

NARROMINE SHIRE COUNCIL
ORDINARY MEETING BUSINESS PAPER – 13 SEPTEMBER 2023
REPORTS TO COUNCIL – COMMUNITY AND ECONOMIC DEVELOPMENT

1. DEVELOPMENT APPROVALS

Author	Director Community and Economic Development
Responsible Officer	Director Community and Economic Development
Link to Strategic Plans	CSP – 3.1.6 – Encourage developers to consider energy efficiency and sustainable building design options in new developments DP – 3.1.6.1 - Ensure compliance with relevant building codes and regulations

Executive Summary

This report provides information to Council on the approved Development Applications for August 2023.

Report

The approvals for the month of August 2023 brings the total approved Development Applications for the financial year to 6, with a total value of \$759,172. At this time last year there were 8 applications approved with a value of \$3,870,215.

DA No.	Location	LOT/DP	Description	Value	Assessment Time/Days
2023/30	Wyanga Rd, Narromine	7/2/7070	Telecommunications Tower & Facility	\$243,000	26
2023/34	Third Ave, Narromine	4/3/7833	Alterations & Additions & New Domestic Storage Shed	\$320,000	14
2023/36	Kurrajong Pde, Narromine	206//873411	Inground Swimming pool	\$44,580	11
2023/40	Kingsford Smith Pl, Narromine	65//1271467	Inground Swimming Pool	\$69,042	7
2023/44	Backwater Rd, Narromine	32/755089	Inground Swimming Pool	\$41,550	3

There are currently 13 applications under assessment.

**NARROMINE SHIRE COUNCIL
ORDINARY MEETING BUSINESS PAPER – 13 SEPTEMBER 2023
REPORTS TO COUNCIL – COMMUNITY AND ECONOMIC DEVELOPMENT**

1. DEVELOPMENT APPROVALS (Cont'd)

Legal and Regulatory Compliance

Environmental Planning and Assessment Act 1979
Environmental Planning and Assessment Regulation 2021

Risk Management Issues

Nil

Internal/ external Consultation

Nil

Attachments

Nil

RECOMMENDATION

That the information be noted.

2. SETBACK VARIATIONS TO NARROMINE DEVELOPMENT CONTROL PLAN

Author	Manager Planning
Responsible Officer	Director Community and Economic Development
Link to Strategic Plans	LSPS – Priority 4 A range of housing options for the community – Action 4 – Develop appropriate development controls that promote excellence in design and sustainability outcomes.

Executive Summary

This report is presented to Council to establish a position for future requests for variation to the Development Control Plan (DCP) standards with regard to front setbacks in the R1 General Residential zone. The Council can consider a variation sought in writing to a development control, as part of a development application. It is envisaged that for particular recent approved subdivisions where a streetscape standard is not yet established, Council should review the acceptable solutions, and adopt a position for clarity, until such time as the DCP is updated. The matter is relevant only to vacant land subdivisions with new roads and lots with a site area less than 800m².

2. SETBACK VARIATIONS TO NARROMINE DEVELOPMENT CONTROL PLAN (Cont'd)

Report

Chapter 5a Residential Development provides specific guidelines relating to residential development in the R1 zone. The DCP provisions state:

Building Siting and Design

Setbacks

Intent

To set back buildings and garages/carports from the street to provide adequate space for landscape or open space, visual and acoustic privacy and vehicle parking, while assisting in establishing an attractive streetscape.

Performance Criteria

The setbacks of buildings contributes to existing or proposed streetscape character, assists in the integration of new development into the public streetscape, makes efficient use of the site, and provides amenity for residents. Further, it should be demonstrated that acceptable traffic noise reduction measures have been incorporated into the development.

Acceptable Solutions

Note: The Acceptable Solutions illustrate ONE WAY of meeting the associated performance criteria. Other methods are able to be proposed and are assessed on their ability to achieve the performance criteria.

Frontage		New Development	Infill Development
Front	Main Road	9 metres	The same distance as on or the other adjoining buildings, provided the difference between the setbacks is less than or equal to 2m ELSE the average of the setbacks of the adjoining buildings.
	Feeder Road	7.5 metres	
Side	One Storey	NCC Standard	NCC Standard
	Two Storey	3 metres	3 metres
Rear	One Storey	4 metres	4 metres
	Two Storey	7 metres	7 metres
Corner Allotment	Front	As per 'Front' above	The same distance as on or the other adjoining buildings, provided the difference between the setbacks is less than or equal to 2m ELSE the average of the setbacks of the adjoining buildings.
	Side	5 metres	

An applicant may request a variation to a standard contained within the DCP; this is referred to as a 'departure'. It is envisaged that for the recent release of land on DP1283562, Dappo Road and Wagtail Street (DA2019/70.2) departures will be sought to best utilise the land. The purpose of this report is to provide guidance to developers/applicants/builders in the design of residential proposals for land, clearly setting what is an acceptable departure.

2. SETBACK VARIATIONS TO NARROMINE DEVELOPMENT CONTROL PLAN (Cont'd)

It is proposed that a variation for new development be accepted by staff under delegation, without referral to Council, to reduce the front setback from 7.5m to 5.5m. The 5.5m setback should be the minimum to the garage line. This distance will allow for a car to be parked safely off the street within the lot, in front of a garage, and maximise the opportunity for the design to include greater private open space to the rear of the dwelling. The intent and the performance criteria adopted in the DCP would not be compromised. The 5.5m standard is comparable to the adopted provisions of neighbouring LGA's for new developments.

To uphold the intent of the setback control, garages and parking structures should not dominate the streetscape. Garages, carports and parking structures would be expected to be setback a minimum of 5.5 metres from the front property boundary and be in line with or behind the alignment of the front façade of the dwelling. All departures would be considered individually with the circumstances and design of proposed development.

Legal and Regulatory Compliance

The purpose and status of development control plans are established in section 3.42 of the *Environmental Planning and Assessment Act 1979*.

A council may amend a development control plan subject to process outlined in the *Environmental Planning and Assessment Regulation 2021*.

Financial Implications

No financial issues identified.

Risk Management Issues

A formal review and amendment to the Narromine Development Control Plan 2011 has been identified in the Local Strategic Planning Statement (LSPS) due for completion by 2025.

Internal/External Consultation

Nil

As this is a planning decision made in the exercise of a function of a Council under the Environmental Planning and Assessment Act 1979, including a decision relating to a development application under that Act, a division is required to be called.

RECOMMENDATION

That Council delegate to staff the authority to accept departures from the Development Control Plan for new residential development on lots of 800m² and smaller, where the proposed front setback is at least 5.5m; ensuring garages, carports and parking structures would be expected to be setback a minimum of 5.5 metres from the front property boundary and be in line with or behind the alignment of the front façade of the dwelling.

**3. DEVELOPMENT CONSENT CONDITIONS DEVELOPMENT APPLICATION 2022/58
PROPOSED RECREATION FACILITY (OUTDOOR) – MOTORBIKE TRACK AT 151 OLD
BACKWATER ROAD, NARROMINE**

Author	David Crofts, Strategy Hunter Consultants
Responsible Officer	Director Community and Economic Development
Link to Strategic Plans	Narromine Local Environmental Plan 2011; Narromine Development Control Plan 2011; Narromine Shire Residential and Large Lot Residential (Land Use) Strategy (Reviewed 2021).

Executive Summary

At the Council meeting on the 9th of August Council resolved to grant consent to the development application (2022/58) subject to a further report being presented to Council with conditions set (Resolution No 2023/130) Crs Roberts/Lambert.

The report below now outlines the consent conditions for Council's consideration.

Report

Preamble:

The following recommended draft consent is limited to an initial period of 12 months.

This is because of the conclusion of the independent peer review of the Acoustic Assessment which stated it was highly likely the applicant's Acoustic Review had underestimated the acoustic impact of the proposed motorcycle track on nearby residences.

In this case, a precautionary approach is the best approach. It allows the track to operate and demonstrate it can perform within the parameters adopted by Council. After 12 months the applicant can then apply for a modification which would seek a consent unlimited in duration.

The conditions generally reflect the narrative in the Statement of Environmental Effects and its supporting documentation combined with achieving adequate screening, addressing sedimentation and other issues of concern highlighted in the assessment. Given the extent of resident concern, the conditions seek to be as clear and precise as possible in order to avoid ambiguity and potential debate about their meaning.

**NARROMINE SHIRE COUNCIL
ORDINARY MEETING BUSINESS PAPER – 13 SEPTEMBER 2023
REPORTS TO COUNCIL – COMMUNITY AND ECONOMIC DEVELOPMENT**

**3. DEVELOPMENT CONSENT CONDITIONS DEVELOPMENT APPLICATION 2022/58
PROPOSED RECREATION FACILITY (OUTDOOR) – MOTORBIKE TRACK AT 151 OLD
BACKWATER ROAD, NARROMINE (Cont'd)**

GENERAL CONDITIONS

1. This consent relates to the use of existing earthworks as a motorbike track as illustrated on the plans, specifications and supporting documentation stamped with reference to this consent, except as modified by the following conditions. The development shall be carried out in accordance with this consent:

a)

Name of Plan	Author	Issue	Date
Statement of Environmental Effects	Anthony Daintith Town Planning	V 1.0	12/2022
Engineering Plans L Harding Race Track	Duncan Priestley Civil Engineering	V1 – MP	15/05/2021
Conceptual Stormwater Management Plan	Calare Civil	Amendment A/02/2022	05/12/2022
Noise Assessment Motocross Track	Muller Acoustic Consulting	MAC211352-03RP1V1	25/01/2023
Letter from Anthony Daintith		Ref: 2023-045	28 /04/2023

Notes:

- Any alteration to the plans and/or documentation shall be submitted for the approval of Council. Such alterations may require the lodgement of an application to amend the consent under s4.55 of the Act, or a fresh development application. No works, other than those approved under this consent, shall be carried out without the prior approval of Council.
- Where there is an inconsistency between the documents lodged with this application and the following conditions, the conditions shall prevail to the extent of that inconsistency.

Condition Reason:

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

2. The period the track can be used is limited to 12 months from the date of compliance with all relevant conditions required prior to commencement and confirmed by Narromine Shire Council.

Note: Provided the track is operated satisfactorily for that period, a consent that is not time limited could be granted by Council by way of an application for modification of this consent under Section 4.55 of the Environmental Planning and Assessment Act

Condition Reason:

To ensure the track is operating in a satisfactory manner consistent with the conditions of consent.

**NARROMINE SHIRE COUNCIL
ORDINARY MEETING BUSINESS PAPER – 13 SEPTEMBER 2023
REPORTS TO COUNCIL – COMMUNITY AND ECONOMIC DEVELOPMENT**

**3. DEVELOPMENT CONSENT CONDITIONS DEVELOPMENT APPLICATION 2022/58
PROPOSED RECREATION FACILITY (OUTDOOR) – MOTORBIKE TRACK AT 151 OLD
BACKWATER ROAD, NARROMINE (Cont'd)**

3. The use and operation of the track are an ancillary use to the residential occupation of the land. The use of the track is to reflect this ancillary nature, and users are limited to residents, family, and the resident's guests. There is to be no organised or publicised events, commercial or non profit activity, such as a training facility.

Condition Reason:

To limit the scale of use and ensure is ancillary to residential occupation of the land.

4. The ongoing use and operation of the track is limited to **four (4) sessions per week of a maximum 2 hours each session**, but no more than a cumulative **total of 6 hours of sessions per week**.

a. Within the above constraints, riding is to be undertaken only during the following hours:

	From	To	Limit to Hours
Monday	3pm	6pm	Max. 2hrs per session
Tuesday	3pm	6pm	Max. 2hrs per session
Wednesday	3pm	6pm	Max. 2hrs per session
Thursday	3pm	6pm	Max. 2hrs per session
Friday	3pm	6pm	Max. 2hrs per session
Saturday	10am	5pm	Max. 2hrs per session
Public Holidays	10am	5pm	Max. 2hrs per session
School Holidays (Mon to Fri)	10am	6pm	Max. 2hrs per session

Condition Reason:

To limit noise impacts.

5. A maximum of three (3) motorcycles are to operate on the track at any one time.

Condition Reason:

To limit noise impacts.

6. When the track is in operation, motorcycles are not to be ridden elsewhere on the subject site.

Condition Reason:

To limit noise impacts.

**3. DEVELOPMENT CONSENT CONDITIONS DEVELOPMENT APPLICATION 2022/58
PROPOSED RECREATION FACILITY (OUTDOOR) – MOTORBIKE TRACK AT 151 OLD
BACKWATER ROAD, NARROMINE (Cont'd)**

PRIOR TO COMMENCING WORK

7. Track details will need to be redesigned to the satisfaction of Council in order to maintain the function of the landscaped visual screen and to ensure stormwater is managed consistent with the conceptual Stormwater Management Plan without impacting adjoining land or the effectiveness of the landscaped visual screen. These measures include a 3 metre wide grassed sediment control buffer, as described in the Stormwater Management Plan.

Condition Reason:

To ensure suitable stormwater management controls are in place and to ensure no substance other than rainwater enters the stormwater system and waterways.

8. A Landscaping Plan is to be submitted to Council and approved prior to commencing any works. Landscaping is to be provided along the eastern, northern and western sides of the track, consistent with a landscaping plan to the satisfaction of Council.

The landscaping is to be a minimum of 3 metres wide and be comprised of a mix of ground covers, shrubs and trees, including trees with a minimum mature height of 4 metres. The landscaping scheme shall be designed to provide a visual screen from Old Backwater Road and adjacent properties. The species used shall be native endemic species chosen to complement the biodiversity values of the remnant bushland along Old Backwater Road. The Plan is to include a watering system and maintenance schedule for plants. All landscaping required by the Plan must be of varied specimen (size/age). Screening landscaping is to be provided with mulch (min 100m depth).

(Note: The provision of an effective landscaping screen may require the relocation of the track in locations adjacent to Old Backwater Road and the western property boundary).

Condition Reason:

To ensure a landscaping solution is implemented to address amenity, dust mitigation and sedimentation matters, with consideration to biodiversity.

PRIOR TO OPERATION

9. The track is to be groomed prior to its initial use for riding to provide safe riding condition.

Condition reason:

To define the extent of ongoing works to be undertaken on the track.

10. Any earthworks intended for reconfiguration to cater for changes in rider ability are subject to separate approval.

Condition Reason:

To ensure permitted earthworks on the track are limited to maintenance for safety.

**3. DEVELOPMENT CONSENT CONDITIONS DEVELOPMENT APPLICATION 2022/58
PROPOSED RECREATION FACILITY (OUTDOOR) – MOTORBIKE TRACK AT 151 OLD
BACKWATER ROAD, NARROMINE (Cont'd)**

11. Before the operation or use of the track Narromine Shire Council must be satisfied the stormwater/erosion and sediment control measures are in place and stable, in accordance with the approved Stormwater Management Plan.

(Note: This should be confirmed through site inspection and written advice).

Condition Reason:

To ensure sediment laden runoff and site debris do not impact local stormwater systems and waterways.

12. Prior the operation or use of the track the approved Landscaping Plan is required to be implemented to the satisfaction of Narromine Shire Council.

(Note: This should be confirmed through site inspection and written advice from Council).

Condition Reason:

To ensure landscaping measures are implemented appropriately.

13. A sign is to be placed at the frontage to the property as notification to deter unauthorised access or use of the track consistent to the conditions of consent. Signage is to indicate the track is not for public use or viewing purposes. The sign shall not be larger than one metre long and 300mm high.

OCCUPATION AND ONGOING USE

14. The planting associated with the landscape screen outlined in the approved Landscape Plan must be maintained and watered. Replacement of plant stock shall occur when necessary to ensure the landscaping continues to act as an effective visual buffer. Following any maintenance activities causing ground disturbance, the occupant must restore the ground cover of the site as soon as practicable using suitable species.

Condition Reason:

To protect the amenity of the surrounding area and ensure landscaping measures are maintained.

15. Grass and/or other vegetative ground cover shall be provided to those parts of the facility not used as track by motorcycles, in accordance with the approved Stormwater Management Plan. The ground cover shall be sufficient to prevent erosion and assist in sediment control. Irrigation/water shall be provided so that the ground cover is effective year round.

Condition Reason:

To minimise exposed ground surfaces and potential for erosion and sedimentation.

**3. DEVELOPMENT CONSENT CONDITIONS DEVELOPMENT APPLICATION 2022/58
PROPOSED RECREATION FACILITY (OUTDOOR) – MOTORBIKE TRACK AT 151 OLD
BACKWATER ROAD, NARROMINE (Cont'd)**

16. Sediment controls are to be implemented consistent with the submitted Stormwater Management Plan. Sediment shall be removed from the ponds within the facility at periodic intervals to ensure their function as a sedimentation basin and manager of peak stormwater flows is not diminished.

Condition Reason:

To ensure function of the stormwater management measures are maintained.

17. The operation of the track is to be managed to reduce dust creation and emission causing nuisance to neighbouring residents. Management measures described in the Stormwater Management Plan are to be implemented to ensure watering of the track for dust mitigation.

Condition Reason:

To minimise impacts to amenity from raised dust.

18. All motorcycles are to comply with the standards of the Manual of Motorcycle Sport 2023 (or later) Appendix C Sound emissions for Motocross (Motorcycling Australia). Riders should, as far as practical, minimise the noise produced by their bikes by riding them in a reasonable manner and ensuring exhaust systems are properly maintained.

Condition Reason:

To limit potential noise emissions from vehicles.

19. Intrusiveness noise levels at any external receiver are not to exceed those predicted in the submitted Noise Assessment.

(Note: The applicant should be aware that motorbike noise at any time of the day can potentially be intrusive and affect amenity of neighbours. Riders should be made aware that noise can travel long distances, particularly when a bike is within sight of a neighbour's residence. It is the resident's responsibility to avoid offensive noise emissions.)

Condition reason: To ensure the track operates within the parameters of the approved acoustic study.

20. At the cessation of use the land disturbed for the bike track is to be suitably rehabilitated and maintained in a safe and stable condition in a manner consistent with the surrounding landscape and zoning.

Condition Reason:

To ensure the land is returned to suitable use after the track is no longer in use.

**3. DEVELOPMENT CONSENT CONDITIONS DEVELOPMENT APPLICATION 2022/58
PROPOSED RECREATION FACILITY (OUTDOOR) – MOTORBIKE TRACK AT 151 OLD
BACKWATER ROAD, NARROMINE (Cont'd)**

Legal and Regulatory Compliance

This development assessment has been undertaken consistent with Council's obligations under the Environmental Planning and Assessment Act, 1979, as amended.

Division 8.2 of the Environmental Planning and Assessment Act gives the applicant the ability to seek a review of the determination. An applicant may request the Council to review any determination within six (6) months after the date the applicant received notice. The prescribed fee must be paid with the request for a review. Once the review is completed the Council may confirm or change the determination. If there is an appeal, the period of time within which Council may undertake a review is extended up to the time the Court hands down its decision. An applicant can appeal against this decision in the Land and Environment Court within six (6) months of the date of a notice of determination (section 8.7 of the Environmental Planning and Assessment Act, 1979).

Financial Implications

No financial issues are identified.

Risk Management Issues

Council will be the relevant authority to address any noncompliance with conditions of development consent, and to enforce any adopted management measures should Council wish to approve the development.

Internal/External Consultation

During the development assessment stage community and statutory consultation have been undertaken in accordance with Environmental Planning and Assessment Act and Regulation.

As this is a planning decision made in the exercise of a function of a Council under the Environmental Planning and Assessment Act 1979, including a decision relating to a development application under that Act, a division is required to be called.

RECOMMENDATION

That the determination of DA 2022/58 Motorbike Track at 151 Old Backwater Road, Narromine be conditioned as follows:-

GENERAL CONDITIONS

1. This consent relates to the use of existing earthworks as a motorbike track as illustrated on the plans, specifications and supporting documentation stamped with reference to this consent, except as modified by the following conditions. The development shall be carried out in accordance with this consent:

NARROMINE SHIRE COUNCIL
ORDINARY MEETING BUSINESS PAPER – 13 SEPTEMBER 2023
REPORTS TO COUNCIL – COMMUNITY AND ECONOMIC DEVELOPMENT

**3. DEVELOPMENT CONSENT CONDITIONS DEVELOPMENT APPLICATION 2022/58
PROPOSED RECREATION FACILITY (OUTDOOR) – MOTORBIKE TRACK AT 151 OLD
BACKWATER ROAD, NARROMINE (Cont'd)**

a)

Name of Plan	Author	Issue	Date
Statement of Environmental Effects	Anthony Daintith Town Planning	V 1.0	12/2022
Engineering Plans L Harding Race Track	Duncan Priestley Civil Engineering	V1 – MP	15/05/2021
Conceptual Stormwater Management Plan	Calare Civil	Amendment A/02/2022	05/12/2022
Noise Assessment Motocross Track	Muller Acoustic Consulting	MAC211352-03RP1V1	25/01/2023
Letter from Anthony Daintith		Ref: 2023-045	28 /04/2023

Notes:

- Any alteration to the plans and/or documentation shall be submitted for the approval of Council. Such alterations may require the lodgement of an application to amend the consent under s4.55 of the Act, or a fresh development application. No works, other than those approved under this consent, shall be carried out without the prior approval of Council.
- Where there is an inconsistency between the documents lodged with this application and the following conditions, the conditions shall prevail to the extent of that inconsistency.

Condition Reason:

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

3. The period the track can be used is limited to 12 months from the date of compliance with all relevant conditions required prior to commencement and confirmed by Narromine Shire Council.

Note: Provided the track is operated satisfactorily for that period, a consent that is not time limited could be granted by Council by way of an application for modification of this consent under Section 4.55 of the Environmental Planning and Assessment Act

Condition Reason:

To ensure the track is operating in a satisfactory manner consistent with the conditions of consent.

4. The use and operation of the track are an ancillary use to the residential occupation of the land. The use of the track is to reflect this ancillary nature, and users are limited to residents, family, and the resident's guests. There is to be no organised or publicised events, commercial or non profit activity, such as a training facility.

**NARROMINE SHIRE COUNCIL
ORDINARY MEETING BUSINESS PAPER – 13 SEPTEMBER 2023
REPORTS TO COUNCIL – COMMUNITY AND ECONOMIC DEVELOPMENT**

**3. DEVELOPMENT CONSENT CONDITIONS DEVELOPMENT APPLICATION 2022/58
PROPOSED RECREATION FACILITY (OUTDOOR) – MOTORBIKE TRACK AT 151 OLD
BACKWATER ROAD, NARROMINE (Cont'd)**

Condition Reason:

To limit the scale of use and ensure is ancillary to residential occupation of the land.

5. The ongoing use and operation of the track is limited to **four (4) sessions per week of a maximum 2 hours each session**, but no more than a cumulative **total of 6 hours of sessions per week**.

b. Within the above constraints, riding is to be undertaken only during the following hours:

	From	To	Limit to Hours
Monday	3pm	6pm	Max. 2hrs per session
Tuesday	3pm	6pm	Max. 2hrs per session
Wednesday	3pm	6pm	Max. 2hrs per session
Thursday	3pm	6pm	Max. 2hrs per session
Friday	3pm	6pm	Max. 2hrs per session
Saturday	10am	5pm	Max. 2hrs per session
Public Holidays	10am	5pm	Max. 2hrs per session
School Holidays (Mon to Fri)	10am	6pm	Max. 2hrs per session

Condition Reason:

To limit noise impacts.

6. A maximum of three (3) motorcycles are to operate on the track at any one time.

Condition Reason:

To limit noise impacts.

7. When the track is in operation, motorcycles are not to be ridden elsewhere on the subject site.

Condition Reason:

To limit noise impacts.

**3. DEVELOPMENT CONSENT CONDITIONS DEVELOPMENT APPLICATION 2022/58
PROPOSED RECREATION FACILITY (OUTDOOR) – MOTORBIKE TRACK AT 151 OLD
BACKWATER ROAD, NARROMINE (Cont'd)**

PRIOR TO COMMENCING WORK

8. Track details will need to be redesigned to the satisfaction of Council in order to maintain the function of the landscaped visual screen and to ensure stormwater is managed consistent with the conceptual Stormwater Management Plan without impacting adjoining land or the effectiveness of the landscaped visual screen. These measures include a 3 metre wide grassed sediment control buffer, as described in the Stormwater Management Plan.

Condition Reason:

To ensure suitable stormwater management controls are in place and to ensure no substance other than rainwater enters the stormwater system and waterways.

9. A Landscaping Plan is to be submitted to Council and approved prior to commencing any works. Landscaping is to be provided along the eastern, northern and western sides of the track, consistent with a landscaping plan to the satisfaction of Council.

The landscaping is to be a minimum of 3 metres wide and be comprised of a mix of ground covers, shrubs and trees, including trees with a minimum mature height of 4 metres. The landscaping scheme shall be designed to provide a visual screen from Old Backwater Road and adjacent properties. The species used shall be native endemic species chosen to complement the biodiversity values of the remnant bushland along Old Backwater Road. The Plan is to include a watering system and maintenance schedule for plants. All landscaping required by the Plan must be of varied specimen (size/age). Screening landscaping is to be provided with mulch (min 100m depth).

(Note: The provision of an effective landscaping screen may require the relocation of the track in locations adjacent to Old Backwater Road and the western property boundary).

Condition Reason:

To ensure a landscaping solution is implemented to address amenity, dust mitigation and sedimentation matters, with consideration to biodiversity.

PRIOR TO OPERATION

10. The track is to be groomed prior to its initial use for riding to provide safe riding condition.

Condition reason:

To define the extent of ongoing works to be undertaken on the track.

**3. DEVELOPMENT CONSENT CONDITIONS DEVELOPMENT APPLICATION 2022/58
PROPOSED RECREATION FACILITY (OUTDOOR) – MOTORBIKE TRACK AT 151 OLD
BACKWATER ROAD, NARROMINE (Cont'd)**

11. Any earthworks intended for reconfiguration to cater for changes in rider ability are subject to separate approval.

Condition Reason:

To ensure permitted earthworks on the track are limited to maintenance for safety.

12. Before the operation or use of the track Narromine Shire Council must be satisfied the stormwater/erosion and sediment control measures are in place and stable, in accordance with the approved Stormwater Management Plan.

(Note: This should be confirmed through site inspection and written advice).

Condition Reason:

To ensure sediment laden runoff and site debris do not impact local stormwater systems and waterways.

13. Prior the operation or use of the track the approved Landscaping Plan is required to be implemented to the satisfaction of Narromine Shire Council.

(Note: This should be confirmed through site inspection and written advice from Council).

Condition Reason:

To ensure landscaping measures are implemented appropriately.

14. A sign is to be placed at the frontage to the property as notification to deter unauthorised access or use of the track consistent to the conditions of consent. Signage is to indicate the track is not for public use or viewing purposes. The sign shall not be larger than one metre long and 300mm high.

OCCUPATION AND ONGOING USE

15. The planting associated with the landscape screen outlined in the approved Landscape Plan must be maintained and watered. Replacement of plant stock shall occur when necessary to ensure the landscaping continues to act as an effective visual buffer. Following any maintenance activities causing ground disturbance, the occupant must restore the ground cover of the site as soon as practicable using suitable species.

Condition Reason:

To protect the amenity of the surrounding area and ensure landscaping measures are maintained.

**3. DEVELOPMENT CONSENT CONDITIONS DEVELOPMENT APPLICATION 2022/58
PROPOSED RECREATION FACILITY (OUTDOOR) – MOTORBIKE TRACK AT 151 OLD
BACKWATER ROAD, NARROMINE (Cont'd)**

16. Grass and/or other vegetative ground cover shall be provided to those parts of the facility not used as track by motorcycles, in accordance with the approved Stormwater Management Plan. The ground cover shall be sufficient to prevent erosion and assist in sediment control. Irrigation/water shall be provided so that the ground cover is effective year round.

Condition Reason:

To minimise exposed ground surfaces and potential for erosion and sedimentation.

17. Sediment controls are to be implemented consistent with the submitted Stormwater Management Plan. Sediment shall be removed from the ponds within the facility at periodic intervals to ensure their function as a sedimentation basin and manager of peak stormwater flows is not diminished.

Condition Reason:

To ensure function of the stormwater management measures are maintained.

18. The operation of the track is to be managed to reduce dust creation and emission causing nuisance to neighbouring residents. Management measures described in the Stormwater Management Plan are to be implemented to ensure watering of the track for dust mitigation.

Condition Reason:

To minimise impacts to amenity from raised dust.

19. All motorcycles are to comply with the standards of the Manual of Motorcycle Sport 2023 (or later) Appendix C Sound emissions for Motocross (Motorcycling Australia). Riders should, as far as practical, minimise the noise produced by their bikes by riding them in a reasonable manner and ensuring exhaust systems are properly maintained.

Condition Reason:

To limit potential noise emissions from vehicles.

20. Intrusiveness noise levels at any external receiver are not to exceed those predicted in the submitted Noise Assessment.

(Note: The applicant should be aware that motorbike noise at any time of the day can potentially be intrusive and affect amenity of neighbours. Riders should be made aware that noise can travel long distances, particularly when a bike is within sight of a neighbours' residence. It is the resident's responsibility to avoid offensive noise emissions.)

**3. DEVELOPMENT CONSENT CONDITIONS DEVELOPMENT APPLICATION 2022/58
PROPOSED RECREATION FACILITY (OUTDOOR) – MOTORBIKE TRACK AT 151 OLD
BACKWATER ROAD, NARROMINE (Cont'd)**

Condition reason: To ensure the track operates within the parameters of the approved acoustic study.

21. At the cessation of use the land disturbed for the bike track is to be suitably rehabilitated and maintained in a safe and stable condition in a manner consistent with the surrounding landscape and zoning.

Condition Reason:

To ensure the land is returned to suitable use after the track is no longer in use.

Phil Johnston

Director Community and Economic Development