Development Assessment Panel

Business Paper

date of meeting: Wednesday, 9 November 2016

location: Function Room
Port Macquarie-Hastings Council
17 Burrawan Street
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

COMPOSITION:

Independent Chair (alternate, Director Development & Environment)
Manager Development Assessment (alternate, Director Development & Environment or Development Assessment Planner)
Development Engineering Coordinator (alternate, Development Engineer)

MISSION:

To assist in managing Council's development assessment function by providing independent and expert assessment of development applications

The Development Assessment Panel will make determinations on the basis of established criteria and practice and will not be influenced by "lobbying" and "weight of numbers" in its assessment process.

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:

1. Pursuant to Section 377 of the Local Government Act, 1993 delegation to:
2. 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.
3. Vary Modify or release restrictions as to use and/or covenants created by Section 88B instruments under the Conveyancing Act 1919 in relation to development applications for subdivisions being considered by the panel.
4. Determine Koala Plans of Management under State Environmental Planning Policy 44 - Koala Habitat Protection associated with development applications being considered by the Panel.

TIMETABLE:

The Development Assessment Panel shall generally meet on the 1st and 3rd Wednesday each month at 2.00pm.

VENUE:

PORT MACQUARIE HASTINGS

The venue will be determined according to the likely number of participants.

BUSINESS PAPER AND MINUTES:

1. The Business Paper for the meeting shall be published and distributed on the Friday prior to the meeting.
2. Special Meetings of the Panel may be convened by the Director Development & Environment Services with three (3) days notice.
3. The format of the preparation and publishing of the Business Paper and Minutes of the Development Assessment Panel meetings shall be similar to the format for Ordinary Council Meetings, except that the movers and seconders shall not be recorded and only the actual decisions are shown. Minutes shall also record how each member votes for each item before the Panel.

FORMAT OF THE MEETING:

1. Panel meetings shall be carried out in accordance with Council's Code of Meeting Practice 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.

INDEPENDENT CHAIR:

The Chair of the Development Assessment Panel shall be an independent person appointed by the General Manager. The Independent Chair shall have experience and qualifications relevant to planning. The term of the Independent Chair shall be four (4) years.

QUORUM:

All members must be present at the Meeting to form a Quorum.

DECISION MAKING:

Decisions are to be made by the Development Assessment Panel by "consensus". Where "consensus" is not possible, the matter is to be referred to Council.

All development applications involving a variation to a development standard greater than 10% under Clause 4.6 of the Port Macquarie-Hastings Local Environmental Plan 2011 will be considered by the Panel and recommendation made to the Council for determination.

Staff Members shall not vote on matters before the Panel if they have been the principle author of the development assessment report.

LOBBYING:

Outside of scheduled Development Assessment Panel meetings, applicants, their representatives, Councillors, Council staff and the general public are not to lobby Panel members via meetings, telephone conversations, correspondence and the like. Adequate opportunity will be provided at Panel inspections or meetings for applicants, their representatives and the general public to make verbal submissions in relation to Business Paper items.

OBLIGATIONS OF PANEL MEMBERS:

All DAP members are required to comply with the following:

1. Members must perform their Development Assessment Panel obligations faithfully and diligently and in accordance with the DAP Code.
2. DAP members must comply with Council's Code of Conduct.
3. Except as required to properly perform their duties, DAP members must not disclose any confidential information (as advised by Council) obtained in connection with the DAP functions.
4. DAP members will have read and be familiar with the documents and information provided by Council prior to attending a DAP meeting.
5. DAP members must act in accordance with Council's Occupational Health and Safety Policies and Procedures
6. DAP members shall not speak to the media on any matter before the Panel otherwise than with the express approval of the Director Development & Environment Services.

Development Assessment Panel

ATTENDANCE REGISTER

Member	27/0716	24/08/16	14/09/16	28/09/16/16	12/10/16
Paul Drake Matt Rogers (alternate)	✓	✓ ✓ (Item 8)	**A** ✓	✓	✓
Dan Croft Patrick Galbraith-Robertson Warren Wisemantel (alternates)	✓ ✓	✓ ✓	✓	✓	✓
David Troemel Caroline Horan (alternate) Bevan Crofts (alternate)	✓	✓	✓	✓	✓

Member	26/10/16				
Paul Drake Matt Rogers (alternate)	✓				
Dan Croft Patrick Galbraith-Robertson Warren Wisemantel (alternates)	✓				
David Troemel Caroline Horan (alternate) Bevan Crofts (alternate)	✓				

Key: ✓ = Present
A = Absent With Apology
X = Absent Without Apology

PORT MACQUARIE HASTINGS

Development Assessment Panel Meeting

Wednesday 9 November 2016

Items of Business

PORT MACQUARIE HASTINGS

Item: **01**

Subject: **ACKNOWLEDGEMENT OF COUNTRY**

"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."

Item: **02**

Subject: **APOLOGIES**

RECOMMENDATION

That the apologies received be accepted.

Item: **03**

Subject: **CONFIRMATION OF PREVIOUS MINUTES**

RECOMMENDATION

That the Minutes of the Development Assessment Panel Meeting held on 26 October 2016 be confirmed.

PRESENT

Members:

Paul Drake
Dan Croft
David Troemel

Other Attendees:

Deb McKenzie

The meeting opened at 2.00pm.

01 ACKNOWLEDGEMENT OF COUNTRY

The Acknowledgement of Country was delivered.

02 APOLOGIES

Nil.

03 CONFIRMATION OF MINUTES

CONSENSUS:

That the Minutes of the Development Assessment Panel Meeting held on 12 October 2016 be confirmed.

04 DISCLOSURES OF INTEREST

There were no disclosures of interest presented.

05 DA2016 - 614.1 - SUBDIVISION OF ONE LOT INTO TWO LOTS - LOT 10 DP 1130973, NO 6764 OXLEY HIGHWAY YARRAS

CONSENSUS:

That DA 2016 - 614 for a subdivision of one lot into two at Lot 10, DP 1130973, No. 6764 Oxley Highway, Yarras be determined by granting consent subject to the recommended conditions.

The meeting closed at 2.08pm.

Item: 04

Subject: DISCLOSURES OF INTEREST

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

☐ **Non-Pecuniary - Less than Significant Interest:**
May participate in consideration and voting.

For the reason that: .....

.....

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

(Further explanation is provided on the next page)

PORT MACQUARIE HASTINGS

Further Explanation

(Local Government Act and Code of Conduct)

A conflict of interest exists where a reasonable and informed person would perceive that a Council official could be influenced by a private interest when carrying out their public duty. Interests can be of two types: pecuniary or non-pecuniary.

All interests, whether pecuniary or non-pecuniary are required to be fully disclosed and in writing.

Pecuniary Interest

A pecuniary interest is an interest that a Council official has in a matter because of a reasonable likelihood or expectation of appreciable financial gain or loss to the Council official. (section 442)

A Council official will also be taken to have a pecuniary interest in a matter if that Council official's spouse or de facto partner or a relative of the Council official or a partner or employer of the Council official, or a company or other body of which the Council official, or a nominee, partner or employer of the Council official is a member, has a pecuniary interest in the matter. (section 443)

The Council official must not take part in the consideration or voting on the matter and leave and be out of sight of the meeting. (section 451)

Non-Pecuniary

A non-pecuniary interest is an interest that is private or personal that the Council official has that does not amount to a pecuniary interest as defined in the Act.

Non-pecuniary interests commonly arise out of family, or personal relationships, or involvement in sporting, social or other cultural groups and associations and may include an interest of a financial nature.

The political views of a Councillor do not constitute a private interest.

The management of a non-pecuniary interest will depend on whether or not it is significant.

Non Pecuniary – Significant Interest

As a general rule, a non-pecuniary conflict of interest will be significant where a matter does not raise a pecuniary interest, but it involves:

(a) A relationship between a Council official and another person that is particularly close, for example, parent, grandparent, brother, sister, uncle, aunt, nephew, niece, lineal descendant or adopted child of the Council official or of the Council official's spouse, current or former spouse or partner, de facto or other person living in the same household.
(b) Other relationships that are particularly close, such as friendships and business relationships. Closeness is defined by the nature of the friendship or business relationship, the frequency of contact and the duration of the friendship or relationship.
(c) An affiliation between a Council official an organisation, sporting body, club, corporation or association that is particularly strong.

If a Council official declares a non-pecuniary significant interest it must be managed in one of two ways:

1. Remove the source of the conflict, by relinquishing or divesting the interest that creates the conflict, or reallocating the conflicting duties to another Council official.
2. Have no involvement in the matter, by taking no part in the consideration or voting on the matter and leave and be out of sight of the meeting, as if the provisions in section 451(2) apply.

Non Pecuniary – Less than Significant Interest

If a Council official has declared a non-pecuniary less than significant interest and it does not require further action, they must provide an explanation of why they consider that the conflict does not require further action in the circumstances.

SPECIAL DISCLOSURE OF PECUNIARY INTEREST DECLARATION

By *[insert full name of councillor]*	
In the matter of *[insert name of environmental planning instrument]*	
Which is to be considered at a meeting of the *[insert name of meeting]*	
Held on *[insert date of meeting]*	

PECUNIARY INTEREST	
Address of land in which councillor or an associated person, company or body has a proprietary interest (*the **identified land)***[i]	
Relationship of identified land to councillor [*Tick or cross one box*.]	□ 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). □ Associated person of councillor has interest in the land. □ Associated company or body of councillor has interest in the land.
MATTER GIVING RISE TO PECUNIARY INTEREST	
Nature of land that is subject to a change in zone/planning control by proposed LEP *(the **subject land***[iii] [*Tick or cross one box*]	□ The identified land. □ 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*]	□ Appreciable financial gain. □ 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[iv] 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.

Item: **05**

Subject: **DA2016 - 383 - ALTERATIONS AND ADDITIONS TO DWELLING - LOT 17 DP 31187, NO 25 BOURNE STREET, PORT MACQUARIE**

Report Author: Patrick Galbraith-Robertson

Applicant:	**S Leckie & J Beange CARE Collins W Collins**
Owner:	**S Leckie & J Beange**
Estimated Cost:	**$250,000 (original proposal)**
Parcel no:	**2524**

Alignment with Delivery Program

4.9.2 Undertake transparent and efficient development assessment in accordance with relevant legislation.

RECOMMENDATION

That DA 2016 - 383 for alterations and additions to dwelling at Lot 17, DP 31187, No. 25 Bourne Street, Port Macquarie, be determined by granting consent subject to the recommended conditions.

Executive Summary

This report considers a development application for alterations and additions to an existing dwelling-house at the subject site and provides an assessment of the application in accordance with the Environmental Planning and Assessment Act 1979.

Following neighbour notification of the application on two occasions, five(5) submissions have been received (four(4) submissions with amended proposal).

A Complying Development Certificate (CDC) has been obtained for the majority of alterations and additions with the subject development application (DA) proposing additional works specified below.

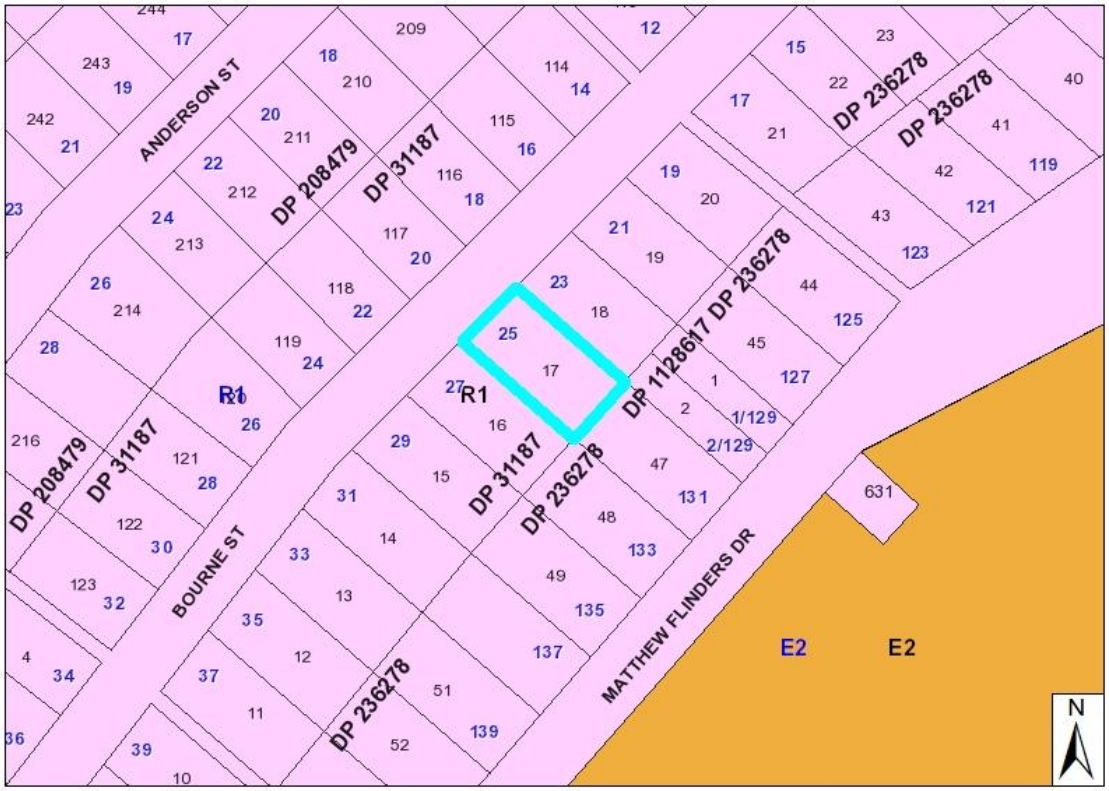
As part of the CDC the garage has been moved back to provide an increased setback to that of the original proposed plans.

1. BACKGROUND

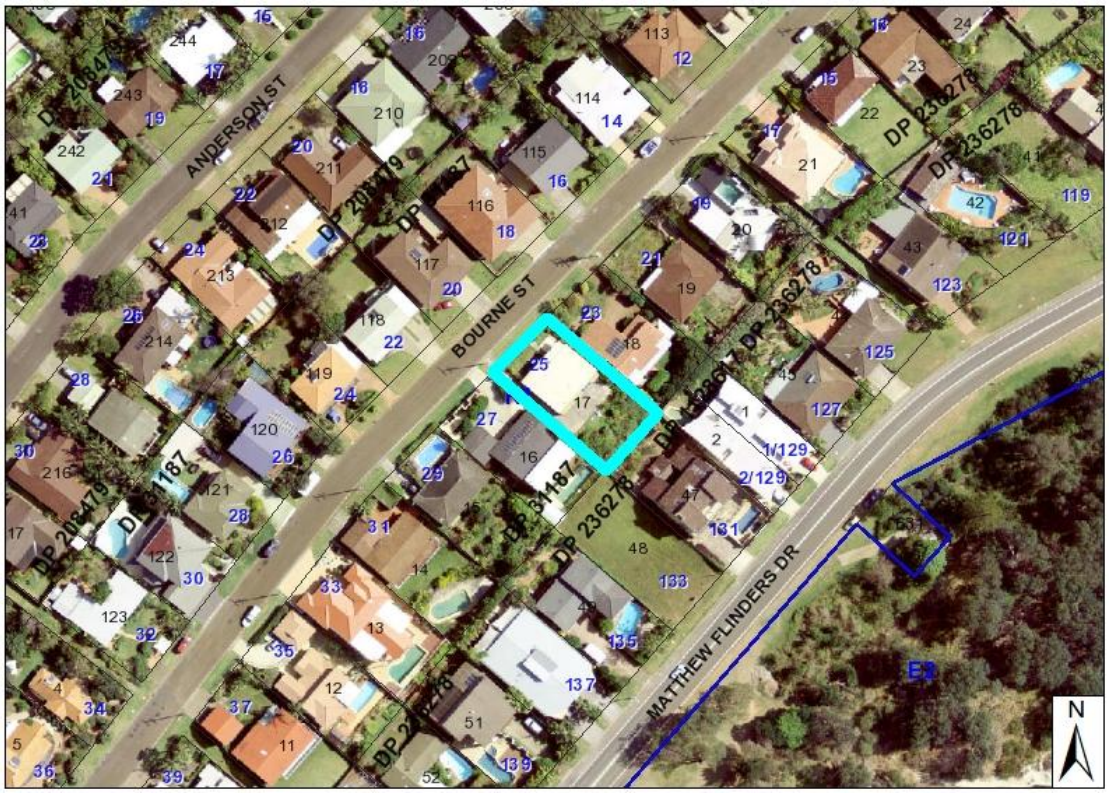
Existing sites features and Surrounding development

The site has an area of 632.3m2.

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 existing subdivision pattern and location of existing development within the locality is shown in the following aerial photograph (2012):



2. DESCRIPTION OF DEVELOPMENT

Key aspects of the proposal (as amended) include the following:

- Construction of an upper floor deck at the rear of the dwelling (under and approved roof area);
- Removal of privacy screens on the two(2) northern kitchen windows and one(1) northern dining room window;
- Removal of the rear windows and replace with a glass sliding door to provide access to the proposed deck; and
- Construction of a small deck in the rear yard.

The majority of alterations and additions shown on the plans are already approved under a Complying Development Certificate. This CDC has been obtained from a Private Certifier during the assessment of the DA.

Refer to attachments at the end of this report.

Application Chronology

- 23 May 2016 - DA lodged
- 30 May to 20 June 2016 (with 1 week extension granted) - Neighbour notification of original proposed plans
- 7 June 2016 - Site inspection by assessing officer
- 7 June 2016 - Additional information requested from Applicant - street and floor levels, retaining wall details, elevations related to existing ground levels, levels at rear and shadowing impacts queried
- 21 June 2016 - Copies of submission issues forwarded to Applicant
- 1 July 2016 - Additional information received
- 5 July 2016 - Additional information and amended plans received
- 7 July 2016 - Additional information requested from Applicant - timber guides accuracy, driveway levels, rear height and timber deck rear yard queries
- 8 July 2016 - Additional information received
- 11 July 2016 - Additional information received
- 15 July 2016 - Site visit of neighbour property
- 18 July 2016 - Photos from neighbour's view forwarded to Applicant for consideration
- 22 July 2016 - Additional information requested - concern raised with garage front setback after further investigations.
- 28 September 2016 - Advice received from Applicant of Complying Development Certificate being issued and Amended plans submitted.
- 4 to 17 October 2016 - Neighbour notification of amended plans.
- 17 October 2016 - Copies of submission issues forwarded to Applicant for consideration. Queried relationship between CDC and DA.

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 No. 44 - Koala Habitat Protection

There is no Koala Plan of Management on the site. Additionally, the site is less than 1ha in area therefore no further investigations are required.

State Environmental Planning Policy No.55 – Remediation of Land

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.

State Environmental Planning Policy No. 71 – Coastal Protection and Clause 5.5 of Port Macquarie-Hastings Local Environmental Plan 2011

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

In accordance with clause 5, 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;

g) reduce the quality of the natural water bodies in the locality.

The site is located within an area zoned for residential purposes.

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

A BASIX certificate was submitted with the original proposal demonstrating that the proposal will comply with the requirements of the SEPP. The amended proposal includes works which will not trigger BASIX (assumed to have been addressed with Complying Development Certificate already issued).

Port Macquarie-Hastings Local Environmental Plan 2011

The proposal is consistent with the LEP having regard to the following:

- 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 dwelling (or ancillary structure to a dwelling) 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 as it is a permissible landuse and consistent with the established residential locality,

- Clause 4.3, the maximum overall height of the building above ground level has already been approved under the CDC referred to in the details submitted. The proposed works to the dwelling are within the building envelope. The small deck proposed in the rear yard is well below the maximum height of the altered building proposed.
- Clause 4.4, the floor space ratio (FSR) of the proposal to that already approved under the CDC will not change. The plans note a 0.43:1.0 FSR which complies with the maximum 1:1 floor space ratio applying to the site.
- Clause 5.9 - no listed trees in Development Control Plan 2013 are proposed to be removed.
- Clause 5.10 – Heritage. The site does not contain or adjoin any known heritage items or sites of significance.
- Clause 7.13, satisfactory arrangements are in place for provision of essential services.

(a)(ii) Any proposed instrument that is or has been placed on exhibition

No draft instruments apply to the site.

(a)(iii) Any DCP in force

The following table provides an assessment of the proposal against the applicable development controls. The majority of the proposal is already approved with the Complying Development Certificate and these works are not re-considered in this assessment.

Port Macquarie-Hastings Development Control Plan 2013:

DCP 2013: Dwellings, Dual occupancies, Dwelling houses, Multi dwelling houses & Ancillary development			
	Requirements	**Proposed**	**Complies**
3.2.2.1	Ancillary development: • 4.8m max. height • Single storey • 60m2 max. area • 100m2 for lots >900m2 • 24 degree max. roof pitch	The freestanding small deck in the rear yard is <60m2 in area.	Yes

DCP 2013: Dwellings, Dual occupancies, Dwelling houses, Multi dwelling houses & Ancillary development			
	Requirements	**Proposed**	**Complies**
	• Not located in front setback		
3.2.2.4	4m min. rear setback. Variation subject to site analysis and provision of private open space	Min. 7.3m setback to the rear eastern boundary for the small deck and Min. 11.m to the main dwelling	Yes
3.2.2.5	Side setbacks: • Ground floor = min. 0.9m • First floors & above = min. 3m setback or where it can be demonstrated that overshadowing not adverse = 0.9m min. • Building wall set in and out every 12m by 0.5m	The side setbacks approved under the CDC are not proposed to be altered.	N/A
3.2.2.6	35m2 min. private open space area including a useable 4x4m min. area which has 5% max. grade	35m2 deck at rear + ground level yard space satisfactory	Yes
3.2.2.10	Privacy: • 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. ie. 1.8m fence or privacy screening which has 25% max. openings and is permanently fixed • Privacy screen required if floor level > 1m height, window side/rear setback (other than bedroom) is less than 3m and sill height less than 1.5m • Privacy screens provided to balconies/verandahs etc which have <3m side/rear setback and floor level height >1m	First floor windows setback less than 3m from the lot boundary and are not proposed to be screened. Rear deck not proposed to be provided with a privacy screen on the northern side.	No*

DCP 2013: General Provisions			
	Requirements	**Proposed**	**Complies**

DCP 2013: Dwellings, Dual occupancies, Dwelling houses, Multi dwelling houses & Ancillary development			
	Requirements	**Proposed**	**Complies**
2.7.2.2	Design addresses generic principles of Crime Prevention Through Environmental Design guideline	Adequate casual surveillance available	Yes
2.4.3	Bushfire risk, Acid sulphate soils, Flooding, Contamination, Airspace protection, Noise and Stormwater	Refer to main body of report.	

The proposal seeks to vary Development Provision relating to the first floor living room windows being less than 3m from the boundary having no privacy screens (are proposed to be removed after completion of the CDC).

The relevant objective is:

To protect the visual privacy of on-site and nearby residents.

Having regard for the development provisions and relevant objectives, the variation is considered acceptable for the following reasons:

- It is proposed to remove approved screening from the northern dining room window and two (2) northern kitchen windows.
- The direct views from the dining room window, and two (2) kitchen windows are to the southern wall of the upper floor of the dwelling located to the north, this is a blank wall that is only interrupted by a 600mm wide narrow window.
- The direct outlook is onto a blank wall of the adjoining dwelling, therefore visual privacy will be maintained and the dining room and kitchen area will be able to enjoy uninterrupted northern sun.
- As this is the southern elevation for Lot 18, there is limited sun to this elevation and therefore not a desirable space. Accordingly, it is unlikely that a living room would ever be proposed in this space in the future.

Due to the specific circumstances of the site, window screening is agreed to not be necessary to the windows identified above.

The proposal seeks to vary Development Provision relating to the northern side of the rear deck not having a privacy screen.

The relevant objective is:

To protect the visual privacy of on-site and nearby residents.

Having regard for the development provisions and relevant objectives, the variation is considered acceptable for the following reasons:

- The northern side of the proposed deck is not setback 3m from the lot boundary and is not proposed to be provided with a privacy screen.

- The deck is setback initially 140mm short of the 3m numerical standard provided recommending a privacy screen (then need to address whether any issue within 12m distance)
- The proposed development is expected to have a limited impact in terms of privacy, to the dwelling to the north. Most dwellings are designed to take advantage of view sharing in the area where relating to formalised useable outdoor spaces and privacy is not considered as a high priority.
- A solid, opaque, 1.0m high balustrade is to be provided to the northern section of the deck. This non-transparent balustrade will aid in providing a level of privacy to the private open space of the property to the north.

For the reasons listed above, it is agreed that it is reasonable that the northern side of the proposed deck is not provided with a full height privacy screen.

Based on the above assessment, the variations proposed to the provisions of the DCP are considered acceptable and the relevant objectives have been satisfied.

Cumulatively, the variations do not amount to an adverse impact or a significance that would justify refusal of the application.

(a)(iii)(a) Any planning agreement or draft planning agreement

No planning agreement has been offered or entered into relating to the site.

(a)(iv) Any matters prescribed by the regulations

NSW Coastal Policy 1997

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

(a)(v) Any Coastal Zone Management Plan

None applicable.

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

Context and setting

- The proposal will be unlikely to have any adverse impacts to existing adjoining properties or the public domain.
- The proposal is considered to be sufficiently compatible (noting the CDC already approved) with other residential development in the locality and adequately addresses planning controls for the area.
- There are no adverse impacts on existing view sharing.
- There are no adverse privacy impacts, as justified earlier in this report.
- There are no adverse overshadowing impacts.

Stormwater

Service available – details required with S.68 application. A section 68 plumbing application has already been approved.

Other Utilities

Telecommunication and electricity services are available to the site.

Heritage

This site does not contain or adjoin any known heritage item or site of significance.

Other land resources

No adverse impacts anticipated. The site is within an established urban context and will not sterilise any significant mineral or agricultural resource.

Water cycle

The proposed development will be unlikely to have any adverse impacts on water resources and the water cycle.

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 and microclimate

The construction and/or 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 and fauna

Construction of the proposed development will not require any 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

No adverse impacts anticipated.

Noise and vibration

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

Bushfire

The site is identified as being bushfire prone.

The applicant has advised that the CDC approved a BAL 12.5 construction rating. The decks will need to be built to BAL 29. An appropriate condition is recommended in this regard.

Safety, security and 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 impacts in the locality

Given the nature of the proposed development and its' location the proposal is unlikely to result in any adverse social impacts.

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 (ie 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.

(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 bushfire risk have been adequately addressed and appropriate conditions of consent recommended.

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

Five(5) written submissions have been received following neighbour consultation of the original proposal.

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

Submission Issue/Summary	Planning Comment/Response
Many of the assessments in the Statement of Environmental Effects are superficial. More detailed measurements are required.	This related to the original DA plans. The plans have been subsequently amended with more details and the plans now include works under a CDC. The CDC has been issued during the assessment of the DA.
Disagree on extent of view sharing impacts.	
Concern with non-compliant front setback of garage and its impacts on view sharing.	
Modern design will not balance out non-compliant garage setback.	Plans have been amended. Garage now set back at a compliant distance and approved under a CDC.
Question height of garage floor level above street levels.	Garage floor level revised and survey levels established (not to AHD only to a reference Reduced Level). Garage approved within approved CDC.
Decreased pedestrian and driver safety in Bourne Street with the continuation of garages in this street have non-compliant garages. The situation is getting dangerous.	Plans have been amended. Garage now set back in compliant distance and approved under a CDC.
The measurements on the plans are difficult to follow and interpret.	This related to the original DA plans. The plans have been subsequently amended with more details and the plans are primarily already approved under a CDC. The CDC has been issued during the assessment of the DA.
Privacy impact concerns to 2/129 Matthew Flinders Drive.	The freestanding deck in rear yard has been reduced in scale to 2.5m x 3.0m and setback from the rear east boundary by a minimum 7.3m. The original deck in question was 5.0m x 5.0m in size and closer to the rear boundary. It is considered that this deck will not have a high frequency of usage due to its size and is unlikely to result in significant adverse privacy impacts to warrant refusal.
Landscaping changes will have an impact on privacy to 2/129 Matthew Flinders Drive.	The Applicant has provided the following details: '*The backyard was previously overgrown. It has been cleaned up and replanted out with bird attracting medium sized shrubs and a native under storey."* No adverse impacts can be identified with the landscaping changes completed.
Concern with stability of the site with the clearing works undertaken and subsequent proposed works. There is now increased erosion and soil movement on the site and the older style	No adverse impacts can be identified. If a future issue arises this will be required to be addressed by the owners.

retaining walls are unsuitable.	
A fence of suitable height should be erected across the backyard on top of the existing retaining wall at the back of the property to restore privacy levels that were provided by previous trees.	No fence is deemed to be warranted particularly as the primary rear setback of the additions are 11m to 13m from the east boundary. No adverse privacy impacts can be identified. Council's DCP requires careful consideration of outdoor living to other living areas privacy where only within a 12m distance.
Suitable retention works be carried out and certified such that the possible erosion of the land be mitigated.	No adverse impacts can be identified. If a future issue arises this will be required to be addressed by the owners.

Four(4) written submissions have been received following neighbour consultation of the current amended proposal (for works in addition to the approved CDC works). Key issues raised in the submissions received with regard to the current amended proposal and comments in response to these issues are provided as follows:

Submission Issue/Summary	Planning Comment/Response
Difficulty accessing notification plans and documents - plans should have been in colour	The amended plans were available on Council's website in colour. The hard copies available at the front counter of the Council Office at Port Macquarie were black and white however the supporting information submitted attached to the amended plans is clear on what is only now proposed. A copy of the amended plans was also emailed to the concerned neighbours.
With regard to privacy screen requirements of the Development Control Plan with variable sloping blocks and multiplicity of aspects of views the DCP privacy screens are too imposing.	A privacy screen is proposed for the rear addition of deck. There are no identifiable adverse view sharing impacts with these screens. The neighbours immediate to the north and south have not raised any concern with the proposal.
Privacy screen on one balcony of 24 Bourne Street impedes the view of the lighthouse for 26 Bourne Street and serves no purpose.	This is a separate matter to this DA.
Neighbours should be consulted prior to a DA is submitted.	The DA has been neighbour notified on two occasions including the most recent amended plans. The notification plans include information advising of the Complying Development Certificate issued.
Concern with change from a DA process to a CDC process and question how a follow up DA can be submitted for some parts of the development which do not comply. Consider that a single DA should be required.	The Applicant has chosen to take this approach. It is noted that that the roof height has been reduced and the garage front setback increased to be now compliant if all of the proposal was a DA.
Question whether CDC is fully compliant with height, side setbacks and should not exceed 2 storeys.	The Private Certifier - Port City Certifiers have issued the CDC. Port City Certifiers have advised that the CDC is fully compliant with the Housing Code requirements of State Environmental Planning Policy (Exempt and Complying Development Codes) 2008. The proposed works under the amended DA do not alter the maximum building height already approved under the CDC.
The plans submitted lack clear and full measurements and details so it is not possible to assess just what the highest point at any part of the plan is.	
Plans do not clearly identify existing to proposed works.	The DA as amended now to include the proposed works shown in red to that which is already approved (and to be completed) under the CDC. The CDC will need to be completed and an Occupation Certificate issued prior to issue of a Construction Certificate

	under this DA. A condition is recommended in this regard.
The Reduced Levels referenced on the plans have changed with the amendments.	The Reduced Levels are not to Australian Height Datum (mean sea levels related to 30 tide gauges around the Australian Coastline) and survey reference levels from a survey level point at the front of the property and relative to the road.
Concerns with construction works at 31 Bourne Street and non-compliance with plans approved.	This is a separate development which has been assessed on its own merit and has no bearing for assessment under this DA.
The proposal does not comply with the 8.5m height limit at the rear. The plans seem to confirm that the eastern edge of the building is beyond the edge of the existing concrete driveway.	The Private Certifier - Port City Certifiers have issued the CDC. Port City Certifiers have advised that the CDC is fully compliant with the Housing Code requirements of State Environmental Planning Policy (Exempt and Complying Development Codes) 2008.
The setback for the second floor does not meet the 3m setback requirement and is unable to be CDC.	
Concern that with additional roof height will have a significant impact on view sharing and will most likely eliminate much of the view where the interface or water and land is visible.	The CDC issued does not require consideration to be given to view sharing with predetermined standards. The Applicant chosen to seek approval using this approval process. It is noted that the height of the building on the western section of the site is well below 8.5m in height from existing ground level and the garage has now been setback from the front boundary to be compliant.
Concern with height changes in planning rules.	The heights have been adopted in accordance with State Government requirements at the time of developing the current Port Macquarie-Hastings Local Environmental Plan 2011. The adopted 8.5m maximum height limit applies to the site and many other areas in standard residential zones and under CDC proposals.
View sharing and visual amenity concerns with each additional incremental height increase. The interface of water with land views will be lost and required to be addressed in accordance with view sharing Land and Environment Court Planning Principles.	With the amended proposal the proposed works do not raise any view impacts requiring detailed consideration. This is due to the CDC being issued.
Relevance of development at 21 Bourne Street under DA2006 - 508 which was refused and had a height which exceeded the 6m eave limit.	This is a separate development which has been assessed on its own merit and has no bearing for assessment under this DA. The height limits at the time have now changed and the subject proposal does not seek to

	make any variations to the height standards or floor space ratio controls.
The existing ground levels have been altered to increase the effective height possible on the site.	The existing ground levels would have been required to be verified by the Private Certifier as part of the CDC.
Questioned whether there is formal assessment process for CDCs and can this process be reviewed by the public.	The Private Certifier would need to be contacted to establish the assessment process taken. Advice has been received that the CDC is fully compliant with the Housing Code requirements.
No mention of possible future solar panels and their visual amenity impacts.	There are no PV solar panels or a solar hot water system proposed as part of this DA. The DA previously proposed an electric heat pump system in the original BASIX certificate. There are exemptions for installing PV solar panels under state legislation. Permitted protrusions range from 0.5m to 1m above roof line depending upon the orientation and less than 10kWhr capacity.
Concern with roof design adopted.	The style of roof design chosen has been approved under the CDC and there are no character controls in Council's Development Control Plan to restrict such designs to this extent.
Developments at No. 24, 31 and 54 Bourne Street have created significant traffic hazard issues and two of them significant shading, bulk and view loss impacts.	This is a separate development which has been assessed on its own merit and has no bearing for assessment under this DA.
The Applicant for the CDC has not contacted neighbouring properties to discuss their proposal.	There are no legislative requirements to contact neighbours for Complying development. Any other requirements prior to construction commencing will need to be satisfied.
The proposal is a total re build and not alterations and additions and questioned whether the proposal would be treated differently.	Whilst there is a significant amount or works proposed (predominantly under the CDC) these works are considered to be alterations and additions. If the dwelling was a new dwelling the standards must of still been satisfied under the CDC (no difference).

(e) The Public Interest:

The proposed development satisfies relevant planning controls and is unlikely to impact on the wider public interest.

4. DEVELOPMENT CONTRIBUTIONS APPLICABLE

- N/A

5. CONCLUSION

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

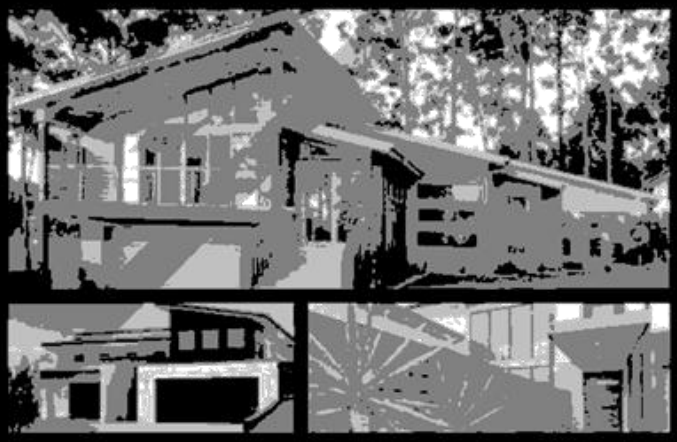
Issues raised during assessment and neighbour consultatio of the application have been considered in the assessment of the application.

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

Attachments

1View. DA2016 - 383.1 Plans & Documents
2View. DA2016 - 383.1 Recommended Conditions
3View. DA2016 - 383.1 Submission - Davis Fischer Fitzpatrick & Rourke
4View. DA2016 - 383.1 Submission - Rourke
5View. DA2016 - 383.1 Submission - Sharp & Mackay

BUILDING DESIGNERS | INNOVATIVE | AFFORDABLE | INDIVIDUA



STATEMENT OF ENVIRONMENTAL EFFECTS

Date: May 2016

CWC Reference: D3067

Dwelling Alterations and Additions

25 Bourne Street, Port Macquarie

collinswcollins PTY LTD

September 2016

Statement of Environmental Effects

Dwelling Alterations and Additions
Lot 17 DP 31187, 25 Bourne Street, Port Macquarie

September 2016

Statement of Environmental Effects

Dwelling Alterations and Additions
Lot 17 DP 31187, 25 Bourne Street, Port Macquarie

1.0 Introduction

Collins W Collins Pty Ltd has been engaged to prepare a development application for dwelling additions and alterations at Lot 17 DP 31187 No 25 Bourne Street, Port Macquarie. This Statement of Environmental Effects is to accompany the plans and specifications, and forms part of the application. This Statement of Environmental Effects is an assessment of the proposed development against the matters prescribed pursuant to Section 79C of the Environmental Planning and Assessment Act, 1979.

2.0 Location

It is proposed to undertake dwelling additions and alterations on the site known as Lot 17 DP 31187 No 25 Bourne Street, Port Macquarie.

The subject site is located in the Lighthouse Beach locality of Port Macquarie as shown in Figure 1 below. The area is an existing residential area and is located in close proximity to neighbourhood shops, medical facilities, beaches and the Port Macquarie CBD.

Figure 1: Aerial View *(Six Maps)*

3.0 Proposal

To provide some context, a complying development certificate has recently been approved for dwelling alterations and additions to the existing dwelling.

This development application is seeking consent for the following:

- The construction of an upper floor deck at the rear of the dwelling (under the approved roof area).
- Removal of privacy screens on the two (2) northern kitchen windows and one (1) northern dining room window.
- Removal of the rear windows and replace with a glass sliding door to provide access to the proposed deck.
- Construction of a small deck in the rear yard.

The proposed development is expected to have minimal, if any impact on existing views.

The site has frontage to Bourne Street, the size of the lot is 638.3m² and the site slopes from the west down to the east.

Water, sewer and stormwater infrastructure exists on-site.

4.0 Environmental Planning Instruments

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

The proposal is not BASIX affected development pursuant to State Environmental Planning Policy (Building Sustainability Index: BASIX) 2004.

4.2 Port Macquarie-Hastings Local Environmental Plan 2011

4.2.1 Land use table

The land is mapped R1 General Residential and the proposed development is defined as a "dwelling house" pursuant to Port Macquarie-Hastings Local Environmental Plan 2011 (LEP).

The objectives of the R1 General Residential zone are listed as:

- *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.*

The proposed dwelling additions and alterations are considered to be consistent with above objectives.

4.2.2 Height of buildings

The site has a maximum height of 8.5m as shown on the Port Macquarie-Hastings Local Environmental Plan 2013 – Height of Buildings Map.

The proposed development will not have any impact on the approved height of the building.

4.2.3 Floor Space Ratio

The site has a floor space ratio of 0.65:1 (65%) as shown on the Port Macquarie-Hastings Local Environmental Plan 2013 – Floor Space Ratio Map.

The proposed development will not have any impact on the floor space ratio of the building.

4.2.4 Bushfire/Flood/Acid Sulphate Soil/Heritage

The site is mapped as being bushfire prone land. A bushfire threat assessment accompanies this Statement of Environmental Effects.
The site not mapped as being flood prone land.
The site is not mapped as containing acid sulphate soils.
The site is not mapped as containing a heritage item, archaeological site or aboriginal place of heritage significance.

4.2.5 Acoustic Control/Coastal Erosion/Visually Sensitive Land

The site is not mapped as requiring acoustic controls.
The site is not mapped as being subject to coastal erosion.
The site is not mapped as visually sensitive land.

5.0 Development Control Plan

5.1 Port Macquarie-Hastings Development Control Plan 2013

	DCP Requirements	Proposal	Complies Yes/No
Cut and Fill Regrading	Max cut of 1.0m and fill of 1.0m at a distance of 1.0m outside external walls.	Nil earthworks required.	N/A
Front Setback	Articulation Zone: 3.0m	N/A	N/A
	6.0m Classified Road	N/A	N/A
	4.5m min to primary frontage	N/A	N/A
	3.0m min to secondary frontage	N/A	N/A
	Ancillary Lane	N/A	N/A
	Large Lot Residential & Rural	N/A	N/A
Garage, Carport or Car Parking Space	1.0m behind dwelling line where dwelling is set back 4.5m or more	No garages proposed.	N/A
	5.5m from front boundary where dwelling has less than 4.5m front setback	N/A	N/A
	6.0m max door width or 50% max of the building width	N/A	N/A
	5.0m max crossover width or 1/3 max of site frontage	N/A	N/A
	Dual Occupancy on corner lot, garage & driveway to be provided on each road frontage	N/A	N/A
Rear Setback	4.0m to any part of building	11.069m	Yes
	900mm to sheds and swimming pools	N/A	N/A

Side Setback	Ground Floors: 900mm	N/A	N/A
	First Floors & Above: 3.0m	N/A	N/A
	12m max unarticulated wall length	N/A	N/A
Open Space	35m^2 in one area	Available	Yes
	4m x 4m min dimension	Yes	Yes
	5% maximum grade for min 4m x 4m area	Yes	Yes
	Accessible from internal living areas	Yes	Yes
Front Fences	Solid: 1.2m max height, 1.0m setback, landscaped.	No front fencing proposed.	Yes
Visual Privacy	Ground & First Floor windows 9m radius are screened or obscured	Ground floors: N/A North upperfloor no screening proposed.	N/A No
	Windows with a floor level 1m above NGL and a sill height of less than 1.5m are screened or obscured	N/A	N/A
	Other floor windows 12m radius are screened or obscured	N/A	N/A
	Direct views within 12m radius from living rooms and principle areas of open space screened or obscured	N/A	N/A
	Privacy screen to deck where setback is less than 3m from side or rear boundary, is greater than 3m^2 and more than 1m above ground level	North no privacy screen proposed. South privacy screen proposed.	No Yes
Tree Management	Tree/s listed in Table 2.6.1 to be removed.	No trees to be removed.	N/A
	Removal of tree 3m or more in height; or, Trunk diameter of 100mm, measured 1m above ground; or, Mangrove or cycad	N/A	N/A

Driveway Grades	Driveway crossing max grade of 5% (1 in 20). Transitional grades min of 2m long.	N/A N/A	N/A N/A
Car Parking	1 space per dwelling	Existing double garage approved.	N/A

5.2 Non-Compliances

We provide the following in relation to the non-complying issues identified in the table above:

Issue: First floor windows setback less than 3m from the lot boundary and are not proposed to be screened.

3.2.2.10 Objective

- *To protect the visual privacy of on-site and nearby residents.*

The following comments are an assessment of the proposed development against the nominated objectives of the Development Control Plan:

- It is proposed to remove approved screening from the northern dining room window and two (2) northern kitchen windows.
- The direct views from the dining room window, and two (2) kitchen windows are to the southern wall of the upper floor of the dwelling located to the north, this is a blank wall that is only interrupted by a 600mm wide narrow window.
- As the direct outlook is onto a black wall of the adjoining dwelling, visual privacy will be maintained and the dining room and kitchen area will be able to enjoy uninterrupted northern sun.
- As this is the southern elevation for lot 18, there is limited sun to this elevation and therefore not a desirable space. Accordingly, it is unlikely that a living room would ever be proposed in this space in the future.
- Due to the specific circumstances of the site window screening is not necessary to the windows identified above.

Issue: Rear deck not proposed to be provided with a privacy screen on the northern side.

3.2.2.10 Objective

- *To protect the visual privacy of on-site and nearby residents.*

The following comments are an assessment of the proposed development against the nominated objectives of the Development Control Plan:

- The northern side of the proposed deck is not setback 3m from the lot boundary and is not proposed to be provided with a privacy screen.
- The deck is setback 140mm short of the 3m numerical standard provided recommending a privacy screen.
- Due to the reasons identified above, the proposed development is expected to have a limited impact in terms of privacy, to the dwelling to the north.
- A solid, non-see through, 1.0m high balustrade is to be provided to the northern section of the deck. This non-transparent balustrade will aid in providing a level of privacy to the private open space of the property to the north.
- For the reasons listed above, it is considered reasonable that the northern side of the proposed deck is not provided with a full height privacy screen.

6.0 The Regulations

There are no regulations that are relevant to the proposed development.

7.0 Impacts of the Development

7.1 Natural Environment

Sustainable development: The building will be constructed of durable materials.

Soil and Water: Appropriate sediment and erosion control will be implemented throughout construction.

Waste Management: Construction waste will be collected on-site in an appropriate receptacle before being recycled where possible or deposited at the local landfill.

Tree and Vegetation Preservation: No trees or significant vegetation are to be removed as part of the development.

7.2 Built Environment

Heritage: The site is not mapped as containing a heritage item, archaeological site or aboriginal place of heritage significance.
Character: The locality is a residential area. The proposal is in keeping with the existing character of the area.

7.3 Social Impacts

The proposed development will provide a place for members of the community to live. The site is appropriately located to services and facilities required by members of the community.

7.4 Economic Impacts

The proposed development will provide employment benefits for various trades, and customers for suppliers. Accordingly, there will be positive economic benefits for the local community from the proposed development.

8.0 Suitability of the site for the development

8.1 Availability of services

Access to the reticulated water supply is available to the site.
Access to mains sewerage system is available to the site.
Access to the electricity grid is available to the site.

9.0 Other Matters

To determine if the proposed development is suitable for the site, the following assessment is made.

Will the development:	**Yes / No**
Affect any neighbouring residences by overshadowing or loss of privacy?	No
Result in the loss or reduction of views?	No
Impact on any item of heritage or cultural significance?	No
Result in land use conflict or incompatibility with neighbouring premises?	No
Be out of character with the surrounding areas?	No
Be visually prominent with the existing landscape/streetscape?	No

Require excavation or filling in excess of 1 metre?	No
Require the erection or display of any advertising signage?	No

10.0 Conclusion

The above assessment has been completed, pursuant to the provisions of Section 79C of the Environmental Planning and Assessment Act 1979.

The proposed dwelling/dual occupancy complies with:

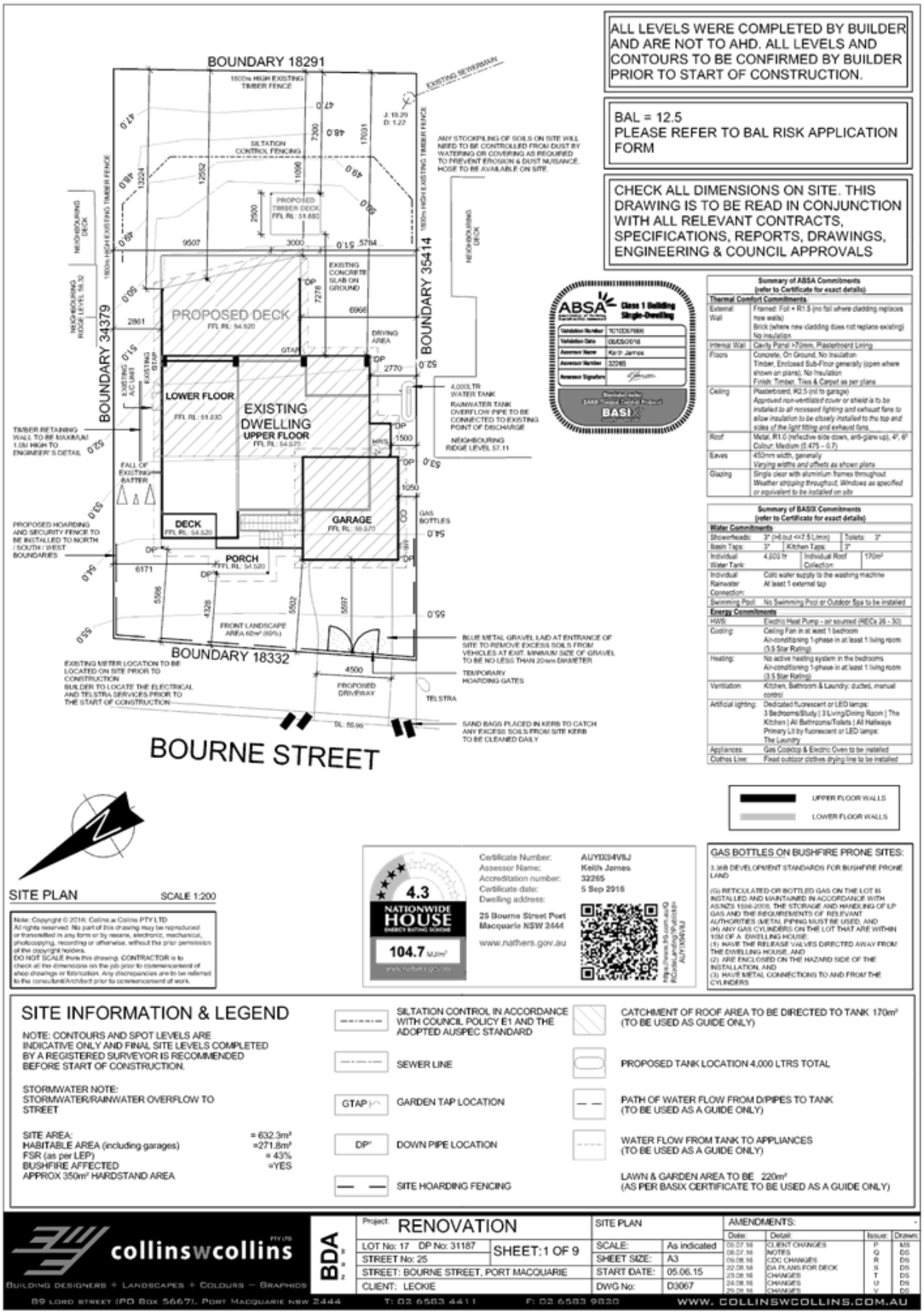
- the State Environmental Planning Instruments;
- Port Macquarie-Hastings Local Environmental Plan 2011; and
- Port Macquarie-Hastings Development Control Plan 2013.

The proposal will not adversely impact on the natural or built environment.

The proposal will benefit the community, both socially and economically.

The proposal is suitable for the site.

This Statement of Environmental Effects is submitted to Port Macquarie-Hastings Council for consideration.


ALL LEVELS WERE COMPLETED BY BUILDER AND ARE NOT TO AHD. ALL LEVELS AND CONTOURS TO BE CONFIRMED BY BUILDER PRIOR TO START OF CONSTRUCTION.
BAL = 12.5
PLEASE REFER TO BAL RISK APPLICATION FORM
CHECK ALL DIMENSIONS ON SITE. THIS DRAWING IS TO BE READ IN CONJUNCTION WITH ALL RELEVANT CONTRACTS, SPECIFICATIONS, REPORTS, DRAWINGS, ENGINEERING & COUNCIL APPROVALS
BOUNDARY 18291
BOUNDARY 34379
BOUNDARY 35414
BOUNDARY 18332
BOURNE STREET
PROPOSED DECK
FFL RL: 54.520
LOWER FLOOR
FFL RL: 51.830
EXISTING DWELLING
UPPER FLOOR
FFL RL: 54.670
GARAGE
FFL RL: 56.070
DECK
PORCH
PROPOSED TIMBER DECK
EXISTING CONCRETE SLAB ON GROUND
DRYING AREA
FRONT LANDSCAPE AREA 62m² (60%)
PROPOSED DRIVEWAY
4,000LTR WATER TANK
RAINWATER TANK OVERFLOW PIPE TO BE CONNECTED TO EXISTING POINT OF DISCHARGE
NEIGHBOURING RIDGE LEVEL 57.11
TIMBER RETAINING WALL TO BE MAXIMUM 1.0M HIGH TO ENGINEER'S DETAIL
FALL OF EXISTING BATTER
PROPOSED HOARDING AND SECURITY FENCE TO BE INSTALLED TO NORTH / SOUTH / WEST BOUNDARIES
EXISTING METER LOCATION TO BE LOCATED ON SITE PRIOR TO CONSTRUCTION
BUILDER TO LOCATE THE ELECTRICAL AND TELSTRA SERVICES PRIOR TO THE START OF CONSTRUCTION
ANY STOCKPILING OF SOILS ON SITE WILL NEED TO BE CONTROLLED FROM DUST BY WATERING OR COVERING AS REQUIRED TO PREVENT EROSION & DUST NUISANCE. HOSE TO BE AVAILABLE ON SITE.
SILTATION CONTROL FENCING
1800m HIGH EXISTING TIMBER FENCE
NEIGHBOURING DECK
NEIGHBOURING RIDGE LEVEL 56.32
EXISTING SEWERMAIN
BLUE METAL GRAVEL LAID AT ENTRANCE OF SITE TO REMOVE EXCESS SOILS FROM VEHICLES AT EXIT. MINIMUM SIZE OF GRAVEL TO BE NO LESS THAN 20mm DIAMETER
TEMPORARY HOARDING GATES
TELSTRA
SAND BAGS PLACED IN KERB TO CATCH ANY EXCESS SOILS FROM SITE KERB TO BE CLEANED DAILY
GAS BOTTLES
EXISTING A/C UNIT
EXISTING GTAP
SITE PLAN
SCALE 1:200
ABSA Class 1 Building Single-Dwelling
Validation Number 1010D57686
Validation Date 05/05/2016
Assessor Name Keith James
Assessor Number 32265
BASIX
Summary of ABSA Commitments (refer to Certificate for exact details)
Thermal Comfort Commitments
External Wall: Framed: Foil + R1.5 (no foil where cladding replaces new walls) Brick (where new cladding does not replace existing) No insulation
Internal Wall: Cavity Panel >70mm, Plasterboard Lining
Floors: Concrete, On Ground, No Insulation Timber, Enclosed Sub-Floor generally (open where shown on plans), No Insulation Finish: Timber, Tiles & Carpet as per plans
Ceiling: Plasterboard, R2.5 (inl to garage) Approved non-ventilated cover or shield is to be installed to all recessed lighting and exhaust fans to allow insulation to be closely installed to the top and sides of the light fitting and exhaust fans.
Roof: Metal, R1.0 (reflective side down, anti-glare up), 4°, 6° Colour: Medium (0.475 – 0.7)
Eaves: 450mm width, generally Varying widths and offsets as shown plans
Glazing: Single clear with aluminium frames throughout Weather stripping throughout, Windows as specified or equivalent to be installed on site
Summary of BASIX Commitments (refer to Certificate for exact details)
Water Commitments
Showerheads: 3* (>6 but <=7.5 Litres) Toilets: 3*
Basin Taps: 3* Kitchen Taps: 3*
Individual Water Tank: 4,000 ltr Individual Roof Collection: 170m²
Individual Rainwater Connection: Cold water supply to the washing machine At least 1 external tap
Swimming Pool: No Swimming Pool or Outdoor Spa to be installed
Energy Commitments
HWS: Electric Heat Pump - air sourced (REECs 26 - 30)
Cooling: Ceiling Fan in at least 1 bedroom Air-conditioning 1-phase in at least 1 living room (3.5 Star Rating)
Heating: No active heating system in the bedrooms Air-conditioning 1-phase in at least 1 living room (3.5 Star Rating)
Ventilation: Kitchen, Bathroom & Laundry: ducted, manual control
Artificial lighting: Dedicated fluorescent or LED lamps: 3 Bedrooms/Study | 3 Living/Dining Room | The Kitchen | All Bathrooms/Toilets | All Hallways Primary Lit by fluorescent or LED lamps: The Laundry
Appliances: Gas Cooktop & Electric Oven to be installed
Clothes Line: Fixed outdoor clothes drying line to be installed
UPPER FLOOR WALLS
LOWER FLOOR WALLS
4.3 NATIONWIDE HOUSE ENERGY RATING SCHEME
104.7 MJ/m²
Certificate Number: AUYIX94V8J
Assessor Name: Keith James
Accreditation number: 32265
Certificate date: 5 Sep 2016
Dwelling address: 25 Bourne Street Port Macquarie NSW 2444
www.nathers.gov.au
GAS BOTTLES ON BUSHFIRE PRONE SITES:
3.3(B DEVELOPMENT STANDARDS FOR BUSHFIRE PRONE LAND
(G) RETICULATED OR BOTTLED GAS ON THE LOT IS INSTALLED AND MAINTAINED IN ACCORDANCE WITH AS/NZS 1596-2008, THE STORAGE AND HANDLING OF LP GAS AND THE REQUIREMENTS OF RELEVANT AUTHORITIES (METAL PIPING MUST BE USED, AND (H) ANY GAS CYLINDERS ON THE LOT THAT ARE WITHIN 10M OF A DWELLING HOUSE: (1) HAVE THE RELEASE VALVES DIRECTED AWAY FROM THE DWELLING HOUSE, AND (2) ARE ENCLOSED ON THE HAZARD SIDE OF THE INSTALLATION, AND (3) HAVE METAL CONNECTIONS TO AND FROM THE CYLINDERS
SITE INFORMATION & LEGEND
NOTE: CONTOURS AND SPOT LEVELS ARE INDICATIVE ONLY AND FINAL SITE LEVELS COMPLETED BY A REGISTERED SURVEYOR IS RECOMMENDED BEFORE START OF CONSTRUCTION.
STORMWATER NOTE: STORMWATER/RAINWATER OVERFLOW TO STREET
SITE AREA: = 632.3m²
HABITABLE AREA (including garages) =271.8m²
FSR (as per LEP) = 43%
BUSHFIRE AFFECTED =YES
APPROX 350m² HARDSTAND AREA
SILTATION CONTROL IN ACCORDANCE WITH COUNCIL POLICY E1 AND THE ADOPTED AUSPEC STANDARD
SEWER LINE
GTAP GARDEN TAP LOCATION
DP DOWN PIPE LOCATION
SITE HOARDING FENCING
CATCHMENT OF ROOF AREA TO BE DIRECTED TO TANK 170m² (TO BE USED AS GUIDE ONLY)
PROPOSED TANK LOCATION 4,000 LTRS TOTAL
PATH OF WATER FLOW FROM D/PIPES TO TANK (TO BE USED AS A GUIDE ONLY)
WATER FLOW FROM TANK TO APPLIANCES (TO BE USED AS A GUIDE ONLY)
LAWN & GARDEN AREA TO BE 220m² (AS PER BASIX CERTIFICATE TO BE USED AS A GUIDE ONLY)
Note: Copyright © 2016: Collins.w.Collins PTY LTD
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DO NOT SCALE from this drawing. CONTRACTOR is to check all the dimensions on the job prior to commencement of shop drawings or fabrication. Any discrepancies are to be referred to the consultant/Architect prior to commencement of work.
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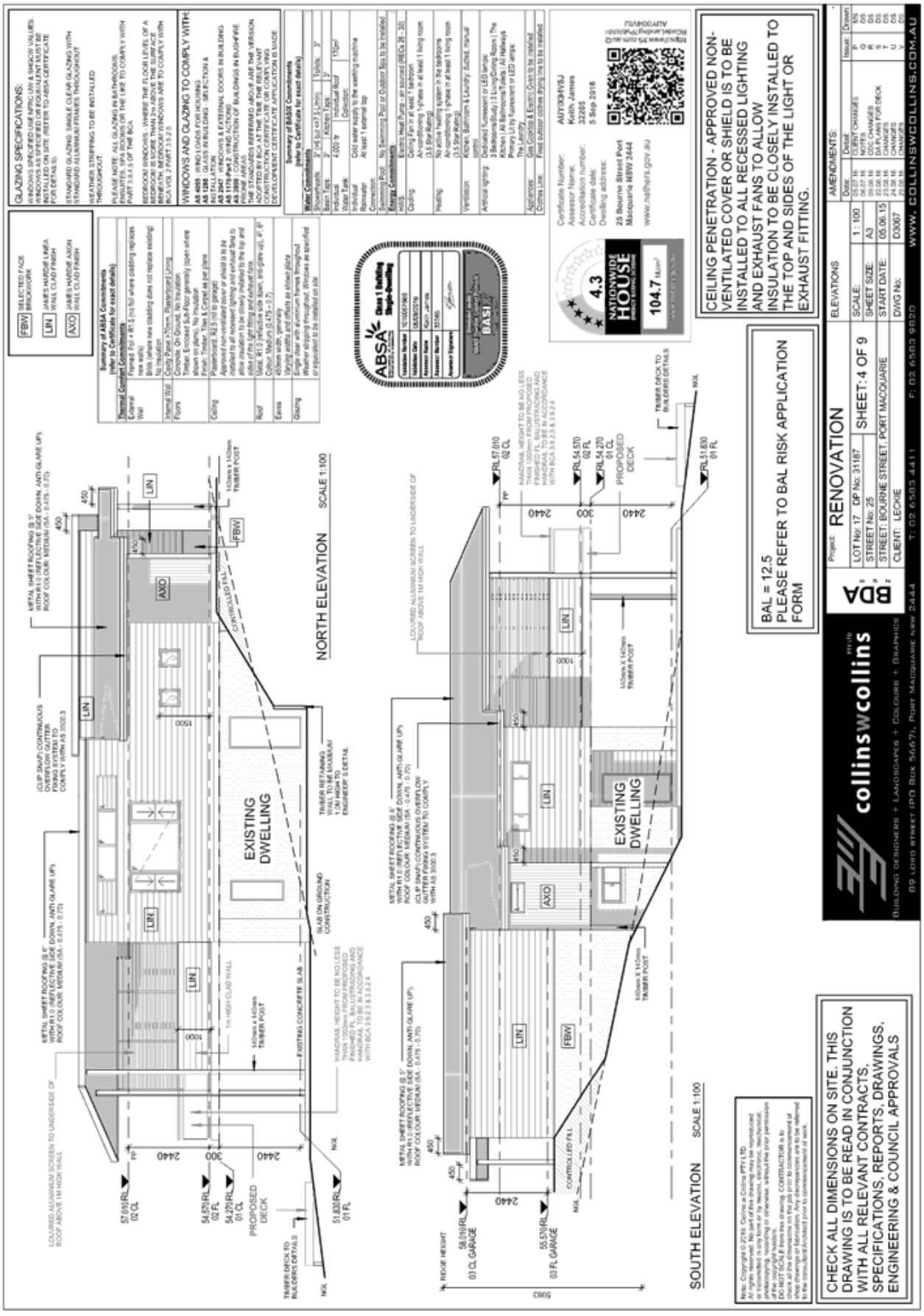
BDA
Project: RENOVATION
LOT No: 17 DP No: 31187
STREET No: 25
STREET: BOURNE STREET, PORT MACQUARIE
CLIENT: LECKIE
SHEET:1 OF 9
SITE PLAN
SCALE: As indicated
SHEET SIZE: A3
START DATE: 05.06.15
DWG No: D3067
AMENDMENTS:
Date: Detail: Issue: Drawn:
05.07.16 CLIENT CHANGES P MS
08.07.16 NOTES Q DS
09.08.16 CDC CHANGES R DS
22.08.16 DA PLANS FOR DECK S DS
23.08.16 CHANGES T DS
24.08.16 CHANGES U DS
29.08.16 CHANGES V DS


NORTH ELEVATION SCALE 1:100
SOUTH ELEVATION SCALE 1:100
EXISTING DWELLING
PROPOSED DECK
GLAZING SPECIFICATIONS:
WINDOWS AND GLAZING TO COMPLY WITH
CEILING PENETRATION - APPROVED NON-VENTILATED COVER OR SHIELD IS TO BE INSTALLED TO ALL RECESSED LIGHTING AND EXHAUST FANS TO ALLOW INSULATION TO BE CLOSELY INSTALLED TO THE TOP AND SIDES OF THE LIGHT OR EXHAUST FITTING.
BAL = 12.5
PLEASE REFER TO BAL RISK APPLICATION FORM
CHECK ALL DIMENSIONS ON SITE. THIS DRAWING IS TO BE READ IN CONJUNCTION WITH ALL RELEVANT CONTRACTS, SPECIFICATIONS, REPORTS, DRAWINGS, ENGINEERING & COUNCIL APPROVALS
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Project: RENOVATION
LOT No: 17 DP No: 31187
STREET No: 25
STREET: BOURNE STREET, PORT MACQUARIE
CLIENT: LECKIE
ELEVATIONS
SHEET: 4 OF 9
SCALE: 1:100
SHEET SIZE: A3
START DATE: 05.06.15
DWG No: D3007
AMENDMENTS:
Date: Detail: Issue: Drawn
05.07.16 CLIENT CHANGES F JS
06.07.16 NOTES G DS
09.08.16 DSC CHANGES H DS
23.08.16 BAL FOR DECK I DS
23.08.16 CHANGES T DS
24.08.16 CHANGES U DS
29.08.16 CHANGES V DS
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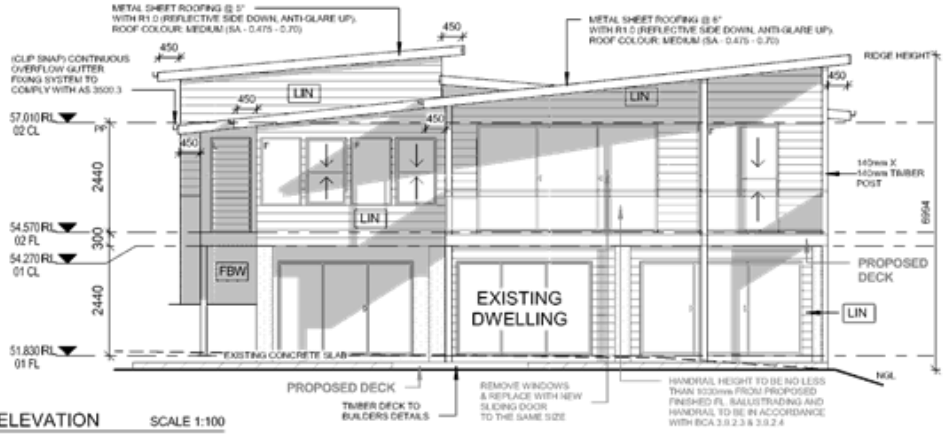
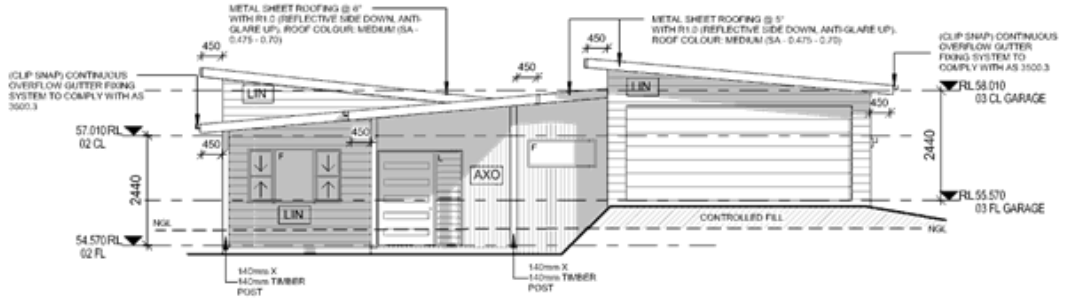
FBW SELECTED FACE BRICKWORK
LIN JAMES HARDIE LINEA WALL CLAD FINISH
AXO JAMES HARDIE AXON WALL CLAD FINISH



EAST ELEVATION SCALE 1:100



WEST ELEVATION SCALE 1:100

GLAZING SPECIFICATIONS:

WINDOWS SPECIFIED USE NFRC UW & SHGCW VALUES. WINDOWS AS SPECIFIED OR EQUIVALENT MUST BE INSTALLED ON SITE (REFER TO ABSA CERTIFICATE FOR DETAILS).

STANDARD GLAZING: SINGLE CLEAR GLAZING WITH STANDARD ALUMINIUM FRAMES THROUGHOUT

WEATHER STRIPPING TO BE INSTALLED THROUGHOUT.

PLEASE NOTE: ALL GLAZING IN BATHROOMS, ENSUITES, SPA ROOMS OR THE LIKE TO COMPLY WITH PART 3.6.4.5 OF THE BCA

BEDROOM WINDOWS - WHERE THE FLOOR LEVEL OF A BEDROOM IS MORE THAN 2m ABOVE THE SURFACE BENEATH, BEDROOM WINDOWS ARE TO COMPLY WITH BCA VOL 2 PART 3.9.2.5

WINDOWS AND GLAZING TO COMPLY WITH:

AS 4055 : WIND LOADS FOR HOUSING
AS 1288 : GLASS IN BUILDING - SELECTION & INSTALLATION
AS 2047 : WINDOWS & EXTERNAL DOORS IN BUILDING
AS 1170-Part 2 : WIND ACTIONS
AS 3959 : CONSTRUCTION OF BUILDINGS IN BUSHFIRE PRONE AREAS
THE STANDARDS REFERRED ABOVE ARE THE VERSION ADOPTED BY BCA AT THE TIME THE RELEVANT CONSTRUCTION CERTIFICATE OR COMPLYING DEVELOPMENT CERTIFICATE APPLICATION IS MADE.

4.3 NATIONWIDE HOUSE ENERGY RATING SCHEME 104.7 MJ/m²

Certificate Number: AUYIX94V8J
Assessor Name: Keith James
Accreditation number: 32265
Certificate date: 5 Sep 2016
Dwelling address:
25 Bourne Street Port Macquarie NSW 2444
www.nathers.gov.au

ABSA Class 1 Building Single-Dwelling
Validation Number: 1010067866
Validation Date: 06/09/2016
Assessor Name: Keith James
Assessor Number: 32265
Assessor Signature:
BASIX

Summary of BASIX Commitments (refer to Certificate for exact details)

Water Commitments			
Showerheads:	3* (>6 but <=7.5 L/min)	Toilets:	3*
Basin Taps:	3*	Kitchen Taps:	3*
Individual Water Tank:	4,000 ltr	Individual Roof Collection:	170m²
Individual Rainwater Connection:	Cold water supply to the washing machine At least 1 external tap		
Swimming Pool:	No Swimming Pool or Outdoor Spa to be installed		
Energy Commitments			
HWS:	Electric Heat Pump - air sourced (RECs 26 - 30)		
Cooling:	Ceiling Fan in at least 1 bedroom Air-conditioning 1-phase in at least 1 living room (3.5 Star Rating)		
Heating:	No active heating system in the bedrooms Air-conditioning 1-phase in at least 1 living room (3.5 Star Rating)		
Ventilation:	Kitchen, Bathroom & Laundry: ducted, manual control		
Artificial lighting:	Dedicated fluorescent or LED lamps: 3 Bedrooms/Study | 3 Living/Dining Room | The Kitchen | All Bathrooms/Toilets | All Hallways Primary Lit by fluorescent or LED lamps: The Laundry		
Appliances:	Gas Cooktop & Electric Oven to be installed		
Clothes Line:	Fixed outdoor clothes drying line to be installed		

Summary of ABSA Commitments (refer to Certificate for exact details)

Thermal Comfort Commitments	
External Wall	Framed: Foil + R1.5 (no foil where cladding replaces new walls) Brick (where new cladding does not replace existing) No insulation
Internal Wall	Cavity Panel >70mm, Plasterboard Lining
Floors	Concrete, On Ground, No Insulation Timber, Enclosed Sub-Floor generally (open where shown on plans), No Insulation Finish: Timber, Tiles & Carpet as per plans
Ceiling	Plasterboard, R2.5 (nil to garage) *Approved non-ventilated cover or shield is to be installed to all recessed lighting and exhaust fans to allow insulation to be closely installed to the top and sides of the light fitting and exhaust fans.*
Roof	Metal, R1.0 (reflective side down, anti-glare up), 4°, 6° Colour: Medium (0.475 – 0.7)
Eaves	450mm width, generally *Varying widths and offsets as shown plans*
Glazing	Single clear with aluminium frames throughout *Weather stripping throughout. Windows as specified or equivalent to be installed on site*

CEILING PENETRATION - APPROVED NON-VENTILATED COVER OR SHIELD IS TO BE INSTALLED TO ALL RECESSED LIGHTING AND EXHAUST FANS TO ALLOW INSULATION TO BE CLOSELY INSTALLED TO THE TOP AND SIDES OF THE LIGHT OR EXHAUST FITTING.

CHECK ALL DIMENSIONS ON SITE. THIS DRAWING IS TO BE READ IN CONJUNCTION WITH ALL RELEVANT CONTRACTS, SPECIFICATIONS, REPORTS, DRAWINGS, ENGINEERING & COUNCIL APPROVALS

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BDA

Project: RENOVATION
LOT No: 17 DP No: 31187 SHEET: 5 OF 9
STREET No: 25
STREET: BOURNE STREET, PORT MACQUARIE
CLIENT: LECKIE

ELEVATIONS
SCALE: 1 : 100
SHEET SIZE: A3
START DATE: 05.06.15
DWG No: D3067

AMENDMENTS:

Date:	Detail:	Issue:	Drawn:
05.07.16	CLIENT CHANGES	P	MS
08.07.16	NOTES	Q	DS
09.08.16	CDC CHANGES	R	DS
22.08.16	DA PLANS FOR DECK	S	DS
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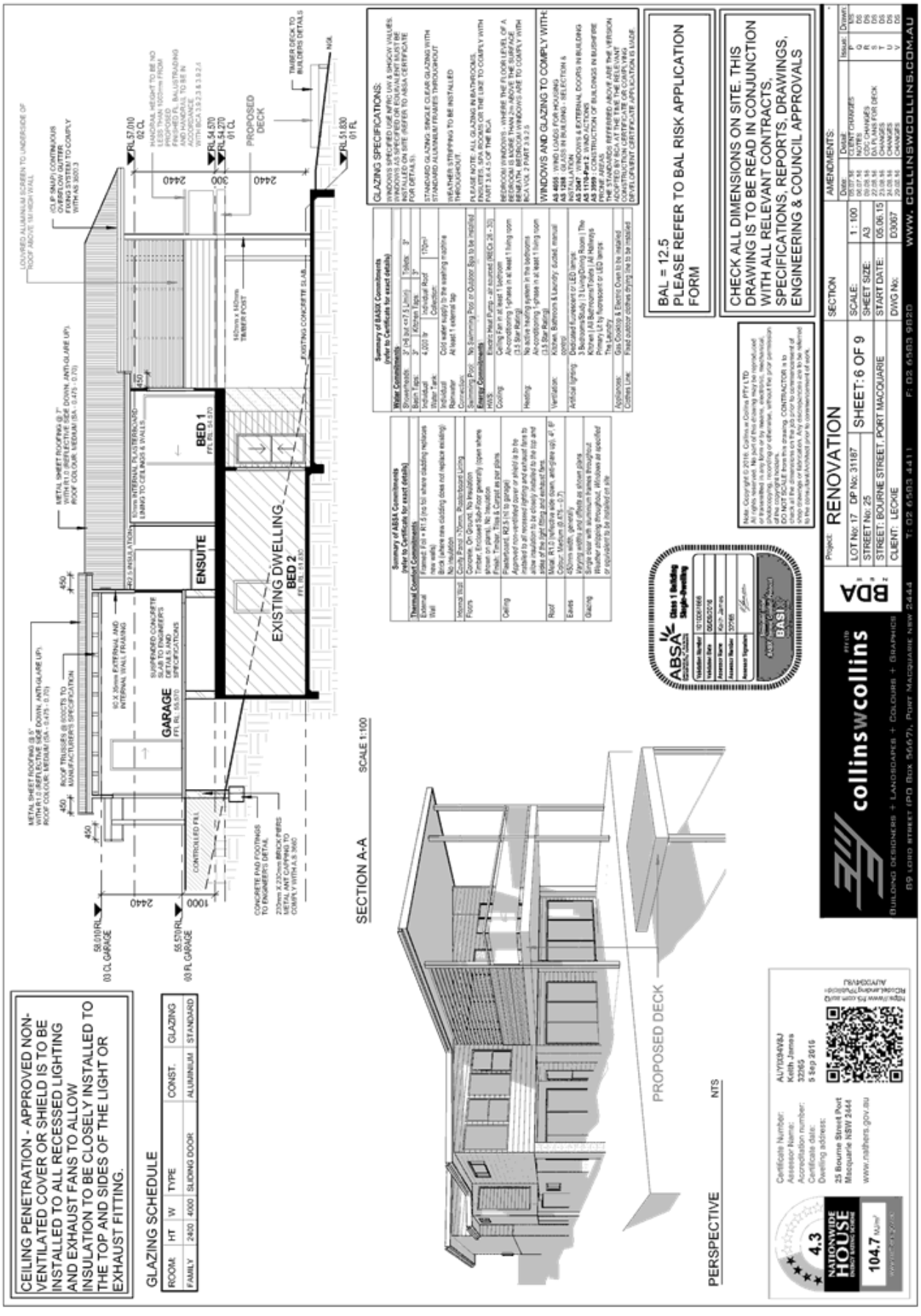
24.08.16	CHANGES	U	DS
29.08.16	CHANGES	V	DS


SECTION A-A SCALE 1:100
PERSPECTIVE NTS
PROPOSED DECK
EXISTING DWELLING
BED 1
BED 2
ENSUITE
GARAGE
PROPOSED DECK
BAL = 12.5
PLEASE REFER TO BAL RISK APPLICATION FORM
CHECK ALL DIMENSIONS ON SITE. THIS DRAWING IS TO BE READ IN CONJUNCTION WITH ALL RELEVANT CONTRACTS, SPECIFICATIONS, REPORTS, DRAWINGS, ENGINEERING & COUNCIL APPROVALS
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GLAZING SCHEDULE
GLAZING SPECIFICATIONS:
WINDOWS AND GLAZING TO COMPLY WITH
RENOVATION
LOT No: 17 DP No: 31167
STREET No: 25
STREET: BOURNE STREET, PORT MACQUARIE
CLIENT: LECKIE
SHEET: 6 OF 9
SCALE: 1 : 100
SHEET SIZE: A3
START DATE: 05.06.15
DWG No: D3007
AMENDMENTS:
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THESE NOTES MUST BE READ AND UNDERSTOOD BY ALL INVOLVED IN THE PROJECT. THIS INCLUDES (but is not limited to): OWNER, BUILDER, SUB-CONTRACTORS, CONSULTANTS, RENOVATORS, OPERATORS, MAINTENORS, DEMOLISHERS.

1. FALLS, SLIPS, TRIPS

A) WORKING AT HEIGHTS

DURING CONSTRUCTION
Wherever possible, components for this building should be prefabricated off-site or at ground level to minimise the risk of workers falling more than two metres. However, construction of this building will require workers to be working at heights where a fall in excess of two metres is possible and injury is likely to result from such a fall. The builder should provide a suitable barrier wherever a person is required to work in a situation where falling more than two metres is a possibility.

DURING OPERATION OR MAINTENANCE
For houses or other low-rise buildings where scaffolding is appropriate: Cleaning and maintenance of windows, walls, roof or other components of this building will require persons to be situated where a fall from a height in excess of two metres is possible. Where this type of activity is required, scaffolding, ladders or trestles should be used in accordance with relevant codes of practice, regulations or legislation. For buildings where scaffold, ladders, trestles are not appropriate: Cleaning and maintenance of windows, walls, roof or other components of this building will require persons to be situated where a fall from a height in excess of two metres is possible. Where this type of activity is required, scaffolding, fall barriers or Personal Protective Equipment (PPE) should be used in accordance with relevant codes of practice, regulations or legislation.

B) SLIPPERY OR UNEVEN SURFACES
FLOOR FINISHES Specified
If finishes have been specified by designer, these have been selected to minimise the risk of floors and paved areas becoming slippery when wet or when walked on with wet shoes/feet. Any changes to the specified finish should be made in consultation with the designer or, if this is not practical, surfaces with an equivalent or better slip resistance should be chosen.

FLOOR FINISHES By Owner
If designer has not been involved in the selection of surface finishes, the owner is responsible for the selection of surface finishes in the pedestrian trafficable areas of this building. Surfaces should be selected in accordance with AS HB 197:1999 and AS/NZ 4586:2004.

STEPS, LOOSE OBJECTS AND UNEVEN SURFACES
Due to design restrictions for this building, steps and/or ramps are included in the building which may be a hazard to workers carrying objects or otherwise occupied. Steps should be clearly marked with both visual and tactile warning during construction, maintenance, demolition and at all times when the building operates as a workplace. Building owners and occupiers should monitor the pedestrian access ways and in particular access to areas where maintenance is routinely carried out to ensure that surfaces have not moved or cracked so that they become uneven and present a trip hazard. Spills, loose material, stray objects or any other matter that may cause a slip or trip hazard should be cleaned or removed from access ways. Contractors should be required to maintain a tidy work site during construction, maintenance or demolition to reduce the risk of trips and falls at the workplace. Materials for construction or maintenance should be stored in designated areas away from access ways and work areas.

2. FALLING OBJECTS

LOOSE MATERIALS OR SMALL OBJECTS
Construction, maintenance or demolition work on or around this building is likely to involve persons working above ground level or above floor levels. Where this occurs one or more of the following measures should be taken to avoid objects falling from the area where the work is being carried out onto persons below.

1. **Prevent or restrict access to areas below where the work is being carried out.**
2. **Provide toeboards to scaffolding or work platforms.**
3. **Provide protective structure below the work area.**
4. **Ensure that all persons below the work area have Personal Protective Equipment (PPE).**

BUILDING COMPONENTS
During construction, renovation or demolition of this building, parts of the structure including fabricated steelwork, heavy panels and many other components will remain standing prior to or after supporting parts are in place. Contractors should ensure that temporary bracing or other required support is in place at all times when collapse which may injure persons in the area is a possibility.

Mechanical lifting of materials and components during construction, maintenance or demolition presents a risk of falling objects. Contractors should ensure that appropriate lifting devices are used, that loads are properly secured and that access to areas below the load is prevented or restricted.

3. TRAFFIC MANAGEMENT

For building on a major road, narrow road or steeply sloping road: Parking of vehicles or loading/unloading of vehicles on this roadway may cause a traffic hazard. During construction, maintenance or demolition of this building designated parking for workers and loading areas should be provided. Trained traffic management personnel should be responsible for the supervision of these areas. For building where on-site loading/unloading is restricted: Construction of this building will require loading and unloading of materials on the roadway. Deliveries should be well planned to avoid congestion of loading areas and trained traffic management personnel should be used to supervise loading/unloading areas. For all buildings: Busy construction and demolition sites present a risk of collision where deliveries and other traffic are moving within the site. A traffic management plan supervised by trained traffic management personnel should be adopted for the work site.

4. SERVICES

GENERAL
Rupture of services during excavation or other activity creates a variety of risks including release of hazardous material. Existing services are located on or around this site. Where known, these are identified on the plans but the exact location and extent of services may vary from that indicated. Services should be located using an appropriate service (such as Dial Before You Dig), appropriate excavation practice should be used and, where necessary, specialist contractors should be used. Locations with underground power: Underground power lines MAY be located in or around this site. All underground power lines must be disconnected or carefully located and adequate warning signs used prior to any construction, maintenance or demolition commencing. Locations with overhead power lines: Overhead power lines MAY be near or on this site. These pose a risk of electrocution if struck or approached by lifting devices or other plant and persons working above ground level. Where there is a danger of this occurring, power lines should be, where practical, disconnected or relocated. Where this is not practical adequate warning in the form of bright coloured tape or signage should be used or a protective barrier provided.

5. MANUAL TASKS

Components within this design with a mass in excess of 25kg should be lifted by two or more workers or by mechanical lifting device. Where this is not practical, suppliers or fabricators should be required to limit the component mass. All material packaging, building and maintenance components should clearly show the total mass of packages and where practical all items should be stored on site in a way which minimises handling before lifting. Advice should be provided on safe lifting methods in all areas where lifting may occur. Construction, maintenance and demolition of this building will require the use of portable tools and equipment. These should be fully maintained in accordance with manufacturer's specifications and not used where faulty or (in the case of electrical equipment) not carrying a current electrical safety tag. All safety guards or devices should be regularly checked and Personal Protective Equipment should be used in accordance with manufacturer's specification.

6. HAZARDOUS SUBSTANCES

ASBESTOS
For alterations to a building constructed prior to 1990: If this existing building was constructed prior to asbestos 1990 - it therefore may contain asbestos 1986 - it therefore is likely to contain either in cladding material or in fire retardant insulation material. In either case, the builder should check and, if necessary, take appropriate action before demolishing, cutting, sanding, drilling or otherwise disturbing the existing structure.

POWDERED MATERIALS
Many materials used in the construction of this building can cause harm if inhaled in powdered form. Persons working on or in the building during construction, operational maintenance or demolition should ensure good ventilation and wear Personal Protective Equipment including protection against inhalation while using powdered material or when sanding, drilling, cutting or otherwise disturbing or creating powdered material.

TREATED TIMBER
The design of this building may include provision for the inclusion of treated timber within the structure. Dust or fumes from this material can be harmful. Persons working on or in the building during construction, operational maintenance or demolition should ensure good ventilation and wear Personal Protective Equipment including protection against inhalation of harmful material when sanding, drilling, cutting or using treated timber in any way that may cause harmful material to be released. Do not burn treated timber.

VOLATILE ORGANIC COMPOUNDS
Many types of glue, solvents, spray packs, paints, varnishes and some cleaning materials and disinfectants have dangerous emissions. Areas where these are used should be kept well ventilated while the material is being used and for a period after installation. Personal Protective Equipment may also be required. The manufacturer's recommendations for use must be carefully considered at all times.

SYNTHETIC MINERAL FIBRE
Fibreglass, rockwool, ceramic and other material used for thermal or sound insulation may contain synthetic mineral fibre which may be harmful if inhaled or if it comes in contact with the skin, eyes or other sensitive parts of the body. Personal Protective Equipment including protection against inhalation of harmful material should be used when installing, removing or working near bulk insulation material.

TIMBER FLOORS
This building may contain timber floors which have an applied finish. Areas where finishes are applied should be kept well ventilated during sanding and application and for a period after installation. Personal Protective Equipment may also be required. The manufacturer's recommendations for use must be carefully considered at all times.

7. CONFINED SPACES

EXCAVATION
Construction of this building and some maintenance on the building will require excavation and installation of items within excavations. Where practical, installation should be carried out using methods which do not require workers to enter the excavation. Where this is not practical, adequate support for the excavated area should be provided to prevent collapse. Warning signs and barriers to prevent accidental or unauthorised access to all excavations should be provided.

ENCLOSED SPACES
For buildings with enclosed spaces where maintenance or other access may be required: Enclosed spaces within this building may present a risk to persons entering for construction, maintenance or any other purpose. The design documentation calls for warning signs and barriers to unauthorised access. These should be maintained throughout the life of the building. Where workers are required to enter enclosed spaces, air testing equipment and Personal Protective Equipment should be provided.

SMALL SPACES
For buildings with small spaces where maintenance or other access may be required:
Some small spaces within this building will require access by construction or maintenance workers. The design documentation calls for warning signs and barriers to unauthorised access. These should be maintained throughout the life of the building. Where workers are required to enter small spaces they should be scheduled so that access is for short periods. Manual lifting and other manual activity should be restricted in small spaces.

8. PUBLIC ACCESS

Public access to construction and demolition sites and to areas under maintenance causes risk to workers and public. Warning signs and secure barriers to unauthorised access should be provided. Where electrical installations, excavations, plant or loose materials are present they should be secured when not fully supervised.

9. OPERATIONAL USE OF BUILDING RESIDENTIAL BUILDINGS

This building has been designed as a residential building. If it, at a later date, it is used or intended to be used as a workplace, the provisions of the Work Health and Safety Act 2011 or subsequent replacement Act should be applied to the new use.

10.OTHER HIGH RISK ACTIVITY

Code All electrical work should be carried out in accordance with of Practice:
Managing Elecirical Risks at the Workplace, AS/NZ and all licensing requirements. 3012. All work using Plant should be carried out in accordance with Code of Practice:
Managing Risks of Plant at the Workplace. Code of All work should be carried out in accordance with. Practice:
Managing Noise and Preventing Hearing Loss at Work. Due to the history of serious incidents it is recommended that particular care be exercised when undertaking work involving steel construction and concrete placement. All the above applies.

EXCAVATIONS

1.Excavations
The part of the site to be covered by the proposed building or buildings and an area at least 1000mm wide around that part of the site or to boundaries of the site, whichever is the lesser, shall be cleared or graded as indicated on the site works plan.
Top soil shall be cut to a depth sufficient to remove all vegetation.
Excavations for all footings shall be in accordance with the Engineer's Recommendations or the BCA requirements.

FOUNDATIONS AND FOOTINGS

1. Underfloor Fill
Underfloor fill shall be in accordance with the BCA.
2. Termite Risk Management
Termite treatment shall be carried out in accordance with the BCA.
3. Vapour Barrier
The vapour barrier installed under slab-on-ground construction shall be 0.2mm nominal thickness, high impact resistance polyethylene film installed in accordance with the BCA.
4. Reinforcement
Reinforcement shall conform and be placed in accordance with the Engineer's Recommendation and the BCA.
Support to all reinforcement shall be used to correctly position and avoid any undue displacement of reinforcement during the concrete pour.
5. Concrete
Structural shall not be less than Grade N20 except otherwise approved by the engineer and in accordance with the BCA.
6. Curing
All concrete slabs shall be cured in accordance with AS 3600.
7. Footings and Slabs on Ground
Concrete slabs and footings shall not be poured until approval to pour concrete is given by the engineer or the *Local Authority.*
8. Sub-Floor Ventilation
Where required, adequate cross ventilation will be provided to the space under suspended ground floor. Construction is to meet the requirements of the BCA. No section of the under floor area wall to be constructed in such manner that will hold pockets of still air.
9. Sub-Floor Access
If required, access will be provided under suspended floors in position where indicated on plan.

EFFLUENT DISPOSAL/DRAINAGE

1. Storm Water Drainage
Stormwater drainage shall be carried out in accordance with the BCA. The Builder will allow for the supplying and laying of stormwater drains where shown on the site plan.

TIMBER FRAMING

1. Generally
All timber framework sizes, spans, spacing, notching, checking and fixing to all floor, wall and roof structure shall comply with the BCA or AS 1684. Alternative structural framing shall be to structural engineer's details and certification.
The work shall be carried out in a proper and trades personal like manner and shall be in accordance with recognised and accepted building practices.
2. Roof Trusses
Where roof truss construction is used, trusses shall be designed in accordance with AS 1720 and fabricated in a properly equipped factory and erected, fixed and braced in accordance with the fabricator's written instructions.
3. Bracing
Bracing units shall be determined and installed in accordance with AS 1684 as appropriate for the design wind velocity for the site. Bracing shall be evenly distributed throughout the building.
4. Flooring
Floor joists will be covered with strip or sheet flooring as shown on plan with particular regard to ground clearance and installation in wet areas as required by the BCA. Thickness of the flooring is to be appropriate for the floor joist spacing.
Strip and sheet flooring shall be installed in accordance with AS 1684.
When listed in Schedule of Works, floors shall be sanded to provide an even surface and shall be left clean throughout.
5. Timber Posts
Posts supporting the carports, verandas and porches shall be timber suitable for external use, or as otherwise specified, supported on galvanised or treated metal post shoes, unless otherwise specified. Posts shall be bolted to all adjoining beams as required by AS 1684 for the wind speed classification assessed for the site.
6. Corrosion Protection
All metal brackets, facing plates and other associated fixings used in structural timber joints and bracing must have appropriate corrosion protection.

STEEL FRAMING

1. Generally
Steel floor, wall or roof framing shall be installed in accordance with the manufacturer's recommendations and the BCA.

ROOFING

ROOFING
All roof cladding is to comply with the relevant structural performance and weathering requirements of the BCA and be installed as per the manufacturer's recommendations.
1.Tiled Roofing
The Builder will cover the roof of the dwelling with approved tiles as selected. The tiles are to be fixed (as required for appropriate design and wind speed) to battens of sizes appropriate to the spacing of rafters/trusses in accordance with the manufacturer's recommendations. The Builder will cover hips and ridges with capping and all necessary accessories including starters and apex caps. Capping and verge tiles are to be well bedded and neatly pointed. Roofing adjacent to valleys should be fixed so as to minimise water penetration as far as practicable. As roof tiles are made of natural products slight variation in colour is acceptable.
2. Metal Roofing
The Builder will provide and install a metal roof together with accessories all in accordance with the manufacturer's recommendations.
Except where design prohibits, sheets shall be in single lengths from fascia to ridge. Fixing sheets shall be strictly in accordance with the manufacturer's recommendation as required for the appropriate design and wind speed. Incompatible materials shall not be used for flashings, fasteners or downpipes.
3. Gutters and Downpipes
Gutters and downpipes shall be manufactured and installed in accordance with the BCA. Gutters and downpipes are to be compatible with other materials used.
4. Sarking
Sarking under roof coverings must comply with and be fixed in accordance with manufacturer's recommendations.
5. Sealants
Appropriate sealants shall be used where necessary and in accordance with manufacturer's recommendations.
6. Flashing
Flashings shall comply with, and be installed in accordance with the BCA.

MASONRY

1. Damp Proof Courses
All damp proof courses shall comply with the BCA and Clause 1.0.10. The damp proof membrane shall be visible in the external face of the masonry member in which it is placed and shall not be bridged by any applied coatings, render or the like.
2. Cavity Ventilation
Open vertical joints (weepholes) must be created in the course immediately above any DPC or flashing at centres not exceeding 1.2m and must be in accordance with the BCA.
3. Mortar and Joining
Mortar shall comply with the BCA. Joint tolerances shall be in accordance with AS 3700.
4. Lintels
Lintels used to support brickwork opening in walls must be suitable for the purpose as required by the BCA. The *Builder* will provide one lintel to each wall leaf. The *Builder* will provide corrosion protection in accordance with the BCA Part 3.4.4 as appropriate for the site environment and location of the lintels in the structure.
5. Cleaning
The *Builder* will clean all exposed brickwork with an approved cleaning system. Care should be taken not to damage brickwork or joints and other fittings.

CLADDING AND LININGS

1. External Cladding
Sheet materials or other external cladding shall be fixed in accordance with the manufacturer's recommendations and any applicable special details.
Where required in open verandas, porches and eave soffits, materials indicated on the plans shall be installed.
2.Internal Wall and Ceilings Linings
The *Builder* will provide gypsum plasterboards or other selected materials to walls and ceilings. Plasterboard sheets are to have recessed edges and will be a minimum of 10mm thick. Internal angles in walls from floor to ceiling are to be set. Suitable cornice mouldis shall be fixed at the junction of all walls and ceilings or the joint set as required. The lining of wet area and walls shall be constructed in accordance with the BCA. Wet area lining is to be fixed in accordance with the manufacturer's recommendations.
The ceiling access hole shall be of similar material to the adjacent ceiling.
3.Waterproofing
All internal wet area and balconies over internal habitable rooms are to be waterproof in accordance with the BCA.

JOINERY

1. General
All joinery work (metal and timber) shall be manufactured and installed according to accepted building practices.
2. Door Frames
External door frames shall be a minimum of 32mm thick solid rebated 12mm deep to receive doors. Internal jamb linings shall be a minimum of 18mm thick fit with 12mm thick door stops. Metal doorframes shall be installed where indicated on drawings in accordance with the manufacturer's recommendations.
3. Doors and Doorsets
All internal and external timber door and door sets shall be installed in accordance with accepted building practices. Unless listed otherwise in the Schedule of Works, doors and door sets shall be manufactured in accordance with AS 2688 and AS 2689.
4. Window and Sliding Doors
Sliding and other timber windows and doors shall be manufactured and installed in accordance with AS 2047.
Sliding and other aluminium windows and the doors shall be installed in accordance with manufacturer's recommendations and AS 2047.
All glazing shall comply with the BCA and any commitments outlined in the relevant BASIX Certificate.
5. Stairs, Balustrades and other Barriers
The *Builder* will provide stairs or ramps to any change in levels, and balustrades or barriers to at least one side of ramps, landings and balconies as per the BCA.

SERVICES

1.Plumbing
All plumbing shall comply with the requirements of the relevant supply authority and AS 3500. The work is to be carried out by a licensed plumber.
Fixings, as listed in the Schedule of Works, shall be supplied and installed to manufacturer's recommendations. Fittings, hot water system and any rainwater harvesting facilities shall be appropriate to satisfy any commitment outlined in the relevant BASIX Certificate.
2.Electrical
The *Builder* will provide all labour and materials necessary for the proper installation of the electricity service by a licensed electrician in accordance with AS/NZS 3000 and the requirements of the relevant supply authority. Unless otherwise specified, the electrical service shall be 240 volt, single phase supply.
3.Gas
All installation (including LPG) shall be carried out in accordance with the rules and requirements of the relevant supply authority.
4.Smoke Detectors
The *Builder* will provide and install smoke alarms manufactured in accordance with AS 3786 AS specified or as indicated on the plans and in accordance with the BCA.
5.Thermal Insulation
Where thermal insulation is used in the building fabric or services, such as air conditioning ducting or hot water systems, it shall be installed in accordance with manufacturer's recommendations to achieve the R-Values required by the BCA or as outlined in the relevant BASIX Certificate.

TILING

1.Materials
Cement mortar and other adhesives shall comply with AS 3958.1 or tile manufacturer's recommendation.
2.Installation
Installation of tiles shall be in accordance with AS 3958.1, manufacturer's recommendations or accepted building practices. Where practicable, spacing between tiles should be even and regular. The *Builder* will provide expansion joints where necessary. All vertical and horizontal joints between walls and fixtures e.g. bench top, bath, etc. and wall/floor junctions to be filled with flexible mould resistant sealant. All joints in the body of tiled surfaces shall be neatly filled with appropriate grout material as specified by the tile manufacturer or accepted building practice. As tiles are made of natural products a slight variation in colour is acceptable.

SEDIMENT CONTROL FENCING DETAIL NOT TO SCALE

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BDA

Project: RENOVATION		WORK SAFETY NOTES	
LOT No: 17 DP No: 31187	SHEET:7 OF 9	SCALE:	As indicated
STREET No: 25		SHEET SIZE:	A3
STREET: BOURNE STREET, PORT MACQUARIE		START DATE:	05.06.15
CLIENT: LECKIE		DWG No:	D3067

AMENDMENTS:

Date:	Detail:	Issue:	Drawn:
05.07.16	CLIENT CHANGES	P	MS
08.07.16	NOTES	Q	DS
09.08.16	CDC CHANGES	R	DS
22.08.16	DA PLANS FOR DECK	S	DS
23.08.16	CHANGES	T	DS
24.08.16	CHANGES	U	DS
29.08.16	CHANGES	V	DS

THESE NOTES MUST BE READ AND UNDERSTOOD BY ALL INVOLVED IN THE PROJECT. THIS INCLUDES (but is not limited to): OWNER, BUILDER, SUB-CONTRACTORS, CONSULTANTS, RENOVATORS, OPERATORS, MAINTENORS, DEMOLISHERS.

BUILDING SPECIFICATIONS FOR CLASS 1 AND 10 BUILDINGS

All works to be completed in accordance with the current version of the National Construction Code Series, including Building Code of Australia (BCA), Volume 2 and the Plumbing Code of Australia (PCA), Volume 3 as applicable.
All Australian Standards listed are the versions that have been adopted by the relevant version of the National Construction Code Series at the time of Construction Certificate or Complying Development Certificate Application.

SITE PREPARATION

Earthworks - Earthworks are to be undertaken in accordance with Part 3.1.1 of the BCA.
Drainage – Stormwater drainage is to be undertaken in accordance with AS/NZS 3500.3, or, Section 5 of 3500.5, or, the Acceptable Construction Practice as detailed in Part 3.1.2 of the BCA.
Termite Risk Management – Where a primary building element is considered susceptible to termite attack the building shall be protected in accordance with the following:
a) AS 3600.1, and
b) A durable notice is permanently fixed to the building in a prominent location, such as in a meter box or the like, including the details listed in Part 3.1.3.2 of the BCA, or
c) The Acceptable Construction Practice as detailed in accordance with Part 3.1.3 of the BCA.

FOOTINGS AND SLABS

The footing or slab is to be constructed in accordance with AS 2870, except that, for the purposes of Clause 5.3.3.1 of AS 2870, a damp-proofing membrane is required to be provided, or, the Acceptable Construction Practice detailed in Part 3.2 of the BCA.

Piled footings are to be designed in accordance with AS 2159.

MASONRY

Unreinforced Masonry – to be designed and constructed in accordance with;

a) AS 3700; or
b) AS 4773 Parts 1 and 2.
Reinforced Masonry – to be designed and constructed in accordance with;
a) AS 3700; or
b) AS 4773 parts 1 and 2

Masonry Accessories – to be constructed and installed in accordance with;

a) AS 3700; or
b) AS 4773 Parts 1 and 2.
Weatherproofing of Masonry
This Part applies to an external wall (including the junction between the wall and any window or door) of a Class 1 Building.
This Part does *not* apply to any Class 10 building except where its construction contributes to the weatherproofing of the Class 1 building.
The weatherproofing of *masonry* is to be carried out in accordance with;
a) AS 3700; or
b) AS 4773 Part2 1 and 2

FRAMING

Structural Software – Must comply with the Australian Building Codes Board (ABCB) Protocol for Structural Software and Part 3.4.0.2 of the BCA.
Sub-Floor Ventilation – Is to comply with the Acceptable Construction Practice of Part 3.4.1 of the BCA.
Steel Framing – is to be designed and constructed in accordance with the Acceptable Construction Practice of Part 3.4.2 of the BCA, or, one of the following manuals:
a) Steel structures: AS 4100.
b) Cold-formed steel structures: AS/NZS4600.
c) Residential and low-rise steel framing: NASH Standard.
Timber Framing – is to be designed and constructed in accordance with the following, as appropriate:
a) AS 1684.2.
b) AS 1684.4.
Structural Steel Members – is to be designed and constructed in accordance with the Acceptable Construction Practice of Part 3.4.4 of the BCA, or, one of the following manuals:
a) Steel Structures: AS 4100.
b) Cold-formed steel structures: AS/NZS 4600.

ROOF AND WALL CLADDING

Roof Cladding – is to comply with the Acceptable Construction Practice of Part 3.5.1 of the BCA, or, one of the following:
a) Roofing tiles: AS 2049 and AS 2050.
b) Metal roofing: AS 1562.1.
c) Plastic sheet roofing: AS/NZS 4256 Parts 1, 2, 3 and 5; and AS/NZS 1562.3.
d) Corrugated fibre-reinforced cement sheet roofing: AS/NZS 1562.2.
e) Asphalt shingles: ASTM D3018-90.
f) Pliable membrane and underlay: AS/NZS 4200 Parts 1 and 2.
Gutters and Downpipes – are to be designed and constructed in accordance with the Acceptable Construction Practice of Part 3.5.2 of the BCA, or, AS/NZS 3500.3 – Stormwater drainage, or AS/NZS 3500.5 – Domestic installations, Section 5 – Stormwater drainage.
Wall Cladding – to be designed and constructed in accordance with Acceptable Construction Practice of Part 3.5.3.1 of the BCA, or, for metal wall cladding if it is designed and constructed in accordance with AS 1562.1.

GLAZING

Glazing – to be designed and constructed in accordance with the Acceptable Construction Practice of Part 3.6.1 of the BCA, or, one of the following manuals as applicable:
a) AS 2047.
b) AS 1288.

FIRE SAFETY

Fire Separation – to be designed and constructed in accordance with the Acceptable Construction Practice of Part 3.7.1 of the BCA.
Smoke Alarms – to be designed, connected and located in accordance with the Acceptable Construction Practice of Part 3.7.2 of the BCA.
Heating Appliances – are to be installed in accordance with the Acceptable Construction Practice of part 3.7.3 of the BCA, or, one of the following manuals:
a) Domestic solid-fuel burning appliances are installed in accordance with AS/NZS 2918.
b) Boilers and pressure vessels are installed in accordance with AS/NZS 1200.

BUSHFIRE AREAS

Bushfire Areas – This section relates to:
a) A Class 1 building; or
b) A Class 10a building or deck associated with a Class 1 building.
If it is constructed in accordance with the following:
c) AS 3959, except for Section 9 Construction for Bushfire Attack Level FZ (BAL-FZ). Buildings subject to BAL-FZ must comply with specific conditions of development consent for construction at this level; or
d) The requirements of (c) above as modified by the development consent following consultation with the NSW Rural Fire Service undersection 79BA of the Environmental Planning and Assessment Act 1979; or
e) The requirements of (c) above as modified by the development consent with a bushfire safety authority issued under section 100B of the Rural Fire Act for the purposes of integrated development.

Alpine Areas – to be constructed in accordance with the Acceptable Construction Practice of Part 3.7.5 of the BCA if located in an alpine area, as identified in Figure 3.7.5.2 of the BCA.

HEALTH AND AMENITY

Wet Areas and External Waterproofing – building elements in wet areas within a building must:
a) Be waterproof or water resistant in accordance with Table 3.8.1.1 of the BCA; and
b) Comply with AS 3740.
Room Heights – are to be constructed in accordance with the Acceptable Construction Practice of Part 3.8.2 of the BCA.
Facilities – are to be constructed in accordance with Acceptable Practice of Part 3.8.3 of the BCA.
Light – is to be provided in accordance with the Acceptable Construction Practice of Part 3.8.4 of the BCA.
Ventilation – is to be provided in accordance with the Acceptable Construction Practice of Part 3.8.5 of the BCA.
Sound Insulation – (only applies to a separating wall between two or more class 1 buildings) is to be provided in accordance with the Acceptable Construction Practice of Part 3.8.6 of the BCA.

SAFE MOVEMENT AND ACCESS

Safe Movement and Access
Stair Construction – to be constructed and installed in accordance with the Acceptable Construction Practice of Part 3.9.1 of the BCA.
Balustrades and Handrails – to be constructed and installed in accordance with the Acceptable Construction Practice of Part 3.9.2 of the BCA.
Swimming Pool Access – to be designed and installed in accordance with the Swimming Pools Act 1992, Swimming Pool Regulation 2008 and AS 1926 Parts 1 and 2.
Swimming Pool Water recirculation Systems – is to be designed and constructed in accordance with AS1926.3.

ADDITIONAL CONSTRUCTION REQUIREMENTS

High Wind Areas – Applies to a region that is subject to design wind speeds more than N3 or C1 (see table 1.1.1 of the BCA). To be constructed in accordance with one or more of the relevant manuals of Part 3.10.1 of the BCA
Earthquake Areas – relates to areas subject to seismic activity. To be constructed in accordance with the Acceptable Construction Manuals listed in Part 3.11 of the BCA.
Flood Hazard Areas – applies to areas on a site (weather or not mapped) encompassing the land lower than the flood hazard level (as defined by the BCA) which has been determined by the appropriate authority (statutory authority), are to be constructed in accordance with the ABCB Standard for Construction of Buildings in Flood Hazard Areas.

STRUCTURAL DESIGN MANUALS

Structural Design Manuals – is satisfied by complying with:
a) 3.11.2, 3.11.3 and 3.11.6 of the BCA; or
b) the relevant provisions of other Parts of Section 3 of the Housing Provisions of the BCA relating to structural elements; or
c) any combination thereof.

ENERGY EFFICIENCY

Energy Efficiency – to comply with the measures contained in the relevant BASIX certificate.

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Project: RENOVATION		BUILDING SPECIFICATION NOTES (CLASS 1&10)	
LOT No: 17 DP No: 31187	SHEET:8 OF 9	SCALE:	1 : 100
STREET No: 25		SHEET SIZE:	A3
STREET: BOURNE STREET, PORT MACQUARIE		START DATE:	05.06.15
CLIENT: LECKIE		DWG No:	D3067

AMENDMENTS:

Date:	Detail:	Issue:	Drawn:
05.07.16	CLIENT CHANGES	P	MS
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23.08.16	CHANGES	T	DS
24.08.16	CHANGES	U	DS
29.08.16	CHANGES	V	DS

AS 3959-2009 - CONSTRUCTION OF BUILDINGS IN BUSHFIRE PRONE AREAS (BAL - 12.5)

THESE NOTES MUST BE READ AND UNDERSTOOD BY ALL INVOLVED IN THE PROJECT.
THIS INCLUDES (but is not limited to): OWNER, BUILDER, SUB-CONTRACTORS, CONSULTANTS, RENOVATORS, OPERATORS, MAINTENORS, DEMOLISHERS.

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SECTION 5 CONSTRUCTION FOR BUSHFIRE ATTACK LEVEL 12.5 (BAL—12.5)

5.1 GENERAL
A building assessed in Section 2 as being BAL—12.5 shall comply with Section 3 and
Clauses 5.2 to 5.8.
NOTE: There are a number of Standards that specify requirements for construction; however, where this Standard does not provide construction requirements for a particular element, the other Standards apply.
Any element of construction or system that satisfies the test criteria of AS 1530.8.1 may be used in lieu of the applicable requirements contained in Clauses 5.2 to 5.8 (see Clause 3.8).
NOTE: BAL—12.5 is primarily concerned with protection from ember attack and radiant heat up to and including 12.5 kW/m2 where the site is less than 100 m from the source of bushfire attack.

NSW RURAL FIRE SERVICE ADDENDUM: APPENDIX 3
"7.2 SUBFLOOR SUPPORTS

This Standard does not provide construction requirements for subfloor supports where the subfloor space is enclosed with—
a. a wall that complies with ..... **(Clause 5.4 or 6.4 as appropriate)**; or
b. a mesh or perforated sheet with a maximum aperture of 2 mm, made of corrosion resistant steel, bronze or aluminium; or
c. a combination of items (a) and (b) above.

Where the subfloor space is unenclosed, the support posts, columns, stumps, piers and poles shall be—
(i) of non-combustible material; or
(ii) of bushfire-resisting timber (see Appendix F); or
(iii) a combination of items (i) and (ii) above.

NOTE: This requirement applies to the principal building only and not to verandas, decks, steps, ramps and landings (see Clause 7.7)."

NSW RURAL FIRE SERVICE ADDENDUM: APPENDIX 3
"7.3.2 Elevated floors
7.3.2.1 Enclosed subfloor space

This Standard does not provide construction requirements for elevated floors, including bearers, joists and flooring, where the subfloor space is enclosed with—
a. a wall that complies with ..... **(Clause 5.4 or 6.4 as appropriate)**; or
b. a mesh or perforated sheet with a maximum aperture of 2 mm, made of corrosion resistant steel, bronze or aluminium; or
c. a combination of items (a) and (b) above.

7.3.2.2 Unenclosed subfloor space

Where the subfloor space is unenclosed, the bearers, joists and flooring, less than 400 mm above finished ground level, shall be one of the following:

a. Materials that comply with the following:
(i) Bearers and joists shall be—
A. non-combustible; or
B. bushfire-resisting timber (see Appendix F); or
C. a combination of items (A) and (B) above.
(ii) Flooring shall be—
A. non-combustible; or
B. bushfire-resisting timber (see Appendix F); or
C. timber (other than bushfire-resisting timber), particleboard or plywood flooring where the underside is lined with sarking-type material or mineral wool insulation; or
D. a combination of any of items (A), (B) or (C) above, or

b. A system complying with AS 1530.8.1

This Standard does not provide construction requirements for elements of elevated floors, including bearers, joists and flooring, if the underside of the element is 400 mm or more above finished ground level."

5.4 EXTERNAL WALLS
5.4.1 Walls
That part of an external wall surface that is less than 400 mm from the ground or less than 400 mm above decks, carport roofs, awnings and similar elements or fittings having an angle less than 18 degrees to the horizontal and extending more than 110 mm in width from the wall (see Figure D3, Appendix D) shall be of—
(a) non-combustible material; or
(b) fibre-cement external cladding, a minimum of 6 mm in thickness; or
(c) bushfire-resisting timber (see Appendix F); or
(d) a timber species as specified in Paragraph E1, Appendix E; or
(e) a combination of any of items (a), (b), (c) or (d) above.

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There are no requirements for external wall surfaces 400 mm or more from the ground or for external wall surfaces 400 mm or more above decks, carport roofs, awnings and similar elements or fittings having an angle less than 18 degrees to the horizontal and extending more than 110 mm in width from the wall (see Figure D3, Appendix D).
5.4.2 Joints
All joints in the external surface material of walls shall be covered, sealed, overlapped, backed or butt-jointed to prevent gaps greater than 3 mm. Alternatively, sarking-type material may be applied over the outer face of the frame prior to fixing any external cladding.
5.4.3 Vents and weepholes
Vents and weepholes in external walls shall be screened with a mesh with a maximum aperture of 2 mm, made of corrosion-resistant steel, bronze or aluminium, except where the vents and weepholes are less than 3 mm (see Clause 3.6), or are located in an external wall of a subfloor space.

5.5 EXTERNAL GLAZED ELEMENTS AND ASSEMBLIES AND EXTERNAL
DOORS
5.5.1 Bushfire shutters
Where fitted, bushfire shutters shall comply with Clause 3.7 and be made from—
(a) non-combustible material; or
(b) a timber species as specified in Paragraph E1, Appendix E; or
(c) bushfire-resisting timber (see Appendix F); or
(d) a combination of any of items (a), (b) or (c) above.
5.5.1A Screens for windows and doors
Where fitted, screens for windows and doors shall have a mesh or perforated sheet with a maximum aperture of 2 mm, made of corrosion-resistant steel, bronze or aluminium. Gaps between the perimeter of the screen assembly and the building element to which it is fitted
shall not exceed 3 mm.
The frame supporting the mesh or perforated sheet shall be made from—
(a) metal; or
(b) bushfire-resisting timber (see Appendix F); or
a timber species as specified in Paragraph E2, Appendix E.
5.5.2 Windows
Window assemblies shall comply with one of the following:
(a) They shall be completely protected by a bushfire shutter that complies with Clause 5.5.1.
or
(b) They shall be completely protected externally by screens that comply with Clause 5.5.1A.
or

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(c) They shall comply with the following:
(i) For window assemblies less than 400 mm from the ground or less than 400 mm above decks, carport roofs, awnings and similar elements or fittings having an angle less than 18 degrees to the horizontal and extending more than 110 mm in width from the window frame (see Figure D3, Appendix D), window frames
and window joinery shall be made from one of the following:
(A) Bushfire-resisting timber (see Appendix F).
or
(B) A timber species as specified in Paragraph E2, Appendix E.
or
(C) Metal.
or
(D) Metal-reinforced PVC-U. The reinforcing members shall be made from aluminium, stainless steel, or corrosion-resistant steel and the frame and sash shall satisfy the design load, performance and structural strength of the member.
(ii) External fly screen hardware that supports the sash in its functions of opening and closing shall be metal.
(iii) Where glazing is less than 400 mm from the ground or less than 400 mm above decks, carport roofs, awnings and similar elements or fittings having an angle less than 18 degrees to the horizontal and extending more than 110 mm in width from the window frame (see Figure D3, Appendix D), the glazing shall be
Grade A safety glass minimum 4 mm, or glass blocks with no restriction on glazing methods.

NOTE: Where double glazed units are used the above requirements apply to the external face of the window assembly only.
(iv) Where glazing is other than that specified in item (iii) above, annealed glass may be used.
(v) The openable portions of windows shall be screened internally or externally with screens that comply with Clause 5.5.1A.
5.5.3 Doors—Side-hung external doors (including French doors, panel fold and bi-fold doors)
Side-hung external doors, including French doors, panel fold and bi-fold doors, shall comply with one of the following:
(a) They shall be protected by a bushfire shutter that complies with Clause 5.5.1.
or
(b) They shall be completely protected externally by screens that comply with Clause 5.5.1A.
or
(c) They shall comply with the following:
(i) Doors shall be—
(A) non-combustible; or
(B) a solid timber door, having a minimum thickness of 35 mm for the first 400 mm above the threshold; or

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(C) a door, including a hollow core door, with a non-combustible kickplate on the outside for the first 400 mm above the threshold; or
(D) a fully framed glazed door, where the framing is made from materials required for bushfire shutters (see Clause 5.5.1), or from a timber species as specified in Paragraph E2, Appendix E.
(ii) Where doors incorporate glazing, the glazing shall comply with the glazing requirements for windows.
(iii) Doors shall be tight-fitting to the door frame and to an abutting door, if applicable.
(iv) Where any part of the door frame is less than 400 mm from the ground or less than 400 mm above decks, carport roofs, awnings and similar elements or fittings having an angle less than 18 degrees to the horizontal and extending more than 110 mm in width from the door (see Figure D3, Appendix D), that part of the door frame shall be made from one of the following:
(A) Bushfire-resisting timber (see Appendix F).
or
(B) A timber species as specified in Paragraph E2, Appendix E.
or
(C) Metal.
or
(D) Metal-reinforced PVC-U. The reinforcing members shall be made from aluminium, stainless steel, or corrosion-resistant steel and the door assembly shall satisfy the design load, performance and structural strength of the member.
(v) Weather strips, draught excluders or draught seals shall be installed at the base of side-hung external doors.
5.5.4 Doors—Sliding doors
Sliding doors shall comply with one of the following:
(a) They shall be protected by a bushfire shutter that complies with Clause 5.5.1.
or
(b) They shall be completely protected externally by screens that comply with Clause 5.5.1A.
or
(c) They shall comply with the following:
(i) Any glazing incorporated in sliding doors shall be Grade A safety glass complying with AS 1288.
(ii) Both the door frame supporting the sliding door and the framing surrounding any glazing shall be made from one of the following:
(A) Bushfire-resisting timber (see Appendix F).
or
(B) A timber species as specified in Paragraph E2, Appendix E.
or

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(C) Metal.
or
(D) Metal-reinforced PVC-U. The reinforcing members shall be made from aluminium, stainless steel, or corrosion-resistant steel and the frame and the sash shall satisfy the design load, performance and structural strength of the member.
(iii) There is no requirement to screen the openable part of the sliding door. However, if screened, the screens shall comply with Clause 5.5.1A. NOTE: The construction of manufactured sliding doors should prevent the entry of embers when the door is closed. There is no requirement to provide screens to the openable part of these doors as it is assumed that a sliding door will be closed if occupants are not present during a bushfire event. Screens of materials other than those specified may not resist ember attack.
(iv) Sliding doors shall be tight-fitting in the frames.

5.5.5 Doors—Vehicle access doors (garage doors)
The following apply to vehicle access doors:
(a) The lower portion of a vehicle access door that is within 400 mm of the ground when the door is closed (see Figure D4, Appendix D) shall be made from—
(i) non-combustible material; or
(ii) bushfire-resisting timber (see Appendix F); or
(iii) fibre-cement sheet, a minimum of 6 mm in thickness; or
(iv) a timber species as specified in Paragraph E1, Appendix E; or
(v) a combination of any of items (i), (ii), (iii) or (iv) above.
(b) Panel lift, tilt doors or side-hung doors shall be fitted with suitable weather strips, draught excluders, draught seals or guide tracks, as appropriate to the door type, with a maximum gap no greater than 3 mm.
(c) Roller doors shall have guide tracks with a maximum gap no greater than 3 mm and shall be fitted with a nylon brush that is in contact with the door (see Figure D4, Appendix D).
(d) Vehicle access doors shall not include ventilation slots.

5.6 ROOFS (INCLUDING VERANDA AND ATTACHED CARPORT ROOFS, PENETRATIONS, EAVES, FASCIAS, GABLES, GUTTERS AND DOWNPIPES)
5.6.1 General
The following apply to all types of roofs and roofing systems:
(a) Roof tiles, roof sheets and roof-covering accessories shall be non-combustible.
(b) The roof/wall junction shall be sealed, to prevent openings greater than 3 mm, either by the use of fascia and eaves linings or by sealing between the top of the wall and the underside of the roof and between the rafters at the line of the wall.
(c) Roof ventilation openings, such as gable and roof vents, shall be fitted with ember guards made of non-combustible material or a mesh or perforated sheet with a maximum aperture of 2 mm, made of corrosion-resistant steel, bronze or aluminium.

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5.6.2 Tiled roofs
Tiled roofs shall be fully sarked. The sarking shall—
(a) have a flammability index of not more than 5;
(b) be located directly below the roof battens;
(c) cover the entire roof area including the ridge; and
(d) be installed so that there are no gaps that would allow the entry of embers where the sarking meets fascias, gutters, valleys and the like.
5.6.3 Sheet roofs
Sheet roofs shall—
(a) be fully sarked in accordance with Clause 5.6.2, except that full-backed insulation blankets may be installed over the battens;
or
(b) have any gaps greater than 3 mm, under corrugations or ribs of sheet roofing and between roof components, sealed at the fascia or wall line and at valleys, hips and ridges by—
(i) a mesh or perforated sheet with a maximum aperture of 2 mm, made of corrosion-resistant steel, bronze or aluminium; or
(ii) mineral wool; or
(iii) other non-combustible material; or
(iv) a combination of any of items (i), (ii) or (iii) above.
5.6.4 Veranda, carport and awning roofs
The following apply to veranda, carport and awning roofs:
(a) A veranda, carport or awning roof forming part of the main roof space (see Figure D1(a), Appendix D) shall meet all the requirements for the main roof, as specified in Clauses 5.6.1, 5.6.2, 5.6.3, 5.6.5 and 5.6.6.
(b) A veranda, carport or awning roof separated from the main roof space by an external wall (see Figures D1(b) and D1(c), Appendix D) complying with Clause 5.4 shall have a non-combustible roof covering. NOTE: There is no requirement to line the underside of a veranda, carport or awning roof that is separated from the main roof space.
5.6.5 Roof penetrations
The following apply to roof penetrations:
(a) Roof penetrations, including roof lights, roof ventilators, roof-mounted evaporative cooling units, aerials, vent pipes and supports for solar collectors, shall be adequately sealed at the roof to prevent gaps greater than 3 mm. The material used to seal the penetration shall be non-combustible.
(b) Openings in the metal roof, as specified in Clauses 5.6.1, 5.6.2, 5.6.3, 5.6.5 and 5.6.6.
(b) Openings in the metal roof, as specified in Clauses 5.6.1, 5.6.2, 5.6.3, 5.6.5 and 5.6.6.

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(e) Flashing elements of tubular skylights may be of a fire-retardant material, provided the roof integrity is maintained by an under-flashing of a material having a flammability index no greater than 5.
(f) Evaporative cooling units shall be fitted with butterfly closers at or near the ceiling level or, the unit shall be fitted with non-combustible covers with a mesh or perforated sheet with a maximum aperture of 2 mm, made of corrosion-resistant steel,
bronze or aluminium.
(g) Vent pipes made from PVC are permitted.
5.6.6 Eaves linings, fascias and gables
The following apply to eaves linings, fascias and gables:
(a) Gables shall comply with Clause 5.4.
(b) Eaves penetrations shall be protected the same as for roof penetrations, as specified in Clause 5.6.5.
(c) Eaves ventilation openings greater than 3 mm shall be fitted with ember guards made of non-combustible material or a mesh or perforated sheet with a maximum aperture of 2 mm, made of corrosion-resistant steel, bronze or aluminium. Joins in eaves linings, fascias and gables may be sealed with plastic joining strips or timber storm moulds. This Standard does not provide construction requirements for fascias, bargeboards and
eaves linings.
5.6.7 Gutters and downpipes
This Standard does not provide material requirements for—
(a) gutters, with the exception of box gutters; and
(b) downpipes.
If installed, gutter and valley leaf guards shall be non-combustible. Box gutters shall be non-combustible and flashed at the junction with the roof with noncombustible material.

NSW RURAL FIRE SERVICE ADDENDUM: APPENDIX 3
"7.7 VERANDAS, DECKS, STEPS, RAMPS AND LANDINGS
7.7.1 General

Decking may be spaced.

There is no requirement to enclose the subfloor spaces of verandas, decks, steps, ramps or landings.

7.7.2 Enclosed subfloor spaces of verandas, decks, steps, ramps and landings
7.7.2.1 Materials to enclose a subfloor space

The subfloor spaces of verandas, decks, steps, ramps and landings are considered to be 'enclosed' when —
a. the material used to enclose the subfloor space complies with ..... **(Clause 5.4 or 6.4 as appropriate)**; and
b. all openings greater than 3 mm are screened with a mesh or perforated sheet with a maximum aperture of 2 mm, made of corrosion-resistant steel, bronze or aluminium.

7.7.2.2 Supports

This Standard does not provide construction requirements for support posts, columns, stumps, stringers, piers and poles.

7.7.2.3 Framing

This Standard does not provide construction requirements for the framing of verandas, decks, ramps or landings (i.e., bearers and joists).

7.7.2.4 Decking, stair treads and the trafficable surfaces of ramps and landings

Decking, stair treads and the trafficable surfaces of ramps and landings shall be—
a. of non-combustible material; or
b. of bushfire-resisting timber (see Appendix F);
or
c. a combination of items (a) and (b) above.

7.7.3 Unenclosed subfloor spaces of verandas, decks, steps, ramps and landings
7.7.3.1 Supports

Support posts, columns, stumps, stringers, piers and poles shall be—
a. of non-combustible material; or
b. of bushfire-resisting timber (see Appendix F);
or
c. a combination of items (a) and (b) above.

7.7.3.2 Framing

Framing of verandas, decks, ramps or landings (i.e., bearers and joists) shall be—
a. of non-combustible material; or
b. of bushfire-resisting timber (see Appendix F);
or
c. a combination of items (a) and (b) above.

7.7.3.3 Decking, stair treads and the trafficable surfaces of ramps and landings shall be—
a. of non-combustible material; or
b. of bushfire-resisting timber (see Appendix F);
or
c. a combination of items (a) and (b) above.

7.7.4 Balustrades, handrails or other barriers

Those parts of the handrails and balustrades less than 125 mm from any glazing or any combustible wall shall be—
a. of non-combustible material; or
b. bushfire-resisting timber (see Appendix F); or
c. a combination of items (i) and (ii) above.

Those parts of the handrails and balustrades that are 125 mm or more from the building have no requirements."

5.8 WATER AND GAS SUPPLY PIPES
Above-ground, exposed water and gas supply pipes shall be metal.

NSW RURAL FIRE SERVICE ADDENDUM: APPENDIX 3
SARKING
Any sarking used shall be:
a. Non-combustible; or
b. Breather-type sarking complying with AS/NZS 4200.1 and with a flammability index of not more than 5 (see AS1530.2) and sarked on the outside of the frame; or
c. An insulation material conforming to the appropriate Australian Standard for that material.

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BDA

Project: RENOVATION		BUSHFIRE CONSTRUCTION NOTES	
LOT No: 17 DP No: 31187	SHEET:9 OF 9	SCALE:	1 : 100
STREET No: 25		SHEET SIZE:	A3
STREET: BOURNE STREET, PORT MACQUARIE		START DATE:	05.06.15
CLIENT: LECKIE		DWG No:	D3067

AMENDMENTS:

Date:	Detail:	Issue:	Drawn:
05.07.16	CLIENT CHANGES	P	MS
06.07.16	NOTES	Q	DS
09.08.16	CDC CHANGES	R	DS
22.08.16	DA PLANS FOR DECK	S	DS
23.08.16	CHANGES	T	DS
24.08.16	CHANGES	U	DS
29.08.16	CHANGES	V	DS

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

NOTE: THESE ARE DRAFT ONLY

DA NO: 2016/383 **DATE: 2/11/2016**

SCHEDULE OF CONDITIONS ATTACHED TO THIS CONSENT

The conditions of consent referred to in the Notice of Determination for DA No 2016/383 are as follows:

PRESCRIBED CONDITIONS

The development is to be undertaken in accordance with the prescribed conditions of Part 6 - Division 8A of the *Environmental Planning & Assessment Regulations* 2000.

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
Development Plans	Sheets 1 to 9	Collins W Collins	29 August 2016

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:

a) the appointment of a Principal Certifying Authority and

b) 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) (A009) The development site is to be managed for the entirety of work in the following manner:

1. Erosion and sediment controls are to be implemented to prevent sediment from leaving the site. The controls are to be maintained until the development is complete and the site stabilised with permanent vegetation;
2. Appropriate dust control measures;
3. Building equipment and materials shall be contained wholly within the site unless approval to use the road reserve has been obtained. Where work adjoins the public domain, fencing is to be in place so as to prevent public access to the site;
4. Building waste is to be managed via an appropriate receptacle;

5. Building work 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.

B - PRIOR TO ISSUE OF CONSTRUCTION CERTIFICATE

(1) Prior to issue of a Construction Certificate, an Occupation Certificate shall be issued for the Complying Development Certificate issued for the works referred to in this approval.

(2) (B046) The building shall be designed and constructed so as to comply with the Bush Fire Attack (BAL) 12.5 requirements of Australian Standard 3959 and the specifications and requirements of Planning for Bush Fire Protection. Details shall be submitted to the Principal Certifying Authority with the application for Construction Certificate demonstrating compliance with this requirement.

Please note: Compliance with the requirements of Planning for Bush Fire Protection 2006 to prevail in the extent of any inconsistency with the Building Code of Australia.

C – PRIOR TO ANY WORK COMMENCING ON SITE

Nil

D – DURING CONSTRUCTION

Nil

E – 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.

From: Pat & Jeff Davis [redacted]
Sent: Monday, 17 October 2016 11:16 AM
To: Patrick Galbraith-Robertson
Subject: Submission for DA2016/383 - 25 Bourne St - September 2016

Hi Pat,

Thank you again for your assistance during the past few months.

The group who made the original submission has discussed the latest developments. As we were they are all very surprised and in fact very confused by the change to a mixed Complying Development and then additional DA.

Some had real trouble accessing the revised DA on the web site and then when they visited the Council were charged for a black and white photocopy. Because this copy did not identify the DA aspects as the red components – all were black – they found the DA very confusing, especially the assessment against the DCP section 5.

As a result all felt that we should prepare a submission outlining our continuing concerns - this time though as much with the confusing process as with the actual development.

Please find this group submission attached.

We are all concerned that this is becoming a very drawn out and confusing process.

Regards

Jeff and Pat Davis

Submission to Port Macquarie Hastings Council Re Development Proposal

Contacts for those making the Submission

Name	*Address*	*Phone*	*Email*
Jeff & Pat Davis	18 Bourne St	[redacted]	[redacted]
Jim Fischer	16 Bourne St	[redacted]	
Bernie & Rhonda Fitzpatrick	26 Bourne St	[redacted]	
Bill & Maureen Rourke	20 Bourne St	[redacted]	[redacted]

The same group of immediate neighbours have again agreed that given the short time period for submissions we would prepare a single submission from this group to avoid repetition and indicate a level of common concern. We note though that since the letter of notification was posted over a long weekend it did not arrive until mid-week. Several of us had trouble accessing the documents from the web site and when a copy was purchased from the Council Office was given a black and white version. This meant that the red coloured DA only component, was not clear so the documents resulted in much confusion. In addition several of the group were away during the school holiday period so we have not had time to fully consider the issues related to an unusual combined DA and Complying Development (CD) application which as we note below is a puzzle to us all. This means the submission is still rough and probably disjointed probably needing a few more rounds through the group.

Application Number: 2016/383 (September Version) – 25 Bourne St

Grounds for Objection to the Proposal.

With respect to the narrow details of the September version of the DA, we have few objections if the two suggested Non-compliance issues are indeed the only ones which apply to the development. The suggested two Non-Compliances issues apply to Section 3.2.2.10 of the DCP and both relate to the development not including privacy screens on two parts of the northern side of the building.

Our general view on these types of screens is that in this area with its variable sloping blocks and multiplicity of aspects for views that the DCP privacy screen requirements are too imposing. In many cases, we believe, inclusion of privacy screens, especially on decks and balconies, can in fact unduly affect the overall amenity of neighbours rather than enhancing this as is the supposed intention. An example being the privacy screen on one of the balconies at 24 Bourne St which impedes the view of the lighthouse for 26 Bourne St and seems to serve no other perpose.

In summary we believe that in general fewer privacy screens are better but in the case of specific screens the possible impact on the direct neighbours are all that really matter. They should be consulted and ideally before a DA is submitted.

Our primary objection to this development relates to the general process and how this seems to have evolved. Below highlights the issues associated with our forming this view:

1. **The Change from a single Development Application (DA) to a Complying Development (CD) and then an Associated DA.**

We are very surprised that a developer can change from a DA process to a CD process, especially when there has been considerable opposition to the original DA. Even more surprising is that then a follow-up DA can be submitted for some parts of the development which do not comply.

We are absolutely puzzled and concerned about this process. Surely a development is either fully complying or it must all be considered as a DA? We presume this is the whole point of the two separate processes. We must be missing something in the complex paper work. If not then we feel that the whole development should be considered as a DA and submitted as such.

The fact that a Private Certifier can be used to approve a CD which includes part of the development and then a DA submitted to Council for the rest is also a puzzle to us all. This seems to be a bazaar mixing of State and Local Government responsibilities, which based on our experience with another recent development in Bourne St, leads to developments with very poor outcomes for local residents, seemingly slipping through regulatory cracks. Again we strongly feel that a single DA should be required.

Further though we are especially surprised in this case since given the nature of blocks of land, such as those on the eastern side of most of Bourne St, it seems to us that meeting all requirements for a CD would be difficult to achieve. Certainly when we looked briefly at the proposed CD new plans we had trouble seeing that the new plans do achieve this. In particular regarding height, side etc. setbacks and that it should not exceed two stories at any cross section of the floor plan. We have not had the time or really the energy to read all the State and Council documents on CD's but feel that there are issues with this revised development. We do not believe that a Private Certifier, brought into the process at this advanced stage, would be aware of the previous concerns so again believe that the whole development should be considered as a single DA. Some of the issues related to this are discussed further below.

2. **The Revised Plans are Still Very Vague and Difficult to Follow.**

A major concern we had with the original DA plans continues with these the plans, that is, they continue to lack clear and full measurements and details so it is not possible to assess just what the highest point at any part of the plan is. Also missing is a clear shading of the existing structure relative to the new sections. The shadings (?) are not clear but based on our observation and knowledge from being inside the house with past owners, the crossed area is not the existing structure. This was the case with the earlier plans and despite our expressing concern about this the current plans seem to be back to the original incorrect drawings. We have difficulty accepting that even with appropriate training and experience that Private Certifier can effectively assess these types of plans and lack of detail, especially for this area where view sharing is very sensitive and heights are so important to this. We note that the original plans had the same concerns and that

Council staff had to request, we believe several times, better measures and detail. This seems to be missing again in these revised plans.

Also we note that the units for height measurement have changed. This is a puzzle to us. The original plans had RL ranges in the 90 and 100's while the new plans have RL's in the range of 50 and 60's. How can this be? We cannot therefore tell just how this set of plans relate to the earlier ones and especially how they sit relative to the street level and existing house levels, which we have said are very difficult to identify.

The reason for our concerns, and for highlighting this issue, is the experience we had with the development at 31 Bourne St. At this same stage of consideration the plans were equally vague. They were accepted at face value as being accurate and fixed to a survey marker, by both neighbours and as far as we can tell Council staff and a Private Certifier. In that case once construction was nearly finished it was clear that heights had changed and the final building, especially the garage, is the outrage that is now there. We are still trying to resolve the full story behind this but have been cycled through being told that this was a State Government/Private Certifier responsibility then back to it being Council responsibility, with the likely explanation that this all slipped through the large crack between the two levels of government. While this is the subject of a broader letter to Council, the concern we have here is to ensure that the same situation does not arise with this DA/CD with the differences in measurements only becoming obvious when construction is advanced, which is , as we found, too late.

An important example is that we still cannot believe that the very back section of the roof on the new deck does not exceed 8.5 metres, from the lie of the land. Even the vague plans seem to confirm that the eastern edge of the building is beyond the edge of the existing concrete driveway.

A further example is the setback on each side of the new structure. It does not look to us like the setback on both sides of the development for the second floor meet the 3 metre requirements. Again is this therefore really a CD?

Why is all this important to us? From a view sharing and local amenity perspective each additional metre above the existing roof line of all the houses on the eastern side of the street has a significant impact on the views for all houses on the western side. Only 1 or 2 metres of additional roof height will most likely eliminate much of the view of where the interface between water and land is visible. This is the part of a view which past court rulings have judged are the very important contributor to the amenity of any view. For this part of Bourne St this is the point where residents see the waves breaking, surfers riding waves, camel riders, dolphins and close in whales and their calves.

Further our concerns are supported by the following: (i) Most of the neighbours concerned about the current DA had their houses built over 30 years ago. At that time it was made clear to them that the houses on the eastern side of Bourne St were limited to a roof height which was a fixed distance above the mid-point of the road. We suggest that this is clear looking at the existing roof levels as there is a reasonably uniform line for the older houses on the eastern side. (ii) For those who built in the past 8 years there was a maximum roof height of 8.5 metres but eaves at any point could not exceed 6 metres from the original (not current) lie of the land. During planning an assessment by a

builder was that this 6 metre eave requirement would mean that any future changes to houses on the eastern side of the street would roughly not be able to exceed the maximum roof height of the existing buildings. Indeed at that time the height of the bulk of a house was limited by this 6 metre eave requirement, not the 8.5 metre maximum for the highest point of the roof (usually at that time a peaked roof).

In addition though the more recent development was significantly influenced by the Council decision regarding DA 2006/0508 for 21 Bourne St. This DA proposed a partly three story residence which exceeded the 6 metre eave limit plus many other development requirements. After considerable neighbourhood objections and attendance, by more than 50 people, at the DAP meeting the Council rejected this development. The basis for this rejection was the proposal's excessive height, bulk and shading and that it would result in unacceptable view loss for surrounding homes.

Unfortunately it appears that planning requirements were change in about 2011 and this 6 metre eave limit has now been removed. Also based on discussions with Council staff the lie of the land is not the original lie but the 'existing' lie which it appears can be changed by landscaping or a two staged development strategy. In addition it seems that with these changes Council now ignore the concerns expressed by neighbours at the time of the 21 Bourne St development decision. It seems to us that neighbours made it clear, and Council accepted this, that developments which exceed the 6 metre eave limit result in height, bulk, shading and scale which is not compatible with the existing and desired future character of this particular locality.

We are concerned that when Council has considered several recent developments it has ignored this earlier decision. Further now that the developments have been completed it is very clear to neighbours that the concerns expressed during and after the DA process were valid and the DAP's rejection of these concerns was not based on its members having a clear picture and appreciation of the impacts on this locality with its narrow street and view sharing/shading complexities. We believe that it is only those who have lived here for some time who can really make informed and fair judgements regarding compatibility with existing and desired future character of this locality.

We note that in the past the 8.5 metre height has been regarded as a maximum not a full CD right. This is highlighted through the following judgement: "However, that height limit is a maximum. It does not entitle the applicant to a building envelope 8.5m high over the whole site." (Judgement 10996 of 2003 Tenacity Consulting Pty Ltd V Warringah Council). While this was a ruling made before the recent planning changes we believe that it is an important point. We believe the fact that these recent changes are causing so much concern and ill feeling between neighbours is a major worry that this was indeed a poor policy change.

3. What are the Rights of Neighbours for a Complying Development?

Given the above types of concerns and that neighbours are not notified so are not given the right to raise concerns, we assume that there is a Council based formal assessment process for all CD's to ensure that the plans are drawn accurately and all measurements are correct. Is this the case? Are these assessments part of the public record? If so how do neighbours and the general public access these assessments? In particular if Private Certifiers are chosen by developers to manage this

process what assessment requirements are in place to ensure that the CD plans etc are consistent with the CD requirements. Again are these assessments on the public record and how do those potentially affected gain access?

Finally if, once the buildings are completed, neighbours feel that the heights, setbacks, etc. are not consistent with CD requirements what provisions have been made for raising these concerns; resolving them to all affected's satisfaction; and what are the consequences for the developers/Private Certifiers? Associated with this is our question: Are there mechanisms in place to ensure that the final construction plans do not change from the CD plans, especially with respect to heights, setbacks, etc.?

We raise this because this was the case with the development at 31 Bourne St. The final building (especially garage) was much higher than the impression given in the plans submitted with the DA. When neighbours raised concerns responsibility was shifted around from suggestions that: (i) the Private Certifier approved this; (ii) the Council engineers required the height to be raised; (iii) the base RL levels were not clearly related to a survey point; and (iv) since the DA approval letter did not identify this as an important issue the Private Certifier did not take it into consideration. Again we do not want a similar situation and outcome to occur with this current development.

4. Solar Panels and Height/View Amenity.

We are concerned that the current plans have no mention of possible installation of solar panels. As indicated in our previous submission we have concerns regarding the trend in this area to what the original SEE said was ".. a new roof with interesting, modern roof lines ...". We suggested that use of the term 'modern' needed to be treated with caution. It seemed to us that in this case 'modern' seemed to refer to a roof which adds considerable bulk to the northern end of the structure. While we appreciated that this can add to airflow and light/sun in winter, it also adds bulk when views are an important issue for the street. In addition given the trend to solar panels this 'modern' style does not fit with 'modern' energy trends. A prime example is the similar 'modern' roof lines at 31 Bourne St. This style we feel unnecessarily added substantially to bulk of the garage. Later when solar panels were added, due to the slope of the roof, substantial framework structures had to be added to the roof to make the panels operational. This has added further to the height of the structure (which is already significantly higher than in the original DA plans) but especially has a major detrimental impact on the amenity of the streetscape. In the case of 25 Bourne St we are concerned that if solar panels are added after the construction (they do not seem to be included in the current proposal) they will be added to the main roof of the house and because of the south sloping nature of the roof will require the same type of metal framing structure as on the garage of 31 Bourne St. This will add to the height of the building so is this included in the 8.5 metre limit? What happens if these are added later and result in heights which exceed the complying development requirements?

Also we believe these types of structures are very ugly so would have a major detrimental impact on the view amenity of several houses and the amenity of the street scape in general. As we said in our earlier submission we believe that if Council approves this type of 'modern' roof line then a condition should be that solar panels cannot be added later if the roof faces south.

How do these concerns get translated into a complying development through a Private Certifier? We would appreciate Council's advice on this as it is a major concern for several in the street.

5. **Consultation with Neighbours.**

As mentioned in our previous submission we are very concerned that the changes in the Development Requirements and Processes are changing the friendly nature of neighbourhoods in Port Macquarie. The limits seem to have been relaxed considerably which means the expectations of all existing residents regarding what is permissible relative to what they were permitted to build are changed significantly. As noted earlier this is resulting in a deteriorating friendly neighbour environment but as evidenced by a set of recent developments is also not consistent with ensuring that buildings are compatible with height, bulk and scale of the existing and desired future character of the locality. Important examples are numbers 24, 31 and 54 which all have now created significant traffic hazard issues and two of them significant shading, bulk and view loss impacts.

We note that the NSW Housing Code: A guide to complying development, April 2011 suggests that "Although there is no formal process for neighbours to comment on your proposal like there is with a development application, it is good practice for applicants to discuss the design of their development proposal with their neighbours. This should be done from an early stage and before any formal application is lodged with the accredited certifier. What individuals see as an acceptable impact can vary substantially; a positive attitude and an open mind to a neighbours' opinion is essential to achieving a good outcome. Early discussion of plans aimed at accommodating the neighbours' amenity can prevent conflict at a later stage. The controls in the Codes SEPP have been developed to provide building envelopes that take into account your neighbours' amenity or privacy. These controls have been determined after an analysis of a large number of existing approved housing developments across NSW". (p46.).

It seems to us that, with the new building requirements, the designers/builders/private certifiers have clearly not advised the Applicants of this 'good practice' aspect of the code. It was not until after the original DA was submitted that the development was discussed with neighbours most affected. By this time positions were too fixed. This is regrettable since under the old requirements this was more common.

6. Dwelling Alterations and Additions.

We are in general concerned that many developments are proposed as 'Alterations and Additions' rather than basically a total re-build. We have not had time to check the implications of this for this development but feel as was the case with developments at 21 and 31 Bourne St this is effectively a rebuild not alterations and additions. The whole top of the house will be replaced, a garage added and most of the inside changed significantly.

20 BOURNE STR.,

PORT MACQUARIE.

17.06.2016.

CUSTOMER REQUEST MANAGEMENT ENQUIRY.

HASTINGS COUNCIL

PORT MACQUARIE.

DEAR SIR,

I REFER TO MY COMPLAINT OF JANUARY 6th 2015 AND NOW WISH TO RAISE ANOTHER INCIDENT THAT HAPPENED A FEW DAYS LATER.

I WAS DRIVING NORTH ON BOURNE STREET AND CARS WERE PARKED ON BOTH SIDES OF THE ROAD IN FRONT OF 31 AND 26 BOURNE STREET.

AS I APPROACHED THESE CARS THE POSTMAN CAME OUT FROM BEHIND THE CAR IN FRONT OF 31 BOURNE STREET AND I ALMOST COLLIDED WITH HIM.

THE POSTMAN WAS FORCED TO COME ONTO THE ROAD AS A CAR WAS PARKED ACROSS THE DRIVEWAY INTO 31 BOURNE STREET.

I FEEL THIS SITUATION OF DANGER HAS BEEN CAUSED BY THE COUNCILS ' DECISION TO ALTER THE SET BACK MEASUREMENT FROM 6 METRES.

I ALSO FEEL THE SITUATION WILL ONLY BE WORSENED IF MORE HOUSES ARE ALLOWED TO FOLLOW THIS NEW RULING, AS WOULD APPEAR TO BE THE CASE WITH 25 BOURNE STREET.

YOURS FAITHFULLY,

H.W.BOURKE

[redacted]

RECEIVED
DATE 20.6.16 BY

Dear Sirs,

Submission Details:

Names: Mr Jason Sharp & Ms Lesley Mackay

Address: 2/129 Matthew Flinders Drive Port Macquarie

[redacted]

Re **Development Application (10.2016.383.1)**

We wish to make the following submissions in relation to the development application 10.2016.383.1 at the address of 25 Bourne Street Port Macquarie:

Firstly, we wish to raise privacy concerns as it appears to us that the proposed development will significantly reduce the existing levels of privacy that is currently enjoyed at the rear of my property. We have two bedrooms both currently occupied by teenage girls and the Development would appear to significantly reduce their privacy. Recently, there has been a significant amount of landscaping, clearing and ground works done at the subject property which has created a clear line of sight from the property into 2 of our bedrooms. Prior to these ground works there were large trees which created a suitable privacy barrier and would have also been an important element in prevent erosion. It would appear that the proposed development will further magnify this privacy issue and I would assume the ground works were a requirement of this. We are also concerned that the extensive ground works have already occurred.

Secondly, further to the issue of the landscaping and ground works, the subject land is on a significant incline and we have genuine concern as to the impacts of the clearing works (and of subsequent development works) on the stability of the landscape, specifically on retaining the land and preventing erosion or, worse still, some type of landslide. The recent ground works have, in our opinion, significantly reduced the existing stability of the older style retaining walls on the property. Most of the stability would've been provided by the trees and shrubs, all of which have been cut down/destroyed in recent weeks.

We have provided recent photographs that show:

1. the view up to the property from our daughter's bedroom
2. the view into one of our daughters' bedroom (this room includes an ensuite which could be visible from the subject property)
3. the recent landscaping and clearing works showing extensive removal of trees and shrubs, including, what seems to be a hastily installed ground sheet, designed to try and prevent erosion or soil movement

We would submit that the application may need to be modified in order to provide the residents on the ocean side (ie those on Matthew Flinders Drive) with suitable privacy levels and a suitable assurance that the development will have no future impacts on the retention of the land nor any subsequent erosion. We would propose, as a minimum:

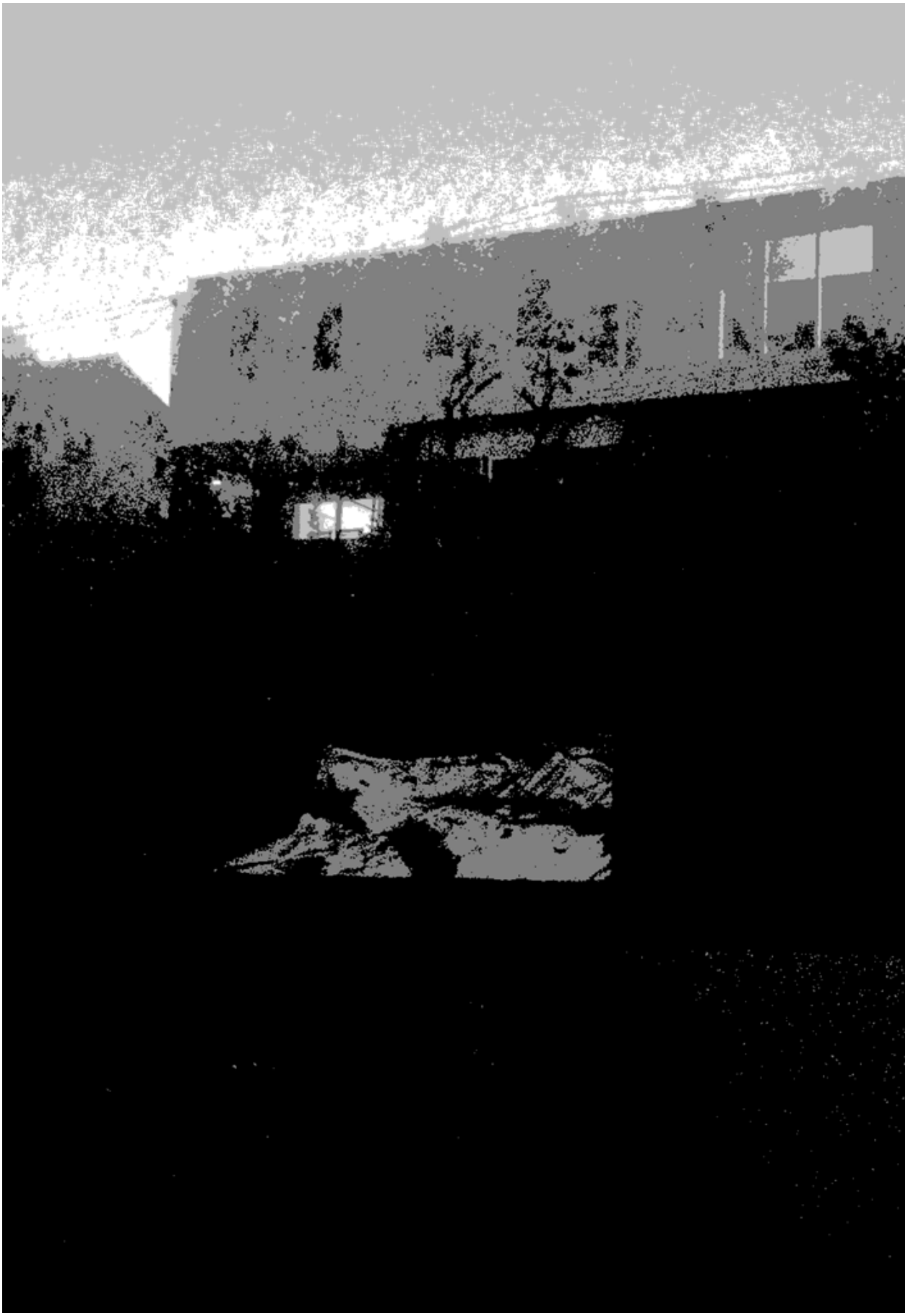
1. that a fence of suitable height be erected across the backyard (on top of the existing retaining wall at the back of the property), in order to restore the privacy levels that were provided by the trees that have been destroyed by the recent ground works,
2. that suitable retention works be carried out and certified, such that the possible erosion of land be mitigated.

That you for the opportunity to provide this feedback. Could you please provide confirmation of your recent of this submission.

Kind regards

Jason Sharp
CPA
Director
Macquarie Business Accountants Pty Ltd


Bollard



Item: **06**

Subject: **DA2016 - 625.1 - ADDITIONAL DWELLING TO CREATE DUAL OCCUPANCY AND TORRENS TITLE SUBDIVISION - LOT 21 DP 243007, 42 BELLANGRY ROAD, PORT MACQUARIE**

Report Author: Benjamin Roberts

Applicant:	**V J & G M Hughes**
Owner:	**V J & G M Hughes**
Estimated Cost:	**$250,000**
Parcel no:	**1794**

Alignment with Delivery Program

4.9.2 Undertake transparent and efficient development assessment in accordance with relevant legislation.

RECOMMENDATION

That DA 2016 - 625 for an additional dwelling to create dual occupancy and Torrens title subdivision at Lot 21, DP 243007, No. 42 Bellangry Road, Port Macquarie, be determined by granting consent subject to the recommended conditions.

Executive Summary

This report considers a development application for an additional dwelling to create dual occupancy and Torrens title subdivision at the subject site and provides an assessment of the application in accordance with the Environmental Planning and Assessment Act 1979.

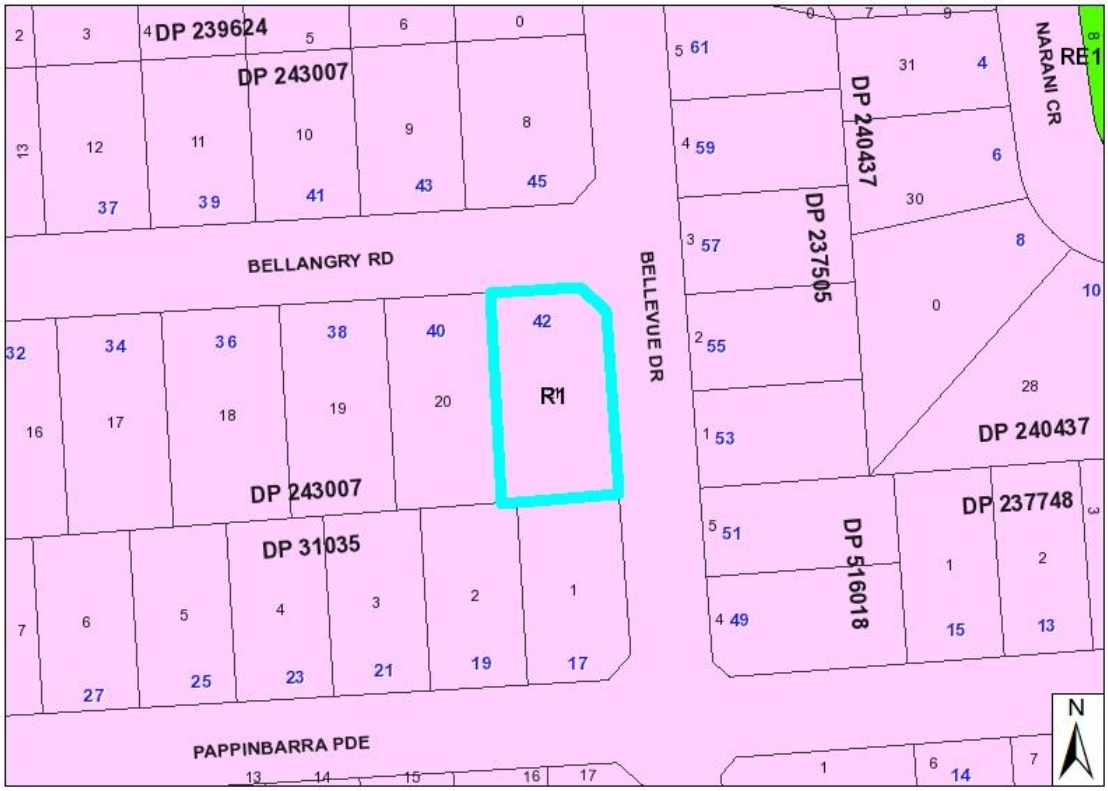
Following exhibition of the application, three (3) submissions have been received.

1. BACKGROUND

Existing sites features and Surrounding development

The site has an area of 847.3m^2.

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

2. DESCRIPTION OF DEVELOPMENT

Key aspects of the proposal include the following:

- Construction of new dwelling and Torrens title subdivision

Refer to attachments at the end of this report.

Application Chronology

- 10 August 2016 - Application lodged
- 19 August - 1 September 2016 - Neighbour notification
- 19 August 2016 - Additional information request
- 10 October 2016 - Additional information and revised plans provided

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 No. 44 - Koala Habitat Protection

There is no Koala Plan of Management on the site and the site is less than one hectare in area. Therefore no further investigations are required.

State Environmental Planning Policy No.55 – Remediation of Land

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.

State Environmental Planning Policy No. 62 – Sustainable Aquaculture

Given the nature of the proposed development and proposed stormwater controls the proposal will be unlikely to have any adverse impact on existing aquaculture industries within the Hastings River.

State Environmental Planning Policy No. 71 – Coastal Protection and Clause 5.5 of Port Macquarie-Hastings Local Environmental Plan 2011

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 site is located within an area zoned and already built out for residential and canal purposes.

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

BASIX certificate (number 745626S) 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 (LEP 2011)

The proposal is consistent with the LEP having regard to the following:

- 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 dual occupancy and Torrens title 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 as it is a permissible landuse and will contribute to the range of housing in the area.

- Clause 4.1, the lot sizes within the proposed subdivision range from 572.8m² to 267.6m². As one proposed lot is below the 450m² minimum lot size standard, Clause 4.1A is to be utilised. When both construction and subdivision are included in the one application, Clause 4.1A allows the minimum lot size standard to be varied.
- Clause 4.3, the maximum overall height of the building above ground level (existing) is 7.73m which complies with the standard height limit of 8.5m applying to the site.
- Clause 4.4, the floor space ratio (FSR) of the proposal complies with the maximum 0.65:1 floor space ratio applying to the site.
- Clause 5.9, no listed trees in Development Control Plan 2013 are proposed to be removed.
- Clause 5.10, the site does not contain or adjoin any known heritage items or sites of significance. The site is also disturbed from past activities.
- Clause 7.13, satisfactory arrangements are in place for provision of essential services.

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

None relevant.

(iii) any Development Control Plan in force:

Port Macquarie-Hastings Development Control Plan 2013

DCP 2013: Dwellings, Dual occupancies, Dwelling houses, Multi dwelling houses & Ancillary development			
	Requirements	**Proposed**	**Complies**
3.2.2.2	Articulation zone: • Min. 3m front setback • An entry feature or portico • A balcony, deck, patio, pergola, terrace or verandah • A window box treatment • A bay window or similar feature • An awning or other feature over a window • A sun shading feature	The first floor front balcony extends into the articulation zone to 3.5m from the Bellevue Drive frontage.	Yes
	Front setback (Residential not R5 zone): • Min. 6.0m classified road • Min. 4.5m local road or within 20% of adjoining dwelling if on corner lot • Min. 3.0m secondary road • Min. 2.0m Laneway	5.5m setback to Bellevue Drive frontage from wall of dwelling.	Yes
3.2.2.3	Garage 5.5m min. and 1m behind front façade. Garage door recessed behind building line or eaves/overhangs provided	Garage is located under first floor balcony and setback 5.5m from the Bellevue frontage.	Yes
	6m max. width of garage door/s and 50% max. width of building	4.8m garage door width. The width of the building is 9.12m. This converts to 53%.	No minor variation is considered acceptable
	Driveway crossover 1/3 max. of site frontage and max. 5.0m width	5m tapered crossover. Driveway crossover equates to approximately 40% of the frontage.	No but considered acceptable
3.2.2.4	4m min. rear setback. Variation subject to site	The site is a corner block with no rear setback.	N/A

DCP 2013: Dwellings, Dual occupancies, Dwelling houses, Multi dwelling houses & Ancillary development			
	Requirements	**Proposed**	**Complies**
	analysis and provision of private open space		
3.2.2.5	Side setbacks: • Ground floor = min. 0.9m • First floors & above = min. 3m setback or where it can be demonstrated that overshadowing not adverse = 0.9m min. • Building wall set in and out every 12m by 0.5m	South side ground floor = 2.28m West side ground floor = 4.073m South side first floor = 2.28m West side first floor = 4.073m There are no unarticulated walls exceeding 12m.	Yes Yes No* Yes
3.2.2.6	35m² min. private open space area including a useable 4x4m min. area which has 5% max. grade	Each dwelling is provided with over 35m² open space. The exact 4mx4m dimensioned area is not available to each dwelling. However access to sufficient areas does exist from living areas.	No but considered acceptable
3.2.2.10	Privacy: • 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. ie. 1.8m fence or privacy screening which has 25% max. openings and is permanently fixed • Privacy screen required if floor level > 1m height, window side/rear setback (other than bedroom) is less than 3m and sill height less than 1.5m • Privacy screens provided to balconies/verandahs etc which have <3m	The enclosed veranda at the rear of No 40 Bellangry Road is elevated and approximately 6m from the proposed ground floor alfresco area. No screening is proposed. Direct views would be enjoyed between these areas of both dwellings. The existing dividing fence will not provide sufficient privacy. A condition has been recommended that a privacy screen be provided in a suitable location, minimum 900mm from the boundary to provide privacy between these areas. The first floor south facing living room window is within 3m of the boundary. No privacy screen is proposed. A condition has been applied requiring this window to be screened. The other south facing windows serve a bedroom, bathroom and void above the stairwell. Front first floor balcony is within 3m of the southern boundary. No privacy screen is proposed.	No but considered acceptable subject to privacy screening as recommended via conditions.

DCP 2013: Dwellings, Dual occupancies, Dwelling houses, Multi dwelling houses & Ancillary development			
	Requirements	**Proposed**	**Complies**
	side/rear setback and floor level height >1m	A condition has been recommended requiring a privacy screen.	
DCP 2013: General Provisions			
	Requirements	**Proposed**	**Complies**
2.7.2.2	Design addresses generic principles of Crime Prevention Through Environmental Design guideline	The proposed development does not create any adverse concealment or entrapment areas.	Yes
2.3.3.1	Cut and fill 1.0m max. 1m outside the perimeter of the external building walls	Cut and fill will not exceed 1m outside the perimeter of the walls.	Yes
2.3.3.2	1m max. height retaining walls along road frontage	No retaining along road frontage proposed.	N/A
	Any retaining wall >1.0 in height to be certified by structure engineer	600mm high retaining walls proposed.	Yes
	Combination of retaining wall and front fence height max 1.8m, max length 6.0m or 30% of frontage, fence component 25% transparent, and splay at corners and adjacent to driveway	No front fence or retaining wall combination proposed.	Yes
2.3.3.8	Removal of hollow bearing trees	No hollow bearing trees to be removed.	Yes
2.6.3.1	Tree removal (3m or higher with 100m diameter trunk at 1m above ground level and 3m from external wall of existing dwelling)	No significant vegetation to be removed.	Yes
2.4.3	Bushfire risk, Acid sulphate soils, Flooding, Contamination, Airspace protection, Noise and Stormwater	Refer to main body of report.	Noted
2.5.3.2	New accesses not permitted from arterial or distributor roads	Development does not front an arterial or distributor road.	N/A
	Driveway crossing/s minimal in number and width including maximising street parking	One driveway provided for each dwelling and each frontage.	Yes
2.5.3.3	Parking in accordance with Table 2.5.1. 1 space per single dwelling	New dwelling is provided with a double garage and existing dwelling with single garage.	Yes

DCP 2013: Dwellings, Dual occupancies, Dwelling houses, Multi dwelling houses & Ancillary development			
	Requirements	**Proposed**	**Complies**
	(behind building line)		
2.5.3.11	Section 94 contributions	Contributions will apply due to the extra dwelling.	Yes
2.5.3.12 and 2.5.3.13	Landscaping of parking areas	Suitable landscaping of parking will exists.	Yes
2.5.3.14	Sealed driveway surfaces unless justified	Sealed driveway proposed.	Yes
2.5.3.15 and 2.5.3.16	Driveway grades first 6m or 'parking area' shall be 5% grade with transitions of 2m length	Driveway grade capable of complying.	Yes

The proposal seeks to vary Development Provision 3.2.2.5 requiring first floors and above to be setback a minimum of 3m from the side boundary. The standard provides that the side boundary setback may be reduced down to 900mm where it can be demonstrated that the adjoining property primary living areas and private open space areas will not be overshadowed for more than 3hrs between 9am-3pm on 21 June. The proposed first floor southern side setback of the dwelling is 2.28m.

The relevant objectives of the Development Control Plan are to reduce overbearing and perceptions of building bulk on adjoining properties and to maintain privacy and to provide visual and acoustic privacy between dwellings.

Having regard to the development provisions and relevant objectives of the DCP, the variation is considered acceptable for the following reasons:

- An inspection of the adjoining dwelling indicated a setback of approximately 16m from the side boundary. There are no primary living or open space areas on the adjoining dwelling that would be overshadowed for more than 3hrs between 9am-3pm on 21 June.
- First floor living room windows and balcony within 3m of the side boundary will be suitability screened to protect privacy between dwellings.
- The southern wall is less than 12m in length which complies with the bulk and overbearing provisions.

(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:

No planning agreement has been offered or entered into.

iv) any matters prescribed by the Regulations:

New South Wales Coastal Policy:
The proposed development is consistent with the coastal policy - refer to comments on SEPP 71 above in this report.

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:

No coastal zone management plan applies to the site.

(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 and 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 privacy impacts, subject to the installation of privacy screens as recommended via conditions of consent.
- There is no adverse overshadowing impact. The proposal does not prevent adjoining properties from receiving 3 hours of sunlight to private open space and primary living areas on 21 June.
- **View sharing**

During the public exhibition period concerns surrounding view loss were raised by the residents of 17 and 19 Pappinbarra Parade and 40 Bellangry Road.

The notion of view sharing is invoked when a property enjoys existing views and a proposed development would share that view by taking some of it away for its own enjoyment. (Taking it all away cannot be called view sharing, although it may, in some circumstances, be quite reasonable.)

Using the principles of NSW Land and Environment Court caselaw - *Tenacity Consulting v Waringah 2004 NSW LEC 140,* the following comments are provided in regards to the view impacts using the 4 step process to establish whether the view sharing is acceptable. For the purposes of the assessment a site inspection of all residences were undertaken.

Step 1

Assessment of views to be affected. Water views are valued more highly than land views. Iconic views (e.g. of the Opera House, the Harbour Bridge or North Head) are valued more highly than views without icons. Whole views are valued more highly than partial views, e.g. a water view in which the interface between land and water is visible is more valuable than one in which it is obscured.

Comments: The view enjoyed from 40 Bellangry Road is north over Bellangry Road and not impacted by this proposal. The views enjoyed from the Pappinbarra Parade residents is orientated north toward the central business district of Port Macquarie. Neither of the dwellings enjoy significant water views of the Pacific Ocean, rather glimpses of the horizon interface with the ocean through building corridors. The dwelling at number 17 Pappinbarra Parade is most affected by the proposal and the view being impacted is not considered to be iconic.

Step 2

Consider from what part of the property the views are obtained. For example the protection of views across side boundaries is more difficult than the protection of views from front and rear boundaries. In addition, whether the view is enjoyed from a standing or sitting position may also be relevant. Sitting views are more difficult to protect than standing views. The expectation to retain side views and sitting views is often unrealistic.

Comments: The views of the CBD and horizon interface are enjoyed from both Pappinbarra residences across a rear boundary. The views are enjoyed from both standing and sitting positions from various parts of both residences. At the time of inspection it was difficult to ascertain impacts to sitting and standing views as the height pole erected was not confirmed by a registered surveyor. However it was evident that sitting views may be compromised where as standing views may be preserved across the top of the proposed roofline. In order to clarify the extent of view impact from both standing and sitting positions the applicant has been requested to erect a height pole (certified by a registered surveyor) indicative of the ridge height to assist with site inspection on the day of the Development Assessment Panel meeting.

Step 3

Assess the extent of the impact. This should be done for the whole of the property, not just for the view that is affected. The impact on views from living areas is more significant than from bedrooms or service areas (though views from kitchens are highly valued because people spend so much time in them). The impact may be assessed quantitatively, but in many cases this can be meaningless. For example, it is unhelpful to say that the view loss is 20% if it includes one of the sails of the Opera House. It is usually more useful to assess the view loss qualitatively as negligible, minor, moderate, severe or devastating.

Comments: The extent of the impact upon the views enjoyed from 17 Pappinbarra Road is considered to be minor for the following reasons:

- The standing view of the CBD and horizon interface from living areas will be unaffected by the proposal as it is enjoyed over the proposed roofline of the dwelling.
- The section of view lost by the proposal is considered minimal in the context of the actual view enjoyed to the north east and north west from the first floor living areas.
- It is considered unreasonable to expect retention of this view given the building heights set for the area and those views enjoyed from the first floor.
- The views enjoyed are not iconic.

The extent of the impact upon the views enjoyed from 19 Pappinbarra Road is considered to be minor for the following reasons:

- The section of view lost by the proposal is considered minimal in the context of the actual view enjoyed to the north east and north west from the first floor.
- It is considered unreasonable to expect retention of this view given the building heights set for the area and those views enjoyed from the first floor.
- The views enjoyed are not iconic.

The extent of the impact upon the views enjoyed from 40 Bellangry Road is considered to be negligible for the following reasons:

- The primary view enjoyed from this residence is to the north and not impacted by this proposal.

Step 4
Assess the reasonableness of the proposal that is causing the impact. A development that complies with all planning controls would be considered more reasonable than one that breaches them. Where an impact on views arises as a result of non-compliance with one or more planning controls, even a moderate impact may be considered unreasonable. With a complying proposal, the question should be asked whether a more skilful design could provide the applicant with the same development potential and amenity and reduce the impact on the views of neighbours. If the answer to that question is no, then the view impact of a complying development would probably be considered acceptable and the view sharing reasonable.

Comments: The proposal complies with the maximum building height of 8.5m set for the area. The height of the ridge line is 7.73m. It is also noted that 2.44m floor to ceiling heights are proposed which is close to the minimum 2.4m BCA requirement.

A part gable and hip roof is proposed however in this instance providing a skillion or flat roof design would result in similar view impacts. There are some variations to the provisions of DCP 2013 however none relate to view sharing impacts.

- Having regard to the above it is considered that the development is a complying proposal and the design is a reasonable response to the site conditions and sympathetic to the views of the neighbours.

Access, transport and 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.

Water Supply Connection
Council records indicate that the development site has an existing 20mm metered water service from the 100 AC water main on the same side of Bellangry Road. Each proposed lot will require an individual metered water service. Detailed plans will be required to be submitted for assessment with the S.68 application.

Refer to relevant conditions of consent.

Sewer Connection
Council records indicate that the development site is connected to sewer via junction to the existing sewer line that runs along the northern property boundary. Existing sewer infrastructure must be extended at no cost to Council to provide each proposed lot with an individual sewer junction. Details are to be shown on the engineering plans.

A separate sewer connection to Councils main is required for each Torrens Title lot. A manhole will also be required at the high end of the line as it will be more than 40m long. If the main is subject to future extension an end of line terminal shaft (poo pit) will be required.

Detailed plans will be required to be submitted for assessment with the S.68 application.

Stormwater
Disposal proposed through direct connection to the kerb. Specific details will be required with S.68 application/construction certificate.

Other Utilities
Telecommunication and electricity services are available to the site.

Heritage
Refer to comments on heritage in the LEP 2011 section of this report.

Other land resources
No adverse impacts anticipated. The site is within an established urban context and will not sterilise any significant mineral or agricultural resource.

Water cycle
The proposed development will be unlikely to have any adverse impacts on water resources and the water cycle.

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 and microclimate
The construction and/or 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 and fauna
Construction of the proposed development will not require any 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 can be put in place for proposed storage and collection of waste and recyclables. Suitable area exists for kerb side pickup. No adverse impacts anticipated.

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

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

Bushfire
The site is not identified as being bushfire prone.

Safety, security and 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 impacts in the locality
Given the nature of the proposed development and its' location the proposal is unlikely to result in any adverse social impacts.

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 (ie maintained employment and expenditure in the area).

Site design and internal design
The proposed development design 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.

(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 have been adequately addressed and appropriate conditions of consent recommended.

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

Three (3) written submissions have been received following 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
Ocean and horizon view impact to neighbour at 19 Pappinbarra Road.	Refer to view impact assessment comments within the report.
The town house will look out of place and out of character with the area.	The proposal is two storey and consistent with existing two storey dwellings within the locality. It is considered consistent with the established character of the area.
Overshadowing and loss of sunlight to 40 Bellangry Road.	Given the orientation of the lot there will be no overshadowing impacts to 40 Bellangry Road.
Loss of privacy to 40 Bellangry Road.	Privacy impacts have been addressed within this report. Privacy screening required between outdoor open space areas.
Loss of view to 40 Bellangry Road.	This residence enjoys views to the north across Bellangry Road. The proposal will no impact upon these views.
Proposal will create problems with the natural flow of rainwater.	Stormwater is to be collected and disposed of directly to Bellevue drive. No adverse impacts identified.
It is unclear if the proposal is a dual occupancy or Torrens Title subdivision. This influences whether the southern boundary is a side or rear boundary and required setbacks.	The proposal is for a dual occupancy development with Torrens title subdivision. Refer to DCP assessment for setback comments. The southern boundary is side boundary.
Objection to the first floor side setback variation of 2.28m and not the required 3m.	Refer to DCP assessment comments.
The proposal will result in overshadowing and loss of privacy to 17 Pappinbarra Parade. In terms of overshadowing it will limit the future development potential of the area on the northern section of 17 Pappinbarra Parade.	Refer to DCP assessment comments re overshadowing and privacy. Conditions recommended requiring privacy screening to south facing living room window and southern elevation of front balcony. There are no active consents or applications lodged for development on the northern section of 17 Pappinbarra Parade.
The design has a pitched roof. A skillion roof would provide less impact.	Noted. Refer to view impact comments within report.
The front setback is 3.5m to the balcony and not consistent with the 4.5m required. The garage will dominate the streetscape.	Refer to DCP assessment comments.
Excavate the building more to reduce the height.	Noted. The building height complies.
The block is too small to accommodate a double storey house.	Noted refer to LEP & DCP assessment comments.

(e) The Public Interest:

The proposed development satisfies relevant planning controls and is unlikely 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.

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. It is recommended that the application be approved, subject to the recommended conditions of consent provided in the attachment section of this report.

Attachments

1View. DA2016 - 625.1 Plans
2View. DA2016 - 625.1 Recommended Conditions
3View. DA2016 - 625.1 Submission - Duncan
4View. DA2016 - 625.1 Submission - McElroy
5View. DA2016 - 625.1 Submission - Marsden 29082016
6View. DA2016 - 625.1 Submission - Marsden 27092016
7View. DA2016 - 625.1 Submission - Marsden 04102016

DRAWING SCHEDULE

COVER PAGE	Sheet 1
DATA PAGE	Sheet 2
SITE PLANS	Sheet 3
FLOOR PLAN	Sheet 4
ELEVATIONS	Sheet 5
SECTIONS / DETAILS	Sheet 6
ELECTRICAL PLAN	Sheet 7
SLAB LAYOUT PLAN	Sheet 8
SLAB AND FOOTING -	BEUKERS & RITTER

LOCATION PLAN
MAP IS ONLY A GUIDE

BASIX® Certificate
Building Sustainability Index www.basix.nsw.gov.au

Single Dwelling

Certificate number: 749260

This certificate confirms that the proposed development will meet the NSW government's requirements for sustainability, if it is built in accordance with the commitments set out below. Terms used in this certificate, or in the commitments, have the meaning given by the document entitled "BASIX Definitions" dated 16/09/2014 published by the Department. This document is available at www.basix.nsw.gov.au

Secretary
Date of issue: Wednesday, 20 July 2016
To be valid, this certificate must be lodged within 3 months of the date of issue.

NSW Planning & Environment

Project summary	
Project name	HUGHES
Street address	42 Bellangry Road Port Macquarie 2444
Local Government Area	Port Macquarie-Hastings Council
Plan type and plan number	deposited 243007
Lot no.	21
Section no.	-
Project type	separate dwelling house
No. of bedrooms	2

Project scores		
Water	✔ 44	Target 40
Thermal Comfort	✔ Pass	Target Pass
Energy	✔ 44	Target 40

FRONT ELEVATION

NOTE:
REFER TO 'DATAPAGE (SHEET 2)' OF DRAWING SET
FOR ALL RELEVANT BUILDING INFORMATION WITH
REGARDS TO:
BASIX/ABSA REQUIREMENTS
SITE CLASSIFICATION
GENERAL HOUSE SPECIFICATIONS

DATE	DRAWN	VARIATION No. AND DESCRIPTION
13/07/2016	POL	CONCEPT
22/08/2016	POL	RETAINING WALL ON PLAN
26/10/2016	POL	CHANGES TO PLAN
15/11/2016	POL	CHANGES TO PLAN

D.P. NUMBER: 243007
COVER PAGE
SHEET: 1 of 9
42 BELLANGRY RD PORT MACQUARIE NSW 2444
FOR HUGHES
DRAWN: POL | ISSUE: DA | SCALE | CONTRACT: 201610

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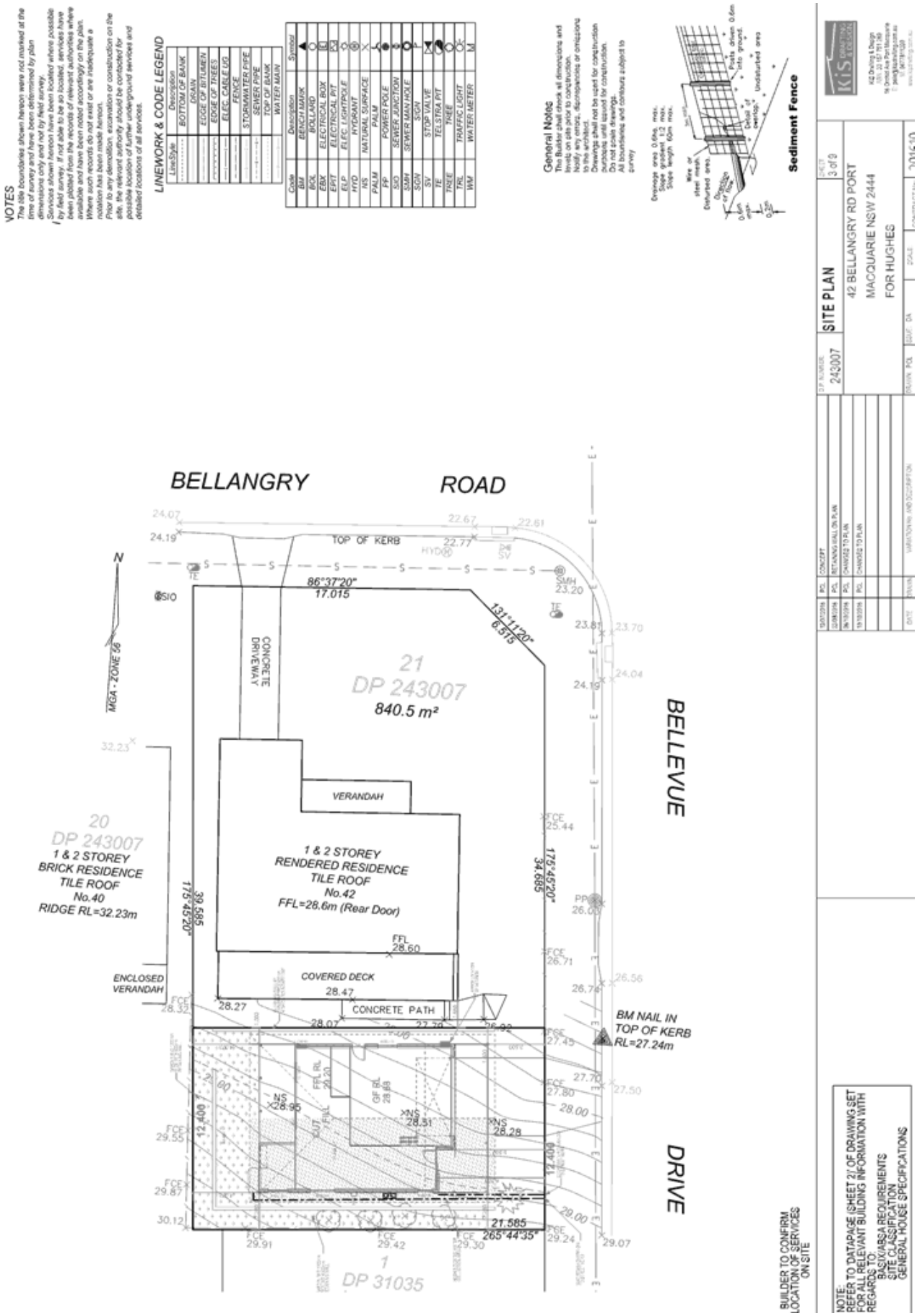
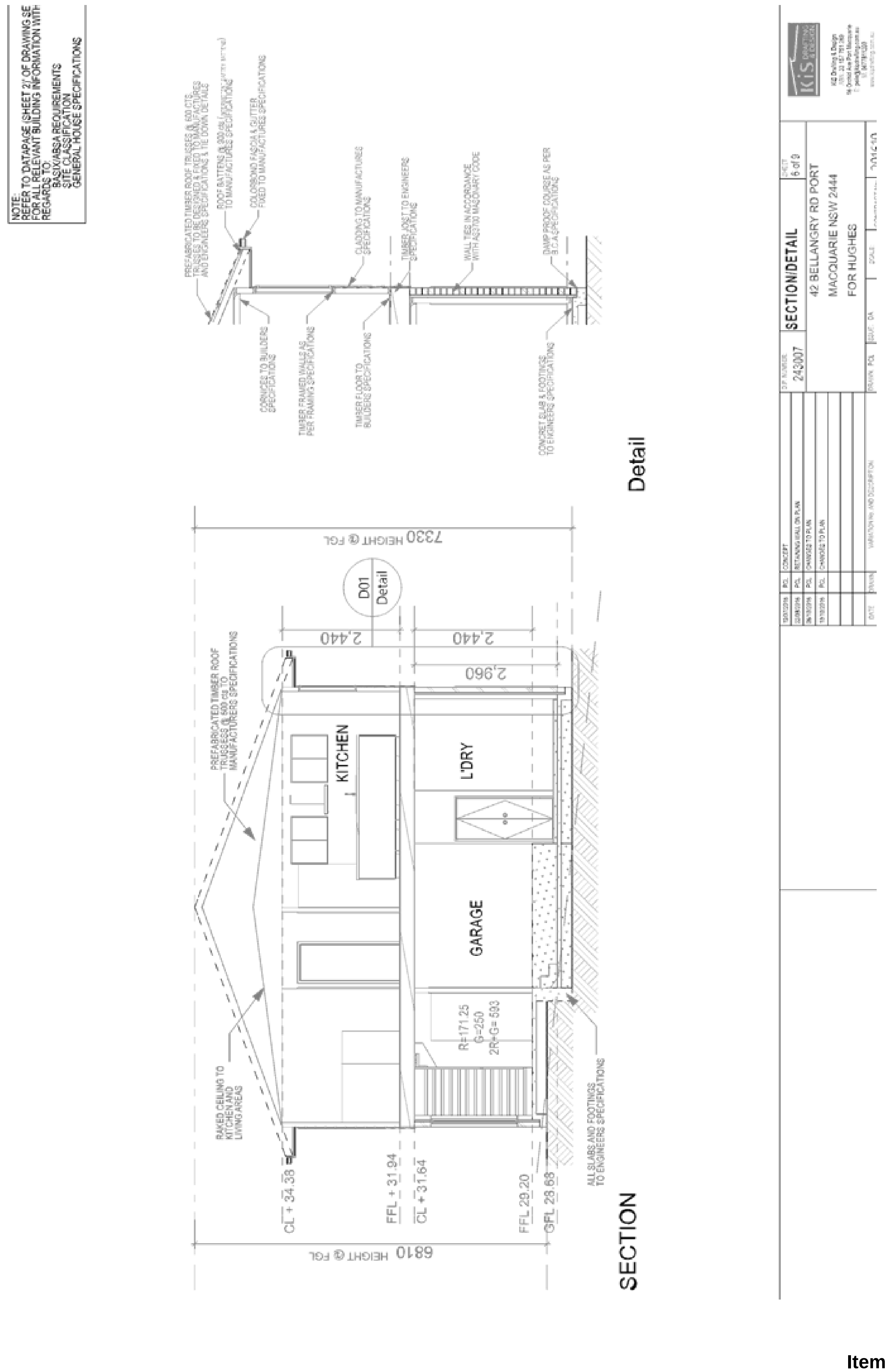
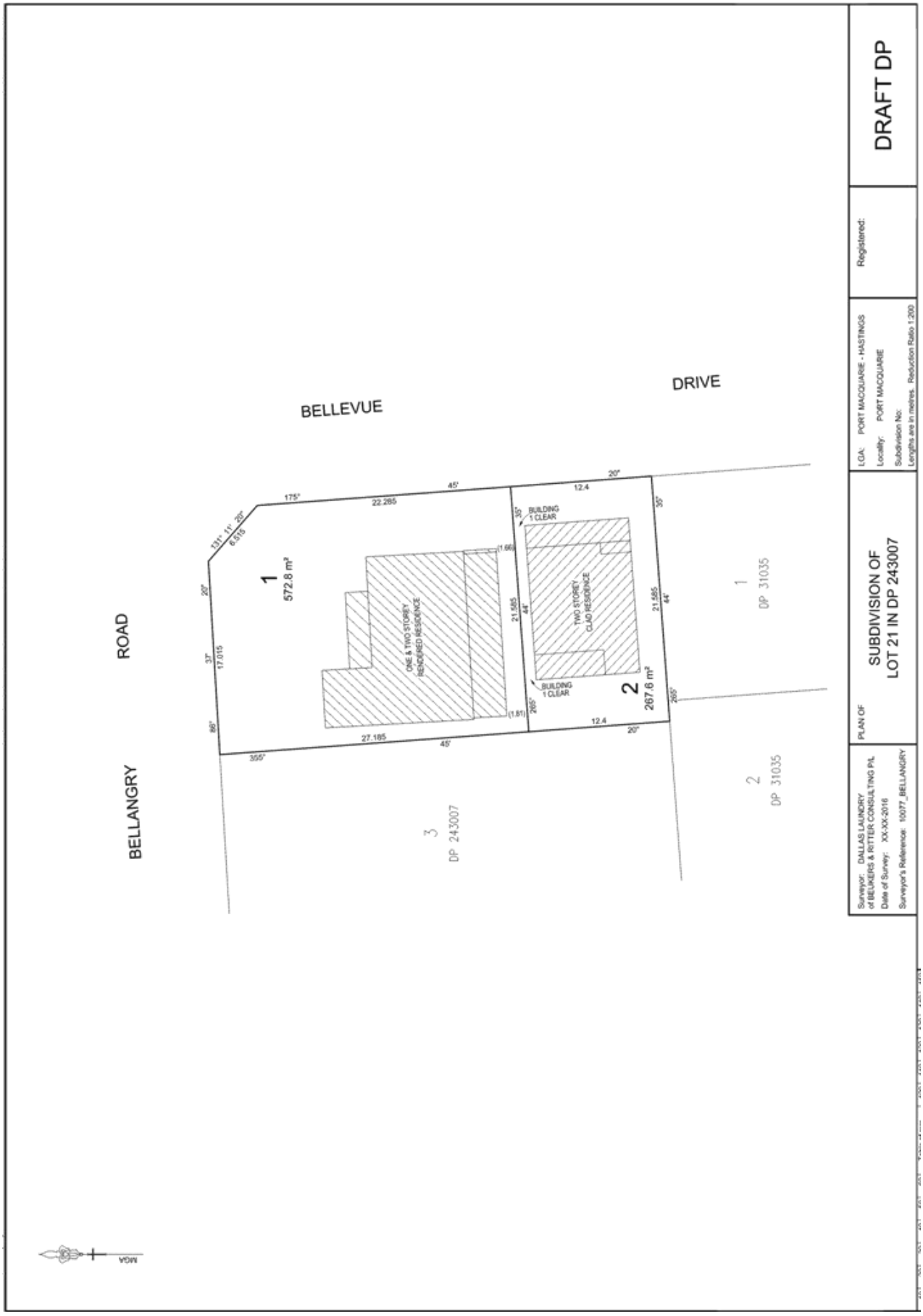

NOTES
LINEWORK & CODE LEGEND
General Notes
Sediment Fence
BELLANGRY ROAD
BELLEVUE DRIVE
TOP OF KERB
CONCRETE DRIVEWAY
VERANDAH
1 & 2 STOREY RENDERED RESIDENCE TILE ROOF No.42 FFL=28.6m (Rear Door)
COVERED DECK
CONCRETE PATH
ENCLOSED VERANDAH
21 DP 243007 840.5 m²
20 DP 243007 1 & 2 STOREY BRICK RESIDENCE TILE ROOF No.40 RIDGE RL=32.23m
1 DP 31035
BM NAIL IN TOP OF KERB RL=27.24m
MGA - ZONE 56
SITE PLAN
42 BELLANGRY RD PORT MACQUARIE NSW 2444
FOR HUGHES
DP NUMBER 243007
SHEET 3 of 9
BUILDER TO CONFIRM LOCATION OF SERVICES ON SITE
NOTE: REFER TO DATAPACK (SHEET 2) OF DRAWING SET FOR ALL RELEVANT BUILDING INFORMATION WITH REGARDS TO: BASIX/ABSA REQUIREMENTS SITE CLASSIFICATION GENERAL HOUSE SPECIFICATIONS

REAR ELEVATION
LEFT ELEVATION
FRONT ELEVATION
RIGHT ELEVATION
NOTE:
REFER TO DATAPASE (SHEET 2) OF DRAWING SET
FOR ALL RELEVANT BUILDING INFORMATION WITH
REGARDS TO:
BASIX/ABSA REQUIREMENTS
SITE CLASSIFICATION
GENERAL HOUSE SPECIFICATIONS
ELEVATIONS
42 BELLANGRY RD PORT
MACQUARIE NSW 2444
FOR HUGHES
243007
5 of 9


SECTION
Detail
KITCHEN
L'DRY
GARAGE
7330 HEIGHT @ FGL
6810 HEIGHT @ FGL
SECTION/DETAIL
42 BELLANGRY RD PORT
MACQUARIE NSW 2444
FOR HUGHES


DRAFT DP
Registered:
LGA: PORT MACQUARIE - HASTINGS
Locality: PORT MACQUARIE
Subdivision No:
Lengths are in metres. Reduction Ratio 1:200
PLAN OF
SUBDIVISION OF
LOT 21 IN DP 243007
Surveyor: DALLAS LAUNDRY
of BELKIERS & RITTER CONSULTING P/L
Date of Survey: XX-XX-2016
Surveyor's Reference: 10077_BELLANGRY
BELLEVUE
DRIVE
BELLANGRY
ROAD
1
572.8 m²
2
267.6 m²
ONE & TWO STOREY RENDERED RESIDENCE
TWO STOREY CLAD RESIDENCE
BUILDING 1 CLEAR
BUILDING 1 CLEAR
1
DP 31035
2
DP 31035
3
DP 243007
MGA

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

NOTE: THESE ARE DRAFT ONLY

DA NO: 2016/625 **DATE: 2/11/2016**

PRESCRIBED CONDITIONS

The development is to be undertaken in accordance with the prescribed conditions of Part 6 - Division 8A of the *Environmental Planning & Assessment Regulations* 2000.

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
Development Plans as stamped	243007	KiS Drafting & Design	10 October 2016
BASIX Certificate	745626S	Peter Clyne	20 July 2016
Draft subdivision plan	10077	Dallas Laundry	Undated

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:

a. the appointment of a Principal Certifying Authority; and

b. 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) (A003) The proponent shall submit an application for a Subdivision Certificate for Council certification with all relevant documentation.

(4) (A008) 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.

(5) (A009) The development site is to be managed for the entirety of work in the following manner:

1. Erosion and sediment controls are to be implemented to prevent sediment from leaving the site. The controls are to be maintained until the development is complete and the site stabilised with permanent vegetation;
2. Appropriate dust control measures;

3. Building equipment and materials shall be contained wholly within the site unless approval to use the road reserve has been obtained. Where work adjoins the public domain, fencing is to be in place so as to prevent public access to the site;
4. Building waste is to be managed via an appropriate receptacle;
5. 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.
6. Building work 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) (A011) The design and construction of all public infrastructure works shall be in accordance with Council's adopted AUSPEC Specifications.

(7) (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.

(8) (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) Prior to release of the Construction Certificate, 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) (B006) An application 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 submitted to and obtained from Port Macquarie-Hastings Council prior to release of the Construction Certificate.

Such works include, but not be limited to:

- Footway and gutter crossing
- Functional vehicular access

(3) (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 Meter locations.
3. Stormwater systems.

(4) (B010) Payment to Council, prior to the issue of the Subdivision or Construction Certificate, whichever occurs first, of the Section 94 contributions set out in the "Notice of Payment – Developer Charges" schedule attached to this consent unless deferral of payment of contributions has been approved by Council. 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
- Community Cultural and Emergency Services Contributions Plan 2005
- Hastings S94 Major Roads Contributions Plan
- Hastings S94 Open Space Contributions Plan

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.

(5) (B011) 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 or Subdivision Certificate, whichever occurs first, of the Section 64 contributions,

as set out in the "Notice of Payment – Developer Charges" schedule attached to this consent unless deferral of payment of contributions has been approved by Council. 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

(6) (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.

(7) (B037) The finished floor level of the building shall be at least 1050mm above the soffit of Council's sewer main. Details indicating compliance with this are to be submitted to the Principal Certifying Authority with the application for Construction Certificate.

(8) (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 to the Principal Certifying Authority with the application for the Construction Certificate.

(9) (B071) Prior to the issue of any Construction Certificate, the provision of water and sewer services to the land are to be approved by the relevant Water Authority and relevant payments received.

(10) (B072) A stormwater drainage design is to be submitted and approved by Council prior to the issue of a Construction Certificate. The design must be prepared in accordance with Council's AUSPEC Specifications and the requirements of Relevant Australian Standards.

(11) Council records indicate that the development site has an existing 20mm metered water service from the 100 AC water main on the same side of Bellangry Road. Each proposed lot will require an individual metered water service. Details are to be shown on the engineering plans.

(12) A privacy screen shall be provided in a suitable location, minimum of 900mm from the boundary, that provides privacy between the enclosed verandah of No 40 Bellangry Road and the alfresco area. The screen shall be no higher than 2.5m above ground level (existing) and less than 5m in length. Details to be illustrated on the Construction Certificate plans.

(13) The first floor south facing living room window shall be provided with a privacy screen as defined in State Environmental Planning Policy (Exempt and Complying Development Codes) 2008. Details to be illustrated on the Construction Certificate plans.

(14) The southern elevation of the first floor balcony shall be provided with a privacy screen of a height at least 1.7m above the finished level of the balcony and as defined in State Environmental Planning Policy (Exempt and Complying Development Codes) 2008. Details to be illustrated on the Construction Certificate plans.

C – PRIOR TO ANY WORK COMMENCING ON SITE

(1) (C004) Prior to works commencing an application being made to the electricity and telecommunications service providers. Services are required to be underground.

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 jointed and prior to backfilling;

b. prior to the pouring of concrete for sewerage works and/or works on public property;

c. during construction of sewer infrastructure;

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) (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.

(3) (D003) The site is in an area known to contain rock that may contain naturally occurring asbestos (NOA). Should potential NOA be located on site notification shall be provided to Council and Workcover prior to works proceeding. No work shall recommence until a NOA management plan has been approved by Council or Workcover.

(4) (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.

E – PRIOR TO OCCUPATION OR THE ISSUE OF OCCUPATION CERTIFICATE / 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) (E051) Prior to occupation or the issuing of any Occupation Certificate a section 68 Certificate of Completion shall be obtained from Port Macquarie-Hastings Council.

(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) (E053) All works shall be certified by a practicing Civil Engineer or Registered Surveyor as compliant with the requirements of AUSPEC prior to issue of Occupation/Subdivision Certificate or release of the security bond, whichever is to occur first.

(5) (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.

(6) (E061) Landscaped areas being completed prior to occupation or issue of the Occupation Certificate.

(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. The application for the certificate is to include an acceptable Work-As-Executed plan for water and sewer mains and services from a Professional Engineer or Registered Surveyor.

(8) (E068) Prior to the issue of a Subdivision or Occupation Certificate, whichever occurs first, evidence to the satisfaction of the Certifying Authority from the electricity and telecommunications providers that satisfactory services arrangements have been made to the lots or dwellings (including street lighting and fibre optic cabling where required).

(9) (E195) 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 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.

David Duncan
Pappinbarra Parade
PORT MACQUARIE NSW 2444
[redacted]

6 October 2016

1194.

General Manager
Development Submission
Port Macquarie-Hastings Council
P O Box 84
PORT MACQUARIE NSW 2444

Dear Sir

Re Proposed Development - Lot 21 DP 2430007, 42 Bellangry Road, Port Macquarie
Application No: 2016/625
Property Address: 42 Bellangry Road, Port Macquarie
Council Assessing Officer Mr Ben Roberts

I am the owner and resident of 17 Pappinbarra Parade, Port Macquarie. My rear boundary will be the south side boundary of the proposed development.

I object to the above development on these grounds:-

1. I unsure as to whether the development is to be a dual occupancy, or a Torrens Title subdivision. If it is to be a dual occupancy, then their rear boundary setback is insufficient. I understand the rear boundary should be 3m and there should be a stepped setback for the 2nd storey.

   The application in fact refers to itself as a subdivision, so I have to assume it will be a subdivision, and thus, if it is to be a Torrens Title, their side (southern) boundary I understand pursuant to 3.2.2.5b of the DCP requires a side setback of 900mm for a 1st floor, but as this is two stories, the side set back should be a minimum of 3m. The proposed plan shows a 2.28 setback and I formally object.

   I do not consider that the application reflects the true position when it asks, at question 3 "Does your proposal comply with the relevant ..development control plan (eg setbacks) where the answer to that question is marked yes.

2. In relation to Question 4 on the application, the question is asked "Will the development:
   - Affect any neighbouring residences by overshadowing or loss of privacy?" and the answer is ticked "NO".
     That is incorrect, both as to overshadowing, and loss of privacy.

[redacted]

I have attached a photo-shop overlay of the proposed dwelling's southern facing wall, as it will be viewed from my property, both from downstairs, and the upstairs. Upstairs is my living area. The upstairs shot is taken with the camera levelled in both axes and at standing height.

Clearly, the impact is substantial and I understand the word 'residence' to include, for the purposes of the DCP, my outdoor private space as well.

It is difficult to understand how a double story house with a proposed height of 7.526 m, built very close to my northern boundary, could fail to overshadow a substantial area of my private open space.

Further, my block is of a size and layout that I am advised it would be possible to subdivide myself. Should I wish to do that, any dwelling I could erect would face a severe overshadowing and this proposed dwelling is right on my northern boundary so, the design and placement of the building constitutes a possible, severe economic loss to me, and probably an instant drop in the value of my property.

3. Further on the issue of overshadowing, I note the design of the house is with a pitched roof which extends 2 metres above the eaves.

Looking at the photo shopped impressions I have attached shows that all of my horizon view is taken away by the proposed dwelling, and, from my lower level, much of the sky view is taken away. I note that the builder's view shows a much more favourable impression. My photoshopped impression are taken from measurements shown on their engineering diagrams.

Even in the event that my measurements are not correct (I note the builder's levels are not taken from the engineering diagram) the photo-shopped images based on the builder's anticipated height still show a dramatic and adverse impact on my amenities.

4. I refer to the questions asked on the application about Site Suitability

"Will the development be out of character with the surrounding area?"

And the answer is ticked "No.

And "Will the development be visually prominent within the existing landscape/streetscape?"

And the answer is ticked "No."

I disagree with both of these answers.

There are a few double storey houses but they aren't crammed onto tiny lots. Every double storey house in this locality has a medium to large yard.

The double garage takes up 6.2 / 9.1 of the front of the house. The garage dominates the house and street level. No other house in the street does this.

The shape of the roof is out of character. It has a hip on the one and a gable on the other. It just looks stupid and cheap, and tightly squeezed in. I know that is my opinion, but it simply does not fit in with the streetscape. As well as being out of character from the street, it will be projecting the vast bulk of its ugliness in my face.

[redacted]

5. I understand the DCP 3.2.2.2 requires a front set back of 4.5m to Bellvue Drive, which will be the primary frontage. The front set back appears to be 3.5m to the front of the deck, less the overhang of the roof which extends beyond the deck. The deck cannot be classed as an articulation because it extends the whole width of the house.

   I formally object to this.

Suggestions to ameliorate the severe loss of my amenities and to make it better overall -

1. Put on a skillion roof instead of a pitched roof. This might take 1.5 m off the height. Make the skillion slope down the hill so it doesn't glare into my face.

2. Excavate the building and sit the building down into the dirt a bit to take some height off the top of the building; The soil on the property is already higher than the natural level because when the original house (ie the existing dwelling facing Bellangry Drive) was built, it was excavated and the fill dumped on the site of the proposed dwelling. That's why the existing Bellevue Drive house is so flat.

   My argument is that the block size is too small to support a double storey house without severely impacting on my amenities. If the development is to proceed, then to minimise my loss, the proposed height must be shortened and the applicant change the design of the roof and sink the the building into the hillside a bit.

3. Take off the roof over the deck. That blocks out my coastal view of the iconic Port Macquarie Norfolk Pines. Put a sail up for the sun. The roof already is in breach of the DCP's minimum set back to primary frontage requirements.

4. Require a 3 m side set back (on my northern boundary) for the double story building as stipulated in the DCP.

5. Require the 4.5 front set back as stipulated in the DCP.

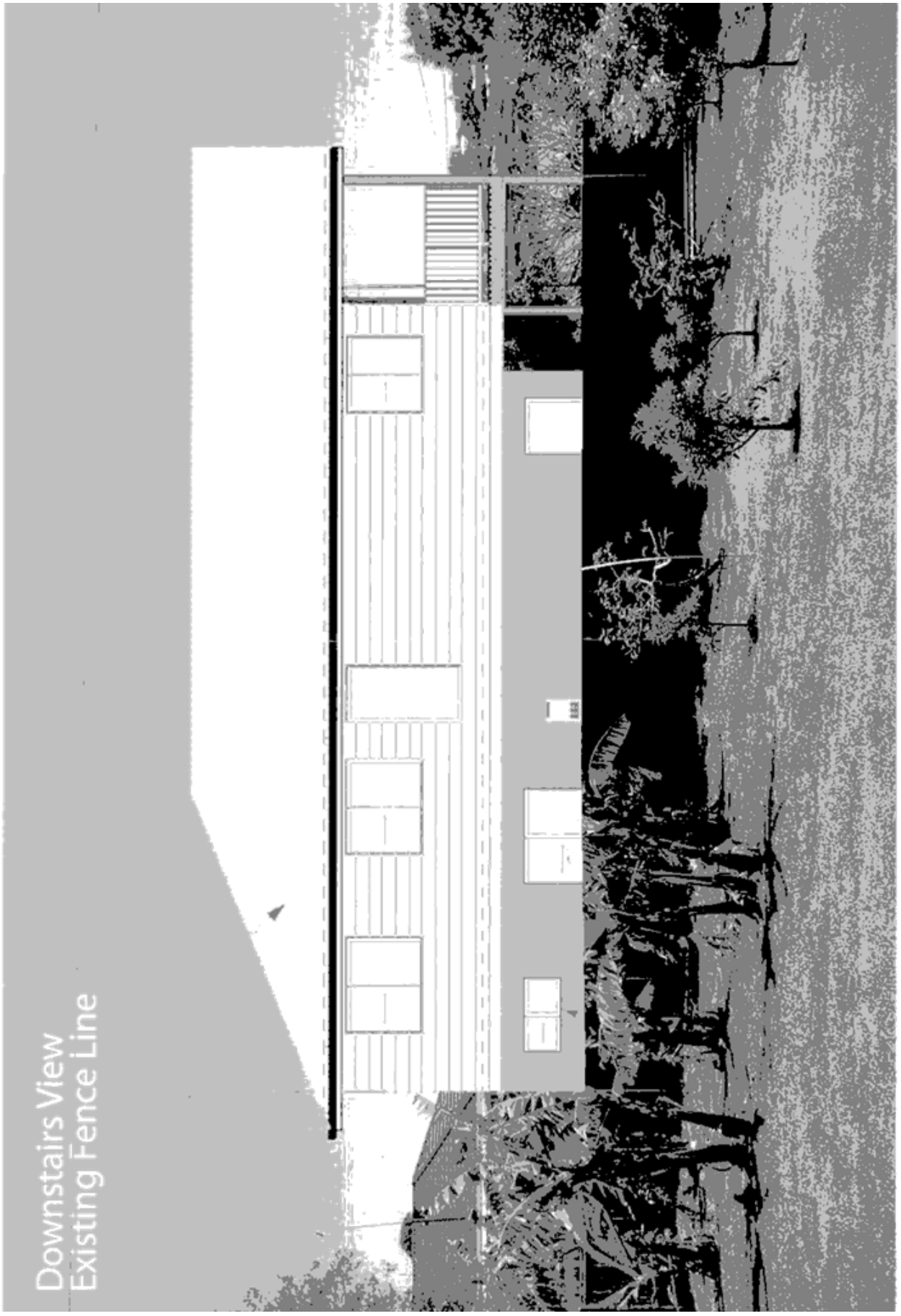
6. Change the design/siting so the garage does not dominate the front of the house, and the streetscape.

Yours faithfully

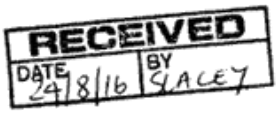
[redacted]

David Duncan

The best way to contact me is on my email


Downstairs View
Existing Fence Line


Upstairs View
Existing Fence Line



23 August 2016

Pamela McElroy
40 Bellangry Road
Port Macquarie NSW 2444
[redacted]

The General Manager

RE: APPLICATION NO 2016/625

I would like to lodge my objection to the following proposed development at **42 BELLANGRY ROAD, PORT MACQUARIE**, by the following applicants:

V J Hughes & G M Hughes
Application No: 2016/625

I lodge my objections on the following grounds:

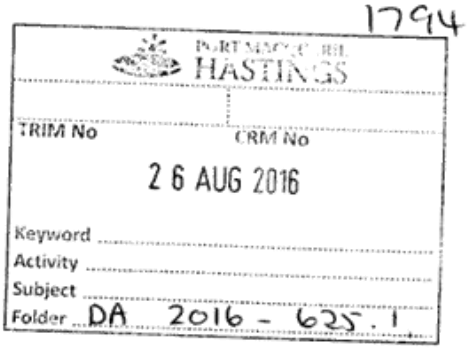
1. **Overshadowing & loss of privacy**
2. **Loss of natural light & sun**
3. **Noise factor**
4. **Loss of View**
5. **Is out of character with the area & creates high density living**
6. **Will create a problem with the natural flow of rain water**

I would like to refer to **QUESTION 5 (Environmental Impact)** on the application form where it states & I quote **"involve the removal of any trees?"** and I observe **the applicant has answered NO**.

This is not correct as about 4 weeks ago they had a very healthy and large beautiful tree which would have been over 7 metres high taken out I presume to make way for this development. This tree had been there for over 35 years. I would have thought this to be against council policy.

I look forward to hearing from you.

1794



Yours faithfully

[redacted]

Pamela McElroy
Owner Occupier

Wayne Marsden
19 Pappinbarra Parade
Port Macquarie 2444
[redacted]

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

Sent via email to council@pmhc.nsw.gov.au

Reference:

Application number 625
Development Application (10.2016.625.1). 22 Bellangry Road, Port Macquarie
(LOT: 21 DP: 243007)

In the Proposal it is showing that the box has been ticked that it is taking the view of the neighbour.

Looking at the height proposal of 7.5m I cannot see if it is going to take the view of the horizon that has been there for around 50 years from the neighbour's houses. It would not look good if the roof of the Dwelling was above the horizon. Part of that view is the Ocean.

The proposal of the second level would have the view that the neighbour has now and in doing so taking it from the neighbour.

In the proposal I would not have chosen to build a town house. It will look out of place. A villa would be more appropriate.

Although if it was excavated down to an appropriate level you would not notice it. Would not like it to look like a Church in the street

The neighbour that this affects the most has not picked his mail up since the week before the Census so they may not be aware of this application.

The goal here is to see people work together so we all have a view to the horizon.

On the grounds stated above I object to this application.

Yours faithfully
Wayne Marsden
29th August 2016

Wayne Marsden
19 Pappinbarra Parade
Port Macquarie 2444
[redacted]

The General Manager
Port Macquarie Hastings Council
PO Box 84
Port Macquarie NSW 2444
Sent via email to council@pmhc.nsw.gov.au
Reference:

Application number 625
Development Application (10.2016.625.1). 42 Bellangry Road, Port Macquarie
(LOT: 21 DP: 243007)

Further to my letter of the 29th August-

The measuring pole that I noticed on the 26th September 4.30pm, that has been erected to show the height of the proposed dwelling in there back yard by G Hughes Is over 1.7 m Heighter than the house directly in front of my house. If it is lowered by .6 meter I will still have a ocean view from my patio

On the 28th September 8am I have noticed that, that Pole has been taken down

Yours faithfully

Wayne Marsden
27st September 2016

Wayne Marsden
19 Pappinbarra Parade
Port Macquarie 2444
[redacted]

The General Manager
Port Macquarie Hastings Council
PO Box 84
Port Macquarie NSW 2444
Sent via email to council@pmhc.nsw.gov.au
Reference:

Application number 625
Development Application (10.2016.625.1). 42 Bellangry Road, Port Macquarie
(LOT: 21 DP: 243007)

Further to my letter of the 29th August-

We Have a second measuring pole that I noticed on the 3th October , that has been erected to show the height of the proposed dwelling in there back yard by G Hughes Is around .25 m Higher than the house directly in front of my house. At this height I will have a ocean view from my patio.

Yours faithfully

Wayne Marsden
4st October 2016

Item: **07**

Subject: **DA2016 - 713.1 - ADDITIONS TO DWELLING - LOT 3 DP 855993, NO 24 BEECHTREE CIRCUIT, PORT MACQUARIE**

Report Author: Keith Smith

Applicant:	**Holiday Coast Patios**
Owner:	**S Dempster**
Estimated Cost:	**$11,473**
Parcel no:	**28590**

Alignment with Delivery Program

4.9.2 Undertake transparent and efficient development assessment in accordance with relevant legislation.

RECOMMENDATION

That DA 2016 - 713.1 for additions to dwelling at Lot 3, DP 855993, No. 24 Beechtree Circuit, Port Macquarie, be determined by granting consent subject to the recommended conditions.

Executive Summary

This report considers a development application for additions to a dwelling at the subject site and provides an assessment of the application in accordance with the Environmental Planning and Assessment Act 1979.

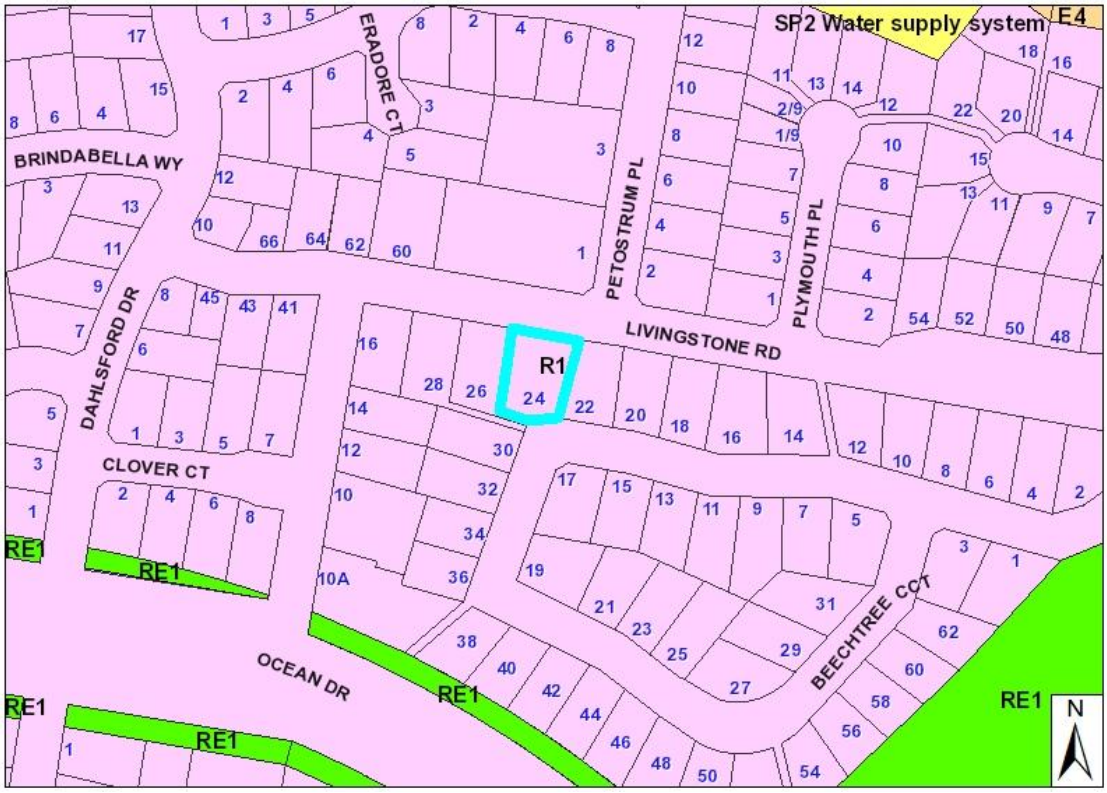
Following exhibition of the application, one submission has been received.

1. BACKGROUND

Existing sites features and Surrounding development

The site has an area of 1051m^2.

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

2. DESCRIPTION OF DEVELOPMENT

Key aspects of the proposal include the following:

- Carport

Refer to attachments at the end of this report.

Application Chronology

- 12 September 2016 - Application Lodged.
- 14 September 2016 - Neighbour Notification.
- 19 September 2016 -03 October 2016 - Exhibition period.
- 28 September 2016 - Site inspection undertaken by assessing officer.
- 2 October 2016 - Submission received.
- 5 October 2016 - Interview and site inspection with the objector.
- 26 October 2016 - email response from the applicant addressing the objectors concerns.

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 No. 44 - Koala Habitat Protection

There is no Koala Plan of Management on the site. Additionally, the site is less than 1ha in area therefore no further investigations are required.

State Environmental Planning Policy No.55 – Remediation of Land

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.

State Environmental Planning Policy No. 62 – Sustainable Aquaculture

Given the nature of the proposed development and proposed stormwater controls the proposal will be unlikely to have any adverse impact on existing aquaculture industries.

Port Macquarie-Hastings Local Environmental Plan 2011

The proposal is consistent with the LEP having regard to the following:

- 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 dwelling (or ancillary structure to a dwelling) 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 as it is a permissible landuse and consistent with the established residential locality,

- Clause 4.3, the maximum overall height of the building above ground level (existing) is 3.3m which complies with the standard height limit of 4.8 m applying to the site.
- Clause 4.4, the floor space ratio of development on the site is unchanged as the car port is not included in floor area.
- Clause 7.13, satisfactory arrangements are in place for provision of essential services.

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

No draft instruments apply to the site.

(iii) any Development Control Plan in force:

Port Macquarie-Hastings Development Control Plan 2013

DCP 2013: Dwellings, Dual occupancies, Dwelling houses, Multi dwelling houses & Ancillary development			
	Requirements	**Proposed**	**Complies**
3.2.2.1	Ancillary development: • 4.8m max. height • Single storey • 60m2 max. area • 100m2 for lots >900m2 • 24 degree max. roof pitch • Not located in front setback	Carport 3.3m high Single storey Site area 1051m² 45m² Less than 24º Not in front yard approx 11.3m from front boundary & approx 3.3m behind the front facade of the Dwelling	Yes Yes Yes n/a Yes Yes Yes
3.2.2.2	Articulation zone:	n/a	n/a
	Front setback (Residential not R5 zone): • Min. 4.5m local road or within 20% of adjoining dwelling if on	Approx 11.3m from front boundary.	Yes

DCP 2013: Dwellings, Dual occupancies, Dwelling houses, Multi dwelling houses & Ancillary development			
	Requirements	**Proposed**	**Complies**
	corner lot		
3.2.2.3	Garage 5.5m min. and 1m behind front façade. Garage door recessed behind building line or eaves/overhangs provided	Carport approx 11.3m behind front boundary & 3.3m behind front facade of the dwelling.	Yes
	6m max. width of garage door/s and 50% max. width of building	Carport 4.5m wide Width of building approx 21.6m wide ÷ 50%=10.8m	Yes
	Driveway crossover 1/3 max. of site frontage and max. 5.0m width	Existing	NA
	Garage and driveway provided on each frontage for dual occupancy on corner lot	NA	NA
3.2.2.4	4m min. rear setback. Variation subject to site analysis and provision of private open space	Carport approx 14.27m from rear boundary fronting Livingstone Road.	YES
3.2.2.5	Side setbacks: • Ground floor = min. 0.9m	500mm from eastern boundary does not comply with DCP 2013. (However the proposal complies with the current BCA requirements for fire separation).	No - see comments below

DCP 2013: General Provisions			
	Requirements	**Proposed**	**Complies**
2.7.2.2	Design addresses generic principles of Crime Prevention Through Environmental Design guideline	Adequate casual surveillance available	Yes
2.4.3	Bushfire risk, Acid sulphate soils, Flooding, Contamination, Airspace protection, Noise and Stormwater	Refer to main body of report.	
2.5.3.2	New accesses not permitted from arterial or distributor roads	NA	NA
	Driveway crossing/s minimal in number and width including maximising street parking	NA Existing Driveway	NA
2.5.3.3	Parking in accordance with Table 2.5.1. 1 space per single dwelling	Existing	YES

DCP 2013: Dwellings, Dual occupancies, Dwelling houses, Multi dwelling houses & Ancillary development			
	Requirements	**Proposed**	**Complies**
	(behind building line)		

The proposal seeks to vary Development DCP2013

The relevant objectives are 3.2.2.5
To reduce overbearing and perceptions of building bulk on adjoining properties and to maintain privacy.
To provide for visual and acoustic privacy between dwellings.

Development Provisions

a) Ground floors should be setback a minimum of 900mm from side boundaries.

Having regard for the development provisions and relevant objectives, the variation is considered acceptable for the following reasons:

- The proposed Carport is to be located 500mm from the Eastern boundary at its closest point and 1.4m at its furthest point. This progressive setback provides adequate relief to the structure.
- The open carport post support encroaches on the numerical requirements of the DCP by 400mm however, the concession clause in the BCA 2016 Part 3.7.1 allows this type of encroachment subject to compliance with the clause 3.7.1.6(d)(i)(ii). Given that the carport complies with the BCA concession and that it is an open structure it is considered that the objectives regarding perceptions of overbearing and building bulk and maintenance of privacy both visual and acoustic between dwellings have been satisfied.

Based on the above assessment, the variation proposed to the provisions of the DCP is considered acceptable and the relevant objectives have been satisfied. The variation does not amount to an adverse impact or a significance that would justify refusal of the application.

(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:

No planning agreement has been offered or entered into relating to the site.

iv) any matters prescribed by the Regulations:

n/a

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:

Nil

(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 and 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 and 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.

Stormwater

Service available – details required with S.68 application

Other Utilities

Telecommunication and electricity services are available to the site.

Heritage

This site does not contain or adjoin any known heritage item or site of significance.

Other land resources

No adverse impacts anticipated. The site is within an established urban context and will not sterilise any significant mineral or agricultural resource.

Water cycle

The proposed development will be unlikely to have any adverse impacts on water resources and the water cycle.

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 and microclimate

The construction and/or 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 and fauna

Construction of the proposed development will not require any 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.

PORT MACQUARIE HASTINGS

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

Bushfire
The site is not identified as being bushfire prone.

Safety, security and 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 impacts in the locality
Given the nature of the proposed development and its' location the proposal is unlikely to result in any adverse social impacts.

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 (ie 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.

(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:

One written submissions have been received following 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
Concerns with proximity of Carport to side boundary - refer to submission item one on this issue attached.	Refer to comments within PMHC Development Control Plan 2013 assessment section, also refer to the concession clause in the current Building Code of Australia 2016. There are no significant adverse impacts that would justify refusal of the development.
Concerns raised to the height of the Carport - refer to submission item two on this issue attached.	Refer to comments within PMHC Development Control Plan 2013 assessment section. The current proposal as submitted is considered to comply with the objectives of the DCP. There are no significant adverse impacts that would justify refusal of the development.
Concerns raised in respect of the visual aspect of the Carport on the streetscape - Refer to submission item three on this issue attached.	Refer to comments within PMHC Development Control Plan 2013 assessment section. The current proposal as submitted is considered to comply with the objectives of the DCP. There are no significant adverse impacts that would justify refusal of the development.

(e) The Public Interest:

The proposed development satisfies relevant planning controls and is unlikely 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. Nil

- 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. Nil

5. CONCLUSION

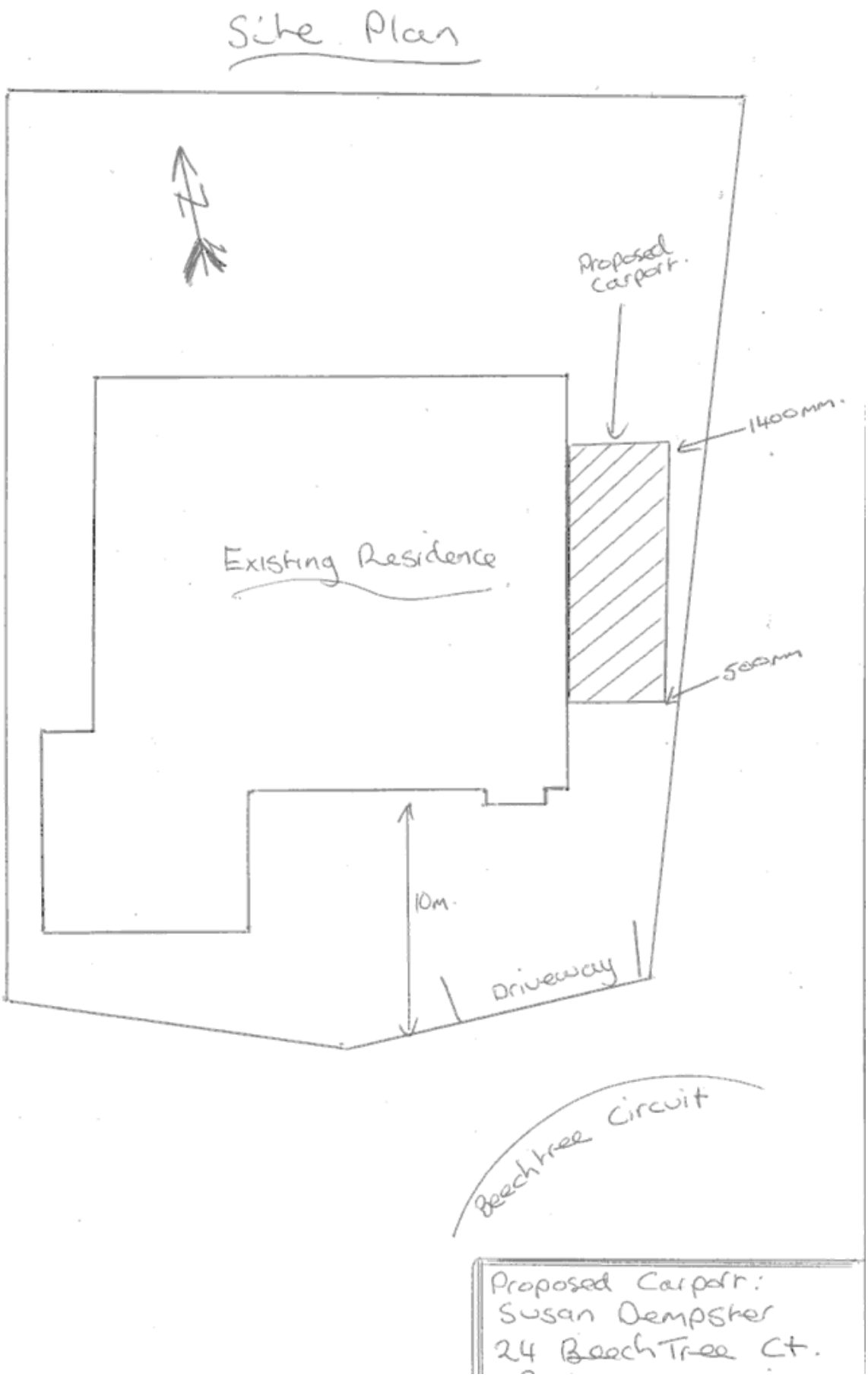
The application has been assessed in accordance with Section 79C of the Environmental Planning and Assessment Act 1979.

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. It is recommended that the application be approved, subject to the recommended conditions of consent provided in the attachment section of this report.

Attachments

1View. DA2016 - 713.1 Plans
2View. DA2016 - 713.1 Recommended Conditions
3View. DA2016 - 713.1 Submission - Boyne
4View. DA2016 - 713.1 Owners Response to Objectors Concerns


Site Plan
N
Proposed carport.
1400mm.
Existing Residence
500mm
10m.
Driveway
Beechtree Circuit
Proposed Carport:
Susan Dempster
24 Beechtree Ct.

4500
* Horizon Colorbond Roof.
* Aluminium beams. 150x50
* Aluminium Posts 90x90
* Extend a brackety to roof
* Stormwater to existing house roof.
Scale 1:100
Proposed Carport
Susan Dempster
24 Beachtree Ct
3300
Concrete footing! 350x350x500.
4500
1:5
Boundry
1:4
s/w
s/w
10000

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SPACESPAN

ATRIUM ROOF DESIGN PROCEDURES

The structural information in this specification has been checked by us and we certify that a structure in accordance with the details on this sheet subject to any conditions or restrictions shown complies with the following Australian Standards:

AS/NZS	1170.0 - 2002	Structural Design Actions Code - Part 1: General Principles
AS/NZS	1170.1 - 2002	Structural Design Actions Code - Part 2: Permanent Imposed and Other Actions
AS/NZS	1170.2 - 2002	Structural Design Actions Code - Part 3: Wind Actions
AS	4100 - 1998	Steel Structures Code
AS/NZS	4600 - 2005	Cold Formed Steel Structures Code
AS/NZS	1664.2 - 1997	Aluminium Structures - Allowable Stress Design
AS	1684.3 - 1999	Residential Timber-Framed Construction Code
AS	4055 - 1992	Wind Loads For Housing
AS	1562.3 - 1992	Design and Installation of Sheet Roof and Wall Cladding
AS	3600 - 2001	Concrete Structures

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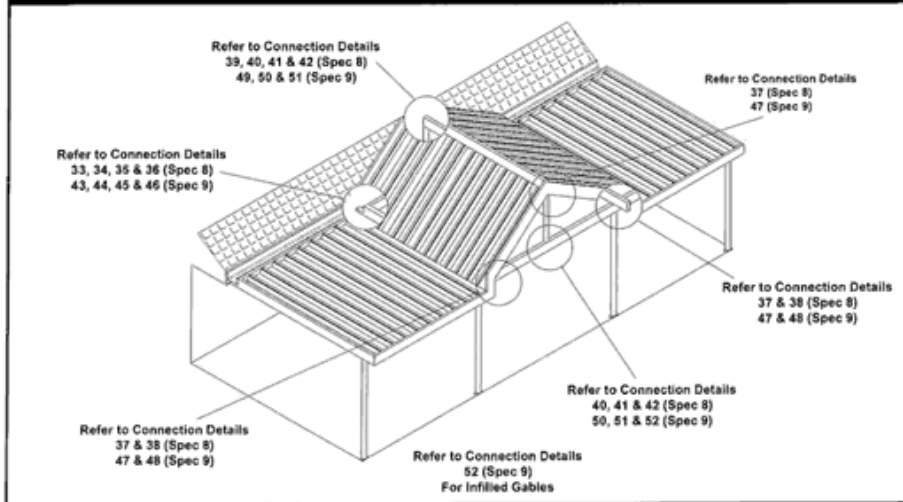
RPEQ 7846

Date: 1st January 2010

REGION
A,B,C
SPECIFICATION 7

ATRIUM ROOF OVERVIEW



DESIGN NOTES - ALL ATRIUMS

39. These notes are in addition to those contained in **Specifications 1 & 6.**
40. Attached SpaceSpan Systems incorporating Atrium Roofs are to be supported by Secondary Beams in all cases **(Refer to Figure 7)**.
41. The Atrium Roof may be constructed with a fall in the Ridge Beam matching that of the SpaceSpan Roof (1 degree minimum) in which case the Gable Ends will not be plumb.
42. Multiple Atrium Roofs are permissible within the one SpaceSpan structure providing due consideration is paid to the aspects of roof-water drainage and lateral bracing as described in **Note 43.**
43. Being pitched, the Atrium Roof can be subjected to horizontal wind loads which, if ignored, will give rise to lateral sway in the SpaceSpan structure. This effect needs no consideration if the structure is attached to the existing building on two or more sides as the building itself provides an effective buttress against the lateral sway **(Refer to Figure 8)**. In the event of the SpaceSpan structure being attached to one wall only, conventionally installed SpaceSpan Roofing must be provided to a miniumum of 25% of the Outstand distance either side of the Atrium roof to ensure adequate lateral restraint **(Refer to Figure 9)**.

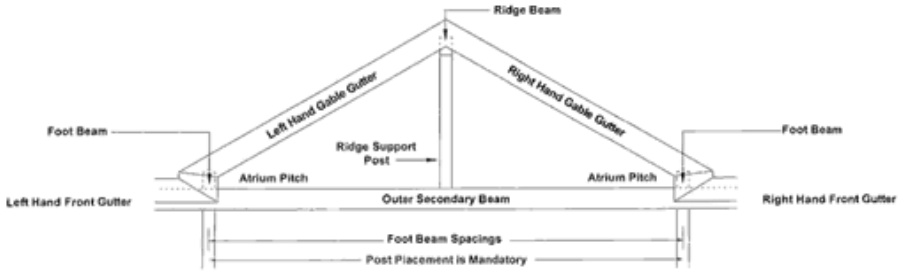
DESIGN NOTES SPECIFIC TO STANDARD 2.4m ATRIUMS

44. Atrium Roof Foot Beams are spaced at 2350mm centres **(Refer to Figure 7)**.
45. Atrium Roof Pitch is 30 degrees **(Refer to Figure 7)**.
46. Atrium Roof Foot and Ridge Beams are 100x50mm Roll-Formed Beams (7550) **(Refer to Figure 7)**. Maximum allowable spans of these beams is as for the allowable SpaceSpan roof spans as derived from **Table 2** on **Specification 1**.

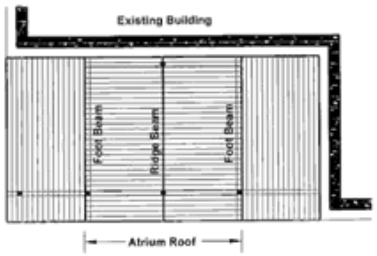
DESIGN NOTES SPECIFIC TO 2.4m - 4.0m ATRIUMS

47. Atrium Roof Foot Beams are at spacings varying from 2400mm up to 4000mm centres **(Refer Figure 7)**.
48. Atrium Roof Pitch is between 20 and 25 degrees **(Refer to Figure 7)**.
49. Atrium Roof Foot and Ridge Beams are 150x50mm Roll-Formed Beams (7551) **(Refer to Figure 7)**. Maximum allowable spans of these beams is as for the allowable SpaceSpan roof spans as derived from **Table 2** on **Specification 1.**

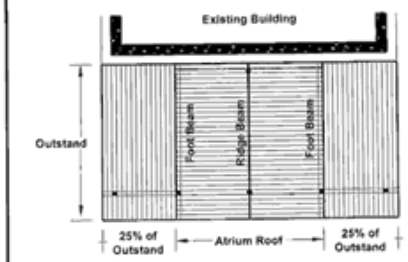
ATRIUM ROOF FRONT GABLE END (Figure 7)

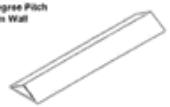
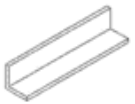
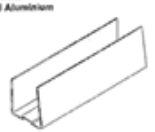
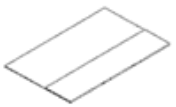


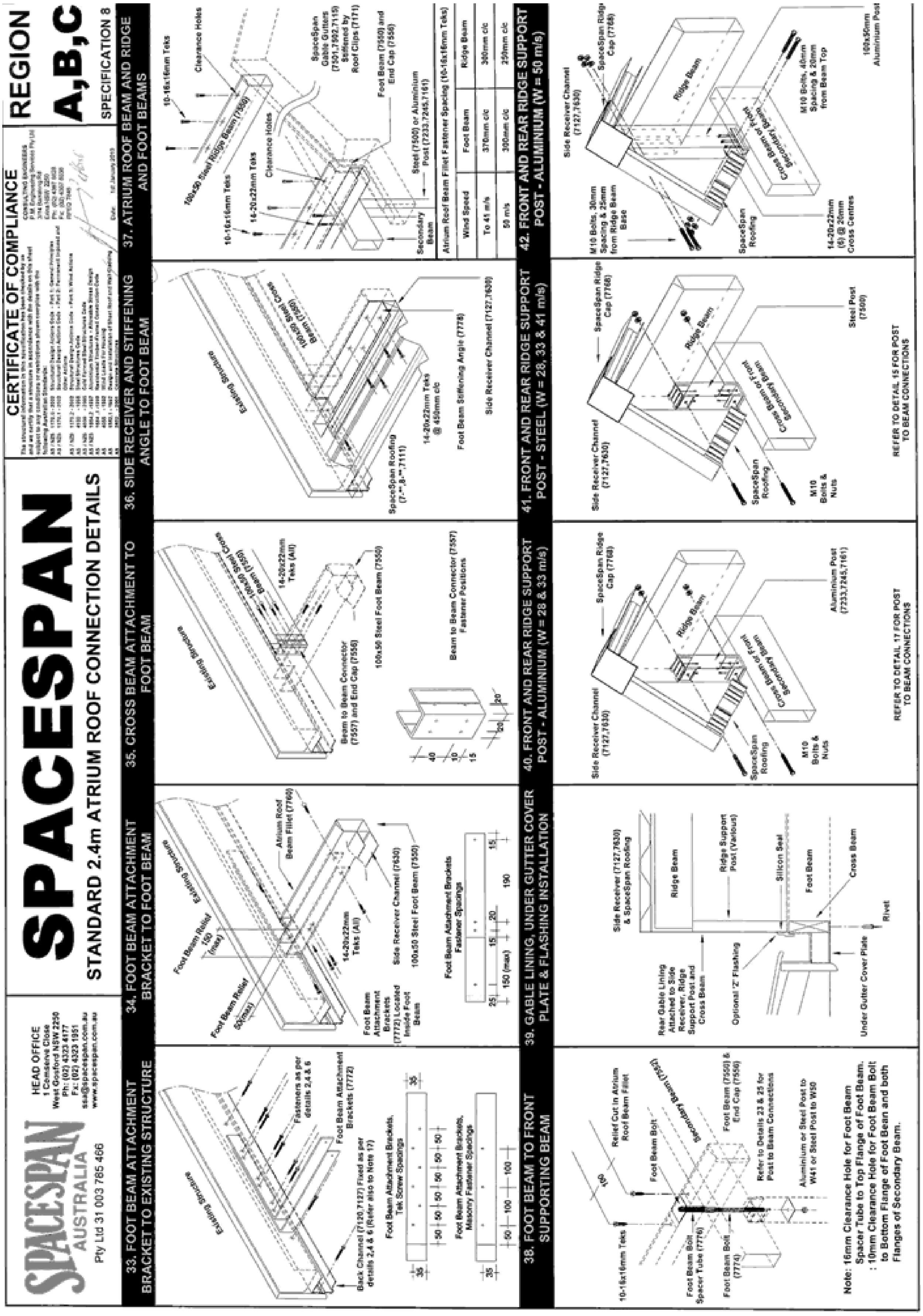
BUTTRESSING (Figure 8)



BUTTRESSING (Figure 9)



ATRIUM ROOF BEAM FILLET	FOOT BEAM ATTACHMENT BRACKET	FOOT BEAM ATTACHMENT BOLT	ATTACHMENT BOLT SPACER TUBE	STIFFENING ANGLE 40X40X4mm	ATRIUM ROOF GUTTER TEMPLATES	ATRIUM ROOF SIDE CHANNEL	ATRIUM ROOF UNDER GUTTER COVER PLATE
Extruded Aluminium 30 Degree Pitch 1.6mm Wall	8mm Mild Steel Bar Cold Galvanised 400x400x50mm	10mm Threaded Rod & Nut 50x25x4mm Top Plate	16mm Aluminium Tube 1.6mm Wall	Foot Beam Aluminium Angle	2.4m Atrium Cardboard Templates Set of 4	Extruded Aluminium	Fabricated Colorbond Sheet
							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STANDARD 2.4m ATRIUM ROOF CONNECTION DETAILS
CERTIFICATE OF COMPLIANCE
REGION
A,B,C
SPECIFICATION 8
33. FOOT BEAM ATTACHMENT BRACKET TO EXISTING STRUCTURE
Existing Structure
Fasteners as per details 2,4 & 6
Foot Beam Attachment Brackets (7772)
Back Channel (7120,7127) Fixed as per details 2,4 & 6 (Refer also to Note 17)
Foot Beam Attachment Brackets, Tek Screw Spacings
Foot Beam Attachment Brackets, Masonry Fastener Spacings
34. FOOT BEAM ATTACHMENT BRACKET TO FOOT BEAM
Foot Beam Relief 150 (max)
Foot Beam Relief 50(max)
Existing Structure
Atrium Roof Beam Fillet (7760)
14-20x22mm Teks (All)
Foot Beam Attachment Brackets (7772) Located Inside Foot Beam
Side Receiver Channel (7630)
100x50 Steel Foot Beam (7550)
Foot Beam Attachment Brackets Fastener Spacings
150 (max)
190
35. CROSS BEAM ATTACHMENT TO FOOT BEAM
Existing Structure
100x50 Steel Cross Beam (7550)
14-20x22mm Teks (All)
Beam to Beam Connector (7557) and End Cap (7556)
100x50 Steel Foot Beam (7550)
Beam to Beam Connector (7557) Fastener Positions
36. SIDE RECEIVER AND STIFFENING ANGLE TO FOOT BEAM
Existing Structure
100x50 Steel Cross Beam (7550)
SpaceSpan Roofing (7-**,8-**,7111)
14-20x22mm Teks @ 450mm c/c
Foot Beam Stiffening Angle (7778)
Side Receiver Channel (7127,7630)
37. ATRIUM ROOF BEAM AND RIDGE AND FOOT BEAMS
10-16x16mm Teks
100x50 Steel Ridge Beam (7550)
Clearance Holes
14-20x22mm Teks
SpaceSpan Gable Gutters (7501,7502,7115) Stiffened by Roof Clips (7171)
Foot Beam (7550) and End Cap (7556)
Secondary Beam
Steel (7500) or Aluminium Post (7233,7245,7161)
Atrium Roof Beam Fillet Fastener Spacing (10-16x16mm Teks)
Wind Speed | Foot Beam | Ridge Beam
To 41 m/s | 370mm c/c | 300mm c/c
50 m/s | 300mm c/c | 250mm c/c
38. FOOT BEAM TO FRONT SUPPORTING BEAM
10-16x16mm Teks
Relief Cut in Atrium Roof Beam Fillet
Foot Beam Bolt
Secondary Beam (7552)
Foot Beam Bolt Spacer Tube (7776)
Foot Beam Bolt (7774)
Foot Beam (7550) & End Cap (7556)
Refer to Details 23 & 25 for Post to Beam Connections
Aluminium or Steel Post to W41 or Steel Post to W50
Note: 16mm Clearance Hole for Foot Beam Spacer Tube to Top Flange of Foot Beam.
: 10mm Clearance Hole for Foot Beam Bolt to Bottom Flange of Foot Bean and both Flanges of Secondary Beam.
39. GABLE LINING, UNDER GUTTER COVER PLATE & FLASHING INSTALLATION
Side Receiver (7127,7630) & SpaceSpan Roofing
Rear Gable Lining Attached to Side Receiver, Ridge Support Post and Cross Beam
Ridge Beam
Ridge Support Post (Various)
Optional 'Z' Flashing
Silicon Seal
Foot Beam
Under Gutter Cover Plate
Cross Beam
Rivet
40. FRONT AND REAR RIDGE SUPPORT POST - ALUMINIUM (W = 28 & 33 m/s)
Side Receiver Channel (7127,7630)
SpaceSpan Ridge Cap (7768)
Ridge Beam
SpaceSpan Roofing
Cross Beam or Front Secondary Beam
M10 Bolts & Nuts
Aluminium Post (7233,7245,7161)
REFER TO DETAIL 17 FOR POST TO BEAM CONNECTIONS
41. FRONT AND REAR RIDGE SUPPORT POST - STEEL (W = 28, 33 & 41 m/s)
Side Receiver Channel (7127,7630)
SpaceSpan Ridge Cap (7768)
Ridge Beam
SpaceSpan Roofing
Cross Beam or Front Secondary Beam
M10 Bolts & Nuts
Steel Post (7500)
REFER TO DETAIL 15 FOR POST TO BEAM CONNECTIONS
42. FRONT AND REAR RIDGE SUPPORT POST - ALUMINIUM (W = 50 m/s)
Side Receiver Channel (7127,7630)
M10 Bolts, 30mm Spacing & 25mm from Ridge Beam Base
SpaceSpan Ridge Cap (7768)
Ridge Beam
SpaceSpan Roofing
Cross Beam or Front Secondary Beam
M10 Bolts, 40mm Spacing & 20mm from Beam Top
14-20x22mm (6) @ 20mm Cross Centres
100x50mm Aluminium Post

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2.4m - 4.0m ATRIUM ROOF CONNECTION DETAILS
CERTIFICATE OF COMPLIANCE
REGION
A,B,C
SPECIFICATION 9
43. FOOT BEAM ATTACHMENT BRACKET TO EXISTING STRUCTURE
44. FOOT BEAM ATTACHMENT BRACKET TO FOOT BEAM
45. CROSS BEAM ATTACHMENT TO FOOT BEAM
46. SIDE RECEIVER AND STIFFENING ANGLE TO FOOT BEAM
47. ATRIUM ROOF BEAM FILLET TO RIDGE AND FOOT BEAMS
48. FOOT BEAM TO FRONT SUPPORTING BEAM
49. GABLE LINING, UNDER GUTTER COVER PLATE & FLASHING INSTALLATION
50. FRONT AND REAR RIDGE SUPPORT POST - STEEL (W = 28 & 33 m/s)
51. FRONT AND REAR RIDGE SUPPORT POST - ALUMINIUM (W = 41 & 50 m/s)
52. CROSS & FRONT SECONDARY BEAM STIFFENER FOR INFILLED GABLES
Existing Structure
Foot Beam Attachment Brackets (7772)
Fasteners as per details 2,4 & 6
Rear Receiver (7120,7127) Fixed as per details 2,4 & 6 (Refer also to Note 17)
Foot Beam Attachment Brackets, Tek Screw Spacings
Foot Beam Attachment Brackets, Masonry Fastener Spacings
Foot Beam Relief
Atrium Roof Beam Fillet (7760)
14-20x22mm Teks (All)
Side Receiver Channel (7630,7127)
150x50 Steel Foot Beam (7551)
Beam to Beam Connector (7557) Fastener Positions
150x50 Steel Cross Beam (7557)
Beam to Beam Connector (7557) and End Cap (7556)
Foot Beam Stiffening Angle (7778)
SpaceSpan Roofing (7-**-**-7111)
Vertical Tek is to fasten the Stiffening Angle through the Side Receiver Channel and into either of the SpaceSpan Roofing Profiles @ 450mm Centres
10-16x16mm Teks
150x50 Steel Ridge Beam (7551)
Clearance Holes
14-20x22mm Teks
SpaceSpan Gable Gutters (7501,7502,7115) Stiffened by Roof Clips (7171)
Foot Beam (7551) and End Cap (7556)
Steel (7500) or Aluminium Post (7233,7245,7161)
Secondary Beam
Atrium Roof Beam Fillet Fastener Spacing (10-16x16mm Teks)
Wind Speed | Foot Beam | Ridge Beam
To 41 m/s | 280mm c/c | 280mm c/c
50 m/s | 230mm c/c | 210mm c/c
10-16x16mm Teks
Relief Cut in Atrium Roof Beam Fillet
Foot Beam Bolt
Spacer Tube
Foot Beam (7551) & End Cap (7556)
Refer to Details 23 & 25 for Post to Beam Connections
Aluminium or Steel Post to W41 or Steel Post to W50
Foot Beam Bolt Spacer Tube (7778)
Note: 16mm Clearance Hole for Foot Beam Spacer Tube to Top Flange of Foot Beam.
: 10mm Clearance Hole for Foot Beam Bolt to Bottom Flange of Foot Bean and both Flanges of Secondary Beam.
Side Receiver (7127,7630) & SpaceSpan Roofing
Ridge Beam
Ridge Support Post (Various)
Rear Gable Lining Attached to Side Receiver, Ridge Support Post and Cross Beam
Optional 'Z' Flashing
Silicon Seal
50x50x1.6mm Stiffener (7233,7245)
Foot Beam
Cross Beam
Under Gutter Cover Plate
Rivet
SpaceSpan Ridge Cap (7768)
Side Receiver Channel (7127,7630)
Steel Post (7500)
Secondary Beam or Purlin
SpaceSpan Roofing
M10 Bolts & Nuts
REFER TO DETAIL 15 FOR POST TO BEAM CONNECTIONS
Side Receiver Channel (7127,7630)
SpaceSpan Ridge Cap (7768)
M10 Bolts, 30mm Spacing & 25mm from Ridge Beam Base
Ridge Beam
Secondary Beam or Purlin
SpaceSpan Roofing
14-20x22mm (6) @ 70mm Cross Centres
M10 Bolts, 40mm Spacing & 20mm from Beam Top
W41 100x50x1.6mm Aluminium Post (7252)
W50 100x50x3.0mm Aluminium Post (7550)
Ridge Support Post (7500,7252,7750)
Cross Beam or Purlin
Secondary Beam
14-10x75mm Teks Positioned as Shown, at each end of Stiffener & @ 600mm max c/c
14-10x75mm Teks (4) Through Connector, Stiffener and into Beam
50x50x1.6mm Stiffener (7245,7233)

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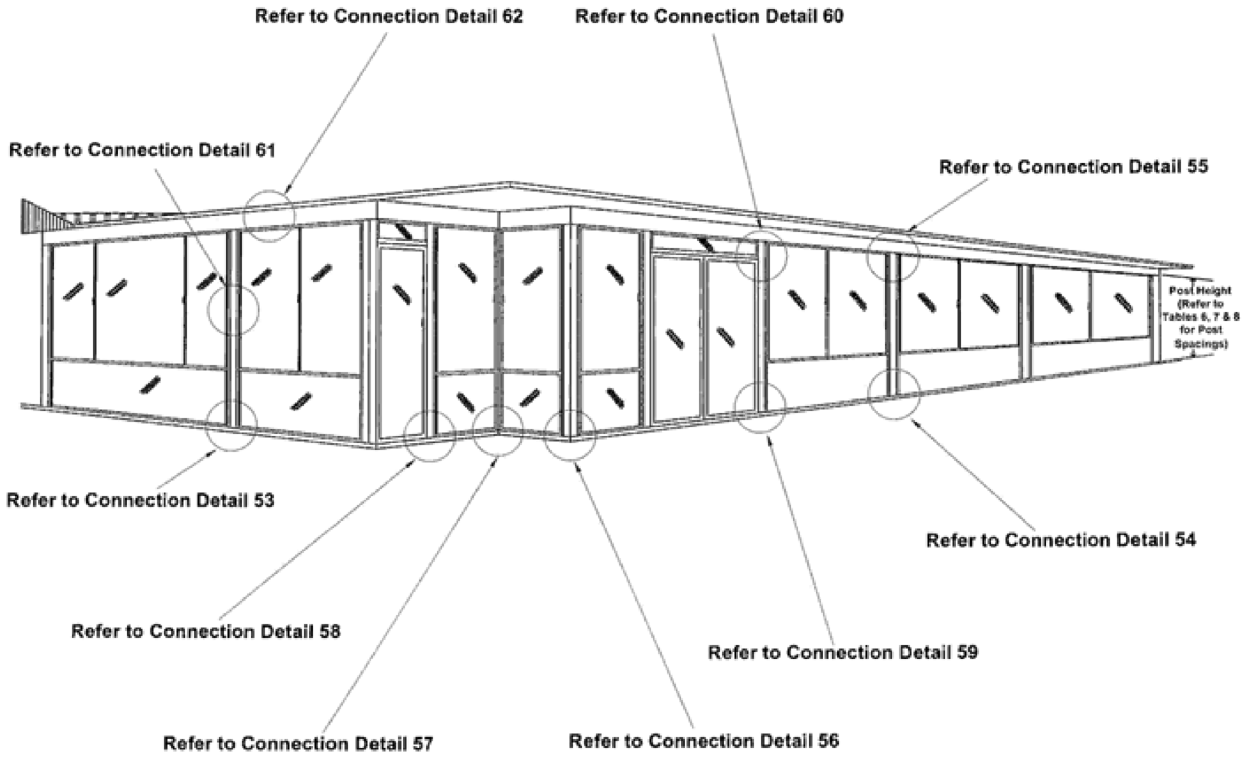
GLASS ENCLOSURE STRUCTURAL COMPONENTS

REGION **A,B,C**

SPECIFICATION 10

OVERVIEW

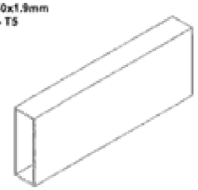


NOTES

50. These notes are in addition to those contained in **Specifications 1-7**.
51. All glazing shall comply with AS 1288 Glass In Buildings - Selection and Installation and AS 2208 Safety Glazing Material in Buildings.
52. Connection Details contained in **Specifications 11 & 12** have been designed specifically for post spacings of 2400mm maximum and various Post Heights of 2000mm, 2200mm and 2400mm.
53. The Outstand of the structure as defined in **Figure 1, Specification 1** is limited to 5000mm for **Specifications 10, 11 and 12**.

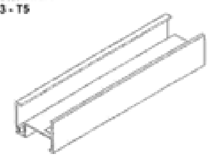
EXTRUDED ALUMINIUM BEAM (7820)

Extruded Aluminium RHS
125x50x1.9mm
6063 - T5



EXTRUDED ALUMINIUM BASE CHANNEL (7821)

Extruded Aluminium Channel
50x35x1.6mm
6063 - T5

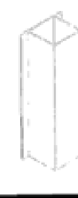


EXTRUDED ALUMINIUM STARTER POST (7823)

Extruded Aluminium SHS
50x50x1.6mm
6063 - T5

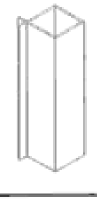
EXTRUDED ALUMINIUM INTERMEDIATE POST (7824)

Extruded Aluminium SHS
50x50x1.6mm
6063 - T5



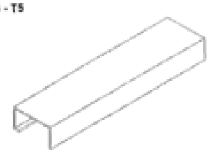
EXTRUDED ALUMINUM CORNER POST (7825)

Extruded Aluminium SHS
50x50x1.6mm
6063 - T5



EXTRUDED ALUMINIUM WALL CHANNEL (7827)

Extruded Aluminium Channel
48.4x25x1.6mm
6063 - T5



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GLASS ENCLOSURE STRUCTURAL COMPONENTS

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AS / NZS 4600 - 2005 Cold Formed Steel Structures Code
AS / NZS 1664.2 - 1997 Aluminium Structures - Allowable Stress Design
AS 1684.2 - 1999 Residential Timber-Framed Construction Code
AS 4055 - 1992 Wind Loads For Housing
AS 1562.1 - 1992 Design and Installation of Sheet Roof and Wall Cladding
AS 2870 - 2001 Concrete Structures

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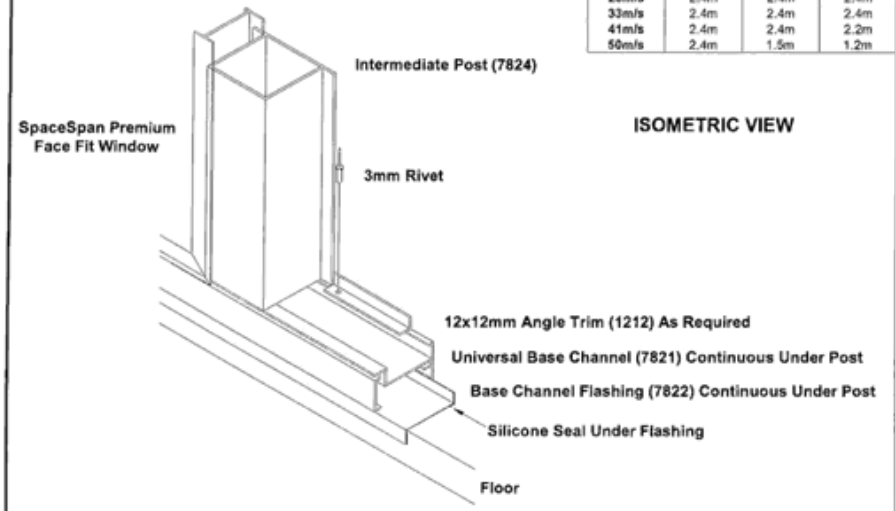
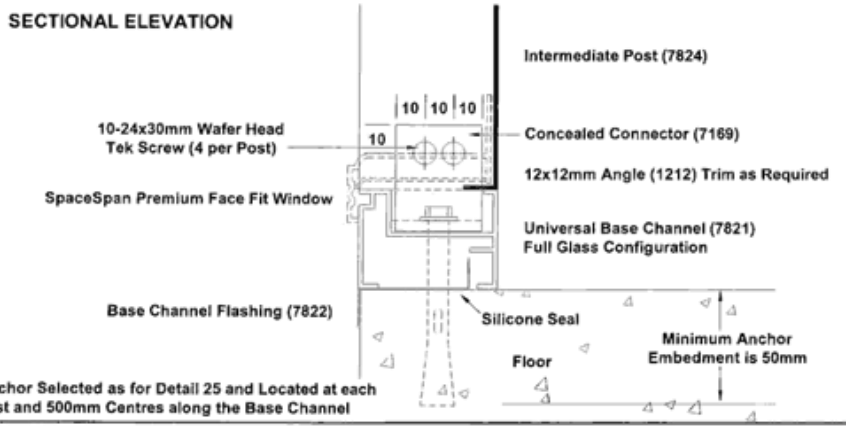
REGION
A,B,C
SPECIFICATION 11

53. POST TO BASE CHANNEL CONNECTION DETAIL - FULL HEIGHT WINDOWS

POST SPACING TABLE (Table 6)
INTERMEDIATE POST SPACING

WIND SPEED	UP TO 2.0m HEIGHT	UP TO 2.2m HEIGHT	UP TO 2.4m HEIGHT
28m/s	2.4m	2.4m	2.4m
33m/s	2.4m	2.4m	2.4m
41m/s	2.4m	2.4m	2.2m
50m/s	2.4m	1.5m	1.2m





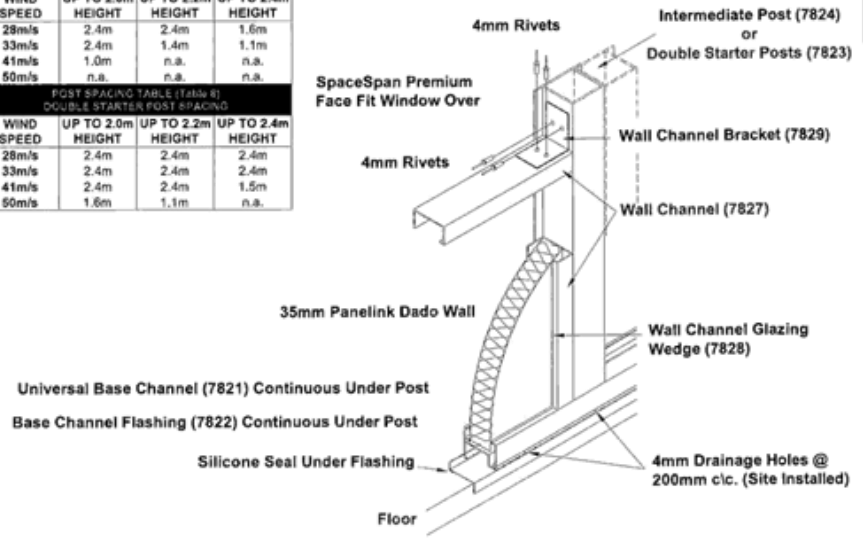
54. POST TO BASE CHANNEL CONNECTION DETAIL - 35mm PANELINK DADO WALLS

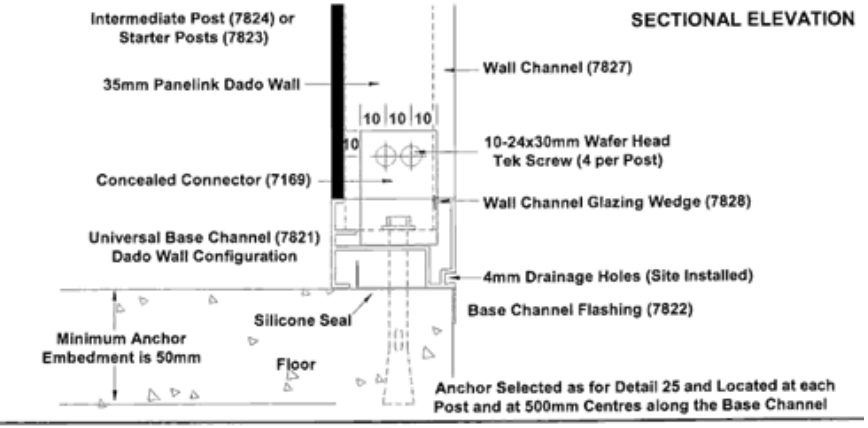
POST SPACING TABLE (Table 7)
INTERMEDIATE POST SPACING

WIND SPEED	UP TO 2.0m HEIGHT	UP TO 2.2m HEIGHT	UP TO 2.4m HEIGHT
28m/s	2.4m	2.4m	1.6m
33m/s	2.4m	1.4m	1.1m
41m/s	1.0m	n.a.	n.a.
50m/s	n.a.	n.a.	n.a.

POST SPACING TABLE (Table 8)
DOUBLE STARTER POST SPACING

WIND SPEED	UP TO 2.0m HEIGHT	UP TO 2.2m HEIGHT	UP TO 2.4m HEIGHT
28m/s	2.4m	2.4m	2.4m
33m/s	2.4m	2.4m	2.4m
41m/s	2.4m	2.4m	1.5m
50m/s	1.6m	1.1m	n.a.





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CONNECTION DETAILS
CERTIFICATE OF COMPLIANCE
REGION
A,B,C
SPECIFICATION 12
55. GLASS ENCLOSURE ALUMINIUM POST TO ALUMINIUM BEAM WITH CONCEALED CONNECTOR
SpaceSpan Roofing (7-**, 8-**, 7111) to Falls
Ceiling and Grid
Aluminium Side Beam (7820) Installed Level With External Infill
Aluminium Beam (7820)
12x12 Angle (1212) Trim as Required
10-24x30mm Teks (4 per Post)
10-24x30mm Tek
Glass Enclosure Post (7823,4 & 5)
SpaceSpan Premium Face Fit Window
56. GLASS ENCLOSURE EXTERNAL CORNER POST TO UNIVERSAL BASE CHANNEL CONNECTION
Glass Enclosure Corner Post (7825)
10-24x30 Teks (4 per Post)
Concealed Connector (7146) Vertical Leg Removed On Site
Universal Base Channel (7821)
Base Channel Flashing (7822)
Minimum Anchor Embedment is 50mm
Floor
Anchor Selection as for Detail 25
57. GLASS ENCLOSURE INTERNAL CORNER CONFIGURATION
INSIDE
90mm Post (7245)
Base Channel (7821) Mitred at Corner
Posts Screwed Together
G.E. Starter Post (7823)
O.E. Starter Post (7825)
Window
Concealed Connectors (7146) to Universal Base Channel (7821) As For Details 53 & 54
OUTSIDE
Window
58. GLASS ENCLOSURE HUNG DOOR POST CONNECTION
Glass Enclosure Starter Post (7823)
Hung Door Opening
Post Flange is let out to Accomodate Base Channel
Concealed Connector (7146) as for Detail 25
Universal Base Channel (7821)
10x24x30mm Teks (2 per Post)
Minimum Anchor Embedment is 50mm
Floor
Anchor Selection as for Detail 25
59. SLIDING GLASS DOOR SILL AND 100x50 JAMB DETAIL
INSIDE
OUTSIDE
100x50 (7252) Behind Door Jamb
10-24x30mm Teks
Sliding Glass Door with Face Fit Adaptor (2100) to Head & Jambs
Concealed Connector (7146) to Floor and 100x50 (7252) as for Detail 25
12x12 Angle (1212)
Base Channel (7821) Butts to 100x50 (7252)
Sliding Glass Door Sill
Floor
Base Channel (7822) Flashing Flattened by Door Sill & Sealed to Floor
60. SLIDING GLASS DOOR HEAD AND FIXED GLAZING DETAIL
INSIDE
OUTSIDE
Ceiling & Grid
Aluminium Beam (7820)
100x50 (7252) Door Jamb Scarfed Around Beam
20x20 Angle (2020)
Post Connector (7145)*
Fixed Glazing
100x50 (7252) Door Head
Sliding Glass Door with Face Fit Adaptor (2100) to Head & Jambs
12x12 Trim Angle (1212)
10-24x30mm Teks
* Concealed Connector to Beam as for Detail 21
61. SPACESPAN PREMIUM FACE FIT WINDOW CONCEALED JAMB FIXING
INSIDE
OUTSIDE
Glass Enclosure Starter Post (7823,4 & 5)
10-24x30mm Tek @ 500mm c/c
10.5mm Clearance Hole & Cavity Plug (7831)
Concealed Silicone Seal
SpaceSpan Premium Face Fix Window Jamb
62. SPACESPAN PREMIUM FACE FIT WINDOW HEAD FIXING DETAIL
INSIDE
OUTSIDE
Aluminium Beam (7820)
10-24x30mm Tek @ 500mm c/c
Concealed Silicone Seal
12x12mm Angle (1212)
SpaceSpan Premium Face Fix Window Head

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SKYROOF STRUCTURAL MEMBER SELECTION CHART

CERTIFICATE OF COMPLIANCE

The structural information in this specification has been checked by us and we certify that a structure in accordance with the details on this sheet subject to any conditions or restrictions shown complies with the following Australian Standards:

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AS / NZS	1664.2 -1997	Aluminium Structures - Allowable Stress Design
AS	1684.3 -1999	Residential Timber-Framed Construction Code
AS	4055 - 1992	Wind Loads For Housing
AS	1562.1 - 1992	Design and Installation of Sheet Roof and Wall Cladding
AS	3600 - 2001	Concrete Structures

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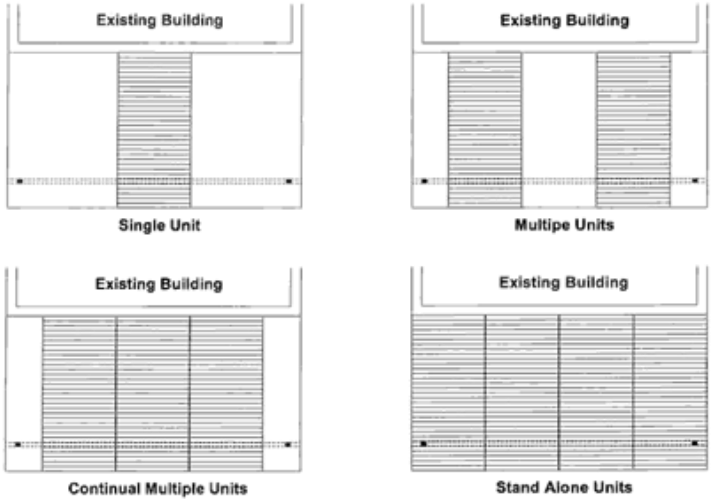
REGION A,B,C

SPECIFICATION 13

TYPICAL CONFIGURATIONS INCORPORATING SKYROOF UNITS



NOTES AND DEFINITIONS

54. These notes are in additon to those contained in **Specification 1-10**.

55. Attached SpaceSpan Systems incorporating Skyroof Units are to be supported by Secondary Beams in all cases to provide a roofing cantilever of not less than 60mm and not more than 600mm when measured from the outside of the beam to the inside of the front SpaceSpan Gutter.

56. Support of the Skyroof Units by way of posts under the front SpaceSpan Gutter is permissible but will require individual evaluation beyond the scope of this Specification.

57. SpaceSpan Systems designed in accordance with **Specifications 1-12** will be subjected to no greater design loads by the inclusion of Skyroof Units as substitutes for the SpaceSpan roofing in the system. **Specifications 13 and 14** provide spanning capacities and connection details for the structural components of the Skyroof Units.

58. The modified SpaceSpan Gutter profile stiffened by the inclusion of the Skyroof Gutter Bracket (Part No. 7635), Blade Retainer Channel (Part No. 7640) and Blade Retainer Cap (Part No. 7645) as shown in Structural Component Detail 64 on **Specification 14** is referred to as the 'Skyroof Gutter' for the purpose of these Specifications.

59. The 'Double Skyroof Gutter' is shown in Structural Component Detail 65 on **Specification 14**.

60. The 'Skyroof Gutter with Beam' is shown in Structural Component Detail 66 on **Specification 14**.

61. The 'Double Skyroof Gutter with Beam' is shown in Structural Component Detail 67 on **Specification 14**.

62. Allowable spans of each of the Structural Components of the Skyroof Units in each location are given by **Table 9** for the 1.0mm G-300 Louvre Blades and **Table 10** for the 0.55mm G-550 Louvre Blades.

63. The value N.S. appearing in **Tables 9 & 10** indicates the Structural Member considered is Not Suitable for use.

ALLOWABLE SKYROOF STRUCTURAL MEMBER SPANS (mm) WITH 1.0mm G-300 LOUVRE BLADES (Table 9)

STRUCTURAL MEMBER	REGION A												REGION B									REGION C					
	Unenclosed Structure				Partially Enclosed Structure				Enclosed Structure				Unenclosed Structure			Partially Enclosed Structure			Enclosed Structure			Unenclosed Structure		Partially Enclosed Structure		Enclosed Structure	
	28m/s	33m/s	41m/s	50m/s	28m/s	33m/s	41m/s	50m/s	28m/s	33m/s	41m/s	50m/s	33m/s	41m/s	50m/s	33m/s	41m/s	50m/s	33m/s	41m/s	50m/s	41m/s	50m/s	41m/s	50m/s	41m/s	50m/s
1.0mm Blade	1.8	1.8	1.2	1.0	1.8	1.8	1.2	1.0	1.8	1.5	1.2	N.S.	1.8	1.2	1.0	1.8	1.2	1.0	1.5	1.2	N.S.	1.2	1.0	1.2	1.0	1.2	N.S.
Skyroof Gutter Skyroof Double Gutter	4.2	3.3	2.9	2.4	3.9	3.1	2.7	2.3	3.4	3.0	2.5	2.1	3.3	2.9	2.4	3.1	2.7	2.3	3.0	2.5	2.1	2.9	2.4	2.7	2.3	2.5	2.1
Skyroof Gutter & Beam Unit Skyroof Double Gutter & Beam Unit	5.0	4.5	3.9	3.4	4.8	4.4	3.8	3.3	4.6	4.1	3.5	3.1	5.1	4.4	3.8	4.9	4.2	3.7	4.6	4.0	3.5	4.3	3.8	4.2	3.7	3.9	3.5

ALLOWABLE SKYROOF STRUCTURAL MEMBER SPANS (mm) WITH 0.55mm G-550 LOUVRE BLADES (Table 10)

STRUCTURAL MEMBER	REGION A												REGION B									REGION C					
	Unenclosed Structure				Partially Enclosed Structure				Enclosed Structure				Unenclosed Structure			Partially Enclosed Structure			Enclosed Structure			Unenclosed Structure		Partially Enclosed Structure		Enclosed Structure	
	28m/s	33m/s	41m/s	50m/s	28m/s	33m/s	41m/s	50m/s	28m/s	33m/s	41m/s	50m/s	33m/s	41m/s	50m/s	33m/s	41m/s	50m/s	33m/s	41m/s	50m/s	41m/s	50m/s	41m/s	50m/s	41m/s	50m/s
0.55mm Blade	1.8	1.8	1.2	1.0	1.8	1.5	1.2	N.S.	1.8	1.2	1.0	N.S.	1.8	1.2	1.0	1.5	1.2	N.S.	1.2	1.0	N.S.	1.2	1.0	1.2	N.S.	1.0	N.S.
Skyroof Gutter Skyroof Double Gutter	3.9	3.2	2.9	2.4	3.7	3.2	2.7	2.3	3.3	3.1	2.6	2.1	3.2	2.9	2.4	3.2	2.7	2.3	3.1	2.6	2.1	2.9	2.4	2.7	2.3	2.6	2.1
Skyroof Gutter & Beam Unit Skyroof Double Gutter & Beam Unit	5.0	4.5	3.9	3.4	4.8	4.4	3.8	3.3	4.6	4.1	3.5	3.1	5.1	4.4	3.8	4.9	4.2	3.7	4.6	4.0	3.5	4.3	3.8	4.2	3.7	3.9	3.5

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STANDARD 2.4m ATRIUM ROOF INSTALLATION PROCEDURES

CERTIFICATE OF COMPLIANCE

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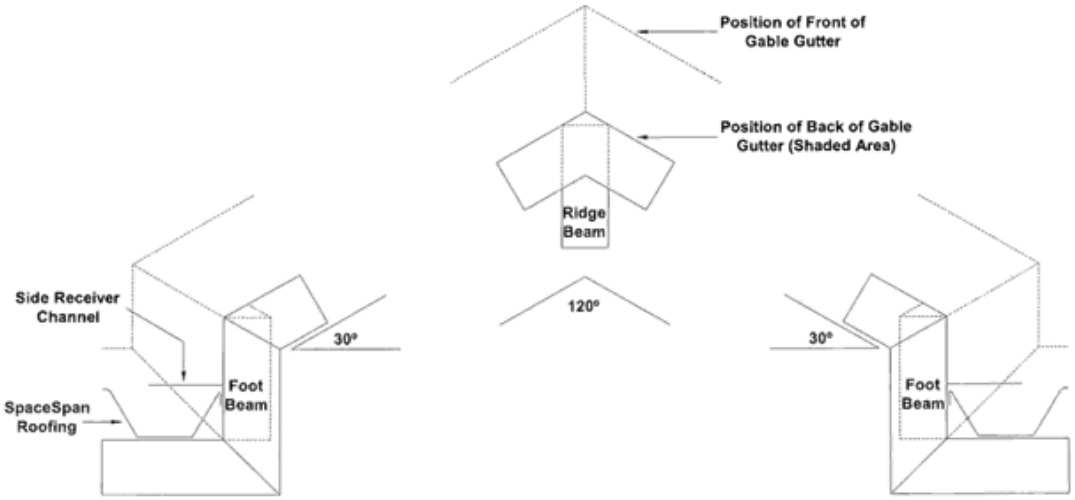
Date: 1st January 2019

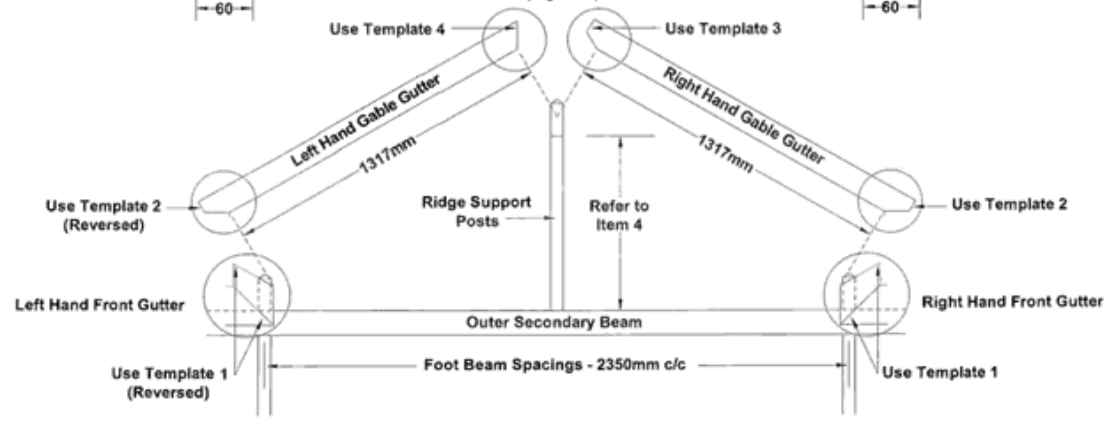
REGION A,B,C
ATRIUM INSTALLATION

SCHEMATIC LAYOUT

ATRIUM ROOF FRONT GABLE END AS VIEWED FROM THE OUTSIDE
(Figure 1)



ATRIUM ROOF FRONT GABLE END AS VIEWED FROM THE OUTSIDE
(Figure 2)



DESIGN CRITERIA

1. Foot Beam spacings are 2350mm centre to centre **(Refer to Figure 2)**.
2. Atrium roof pitch is 30 degrees **(Refer to Figure 1)**.
3. Foot and Ridge Beams are 100x50mm Roll-Formed Beams (7570).
4. Ridge Support Post cut lenths - Front: 679mm
   - Rear: 579mm
5. SpaceSpan Atrium Roofing cut length - 1440mm.

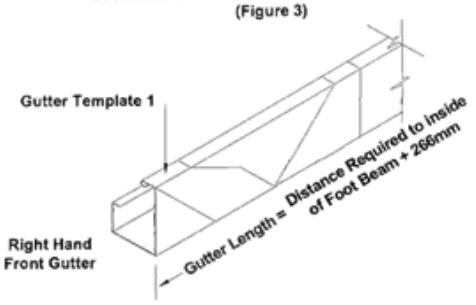
GUTTER TEMPLATE USAGE

6. The set of 4 Gutter Templates are used to simplify the fabrication of the Atrium Roof Gable Gutters **(Refer to Figure 2)**.
7. The position of the Gable Gutter in relation to the Foot Beam, Ridge Beam and Atrium Roof Beam Fillet is critical **(Refer to Figure 1)**. The shaded portions represent the position taken by the inside face of the Gable Gutters in relation to the Beams and Fillets which will result in the base of the vertical portion of the Gable Gutters protruding past the Foot Beam by approximately 10mm.
8. Length of Gable Gutters is 1317mm measured along the base of the Gutter.

INSTALLATION PROCEDURES

9. Refer to **Specification 8** for full connection details.
10. Where the Atrium roof abutts the existing house gutter, seal any house gutter overflow holes, seal the base of the house gutter to the fascia board and provide additional overflow holes in the gutter on either side of the Atrium Roof.
11. Ensure the accuracy of the Foot Beam check-out around the existing house gutter as this positions the rear gable lining which needs to be sealed against the house gutter **(Refer Specification 8, Detail 39)**.
12. As the positon of the Gable Gutters is critical, cut out and correctly position the Gutters before connecting the Foot Beams to the Front Secondary Beam.
13. The Atrium Roof is constructed with a fall in the Ridge Beam matching that of the SpaceSpan Roof (1 degree min.) which results in the Gable Ends being out of plumb.
14. The Side Receiver Channel (7630) that is attached to the Foot Beam is 60mm longer than the Foot Beam.
15. Atrium Roofs containing front gable infill panels (eg glass, perspex, lattice etc) require a roof panel pan to finish in line with the Secondary Beam to providean acceptable finish.
16. The Under Gutter Cover Plate **(Refer Specification 8, Detail 39)** is installed prior to the Rear Gable Lining Sheet to facilitate installation.

ESTABLISHMENT OF FRONT GUTTER LENGTH
(Figure 3)



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ATRIUM ROOF DESIGN PROCEDURES

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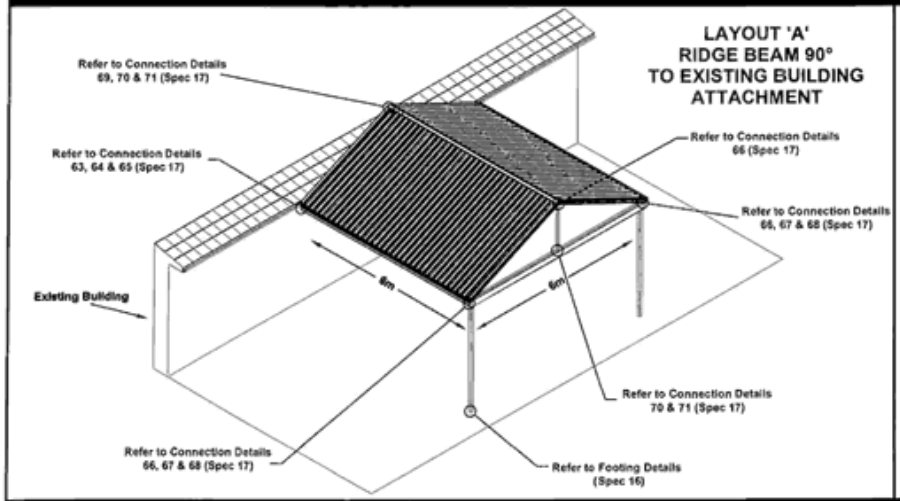
AS / NZS	1664.2 - 1997	Aluminium Structures - Allowable Stress Design
AS	1684.3 - 1999	Residential Timber-Framed Construction Code
AS	4055 - 1992	Wind Loads For Housing
AS	1562.1 - 1992	Design and Installation of Sheet Roof and Wall Cladding
AS	3600 - 2001	Concrete Structures

CONSULTING ENGINEERS
P.M. Engineering Services Pty Ltd
3/14 Bonalong Rd
Erina NSW 2250
Ph: (02) 4367 9825
Fx: (02) 4367 9838
RPEQ 7640

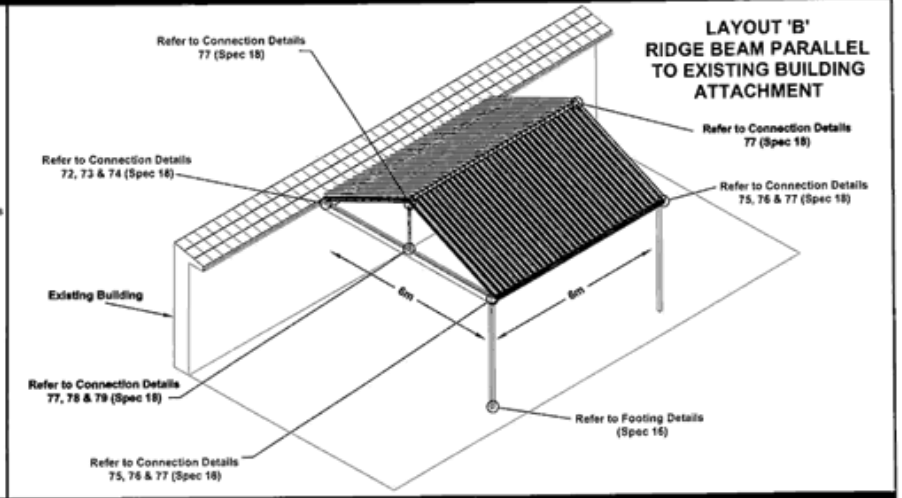
Date: 1st January 2013

REGION
A,B,C
SPECIFICATION 15

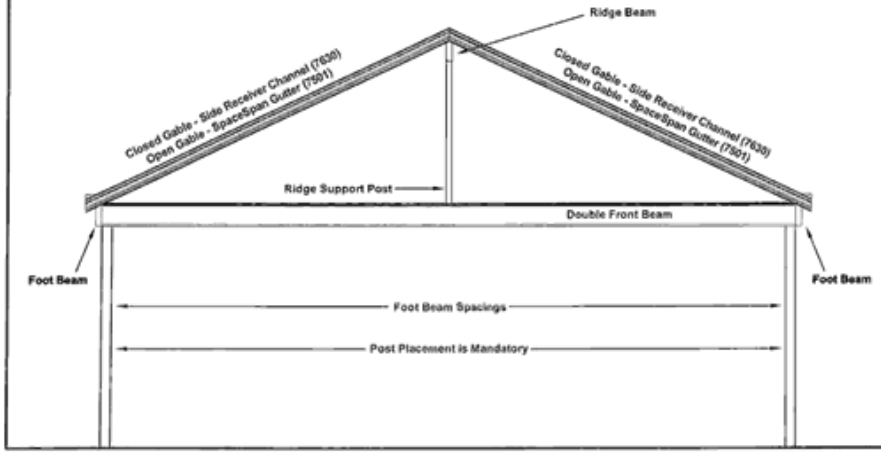
6.0m ATRIUM ROOF OVERVIEW



6.0m ATRIUM ROOF OVERVIEW



ATRIUM FRONT GABLE END



DESIGN NOTES

1. 6m x 6m plan dimensions.
2. Roof pitch 22.5°.
3. 2 cases:
   Layout A - Ridge 90° to existing building
   Layout B - Ridge parallel to existing building
4. No sheeting overhangs.
5. No other structure on any side of the atrium to be fixed or supported by the atrium members, e.g. foot beams do not support any roof sheeting other than the atrium roof.
6. The atrium is supported by the existing building along one face and by a column at each of the other two corners.

6.1 There are no walls or part height walls (other than that of the existing building) fixed to the atrium nor are there any independently supported walls at the line of the perimeter of the atrium roof, e.g. fences and masonry walls. If there are independent walls along any of the 3 non-attached sides of the atrium, the wind loads on the atrium roof will be higher and the member sizes and connections will need to be reviewed.

7. Only unenclosed structures need be considered as all 3 non-attached walls are open.
8. Maximum column height = 2700.
9. Coefficients used to establish wind loads on the roof assume that the roof is an "empty under" condition i.e. goods or materials stored under the roof block less than 50% of the cross section exposed to the wind. This may not always be the case, e.g. where the atrium is used as a carport to house larger vehicles such as vans and big 4WDs. For a 'blocked under" condition, the wind loads on the structure are higher and the member sizes and connections will need to be reviewed.

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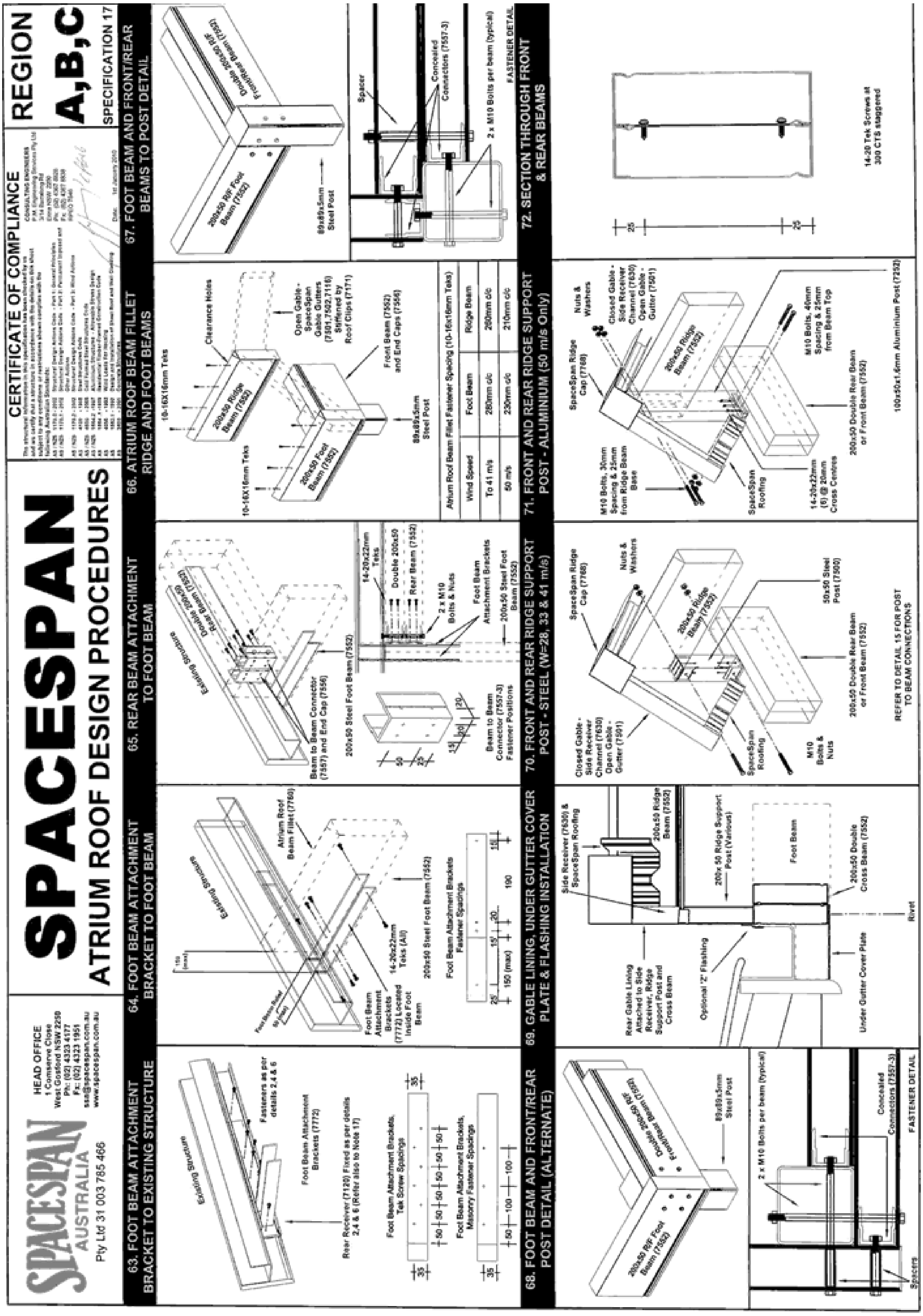
SPACESPAN
ATRIUM ROOF DESIGN PROCEDURES
CERTIFICATE OF COMPLIANCE
REGION
A,B,C
SPECIFICATION 16
6.0m ATRIUM ROOF OVERVIEW AND DESIGN NOTES
LAYOUT 'A'
RIDGE BEAM 90°
TO EXISTING BUILDING
LAYOUT 'B'
RIDGE BEAM PARALLEL
TO EXISTING BUILDING
Steel Classic 333 &
Horizon 300 Sheeting
EXISTING BUILDING
Existing Building
ELEV 'A'
ELEV 'B'
ELEV 'C' OPP HAND
ELEV 'C'
SECT X-X
PLAN
KP1
RB1
RGB1
FB1
FOB1
PF1
C1
22.5°
6000mm
Footing Note: Pad Footings are to be excavated in and poured against undisturbed natural ground having a minimum safe bearing capacity of 50 kPa. Pad Footings will be poured in Grade 20 concrete and shall have sides vertical or slightly undercut.
200 x 200 x 12 Thick Base Plate
20 Nominal Dry Pack Grout
4 M20 Chemset Capsule Anchors at 150 x 150 CTS
5mm Fillet weld all round
Footing
COLUMN BASE PLATE AND FOOTING DETAIL
6.0M ATRIUM 'LAYOUT A' MEMBER SIZES (Table 6)
RGB1 200 x 50 x 1.0mm (x 2) Roll Formed Steel Ridge Beam
FOB1 200 x 50 x 1.0mm (x 2) Roll Formed Steel Foot Beam
FB1 Double 200 x 50 x 1.0mm (x 2) Roll Formed Steel Front Beam
RB1 Double 200 x 50 x 1.0mm (x 2) Roll Formed Steel Rear Beam
KP1 W28, W33, W41: 50 x 50 x 1.6mm SHS Steel Ridge Support Post
W50: 100 x 50 x 1.6mm RHS Aluminium Ridge Support Post
C1 89 x 89 x 5.0mm SHS Steel Column
PF1 500 x 500 x 900mm min deep Pad Footing
6.0M ATRIUM 'LAYOUT B' MEMBER SIZES (Table 7)
RGB1 200 x 50 x 1.0mm (x 2) Roll Formed Steel Ridge Beam
FOB1 200 x 50 x 1.0mm (x 2) Roll Formed Steel Foot Beam
FB1 Double 200 x 50 x 1.0mm (x 2) Roll Formed Steel Front Beam
KP1 W28, W33, W41: 50 x 50 x 1.6mm SHS Steel Ridge Support Post
W50: 100 x 50 x 1.6mm RHS Aluminium Ridge Support Post
C1 89 x 89 x 5.0mm SHS Steel Column
PF1 500 x 500 x 900mm min deep Pad Footing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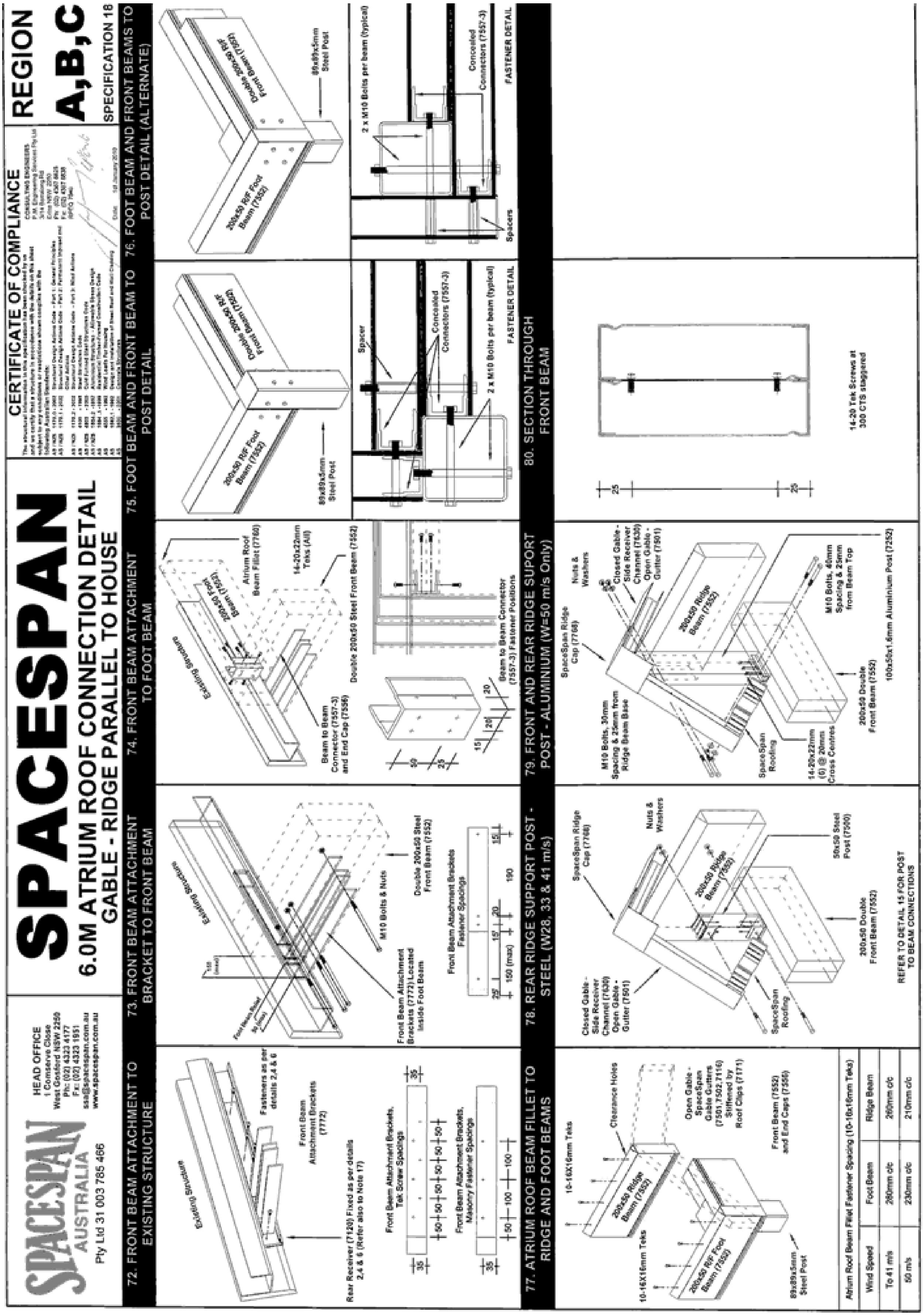
SPACESPAN
ATRIUM ROOF DESIGN PROCEDURES
CERTIFICATE OF COMPLIANCE
REGION
A,B,C
SPECIFICATION 17
63. FOOT BEAM ATTACHMENT BRACKET TO EXISTING STRUCTURE
64. FOOT BEAM ATTACHMENT BRACKET TO FOOT BEAM
65. REAR BEAM ATTACHMENT TO FOOT BEAM
66. ATRIUM ROOF BEAM FILLET RIDGE AND FOOT BEAMS
67. FOOT BEAM AND FRONT/REAR BEAMS TO POST DETAIL
68. FOOT BEAM AND FRONT/REAR POST DETAIL (ALTERNATE)
69. GABLE LINING, UNDER GUTTER COVER PLATE & FLASHING INSTALLATION
70. FRONT AND REAR RIDGE SUPPORT POST - STEEL (W=28, 33 & 41 m/s)
71. FRONT AND REAR RIDGE SUPPORT POST - ALUMINIUM (50 m/s Only)
72. SECTION THROUGH FRONT & REAR BEAMS
Atrium Roof Beam Fillet Fastener Spacing (10-16x16mm Teks)
Wind Speed | Foot Beam | Ridge Beam
To 41 m/s | 280mm c/c | 280mm c/c
50 m/s | 230mm c/c | 210mm c/c
FASTENER DETAIL
REFER TO DETAIL 15 FOR POST TO BEAM CONNECTIONS
14-20 Tek Screws at 300 CTS staggered


SPACESPAN
6.0M ATRIUM ROOF CONNECTION DETAIL
GABLE - RIDGE PARALLEL TO HOUSE
CERTIFICATE OF COMPLIANCE
REGION
A,B,C
SPECIFICATION 18
72. FRONT BEAM ATTACHMENT TO EXISTING STRUCTURE
73. FRONT BEAM ATTACHMENT BRACKET TO FRONT BEAM
74. FRONT BEAM ATTACHMENT TO FOOT BEAM
75. FOOT BEAM AND FRONT BEAM TO POST DETAIL
76. FOOT BEAM AND FRONT BEAMS TO POST DETAIL (ALTERNATE)
77. ATRIUM ROOF BEAM FILLET TO RIDGE AND FOOT BEAMS
78. REAR RIDGE SUPPORT POST - STEEL (W28, 33 & 41 m/s)
79. FRONT AND REAR RIDGE SUPORT POST - ALUMINIUM (W=50 m/s Only)
80. SECTION THROUGH FRONT BEAM

SCHEDULE OF CONDITIONS ATTACHED TO THIS CONSENT

The conditions of consent referred to in the Notice of Determination for DA No 2016/713 are as follows:

PRESCRIBED CONDITIONS

The development is to be undertaken in accordance with the prescribed conditions of Part 6 - Division 8A of the *Environmental Planning & Assessment Regulations* 2000.

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
Architectural Plans	Site Plan & Elevations	Holiday Coast Patios	Undated
Engineering Plans	12 Pages	Space span Australia	1st January 2010
SoEE	None given	Holiday Coast Patios	9/9/2016

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:

a) the appointment of a Principal Certifying Authority and

b) 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) (A009) The development site is to be managed for the entirety of work in the following manner:

1. Erosion and sediment controls are to be implemented to prevent sediment from leaving the site. The controls are to be maintained until the development is complete and the site stabilised with permanent vegetation;
2. Appropriate dust control measures;
3. Building equipment and materials shall be contained wholly within the site unless approval to use the road reserve has been obtained;
4. Building waste is to be managed via an appropriate receptacle;
5. Building work 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.

B - PRIOR TO ISSUE OF CONSTRUCTION CERTIFICATE

(1) (B001) Prior to release of the Construction Certificate, 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.

C – PRIOR TO ANY WORK COMMENCING ON SITE

Nil

D – DURING CONSTRUCTION

(1) (D029) The demolition of any existing structure shall be carried out in accordance with Australian Standard AS 2601-1991: *The Demolition of Structures*. No demolition materials shall be burnt or buried on site. The person responsible for the demolition works shall ensure that all vehicles leaving the site carrying demolition materials have their loads covered and do not track soil or waste materials onto the road. Should the demolition works obstruct or inconvenience pedestrian or vehicular traffic on an adjoining public road or reserve, separate application shall be made to Council to enclose the public place with a hoarding fence.

Should asbestos be present, its removal shall be carried out in accordance with the National OH&S Committee – *Code of Practice for Safe Removal of Asbestos* and *Code of Practice for the Management and Control of Asbestos in Workplaces*.

For further information on asbestos handling and safe removal practices refer to the following links:

Safely disposing of asbestos waste from your home

Fibro & Asbestos - A Renovator and Homeowner's Guide

Asbestos Awareness

(2) (D003) The Port Macquarie-Hastings area is known to contain rock that may contain naturally occurring asbestos (NOA). Should potential NOA be located on site notification shall be provided to Council and Workcover prior to works proceeding. No work shall recommence until a NOA management plan has been approved by Council or Workcover.

E – 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) (E051) Prior to occupation or the issuing of any Occupation Certificate a section 68 Certificate of Completion shall be obtained from Port Macquarie-Hastings Council.

F – OCCUPATION OF THE SITE

(1) Nil

To: Port Macquarie Hastings Council Customer Service Centre

Attention: Kieth Smith

Regarding: DA2016.713.1

SUBMISSION
2nd October 2016

My name is Janette BOYNE.
I am the sole owner of 22 Beechtree Circuit Port Macquarie
[redacted]

I am concerned about the extent of this proposed development next to my home in these areas:

1. Proximity to our boundary line. (500mm at the front of the carport)
2. The height of the carport (1100mm above the top of the windows and door in my Western wall) increasing afternoon shade in winter.
3. The visual aspect of a tall metal carport with reverse fall on the streetscape.

I request that you consider these factors before coming to a decision in this matter.

Janette M. BOYNE
[redacted]

[redacted]

From: Keith Smith
Sent: Thursday, 27 October 2016 8:30 AM
To: Approval Regulatory Group
Subject: FW: DA2016.713.1

Hi
Please TRIM to DA2016/713 Lot 2 No 24 Beechtree Circuit Port Macquarie.
regards

Keith Smith
Building Surveyor

Port Macquarie-Hastings Council
PO Box 84
PORT MACQUARIE NSW 2444
(02) 6581 8540
0418 22 85 72
Keith.Smith@pmhc.nsw.gov.au
Connect with Council:

From: Susan Dempster [redacted]
Sent: Wednesday, 26 October 2016 3:39 PM
To: Keith Smith
Subject: DA2016.713.1

Dear Keith

Sorry I haven't got back to you with response to Neighbours objections until now. Please find below.
Could you also tell me if I have to attend this up and coming meeting and when it may be as I may have to cancel clients in order to attend.
In addition could you possibly give me an idea of how my complying DA is progressing. I am hoping to catch a builder before he gets away!

Regards
Susan Dempster

1. Proximity to our boundary line (500 mm at the front of carport)

This is not a fair or valid objection when the neighbour has a substantial brick veneer and tile roof structure on our mutual boundary (as illustrated in image below)

2. The height of the carport (1100 mm above windows and door in my western wall) increasing afternoon shade in winter.

The proposed roof of the carport has 4 light shafts that will provide adequate light and prevent excessive shading.

It should also be noted that due to the height of the neighbour 's two storey house, I suffer the same problem with winter shading, as the morning sun is blocked from the eastern side of my home. (as illustrated by image below).

3. **The visual aspect of a tall metal carport with reverse fall on the streetscape.**

The carport does not have a reverse fall to the roof. The roof runs for the mutual boundary to the house so that rain with drain directly into the existing house guttering.
The fall of the roof will be minimal (no more than 10 cm over 4.5 metres.
The carport will be well back for the street and approximately 5 metres from the frontages of both the neighbour's and my home therefore minimising vision form the street.

In conclusion, many properties in the street have motorhomes, boats, caravans and large garden sheds in clear view.

Item: **08**

Subject: **DA2016 - 0372.1 - RESIDENTIAL FLAT BUILDING INCLUDING A CLAUSE 4.6 VARIATION TO CLAUSE 4.3 (HEIGHT OF BUILDING) OF THE PORT MACQUARIE HASTINGS LOCAL ENVIRONMENTAL PLAN 2011 AT LOT 3 DP 345930, 3 GORE STREET, PORT MACQUARIE**

Report Author: Clint Tink

Applicant:	**All About Planning**
Owner:	**Gotham Trading Pty Ltd**
Estimated Cost:	**$2,800,000**
Parcel no:	**7331**

Alignment with Delivery Program

4.9.2 Undertake transparent and efficient development assessment in accordance with relevant legislation.

RECOMMENDATION

That DA 2016 - 0372.1 for a residential flat building including a Clause 4.6 variation to Clause 4.3 (Height of Building) at Lot 3, DP 345930, No. 3 Gore Street, Port Macquarie, be determined by granting consent subject to the recommended conditions.

Executive Summary

This report considers a development application for a residential flat building including a Clause 4.6 variation to Clause 4.3 (height of buildings) of Port Macquarie Hastings Local Environmental Plan 2011 at the subject site and provides an assessment of the application in accordance with the Environmental Planning and Assessment Act 1979.

Following exhibition of the application, two (2) submissions were received.

1. BACKGROUND

Existing sites features and surrounding development

The site has an area of 588.1m².

The site is zoned R4 High Density Residential in accordance with the Port Macquarie-Hastings Local Environmental Plan 2011, as shown in the following zoning plan:

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

2. DESCRIPTION OF DEVELOPMENT

Key aspects of the proposal include the following:

- A six (6) storey residential flat building comprising:
  - 11 units with 10 units containing 2 bedrooms and 1 unit containing 3 bedrooms.
  - A basement level is also provided with the use of stacker parking.
  - 14 parking spaces are proposed within the basement, which includes 12 spaces for residents, 1 disabled parking space and 1 visitor parking space.
- Clause 4.6 variation to Clause 4.3 (height of buildings) in the Port Macquarie Hastings Local Environmental Plan 2011.
- Two submissions received.
- The residential flat building has dual frontage to Gore Street and Alva Lane. Pedestrian access is provided off both frontages, while vehicles access and parking is restricted to Gore Street.
- The development also involves strata subdivision.

Refer to attachments at the end of this report.

Application Chronology

- 11/11/2015 - Application presented to a Council Pre-lodgement meeting.
- 19/5/2016 - Application lodged with Council.
- 24/5/2016 - Council staff requested owners consent.
- 27/5/2016 to 9/6/2016 - Notification period.
- 22/6/2016 - Council staff requested clarification on BASIX, subdivision, Clause 4.6, fencing, access and use of parking area, stormwater, landscaping, open space, setbacks, overshadowing, privacy, waste etc.
- 12/7/2016 - Revised BASIX received.
- 15/7/2016 - Applicant provided an update on response to additional information.
- 28/7/2016 to 1 August 2016 - Council provided advice to the applicant on the Gore Street Linear Park (included in Port Macquarie Hastings Development Control Plan 2013) and Voluntary Planning Agreements.
- 9/8/2016 - Applicant provided partial response to additional information request dated 22/6/2016.
- 12/8/2016 - Copies of submissions also provided to the applicant upon request.
- 15/8/2016 - Council staff requested further clarification on a number of items provided in the applicant's response dated 9/8/2016. Applicant advised they will provide a response.
- 26/8/2016 - Council staff had a meeting with the applicant to discuss the outstanding issues.
- 31/8/2016 - Advice was provided to the applicant about contributions for parking.
- 22/9/2016 - Applicant provided response to outstanding issues.

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 No. 44 - Koala Habitat Protection

The site does not equate to 1ha in size and is not part of any existing Koala Plan of Management. Therefore, the SEPP does not apply.

State Environmental Planning Policy No.55 – Remediation of Land

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 demolition of the existing dwelling and any associated asbestos located within the dwelling, will need to comply with relevant Australian Standards and National OH&S Committee – *Code of Practice for Safe Removal of Asbestos* and *Code of Practice for the Management and Control of Asbestos in Workplaces*.

State Environmental Planning Policy No. 62 – Sustainable Aquaculture

Given the nature of the proposed development and proposed stormwater controls the proposal will be unlikely to have any adverse impact on existing aquaculture industries.

State Environmental Planning Policy No. 65 – Design Quality of Residential Flat Development (SEPP 65)

The policy applies to development for the purpose of a residential flat building, shop top housing or mixed use development with a residential accommodation component if:

(a) the development consists of any of the following:

(i) the erection of a new building,

(ii) the substantial redevelopment or the substantial refurbishment of an existing building,

(iii) the conversion of an existing building, and

(b) the building concerned is at least 3 or more storeys (not including levels below ground level (existing) or levels that are less than 1.2 metres above ground level (existing) that provide for car parking), and

(c) the building concerned contains at least 4 or more dwellings.

Based on the above and the development proposed, the SEPP must be considered.

It should be noted that clause 6A of SEPP 65 applies in respect of the objectives, design criteria and design guidance set out in Parts 3 and 4 of the Apartment Design Guide for the following:

(a) visual privacy,

(b) solar and daylight access,

(c) common circulation and spaces,

(d) apartment size and layout,

(e) ceiling heights,

(f) private open space and balconies,

(g) natural ventilation,

(h) storage.

If a development control plan contains provisions that specify requirements, standards or controls in relation to a matter to which clause 6A applies, those provisions in the development control plan have no effect.

Clause 6A applies regardless of when the development control plan was made.

In terms of lodging an application under SEPP 65, it is noted that the proposal has provided the verification and detail required by clause 50 and Schedule 1, Part 1(2)(5) of the *Environmental Planning and Assessment Regulation 2000*.

In accordance with clause 30(2), the proposal has also adequately addressed the design principles contained in the Residential Flat Design Code. The following table provides an assessment against the design quality principles:

Requirement	Proposed	Complies
Principle 1: Context and neighbourhood character Good design responds and contributes to its context. Context is the key natural and built features of an area, their relationship and the character they create when combined. It also includes social, economic, health and environmental conditions. Responding to context involves identifying the desirable elements of an area's existing or future character. Well designed buildings respond to and enhance the qualities and identity of the area including the adjacent sites, streetscape and neighbourhood. Consideration of local context is important for all sites, including sites in established areas, those undergoing change or identified for change.	The proposal is for a six storey residential flat building with basement car parking. The area is characterised by a mixture of low rise and high rise developments with views and connection to the surrounding waterfront and business areas. A number of larger flat buildings exist in the immediate area. Encouraging higher density development in areas with close proximity to the CBD or business zones is desirable for the area. The design responds to the site context and characteristics by maintaining a higher density, having views to the waterfront land, connecting with links to the waterfront and business areas. The design of the development is also consistent with surrounding development.	Yes
Principle 2: Built form and scale Good design achieves a scale, bulk and height appropriate to the existing or desired future character of the street and	The proposal incorporates a minor variation to the LEP controls for building height. Refer to comments on clauses 4.3 and 4.6 of LEP 2011 assessment for consideration of the proposed variations.	Yes

surrounding buildings. Good design also achieves an appropriate built form for a site and the building's purpose in terms of building alignments, proportions, building type, articulation and the manipulation of building elements. Appropriate built form defines the public domain, contributes to the character of streetscapes and parks, including their views and vistas, and provides internal amenity and outlook.	Overall, the height and bulk of the proposed building are considered to be acceptable in the streetscape and future desired character of the area. The building incorporates ground floor setbacks to Gore Street and Alva Lane, which are consistent with the desired character for the area and existing development. Satisfactory articulation and variation in building colours and materials are also proposed. The site is partially visible from public space on the Hastings River foreshore (Westport Park) and would provide a satisfactory contribution to the existing vista from this location. Impacts on existing views from nearby properties are considered in detail later in this report under 'View Sharing'. The proposed internal unit layouts provide for internal amenity and orientation of the block takes advantage of the north aspect.	
Principle 3: Density Good design achieves a high level of amenity for residents and each apartment, resulting in a density appropriate to the site and its context. Appropriate densities are consistent with the area's existing or projected population. Appropriate densities can be sustained by existing or proposed infrastructure, public transport, access to jobs, community facilities and the environment.	The proposal is for a floor space ratio (FSR) of 1.99:1, which complies with the maximum 2:1 FSR adopted in the LEP. The adopted FSR for the site is consistent with the objectives of the R4 High Density Residential zone and the height of buildings envisaged for the area. The proposed development is considered to be consistent with surrounding densities of the newer buildings at 14 Waugh Street and 27-29 Waugh Street. The proposed density is also considered to be sustainable having regard to availability of infrastructure, and public transport, proximity to services and community facilities and the environmental quality of the area.	Yes

Principle 4: Sustainability Good design combines positive environmental, social and economic outcomes. Good sustainable design includes use of natural cross ventilation and sunlight for the amenity and liveability of residents and passive thermal design for ventilation, heating and cooling reducing reliance on technology and operation costs. Other elements include recycling and reuse of materials and waste, use of sustainable materials and deep soil zones for groundwater recharge and vegetation.	The north - south orientation of the block has been utilised. All units contain acceptable north facing balconies/aspect and opportunities for natural ventilation. BASIX certificate has also been provided demonstrating that the design satisfies acceptable energy and water efficiency measures. Suitable landscaping areas proposed.	Yes
Principle 5: Landscape Good design recognises that together landscape and buildings operate as an integrated and sustainable system, resulting in attractive developments with good amenity. A positive image and contextual fit of well designed developments is achieved by contributing to the landscape character of the streetscape and neighbourhood. Good landscape design enhances the development's environmental performance by retaining positive natural features which contribute to the local context, co-ordinating water and soil management, solar access, micro-climate, tree canopy, habitat values and preserving green networks.	A landscaping plan has been submitted with the application and shows areas consistent with planning controls. In particular, the plan provides a good mixture of useable landscaped ground floor open space along with large balcony areas that can accommodate private landscaping. There are no existing landscaping elements worth retaining onsite. The proposed landscaping will be consistent with other landscaping on newer developments in the area.	Yes

Good landscape design optimises useability, privacy and opportunities for social interaction, equitable access, respect for neighbours' amenity and provides for practical establishment and long term management.		
Principle 6: Amenity Good design positively influences internal and external amenity for residents and neighbours. Achieving good amenity contributes to positive living environments and resident well being. Good amenity combines appropriate room dimensions and shapes, access to sunlight, natural ventilation, outlook, visual and acoustic privacy, storage, indoor and outdoor space, efficient layouts and service areas and ease of access for all age groups and degrees of mobility.	The building incorporates generous unit layouts and design which optimise the northern orientation, ventilation, privacy, open space etc. Adequate storage and outdoor space provided throughout the building and site. Accessibility is possible via a mixture of ramps, stairs and lifts. Building depth is satisfactory.	Yes
Principle 7: Safety Good design optimises safety and security within the development and the public domain. It provides for quality public and private spaces that are clearly defined and fit for the intended purpose. Opportunities to maximise passive surveillance of public and communal areas promote safety. A positive relationship between public and private spaces is achieved through clearly defined secure access points and well lit and visible areas that are easily maintained and appropriate to the location and purpose.	The various array of windows, doors and balconies throughout the building provide surveillance of the site and also the public domain. Access to the site is predominately controlled via single entry point off Gore Street. Entry via Alva Lane is limited to the communal open space. Access to both these areas can be controlled electronically. The interface between public and private/communal space is considered to be clearly defined at the site frontage.	Yes

Principle 8: Housing diversity and social interaction Good design achieves a mix of apartment sizes, providing housing choice for different demographics, living needs and household budgets. Well designed apartment developments respond to social context by providing housing and facilities to suit the existing and future social mix. Good design involves practical and flexible features, including different types of communal spaces for a broad range of people and providing opportunities for social interaction among residents.	The proposal includes a good mix of 2 and 3 bedroom apartments to suit a variety of budgets and housing needs.	Yes
Principle 9: Aesthetics Good design achieves a built form that has good proportions and a balanced composition of elements, reflecting the internal layout and structure. Good design uses a variety of materials, colours and textures. The visual appearance of a well designed apartment development responds to the existing or future local context, particularly desirable elements and repetitions of the streetscape.	The plans provide examples of the colours, textures and finishes. The colours and materials provided indicate a contemporary quality design and finish. It is considered that the aesthetics of the building will respond appropriately to the surrounding environment and context of the existing and desired character of the locality.	Yes

In accordance with Clause 28(2), the proposal has also adequately addressed the Apartment Design Guide. The following table provides an assessment against the Apartment Design Guide with assessment comments considering the design criteria and design objectives where applicable:

Apartment Design Guide (ADG) Objective	Design Guidance/Design Criteria (Italics)	Proposed	Complies
3A Site analysis			
3A - 1 Site analysis illustrates that design decisions have been based on opportunities and constraints of the site conditions and their relationship to the surrounding context.	Each element in the Site Analysis Checklist should be addressed (Appendix 1 of ADG)	Suitable site analysis completed.	Yes
3B Orientation			
3B - 1 Building types and layouts respond to the streetscape and site while optimising solar access within the development.	Buildings along the street frontage define the street, by facing it and incorporating direct access from the street (see figure 3B.1). Where the street frontage is to the east or west, rear buildings should be orientated to the north. Where the street frontage is to the north or south, overshadowing to the south should be minimised and buildings behind the street frontage should be orientated to the east and west (see figure 3B.2).	Orientation acceptable. Building designed to face the primary Gore Street frontage with a secondary access off Alva Lane. Building has been placed to the south of the site to maximise the north aspect. Some overshadowing of the property to the south will occur but is not considered excessive - refer to comments on overshadowing later in this report.	Yes
3B - 2 Overshadowing of neighbouring properties is minimised during mid winter.	Living areas, private open space and communal open space should receive solar access in accordance with sections 3D Communal and public open space and 4A Solar and daylight access. Solar access to living	The design of the development has an emphasis on north orientation with all units having north facing living areas. The orientation of the development and setbacks also ensure no adverse	Yes

	rooms, balconies and private open spaces of neighbours should be considered.	overshadowing of adjoining properties.	
3C Public domain interface			
3C - 1 Transition between private and public domain is achieved without compromising safety and security	Terraces, balconies and courtyard apartments should have direct street entry, where appropriate. Changes in level between private terraces, front gardens and dwelling entries above the street level provide surveillance and improve visual privacy for ground level dwellings (see figure 3C.1). Upper level balconies and windows should overlook the public domain.	Ground floor areas and fence design is consistent with ADG. Balconies and windows overlook public domain.	Yes
3C - 2 Amenity of the public domain is retained and enhanced.	Planting softens the edges of any raised terraces to the street, for example above sub-basement car parking. Mail boxes should be located in lobbies, perpendicular to the street alignment or integrated into front fences where individual street entries are provided. The visual prominence of underground car park vents should be minimised and located at a low level where possible. Substations, pump rooms, garbage storage areas and other service requirements should be located in basement car parks or out of view. Ramping for accessibility should be minimised by building entry location and setting ground floor levels in relation to footpath levels.	Landscaping has been incorporated into the design to soften the built form. Mailbox design and location acceptable. Car park design, garbage and other services create no impact.	Yes

3D Communal and public open space			
3D - 1 An adequate area of communal open space is provided to enhance residential amenity and to provide opportunities for landscaping	<u>*Design Criteria*</u> *1. Communal open space has a minimum area equal to 25% of the site (see figure 3D.3)* *2. Developments achieve a minimum of 50% direct sunlight to the principal usable part of the communal open space for a minimum of 2 hours between 9 am and 3 pm on 21 June (mid winter).* Communal open space should be consolidated into a well designed, easily identified and usable area. Communal open space should have a minimum dimension of 3m, and larger developments should consider greater dimensions. Communal open space should be co-located with deep soil areas. Direct, equitable access should be provided to communal open space areas from common circulation areas, entries and lobbies. Where communal open space cannot be provided at ground level, it should be provided on a podium or roof. Where developments are unable to achieve the design criteria, such as on small lots, sites within business zones, or in a dense urban area, they should: - provide communal spaces elsewhere such as a landscaped roof	25% of the site (588.1m²) equates to a communal open space area requirement of 147m². The development provides an area of approximately 42m² with an additional 10m² area being 2.58m in width (just short of the 3m width requirement). As allowed by the ADG, the shortfall is justified based on the following: - The shortfall has been offset by providing the units with an excess of private open space above the standard. - The site is constrained by size and the lack of opportunities to consolidate with surrounding sites. - The site is well positioned to take advantage of surrounding public open space for larger communal activities. In addition to the above, the communal area is easily accessible, well defined, useable, co-located with deep soil areas, located at ground level and contains a mixture of light and shade areas.	Yes

	top terrace or a common room - provide larger balconies or increased private open space for apartments - demonstrate good proximity to public open space and facilities and/or provide contributions to public open space		
3D - 2 Communal open space is designed to allow for a range of activities, respond to site conditions and be attractive and inviting	Facilities are provided within communal open spaces and common spaces for a range of age groups (see also 4F Common circulation and spaces), incorporating some of the following elements: - seating for individuals or groups - barbecue areas - play equipment or play areas - swimming pools, gyms, tennis courts or common rooms.	The nominated area is capable of being used for barbeques, seating etc and allows a mixture of light and shade at different times of the day.	Yes
3D - 3 Communal open space is designed to maximise safety	Communal open space and the public domain should be readily visible from habitable rooms and private open space areas while maintaining visual privacy.	Habitable rooms overlook the communal and public domain areas. The area is also fenced for security.	Yes
3D - 4 Public open space, where provided, is responsive to the existing pattern and uses of the neighbourhood	The public open space should be well connected with public streets along at least one edge. The public open space should be connected with nearby parks and other landscape elements. Public open space should be linked through view lines, pedestrian desire paths, termination points and the wider street grid.	No public open space proposed. It is noted that the site is well positioned and connected to existing and surrounding public open space.	Yes

	Solar access should be provided year round along with protection from strong winds.		
3E Deep soil zones			
3E - 1 Deep soil zones provide areas on the site that allow for and support healthy plant and tree growth. They improve residential amenity and promote management of water and air quality	<u>*Design Criteria*</u> *1. Deep soil zones are to meet the following minimum requirements:* *a) < 650m², no min dimension, 7% site area deep soil zone.* *b) 650-1500m², 3m dimension, 7% site area deep soil zone.* *c) >1500m², 6m dimension, 7% site area deep soil zone.* On some sites it may be possible to provide larger deep soil zones, depending on the site area and context: - 10% of the site as deep soil on sites with an area of 650m² - 1,500m² - 15% of the site as deep soil on sites greater than 1,500m². Deep soil zones should be located to retain existing significant trees and to allow for the development of healthy root systems, providing anchorage and stability for mature trees. Design solutions may include: - basement and sub basement car park design that is consolidated beneath building footprints - use of increased front and side setbacks - adequate clearance around trees to ensure	The site is <650m². The applicant proposes 6.7% deep soil zone. The minor variation is offset by other semi deep soil zone areas (i.e. contain a degree of soil depth to allow small landscaping species but restricted by basement below). The outcome is consistent with the ADG when factoring in the size of the site (small/constrained) and that the semi deep soil zones still allow a level of landscaping. Stormwater is also achievable.	Yes

	long term health - co-location with other deep soil areas on adjacent sites to create larger contiguous areas of deep soil. Achieving the design criteria may not be possible on some sites including where: - the location and building typology have limited or no space for deep soil at ground level (e.g. central business district, constrained sites, high density areas, or in centres) - there is 100% site coverage or non-residential uses at ground floor level. Where a proposal does not achieve deep soil requirements, acceptable stormwater management should be achieved and alternative forms of planting provided such as on structure.		
3F Visual privacy			
3F - 1 Adequate building separation distances are shared equitably between neighbouring sites, to achieve reasonable levels of external and internal visual privacy	<u>*Design Criteria*</u> *1. Separation between windows and balconies is provided to ensure visual privacy is achieved. Minimum required separation distances from buildings to the side and rear boundaries are as follows:* *a) Building height up to 12m (4 storey) need 6m setback to habitable and 3m to non habitable.* *b) Buildings up to 25m (5-8 storeys) need 9m to habitable and 4.5m to*	Separation either complies or will be screened.	Yes

	non habitable. *c) Buildings over 25m (9+ storeys) need 12m to habitable and 6m to non habitable.* *Note: Separation distances between buildings on the same site should combine required building separations depending on the type of room (see figure 3F.2).* *Gallery access circulation should be treated as habitable space when measuring privacy separation distances between neighbouring properties* Generally one step in the built form as the height increases due to building separations is desirable. Additional steps should be careful not to cause a 'ziggurat' appearance. For residential buildings next to commercial buildings, separation distances should be measured as follows: - for retail, office spaces and commercial balconies use the habitable room distances - for service and plant areas use the non-habitable room distances. New development should be located and oriented to maximise visual privacy between buildings on site and for neighbouring buildings. Design solutions include: - site layout and building		

	orientation to minimise privacy impacts (see also section 3B Orientation) - on sloping sites, apartments on different levels have appropriate visual separation distances (see figure 3F.4). Apartment buildings should have an increased separation distance of 3m (in addition to the requirements set out in design criteria 1) when adjacent to a different zone that permits lower density residential development to provide for a transition in scale and increased landscaping (figure 3F.5). Direct lines of sight should be avoided for windows and balconies across corners. No separation is required between blank walls		
3F - 2 Site and building design elements increase privacy without compromising access to light and air and balance outlook and views from habitable rooms and private open space	Communal open space, common areas and access paths should be separated from private open space and windows to apartments, particularly habitable room windows.	The communal open spaces are separated from private areas or will be screened. Balcony design, roofing, fencing and screens will ensure privacy between the units and also adjoining properties.	Yes
3G Pedestrian access and entries			
3G - 1 Building entries and pedestrian	Multiple entries (including communal building entries and individual ground floor entries) should be	Development provides access on two frontages, which is considered sufficient for such a small	Yes

access connects to and addresses the public domain	provided to activate the street edge. Entry locations relate to the street and subdivision pattern and the existing pedestrian network. Building entries should be clearly identifiable and communal entries should be clearly distinguishable from private entries. Where street frontage is limited and multiple buildings are located on the site, a primary street address should be provided with clear sight lines and pathways to secondary building entries.	site. Entry points are identifiable.	
3G - 2 Access, entries and pathways are accessible and easy to identify	Building access areas including lift lobbies, stairwells and hallways should be clearly visible from the public domain and communal spaces. The design of ground floors and underground car parks minimise level changes along pathways and entries. Steps and ramps should be integrated into the overall building and landscape design. For large developments 'way finding' maps should be provided to assist visitors and residents (see figure 4T.3). For large developments electronic access and audio/video intercom should be provided to manage access	Access is visible. No major level changes. Steps and ramps are integrated.	Yes
3H Vehicle access			
3H - 1 Vehicle access points are designed and located	Car park access should be integrated with the building's overall facade. Design solutions may include:	Standard car park access provided, which dips below the road out of site. Landscaping also provided	Yes

to achieve safety, minimise conflicts between pedestrians and vehicles and create high quality streetscapes	- the materials and colour palette to minimise visibility from the street - security doors or gates at entries that minimise voids in the facade - where doors are not provided, the visible interior reflects the facade design and the building services, pipes and ducts are concealed. Car park entries should be located behind the building line. Vehicle entries should be located at the lowest point of the site minimising ramp lengths, excavation and impacts on the building form and layout. Car park entry and access should be located on secondary streets or lanes where available. Vehicle standing areas that increase driveway width and encroach into setbacks should be avoided. Access point locations should avoid headlight glare to habitable rooms. Adequate separation distances should be provided between vehicle entries and street intersections. The width and number of vehicle access points should be limited to the minimum. Visual impact of long driveways should be minimised through changing alignments and screen planting.	to help blend in the entry. Entry located behind the building line. Access has been provided on the north to help maintain solar access/setback to the north. Headlight glare will focus on driveways across the road - no impact. Suitable separation to intersections. Garbage screened. Pedestrian and vehicle access separated.	

	The need for large vehicles to enter or turn around within the site should be avoided. Garbage collection, loading and servicing areas are screened. Clear sight lines should be provided at pedestrian and vehicle crossings. Traffic calming devices such as changes in paving material or textures should be used where appropriate. Pedestrian and vehicle access should be separated and distinguishable. Design solutions may include: - changes in surface materials - level changes - the use of landscaping for separation		
3J Bicycle and car parking			
3J - 1 Car parking is provided based on proximity to public transport in metropolitan Sydney and centres in regional areas <u>Notes</u> Port Macquarie is a nominated regional centre. In terms of using Guide to Traffic Generating	<u>Design Criteria</u> *1. For development in the following locations:* *a) on sites that are within 800 metres of a railway station or light rail stop in the Sydney Metropolitan Area; or* *b) on land zoned, and sites within 400 metres of land zoned, B3 Commercial Core, B4 Mixed Use or equivalent in a nominated regional centre* *the minimum car parking requirement for residents and visitors is set out in the Guide to Traffic Generating Developments, or the car parking*	Site is within 400m of a B3 zone. Building is medium density. 10 x 2 bed units and 1 x 3 bed units proposed. 11 x 1 space per unit = 11 spaces 10 x 2 bedroom units/5 = 2 spaces 1 x 3 bedroom unit/2 = 0.5 spaces 11/5 = 2.2 visitor spaces. Total required is 11 + 2 + 0.5 + 2.2 = 15.7 spaces (rounds to 16) Applicant proposes 14 spaces onsite and contributions to cover the 2 space shortfall. Such an	Yes

Developments, Port Macquarie is a "sub-regional centre" as by definition it does not have access to rail. Medium density is 2 - <20 dwellings. High Density is 20 or more dwellings	*requirement prescribed by the relevant council, whichever is less* *The car parking needs for a development must be provided off street.* Where a car share scheme operates locally, provide car share parking spaces within the development. Car share spaces, when provided, should be on site. Where less car parking is provided in a development, council should not provide on street resident parking permits <u>Guide to Traffic Generating Developments</u> Medium density residential flat buildings require: - 1 space per unit + - 1 space for every 5 x 2 bedroom unit + - 1 space for every 2 x 3 bedroom unit + - 1 space for 5 units (visitor parking). High density residential flat buildings for metropolitan sub-regional centres require: - 0.6 spaces per 1 bedroom unit - 0.9 spaces per 2 bedroom unit - 1.40 spaces per 3 bedroom unit + - 1 space per 5 units (visitor parking)	outcome is acceptable with opportunities to use contributions to improve/increase public parking in the area.	
3J - 2 Parking and facilities are provided for other modes	Conveniently located and sufficient numbers of parking spaces should be provided for motorbikes and scooters.	The basement car park allows for vehicle spaces to be used for motorbikes etc. There are also storage areas available for	Yes

of transport	Secure undercover bicycle parking should be provided that is easily accessible from both the public domain and common areas. Conveniently located charging stations are provided for electric vehicles, where desirable	bicycles.	
3J - 3 Car park design and access is safe and secure	Supporting facilities within car parks, including garbage, plant and switch rooms, storage areas and car wash bays can be accessed without crossing car parking spaces. Direct, clearly visible and well lit access should be provided into common circulation areas. A clearly defined and visible lobby or waiting area should be provided to lifts and stairs. For larger car parks, safe pedestrian access should be clearly defined and circulation areas have good lighting, colour, line marking and/or bollards	Support facilities available and car park design satisfactory.	Yes
3J - 4 Visual and environmental impacts of underground car parking are minimised	Excavation should be minimised through efficient car park layouts and ramp design. Car parking layout should be well organised, using a logical, efficient structural grid and double loaded aisles. Protrusion of car parks should not exceed 1m above ground level. Design solutions may include stepping car park levels or using split levels on sloping sites. Natural ventilation should be provided to basement and sub basement car	Excavation minimised. Layout is well organised. While stacker spaces have not been popular to date in Port Macquarie they are a suitable alternative. Ventilation provided to car park and grills integrated into building design.	Yes

	parking areas. Ventilation grills or screening devices for car parking openings should be integrated into the facade and landscape design		
4A Solar and daylight access			
4A - 1 To optimise the number of apartments receiving sunlight to habitable rooms, primary windows and private open space	<u>*Design Criteria*</u> *1. Living rooms and private open spaces of at least 70% of apartments in a building receive a minimum of 2 hours direct sunlight between 9 am and 3 pm at mid winter in the Sydney Metropolitan Area and in the Newcastle and Wollongong local government areas.* *2. In all other areas, living rooms and private open spaces of at least 70% of apartments in a building receive a minimum of 3 hours direct sunlight between 9 am and 3 pm at mid winter.* *3. A maximum of 15% of apartments in a building receive no direct sunlight between 9 am and 3 pm at mid winter* The design maximises north aspect and the number of single aspect south facing apartments is minimised. Single aspect, single storey apartments should have a northerly or easterly aspect. Living areas are best located to the north and service areas to the south and west of apartments. To optimise the direct sunlight to habitable rooms and balconies a number of the following	Over 70% of units receive sunlight for a minimum of 3 hours between 9am and 3pm, mid winter. All units receive some light and therefore the 15% standard (dot point 3) is not reached. North aspect maximised in design. No single aspect apartment proposed. Living areas are located to the north. More than 1m² sunlight for 15min achieved to living areas.	Yes

	design features are used: - dual aspect apartments - shallow apartment layouts - two storey and mezzanine level apartments - bay windows To maximise the benefit to residents of direct sunlight within living rooms and private open spaces, a minimum of 1m² of direct sunlight, measured at 1m above floor level, is achieved for at least 15 minutes. Achieving the design criteria may not be possible on some sites. This includes: - where greater residential amenity can be achieved along a busy road or rail line by orientating the living rooms away from the noise source - on south facing sloping sites - where significant views are oriented away from the desired aspect for direct sunlight Design drawings need to demonstrate how site constraints and orientation preclude meeting the design criteria and how the development meets the objective.		
4A - 3 Design incorporates shading and glare control, particularly for warmer months	A number of the following design features are used: - balconies or sun shading that extend far enough to shade summer sun, but allow winter sun to penetrate living areas	Techniques have been utilised in the design to an acceptable level.	Yes

	- shading devices such as eaves, awnings, balconies, pergolas, external louvres and planting - horizontal shading to north facing windows - vertical shading to east and particularly west facing windows - operable shading to allow adjustment and choice - high performance glass that minimises external glare off windows, with consideration given to reduced tint glass or glass with a reflectance level below 20% (reflective films are avoided)		
4B Natural ventilation			
4B - 1 All habitable rooms are naturally ventilated	The building's orientation maximises capture and use of prevailing breezes for natural ventilation in habitable rooms. Depths of habitable rooms support natural ventilation. The area of unobstructed window openings should be equal to at least 5% of the floor area served. Light wells are not the primary air source for habitable rooms. Doors and openable windows maximise natural ventilation opportunities by using the following design solutions: - adjustable windows with large effective openable areas - a variety of window types that provide	Design and location of openings make use of natural ventilation.	Yes

	safety and flexibility such as awnings and louvres - windows which the occupants can reconfigure to funnel breezes into the apartment such as vertical louvres, casement windows and externally opening doors		
4B - 2 The layout and design of single aspect apartments maximises natural ventilation	Apartment depths are limited to maximise ventilation and airflow (see also figure 4D.3) Natural ventilation to single aspect apartments is achieved with the following design solutions: - primary windows are augmented with plenums and light wells (generally not suitable for cross ventilation) - stack effect ventilation / solar chimneys or similar to naturally ventilate internal building areas or rooms such as bathrooms and laundries - courtyards or building indentations have a width to depth ratio of 2:1 or 3:1 to ensure effective air circulation and avoid trapped smells	Depth of units are acceptable given the multi aspect apartments allowing light and ventilation.	Yes
4B - 3 The number of apartments with natural cross ventilation is maximised to create a comfortable indoor	<u>Design Criteria</u> *1. At least 60% of apartments are naturally cross ventilated in the first nine storeys of the building. Apartments at ten storeys or greater are deemed to be cross ventilated only if any enclosure of the balconies*	The units are all multi aspect to allow natural ventilation. Building depth does not exceed 18m.	Yes

environment for residents	*at these levels allows adequate natural ventilation and cannot be fully enclosed.* *2. Overall depth of a cross-over or cross-through apartment does not exceed 18m, measured glass line to glass line.* The building should include dual aspect apartments, cross through apartments and corner apartments and limit apartment depths. In cross-through apartments external window and door opening sizes/areas on one side of an apartment (inlet side) are approximately equal to the external window and door opening sizes/areas on the other side of the apartment (outlet side) (see figure 4B.4). Apartments are designed to minimise the number of corners, doors and rooms that might obstruct airflow. Apartment depths, combined with appropriate ceiling heights, maximise cross ventilation and airflow		
4C Ceiling heights			
4C - 1 Ceiling height achieves sufficient natural ventilation and daylight access	<u>Design Criteria</u> *1. Measured from finished floor level to finished ceiling level, minimum ceiling heights are:* *Minimum ceiling height for apartment and mixed use buildings* *Habitable rooms = 2.7m* *Non-habitable = 2.4m* *For 2 storey apartments = 2.7m for main living area*	Units have minimum 2.7m ceiling heights. Development is not located in a mixed use zone/area, so higher ceiling requirements do not apply. The ADG overrides the DCP on this aspect (i.e. DCP asks for higher ceilings on ground and first floor).	Yes

	floor and 2.4m for second floor, where its area does not exceed 50% of the apartment area *Attic spaces = 1.8m at edge of room with a 30 degree minimum ceiling slope* *If located in mixed use areas = 3.3m for ground and first floor to promote future flexibility of use* *These minimums do not preclude higher ceilings if desired.* Ceiling height can accommodate use of ceiling fans for cooling and heat distribution.		
4C - 2 Ceiling height increases the sense of space in apartments and provides for well proportioned rooms	A number of the following design solutions can be used: - the hierarchy of rooms in an apartment is defined using changes in ceiling heights and alternatives such as raked or curved ceilings, or double height spaces - well proportioned rooms are provided, for example, smaller rooms feel larger and more spacious with higher ceilings - ceiling heights are maximised in habitable rooms by ensuring that bulkheads do not intrude. The stacking of service rooms from floor to floor and coordination of bulkhead location above non-habitable areas, such as robes or storage, can assist	Ceiling heights are acceptable throughout the development.	Yes
4D Apartment size and layout			
4D - 1 The	<u>*Design Criteria*</u>	The development provides	Yes

layout of rooms within an apartment is functional, well organised and provides a high standard of amenity	*1. Apartments are required to have the following minimum internal areas:* *Studio = 35m²* *1 bedroom = 50m²* *2 bedroom = 70m²* *3 bedroom = 90m²* *The minimum internal areas include only one bathroom. Additional bathrooms increase the minimum internal area by 5m² each.* *A fourth bedroom and further additional bedrooms increase the minimum internal area by 12m² each.* *2. Every habitable room must have a window in an external wall with a total minimum glass area of not less than 10% of the floor area of the room. Daylight and air may not be borrowed from other rooms.* Kitchens should not be located as part of the main circulation space in larger apartments (such as hallway or entry space). A window should be visible from any point in a habitable room. Where minimum areas or room dimensions are not met apartments need to demonstrate that they are well designed and demonstrate the usability and functionality of the space with realistically scaled furniture layouts and circulation areas. These circumstances would be assessed on their merits	10 x 2 bedroom units (all with 2 bathrooms) and 1 x 3 bedroom unit (with 3 bathrooms). The 2 bedroom units exceed 75m² (factors in extra 5m² for additional bathroom) and the 3 bedroom exceeds 100m² (factors in extra 10m² for additional 2 bathrooms). Every habitable room has access to a window with compliant glass area. Kitchens are not part of hallways etc.	

4D - 2 Environmental performance of the apartment is maximised	<u>Design Criteria</u> *1. Habitable room depths are limited to a maximum of 2.5 x the ceiling height.* *2. In open plan layouts (where the living, dining and kitchen are combined) the maximum habitable room depth is 8m from a window.* Greater than minimum ceiling heights can allow for proportional increases in room depth up to the permitted maximum depths. All living areas and bedrooms should be located on the external face of the building. Where possible: - bathrooms and laundries should have an external openable window. - main living spaces should be oriented toward the primary outlook and aspect and away from noise sources	The ceiling heights are 2.7m. Therefore depth of rooms should not exceed 6.75m. Habitable rooms do not exceed 6.75m. The open plan areas do not exceed 8m. Living areas and bedrooms are located on the external face of the building.	Yes
4D - 3 Apartment layouts are designed to accommodate a variety of household activities and needs	<u>Design Criteria</u> *1. Master bedrooms have a minimum area of 10m² and other bedrooms 9m² (excluding wardrobe space).* *2. Bedrooms have a minimum dimension of 3m (excluding wardrobe space).* *3. Living rooms or combined living/dining rooms have a minimum width of:* *• 3.6m for studio and 1 bedroom apartments* *• 4m for 2 and 3 bedroom*	Master bedrooms comply with the 10m² minimum standard and other bedrooms comply with the 9m² standard. Bedrooms comply with 3m minimum dimension. Living rooms comply with 4m minimum dimension. Suitable separation of rooms exists via use of doors, walls etc Robes in bedrooms considered acceptable. Layouts contain flexibility.	Yes

	apartments *4. The width of cross-over or cross-through apartments are at least 4m internally to avoid deep narrow apartment layouts.* Access to bedrooms, bathrooms and laundries is separated from living areas minimising direct openings between living and service areas. All bedrooms allow a minimum length of 1.5m for robes. The main bedroom of an apartment or a studio apartment should be provided with a wardrobe of a minimum 1.8m long, 0.6m deep and 2.1m high. Apartment layouts allow flexibility over time, design solutions may include: - dimensions that facilitate a variety of furniture arrangements and removal - spaces for a range of activities and privacy levels between different spaces within the apartment - dual master apartments - dual key apartments Note: dual key apartments which are separate but on the same title are regarded as two sole occupancy units for the purposes of the Building Code of Australia and for calculating the mix of apartments - room sizes and proportions or open plans (rectangular spaces (2:3) are more easily furnished than square spaces (1:1)) - efficient planning of		

	circulation by stairs, corridors and through rooms to maximise the amount of usable floor space in rooms		
4E Private open space and balconies			
4E - 1 Apartments provide appropriately sized private open space and balconies to enhance residential amenity	*Design Criteria* *1. All apartments are required to have primary balconies as follows:* *a) Studio apartments = 4m²* *b) 1 bedroom apartments = 8m² and 2m min depth.* *c) 2 bedroom apartments = 10m² and 2m min depth.* *d) 3+ bedroom apartments = 12m² and 2.4m min depth.* *The minimum balcony depth to be counted as contributing to the balcony area is 1m.* *2. For apartments at ground level or on a podium or similar structure, a private open space is provided instead of a balcony. It must have a minimum area of 15m² and a minimum depth of 3m.* Increased communal open space should be provided where the number or size of balconies are reduced. Storage areas on balconies is additional to the minimum balcony size. Balcony use may be limited in some proposals by: - consistently high wind speeds at 10 storeys and above	The 2 bedroom apartments have balconies that are in excess of the 10m² and 2m minimum dimension. The 3 bedroom apartment has a balcony that is in excess of the 12m² and 2.4m minimum depth. Ground floor apartments have in excess of the 15m² and 3m minimum depth.	Yes

	- close proximity to road, rail or other noise sources - exposure to significant levels of aircraft noise - heritage and adaptive reuse of existing buildings In these situations, juliet balconies, operable walls, enclosed wintergardens or bay windows may be appropriate, and other amenity benefits for occupants should also be provided in the apartments or in the development or both. Natural ventilation also needs to be demonstrated		
4E - 2 Primary private open space and balconies are appropriately located to enhance liveability for residents	Primary open space and balconies should be located adjacent to the living room, dining room or kitchen to extend the living space. Private open spaces and balconies predominantly face north, east or west. Primary open space and balconies should be orientated with the longer side facing outwards or be open to the sky to optimise daylight access into adjacent rooms.	Private open space areas adjoin living areas and are not located on southern elevations. Balconies contain suitable openness.	Yes
4E - 3 Private open space and balcony design is integrated into and contributes to the overall architectural form and detail of the building	Solid, partially solid or transparent fences and balustrades are selected to respond to the location. They are designed to allow views and passive surveillance of the street while maintaining visual privacy and allowing for a range of uses on the balcony. Solid and partially solid balustrades are preferred. Full width full height glass	Suitable mixture of solid and glass used to provide views and privacy. Balconies suitably comply with requirements.	Yes

	balustrades alone are generally not desirable. Projecting balconies should be integrated into the building design and the design of soffits considered. Operable screens, shutters, hoods and pergolas are used to control sunlight and wind. Balustrades are set back from the building or balcony edge where overlooking or safety is an issue. Downpipes and balcony drainage are integrated with the overall facade and building design. Air-conditioning units should be located on roofs, in basements, or fully integrated into the building design. Where clothes drying, storage or air conditioning units are located on balconies, they should be screened and integrated in the building design. Ceilings of apartments below terraces should be insulated to avoid heat loss. Water and gas outlets should be provided for primary balconies and private open space		
4E - 4 Private open space and balcony design maximises safety.	Changes in ground levels or landscaping are minimised. Design and detailing of balconies avoids opportunities for climbing and falls.	Balcony design will need to comply with BCA for safety reasons.	Yes

4F Common circulation and spaces			
4F - 1 Common circulation spaces achieve good amenity and properly service the number of apartments	<u>*Design Criteria*</u> *1. The maximum number of apartments off a circulation core on a single level is eight.* *2. For buildings of 10 storeys and over, the maximum number of apartments sharing a single lift is 40.* Greater than minimum requirements for corridor widths and/ or ceiling heights allow comfortable movement and access particularly in entry lobbies, outside lifts and at apartment entry doors. Daylight and natural ventilation should be provided to all common circulation spaces that are above ground. Windows should be provided in common circulation spaces and should be adjacent to the stair or lift core or at the ends of corridors. Longer corridors greater than 12m in length from the lift core should be articulated. Design solutions may include: - a series of foyer areas with windows and spaces for seating - wider areas at apartment entry doors and varied ceiling heights Design common circulation spaces to maximise opportunities for dual aspect apartments, including multiple core apartment buildings and cross over apartments.	Maximum number of units off a circulation core is 2. Natural light and ventilation provided to the ground and top floor common circulation areas. Levels 2-5 will utilise mechanical ventilation and lighting. Corridor widths are acceptable. Living areas do not directly access core area.	No, but acceptable.

	Achieving the design criteria for the number of apartments off a circulation core may not be possible. Where a development is unable to achieve the design criteria, a high level of amenity for common lobbies, corridors and apartments should be demonstrated, including: - sunlight and natural cross ventilation in apartments - access to ample daylight and natural ventilation in common circulation spaces - common areas for seating and gathering - generous corridors with greater than minimum ceiling heights - other innovative design solutions that provide high levels of amenity Where design criteria 1 is not achieved, no more than 12 apartments should be provided off a circulation core on a single level. Primary living room or bedroom windows should not open directly onto common circulation spaces, whether open or enclosed. Visual and acoustic privacy from common circulation spaces to any other rooms should be carefully controlled		
4F - 2 Common circulation spaces promote safety and provide for	Direct and legible access should be provided between vertical circulation points and apartment entries by minimising corridor or gallery length to give	Common areas are short in length but contain suitable width to allow access. Other requirements such as lighting, signage etc can be conditioned.	Yes

social interaction between residents	short, straight, clear sight lines. Tight corners and spaces are avoided. Circulation spaces should be well lit at night. Legible signage should be provided for apartment numbers, common areas and general wayfinding. Incidental spaces, for example space for seating in a corridor, at a stair landing, or near a window are provided. In larger developments, community rooms for activities such as owner's corporation meetings or resident use should be provided and are ideally co-located with communal open space. Where external galleries are provided, they are more open than closed above the balustrade along their length.	The small number of units results in less of a need for larger communal areas.	
4G Storage			
4G - 1 Adequate, well designed storage is provided in each apartment	<u>*Design Criteria*</u> *1. In addition to storage in kitchens, bathrooms and bedrooms, the following storage is provided:* *a) Studio apartments = 4m³.* *b) 1 bedroom apartments = 6m³.* *c) 2 bedroom apartments 8m³.* *d) 3+ bedroom apartments = 10m³.* *At least 50% of the required storage is to be located within the apartment.* Storage is accessible from	The 2 bedroom apartments comply with the 8m³ additional storage and the 3 bedroom apartment complies with the 10m³ additional storage. At least 50% is provided in the unit. Storage location and design acceptable.	Yes

	either circulation or living areas. Storage provided on balconies (in addition to the minimum balcony size) is integrated into the balcony design, weather proof and screened from view from the street. Left over space such as under stairs is used for storage		
4G - 2 Additional storage is conveniently located, accessible and nominated for individual apartments	Storage not located in apartments is secure and clearly allocated to specific apartments. Storage is provided for larger and less frequently accessed items. Storage space in internal or basement car parks is provided at the rear or side of car spaces or in cages so that allocated car parking remains accessible. If communal storage rooms are provided they should be accessible from common circulation areas of the building. Storage not located in an apartment is integrated into the overall building design and is not visible from the public domain.	Basement storage is accessible in the basement. Storage has been integrated into the design.	Yes
4H Acoustic privacy			
4H - 1 Noise transfer is minimised through the siting of buildings and building layout	Adequate building separation is provided within the development and from neighbouring buildings/adjacent uses (see also section 2F Building separation and section 3F Visual privacy). Window and door openings are generally orientated away from noise sources.	The use of separation, screening and having high use living areas face adjoining low use non habitable rooms (i.e. bathrooms) ensures no adverse acoustic issues. Living areas are also grouped throughout the levels of the building. Other acoustic provisions of ADG have been suitably implemented.	Yes

	Noisy areas within buildings including building entries and corridors should be located next to or above each other and quieter areas next to or above quieter areas. Storage, circulation areas and non-habitable rooms should be located to buffer noise from external sources. The number of party walls (walls shared with other apartments) are limited and are appropriately insulated. Noise sources such as garage doors, driveways, service areas, plant rooms, building services, mechanical equipment, active communal open spaces and circulation areas should be located at least 3m away from bedrooms.		
4H - 2 Noise impacts are mitigated within apartments through layout and acoustic treatments	Internal apartment layout separates noisy spaces from quiet spaces, using a number of the following design solutions: - rooms with similar noise requirements are grouped together - doors separate different use zones - wardrobes in bedrooms are co-located to act as sound buffers Where physical separation cannot be achieved noise conflicts are resolved using the following design solutions: - double or acoustic glazing - acoustic seals • use of materials with low	Internal room layouts and grouping of room types will ensure suitable protection from noise.	Yes

	noise penetration properties - continuous walls to ground level courtyards where they do not conflict with streetscape or other amenity requirements		
4J Noise and pollution			
4J - 1 In noisy or hostile environments the impacts of external noise and pollution are minimised through the careful siting and layout of buildings	To minimise impacts the following design solutions may be used: - physical separation between buildings and the noise or pollution source - residential uses are located perpendicular to the noise source and where possible buffered by other uses - non-residential buildings are sited to be parallel with the noise source to provide a continuous building that shields residential uses and communal open spaces - non-residential uses are located at lower levels vertically separating the residential component from the noise or pollution source. Setbacks to the underside of residential floor levels should increase relative to traffic volumes and other noise sources - buildings should respond to both solar access and noise. Where solar access is away from the noise source, non habitable rooms can provide a buffer	Development implements and has regard for ADG requirements. It should be noted that fencing, screening etc has also been utilised to provide protection from noise sources.	Yes

	- where solar access is in the same direction as the noise source, dual aspect apartments with shallow building depths are preferable (see figure 4J.4)		
4J - 2 Appropriate noise shielding or attenuation techniques for the building design, construction and choice of materials are used to mitigate noise transmission	Design solutions to mitigate noise include: - limiting the number and size of openings facing noise sources - providing seals to prevent noise transfer through gaps - using double or acoustic glazing, acoustic louvres or enclosed balconies (wintergardens) - using materials with mass and/or sound insulation or absorption properties e.g. solid balcony balustrades, external screens and soffits	Development implements and has regard for ADG requirements. It should be noted that the site is not affected by any known noise sources.	Yes
4K Apartment mix			
4K - 1 A range of apartment types and sizes is provided to cater for different household types now and into the future	A variety of apartment types is provided The apartment mix is appropriate, taking into consideration: - the distance to public transport, employment and education centres - the current market demands and projected future demographic trends - the demand for social and affordable housing - different cultural and socioeconomic groups Flexible apartment configurations are provided to support diverse household types	A suitable apartment mix is provided. The units provide for singles, couples and small families. The top floor can cater for larger families or groups.	Yes

	and stages of life including single person households, families, multi-generational families and group households.		
4K - 2 The apartment mix is distributed to suitable locations within the building	Different apartment types are located to achieve successful facade composition and to optimise solar access (see figure 4K.3). Larger apartment types are located on the ground or roof level where there is potential for more open space and on corners where more building frontage is available.	Location of apartments provides acceptable compliance with ADG. The ground and top floor apartments contain larger areas.	Yes
4L Ground floor apartments			
4L - 1 Street frontage activity is maximised where ground floor apartments are located	Direct street access should be provided to ground floor apartments. Activity is achieved through front gardens, terraces and the facade of the building. Design solutions may include: - both street, foyer and other common internal circulation entrances to ground floor apartments - private open space is next to the street - doors and windows face the street Retail or home office spaces should be located along street frontages. Ground floor apartment layouts support small office home office (SOHO) use to provide future opportunities for conversion into commercial or retail areas. In these cases provide higher floor to ceiling heights and ground floor amenities for easy	No direct street access to ground floor units proposed. The provision of an additional access in this case (i.e. small unit block) would create more confusion over the main entry point and is not considered necessary. No retail proposed. Design could be converted to allow direct street access for ground floor units if ever a home office use was implemented.	Yes

	conversion.		
4L - 2 Design of ground floor apartments delivers amenity and safety for residents	Privacy and safety should be provided without obstructing casual surveillance. Design solutions may include: - elevation of private gardens and terraces above the street level by 1-1.5m (see figure 4L.4) - landscaping and private courtyards - window sill heights that minimise sight lines into apartments - integrating balustrades, safety bars or screens with the exterior design Solar access should be maximised through: - high ceilings and tall windows - trees and shrubs that allow solar access in winter and shade in summer	The use of elevation, fencing, screening and landscaping provides a suitable mixture of privacy and surveillance. Solar access will not be adversely inhibited.	Yes
4M Facades			
4M - 1 Building facades provide visual interest along the street while respecting the character of the local area	Design solutions for front building facades may include: - a composition of varied building elements - a defined base, middle and top of buildings - revealing and concealing certain elements - changes in texture, material, detail and colour to modify the prominence of elements Building services should be integrated within the overall façade. Building facades should	The building façade contains suitable elements that comply with ADG requirements.	Yes

	be well resolved with an appropriate scale and proportion to the streetscape and human scale. Design solutions may include: - well composed horizontal and vertical elements - variation in floor heights to enhance the human scale - elements that are proportional and arranged in patterns - public artwork or treatments to exterior blank walls - grouping of floors or elements such as balconies and windows on taller buildings Building facades relate to key datum lines of adjacent buildings through upper level setbacks, parapets, cornices, awnings or colonnade heights. Shadow is created on the facade throughout the day with building articulation, balconies and deeper window reveals.		
4M - 2 Building functions are expressed by the facade	Building entries should be clearly defined. Important corners are given visual prominence through a change in articulation, materials or colour, roof expression or changes in height. The apartment layout should be expressed externally through facade features such as party walls and floor slabs	Entry is defined. The building provides suitable articulation and expression for a corner site.	Yes

4N Roof design			
4N - 1 Roof treatments are integrated into the building design and positively respond to the street	Roof design relates to the street. Design solutions may include: - special roof features and strong corners - use of skillion or very low pitch hipped roofs - breaking down the massing of the roof by using smaller elements to avoid bulk - using materials or a pitched form complementary to adjacent buildings Roof treatments should be integrated with the building design. Design solutions may include: - roof design proportionate to the overall building size, scale and form - roof materials compliment the building - service elements are integrated	Roof design is acceptable. Bulk of the roof has been minimised.	Yes
4N - 2 Opportunities to use roof space for residential accommodation and open space are maximised	Habitable roof space should be provided with good levels of amenity. Design solutions may include: - penthouse apartments - dormer or clerestory windows - openable skylights Open space is provided on roof tops subject to acceptable visual and acoustic privacy, comfort levels, safety and security considerations.	Penthouse apartment proposed with large balcony. Privacy below the top floor retained via roof areas over the lower balconies.	Yes
4N - 3 Roof design incorporates	Roof design maximises solar access to apartments during winter	Roof design provides suitable shading and solar access. Balcony and	Yes

sustainability features	and provides shade during summer. Design solutions may include: - the roof lifts to the north - eaves and overhangs shade walls and windows from summer sun. Skylights and ventilation systems should be integrated into the roof design	balcony roof areas provide additional shading to lower areas.	
4O Landscape design			
4O - 1 Landscape design is viable and sustainable	Landscape design should be environmentally sustainable and can enhance environmental performance by incorporating: - diverse and appropriate planting - bio-filtration gardens - appropriately planted shading trees - areas for residents to plant vegetables and herbs - composting - green roofs or walls Ongoing maintenance plans should be prepared. Microclimate is enhanced by: - appropriately scaled trees near the eastern and western elevations for shade - a balance of evergreen and deciduous trees to provide shading in summer and sunlight access in winter - shade structures such as pergolas for balconies and courtyards	Suitable landscape plan provided that allows a range of plantings and stormwater detention. 1 medium tree required based on the size of the property and deep soil zone. At least one medium tree is considered achievable and has been shown on the plan.	Yes

	Tree and shrub selection considers size at maturity and the potential for roots to compete (see Table 4) Table 4 requires - For site area up to 850m² = 1 medium tree per 50m² of deep soil zone - Between 850 - 1,500m² = 1 large tree or 2 medium trees per 90m² of deep soil zone - Greater than 1,500m² = 1 large tree or 2 medium trees per 80m² of deep soil zone		
4O - 2 Landscape design contributes to the streetscape and amenity	Landscape design responds to the existing site conditions including: - changes of levels - views - significant landscape features including trees and rock outcrops Significant landscape features should be protected by: - tree protection zones (see figure 4O.5) - appropriate signage and fencing during construction Plants selected should be endemic to the region and reflect the local ecology	Suitable landscaping plan provided that will allow variation in species type and size conducive to the size of the development.	Yes
4P Planting on structures			
4P - 1 Appropriate soil profiles are provided	Structures are reinforced for additional saturated soil weight Soil volume is appropriate for plant growth, considerations include: - modifying depths and widths according to the planting mix and	Can be engineered to comply - condition required. The south western communal area contains consistent dimensions to allow a medium tree to grow as required by 4O - 1 above.	Yes

	irrigation frequency - free draining and long soil life span - tree anchorage Minimum soil standards for plant sizes should be provided in accordance with Table 5. Table 5 requires - Large trees 12-18m high, up to 16m crown spread at maturity = need 150m³ of soil at a depth of 1,200mm and area of 10m x 10m or equivalent. - Medium trees 8-12m high, up to 8m crown spread at maturity = need 35m³ of soil at a depth of 1,000mm and area of 6m x 6m or equivalent. - Small trees 6-8m high, up to 4m crown spread at maturity = need 9m³ of soil at a depth of 800mm and area of 3.5m x 3.5m or equivalent. - Shrubs need soil depth of 500-600mm - Ground cover needs soil depth of 300-450mm - Turf needs soil depth of 200mm	Smaller areas contain suitable depths to allow variations in species size and type.	
4P - 2 Plant growth is optimised with appropriate selection and maintenance	Plants are suited to site conditions, considerations include: - drought and wind tolerance - seasonal changes in solar access - modified substrate depths for a diverse range of plants	Detail can be provided at CC stage.	Yes

	- plant longevity A landscape maintenance plan is prepared. Irrigation and drainage systems respond to: - changing site conditions - soil profile and the planting regime - whether rainwater, stormwater or recycled grey water is used		
4P - 3 Planting on structures contributes to the quality and amenity of communal and public open spaces	Building design incorporates opportunities for planting on structures. Design solutions may include: - green walls with specialised lighting for indoor green walls - wall design that incorporates planting - green roofs, particularly where roofs are visible from the public domain - planter boxes Note: structures designed to accommodate green walls should be integrated into the building facade and consider the ability of the facade to change over time	Design contains such areas above the basement car park to form the ground level landscaping.	Yes
4Q Universal design			
4Q - 1 Universal design features are included in apartment design to promote flexible housing for all community members	Developments achieve a benchmark of 20% of the total apartments incorporating the Liveable Housing Guideline's silver level universal design features	20% of 11 units = 2.2. The applicant has provided 2 Liveable units. Other units are also capable of being made more Liveable if required.	Yes

4Q - 2 A variety of apartments with adaptable designs are provided	Adaptable housing should be provided in accordance with the relevant council policy Design solutions for adaptable apartments include: - convenient access to communal and public areas - high level of solar access - minimal structural change and residential amenity loss when adapted - larger car parking spaces for accessibility - parking titled separately from apartments or shared car parking arrangements	Building design allows adaptability to enable compliance with ADG requirements.	Yes
4Q - 3 Apartment layouts are flexible and accommodat e a range of lifestyle needs	Apartment design incorporates flexible design solutions which may include: - rooms with multiple functions - dual master bedroom apartments with separate bathrooms - larger apartments with various living space options - open plan 'loft' style apartments with only a fixed kitchen, laundry and bathroom	Apartment design allows for flexible room usage.	Yes
4S Mixed use			
4S - 2 Residential levels of the building are integrated within the development, and safety and amenity	Residential circulation areas should be clearly defined. Design solutions may include: - residential entries are separated from commercial entries and directly accessible from the street	Development contains limited concealment/entrapment areas, limited excuse opportunity areas, secure areas and provides suitable surveillance to ensure safety to occupants.	Yes

is maximised for residents	- commercial service areas are separated from residential components - residential car parking and communal facilities are separated or secured - security at entries and safe pedestrian routes are provided - concealment opportunities are avoided Landscaped communal open space should be provided at podium or roof levels.		
4U Energy efficiency			
4U - 1 Development incorporates passive environmental design	Adequate natural light is provided to habitable rooms (see 4A Solar and daylight access). Well located, screened outdoor areas should be provided for clothes drying	Location of balconies and open space on the northern elevation ensures quality solar access.	Yes
4U - 2 Development incorporates passive solar design to optimise heat storage in winter and reduce heat transfer in summer	A number of the following design solutions are used: - the use of smart glass or other technologies on north and west elevations - thermal mass in the floors and walls of north facing rooms is maximised - polished concrete floors, tiles or timber rather than carpet - insulated roofs, walls and floors and seals on window and door openings - overhangs and shading devices such as awnings, blinds and screens	Provisions provided in the design or can be retrospectively applied.	Yes

	Provision of consolidated heating and cooling infrastructure should be located in a centralised location (e.g. the basement)		
4U - 3 Adequate natural ventilation minimises the need for mechanical ventilation	A number of the following design solutions are used: - rooms with similar usage are grouped together - natural cross ventilation for apartments is optimised - natural ventilation is provided to all habitable rooms and as many non-habitable rooms, common areas and circulation spaces as possible	All the units are provided with a sufficient number of openings and allowances for ventilation.	Yes
4V Water management and conservation			
4V - 1 Potable water use is minimised	Water efficient fittings, appliances and wastewater reuse should be incorporated. Apartments should be individually metered. Rainwater should be collected, stored and reused on site. Drought tolerant, low water use plants should be used within landscaped areas	BASIX certificate provided. Landscaping can be managed/replanted to suit.	Yes
4V - 3 Flood management systems are integrated into site design	Detention tanks should be located under paved areas, driveways or in basement car parks. On large sites parks or open spaces are designed to provide temporary on site detention basins.	Detention provided via a tank and below ground area in unit 1 open spare area (located behind the building).	Yes
4W Waste management			
4W - 1 Waste storage facilities are	Adequately sized storage areas for rubbish bins should be located	Suitable sized basement garbage storage proposed.	Yes

designed to minimise impacts on the streetscape, building entry and amenity of residents	discreetly away from the front of the development or in the basement car park. Waste and recycling storage areas should be well ventilated. Circulation design allows bins to be easily manoeuvred between storage and collection points. Temporary storage should be provided for large bulk items such as mattresses. A waste management plan should be prepared	Garbage area located in the basement out of site and accessible to occupants Private collection required and to be conditioned. Ventilation provided.	
4W - 2 Domestic waste is minimised by providing safe and convenient source separation and recycling	All dwellings should have a waste and recycling cupboard or temporary storage area of sufficient size to hold two days worth of waste and recycling. Communal waste and recycling rooms are in convenient and accessible locations related to each vertical core. For mixed use developments, residential waste and recycling storage areas and access should be separate and secure from other uses. Alternative waste disposal methods such as composting should be provided	Bin storage areas available within rooms. Communal waste area is conveniently located in basement off the vertical core.	Yes
4X Building maintenance			
4X - 1 Building design detail provides protection from weathering	A number of the following design solutions are used: - roof overhangs to protect walls - hoods over windows and doors to protect openings - detailing horizontal	Design contains suitable weather protection measures required by ADG.	Yes

	edges with drip lines to avoid staining of surfaces - methods to eliminate or reduce planter box leaching - appropriate design and material selection for hostile locations		
4X - 2 Systems and access enable ease of maintenance	Window design enables cleaning from the inside of the building. Building maintenance systems should be incorporated and integrated into the design of the building form, roof and façade. Design solutions do not require external scaffolding for maintenance access. Manually operated systems such as blinds, sunshades and curtains are used in preference to mechanical systems. Centralised maintenance, services and storage should be provided for communal open space areas within the building.	Except for some southern windows, the majority of windows could be accessed via balconies/extension poles. Remainder would need scaffolding or abseiling equipment. Bin storage area could be adapted to have a small maintenance area if required in the future.	Yes
4X - 3 Material selection reduces ongoing maintenance costs	A number of the following design solutions are used: - sensors to control artificial lighting in common circulation and spaces - natural materials that weather well and improve with time such as face brickwork - easily cleaned surfaces that are graffiti resistant - robust and durable materials and finishes are used in locations which receive heavy wear and tear, such as	Can be applied during construction process.	Yes

	common circulation areas and lift interiors		

Clause 30(1), states that consent cannot be refused on the following grounds if the development satisfies the relevant design criteria:

(a) if the car parking for the building will be equal to, or greater than, the recommended minimum amount of car parking specified in Part 3J of the Apartment Design Guide,

(b) if the internal area for each apartment will be equal to, or greater than, the recommended minimum internal area for the relevant apartment type specified in Part 4D of the Apartment Design Guide,

(c) if the ceiling heights for the building will be equal to, or greater than, the recommended minimum ceiling heights specified in Part 4C of the Apartment Design Guide.

As noted in the above assessment, the proposed development satisfies the relevant design criteria for car parking, internal area and ceiling heights and consent is not proposed to be refused on any of these grounds.

Clause 30(2), states that development consent must not be granted if, in the opinion of the consent authority, the development does not demonstrate that adequate regard has been given to:

(a) the design quality principles, and

(b) the objectives specified in the Apartment Design Guide for the relevant design criteria.

The above assessment tables demonstrates that adequate regard has been given to the provisions of the SEPP and ADG.

Further to the above assessment, Clauses 143A and 154A of the *Environmental Planning and Assessment Regulation 2000* require a certifying authority not issue a construction certificate for the development unless the certifying authority has received the statement by the qualified designer verifying that the development achieves compliance with the design quality principles at the construction certificate and occupation certificate. Compliance with Clauses 143A and 154A will form conditions of consent.

State Environmental Planning Policy No. 71 – Coastal Protection and Clause 5.5 of Port Macquarie-Hastings Local Environmental Plan 2011

The site is located within a coastal zone noting clause 4 of the SEPP.

In accordance with clause 5, this SEPP prevails over the Port Macquarie-Hastings LEP 2011 in the event of any inconsistency.

Having regard for clauses 2, 8 and 12 to 16 of the SEPP and clause 5.5 of the PMH LEP 2011, the proposed development will not result in any of the following:

a) any restricted access (or opportunities for access) to the foreshore;

b) any adverse amenity impacts along the foreshore and on the scenic qualities of the coast;

c) any adverse impacts on flora and fauna;

d) the development being subject to any adverse coastal processes or hazards;

e) any significant conflict between water and land based users of the area;

f) any adverse impacts on any items of archaeological/heritage;

g) reduction in the quality of the natural water bodies in the locality (due to effluent & stormwater disposal, construction impacts, landuse conflicts);

h) adverse cumulative impacts on the environment;

i) a form of development that is unsustainable in water and energy demands;

j) development relying on flexible zone provisions. (refer to clause 5.3 of LEP 2011 - Development near zone boundaries unable to be undertaken when SEPP 71 applies).

The site and area are zoned for high density residential purposes. There are also similar scaled developments within 500mm of the site.

Whilst the development involves subdivision, the site is not located within a sensitive coastal location. Therefore, Clause 18 Masterplan requirements/waiver not triggered.

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

A BASIX certificate (number 716615M_02) 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.

State Environmental Planning Policy (Infrastructure) 2007

The development does not trigger the clauses or thresholds in the SEPP.

State Environmental Planning Policy (Major Development) 2005

The development does not trigger any clauses or thresholds in the SEPP.

Port Macquarie-Hastings Local Environmental Plan 2011

The proposal is consistent with the LEP having regard to the following:

- Clause 2.2, the subject site is zoned R4 High Density Residential. In accordance with clause 2.3(1) and the R4 zone land use table, the proposed development for a residential flat building is a permissible land use with consent.

  The objectives of the R4 zone are as follows:
  - *To provide for the housing needs of the community within a high density residential environment.*
  - *To provide a variety of housing types within a high density residential environment.*
  - *To enable other land uses that provide facilities or services to meet the day to day needs of residents.*
  - *To provide for tourist and visitor accommodation in key tourist precincts of urban areas of the Council area, while also encouraging increased population levels.*
  - *To encourage development that has regard to the desired future character of streets and supports active and safe uses at pedestrian level.*

  In accordance with Clause 2.3(2), the proposal is consistent with the zone objectives having regard to the following:

- The proposal is a permissible land use;
- The development will provide high density residential apartments to meet the housing needs of the community;
- The proposal has regard to the desired character of the street and supports safe use at the pedestrian level.

- Clause 2.7, the demolition requires consent as it does not fit within the provisions of SEPP (Exempt and Complying) 2008.
- Clause 4.3, this clause establishes the maximum "height of a building" (or building height) that a building may be built to on any parcel of land. The term "building height (or height of building)" is defined in the LEP to mean "*the vertical distance between ground level (existing) and the highest point of the building, including plant and lift overruns, but excluding communication devices, antennae, satellite dishes, masts, flagpoles, chimneys, flues and the like*". The term "ground level (existing)" is also defined in the LEP to mean "*the existing level of a site at any point*".

  The building height limit for the site is identified on the Height of Buildings Map as being 19m. The majority of the built form complies with the standard. However, there are some protrusions of the top floor roof that exceed the height limit by up to 1.2m. Refer to Drawings DA-150-153 by DDC Architects, which demonstrates the areas of the building that exceed the height limit.

  In considering the height variation, compliance with the objectives of Clause 4.3 of the LEP have been considered below:

  (a) to ensure that buildings are compatible with the height, bulk and scale of the existing and desired future character of the locality,

  Comment:
  The proposed building height varies from just over 15m to 20.2m. The building presents as a six storey building.

  The locality is characterised by a number of other residential flat buildings ranging in height from three to eight storeys above ground level. Examples include 1 Waugh Street, 14 Waugh Street, 27-29 Waugh Street, 2 Hollingsworth Street and 8-10 Hollingsworth Street to name but a few.

  Based on the above, the proposed height, bulk and scale of the development is considered compatible with the existing and future character of the locality.

  (b) to minimise visual impact, disruption of views, loss of privacy and loss of solar access to existing development,

  Comment:
  The visual impact of the building is considered satisfactory for the following reasons:
  - The main variations are located behind the facades of the building and are therefore less distinctive.
  - The variations are minor equating to 1.2m, which represents a variation of 6.3%.
  - The building height is similar to others in the area and will therefore not be visually dominant.

View impacts and solar access are considered elsewhere in this report under 'View Sharing' and 'Overshadowing'. The proposed development and minor height variation is unlikely to create any adverse view loss or overshadowing.

Potential privacy impacts are considered under the relevant DCP provisions below and have been satisfactorily addressed in the building design.

(c) to minimise the adverse impact of development on heritage conservation areas and heritage items,

Comment:
The site does not contain any known heritage items or sites of significance.

(d) to nominate heights that will provide a transition in built form and land use intensity within the area covered by this Plan.

Comment:
The proposed height is consistent with (and even lower than) other buildings in the area. Therefore, the proposed height is considered to be consistent with other buildings in the area and transitions well into the future strategic heights for the locality. The minor variations do not compromise this intent.

In addition to the above, the applicant has lodged a written request in accordance with Clause 4.6 of the LEP objecting to the 19m building height standard applying to the site, which is established under Clause 4.3 (see comments below).

- Clause 4.1, the minimum lot size provisions do not apply to strata subdivisions as per Clause 4.1(4).
- Clause 4.4, the floor space ratio (FSR) of the proposal is 1.99:1 which complies with the maximum 2:1 floor space ratio applying to the site.
- Clause 4.6, consent must not be granted for a proposal that contravenes a development standard unless the consent authority has considered a written request from the applicant that justifies the variation by showing that the subject standard is unreasonable or unnecessary and that there are sufficient environmental planning grounds to justify the contravening of the standard.

  As a result of the above, the applicant submitted a Clause 4.6 variation to the standard based on the following summarised reasons:

  - The ADG 4C – Ceiling heights has increased the minimum from 2.4m to 2.7m (an additional 300mm) to help achieve good daylight access and natural ventilation to residential apartments. The accumulative effect of the extra 300mm per level results in a higher building, but results in improved design which ensures longer term adaptability for other uses.
  - The overland flow of the stormwater together with site flooding constraint dictated the minimum RL of the proposed ground floor to be above 1:100 yr level.
  - The parapet level of the roof could be reduced by 250mm, however, the desire for long term best practise waterproofing dictates that roof geometry should be a minimum 3 degree slope, which results in the parapet level being a maximum 1.2m above the height limit.
  - The level of the parapet is a result of a detailed design resolution to achieve a building design with no visible lift overrun. The design of a building with no

visible lift overrun was discussed in the Pre-DA meeting as being an important design element.

- Masking the lift overrun leads to a positive addition to the character of the skyline. In ADG 4N-1 Roof design, design guidance states *"Roof treatments should be integrated with the building design. Design solutions may include: service elements are integrated"*.
- The development is consistent with the zone and height control objectives.
- The variation creates no loss of views or adverse overshadowing.
- Significant parts of the top floor are recessed to reduce the bulk of the building and area seeking a variation.
- The site is highly constrained.

Having considered the application and Clause 4.6 variation, the proposal will have limited impact on the environment as per the reasons identified by the applicant above. In addition, it is also considered that the development:

- Will provide a height that meets the existing and proposed future character of the area.
- The development contains significant sections of compliance with the standard.
- Compliance with the standard would be unreasonable in this case given the minor nature of the variations proposed and compliance with the FSR.
- The development is consistent with the zoning and height objectives of the LEP 2011 and is unlikely to have any implications on State related issues or the broader public interest.
- The floor to ceiling heights are not excessive.
- Partially obstructed views to the Hastings River exist from the existing buildings located to the south of the subject site. As a result, limited view loss will occur via the variation. It should also be noted that the loss of view occurs with a compliant building height and footprint.
- There is public interest in the efficient use of land within proximity to existing services and infrastructure. Such development encourages walking, cycling and use of public transport and decreases ongoing maintenance costs for public infrastructure compared to lower density residential development. The height of the building has helped maximise the FSR and true development potential of the property.
- The variations will not be readily visible due to the minor nature of the 6.3% variation.
- There are similar sized and even higher buildings within 500m of the site. As a result, the proposed height and minor variation are not unreasonable within the context of the area.
- The development complies with the FSR requirement, which is an indicator of bulk and scale.
- There will be negligible public domain impact.
- The development is well articulated which further reduces the bulk of the building.
- The height helps achieve better designed units.

- Through the use of screening and separation, there will be no loss of privacy.

As per Planning Circulars PS 08-003 & 08-014, Council can assume the Director's Concurrence for variations to height limits. In addition, the variation is less than 10% and able to be determined by DAP, which provides transparency to the decision.

- Clause 5.5, relevant objectives of this clause are addressed by SEPP 71 section (see above).
- Clause 5.9, no listed trees in Development Control Plan 2013 are proposed to be removed.
- Clause 5.10, the site does not contain any known heritage items or sites of significance.
- Clause 7.3, the site is land within a mapped "flood planning area". The application has been reviewed by Council's Flood Officer and accepted, subject to conditions. Therefore, the proposal is acceptable on the basis of the following:
    - The proposal is compatible with the flood hazard of the land taking into account projected changes as a result of climate change;
    - The proposal will not result in a significant adverse affect on flood behaviour that would result in detrimental increases in the potential flood affectation of other development or properties;
    - The proposal incorporates measures to minimise and manage the flood risk to life and property associated with the use of land;
    - The proposal is not likely to significantly adversely affect the environment or cause avoidable erosion, siltation, destruction of riparian vegetation or a reduction in the stability of river banks or watercourses;
    - The proposal is not likely to result in unsustainable social and economic costs to the community as a consequence of flooding;
- Clause 7.4, the site is located within the flood risk management area. However, this clause applies to the following development with particular evacuation or emergency response issues – caravan parks, aged care facilities, correctional facilities, emergency services facilities, group homes, hospitals & tourist & visitor accommodation. The proposed development does not fit within such development and therefore further consideration of Clause 7.4 is not applicable in this case.
- Clause 7.13, satisfactory arrangements are in place for provision of essential services including water supply, electricity supply, sewer infrastructure, stormwater drainage and suitable road access to service the development.

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

None relevant.

(iii) any Development Control Plan in force:

Port Macquarie-Hastings Development Control Plan 2013

DCP 2013: Residential Flat Development, Tourist and Visitor Accommodation and Mixed Use Development			
DCP Objective	Development Provisions	Proposed	Complies
3.3.2.2	Satisfactory site analysis plan submitted.	Relevant information shown on submitted documentation.	Yes
3.3.2.3	Statement addressing site attributes and constraints submitted.	Relevant information shown on submitted documentation.	Yes
3.3.2.4	Streetscape and front setback: • Within 20% of the average setback of the adjoining buildings. • 3m setback to all frontages if no adjoining development. • 2m setback to secondary frontages. • Max. 9m setback for tourist development to allow for swimming pool.	<u>Gore Street</u> The average setback of the two adjoining buildings is approximately 4.5m. Therefore, 20% of the average is 0.9m, which allows for 5.4m or 3.6m setback. Applicant proposes 3.1m, which does not comply. The applicant proposes a partial 0m secondary setback to Alva Lane, which also does not comply with the 2m secondary setback requirement. The variations are considered minor while retaining consistency with the broader surrounding development and controls - see comments on 4.2.4.5 later in this assessment. In particular, it is generally accepted that a 3m front setback be applied to residential flat buildings within high density areas. The variations also only apply to parts of the frontage, which further reduces the bulk of the variation. In terms of the Alva Lane setback variation, there are other examples of similar setbacks within the	No, but acceptable.

		Lane.	
3.3.2.5	Balconies and building extrusions can encroach up to 600mm into setback.	Balconies are setback 600mm	Yes
	Buildings generally aligned to street boundary.	Yes	Yes
	Primary openings aligned to street boundary or rear of site.	Yes, albeit some of the primary openings are located on the side setbacks. However, the use of screening, increased setbacks and lack of openings on adjoining properties limits any privacy issues.	Yes
3.3.2.6	Side setbacks comply with Figure 3.3-1: • Min. Side setback 1.5m for 75% of building depth. • Windows on side walls min. 3m from side boundary. • 3m minimum where adjacent to existing strata titled building.	Development is setback 3m from side boundaries.	Yes
	Side walls adjacent to existing strata-titled buildings should be articulated and modulated to respond to the existing buildings.	Building articulation satisfactory. Windows have been offset and/or screened to maintain privacy.	Yes
	Min. 6m rear setback (including sub basements)	Being a dual frontage property, the site does not have a rear setback. Regardless, a larger setback has been provided to the north (i.e. 6m to the building and approx 4m to balconies).	Yes
3.3.2.11	Buildings should be sited across the frontage of the site (not down the length of the site). Refer to Figure 3.3-3.	The building has been sited across Alva Lane and partially down Gore Street. The corner lot and small size of the property makes it difficult to not extend down the length of the property in some capacity.	Yes
3.3.2.12	Deep soil zones: • Extend the width of the site and have minimum depth of 6m. • Are contiguous across	The deep soil zone does not extend the width of site due to the constrained nature of the small site. The deep soil zone areas	No, but acceptable.

	sites and within sites (see Fig 3.3-4).	will allow infiltration. The deep soil zone areas are discussed above in the ADG assessment and are considered to be a suitable outcome given the constrained nature of the small site and the attempt to achieve other requirements of setbacks, privacy, parking etc. The key objectives of allowing infiltration and plant growth are still achieved.	
3.3.2.13	Deep soil zones accommodate existing advanced trees, and allow for advanced tree planting.	Yes	Yes
3.3.2.14	Deep soil zones integrated with stormwater management measures.	Details to be provided at Construction Certificate stage.	Yes
3.3.2.15	Sunlight to the principal area of ground-level private open space of adjacent properties should not be reduced to less than 3 hours between 9.00am and 3.00pm on June 22.	Refer to comments on overshadowing at the end of this report.	Yes
	Buildings should not reduce the sunlight available to the windows of living areas that face north in existing adjacent dwellings to less than the above specification.	Refer to comments on overshadowing at the end of this report.	Yes
3.3.2.16	Internal clothes drying space provided (not mechanical).	Sufficient area provided for clothes drying.	Yes
	Ceiling fans provided in preference to air conditioning.	Can be installed retrospectively	Yes
	Solar hot water systems (or equivalent technology) provided.	Energy efficiency requirements covered by BASIX	Yes
	Photovoltaic arrays installed where practical.	Not nominated but can be installed retrospectively if required for certain aspects of the building. Energy efficiency requirements also covered by BASIX	Yes
3.3.2.17	Landscape plan provided including:	Soft landscaping = 143m² excluding ground floor	No, but acceptable.

	• 35% soft landscaping with minimum width of 3m. • Existing vegetation and proposed treatment. • Details of hard landscaping. • Location of communal recreational facilities. • Species not to obscure doors, paths, etc. • Street trees in accordance with Council's list.	decks, which equates to 24% (less than 35%). While the development does not meet the standard, the development still achieves the objectives of the DCP by providing useable and attractive open space. In particular, the proposed private open space areas are larger than required, which will allow a degree of landscaping in other areas (i.e. on decks). The variation is also compounded by the constrained nature of the small site and the applicants attempt to achieve compliance with other controls (i.e. density, car parking, private open space etc).	
3.3.2.19	Landscape plan to demonstrate how trees and vegetation contribute to energy efficiency and prevent winter shading on neighbouring properties.	Landscaping is acceptable and allows a range of species to be planted.	Yes
3.3.2.21	All dwellings at ground floor level have minimum 35m^2 of private open space, including one area 4m x 4m at maximum grade of 5% and directly accessible from living area.	Ground floor units have over 35m². Unit 1 has a 4m x 4m area while unit 2 has a 3.8m x 4m+ useable area.	No, but acceptable.
	Dwellings not at ground level have balconies with minimum area 8m^2 and minimum dimension 2m.	All apartments above ground level include a minimum of 8m^2 of balconies including at least one balcony with minimum dimension 2m.	Yes
3.3.2.23	Fencing or landscaping defines public/communal and private open space.	Fencing, gates and mail box structure help define public and private spaces.	Yes
3.3.2.24	Solid fences should be: • Max. 1.2m high, • Setback 1m, • Suitably landscaped, • Provide 3m x 3m splay.	Front fence is less than 1.2m and landscaped with transparent screens.	Yes

3.3.2.25	Fencing materials consistent with or complimentary to existing fencing in the street.	Proposed fencing considered complimentary to others in the street and what is expected into the future.	Yes
3.3.2.27	Building to be designed so that: • Busy, noisy areas face the street. • Quiet areas face the side or rear of the lot. • Bedrooms have line of site separation of at least 3m from parking areas, streets and shared driveways.	Being a corner lot, there is a mixture of busy areas facing the street and internally. Due to design of surrounding development and screening, no loss of privacy will occur.	No, but acceptable.
	Openings of adjacent dwellings separated by at least 3m.	Yes	Yes
3.3.2.28	Building designed so noise transmission between apartments is minimised.	Groupings of living areas, separation and offsetting of doorways will address noise transmission. Landscaping and screening will protect units from communal open space areas.	Yes
	Uses are to be coupled internally and between apartments i.e. noisy internal and noisy external spaces should be placed together. (See Figure 3.3-6).	Refer to above comment.	Yes
3.3.2.29	Development complies with AS/NZS2107:2000 *Acoustic – Recommended design sound levels and reverberation times for building interiors for residential development.*	Details to be provided at CC stage.	Yes
3.3.2.30	Impact of noise from key public places to be considered.	The site is located in proximity to Westport Park. This space is used for events on an infrequent basis and is unlikely to cause regular disruption to residents of the development. Lots/development fronting Buller Street will provide further screening and protection.	Yes
3.3.2.31	Direct views between living	Combination of screens,	Yes

	room windows to be screened where: • Ground floor windows are within 9m of windows in an adjoining dwelling. • Other floors are within a 12m radius. • Living room windows are within 12m radius of the principal area of private open space of other dwellings.	fencing and separation will ensure privacy is retained both to and from the development. A screen along the western edge of the Unit 11 balcony is not required due to the height above surrounding units providing separation and the roof on the lower balconies obstructing downward views.	
	Direct views may be screened with either a 1.8m high fence or wall, or screening that has maximum 25% openings.	Refer to above comment.	Yes
	Windows in habitable rooms screened if >1m above ground level and wall set back <3m.	Yes	Yes
	Balconies, decks, etc screened if <3m from boundary and floor area >3m^2 and floor level >1m above ground level.	All balconies are setback 3m or more from side boundaries.	Yes
3.3.2.32	Developments to be designed in accordance with AS 1428.	Development capable of complying. Details will be required at Construction Certificate stage.	Yes
3.3.2.33	Barrier free access to at least 20% of dwellings provided.	Yes - refer to comments on disabled access in ADG assessment.	Yes
3.3.2.34	Developments located close to open space, recreation, entertainment and employment.	Yes, site is within 400m.	Yes
	Where LEP permits FSR > 1:1, FSR not less than 1:1 should be achieved.	FSR 1.99:1.	Yes
3.3.2.35	Variety of types - studio, 1, 2, 3 and 3+ bedroom apartments	Development provides a mix of 2 and 3 bedroom apartments.	Yes
	Studio and 1 bedroom apartments not > 20% of total number of apartments.	None proposed.	N/A.
	Mix of 1 and 3 bedroom apartments at ground level.	There are 2 large 2 bedroom apartments provided on ground floor, which provides a suitable compromise.	Yes

3.3.2.37	Lift over-runs and plant integrated within roof structures.	Yes	Yes
	Roof design to generate interesting skyline.	The stepped design creates an interesting façade and roof.	Yes
3.3.2.38	Facade composition should: • Have balance of horizontal and vertical elements. • Respond to environmental and energy needs. • Incorporate wind mitigation. • Reflect uses within the buildings. • Include combination of building elements.	Development provides mixture of articulation and materials to create an interesting façade with regard to the environment.	Yes
3.3.2.39	Building elements, materials and colours consistent or complimentary to those existing in the street.	Sample board for development provided. Proposed colours and materials considered satisfactory.	Yes
3.3.2.40	Entrances clearly identifiable from street level.	A well designed entry off Gore Street provides pedestrian access to the building.	Yes
	Entries provide clear transition between public streets and shared private circulation spaces/apartments.	The entrances have been designed to transition people into the building. Mailboxes, materials and the opening within the building define the public/private interface.	Yes
	Entries avoid ambiguous and publicly accessible small spaces in entry areas.	Entrances are clear. The entrance to the communal area has been minimised/hidden to reiterate that it is more for occupants of the building.	Yes
	Entries sheltered and well lit.	Entry sheltered and can be well lit by lighting.	Yes
	Entries and circulation spaces sized for movement of furniture.	The design allows for movement of furniture throughout.	Yes
	Corridors minimum 2.5m wide and 3.0m high.	Corridors are of a suitable height and width.	Yes
	Corridor lengths minimised and avoid tight corners.	There are limited corridors proposed and those nominated are short in length.	Yes
3.3.2.41	Minimum 1 balcony per apartment.	At least 1 balcony per apartment.	Yes

	Main balcony accessible from living area.	Yes	Yes
	Balconies take advantage of favourable climatic conditions.	Each unit has a north facing balcony.	Yes
	Balconies and balustrades balance privacy and views.	Mixture of glass and screened balconies proposed.	Yes
3.3.2.42	Balconies include sunscreens, pergolas, shutters and operable walls.	Majority of balconies include sheltered components, sliding doors to create an indoor/outdoor living area and privacy screens.	Yes
	Balconies recessed to create shadowing to facade.	Majority of balconies are recessed or contain shade structures to create shadow elements over the façade.	Yes
	Solid balustrades discouraged.	Yes	Yes
	Air conditioning units not visible from the street.	No visible air conditioning identified on plans.	Yes
3.3.2.43	Secure open air clothes drying facilities that are: • easily accessible, • screened from public domain and communal spaces, • located with high degree of solar access.	Sufficient area available on apartment balconies for clothes drying. In addition, the communal areas have the ability to introduce clothes drying facilities if required.	Yes
3.3.2.44	Mailboxes integrated into building design and sighted to ensure accessibility and security.	Mailbox area has been incorporated into the entrance area off Gore Street and is identifiable.	Yes
3.3.2.45	Public and private space clearly defined.	Private and public space appropriately defined.	Yes
	Entrances: • oriented to public street, • provide direct and well lit access between car parks, lift lobbies and unit entrances, • optimise security by grouping clusters (max. 8) around a common lobby	The entrance is orientated towards Gore Street and has been designed as a large opening that funnels people into the building. The lobby area contains lifts and stairs to transport people to and from units, car parking and the street. Openings from units face the internal lobby as well as the lobby area being visually open to the street for security.	Yes
	Surveillance facilitated by: • views over public space from living areas,	Casual surveillance of communal open space and public street available	Yes

	• casual views of common internal areas, • provision of windows and balconies, • separate entries to ground level apartments.	from apartments. The provision of additional access points to ground floor units would create more confusion over the main entry point and is not considered necessary.	
	Concealment avoided by: • preventing dark or blind alcoves, • providing lighting in all common areas, • providing graded car parking illumination (greater at entrances).	Building design limits concealment opportunities.	Yes
	Access to all parts of the building to be controlled.	Access to the building and throughout can be controlled via various electrical security systems/swipe cards.	Yes
3.3.2.46	Accessible storage provided for tenants in basement car park or garages.	Storage area provided in basement.	Yes
	One bike storage space per dwelling provided.	Bicycle storage area available within each unit and in the basement.	Yes
	Communal bulk waste required where: • > 6 dwellings, or • Number of bins wouldn't fit in street frontage, or • Topography would make street collection difficult.	Communal bin storage area identified in basement car park.	Yes
	Communal bulk waste facilities integrated into development and located at ground or sub-basement level. • Not visible from street, • Easily accessible, • Can be serviced by collection vehicles, • Not adjoining private or communal space, windows or clothes drying areas, • Has water and drainage facilities for cleaning, • Maintained free of pests.	Bin storage area identified in basement car park.	Yes
	Evidence provided that site can be serviced by waste	Condition recommended requiring private waste	Yes

	collection service.	collection service for the development.	
3.3.2.48	Common trenching of utility services where possible.	Can be conditioned. Details assessed at construction certificate stage.	Yes
	Above ground utility infrastructure integrated with building design.	Area exists onsite to incorporate infrastructure within garden beds or the building design.	Yes
	Site and individual units numbered.	Can be conditioned.	Yes
	Common aerials and satellite dishes provided.	Can be conditioned.	Yes

DCP 2013: General Provisions

DCP Objective	Development Provisions	Proposed	Complies
2.7.2.2	Design addresses generic principles of Crime Prevention Through Environmental Design guideline: • Casual surveillance and sightlines • Land use mix and activity generators • Definition of use and ownership • Lighting • Way finding • Predictable routes and entrapment locations	Casual surveillance of communal open space available from apartments. Private and public space appropriately defined. Casual surveillance of street and communal space available from apartments. Lighting and CCTV cameras can be installed retrospectively.	Yes
2.3.3.1	Cut and fill 1.0m max. 1m outside the perimeter of the external building walls	Cut >1m, but generally contained within external walls of the building/basement car park footprint.	Yes
2.3.3.2	1m max. height retaining walls along road frontages	None proposed.	Yes
2.5.3.2	New accesses not permitted from arterial or distributor roads. Existing accesses rationalised or removed where practical	Development does not front an arterial or distributor road. Vehicle access limited to Gore Street.	Yes
	Driveway crossing/s minimal in number and width including maximising street parking	A standard width dual lane driveway proposed off Gore Street.	Yes
2.5.3.3	Off-street parking in accordance with Table 2.5.1: • 1 per 1 or 2 bed unit, 1.5 per 3-4 bed unit + 1 visitor per 4 units	<u>Required:</u> 10 x 1 & 2 bedroom units = 10 spaces. 1 x 3 bedroom units = 1.5 spaces. Visitor parking 11/4 = 2.75	Yes

		spaces. Total required = 14.25 spaces (rounds to 15) <u>Proposed:</u> Applicant proposes 14 spaces onsite and contributions to cover the 2 space shortfall - refer to comments on parking in ADG. Such an outcome is acceptable with opportunities to use contributions in the area to improve/increase public parking in the area.	
2.5.3.7	Visitor parking to be easily accessible	One space within the building, which will be accessible via a code.	Yes
	Parking in accordance with AS 2890.1	Compliance with the standard possible and to be reiterated through conditions.	Yes
2.5.3.14	Sealed driveway surfaces unless justified	Driveway areas to be concrete.	Yes
2.5.3.15	Driveway grades for first 6m of 'parking area' shall be 5% grade.	Compliance possible.	Yes
2.5.3.16	Transitional grades min. 2m length	Compliance possible.	Yes
2.5.3.17	Parking areas to be designed to avoid concentrations of water runoff on the surface.	Basement car park will not generate stormwater runoff.	Yes
	No direct discharge to K&G or swale drain	Connection to stormwater system to be conditioned.	Yes
DCP 2013: Westport Precinct			
DCP Objective	Development Provisions	Proposed	Complies
4.2.4.3	Residential flat buildings to have 24m frontage. Dual frontages may accept an 18m frontage.	Frontage is just under 24m being 23.59, which is acceptable due to the property having dual frontage (allowed to be 18m).	Yes
4.2.4.4	Development complies with: - Building height complies with LEP. - Setbacks and building alignments consistent with 4.2-4. - Controls on building height, commercial uses etc apply to	Building height addressed in LEP section of this report. The DCP requires an upper storey setback to Gore Street. The Gore Street façade has a mixture of setback elements, which is considered acceptable and is consistent with other	Yes

	Bridge, Gore and William Street.	development in the area. Ceiling heights for ground and first floor are 2.7m. While not 3.3m, the height is acceptable given the building use is unlikely to change in the near future.	
4.2.4.5	Setbacks and building alignments to be consistent with Figures 4.2-5 & 6 or 3m where no setback shown. Upper level to be setback.	Figure 4.2-5 allows a 0m setback to Gore Street. Applicant has chosen a setback more conducive to the area and that required by section 3.3 of the DCP. Setback provides a good middle standard.	Yes
4.2.4.6	Side and rear setbacks to be: - 3m from side boundaries. - 6m from rear boundary. - South of Gordon Street 10m rear setback. - Party wall not appropriate.	The development is setback 3m from side boundaries. It should be noted the property does not have a rear setback - dual frontage property.	Yes.
4.2.4.8	Side and rear walls are to be articulated to provide privacy and separation with balconies of adjacent buildings by the following: - Up to 4 storeys or 12m = 6m habitable rooms/balconies and 3m non habitable. - Between 5 & 8 storeys or 25m = 9m habitable rooms/balconies and 4.5m non habitable. Where separation does not exist, privacy screens or louvers may be utilised.	Where separation is compromised, the development contains no windows or has nominated privacy screens.	Yes
4.2.4.9	Open space areas are: - 25% communal open space. Where 25% not possible due to constraints, 5m² per dwelling required. - 2 hours sunlight for communal area between 9am and 3pm. - Communal areas may be reduced where development contributes to public area.	Communal open space less than 25%. Given the constrained nature of the site, the 5m² per dwelling requirement is more accurate. Such a rate requires 55m². The development provides a communal area that equates to approximately 55m². The communal area receives a suitable mixture of sun and shade.	Yes

	- Rooftop communal setback from edges and not overlook.		
4.2.4.10	Deep soil to site area provided as follows: - <650m² = 7% - 650m² to 1500m² = 10% - >1500m² = 15% Min 6m width unless a constrained site - see DCP for what constitutes constrained. Constrained sites need to be 3m. 10% paving allowed where tree growth can still occur.	Refer to comments in ADG assessment regarding deep soil areas.	No, but acceptable.
4.2.4.11	Fences and retaining walls to comply with the following: - Within 1m of front boundary be max 1.2m high. - Variations allowed where ground floor level is higher than ground level. - Fences greater than 1.2m should be 50% transparent above the 1.2m height. - Fences should step down sloping sites.	The proposed front fencing complies with the DCP requirements.	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:
Demolition of the existing building on the site is capable of compliance with this Australian Standard and is recommended to be conditioned.

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 site has frontage to Gore Street to the east and Alva Lane to the south.

Adjoining the site is a mixture of residential uses, including 3 storey residential flat buildings immediately to the north and west.

Adjoining the site to the south is an older single storey dwelling.

Within 400m of the site is a further mixture of commercial and residential development of various heights and design. Furthermore, the neighbourhood forms an important fringe location to the Port Macquarie CBD, Westport Park and Settlement City areas.

Overshadowing
The relevant standards for overshadowing adopted in Development Control Plan 2013 are:

(a) Sunlight to the principal areas of ground-level private open space of adjacent properties should not be reduced to less than 3 hours between 9am and 3pm on 22 June. Where existing overshadowing by buildings and fences is greater than this, sunlight should not be reduced by more than 20%.
(b) Buildings should not reduce the sunlight available to the windows of living areas that face north in existing adjacent dwellings to less than the above specification.

In this instance, the adjoining buildings to the west and south of the site have potential to be impacted by the proposed development on 22 June. The existence of Gore Street provides protection to eastern buildings.

The Applicant has submitted shadow modelling to assist in the assessment of overshadowing impacts. The shadow angles and lengths shown in the submitted plans have been reviewed and are considered to be accurate.

The expected overshadowing impacts of the proposed development on adjoining development on 22 June can be summarised as follows:

- 9.00am to Midday - Shadow will only be cast partially over the adjoining property to the west (not the building) , retracting from 9am to midday. Shadow will be cast partially over southern property increasing to midday.
- Midday to 3pm - Shadows will not cast over western property. Shadow will be maintained over the southern property, continuing through to 3pm via adjoining properties.

The applicant submits that the shadow impacts on the existing dwelling at 5 Gore Street are addressed as follows:

- The application does not impact on retention of 3hrs sunlight access to the east facing living room window of 5 Gore Street.
- Shadowing of part of the northern windows of 5 Gore Street is not unreasonable given the R4 High Density Residential zoning of the site, and Council's strategic objectives for pursuing high density development in the area.
- 5 Gore Street is suitable for redevelopment.

- That any residential flat building development on the subject site will have the same or similar shadowing effect on 5 Gore Street.
- The subject site is isolated, being bounded by Gore Street, Alva Lane and existing strata titled buildings on its two other frontages without any adjoining available undeveloped lots that can be incorporated with it. In addition to its isolated position, the site is small in area and square in shape, making compliance with the regular DCP standards unreasonable.
- The proposed residential flat building is modest in built form, scale and number of units reflecting the smaller size and dimensions of the site.
- The overall proposal has planning merit and a high level of design quality which will be a positive contribution to the streetscape. As assessed elsewhere in the application, the proposal presents no unreasonable environmental impacts.

Having considered the above, Council staff agree with the justification provided by the applicant. Paramount to allowing the overshadowing is that 5 Gore Street is likely to come under pressure to be re-developed. A new development would likely be positioned better on the site to take advantage of solar access. For example, a development is likely to be positioned further to south onsite, factoring in more realistic provisions applying to the site and also surrounding properties.

View Sharing
There are currently partial views of the Hastings River from the properties to the south of the proposed development (opposite side of Alva Lane). The views are very limited and obtained more down Gore Street rather than across the site. This is due to the existing surrounding buildings blocking views, including a multi storey building at 20 Buller Street.

The retention of views from the current adjoining properties is consider not possible and has little weight in this case. In particular, a compliant building could be erected on the subject site and result in the majority of views from surrounding properties being lost. Therefore, it is not realistic that the current views be retained.

In terms of the future development of the southern side of Alva Lane, views may be obtainable from the upper storeys due to allowable height limits and the slope of the land. The height variations proposed as part of this application are discussed previously in this report and considered to be minor and unlikely to contribute to the loss of future views obtainable from adjoining upper storeys.

Further consideration of views and the planning principles of NSW Land and Environment Court in *Tenacity Consulting v Warringah 2004 NSW LEC 140,* are not warranted in this case.

Roads
The site has road frontage to Gore Street and Alva Lane.
Adjacent to the site, Gore Street is a sealed public road under the care and control of Council. Gore Street is a local road with a 19.5m road formation within a 30m road reserve. Alva Lane is a sealed public road under the care and control of Council. Alva lane is a local road with a 4.7m road formation within a 6.2m road reserve. In this regard construction of kerb and gutter and associated road pavement will be required within Alva Lane.

Traffic and Transport
The site is currently approved for residential use. This development proposes to generate 77 daily trips. The addition in traffic associated with the development is

unlikely to have any adverse impacts to the existing road network within the immediate locality.

Site Frontage & Access
Vehicle access to the site is proposed though one access driveway to Gore Street. All accesses shall comply with Council AUSPEC and Australian Standards, and conditions have been imposed to reflect these requirements.

Parking and Manoeuvring
A total of 14 parking spaces (including 1 disabled space) have been provided on-site. The proposal incorporates 6 stacker parking mechanisms. Parking and driveway widths on site can comply with relevant Australian Standards (AS 2890) and conditions have been imposed to reflect these requirements.
Due to the type of development, car park circulation is required to enable vehicles to enter and exit the site in a forward manner. Site plans show adequate area is available (including provision of a turning bay) and conditions have been imposed to reflect these requirements.

Water Supply Connection
There is an existing 150mm water main on the Gore Street frontage.
Individual water meters are to be provided for each unit. These may be located at each unit with a centralised electronic reading console and with a master water meter at the property boundary. If there are separate outdoor water service requirements, then an additional water meter(s) will be required for the general use areas.
The final water service sizing will need to be determined by a hydraulic consultant to suit the domestic side of the development, as well as fire service requirements to AS 2419. Any rainwater tank re-use or potable water top-up system and related protection requirements are to be detailed on the hydraulic plans.

Sewer Connection
Sewerage facilities are available but will require extension at no cost to Council to serve the proposed development.
The proposed development is to discharge to a new manhole or existing sewer manhole. Any abandoned junctions are to be capped off at Council's main.
Detailed plans will be required to be submitted for assessment with the S.68 application.

Stormwater
The site naturally grades towards the North Eastern corner and is currently serviced via a direct connection to the public piped drainage system.
The legal point of discharge for the proposed development is defined as a direct connection to Council's stormwater pipe in Gore St.
Stormwater from the proposed development is planned to be disposed via an on-site detention system into a direct connection to Councils pipe which is consistent/inconsistent with the above requirements.
A detailed site stormwater management plan will be required to be submitted for assessment with the S.68 application and prior to the issue of a Construction Certificate.
In accordance with Councils AUSPEC requirements, the following must be incorporated into the stormwater drainage plan:

- On site stormwater detention facilities

Other Utilities
Telecommunication and electricity services are available to the site.

Heritage
Refer to comments on heritage in the LEP section of this report.

Other land resources
The site is within an established urban context and will not sterilise any significant mineral or agricultural resource.

Water cycle
The proposed development will be unlikely to have any adverse impacts on water resources and the water cycle.

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 and microclimate
The construction and/or operations of the proposed development will be unlikely to result in any adverse impacts on the existing air quality or result in any pollution. Standard precautionary site management condition recommended.

Flora and fauna
Construction of the proposed development will not require any 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. Standard precautionary site management condition recommended.

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

Noise and vibration
No adverse impacts anticipated. Any noise generated during construction is likely to be short term and conditions will be imposed to restrict work to standard construction hours.

Bushfire
The site is not identified as being bushfire prone.

Safety, security and 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 increase in housing density will improve natural surveillance within the locality and openings from each dwelling overlook common and private areas.

Social impacts in the locality
The proposed development is considered to have the following positive social impacts:

- Increase in housing;
- Increase mix of accommodation in the area catering for various markets;
- Employment opportunities during constructions of the facility;
- Development compatible with the transitioning nature of the area (i.e. higher density accommodation).

Potential negative issues have been considered throughout this report and either deemed acceptable or can be resolved through conditions.

Economic impact in the locality
The proposed development will create an overall positive economic impact through expansion of higher density accommodation facilities. There will also maintain employment in the construction industry within the area. This can create and maintain employment opportunities, which in turn lead to flow on effects such as expenditure and investment in the local economy.

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

Construction
The development includes significant excavation for basement car parking adjacent to existing buildings. Prescribed conditions require that the developer protect and support adjoining structures if excavation extends below the footings of the structure, building or work.

A condition is also recommended requiring dilapidation reports to be prepared for adjoining properties, to allow for monitoring and rectification works (if necessary) of any damage caused by construction activities.

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 constraints 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 were received following 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 height of the development is not compatible with surrounding 3 storey buildings. The height exceeds Council controls.	The height of the development is consistent with the controls in place for the area and the proposed height variation is considered minor - refer to comments on Clause 4.3 and 4.6 in the Port Macquarie Hastings Local Environmental Plan 2011 section of this assessment report. In addition, there are other buildings within 300m of the site that are either the same height or greater.
The below ground level will pose issues with underground water.	Prior to the release of the construction certificate, evidence will need to be submitted to the Principal Certifying Authority showing that the water table will not be intercepted or that an approval/license under the Water Act 1912 has been obtained from the Office of Water to intercept the water table.
Noise from 20+ vehicles waiting for the parking stacker under the building will cause noise pollution.	The basement parking only accommodates 14 spaces with residents unlikely to be arriving or leaving at the same time. Therefore, cars waiting to park are unlikely to create any adverse noise or noise above that created from the traffic on the surrounding streets.
Development will create parking problems. Not enough car spaces proposed.	The development generally complies with the number of parking spaces required per unit by legislation. Where the shortfall exists is in relation to visitor parking. However, contributions will be levied on the shortfall. The contributions will then be able to be utilised to actually improve parking in the area. In particular, evidence suggests that parking in the area is not being provided to its full potential.
The design is a basic cheap appearance and will diminish the outlook from surrounding properties.	The design is considered to contain elements consistent with other developments in the area and will therefore not diminish the outlook from adjoining properties. Except for some minor variations (identified in the above assessment report), it is considered that the applicant has come up with a suitable design on what is otherwise a constrained small site.
Proposal represents an overdevelopment of the site. A 3 storey building would be more desirable.	Based on the above assessment, it is considered that the development is consistent with the planning controls in place for the area, with proposed variations having been justified.
The development will overshadow 20 Buller Street.	20 Buller Street is located to the north of the development. As a result, the proposed development cannot overshadow the property (i.e. shadows are cast predominately to the east, west and south).
Loss of privacy to bathrooms at 20 Buller Street.	It is noted that the bathroom windows are 9m from the proposed building and approximately 7m from the balcony areas. This separation will afford a level of privacy. Furthermore, legislation is aimed at maintaining privacy

	between living areas and living /primary open space areas, not low use rooms such as bathrooms.
The development will impact on stormwater drainage in the area.	The development proposes onsite detention to ensure stormwater from the site does not exceed pre development flows.

(e) The Public Interest:

The proposed development satisfies relevant planning controls and is unlikely 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, administration buildings and parking.

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. It is recommended that the application be approved, subject to the recommended conditions of consent provided in the attachment section of this report.

Attachments

1View. DA2016 - 372.1 Plans
2View. DA2016 - 372.1 Recommended Conditions
3View. DA2016 - 372.1 Submission - Iacono
4View. DA2016 - 372.1 Submission - Mack

Development Application

Drawing Schedule

Sheet Number	Sheet Name	Current Revision
DA-000	Contents	H
DA-101	Existing Site Plan	D
DA-102	Site Analysis	C
DA-103	Proposed Site Plan	F
DA-104	Landscape Plan	F
DA-105	Material Schedule	B
DA-110	Ground Floor Plan	G
DA-111	Level 1,2,3,4 Floor Plan	G
DA-115	Level 5 Floor Plan	G
DA-116	Roof Plan	F
DA-117	Basement Plan	G
DA-118	Turning Circles	B
DA-119	Accessible Units	A
DA-150	Proposed East Boundary Elevation	A
DA-151	Proposed North Boundary Elevation	A
DA-152	Proposed South Boundary Elevation	A
DA-153	Proposed West Boundary Elevation	A
DA-210	Proposed East Elevation	H
DA-211	Proposed North Elevation	H
DA-212	Proposed South Elevation	H
DA-213	Proposed West Elevation	H
DA-301	Section A	F
DA-302	Section B	F
DA-401	Area Plans (GFA)	D
DA-402	Strata Plans	A
DA-403	Sun Diagrams & Ventilation	D
DA-404	Storage Diagrams	C
DA-600	Existing Shadow Diagrams	C
DA-601	Proposed Shadow Diagrams	E

BASIX COMMITMENTS
Thermal Comfort:
- R1.5 insulation to all external brick veneer walls
- Hebel on studs to party walls and shared walls to lobby/stair/lift, R1.5 insulation minimum
- R1.5 insulation + sarking to all lightweight walls
- R3.5 insulation to ceilings under roof spaces (Apartments 9, 10, 11)
- R1.0 anticondensation blanket under Medium coloured metal sheeting to Apartment 11.
- R1.0 insulation to floors over basement carpark (Apartments 1 & 2)
- Unit 1 only: Standard clear low e glazing in aluminium frames Uw: <=4.7, SGHCw: 0.63 (+/-10%)
- Units 2 – 11: Standard clear glazing in aluminium frames, toughened or opaque where required. Uw:<=6.57, SHGCw:0.74 (+/-10%)
- Draft seals to all external doors and windows
- Ceiling penetrations for downlights have been factored in to the simulations (default settings)
- Exhaust fans to have dampers installed.

Water Commitments
- Max 60m2 common lawn and 80m2 gardens to common landscaping *
- 3 Star rated showerheads throughout (including outdoor shower on ground level), with high range flow rate >7.5L/min & <=9L/min
- 3 Star rated toilets
- 3 star minimum rated kitchen taps and basin taps
- 3 star minimum (water savings) rated dishwashers to each unit
- 10000L (minimum) common rainwater tank, serviced by at least 150m2 full roof catchment. Reuse connected to all dwelling toilets, at least 100m2 common landscaping areas.

Energy Commitments
- Electric heat pump hot water system to each unit – min RECs 15
- Mechanical exhausts to kitchen rangehood, laundry and all WC exhausts in each dwelling, ducted to façade/roof, with manual on/off controls.
- Electric cooktop & electric oven to each dwelling
- LED or fluorescent lighting throughout dwellings.
- All clothes dryers to be rated at least 3 stars for energy savings
- All dishwashers to be rated at least 3 stars for energy savings
- single phase powered air conditioning systems to each dwelling (zoned for living and bedrooms), min EER 3.0 for cooling, 3.0 for heating.
- Lift to be a gearless traction system
- LED lighting to lift, connected to lift call button.
- Mechanical exhaust only to garbage room
- No mechanical ventilation system to basement level (including basement lobby) – ie, natural ventilation only
- Ventilation supply only to upper lobbies, with time clocks or BMS control.
- LED lighting to lobbies, with time clock and motion sensors
- Fluorescent lighting to carpark and garage room, with motion sensors
- Fluorescent lighting to plant and storage rooms, with manual controls
- 5.5kW system to roof of apartment building, connected to electrical system of building.

DEVELOPMENT APPLICATION

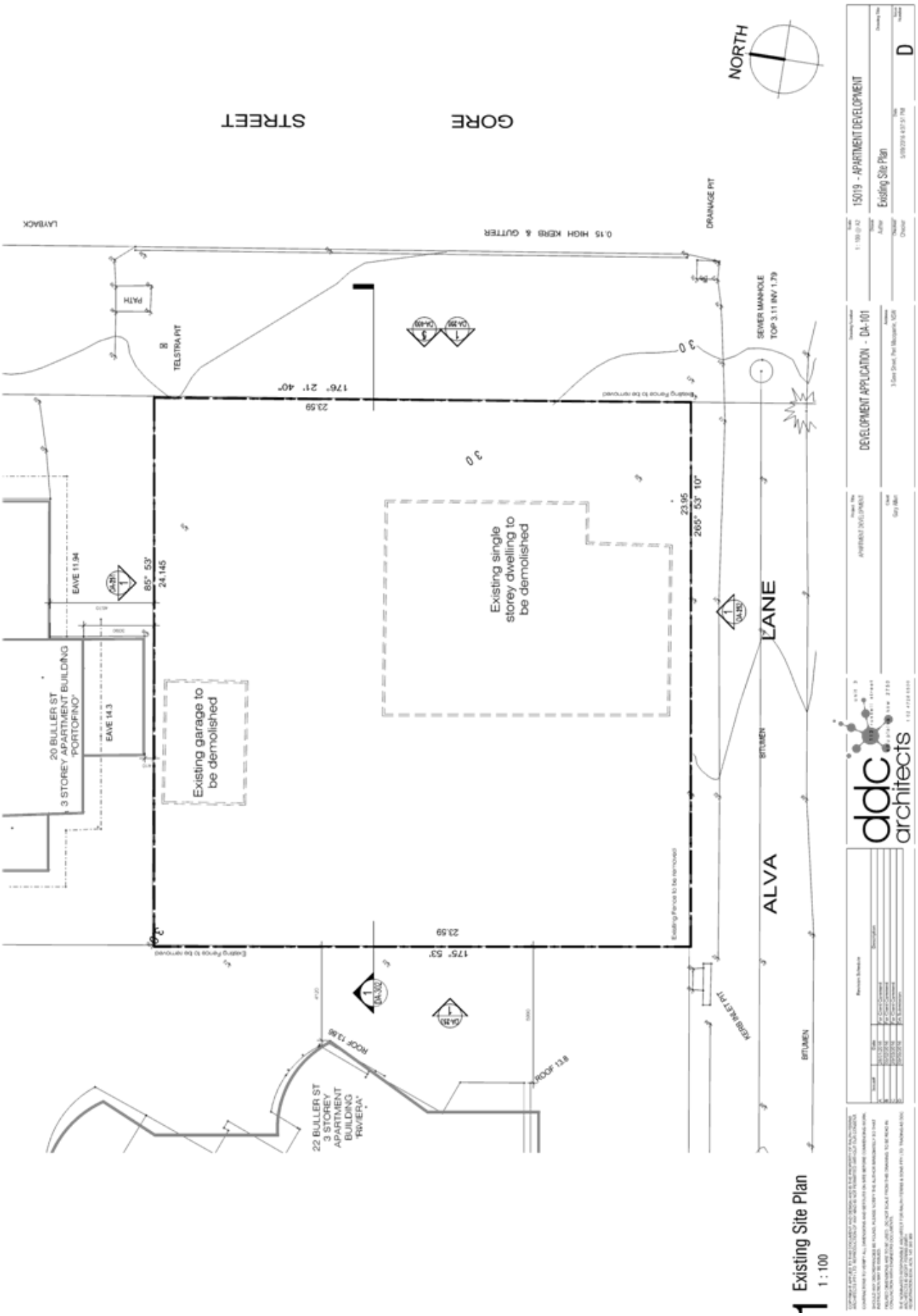
APARTMENT DEVELOPMENT

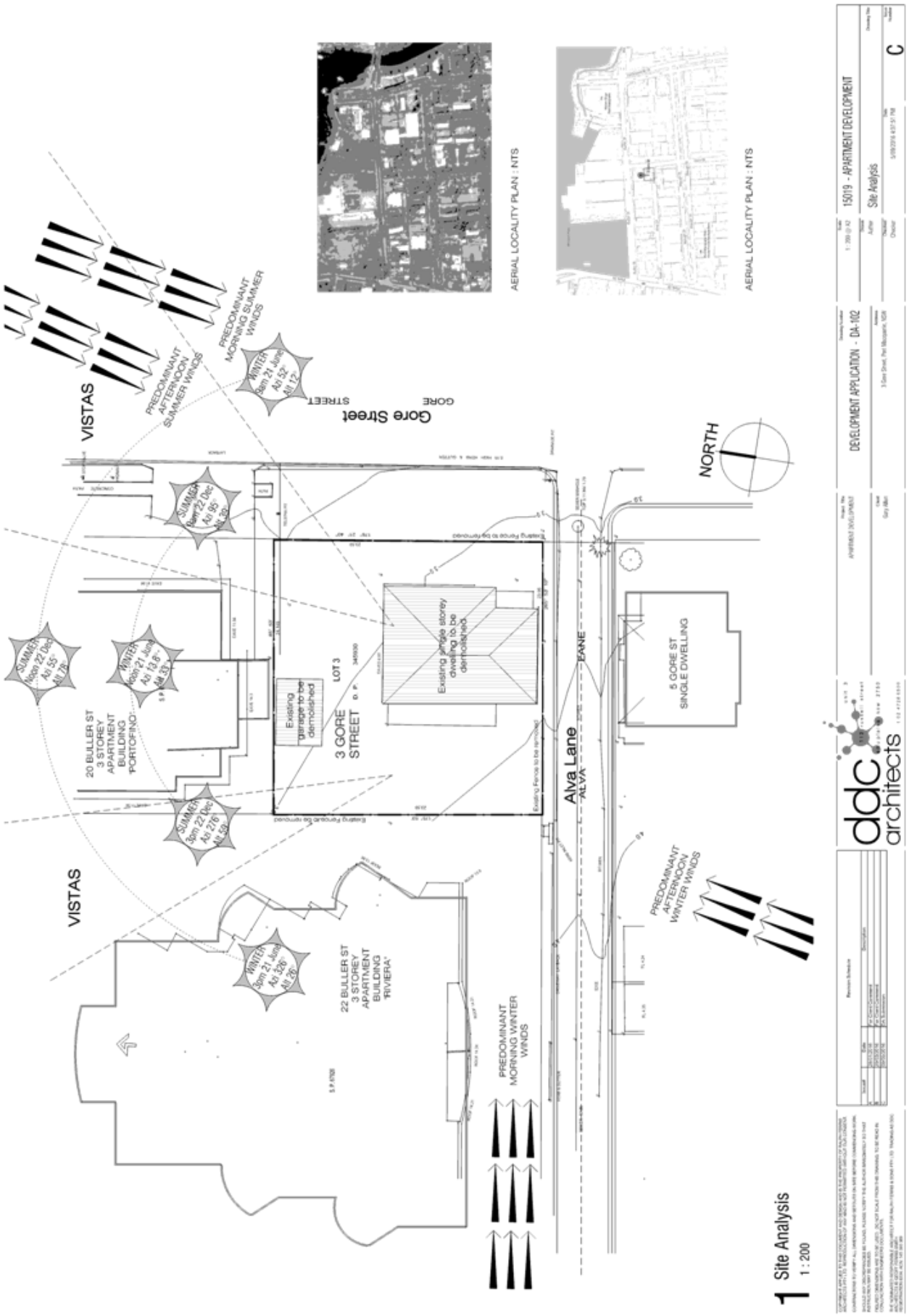
3 Gore Street, Port Macquarie,
NSW

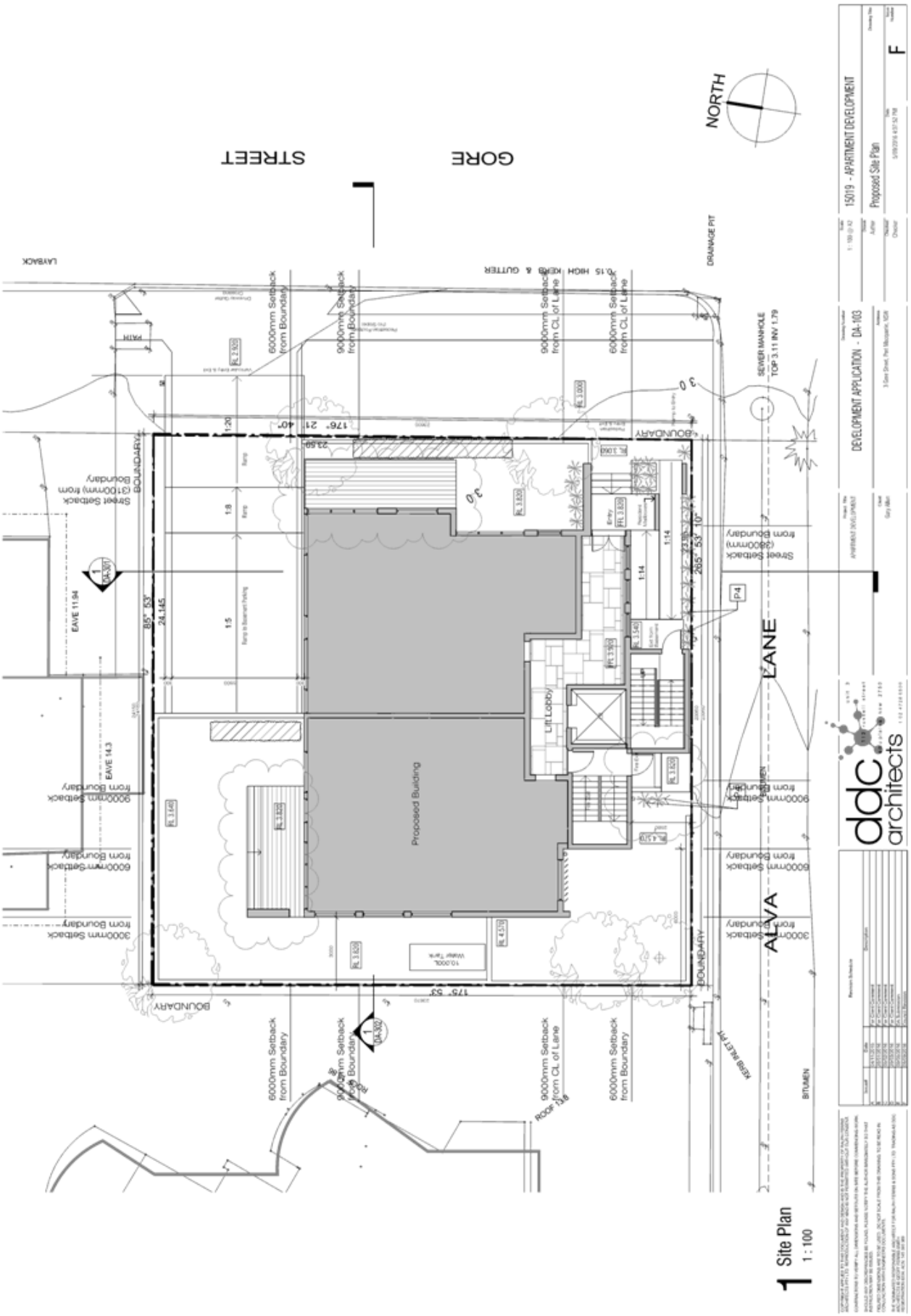
DDC Architects
Unit 3, 112 Russell Street
Emu Plains, NSW
2750, Australia
(t) +61 2 4728 6500
(e) info@architectsddc.com.au

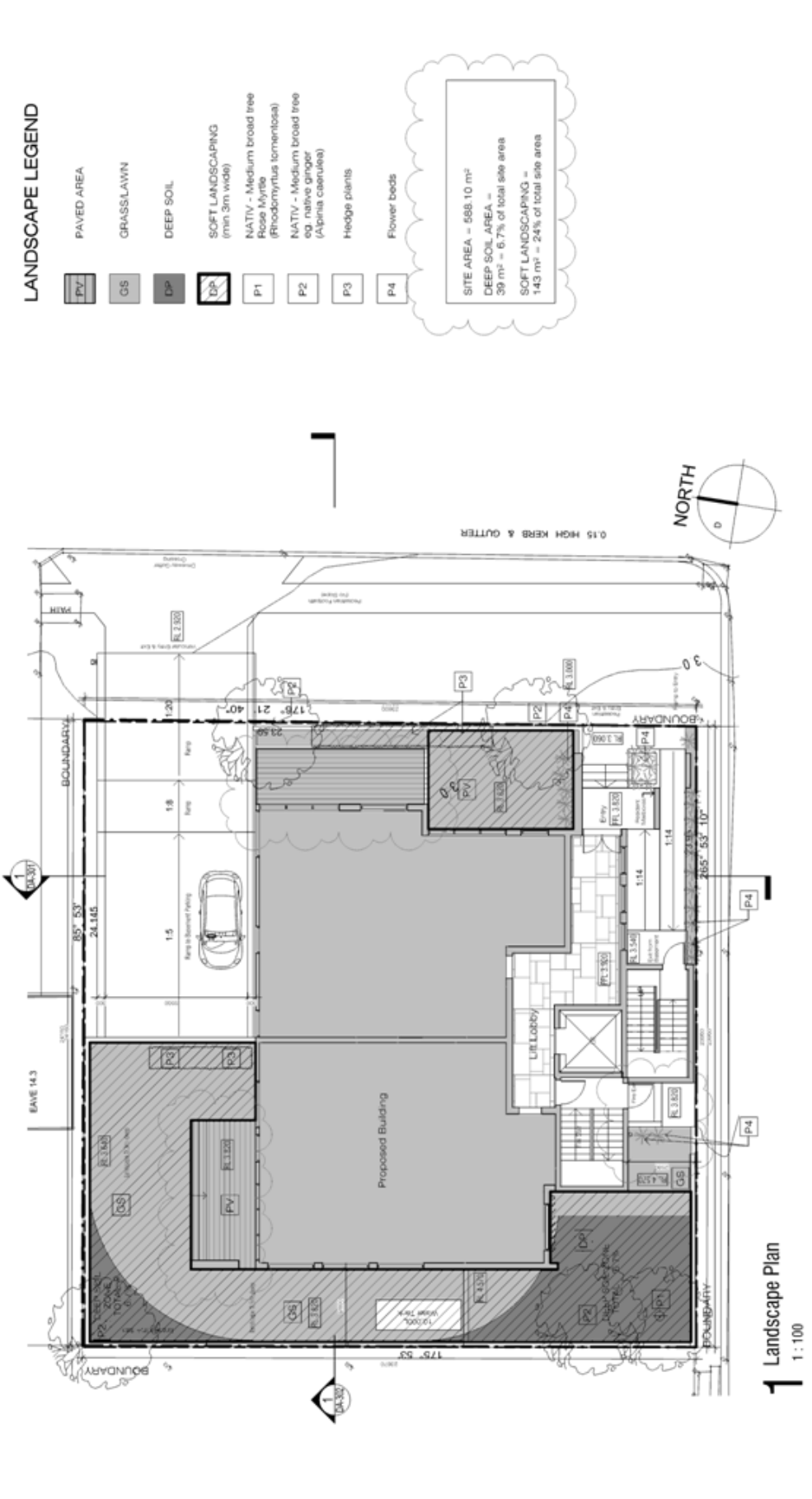
DEVELOPMENT APPLICATION
Project Number: 15019
Client Name: Gary Allen
Project Type: Residential Apartment Building
Project Revision: H
Date / Time: 5/09/2016 4:07:50 PM

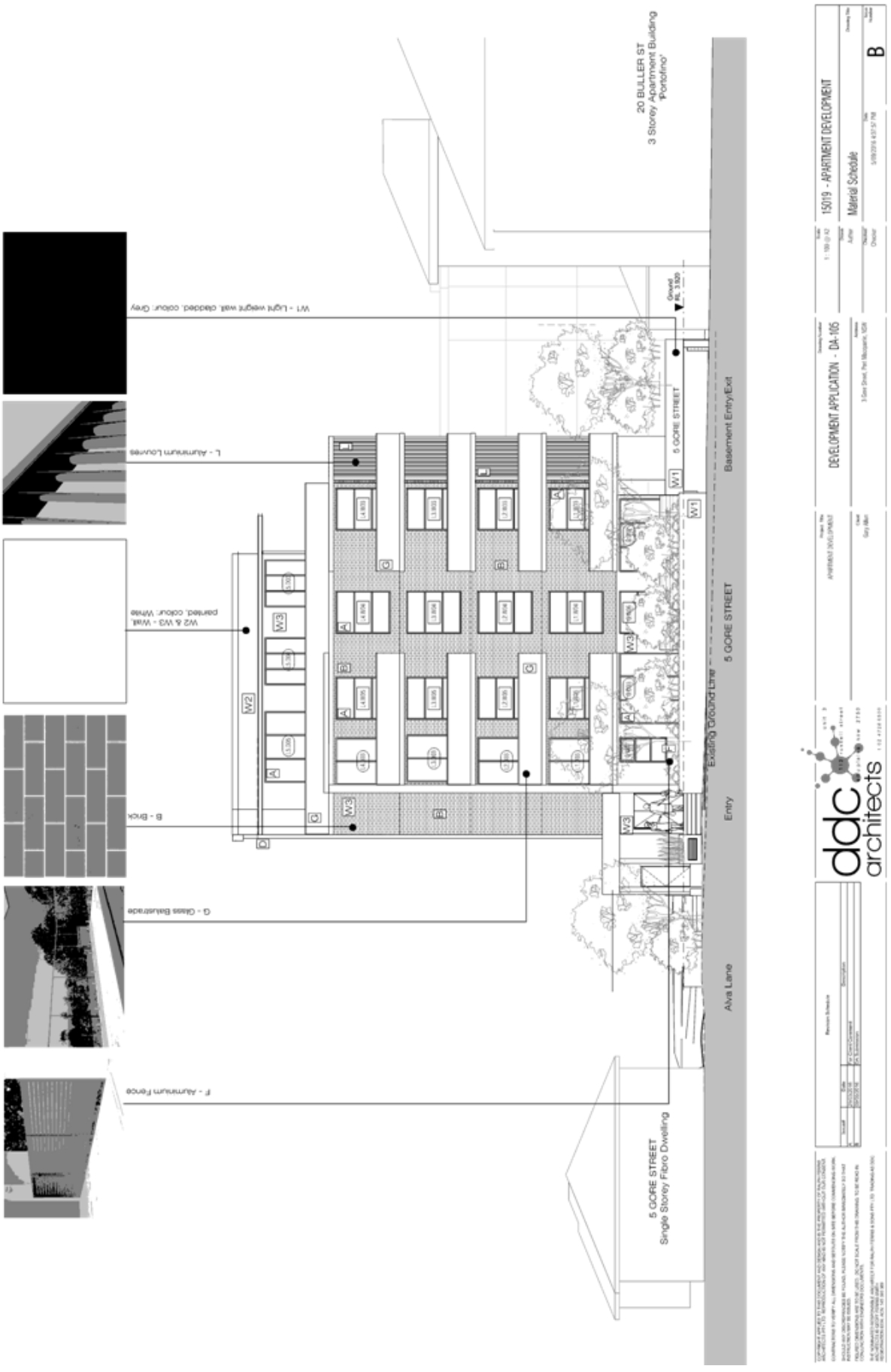
ddc group

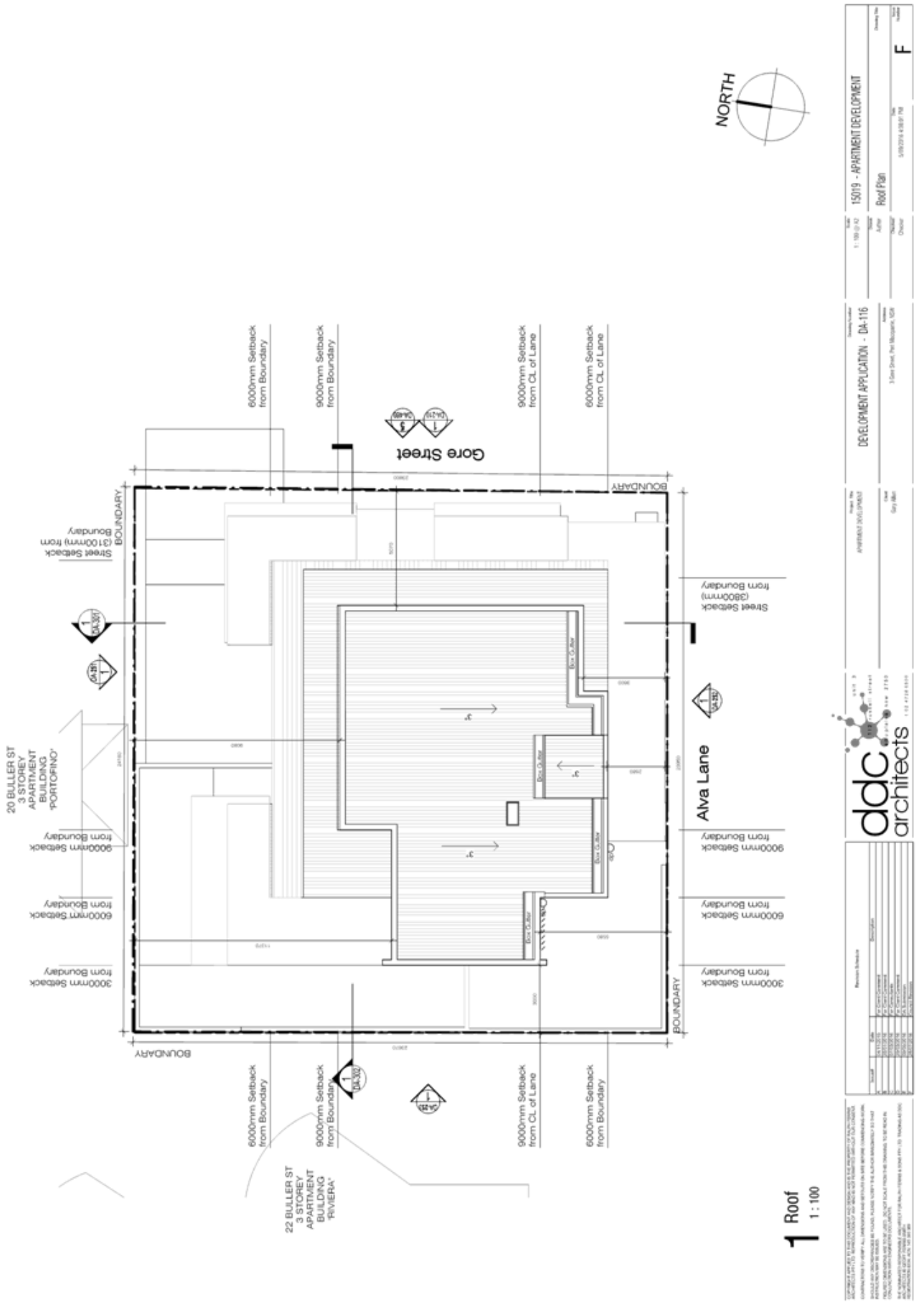

NORTH
GORE STREET
LANE
ALVA
Existing single storey dwelling to be demolished
Existing garage to be demolished
20 BULLER ST 3 STORY APARTMENT BUILDING 'PORTOFINO'
22 BULLER ST 3 STORY APARTMENT BUILDING 'RIVIERA'
EAVE 11.94
EAVE 14.3
ROOF 13.86
ROOF 13.8
24.145
23.59
23.95
85° 53'
265° 53' 10"
176° 21' 40"
175° 53'
TELSTRA PIT
SEWER MANHOLE TOP 3.11 INV 1.79
DRAINAGE PIT
KERB INLET PIT
BITUMEN
PATH
LAYBACK
0.15 HIGH KERB & GUTTER
Existing Fence to be removed
DEVELOPMENT APPLICATION - DA-101
15019 - APARTMENT DEVELOPMENT
Existing Site Plan
ddc architects
1 Existing Site Plan
1 : 100

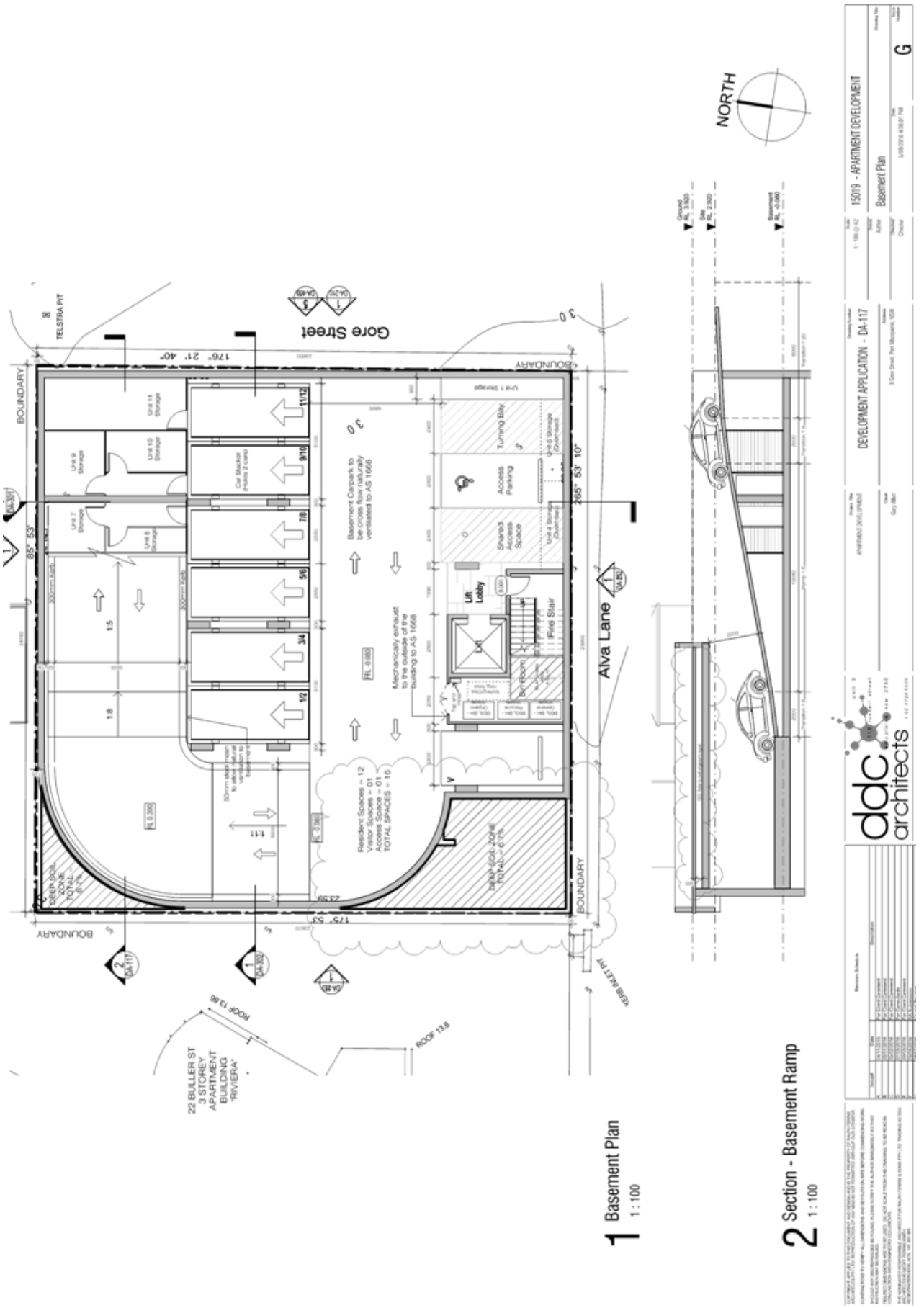

AERIAL LOCALITY PLAN : NTS
AERIAL LOCALITY PLAN : NTS
Gore Street
GORE STREET
NORTH
VISTAS
VISTAS
PREDOMINANT MORNING SUMMER WINDS
PREDOMINANT AFTERNOON SUMMER WINDS
WINTER 9am 21 June Alt 52° Alt 17°
SUMMER Noon 22 Dec Alt 55° Alt 78°
WINTER noon 21 June Alt 13.6° Alt 33°
SUMMER 9am 22 Dec Alt 95° Alt 30°
SUMMER 3pm 22 Dec Alt 276° Alt 59°
WINTER 3pm 21 June Alt 326° Alt 26°
20 BULLER ST 3 STOREY APARTMENT BUILDING 'PORTOFINO'
22 BULLER ST 3 STOREY APARTMENT BUILDING 'RIVIERA'
3 GORE STREET
LOT 3
Existing garage to be demolished
Existing single storey dwelling to be demolished
Alva Lane
ALVA LANE
5 GORE ST SINGLE DWELLING
PREDOMINANT MORNING WINTER WINDS
PREDOMINANT AFTERNOON WINTER WINDS
1 Site Analysis
1 : 200
DEVELOPMENT APPLICATION - DA-102
15019 - APARTMENT DEVELOPMENT
Site Analysis
ddc architects


NORTH
GORE STREET
LANE
ALVA
Proposed Building
Lift Lobby
DRAINAGE PIT
SEWER MANHOLE
TOP 3.11 INV 1.79
6000mm Setback from Boundary
9000mm Setback from CL of Lane
DEVELOPMENT APPLICATION - DA-103
15019 - APARTMENT DEVELOPMENT
Proposed Site Plan
ddc architects
1 Site Plan
1 : 100

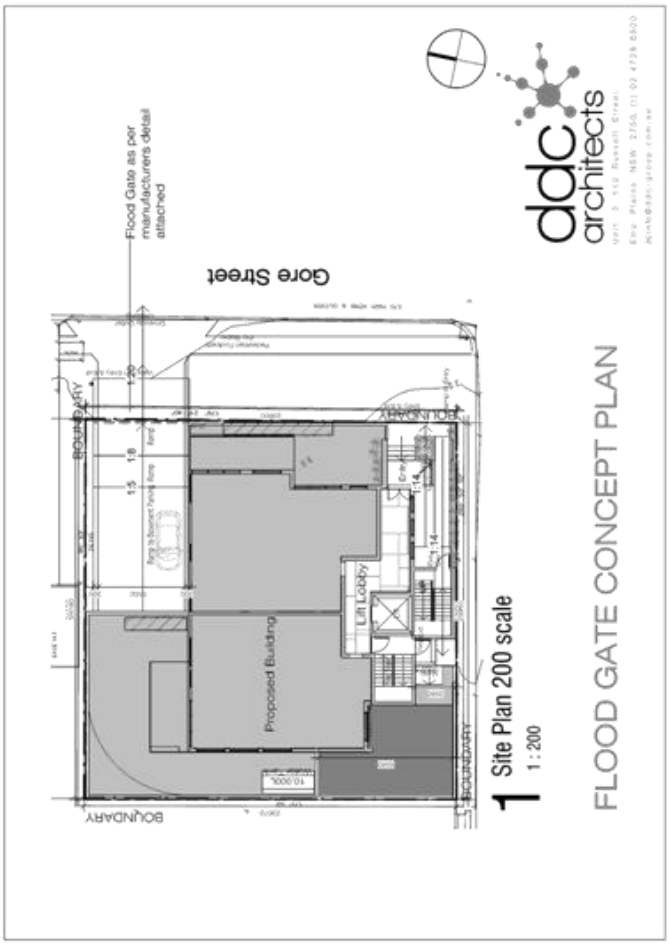

LANDSCAPE LEGEND
PAVED AREA
GRASS/LAWN
DEEP SOIL
SOFT LANDSCAPING (min 3m wide)
NATIV - Medium broad tree Rose Myrtle (Rhodomyrtus tomentosa)
NATIV - Medium broad tree eg. native ginger (Alpinia caerulea)
Hedge plants
Flower beds
SITE AREA = 588.10 m²
DEEP SOIL AREA = 39 m² = 6.7% of total site area
SOFT LANDSCAPING = 143 m² = 24% of total site area
NORTH
0.15 HIGH KERB & GUTTER
BOUNDARY
Proposed Building
Lift Lobby
EAVE 14.3
1 Landscape Plan
1 : 100
15019 - APARTMENT DEVELOPMENT
DEVELOPMENT APPLICATION - DA-104
Landscape Plan
ddc architects

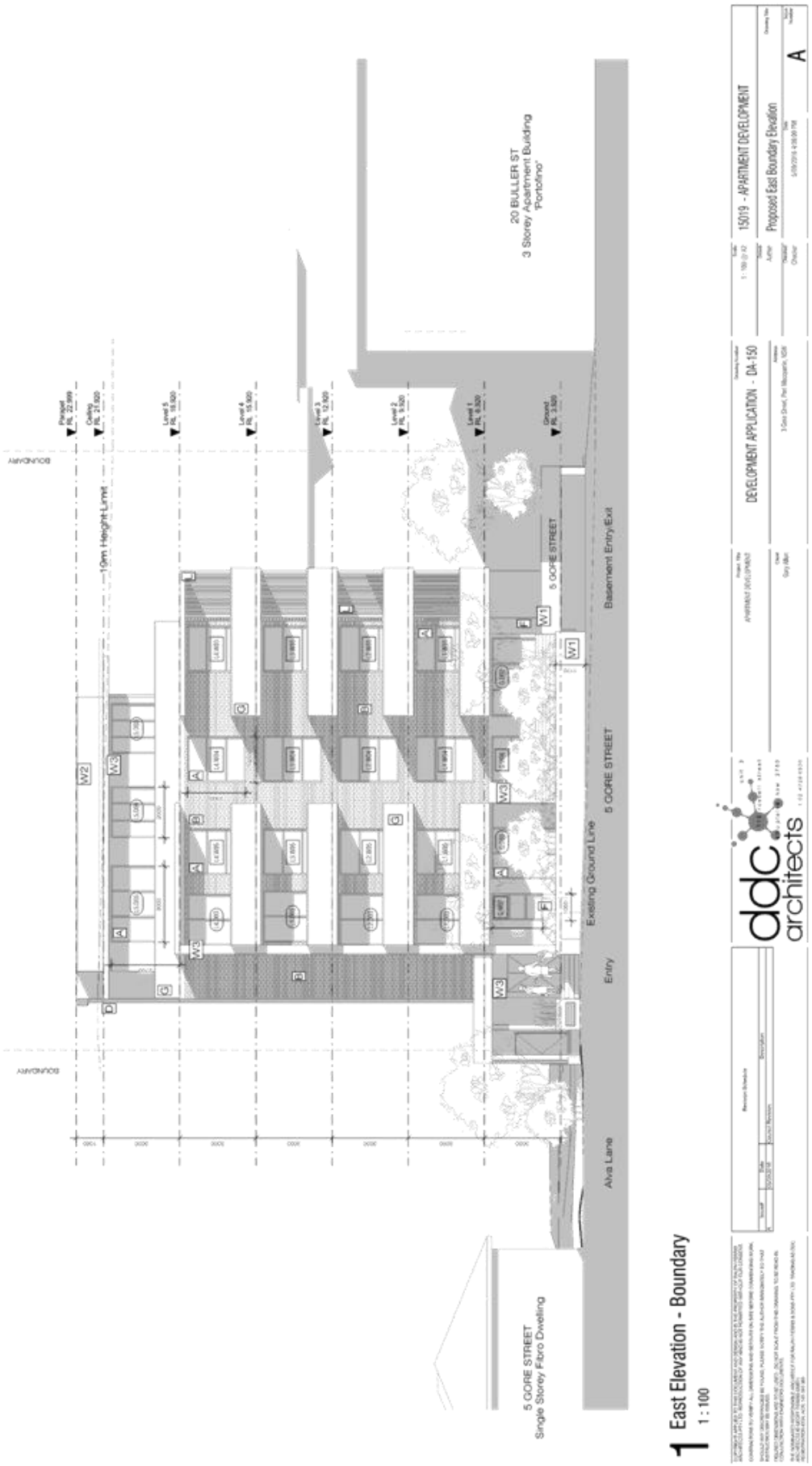

20 BULLER ST
3 Storey Apartment Building
'Ponsford'
5 GORE STREET
Single Storey Fibro Dwelling
Alva Lane
Entry
Existing Ground Line
5 GORE STREET
Basement Entry/Exit
W1 - Light weight wall, cladded, colour: Grey
L - Aluminum Louvres
W2 & W3 - Wall, painted, colour: White
B - Brick
G - Glass Balustrade
F - Aluminum Fence
15019 - APARTMENT DEVELOPMENT
DEVELOPMENT APPLICATION - DA-105
Material Schedule
ddc architects

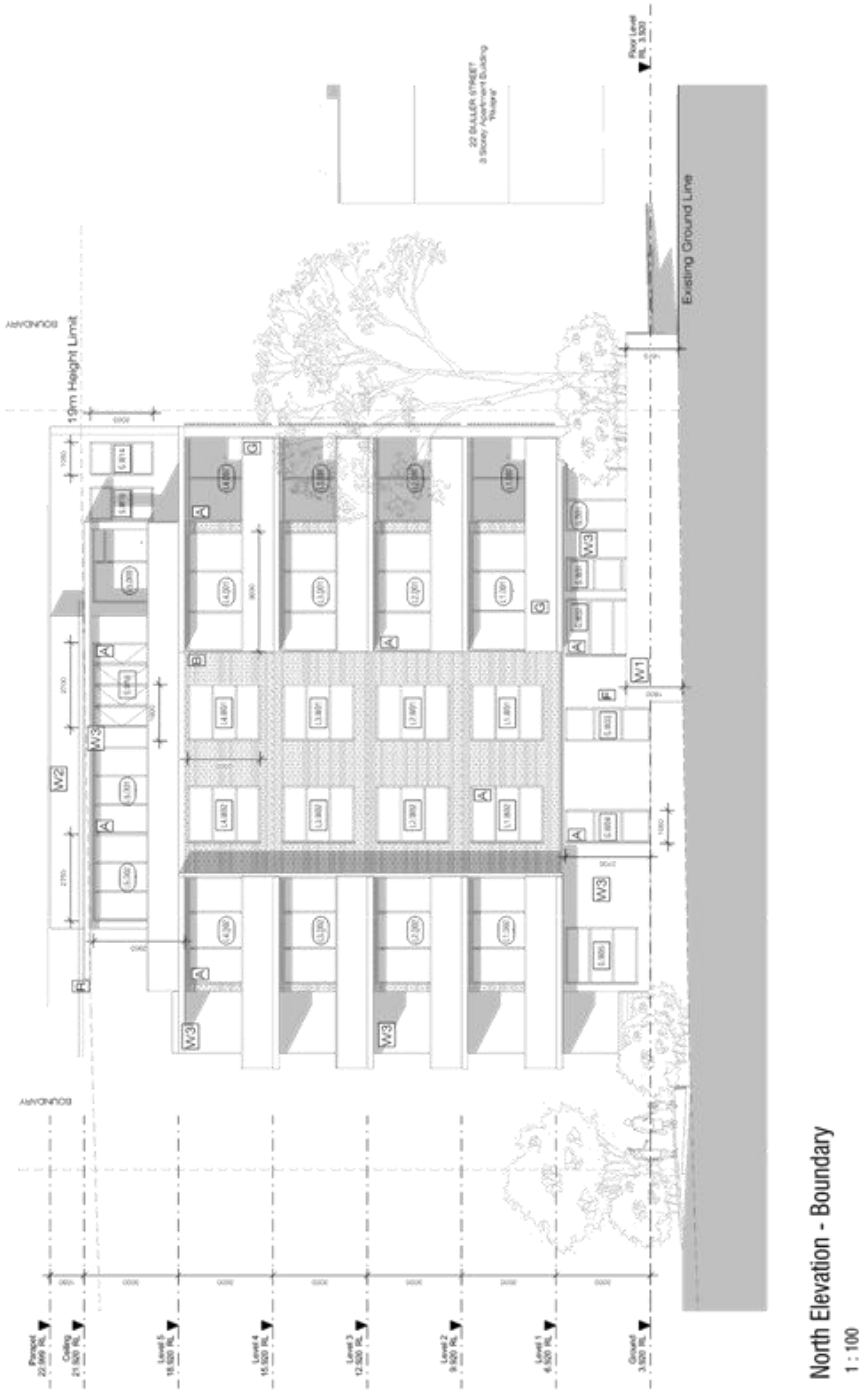

NORTH
Gore Street
Alva Lane
6000mm Setback from Boundary
9000mm Setback from Boundary
9000mm Setback from CL of Lane
6000mm Setback from CL of Lane
Street Setback (3100mm) from Boundary
Street Setback (3800mm) from Boundary
9000mm Setback from Boundary
6000mm Setback from Boundary
3000mm Setback from Boundary
BOUNDARY
20 BULLER ST 3 STOREY APARTMENT BUILDING 'PORTOFINO'
22 BULLER ST 3 STOREY APARTMENT BUILDING 'RIVIERA'
15019 - APARTMENT DEVELOPMENT
DEVELOPMENT APPLICATION - DA-116
Roof Plan
ddc architects
1 Roof
1 : 100


Gore Street
Alva Lane
BOUNDARY
Basement Carpark to be cross flow naturally ventilated to AS 1668
Mechanically exhaust to the outside of the building to AS 1668
Resident Spaces = 12
Visitor Spaces = 01
Access Space = 01
TOTAL SPACES = 16
Turning Bay
Access Parking
Shared Access Space
Lift Lobby
Fire Stair
Unit 1 Storage
Unit 2 Storage
Unit 3 Storage
Unit 4 Storage
Unit 5 Storage
Unit 6 Storage
Unit 7 Storage
Unit 8 Storage
Unit 9 Storage
Unit 10 Storage
Unit 11 Storage
Unit 12 Storage
Car Stacker (Holds 2 Cars)
22 BULLER ST
3 STOREY
APARTMENT
BUILDING
'RIVIERA'
ROOF 13.8
NORTH
1 Basement Plan
1 : 100
2 Section - Basement Ramp
1 : 100
DEVELOPMENT APPLICATION - DA-117
15019 - APARTMENT DEVELOPMENT
Basement Plan
ddc architects

1 Turning Circle - 1-1
1 : 200
2 Turning Circle - 1-2
1 : 200
3 Turning Circle - 1-3
1 : 200
4 Turning Circle - 12-1
1 : 200
5 Turning Circle - 12-2
1 : 200
6 Turning Circle - 12-3
1 : 200
DEVELOPMENT APPLICATION - DA-118
15019 - APARTMENT DEVELOPMENT
Turning Circles
ddc architects


ddc architects
FLOOD GATE CONCEPT PLAN
Flood Gate as per manufacturers detail attached
Gore Street
BOUNDARY
Proposed Building
Lift Lobby
1 Site Plan 200 scale
1 : 200


20 BULLER ST
3 Storey Apartment Building
'Portofino'
5 GORE STREET
Single Storey Fibro Dwelling
Alva Lane
Entry
Existing Ground Line
5 GORE STREET
Basement Entry/Exit
10m Height Limit
BOUNDARY
Roof RL 22.000
Ceiling RL 21.000
Level 5 RL 18.000
Level 4 RL 15.400
Level 3 RL 12.800
Level 2 RL 9.920
Level 1 RL 6.920
Ground RL 3.920
W1
W2
W3
1 East Elevation - Boundary
1 : 100
ddc architects
DEVELOPMENT APPLICATION - DA-150
15019 - APARTMENT DEVELOPMENT
Proposed East Boundary Elevation
A



1 North Elevation - Boundary
1 : 100

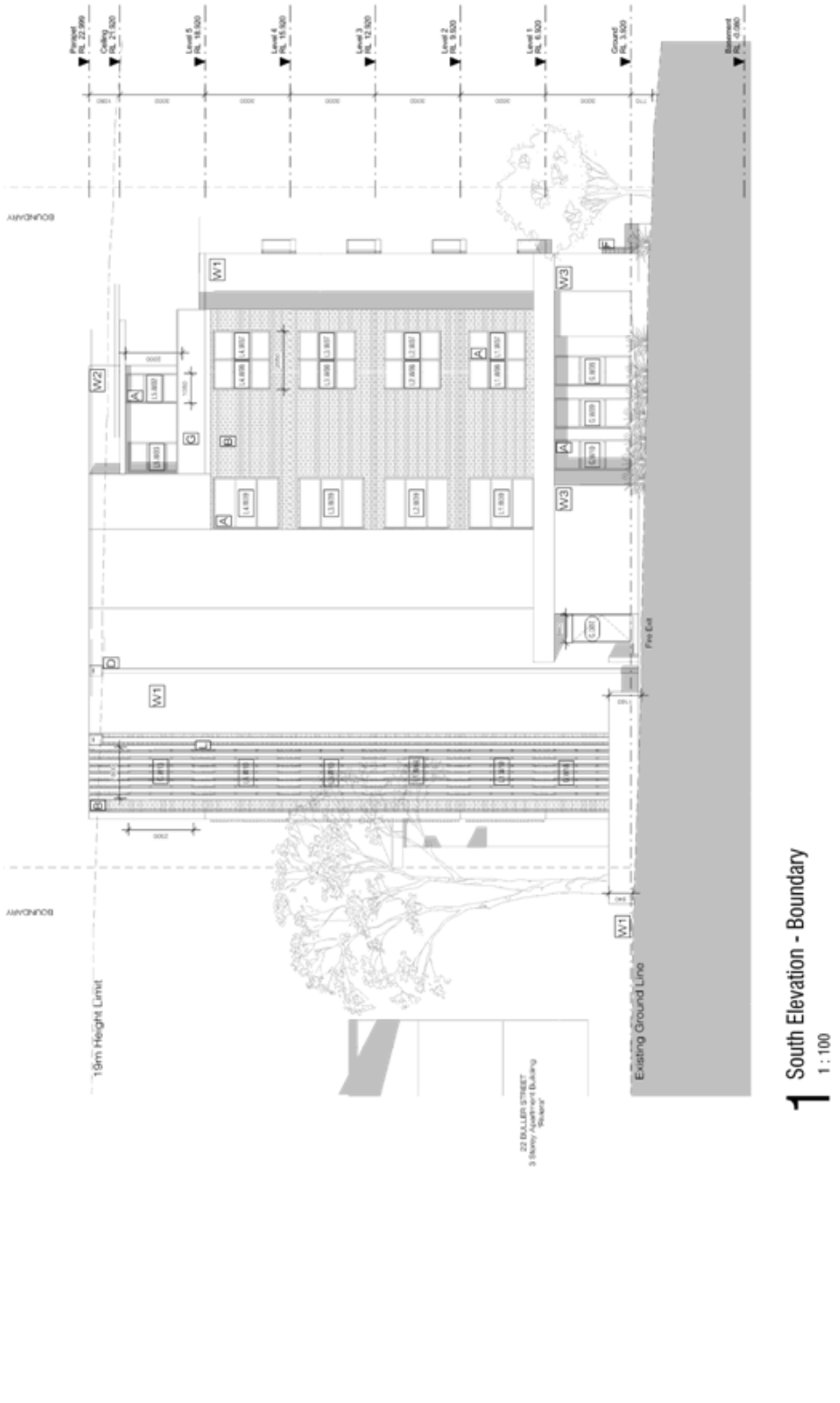
ddc architects

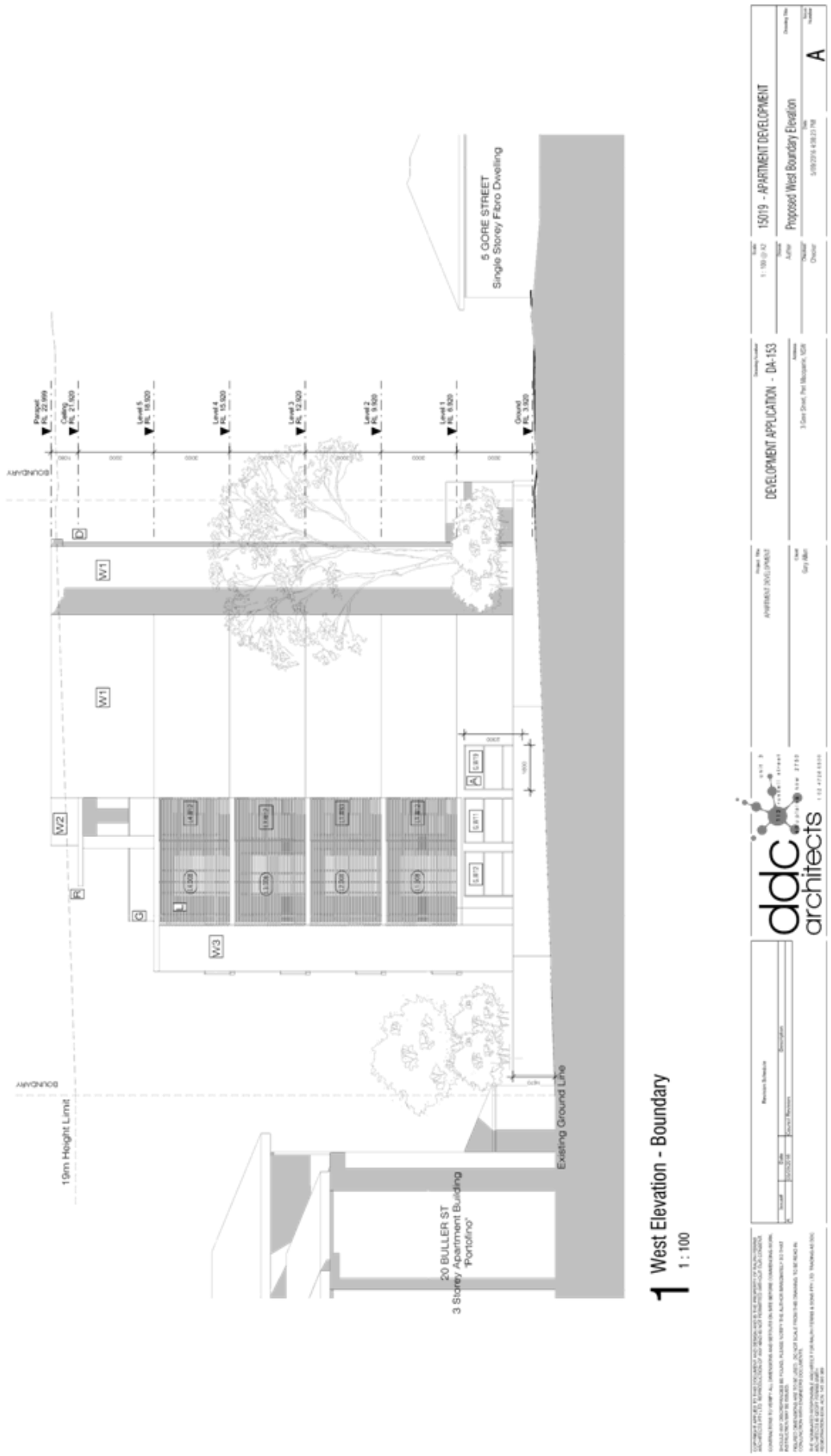
DEVELOPMENT APPLICATION - DA-151

15019 - APARTMENT DEVELOPMENT

Proposed North Boundary Elevation

A


Parapet
RL 23.200
Ceiling
RL 21.500
Level 5
RL 18.500
Level 4
RL 15.500
Level 3
RL 12.500
Level 2
RL 9.500
Level 1
RL 6.500
Ground
RL 3.500
Basement
RL -0.900
BOUNDARY
W1
W2
W3
A
B
C
D
E
F
G
Fire Exit
19m Height Limit
Existing Ground Line
20 BULLER STREET
3 Storey Apartment Building
'Stokers'
1 South Elevation - Boundary
1 : 100
15019 - APARTMENT DEVELOPMENT
DEVELOPMENT APPLICATION - DA-152
Proposed South Boundary Elevation
A
ddc
architects



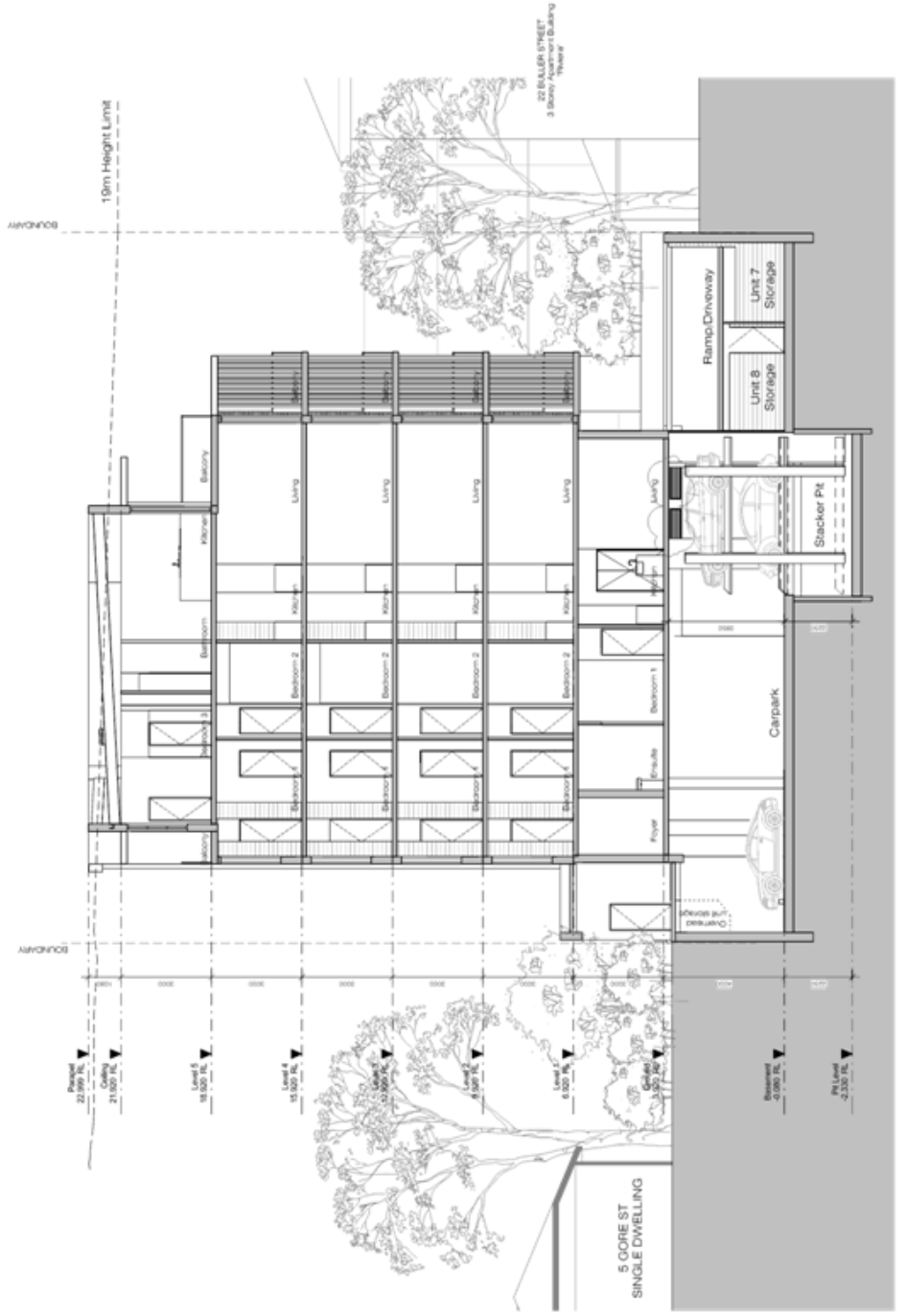
1 West Elevation - Boundary
1 : 100

MATERIALS LEGEND
B Brick
W1 Light weight wall, cladded, colour: Grey
W2 Light weight wall, rendered and painted, colour: White
W3 Wall, rendered and painted, colour: White
G Glass Balustrade
A Aluminium Frame
R Colorbond Roof
L Aluminium Louvres
D Downpipe
F Fence
19m Height Limit
20 BULLER ST
3 Storey Apartment Building
'Portofino'
5 GORE STREET
Single Storey Fibro Dwelling
5 GORE STREET
Basement Entry/Exit
Existing Ground Line
Entry
Alva Lane
1 East Elevation
1 : 100
DEVELOPMENT APPLICATION - DA-210
15/19 - APARTMENT DEVELOPMENT
Proposed East Elevation
ddc architects

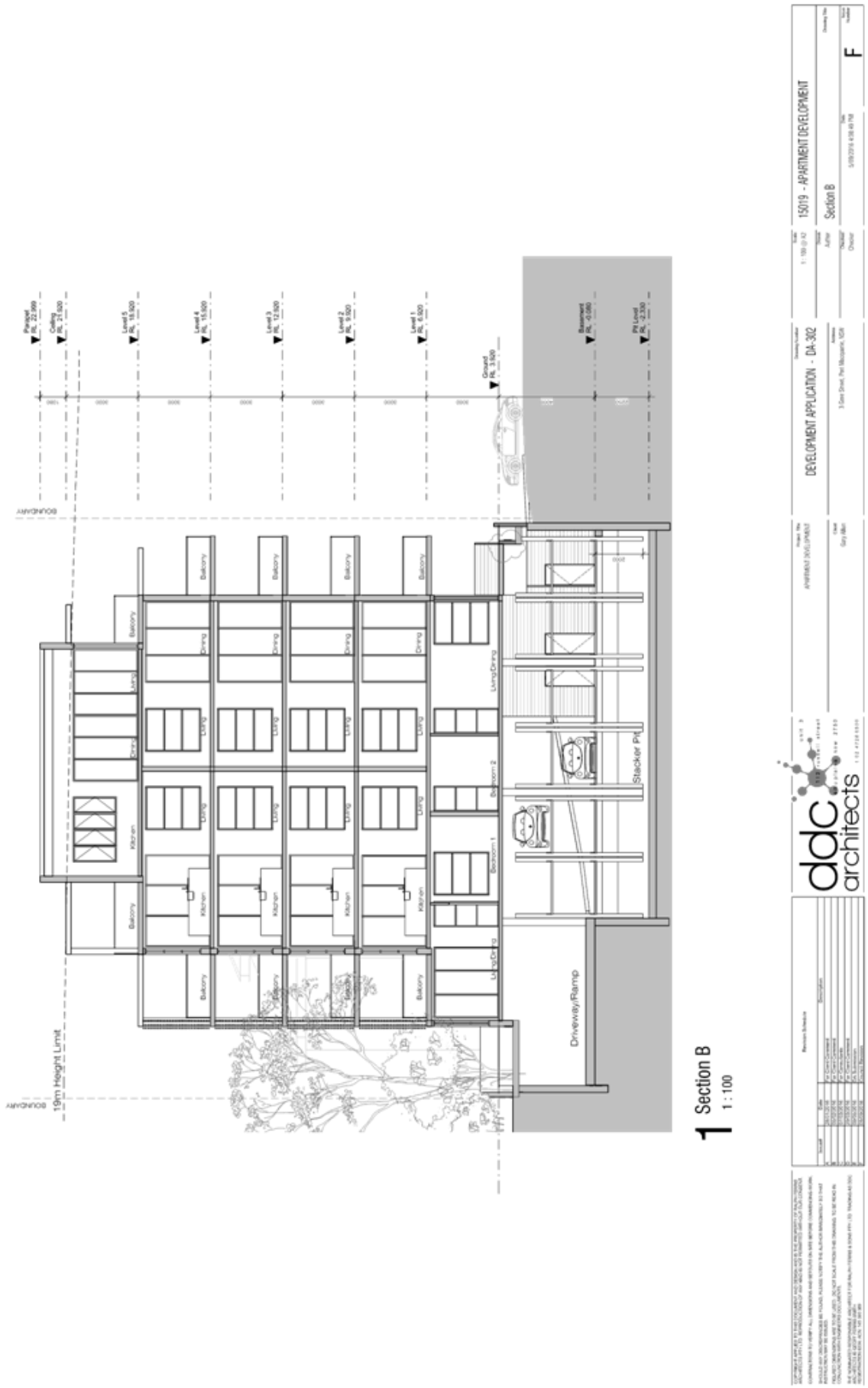
MATERIALS LEGEND
B Brick
W1 Light weight wall, cladded, colour: Grey
W2 Light weight wall, rendered and painted, colour: White
W3 Wall, rendered and painted, colour: White
G Glass Balustrade
A Aluminium Frame
R Colorbond Roof
L Aluminium Louvres
D Downpipe
F Fence
19m Height Limit
BOUNDARY
Existing Ground Line
22 BALLER STREET
3 Storey Apartment Building
Parapet
Ceiling
Level 5
Level 4
Level 3
Level 2
Level 1
Ground
1 North Elevation
1 : 100
DEVELOPMENT APPLICATION - DA-211
15019 - APARTMENT DEVELOPMENT
Proposed North Elevation
H
ddc architects

MATERIALS LEGEND
B Brick
W1 Light weight wall, cladded, colour: Grey
W2 Light weight wall, rendered and painted, colour: White
W3 Wall, rendered and painted, colour: White
G Glass Balustrade
A Aluminium Frame
R Colorbond Roof
L Aluminium Louvres
D Downpipe
F Fence
Parapet RL 22.999
Ceiling RL 21.500
Level 5 RL 18.500
Level 4 RL 15.500
Level 3 RL 12.500
Level 2 RL 9.500
Level 1 RL 6.500
Ground RL 3.500
Basement RL -0.500
BOUNDARY
19m Height Limit
Existing Ground Line
Fire Rail
22 BULLER STREET
1 South Elevation
1 : 100
DEVELOPMENT APPLICATION - DA-212
15019 - APARTMENT DEVELOPMENT
Proposed South Elevation
H
ddc architects

MATERIALS LEGEND
B Brick
W1 Light weight wall, cladded, colour: Grey
W2 Light weight wall, rendered and painted, colour: White
W3 Wall, rendered and painted, colour: White
G Glass Balustrade
A Aluminium Frame
R Colorbond Roof
L Aluminium Louvres
D Downpipe
F Fence
5 GORE STREET
Single Storey Fibro Dwelling
20 BULLER ST
3 Storey Apartment Building
'Portolino'
19m Height Limit
Existing Ground Line
BOUNDARY
1 West Elevation
1 : 100
DEVELOPMENT APPLICATION - DA-213
15019 - APARTMENT DEVELOPMENT
Proposed West Elevation
ddc architects
H



1 Section A
1 : 100


Parapet
RL 22.999
Ceiling
RL 21.500
Level 5
RL 18.500
Level 4
RL 15.500
Level 3
RL 12.500
Level 2
RL 9.500
Level 1
RL 6.500
Ground
RL 3.500
Basement
RL -0.060
Pit Level
RL -2.330
BOUNDARY
19m Height Limit
Balcony
Dining
Living
Kitchen
Bedroom 2
Bedroom 1
Laundry
Stacker Pit
Driveway/Ramp
1 Section B
1 : 100
DEVELOPMENT APPLICATION - DA-302
15019 - APARTMENT DEVELOPMENT
Section B
F
ddc architects

NORTH
15019 - APARTMENT DEVELOPMENT
Existing Shadow Diagrams
DEVELOPMENT APPLICATION - DA-600
ddc architects
1 Shadow Diagram - Winter - 9am Existing
1 : 500
2 Shadow Diagram - Winter - 12pm Existing
1 : 500
3 Shadow Diagram - Winter - 3pm Existing
1 : 500

1 Shadow Diagram - Winter - 9am
1 : 500
2 Shadow Diagram - Winter - 12pm
1 : 500
3 Shadow Diagram - Winter - 3pm
1 : 500
NORTH
3D Shadow Diagram - 9am
(5 Gore Street impact)
3D Shadow Diagram - 12pm
(5 Gore Street impact)
3D Shadow Diagram - 3pm
(5 Gore Street impact)
DEVELOPMENT APPLICATION - DA-601
15019 - APARTMENT DEVELOPMENT
Proposed Shadow Diagrams
ddc architects

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

NOTE: THESE ARE DRAFT ONLY

DA NO: 2016/372 **DATE: 2/11/2016**

PRESCRIBED CONDITIONS

The development is to be undertaken in accordance with the prescribed conditions of Part 6 - Division 8A of the *Environmental Planning & Assessment Regulations* 2000.

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 and Appendices (as amended)	2015 - 042	All About Planning	May 2016
Plans	Project No 15019	DDC Architects	See Reference column

Drawing No.	Rev	Date
DA - 000	H	5/9/2016
DA - 101	D	9/5/2016
DA - 102	C	9/5/2016
DA - 103	F	5/9/2016
DA - 104	F	5/9/2016
DA - 105	B	9/5/2016
DA - 110	G	5/9/2016
DA - 111	G	28/7/2016
DA -	G	28/7/2016

	115				
	DA - 116	F	28/7/2016		
	DA - 117	G	28/7/2016		
	DA - 118	B	9/5/2016		
	DA - 119	A	9/5/2016		
	DA - 150 to 153	A	5/9/2016		
	DA - 210 to 213	H	5/9/2016		
	DA - 301 to 302	F	5/9/2016		
	DA - 401	D	28/7/2016		
	DA - 402	A	5/9/2016		
	DA - 403	D	28/7/2016		
	DA - 404	C	28/7/2016		
	DA - 600	C	9/5/2016		
	DA - 601	E	28/7/2016		
BASIX	716615M_02			Aspect Z	11/7/2016

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:

a. the appointment of a Principal Certifying Authority; and

b. 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) (A005) This consent allows the strata-subdivision of the units, subject to the submission of an application for a Strata Certificate.

(4) (A008) 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.

(5) (A009) The development site is to be managed for the entirety of work in the following manner:

1. Erosion and sediment controls are to be implemented to prevent sediment from leaving the site. The controls are to be maintained until the development is complete and the site stabilised with permanent vegetation;
2. Appropriate dust control measures;
3. Building equipment and materials shall be contained wholly within the site unless approval to use the road reserve has been obtained. Where work adjoins the public domain, fencing is to be in place so as to prevent public access to the site;
4. Building waste is to be managed via an appropriate receptacle;
5. 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.
6. Building work 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) (A011) The design and construction of all public infrastructure works shall be in accordance with Council's adopted AUSPEC Specifications.

(7) (A012) This consent does not provide for staging of the development. Any staging will require a separate consent or an amendment to this consent.

(8) (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.

(9) (A029) The provision, at no cost to Council, of concrete foot paving for the full street frontages of the development. For Gore Street a 1.2 metre wide footpath is required with design details in accordance with AUSPEC and Council Standard drawings. The design plans must be approved by Council pursuant to Section 138 of the Roads Act.

(10) (A032) The developer is responsible for any costs relating to minor alterations and extensions to ensure satisfactory transitions of existing roads, drainage and Council services for the purposes of the development.

(11) (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.

(12) (A037) Provision of an automatic stormwater sump and pump system designed by a Practising Hydraulic Engineer for the disposal of seepage and stormwater in the basement storey. The system shall incorporate a standby pump. The design plans for the required services must be approved by Council pursuant to Section 68 of the Local Government Act 1993.

(13) (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) Prior to release of the Construction Certificate, 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. Road works along the frontage of the development.
2. Sewerage reticulation.
3. Water supply plans shall include hydraulic plans for internal water supply services and associated works in accordance with AS 3500, Plumbing Code of Australia and Port Macquarie-Hastings Council Policies.
4. Stormwater systems.
5. Provision of a 1.2m concrete footpath along Gore Street.

(3) (B006) An application 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 submitted to and obtained from Port Macquarie-Hastings Council prior to release of the Construction Certificate.

Such works include, but not be limited to:

- Civil works
- Traffic management
- Work zone areas
- Hoardings
- Concrete foot paving
- Footway and gutter crossing
- Functional vehicular access

(4) (B010) Payment to Council, prior to the issue of the Construction or Subdivision Certificate (whichever occurs first) of the Section 94 contributions set out in the "Notice of Payment – Developer Charges" schedule attached to this consent unless deferral of payment of contributions has been approved by Council. 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
- Community Cultural and Emergency Services Contributions Plan 2005
- Hastings S94 Major Roads Contributions Plan
- Hastings S94 Open Space Contributions Plan
- Hastings Contributions Plan 1993
  - Part C – Car Parking

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.

(5) (B011) 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 or Subdivision Certificate (whichever occurs first), of the Section 64 contributions, as set out in the "Notice of Payment – Developer Charges" schedule attached to this consent unless deferral of payment of contributions has been approved by Council. 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

(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) (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 to the Principal Certifying Authority with the application for the Construction Certificate.

(8) (B041) Prior to the issue of the Construction Certificate a dilapidation report shall be prepared by a suitably qualified person for buildings on adjoining properties. Such report shall be furnished to the Principal Certifying Authority.

(9) (B042) A certificate from an approved practising chartered professional civil and/or structural engineer certifying the structural adequacy of the proposed landscaping beds to be located over the basement is to be submitted to Port Macquarie-Hastings Council prior to the release of the Construction Certificate.

(10) (B072) A stormwater drainage design is to be submitted and approved by Council prior to the issue of a Construction Certificate. The design must be prepared in accordance with Council's AUSPEC Specifications and the requirements of Relevant Australian Standards and make provision for the following:

a) The legal point of discharge for the proposed development is defined as the existing stormwater drainage system.

b) The design shall incorporate on-site stormwater detention facilities to limit site stormwater discharge to pre development flow rates for all storm events up to and including the 100 year ARI event. Note that pre development discharge shall be calculated assuming that the site is a 'greenfield' development site as per AUSPEC requirements.

(11) (B053) The design of the carpark and accesses is to be in accordance with Australian Standard 2890 (including AS 2890.1, AS 2890.2 and AS 2890.6). Certification of the design by a suitably qualified consultant is to be provided to the Principal Certifying Authority prior to release of the Construction Certificate.

(12) (B054) Where a vehicular access is provided, details (in the form of a longitudinal section) must be submitted to and approved by Port Macquarie-Hastings Council prior to release of the Construction Certificate demonstrating how the access will comply with Council's adopted AUSPEC Design and Construction Guidelines.

(13) (B057) The existing sewer including junction and/or stormwater drainage shall be located on the site and the position and depth indicated on the plans which accompany the application for the Construction Certificate.

(14) (B063) Prior to release of the Construction Certificate submission of a detailed landscape plan to the Principal Certifying Authority. The landscape plan is to have regard to the requirements of the State Environmental Planning Policy 65 - *Apartment Design Guidelines, including 4P - 2.*

(15) (B071) Prior to the issue of any Construction Certificate, the provision of water and sewer services to the land are to be approved by the relevant Water Authority and relevant payments received.

(16) (B195) A certifying authority must not issue a construction certificate for the residential flat development unless the certifying authority has received a statement by the qualified designer verifying that the plans and specifications achieve or improve the design quality of the development for which development consent was granted, having regard to the design quality principles.

(17) (B196) The units are to comply with *AS/NZS2107:2000 Acoustic – Recommended design sound levels and reverberation times for building interiors for residential development.* Details of compliance will be required prior to the release of the construction certificate and occupation certificate.

(18) (B197) The location of electricity substations are to be clearly illustrated on the Construction Certificate plans. All substations are to remain on private property unless otherwise agreed to by Port Macquarie-Hastings Council.

(19) (B198) Prior to issue of the Construction Certificate, evidence shall be provided to the Principal Certifying Authority that satisfactory arrangements can be put in place for collection of waste from the premises by a private waste contractor.

(20) (B199) Prior to the release of the construction certificate, evidence is to be submitted to the Principal Certifying Authority showing that the water table will not be intercepted or that an approval/licence under the Water Act 1912 has been obtained from the Office of Water to intercept the water table.

(21) (B200) Lighting and ventilation is to be provided to all common areas. Prior to the release of the construction certificate, details of compliance are to be provided to the Principal Certifying Authority.

(22) (B201) All access ramps, entry points (service shafts, vents) and any other point which would allow water ingress to the basement carpark must have a minimum level of 2.92m AHD. The minimum ground level surrounding the vehicular ramp entry point must be graded to a minimum of 2.92m AHD. Prior to release of the construction certificate, details of compliance with this condition is to be provided to the Principal Certifying Authority

(23) (B202) The flood gate must provide flood immunity to the basement carpark to a minimum level of 3.42m AHD. Entry points (service shafts, vents) and any other point which would allow water ingress to the basement carpark must also be provided with a flood proofing device to provide flood immunity up to 3.42m AHD. Prior to release of the construction certificate, details of compliance with this condition is to be provided to the Principal Certifying Authority

(24) (B203) Individual water meters are to be provided for each unit. These may be located at each unit with a centralised electronic reading console and with a master water meter at the property boundary. If there are separate outdoor water service requirements, then an additional water meter(s) will be required for the general use areas.

(25) (B204) The final water service sizing will need to be determined by a hydraulic consultant to suit the domestic side of the development, as well as fire service requirements to AS 2419. Any rainwater tank re-use or potable water top-up system and related protection requirements are to be detailed on the hydraulic plans.

(26) (B205) The proposed development is to discharge to a new manhole or existing sewer manhole. Any abandoned junctions are to be capped off at Council's main.

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) (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.

(3) (C195) Prior to works commencing an application being made to the electricity and telecommunications service providers. Services are required to be underground.

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 the sub-grade is exposed and prior to placing of pavement materials;
b. when trenches are open, stormwater/water/sewer pipes and conduits jointed and prior to backfilling;
c. at the completion of each pavement (sub base/base) layer;
d. before pouring of kerb and gutter;
e. prior to the pouring of concrete for sewerage works and/or works on public property;
f. on completion of road gravelling or pavement;
g. prior to sealing and laying of pavement surface course.

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

(2) (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.

(3) (D011) Provision being made for support of adjoining properties and roadways during construction.

(4) (D029) The demolition of any existing structure shall be carried out in accordance with Australian Standard AS 2601-1991: *The Demolition of Structures*. No demolition materials shall be burnt or buried on site. The person responsible for the demolition works shall ensure that all vehicles leaving the site carrying demolition materials have their loads covered and do not track soil or waste materials onto the road. Should the demolition works obstruct or inconvenience pedestrian or vehicular traffic on an adjoining public road or reserve, separate application shall be made to Council to enclose the public place with a hoarding fence.

Should asbestos be present, its removal shall be carried out in accordance with the National OH&S Committee – *Code of Practice for Safe Removal of Asbestos* and *Code of Practice for the Management and Control of Asbestos in Workplaces*.

For further information on asbestos handling and safe removal practices refer to the following links:

Safely disposing of asbestos waste from your home

Fibro & Asbestos - A Renovator and Homeowner's Guide

Asbestos Awareness

(5) (D046) Should any historical relics be unexpectedly discovered in any areas of the site not subject to an excavation permit, then all excavation or disturbance to the area is to stop immediately and the Heritage Council of NSW is to be informed in accordance with Section 146 of the *Heritage Act 1977*.

(6) (D195) During construction, access to properties within the vicinity of the development are not to be blocked off, unless satisfactory arrangements are in place with Council. Reasonable access shall not be withheld.

(7) (D196) Where possible, common trenching of utilities and services should occur.

E – PRIOR TO OCCUPATION OR THE ISSUE OF OCCUPATION/STRATA 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) (E005) Prior to the release of any bond securities held by Council for infrastructure works associated with developments, a formal written application is to be submitted to Council specifying detail of works and bond amount.

(3) (E030) Vehicle ramps, driveways, turning circles and parking spaces being paved, sealed and line marked prior to occupation or the issue of the Occupation Certificate or commencement of the approved land use.

(4) (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.

(5) (E034) Prior to occupation or the issuing of the Final 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.

(6) (E036) Certification by a suitably qualified consultant is to be submitted to Council that the construction of the car park and internal accesses is to be in accordance with Council's Development Control Plan 2013 and Australian Standard 2890 (including AS 2890.1, AS 2890.2 and AS 2890.6) prior to occupation or issue of the Occupation Certificate.

(7) (E039) An appropriately qualified and practising consultant is required to certify the following:

a. all drainage lines have been located within the respective easements, and
b. any other drainage structures are located in accordance with the Construction Certificate.
c. all stormwater has been directed to a Council approved drainage system
d. all conditions of consent/ construction certificate approval have been complied with.
e. Any on site detention system (if applicable) will function hydraulically in accordance with the approved Construction Certificate.

(8) (E051) Prior to occupation or the issuing of any Occupation Certificate a section 68 Certificate of Completion shall be obtained from Port Macquarie-Hastings Council.

(9) (E053) All works shall be certified by a practicing Civil Engineer or Registered Surveyor as compliant with the requirements of AUSPEC prior to issue of Occupation or release of the security bond, whichever is to occur first.

(10) (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.

(11) (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.

(12) (E061) Landscaped areas being completed prior to occupation or issue of the Occupation Certificate.

(13) (E066) Ancillary works shall be undertaken at no cost to Council to make the engineering works required by this Consent effective to the satisfaction of Director of Council's Infrastructure Division. Such works shall include, but are not limited to the following:

a. The relocation of underground services where required by civil works being carried out.
b. The relocation of above ground power and telephone services
c. The relocation of street lighting
d. The matching of new infrastructure into existing or future design infrastructure

(14) (E068) Prior to the issue of a Occupation Certificate, evidence to the satisfaction of the Certifying Authority from the electricity and telecommunications providers that satisfactory services arrangements have been made to the dwellings (including street lighting and fibre optic cabling where required).

(15) (E195) A certifying authority must not issue an occupation certificate to authorise a person to commence occupation or use of the development unless the certifying authority has received a statement by the qualified designer verifying that the development achieves the design quality of the development as shown in the plans and specifications in respect of which the construction certificate was issued.

(16) (E196) Prior to release of the occupation certificate or occupation (whichever occurs first), the site and units are to be numbered and common aerials provided where possible.

(17) (E197) Prior to occupation or the issue of an Occupation Certificate, evidence shall be provided to the Principal Certifying Authority that satisfactory arrangements are in place for collection of waste from the premises by a private waste contractor.

F – OCCUPATION OF THE SITE

(1) (F001) On site car parking in accordance with the approved plans to be provided in an unrestricted manner at all times during the operations of development for use by both staff and patrons. A total of 14 spaces are to be provided onsite.

(2) (F003) All loading and unloading operations associated with servicing the site must be carried out within the confines of the site, at all times and must not obstruct other properties/units or the public way.

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

(4) (F013) All garbage areas are to be screened from the street, create no adverse odour impact on adjoining properties and be kept free of pests at all times.

(5) (F195) Landscaping areas shall be maintained at all times in a condition that serves their function of visual privacy and aesthetics.

(6) (F196) Storage areas within the units are to be used for storage only and not bedrooms or the like.

(7) (F197) The mechanical stack parking is to be maintained in an operational state.

6th June, 2016

The General Manager
Port Macquarie Hastings Council,
Corner Lord & Burrawan Streets,
PORT MACQUARIE NSW 2444

Re: TITLE: Submission

Larraine & John Iacono, 1/20 Buller Street, Port Macquarie [redacted]
[redacted]
Application Number: 2016/372
Grounds for objection

I refer to the above Development Proposal and I list my objections.

1. Our concerns regarding the shading that our apartment is going to receive. Our bathroom is going to be directly in line and we would have to keep our blinds down all day as this development would look directly into our bathroom. Also we have an area out back where we have our cloths lines, I am also concerned that we will not get any sun there, if the 6 levels are built.

2. The proposed 6 levels, if you look down Buller Street, most of the apartments etc, do not exceed 3 levels, we strongly object to 6 levels.

3. The 11 apartments proposed, that means approximately, 22 people, most families have 2 cars which means 44 cars and the proposal only accommodates 16 car spaces, which means that they would have to park in the street, not enough parking for that, and that would not be keeping in with the linear park that the council propose for this area.

4. Water problems, we have already had this in our apartments, in the basement, as this whole area is reclaimed land and the water has nowhere to go and this would put extra strain on the drainage. When it rains now, the water gets trapped in Gore Street and it lays there as it has nowhere but the one drain at the corner of Gore & Buller St, for the water to go. This one drain cannot handle the water now and with extra water coming from the proposed development it would put great strain on an already unserviceable drain system. My husband is continually cleaning out this drain as it gets clogged up with dirt, twigs etc.

Could you please let us know when this proposal is being considered by Council.

Yours sincerely

LARRAINE & JOHN IACONO

Mitiamo Pastoral Co
"Berrybank"
8390 Killarney Gap Road
Bingara NSW 2404
[redacted]

31 st May 2016

Parcel number: 7331
Your Ref: DA2016.372.1

The General Manager
Port Macquarie-Hastings Council
P.O. Box 84
Port Macquarie NSW 2444
council@pmhc.nsw.gov.au

Dear Sir

Submission Proposed Development: Residential Flat Building by All About Planning
Property: Lot: 3, DP: 345930, 3 Gore Street, Port Macquarie
Applicant No. 2016/372

Thank you for the notification, providing us with the information regarding the proposed development at Lot: 3, DP: 345930, 3 Gore Street, Port Macquarie.

We are the owners of unit 5/20 Buller Street, Port Macquarie adjoining the proposed development at 3 Gore Street, Port Macquarie. We are new to the region and chose to buy into the Hastings area due to several factors, one being the lower level of units/housing within the Port Macquarie district and the proposed development area. Port Macquarie is famous for the lifestyle choice with open space and friendly living.

The Port Macquarie-Hastings Council has a great vision of works being completed and in progress around the area proving its commitment to the ratepayers and holiday makers. We have enjoyed reading all the current council works within the area.

We would like to make a submission opposing the Development at Lot 3 Gore Street, Port Macquarie. This development of a 6 Storey Residential Flat Building is not compatible to other buildings in this area. Most buildings in this vicinity are a maximum of three storeys. The height of this proposed building is above Council regulations, this building is too big for the block of land at 3 Gore Street.

The development also proposes to have a car park underground with a vehicle stacker below ground level posing other issues with underground water in this area. Noise from 20+ vehicles waiting for the parking stacker under the building will cause noise pollution in this area and a major problems with street parking as most households have 2 or more cars. Parking is already limited in this area especially when major events like the recent Ironman when roads are closed this is a major stopping area.

In reading the introduction of this proposed development by All About Planning it says "The 6 storey development plus underground basement parking will achieve an excellent design outcome for this **small site**". This shows the greed of this proposed development on such a small building block of land.

The proposed structure is of a basic cheap appearance and will not add to the streetscape and their has been no consideration to the loss of outlook views from the established residents in the close adjoining Riviera complex and nearby Waugh Street housing.

No 3 Gore Street is a small block of land and we hope council can limit the height and size of this proposed development. The development of 11 units with a total of 23 bedrooms, possibly catering for 40+ people on one very small house block is not desirable in any area of beautiful Port Macquarie. We don't want inner city living.

A development of 3 storeys would be comparable to the other developments in this immediate area and would not be imposing or impacting on other residents or putting heavy demand on services.

We hope Council will not allowing this development in the current form.

Yours faithfully

Don and Gay Mack

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[redacted]