.
 - .
 - The traffic report does not mention the high speed that vehicles currently travel at along Mallinson Road. The traffic report does not mention that vehicles travelling west along Mallinson Road are looking straight into the sun in the late afternoon and that this means that vehicles travelling west may not see a vehicle in front of them turning left into Maeagraith Place, which increase the chances of rear-end collisions. We believe that the traffic report needs to take into account local conditions and constraints that will affect vehicle safety.
 - .
 - The traffic report says that a basic left turning lane needs to be provided. The report says that a basic left turning lane is only 1.2m wide x 15m long with a 15m taper. We do not believe that vehicles turning left into Maeagraith Place will use it if there will be a guardrail installed next to it based on how vehicles don't use the turning lanes for Elizabeth Drive, Restagno Drive and Bella Vista Drive off Mallinson Road.
 - .
 - The traffic report says that a basic right turning lane needs to be provided. The traffic report says the basic right turning lane will be 2.8m wide. We believe that the basic right turning lane should be at least the same width as the current lanes if vehicles are expected to go around a vehicle turning right into Maeagraith Place. Does the developer need to provide a shoulder next to the basic right turning lane? Is there enough room to fit the basic right turning lane and the powerpoles?
 - .

- The traffic report says that 40% of the subdivision's traffic may come and go from the west. We think that most of the traffic associated with the existing subdivisions along Mallinson Road come and go from the east and that less than 40% of the new subdivision's traffic will come and go from the west. If the traffic report's author had access to current traffic data along Mallinson Road that they might have be surprised how much traffic will come and go from the east. We believe that the traffic report should be based on current traffic volume data from along Mallinson Road and in to the other subdivisions estates off Mallinson Road.
.
- The traffic report says that Council's guidelines allow cul-de-sacs to accommodate up to 15 dwellings or 150 vehicles per day. The report says 7.53 vehicles would be associated with each new dwelling and that the new road will cater for 136 vehicles per day in one section and 128 vehicles per day in another section. Which figure is correct? What if more than 7.53 vehicles are associated with each dwelling per day. We feel that more like 10 movements per day can be associated with dwellings in our area. This would mean that more than 150 vehicles per day would travel along the new road and nearly 300 vehicles per day would use the bottom of Maegraith Place. We would like Council to advise how many vehicles are associated with homes in other lifestyle estates around Griffith.
.
- The traffic report says that vehicles leaving a driveway need to be able to see at least 40m in either direction along the new road. The table says that non domestic driveways ideally need to be able to see 69m along a road. The Traffic report says that vehicles turning out of Maegraith Place need to be able to see 181m along Mallinson Road but does not mention how far vehicles need to see along Maegraith Place when turning out of the new road. If vehicles leaving the new road need to see more than 50m along Maegraith Place we don't think that this will be possible. We believe that the traffic report should say what the minimum distance is that vehicles turning out of the new road onto Maegraith Place need to be able to see along Maegraith Place.
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- The traffic report says that there is no provision for pedestrians or cyclists on Mallinson Road or Maegraith Place. The Statement of Environmental Effects says that the Griffith Pedestrian and Bicycle Strategy specifies a shared pathway along Mallinson Road and that details of a pedestrian footpath can be provided at civil works stage. The typical section plan by Xeros Piccolo Consulting Engineers shows a 2.00m wide footpath. Will this 2.0m wide footpath be built along the new road, along the bottom of Maegraith Place and along Mallinson Road? We believe that providing a footpath along the new subdivision is a great idea and that it should be extended to go along the

bottom of Maegraith Place and along Mallinson Road opposite the site just as the developers of other lifestyle subdivisions along Watkins Avenue have done.

- The traffic report does not seem to address the impact that headlights from cars leaving the new subdivision will have on the residents of 21 Maegraith Place. We believe that consideration should be given to re-designing the subdivision so that the new road is located closer to Mallinson Road with a left turn lane provided on Maegraith Place to avoid rear end collisions.
.
- The Statement of Environmental Effects says that future residential development will be able to achieve the requirements of part 8 of the GR DCP. The Statement of Environmental Effects say that all buildings including dwellings and outbuildings must be set back 7.5m at the front but the plan show a 5m setback. We believe that the plans should comply with Council's rules.
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- The Statement of Environmental Effects says that stormwater is proposed to be detained in onsite detention basins for each allotment. We presume that every landowner will be need to maintain their own basin and wonder if Council will police this requirement. We wonder who will be responsible for maintaining the 2 basins above the cul-de-sac court bowl. We believe that a large common basin should be provided in the bottom corner of the subdivision that can cater for all of the new allotments. A common basin could be located between the new road and Mallinson Road up against Maegraith Place. We wonder if Council normally requires lots of smaller basins to be provided on each new lot or whether a common basin is preferred.
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which controls and design criteria does the subdivision not comply with and whether it should?

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We are not against the vacant farm at 115 Mallinson Road being developed for new lifestyle lots. Infact we think that it is a great location for larger sized lifestyle lots so that others can hopefully have the same lifestyle that we enjoy with our neighbours on Maegraith Place. Providing that is, that the subdivision complies with all of Council's rules and guidelines and does not impact on our estate. We believe that the current design needs to be amended and refined to take into consideration existing conditions and constraints and to ensure that it does not impact on the residents of nearby properties or traffic travelling along Mallinson Road.

We would like the opportunity to review any amended plans and reports that are submitted to Council so that we can conclude whether we object to the proposed subdivision.

Yours sincerely,

[Redacted Signature]

[Redacted Signature]



9th July, 2026

The General Manager
Griffith City Council
PO Box 485
Griffith NSW 2680

Dear Sir,

Re: Development Application No.227/2025(1) – 115 Mallinson Road, Lake Wyangan

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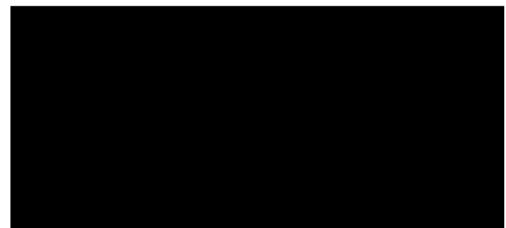
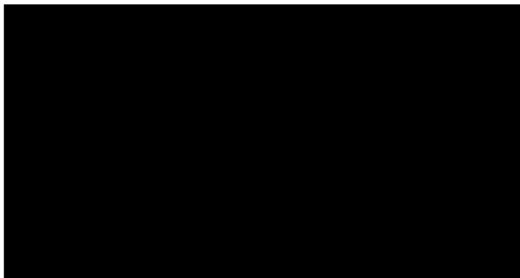
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We are not against the vacant farm at 115 Mallinson Road being developed for new lifestyle lots. Infact we think that it is a great location for larger sized lifestyle lots so that others can hopefully have the same lifestyle that we enjoy with our neighbours on Maegraith Place. Providing that is, that the subdivision complies with all of Council's rules and guidelines and does not impact on our estate. We believe that the current design needs to be amended and refined to take into consideration existing conditions and constraints and to ensure that it does not impact on the residents of nearby properties or traffic travelling along Mallinson Road.

We would like the opportunity to review any amended plans and reports that are submitted to Council so that we can conclude whether we object to the proposed subdivision.

Yours sincerely,



Alana McGibbon

From: [REDACTED]
Sent: Friday, 10 July 2026 2:20 PM
To: GCC Admin Mailbox
Subject: D/A 227/2025(1) 115 Mallinson Road.

The General Manager,
Dear Sir,

My wife and I own [REDACTED] **Maegraith Place** where we have resided for 40 years. Maegraith Place adjoins Mallinson Road at the site of the proposed development referred to above.

There doesn't seem to be too much wrong with the proposed layout displayed on your website, however we wish to raise a couple of concerns which, if applied, will significantly improve the outcome of the proposed development. These are:

(1) We regularly have difficulty at the Mallinson Rd (MR) / Maegraith Place (MP) intersection. If someone is coming from MP and waiting to turn, another vehicle turning in from MR has to slow down significantly whilst still in the 80 kM MR to make the turn. This presents a fair risk, and with the new development almost doubling the number of allotments accessing MR at this point, the risk will be significant. **The best solution is suggested to be the provision of a full-width turning lane at the intersection.**

(2) We note that it is proposed to allow for stormwater control with individual retention basins within each allotment. My concern is that this will not work because over time it may be expected that property owners will, one way or another, "landscape out" these basins. **It would be far preferable to have a small number of large basins located at the appropriate points throughout the development.**

(3) The provision of cycle paths throughout the city in recent years has, in our view, been a most enlightened move and a great success. **It would be most desirable for Council to take the opportunity to require a cycle path to be provided along the north side of MR for the frontage of the development.**

Please feel free to contact us if we can be of any further assistance.

[REDACTED]

Alana McGibbon

From: [REDACTED]
Sent: Friday, 10 July 2026 3:13 PM
To: GCC Admin Mailbox
Subject: Re: D/A 227/2025(1) 115 Mallinson Road.

[REDACTED]
Griffith, NSW 2680.

[REDACTED]
10th July, 2026.

Griffith City Council,

PO Box 485,

Griffith, NSW, 2680.

The General Manager,

Dear Sir,

Re: Development Application No.227/2025(1) – 115 Mallinson Road, Lake Wyangan

We aware of the new subdivision at 115 Mallinson Road, Lake Wyangan.

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Yours Faithfully,

10 July 2026

The General Manager

Griffith City Council

PO Box 485

Griffith NSW 2680

Dear Sir,

Re: Development Application Number No. 227/2025 (1) – 115 Mallinson Road, Lake Wyangan

We wish to comment on the proposed subdivision at 115 Mallinson Road, Lake Wyangan.

Firstly, the new subdivision's proposed access to Mallinson Road via Maegraith Place will impact us and all residents of Maegraith Place. We were disappointed both with not being notified directly about the development application by Council and by the limited time to comment.

We accept the proposed subdivision but have concerns about how the development will impact on the safety of Maegraith Place residents both through access and egress with Mallinson Road. The proposed subdivision will double the number of vehicles using this intersection. We can't see anywhere within the documents supporting the application that the impact of the development on the residents of Maegraith Place has been addressed. We also cannot see any acknowledgement that the safety of the new double intersection will need a complete overhaul, including widened roads, turning lanes, adequate night lighting, reduction in speed limits and new signage as well as accommodation of cyclists and pedestrians.

The intersection of Mallinson Road and Maegraith Place is already an ongoing safety concern which will be exacerbated by the proposed subdivision and the addition of another intersection so close to the existing intersection. Mallinson Road runs east to west. In the late afternoon when turning left into Maegraith Place off Mallinson Road there is no turning lane to safely pull over to avoid traffic behind who may be driving into the sun. Likewise, when turning right from Mallinson Road into Maegraith Place there is no space for traffic behind to safely pass on the outside. With a doubling of traffic using this intersection, the proposed subdivision will exacerbate these safety concerns, and we believe safe turning lanes are essential.

The bridge over the drainage channel at the start of Maegraith Place is already too narrow and if there is a car waiting to turn onto Mallinson Road when we are turning into Maegraith Place we must wait for the car to pull out so we can turn in. This bridge needs to be widened, especially as traffic volume will now double.

There are no safe road shoulders or other areas for pedestrians and cyclists to use along Mallinson Road to link up with the Lake Wyangan path. This is an ongoing concern for users of Mallinson Road. We believe the proposed development should include a bike path/pedestrian path along Mallinson Road. For the safety of pedestrians and cyclists we also request the speed limit of Mallinson Road be reduced from 80km/h to 50km/h.

We have concerns about the on-site stormwater retention system proposed for the development as to whether this will be adequately maintained by each resident in the proposed subdivision and if this is not the case how it will impact on the drainage on Mallinson Road.

Finally, Maegraith Place has no bushfire access to the Crown Land to the south of Maegraith Place and in the event of a bushfire, the only exit for the 21 residences in Maegraith Place is via Mallinson Road. This has been an ongoing concern for us and fellow residents for some time. The new subdivision will also have no bushfire access to the Crown Land which further complicates the safety of exiting to Mallinson Road in the event of a bushfire.

Yours sincerely,

[Redacted Signature]

[Redacted Name]

[Redacted Address Line 1]

Lake Wyangan NSW 2680

[Redacted Address Line 2]



9th July, 2026

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Griffith City Council
PO Box 485
Griffith NSW 2680

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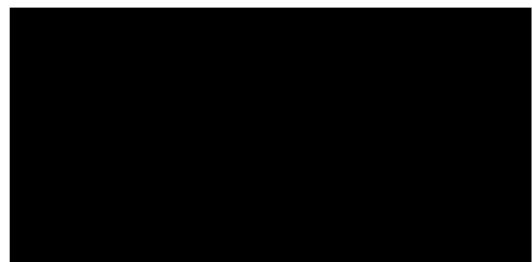
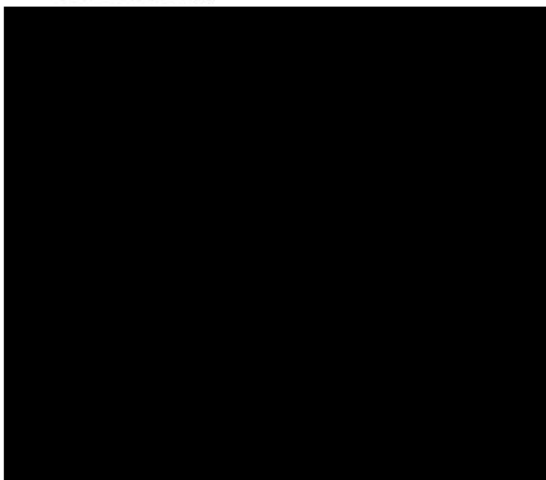
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[REDACTED]
Lake Wyangan
NSW 2680
[REDACTED]

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[Redacted Signature]

[Redacted Name]

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██████████
Lake Wyangan
NSW 2680

Griffith City Council



10 JUL 2026

RECEIVED BY
INFORMATION MANAGEMENT



9th July, 2026

The General Manager
Griffith City Council
PO Box 485
Griffith NSW 2680

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R r d 0 0 0 6 R rd 6

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We would like the opportunity to review any amended plans and reports that are submitted to Council so that we can conclude whether we object to the proposed subdivision.

Yours sincerely,

[Redacted Signature]

[Redacted Signature]

[REDACTED]
[REDACTED]
Lake Wyangan NSW 2680
[REDACTED]

9th July, 2026

The General Manager
Griffith City Council
PO Box 485
Griffith NSW 2680

Dear Sir,

Re: Development Application No.227/2025(1) – 115 Mallinson Road, Lake Wyangan

We have been notified of a new subdivision at 115 Mallinson Road, Lake Wyangan. We would like to let Council know our main concern with the subdivision as it is currently proposed:

Our main concern is that the traffic report does not seem to address the impact that headlights from cars leaving the new subdivision will have on our property at [REDACTED] Maegraith Place. These driving lights will shine straight into bedrooms and living spaces being a constant nuisance to our environment, a disruption of our privacy and sleep quality. This constant glare of driving light will also negatively impact the value of the property. When we purchased this home in [REDACTED] we did not anticipate a subdivision being directly across from our property.

We believe that consideration should be given to re-designing the subdivision so that the new road is located closer to Mallinson Road along with a left turn lane provided on Maegraith Place to avoid rear end collisions.

We would like the opportunity to review any amended plans and reports that are submitted to Council so that we can conclude whether we object to the proposed subdivision.

Yours sincerely,

[REDACTED]
[REDACTED]

[REDACTED]
[REDACTED]

R r d 0 0 0 6 R rd 6

[REDACTED]
Lake Wyangan NSW 2680

9th July 2026

The General Manager
Griffith City Council
PO Box 485
Griffith NSW 2680

Griffith City Council



10 JUL 2026

RECEIVED BY
INFORMATION MANAGEMENT



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Yours sincerely,






Development Assessment Report

(For development other than single dwellings or dual occupancy)

PART A: GENERAL ADMINISTRATION

DA No:	227/2025(1)
Property Information:	LOT: 478 DP: 751743 FNO: 1821 115 Mallinson Road LAKE WYANGAN
Proposed Development:	Seventeen (17) Lot Torrens Title Subdivision
Brief Description of Proposal:	Large Lot subdivision of one lot into 17 new lots, generally ranging in size from 4,000m ² to 4438.5m ² with the lot containing the main detention basin being 7447.6m ² and road opening.
Variation Request:	Yes 12% variation to minimum lot size of lot 3 as access handle not to be included in area of lot.
Type of Development:	Local/Integrated RFS
Lodgement Date:	19 January 2026
Statutory Timeframe:	40 days
Value of Development:	\$2,254,120.00
Applicant's Details:	SKM Planning 1 Murphy Crescent GRIFFITH NSW 2680
Land Owner's Details:	Mr G M & Mrs N L Casella PO Box 281 YENDA NSW 2681
Report Author/s:	Mrs J V Tarbit Development Assessment Planner

PART B: EXECUTIVE SUMMARY

- The application has been referred to the Ordinary Meeting of Council on the basis of eleven objections received.
- The proposed development seeks consent for the creation of 17 residential lots ranging in size from 4,000 m² – 6246 m²).
- The proposed development includes the construction of an internal cul-de-sac road, which will intersect with Maegraith Place.
- Remnant vegetation on site is to be cleared in accordance with the BDAR submitted with the application.
- The development is integrated and a Bushfire Safety Authority was issued and submitted to Council on 10 September 2026.
- It is recommended that the application be approved based on the details contained in report.

PART C: PROPOSAL

The development proposes subdivision of the site into 17 new lots, generally ranging in size from 4,000m² to 4438.5m² with the lot containing the main detention basin being 7447.6m² as shown in Figure 1 below. A new road with a road reserve width of 20m will service the allotments, which will connect to Maegraith Place within the adjoining large lot subdivision. The new road will include roll kerb and gutter.

Building envelopes have been indicated on the application plans to demonstrate adequate development area on each lot, consistent with boundary setbacks in according with Council's standards. These will not be required on the final plan of subdivision as these setbacks are reflected in the Residential Development Control Plan.

Due to the size of the proposed lots each allotment is capable of on-site sewer disposal as evidenced by the accompanying Site Assessment for Effluent Disposal System Report prepared by Aitken Rowe Testing Laboratories.

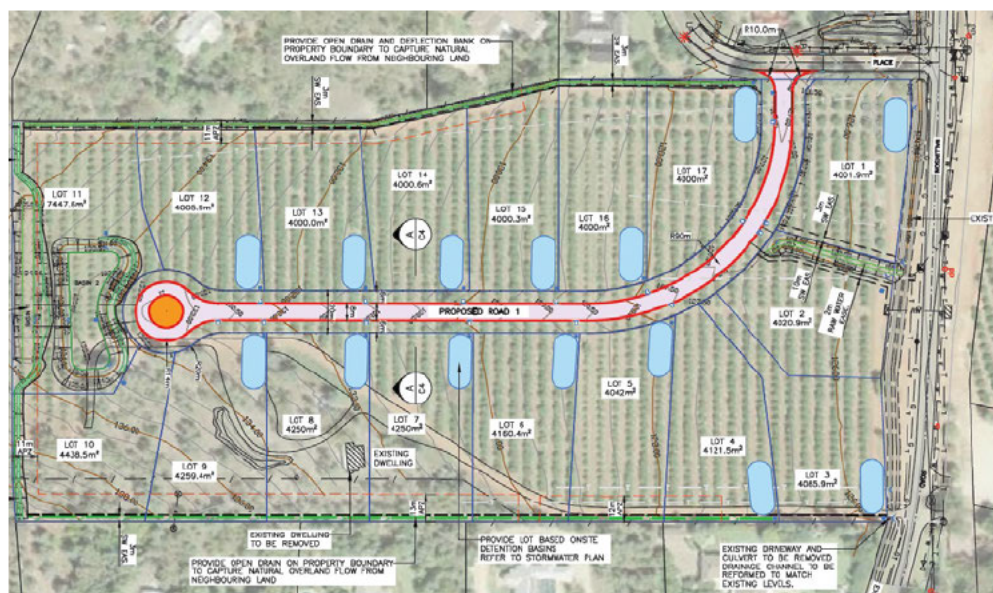


Figure 1: Lot Layout

The property contains native vegetation on approximately 1.1 hectares of the site. Most of the native vegetation will be removed to facilitate the subdivision works with Credits to be retired under the Biodiversity Development Application Report (BDAR). A number of habitat trees are to be retained.

PART D: SITE DESCRIPTION AND LOCALITY

An inspection of the site and the locality was undertaken on 29 January 2026.

The site is located on the southern side of Mallinson Road, though proposes access via Maeagraith Place to the east. The land has an area of 8.1 hectares with a frontage to Mallinson Road of 210 metres and a depth of approximately 415 metres and currently contains recently cleared orchard, remnant vegetation and a dilapidated cottage. The site can be accessed via a gravel driveway to Mallinson Road.

The site slopes 12 metres from the south to the north, and collects stormwater from a natural overland drainage line on the McPherson Range to the south. A Murrumbidgee Irrigation drainage channel adjoins the northern property boundary.

The locality comprises large lot residential setting with nearby developments retaining substantial native remnant vegetation. There is intensive irrigated agriculture to the north of the site and remnant bushland to the south on the McPherson Range. This area is accessed via a fire trail which has also been upgraded for mountain bike riding.

The site is not burdened by any easements according to the Certificate of Title. The site is flood prone however due to the fall of the McPherson Range Directing water through the site. In addition, the site is mapped as bushfire prone land.

The site is one of the last lots within the Large Lot Residential precinct south of Mallinson Road. Refer to Figure 2 below for the aerial image of the development locality which was captured from Pozi Maps and Figure 3 Plan of registered lot.



Figure 2: Site Plan

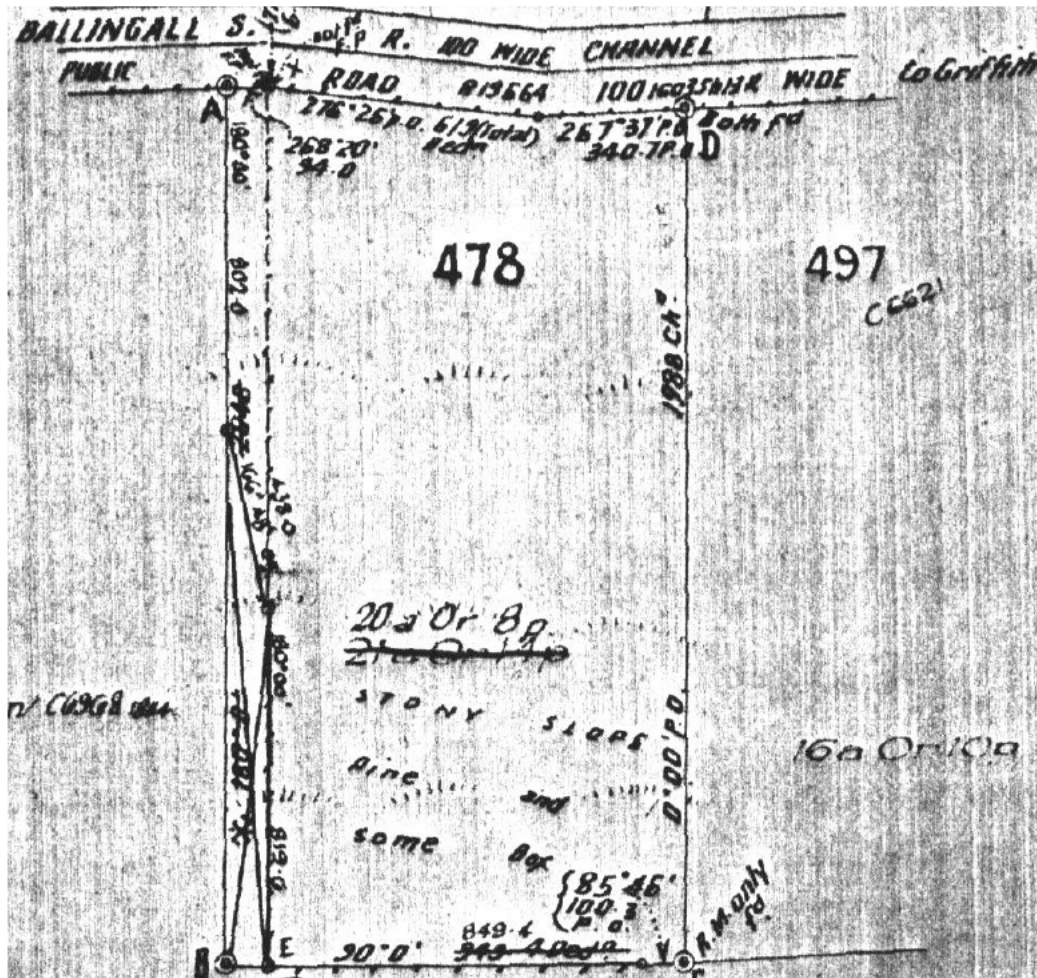


Figure 3 Plan of registered lot.

PART E: BACKGROUND INFORMATION AND HISTORY OF THE SITE

Pre-Lodgement

Prior to the application being lodged with Griffith City Council, the proponent for the development had pre-lodgement discussions with Council Officers. During the pre-lodgement discussions the following issues were raised verbally (or in writing):

The following was provided by email from Council's Development Assessment Planner to Phillip Casella on Mon, 4 Dec 2023:

'Hi Phillip,

The subject site will not require rezoning as its already zoned R5 Large Lot Residential with a minimum lot size of 4000m2 (or 3000m2 if connected to reticulated sewerage) (zone and lot size links below).

https://legislation.nsw.gov.au/view/html/inforce/current/epi-2014-0137#pt-cq1.Zone_R5
<https://legislation.nsw.gov.au/view/html/inforce/current/epi-2014-0137#sec.4.1>

The best way to start the process is to talk to a land surveyor. The Subdivision Development Application will also require civil engineering plans and usually a planning consultant to put together the required reports and other information.

Information required to be submitted with the application (but not limited to) includes:

1. Existing site plan
2. Subdivision plan of proposed lots including any road to be dedicated, and preliminary engineering plans including proposed servicing such as water and stormwater.
3. Statement of Environmental Effects
4. Land Contamination Report (Limited Phase 2 Site Investigation Report)
5. Bushfire Assessment Report – The site is located within the bushfire prone land mapping and may require establishment of asset protection zones.
6. Biodiversity Assessment Report (if required under the Biodiversity Conservation Act), pending any proposed native vegetation removal. Some removal may be required for asset protection zones and along proposed subdivision lines. Vegetation to be removed or retained to be shown on the subdivision plan.
7. Land Capability Study – in relation to the provision of on-site sewerage management systems.

Once you have a draft subdivision plan prepared, a pre-lodgement meeting can be held with Council staff to discuss the proposed development and if any other information or reports are required to be submitted with the application.

Other useful links:

[Griffith Residential Development Control Plan \(2020\) Amendment 1
https://files.griffith.nsw.gov.au/Griffith%20Residential%20Development%20Control%20Plan%202020%20-%20Amendment%201.pdf](https://files.griffith.nsw.gov.au/Griffith%20Residential%20Development%20Control%20Plan%202020%20-%20Amendment%201.pdf)

[Engineering Guidelines - Subdivisions and Development Standards
https://www.griffith.nsw.gov.au/page.asp?f=RES-VJX-56-41-22](https://www.griffith.nsw.gov.au/page.asp?f=RES-VJX-56-41-22)

[Contaminated Land Management
https://www.griffith.nsw.gov.au/page.asp?f=RES-QOK-04-88-60](https://www.griffith.nsw.gov.au/page.asp?f=RES-QOK-04-88-60)

Let me know if you require any further information.'

Development Assessment Panel

The matter was considered at the Development Assessment Panel meeting on 20 January 2026 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:

- Issue
 - Variation requested to length of Battle-axe lots - Variation statement included in SEE
 - Biodiversity assessment to be undertaken
 - Integrated DA to be charged
- Additional Information
 - biodiversity assessment to be undertaken - BAM & 7 part test
 - building envelope setbacks to internal road frontage to be 7.5m as per DCP
 -
 - Integrated DA to be charged & additional DA notification required - 11 to be notified

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:

- No history was available on file.

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 Petroleum (Onshore) Act 1991	No
EE&S	National Parks, & Wildlife Act 1974 Protection of the Environment Operations Act 1997 Water Management Act 2000	No, however discussion under suitability of the site re AHIMS search undertaken
NSW Heritage	Heritage Act 1977	No
Transport for NSW	Roads Act 1993 SEPP Infrastructure – Division 17 Roads and Traffic	No
RFS	Rural Fires Act 1997	Yes – Integrated
Transport NSW	SEPP Infrastructure – Division 15 Railways	No

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.

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 proposed development is for Seventeen (17) Lot Torrens Title Subdivision and this falls under the definition of *subdivision of land* in the Part 6 Building and subdivision certification of the *Environmental Planning and Assessment Act 1979*, which is defined as:

Part 6 Building and subdivision certification of EPA Act 1979:

6.2 Meaning of “subdivision” of land

(cf previous s 4B)

- (1) For the purposes of this Act, **subdivision of land** means the division of land into 2 or more parts that, after the division, would be obviously adapted for separate occupation, use or disposition.

- The division may (but need not) be effected —*
- (a) by conveyance, transfer or partition, or*
 - (b) by any agreement, dealing, plan or instrument rendering different parts of the land available for separate occupation, use or disposition.*
- (2) Without limiting subsection (1), **subdivision** of land includes the procuring of the registration in the office of the Registrar-General of —
- (a) a plan of subdivision within the meaning of section 195 of the [Conveyancing Act 1919](#), or*
 - (b) a strata plan or a strata plan of subdivision within the meaning of the [Strata Schemes Development Act 2015](#).*

The proposal involves the division of land comprising 1 lot into 17 parts which may be adapted for separate occupation, use or disposition. The proposal also involves the creation of a new public road.

The subject land is zoned R5 Large Lot Residential and under Part 2 Land Use Table of *Griffith Local Environmental Plan 2014* in Clause 2.6(1) which states that “Land to which this Plan applies may be subdivided, but only with development consent” and in Clause 4.1(2) states that “This clause applies to a subdivision of any land shown on the [Lot Size Map](#) that requires development consent and that is carried out after the commencement of this Plan”. Therefore, the proposal 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 Zone R5 Large Lot Residential 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.*

Assessment:

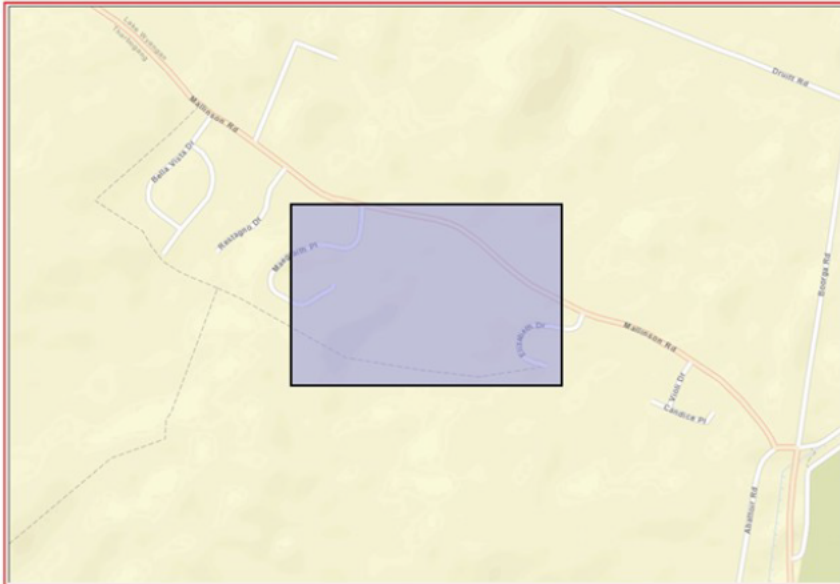
The proposed Large Lot residential development is consistent with development to the east and west of the site providing new residential lots within an established rural residential setting and is consistent with the character and objectives of the zone. The development is not located within an environmentally sensitive area and is unlikely to result in adverse impacts on waterways, scenic quality or the broader rural landscape. The proposed development is capable of being adequately serviced and does not compromise future infrastructure provision or strategic planning outcomes.

The scale of the development is commensurate with the capacity of existing services and infrastructure and is not expected to create an unreasonable demand for public services or community facilities. Furthermore, the proposed use is compatible with surrounding land uses and the established character of the locality, with appropriate setbacks, site design and management measures ensuring that potential impacts on neighbouring properties are minimised and that land use conflict is avoided.

(b) Principal Development Standards & other LEP Provisions

Clause	Clause Requirement & Assessment Comment								
2.6 Subdivision	Subdivision permitted with consent								
2.7 Demolition requires consent	Demolition permitted with consent								
4.1 Minimum Lot Size	<i>Applicable Objectives of Clause</i> (1) <i>The objectives of this clause are as follows—</i> (a) <i>to provide a minimum lot size for the subdivision of land,</i> (b) <i>to ensure that subdivision does not unreasonably impact on the natural and environmental values of the area and will not lead to fragmentation of natural areas,</i> (c) <i>to protect the productive capacity of agricultural land,</i> (d) <i>to prevent the fragmentation of rural lands,</i> (e) <i>to encourage a diversity of lot sizes, housing forms and densities in residential zones.</i> (2) <i>This clause applies to a subdivision of any land shown on the Lot Size Map that requires development consent and that is carried out after the commencement of this Plan.</i> (3) <i>The size of any lot resulting from a subdivision of land to which this clause applies is not to be less than the minimum size shown on the Lot Size Map in relation to that land.</i> (3A) <i>Despite subclause (3), the size of each lot resulting from the subdivision of land identified as “Area A”, “Area B” or “Area C” on the Lot Size Map, if the lot is connected to a reticulated sewer or the consent authority is satisfied that it will be connected to a reticulated sewer, must not be less than the area shown in Column 2 of the Table to this subclause opposite the relevant area.</i> <table border="1"> <thead> <tr> <th>Column 1</th><th>Column 2</th></tr> </thead> <tbody> <tr> <td>Area A</td><td>700 square metres</td></tr> <tr> <td>Area B</td><td>600 square metres</td></tr> <tr> <td>Area C</td><td>3,000 square metres</td></tr> </tbody> </table> (4) <i>This clause does not apply in relation to the subdivision of any land—</i> (a) <i>by the registration of a strata plan or strata plan of subdivision under the Strata Schemes Development Act 2015, or</i>	Column 1	Column 2	Area A	700 square metres	Area B	600 square metres	Area C	3,000 square metres
Column 1	Column 2								
Area A	700 square metres								
Area B	600 square metres								
Area C	3,000 square metres								

Clause	Clause Requirement & Assessment Comment
	<i>(b) by any kind of subdivision under the Community Land Development Act 2021.</i> Assessment Comment: Satisfactory - The minimum lot size is 4000m² hectares. All lots are greater than 4000m². While a portion of Lot 3 is contained within the access handle, the handle forms part of the lot area and the resulting lot complies with the minimum lot size standard under Clause 4.1. Similarly, part of lot 2 and lot 11 are designated as a spillway and a detention basin. These lots are capable of accommodating a dwelling and associated development and is considered to achieve the objectives of the clause. This is demonstrated by the delineation of a suitable building envelope on each of the lots as per the Xeros Piccolo Consulting Engineers 'Sewer Absorption Plan'. Extract provided: 
5.10 Heritage Conservation	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 or relics of non-Aboriginal heritage significance; development in the vicinity of a heritage item; provision of conservation incentives; and development in heritage conservation areas. The subject site is not listed in Schedule 5 of Griffith LEP 2014 as containing a heritage item, the archaeological report. The NSW AHIMS database confirms no aboriginal sites or places on the subject site.

Clause	Clause Requirement & Assessment Comment				
	 AHIMS Web Services (AWS) Search Result Your Ref/PO Number : Client Se Joanne Tarbit Griffith City Council PO Box 485 Griffith New South Wales 2680 Attention: Joanne Tarbit Email: joanne.tarbit@griffith.nsw.gov.au Dear Sir or Madam: <u>AHIMS Web Service search for the following area at Lat, Long From : -34.2583, 146.0155 - Lat, Long To : -34.2539, 146.0233, conducted by Joanne Tarbit on 31 August 2026.</u> 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.  A search of Heritage NSW AHIMS Web Services (Aboriginal Heritage Information Management System) has shown that: <table border="1"> <tr> <td>0</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>	0	Aboriginal sites are recorded in or near the above location.	0	Aboriginal places have been declared in or near the above location.*
0	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 & environmen tal	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). (4) The following matters are to be taken into account — (a) the existing uses and approved uses of land in the vicinity of the development,				

Clause	Clause Requirement & Assessment Comment
protection land	Land use zoning provides a clue to landuse in the locality with land to the east and west, similarly zoned R5 Large Lot Residential. Land to the south is zoned for C2 Environmental Conservation and land to the north is zoned RU4 Primary Production Small Lots. It is considered unlikely that conflict will arise. <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> The proposed development is unlikely to impact on the predominant land uses in the vicinity of the development, <i>(c) whether or not the development is likely to be incompatible with a use referred to in paragraph (a) or (b),</i> The proposed development is unlikely to be incompatible with the predominant land uses in the vicinity of the development, <i>(d) any measures proposed by the applicant to avoid or minimise any incompatibility referred to in paragraph (c).</i> No measures are required.
Part 6 Urban Release Areas	<i>Not Applicable</i> – The subject site is not within an urban release area.
7.1 Earthworks	<i>Applicable</i> <i>Objectives of Clause</i> <i>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.</i> <i>In deciding whether to grant development consent for earthworks (or for development involving ancillary earthworks), the consent authority must consider the following matters—</i> <i>(a) the likely disruption of, or any detrimental effect on, drainage patterns and soil stability in the locality of the development,</i> <i>(b) the effect of the development on the likely future use or redevelopment of the land,</i> <i>(c) the quality of the fill or the soil to be excavated, or both,</i> <i>(d) the effect of the development on the existing and likely amenity of adjoining properties,</i> <i>(e) the source of any fill material and the destination of any excavated material,</i> <i>(f) the likelihood of disturbing relics,</i> <i>(g) the proximity to, and potential for adverse impacts on, any waterway, drinking water catchment or environmentally sensitive area,</i> <i>(h) any appropriate measures proposed to avoid, minimise or mitigate the impacts of the development.</i>

Clause	Clause Requirement & Assessment Comment
	Assessment Comment: 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.
7.3 Terrestrial Biodiversity	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: (a) <i>whether the development is likely to have:</i> (i) <i>any adverse impact on the condition, ecological value and significance of the fauna and flora on the land, and</i> (ii) <i>any adverse impact on the importance of the vegetation on the land to the habitat and survival of native fauna, and</i> (iii) <i>any potential to fragment, disturb or diminish the biodiversity structure, function and composition of the land, and</i> (iv) <i>any adverse impact on the habitat elements providing connectivity on the land, and</i> (b) <i>any appropriate measures proposed to avoid, minimise or mitigate the impacts of the development.</i> 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: (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 by adopting feasible alternatives—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> The following map is an extract from Griffith LEP 2014 overlayed on an aerial photograph mapping the terrestrial biodiversity over the land.

Clause	Clause Requirement & Assessment Comment
	 The subject site is identified on the Terrestrial Biodiversity Map. The proposed development will require the removal of approximately 1 hectare of native vegetation and will therefore result in the loss of flora and fauna habitat within the development footprint. The vegetation proposed to be cleared contributes to the ecological values of the site and provides foraging and shelter opportunities for native fauna. Notwithstanding, the development has been designed to retain a number of hollow-bearing trees and other vegetation where practicable, thereby maintaining important habitat features and reducing impacts on fauna species that utilise the site. The proposal is considered to result in a localised reduction in biodiversity values; however, it is not expected to significantly affect the condition, ecological value or significance of flora and fauna within the broader locality. The proposed clearing will reduce the extent of vegetation available for habitat and may diminish connectivity across parts of the site. However, the development has been designed to minimise biodiversity impacts through the retention of hollow-bearing trees and the limitation of clearing to that necessary to facilitate the proposed development. The retained vegetation will continue to provide habitat resources and contribute to landscape connectivity. Furthermore, the proposal is not considered likely to result in significant fragmentation of vegetation communities or substantially diminish the biodiversity structure, function and composition of the

Clause	Clause Requirement & Assessment Comment
	surrounding area. In accordance with Clause 7.3(4), the proposal has been designed and sited to avoid biodiversity impacts where reasonably practicable and to minimise impacts that cannot be avoided. The extent of vegetation clearing has been restricted to the minimum area required, while significant habitat features, including hollow-bearing trees, are to be retained. Subject to the implementation of appropriate biodiversity management measures and any required offsetting or compensation requirements, any residual impacts can be appropriately mitigated. Accordingly, the proposal is considered satisfactory having regard to the objectives and requirements of Clause 7.3.
7.8 Air Space Operations	The Obstacle Limitation Surface will not be penetrated by the proposed development given an upper contour of 132masl with the applicable OSL contour of RL 176.5m
7.9 Aircraft Noise	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. 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.
7.10 Essential Services	<i>Applicable.</i> <i>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 –</i> <i>(a) The supply of water</i> Council-owned potable water infrastructure is available in the vicinity of the site, including a 100mm AC water main along Maegraith Place and both a 100mm AC and 200mm uPVC water main along Mallinson Road. Council's Water and Sewer Department has advised that the existing 100mm AC water main on Maegraith Place does not have sufficient capacity to service the proposed subdivision. Accordingly, the development will be required to upgrade the existing main to a 150mm uPVC water main extending from the existing 200mm uPVC water main in Mallinson Road to the intersection of Maegraith Place and the proposed internal road. Council's reticulated potable water network will then be extended throughout the subdivision to service all proposed allotments, including the provision of individual water services. Detailed engineering designs and hydraulic calculations are required prior to the issue of a Subdivision Works Certificate to demonstrate that the development will not adversely affect the pressure or flow characteristics of the existing network. Subject to these requirements and the recommended conditions of consent, Council is satisfied that adequate arrangements can be made for the provision of potable water to the proposed development. <i>(b) The supply of electricity</i> The applicant will be required to make suitable arrangements with Essential Energy

Clause	Clause Requirement & Assessment Comment
	for the provision of electricity to the proposed development at the applicant's expense. Documentary evidence confirming that satisfactory arrangements have been made for the provision of an adequate electricity supply will be required prior to the issue of a Subdivision Certificate. Essential Energy has not raised any concerns regarding the proposal. Accordingly, Council is satisfied that adequate arrangements can be made for the provision of electricity to the development. <i>(c) The disposal and management of sewage</i> Council's reticulated sewerage system does not service the subject land and no connection to Council's sewer infrastructure is proposed. The applicant has submitted a Sewer Absorption Plan identifying indicative effluent irrigation areas for future Aerated Wastewater Treatment Systems (AWTS) to service future dwellings within the subdivision. Council's Planning and Environmental Health & Sustainability Department have imposed conditions to ensure that effluent disposal areas are appropriately located and managed, including ensuring irrigation areas are not established in locations that may contaminate drainage systems through stormwater runoff. Subject to the recommendations and conditions imposed by Council's Environmental Health officers, Council is satisfied that adequate arrangements can be made for the disposal and management of sewage associated with the development. <i>(d) Stormwater drainage or on-site conservation</i> The site is identified as flood-prone land and is affected by overland stormwater flows originating from Crown Land to the south. The applicant has submitted a Flood Impact Assessment and proposes a comprehensive stormwater management system incorporating open swale drains, stormwater pits and pipes, onsite detention basins, flood storage areas and dedicated overland flow paths. The proposed system will formalise existing drainage patterns and manage runoff in a controlled manner before discharge to the existing drainage channel along Mallinson Road. Detailed stormwater and hydraulic designs will be required prior to the issue of a Subdivision Works Certificate and all drainage infrastructure will be required to be constructed prior to the issue of a Subdivision Certificate. Subject to the recommended conditions of consent, Council is satisfied that satisfactory arrangements can be made for stormwater management and onsite detention within the development. <i>(e) Suitable vehicular access</i> The proposed subdivision will be serviced by a new internal public road connecting to Maeraith Place. The proposed internal road will provide access to all 17 allotments and is required to be designed and constructed in accordance with Council's Engineering Guidelines, Austroads standards and relevant Transport for NSW requirements. The proposal includes the construction of a new public road, associated intersection works, a cul-de-sac, kerb and guttering, street lighting and access arrangements for the proposed battle-axe lot. Existing informal accessways to the site from Mallinson Road will be removed and the road reserve reinstated. Council's engineering assessment concludes that suitable access can be provided to all allotments created by the subdivision, subject to the recommended engineering

Clause	Clause Requirement & Assessment Comment
	works and conditions of consent. Accordingly, Council is satisfied that suitable vehicular access will be available for the proposed development. <i>Conclusion</i> Having regard to Clause 7.10 of the Griffith Local Environmental Plan 2014, Council is satisfied that adequate arrangements have been made, or will be made through the recommended conditions of consent, for the provision of water, electricity, sewage management, stormwater drainage and vehicular access. The proposal therefore satisfies the requirements of Clause 7.10 Essential Services.

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	Comment / Assessment
Exempt and Complying Codes 2008	No	
Biodiversity and Conservation 2021	Yes	Assessment following.
Housing 2021	No	
Industry and Employment 2021	No	
Planning Systems 2021	No	
Primary Production	No	
Resilience and Hazards 2021	Yes	Assessment following.
Resources and Energy 2021	No	
Transport and Infrastructure 2021	No	SEPP (Transport and Infrastructure) 2021 specifies that this Development Application does not require referral to Transport for NSW (TfNSW).
Building Sustainability 2022 (i.e. BASIX)	No	

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—

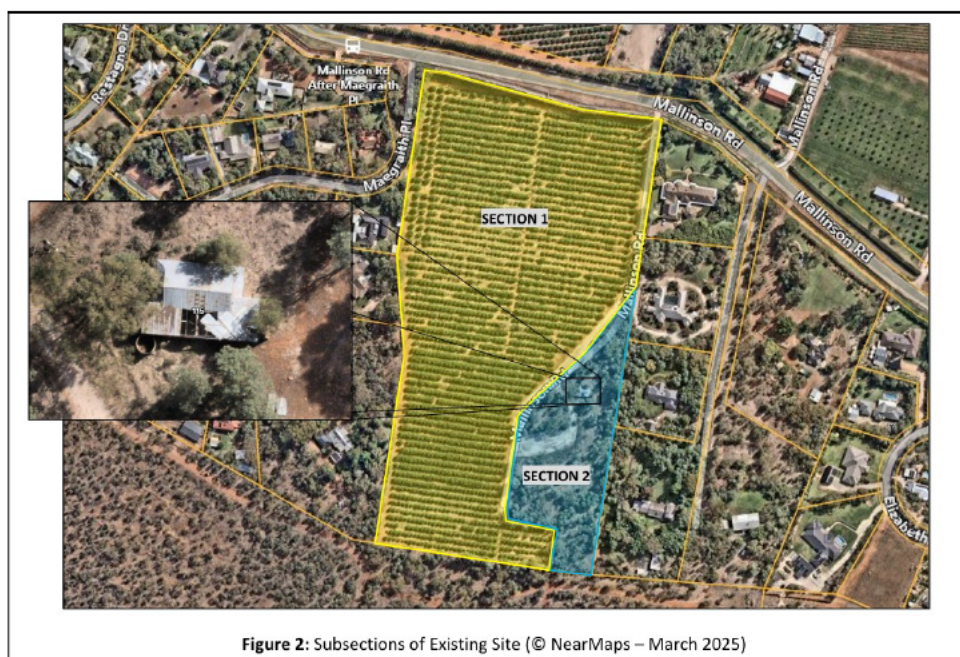
- (i) in relation to which there is no knowledge (or incomplete knowledge) as to whether development for a purpose referred to in Table 1 to the contaminated land planning guidelines has been carried out, and
- (ii) on which it would have been lawful to carry out such development during any period in 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 SOEE and contamination reports identify that the site has historically been used for citrus horticulture. As a result, a preliminary contaminated land assessment was undertaken to determine whether the land is suitable for future residential development.

The preliminary site investigation included soil sampling and analysis across two assessment areas. Section 1 was assessed as suitable for residential use without further investigation. However, a soil sample collected adjacent to the dilapidated homestead within Section 2 recorded a lead concentration of 390mg/kg, exceeding the adopted residential criterion of 300mg/kg.

Hence, further investigation was required in accordance with Chapter 4 of SEPP-RH and Council's Contaminated Land Policy.



Detailed Site Investigation (DSI) site plan

A Detailed Site Investigation (DSI) was undertaken in accordance with the National Environment Protection Measure 2013 (NEPM) within an area of approximately 2,000m² surrounding the homestead.

The investigation found:

- Pesticides did not exceed Residential HIL-A criteria;

- Lead concentrations exceeded Residential HIL-A criteria in a composite soil sample adjacent to the homestead;
- Zinc concentration in one borehole exceeded the Ecological Investigation Limit (EIL);
- Other analysed metals did not exceed applicable residential assessment criteria;
- No asbestos fibres or respirable asbestos fibres were detected;
- The land is not listed on the NSW EPA Contaminated Land Register;
- The identified lead and zinc contamination is localised and likely associated with former building-related activities surrounding the existing homestead;
- Following remediation and validation, the site can be made suitable for the proposed residential land-use.

The contamination identified is suspected to be associated with historic-building materials, rather than broader horticultural use of the site.

Given the above, a Remediation Action Plan (RAP) was requested and submitted to Council to address the identified contamination. The remediation strategy involves the excavation and removal of impacted surface soils in the vicinity of the former homestead. The depth of excavation is expected to be between 0.1 and 0.2 metres, with the final depth determined during remediation works.



The RAP requires validation sampling following excavation to demonstrate that contaminated material has been removed and that the remaining soil meets the relevant residential land-use criteria.

The DSI also classified the excavated material in accordance with the NSW EPA Waste Classification Guidelines. The investigation concluded that the impacted soils meet the criteria for General Solid Waste (non-putrescible) and are suitable for disposal at an appropriately licensed waste facility.

A Notice of Category classification was also submitted confirming that the proposed remediation works constitute Category 2 remediation work and therefore do not require development consent under Chapter 4 of SEPP-RH.

Environmental health staff are satisfied that the land can be made suitable for the proposed residential subdivision, subject to remediation being undertaken in accordance with the approved RAP and submission of a validation report confirming the remediation objectives have been achieved. Appropriate consent conditions are recommended to ensure these requirements are met.

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 Development Assessment 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.

There are no draft EPI's which apply to the proposal.

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 Large Lot Residential subdivision assessed below.

c) Setbacks in accordance with the table will be 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 with a suitable building envelope due to the width and depth of each lot primarily being square to rectangular.

e) Setbacks of 10m to environmental zoned land will be determined at the time of the development of each lot.

f) Lots do not adjoin agricultural lands, with Mallinson Road providing an effective buffer.

h) Side and rear setbacks will be landscaped, at the time of development however many of the lots also require asset protection zones which may limit landscaping.

j) tree preservation order to be conditioned, however remnant woodland vegetation will be removed in accordance with the approved BDAR upon retiring of credits. Some hollow bearing trees are to be retained as per the BDAR.

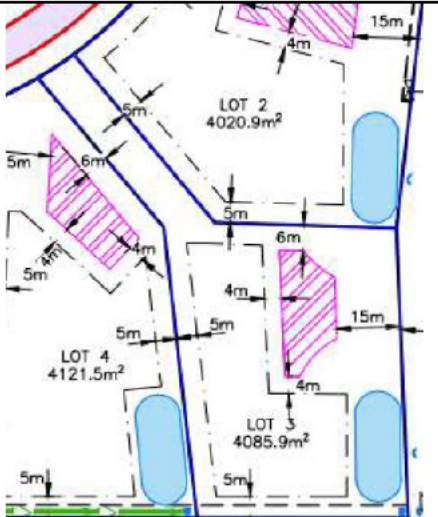
- l) reticulated water to be provided to each new lot.
- m) on site sewerage management to be provided to each new lot with the approved plan set indicating the recommended lot layout to satisfy disposal requirements.
- o) kerb is to be roltop which will allow access to be provided anywhere on the frontage at the time of development.
- p) Driveways will be constructed at the time of development in accordance with the required standards. Three driveways will be constructed in advance to provide rural fire service fire trail access.
- q) Driveway crossovers to be sealed at such time as they are developed.
- t) concrete pipe headwalls will be provided if required.

GRIFFITH RESIDENTIAL DEVELOPMENT CONTROL PLAN – APPENDIX 2 – GRIFFITH SUBDIVISION CODE

Control Type/ Clause	Control	Proposal / Compliance?
4.0 LARGE LOT RESIDENTIAL SUBDIVISION		
4.1 LOT SIZE AND LAYOUT		
<i>This section applies to lands zoned R5 or development in the R1 and RU5 zones for lots larger than 3000 m².</i>		
The subject site is located in the R5 Zone.		
4.1(a)	<i>The size of any lot subdivided must be in accordance with the relevant clauses in the GLEP – Min lot size map 4000m²</i>	The proposed subdivision is creating lots with lot size between 4,000m ² and 4438.5m ² with a larger lot including the main detention basin of 7447.6m ² . Therefore, the proposed development complies.
4.1(b)	<i>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.</i>	The design and lot layout of the proposed subdivision is compliant. Each lot has a demonstrated building envelope available after setbacks, detention basins and AWTS disposal areas are taken into consideration.
4.1(c)	<i>Larger lots should be provided i. In the vicinity of intensive agriculture; ii. Fronting arterial roads; iii. Fronting railway lines; and iv. Where site conditions require larger areas for onsite detention or on-site waste disposal.</i>	The proposal has provided lots with sufficient areas to cater for detention of stormwater and on-site waste disposal. Council is satisfied that the proposed development will have minimal adverse impacts and it can be supported.

Control Type/ Clause	Control	Proposal / Compliance?
4.1(d)	<i>Subdivision design should avoid using access to a public road via a right of carriageway or battle-axe lot. However, should a right of carriageway or battle-axe lot be deemed acceptable, the minimum width of the carriageway or access handle should be 8 m with a constructed driveway not less than 5 m wide.</i>	The proposed subdivision will create a battle axe lot (proposed Lot 3) with a 10m wide access handle. It will be conditioned that an accessway to proposed Lot 3 be constructed as part of the subdivision. The accessways servicing proposed lot 3 shall be sealed for the full length of the battle-axe handle. Therefore, the proposal complies.
4.1(e)	<i>Subdivision design should ensure that all the requirements in Section 78.0 of the Residential DCP can be catered for on each lot.</i>	Council is satisfied that the proposed development is capable of catering for the controls in Clause 8.0 of the DCP.
4.2 ROADS		
4.2(a)	<i>Road networks (street length, intersection type, stagger and spacing) should be designed to control traffic speeds to appropriate limits.</i>	Satisfactory as per the Engineers' assessment.
4.2(b)	<i>Design of roads should provide appropriate carriageway widths, street trees, lighting and adequate footpaths and cycleways: i. Footpaths and cycleways must be provided in accordance with the Griffith Pedestrian and Bicycle Strategy – 2018; and ii. Roads must be designed in accordance with Council's Engineering Standards: Subdivision and Development (as amended).</i>	Satisfactory as per the Engineers' assessment.
4.2(c)	<i>Development Applications for large lot residential subdivisions should: i. Include cross sections of each type of road proposed in the hierarchy including required footpaths and cycleways.</i>	Satisfactory.
4.3 UTILITIES AND STORMWATER		
4.3(a)	<i>Large lot residential subdivisions must meet the requirements of Section 3.4 for the provision of essential services and 3.5 for the control of stormwater.</i>	Satisfactory.
4.3(b)	<i>Individual onsite detention basins for lots with areas of 3000 m² to 5000 m² should be avoided.</i>	Satisfactory.
4.3(c)	<i>Any communal raw water systems are to be designed and constructed to meet any requirements of Murrumbidgee Irrigation.</i>	A raw water system has been proposed for the subdivision. The design and construction of the proposed raw water main is to conform to the standards and specifications prescribed by

Control Type/ Clause	Control	Proposal / Compliance?
		Murrumbidgee Irrigation.
4.4 MANAGEMENT OF COMMUNAL FACILITIES – Not Applicable.		
4.5 BATTLE-AXE LOTS		
4.5(a)	<i>Battle-axe shaped lots may only be permitted where it can be demonstrated that full street frontage for all lots is not achievable due to site constraints</i>	Satisfactory.
4.5(b)	<i>Only two battle-axe lots can share the same access handle.</i>	The proposal involves only one battle-axe lot (i.e., Lot 3) and therefore it complies.
4.5(c)	<i>Battle-axe lots must meet the following requirements:</i> <i>i. Single access handles must have a minimum width of 8 m and a maximum length of 100 m;</i> <i>ii. In calculating the area of a battle-axe lot, the area of the access handle is to be excluded;</i> <i>iii. Dual access handles must have a combined width of 10 m and a maximum length of 60 m; and</i> <i>iv. The access handle must be of a size to accommodate the location of all services including a water meter located 1 m from any driveway and the placement of garbage and recycling bins.</i> 	Satisfactory for items i. iii. and iv. A variation has been requested for Item ii in the SoEE in the assessment table (page 47) with further detail provided in Appendix 1 'Variation Request' of the report. The SoEE advises: <i>Flexibility should be applied to the circumstance of this development as only one allotment is a battle-axe design, and the access handle services only Lot 3. The proposed development seeks consent for the creation of 17 residential lots ranging in size from 4,000 m² – 6,246m².</i> <i>The lot design of all lots including Lot 3 can provide for onsite detention basins, a 300m² secondary treated effluent absorption area which meet the recommended distances from waterbodies and drainage lines. The lot provides a sufficient building envelope to enable the construction of a dwelling. Proposed Lot 3 will have a site area excluding the access handle of over 3,500m².</i> <i>The length of the driveway only exceeds the maximum length by up to 1.7m. The allotment area is sufficient in size to cater for future development including onsite effluent treatment and disposal.</i> Assessment: The access handle is 10m wide x approximately 50m in length = 500m² The proposed Lot size is 4085.9m

Control Type/ Clause	Control	Proposal / Compliance?
		On this basis the variation for this lot is approximately 12%
4.6 BUSHFIRE PRONE LAND		
	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.	Complies. The development is integrated and awaiting a Bushfire Authority.
	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.	Complies as per amended Bushfire Assessment Report.
	c) Fire trails, if required, are not accepted on existing Council reserves proposed to be dedicated through the subdivision.	Complies, firetrails are to be constructed and will connect to the crown lands fire trail on the adjoining land.
4.7 CONTAMINATION		
4.7(d)	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	The site has historically been utilised for horticultural activities in the form of a citrus orchard. The horticultural undertaking recently ceased with the trees being removed in mid 2026. The site also has a dilapidated dwelling which has been the subject of

Control Type/ Clause	Control	Proposal / Compliance?
	<i>with Council's Contaminated Land Management Policy (EH_CP_203).</i>	Remediation Action Plan (RAP) which was prepared to address the identified contamination.
4.7(e)	<i>If there is a possibility the site could be contaminated from past uses, the development application must address the requirements of State Environmental Planning Policy 55 - Remediation of Land, Managing Land Contamination Planning Guidelines - Department of Urban Planning / Environment Protection Authority (as amended or replaced) and Council's Contaminated Land Management Policy (EH_CP_203)</i>	The preliminary site investigation report found the following: • Pesticides did not exceed Residential HIL-A criteria; • Lead concentrations exceeded Residential HIL-A criteria in a composite soil sample adjacent to the homestead; • Zinc concentration in one borehole exceeded the Ecological Investigation Limit (EIL); • Other analysed metals did not exceed applicable residential assessment criteria; • No asbestos fibres or respirable asbestos fibres were detected; • The land is not listed on the NSW EPA Contaminated Land Register; • The identified lead and zinc contamination is localised and likely associated with former building-related activities surrounding the existing homestead; • Following remediation and validation, the site can be made suitable for the proposed residential land-use. The contamination identified is suspected to be associated with historic-building materials, rather than broader horticultural use of the site. <i>As such a Remediation Action Plan (RAP) was prepared to address the identified contamination. The remediation strategy involves the excavation and removal of impacted surface soils in the vicinity of the former homestead. The depth of excavation is expected to be between 0.1 and 0.2 metres, with the final depth determined during remediation works.</i> Environmental health staff are

Control Type/ Clause	Control	Proposal / Compliance?
		satisfied that the land can be made suitable for the proposed residential subdivision, subject to remediation being undertaken in accordance with the approved RAP and submission of a validation report confirming the remediation objectives have been achieved. Appropriate consent conditions are recommended to ensure these requirements are met.
4.8 SALINITY – Not Applicable.		

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

There are no planning agreements relative to this property

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.

Clauses 62 and 64 of the Environmental Planning and Assessment Regulation 2021 require that Council take into consideration to fire safety provisions. Where applicable, it is recommended that a condition of consent be imposed that requires the installation of a smoke alarm, if one is not already present, in the building as without a smoke alarm the measures in the building are considered inadequate to protect persons using the building or to facilitate their egress from the building in the event of fire.

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

The proposed development involves the subdivision of an approximately 8 hectare site into 17 residential lots within the R5 Large Lot Residential zone. The locality is characterised by established large lot residential development and the proposal is consistent with the existing and intended rural residential character of the area. The subdivision layout provides lots ranging from approximately 4,000m² to 7,447.6m², incorporates building envelopes, access arrangements, on-site detention areas and effluent disposal areas, and is designed to facilitate future residential

development while maintaining the spacious character of the locality. The proposal includes the construction of a new cul-de-sac road connecting to Maegraith Place, provision of essential services and associated subdivision infrastructure.

A Traffic Impact Statement submitted with the application concludes that the development is expected to generate approximately 136 vehicle movements per day and that the surrounding road network has sufficient capacity to accommodate this demand. Subject to recommended road upgrades at the Mallinson Road and Maegraith Place intersection, there are no traffic engineering constraints that would prevent the development from proceeding. The proposal will utilise land that has long been zoned for residential purposes and is considered compatible with the established built form and future development intentions for the surrounding area.

b) Impact on Natural Environment

The site contains areas of native vegetation and land identified as terrestrial biodiversity significance. The proposed subdivision requires the removal of approximately 1 hectare of native vegetation to facilitate road construction, stormwater infrastructure, asset protection zones and future building envelopes. The extent of clearing triggered the Biodiversity Offsets Scheme threshold applicable to the site and therefore a Biodiversity Development Assessment Report was required to be submitted. Several hollow bearing trees have been selected to be retained.

The site is partly affected by bushfire-prone land and is therefore integrated development requiring a Bush Fire Safety Authority from the NSW Rural Fire Service. A Bushfire Assessment Report confirms that the subdivision can achieve the required asset protection zones and bushfire protection measures.

The site is not mapped as flood-prone, groundwater vulnerable, riparian land or wetlands under the Griffith LEP 2014, however a flood impact report was required due to localised flooding off the McPherson Range. Potential contamination associated with historical horticultural activities has been investigated, with most of the site confirmed as suitable for residential use. A small area surrounding the existing dilapidated shed has been subject for further testing and remediation works are required prior to the issue of subdivision certificate. Subject to these measures, the proposal is not expected to result in significant adverse environmental impacts.

c) Social Impact in the Locality

The subject land is located approximately five kilometres from the Griffith city centre within an established rural residential area. Surrounding land uses comprise predominantly large lot residential development, together with small-scale horticultural holdings and environmental conservation land. The proposal will provide additional residential opportunities within an area specifically zoned and planned for large lot residential living, thereby contributing to housing choice and accommodating population growth within an existing residential precinct.

The development is not expected to generate adverse social impacts on surrounding residents. The allotment sizes, subdivision design and future residential land use are compatible with the established character of the area. The proposal includes adequate provision for access, servicing, drainage and bushfire protection, helping ensure future residents can safely occupy the site. The cessation of horticultural activities on the land is also likely to reduce the potential for land use conflicts between agricultural and residential activities and improve compatibility with surrounding residential development.

d) Economic Impact in the Locality

The proposed subdivision will facilitate the development of 17 residential lots within an area already zoned for large lot residential purposes. The development will generate economic activity

through the construction of subdivision infrastructure, civil works, utility servicing and future dwelling construction. These works are likely to provide direct and indirect economic benefits to local contractors, service providers and suppliers during both the subdivision and future housing development stages.

The proposal represents the orderly development of land that has been identified for residential purposes for many years but has remained in horticultural production. By creating additional residential allotments, the development will increase the supply of residential land within the Griffith local government area, supporting housing demand and investment in the locality. The proposal will also contribute to Council's infrastructure funding through applicable development contributions and servicing charges associated with the creation of additional lots.

e) Cumulative Effects

The likely impacts on the built and natural environments, and the social and economic impacts of the development in the locality, cannot be looked at in isolation and in this regard the cumulative effects have also been considered.

The cumulative impacts of the proposal are considered acceptable and consistent with the strategic planning framework applying to the locality. The site has been zoned for residential purposes since 1994 and is surrounded predominantly by established large lot residential development. The subdivision represents a logical continuation of the existing development pattern and does not introduce a land use that is inconsistent with the surrounding area. The provision of road infrastructure, utility services, bushfire protection measures and stormwater management infrastructure ensures that cumulative impacts on public infrastructure and the surrounding road network remain manageable.

While the proposal will result in some clearing of native vegetation and increased residential development intensity, these impacts have been minimised through subdivision design, retention of significant vegetation areas and compliance with relevant biodiversity and bushfire planning requirements. When considered collectively, the environmental, social and economic effects of the development are not expected to result in any unacceptable adverse cumulative impacts and are outweighed by the benefits associated with providing additional residential land within an appropriately zoned and serviced 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.

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 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 notification of the development included the following:

Notification Description	Required	Submission Period
Publication in Council Catchup and on Facebook	Yes	29 January 2026 – 3 March 2026; And 23 June 2026 – 10 July 2026
Letters to Neighbours	Yes	29 January 2026 – 3 March 2026; And 23 June 2026 – 10 July 2026
External Referrals	Date Sent	Date Received
Murrumbidgee LLS	No	
Murrumbidgee Irrigation	No	
NSW Police (LAC)	No	

As a result of the public participation process, Council received eleven (11) 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:

Submission Matters
Issue 1. Traffic generation, volumes and survey data The Transport Impact Statement (TIS) relies on estimated rather than surveyed traffic volumes and speeds. Mallinson Road is said to serve more than the approx. 100 dwellings adopted, without accounting for the new subdivision near Abattoir/Boorga Road or tip traffic. The adopted rate of 7.53 vehicle trips per dwelling per day is considered too low (10 movements suggested, equating to ~300 vpd at the bottom of Maegraith Place), and the reported internal road volumes (136 vpd vs 128 vpd) appear inconsistent. The assumed 40% westbound distribution is disputed. <i>Applicants Response:</i> <i>The TIS (Trafficworks, Final, 12/01/2026) adopts the standard trip generation rates in the TfNSW Guide to Transport Impact Assessments (7.53 vpd and 0.84 vph per low-density dwelling). The use of published TfNSW rates in lieu of surveyed counts is normal and accepted practice for a development of this modest scale, and the assessment adopts deliberately conservative assumptions (mid-block location, 50/50 directional splits). The development generates in the order of 128 vpd and 14 vph – about one vehicle movement every four minutes in the peak hour. The 136 vpd figure relates to the busiest section of the internal road, while 128 vpd is the total site generation; the figures are consistent, not contradictory.</i> <i>Even if a higher rate of 10 movements per dwelling were adopted, site generation (~170 vpd) would remain very low in absolute terms and would not alter any finding of the TIS: the intersection turn-treatment warrants (see Item 2) sit far below the Austroads thresholds at which higher-order treatments are triggered, and this conclusion is insensitive to the directional split adopted (even a 100% eastbound distribution would not change the warranted treatments).</i> <i>Estimated volumes on Mallinson Road (~753 vpd) remain well within the 1,000 vpd maximum indicated for its local access function in Council's Engineering Guidelines, including allowance for growth in the locality.</i> Assessment: Concerns were raised regarding the traffic generation assumptions adopted in the Traffic Impact Statement (TIS), including the use of estimated traffic volumes, trip generation rates and traffic distribution patterns. Council has reviewed the TIS and is satisfied that the traffic generation rates adopted are based on the <i>Transport for NSW Guide to Transport Impact Assessment</i> and represent accepted industry

practice for a development of this scale. Council's independent engineering assessment also considered a more conservative traffic distribution than that adopted by the applicant and utilised existing traffic count data for Mallinson Road. The assessment concluded that the additional traffic generated by 17 residential allotments would have a minimal impact on the surrounding road network.

Council further determined that, subject to the provision of upgraded intersection treatments at including a Basic Auxiliary Right (BAR) and Basic Auxiliary Left (BAL) treatment is warranted for the intersection of Mallinson Road and Maegraith Place, the road network can safely accommodate the projected traffic movements associated with the development. Accordingly, the concerns raised are adequately addressed through the recommended conditions of consent.

Issue 2. Mallinson Road / Maegraith Place intersection safety and turning lanes

The intersection is an existing safety concern that the development will exacerbate by approximately doubling traffic. Submitters seek full-width turning lanes; question whether the basic left turn (BAL) treatment (1.2 m wide x 15 m plus taper, adjacent to guardrail) will be used by drivers; consider the 2.8 m basic right turn (BAR) lane too narrow, and question whether it can fit with the power poles and whether a sealed shoulder is required. Sun glare for westbound drivers and high travel speeds are said to increase rear-end collision risk for vehicles turning left into Maegraith Place.

Applicants Response:

The TIS assessed the intersection against the Austroads Guide to Traffic Management Part 6 warrants using post-development volumes. The anticipated turning volumes (5–11 vph) and through volumes (~84–95 vph two-way) sit at the very bottom of the BAR/BAL warrant range – the lowest treatment category – with a substantial margin before auxiliary lane treatments (AUL/CHR) would be warranted. Full-width auxiliary lanes are accordingly not justified by the traffic volumes, but the recommended BAR/BAL treatments directly address the concerns raised: the BAR treatment provides a 2.8 m widening over 70 m to give a total 6.5 m eastbound width, allowing through vehicles to pass a vehicle waiting to turn right, and the BAL treatment provides a sealed widening allowing left-turning vehicles to decelerate clear of the through lane – mitigating the rear-end/sun-glare scenario described by submitters. Both treatments are standard designs under the Austroads Guide to Road Design Part 4A (Figs 7.1 and 8.2) and will be detailed at civil design stage in accordance with Council's Engineering Guidelines, including services (power pole) coordination.

In addition, the TIS recommends (Rec. 4) upgrading the existing substandard W-beam guardrail installation at the intersection (connecting the disconnected rails with a curved section and providing an impact-absorbing terminal on the high-speed eastern approach), and (Rec. 5) closing the existing driveway access to No. 115 on the inside of the Mallinson Road curve and removing its culvert crossing – both net safety improvements over the existing situation. Safe Intersection Sight Distance (SISD) of 181 m (80 km/h design speed) is achieved in both directions at the intersection. The crash history (one moderate injury crash within 980 m in five years, unrelated to this intersection) does not indicate an existing safety problem requiring further remedial action. The applicant accepts conditions requiring the BAR/BAL treatments and barrier upgrade to be constructed as part of the subdivision works.

Assessment:

Concerns were raised regarding the safety of the Mallinson Road and Maegraith Place intersection, including the adequacy of the proposed turning lane treatments, interaction with existing infrastructure, vehicle speeds and the potential for increased crash risk resulting from additional traffic generated by the development.

Council's engineering assessment reviewed the Traffic Impact Statement and supports the recommendation for Basic Auxiliary Right Turn (BAR) and Basic Auxiliary Left Turn (BAL)

treatments at the intersection. The assessment found that the projected traffic volumes generated by the subdivision satisfy Austroads do not justify higher-order intersection upgrades. The proposed works will improve traffic operation and safety by allowing turning vehicles to decelerate clear of through traffic and reducing the potential for vehicle conflicts at the intersection. Council is also satisfied that adequate sight distance is available and that the proposed intersection upgrade can be appropriately designed and constructed through the detailed engineering design process.

In addition, the development requires upgrades to the existing guardrail arrangement and closure of the existing direct driveway access from Mallinson Road, both of which will improve safety outcomes compared with the current situation. Subject to these works being completed as a condition of consent, Council is satisfied that the intersection can safely accommodate the additional traffic generated by the development.

Issue 3. Speed limits and signage

Clarification sought on whether Maegraith Place has a 50 km/h or 80 km/h limit in the absence of signage, and whether Council or the developer should install 50 km/h signs. One submission requests the Mallinson Road speed limit be reduced from 80 km/h to 50 km/h.

Applicants Response:

Maegraith Place is a built-up semi-urban and is subject to the default urban 50 km/h limit under the NSW Road Rules, which applies without signposting (Council to confirm). The new internal road will likewise operate under the default 50 km/h urban limit, and with a straight section under 250 m its geometry is self-regulating to that speed (Austroads AGTM Part 8), such that no traffic-calming devices are required. Speed zone reviews and the installation of regulatory signage on the public road network (including any reduction of the Mallinson Road 80 km/h limit) are matters for Council and Transport for NSW under the NSW Speed Zoning Standard rather than for this application; the applicant raises no objection to Council pursuing a review and the request can be referred to Council's Traffic Committee. It is noted that the recommended BAR/BAL turn treatments and barrier upgrade address the interaction between turning and through traffic at the existing 80 km/h limit.

Assessment:

Concerns were raised regarding the applicable speed limit within Maegraith Place, the need for speed limit signage, and whether the speed limit on Mallinson Road should be reduced in response to the proposed development.

Council notes that the determination of speed zones and installation of regulatory speed signage on public roads are matters for the relevant road authority and, where required, the Local Traffic Committee and Transport for NSW. Council's engineering assessment found that the additional traffic generated by the subdivision can be safely accommodated under the existing speed environment, subject to the provision of the required intersection upgrades at Maegraith Place and Mallinson Road.

Any future request to review speed limits or install additional regulatory signage would be considered through the separate traffic management and road authority processes.

Issue 4. Maegraith Place carriageway width and culvert / "bridge" at the drainage channel

Maegraith Place has a 7.6 m sealed carriageway while the new internal road will be 8.0 m; submitters ask whether the developer should widen the lower end of Maegraith Place. The culvert crossing of the drainage channel at the entrance to Maegraith Place is said to be too narrow, requiring entering vehicles to wait for exiting vehicles, and the current entrance is considered too close to the drainage channel.

Applicants Response

Maegraith Place is an existing Council local street with a 7.6 m carriageway and kerb and gutter to

both sides, within a 16 m reserve widening to 30 m at Mallinson Road. A 7.6 m two-lane carriageway complies with Council's Engineering Guidelines for a local access street and comfortably accommodates two-way passenger vehicle movements. Post-development volumes on the lower section of Maegraith Place (~286 vpd; ~32 vph in the peak) remain very low in absolute terms and well within the environmental capacity of a local street; widening of the existing street is not warranted by the modest additional traffic.

The constrained feel at the channel crossing is a function of the existing substandard guardrail arrangement rather than carriageway width. The TIS specifically reviewed this location and recommends upgrading the barrier installation (curved connecting rail and impact-absorbing terminal – Rec. 4), together with BAR/BAL turn treatments on Mallinson Road that remove waiting turning vehicles from the through lane (see Item 2). These works will materially improve the operation and safety of the Maegraith Place entrance for existing and future residents. Any further augmentation of the culvert (a Council drainage asset) can be addressed with Council at civil design stage.

Assessment

Concerns were raised regarding the width of Maegraith Place, the capacity of the drainage channel crossing at the entrance to the road, and whether road widening works should be undertaken as part of the development.

Council's engineering assessment found that Maegraith Place currently functions as a local residential street and that the existing 7.6 metre sealed carriageway is consistent with Council's requirements for a local access road. The projected increase in traffic associated with the subdivision is relatively minor and does not warrant widening of the existing road. The assessment concluded that the road network has sufficient capacity to accommodate the additional vehicle movements generated by the development.

Council also notes that the Traffic Impact Statement identified opportunities to improve safety at the entrance to Maegraith Place through upgrades to the existing guardrail arrangement and provision of turning lane treatments at the Mallinson Road intersection. These works have been incorporated into the engineering requirements for the development. Subject to these upgrades, Council is satisfied that the existing road and channel crossing can continue to safely service the locality and that any further improvements to Council infrastructure can be considered separately if required in the future.

Issue 5. Sight distance

The TIS states vehicles leaving driveways need 40 m sight distance along the new road (69 m for non-domestic driveways) and that 181 m is achieved from Maegraith Place along Mallinson Road, but does not state the sight distance available for vehicles turning from the new road onto Maegraith Place; submitters doubt more than 50 m is available.

Applicants Response:

The TIS does assess this movement (Section 4.2.4). The applicable criterion for the new intersection on a local road is Stopping Sight Distance (SSD), being 55 m for the 50 km/h speed environment of Maegraith Place (AGRD Part 3, Table 5.5). Sight lines of 61.3 m to the north and 55.4 m to the southwest were measured from the proposed intersection location, confirming compliance in both directions across flat terrain (TIS Figure 15, Conclusion 6).

Minor trimming of lower limbs of existing street trees north of the intersection may be undertaken to maintain these sight lines. Individual lot driveways along the internal road will be located at detailed design to comply with the AS 2890.1 entering sight distance criteria (40 m domestic) for the 50 km/h environment (TIS Rec. 2), which can be secured by condition.

Assessment:

Concerns were raised regarding the sight distance available for vehicles turning from the proposed internal subdivision road onto Maegraith Place, with submitters questioning whether adequate visibility would be available to safely accommodate vehicle movements.

Council's engineering assessment reviewed the Traffic Impact Statement and is satisfied that sight distance requirements have been appropriately assessed. The assessment determined that the proposed intersection achieves the required stopping sight distance for the 50 km/h operating environment of Maegraith Place in both directions and therefore complies with the relevant Austroads design requirements. The proposed intersection arrangement is considered capable of accommodating anticipated traffic movements in a safe manner.

Council also notes that any future driveway locations within the subdivision will be required to comply with the applicable sight distance requirements at the detailed design stage. Where necessary, minor vegetation trimming can be undertaken to maintain appropriate visibility. Accordingly, Council is satisfied that adequate sight distance can be achieved and maintained, and the concerns raised do not warrant refusal of the application.

Issue 6. Pedestrian and cyclist provision

There is currently no pedestrian or cyclist provision on Mallinson Road or Maegraith Place. Submitters ask whether the 2.0 m footpath shown on the typical section will be built along the new road, and request it be extended along the lower end of Maegraith Place and along Mallinson Road (including a cycle path on the northern side of Mallinson Road linking to the Lake Wyangan path), citing the Griffith Pedestrian and Bicycle Strategy 2018.

Applicants Response:

The lack of pedestrian and cyclist paths on Mallinson Road and Maegraith Place is a matter for Council to consider in its works program.

Assessment:

Concerns were raised regarding the absence of existing pedestrian and cyclist infrastructure on Mallinson Road and Maegraith Place, and whether footpath and cycleway connections should be provided as part of the development.

Council notes that the subdivision includes provision for a 2.0 metre footpath within the new internal road reserve to service future residents of the development. The proposed subdivision is required to provide pedestrian infrastructure within the development site in accordance with Council's engineering requirements. However, the extension of pedestrian and cycling facilities beyond the development site along Maegraith Place or Mallinson Road would constitute upgrades to the broader public road network and are not considered necessary to mitigate the impacts of this development.

Council is satisfied that the scale of the development does not justify the provision of additional off-site pedestrian or cycling infrastructure as a condition of consent. Any future upgrades to the wider pedestrian and cycling network remain matters for Council's strategic planning, capital works and transport infrastructure programs.

Issue 7. Headlight glare and residential amenity (21 Maegraith Place)

Headlights from vehicles leaving the new subdivision via the new intersection will shine into the dwelling opposite at 21 Maegraith Place, affecting privacy, sleep and property value. Submitters request the subdivision be redesigned so the new road is located closer to Mallinson Road, with a left turn lane provided on Maegraith Place.

Applicants Response:

The location of the new intersection approximately 50 m south of Mallinson Road was selected on road safety grounds: it provides adequate separation from the Mallinson Road intersection

(queuing and driver decision space), achieves compliant stopping sight distance in both directions, and avoids concentrating two intersections at the constrained channel crossing.

Relocating the new road closer to Mallinson Road, as suggested, would compromise intersection separation and operate contrary to the safety objectives raised elsewhere in the same submissions; a left turn lane on Maegraith Place (a 50 km/h local street carrying ~9 vph on this approach) is not warranted under the Austroads criteria.

Headlight sweep from exiting vehicles is limited in practice: night-time movements from a 17-lot residential street are very infrequent, vehicles exit at low speed from a stop/give-way condition, and the affected frontage retains established street trees and verge vegetation. Landscaping within the verge and/or front boundary treatment at 21 Maegraith Place would further screen occasional headlight sweep, and the applicant is willing to discuss reasonable verge landscaping measures with Council at civil design stage. Impacts on property values are not a relevant planning consideration under s4.15 of the EP&A Act, and no unreasonable amenity impact arises.

Assessment:

Concerns were raised regarding potential headlight glare from vehicles exiting the proposed subdivision onto Maegraith Place, including impacts on the amenity of the dwelling opposite at 21 Maegraith Place. Submitters also requested that the subdivision be redesigned to relocate the internal road closer to Mallinson Road.

Council's engineering assessment is satisfied that the location of the proposed internal road intersection has been selected having regard to road safety, intersection spacing and sight distance requirements. The proposed intersection achieves the necessary visibility standards and provides an appropriate separation distance from the Mallinson Road intersection. Relocating the intersection closer to Mallinson Road is not supported as it would reduce this separation and may adversely affect the safe operation of both intersections.

While some vehicle headlights may be visible from nearby properties, Council considers that traffic volumes generated by a 17-lot residential subdivision will be relatively low, particularly during night-time periods. Any headlight impacts are expected to be occasional and typical of a residential street environment.

In order to reduce direct and perceived impact to the residents at 21 Maegraith Place, a condition has been provided to provide additional boundary fencing and landscaping up to the building line of that development. This is to be designed in conjunction with the landowner. Following the maintenance period, the landscaping will become the responsibility of the landowner at 21 Maegraith Place to maintain.

Issue 8. Stormwater drainage – individual on-site basins vs communal basin, and ongoing maintenance

Concern that lot-based detention basins will rely on individual owners for maintenance (and may be "landscaped out" over time) with no enforcement by Council; queries as to who will maintain the two basins above the cul-de-sac court bowl and how they are managed if not communal facilities; a preference expressed for a single large common basin in the low corner of the site (between the new road and Mallinson Road near Maegraith Place); and concern about impacts on Mallinson Road drainage if basins are not maintained.

Applicants Response:

The stormwater strategy comprises three elements:

- 1. Lot-based on-site detention (OSD) basins restrict post-development discharge from each allotment to the street drainage network, with Lots 1– 3 discharging directly to the existing Mallinson Road channel; basin sizing will be finalised at detailed design. OSD on private lots is a conventional solution for large-lot subdivisions, and ongoing maintenance can be*

secured in the usual manner by a restriction/positive covenant under s88B of the Conveyancing Act 1919 on each title, requiring the basin to be retained and maintained in accordance with the approved design – enforceable by Council as the authority benefited. The applicant accepts a condition to this effect.

2. Basins 1 and 2 near the western (upslope) boundary are not lot-based OSD but capture and attenuate external catchment flows from the adjoining Crown land before they enter the subdivision, discharging via controlled outlets and spillways. Tenure and maintenance arrangements for these basins (drainage easement/reserve in favour of Council with associated maintenance obligations) will be resolved through conditions at detailed design – they are drainage infrastructure, not communal recreation facilities, which is why the SEE describes no communal facilities as proposed.
3. Open drains and deflection banks within 3 m easements along the eastern and western boundaries capture natural overland flow from neighbouring land, and the trunk drainage is sized for the 10% AEP event with major-event overland flow contained within the road reserve ($DxV \leq 0.4 \text{ m}^2/\text{s}$). A single communal basin in the north-eastern corner was considered but is not preferred: the site grades (falling west to east across ~10 m) would require substantial cut and inter-allotment drainage easements across multiple lots to convey flows to a single point, and a large communal basin would itself create the ownership/maintenance burden submitters are concerned about. The distributed strategy ensures no increase in discharge to the Mallinson Road channel above existing conditions.

Assessment:

Concerns were raised regarding the reliance on individual lot owners to maintain on-site detention (OSD) basins, the ongoing management of the proposed drainage basins within the subdivision, and whether a single communal basin would provide a more appropriate stormwater management solution.

Council's engineering assessment reviewed the submitted stormwater management strategy and is satisfied that the proposed drainage system has been designed to manage stormwater runoff without increasing downstream impacts. The proposed OSD basins on individual lots are a common and accepted stormwater management approach for large lot residential subdivisions. Ongoing maintenance of these facilities can be secured through restrictions and positive covenants registered on title, ensuring that future landowners are responsible for maintaining the approved drainage infrastructure.

Council also notes that the larger basins proposed within the subdivision are intended to manage external catchment flows entering the site and form part of the subdivision's drainage infrastructure. Detailed ownership and maintenance arrangements for these assets will be addressed through the detailed design and subdivision certification process. Council is satisfied that the proposed drainage strategy is appropriate for the site's topography and will adequately manage stormwater generated by the development.

Issue 9. Lot 3 – battle-axe lot area and minimum lot size

Lot 3 has a total area of 4,085.9 m² including the access handle (~500 m²); excluding the handle the area is below 4,000 m². Submitters query whether the lot area excluding the handle is permitted to be less than 4,000 m².

Applicants Response:

The 4,000 m² minimum lot size under clause 4.1 of the Griffith LEP 2014 applies to the area of the lot as registered; Lot 3 (4,085.9 m²) complies with the LEP standard and no clause 4.6 variation to the LEP is required. The requirement to exclude the access handle from the area calculation arises under the DCP (Griffith Subdivision Code, cl 4.5(c)), and the application transparently addresses this: a formal Request for Variation to a Development Control accompanies the SEE (Appendix 1).

seeking a concession to the handle length (46–51.7 m against the 50 m maximum) and to the area calculation. The variation is justified on its merits: Lot 3 is the only battle-axe lot in the subdivision; its handle exceeds the minimum width (10 m against 8 m required); its area excluding the handle remains over 3,500 m²; and the lot demonstrably accommodates a building envelope, the required asset protection zone, a 300 m² secondary-treated effluent absorption area with all buffer distances, and an on-site detention basin. The variation produces no adverse external impact and is consistent with the objectives of the Subdivision Code.

Assessment:

Concerns were raised regarding the compliance of proposed Lot 3 with the minimum lot size requirements, specifically that the lot area excluding the access handle is less than 4,000m².

Council notes that proposed Lot 3 has a total area of 4,085.9m² and therefore complies with the minimum 4,000m² lot size requirement under Clause 4.1 of the Griffith Local Environmental Plan 2014. As such, no variation to the LEP development standard is required. The issue raised relates to a provision within the Griffith Development Control Plan concerning the calculation of battle-axe lot areas and access handle dimensions.

Council has considered the applicant's request to vary the relevant DCP controls and is satisfied that the variation is minor being 12% and capable of achieving the underlying objectives of the DCP. Despite the reduced area excluding the access handle, the lot is of sufficient size to accommodate a dwelling, associated infrastructure, bushfire protection measures, effluent disposal area and stormwater management requirements and can be approved by Council under delegated authority.

Issue 10. Building setbacks and indicative envelopes

The SEE states future dwellings can achieve Part 8 of the Griffith Residential DCP, which requires a 7.5 m front setback for lots of this size, but the plans are said to show a 5 m setback; submitters contend the plans should comply with Council's controls.

Applicants Response:

The building envelopes shown on the subdivision and civil plans are expressly indicative only (refer legend note on the Sewer Absorption Plan, Drawing B3001: "proposed building envelope indicative only, to be finalised in detailed design") and are provided to demonstrate that each lot can accommodate a future dwelling together with its asset protection zone, effluent area and OSD basin. No dwellings are approved by this application. Future dwellings will be the subject of separate development applications (or complying development) and must comply with the setback controls in Part 8 of the DCP at that time – for lots of 3,000 m² to 1 ha: 7.5 m front, 5 m side and 5 m rear. The 5 m dimensions annotated on the plans reflect side/rear setbacks and APZ allowances, not a proposed front setback, and nothing in the subdivision design prevents full compliance with the 7.5 m front setback on every lot.

Assessment:

Any future residential development on the land will be assessed under Councils Residential Development Control Plan. This will include an assessment under the development standards at that time. Council will not require setbacks to be shown on the final plan of subdivision. These have been provided during the assessment process to demonstrate that each lot can achieve an adequate building envelope given requirements for stormwater detention and on-site sewerage management on each lot.

Issue 11. DCP compliance – identification of noncompliances

The SEE states the design complies with the majority of the controls in the Griffith Residential DCP 2020; submitters ask which controls the subdivision does not comply with, and whether it should comply.

Applicants Response:

The application identifies a single departure from the DCP: the battle-axe handle length and lot-area calculation for Lot 3 addressed in Item 9 above, for which a formal variation request under the DCP accompanies the application (SEE Appendix 1). In all other respects the subdivision complies with the applicable controls of the Griffith Residential DCP 2020 and the Griffith Subdivision Code, including minimum lot sizes, road reserve and carriageway design, intersection treatment, servicing and lot layout, as set out in the DCP compliance tables in the SEE. The phrase "majority of controls" reflects that one variation is sought; the variation process is the mechanism the DCP itself provides for considering justified departures.

Assessment:

A variation request has been made and considered in the assessment of the control in which a deviation from is required.

Issue 12. Fencing

The SEE states colourbond fencing will not be provided along Mallinson Road but is silent on fencing between new dwellings and along boundaries with existing houses to the east and west; submitters consider only rural-style fencing should be permitted, and ask the developer to confirm what fence types will be permitted.

Applicants Response:

No fencing is proposed as part of the subdivision works, and fencing between private lots is not a matter for approval under this application – boundary fencing between neighbours is dealt with under the Dividing Fences Act 1991 as lots develop. Future fencing associated with dwellings will be regulated by Part 8 of the Griffith Residential DCP, which permits side and rear fencing of steel materials to 2 m; the DCP does not mandate rural-style fencing in the R5 zone. The Applicant confirms, consistent with the SEE, that no colourbond fencing is proposed along the Mallinson Road frontage, preserving the semirural outlook of the road corridor. Should Council consider it warranted, the applicant would not object to a condition or s88B instrument restricting solid colourbond fencing forward of the building line on lots fronting Mallinson Road.

Assessment:

The site is to be developed with a number of overland stormwater drainage flow paths, which results in fencing needing to be permeable and not impact on the flow of water. As such Councils development engineers have imposed a condition requiring details of proposed fence type to be submitted to council prior to the issue of a subdivision works certificate, specifically for fences in the following locations:

- Shared boundaries of proposed Lots 4-17,
- Southern boundary of proposed Lots 10 and 11 for the full length, and
- Northern boundary of proposed Lot 2 where the open drainage channel crosses into the Mallinson Road drainage channel.

Any proposed fence elsewhere on the site will need to be constructed as per exempt development standards typically being 1.8m in height and of post and wire or post and rail. Alternatively, landowners may apply for the construction of alternate fencing such as colorbond steel or decorative fencing types with their applications in accordance with the Residential Development Control Plan.

Issue 13. Bushfire access and egress

Maegraith Place has no bushfire egress to the Crown land to the south, leaving Mallinson Road as the only exit for its 21 residences; the new subdivision will likewise have no access to the Crown land, further complicating evacuation in a bushfire event.

Applicants Response:

The southern portion of the site adjoins land mapped as bushfire prone, and the application is Integrated Development under s4.46 of the EP&A Act requiring a Bush Fire Safety Authority from the NSW Rural Fire Service under s100B of the Rural Fires Act 1997. A Bushfire Assessment Report (Bushfire Planning and Design) accompanies the application and demonstrates that each lot can achieve the required asset protection zones (11–13 m) and building areas with radiant heat exposure below 29 kW/m², in accordance with Planning for Bush Fire Protection 2019. The adequacy of access and egress arrangements is a matter squarely within the RFS assessment, and the subdivision cannot proceed without the RFS issuing its Authority, with any conditions it imposes attaching to the consent. The development does not alter the existing egress arrangements for Maegraith Place residents.

Assessment:

A Bushfire Safety Authority was issued by NSW Rural Fire Services on 10 September 2026 addressing the following:

- Asset Protection Zones
- Access Requirements including
- Fire Trails
- Public Roads
- Properties
- Water and Utilities

All requirements from NSW Rural Fire Services forms part of the Notice of Determination.

The Bush Fire Safety Authority was issued on the basis of an amended Bushfire Assessment Report which includes the construction of three bushfire access trails. One of these fire trails extends to the southern property boundary (See figure 5 extract below).

The condition of the Bushfire Safety Authority requires connectivity between the proposed fire trail and the existing fire trail on Crown Land Lot 7306 DP 1157775. This will require crown land consent and the extension the existing firetrail on crown land by approximately 12 meters to connect to the proposed subdivision as per the aerial image below (figure 6).

A condition of consent has been included in the notice of determination to gain landowners consent from the crown and provide civil works plans for the construction of the fire trail, stormwater, erosion control and vegetation removal works. This will be required prior to the issue of the Subdivision Work Construction Certificate.

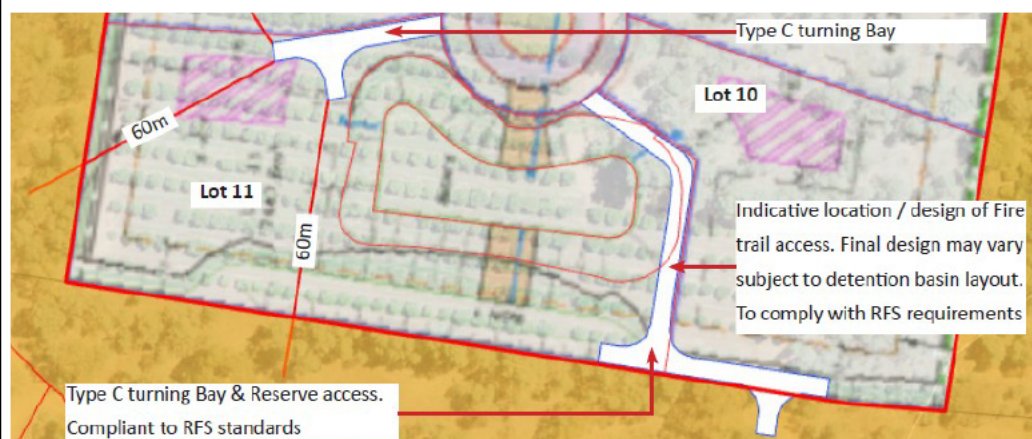


Figure 5 - Amended Bushfire Assessment Report (dated 31/08/2026) - Figure C.03a



Figure 6 - Current Metromap 2026 Aerial Photo with existing crown firetrails and potenatil future connection

Issue 14. Notification, consultation and review of amended plans

Submitters were disappointed at not being directly notified and considered the exhibition period short relative to the volume of application material; the pro forma submissions request the opportunity to review any amended plans and reports before concluding whether they object.

Applicants Response:

Notification and exhibition were undertaken by Council in accordance with its Community Participation Plan.

Assessment:

Notification and exhibition were undertaken by Council on two separate occasions in accordance with its Community Participation Plan and due to the submission of additional information.

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.

Biodiversity Conservation Act 2016

A Biodiversity Development Assessment Report (BDAR) was prepared by an accredited Biodiversity Assessor to accompany the proposed 17-lot residential subdivision at 115 Mallinson Road, Lake Wyangan. The Biodiversity Offset Scheme applies to the development as the proposed clearing exceeds the area threshold for the R5 Large Lot Residential zone.

The assessment identified approximately 1.1 hectares of native vegetation on the site, comprising Plant Community Type (PCT) 70 - *White Cypress Pine woodland on sandy loams in central NSW wheatbelt*. The majority of the site is an existing citrus orchard which has recently been cleared and does not constitute native vegetation. The proposal will directly impact approximately 0.98 hectares of the PCT located within the south-eastern portion of the site. No threatened ecological communities were identified within the development area and no species credit species were recorded or determined to require assessment.

The BDAR concludes that the development will not result in any Serious and Irreversible Impacts (SAII) and that impacts on threatened species habitat are limited. Avoidance and minimisation measures have been incorporated into the subdivision design, including the retention of significant hollow-bearing eucalypts, pre-clearing fauna measures, staged vegetation clearing, and protection of adjoining native vegetation. A number of hollow bearing and habitat trees have been identified to be retained as per the extract below. These will require identification and protection during construction works.



Extract – Avoid Impacts – retain hollow bearing trees (Figure 13, page 33 of BDAR Report)

Following application of the Biodiversity Assessment Method (BAM), the proposal generates a requirement for 13 ecosystem biodiversity credits to offset the loss of 0.98 hectares of PCT 70 vegetation. No species credits are required. Subject to the retirement of the required biodiversity credits and implementation of the recommended avoidance and mitigation measures, the biodiversity impacts of the development are considered capable of being appropriately managed.

Crown Lands Act 1997

The application relies on connectivity of the proposed and existing firetrail to the adjoining crown land which has been conditioned prior to the subdivision works certificate.

GCC Policy No. 505: Naming of Roads

The proposed new road will require gazettal. The road name will be submitted to Council prior to the issue of the subdivision certificate for consideration and approval.

On the basis that the proposed development 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.

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 involves 16 additional lots for water only, and is within the Griffith precinct.

The calculations associated with the section 7.12 contributions payable are inserted below.

This is based on 16 new lots at 1.2ET water per lot as per the water directorate.

Section 64: Development Services Plan 2012

1 Development Application Details

DA No. 227/2025
Address: 115 Mallinson Rd

2 How Many Equivalent Tenements?

	Proposed ETs	Existing ETs
Water	19.2	0
Sewer	0	0
Drainage	0	0

Contribution Rates

Water

Water Supply Development Servicing Plan No.1 (Nov 2012) \$ 9,828.00
as adjusted by the Revenue Policy 2026/2027

Sewer

Sewerage Development Servicing Plan No.1 (Nov 2012)
as adjusted by the Revenue Policy 2026/2027

Drainage

Collina Drainage Developer Servicing Plan
as adjusted by the Revenue Policy 2026/2027

3

Water Development Contribution	\$	188,697.60
Sewer Development Contribution	\$	-
Stormwater Contribution	\$	-
Total S64 Development Contribution	\$	188,697.60

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 Griffith 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	No
Sewerage Development Servicing Plan No. 2: Yenda	No
Sewerage Development Servicing Plan No. 3: Bilbul	No
Water Development Servicing Plan No. 1: Griffith	Yes
Water Development Servicing Plan No. 2: Yenda	No
Stormwater Development Servicing Plan: Collina	No

The calculations associated with the section 64 contributions payable are inserted below.

SECTION 7.12 Contributions	
1 Development Application Details	
DA No. 227/2025 Address: 115 Mallinson Rd	
What is the Estimated Cost of the Development ?	Proposed \$2,254,120
2 Average Contribution Rates	
Do not alter blue section	
Value of Works	Rate:
Less than or equal to \$100,000	0.00%
Greater than \$100,000 but less than \$300,000	1.00%
Greater than \$300,000	1.00%
3 Total 7.12 Contribution \$ 22,541.20	

PART I: INTERNAL REFERRALS

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

DISCIPLINE	ADVICE, COMMENTS & CONDITIONS	DATE
Building	No comments	
Engineering	See Engineering assessment CM 26/88789	22/7/26
Environment	No comments	
Health	See memorandum CM 26/77609	26/6/26
Heritage	No comments	
Urban Design	No comments	
Street/Rural No	No comments	

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

- b) That the variation to the development controls set down in clause 4.5(c) of the Residential Development Control Plan be supported and that the Register of DCP Standards and Controls be updated
- c) 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: 227/2025(1) for Seventeen (17) Lot Torrens Title Subdivision at 115 Mallinson Road LAKE WYANGAN subject to conditions set out in Attachment 'B'.

ASSESSING /OFFICER

Name:

Mrs J V Tarbit

Date

14/9/26

Position:

Development Planner

Signature:



REVIEWING OFFICER

Name:

Position:

Signature:

(a) Statement of Funds at 31 July, 2026

GRIFFITH CITY COUNCIL

Statement of Funds Invested under Section 625 of the Local Government Act, 1993
31 July, 2026

INVESTMENTS

Annual Return	Type	Valuation Balance as at 31 July, 2026	Interest Recognised July, 2026	Revaluation Movements Recognised July, 2026	Fund as a Percentage of Total Investments
Cash/Managed Funds					
5.000%	Pendal Short Term Income Securities Fund	9,411.96		39.01	0.01%
6.706%	Perpetual Credit Income Fund	1,210,107.52		9,461.06	1.38%
-0.25%*	NSW Treasury Corp -Long Term Growth Fund	2,156,350.78		(5,384.57)	2.45%
-0.08%*	NSW Treasury Corp -Medium Term Growth Fund	6,630,792.15		(5,041.66)	7.54%
.43%*	NSW Treasury Corp - Short Term Income Fund	4,311,718.10	16,507.24	1,915.94	4.91%
2.600%	LGT Cash Management Account	79,031.19	162.11		0.09%
3.500%	ANZ Premium Business Saver Account	8,164.66	23.00		0.01%
Term Deposits					
5.350%	AMP 1Yr Day Term Deposit Maturity 5/6/27	2,000,000.00	8,916.66		2.28%
5.350%	BOQ 1 Year Term Deposit Maturity 10/6/2027	1,000,000.00	4,458.33		1.14%
4.480%	Westpac Bank 2 Yr Term Deposit Maturity 9/9/2026	3,000,000.00	11,200.00		3.41%
4.150%	NAB 1 Year Term Deposit Maturity 9/9/2026	2,000,000.00	6,916.67		2.28%
5.350%	BOQ 1 Year Term Deposit Maturity 10/6/27	2,000,000.00	8,916.66		2.28%
5.430%	Westpac Bank 18 Month Term Deposit Maturity 30/09/2027	3,000,000.00	13,575.00		3.41%
4.800%	Westpac Bank Notice Saver 60 Day	2,902,169.82	11,783.27		3.30%
4.750%	Westpac Bank Notice Saver 31 Day	12,913,752.74	51,887.93		14.69%
4.450%	Rabo Bank 30 Day Term Deposit Maturity 29/07/2026	-	24,785.90		0.00%
5.070%	Rabo Bank 90 Day Term Deposit Maturity 28/10/2026	1,694,167.00			1.93%
5.290%	Rabo Bank 180 Day Term Deposit Maturity 27/01/2027	1,694,167.00			1.93%
5.300%	Rabo Bank 270 Day Term Deposit Maturity 26/04/2027	1,694,167.00			1.93%
5.000%	NAB 3 Yr Term Deposit Maturity 9/10/2026	3,500,000.00	14,583.33		3.98%
4.400%	Rabo Bank 5 Yr Term Deposit Maturity 26/6/2029	2,500,000.00	9,166.63		2.84%
4.430%	Rabo 4 Yr Term Deposit Maturity 2/7/2029	2,000,000.00	7,363.33		2.28%
4.580%	Rabo Bank 5 Yr Term Deposit Maturity 1/7/2030	2,000,000.00	7,633.33		2.28%
5.250%	Rabo Bank 4 Yr Term Deposit Maturity 25/07/2029	2,000,000.00	9,325.34		2.28%
5.300%	NAB 1 Year Term Deposit Maturity 29/6/2027	2,000,000.00	8,833.33		2.28%
5.300%	Rabo Bank 4 Yr Term Deposit Maturity 26/6/2028	2,500,000.00	11,041.66		2.84%
5.090%	Rabo Bank 5 Yr Term Deposit Maturity 14/1/2030	2,000,000.00	8,483.33		2.28%
4.840%	Rabo Bank 3 Yr Term Deposit Maturity 12/01/2029	4,000,000.00	16,133.33		4.55%
5.250%	BankVic 1 Yr Term Deposit Maturity 12/03/2027	2,000,000.00	8,750.00		2.28%
5.420%	Rabo Bank 1 Yr Term Deposit Maturity 04/06/2027	2,000,000.00	9,033.33		2.28%
Bank Bonds/Floating Rate Notes #					
1.250%	NSW Treasury Corp Bond (\$2M Face Value) Maturity 20/11/30	1,726,020.00		(5,660.00)	1.96%
2.000%	NSW Treasury Corp Bond (\$2M Face Value) Maturity 8/3/33	1,652,160.00		(15,200.00)	1.88%
1.750%	Government of the ACT Bond (\$500k Face Value) Maturity 17/5/30	535,398.00		(1,362.00)	0.61%
5.444%	Bendigo Adelaide Bank FRN (\$800k Face Value) Maturity 08/05/2027	803,104.00		(392.00)	0.91%
5.132%	NAB FRN (\$1.7M Face Value) Maturity 10/05/2027	1,723,545.00		18,649.00	1.96%
4.450%	NAB FRN (\$1.6M Face Value) Maturity 18/10/2027	1,609,408.00		18,632.00	1.83%
5.297%	NAB FRN (\$1.6M Face Value) Maturity 18/03/2030	1,622,256.00		9,728.00	1.85%
5.328%	WBC Floating Bond (\$1.5M Face Value) Maturity 21/01/2030	1,513,425.00	19,379.26	1,755.00	1.72%
5.944%	Maitland Mutual Limited FRN (\$500k Face Value) Maturity 15/05/2028	503,460.00		6,285.00	0.57%
5.630%	Newcastle Greater Mutual Ltd FRN (\$1.4M Face Value) Maturity 23/01/2031	1,401,148.00	19,127.45	4,326.00	1.59%
	Total	87,893,923.92	308,006.42	37,950.78	100%

*YTD Fund Return

Bank Bonds/Floating Rate Notes will have positive or negative revaluations from month to month. Upon maturity date the principal investment will be paid back in full.

Balance of Griffith City Council Trading Bank Account 29,478,875.20
GHFL/HF Bank Account Balances 24,286.72

Total Cash & Investments at 30/06/2026 117,397,085.84

RETURN ON INVESTMENTS

Return on Investments Analysis	Actual
Accumulated Return on Investments Brought Forward	-
Interest received on Griffith Health Facilities Limited Bank Accounts YTD July 2026	8.74
Return on Investments for the month of July 2026	345,957.20
Trading Bank Account Interest Received for the month of July 2026	92,002.50
Total Return of Investments YTD July 2026	437,968.44

Fund	Original Budget Annual Total	Budget YTD	Actual YTD
Ordinary Fund	1,150,000.00	101,839.00	197,805.18
Water Fund	1,020,000.00	85,000.00	133,340.76
Sewerage Fund	500,000.00	41,650.00	79,160.96
Waste Fund	250,000.00	20,833.00	27,134.83
Western Riverina Library	4,000.00	333.00	526.71
Total	2,924,000.00	249,655.00	437,968.44
		Percentage of Year at Report Date	8.33%

In accordance with Section 212 of the Local Government (General) Regulation 2021, I hereby certify that the investments detailed above are made in accordance with the Local Government Act, its regulations and Council's investment policy adopted on 9 July, 2026.

RESPONSIBLE ACCOUNTING OFFICER

Detailed Test Schedule

Compliance with each limit in Appendix B, Treasury Policy on Investments FS-CP-303, at 31 July 2026

Nineteen tests are reported: the eighteen limits in Appendix B and the liquidity requirement at clause 4.3 of Appendix A. Sixteen are met or are not applicable. Three are variances, each expressly permitted by resolution 26/236 of 25 August 2026.

Counterparty limits — Appendix B clause 3.2

#	Test	Limit	Position at 31 July 2026	Result
1	Any single ADI rated A or higher	≤ 30%	Rabobank 27.40% (\$24,082,501) is the largest; Westpac 26.54% (\$23,329,347)	Compliant
2	Any single ADI rated below A	≤ 10%	AMP 2.28% and BankVic 2.28% are the largest	Compliant
3	NSW Treasury Corporation, aggregate	≤ 60%	18.75% (\$16,477,041), being pooled facilities and TCorp bonds	Compliant
4	Commonwealth or NSW Government	≤ 100%	Nil held directly	Compliant

Note. The ACT Government bond, \$535,398 or 0.61%, is not covered by any row of clause 3.2. It is AAA rated and is an authorised investment under the Ministerial Investment Order, but no counterparty limit applies to it. Referred to the Senior Management Team.

Investment type limits — Appendix B clause 3.1

#	Test	Limit	Position at 31 July 2026	Result
5	At-call cash and deposits	≤ 30%	18.10% (\$15,912,530), including the Westpac notice saver accounts	Compliant
6	Term deposits, total	≤ 75%	68.72% (\$60,398,424)	Compliant
7	TCorp pooled facilities, aggregate	≤ 45%	14.90% (\$13,098,861)	Compliant
8	Fixed interest securities	≤ 20%	16.27% (\$14,300,032)	Compliant

Note. Test 8 includes the Perpetual Credit Income Fund, \$1,210,108 or 1.38%, which does not map to any investment type in clause 3.1. It is reported under fixed interest securities for want of a closer fit. It is a grandfathered holding under the previous Ministerial Investment Order and is under review during 2026/27.

Minimum credit rating by investment type — Appendix B clause 4.1

#	Test	Limit	Position at 31 July 2026	Result
9	At-call accounts and term deposits	A / A3 at the time of investment	All placements made under the current Schedule comply. \$4,000,000 (4.55%) of grandfathered holdings met the requirements applicable when placed	Compliant
10	Bank bills and negotiable instruments	A / A3 at the time of investment	None held	Not applicable
11	Fixed interest securities	AA / Aa3 at the time of investment	All placements made under the current Schedule comply. Pre-existing notes below the minimum total \$2,707,712 (3.08%)	Compliant
12	Pooled funds	Fund-level mandate, high investment grade	TCorp facilities comply. The Perpetual Credit Income Fund and Pandal Short Term Income Securities Fund are grandfathered under the previous Ministerial Investment Order	Compliant

Notes.

1. Clause 4.1 applies its minimum rating test at the time of investment and the position is reconsidered when an investment matures and the funds become available for reinvestment. Holdings that complied when placed are therefore reported as grandfathered rather than as breaches.
2. The \$2,707,712 at test 11 comprises the Maitland Mutual and Newcastle Greater Mutual floating rate notes and the Bendigo and Adelaide Bank floating rate note of \$803,104. All three are in the Schedule of Grandfathered Holdings. Bendigo and Adelaide is rated A-, within the A band permitted by clause 4.2, but below the AA / Aa3 minimum that clause 4.1 sets for fixed interest securities. It was added to the Schedule in this report.
3. The clause 4.1 tests were not performed in the June 2026 report and should have been. They are tested from this report forward.
4. Test 12 is reported compliant on the basis that the TCorp facilities meet the clause and the other two holdings are grandfathered under the previous Ministerial Investment Order. The individual fund mandates have not been tested against the "high investment grade" requirement.

Portfolio exposure by credit rating — Appendix B clause 4.2

#	Test	Limit	Position at 31 July 2026	Result
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#	Test	Limit	Position at 31 July 2026	Result
13	AAA / AA	No limit, within issuer and type limits	60.08% (\$52,805,160)	Compliant
14	A	≤ 65%	31.73% (\$27,885,605)	Compliant
15	Below A, including unrated	Nil, unless expressly permitted by Council resolution	8.09% (\$7,114,716)	Variance — expressly permitted by resolution 26/236 (2a)

Notes.

1. The below A figure includes unrated holdings, consistent with the basis used in the June 2026 report, which recorded 7.93% on the same measure. Clause 4.2 does not state how unrated counterparties are to be treated. Referred to the Senior Management Team.
2. Ratings are long term Standard & Poor's ratings. Bank of Queensland, \$3,000,000 or 3.41%, is treated as A- and is included in the A band at test 14. The AAA/AA and A splits at tests 13 and 14 have not previously been reported to Council..
3. The test is applied using the rating that applied at the time of investment, and reconsidered at maturity. Two situations are distinguished. Where Council's limits have changed since placement, the holding is reported in the Schedule of Grandfathered Holdings; all of the holdings making up the 8.09% are of this kind. Where a counterparty has been downgraded since placement, the rating at the time of investment remains the relevant test for a fixed income term investment, because Council cannot exit before maturity without crystallising a loss. No holding is identified at 31 July 2026 as having been downgraded since placement, although Council's records do not currently capture the rating at placement, so this rests on the absence of any known rating action rather than a positive check.
4. Clause 4.3 requires any investment downgraded below the minimum threshold to be reviewed immediately, with remediation documented and reported to Council. That clause assumes downgrades are detected and disclosed, which requires current ratings to be monitored even where the test is applied as at the time of investment.. Referred to the Senior Management Team.

Maturity limits — Appendix B clause 5

#	Test	Limit	Position at 31 July 2026	Result
16	Term to maturity greater than 24 months	≤ 25%	26.11% (\$22,950,407)	Variance — retention to maturity approved by resolution 26/236 (2c)

#	Test	Limit	Position at 31 July 2026	Result
17	Term to maturity greater than 36 months	≤ 10%	14.17% (\$12,450,407)	Variance — retention to maturity approved by resolution 26/236 (2c)
18	Term to maturity greater than 60 months	Only with explicit Council approval	1.88% (\$1,652,160) — NSW Treasury Corporation bond maturing 8 March 2033	Compliant — approved by resolution 26/236 (2b)

Note. Test 17 is calculated on residual term at 31 July 2026.

Liquidity — Appendix A clause 4.3

#	Test	Limit	Position at 31 July 2026	Result
19	Funds at call or maturing within 90 days sufficient to meet forecast cash requirements	Forecast-based; no fixed percentage	\$40,415,666 (45.98%) available, assessed by the Responsible Accounting Officer as sufficient	Compliant

Note. Clause 4.3 sets no percentage floor and no forecast horizon. Compliance is reported on the judgement of the Responsible Accounting Officer. Work is underway to strengthen the measurement of forecast cash requirements, and the basis of this assessment will improve as Council's financial model develops.

(b) Investments Returns Analysis - 12 month Annualised Yields

INVESTMENT RETURNS ANALYSIS - 12 MONTH ANNUALISED YIELDS			
Month	Average Funds Invested for the month	Return on Investment/ Revaluation Adjustments	Yield %
Aug-25	\$79,101,138	\$366,819	0.46%
Sep-25	\$79,313,036	\$381,594	0.48%
Oct-25	\$79,488,097	\$364,284	0.46%
Nov-25	\$77,560,632	\$165,065	0.21%
Dec-25	\$74,300,071	\$218,076	0.29%
Jan-26	\$75,842,864	\$283,302	0.37%
Feb-26	\$78,691,421	\$337,994	0.43%
Mar-26	\$79,617,434	-\$84,511	-0.11%
Apr-26	\$78,007,086	\$491,160	0.63%
May-26	\$75,706,804	\$540,917	0.71%
Jun-26	\$82,671,194	\$351,446	0.43%
Jul-26	\$88,681,850	\$345,957	0.39%
12 Month Annualised Performance			4.77%
Current Year Performance Jul 26 - Jun 27			0.39%
(Cash basis only, net of fees)			

**July 2026**

Published: 3 August 2026

Monthly economic report

The global economy

The evolving conflict in the Middle East continued to be an important driver of financial markets in July. The month started with oil prices back near their pre-war levels and investors optimistic that the worst of the conflict was behind us. As tensions increased and the conflict escalated, oil prices rose from US\$70 per barrel to over US\$100 per barrel. This reignited inflationary concerns and triggered a sharp rise in global bond yields. However, oil prices declined to around US\$90 per barrel towards the end of July as, once again, investors became hopeful that a diplomatic solution could be reached to end the war.

While the ceasefire in early July enabled some ships to leave the Strait of Hormuz, transit stalled again when attacks recommenced. Global inventories of oil and refined fuels continue to run down, with analysts forecasting that inventories will reach critically low levels in coming months. The broadening of the conflict to the Red Sea, where the Houthis impeded the flow of oil from Saudi Arabia, puts more oil supply at risk.

The uncertainty around the Gulf war – and the size and persistence of resulting inflationary pressures – is providing a challenging backdrop for global central banks. While major central banks left their policy rates unchanged in July, there was an increasing divergence of opinions among central bankers, with some voting for rate hikes. There were 3 dissenters that voted for rate hikes at the US Federal Reserve (Fed) and Bank of England meetings, and 1 dissenter at the Bank of Japan. Investors still expect 1 or 2 rate hikes in the US, Europe, UK and Japan by the end of 2026.

Another important theme driving markets in July was evolving sentiment towards AI companies. Investors have become increasingly sceptical in recent months that large AI firms will earn a sufficient return on their massive investments, which has weighed on their share prices. The earnings reports of some US hyperscalers have however allayed some of these concern, at least temporarily.

Chipmakers globally have benefited from soaring chip demand, which has seen their earnings and share prices surge. The share prices however have been very volatile, leading to heightened volatility in share indices that are more exposed to AI firms.

The Australian economy

Australian economic data was mostly on the weaker side in July. Inflation was lower in the June quarter than both the market and the Reserve Bank of Australia (RBA) expected, with trimmed mean inflation rising by 0.8%. Consumer and business confidence remains weak, and although the unemployment rate was steady at 4.4%, it has slowly crept higher over the past few years.

The housing market continues to weaken further, with banks reporting a sharp fall in loan applications, particularly from property investors. House price falls are accelerating in Sydney and Melbourne, with prices in Brisbane and Adelaide looking to have fallen in July for the first time this cycle. Auction clearance rates remain low and consistent with falling house prices.

The weaker domestic economy should allow the RBA to be patient before adjusting rates again, with investors seeing a 50% chance of another rate rise. The recent escalation of the Iran war will

see cost pressures intensify, and the RBA will be concerned about further upside risks to inflation and inflation expectations.

Financial market commentary

Bond prices declined as inflationary concerns intensified and several equity markets were dragged down by falls in many AI-related stocks. However, it was a better month for investors in Australian markets.

Equity markets (performance in local currency, excluding dividends)

The MSCI All Countries excluding Australia rose by 0.4% in July, with gains across UK and European markets. The US S&P500 was little changed, weighed down by technology stocks amid ongoing concerns around the future profitability of AI companies. Other equity markets with large AI exposure were also weak.

Japan's Nikkei fell by 8% and China's equity market declined 6.4%. The MSCI Emerging Markets index declined by 3.3%, dragged down by a 20% fall in Korea's equity market and a 6.5% fall in Taiwan's equity market. While the stock prices of large memory chip makers are significantly higher since the start of the year, they have been extremely volatile and have contributed to higher volatility in broader stock market indices.

Australia's ASX200 rose 2.3% in July, supported by energy stocks and financials. Despite the softening housing market, the share prices of Australian banks rose strongly in July, following weakness in the prior few months.

Bond yields

Global bond yields rose alongside higher oil prices, with larger rises in European economies that are more reliant on energy imports. Long-term bond yields rose more than short-term yields in most advanced economies, leading to steepening yield curves. This was most stark in the US, where 10-year yields rose 27bps, while 2-year yields increased by 12bps.

The steepening yield curves could reflect investors' concerns that central banks are raising rates too slowly to return inflation back to their targets. It could also reflect investors starting to demand a higher compensation for risk in an environment of heightened geopolitical tensions and large fiscal budget deficits in many economies.

Australian 10-year bond yields rose 21bps, with the move higher limited by weaker inflation data. TCorp bond yields moved in line with Commonwealth Government bond yields in the month, with the 10-year spread at 60bps.

Currency and commodity markets

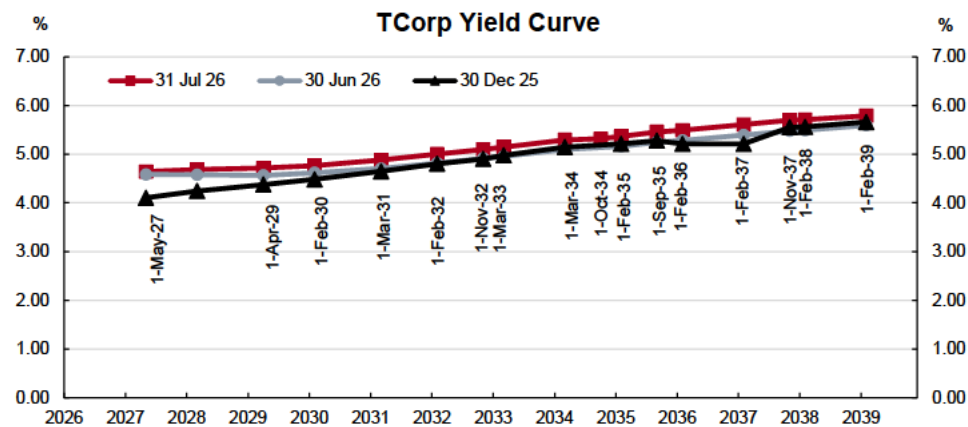
The prices of many commodities rose in July, in addition to the 24% rise in oil prices. This supported the Australian dollar, which rose 1.4% against the US dollar and ended the month at US\$0.70. This also reflected broad US dollar weakness, as investors slightly pushed back the timing for the first US Fed rate hike.

Another factor that weighed on the US dollar in late July was the coordinated intervention by Japanese and US authorities to support the Japanese Yen, which was at its weakest level in around 4 decades. This saw the Yen appreciate by 3.3% against the US dollar on 31 July. While Japanese authorities have intervened a few times this year to support the Yen, it has only had a short-lived impact. Fundamental depreciation pressures on the Yen soon resumed, driven by Japan's negative real interest rates, a slow pace of rate rises by the Bank of Japan, and investors' concerns about looser fiscal policy under Prime Minister Takaichi's government.

Financial market performance

Currency markets July 2026	Previous month close	Month high	Month low	Month close	Month change
AUD/USD	0.692	0.703	0.689	0.702	1.4% ▲
AUD/EUR	0.606	0.615	0.605	0.609	0.5% ▲
AUD/JPY	112.47	114.49	110.48	110.48	-1.8% ▼
AUD/GBP	0.522	0.526	0.517	0.521	-0.2% ▼
AUD/BRL	3.571	3.600	3.536	3.561	-0.3% ▼
AUD/INR	65.50	67.57	65.65	66.96	2.2% ▲
AUD/CNY	4.696	4.745	4.681	4.740	0.9% ▲
Equity markets* July 2026	Previous month close	Month high	Month low	Month close	Month change
MSCI World ex Australia	4969	5021	4881	4989	0.4% ▲
MSCI Emerging Markets	1723	1722	1560	1666	-3.3% ▼
S&P/ASX200	8779	9039	8723	8977	2.3% ▲
S&P/ASX Small Ordinaries	3425	3440	3269	3315	-3.2% ▼
S&P500 (US)	7499	7575	7316	7490	-0.1% ▼
FTSE 100 (UK)	10497	10908	10472	10868	3.5% ▲
Stoxx600 (Europe)	642	653	636	649	1.2% ▲
DAX (Germany)	24996	25818	24763	25629	2.5% ▲
CAC 40 (France)	8404	8510	8253	8510	1.3% ▲
Nikkei 225 (Japan)	70062	70475	61434	64362	-8.1% ▼
Hang Seng (HK)	22881	25884	22881	25884	13.1% ▲
Shanghai Composite (China)	4094	4112	3764	3832	-6.4% ▼
Bovespa (Brazil)	172024	177999	170653	177999	3.5% ▲
IPC (Mexico)	66967	67466	65973	66937	0.0% ▼
S&P/BSE Sensex (India)	76479	78285	76060	78095	2.1% ▲
*Returns are in local currency, and exclude dividend payments					
Bond markets (%) July 2026	Previous month close	Month high	Month low	Month close	Month change
RBA Official Cash Rate	4.35	4.35	4.35	4.35	0.00 —
90 Day Bank Bill	4.46	4.55	4.46	4.50	0.04 ▲
180 Day Bank Bill	4.80	4.89	4.72	4.83	0.03 ▲
New institutional term deposits	4.40	4.50	4.40	4.50	0.10 ▲
3 Year CGS Bond	4.36	4.72	4.39	4.49	0.13 ▲
10 Year CGS Bond	4.72	5.09	4.79	4.93	0.21 ▲
10 Year US Bond	4.47	4.73	4.47	4.73	0.27 ▲
10 Year German Bond	2.86	3.21	2.88	3.21	0.35 ▲
10 Year Japanese Bond	2.68	2.88	2.70	2.81	0.12 ▲

TCorp bonds (%)	Previous month close	Month high	Month low	Month close	Month change
July 2026					
20-May-27	4.58	4.77	4.58	4.64	0.06 ▲
20-Mar-28	4.58	4.88	4.60	4.68	0.11 ▲
20-Apr-29	4.57	4.93	4.60	4.72	0.15 ▲
20-Feb-30	4.62	4.99	4.65	4.77	0.15 ▲
20-Mar-31	4.71	5.08	4.74	4.88	0.17 ▲
20-Feb-32	4.82	5.19	4.86	5.00	0.18 ▲
22-Nov-32	4.91	5.29	4.95	5.10	0.19 ▲
08-Mar-33	4.95	5.32	5.00	5.15	0.19 ▲
20-Mar-34	5.10	5.47	5.15	5.29	0.20 ▲
17-Oct-34	5.12	5.49	5.18	5.32	0.20 ▲
20-Feb-35	5.16	5.52	5.22	5.36	0.20 ▲
20-Sep-35	5.25	5.61	5.31	5.46	0.21 ▲
20-Feb-36	5.28	5.65	5.35	5.49	0.21 ▲
20-Feb-37	5.39	5.76	5.46	5.61	0.21 ▲
20-Nov-37	5.48	5.84	5.55	5.70	0.22 ▲
24-Feb-38	5.49	5.85	5.56	5.71	0.22 ▲
22-Feb-39	5.59	5.93	5.66	5.79	0.20 ▲
CIB 2.50% 20 Nov 35	2.87	3.07	2.88	3.01	0.14 ▲



Source: TCorp

Commodity markets (US\$)	Previous month close	Month high	Month low	Month close	Month change
July 2026					
Brent Oil (per barrel)	72.9	100.7	71.6	90.1	23.6% ▲
Iron Ore (per tonne)	97.6	99.5	97.9	94.2	-3.5% ▼

TCorp forecasts	Dec-26	Jun-27	Dec-27	Jun-28
RBA Official Cash Rate	4.35	3.85	3.35	3.10
90 Day Bank Bill	4.25	3.75	3.25	3.25
10 Year CGS Bond	4.50	4.00	4.00	3.75



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About New South Wales Treasury Corporation (TCorp)

TCorp provides best-in-class investment management, financial management, solutions, and advice to the New South Wales (NSW) public sector. TCorp is NSW's sovereign investment manager, responsible for A\$119 billion of assets under management, and acts as the central borrowing authority of the state, with a balance sheet of A\$196 billion. It is rated Aaa (Stable) by Moody's, AAA (Stable) by Fitch, and AA+ (Negative) by S&P.

Disclaimer

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Department of Planning, Housing and Infrastructure



Community Participation Plan

1 September 2026

dphi.nsw.gov.au





Acknowledgement of Country

The Department of Planning, Housing and Infrastructure acknowledges that it stands on Aboriginal land. We acknowledge the Traditional Custodians of the land, and we show our respect for Elders past, present and emerging through thoughtful and collaborative approaches to our work, seeking to demonstrate our ongoing commitment to providing places in which Aboriginal people are included socially, culturally and economically.

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Community Participation Plan
First published: 27 August 2026
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Secretary's foreword

A message from
Kiersten Fishburn



We know that planning works best when it reflects what communities need and value. Local knowledge plays a vital role in shaping strategic plans and the assessment of development proposals.

The *Planning System Reforms Act 2025* lays the foundation for a modern planning system that is faster, fairer and focused on outcomes. One of its key commitments is creating a single statewide Community Participation Plan for all councils and planning authorities.

This plan brings consistency to consultation timeframes across NSW. It ensures communities have a strong voice in the planning system and sets clear expectations that engagement should match the scale and impact of a proposal or strategic plan.

We also understand that the planning system can seem complicated or daunting. That's why this plan explains the different ways you and your community can get involved at both the local and state level. It also encourages planning authorities to consult widely so decisions reflect your values, priorities and concerns.

Planning should be a partnership with people who know their communities best. That is why planning authorities can continue to develop their own engagement strategies that outline how councils and other planning authorities will work with their communities and ensure local context guides their approach.

Good participation must be accessible to everyone. This approach emphasises the importance of engaging respectfully with Aboriginal communities and people from culturally and linguistically diverse backgrounds. Everyone should be able to navigate a planning system that works for them.

This Community Participation Plan applies to planning authorities and functions subject to community participation requirements under the *Environmental Planning and Assessment Act 1979*. This includes the planning functions of the Minister for Planning and Public Spaces, the Department of Planning, Housing and Infrastructure and its Secretary, as well as all councils and relevant planning authorities across NSW.

I hope you find this plan a practical guide to participate in planning in NSW.

A handwritten signature in black ink, appearing to be 'K. Fishburn'.

Kiersten Fishburn
Secretary, Department of Planning,
Housing and Infrastructure

A Statewide Community Participation Plan

1

Commencement: This document commences on 1 September 2026.

What is the Community Participation Plan?

The Community Participation Plan (CPP) sets out how and when planning authorities will engage the community and stakeholders in decision-making processes related to planning functions.

This plan is applicable to all planning authorities including the Department of Planning Housing and Infrastructure (the Department), local councils and other State Government Departments and agencies. It is designed to clearly outline how and when the community can participate in planning decisions and processes, and when planning authorities exercise their relevant planning functions.

The plan has been prepared by the Planning Secretary to set out the mandatory community participation requirements in accordance with Division 2.6 of the *Environmental Planning and Assessment Act 1979* (EP&A Act).

Consistency and proportionality in community participation

Consistency and proportionality are key to the broader success of community participation. The Community Participation Plan standardises public exhibition timeframes across all planning functions, providing a consistent approach, no matter where you are in NSW.

Planning functions are subject to different levels of community participation that reflect the scale, complexity and potential impacts of the proposal or development. This ensures that exhibition requirements are proportionate to the scale and impact of the proposal.

This includes extended exhibition periods for draft strategic plans, as they establish the long-term vision and

identify future needs for housing, jobs, infrastructure and connected communities. Early community engagement at this stage is critical, as it helps inform decisions about land use and the location of future development.

In contrast, some low-impact local development applications may not require public exhibition, reflecting their limited scale and potential impacts. This helps focus community participation on matters that are most likely to affect the community.

While some development types may not be publicly exhibited, they are still assessed on their merits. The consent authority must consider all relevant planning matters as part of the overall assessment process including issues such as privacy, overshadowing and heritage significance.

Engagement strategies

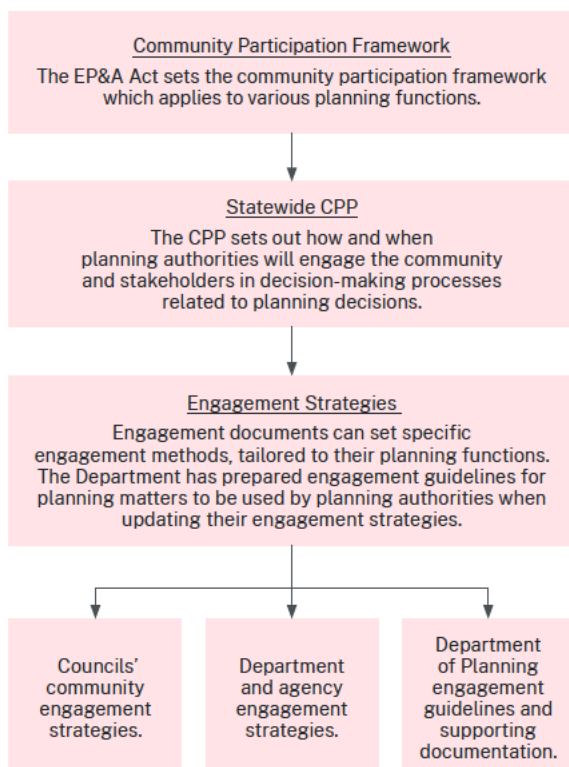
Councils and other planning authorities including the Independent Planning Commission can continue to specify engagement methods in their relevant engagement strategy within the parameters set by this plan. An engagement strategy must not specify timeframes for public exhibition of planning functions. These strategies outline the specific methods and tools that a planning authority will use to engage with communities and stakeholders. Every community is different, and engagement approaches should reflect the characteristics, needs and preferences of the communities they are intended to reach.

Councils and planning authorities are best placed to understand their communities and determine how to effectively engage with groups that may be harder to reach, including young people, people with disability, elderly, socio-economically disadvantaged, those living in rural areas, Aboriginal and Torres Strait Islanders communities and culturally and linguistically diverse people.



Figure 1 shows the hierarchy of community participation legislation and related documents and their relationship to a planning authorities engagement strategy.

Figure 1: Community participation framework in NSW



Public participation – getting involved

Community participation is an essential part of the planning process and a fundamental part of the EP&A Act.

Anyone affected by, or interested in, NSW's planning system including individuals, groups, organisations and government bodies can provide feedback and get involved on planning matters.

Getting involved in the planning process by providing feedback on a proposed development, plan or policy is an important way for the community to have a meaningful say in how their local area changes over time.

Participation plays an important role in improving the design of projects, informing decision-making and building confidence in the planning system so that communities across NSW feel heard and reflected in the spaces that they live and work in.

Effective participation is achieved by:

- Facilitating discussion between stakeholders so they can hear each other's concerns and ideas
- Creating opportunities for upfront discussions that can reduce potential disputes
- Assisting decision makers identify community concerns
- Utilising local knowledge and expertise
- Empowering local communities in the planning process.

Community participation objectives

The principles in section 2.23(2) of the EP&A Act have been considered when developing this CPP, including the community participation objectives. These objectives are included below and are used when engaging with the community and stakeholders on planning matters.



Open and inclusive

Planning authorities will keep the community informed and promote equitable participation. This includes incorporating culturally appropriate practices where relevant and conducting engagement in a safe environment so that all community members can join in.



Easy to access

Planning authorities will advise the community early about how and when they can participate. Information and engagement opportunities will reflect how each community accesses information, using the formats, channels, times and locations that are most likely to reach the people affected.



Relevant

Planning authorities will clearly identify what aspects of the project can be discussed and ensure as many community members as possible can participate. Engagement activities will acknowledge previous community input and be tailored to the context – such as location, application type, assessment stage, and earlier engagement – as well as the scale, nature, and impacts of the proposal.



Timely

Planning authorities will start community participation as early as possible and continue it for an appropriate period, providing regular project updates so people stay informed. The community will be given reasonable time to provide a submission, and authorities will maintain ongoing engagement through local networks.



Proportionate

Planning authorities will concentrate engagement effort on the stages of planning and decision making where community input can have the greatest influence. Where key directions have already been established, engagement will be clear about what has been decided and focus on the matters that remain open to change.



Meaningful

Planning authorities will clearly explain how community submission influence decisions and be upfront about what aspects of a plan the community can shape. Decision makers will engage directly, provide relevant responses, and genuinely consider all input.

Notification and Exhibition

Minimum public exhibition periods

The *Environmental Planning and Assessment Act 1979* sets out minimum community participation requirements for the public exhibition of certain planning matters.

During a public exhibition period all relevant documentation is made publicly available, and the community is invited to make a submission outlining their views on the draft policy, plan or proposal.

When and how you may be notified

If you are directly affected by a proposal, you may receive a notification during public exhibition that provides information on how to view a proposal and how to lodge a submission. Consent authorities may undertake a site visit of the subject site or neighbouring properties to assess impacts as part of their assessment.

Planning authorities will specify how they engage the community on certain types of development in their community engagement strategies. Engagement methods include, but are not limited to the following:

Table 1: Examples of engagement methods for different levels of engagement

Level of engagement	Objective	Method
Make information available	Planning authorities will keep the community informed and promote equitable participation	• a letter • an email • an on-site notice • public exhibition – invite written submissions • documents made available on websites • media releases • mailing lists, Electronic Direct Mail (EDM) • community newsletters and emails • social media posts • updates to subscribers via the NSW Planning Portal
Invite broader community input	Planning authorities will advise the community early about how and when they can participate	
Actively gather community input	Planning authorities will clearly identify what aspects of the project can be discussed and ensure as many community members as possible can participate	• drop in sessions • public meetings • reference groups • focus groups • workshops • surveys • website content or, social media notification
Explore and refine the proposal with affected communities	Planning authorities will clearly explain how community submissions influence decisions and be upfront about what aspects of a plan the community can shape	

Submissions

A consent authority will consider all submissions received during a public exhibition period. In some cases, the number of submissions on a development application determines who the final consent authority is.

Anyone can make a submission. The contents of a submission may be a general response to the project, and not technically detailed. You do not need to be a specialist to have your say.

Late submissions may be considered at the discretion of the consent authority. Submissions must be made in writing and submitted online via the relevant planning authority's website. For the NSW Independent Planning Commission, the panel members will only accept a late submission in exceptional circumstances. It is recommended you contact the relevant consent authority to confirm.

For local development applications, it may be possible to make submissions via the NSW Planning Portal or through other means, such as by post or electronic mail – it is recommended you engage with your council to confirm. For any other consent authorities, it is recommended to contact the consent authority to confirm how submissions can be made.

Where a development is not required to be exhibited, a consent authority is not required to consider submissions as part of its assessment.

Material received outside of a public exhibition period

Feedback can be provided to the consent authority at any stage of an application. This includes planning functions that do not require public exhibition. Where a development application is not publicly exhibited, feedback can still be provided – however it is not considered a formal submission.

Staying up to date

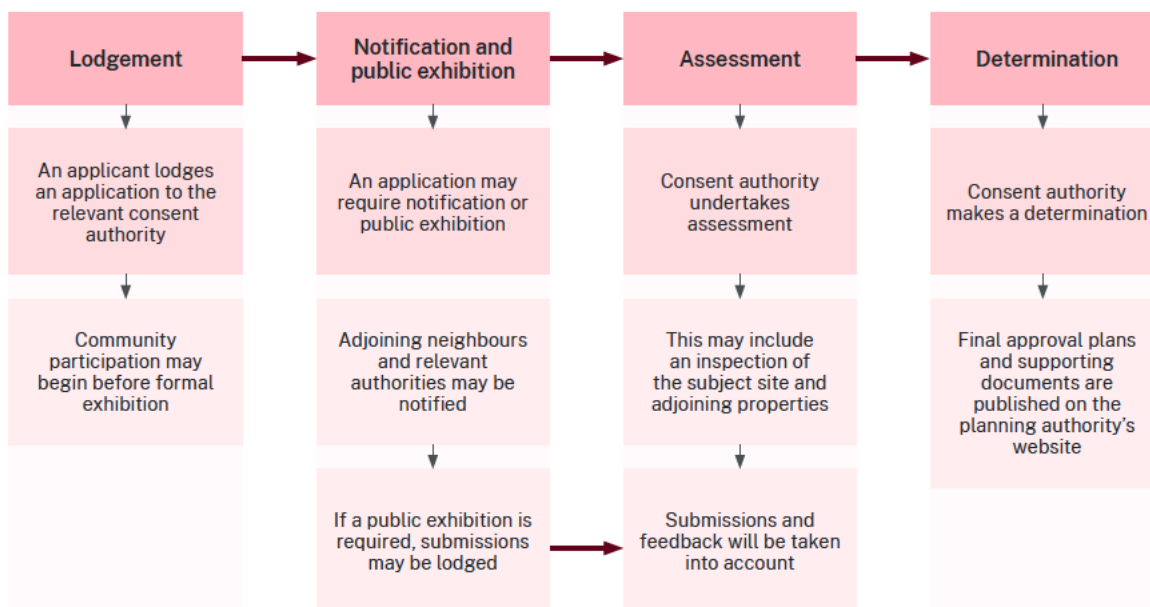
There are many ways to stay updated about development in your local area. You can sign up for alerts on specific projects such as planning proposals, new major projects and State significant development in your local government area.

Throughout this document you will find useful links to trackers and ways to subscribe to projects.

Process for development applications

Figure 2 shows the consultation process of a development application from lodgement to determination and outlines the key stages where participation occurs.

Figure 2: Summary of consultation during development assessment



Participating in planning functions

2

Planning functions

The CPP details exhibition timeframes for the following planning functions:

State Planning Framework – setting the rules and regulations

- Environmental Planning and Assessment Act 1979
- Environmental Planning and Assessment Regulation 2021
- State Environmental Planning Policies (SEPPs)

Strategic Planning – how my region and community will change overtime

- community participation plan (CPP)
- planning proposals for local environmental plans subject to a gateway determination
- development controls plan (DCPs)
- contribution plans
- regional or district plans
- local strategic planning statements (LSPS)
- activation precinct masterplans and delivery plans (including infrastructure delivery plans)
- structure plans, precinct plans and masterplans for urban renewal areas

Development Assessment – development that may impact where you live and work

- State significant projects
- regionally significant development
- local development
- designated development
- nominated integrated development or threatened species development
- environmental impact statement obtained under Division 5.1
- council-related development applications
- application for modification of development consent
- review of a determination or decision

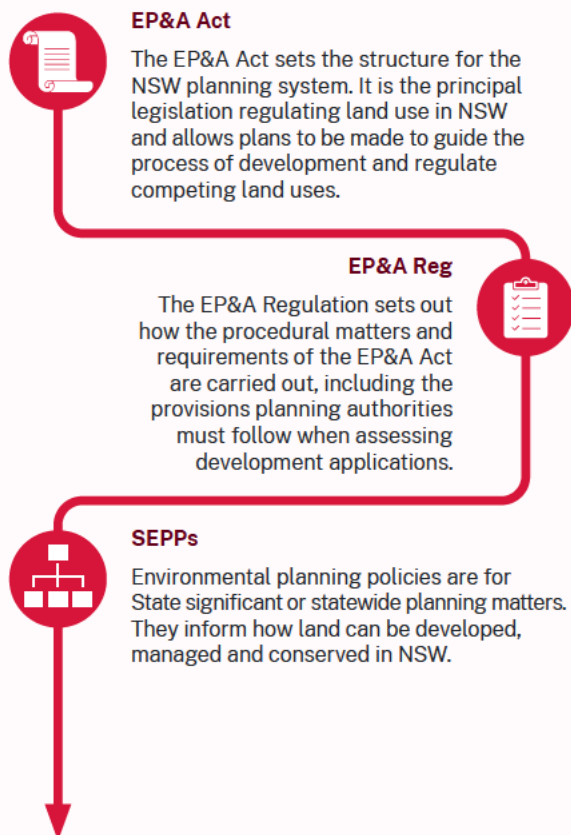


State planning framework

Setting the rules and regulations

Acts, regulations and policies set the structure for the NSW planning system, providing a regulatory framework for planning decisions, including the assessment of development applications, making planning instruments and strategic planning.

You may be invited to lodge a submission on the following:



Who is involved:



Department

The Department develops changes as needed and leads engagement



Councils

Councils provide expertise and feedback when an Explanation of Intended Effects is exhibited



Community

Provide feedback when an Explanation of Intended Effects is exhibited



Industry

Peak bodies and advocacy associations provide expertise



Case study

Providing feedback on a housing policy change

Yao saw a government announcement on his news feed that it would soon be easier to build more housing types in places with access to good infrastructure.

The article linked to the Department of Planning, Housing and Infrastructure's website, where he found information on the proposed policy, which included changes to planning controls in the State Environmental Planning Policy (Housing) 2021 (Housing SEPP).

Supportive of the changes, Yao was pleased he could provide feedback, as he lived further from services and jobs.

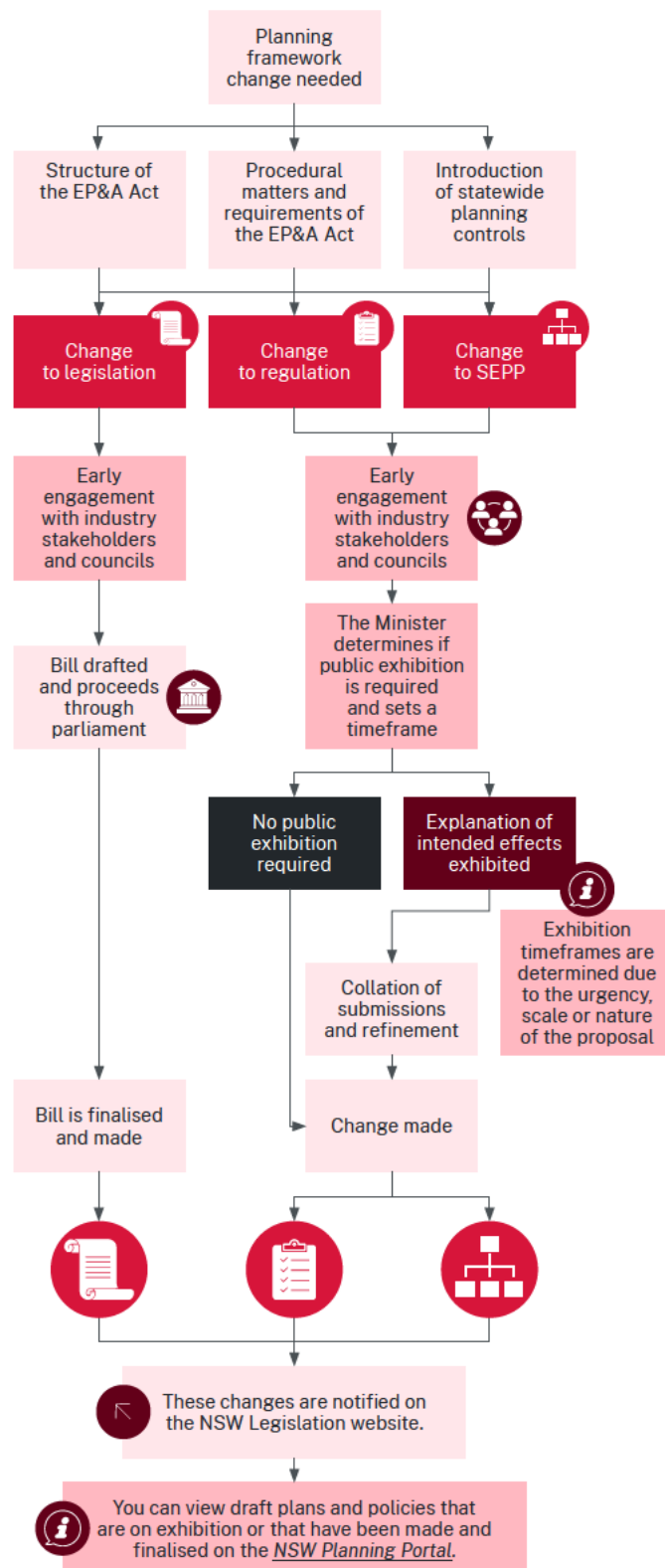
The Department's Explanation of Intended Effects (EIE) document outlined the proposed changes to the Housing SEPP, and where they would apply across NSW.

Although confused by technical planning language, he found infographics, videos and guides written in plain English on the website that helped him understand the proposal.

Yao submitted feedback through a guided form and subscribed to updates.

When the policy was finalised, he read the 'What we heard' document on the website and saw how feedback had informed changes.

Figure 3: Exhibition process–State planning





Strategic planning

How my region and community will change over time

Strategic planning helps guide how places grow, change and are protected. It is the foundation for how governments influence the shape of communities, determine where homes are built, where jobs are located, and how services and infrastructure connect across the State and how the environment is conserved.

Early engagement builds community confidence in the planning system, provides greater transparency about how decisions are made and ensures that potential concerns and priorities are explored proactively.

This aligns with the object of proportionality by encouraging and strengthening early, meaningful community consultation at the strategic planning stage. This ensures the focus of engagement is targeted on identifying issues and priorities that can be addressed prior to development assessment.



You may be invited to lodge a submission on the following:



Draft regional and district strategic plans
Exhibited for a minimum of 60 days

Plans developed to support future community needs in regions and districts across NSW. These include plans for homes, jobs, community infrastructure and a healthy environment.

Updated by NSW government every 5 years

Draft local strategic planning statements (LSPS)
Exhibited for a minimum of 60 days

Plans that detail the vision for land-use in a local area, special character values, and how change will be managed into the future.

Developed by councils and updated every 7 years.



Masterplans for urban renewal areas
Exhibited for a minimum of 42 days

Plans that set a future direction for areas by creating new communities that build on local character and provide updated housing, work, recreation and business opportunities.

A planning authority develops a masterplan for a precinct, in response to strategic direction.

Planning proposals to amend or create a new local environmental plan (LEP)
Exhibited for a minimum of 28 days unless specified in the gateway determination

Planning proposals create and amend LEPs which guide planning decisions for local government areas. They do this through zoning and development controls, which sets how land can be used.

A planning authority or proponent can instigate changes to an LEP.



Draft development control plans (DCP)
Exhibited for a minimum of 28 days

Plans that provide detailed planning and design guidelines to support the planning controls in a LEP.

A council may draft or require a DCP to be prepared.

Draft contributions plans
Exhibited for a minimum of 28 days

These plans enable consent authorities to levy contributions for public amenities and services required to support development.

Did you know: You can view your councils contribution plan on the [NSW Planning Portal](#).

A council prepares a draft contributions plan as needed.



Draft community participation plan (CPP)
Exhibited for a minimum of 28 days

The CPP outlines how and when community participation is undertaken when relevant planning authorities exercise their planning functions.

Did you know: You can view plans on exhibition and under assessment on the [NSW Planning Portal](#).

Established by the State government, the Planning Secretary prepares a draft CPP.

Who is involved:



Department

The Department prepares regional strategic plans, policies and masterplans, and has a role in assessing planning proposals



Councils

Councils prepare strategic plans, contribution plans, masterplans and development control plans. Council also prepare and assess planning proposals



Community

The community provides the local perspective on strategic planning during public exhibition



Industry

Industry experts provide advice and feedback on proposals

Case study

Lodging a submission on the Sydney Region Plan

Myriam sees a post pop up on her social media account about a new plan called the Sydney Region Plan.

The post says that the Government is looking for the community to have their say on how Sydney will grow and transform over the next 20 years.

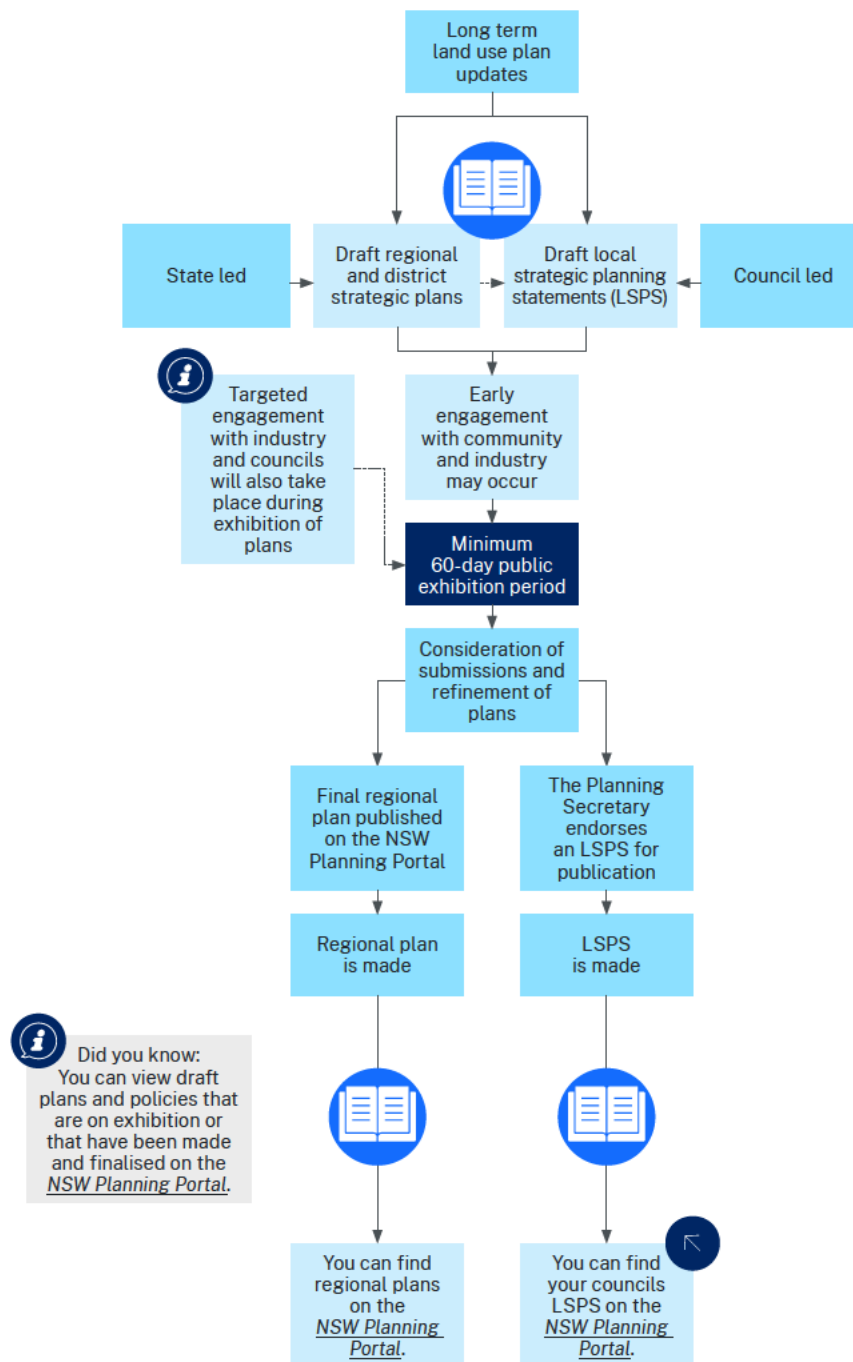
The post has a link to the NSW Planning Portal which has a copy of the draft Sydney Region Plan as well as some simple survey questions to fill out.

Myriam responds to the survey questions and then uses the statewide CPP linked on the NSW Planning Portal, to help her provide a planning focused feedback submission about the draft Sydney Region Plan.

Myriam would like to see more housing near the local train station as she has been renting but wants more opportunities to buy a home in a well connected area.



Figure 4: Exhibition process – Strategic planning



Development assessment

Development that may impact where I live and work

Development assessment functions are undertaken by several planning authorities, including councils, panels, the IPC and State agencies, who make decisions on proposals in accordance with the relevant approval frameworks and planning controls.

Exhibition requirements for development assessment are proportionate to the level of impact a project will produce. During exhibition, the public can see how planning controls translate into buildings and places in their community.

Where a development application requires a more rigorous assessment, and additional consultation requirements set out in legislation or a SEPP, minimum timeframes are generally longer. For example, State significant development applications generally have longer minimum timeframes than local development applications assessed by councils.

You may be invited to lodge a submission on the following:



State significant projects

*Exhibited for a minimum of 28 days
(a minimum period of 14-day applies in specified circumstances)*

Development of a large scale and economic value, environmental sensitivity, or declared significant by the Planning Minister. This includes State significant developments and State significant infrastructure.



[Subscribe here](#) to receive email alerts of major projects in your local government area.



For applications that rely on a rezoning exhibited by the Department, the details of the proposed amendments to the relevant planning instrument(s) will be publicly exhibited concurrently with the application.

Regionally significant development

Exhibited for a minimum of 14 days

Certain development applications of large economic value, scale and/or complexity. Regional planning panels are made up of independent experts that decide whether to approve a development.



Did you know: You can view applications on exhibition and under assessment on the [NSW Planning Portal](#).



Local development

Exhibited for a minimum of 14 days

The most common type of development applications in NSW. Projects range from home extensions to medium sized commercial, retail, and industrial developments.



Did you know: You can view exhibited and determined applications using the [DA tracker](#).

Development excluded from notification and public exhibition

No exhibition

Certain development that meets relevant planning controls.

Development types specified in Table 6 will be excluded from exhibition requirements (if they do not include a clause 4.6 variation).

[Continued on next page](#)





Council-related development applications
Exhibited for a minimum of 28 days

Councils regularly lodge development applications as an applicant to complete their own projects and achieve outcomes for the community. This includes development such as parks, affordable housing and toilet blocks, as well as commercial proposals.



Where a development application requires a more rigorous assessment, and additional consultation requirements set out in legislation or a SEPP, minimum timeframes are generally longer. For example, state significant development applications have longer minimum timeframes than local development applications assessed by councils.

Development applications with additional considerations
Exhibited for a minimum of 28 days

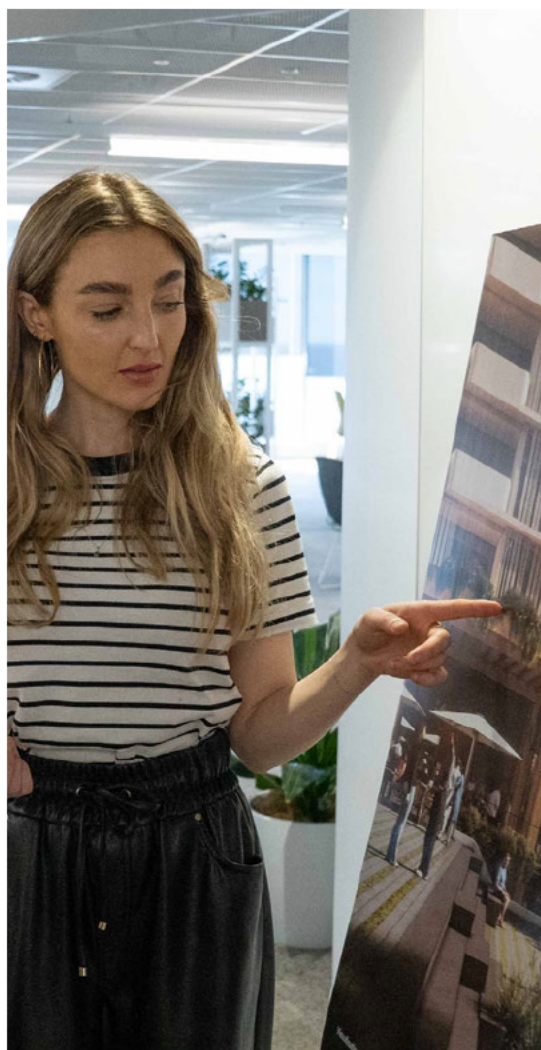
Did you know: You can view exhibited and determined applications using the [DA tracker](#).

Designated development is a category of development that involves a higher level of assessment and scrutiny due to the potential risk it poses to the environment.

Nominated integrated development is development that requires certain approvals (such as a permit or license) from a NSW Government agency before it can be carried out.

Threatened species development is a category of development that affects threatened species and requires a species impact statement.

An Environmental Impact Statement (EIS) is required if an activity will have a significant impact on the environment. The EIS assesses the economic, environmental and social impacts of a project.



Who is involved in development assessment:



Department

The Department assesses and in some cases determines State significant projects



Councils

Council assesses local and regionally significant development applications. Council also provides advice on State significant projects



Community

The community provide valuable feedback on projects during public exhibition



Industry

Industry experts provide advice and feedback on projects



Case study

Learning about a solar farm in my local area

There has been a post on a community social media group that a solar farm is proposed near Anne's local town, with many comments objecting to the idea.

This is the first time she's heard of the project and is curious, so she goes online to check if there are any project documents available for her review.

Anne discovers that the energy company is intending to host webinars next week to introduce locals to their proposal. This is suitable for Anne as she has two young children and is glad she can join in from home.

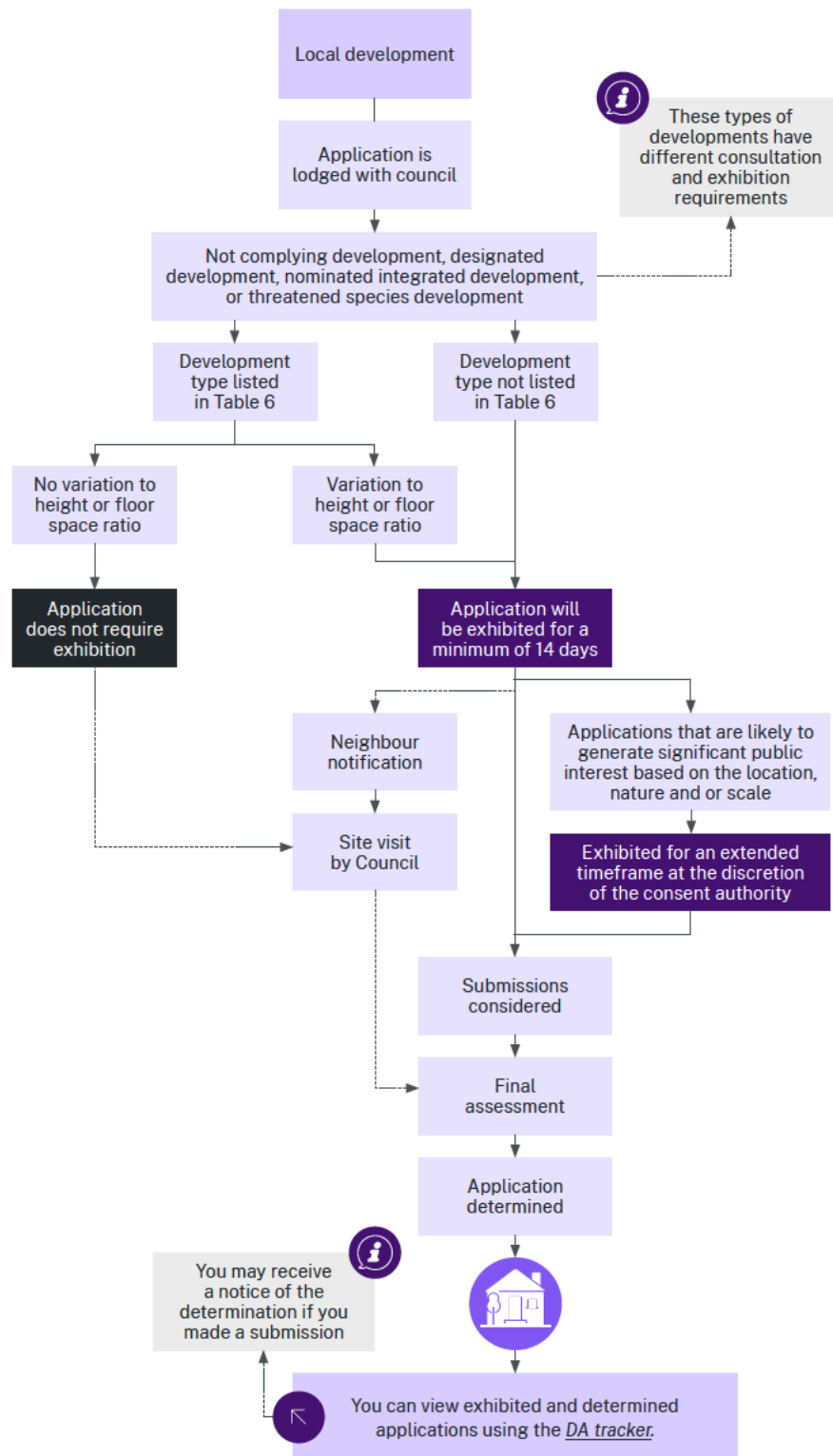
Upon joining the webinar, she discovers that the project is still in early development and a formal application is yet to be lodged.

It is also explained that for larger scale projects, such as renewable energy, the State Government assesses their environmental impact, as they are important to the State.

The community is being engaged as part of preparing the application, and Anne is encouraged to sign up for project updates to find out when the project moves through different stages of the planning process.

Anne will also be able to submit a formal submission when an environmental impact statement is lodged, and the formal exhibition process opens. It is important to be able to do this, as the submissions will be considered by the NSW Government as part of its assessment of the project.

Figure 5: Exhibition process – Local development





Other notice requirements

The following planning functions are subject to different approval pathways under NSW planning legislation and have varying notification requirements, which are not set by the community participation plan.

Some forms of development, such as exempt development, are considered low impact and do not require community notification. Others, such as complying development, voluntary planning agreements and certain development carried out without consent, may involve notification. This depends on statutory requirements or the nature and potential impacts of the proposal.

Table 2: Notice requirements for specific development types

Development type	Description	Notice requirement
Complying development 	Process that combines planning and construction approval for straight forward residential, commercial and industrial development. These provisions are in the State Environmental Planning Policy (Exempt and Complying Development Codes) 2008. Complying development applications are not publicly exhibited as they meet specific development standards established for straight forward, low impact projects. Therefore, there is no opportunity to provide feedback.	For certain development types you will be notified before works commence. Council have a requirement to publish certain documents relating to complying development certificates on their website. Notice provisions are stipulated in the EP&A Regulation. Further information can be found in the Guide to complying development
Exempt development 	Very low impact development that can be done without planning or building approval for certain residential, commercial and industrial properties. These provisions are in the State Environmental Planning Policy (Exempt and Complying Development Codes) 2008.	No applicable notice requirements. Visit the Exempt development web page for fact sheets and further information.
Voluntary planning agreements 	A method of securing contributions to help cover the cost of delivering infrastructure. They are legal agreements between a developer and a planning authority, such as the Minister for Planning and Public Spaces, or local councils.	A proposed agreement, amendment or revocation must be made available for inspection by the public for at least 28 days, as set out in the EP&A Act. Notification of a planning agreement can happen concurrently with the related planning matter.
Development without consent (Review of environmental factors) 	Certain projects undertaken by councils, government departments or State agencies. Before work can start, public authorities are required to assess the environmental impacts of a project.	Notice periods are set out in the relevant environmental planning instruments, and guideline documents.

Public exhibition timeframes

Tables 3, 4, 5 and 6 set out mandatory requirements for public exhibition

Table 6 sets out when certain development types are excluded from public exhibition.

State and local planning framework

Table 3: Public exhibition timeframes for policy and legislation

Planning function	Minimum exhibition timeframe
Draft legislation and regulations (the Department)	Discretionary based on the urgency, scale or nature of the proposal
Policies, guidelines or strategies publicly exhibited for a planning purpose	28 days unless decided otherwise due to the urgency, scale and nature of the proposal

Additionally, the Department may exhibit other proposals consistent with community participation objectives. For these functions, there may also be occasions where a government priority or administrative requirement demands immediate action, and the usual community participation process may be truncated.

Strategic planning

Table 4: Public exhibition timeframes for strategic planning

Planning function	Minimum exhibition timeframe
Draft community participation plan	28 days ¹
Planning proposals for local environmental plans subject to a gateway determination*	28 days or as specified by the gateway determination which may determine, due to the minor nature of the proposal, that no public exhibition is required ²
Draft development control plan	28 days ³
Draft contribution plans	28 days ⁴
Draft local strategic planning statements	60 days
Draft regional or district strategic plans	60 days
Draft activation precinct masterplans and delivery plans (including infrastructure delivery plans)	28 days ⁵
Structure plans, precinct plans and masterplans for urban renewal areas	42 days unless decided otherwise due to the urgency, scale and nature of the proposal

* Exhibition of planning proposals must also be carried out in accordance with the Department's Local Environmental Plan Making Guideline.

¹ EP&A Act, Schedule 1, clause 1.

² EP&A Act, Schedule 1, clause 4.

³ EP&A Act, Schedule 1, clause 5.

⁴ EP&A Act, Schedule 1, clause 6.

⁵ State Environmental Planning Policy (Precincts — Regional) 2021, sections 3.6(6), 3.7(6).

Development assessment

Table 5: Public exhibition timeframes for development applications

Planning function	Minimum exhibition timeframe ⁶
Application for development consent. Exclusions: a) complying development, b) designated development, c) nominated integrated development, d) threatened species development, e) State significant development, and f) targeted assessment g) development listed in Table 6	14 days
Application for consent for the following State significant development: - Housing development carried out by or on behalf of the Aboriginal Housing Office or the Land and Housing Corporation under the <u>Planning Systems SEPP, Schedule 1, section 26</u> - In-fill affordable housing under the <u>Planning Systems SEPP, Schedule 1, section 26A</u> - Build-to-rent housing under the <u>Planning Systems SEPP, Schedule 1, section 27</u> - Seniors housing under the <u>Planning Systems SEPP, Schedule 1, section 28</u> - Development in accelerated TOD precincts under the <u>Planning Systems SEPP, Schedule 2, section 19</u> - Development declared under the <u>EP&A Act, section 4.36(3)</u>. Including on the recommendation of the Housing Delivery Authority	14 days
Application for development consent for targeted assessment development, including any amended application under the pathway	14 days, unless a different period is specified in a State environmental planning policy ⁷
Application for modification of development consent required to be publicly exhibited by the regulations	14 days ⁸
Application for the review of a determination or decision of a consent authority (Division 8.2 review)	The same period as the development application or modification application was originally notified or advertised
Application for development consent for all other State significant development	28 days
Application for development consent for designated development	28 days
Environmental impact statement for State significant infrastructure under Division 5.2	28 days
Application for development consent for nominated integrated development or threatened species development	28 days
Application for development consent for category 1 remediation work under Chapter 4 of SEPP (Resilience and Hazards) 2021	28 days
Environmental impact statement obtained under Division 5.1	28 days
Council-related development applications	28 days
Re-exhibition of any amended application or matter	The period (if any) determined by the person or body responsible for publicly exhibiting the application or matter

⁶ Development applications that are likely to generate significant public interest based on the location, nature and or scale may be exhibited for an extended timeframe at the discretion of the consent authority.

⁷ EP&A Act, Schedule 1, clause 9C.

⁸ Excluding applications to modify a development consent made under section 4.55(2) specified in Table 6.

Development types excluded from public exhibition

Applications for development consent listed in Table 6 (other than applications for complying development certificates, designated development, nominated integrated development, threatened species development or for State significant development), are excluded from public exhibition, where the development:

- Does not require a variation to height of building or floor space ratio, under clause 4.6 of the Standard Instrument LEP (or an equivalent provision of any other environmental planning instrument).

Table 6: Development types excluded from public exhibition

Development types excluded from public exhibition ⁹
• Ancillary development to existing residential accommodation (such as but not limited to pools, sheds, pergolas and carports) • Bed and breakfast accommodation • Change of use (excluding a change of use to a registered club or pub, and excluding any development that adjoins, or is located on, land in a residential zone) • Demolition • Dual occupancy (up to two storeys) • Attached dwelling (up to 5 dwellings) • Dwelling house (up to two storeys) • Multi dwelling housing (up to 5 dwellings) • Secondary dwelling • Exhibition home • Extensive agriculture • Farm building • Home business • Home industry • Home occupation • Industrial retail outlet • Infrastructure facility in the Alpine region¹⁰ • Internal and external alterations and additions (excluding residential accommodation) • Internal and external alterations and additions to existing residential accommodation resulting in no more than two storeys • Kiosk • Repair and maintenance of recreation infrastructure, lifting facility, or snow-making infrastructure in the Alpine region • Roadside stall • Rural worker's dwelling • Signage (excluding where it adjoins or is in a residential zone) • Subdivision of land resulting in no more than 5 new lots • Subdivision of land that is subject to an existing development consent for its current use. • Temporary structure • Tree removal on private land • Applications to modify a development consent made under section 4.55(1) of the EP&A Act • Applications to modify a development consent made under section 4.55(1A) of the EP&A Act • Applications to modify a development consent made under section 4.56(1) of the EP&A Act with minimal environmental impact • Applications to modify a development consent made under section 4.55(2) of the EP&A Act where the development the subject of the consent is specified in this Table

⁹ Where a word or expression used in the Table is defined in the Dictionary to the standard instrument set out in the *Standard Instrument (Local Environmental Plans) Order 2006*, that definition applies to the word or expression as used in the Table.

¹⁰ As defined in Schedule 4A to *State Environmental Planning Policy (Precincts – Regional) 2021*.

Key points to note about public exhibition

- Timeframes are measured in calendar days and include weekends.
- The period between 20 December and 10 January (inclusive) is excluded from the calculation of a period of public exhibition period as outlined in Schedule 1 to the EP&A Act.
- In certain circumstances there may be merit appeal rights for a person who makes a submission to object during the public exhibition of a development application for designated development and some state significant development projects.
- Public authorities are not required to make available for inspection any part of an environmental impact statement where this publication would, in the opinion of the public authority, be contrary to the public interest due to its confidential nature or for other reasons defined in relevant legislation, such as the Government Information (Public Access) Act 2009.
- Sections 287 and 287A of the EP&A Regulation require submissions on State significant projects and other development applications where the Minister for Planning and Public Spaces, Planning Secretary or Independent Planning Commission is the consent authority, to be made through the NSW Planning Portal.
- The safety of community members, other stakeholders and staff must be considered during meetings, phone calls, and as part of any correspondence. Everyone has the right to participate in a respectful environment and are expected to behave in a manner that supports everyone's right to present their point of view.

Glossary

Planning terms and definitions	
Alpine region	Means the Alpine Region identified on the State Environmental Planning Policy (Precincts – Regional) 2021, Kosciuszko Alpine Region Land Application Map
Activation precinct	A dedicated area within regional New South Wales which has been identified by the NSW Government to drive regional economic development and declared to be an Activation Precinct in a Schedule made under Chapter 3 of the State Environmental Planning Policy (Precincts – Regional) 2021
Community Participation Plan	The community participation plan prepared and published under Division 2.6 of the EP&A Act
Contribution plans	A plan developed by councils for the purposes of imposing conditions requiring local infrastructure contributions to fund new and upgraded public amenities and/or services required to accommodate development
Council-related development applications	A development application, for which a council is the consent authority, that is – (a) made by or on behalf of the council, or (b) for development on land, other than a public road within the meaning of the <u>Local Government Act 1993</u> – (i) of which the council is an owner, a lessee or a licensee, or (ii) otherwise vested in or under the control of the council Note – Land vested in or under the control of the council includes public land within the meaning of the <u>Local Government Act 1993</u>
Delivery plan	A delivery plan for an activation precinct means a delivery plan for the precinct that is approved by the Planning Secretary under section 3.7 of Chapter 3 of the State Environmental Planning Policy (Precincts – Regional) 2021
Designated development	Designated development refers to high-impact developments (e.g. likely to generate pollution) or those located in or near an environmentally sensitive area
Development control plans (DCP)	A plan providing detailed planning and design guidelines to support LEP planning controls
Environmental impact statement (EIS)	An EIS provides information on the economic, environmental, and social impacts of the project. It helps the community; government agencies and the consent authority make informed submissions or decisions on the project
Gateway determination	A gateway determination is issued following an assessment of the strategic merit of a proposal to amend or create an LEP and allows for the proposal to proceed to public exhibition
Local environmental plan (LEP)	An environmental planning instrument developed by a planning proposal authority, generally a council. An LEP sets the planning framework for a Local Government Area

Planning terms and definitions	
Nominated integrated development	Integrated development that requires an approval (within the meaning of section 4.45) under – (a) a provision of the <i>Heritage Act 1977</i> specified in section 4.46(1), or (b) a provision of the <i>Water Management Act 2000</i> specified in section 4.46(1), or (c) a provision of the <i>Protection of the Environment Operations Act 1997</i> specified in section 4.46(1)
Regional strategic plan	20-year plans addressing community needs for housing, jobs, infrastructure and a healthy environment for a region
Residential zone	Land in <i>R1 General Residential</i> , <i>R2 Low Density Residential</i> , <i>R3 Medium Density Residential</i> , <i>R4 High Density Residential</i> or <i>R5 Large Lot Residential</i> under a local environmental plan that adopts the standard instrument set out at the end of the <i>Standard Instrument (Local Environmental Plans) Order 2006</i> (or land in an equivalent land use zone, as that term is defined under clause 5 of <i>State Environmental Planning Policy (Housing) 2021</i>)
State environmental planning policy (SEPP)	An environmental planning instrument developed by the Department, relating to State significant or statewide planning matters
State significant development (SSD)	Development that is declared to be state significant development under section 4.36 of the EP&A Act Developments may be declared to have State significance due to their size, location, economic value or potential impacts, for example new non-government schools and hospitals and energy generating facilities
State significant infrastructure (SSI)	Development that is declared to be state significant infrastructure under section 5.12 of the EP&A Act SSI includes major transport and services developments with significance and impact beyond the local area, for example rail infrastructure, road infrastructure and water storage or treatment facilities
Threatened species development	Development to which section 7.7(2) of the <i>Biodiversity Conservation Act 2016</i> or section 221ZW of the <i>Fisheries Management Act 1994</i> applies
Urban renewal area	- Areas identified as having good access to existing or planned public transport connections, suitable for rejuvenation with new homes and jobs - State significant precincts which are large areas of predominantly State-owned land within Greater Sydney, identified by the NSW Government as areas for growth because of their social, economic or environmental characteristics

Where can I find out more?

Planning function	Link
Acts, Regulations and SEPPs	Draft plans and policies on exhibition and under consideration can be found here: www.planningportal.nsw.gov.au/have-your-say-
Strategic planning	Regional plans can be found here: www.planning.nsw.gov.au/plans-in-nsw/plans-by-region Local Strategic Planning Statements can be found here: www.planningportal.nsw.gov.au/local-strategic-planning-statements Contribution plans can be found here: www.planningportal.nsw.gov.au/infrastructure-contributions Planning Proposals on exhibition can be found here: www.planningportal.nsw.gov.au/ppr
State significant projects	Subscribe to receive email alerts for Major Projects here: www.planningportal.nsw.gov.au/major-projects/services/subscribe-notifications Track applications on exhibited here: www.planningportal.nsw.gov.au/major-projects/projects?status=Exhibition&lga=All&development_type=All&industry_type=All&case_type=All
Regional planning panels	View applications with the Regional Planning Panels here: www.planningportal.nsw.gov.au/planning-panel
Development assessment	View councils' DA trackers here: www.planningportal.nsw.gov.au/map/council-trackers
Complying development	View the guide to complying development here: www.planning.nsw.gov.au/sites/default/files/2023-02/guide-to-complying-development.pdf
Exempt development	Find more information on exempt development here: www.planning.nsw.gov.au/the-planning-system/development-assessment/planning-approval-pathways/exempt-development



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