

# Development Assessment Panel

## Business Paper

**date of meeting:** Wednesday, 13 March 2013

**location:** Function Room, PMHC, Port Macquarie

**time:** 2.00pm

**Note:** Council is distributing this agenda on the strict understanding that the publication and/or announcement of any material from the Paper before the meeting not be such as to presume the outcome of consideration of the matters thereon.



**PORT MACQUARIE  
HASTINGS**

## **Development Assessment Panel**

### **CHARTER**

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#### **Functions:**

1. To review development application reports and conditions.
2. To determine development applications outside of staff delegations.
3. To refer development applications to Council for determination where necessary.
4. To provide a forum for objectors and applicants to make submissions on applications before DAP.
5. To maintain transparency for the determination of development applications.

#### **Delegated Authority:**

Pursuant to Section 377 of the Local Government Act, 1993 delegation to determine development applications under Part 4 of the Environmental Planning and Assessment Act 1979 having regard to the relevant environmental planning instruments, development control plans and Council policies.

#### **Format Of The Meeting:**

1. Panel meetings shall be carried out in accordance with Council's Code of Meeting Practise for Council Sub-Committees, except where varied by this Charter.
2. Meetings shall be "Open" to the public.
3. The Panel will hear from applicants and objectors or their representatives. Where considered necessary, the Panel will conduct site inspections which will be open to the public.

## Development Assessment Panel

### ATTENDANCE REGISTER

Member	17/10/12	07/11/12	21/11/12	12/12/12
Paul Drake	✓	✓	✓	✓
Matt Rogers	X	X	X	X
Dan Croft	A	✓	✓	✓
Patrick Gailbraith-Robertson (alternate)			✓	
Clinton Tink (alternate)	✓		✓	
David Fletcher	✓	✓	✓	✓
Paul Biron (alternate)				
Cliff Toms	A	✓	✓	✓
David Troemel (alternate)	✓			

Member	23/01/13	13/02/13	27/02/13		
Paul Drake	✓	✓	✓		
Matt Rogers					
Dan Croft	✓	✓	✓		
Patrick Gailbraith-Robertson (alternate)					
David Fletcher	✓	✓	✓		
Cliff Toms	✓	✓	A		
David Troemel (alternate)			✓		

**Key:** ✓ = Present

A = Absent With Apology

X = Absent Without Apology



**PORT MACQUARIE  
HASTINGS**

# Development Assessment Panel Meeting

Wednesday, 13 March 2013

## Items of Business

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**PORT MACQUARIE  
HASTINGS**



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**Item: 01****Subject: ACKNOWLEDGEMENT OF COUNTRY**

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"I acknowledge that we are gathered on Birpai Land. I pay respect to the Birpai Elders both past and present. I also extend that respect to all other Aboriginal and Torres Strait Islander people present."

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**Item: 02****Subject: APOLOGIES**

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**RECOMMENDATION**

That the apologies received be accepted.

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**Item: 03****Subject: CONFIRMATION OF PREVIOUS MINUTES**

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**RECOMMENDATION**

That the Minutes of the Development Assessment Panel Meeting held on 27 February 2013 be confirmed.

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**PRESENT**

***Members:***

Paul Drake  
Dan Croft  
David Fletcher  
David Troemel

***Other Attendees:***

Pat Galbraith-Robertson  
Clint Tink

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The meeting opened at 2.03pm.

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**01 ACKNOWLEDGEMENT OF COUNTRY**

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The Acknowledgement of Country was delivered.

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**02 APOLOGIES**

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CONSENSUS:

That the apologies received from Cliff Toms be accepted.

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**03 CONFIRMATION OF MINUTES**

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CONSENSUS:

That the Minutes of the Development Assessment Panel Meeting held on 13 February 2013 be confirmed.

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**04 DISCLOSURES OF INTEREST**

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There were no disclosures of interest presented.

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**05 DA 2010 - 0282 - CONTINUED USE OF CAR SPACES AND ALTERATIONS TO STORAGE AND FOOD PREPARATION AREA FOR REFRESHMENT ROOM - STUNNED MULLET - LOT 65 SP 80160, 61/12-24 WILLIAM STREET, PORT MACQUARIE**

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Speakers:

Jeffrey Pattinson (o)

Brett Castle (o)

Gayleen Pattinson (o)

Colin Eldridge (o)

Lou Perri (owner)

COSNENSUS:

1. That the Development Assessment Panel support the proposed Voluntary Planning Agreement and recommend to the General Manager to exercise delegation, granted by the Council resolution of 22 October 2008, to enter into the Stunned Mullet Planning Agreement.
  2. DA 2010/0282 for the continued use of, and alterations to, car spaces for the purpose storage and food preparation area associated with refreshment room at Lot 61, SP 80160, No. 61/12-24, Port Macquarie, be determined by granting consent subject to the recommended conditions.
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**06 DA2012 - 0460 - MIXED USE BUILDING COMPLEX - LOTS 5 AND 6 DP 874058, 122 - 124 HASTINGS RIVER DRIVE, PORT MACQUARIE**

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Speaker:

James Collins (applicant)

CONSENSUS:

That DA2012 - 0460 for a mixed use building complex at Lot 5 and 6, DP 874058, No. 122 and 124 Hastings River Drive, Port Macquarie, be determined by granting consent subject to the recommended conditions.

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**07 DA 2012/0531 - STAGED FIVE (5) LOT SUDIVISION, LOT 1 DP 593025, 126 OLD KING CREEK ROAD, KING CREEK**

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Speaker:  
Andrew Lister (applicant)

**CONSENSUS:**

That DA 2012/0531 for a staged five (5) lot subdivision at Lot 1 DP 593025, No. 126 Old King Creek Road, King Creek, be determined by granting consent subject to the recommended conditions and as amended below:

- Amend point a) in condition E(10) to read; ' Establish a building envelope for lot 5 as per approved plans'.

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The meeting closed at 2.50pm.

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Item: 04  
Subject: DISCLOSURES OF INTEREST

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**RECOMMENDATION**

That Disclosures of Interest be presented

**DISCLOSURE OF INTEREST DECLARATION**

Name of Meeting: .....  
Meeting Date: .....  
Item Number: .....  
Subject: .....  
.....

I, ..... declare the following interest:

☐**Pecuniary:**

Take no part in the consideration and voting and be out of sight of the meeting.

☐**Non-Pecuniary - Significant Conflict:**

Take no part in the consideration and voting and be out of sight of the meeting.

☐**Non-Pecuniary - Insignificant Conflict:**

May participate in consideration and voting.

For the reason that: .....  
.....

Signed: ..... Date: .....

*(definitions are provided on the next page)*

**Definitions**

(Local Government Act and Code of Conduct)

**Pecuniary**

An interest that a person has in a matter because of a reasonable likelihood or expectation or appreciable financial gain or loss to the person or another person with whom the person is associated. (*LG Act s442 and s443*).

A Councillor or member of a Council Committee who is present at a meeting and has a pecuniary interest in any matter which is being considered must disclose the nature of that interest to the meeting as soon as practicable.

The Councillor or member of a Council Committee must not take part in the consideration and voting on the matter and be out of sight of the meeting. (*LG Act s451*)

**Non-Pecuniary**

An interest that is private or personal that the Councillor or member of a Council Committee has that does not amount to a pecuniary interest as defined in the LG Act.

If you have declared a non-pecuniary interest you have a number of options for managing the conflict. The option you choose will depend on an assessment of the circumstances of the matter, the nature and significance of your interest. You must deal with a non-pecuniary interest in one of the following ways.

**Non Pecuniary – Significant Interest**

(For example; family, a close friendship, membership of an association, sporting club, corporation, society or trade union).

- Have no involvement by absenting yourself from and not taking part in any consideration or voting on the issue as if the provisions in the LG Act s451(2) apply.
- A future alternative is to remove the source of the conflict (for example, relinquishing or divesting the personal interest that creates the conflict or reallocating the conflicting duties to another officer).

**Non Pecuniary – Less than Significant Interest**

- It may be appropriate that no action is taken. However, you must provide an explanation of why you consider that the conflict does not require further action.

## SPECIAL DISCLOSURE OF PECUNIARY INTEREST DECLARATION

<b>By</b> <i>[insert full name of councillor]</i>	
<b>In the matter of</b> <i>[insert name of environmental planning instrument]</i>	
<b>Which is to be considered at a meeting of the</b> <i>[insert name of meeting]</i>	
<b>Held on</b> <i>[insert date of meeting]</i>	
<b>PECUNIARY INTEREST</b>	
Address of land in which councillor or an associated person, company or body has a proprietary interest ( <i>the identified land</i> ) <sup>i</sup>	
Relationship of identified land to councillor [Tick or cross one box.]	<input type="checkbox"/> Councillor has interest in the land (e.g. is owner or has other interest arising out of a mortgage, lease trust, option or contract, or otherwise).  <input type="checkbox"/> Associated person of councillor has interest in the land.  <input type="checkbox"/> Associated company or body of councillor has interest in the land.
<b>MATTER GIVING RISE TO PECUNIARY INTEREST<sup>ii</sup></b>	
Nature of land that is subject to a change in zone/planning control by proposed LEP ( <i>the subject land</i> ) <sup>iii</sup> [Tick or cross one box]	<input type="checkbox"/> The identified land.  <input type="checkbox"/> Land that adjoins or is adjacent to or is in proximity to the identified land.
Current zone/planning control [Insert name of current planning instrument and identify relevant zone/planning control applying to the subject land]	
Proposed change of zone/planning control [Insert name of proposed LEP and identify proposed change of zone/planning control applying to the subject land]	
Effect of proposed change of zone/planning control on councillor [Tick or cross one box]	<input type="checkbox"/> Appreciable financial gain.  <input type="checkbox"/> Appreciable financial loss.

Councillor's Signature: ..... Date: .....



**Important Information**

This information is being collected for the purpose of making a special disclosure of pecuniary interests under sections 451 (4) and (5) of the *Local Government Act 1993*. You must not make a special disclosure that you know or ought reasonably to know is false or misleading in a material particular. Complaints made about contraventions of these requirements may be referred by the Director-General to the Local Government Pecuniary Interest and Disciplinary Tribunal.

This form must be completed by you before the commencement of the council or council committee meeting in respect of which the special disclosure is being made. The completed form must be tabled at the meeting. Everyone is entitled to inspect it. The special disclosure must be recorded in the minutes of the meeting.

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- i. Section **443** (1) of the *Local Government Act 1993* provides that you may have a pecuniary interest in a matter because of the pecuniary interest of your spouse or your de facto partner or your relative<sup>iv</sup> or because your business partner or employer has a pecuniary interest. You may also have a pecuniary interest in a matter because you, your nominee, your business partner or your employer is a member of a company or other body that has a pecuniary interest in the matter.
- ii. Section **442** of the *Local Government Act 1993* provides that a **pecuniary interest** is an interest that a person has in a matter because of a reasonable likelihood or expectation of appreciable financial gain or loss to the person. A person does not have a pecuniary interest in a matter if the interest is so remote or insignificant that it could not reasonably be regarded as likely to influence any decision the person might make in relation to the matter or if the interest is of a kind specified in section **448** of that Act (for example, an interest as an elector or as a ratepayer or person liable to pay a charge).
- iii. A pecuniary interest may arise by way of a change of permissible use of land adjoining, adjacent to or in proximity to land in which a councillor or a person, company or body referred to in section **443** (1) (b) or (c) of the *Local Government Act 1993* has a proprietary interest—see section **448** (g) (ii) of the *Local Government Act 1993*.
- iv. **Relative** is defined by the *Local Government Act 1993* as meaning your, your spouse's or your de facto partner's parent, grandparent, brother, sister, uncle, aunt, nephew, niece, lineal descendant or adopted child and the spouse or de facto partner of any of those persons.

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Item: 05

Subject: DA 2012/0399 - ATTACHED DUAL OCCUPANCY AND TORRNES  
TITLE SUBDIVISION ON LOT 418 LOT 1145583, 44 RIVERGUM  
DRIVE, PORT MACQUARIE

Report Author: Clint Tink

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Property:	Lot 418 DP 1145583, 44 Rivergum Drive, Port Macquarie
Applicant:	Beukers & Ritter Consulting
Owner:	GEM Building Constructions
Application Date:	15 August 2012
Date Formal:	8 February 2013
Estimated Cost:	\$320,000
Location:	Port Macquarie
File no:	DA 2012/0399
Parcel no:	60165

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#### Alignment with Delivery Program

- 4.9.2 Undertake development assessment in accordance with relevant legislation.
- 4.9.3 Implement and maintain a transparent development assessment process.

#### RECOMMENDATION

1. (1)That the Koala Plan of Management for Oxley Highway Port Macquarie be amended as per the addendum dated 29 January 2013 and the Department of Planning and Infrastructure's letter dated 8 February 2013.
2. (2) That subject to recommendation 1 being accepted, the General Manager use the delegation to vary the associated restrictions on the title of the property that are linked to the Koala Plan of Management requirements.
3. (2)That subject to recommendations 1 & 2 being accepted, DA 2012/0399 for a attached dual occupancy and torrens subdivision at Lot 418 DP 1145583, No. 44 Rivergum Drive, Port Macquarie, be determined by granting consent subject to the recommended conditions.

#### Executive Summary

This report considers a Development Application for an attached dual occupancy and torrens title subdivision at the subject site. As a result of the development, the removal of a large Forest Red Gum is required. The property and Forest Red Gum are included in the existing Koala Plan of Management (KPoM) for Oxley Highway Port Macquarie with the subject tree having been nominated for retention. The applicant has subsequently requested an amendment to the KPoM to allow the

removal of the tree, which has been accepted by the Department of Planning and Infrastructure. The decision whether to accept the amendment to the KPoM is the subject of this report as Council staff do not have delegation to amend KPoM's.

This report provides an assessment of the application in accordance with the requirements of the Environmental Planning and Assessment Act 1979.

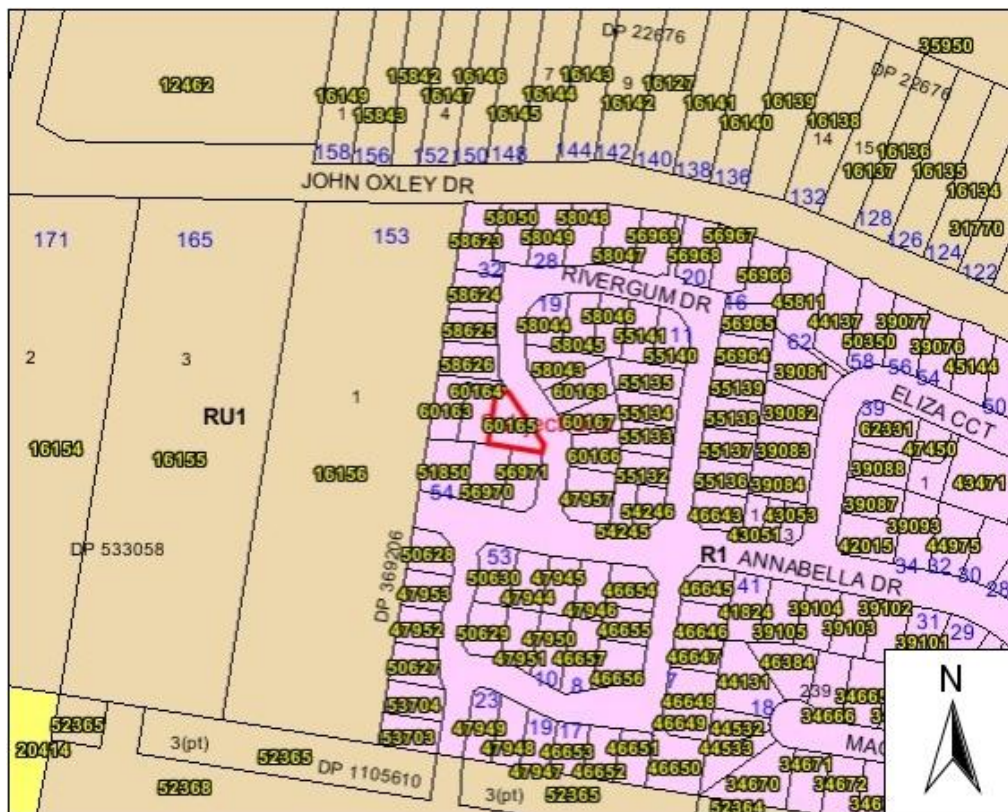
Subsequent to exhibition of the application, no submissions have been received.

## 1. BACKGROUND

### Existing sites features and Surrounding development

The site has an area of 579.3m<sup>2</sup>.

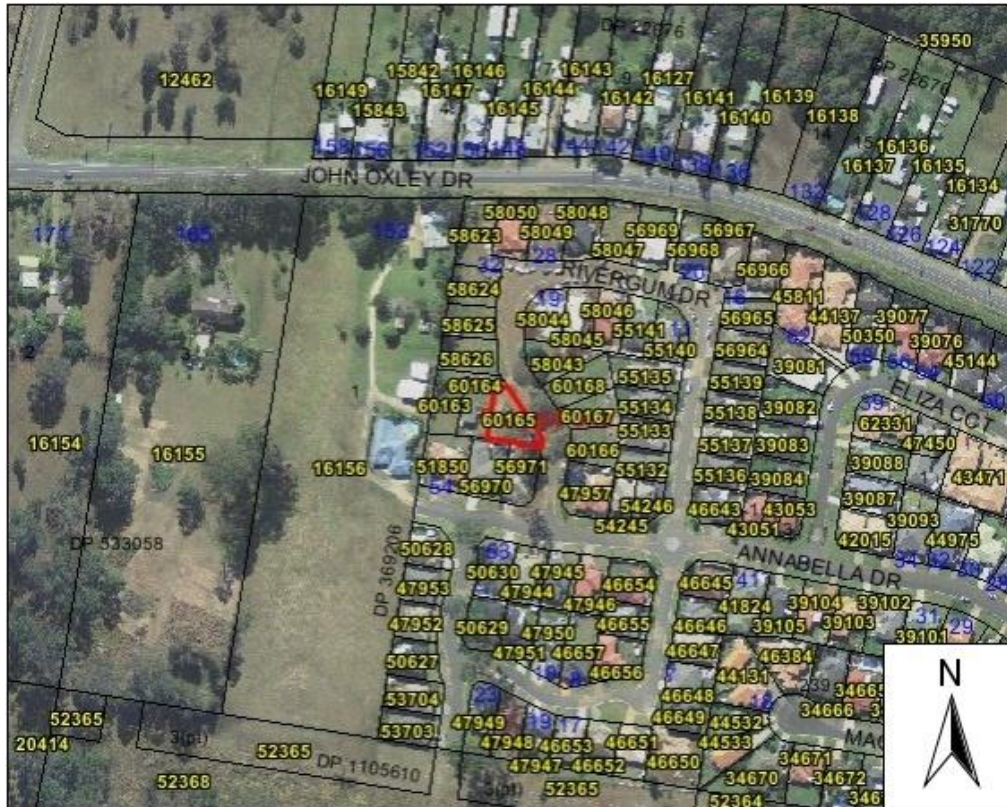
The site is zoned R1 General Residential in accordance with the Port Macquarie-Hastings Local Environmental Plan 2011, as shown in the following zoning plan:



The site comprises residential dwellings inter dispersed with the occasional medium density development. The area is devoid of any major vegetation with only 5-6 significant trees left in the estate.

The existing subdivision pattern and location of existing development within the immediate locality is shown in the following aerial photo:





## 2. DESCRIPTION OF DEVELOPMENT

Key aspects of the application proposal include the following:

- An attached dual occupancy is proposed comprising one (1) three (3) bedroom dwelling and one (1) two (2) bedroom dwelling.
- The application includes subdivision of the attached dual occupancy using Clause 4.1A of the Port Macquarie Hastings Local Environmental Plan 2011.
- A forest red gum is required to be removed from the site in order to allow a significant development onsite. The subject tree is identified for retention in the KPoM that applies to the site. The applicant has subsequently requested an amendment to the KPoM, which has been accepted by the Department of Planning and Infrastructure (DoPI). Paramount to this decision is the inability to achieve a dwelling on the property if the tree is to be retained (as detailed by an arborist), even though the KPoM identified that the future subdivision of the land would create the lot. Furthermore, the failure of the KPoM to be implemented over time as a result of exempt and complying development (i.e. the area is devoid of any trees and contains little scope to reinstate significant vegetation). The KPoM also nominated replacement tree plantings without considering the impact of infrastructure. None of the replacement trees appear to have been planted.
- As a result of the above point, the DoPI has requested further information on the failings of the KPoM in this case, which will feed into future applications and the review of SEPP 44.

Refer to attachments at the end of this report.

**Application Chronology**

- 15/8/2012 - Application lodged with Council.
- 24/8/2012 - Council staff requested additional information regarding a more detailed site plan and details of compliance with the KPoM/tree removal.
- 24/8/2012 to 7/9/2012 - Notification period.
- 21/9/2012 - Applicant submitted an updated site plan and response to the removal of the tree.
- 24/9/2012 - Council staff reiterated that the tree removal needs to be considered against the provisions of the KPoM for compliance or the KPoM amended. An arborist report backing up the claims that the tree is dangerous etc would also be beneficial. A copy of the KPoM was also provided to the applicant.
- 24/10/2012 - Arborist report submitted.
- 29/10/2012 - Council staff advised the applicant that the arborist report indicated that the tree was healthy. A significant change to the design would allow some development on the land (i.e. a small single dwelling). Given the tree is healthy, the only way to remove the tree would be through an amendment to the KPoM.
- 26/11/2012 - Meeting was held between Council staff, the applicant and the owner to discuss how the tree removal issue could be resolved. The applicant was advised to put forward a case to remove the tree, which would be presented to the DoPI. Council staff agreed the tree on its own had little value, especially in light of the failings of the KPoM in the area.
- 30/11/2012 - Applicant responded to tree removal issue and KPoM.
- 3/12/2012 - Council staff suggested the response also include an offset ratio. Applicant agreed to a 2:1 replacement planting ratio.
- 4/12/2012 - The applicant's response was forwarded to the DoPI with commentary from Council staff on the existing situation and failings of the KPoM.
- 17/12/2012 - The DoPI requested a copy of the KPoM with an actual addendum outlining the changes.
- 3/1/2013 - DoPI response was forwarded to the applicant.
- 29/1/2013 - Applicant responded to the DoPI request.
- 14/2/2013 - DoPI accepted the amendment subject to conditions on tree removal.

**3. STATUTORY ASSESSMENT****Section 79C(1) Matters for Consideration**

In determining the application, Council is required to take into consideration the following matters as are relevant to the development that apply to the land to which the development application relates:

- (a) **The provisions (where applicable) of:**  
(i) **any Environmental Planning Instrument:**

**State Environmental Planning Policy 44 - Koala Habitat Protection**

The site forms part of the existing Oxley Highway Koala Plan of Management. The original KPoM was prepared in 2002 and adopted in 2003. As part of the original KPoM, the subject tree onsite was proposed to be retained. In addition to the subject tree being retained, the whole subdivision area contained requirements under the KPoM to protect other trees and also introduce further plantings. The KPoM also identified indicative building envelopes. In hindsight, the location of a number of the retained and proposed trees in relation to the proposed building envelopes do not actually work. In particular, the location of many of the trees had potential to impact on infrastructure and the structural integrity of future dwellings.

An example of the above is the site in question. The KPoM nominated a building envelope that is consistent with the proposed development footprint. However, the applicant, through an arborist report, has shown that this is not viable. It is important to note that the KPoM actually proposed a further two (2) plantings on or near the site, which would further restrict any development onsite.

In addition to the above, the overall estate has since been developed by way of complying development applications for dwellings. This has resulted in the site being devoid of any significant vegetation with virtually none of the required trees to be planted or retained still existing.

As a result of the above, what is now left is an environment not suitable for koala habitation. The removal of the tree will ensure that koalas are not enticed into an environment that has potential to create conflict by way of dogs, cars etc.

As compensation for the removal of the tree, the applicant is proposing to provide replacement plantings in a more suitable designated koala habitat area, which is seen as a better outcome.

The above formed the basis for the amendment to the KPoM and has been supported by the DoPI and also Council staff. In addition, the DoPI have also requested Council staff detail the failings of the KPoM and possible reasons why, so that this can be used in a review of SEPP 44.

#### **State Environmental Planning Policy 55 – Remediation of Land**

In accordance with clause 7, following an inspection of the site and a search of Council records, the subject land is not identified as being potentially contaminated and is suitable for the intended use. The land was created from a recent Council approved subdivision and the overall area has been and continues to be developed for housing with no impacts recorded

The requirements of this SEPP are therefore satisfied.

#### **State Environmental Planning Policy 62 - Sustainable Aquaculture**

Given the nature of the proposed development and proposed stormwater controls, the proposal will have no significant adverse impact on aquaculture industries.

#### **State Environmental Planning Policy (Building Sustainability Index: BASIX) 2004**

In accordance with clause 6, a BASIX certificate has been submitted demonstrating that the proposal will comply with the requirements of the SEPP. It is recommended that a condition be imposed to ensure that the commitments are incorporated into the development and certified at occupation certificate stage.

#### **Port Macquarie-Hastings Local Environmental Plan 2011**

In accordance with clause 2.2, the subject site is zoned R1 General Residential.

In accordance with clause 2.3(1) and the R1 zone landuse table, the proposed development for an attached dual occupancy and subdivision is a permissible landuse with consent.

The objectives of the R1 zone are as follows:

- *To provide for the housing needs of the community.*
- *To provide for a variety of housing types and densities.*
- *To enable other land uses that provide facilities or services to meet the day to day needs of residents.*

In accordance with clause 2.3(2), the proposal is consistent with the zone objectives, particularly as the proposal is a permissible landuse and is consistent with the



established residential locality. The proposal contributes to the range of housing types within the LGA.

In accordance with clause 4.1, the proposed lot sizes do not comply with the 450m<sup>2</sup> minimum lot sizes identified in the Lot Size Map shown in relation to the site. However, in accordance with clause 4.1(A), the minimum lot sizes do not apply to the proposal as it is characterised as dual occupancy. Lot sizes are Lot 1 = 319.6m<sup>2</sup> & Lot 2 = 260m<sup>2</sup>.

In accordance with clause 4.3, the maximum overall height of the proposal from above ground level (existing) is 4.4m, which complies with the height limit of 8.5m applicable to the site.

In accordance with clause 4.4, the floor space ratio of the proposal is Unit 1 being 0.37:1 and Unit 2 being 0.41:1 (overall 0.39:1), which complies with the maximum 0.65:1 floor space ratio applying to the site.

Clause 5.9 – Preservation of trees/vegetation = A forest red gum is required to be removed and has been included with this application. The justification for the removal of the tree is discussed under the State Environmental Planning Policy 44 - Koala Habitat Protection section of this report.

Clause 5.10 – Heritage = The site does not contain or adjoin any known heritage item or site of significance.

Clause 7.5 – Koala Habitat = The subject clause applies to land and requires the development be consistent with any existing KPoM applicable to the land. Furthermore, that any subdivision of such land also factor in building envelopes for future dwellings/development to ensure the KPoM is complied with. In this case, the Oxley Highway KPoM applies to the site. Compliance with the KPoM has been addressed above in this report under the State Environmental Planning Policy 44 - Koala Habitat Protection section of this report.

In accordance with Clause 7.13, satisfactory arrangements are in place for provision of essential public utility infrastructure.

**(ii) Any draft instruments that apply to the site or are on exhibition:**

None relevant.

**(iii) any Development Control Plan in:**

**Port Macquarie Hastings Development Control Plan 2011**

	Requirements	Proposed	Complies
DP1.1	Ancillary development: <ul style="list-style-type: none"> <li>• 4.8m max. height</li> <li>• Single storey</li> <li>• 60m<sup>2</sup> max. area</li> <li>• 100m<sup>2</sup> for lots &gt;900m<sup>2</sup></li> <li>• 24 degree max. roof pitch</li> <li>• Not located in front setback</li> </ul>	No ancillary structures proposed.	N/A
DP 2.1	Articulation zone: <ul style="list-style-type: none"> <li>• Min. 3m front setback</li> <li>• 25% max. width of dwelling</li> </ul>	Each occupancy contains a small porch within the articulated zone. The porches do not exceed 25% and are considered an	Yes



		acceptable design element.	
DP2.2 DP3.1	Front setback (Residential not R5 zone): <ul style="list-style-type: none"> <li>Min. 6.0m classified road</li> <li>Min. 4.5m local road or within 20% of adjoining dwelling if on corner lot</li> <li>Min. 3.0m secondary road</li> <li>Min. 2.0m Laneway</li> <li>Garage 5.5m min. and 1m behind front facade</li> </ul>	The articulation zone components aside, each dwelling is setback 4.5m. The garages are setback 5.5m and a metre behind the dwelling façade.	Yes
DP3.1	Garage door recessed behind building line or eaves/overhangs provided	Garage doors are recessed.	Yes
DP3.2	6m max. width of garage door/s and 50% max. width of building	The garage doors do not exceed 6m in width or more than 50% of the building width.	Yes
DP3.3	Driveway crossover 1/3 max. of site frontage and max. 5.0m width	There are two (2) crossovers proposed, measuring 3.8m and 2.4m wide respectively. The crossovers are separated by approx 1.6m to reduce their dominance. The overall boundary is over 32m wide. 1/3 of 32m = 10.56m. The two (2) driveways equate to 6.2m, which complies.	Yes
DP3.4	Garage and driveway provided on each frontage for dual occupancy on corner lot	Not a corner lot.	N/A
DP4.1 DP4.2	4m min. rear setback. Variation subject to DP 4.2.	The development does not contain a rear boundary.	N/A
DP5.1 DP5.2 DP5.3	Side setbacks: <ul style="list-style-type: none"> <li>Ground floor = min. 0.9m</li> <li>First floors &amp; above = min. 3m setback or where it can be demonstrated that overshadowing not adverse = 0.9m min.</li> <li>Building wall set in and out every 12m by 0.5m</li> </ul>	Except for the internal boundary between the proposed occupancies, the development will be setback 900mm from the side boundaries. There are also no unarticulated sections measuring 12m.	Yes
DP6.1	35m <sup>2</sup> min. private open space area including a useable 4x4m min. area which has 5% max. grade	Each occupancy contains 35m <sup>2</sup> of useable private open space, including a 4m x 4m area.	Yes
DP7.1 DP8.1	Front fences: <ul style="list-style-type: none"> <li>If solid 1.2m max height</li> </ul>	Front fence is proposed to be 1.8m. Areas	Yes

DP8.2	<p>and front setback 1.0m with landscaping</p> <ul style="list-style-type: none"> <li>• 3x3m min. splay for corner sites</li> <li>• Fences &gt;1.2m to be 1.8m max. height for 50% or 6.0m max. length of street frontage with 25% openings</li> <li>• 0.9x0.9m splays adjoining driveway entrances</li> <li>• Front fences and walls to have complimentary materials to context</li> <li>• No chain wire, solid timber, masonry or solid steel</li> </ul>	erected up to the front boundary do not exceed 6m or 50% of the boundary. The fence contains landscape beds and the applicant has nominated 25% openings for transparency. 1.8m high colorbond side fences are existing and will be retained.	
DP10.1 DP10.2 DP10.3 DP10.4	<p>Privacy:</p> <ul style="list-style-type: none"> <li>• Direct views between living areas of adjacent dwellings screened when within 9m radius of any part of window of adjacent dwelling and within 12m of private open space areas of adjacent dwellings. i.e.. 1.8m fence or privacy screening which has 25% max. openings and is permanently fixed</li> <li>• Privacy screen required if floor level &gt; 1m height, window side/rear setback (other than bedroom) is less than 3m and sill height less than 1.5m</li> <li>• Privacy screens provided to balconies/verandahs etc which have &lt;3m side/rear setback and floor level height &gt;1m</li> </ul>	The fencing nominated above will provide adequate screening.	Yes
DP11.1	Roof terraces	None proposed.	N/A
DP12.1 onwards	Jetties and boat ramps	None proposed.	N/A

**Assessment Checklist for DCP 2011 – General Provisions**

	Requirements	Proposed	Complies
DP1.1	Design addresses generic principles of Crime Prevention Through Environmental Design guideline	The dwellings will provide added surveillance, thereby improving the safety of the area and reducing criminal activity.	Yes

DP5.1	Cut and fill 1.0m max. 1m outside the perimeter of the external building walls	Only minor cut and fill proposed.	Yes
DP6.1	0.8m max. height retaining walls along road frontage	No retaining walls nominated along the road frontage.	N/A
DP6.2	Any retaining wall >1.0 in height to be certified by structure engineer	No retaining walls >1.0m in height nominated.	N/A
DP6.3	Combination of retaining wall and front fence height	No retaining wall/front fence combination proposed.	N/A
DP11.1 onwards	Removal of hollow bearing trees	Tree removal addressed in SEPP 44 section of this report. The single tree is isolated and unlikely to provide any substantial habitat.	Yes
DP1.1	Tree removal (3m or higher with 100m diameter trunk and 3m outside dwelling footprint	The removal of the forest red gum has been assessed as part of this application - refer to comments on SEPP 44.	Yes
	Bushfire risk, Acid sulphate soils, Flooding, Contamination, Airspace protection, Noise and Stormwater	Refer to main body of report.	Noted.
DP2.1	New accesses not permitted from arterial or distributor roads	No new access proposed from such a road type.	N/A
DP2.3	Driveway crossing/s minimal in number and width including maximising street parking	Driveways are acceptable and retain area on street for casual parking.	Yes
DP8.1	Parking in accordance with AS 2890.1	Parking onsite complies.	Yes
DP11.1	Section 94 contributions	Refer to main body of report.	Yes
DP12.1 onwards	Landscaping of parking areas	Landscaping plan shows vegetation to be installed either side of the driveways.	Yes
DP14.1	Sealed driveway surfaces unless justified	Concrete driveways proposed.	Yes
DP15.1	Driveway grades first 6m or 'parking area' shall be 5% grade with transitions of 2m length	Driveway grades acceptable.	Yes
DP17.1	Parking areas to be designed to avoid concentrations of water runoff on the surface.	Parking areas/driveways are standard and should not create any adverse water runoff/concentration.	Yes
DP17.2	Vehicle washing facilities –	Semi grassed areas	Yes

	grassed area etc available.	exists onsite for vehicle washing.	
DP3.1	Off-street Parking spaces: <ul style="list-style-type: none"> <li>1 space = single dwelling (behind building line)</li> </ul>	Unit 1 contains a double garage and parking in the driveway for at least one (1) vehicle. Unit 2 contains a single garage and parking in the driveway for at least one (1) vehicle.	Yes

(iiiia) any planning agreement that has been entered into under Section 93f or any draft planning agreement that a developer has offered to enter into under Section 93f:

None relevant.

iv) any matters prescribed by the Regulations:

None relevant.

v) any coastal zone management plan (within the meaning of the [Coastal Protection Act 1979](#)), that apply to the land to which the development application relates:

None relevant.

(b) The likely impacts of that development, including environmental impacts on both the natural and built environments, social and economic impacts in the locality:

#### Context & Setting

- The proposal will be unlikely to have any adverse impacts to existing adjoining properties and satisfactorily addresses the public domain.
- The proposal is considered to be consistent with other residential development in the locality and adequately addresses planning controls for the area.
- There is no adverse impact on existing view sharing.
- There is no adverse privacy impacts.
- There is no adverse overshadowing impacts. The proposal does not prevent adjoining properties from receiving 3 hours of sunlight to private open space and primary living areas on 21 June.

#### Access, Transport & Traffic

The proposal will be unlikely to have any adverse impacts in terms access, transport and traffic. The existing road network will satisfactorily cater for any increase in traffic generation as a result of the development.

#### Utilities

Telecommunication and electricity services are available to the site.

**Stormwater**

All stormwater is to be collected and conveyed by pipes to separate kerb inlet adapters.

**Sewer**

Sewer is connected to the site with a dead end manhole located in the North West corner of proposed lot 2.

The application plan (8282 sh 3) by Beukers & Ritter shows a proposed sewer extension (26.6m) into lot 1. This is feasible and at 1.4% grade can provide a junction approximately 1.2m deep. A 30mm drop through the manhole is to be maintained. The plan shows that the proposed buildings will infringe the load influence line from the sewer main. In accordance with Council Auspec Design specification D12-09, the building foundation design is to be engineered to ensure that no load is transmitted to the sewer main, particularly as the sewer will be newly constructed and the backfill will not be fully compacted.

A permanent 1m clearance is required around the existing manhole and also the proposed VIS to each lot.

**Water**

The existing 20mm sealed water service from the 100mm PVC water main on the opposite side of Rivergum Drive will be able to be used for proposed lot 1 with a new water meter required. A 20mm metered water service will be required for proposed lot 2.

Council records indicate that contrary to the plans attached to the development application, there is an existing water service for proposed lot 1 and no water service for proposed lot 2. The plans attached to the development application are not acceptable for water supply purposes.

**Soils**

The proposed development will be unlikely to have any adverse impacts on soils in terms of quality, erosion, stability and/or productivity subject to a standard condition requiring erosion and sediment controls to be in place prior to and during construction.

**Air & Micro-climate**

The operations of the proposed development will be unlikely to result in any adverse impacts on the existing air quality or result in any pollution.

**Flora & Fauna**

Construction of the proposed development will require the removal of a large forest red gum. The removal of the tree has been justified in the SEPP 44 section of this report. The tree is isolated and unlikely to create any substantial long term habitat. Therefore the removal of the tree is unlikely to have any significant adverse impacts on biodiversity or threatened species of flora and fauna. Section 5A of the Act is considered to be satisfied.



**Waste**

Satisfactory arrangements are in place for proposed storage and collection of waste and recyclables. No adverse impacts anticipated. Area exists at the front of the property for storing bins on collection day.

**Energy**

The proposal includes measures to address energy efficiency and will be required to comply with the requirements of BASIX.

**Noise & Vibration**

No adverse impacts anticipated. Condition recommended to restrict construction to standard construction hours.

**Natural Hazards**

None relevant to the site.

**Safety, Security & Crime Prevention**

The proposed development will be unlikely to create any concealment/entrapment areas or crime spots that would result in any identifiable loss of safety or reduction of security in the immediate area. The additional housing will provide further surveillance of the area.

**Social Impact in the Locality**

Given the nature of the proposed development and its location, the proposal is unlikely to result in any adverse social impacts. The dual occupancy will provide additional housing for the area.

**Economic Impact in the Locality**

No adverse impacts. Likely positive impacts can be attributed to the construction of the development and associated flow on effects (i.e. increased expenditure in the area).

**Site Design and Internal Design**

The proposed development design is satisfactorily responds to the site attributes and will fit into the locality. No adverse impacts likely.

**Construction**

No potential adverse impacts identified to neighbouring properties with the construction of the proposal.

**Cumulative Impacts**

The proposed development is not expected to have any adverse cumulative impacts on the natural or built environment or the social and economic attributes of the locality.

**88B Instrument**

The 88B instrument contains provisions linked to the KPoM in relation to tree removal. Given the comments in relation to SEPP 44 above in this report, the requirements of the 88B instrument are required to be varied. As Council staff (except the General Manager) do not have delegation to vary a restriction benefiting Council, the matter will need to be referred to the General Manager for sign off pending the changes to the KPoM being accepted by DAP.

**(c) The suitability of the site for the development:**

The proposal will fit into the locality and the site attributes are conducive to the proposed development.

**(d) Any submissions made in accordance with this Act or the Regulations:**

No written submissions have been received following completion of the required public exhibition of the application.

**(e) The Public Interest:**

The proposed development will be in the wider public interest with provision of appropriate additional housing.

The proposed development satisfies relevant planning controls and is not expected to impact on the wider public interest.

**4. DEVELOPMENT CONTRIBUTIONS APPLICABLE**

- Development contributions will be required towards augmentation of town water supply and sewerage system head works under Section 64 of the Local Government Act 1993.
- Development contributions will be required under Section 94 of the Environmental Planning and Assessment Act 1979 towards roads, open space, community cultural services, emergency services and administration buildings.

Refer to draft contribution schedule attached to this report and recommended conditions.

**5. CONCLUSION**

The application has been assessed in accordance with Section 79C of the Environmental Planning and Assessment Act 1979.

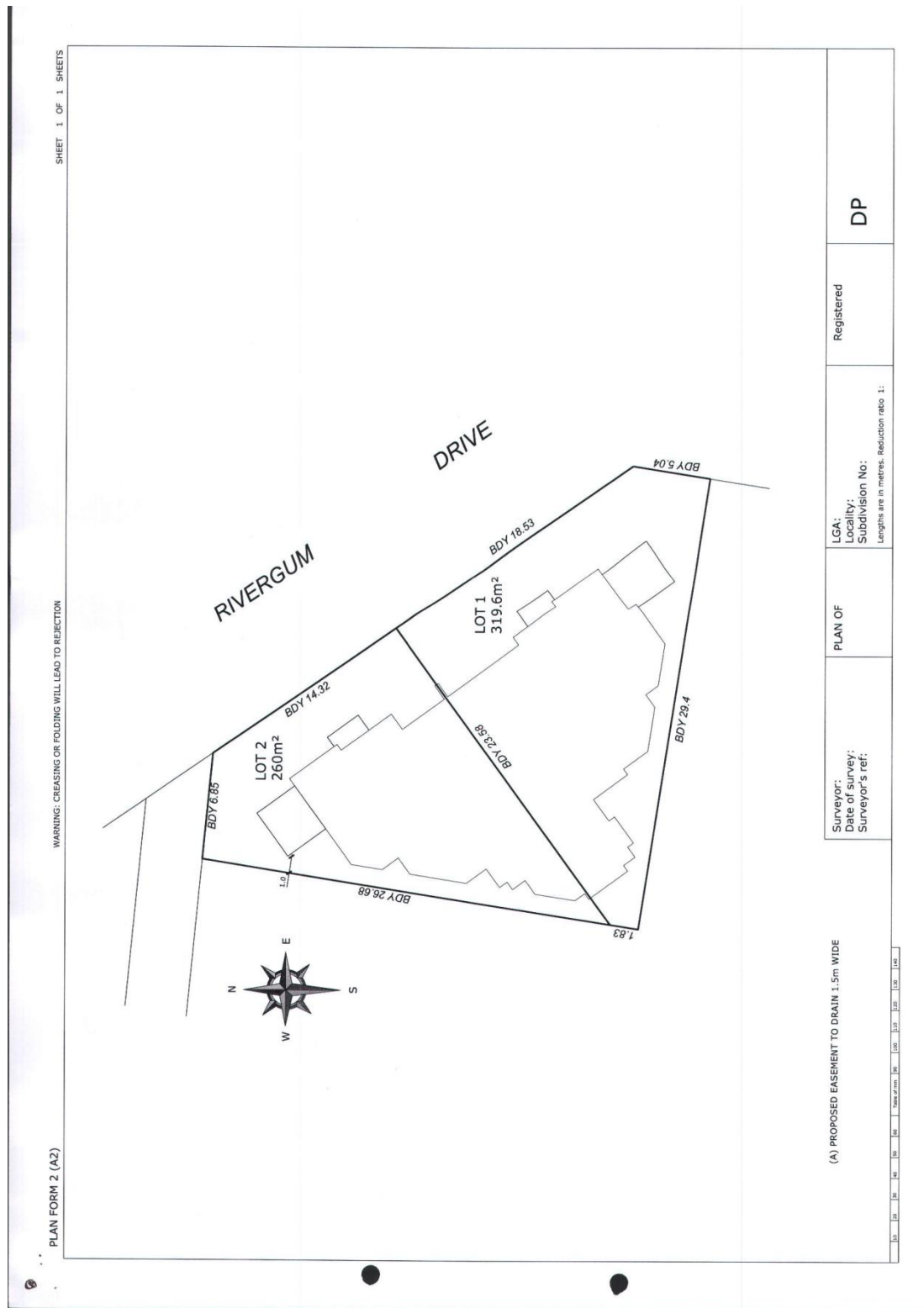
Issues raised during assessment and public exhibition of the application have been considered in the assessment of the application. Where relevant, conditions have been recommended to manage the impacts attributed to these issues.

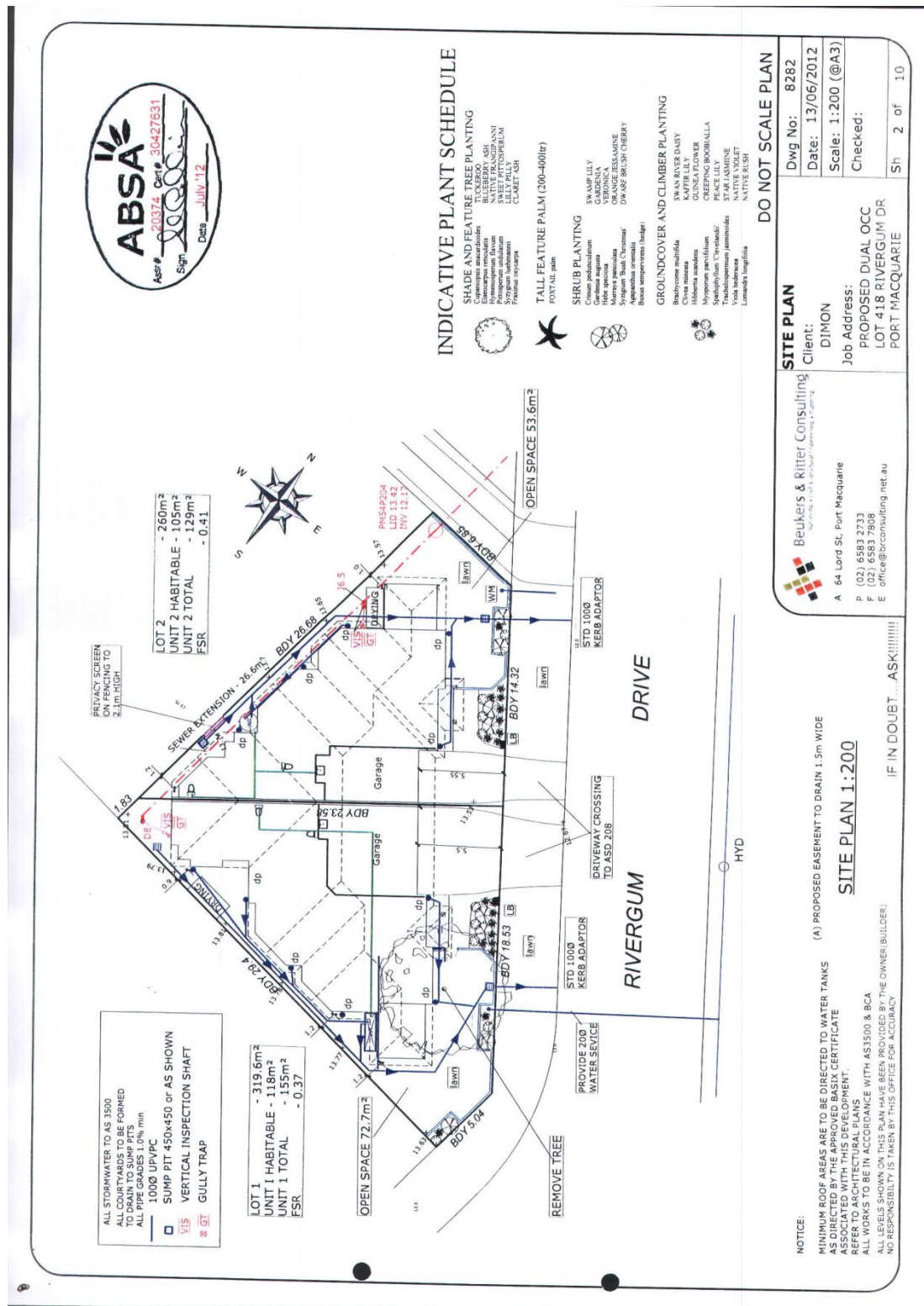
The site is suitable for the proposed development, is not contrary to the public's interest and will not have a significant adverse social, environmental or economic impact. Consequently, it is recommended that the application be approved, subject to the recommended conditions of consent provided in the attachment section of this report.



**Attachments**

- 1 [View](#). DA2012 - 0399 Plans
- 2 [View](#). DA2012 - 0399 Recommended Conditions
- 3 [View](#). DA2012 - 0399 Koala Plan of Management
- 4 [View](#). DA2012 - 0399 Koala Plan of Management Addendum
- 5 [View](#). DA2012 - 0399 Development Contributions Calculation Sheet





FRONT

REAR

SIDE

**DO NOT SCALE PLAN**

**ELEVATIONS**

**Client:** DIMON

**Job Address:**  
PROPOSED DUAL OCC  
LOT 418 RIVERGUM DR  
PORT MACQUARIE

**Dwg No:** 8282  
**Date:** 13/06/2012  
**Scale:** 1:100 (@A3)  
**Checked:**  
**Sh** 5 **of** 10

**Beukers & Ritter Consulting**  
CONSULTING AND SURVEILLANCE ENGINEERING & TRAINING

A 64 Lord St, Port Macquarie  
P (02) 6583 2733  
F (02) 6583 7808  
E office@brconsulting.net.au

**IF IN DOUBT...ASK!!!!!!**

**ELEVATIONS 1:100**

**5 SMOKE DETECTOR**  
ALL BUILDING WORKS TO COMPLY WITH:  
AS1538.4  
AS1538.5  
AS1538.6  
AS1538.7  
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FOR USE BY PLANNERS/SURVEYORS TO PREPARE LIST OF  
PROPOSED CONDITIONS - 2011

NOTE: THESE ARE DRAFT ONLY

DA NO: 2012/399

DATE: 6 March 2013

## PRESCRIBED CONDITIONS

Part 6 – Division 8A of the *Environmental Planning & Assessment Regulations 2000*

- (1) (P001) All building work must be carried out in accordance with the requirements of the Building Code of Australia.
- (2) (P002) In the case of residential building work for which the *Home Building Act 1989* requires there to be a contract of insurance in force in accordance with Part 6 of that Act, that such a contract of insurance is in force before any building work authorised to be carried out by the consent commences.
- (3) (P003) A sign must be erected in a prominent position on any site on which building work, subdivision work or demolition work is being carried out:
  - a. showing the name, address and telephone number of the principal certifying authority for the work, and
  - b. showing the name of the principal contractor (if any) for any building work and a telephone number on which that person may be contacted outside working hours, and
  - c. stating that unauthorised entry to the work site is prohibited.Any such sign is to be maintained while the building work, subdivision work or demolition work is being carried out, but must be removed when the work has been completed.
- (4) (P005) Residential building work within the meaning of the *Home Building Act 1989* must not be carried out unless the principal certifying authority for the development to which the work relates (not being the council) has given the council written notice of the following information:
  - a. in the case of work for which a principal contractor is required to be appointed:
    - i. the name and licence number of the principal contractor, and
    - ii. the name of the insurer by which the work is insured under Part 6 of that Act,
  - b. in the case of work to be done by an owner-builder:
    - i. the name of the owner-builder, and
    - ii. if the owner-builder is required to hold an owner-builder permit under that Act, the number of the owner-builder permit.

If arrangements for doing the residential building work are changed while the work is in progress so that the information notified above becomes out of date, further work must not be carried out unless the principal certifying authority for the development to which the work relates (not being the council) has given the council written notice of the updated information.

## A – GENERAL MATTERS

- (1) (A001) The development is to be carried out in accordance with the plans and supporting documents set out in the following table, as stamped and returned with this consent, except where modified by any conditions of this consent.

Plan / Supporting Document	Reference	Prepared by	Date
Statement of Environmental Effects as amended	hc 8187da-1	R Beukers	9/8/2012, 7/8/2012
Plans	Dwg No 8282 Sheets 2,4,5 and 6 of 10	Beukers & Ritter Consulting Pty Ltd	13/6/2012
Subdivision Plan	-	Unknown	Unknown

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.

- (2) (A002) No work shall commence until a Construction Certificate has been issued and the applicant has notified Council of:
- the appointment of a Principal Certifying Authority; and
  - the date on which work will commence.

Such notice shall include details of the Principal Certifying Authority and must be submitted to Council at least two (2) days before work commences.

- (3) (A004) An application for a Construction Certificate will be required to be lodged with Council prior to undertaking subdivision works and a Subdivision Certificate is required to be lodged with Council on completion of works.
- (4) (A011) The design and construction of all public infrastructure works shall be in accordance with Council's adopted AUSPEC Specifications which are prescribed at the time of commencement of engineering works.
- (5) (A015) The owner/applicant is responsible for complying with any covenants/restrictions to users which may be applicable to the land where the proposed building work is to be undertaken.
- (6) (A031) 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.
- Such works include, but not be limited to:
- Hoardings
  - Footway earthworks
  - Functional vehicular access
- (7) (A032) The developer is responsible for any costs relating to minor alterations and extensions of existing roads, drainage and Council services for the purposes of the development.
- (8) (A033) 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 Subdivision Certificate/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 10% of the contracted works for Torrens Title subdivision development/the estimated cost plus 30% for building development of public works or \$5000, whichever is the greater of carrying out the development 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.

- (9) (A056) One (1) metre clear distance is required around any vertical inspection shaft and any manhole.
- (10) (A057) The applicant is to ensure the proposed development will drain to the existing point of connection to Council's sewerage system.

#### **B – PRIOR TO ISSUE OF A CONSTRUCTION CERTIFICATE**

- (1) (B001) Approval pursuant to Section 68 of the Local Government Act, 1993 to carry out water supply, stormwater and sewerage works is to be obtained from Port Macquarie-Hastings Council. The following is to be clearly illustrated on the site plan to accompany the application for Section 68 approval:
  - Position and depth of the sewer (including junction)
  - Stormwater drainage termination point
  - Easements
  - Water main
  - Proposed water meter location
- (2) (B003) 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. Sewerage reticulation.
  - 2. Water supply plans shall include hydraulic plans for internal water supply services and associated works in accordance with AS 3500, NSW Code of Practice and Port Macquarie-Hastings Council Policies.
- (3) (B009) Payment to Council, prior to the issue of the Construction 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.

- (4) (B010) 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 Construction 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:

- augmentation of the town water supply headworks
- augmentation of the town sewerage system headworks

- (5) (B016) Provision to each lot of a separate sewer line to Council's main. All work will need to comply with the requirements of Council's adopted AUSPEC Design and Construction Guidelines and Policies. Any abandoned sewer junctions are to be capped off at Council's sewer main.

Construction details are to be submitted to Port Macquarie-Hastings Council with the application for Construction Certificate.

- (6) (B024) Submission to Council of an application for water meter hire, which is to be referred to the Water Supply section so that a quotation for the installation can be prepared and paid for prior to the issue of a Construction Certificate. This application is also to include an application for the disconnection of any existing service not required.
- (7) (B028) The water meters are to be located so that they are accessible from the road frontage for reading. To this end, the front fence is to be provided with a recess to accommodate the water meters.
- (8) (B032) Details of the proposed slab/flooring and wall construction for structural independency are to be submitted to the Principal Certifying Authority prior to issue of the Construction Certificate. Easements will be required where buildings overhang.
- (9) (B033) An Erosion and Sediment Control Management Plan shall be submitted to and approved by the Principal Certifying Authority with the application for Construction Certificate.

The plan shall include measures to:

- a. Prevent site vehicles tracking sediment and other pollutants from the development site.
  - b. Dust control measures.
  - c. Safety measures for temporary and permanent water bodies including fencing and maximum batter slopes.
  - d. Contingencies in the event of flooding.
- (10) (B038) Footings and/or concrete slabs of buildings adjacent to sewer lines or stormwater easements are to be designed so that no loads are imposed on the infrastructure. Detailed drawings and specifications prepared by a practising chartered professional civil and/or structural engineer are to be submitted with the application for the Construction Certificate.
- (11) (B056) Prior to the issue of any Construction Certificate plans, the provision of water and sewer services to the land are to be approved by the relevant Water Authority and relevant payments received.
- (12) (B195) Council records indicate that contrary to the plans attached to the development application, there is an existing water service for proposed lot 1 and no water service for proposed lot 2. The plans attached to the development application are not acceptable for water supply purposes.

#### C – PRIOR TO ANY WORK COMMENCING ON SITE

- (1) (C001) 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) (C002) 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.
- (3) (C004) Erosion and sediment controls in accordance with the approved management plan shall be in place prior to the commencement of any works or soil disturbance and maintained for the entirety of the works until the site is made stable by permanent vegetation cover or hard surface.
- (4) (C005) Toilet facilities are to be provided on the work site at the rate of one toilet for every 20 persons or part of 20 persons employed at the site.
- Each toilet provided must:
- a. be a standard flushing toilet, connected to a public sewer, or if connection to a public sewer is not available, to an on-site effluent disposal system approved by the Council, or
  - b. an approved temporary chemical closet.
- The provision of toilet facilities in accordance with this condition must be completed before any other work is commenced.
- (5) (C007) Provision of a hoarding, fence or other measures to restrict public access to the site during the course of works. Where the hoarding will encroach upon public land an application for approval under section 138 of the Roads Act, 1993 is to be lodged with Council.
- (6) (C012) Prior to the commencement of work, the location and depth of the sewer main and connection point in relation to the floor level shall be confirmed to ensure that appropriate connection to the sewer can be achieved.



- (7) (C013) Where a sewer manhole exists within a property, access to the manhole shall be made available at all times. Before during and after construction, the sewer manhole must not be buried, damaged or act as a stormwater collection pit. No structures, including retaining walls, shall be erected within 1.0 metre of the sewer manhole or located so as to prevent access to the manhole.

**D – DURING WORK**

- (1) (D001) 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. when trenches are open, stormwater/water/sewer pipes and conduits joined and prior to backfilling;
  - b. prior to the pouring of concrete for sewerage works and/or works on public property;
- 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.
- (2) (D004) The capacity and effectiveness of erosion and sediment control measures shall be maintained at all times in accordance with the approved management plan until such time as the site is made stable by permanent vegetation cover or hard surface.
- (3) (D006) 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.
- (4) (D011) Provision being made for support of adjoining properties and roadways during construction.
- (5) (D014) Work on the project being limited to the following hours, unless otherwise permitted by Council: -
- Monday to Saturday from 7.00am to 6.00pm
  - No work to be carried out on Sunday or public holidays
- The builder to be responsible to instruct and control his sub-contractors regarding the hours of work.
- (6) (D019) 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.
- (7) (D025) The sewer junction shall be capped off with an approved fitting in conjunction with demolition works and Council notified to carry out an inspection prior to backfilling of this work.
- (8) (D044) An Arborist, with a minimum qualification AQF level 5 (diploma level) or an international qualification considered equivalent by Council, or a person deemed suitable by Council shall be engaged to supervise all on site clearing and shall certify in writing clearing has occurred in accordance with the approved plans and conditions of this consent.
- (9) (D045) A suitably qualified ecological consultant shall inspect all native trees that have been approved for removal before they are felled. If there are any

koala or other fauna species in the tree, work in the vicinity is to cease until the animal has moved from the area. If it is likely that hollows are providing habitat for native species, traps shall be set for several nights and any native species found shall be relocated to an appropriate nearby location.

**E – PRIOR TO OCCUPATION OR THE ISSUE OF SUBDIVISION CERTIFICATE**

- (1) (E001) The premises shall not be occupied or used in whole or in part until an Occupation Certificate has been issued by the Principal Certifying Authority.
- (2) (E010) Driveways, access aisles and parking areas shall be provided with a concrete surface. Such a surface shall be on a suitable pavement, constructed and maintained in accordance with Council's Development, Design and Construction Manuals (as amended).
- (3) (E034) Prior to occupation or the issuing of the Occupation 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.
- (4) (E041) 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.
- (5) (E051) Prior to occupation or the issuing of any Occupation Certificate provision to the Principal Certifying Authority of a Water Authority and/or Section 68 Sanitary Plumbing and/or Stormwater Drainage Final Certificate issued by Port Macquarie-Hastings Council.
- (6) (E053) 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.
- (7) (E056) 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.
- (8) (E058) Written confirmation being provided to the Principal Certifying Authority (PCA) from any person responsible for the building works on the site, stating that all commitments made as part of the BASIX Certificate have been completed in accordance with the certificate.
- (9) (E061) Landscaped areas being completed prior to occupation or issue of the Occupation Certificate (whichever occurs first).
- (10) (E065) 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.
- (11) (E068) Prior to the issue of a Subdivision Certificate, written advice is to be submitted from the relevant service providers confirming that its requirements for the provision of services required by this consent or other approval have been satisfied.
- (12) (E072) 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).

- (13) (E079) Submission to the Principal Certifying Authority of certification by a Registered Surveyor prior to the issue of a Subdivision Certificate that all services and domestic drainage lines are wholly contained within the respective lots and easements.
- (14) (E082) 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.
- (15) (E195) Prior to the release of the occupation certificate or occupation (whichever occurs first), details are to be provided to the Principal Certifying Authority demonstrating that the addendum to the Oxley Highway Koala Plan of Management approved by the Department of Planning and Infrastructure on 8 February 2013 has been complied with.
- (16) (E196) The subdivision certificate shall not be issued until such time that the dwellings associated with this development are substantially commenced (as determined by Council) or where a strata management statement, or restriction as to user, prohibits any dwelling on each lot other than the dwelling approved as part of this consent.

#### F – OCCUPATION OF THE SITE

- (1) (F004) The dwellings are approved for permanent residential use and not for short term tourist and visitor accommodation.

planningnsw

Regional Office

Our ref: G03/00038  
Your ref: DA2003/0051

19 May 2003

Mr B Smith  
General Manager  
Hastings Council  
PO Box 84  
PORT MACQUARIE NSW 244469 Lot  
Residential Subd  
629 Oxley Hwy  
PMQ

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HASTINGS COUNCIL	
PID:	3065.500
22 MAY 2003	
File No:	DA2003/0051
File No:	(345)

Dear Mr Smith

**Koala Plan of Management for Proposed Subdivision of Lot DP 387920 and Lot 1 DP 136277  
Oxley Highway Port Macquarie**

I refer to your letter dated 18 March 2003 concerning the above koala plan of management.

The Director-General has granted approval to the Koala Plan of Management for the subject land prepared by King and Campbell Pty Ltd accompanying the Development Application for Residential Subdivision for Lot 1 DP 387920 AND Lot 1 DP 136277 in respect of DA2003/0051. This approval is conditional on the following issues being addressed in conditions for any consent issued for the proposed development.

- (a) measures proposed in sections 10.1, 10.2, 10.3, 10.4, 10.5, 10.6, 11.0 and 12 of the KPOM.
- (b) all koala feed trees on the site to be tagged and appropriately protected prior to works commencing.
- (c) planting of koala feed trees as described in the Koala Plan of Management, pages 8-10 and as shown on the Landscaping Plan, Exhibit 6; and
- (d) tree maintenance and replacement of newly established dead or dying koala feed trees to be undertaken for a period of not less than 2 years.

Yours sincerely

Steve Murray  
Steve Murray  
Regional Planning Coordinator  
North Coast

PROCESSED.

Planning for a sustainable  
environment, jobs and  
livable communities.

Koala Plan of Management  
for  
Residential Subdivision  
Lot 1 DP 387920  
Lot 1 DP 136277  
Oxley Highway  
Port Macquarie

14117

December 2002

Koala Plan of Management  
Oxley Highway, Port Macquarie

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Koala Plan of Management  
Oxley Highway, Port Macquarie

## 1.0 BACKGROUND

This Koala Plan of Management (KPOM) forms part of a development application for a proposed subdivision of the subject property.

The subject property is included in the Draft Hastings DCP 45, Innes Peninsula, but is not identified as being part of any koala corridor.

However, as DCP 45 is regional, it cannot be relied upon completely for every individual site, so a Threatened Species, EPBC and SEPP 44 - Koala Habitat Assessment (Ecological Assessment), was carried out by Jason Berrigan of Darkheart Eco-Consultancy. This assessment concluded that part of the subject property is core koala habitat under the definitions contained in SEPP 44 as set out below. (Section 6.3, Berrigan 2002)

- The survey recorded sightings of koalas on the subject property, including one young female;
- Historical records indicate consistent koala activity in the immediate area;
- Core Koala habitat has been identified within range of the subject property (Lake Innes Nature Reserve and private lands on the Innes Peninsula);
- Koala feed trees (Tallowwood and Forest Red Gum) were found on the property.

As part of the subject property is Core Koala habitat, a Koala Plan of Management is required. This Koala Plan of Management has been prepared in accordance with SEPP 44 and the Director's Guidelines for preparing Plans of Management (the guidelines).

## 2.0 CONSULTATION

The following parties have been consulted during the preparation of the Koala Plan of Management :

- Matthew Owens, Hastings Council
- Craig Bellamy, Planning NSW
- Koala expert consultant, Dr Steve Phillips, Consultant for Council and adjoining property owner, who is conducting a study of a more extensive area surrounding the subject land.

In addition to the above consultation, the KPOM relies upon data contained in the Ecological Assessment prepared by Jason Berrigan.



Koala Plan of Management  
Oxley Highway, Port Macquarie

### 3.0 DESCRIPTION OF THE SUBJECT PROPERTY

The subject property is shown in the attached plan (Exhibit 1) and lies on the southern side of the Oxley Highway, sharing its eastern boundary with Annabella Downs estate. The subject property consists of approximately 5.25 hectares and is made up of two lots, Lot 1 DP 387920 and Lot 1 DP 136277.

Lot 1 is almost completely void of eucalypts as can be seen from Exhibit 1, and trees on this section of the site consist largely of exotic species. Part Lot 2 is timbered in its south eastern corner, decreasing in density towards the north-western corner, with the front half of the site containing few native trees.

The subject property has been a rural residential property, with grazing of horses and associated clearing of all undergrowth. It holds three residences; the main residence (proposed to be retained), is sited in the middle of Part Lot 2.

### 4.0 OBJECTIVES OF THE PLAN

The objectives of this Koala Plan of Management (KPOM) are:

- To retain at least 95% (45/46) of all koala feed tree species as listed in Schedule 2 of SEPP 44 (Tallowood and Forest Red Gum).
- To improve the long term potential of koala habitat on the subject land.
- To provide for the preservation of linkages with nearby koala habitat in the immediate area by retaining trees in the south of the property and a corridor of trees from the southern boundary through the subdivision.
- To provide for the long-term conservation of the koala population likely to be using the site (size of population discussed in Section 6).

### 5.0 CRITERIA FOR ACHIEVEMENT OF OBJECTIVES

The criteria against which achievement of the objectives is to be measured are:

- Retention of at least 95% of koala feed tree species as defined in Schedule 2 of SEPP 44 (Tallowood and Forest Red Gum).
- Effective establishment of a tree planting program on road verges of the proposed subdivision.
- Ongoing monitoring of the density of koala habitat on the subject property to measure its long term potential of providing for the local koala population. The final target density for koala feed trees is 20 trees per hectare to the south of Annabella Drive and 15 trees per hectare to the north of Annabella Drive. (Current density is approximately 12 feed trees/ha south of the future Annabella Drive and approximately 8 feed trees/ha north of the future Annabella Drive.)

Koala Plan of Management  
Oxley Highway, Port Macquarie

## 6.0 ESTIMATE OF POPULATION SIZE

During field surveys carried out as a part of the ecological assessment, on five separate occasions a koala was observed on the subject property. The present owners of the subject property have also noted several occurrences of single koalas and on one occasion, two koalas. Berrigan concludes that the property is core koala habitat (see Section 1.0). Given that the property forms the northern extremity of a contiguous area of vegetation, (although separated by a 25 metre wide services corridor) it is considered likely that the site is used by one or more koalas as a part of their home range, moving to and from habitat to the south of the site.

The survey by Darkheart Eco-Consultancy included a joint inspection of the site with Dr Steven Phillips on 4 September 2002.

The purpose of the site inspection was to confirm that the existing vegetation was core koala habitat. While the inspection did not represent a formal koala survey, the issue of the likely size of the koala population on the property was discussed. Dr Phillips generally agreed that, based on the results of Berrigan's field work and his knowledge of the surrounding area, that it was likely to be used as part of the habitat for one or more koalas.

## 7.0 PREFERRED TREE SPECIES

The accompanying aerial photographs (Exhibits 2 and 3) show the subject property as being timbered on the southern part of the property, thinning toward the north. There is no understorey as the property has been used for grazing of horses for a considerable time.

To the south of the property lies an easement for electricity transmission lines and water supply services. Draft DCP 45 – Innes Peninsula sets aside this 25 metre wide area as a services corridor, separating the site from a proposed golf course as part of Lake Innes Estate to the south and a large area of vegetation. Lake Innes Nature Reserve abuts the Lake Innes Estate in proximity to the site. This vegetation is not contiguous with the site due to the services corridor and in the future, golf course fairways. To the east of the property lies Annabella Downs, a new residential subdivision. Lots to the immediate west of the property remain in a rural zoning although they have been the subject of recent consideration for rezoning for residential purposes. The site is bounded on the north by the Oxley Highway.

On the subject property the koala feed tree species are 31 Forest Red Gum (including a single specimen of the naturally occurring Forest Red Gum x Swamp Mahogany hybrid, *E.patentinervis*) and 15 Tallowood. There are approximately 185 trees on the 5.25ha property with approximately 28% of these being feed tree species under SEPP 44.

Exhibit 1 shows the tree distribution on site, and notes the trees under which scats were found and those in which koalas were observed.

The proposed subdivision has been designed to:

- Retain a minimum of 95% of feed tree species throughout the property.
- Provide amelioration measures as detailed in Section 10 of this report.

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Koala Plan of Management  
Oxley Highway, Port Macquarie

Exhibit 3 shows the extent of resource available in the surrounding area, with extensive areas of vegetation on private lands to the south. In addition, the further extent of resource available immediately to the south and through the Lake Innes Nature Reserve located further to the south again, can be seen in Exhibits 4 and 5.

Section 9 of this KPOM outlines strategies to enhance connectivity between the subject property and this extensive area of available koala feed resources to the south.

## 8.0 REGIONAL DISTRIBUTION OF KOALAS

The coastal sector of the Hastings Local Government Area is known to contain a viable koala population in varying densities, generally within the following areas :

- Port Macquarie urban area
- Lake Innes Nature Reserve / Kooloonbung Creek Nature Reserve and adjoining private lands
- Lake Cathie urban area

The extract from the Port Macquarie topographic map (Exhibit 4) shows the subject property in relation to part of the Port Macquarie urban area, Lake Innes and Kooloonbung Creek Nature Reserves, Innes Lake Estate and the Innes Peninsula. This map extract shows the large areas of potentially suitable habitat to the south of the property as follows :

- The Innes Lake Estate to the south and south west, being a large area of native vegetation;
- Lake Innes Nature Reserve also directly to the south and south east, contains an extensive area of native vegetation.
- Lake Innes and Mill Hill urban areas to the south east are identified in the Draft Hastings Coastal Area KPOM as potential koala habitat.

Areas to the immediate north and east of the subject property are residential estates with minimal alternative koala habitat contained therein. Areas to the immediate west of the property are rural residential areas with some koala habitat potential.

Koala Plan of Management  
Oxley Highway, Port Macquarie

## 9.0 IDENTIFICATION OF LINKAGES

The subject property is part of habitat being used by one or more koalas that are likely to also move in and out of the habitat areas immediately to the south. The subject property is adjacent to Annabella Downs subdivision to the east with no habitat potential, rural residential land to the north and west with limited habitat potential.

There is minimal potential for the establishment of new linkages in an easterly direction due to the lack of trees in Annabella Downs and the use of Colourbond fences throughout this subdivision. The site to the immediate west has been recently cleared of vegetation and so also provides minimal habitat potential.

The main potential for a direct link to and from adjacent areas of habitat is in a southerly direction to the Innes Lake Estate and the Innes Lake Nature Reserve, and north into the West Lindfield area.

To maintain these linkages it is proposed to retain 95% of koala feed tree species as defined by Schedule 2, SEPP 44, with a complementary planting program of koala food trees in roadside reserves.

While the site does not form part of an existing corridor, retention of habitat on the property will ensure the maintenance of the property as an area of koala habitat associated with nearby areas of habitat.

## 10.0 MAJOR THREATENING PROCESSES/AMELIORATION MEASURES

The major threatening processes to koalas have been documented (Berrigan 2002, Connell Wagner 2000, Connell Wagner 1998), to include:

- Loss of habitat;
- Road kill;
- Dog attack;
- Disease;
- Drowning; and
- Fire.

The following ameliorative measures are proposed to reduce the potential impact of these threatening processes on the existing koala population:

### 10.1 Design of Subdivision Layout

The proposed subdivision layout (Exhibit 6) is designed to retain all but one of the koala feed tree species (Tallowwood and Forest Red Gum). One Tallowwood occurs in Lot 5, within the 10x15m building envelope required by Council. Innovative housing design could retain this tree, however Exhibits in this report have been prepared using the worst case scenario.

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Koala Plan of Management  
Oxley Highway, Port Macquarie

This proposed layout was developed and refined during the preparation of the KPOM as follows:

- Retention of 95% of koala feed tree species as defined in Schedule 2, SEPP 44.
- The use of a combination of lots sizes and shapes, with defined building envelopes, to enable protection of koala habitat in road reserves and non-building areas.
- Building envelopes on each site are defined to ensure the protection of existing koala feed trees. Those planted during the development of the subdivision are intended to facilitate the creation of habitat corridors within a woodland setting.
- Further refinement of lot sizes and shapes to result in a maximum of lots with koala feed trees species located near side and rear boundaries and, therefore well beyond disturbance from residential dwellings
- Infrastructure contained within allotments (eg sewerage and inter-allotment drainage) is to be designed to ensure that all koala feed tree species are retained. Infrastructure within road reserves to also be located to retain koala feed trees.
- Koala friendly fencing will be required throughout the subdivision.
- A no-dogs covenant will be attached to the land within the proposed development.

### 10.2 Design of Access throughout Subdivision

The road layout has also been designed to minimise the potential threat to koalas as follows :

- Use of private accessways for access to some allotments.
- Design of road carriageways to promote a low speed environment by using narrow winding pavements with wide, vegetated road reserves.
- Road carriageways within the proposed development other than Annabella Drive are to be 5.5 and 7 metres wide and, combined with the widening of the road reserves, have been designed to achieve no loss of koala feed trees.
- Whilst Annabella Drive is proposed to be 9 metres wide to meet the standard for a bus route, it is proposed to use traffic calming devices to create a 40km/h speed environment.
- Street lighting is to be located to improve driver visibility within the subdivision.

### 10.3 Planting of Primary Browse Trees

As outlined above, the subdivision has been designed to retain all but one primary browse trees. The primary aim of the planting program is to improve the number and distribution of primary browse trees on the property. This will be achieved by the following measures :

- Planting of primary browse trees to achieve a minimum density of 20 feed tree species per hectare to the south of Annabella Drive, and a minimum of 15 primary feed trees per hectare to the north of Annabella Drive.
- Replacement plantings are to be located within road reserves, and will be planted in clumps to form a non-continuous canopy. The plantings are proposed to form habitat corridors throughout the site so as to ensure the existing koala habitat is not further isolated from nearby habitat areas to the south.
- Young trees are to be staked and protected to ensure maximum opportunity for survival, and the most appropriate planting season will be used for each species, taking into account water restrictions over summer periods.



Koala Plan of Management  
Oxley Highway, Port Macquarie

- Monitoring measures are to be implemented as outlined in Section 12.0 to gauge the success of planting programs and provide recommendations for improvements.
- The planting program will include koala feed tree species.

Exhibit 6 shows the landscape plan for the development.

#### 10.4 Lopping of Primary Browse Species

Selective lopping of primary browse species will be undertaken during the staged development of the subdivision. The purpose of the lopping will be to remove dangerous limbs, and also to facilitate the long term retention of existing mature species by reducing the number of branches overhanging building envelopes. The lopping program will also have the benefit of enhancing more bushy regrowth on the existing trees.

#### 10.5 Restrictions on use

Restrictions on use are to be registered in conjunction with the proposed subdivision, requiring fencing types that do not become barriers to koala movement throughout the subdivision.

Restrictions on use will also require that pool designs incorporate appropriate pool rescue ropes to minimise the potential for koalas drowning.

An additional restriction will impose a no-dogs policy within the subdivision.

#### 10.6 Resident Awareness

Appropriate signage is to be erected at the entrance to the subdivision advising residents and visitors that they are entering an area of important koala habitat. The signs will contain information such as :

- Advice on the duration of breeding season and the most active times of day/night for koalas;
- Advice to motorists to drive slowly (40kph);
- Contact details for the Koala Preservation Society / Koala Hospital / FAWNA Group to facilitate prompt reporting of sick or injured koalas.

### 11.0 OPPORTUNITIES TO IMPROVE CONDITION OF EXISTING CORE HABITAT

The existing density of koala feed tree species on the subject property is less than 10 trees per hectare. It is proposed to increase density to:

- a minimum of 20 feed tree species per hectare to the south of Annabella Drive; and
- a minimum of 15 feed tree species per hectare to the north of Annabella Drive.

The implementation of an effective local primary browse species planting program as outlined above, creates opportunities to improve the condition of existing koala habitat on site over time. This will be achieved through planting of trees to meet the minimum densities stated above. As the existing vegetation is fairly consistent in age throughout the subject property, the planting program will provide a

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Koala Plan of Management  
Oxley Highway, Port Macquarie

new generation of local primary browse species to further ensure the longevity of the koala habitat and to complement the trees to be retained.

## 12.0 MONITORING AND REPORTING MEASURES

The following monitoring and reporting measures will be incorporated into the proposed residential development :

- Annual reporting of the density of primary browse species on the subject property during the subdivision development phase of the project. Such reporting is to include details of the number of trees removed and planted, and information to allow the comparison of the actual interim density of primary browse trees against the target densities of primary browse species per hectare, given in Section 11. The annual report will be prepared by the developer, or their representatives, and will also make recommendations, if appropriate, with regard to future plantings required.
- Annual monitoring of the density of primary browse species during the house building phase of the development. A bond for an agreed amount (say the cost of one for one re-planting plus 30%) will be established with Council by the developer. It is recommended that Council also include provision for replacement plantings in their normal bonding arrangements with individual builders to cover damage to replacement plantings or mature species during house building works.
- All replacement plantings are to be subject to the normal maintenance period required by Council for such works. Inspection of the re-planting works is to be carried out by Council staff and the developer or their representatives prior to acceptance of the replacement primary browse species out of maintenance.

Koala Plan of Management  
Oxley Highway, Port Macquarie

### 13.0 CONCLUSION

The subject property has been determined to contain core koala habitat which is currently being utilised by one or more koalas. It is considered that the resident population is likely to form a component of a stable breeding population of koalas using this property, private lands to the south and the Lake Innes Nature Reserve.

The principle objective of the Koala Plan of Management is to ensure there is no net reduction of koala feed tree species (in number or distribution) as a result of the proposed development and that there is in fact an increase in density of koala feed tree species on the site over a period of 5 years from development.

The potential impacts on the existing koala population have been identified to include loss of habitat, road kill, dog attack and drowning.

The amelioration measures proposed to mitigate the effects of these potential impacts are as follows :

- Retention of 95% of all koala feed tree species on the subject property (Tallowwood and Forest Red Gum). In addition, emphasis has been placed on the retention of other trees in the subdivision.
- A mix of allotment sizes and shapes has been used to provide further certainty in areas containing a higher proportion of koala feed tree species. The proposed development will define a fixed building envelope in some allotments for maximum tree retention.
- 45 feed trees are to be retained, making 95% of existing feed tree species
- A tree planting program is to be implemented on the subject property to result in a density of koala feed trees of 20 per hectare to the south of Annabella Drive and 15 per hectare north of Annabella Drive.
- The road layout has been designed to discourage through traffic and reduce vehicle speeds.
- Primary browse trees retained within allotments will be lopped where necessary to reduce potential conflicts during the house construction phase and to facilitate their retention.
- Fencing types are to be restricted to those which do not inhibit koala movement through the developed property.
- Restrictions on the use will require appropriate safety measures to be implemented to minimise the risk of koalas drowning.
- There will be a no-dogs policy for residents.
- Annual monitoring of tree densities is to be undertaken during the development phase of the project. Bonding arrangements are to be made with Council to ensure the survival of the target density of primary browse species after the completion of dwelling construction.

Berrigan states that the koalas occurring in these urban fringes would be "accustomed to a reasonable level of human presence and habitat modification" (Section 7.1.2.2.1, Berrigan 2002). Given this, along with the retention of 95% of koala feed trees as well as the retention of over 60% of all trees, it is submitted that the proposed subdivision would not have a significant effect on the local koala population.

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Koala Plan of Management  
Oxley Highway, Port Macquarie

#### 14.0 References

Berrigan, "Commonwealth EPBC Act 1999, NSW Threatened Species Act, NSW SEPP 44 – Koala Habitat Assessment of Proposed Residential Subdivisions – Port Oxley", 2002

Connell Wagner Pty Ltd "Draft Koala Plan of Management Coastal Area, Hastings Council", 2000

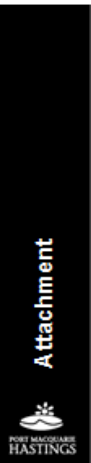
Connell Wagner Pty Ltd "Kings Creek Koala Plan of Management", 1998

Standing, "A study of Koalas in the Macleay Valley District – Past Present and Future, Koala Preservation Society of NSW, Port Macquarie", 1990.

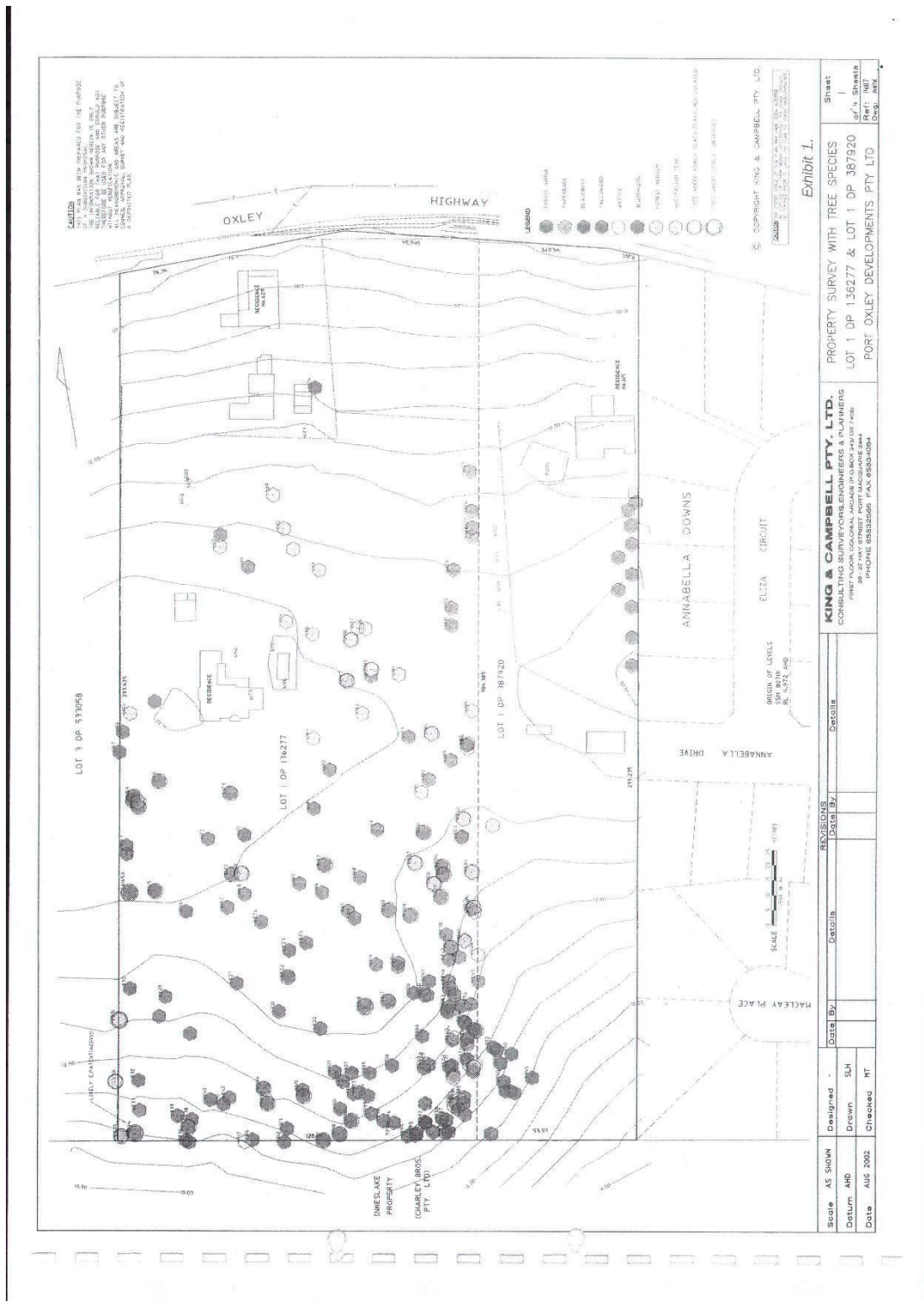
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King & Campbell  
Pty Ltd

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Source: 9415-28 (1st Ed.) Land Information Centre  
Drawn: RB  
Drawn: 14/11/02  
Date: December 2002

Exhibit 5  
Orthophoto Map Extract

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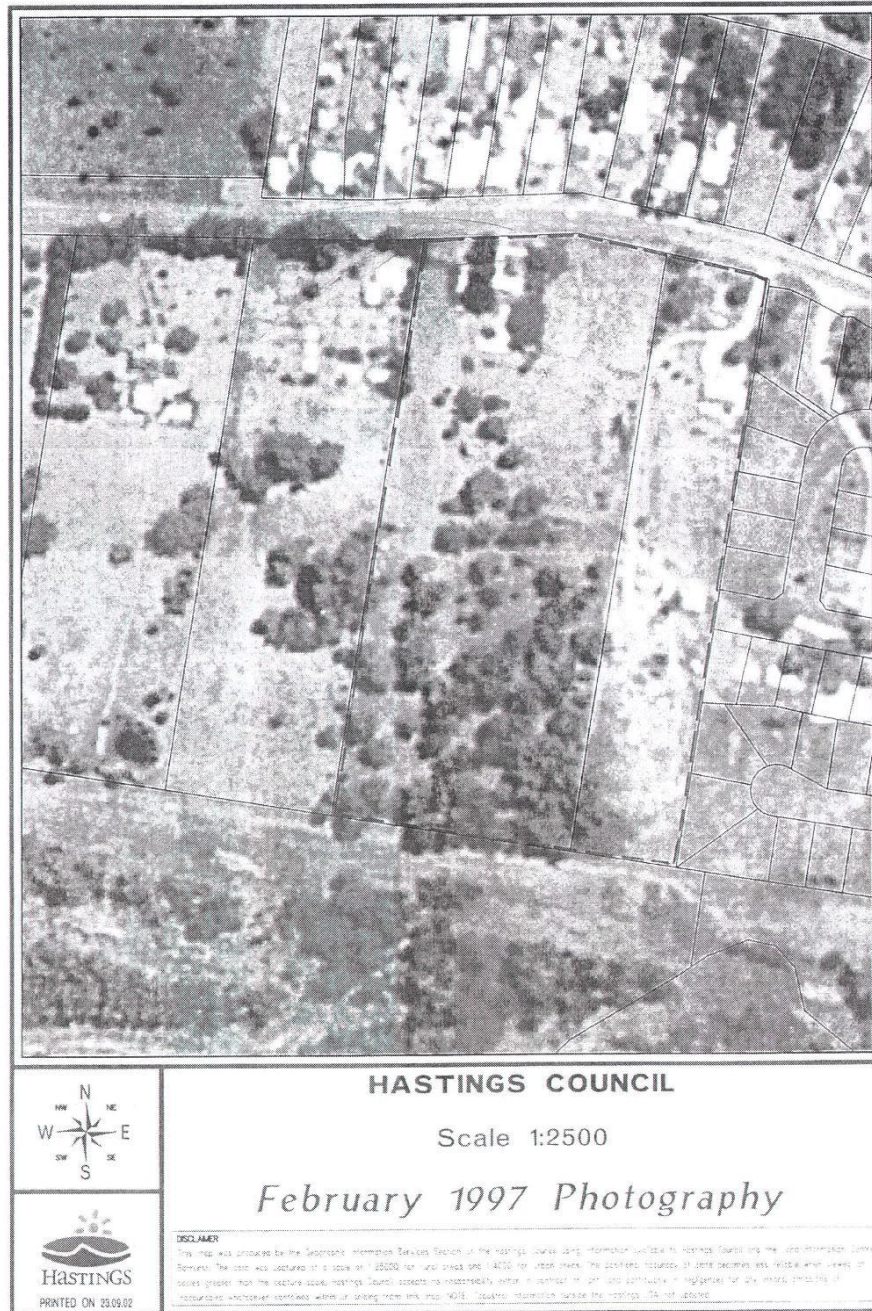


Exhibit 3





Exhibit 2





**ADDENDUM**

KOALA PLAN OF MAGAGEMENT  
OXLEY HIGHWAY PORT MACQUARIE  
LOT 1 DP 387920  
LOT 1 DP 136277

Dated December 2002

Reference is to be made to plans forming the KPoM by King & Campbell :

- Landscaping plan, dated 16 dec 2001 Ref 14117des.cdr Hastings Council approval dated 07 July, 2003 - DA No 2003/0051
- Property Survey with Tree Species - ,sheet 1 of 1 dated Aug,2002 /Ref 14117/dwg 14117k

The tree identified to be remove and replacement trees provided is located in Lot 35 south east corner within the property boundary,( see Landscape Plan) and numbered 6114 – Forest Redgum (se survey plan)

Adopt current Port Macquarie Hastings Council Tree management policy, of 2:1 replacement .

Hastings Council's current Tree Management Policy:

- 2:1 Offsets to be planted within the property this may not be appropriate and investigations into location of offsets within the built environment regarding mature dimensions of species i.e. all koala food trees are large trees, location of services such as power water and sewer and habitable dwelling of at least 3 to 5 metres from any replant. Compensatory offsets should be NATSPEC Specifying Trees Compliant advanced stock with certification at least 75 to 100 litre container size.
- 2:1 Offsets to be planted within public land with koala food tree species NATSPEC Specifying Trees compliant advanced stock with certification at least 75 to 100 litre container size. Location to be determined by council officers.
- Replants will need to be at the developers expense.
- Tree removal should include the donation of foliage to the koala hospital.

6/03/2013

Development Contributions Calculation Sheet - Final Consent Issue									
<b>Development Details</b>			<b>Contributions Plans Applicable</b>						
DA No.	2012	0399	<b>General S94 Plans</b>		<b>Applies</b>	<b>ET Chargeable</b>	<b>RatePer ET</b>	<b>Contribution Amount</b>	
Address:	44 Rivergum Drive, Port Macquarie		Major Roads		Yes	0.57	\$8,306.00	\$4,734.40	
Dev Description:	Occ (1 x 3 Bed & 1 x 2 Bed) & Torrens Title		Open Space		Yes	0.57	\$5,463.00	\$3,113.90	
Lot Number(s):	418		Community Cultural & Emergency Services		Yes	0.57	\$4,079.00	\$2,325.00	
DP Number(s):	1145583		Admin Building		Yes	0.57	\$803.00	\$457.70	
Stage No:	Total		Bushfire - Specific		No				
Applicant:	Beukers & Ritter Consulting		Kings Creek		No				
Contribution Area:	<input type="checkbox"/> Camden Haven <input type="checkbox"/> Kings & Chinabula <input type="checkbox"/> Kings Creek <input type="checkbox"/> Lake Cathie/Bonny Hills <input type="checkbox"/> Port Macquarie <input type="checkbox"/> Rural <input type="checkbox"/> Sancroft/Thrumster <input type="checkbox"/> Wauchope		Admin Levy		Yes	2.2% of S94	\$10,631.00	\$233.80	
(Planner must Select Contribution Area. Click Once with Mouse)			<b>Specific Contribution Plans and DSPs (Planner Must Select if Plans are Applicable)</b>						
			<b>S94A Levy Development Cost</b>		\$320,000	No			
					<input type="checkbox"/> Applies				
					<input type="checkbox"/> Applies				
					<input type="checkbox"/> Applies				
					<input type="checkbox"/> Applies				
					<input type="checkbox"/> Applies				
DA Lodged Date:	15/08/2012		Bushfire Additional		Select Rate				
Prepared By:	Jesse D								
DA Consent Date:									
Issue No.	1		Water 1.6% Levy:		\$61.80	<input checked="" type="checkbox"/> Applies	0.4	\$9,666.00	\$3,866.40
Calc Sheet Date:	6-Mar-2013		Sewer			<input checked="" type="checkbox"/> Applies	0.75	\$4,023.00	\$3,017.20
<b>FINAL CONSENT CALCULATION</b>	<input checked="" type="checkbox"/> Tick for FINAL Consent Calculation		<b>Car Parking CP</b>					<b>Contribution Total: \$17,810.20</b>	
			<b>No. of Spaces Short:</b>					<b>Notice of Payment Re-Issue Fee:</b> <input type="checkbox"/> Applies	
<b>ET Calculation for New Development (Proposed)</b>									
<b>Commercial &amp; Industrial New Development</b>			<b>Rate</b>	<b>Units</b>	<b>Water Rate</b>	<b>Sewer Rate</b>	<b>ET Water</b>	<b>ET Sewer</b>	<b>Traffic Facilities m<sup>2</sup></b>
N/A	▼	m2	0	0	0	0	0	0	
N/A	▼	m2	0	0	0	0	0	0	
N/A	▼	m2	0	0	0	0	0	0	
N/A	▼	m2	0	0	0	0	0	0	
			<b>Total Commercial ETs:</b>			0	0	0	0
<b>New Residential Development</b>			<b>Units</b>	<b>Sec 94 ET</b>	<b>Water ET</b>	<b>Sewer ET</b>			
Number of new residential lots greater than 450m <sup>2</sup> (excluding Dual Occ & Int Housing)			0	0	0	0			
Number of new residential lots greater than 2000m <sup>2</sup> (excluding Dual Occ & Int Housing)			0	0	0	0			
1 Bedroom Units (Low Density - Flats, town houses, villas, dual occs, Int housing & Permanent Self Contained Caravan Park Sites)			0	0	0	0			
2 Bedroom Units (Low Density - Flats, town houses, villas, dual occs, Int housing & Permanent Self Contained Caravan Park Sites)			1	0.67	0.6	0.75			
3 Bedroom Units (Low Density - Flats, town houses, villas, dual occs, Int housing & Permanent Self Contained Caravan Park Sites)			1	0.9	0.8	1			
4 Bedroom Units (Low Density - Flats, town houses, villas, dual occs, Int housing & Permanent Self Contained Caravan Park Sites)			0	0	0	0			
1 Bedroom Units (High Density - 3 or more storeys)			0	0	0	0			
2 Bedroom Units (High Density - 3 or more storeys)			0	0	0	0			
3 Bedroom Units (High Density - 3 or more storeys)			0	0	0	0			
4 Bedroom Units (High Density - 3 or more storeys)			0	0	0	0			
Motel Unit - Partially Self Contained (Own ensuite but shared facilities for cooking & laundry)			0	0	0	0			
Motel Unit - Self Contained (Own ensuite and kitchen)			0	0	0	0			
Caravan Park - Not Self Contained Site (permanent or transient)			0	0	0	0			
Caravan Park - Partially Self Contained Site (permanent or transient)			0	0	0	0			
Nursing Homes High Dependency/Residential Care Facility (per bed)			0	N/A	0	0			
Nursing Homes Low Dependency/Hostel (per bed)			0	0	0	0			
Aged Unit - Self Contained 1 bedroom with ensuite & kitchen (SEPP - Seniors Living)			0	0	0	0			
Aged Unit - Self Contained 2 bedroom with ensuite & kitchen (SEPP - Seniors Living)			0	0	0	0			
Aged Unit - Self Contained 3 bedroom with ensuite & kitchen (SEPP - Seniors Living)			0	0	0	0			
Boarding House per 1 Occupancy Bedroom Not Self Contained (shared facilities for cooking, laundry & bathrooms)			0	0	0	0			
Boarding House per 1 Occupancy Bedroom Partially Self Contained (Own ensuite - shared cooking & laundry facilities)			0	0	0	0			
Boarding House - Not Self Contained Per Bed (for dormitories/bunkrooms, shared cooking, laundry and bathroom)			0	0	0	0			
Boarding House - Self Contained Per Bed (for dormitories/bunkrooms, Own ensuite per bedroom/dorm/bunkroom with shared cooking and laundry)			0	0	0	0			
<b>New Residential Unit Total:</b>			2	1.57	1.4	1.75			

6/03/2013

ET Calculation for Existing Development (Credits)							
Commercial & Industrial Existing Development	Rate	Units	Water Rate	Sewer Rate	ET Water	ET Sewer	Traffic Facilities m <sup>2</sup>
N/A	m2	0	0	0	0	0	
N/A	m2	0	0	0	0	0	
N/A	m2	0	0	0	0	0	
N/A	m2	0	0	0	0	0	
Total Commercial ETs:					0	0	0
Existing Residential Development		Units	Sec 94 ET	Water ET	Sewer ET		
Number of existing residential lots greater than 450m <sup>2</sup> (excluding Dual Occ & Int Housing)		1	1	1	1		
Number of existing residential lots greater than 2000m <sup>2</sup> (excluding Dual Occ & Int Housing)		0	0	0	0		
1 Bedroom Units (Low Density - Flats, town houses, villas, dual occs, Int housing & Permanent Self Contained Caravan Park Sites)		0	0	0	0		
2 Bedroom Units (Low Density - Flats, town houses, villas, dual occs, Int housing & Permanent Self Contained Caravan Park Sites)		0	0	0	0		
3 Bedroom Units (Low Density - Flats, town houses, villas, dual occs, Int housing & Permanent Self Contained Caravan Park Sites)		0	0	0	0		
4 Bedroom Units (Low Density - Flats, town houses, villas, dual occs, Int housing & Permanent Self Contained Caravan Park Sites)		0	0	0	0		
1 Bedroom Units (High Density - 3 or more storeys)		0	0	0	0		
2 Bedroom Units (High Density - 3 or more storeys)		0	0	0	0		
3 Bedroom Units (High Density - 3 or more storeys)		0	0	0	0		
4 Bedroom Units (High Density - 3 or more storeys)		0	0	0	0		
Motel Unit - Partially Self Contained (Own ensuite but shared facilities for cooking & laundry)		0	0	0	0		
Motel Unit - Self Contained (Own ensuite and kitchen)		0	0	0	0		
Caravan Park - Not Self Contained Site (permanent or transient)		0	0	0	0		
Caravan Park - Partially Self Contained Site (permanent or transient)		0	0	0	0		
Nursing Homes High Dependency/Residential Care Facility (per bed)		0	N/A	0	0		
Nursing Homes Low Dependency/Hostel (per bed)		0	0	0	0		
Aged Unit - Self Contained 1 bedroom with ensuite & kitchen (SEPP - Seniors Living)		0	0	0	0		
Aged Unit - Self Contained 2 bedroom with ensuite & kitchen (SEPP - Seniors Living)		0	0	0	0		
Aged Unit - Self Contained 3 bedroom with ensuite & kitchen (SEPP - Seniors Living)		0	0	0	0		
Boarding House per 1 Occupancy Bedroom Not Self Contained (shared facilities for cooking, laundry & bathrooms)		0	0	0	0		
Boarding House per 1 Occupancy Bedroom Partially Self Contained (Own ensuite - shared cooking & laundry facilities)		0	0	0	0		
Boarding House - Not Self Contained Per Bed (for dormitories/bunkrooms, shared cooking, laundry and bathroom)		0	0	0	0		
Boarding House - Self Contained Per Bed (for dormitories/bunkrooms, Own ensuite per bedroom/dorm/bunkroom with shared cooking and laundry)		0	0	0	0		
Existing Residential Unit Total:		1	1	1	1		

3:\Dev\Env\DEV AND BUILDING CONTROLS\DA2012\DA2012-0399\Development Contributions Calculation Sheet, DA 2012-0399, Stage No. Total, Issue No.1

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Item: 06

Subject: DA 2012/0239 - CHANGE OF USE FROM DWELLING TO TOURIST & VISITOR ACCOMMODATION, LOT 17 SP 48601, 17/16-18 LAURIE STREET, LAURIETON

Report Author: Clint Tink

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Property: Lot 17 SP 48601, 17/16-18 Laurie Street, Laurieton  
Applicant: Dr Dave Allan Pty Ltd  
Owner: Dr Dave Allan Pty Ltd  
Application Date: 6 November 2012  
Date Formal: 26 February 2013  
Estimated Cost: \$0  
Location: Laurieton  
File no: DA 2012/0239  
Parcel no: 27468

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#### Alignment with Delivery Program

- 4.9.2 Undertake development assessment in accordance with relevant legislation.
- 4.9.3 Implement and maintain a transparent development assessment process.

#### RECOMMENDATION

- (1) That DA 2012/0239 for a change of use from a dwelling to tourist & visitor accommodation at Lot 17 SP 48601, No. 16-18 Laurie Street, Laurieton, be determined by granting consent subject to the recommended conditions.

#### Executive Summary

This report considers a Development Application for change of use from a dwelling to tourist & visitor accommodation at the subject site.

This report provides an assessment of the application in accordance with the requirements of the Environmental Planning and Assessment Act 1979.

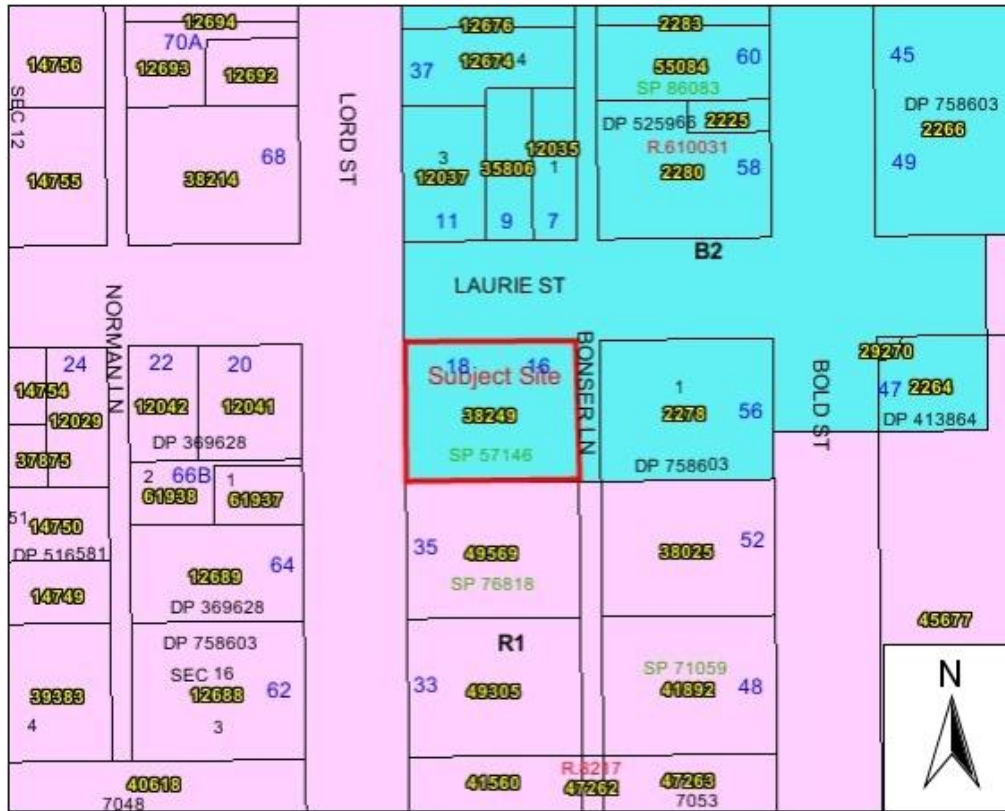
Subsequent to exhibition of the application, two (2) submissions have been received.

#### 1. BACKGROUND

##### Existing sites features and Surrounding development

The overall strata complex has a site area of 2026m<sup>2</sup>. The actual unit has an area of 288m<sup>2</sup>.

The site is zoned B2 Local Centre in accordance with the Port Macquarie-Hastings Local Environmental Plan 2011, as shown in the following zoning plan:



The property currently contains a mixture of medical and commercial/business type uses. Surrounding the site are more commercial development to the north and east and residential development to the south and west. There is a strong presence of higher density residential development to the south.

Directly to the east/north east are the heritage listed Holy Trinity Church and Laurieton School of Arts buildings.

The existing subdivision pattern and location of existing development within the immediate locality is shown in the following aerial photo:





- 29/12/2012 - Applicant requested update on DA. On 2/1/2013 Council staff advised signage issue had not been addressed.
- 26/2/2013 - Applicant submitted a plan on where the signage was proposed. The signage is more directional to help guests know where they are staying. It is considered that the signage does not require Council approval. Furthermore, the signage appears to be located in common property areas. As owner's consent was only provided to the change of use (i.e. not signage), this DA cannot currently consider the signage aspect. Given the exempt nature and the owner's consent issue, it is considered that the signage can be dealt with as a separate matter.

### **3. STATUTORY ASSESSMENT**

#### **Section 79C(1) Matters for Consideration**

In determining the application, Council is required to take into consideration the following matters as are relevant to the development that apply to the land to which the development application relates:

- (a) **The provisions (where applicable) of:**  
(i) **any Environmental Planning Instrument:**

#### **State Environmental Planning Policy 44 - Koala Habitat Protection**

There is no Koala Plan of Management on the site. Additionally, the site is less than 1ha in area with no tree clearing proposed. In this regard the SEPP does not apply and therefore no further investigations are required.

#### **State Environmental Planning Policy 55 – Remediation of Land**

In accordance with clause 7, following an inspection of the site and a search of Council records, the subject land is not identified as being potentially contaminated and is suitable for the intended use. The change of use applies to a previously approved, developed and used residential unit.

The requirements of this SEPP are therefore satisfied.

#### **State Environmental Planning Policy 62 - Sustainable Aquaculture**

In accordance with clause 15C, the change of use does not propose any works or changes to stormwater that would create an adverse impact on the Camden Haven River. The requirements of this SEPP are therefore satisfied.

#### **State Environmental Planning Policy 64 - Advertising and Signage**

The applicant has nominated some directional type signage on the plan. It is considered that the signage does not require Council approval. Furthermore, the signage appears to be located in common property areas. As owner's consent was only provided to the change of use (i.e. not signage), this DA cannot currently consider the signage aspect. Given the exempt nature of the signage and the owner's consent issue, it is considered that the signage can be dealt with as a separate matter.

#### **State Environmental Planning Policy 71 – Coastal Protection**

The site is located within a coastal zone as defined in accordance with clause 4 of SEPP 71.

In accordance with clause 7, this SEPP prevails over the Port Macquarie-Hastings LEP 2011 in the event of any inconsistency.

Having regard to clauses 8 and 12 to 16 of SEPP 71 and clause 5.5 of Hastings LEP 2011 inclusive the proposed development will not result in any of the following:

- a) any restricted access (or opportunities for access) to the coastal foreshore;
- b) any identifiable adverse amenity impacts along the coastal foreshore and on the scenic qualities of the coast;
- c) any identifiable adverse impacts on any known flora and fauna (or their natural environment);
- d) subject to any identifiable adverse coastal processes or hazards;
- e) any identifiable conflict between water and land based users of the area;
- f) any identifiable adverse impacts on any items of archaeological/heritage; and
- g) reduce the quality of the natural water bodies in the locality.

In particular, the building already exists and is located in a built up urban area. No new works are purposed.

The requirements of this SEPP are therefore satisfied.

**State Environmental Planning Policy (Building Sustainability Index: BASIX) 2004**

BASIX does not apply to an existing residential building where no new works are proposed.

**State Environmental Planning Policy (Infrastructure) 2007**

The development does not trigger any of the clauses or threshold of the SEPP.

**State Environmental Planning Policy (Major Development) 2005**

The development does not trigger any of the clauses or threshold of the SEPP.

**Port Macquarie-Hastings Local Environmental Plan 2011**

In accordance with clause 2.2, the subject site is zoned B2 Local Centre.

In accordance with clause 2.3(1) and the B2 zone landuse table, the proposed development for a change of use from a dwelling to tourist and visitor accommodation is a permissible landuse with consent.

The objectives of the B2 zone are as follows:

- *To provide a range of retail, business, entertainment and community uses that serve the needs of people who live in, work in and visit the local area.*
- *To encourage employment opportunities in accessible locations.*
- *To maximise public transport patronage and encourage walking and cycling.*
- *To ensure that new developments make a positive contribution to the streetscape and contribute to a safe public environment.*

In accordance with clause 2.3(2), the proposal is consistent with the zone objectives, particularly as the proposal is a permissible landuse and will compliment the various retail and commercial uses in the area by providing a place for tourists to stay while visiting the area and using such facilities.

In accordance with clause 4.3 and 4.4, the maximum overall height and FSR will not change.



In accordance with clause 5.9, no listed trees in Development Control Plan 2011 are proposed to be removed.

In accordance with Clause 5.10, the subject site contains no known heritage items or sites of significance. The site is already developed with no further work proposed. Adjoining the site to the east/north east are the heritage listed Holy Trinity Church and Laurieton School of Arts buildings. Given the development is a change of use only with no works proposed, the heritage aspects of the items will not be affected.

In accordance with clause 7.3, the site is not land within a mapped "flood planning area".

In accordance with clause 7.13, satisfactory arrangements are in place for provision of essential public utility infrastructure.

The requirements of this LEP are therefore satisfied.

**(ii) Any draft instruments that apply to the site or are on exhibition:**

None relevant.

**(iii) any Development Control Plan in:**

**Port Macquarie Hastings Development Control Plan 2011**

	Requirements	Proposed	Complies
<b>Residential Flat Development, Tourist and Visitor Accommodation, Mixed Use Development</b>			
DP5.1	The minimum height of a habitable floor is 2.7m floor to ceiling.	Floor height does not change.	N/A
DP5.2	Buildings above 6 storeys must have top floor setback a min 3m.	The building height does not change (i.e. only 2 storey)	Yes
DP6.1	Where LEP nominates an FSR greater than 1:1 a ratio less than 1:1 will not be accepted.	FSR does not change.	N/A
DP7.1 & 7.2	In an established street, the setback shall be within 20% of the average setback or 3m in non established streets.	The building is existing with no changes proposed. Setback is acceptable.	Yes
DP7.3	Where tourist accommodation is proposed a maximum setback of 9m is permitted to allow a swimming pool.	The building is existing with no changes proposed. Setback is acceptable.	Yes
DP8.1	Balconies can protrude 600mm into setback.	Balcony is existing and does not protrude.	Yes
DP8.2 & 8.3	Buildings aligned to street with openings focused on street and	The existing building is aligned to the street with the majority of opening focused on the lane and	Yes

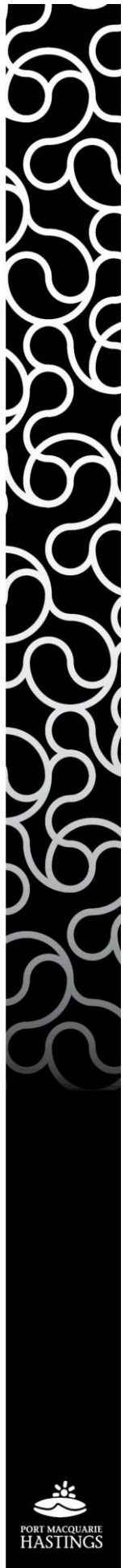
	rear.	rear parking area.	
DP9.1	Side setbacks - Buildings setback 1.5m from side boundaries for a maximum 75%. - Windows setback 3m. - 3m to a strata building.	The existing development is setback in excess of 3m from southern side boundary due to the driveway access.	Yes
DP9.2	Side walls adjacent to existing strata articulated.	The building adjoins a strata to the south. However, the building is already existing and the need for articulation is not relevant in this case.	N/A
DP9.3	6m rear setback	Being a corner property, the development does not have a rear setback.	N/A
DP10.1 & 11.1	Party wall requirements.	Not required in this case.	N/A
DP12.1	Corner sites should be joined so the development turns the corner.	The existing building turns around the corner.	Yes
DP13.1	Requirements for development fronting open space.	Development does not front open space area.	N/A
DP14.1	The maximum building depth is 18m.	Existing building depth does not exceed 18m.	Yes
DP15.1	Buildings sited across the frontage.	Existing building is sited across the frontage.	Yes
DP16.1	Main living areas orientated to north.	The living areas are existing and allow for north east orientation, which is acceptable.	Yes
DP16.2	Buildings to have thin cross section, dual orientation, 2 storey and high ceilings.	The existing unit has a thin cross section, dual orientation and 2 storeys. Ceiling heights are existing and standard.	Yes
DP16.3	Single aspect units to be 8m wide.	Unit has dual orientation.	Yes
DP16.4	Windows to funnel breezes.	The dual orientation will enable breezes to be captured from the north east and west.	Yes
DP16.5	Operable assemblies above sliding doors.	Sliding doors are existing and acceptable.	Yes
DP16.6-16.8	Innovative techniques to improve energy	The building is existing and currently allows good ventilation,	Yes



	efficiency of building.	light etc.	
DP16.9	Major entrances open into lobbies isolated from living areas.	The entrance to the development is located downstairs, providing good separation to living areas.	Yes
DP 16.10	Front doors provided with security screen.	Front door setup is existing. Screen door can be installed.	Yes
DP17.1-17.3	Solar access requirements. Sunlight to adjoining properties not reduced to less than 3hours between 9am and 3pm on 22 <sup>nd</sup> June. Where existing overshadowing occurs, development cannot decrease a further 20%.	No change is proposed to the physical form of the building to that which occurs at present.	Yes
DP 18.1-18.5	Energy efficient installations.	The building and setup of installations is existing. The applicant has the ability to install energy efficient mechanisms if needed. Given the minor nature of the change, Council staff will not require them.	Yes
DP19.1-25.1	Landscaping and deep soil zone requirements.	The development is located on the first floor and will not change the existing landscaping or deep soil zone areas. Given the minor nature of the change of use, imposition of the requirements is not relevant in this case. In particular, the requirements are more relevant to a total re-development of the site.	N/A
DP26.1-28.1	Communal open space requirements: - Min 2m wide - 25% of the site - Communal and private open space delineated.	Communal areas exist as part of the existing development, but are not open space. Given the existing mixed use nature of the site, private open space is considered more relevant. Furthermore, open space areas are more onerous for permanent residential development. Given the existing dwelling had no ground floor open space, no communal open space for a tourist unit is considered acceptable and not required in this case.	Yes
DP29.1	Private open space requirements: - Ground level must	The first floor unit contains an existing balcony that exceeds 8m <sup>2</sup> and 2m with suitable north	Yes

	<p>have 35m<sup>2</sup> and 4m x 4m.</p> <ul style="list-style-type: none"> <li>- Can include clothes drying and garbage storage.</li> <li>- Areas less than 2m wide not included.</li> <li>- Can be reduced where compensated by large communal areas.</li> <li>- 8m<sup>2</sup> and 2m wide for above ground level.</li> <li>- Suitable orientation.</li> <li>- Separated from communal</li> </ul>	east orientation.	
DP33.1-35.1	Fence requirements	No fencing proposed or required. Existing fencing acceptable.	N/A
DP36.1-39	Separation of openings and busier components onsite. Building designed to limit noise transfer.	Given the tourist unit is located on the first floor above the ground floor commercial, suitable separation exists. The tourist unit also contains limited windows on the southern elevation (only a bedroom and bathroom windows) to ensure there is no conflict between tourists and the southern permanent residents.	Yes
DP40.1-40.4	<p>Direct views between living area windows and adjacent dwelling should be screened:</p> <ul style="list-style-type: none"> <li>- Within 9m to ground floor.</li> <li>- Within 12m to other windows.</li> <li>- Within 12m where living room looks into private open space.</li> </ul> <p>Windows (other than bedroom) must have, where 1m above ground and setback less than 3m from boundary, a sill height not less than 1.5m.</p> <p>A balcony, deck etc must have a privacy screen:</p>	<p>The main living room openings and balcony face either Bonser Lane or the internal carpark. Screening is not required.</p> <p>On the southern elevation, only high sill bathroom windows exist and a bedroom window. Given the existing nature of these and the 3m setback, screening is not considered to be required.</p>	Yes

	<ul style="list-style-type: none"> <li>- If setback less than 3m from side/rear boundary</li> <li>- Floor area more than 3m<sup>2</sup></li> <li>- 1m above ground level.</li> </ul>		
DP41.1	Accessibility to comply with AS1428	Given no works are proposed, disabled access requirements do not apply.	Yes
DP43.1-44.1	Apartment layouts should provide for a range of users, layouts etc.	The unit has the ability for each bedroom to be occupied or as a whole.	Yes
DP45.1	Development should be located close to facilities.	Within 500m of the development are shops, restaurants, cinema, parks etc. the site is ideally located for a tourist development.	Yes
DP 46.1-47.1	Unit types varied.	The application is for only one (1) unit. Unit variation requirements not applicable in this case.	N/A
DP48.1-48.7	Roof design requirements.	Roof remains unchanged and is considered acceptable in current state.	N/A
DP49.1-50.1	Façade design requirements.	Façade remains unchanged and is considered acceptable in current state. Façade contains horizontal and vertical lines broken up by a verandah and window layout.	Yes
DP51.1	<p>Entrance to be:</p> <ul style="list-style-type: none"> <li>- Identifiable</li> <li>- Transition between public and private.</li> <li>- Sheltered and well lit.</li> <li>- Suitably sized.</li> <li>- Corridor widths 2.5-3m.</li> <li>- Corridor lengths minimised with long corridors articulated.</li> <li>-</li> </ul>	The entrance will be made identifiable by signage. Given the building is existing and the change of use involves only one (1) unit (i.e. small scale), existing entry and corridor is acceptable.	Yes
DP52.1-54.1	<p>Balconies</p> <ul style="list-style-type: none"> <li>- 1 per apartment.</li> <li>- 8m<sup>2</sup> not less than 2m dimension.</li> </ul>	A balcony compliant with the nominated standards has been provided and is accessible from the living area.	Yes



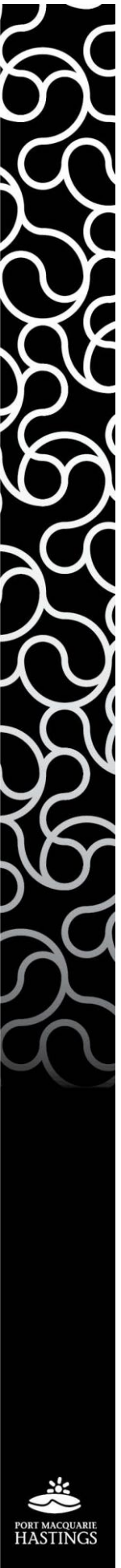
	<ul style="list-style-type: none"> <li>- Directly accessible from living room.</li> <li>- Take advantage of climate conditions.</li> <li>- Views managed.</li> <li>- Include shutters etc</li> <li>- Recessed.</li> <li>- Balustrades should not be solid</li> </ul>	<p>The balcony overlooks a laneway and creates no privacy concerns.</p> <p>The balcony is recessed.</p> <p>A solid balustrade already exists.</p>	
DP55.1-57.1	Fire services, clothes drying area and mailboxes provided.	The units access to these facilities remains unchanged.	N/A
DP58.1-58.6	<p>Safety and security requirements:</p> <ul style="list-style-type: none"> <li>- Transition identifiable.</li> <li>- Entrances focused to street, be well lit etc</li> <li>- Surveillance promoted.</li> <li>- Concealment areas minimised.</li> <li>- Controlled access.</li> </ul>	Being an existing approved dwelling, the existing safety or security will not change. Access will be identified by signage, the balcony provides surveillance, the door provides access to the unit only to define the transition from public to private and the area contains lighting from existing buildings and street poles.	Yes
DP59.1-59.3	Storage requirements	The site is constrained by the existing approved dwelling with no additional storage having been provided. Given dwellings normally require more storage than tourist uses, the development is considered acceptable in this case.	Yes
DP60.1-60.4	Waste facility requirements.	The site is constrained by the existing approved dwelling setup with no additional waste facility mechanisms having been proposed. The existing garbage set up for the dwelling is acceptable for the tourist use as well.	Yes
DP61.1-61.4	Utility requirements	Utility requirements remain unchanged.	N/A
DP62.1	Strata subdivision requirements	Strata subdivision is not proposed or required to be amended.	N/A
<b>DCP 2011: General Provisions</b>			
	<b>Requirements</b>	<b>Proposed</b>	<b>Complies</b>
DP1.1	Design addresses	Existing building with no new	Yes

	generic principles of Crime Prevention Through Environmental Design guideline	works proposed. In this regard, the development does not create any new concealment or entrapment areas to that occurring at present. That in mind, the site inspection revealed minimal concealment areas. The retention of the dwelling as a tourist component will provide for surveillance outside business times for the premises below.	
DP5.1	Cut and fill 1.0m max. 1m outside the perimeter of the external building walls	None proposed.	N/A
DP6.1	0.8m max. height retaining walls along road frontage	None proposed.	N/A
DP6.2	Any retaining wall >1.0 in height to be certified by structure engineer	None proposed.	N/A
DP6.3	Combination of retaining wall and front fence height	None proposed.	N/A
DP11.1 onwards	Removal of hollow bearing trees	No hollow bearing trees to be removed.	N/A
DP1.1	Tree removal (3m or higher with 100m diameter trunk and 3m outside dwelling footprint	No tree removal proposed.	N/A
DP 1.1-12.1	Bushfire risk, Acid sulphate soils, Flooding, Contamination, Airspace protection, Noise and Stormwater	The property is bushfire prone. However the building and use as residential exist in the current state. Given the property is already approved and being used for residential, no further bushfire requirements are considered to apply. Clause 45(1) (g) of the Rural Fires Regulation 2008 excludes a bed and breakfast development in an existing building from the need to obtain a bushfire safety authority when such a building is 30m from native vegetation. In this case, the vegetation is over 80m away. Based on the above and the existing residential nature of the property, further consideration of bushfire is not warranted in this case.	Yes



DP2.1	New accesses not permitted from arterial or distributor roads	None proposed.	N/A
DP2.3	Driveway crossing/s minimal in number and width including maximising street parking	None proposed.	N/A
DP8.1	Parking in accordance with AS 2890.1	No new parking proposed or required.	N/A
DP11.1	Section 94 contributions	Refer to main body of report.	Yes
DP12.1 onwards	Landscaping of parking areas	No new parking or landscaping areas proposed or required.	N/A
DP14.1	Sealed driveway surfaces unless justified	None proposed.	N/A
DP15.1	Driveway grades first 6m or 'parking area' shall be 5% grade with transitions of 2m length	No new driveways proposed.	N/A
DP17.1	Parking areas to be designed to avoid concentrations of water runoff on the surface.	No new parking proposed or required.	N/A
DP17.2	Vehicle washing facilities – grassed area etc available.	The requirement for this aspect remains unchanged.	N/A.
DP3.1	Off-street parking spaces:	Given the development will have a shared facilities component (i.e. kitchen, laundry etc) the development will operate similar to a bed and breakfast and backpackers accommodation for the purposes of working out parking. A bed and breakfast requires 1 space per bedroom while a backpackers requires 1 space per 5 beds. As it is possible that each of the four (4) rooms could be occupied, a 1 space per bedroom is a conservative rate. An investigation into the site in 2008, showed that the property has a parking credit of three (3) spaces. Given the dwelling would already have one (1) space credit, the site has four (4) spaces available for the development.	Yes

(iiia) any planning agreement that has been entered into under Section 93f or any draft planning agreement that a developer has offered to enter into under Section 93f:



None relevant.

**iv) any matters prescribed by the Regulations:**

**New South Wales Coastal Policy**

The proposed development is consistent with the objectives and strategic actions of this policy.

**Demolition of buildings AS 2601 - CI 66 (b)**

None proposed.

**v) any coastal zone management plan (within the meaning of the [Coastal Protection Act 1979](#)), that apply to the land to which the development application relates:**

None relevant.

**(b) The likely impacts of that development, including environmental impacts on both the natural and built environments, social and economic impacts in the locality:**

**Context & Setting**

- The proposal will be unlikely to have any adverse impacts to existing adjoining properties and satisfactorily addresses the public domain.
- The proposal is considered to be consistent with other development in the locality and adequately addresses planning controls for the area.
- There is no adverse impact on existing view sharing.
- There is no adverse privacy impacts.
- There is no adverse overshadowing impacts.

**Access, Transport & Traffic**

The proposal will be unlikely to have any adverse impacts in terms access, transport and traffic. The existing road network will satisfactorily cater for any increase in traffic generation as a result of the development.

**Utilities**

Services existing and remain unchanged.

**Stormwater**

Services existing and remain unchanged.

**Water**

Services existing and remain unchanged.

**Soils**

The proposed development will be unlikely to have any adverse impacts on soils in terms of quality, erosion, stability and/or productivity subject to a standard condition requiring erosion and sediment controls to be in place prior to and during construction.

**Air & Micro-climate**

The operations of the proposed development will be unlikely to result in any adverse impacts on the existing air quality or result in any pollution.

**Flora & Fauna**

The proposed development will not require removal/clearing of any significant vegetation and therefore will be unlikely to have any significant adverse impacts on biodiversity or threatened species of flora and fauna. Section 5A of the Act is considered to be satisfied.

**Waste**

Satisfactory arrangements are in place for proposed storage and collection of waste and recyclables. No adverse impacts anticipated.

**Energy**

The building exists at present as a dwelling with no new energy saving measures proposed.

**Noise & Vibration**

The change of use from residential to tourist can create different levels of acceptable noise. There is a notion that people on holidays are less likely to stick to regular hours of sleep. This in turn has the potential to create conflict with any adjoining residential area. In this case, the main living areas of the unit are existing and directed away from residential receivers. Access to the building is also screened by fencing, which will provide further protection to neighbours. This existing built form and the small scale nature of the tourist accommodation will provide suitable noise protection to neighbours. The setbacks etc are also compliant with the DCP 2011.

**Natural Hazards**

The property is bushfire prone. However the building and use as residential exist in the current state. Given the property is already approved and being used for residential, no further bushfire requirements are considered to apply. Clause 45(1) (g) of the Rural Fires Regulation 2008 excludes a bed and breakfast development in an existing building from the need to obtain a bushfire safety authority when such a building is 30m from native vegetation. In this case, the vegetation is over 80m away. Based on the above and the existing residential nature of the property with no works proposed, further consideration of bushfire is not warranted in this case.

**Safety, Security & Crime Prevention**

The proposed development will be unlikely to create any concealment/entrapment areas or crime spots that would result in any identifiable loss of safety or reduction of security in the immediate area.

**Social Impact in the Locality**

Given the small scale nature of the development and the existing status of the dwelling, no social impact is foreseen. Issues of potential noise have been addressed above in the noise section of this report. It is envisaged that providing accommodation to tourists has the potential to create minor positive flow on effects within the local community through increased expenditure and use of facilities, shops, restaurants etc by tourists.

**Economic Impact in the Locality**

No adverse impacts. Likely positive impacts can be attributed to the operation of the development and associated flow on effects (i.e. increased expenditure in the area).

**Site Design and Internal Design**

The proposed development design is satisfactorily responds to the site attributes and will fit into the locality. No adverse impacts likely.

**Construction**

No construction proposed.

**Cumulative Impacts**

The proposed development is not expected to have any adverse cumulative impacts on the natural or built environment or the social and economic attributes of the locality.

**(c) The suitability of the site for the development:**

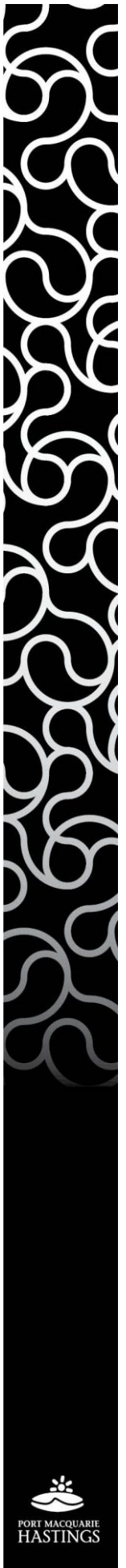
The proposal will fit into the locality and the site attributes are conducive to the proposed development.

Site constraints of have been adequately addressed and appropriate conditions of consent recommended.

**(d) Any submissions made in accordance with this Act or the Regulations:**

Two (2) written submissions have been received following completion of the required public exhibition of the application.

Key issues raised in the submissions received and comments in response to these issues are provided as follows:





Submission Issue/Summary	Planning Comment/Response
The development was never designed for tourist accommodation. Access to the tourist accommodation is not clearly defined being located at the rear of the building via a rear driveway. There are numerous trip hazards. Concern that this could create a public liability issue for the body corporate.	It is envisaged that the use of the premises will operate similar to a holiday house. Access to the premises will need to be shown or described by the letting office. Given the small scale nature of the proposal, the alternate access arrangement is considered acceptable in this case. The actual layout of the unit is unique in that each bedroom contains an ensuite. This suggests that the dwelling may have had an alternate intended use, as now proposed. The public liability issue is a matter for the Body Corporate and not Council.
Do the existing stairs comply for the intended use. A combustion wood heater has also been installed by the owner without body corporate approval.	As no works are proposed, the existing stairs are considered acceptable. Council does not regulate installation of combustion wood heaters. Whether Body Corporate approval is required is a matter for the Body Corporate.
There is no dedicated car parking for tourists onsite. Guests often use the rear car park without permission.	According to the strata plan 48601, Lot 17 appears to have 3 spaces allocated to it within the rear garages. The remaining area would appear to be common property and available to anyone. Refer to comments on parking in the DCP 2011 section of this report, which also shows parking numbers to serve the development comply.
Staff working at the complex have reported meeting unfamiliar people late at night when leaving.	The zoning allows the development with mixed development being promoted. Council cannot control who stays at the facility. However, the people can be identified through the letting agent/owner if a problem arises. Separate to this application, there are other measures that the strata could look at to improve the overall safety for all occupants in relation to the rear area, including improved lighting and CCTV.
The applicant is known to be inconsiderate towards neighbours and dismissive of due process.	Comment is noted. It should be noted that there are compliance measures that can be applied to deal with non compliance with approvals processes and ongoing landuses/developments.
Further details on the proposed signage is required.	The applicant has since provided additional information on the signage. It is considered that there is scope for the signage to be done as exempt development, subject to getting relevant owners consent. It is considered that rather than hold up the processing of

	this application any further that this matter can be pursued separate to the development application. Conditions will also be imposed regarding signage to ensure it is legally installed.
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**(e) The Public Interest:**

The proposed development satisfies relevant planning controls and is not expected to impact on the wider public interest.

**4. DEVELOPMENT CONTRIBUTIONS APPLICABLE**

- Development contributions will be required towards augmentation of town water supply and sewerage system head works under Section 64 of the Local Government Act 1993.

Refer to draft contribution schedule attached to this report and recommended conditions.

**5. CONCLUSION**

The application has been assessed in accordance with Section 79C of the Environmental Planning and Assessment Act 1979.

Issues raised during assessment and public exhibition of the application have been considered in the assessment of the application. Where relevant, conditions have been recommended to manage the impacts attributed to these issues.

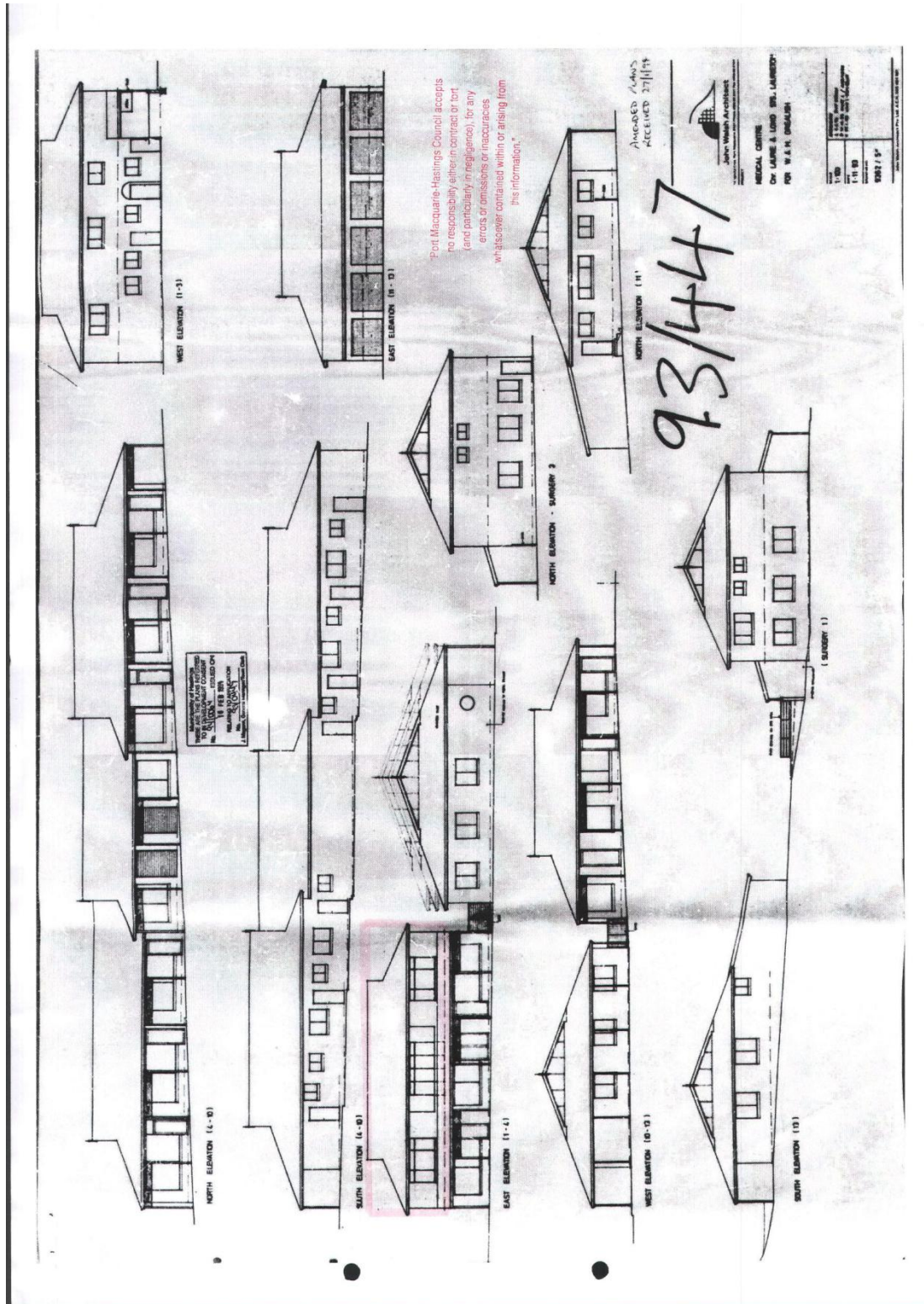
The site is suitable for the proposed development, is not contrary to the public's interest and will not have a significant adverse social, environmental or economic impact. Consequently, it is recommended that the application be approved, subject to the recommended conditions of consent provided in the attachment section of this report.

**Attachments**

1[View](#). DA2012 -0239 Plans

2[View](#). DA2012 - 0239 Recommended Conditions

3[View](#). DA 2012-0239 Development Contributions Calculation Sheet





**FOR USE BY PLANNERS/SURVEYORS TO PREPARE LIST OF  
PROPOSED CONDITIONS - 2011**

NOTE: THESE ARE DRAFT ONLY

DA NO: 2012/239

DATE: 6 March 2013

**PRESCRIBED CONDITIONS**Part 6 – Division 8A of the *Environmental Planning & Assessment Regulations 2000*

nil

**A – GENERAL MATTERS**

- (1) (A001) The development is to be carried out in accordance with the plans and supporting documents set out in the following table, as stamped and returned with this consent, except where modified by any conditions of this consent.

Plan / Supporting Document	Reference	Prepared by	Date
Statement of Environmental Effects	-	Dr Dave Allan	6/11/2012 as amended 21/11/2012
Plans (from original DA 1993/0447 were submitted to identify the unit and that no changes proposed)	-	John Walsh Architect	1/11/93 & 8/7/93

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.

- (2) (A014) This approval does not provide any indemnity to the owner or applicant under the Disability Discrimination Act 1992 with respect to the provision of access and facilities for people with disabilities.
- (3) (A017) A separate development application for any proposed advertising signs (other than signs which are exempt development) must be submitted to and approved by council prior to the erection or display of any such signs.

**C – PRIOR TO OCCUPATION OR THE ISSUE OF OCCUPATION CERTIFICATE**

- (1) (E001) The premises shall not be occupied or used in whole or in part until an Occupation Certificate has been issued by the Principal Certifying Authority.



- (2) (E009) 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 of the Section 64 contributions, as set out in the "Notice of Payment – Developer Charges" schedule attached to this consent is required. Where no building approval is required, payment is to be made within three (3) months of the granting of development consent or prior to occupation or issue of the Occupation Certificate, (whichever occurs first). The contributions are levied in accordance with the provisions of the relevant Section 64 Development Servicing Plan towards the following:
- augmentation of the town water supply headworks
  - augmentation of the town sewerage system headworks
- (3) (E031) Provision of a sign at the front vehicular access point within the property, prior to occupation or the issue of the Occupation Certificate, indicating that visitor/customer parking is available on-site.
- (4) (B045) A schedule of existing and proposed fire safety measures is to be submitted with the application for the Occupation Certificate or occupation (whichever occurs first).

**D – OCCUPATION OF THE SITE**

- (1) (F005) The development is approved for short term accommodation only. Stays are not to exceed three (3) months.
- (2) (F009) All new and existing essential fire safety measures shall be maintained in working condition at all times.

6/03/2013

Development Contributions Calculation Sheet - Final Consent Issue									
<b>Development Details</b>			<b>Contributions Plans Applicable</b>						
DA No.	2012	0239	<b>General S94 Plans</b>		<b>Applies</b>	<b>ET Chargeable</b>	<b>RatePer ET</b>	<b>Contribution Amount</b>	
Address:	16-18 Laurie Street, Laurieton		Major Roads		Yes	0	\$7,457.00	\$0.00	
Dev Description:	Use - Dwelling to Tourist Accommodation		Open Space		Yes	0	\$5,615.00	\$0.00	
Lot Number(s):	17		Community Cultural & Emergency Services		Yes	0	\$3,927.00	\$0.00	
DP Number(s):	SP 48601		Admin Building		Yes	0	\$903.00	\$0.00	
Stage No:	Total		Bushfire - Specific		No				
Applicant:	Dr Dave Allan Pty Ltd		Kings Creek		No				
Contribution Area:	<input checked="" type="checkbox"/> Schenck-Heron <input type="checkbox"/> Innes Peninsula <input type="checkbox"/> Kings Creek <input type="checkbox"/> Lake Cathie/Bonny Hills <input type="checkbox"/> Port Macquarie <input type="checkbox"/> Rural <input type="checkbox"/> Sanctuary/Thrumster <input type="checkbox"/> Wauchope		Admin Levy		Yes	2.2% of S94	\$0.00	\$0.00	
(Planner must Select Contribution Area. Click Once with Mouse)			<b>Specific Contribution Plans and DSPs (Planner Must Select if Plans are Applicable)</b>						
			<b>S94A Levy Development Cost</b>		<b>\$1</b>	<b>No</b>			
			Laureton CBD Car Parking Contribution		<input type="checkbox"/> Applies				
			North Haven Car Parking Contribution		<input type="checkbox"/> Applies				
			Bushfire Additional		<input type="checkbox"/> Applies				
			Laurieton Walkway		<input type="checkbox"/> Applies				
DA Lodged Date:	6/11/2013		Water 1.6% Levy:		\$61.80	<input checked="" type="checkbox"/> Applies	0.4	\$9,666.00	\$3,666.40
Prepared By:	Clinton Tink		Sewer			<input checked="" type="checkbox"/> Applies	0.8	\$4,521.00	\$3,616.80
DA Consent Date:			Car Parking CP					<b>Contribution Total:</b>	<b>\$7,545.00</b>
Issue No.	1		No. of Spaces Short:					<b>Notice of Payment Re-Issue Fee:</b> <input type="checkbox"/> Applies	
Calc Sheet Date:	6-Mar-2013								
FINAL CONSENT CALCULATION	<input checked="" type="checkbox"/> Tick for FINAL Consent Calculation								
<b>ET Calculation for New Development (Proposed)</b>									
<b>Commercial &amp; Industrial New Development</b>			<b>Rate</b>	<b>Units</b>	<b>Water Rate</b>	<b>Sewer Rate</b>	<b>ET Water</b>	<b>ET Sewer</b>	<b>Traffic Facilities m<sup>2</sup></b>
N/A	▼	m2	0	0	0	0	0	0	
N/A	▼	m2	0	0	0	0	0	0	
N/A	▼	m2	0	0	0	0	0	0	
N/A	▼	m2	0	0	0	0	0	0	
			<b>Total Commercial ETs:</b>			0	0	0	0
<b>New Residential Development</b>			<b>Units</b>	<b>Sec 94 ET</b>	<b>Water ET</b>	<b>Sewer ET</b>			
Number of new residential lots greater than 450m <sup>2</sup> (excluding Dual Occ & Int Housing)			0	0	0	0			
Number of new residential lots greater than 2000m <sup>2</sup> (excluding Dual Occ & Int Housing)			0	0	0	0			
1 Bedroom Units (Low Density - Flats, town houses, villas, dual occs, Int housing & Permanent Self Contained Caravan Park Sites)			0	0	0	0			
2 Bedroom Units (Low Density - Flats, town houses, villas, dual occs, Int housing & Permanent Self Contained Caravan Park Sites)			0	0	0	0			
3 Bedroom Units (Low Density - Flats, town houses, villas, dual occs, Int housing & Permanent Self Contained Caravan Park Sites)			0	0	0	0			
4 Bedroom Units (Low Density - Flats, town houses, villas, dual occs, Int housing & Permanent Self Contained Caravan Park Sites)			0	0	0	0			
1 Bedroom Units (High Density - 3 or more storeys)			0	0	0	0			
2 Bedroom Units (High Density - 3 or more storeys)			0	0	0	0			
3 Bedroom Units (High Density - 3 or more storeys)			0	0	0	0			
4 Bedroom Units (High Density - 3 or more storeys)			0	0	0	0			
Motel Unit - Partially Self Contained (Own ensuite but shared facilities for cooking & laundry)			4	1	1.2	1.8			
Motel Unit - Self Contained (Own ensuite and kitchen)			0	0	0	0			
Caravan Park - Not Self Contained Site (permanent or transient)			0	0	0	0			
Caravan Park - Partially Self Contained Site (permanent or transient)			0	0	0	0			
Nursing Homes High Dependency/Residential Care Facility (per bed)			0	N/A	0	0			
Nursing Homes Low Dependency/Hostel (per bed)			0	0	0	0			
Aged Unit - Self Contained 1 bedroom with ensuite & kitchen (SEPP - Seniors Living)			0	0	0	0			
Aged Unit - Self Contained 2 bedroom with ensuite & kitchen (SEPP - Seniors Living)			0	0	0	0			
Aged Unit - Self Contained 3 bedroom with ensuite & kitchen (SEPP - Seniors Living)			0	0	0	0			
Boarding House per 1 Occupancy Bedroom Not Self Contained (shared facilities for cooking, laundry & bathroom)			0	0	0	0			
Boarding House per 1 Occupancy Bedroom Partially Self Contained (Own ensuite - shared cooking & laundry facilities)			0	0	0	0			
Boarding House - Not Self Contained Per Bed (for dormitories/bunkrooms, shared cooking, laundry and bathroom)			0	0	0	0			
Boarding House - Self Contained Per Bed (for dormitories/bunkrooms, Own ensuite per bedroom/dorm/bunkroom with shared cooking and laundry)			0	0	0	0			
<b>New Residential Unit Total:</b>			4	1	1.2	1.8			

6/03/2013

ET Calculation for Existing Development (Credits)							
Commercial & Industrial Existing Development	Rate	Units	Water Rate	Sewer Rate	ET Water	ET Sewer	Traffic Facilities m <sup>2</sup>
N/A	m2	0	0	0	0	0	
N/A	m2	0	0	0	0	0	
N/A	m2	0	0	0	0	0	
N/A	m2	0	0	0	0	0	
Total Commercial ETs:					0	0	0
Existing Residential Development		Units	Sec 94 ET	Water ET	Sewer ET		
Number of existing residential lots greater than 450m <sup>2</sup> (excluding Dual Occ & Int Housing)		0	0	0	0		
Number of existing residential lots greater than 2000m <sup>2</sup> (excluding Dual Occ & Int Housing)		0	0	0	0		
1 Bedroom Units (Low Density - Flats, town houses, villas, dual occs, Int housing & Permanent Self Contained Caravan Park Sites)		0	0	0	0		
2 Bedroom Units (Low Density - Flats, town houses, villas, dual occs, Int housing & Permanent Self Contained Caravan Park Sites)		0	0	0	0		
3 Bedroom Units (Low Density - Flats, town houses, villas, dual occs, Int housing & Permanent Self Contained Caravan Park Sites)		0	0	0	0		
4 Bedroom Units (Low Density - Flats, town houses, villas, dual occs, Int housing & Permanent Self Contained Caravan Park Sites)		1	1	0.8	1		
1 Bedroom Units (High Density - 3 or more storeys)		0	0	0	0		
2 Bedroom Units (High Density - 3 or more storeys)		0	0	0	0		
3 Bedroom Units (High Density - 3 or more storeys)		0	0	0	0		
4 Bedroom Units (High Density - 3 or more storeys)		0	0	0	0		
Motel Unit - Partially Self Contained (Own ensuite but shared facilities for cooking & laundry)		0	0	0	0		
Motel Unit - Self Contained (Own ensuite and kitchen)		0	0	0	0		
Caravan Park - Not Self Contained Site (permanent or transient)		0	0	0	0		
Caravan Park - Partially Self Contained Site (permanent or transient)		0	0	0	0		
Nursing Homes High Dependency/Residential Care Facility (per bed)		0	N/A	0	0		
Nursing Homes Low Dependency/Hostel (per bed)		0	0	0	0		
Aged Unit - Self Contained 1 bedroom with ensuite & kitchen (SEPP - Seniors Living)		0	0	0	0		
Aged Unit - Self Contained 2 bedroom with ensuite & kitchen (SEPP - Seniors Living)		0	0	0	0		
Aged Unit - Self Contained 3 bedroom with ensuite & kitchen (SEPP - Seniors Living)		0	0	0	0		
Boarding House per 1 Occupancy Bedroom Not Self Contained (shared facilities for cooking, laundry & bathrooms)		0	0	0	0		
Boarding House per 1 Occupancy Bedroom Partially Self Contained (Own ensuite - shared cooking & laundry facilities)		0	0	0	0		
Boarding House - Not Self Contained Per Bed (for dormitories/bunkrooms, shared cooking, laundry and bathroom)		0	0	0	0		
Boarding House - Self Contained Per Bed (for dormitories/bunkrooms, Own ensuite per bedroom/dorm/bunkroom with shared cooking and laundry)		0	0	0	0		
Existing Residential Unit Total:		1	1	0.8	1		

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