

ORDINARY COUNCIL

LATE REPORTS

Wednesday 16 May 2018

Ordinary Council Meeting

Wednesday, 16 May 2018

Items of Business

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4 Your Natural and Built Environment

16/05/2018

What we are trying to achieve

A connected, sustainable, accessible community and environment that is protected now and into the future.

What the result will be

We will have:

- Effective management and maintenance of essential water, waste and sewer infrastructure
- A community that is prepared for natural events and climate change
- Sustainable and environmentally sensitive development outcomes that consider the impact on the natural environment
- Accessible transport network for our communities
- Infrastructure provision and maintenance that meets community expectations and needs
- Well planned communities that are linked to encourage and manage growth
- Accessible and protected waterways, foreshores, beaches and bushlands
- An environment that is protected and conserved for future generations
- Renewable energy options that are understood and accessible by the community

How we will get there

- 4.1 Provide (appropriate) infrastructure and services including water cycle management, waste management, and sewer management
- 4.2 Aim to minimise the impact of natural events and climate change, for example, floods, bushfires and coastal erosion
- 4.3 Facilitate development that is compatible with the natural and built environment
- 4.4 Plan for integrated transport systems that help people get around and link our communities
- 4.5 Plan for integrated and connected communities across the Port Macquarie-Hastings area
- 4.6 Restore and protect natural areas
- 4.7 Provide leadership in the development of renewable energy opportunities
- 4.8 Increase awareness of issues affecting our environment, including the preservation of flora and fauna



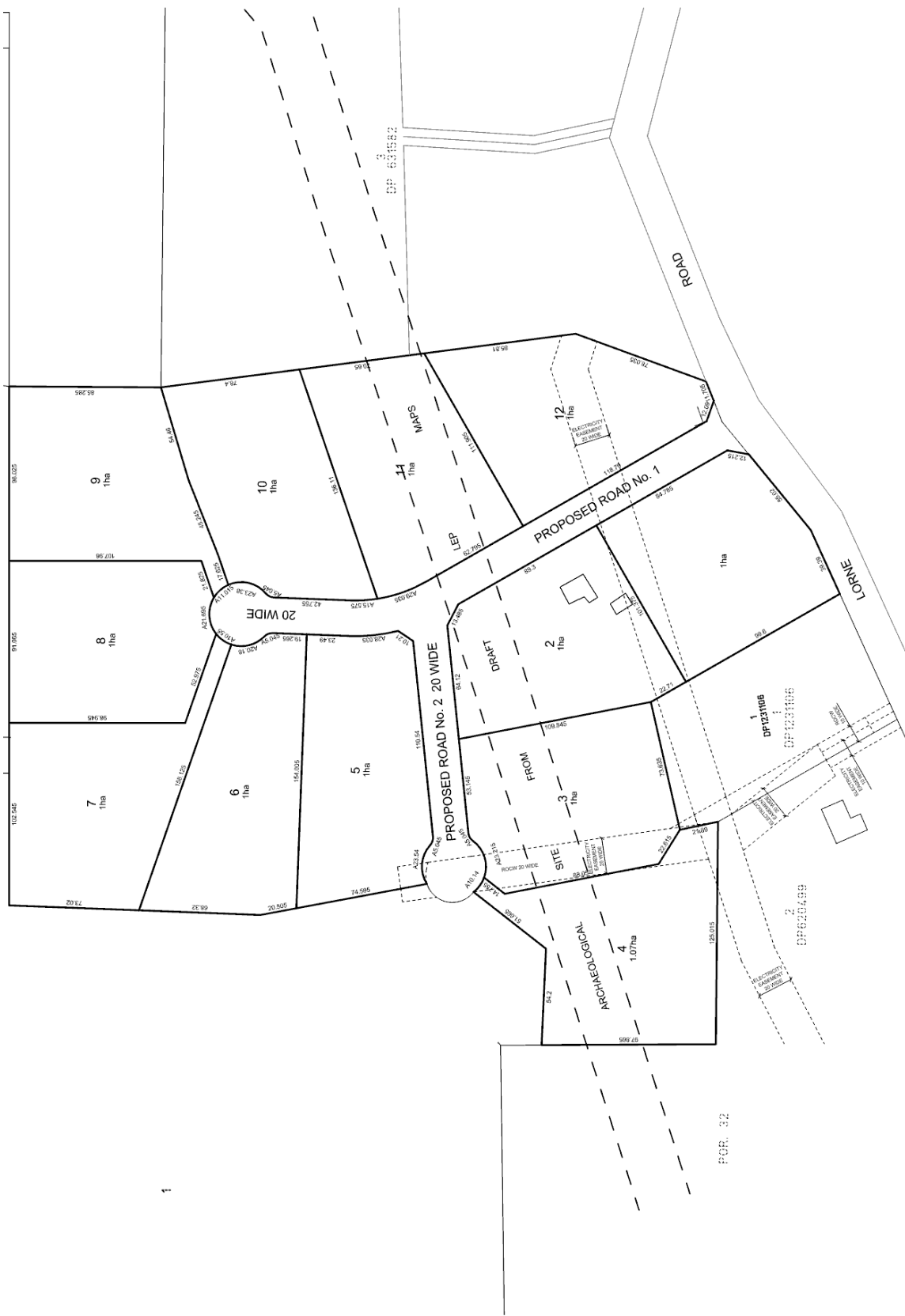
5-423 SIZE	A3
DRAWING NUMBER	7218-00
DRAWING	GA
SCALE	1:2000

JOJENI INVESTMENTS PTY LTD
THE MEADOWS
LORNE ROAD, KENDALL
DA 2010.577

HOPKINS CONSULTANTS ESTD 1970
 Suite 1, 110 Williams Street, PO Box 1558 Port Macquarie, NSW 2444, AUSTRALIA
 Telephone: 02 6533 7172, Facsimile: 02 6534 3095 Email: mail@hopkins.com.au

DEVELOPMENT MANAGERS • SURVEYORS • ENGINEERS • PLANNERS

SUBDIVISION OF LOT 2 DP 1231106
AERIAL OVERLAY
12/04/2018



REVISED SUBDIVISION PLAN FOR SECTION 96 LOT 2 DP 1231106	12/04/2018
 HOPKINS CONSULTANTS Suits 11/10 William Street PO Box 1556 Port Macquarie NSW 2444 ABN 27 055 066 878 Telephone 02 655 7112 Fax 02 655 7007 Email info@hopkins.com.au	JOEINI INVESTMENTS PTY LTD THE MEADOWS LORNE ROAD, KENDALL DA 2010/577
A3 7218-0001 DA	A3 7218-0001 DA

**HOPKINS CONSULTANTS**

PTY LTD

1st May 2018Our Ref: 7218
Your Ref: DA 2010/577General Manager
Port Macquarie Hastings Council
PO Box 84
PORT MACQUARIE NSW 244Attn: Mr Clinton Tink**WINNER**
2009**Directors****MICHAEL S MOWLE**
B E Civ (Hons)
Chartered Engineer**GEOFFREY E HILL**
B Surv
Registered Land Surveyor**DANIEL J BAKER**
B Surv
Registered Land Surveyor**DARREN J BOOTH**
B Surv
Registered Land Surveyor**Re: THE MEADOWS (DA2010.577) – PRELIMINARY STORMWATER REPORT**

I refer to the PMHC DAP meeting dated 27th April 2018 where the panel deferred the assessment and requested additional information regarding overland flow and stormwater. This preliminary stormwater report and attachments is submitted for inclusion in the next DAP meeting to be held on 9th May 2018.

Topography & Site Conditions

The subject site is cleared, undulating farmland located on the North side of Lorne Road approximately 1km West of Kendall. The site grades naturally from South to North with the dominant drainage feature being a defined natural gully that directs all stormwater into the larger creek running across the Northern boundary.

An important element of this preliminary assessment is the relationship between the peak storm event water level and the proposed building site pad levels where the gully bi-sects Lots 7 & 8. Refer to the attached plan & Cross-Section.

Proposed Roads & Drainage Layout

The proposed subdivision layout is shown on the attached plan. Road #1 is centred on the main ridge with a cul-de-sac head serving Lots 7, 8 & 9. Road #2 runs to the West serving Lots 3 & 5 and provides access to the neighbouring property.

The existing gully will be the main drainage path for all stormwater from the developed site. Culverts will be sized and located approximately as shown under Road #2 and the access handle to Lot 7. The road, cul-de-sac head and table drain levels will be designed to direct flows into the gully on the West side of Road #1 and well clear of any building envelope.

Liability limited by a scheme approved under Professional Standards Legislation
S:\Projects\7218 The Meadows\Corro\stormwaterreportMay18.docx

ABN 27 055 060 878
Suite 1, 109 William St
PO Box 1556, Port Macquarie 2444 NSW
Telephone: 02 6583 6722 Facsimile: 02 6584 9009
Email: mail@hopcon.com.au

Stormwater Analysis

A DRAINS 2016 AR&R analysis demonstrates that 1:100 Pre-Development flows = **5.81 cu.m/s** resulting in a water level of RL11.37AHD adjacent Lot 7 (depth of flow in channel = 370mm).

A Post development analysis demonstrates flows = **5.83 cu.m/s** resulting in a water level of RL11.37 AHD adjacent Lot 7 (depth of flow in channel = 370mm).

Notes:

1. There is a minimal difference (0.02cum/s) between pre-development & post development flows. Both scenarios result in the same water level & this is due to modelling sensitivity ie. not enough variation in discharge to alter flow depths.
2. The similarity between pre & post development discharges is due to the modelling of major storm events (after initial losses) creates a surface saturation which is effectively an impervious catchment in both scenarios. Hence the impact of houses, sheds, road pavements & hard surfaces etc. becomes negligible in the post-development modelling scenario.

See attached DRAINS output for 1:100 ARI pre & post development.

Building Envelope Assessment

The proposed building site on Lot 7 has natural surface levels ranging from RL 11 to RL 12.5. This indicates that to achieve a finished floor level with a freeboard of 500mm or greater would require site filling in the order of 500mm to 1m. The building envelope and approximate fill requirements to provide for a site pad level of RL12.5m AHD are noted on the attached plan. A more detailed site regrading plan will be submitted with CC documentation.

The proposed building site on Lot 8 has natural surface levels ranging from RL 13 to RL 15. On the low side of the site this exceeds 1.5m freeboard above the modelled 1:100 ARI stormwater levels.

The proposed building site on Lot 9 has natural surface levels ranging from RL 16 to RL 20. This is well above the modelled 1:100 ARI stormwater levels.

Conclusion

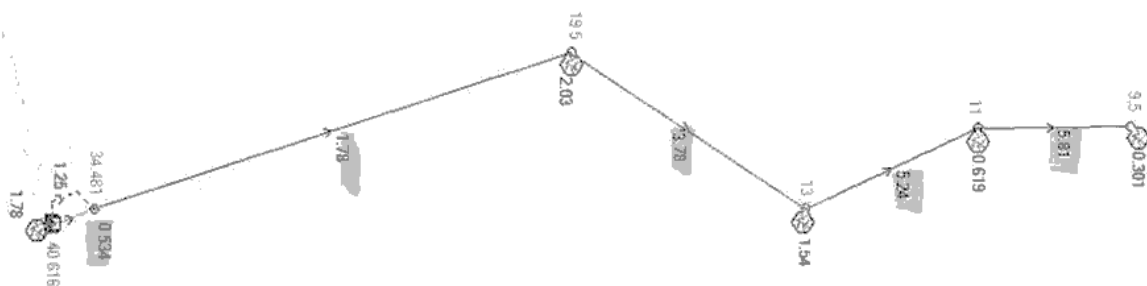
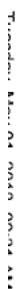
The proposed subdivision layout & building envelopes are clear of any overland flow or stormwater flow paths. Preliminary stormwater analysis demonstrates that the proposed lots have potential building areas clear of flood impacts from stormwater.



Michael Mowle
MIEAust, CPEng



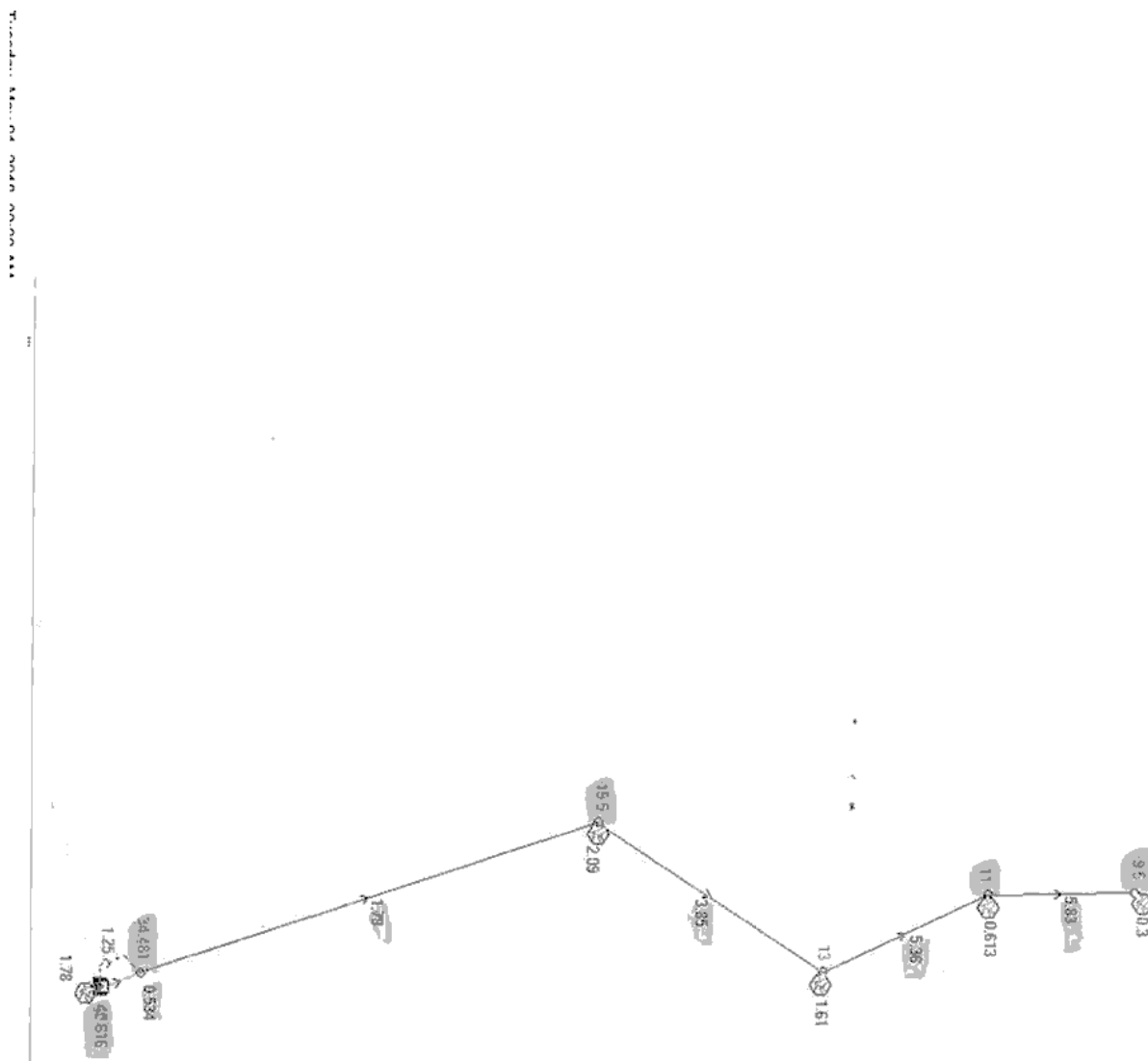
HOPKINS CONSULTANTS
PTY LTD



PRE
100yr

N.S. R.L.

DISCHARGE / Flow



post
100yr

N.S. RJ

Flow m^3/s

Name:

Total length (m) from upstream node to downstream:

Manning's n Values

LOB	0.035
Channel	0.02
ROB	0.035

Cross-Section

X (m)	RL (m)
1	0
2	17
3	32
4	44
5	58
6	59
7	...
8	...

Main Channel:

Left bank X coordinate:

Right bank X coordinate:

Contraction coefficient:

Expansion coefficient:

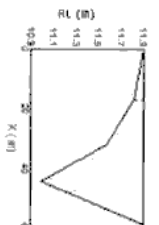
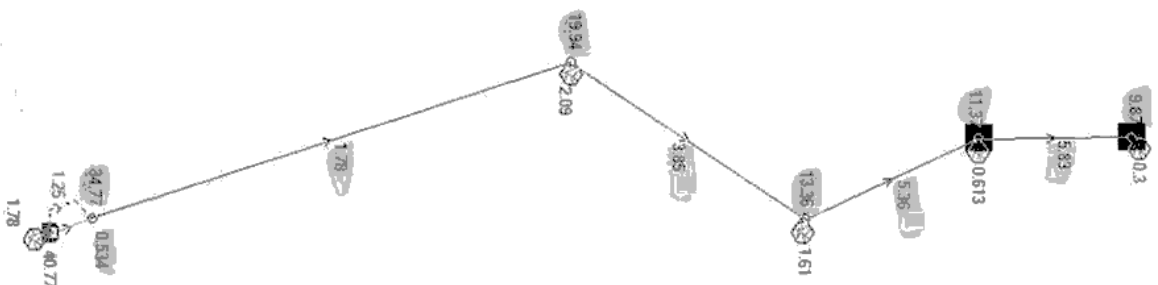
Long Section Data

Upstream IL	11
Downstream IL	9.5

Note: A single representative cross section will be used in the standard and premium hydraulic models. It will be adjusted up or down to match the Upstream and Downstream ILs specified here.

Scale of Length:

Buttons:

Post
100yr.

PEAK
water RL

Flow
m³/s

Name: 5.2.1

Total length (m) from upstream node to downstream: 68

Manning's n Values

LOB	0.035
Channel	0.02
ROB	0.035

Main Channel

Left bank X coordinate	17
Right bank X coordinate	58
Contraction coefficient	0.1
Expansion coefficient	0.3

Cross-Section

	X (m)	RL (m)
1	0	11.9
2	17	11.82
3	32	11.58
4	44	11
5	58	11.88
6	59	11.9
7		
8		

Scale off Length

Paste Xsect

Help

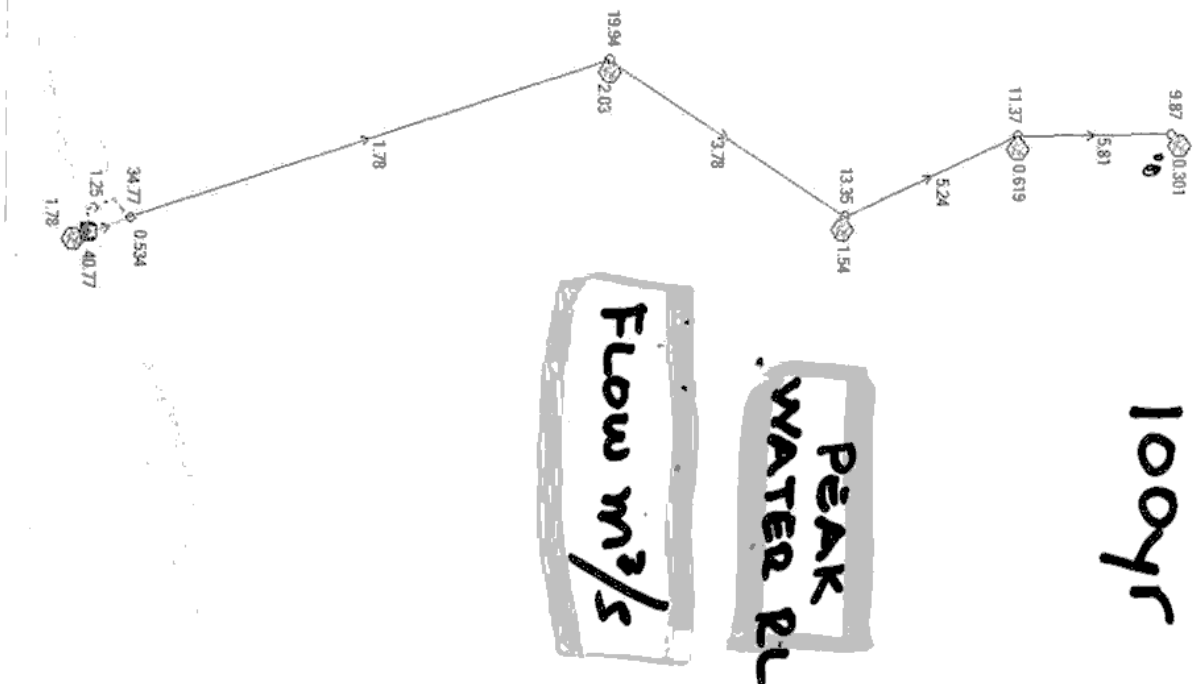
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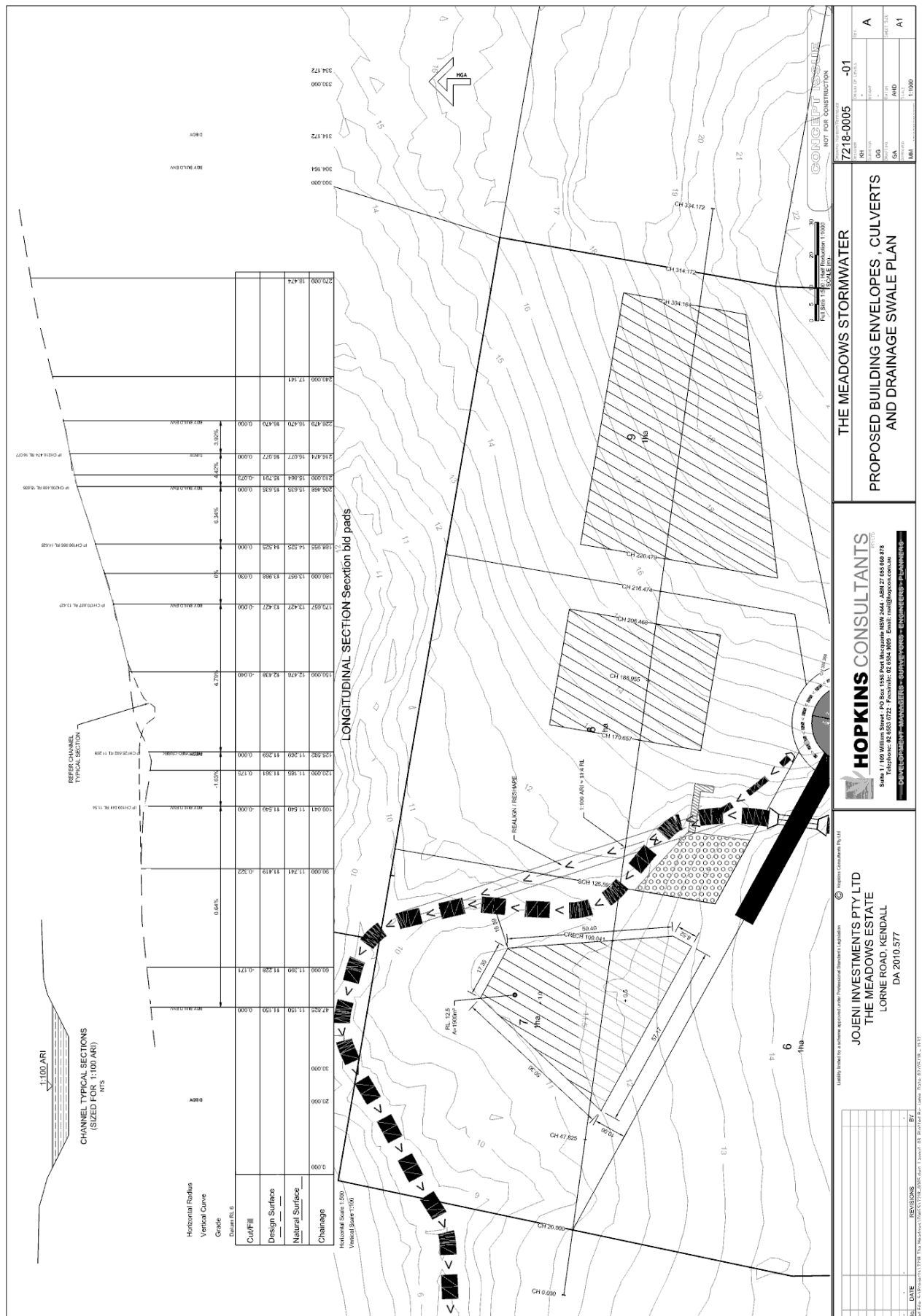
Save and Close

Long Section Data

Upstream IL	11
Downstream IL	9.5

Note: A single representative cross section will be used in the standard and premium hydraulic models. It will be adjusted up or down to match the Upstream and Downstream ILs specified here.





Midcoast
Building and
Environmental31st May 2011Port Macquarie – Hastings Council
PO Box 84
PORT MACQUARIE NSW 2444

Attention: Patrick Galbraith-Robertson

Dear Patrick,

**Re: Onsite Sewage Management – Proposed Rural Residential Subdivision of Lot 4
DP631582 Lorne Road, Kendall (Development Application 2010/577).**

I refer to your emailed request for additional information regarding onsite effluent disposal in relation to the proposed rural residential subdivision of the subject property.

Following your request the issue of the implications of the recommended 40m buffer to the intermittently flowing creek/gullies which have been identified on the subject site has been the subject of further detailed investigation and review. This has involved the identification of intermittently flowing creeks and the determination of the extent of the recommended 40m buffer zone using survey information. It is also noted that the proposed infilling of existing farm dams has also been taken into account in determining the application of the 40m buffer zone.

Please find attached a plan which identifies the constraint to onsite effluent disposal which is posed by the recommended 40m wide buffer zone. This approach has allowed for a more accurate determination of those areas of each of the proposed lots which is constrained by the 40m buffer zone. In this regard the following areas of each of the proposed lots remain unconstrained by the 40m buffer zone;

PROPOSED LOT	AREA OF LAND OUTSIDE OF 40m BUFFER ZONE
Lot 1	5975m ²
Lot 2	4147m ²
Lot 3	6442m ²
Lot 4	2458m ²
Lot 5	3694m ²
Lot 6	8371m ²
Lot 7	6911m ²
Lot 8	5733m ²
Lot 9	3173m ²
Lot 10	1.290 hectares
Lot 11	9291m ²
Lot 12	1 hectare
Lot 13	1 hectare

Having regard to the above table and the attached plan it is considered that under worst case conditions appropriately sized and located areas are available within each of the proposed lots in which to achieve sustainable onsite sewage management.

It is also noted that as the recommended 40m buffer zone only applies to the location of onsite disposal areas a significant level of flexibility exists within each of the proposed lots in which to position a dwelling and supporting infrastructure without compromising the availability of buffer free land in which to undertake onsite effluent disposal.

As provided for in the Onsite Sewage Management Assessment Report prepared by Midcoast Environmental Services, dated April 2011, it will be necessary for the development of each of the proposed allotments to be the subject of a further detailed onsite sewage management assessment. This further assessment will take into account lot specific features such as the size and positioning of the proposed dwelling together with site specific onsite sewage management conditions, constraints and opportunities. For example it maybe possible to reduce the footprint of the 40m buffer through a detailed consideration of topography and the determination of actual surface water overland flow paths.

Notwithstanding the above the information which has been submitted to Council demonstrates that having regard to the site and soil conditions and constraints which exist and the extent of onsite effluent disposal technology which is available that sustainable long term onsite sewage management is achievable on each of the proposed rural residential lots.

Regards

David Pensini



DAVID PENSINI
Building Certification and
Environmental Services16th March 2018GEM Planning Projects
PO Box 2068
PORT MACQUARIE NSW 2444

Attention: Geraldine Haigh

Dear Geraldine,

**Re: Onsite Sewage Management – Proposed Rural Residential Subdivision of Lot 2
DP 1231106, 72 Lorne Road, Kendall (Development Application 2010/577).**

I refer to your email request for additional information regarding onsite effluent disposal in relation to the proposed modifications to the layout of the approved rural residential subdivision of the subject property. In this regard it is noted that the proposed modified layout provides for an additional lot to be created adjacent to the northern boundary of the subject site, (the already approved subdivision plan provides for two (2) lots along the northern aspect whilst the proposed modification provides for three (3) lots – proposed Lots 9, 10 and 11).

In particular I note concerns raised by adjoining residents to the north of the subject site regarding the achievement of the 40m wide buffer zone between areas suitable for onsite sewage management and the intermittently flowing creeks/gullies which have been identified on and adjacent to the subject site.

Following your request the issue of the implications of the recommended 40m buffer to the intermittently flowing creeks/gullies which have been identified on and off the subject site in relation to the residential occupation and use of proposed Lots 9, 10 and 11 has been the subject of further review. This has involved the identification of intermittently flowing creeks and the determination of the extent of the recommended 40m buffer zone as applied to the proposed modified lot layout.

Please find attached a plan which identifies the constraints to onsite effluent disposal which are imposed by the recommended 40m wide buffer zone. This approach has taken a conservative approach to the determination of those areas of each of the proposed lots which is constrained by the 40m buffer zone and other property boundary setbacks which maybe applicable to the installation of onsite sewage management systems. In this regard the following areas of each of the proposed lots remain unconstrained by the 40m buffer zone;

PROPOSED LOT	AREA OF LAND OUTSIDE OF 40m BUFFER ZONE
Lot 9	Approximately 6060m ²
Lot 10	Approximately 2295m ²
Lot 11	Approximately 1625m ²

In the context of the indicative spatial requirements for future onsite sewage management systems on each of the lots, (Onsite Sewage Management Assessment Report prepared by Midcoast Environmental Services, dated April 2011) and having regard to the above table and the attached plan it is considered that under worst case conditions appropriately sized and located areas are available within each of the proposed lots in which to achieve sustainable onsite sewage management. This is particularly the case when the following factors are taken into consideration;

- The below ground disposal of effluent following secondary treatment. This provides for reduced opportunities for uncontrolled runoff of effluent which has been treated to a higher level.
- The incorporation of nutrient removal capabilities into treatment systems. This reduces the potential impacts of runoff on water quality.
- The engineered design of systems to reduce the size of disposal areas. The development of engineered solutions to onsite effluent management in more recent times has meant that the reliance upon reserve disposal areas has been considerably lessened. This significantly reduces the spatial requirements in demonstrating long term effluent disposal.
- Port Macquarie-Hastings Councils Code for Onsite Sewage Management for Domestic Premises, (Code C017), does indicate that lesser setback distances can be applied where the following performance objective can be satisfied;

'To prevent the pollution of watercourses and groundwater'

In this regard the determination of the minimum buffer zones using methods such as the Beavers-Gardiner method can provide for buffer zones which are often less than that which is recommended.

It is also noted that as the recommended 40m buffer zone only applies to the location of onsite disposal areas a significant level of flexibility exists within each of the proposed lots in which to position a dwelling and supporting infrastructure without compromising the availability of buffer free land in which to undertake onsite effluent disposal. It is however noted that the development of each of the proposed lots will require careful planning such that areas required for onsite sewage management are not utilized for other purposes.

As provided for in the Onsite Sewage Management Assessment Report prepared by Midcoast Environmental Services, dated April 2011, it will be necessary for the development of each of the proposed allotments to be the subject of a further detailed onsite sewage management assessment. This further assessment will take into account lot specific features such as the size and positioning of the proposed dwelling together with site specific onsite sewage management conditions, constraints and opportunities. For example it may be possible to reduce the footprint of the 40m buffer through a detailed consideration of topography and the determination of actual surface water overland flow paths.

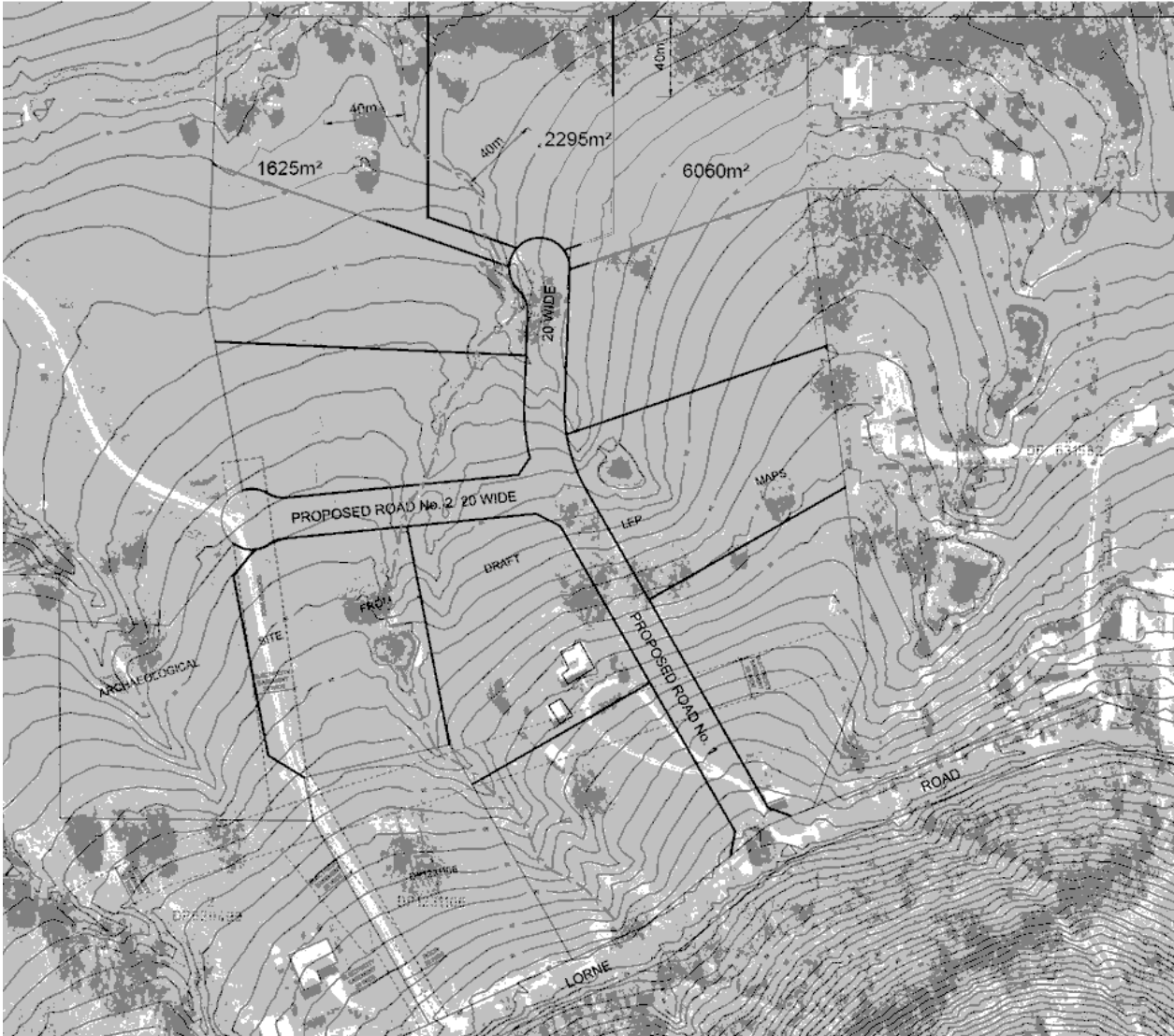
Notwithstanding the above the information which has been submitted demonstrates that having regard to the site and soil conditions and constraints which exist and the extent of onsite effluent disposal technology which is available that sustainable long term onsite sewage management is achievable on each of the proposed rural residential lots.

Regards



David Pensini

ATTACHMENT 1 – 40M BUFFER ZONE



**FOR USE BY PLANNERS/SURVEYORS TO PREPARE LIST OF
PROPOSED CONDITIONS****NOTE: THESE ARE DRAFT ONLY****DA NO: 2010/577****DATE: 16/04/2018**

The conditions of consent referred to in the Notice of Determination for DA No 2010/577 are as follows:

No.1	Modification No.1	10 February 2016
No.2	Modification No.2	20 January 2017
No.3	Modification No.3	26 April 2018

A – GENERAL MATTERS

- (1) (DA001) The development is to be carried out in accordance with the plans and supporting documents set out in the following table except where modified by any conditions of this consent.

Plan / Supporting Document	Reference	Prepared by	Date
Plans of subdivision	Sheets 1 to 3	Hopkins Consultants	Undated Sheet 1 18 December 2015 - Sheets 2 and 3

In the event of any inconsistency between conditions of this development consent and the plans/supporting documents referred to above, the conditions of this development consent prevail.¹

Proposed Modified condition A(1) below:

- (1) (DA001) The development is to be carried out in accordance with the plans and supporting documents set out in the following table except where modified by any conditions of this consent.

Plan / Supporting Document	Reference	Prepared by	Date
Plans of subdivision	Sheets 1 to 2	Hopkins Consultants	Undated Sheet 1 18 December 2015 - Sheets 2
Subdivision plans	Drawing No.s 7218-001 – 2 sheets	Hopkins Consultants	12 April 2018

In the event of any inconsistency between conditions of this development consent and the plans/supporting documents referred to above, the conditions of this development consent prevail.³

- (2) (DA004) Submission of a formal application for a Subdivision Construction Certificate and a Subdivision Certificate together with the payment of all relevant fees in accordance with Council's Management Plan.

- (3) (DA006) Approval pursuant to Section 68 of the Local Government Act, 1993 to carry out water supply, stormwater and sewerage works within the development site required by the development consent is to be obtained from Port Macquarie-Hastings Council. A copy of the approval is to be submitted with the application for Construction Certificate.
- (4) (DA007) Approval pursuant to Section 138 of the Roads Act, 1993 to carry out works required by the Development Consent on or within public road is to be obtained from Port Macquarie-Hastings Council. The application for this engineering approval must be made on the prescribed form with payment of fees pursuant to Section 223 of the Roads Act 1993 in accordance with Council's Schedule of Fees and Charges. The application is to include detailed design plans prepared by an appropriately qualified and practising consultant. A copy of the approval is to be submitted with the application for Construction Certificate. Under the provisions of the Local Government Act 1993 and/or the Roads Act 1993, if the activity is staged, the activity or the specified part or aspect of the activity, or any thing associated with the activity or the carrying out of the activity, may be the subject of a further approval.

Such works include, but not be limited to:

- Civil works
 - Traffic management
 - Work zone areas
 - Hoardings
- (5) (DA009) The provision of additional roads and stormwater works within the road reserve or Council's land at no cost to Council necessary to ensure satisfactory transitions to existing work as a result of conditions of this consent. The extent of works required for this development will be determined by Council in conjunction with assessing the application under the Roads Act. Design plans for any such works are to be incorporated in the design for other roads and stormwater systems required for this development.
- (6) (DA011) The design and construction of all subdivision works shall be in accordance with Council's adopted AUSPEC Specifications and Port Macquarie-Hastings Council DCP 2006 which are prescribed at the time of commencement of engineering works.
- (7) (DA013) The applicant shall provide security to the Council for the payment of the cost of the following:
- a. making good any damage caused to any property of the Council as a consequence of doing anything to which the consent relates,
 - b. completing any public work (such as road work, kerbing and guttering, footway construction, utility services, stormwater drainage and environmental controls) required in connection with the consent,
 - c. remedying any defects in any such public work that arise within twelve (12) months after the work is completed.

Such security is to be provided to Council prior to the issue of the Construction Certificate or Section 138 of the Roads Act, 1993.

The security is to be for such reasonable amount as is determined by the consent authority, being an amount that is the estimated cost plus 30% for public works by way of:

- i. deposit with the Council, or
- ii. an unconditional bank guarantee in favour of the Council.

The security may be used to meet any costs referred to above and on application being made to the Council by the person who provided the security any balance remaining is to be refunded to, or at the direction of, that person. Should Council have to call up the bond and the repair costs exceed the bond amount, a separate invoice will be issued. If no application is made to the Council for a refund of any balance remaining of the security within 6 years after the work to which the security relates has been completed the Council may pay the balance to the Chief Commissioner of State Revenue under the Unclaimed Money Act 1995.

- (8) (DA016) The general terms of approval from the following authorities, as referred to in section 93 of the Environmental Planning and Assessment Act 1979, are set out in Section H of this consent and form part of the consent conditions for this approval.

- NSW Rural Fire Service

Proposed Modified condition A(8) below:

- (8) (A013) *The general terms of approval from the following authorities, as referred to in section 93 of the Environmental Planning and Assessment Act 1979, and referenced below, are attached and form part of the consent conditions for this approval.*

- **NSW Rural Fire Service - The General Terms of Approval, Reference D17/4709 DA17121910959 CC and dated 19 February 2018, are attached and form part of this consent.**³

- (9) (DA036) The submission with the application for approval pursuant to Section 138 of the Roads Act of a Plan of Management for any works for the development that impact on any public roads and public land for the construction phase of the development. The plan is to include a Traffic Management Plan and/or Environmental Plan and/or a Work Method Statement for any works or deliveries that impact the normal travel paths of vehicles, pedestrians or cyclists or where any materials are lifted over public areas. The Traffic Control component of the plan is to be designed in accordance with Australian Standard 1742.3 – 2002 RTA "Traffic Control at Worksite Manuals" detailing the location of proposed Work Zone area (Construction Zone) plan, prior to the erection of any signage, giving dimensions from the nearest cross street kerb, the location of any existing regulatory signposting and indicating the period for which the parking restriction is required. Any persons preparing such Traffic Control layout plans shall be RTA accredited or equivalent.
- (10) (DA043) Construction of functional vehicular accesses and right of carriageways to all rural allotments in accordance with AUSPEC Specifications D1.31 and Table D1.8; Details of the construction of the accesses are to be provided with the construction certificate application.
- (11) (DA055) The submission to Council of stormwater drainage details in accordance with Council's Development Control Plan No 17 and AUSPEC Specifications D5 and/or D7 where relevant. Where the details relate to subdivision works the details are to be approved prior to the release of the Subdivision Construction Certificate. Where the details relate to the erection of a building the details are to be lodged with Port Macquarie-Hastings Council with the application for approval pursuant to Section 68 of the Local Government Act.
- (12) (DA057) Any interruption to the natural overland flow of stormwater drainage, which could result in the disruption of the amenity, or drainage or deterioration to any other property is not permitted.

- (13) (DA061) Restrictions and/or positive covenant must be provided over the overland flow path for on site detention storage areas with appropriate public awareness signage.
- (14) (DA062) Any boundary fencing or internal fencing that crosses the overland flow path is to be open mesh style within 500mm of finished ground level with the mesh openings designed to provide a minimum 80% clear area.
- (15) (DA066) All water services necessary to service the development must be provided in accordance with Council's requirements. All services are to be designed and constructed in accordance with Council's AUSPEC Specifications. Council pursuant to Section 68 of the Local Government Act must approve the design plans for the required services.
- (16) (DA071) Provision to each lot of a separate water connection (un-metered and sealed) to Council's main. All work will need to comply with the requirements of Council's adopted AUSPEC Design and Construction Guidelines and Policies.
- (18) (DA102) Submission prior to the issue of a subdivision certificate of a plan prepared by a Registered Surveyor showing location of existing road formation relative to reserved and dedicated roads to enable determination of any road widening necessary. Any road widening is to be at no cost to Council.
- (19) (DA195) Fire service coverage to the building envelope of each lot to AS 2419 is to be provided wherever there is reasonable prospect of coverage from a street hydrant (Stage 1 Lot 2 not applicable). The subdivision plans with suitable Section 88b instruments are to show building envelopes that can be covered by street hydrants to AS 2419. This information is to be shown on the engineering plans for assessment by Water Supply Section before linen release.
- (20) (DA196) Provision of an intersection with existing Lorne Road and proposed Road No.1, designed in accordance with Council approved design plans (RR-190 – 30), the publication AUSTROADS Guide to Road Design Part 4A: Unsignalised and Signalised Intersections and AUSPEC Specifications D1.25; such intersection shall include:
- (a) reconstruction of the existing pavement, if required to provide uniform crossfalls
 - (b) widening and bitumen surfacing of all pavement across the full road frontage to provide uniform skid resistance
 - (c) all necessary surface and subsoil drains
 - (d) provision of traffic signs
 - (e) provision of linemarking
 - (f) adjustment of services, if necessary
 - (g) streetlighting in accordance with AS1158
- (22) (DA197) The design and construction of all public and access roads and provision of APZ(s) shall be in accordance with AUSPEC Specifications and the current publication *Planning for Bushfire Protection*. A positive covenant shall clearly refer to the proprietor of the burdened lot being responsible for the maintenance of any firetrail and APZ, releasing Council from any obligation to renew, repair and maintain.

Proposed condition A(22) to become A(21) fix numbering – see below:

- (21) (DA197) The design and construction of all public and access roads and provision of APZ(s) shall be in accordance with AUSPEC Specifications and

the current publication *Planning for Bushfire Protection*. A positive covenant shall clearly refer to the proprietor of the burdened lot being responsible for the maintenance of any firetrail and APZ, releasing Council from any obligation to renew, repair and maintain.³

B – PRIOR TO ISSUE OF A CONSTRUCTION CERTIFICATE

- (1) (DB002) Submission to the Principal Certifying Authority prior to the issue of a Construction Certificate detailed design plans for the following works associated with the developments. Public infrastructure works shall be constructed in accordance with Port Macquarie-Hastings Council's current AUSPEC specifications and design plans are to be accompanied by AUSPEC DQS:

1. Road works along the frontage of the development.
2. New roads and accessways within the subdivision (to also satisfy the current version of *Planning for Bush Fire Protection*).
3. Earthworks
4. Water supply reticulation (Stage 1 only if arrangements are required for private water supply to each lot within this stage).
5. Stormwater systems. (including a stormwater maintenance plan for the proposed stormwater drainage facilities submitted as per the requirements of AUSPEC D7 (see appendix A Table D7A-4).
6. Erosion & Sedimentation controls. (including a geotechnical report for the treatment of roadside drainage where scour velocities for onsite soils are exceeded).
7. Location of all existing and proposed utility services including:
 - a. Conduits for electricity supply and communication services (including fibre optic cable).
 - b. Water supply
 - c. Stormwater
8. Detailed intersection layout at the junction of Lorne Road and proposed Road No.1 in accordance with AUSTROADS Guide to Road Design Part 4A: Unsignalised and Signalised Intersections and AUSPEC Specifications D1.25.- giving particular attention to sight distance.

An application and checking fee in accordance with Council's Management Plan shall be payable upon submission of engineering design plans.

- (2) (DB003) Road network within the subdivision is to be categorised in accordance with AUSPEC Table D1.8 with road reserves and minimum carriageway widths (includes shoulder) respectively as follows:

Road No.	Road Width (Metres)					
	RIGHT OF CARRIAGE WAY	Access	Local	Collector	Commercial	Industrial
1			20(8)			
2			20(8)			
r-o-c	10(5)					

- (3) (DB009) If engineering works are of a value equal to or greater than \$25,000, a detailed estimate of cost of the civil engineering works and documentary proof of payment of the levy required by the Building and Construction

Industry Long Service Payments Act must be provided to Council prior to any approval of engineering plans.

- (4) (DB038) Prior to the issue of any Construction Certificate, satisfactory arrangements are to be made with the Water Authority for the provision of water services to the land. Evidence of such arrangements will be furnishing relevant documentation from the Water Authority.
- (5) (DB050) Submission of a detailed landscape plan to Council for approval prior to the issue of the Construction Certificate which includes a minimum of 5 advanced street tree plantings chosen from Council's Indigenous Street and Open Space Planting List.
- (6) (DB055) The applicant shall implement a landscape maintenance program for a minimum period of 12 months to ensure that all landscape work becomes well established by regular maintenance. Details of the program must be submitted with the Detailed Landscape Plan with the Subdivision Construction Certificate application.
- (7) (DB195) A detailed stormwater drainage design must be provided prior to the issue of a Construction Certificate and submitted for approval. The design must be prepared to make provision for the following:
 - a) The layout of the stormwater drainage system must be generally in accordance with the Stormwater Management Plan prepared by King and Campbell dated March 2007 and as amended as follows.
 - b) The design contained within the plan referred to above must be reanalysed using a current version of MUSIC (v4 is current at time of Approval) to ensure that the proposed stormwater treatment systems are sized correctly to comply with the discharge parameters specified in council's AUSPEC Specifications for discharge from the whole development site. The layout and sizing of the stormwater treatment systems servicing the site shall be amended as required to ensure compliance with these requirements. A copy of the Modelling undertaken shall be submitted to Council.
 - c) Where stormwater pipelined, flowpaths or treatment measures are proposed within private property, easements and / or drainage reserves must be created as per Council's AUSPEC Specifications and be shown on the plan.
 - d) Comply with Council's AUSEC Design Specifications
 - e) The design must make provision for the natural flow of stormwater runoff from uphill/upstream properties/lands.
 - f) All plumbing within the site must be carried out in accordance with relevant provisions of Australian Standard AS/NZS 3500.3-2003 Plumbing and Drainage – Stormwater Drainage.

An inspection opening or stormwater pit must be installed inside the property, adjacent to the boundary, for all stormwater outlets.

Proposed modified condition B(7) below:

- (7) (DB195) *A detailed stormwater drainage design must be provided prior to the issue of a Construction Certificate and submitted for approval. The design must be prepared to make provision for the following:*
 - a) *The layout of the stormwater drainage system must be generally in accordance with the Stormwater Management Plan prepared by King and Campbell dated March 2007 and Plan number 7218-0005-01 prepared by Hopkins Consultants amended as follows.*

- b) *The design contained within the plan referred to above must be reanalysed using a current version of MUSIC (v4 is current at time of Approval) to ensure that the proposed stormwater treatment systems are sized correctly to comply with the discharge parameters specified in council's AUSPEC Specifications for discharge from the whole development site. The layout and sizing of the stormwater treatment systems servicing the site shall be amended as required to ensure compliance with these requirements. A copy of the Modelling undertaken shall be submitted to Council.*
- c) *Where stormwater pipelined, flowpaths or treatment measures are proposed within private property, easements and / or drainage reserves must be created as per Council's AUSPEC Specifications and be shown on the plan including appropriate scour protection.*
- d) *Comply with Council's AUSEC Design Specifications*
- e) *The design must make provision for the natural flow of stormwater runoff from uphill/upstream properties/lands.*
- f) *All plumbing within the site must be carried out in accordance with relevant provisions of Australian Standard AS/NZS 3500.3-2003 Plumbing and Drainage – Stormwater Drainage.*
- An inspection opening or stormwater pit must be installed inside the property, adjacent to the boundary, for all stormwater outlets.³*
- (8) (DB196) Submission of geotechnical evaluations carried out by a NATA registered laboratory and documentation in accordance with the requirements of AUSPEC Specification D2.21.

Add new condition B(9):

- (9) *Prior to release of the Construction Certificate, a plan is to be submitted to Council showing a dwelling envelope on proposed Lot 7 that is capable of being above the 1:100 year flood level applicable to the site. The dwelling envelope is to be of a suitable size to accommodate a standard size dwelling. The plan is also to show the location of any drainage swale and also an area capable of containing an onsite waste management system for a standard size dwelling.³*

C – PRIOR TO ANY WORK COMMENCING ON SITE

- (1) (DC002) A minimum of one (1) week's notice in writing of the intention to commence works on public land is required to be given to Council together with the name of the principal contractor and any major sub-contractors engaged to carry out works. Works shall only be carried out by a contractor accredited with Council.
- (2) (DC003) A copy of the current stamped approved construction plans must be kept on site for the duration of site works and be made available upon request to either the Principal Certifying Authority or an officer of the Council.
- (3) (DC004) Prior to the commencement of any works, a pre-construction meeting shall be organised by the applicant. This meeting is to be attended by the applicant or consultants, principal contractor and Council's development engineer or his representative.
- (4) (DC013) Signage must be erected in a prominent position on any work site on which work involved in the erection or demolition of a building is being carried out:
- a. stating that unauthorised entry to the work site is prohibited.

- b. showing the name of the principal contractor in charge of the work site and a telephone number at which that person may be contacted outside working hours.
- c. the name and contact details of the principal certifying authority responsible for the site

Any such signage is to be removed when the work has been completed.

This does not apply to building work carried out inside an existing building.

D – DURING WORK

- (1) (DD002) Development works on public property or works to be accepted by Council as an infrastructure asset are not to proceed past the following hold points without inspection and approval by Council. Notice of required inspection must be given 24 hours prior to inspection, by contacting Council's Customer Service Centre on (02) 6581 8111. You must quote your construction certificate number and property description to ensure your inspection is confirmed:
 - a. prior to commencement of site clearing and installation of erosion control facilities;
 - b. at completion of installation of erosion control measures
 - c. prior to installing traffic management works
 - d. at completion of installation of traffic management works
 - e. at the commencement of earthworks;
 - f. before commencement of any filling works;
 - g. when the sub-grade is exposed and prior to placing of pavement materials;
 - h. when trenches are open, stormwater/water/sewer pipes and conduits jointed and prior to backfilling;
 - i. at the completion of each pavement (sub base/base) layer;
 - j. before pouring of kerb and gutter;
 - k. prior to the pouring of concrete for sewerage works and/or works on public property;
 - l. on completion of road gravelling or pavement;
 - m. during construction of sewer infrastructure;
 - n. during construction of water infrastructure;
 - o. prior to sealing and laying of pavement surface course.

All works at each hold point shall be certified as compliant in accordance with the requirements of AUSPEC Specifications for Provision of Public Infrastructure and any other Council approval, prior to proceeding to the next hold point.

Council will undertake random audits of work sites to verify compliance of public works as required.

- (2) (DD005) The slope of any cut/fill batters shall be in accordance with Council's adopted AUSPEC Design and Construction Guidelines.
- (3) (DD024) Work on the project being limited to the following hours, unless otherwise permitted by Council:-
 - Monday to Saturday from 7.00am to 6.00pm
 - The builder to be responsible to instruct and control his sub-contractors regarding the hours of work.

- (4) (DD028) Building equipment and/or materials shall be contained wholly within the site and shall not be stored or operated on the footpath or roadway, unless specific written approval has been obtained from Council beforehand.
- (5) (DD044) A garbage receptacle for the reception of all waste materials from the site shall be provided prior to building work commencing and shall be maintained and serviced for the duration of the work.
- (6) (DA082) Dust nuisance to neighbouring properties shall not be generated as a result of the undertaking of the development.
- (7) (DA083) Any wastes shall not be disposed of by burning.

E – PRIOR TO THE ISSUE OF OCCUPATION OR SUBDIVISION CERTIFICATE (ONLY AS APPLICABLE TO EACH STAGE OF THE DEVELOPMENT)

- (1) (DE005) Prior to the release of any bond securities held by Council for infrastructure works associated with developments, a formal written application is to be submitted to Council specifying detail of works and bond amount.
- (2) (DE017) Provision of a right of carriageway as required by consent as follows:
 - (1) Over lot 2 benefiting lot 1 prior to issue of Stage 1 subdivision certificate.
 - (2) Over lot 2 benefiting Lot 2 DP 620499 prior to issue of Stage 1 subdivision certificate.
 - (3) Extinguishment of right of carriageway referred to in point (1) of this condition prior to release of Stage 3 subdivision certificate.Such right of carriageways are to be ten (10) metres wide reservation with a minimum five (5) metre wide constructed gravel pavement.¹
- (3) (DE037) All public roads are to be constructed in accordance with approved construction plans and Council's current AUSPEC Specifications and dedicated up to the boundaries of all adjoining properties where shown on the approved plan.
- (4) (DE043) An appropriately qualified and practising consultant is required to furnish a Compliance Certificate to the Principal Certifying Authority confirming:
 - a. all drainage lines have been located within the respective easements, and
 - b. any other drainage structures are located in accordance with the Construction Certificate.
 - c. all stormwater has been directed to a Council approved drainage system
 - d. all conditions of consent/ construction certificate approval have been complied with.
 - e. Any on site detention system (if applicable) will function hydraulically in accordance with the approved Construction Certificate.
- (5) (DE045) At the completion of works on private property certification is to be provided to Port Macquarie-Hastings Council from a practising civil or structural engineer that all stormwater works have been undertaken in accordance with the approved plans and Australian Standard 3500.
- (6) (DE051) A Certificate of Compliance under the provisions of Section 307 of the Water Management Act must be obtained prior to the issue of any Occupation or Subdivision Certificate.
- (7) (DE052) Prior to the issue of any Occupation Certificate, submission of relevant documentation from the Water Authority confirming its acceptance of infrastructure works, including work as executed plans in accordance with Port Macquarie-Hastings Council current version of AUSPEC.

- (8) (DE056) All works shall be certified by a practicing Civil Engineer or Registered Surveyor as compliant in accordance with the requirements of AUSPEC in accordance with the Council's *Interim Requirements for the Maintenance and Certification of Public Infrastructure Provided Through Land Developments* (dated 6 September 2010) prior to issue of the release of the security bond to guarantee completion of public works.
- (9) (DE065) Landscaped areas being completed prior to issue of the Subdivision Certificate.
- (10) (DE071) Provision of street lighting to all new roads and compliance with the requirements of the electricity authority regarding provision of electricity to serve the development. Evidence by way of letter from the electricity authority, indicating compliance with this condition shall be submitted prior to the issue of the Subdivision Certificate.
- Any proposal to erect non-standard or prestige street lighting is to be referred to Council together with details of the difference in annual charges over a twenty five (25) year period in accordance with Policy R5 – Street Lighting on Public Roads.
- (11) (DE072) Any necessary alterations to, or relocations of, public utility services to be carried out at no cost to Council and in accordance with the requirements of the relevant authority including the provision of easements over existing and proposed public infrastructure. Any alterations to or relocation of street lighting to be approved in writing from Port Macquarie-Hastings Council.
- (12) (DE073) Ancillary works shall be undertaken at no cost to Council to make the engineering works required by this Consent effective to the satisfaction of Director of Council's Infrastructure Division. Such works shall include, but are not limited to the following:
- a. The relocation of underground services where required by civil works being carried out.
 - b. The relocation of above ground power and telephone services
 - c. The relocation of street lighting
 - d. The matching of new infrastructure into existing or future design infrastructure
- (13) (DE076) Prior to the issue of a Subdivision Certificate, written advice is to be submitted from the electricity authority confirming that its requirements for the provision of electricity services (including street lighting where required) have been satisfied and/or from the telecommunications authority confirming that its requirements for the provision of telecommunication services (including fibre optic cabling where required) have been satisfied.
- (14) (DE080) Lodgement of a security deposit with Council upon practical completion of the subdivision works in accordance with the Council's *Interim Requirements for the Maintenance and Certification of Public Infrastructure Provided Through Land Developments* (dated 6 September 2010).
- (15) (DE086) The proponent shall submit an application for a Subdivision Certificate for Council certification. Such application shall be accompanied by payment of all relevant fees in accordance with Council's Management Plan, and original plan of subdivision together with 7 copies with associated 88B instruments, where necessary.
- (16) (DE087) The plan of subdivision and Section 88B instrument shall establish the following restrictive covenants; with the Council having the benefit of these covenants and having sole authority to release vary or modify these covenants. Wherever possible the extent of the land affected by these

covenants shall be defined by bearings and distances shown on the plan of subdivision.

- a. Prohibiting direct vehicular access to and from Lorne Road
- b. Prohibiting direct vehicular access to and from Lorne Road except in the location shown in red on the approved plan

Details are to be submitted to Council prior to issue of the Subdivision Certificate.

- (17) (DE095) Submission of a compliance certificate accompanying Works as Executed plans with detail included as required by Council's current AUSPEC Specifications. The information is to be submitted in electronic format in accordance with Council's "CADCHECK" requirements detailing all infrastructure for Council to bring in to account its assets under the provisions of AAS27. This information is to be approved by Council prior to issue of the Subdivision Certificate.
- (18) (DE096) All subdivision works must be in accordance with Development Code DCP 17 and approved by Council prior to the issue of a Subdivision Certificate.
- (19) (DE097) Prior to the issuing of the Subdivision Certificate, provision to the Principal Certifying Authority of documentation from Port Macquarie-Hastings Council being the local roads authority certifying that all matters required by the approval issued pursuant to Section 138 of the Roads Act have been satisfactorily completed.
- (20) (DE195) Prior to the issue of an Occupation Certificate, a positive covenant must be created under Section 88E of the Conveyancing Act 1919, burdening the owners of affected lots with the requirement to ensure the ongoing maintenance of the existing overland flowpath through the site.

The terms of the 88E instrument with positive covenant must include, but not be limited to, the following:

- a) The proprietor of the property shall be responsible for maintaining and keeping clear the overland flowpath.
- b) The Council shall have the right to enter upon the land referred to above, at all reasonable times to inspect, construct, install, clean, repair and maintain in good working order all components or structures in or upon the said land which comprise the overland flowpath; and recover the costs of any such works from the proprietor.
- c) The registered proprietor shall indemnify the Council and any adjoining land owners against damage to their land arising from the failure of any component of the overland flowpath, or failure to clean, maintain and repair the overland flowpath.

Proposed modified condition E(20) below:

- (20) (DE195) *Prior to the issue of a Subdivision Certificate, a positive covenant must be created under Section 88E of the Conveyancing Act 1919, burdening the owners of affected lots with the requirement to ensure the ongoing maintenance of the existing overland flowpath through the site.*

The terms of the 88E instrument with positive covenant must include, but not be limited to, the following:

- a) The proprietor of the property shall be responsible for maintaining and keeping clear the overland flowpath.*
- b) The Council shall have the right to enter upon the land referred to above, at all reasonable times to inspect, construct, install, clean, repair and maintain*

in good working order all components or structures in or upon the said land which comprise the overland flowpath; and recover the costs of any such works from the proprietor.

c) The registered proprietor shall indemnify the Council and any adjoining land owners against damage to their land arising from the failure of any component of the overland flowpath, or failure to clean, maintain and repair the overland flowpath.

d) Restricting construction on Lot 7 to have a habitable finished floor level at or above 13.75m AHD.³

(21) (DE196) The E2 - Environmental Conservation zoned sections of the site shall be appropriately fenced to prevent livestock from entering these areas and details submitted to Council to demonstrate completion of these works prior to issue of any Subdivision Certificate.

(22) (DE197) (DB045) Payment to Council, prior to the issue of the Subdivision Certificate of the Section 94 contributions set out in the "Notice of Payment – Developer Charges" schedule attached to this consent. The contributions are levied, pursuant to the Environmental Planning and Assessment Act 1979 as amended, and in accordance with the provisions of the following plans:

- Hastings S94 Administration Building Contributions Plan
- Hastings Administration Levy Contributions Plan
- Hastings S94 Major Roads Contributions Plan
- Hastings S94 Open Space Contributions Plan
- Community Cultural and Emergency Services Contributions Plan 2005

The plans may be viewed during office hours at the Council Chambers located on the corner of Burrawan and Lord Streets, Port Macquarie, 9 Laurie Street, Laurieton, and High Street, Wauchope.

The attached "Notice of Payment" is valid for the period specified on the Notice only. The contribution amounts shown on the Notice are subject to adjustment in accordance with CPI increases adjusted quarterly and the provisions of the relevant plans. Payments can only be made using a current "Notice of Payment" form. Where a new Notice of Payment form is required, an application in writing together with the current Notice of Payment application fee is to be submitted to Council.

(23) (DG026) As part of Notice of Requirements by Port Macquarie-Hastings Council as the Water Authority under Section 306 of the Water Management Act 2000 the payment of a cash contribution, prior to the issue of a Subdivision Certificate, of the Section 64 contributions, as set out in the "Notice of Payment – Developer Charges" schedule attached to this consent is required. The contributions are levied in accordance with the provisions of the relevant Section 64 Development Servicing Plan towards the following:

- o augmentation of the town water supply headworks

(24) Prior to issue of a subdivision certificate for Stage 3, the existing structures within proposed Lot 13 are to be demolished.¹

(25) (E076) The plan of subdivision and Section 88B instrument shall establish the following restrictions, easements and/or covenants; with Council having the benefit and having the sole authority to release, vary or modify each restriction, easement and/or covenant. Wherever possible the extent of the land affected by these covenants shall be defined by bearings and distances shown on the plan of subdivision.

a. Connection to town water supply by the lot burdened shall not be permitted until such time as payment of the relevant Section 64 Development

Servicing Plans towards the augmentation of the town water supply headworks has been made to Port Macquarie-Hastings Council. Details are to be submitted to Council prior to issue of the Subdivision Certificate.²

F – OCCUPATION OF THE SITE

nil

G – ADVICE

- (1) (DG006) 'Works in kind' may be accepted by Council for work detailed below in accordance with Council policy. Any 'Works in kind' in lieu of a contribution to Council is to be agreed in writing by Council prior to issue of Construction Certificate.
 - Lorne Road frontage works
- (2) (DG021) Submission to Council of an application for water service connections and compliance with Council's requirements for the provision of such connections. Payments of costs to provide for these connections and/or extensions are to be made prior to the issue of the Construction Certificate. This application is also to include an application for the disconnection of any existing service not required.
- (3) (DG027) Extension or modification of the town water supply system where necessary to serve the development, at no cost to Council.
- (4) (DG029) Submission of a compliance certificate accompanying Works as Executed plans with detail included as required by Council's current AUSPEC Specifications. The information is to be submitted in electronic format in accordance with Council's "CADCHECK" requirements detailing all infrastructure for Council to bring in to account its assets under the provisions of AAS27. This information is to be approved by Council prior to issue of the Subdivision Certificate. The copyright for all information supplied, shall be assigned to Council.
- (6) (DG195) The applicant should contact the Principle Design Engineer within Council's Technical Services Section prior to designing and submitting construction certificate application for the upgrade of Lorne Road across the development site frontage to ensure they accord with Council approved design plans (RR- 190 – 30) .

H- NSW RURAL FIRE SERVICE**Asset Protection Zones**

The intent of measures is to provide sufficient space and maintain reduced fuel loads so as to ensure radiant heat levels of buildings are below critical limits and to prevent direct flame contact with a building. To achieve this, the following conditions shall apply:-

1. At the issue of subdivision certificate and in perpetuity, the land surrounding the existing dwelling(s) on proposed Lot 3, to a distance of 20 metres, shall be maintained as an inner protection area (IPA) as outlined within section 4.1.3 and Appendix 5 of 'Planning for Bushfire Protection 2006; and the NSW Rural Fire Service's documents 'Standards for Asset Protection Zones'.

Water and Utilities

The intent of measures is to provide adequate services of water for the protection of buildings during and after the passage of a bushfire, and to locate gas and electricity so as not to contribute to the risk of fire to a building. To achieve this, the following conditions shall apply:

2. Electricity and gas are to comply with Section 4.1.3 of 'Planning for Bushfire Protection 2006'.

Access

The intent of measures for public roads is to provide safe operational access to structures and water supply for emergency services, while residents are seeking to evacuate from an area. To achieve this, the following conditions shall apply:

3. Public road access shall comply with Section 4.1.3 (1) of 'Planning for Bushfire Protection 2006' for the proposed roads for proposed Part 1 subdivision. A perimeter road is not required in this case. A through road is not required in this case.
4. Road widths shall comply with Table 4.1 of 'Planning for Bushfire Protection 2006'.

The intent of measures for property access is to provide safe access to/from the public road system for fire fighters providing property protection during a bushfire and for occupants faced with evacuation. To achieve this, the following conditions shall apply:

5. Property access roads shall comply with Section 4.1.3 (2) of 'Planning for Bushfire Protection 2006' for the proposed access to proposed Part 2 subdivision. Alternative access is not required in this case.

Proposed to Delete the Section H condition above:

H- NSW RURAL FIRE SERVICE

Conditions deleted and covered by amended Condition A8. ³

All communications to be addressed to:

Headquarters
15 Carter Street
Lidcombe NSW 2141

Headquarters
Locked Bag 17
Granville NSW 2142

Telephone: 1300 NSW RFS
e-mail: records@rfs.nsw.gov.au

Facsimile: 8741 5433



The General Manager
Port Macquarie-Hastings Council
PO Box 84
PORT MACQUARIE NSW 2444

Your Ref: 2010/577
Our Ref: D17/4709
DA17121910959 CC

ATTENTION: Christopher Gardiner

19 February 2018

Dear Sir/ Madam

Integrated Development for 2//1231106 - 72 Lorne Road Kendall

I refer to your letter dated 13 December 2017 seeking general terms of approval for the above Integrated Development in accordance with section 96 of the 'Environmental Planning and Assessment Act 1979'.

This response is to be deemed a bush fire safety authority as required under section 100B of the 'Rural Fires Act 1997' and is issued subject to the following numbered conditions:

Asset Protection Zones

The intent of measures is to minimise the risk of bush fire attack and provide protection for emergency services personnel, residents and others assisting fire fighting activities. To achieve this, the following conditions shall apply:

1. At the issue of a subdivision certificate, and in perpetuity, the entire property shall be managed as an inner protection area (IPA) as outlined within section 4.1.3 and Appendix 5 of 'Planning for Bush Fire Protection 2006' and the NSW Rural Fire Service's document 'Standards for asset protection zones'.

Water and Utilities

The intent of measures is to minimise the risk of bush fire attack and provide protection for emergency services personnel, residents and others assisting fire fighting activities. To achieve this, the following conditions shall apply:

2. The provision of water, electricity and gas to the proposed lots shall comply with section 4.1.3 of 'Planning for Bush Fire Protection 2006'.

Access

The intent of measures for public roads is to provide safe operational access to structures and water supply for emergency services, while residents are seeking to evacuate from an area. To achieve this, the following conditions shall apply:

3. Public road access shall comply with section 4.1.3 (1) of 'Planning for Bush Fire Protection 2006' except for the requirement for a perimeter / through road.
4. Road widths shall comply with Table 4.1 of 'Planning for Bush Fire Protection 2006'.

The intent of measures for property access is to provide safe access to/from the public road system for fire fighters providing property protection during a bush fire and for occupants faced with evacuation. To achieve this, the following conditions shall apply:

5. Property access roads shall comply with section 4.1.3 (2) of 'Planning for Bush Fire Protection 2006' for the proposed access to proposed Part 2 subdivision. Alternative access is not required in this case.

General Advice – consent authority to note

- This approval is for the subdivision of the land only. Any further development application for class 1,2 & 3 buildings as identified by the 'Building Code of Australia' must be subject to separate application under section 79BA of the EP & A Act and address the requirements of 'Planning for Bush Fire Protection 2006'.

For any queries regarding this correspondence please contact Craig Casey on 1300 NSW RFS.

Yours sincerely



Jason Maslen

Team Leader Development Assessment and Planning

The RFS has made getting information easier. For general information on 'Planning for Bush Fire Protection, 2006', visit the RFS web page at www.rfs.nsw.gov.au and search under 'Planning for Bush Fire Protection, 2006'.

Graeme and Anita Guy

49 Lee Place

Logans Crossing NSW 2439



2nd January 2018

To the General Manager,
Port Macquarie-Hastings Council.

Submission on Development Proposal:
Modify the Lot Layout and Create Additional Lot.
Lot: 2 DP: 1231106, 72 Lorne Road Kendall.
Application No. 2010/577
Applicant: Jojeni Investments Pty Ltd

We oppose the modification of the lot layout to create an additional lot.

Following a conversation on 19 December 2017 with Council Officer Mr Christopher Gardiner we were asked to place our concerns in regard to this proposal in writing. May we add we were surprised to see this development being advertised in the Camden Haven Courier Wednesday December 20, 2017 "The Meadows" 12 lots of 1 Ha for sale as if the modification proposal was already approved, as the exhibition period was stated 18/12/2017 until 12/01/2018.

Our concerns relate to the onsite sewage management of this modification referring specifically to the three blocks 9, 10 and 11. having common boundary with our property Lot 65.

We do not consider the creation of an extra allotment adjacent to our boundary as not significant in increasing the environmental effects from the development. The proposed blocks 9, 10 and 11 are positioned at the lowest point of the down slope of the proposed site and it has been our observation to witness the flow of run off in heavy rain events, into our creek and swell at the Northern corner of proposed lot 9, adjoining leased crown land and flooding to the Camden Haven River (see photo 45 and 48 attached).

We refer you to the Onsite Sewage Management Assessment Report prepared by Midcoast Building and Environmental Services dated 31st May 2011, in this document there is a plan (Appendix 5) which identifies the constraint to onsite effluent disposal which is posed by the recommended 40m buffer zone to intermittently flowing creeks and dams within the proposed development site. We are not convinced that this included data of a 40m buffer zone in relation to the intermittent creek

on our property We feel the latest proposed modification of the subject site could significantly increase environmental effects such as potential for seepage/runoff to our creek immediately adjacent to our South boundary, any contemplation that another method of disposal of septic waste , secondary or not, within the 40 metre zone would mean leakage into our creek.

In addition we have concerns of how overland storm water runoff will be channelled away from this development considering the slope characteristics of the site, in particular regard to the proposed roads 1 and 2.

We request that council consider our observations and concerns, and require an up to date report from Midcoast Building and Environmental Services justifying the application to modify the allotment boundaries at the North end of Stage 2 development.

Yours sincerely,

Graeme and Anita Guy

