

PROPOSED MODIFICATION OF MAJOR PROJECT NO. 05_0038, TINONEE (FILE NO. 9040425)				
Condition		Comment	Modification Required	Proposed Modification
A1	Development Description	This condition requires modification to better reflect the desired outcomes of the proposed new layout.	Changes to the specifics of the condition.	<p>Amend (1) to be a 126 lot rural residential subdivision.</p> <p>Amend (5) to delete “and access” and include “that is part of Lot 542 DP 1113791”.</p> <p>Amend (7) to delete “including the preparation of Habitat and Vegetation Management Plans”.</p>
A2	Staging	This condition should be modified to better reflect the proposed subdivision staging.	Changes to the specifics of each stage.	<p>Amend Stage 1 parts as follows:</p> <ul style="list-style-type: none"> <li>(1) 88 rural residential lots (2500m<sup>2</sup> – 3.4ha).</li> <li>(4) Delete.</li> <li>(5) Delete “and Killawerra Creek drainage Reserve”.</li> <li>(8) Delete.</li> <li>(9) Delete “Basins 1 and 2”.</li> </ul> <p>Amend Stage 2 parts as follows:</p> <ul style="list-style-type: none"> <li>(1) 25 rural residential lots</li> </ul>

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				<p>(4036m2 – 15.49ha)</p> <p>(4) Transfer of ownership of Foreshore Reserve that is part of Lot 156 DP 753202 to Council.</p> <p>Amend Stage 3 parts as follows:</p> <p>(1) 13 rural residential lots (2398m2 – 3.566ha)</p>
A3	Development in Accordance with Plans	This condition should be modified to better reflect the proposed development and associated plans. The plans referred to in the condition are now obsolete.	New suite of plans attached to the Proposed Modification Report (PMR) need to be reference.	<p>Delete reference to all plans prepared by Pulver Cooper and Blackley Pty Ltd.</p> <p>Delete reference to all plans prepared by Place Design Group.</p> <p>Include reference to plans provided in the PMR prepared by McGlashan and Crisp Pty Ltd.</p>
A4	Development in Accordance with Documents	A Proposed Modification Report has been prepared that justifies the proposed subdivision	This condition should be modified to include reference to PMR.	<p>Insert:</p> <p>3. Proposed Modification Report prepared by PDA Planning.</p>

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		changes and proposed modified conditions.		
A5	Inconsistency between documents	No change required.	Nil.	Nil.
A6	Prescribed Conditions	No change required.	Nil.	Nil.
A7	Copy of Approval MidCoast Water	MidCoast Water is now part of Midcoast Council.	Reference to MidCoast Water amended.	Change reference from MidCoast Water to Midcoast Council.
B1	Design Modifications	All design modification included in this condition have been incorporated in the proposed modification plans prepared by McGlashan and Crisp Pty Ltd.	Condition satisfied.	Delete condition.
B2	Building Envelopes Plan	No change required.	Nil.	Nil.
B3	Tree and Vegetation	No change required.	Nil.	Nil.

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Condition		Comment	Modification Required	Proposed Modification
	Removal Plan			
B4	Habitat and Vegetation Management Plan	Council has agreed to the dedication of the E2 land on Lot 542 DP 1113791 (approved Lot 308) as detailed in the PMR. They have recognised that there is no need for any Habitat and Vegetation Management Plan on any lots other than those containing <i>Diuris flavescens</i> .	Delete of reference to lots other than those containing <i>Diuris flavescens</i> .	Delete part of condition that reads: "Lots 308, 309, 310, 311, 313, 314, 425"
B5	Osprey Nest	Requires modification to reflect the revised methodology endorsed and submitted to Council in response to the nesting tree being destroyed by weather.	No nesting pole proposed on Lot 3 DP 653296, Edinburgh Drive, Taree	Delete part (1) of the condition.
B6	GPS locations of TS	No change required.	Nil.	Nil.
B7	Weed Control Plan	This condition is onerous given	Condition should reflect a	Delete " until 80% of the lots for

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		that it could take some time to reach 80% of lots sold in the final stage and the final stage may never be developed.	defined timeframe for weed control.	the final stage have been sold” and insert “for a period of one year from registration of each stage of the subdivision.
B8	Acid Sulfate Soil Management Plan	No change required.	Nil.	Nil.
B9	Landscaping	No change required.	Nil.	Nil.
B10	Services	No change required.	Nil.	Nil.
B11	Road Design	No change required.	Nil.	Nil.
B13	Fire Trails	This Condition requires modification to delete reference to the plan prepared by Pulver Cooper and Blackley Pty Ltd.	Refer to the plans prepared by McGlashan and Crisp Pty Ltd.	Delete: Pulver, Cooper and Blackley Pty Ltd numbered 06/02 dated 10/09/2008” and insert McGlashan and Crisp Pty Ltd named Carters Creek Estate – proposed Subdivision Layout and dated 18/2/2019”

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Condition		Comment	Modification Required	Proposed Modification
B14	Fire Trails Consolidated Lots	This Condition requires modification to reflect the new lot numbers.	New lots need to be referenced.	Delete "lots 311-313 and 301,302,303 and 307" and insert "lots 137-141 and 156".
B15	Geotechnical Report	No change required.	Nil.	Nil.
B16	Bus Route Plan	No change required.	Nil.	Nil.
B17	Foot paving/Cycle way Strategy	No change required.	Nil.	Nil.
B18	Pedestrian Pathway	Council does not require footpaths in rural residential subdivisions.	Delete condition.	Delete condition.
B19	Constructed Wetlands in Detention Basins	There is no proposal to create wetlands on the site. This condition is therefore no longer relevant (see .	Condition is now irrelevant.	Delete condition.

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Condition		Comment	Modification Required	Proposed Modification
B20	Stormwater Drainage Report	No change required.	Nil.	Nil.
B21	Water Sensitive Urban Design	No change required.	Nil.	Nil.
B22	Water Quality Management Monitoring Servicing	The requirement for groundwater modelling and the length of time for the monitoring is onerous.	Condition needs to better reflect the long term nature of the development and the fact that groundwater impact is negligible.	Delete “and groundwater” and “until two (2) years after 80% of the lots have been developed”.
B23	Groundwater Interception	No change required.	Nil.	Nil.
B24	Stormwater Discharge	No change required.	Nil.	Nil.
B25	Stormwater	No change required.	Nil.	Nil.
B26	Inter-allotment Drainage	No change required.	Nil.	Nil.

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Condition		Comment	Modification Required	Proposed Modification
B27	Drainage to be provided within easements	No change required.	Nil.	Nil.
B28	Flooding and Sea Level Rise	No change required.	Nil.	Nil.
B29	Landscaping Works	Council have advised that no Landscaping works of the land being dedicated to Council is required.	Condition now irrelevant.	Delete condition.
B30	Plan of Management – Foreshore Reserve	Council have advised that no Plan of Management is required for the Foreshore Reserve.	Condition now irrelevant.	Delete condition.
B31	Construction Management Plan	No change required.	Nil.	Nil.
B32	Traffic and Pedestrian Management Plan	No change required.	Nil.	Nil.



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Condition		Comment	Modification Required	Proposed Modification
B33	Noise and Vibration Management Plan	No change required.	Nil.	Nil.
B34	Construction Waste Management Plan	No change required.	Nil.	Nil.
B35	Erosion and Sediment Control Plan	No change required.	Nil.	Nil.
B36	Haulage Roads	No change required.	Nil.	Nil.
B37	Vegetation Disposal	No change required.	Nil.	Nil.
B38	Civil Works Plan	No change required.	Nil.	Nil.
B39	Retaining Walls	No change required.	Nil.	Nil.
B40	Mid Coast Water	No change required.	Nil.	Nil.

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Condition		Comment	Modification Required	Proposed Modification
B41	Payment	No change required.	Nil.	Nil.
C1	Notice of Commencement	No change required.	Nil.	Nil.
C2	Osprey Nest	No change required.	Nil.	Nil.
C3	Project Ecologist	The engagement of a site ecologist is justified however the condition would require this engagement is to be undertaken for an unidentified time period.	Condition needs to nominate a time period for the site ecologist to be employed.	Delete “and until all lots are sold” and make reference to inspection prior to construction commencement and at 3 monthly periods during construction.
C4	Asset Protection Zone	This condition will require modification to reflect the new layout.	Reference to new plan required.	Amend condition to delete all APZ’s and make reference to plans prepared by McGlashan and Crisp Pty and Bushfire Assessment prepared by David Pensini in July 2020.
D1	Delineation of Asset Protection Zones on site	This condition needs to reflect the new lot numbers.	New lot numbers recognized.	Delete “ lots 502, 313 and 308” and insert “lots 901 and 156”

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Condition		Comment	Modification Required	Proposed Modification
D2	Project Ecologist	No change required.	Nil.	Nil.
D3	Koala Protection during Construction	No change required.	Nil.	Nil.
D4	Operation of HVMP	This condition is unreasonable and should be applied to the proposed staging.	Condition needs to reflect staging.	Amend condition to read: At the commencement of work for each stage vegetation management as required under the Habitat and Vegetation management Plans are to commence for that particular stage, if relevant.
D5	Weed Management	No change required.	Nil.	Nil.
D6	Hollow Bearing or Koala Bearing Tree Removal	No change required.	Nil.	Nil.
D7	Retention of Vegetation	No change required.	Nil.	Nil.

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Condition		Comment	Modification Required	Proposed Modification
D8	Erosion and Sediment Control	No change required.	Nil.	Nil.
D9	Disposal of Seepage and Stormwater	No change required.	Nil.	Nil.
D10	Approved Plans to be on site	No change required.	Nil.	Nil.
D11	Site Notice	No change required.	Nil.	Nil.
D12	Contact Telephone Number	No change required.	Nil.	Nil.
D13	Protection of Trees – Street Trees	No change required.	Nil.	Nil.
D14	Protection of Trees – on site Trees	No change required.	Nil.	Nil.
D15	Dust Control Measures	No change required.	Nil.	Nil.

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Condition		Comment	Modification Required	Proposed Modification
D16	Haulage Route	No change required.	Nil.	Nil.
D17	Hour of Work	No change required.	Nil.	Nil.
D18	Construction Noise Objective	No change required.	Nil.	Nil.
D19	Construction Noise Management	No change required.	Nil.	Nil.
D20	Vibration Criteria	No change required.	Nil.	Nil.
D21	Vibration Management	No change required.	Nil.	Nil.
D22	Aboriginal Heritage	No change required.	Nil.	Nil.
D23	Impact of Below Ground (Sub-surface) Works	No change required.	Nil.	Nil.
D24	Pit ID	No change required.	Nil.	Nil.

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Condition		Comment	Modification Required	Proposed Modification
D25	Kerb Adaptor	No change required.	Nil.	Nil.
E1	Staging of Part 4A Certificates	No change required.	Nil.	Nil.
E2	Fire Trails	No change required.	Nil.	Nil.
E3	Covenants for Asset Protection Plans	No change required.	Nil.	Nil.
E4	Plan of Management for APZ's	No change required.	Nil.	Nil.
E5	Covenant for Fire Trails	No change required.	Nil.	Nil.
E6	Registration of Easements	No change required.	Nil.	Nil.
E7	Covenant for Building Envelopes	No change required.	Nil.	Nil.

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E8	Covenant for Vegetation Management	This condition needs to reflect the new lot numbers.	Amend condition to reflect new lot numbers.	Replace reference to Lots 308, 309, 310, 311, 312, 313, 314, 425, 502 and 509
E9	Covenant for Diuris flavescens Management	No change required.	Nil.	Nil.
E10	Restriction as to User – 1% ARI Flood Level	No change required.	Nil.	Nil.
E11	Restriction as to User – Vehicular Access	No change required.	Nil.	Nil.
E12	Right of Carriageway – Lots 312 and 313	The requirement for the right of carriageway is no longer needed due to lot layout changes.	Delete condition.	Delete condition.
E13	Restriction on Cats and Dogs	This condition is unworkable.	Delete condition.	Delete condition.

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E14	Closure of Crown Road	This condition needs to be attached to the relevant stage of the development.	Amend condition to apply to Stage 2.	Insert after Subdivision Certificate "for Stage 2".
E15	Revegetation, Grading and Drainage of Open Space Area.	No change required.	Nil.	Nil.
E16	Grassed Verge	No change required.	Nil.	Nil.
E17	Rural Number Address	No change required.	Nil.	Nil.
E18	Dedication – Pedestrian Pathways	No change required.	Nil.	Nil.
E19	Splay Corners	No change required.	Nil.	Nil.
E20	Foreshore Reserve	No change required	Nil.	Nil.



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Condition		Comment	Modification Required	Proposed Modification
E21	Northern, Central and Southern Drainage Reserve/EEC Rehabilitation Area	Council no longer require dedication.	Delete condition.	Delete condition.
E22	Conditions to be met prior to release of Subdivision Certificate	No change required.	Nil.	Nil.
E23	Compliance Certificates	No change required.	Nil.	Nil.
E24	Mid Coast Water	No change required.	Nil.	Nil.
E25	Telstra	No change required.	Nil.	Nil.
E26	Electricity	No change required.	Nil.	Nil.
E27	Services	No change required.	Nil.	Nil.

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Condition		Comment	Modification Required	Proposed Modification
E28	Utilities Adjustments	No change required.	Nil.	Nil.
E29	Electricity and Telecommunications	No change required.	Nil.	Nil.
E30	Street Lighting	No change required.	Nil.	Nil.
E31	Monetary Contributions	This condition will require modification to reflect the new stages and the number of lots.	Update condition to reflect new staging and new contributions rates	Re-do table to reflect staging plan.
E32	Road Drainage	No change required.	Nil.	Nil.
E33	Drainage	No change required.	Nil.	Nil.
E34	Filling Works	No change required.	Nil.	Nil.
E35	Civil Works	No change required.	Nil.	Nil.

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Condition		Comment	Modification Required	Proposed Modification
E36	Concrete Driveway Lots 418 and 601	Will require modification given the changes to the lots and changes to battleaxe lots.	Change to reflect new lot numbers	Delete “418 and 601” and replace
G1	Asset Protection Zones	Will require modification given the changes to the lots.	Include reference to relevant APZ plan	Amend condition to delete all APZ’s and make reference to plan prepared by McGlashan and Crisp Pty Ltd
G2	Water Quality Monitoring	The timeframe of this condition is not specific enough, given the proposed staging.	Condition needs to better reflect the long term nature of the development and the fact that groundwater impact is negligible. Also a water quality monitoring strategy should determine the parameters for monitoring.	Delete “Water quality monitoring is to be carried out throughout the length of the project and until two (2) years after 80% of the lots have been developed”.
G3	Habitat and Vegetation Management Plan Monitoring	No change required.	Nil.	Nil.

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Condition		Comment	Modification Required	Proposed Modification
G4	Koala Safe Fences	No change required.	Nil.	Nil.
G5	Koala Safe Pools	No change required.	Nil.	Nil.
G6	Osprey Nest Monitoring	No change required.	Nil.	Nil.
G7	Weed Management	The timeframe of this condition is not specific enough, given the proposed staging.	Amend condition to reflect staging.	Amend to read: " The proponent shall continue weed management for each stage until 80% of the lots for the stage has been sold, or one year maintenance, whichever occurs first.
G8	Maintenance of Foreshore Reserve	Council does not require any infrastructure provision therefore maintenance is not required.	Delete condition.	Delete condition.
G9	Retention of Vegetation	No change required.	Nil.	Nil.
G10	Killawerra Creek Drainage	No change required.	Nil.	Nil.

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Condition		Comment	Modification Required	Proposed Modification
	Reserve/EEC Rehabilitation Area			
G11	Gates on Fire Trails	No change required.	Nil.	Nil.
G12	Planning for Bushfire Protection	No change required.	Nil.	Nil.
AN1	Excavation – Aboriginal Objects	No change required.	Nil.	Nil.
AN2	Excavation – Historical Relics	No change required.	Nil.	Nil.
AN3	Other details required prior to issue of Subdivision Certificate	No change required.	Nil.	Nil.
AN4	Stormwater Drainage Works	No change required.	Nil.	Nil.

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Condition		Comment	Modification Required	Proposed Modification
AN5	Disability Discrimination Act	No change required.	Nil.	Nil.
AN6	Commonwealth EPBC Act 1999	No change required.	Nil.	Nil.