



Development Assessment Panel

Business Paper

date of meeting: Wednesday 25 March 2020

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

time: 2:00pm

Development Assessment Panel

CHARTER

1.0 OBJECTIVES

To assist in managing Council's development assessment function by providing independent and expert determinations of development applications that fall outside of staff delegations.

2.0 KEY FUNCTIONS

- To review development application reports and conditions;
- To determine development applications outside of staff delegations;
- To refer development applications to Council for determination where necessary;
- To provide a forum for objectors and applicants to make submissions on applications before the Development Assessment Panel (DAP);
- To maintain transparency in the determination of development applications.

Delegated Authority of Panel

Pursuant to Section 377 of the Local Government Act, 1993 delegation to:

- Determine development applications under Part 4 of the Environmental Planning and Assessment Act 1979 having regard to the relevant environmental planning instruments, development control plans and Council policies.
- 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.
- Determine Koala Plans of Management under State Environmental Planning Policy 44 - Koala Habitat Protection associated with development applications being considered by the Panel.

Noting the trigger to escalate decision making to Council as highlighted in section 5.2.

3.0 MEMBERSHIP

3.1 Voting Members

- Two independent external members. One of the independent external members to

be the Chairperson.

- Group Manager Development Assessment (alternate - Director Development & Environment or Development Assessment Planner)

The independent external members shall have expertise in one or more of the following areas: planning, architecture, heritage, the environment, urban design, economics, traffic and transport, law, engineering, government and public administration.

3.2 Non-Voting Members

- Not applicable

3.3 Obligations of members

- Members must act faithfully and diligently and in accordance with this Charter.
- Members must comply with Council's Code of Conduct.
- 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.
- Members will have read and be familiar with the documents and information provided by Council prior to attending a DAP meeting.
- Members must act in accordance with Council's Workplace Health and Safety Policies and Procedures
- External members of the Panel are not authorised to speak to the media on behalf of Council. Council officers that are members of the Committee are bound by the existing operational delegations in relation to speaking to the media.
- Staff members shall not vote on matters before the Panel if they have been the principle author of the development assessment report.

3.4 Member Tenure

- The independent external members will be appointed for the term of four (4) years maximum in which the end of the tenure of these members would occur in a cascading arrangement.

3.5 Appointment of members

- The independent external members (including the Chair) shall be appointed by the General Manager following an external Expression of Interest process.
- Staff members of the Panel are in accordance with this Charter.

4.0 TIMETABLE OF MEETINGS

- The Development Assessment Panel will generally meet on the 1st and 3rd Wednesday each month at 2.00pm at the Port Macquarie offices of Council.
- Special Meetings of the Panel may be convened by the Director Development & Environment Services with three (3) days notice.

5.0 MEETING PRACTICES

5.1 Meeting Format

- At all Meetings of the Panel the Chairperson shall occupy the Chair and preside. The Chair will be responsible for keeping of order at meetings.
- Meetings shall be open to the public.
- 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.

5.2 Decision Making

- Decisions are to be made by consensus. Where consensus is not possible on any item, that item is to be referred to Council for a decision.
- All development applications involving a proposed variation to a development standard greater than 10% under Clause 4.6 of the Local Environmental Plan will be considered by the Panel and recommendation made to the Council for a decision.

5.3 Quorum

- All members (2 independent external members and 1 staff member) must be present at a meeting to form a quorum.

5.4 Chairperson and Deputy Chairperson

- Independent Chair (alternate, second independent member)

5.5 Secretariat

- The Director Development & Environment is to be responsible for ensuring that the Panel has adequate secretariat support. The secretariat will ensure that the business paper and supporting papers are circulated at least three (3) days prior to each meeting. Minutes shall be appropriately approved and circulated to each member within three (3) weeks of a meeting being held.
- The format of and the preparation and publishing of the Business Paper and Minutes shall be similar to the format for Ordinary Council Meetings.

5.6 Recording of decisions

- Minutes will record decisions and how each member votes for each item before the Panel.

6.0 CONVENING OF “OUTCOME SPECIFIC” WORKING GROUPS

Not applicable.

7.0 CONFIDENTIALITY AND CONFLICT OF INTEREST

- Members of the Panel must comply with the applicable provisions of Council’s Code of Conduct. It is the personal responsibility of members to comply with the standards in the Code of Conduct and regularly review their personal circumstances with this in mind.
- Panel members must declare any conflict of interests at the start of each meeting or before discussion of a relevant item or topic. Details of any conflicts of interest should be appropriately minuted. Where members are deemed to have a real or perceived conflict of interest, it may be appropriate they be excused from deliberations on the issue where the conflict of interest may exist. A Panel meeting may be postponed where there is no quorum.

8.0 LOBBYING

- All members and applicants are to adhere to Council’s Lobbying policy. 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.

Development Assessment Panel

ATTENDANCE REGISTER

Member	27/11/19	11/12/19	22/01/20	12/02/20	26/02/20	11/03/20
Paul Drake	✓	✓	✓	✓	✓	✓
Robert Hussey				✓	✓	✓
David Crofts (alternate member)	✓	✓	✓			
Dan Croft (Group Manager Development Assessment) (alternates) - Development Assessment Planner	✓	✓	✓	✓	✓	✓

Key: ✓ = Present

A = Absent With Apology

X = Absent Without Apology

Meeting Dates for 2020

22/01/2020	Function Room	2:00pm
12/02/2020	Function Room	2:00pm
26/02/2020	Function Room	2:00pm
11/03/2020	Function Room	2:00pm
25/03/2020	Function Room	2:00pm
8/04/2020	Function Room	2:00pm
6/05/2020	Function Room	2:00pm
27/05/2020	Function Room	2:00pm
10/06/2020	Function Room	2:00pm
24/06/2020	Function Room	2:00pm
8/07/2020	Function Room	2:00pm
22/07/2020	Function Room	2:00pm
12/08/2020	Function Room	2:00pm
26/08/2020	Function Room	2:00pm
9/09/2020	Function Room	2:00pm
30/09/2020	Function Room	2:00pm
14/10/2020	Function Room	2:00pm
28/10/2020	Function Room	2:00pm
11/11/2020	Function Room	2:00pm
25/11/2020	Function Room	2:00pm
16/12/2020	Function Room	2:00pm

Development Assessment Panel Meeting

Wednesday 25 March 2020

Items of Business

Item	Subject	Page
01	Acknowledgement of Country	<u>8</u>
02	Apologies.....	<u>8</u>
03	Confirmation of Minutes	<u>8</u>
04	Disclosures of Interest.....	<u>13</u>
05	DA2019 - 769.1 Community Facility (Observatory) at Rotary Park, Lot 7026 DP 1060950, No 1A Stewart Street, Port Macquarie	<u>17</u>
06	DA2019 - 896.1 - 3 Lot Community Title Subdivision at Lot 105 DP 1212813, No. 32 Botanic Drive, Kew	<u>74</u>
07	DA2019 - 520.1 - Demolition of Existing Tennis Court and Construction of Multi Dwelling-Housing and Strata Subdivision at Lot 5 DP 260614, No. 44 Koala Street, Port Macquarie	<u>149</u>
08	General Business	

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 11 March 2020 be confirmed.

PRESENT

Members:

Paul Drake (Independent Members)
Robert Hussey (Independent Members)
Dan Croft (Group Manager Development Assessment)

Other Attendees:

Grant Burge (Engineering Development Coordinator)
Pat Galbraith-Robertson (Development Assessment Coordinator)

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 26 February 2020 be confirmed with the following changes:

Item 6: DA2019 - 215.1 - Residential Flat Building Including Clause 4.6 Objection To Clause 4.3 (Height Of Buildings) Under The Port Macquarie Hastings Local Environmental Plan 2011 At Lot 22 DP38266, No. 5 Gray Street:

That it be recommended to Council that DA2019-215.1 for a Residential Flat Building Including Clause 4.6 Objection to Clause 4.3 (Height of Buildings) of the Port Macquarie-Hastings Local Environment Plan 2011 at Lot 22, DP 38266, No. 5 Gray Street Port Macquarie, be determined by refusing consent for the following reasons:

-
1. This application proposes a number of variations to the development controls including the building height, side and rear setbacks and also has a compromised private open space area. The height exceedance is subject to a Clause 4.6 request to vary the height standard, which has an exceedance in the order of 14%. The subject Clause 4.6 request response does not satisfactorily demonstrate how strict compliance with the development standard is unreasonable and unnecessary in this case.
The environmental planning grounds advised in the written Clause 4.6 request must justify that the contravention of the development standard is not simply to promote the benefits of carrying out the development as a whole. Accordingly, I do not consider the Clause 4.6 is satisfactory and therefore consent should not be granted
 2. The proposal to have 3 garages and a large driveway fronting Gray Street is not considered to demonstrate adequate compatibility with the existing streetscape, noting that other buildings in the street have open landscaping in the front setback area.
-

04 DISCLOSURES OF INTEREST

There were no disclosures of interest presented.

05 DA2019 - 649.1 TORRENS TITLE SUBDIVISION AND CONSTRUCTION OF A DWELLING INCLUDING CLAUSE 4.6 OBJECTION TO CLAUSE 4.1 (MINIMUM LOT SIZE) OF PORT MACQUARIE-HASTINGS LOCAL ENVIRONMENTAL PLAN 2011 AT LOT 144, DP 1230897, NO. 4 SHORE BREAK CRESCENT, LAKE CATHIE

Speaker:
Garth Schmitzer (applicant)

The Panel was unable to reach consensus.

MOTION: Robert Hussey:

That it be recommended to Council that DA2019 - 649.1 for a torrens title subdivision and construction of a dwelling including clause 4.6 objection to clause 4.1 (minimum lot size) of Port Macquarie-Hastings Local Environmental Plan 2011 at Lot 144, DP 1230897, No. 4 Shore Break Crescent, Lake Cathie, be determined by refusing consent for the following reasons:

1. The determination of this application depends on the acceptance of a Clause 4.6 written submission seeking a variation in the order of 75% reduction for the minimum (1000m²) lot size development standard in this R3 Residential zone. The proposed lots are 227m² and 265m²
 2. The Clause 4.6 relies substantially on the fact that this 1000m² development standard has been effectively abandoned by Council. This seems to be the case because the subject Lot 144 was created along with some approximately 14 other similar lots with
-

-
- areas in the order of 450 - 500m². This outcome relied on a Clause 4.6 to vary the 1000m² Development Standard by 50%. However, the subject land is covered by the DCP 2013 controls for Area 14 Precinct B, which envisaged a mix of low density and medium density with the medium density evolving from the 1000m² lots.
3. From the site inspection and the documentation before the Panel, there is no significant evidence of any medium density development in this Area 14. Instead, it is substantially characterised by detached low density lots/dwellings.
 4. The proposal continues this pattern but with smaller (further 50% reduction in area) lots 1 and 2.
 5. The Clause 4.6 states that this increase in residential yield is consistent with Council's desired residential density for the area. The Clause 4.6 does not address in any detail the underlying objective or purpose of the 1000m² development standard, which is presumably to enable the economic and orderly development of some of the land in this Precinct B. Instead, the Clause 4.6 notes that the proposal will achieve the objectives of the relevant development standard, notwithstanding non-compliance with the standard.
 6. However, this proposal does not contribute to the medium density expectation of the development controls. What it proposed is much smaller, low density lots than the original compromise allowed by Council, resulting in 2 lots that do not comply with the overall lot depth in the DCP and have comprised rear setbacks. As such the approval of the proposal is likely to set a further precedent of subdivision of the other low density block, which impacts the amenity of the area with reduced boundary setbacks, less open space areas and less orderly development. In this regard the Public Interest is usually well served by the public having confidence in the consistent application of the adopted planning controls.
 7. With reference to the Wehbe test Clause 4.6 does not adequately address the underlying objectives of the 1000m² development standard, part of which is facilitate orderly and economic medium density development. In so far as the Clause 4.6 states that the "desired residential yield has been achieved and this is the orderly purpose" - this is not quantitatively substantiated.
 8. With regard to the 3rd test and to whether the underlying subject as proposed would be defeated or thwarted if compliance was required and therefore compliance is unreasonable, this was not made out because a complying development could achieve the underlying objectives and achieve a mixed form of development.
 9. In summary, the Clause 4.6 is not acceptable. The proposal would comprise the established residential amenity of the area and therefore the application should be refused because it does not represent economic and orderly development as required by Clause 1.3 of the Environmental Planning and Assessment Act 1979.

*FOR: Robert Hussey and Paul Drake
AGAINST: Dan Croft*

DISSENTING MOTION: Dan Croft

That it be recommended to Council that DA2019 - 649.1 for a torrens title subdivision and construction of a dwelling including clause 4.6 objection to clause 4.1 (minimum lot size) of Port Macquarie-Hastings Local Environmental Plan 2011 at Lot 144, DP 1230897, No. 4 Shore Break Crescent, Lake Cathie, be determined by granting consent subject to the recommended conditions.

06 GENERAL BUSINESS

Nil.

The meeting closed at 2:45pm.

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, the undersigned, hereby declare the following interest:	
<input type="checkbox"/> Pecuniary: Take no part in the consideration and voting and be out of sight of the meeting.	
<input type="checkbox"/> Non-Pecuniary – Significant Interest: Take no part in the consideration and voting and be out of sight of the meeting.	
<input type="checkbox"/> Non-Pecuniary – Less than Significant Interest: May participate in consideration and voting.	
For the reason that:	
Name: Signed:	Date:
Please submit to the Governance Support Officer at the Council Meeting.	

(Refer to next page and the Code of Conduct)

Pecuniary Interest

- 4.1 A pecuniary interest is an interest that you have in a matter because of a reasonable likelihood or expectation of appreciable financial gain or loss to you or a person referred to in clause 4.3.
- 4.2 You will 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 you might make in relation to the matter, or if the interest is of a kind specified in clause 4.6.
- 4.3 For the purposes of this Part, you will have a pecuniary interest in a matter if the pecuniary interest is:
 - (a) your interest, or
 - (b) the interest of your spouse or de facto partner, your relative, or your partner or employer, or
 - (c) a company or other body of which you, or your nominee, partner or employer, is a shareholder or member.
- 4.4 For the purposes of clause 4.3:
 - (a) Your "relative" is any of the following:
 - i) your parent, grandparent, brother, sister, uncle, aunt, nephew, niece, lineal descendant or adopted child
 - ii) your spouse's or de facto partner's parent, grandparent, brother, sister, uncle, aunt, nephew, niece, lineal descendant or adopted child
 - iii) the spouse or de facto partner of a person referred to in paragraphs (i) and (i)
 - (b) "de facto partner" has the same meaning as defined in section 21C of the *Interpretation Act 1987*.
- 4.5 You will not have a pecuniary interest in relation to a person referred to in subclauses 4.3(b) or (c)
 - (a) if you are unaware of the relevant pecuniary interest of your spouse, de facto partner, relative, partner, employer or company or other body, or
 - (b) just because the person is a member of, or is employed by, a council or a statutory body, or is employed by the Crown, or
 - (c) just because the person is a member of, or a delegate of a council to, a company or other body that has a pecuniary interest in the matter, so long as the person has no beneficial interest in any shares of the company or body.

Non-Pecuniary

- 5.1 Non-pecuniary interests are private or personal interests a council official has that do not amount to a pecuniary interest as defined in clause 4.1 of this code. These commonly arise out of family or personal relationships, or out of involvement in sporting, social, religious or other cultural groups and associations, and may include an interest of a financial nature.
- 5.2 A non-pecuniary conflict of interest exists where a reasonable and informed person would perceive that you could be influenced by a private interest when carrying out your official functions in relation to a matter.
- 5.3 The personal or political views of a council official do not constitute a private interest for the purposes of clause 5.2.
- 5.4 Non-pecuniary conflicts of interest must be identified and appropriately managed to uphold community confidence in the probity of council decision-making. The onus is on you to identify any non-pecuniary conflict of interest you may have in matters that you deal with, to disclose the interest fully and in writing, and to take appropriate action to manage the conflict in accordance with this code.
- 5.5 When considering whether or not you have a non-pecuniary conflict of interest in a matter you are dealing with, it is always important to think about how others would view your situation.

Managing non-pecuniary conflicts of interest

- 5.6 Where you have a non-pecuniary conflict of interest in a matter for the purposes of clause 5.2, you must disclose the relevant private interest you have in relation to the matter fully and in writing as soon as practicable after becoming aware of the non-pecuniary conflict of interest and on each occasion on which the non-pecuniary conflict of interest arises in relation to the matter. In the case of members of council staff other than the general manager, such a disclosure is to be made to the staff member's manager. In the case of the general manager, such a disclosure is to be made to the mayor.
- 5.7 If a disclosure is made at a council or committee meeting, both the disclosure and the nature of the interest must be recorded in the minutes on each occasion on which the non-pecuniary conflict of interest arises. This disclosure constitutes disclosure in writing for the purposes of clause 5.6.
- 5.8 How you manage a non-pecuniary conflict of interest will depend on whether or not it is significant.
- 5.9 As a general rule, a non-pecuniary conflict of interest will be significant where it does not involve a pecuniary interest for the purposes of clause 4.1, but it involves:
 - a) a relationship between a council official and another person who is affected by a decision or a matter under consideration that is particularly close, such as a current or former spouse or de facto partner, a relative for the purposes of clause 4.4 or another person from the council official's extended family that the council official has a close personal relationship with, or another person living in the same household
 - b) other relationships with persons who are affected by a decision or a matter under consideration 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 the council official and an organisation (such as a sporting body, club, religious, cultural or charitable organisation, corporation or association) that is affected by a decision or a matter under consideration that is particularly strong. The strength of a council official's affiliation with an organisation is to be determined by the extent to which they actively participate in the management, administration or other activities of the organisation.
 - d) membership, as the council's representative, of the board or management committee of an organisation that is affected by a decision or a matter under consideration, in circumstances where the interests of the council and the organisation are potentially in conflict in relation to the particular matter
 - e) a financial interest (other than an interest of a type referred to in clause 4.6) that is not a pecuniary interest for the purposes of clause 4.1
 - f) the conferral or loss of a personal benefit other than one conferred or lost as a member of the community or a broader class of people affected by a decision.
- 5.10 Significant non-pecuniary conflicts of interest must be managed in one of two ways:
 - a) by not participating in consideration of, or decision making in relation to, the matter in which you have the significant non-pecuniary conflict of interest and the matter being allocated to another person for consideration or determination, or
 - b) if the significant non-pecuniary conflict of interest arises in relation to a matter under consideration at a council or committee meeting, by managing the conflict of interest as if you had a pecuniary interest in the matter by complying with clauses 4.28 and 4.29.
- 5.11 If you determine that you have a non-pecuniary conflict of interest in a matter that is not significant and does not require further action, when disclosing the interest you must also explain in writing why you consider that the non-pecuniary conflict of interest is not significant and does not require further action in the circumstances.
- 5.12 If you are a member of staff of council other than the general manager, the decision on which option should be taken to manage a non-pecuniary conflict of interest must be made in consultation with and at the direction of your manager. In the case of the general manager, the decision on which option should be taken to manage a non-pecuniary conflict of interest must be made in consultation with and at the direction of the mayor.
- 5.13 Despite clause 5.10(b), a councillor who has a significant non-pecuniary conflict of interest in a matter, may participate in a decision to delegate consideration of the matter in question to another body or person.
- 5.14 Council committee members are not required to declare and manage a non-pecuniary conflict of interest in accordance with the requirements of this Part where it arises from an interest they have as a person chosen to represent the community, or as a member of a non-profit organisation or other community or special interest group, if they have been appointed to represent the organisation or group on the council committee.

SPECIAL DISCLOSURE OF PECUNIARY INTEREST DECLARATION

This form must be completed using block letters or typed.

If there is insufficient space for all the information you are required to disclose, you must attach an appendix which is to be properly identified and signed by you.

By <i>[insert full name of councillor]</i>	
In the matter of <i>[insert name of environmental planning instrument]</i>	
Which is to be considered at a meeting of the <i>[insert name of meeting]</i>	
Held on <i>[insert date of meeting]</i>	
PECUNIARY INTEREST	
Address of the affected principal place of residence of the councillor or an associated person, company or body <i>(the identified land)</i>	
Relationship of identified land to councillor <i>[Tick or cross one box.]</i>	<input type="checkbox"/> The councillor has interest in the land (e.g. is owner or has other interest arising out of a mortgage, lease, trust, option or contract, or otherwise). <input type="checkbox"/> An associated person of the councillor has an interest in the land. <input type="checkbox"/> An associated company or body of the councillor has interest in the land.
MATTER GIVING RISE TO PECUNIARY INTEREST¹	
Nature of land that is subject to a change in zone/planning control by proposed LEP <i>(the subject land²)</i> <i>[Tick or cross one box]</i>	<input type="checkbox"/> The identified land. <input type="checkbox"/> Land that adjoins or is adjacent to or is in proximity to the identified land.
Current zone/planning control <i>[Insert name of current planning instrument and identify relevant zone/planning control applying to the subject land]</i>	
Proposed change of zone/planning control <i>[Insert name of proposed LEP and identify proposed change of zone/planning control applying to the subject land]</i>	
Effect of proposed change of zone/planning control on councillor or associated person <i>[Tick or cross one box]</i>	<input type="checkbox"/> Appreciable financial gain. <input type="checkbox"/> Appreciable financial loss.

[If more than one pecuniary interest is to be declared, reprint the above box and fill in for each additional interest]

Councillor's Signature: **Date:**

This form is to be retained by the council's general manager and included in full in the minutes of the meeting

Last Updated: 3 June 2019

Important Information

This information is being collected for the purpose of making a special disclosure of pecuniary interests under clause 4.36(c) of the Model Code of Conduct for Local Councils in NSW (the Model Code of Conduct).

The special disclosure must relate only to a pecuniary interest that a councillor has in the councillor's principal place of residence, or an interest another person (whose interests are relevant under clause 4.3 of the Model Code of Conduct) has in that person's principal place of residence.

Clause 4.3 of the Model Code of Conduct states that you will have a pecuniary interest in a matter because of the pecuniary interest of your spouse or your de facto partner or your relative or because your business partner or employer has a pecuniary interest. You will 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.

"Relative" is defined by clause 4.4 of the Model Code of Conduct 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.

You must not make a special disclosure that you know or ought reasonably to know is false or misleading in a material particular. Complaints about breaches of these requirements are to be referred to the Office of Local Government and may result in disciplinary action by the Chief Executive of the Office of Local Government or the NSW Civil and Administrative Tribunal.

This form must be completed by you before the commencement of the council or council committee meeting at 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.

¹ Clause 4.1 of the Model Code of Conduct 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 clause 4.6 of the Model Code of Conduct.

² 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 clause 4.3 of the Model Code of Conduct has a proprietary interest

Item: 05

Subject: DA2019 - 769.1 COMMUNITY FACILITY (OBSERVATORY) AT
ROTARY PARK, LOT 7026 DP 1060950, NO 1A STEWART STREET,
PORT MACQUARIE

Report Author: Development Assessment Planner, Chris Gardiner

Applicant:	Port Macquarie Astronomical Association Inc
Owner:	Crown Land
Estimated Cost:	\$3,500,000
Parcel no:	22712

Alignment with Delivery Program

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

RECOMMENDATION

That DA2019 - 769.1 for a Community Facility (Observatory) at Rotary Park, Lot 7026, DP 1060950, No. 1A Stewart Street, Port Macquarie, be determined by granting consent subject to the recommended conditions.

Executive Summary

This report considers a development application for a community facility (observatory) 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.

The site is considered suitable for the proposed development and the proposal adequately addresses relevant planning controls. The development is not considered to be contrary to the public's interest and will not result a significant adverse social, environmental or economic impact.

This report recommends that the development application be approved subject to the conditions in **Attachment 1**.

1. BACKGROUND

Existing Sites Features and Surrounding Development

The site has an area of 10,108m².

The site is zoned RE1 Public Recreation 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:

Stage 1

- Construction of a new stand-alone, larger Observatory (dome) to the north-east of the existing Observatory to maintain operations during the construction of other stages;
- Re-alignment (reconstruction) of the demolished portion of the existing public concrete footpath between William and Stewart Streets and pedestrian access ramp to Stewart Street;
- New accessible parking space within the Rotary Lookout car park, footpath connection and access ramp to Stewart Street and Rotary Park; and
- Temporary footpath connection to existing Observatory building.

Stage 2

Demolition of the existing Observatory building and associated structures including wastewater system. The existing Observatory dome is proposed to be re-used within Rotary Park, in recognition of the building's local heritage value.

Stage 3

- Construction of new multi-purpose community facility, including:
 - Gross floor area of 444m²;
 - Multi-function display area;
 - Office and sales desk;
 - Internal Male, female and accessible WC's;
 - 85 seat auditorium including stage;
 - Kitchen;
 - Telescope store and separate multiple storerooms;
 - Members and meeting room;
 - Outdoor plaza;
 - Built-in electronic media screen display and awning sign (business identification signage);
 - New package sewer pump and rising main; and
 - Externally accessible public toilets.
- New pedestrian footpath along the southern edge of Stewart Street;
- New car park line marking within Stewart and Lord Streets, including bus drop off / pick up zone; and
- Provision of external male, female and accessible toilets within the south-eastern corner of the building for public usage.

Refer to **Attachment 2** for plans of the proposed development.

Application Chronology

- 21 October 2019 - Application lodged.
- 14 November 2019 to 27 November 2019 - Neighbour notification and advertising of application.
- 16 December 2019 - Comments from Heritage Council of NSW received.
- 21 February 2020 - Site meeting with Applicant and assessing officer to review view sharing impacts from apartment at 4/9 Lord Street.
- 25 February 2020 - Additional view sharing analysis submitted by the Applicant.

3. STATUTORY ASSESSMENT**Section 4.15(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 (Koala Habitat Protection) 2019

Clause 15 - A development application made, but not finally determined, before the commencement of this Policy in relation to land to which this Policy applies must be determined as if this Policy had not commenced. The application was made and not finally determined prior to the commencement of this policy, and the application is therefore required to be assessed under the relevant provisions of State Environmental Policy No 44 - Koala Habitat Protection. See assessment comments below.

State Environmental Planning Policy No. 44 - Koala Habitat Protection

With reference to clauses 6 and 7, the subject land has an area greater than 1 hectare (including any adjoining land under same ownership) and therefore the provisions of the SEPP must be considered.

The composition of vegetation on the site does not meet the definition of 'potential koala habitat' and therefore no further consideration of the SEPP is necessary.

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. 64 – Advertising and Signage

The proposed development includes a building identification sign on the fascia of the awning fronting Stewart Street, and an electronic media display within a window on the northern elevation. The electronic media display will provide information on events and facilities within the observatory.

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

The following assessment table provides an assessment checklist against the Schedule 1 requirements of this SEPP:

Applicable clauses for consideration	Comments	Satisfactory
Clause 8(a) Consistent	The proposed signage complies with the	Yes

with objectives of the policy as set out in Clause 3(1)(a).	subject Clause. In particular, the proposed signage is not excessive, is compatible with the desired character of the area, is of high quality design and finish.	
Schedule 1(1) Character of the area.	Signage is compatible with the desired future character of the area as public open space.	Yes
Schedule 1(2) Special areas.	The proposal (as amended) will not detract from the visual amenity of the public open space area.	Yes
Schedule 1(3) Views and vistas.	Proposed signage will not impact views or vistas. General impacts of the building on views is considered later in this report.	Yes
Schedule 1(4) Streetscape, setting or landscape.	The scale and proportions of the signage is appropriate for the streetscape. No signage protrudes above the building or tree canopies.	Yes
Schedule 1(5) Site and building.	The location and scale of the signage is appropriate to the building.	Yes
Schedule 1(6) Associated devices and logos with advertisements and advertising structures.	None proposed.	N/A
Schedule 1(7) Illumination.	Electronic sign proposed to be illuminated. Given the orientation of the sign towards Stewart Street, the illumination is not expected to cause any adverse amenity issues for nearby residents. No curfew is considered necessary for the sign, but a standard condition is recommended requiring the sign to comply with AS 4282 - control of the obtrusive effects of outdoor lighting.	Yes
Schedule 1(8) Safety.	The signage is not expected to reduce safety for vehicles, cyclists, or pedestrians. The digital sign is positioned and oriented in a manner that would not be distracting to road users.	Yes

State Environmental Planning Policy (Coastal Management) 2018

The site is located within a coastal use area and coastal environment area.

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

The assessment table below considers the relevant provisions of the SEPP.

Clause	Provision	Proposed	Complies
13 Development on land within the coastal environment area (Applies to land mapped as "coastal environment area")			
13(1)(a)	Whether the proposed development is likely to cause an adverse impact on the integrity and resilience of the biophysical, hydrological (surface and groundwater) and ecological environment.	With appropriate stormwater management and erosion and sediment control during construction (as recommended in the conditions) it is not considered that proposal would not significantly affect the coastal environment.	Yes
13(1)(b)	Whether the proposed development is likely to cause an adverse impact on coastal environmental values and natural coastal processes.	The proposal is substantially setback from the area affected by natural coastal processes.	Yes
13(1)(d)	Whether the proposed development is likely to cause an adverse impact on marine vegetation, native vegetation and fauna and their habitats, undeveloped headlands and rock platforms.	N/A	N/A
13(1)(e)	Whether the proposed development is likely to cause an adverse impact on existing public open space and safe access to and along the foreshore, beach, headland or rock platform for members of the public, including persons with a disability.	The proposal relates to a new building in an existing area of public open space. The development would not obstruct public access to the beach, headlands or foreshore. Access to the beach, headlands and foreshore would be improved with the proposed new footpath connections between William Street and Stewart Street.	Yes
13(1)(f)	Whether the proposed development is likely to cause an adverse impact on Aboriginal cultural heritage, practices and places.	The land is not known to be of Aboriginal cultural heritage significance. However, given the location of the land in an elevated position near the coast it is possible that relics could be disturbed during earthworks. As a precaution, a condition of consent has been recommended that works	Yes

		are to cease in the unexpected event heritage items are found. Works can only recommence when appropriate approvals are obtained for management and/or removal of the heritage item.	
13(1)(g)	Whether the proposed development is likely to cause an adverse impact on the use of the surf zone.	N/A	N/A
13(2)	(a) the development is designed, sited and will be managed to avoid an adverse impact referred to in subclause (1), or (b) if that impact cannot be reasonably avoided—the development is designed, sited and will be managed to minimise that impact, or (c) if that impact cannot be minimised—the development will be managed to mitigate that impact.	The condition recommended above regarding cultural heritage will avoid or minimise any adverse impact.	Yes
14 Development on land within the coastal use area (Applies to land mapped as “coastal use area”)			
14(a)(i)	Whether the proposed development is likely to cause an adverse impact on existing, safe access to and along the foreshore, beach, headland or rock platform for members of the public, including persons with a disability.	The proposal relates to a new building in an existing area of public open space. The development would not obstruct public access to the beach, headlands or foreshore. Access to the beach, headlands and foreshore would be improved with the proposed new footpath connections between William Street and Stewart Street.	Yes
14(a)(ii)	Whether the proposed development is likely to cause an adverse impact on overshadowing, wind funnelling and the loss of views from public	The proposal will not result in adverse overshadowing or wind funnelling. The proposal will slightly alter views to the foreshore from within the broader	Yes

	places to foreshores.	public reserve. Views will be lost/reduced from parts of the reserve due to the construction of the new building. However, some views will also be gained through the demolition of the existing observatory building. Overall, significant foreshore view corridors will be retained from all parts of the reserve and the impact is considered satisfactory.	
14(a)(iii)	Whether the proposed development is likely to cause an adverse impact on the visual amenity and scenic qualities of the coast, including coastal headlands.	The building is single storey in an area characterised by multi-storey apartment buildings, and would not project above existing buildings or trees. On this basis it is not considered that the proposal would adversely affect the scenic qualities of the coast.	Yes
14(a)(iv)	Whether the proposed development is likely to cause an adverse impact on Aboriginal cultural heritage, practices and places.	<p>The land is not known to be of Aboriginal cultural heritage significance. However, given the location of the land in an elevated position near the coast it is likely that the area was used by Aboriginal people in the past and it is therefore possible that relics could be disturbed during earthworks.</p> <p>As a precaution, a condition of consent has been recommended that works are to cease in the unexpected event heritage items are found. Works can only recommence when appropriate approvals are obtained for management and/or removal of the heritage item.</p>	Yes
14(a)(v)	Whether the proposed development is likely to cause an adverse impact on cultural and built environment heritage.	The building is not listed on the LEP nor on the State Heritage Register but is an iconic building in Port Macquarie and as such needs to be treated as an important cultural and	Yes

		scientific place in the cultural landscape. The land is identified as being of potential archaeological significance and has been referred to the Heritage Council, as discussed later in this report.	
14(b)	(i) the development is designed, sited and will be managed to avoid an adverse impact referred to in paragraph (a), or (ii) if that impact cannot be reasonably avoided—the development is designed, sited and will be managed to minimise that impact, or (iii) if that impact cannot be minimised—the development will be managed to mitigate that impact.	The condition recommended above regarding cultural heritage will avoid or minimise any adverse impact.	
14(c)	The consent authority has taken into account the surrounding coastal and built environment, and the bulk, scale and size of the proposed development.	The bulk, scale and size of the proposed development is compatible with the surrounding coastal and built environment.	Yes
15 Development in coastal zone generally—development not to increase risk of coastal hazards (Applies to all land in the coastal zone other than land mapped as “coastal vulnerability area”)			
15(1)	The proposed development is not likely to cause increased risk of coastal hazards on the land or other land.	The location of the development is not expected to cause any increase in coastal hazards.	
16 Development in coastal zone generally—coastal management programs to be considered			
16	Development consent must not be granted to development on land within the coastal zone unless the consent	No coastal zone management program applies to the land.	n/a

	authority has taken into consideration the relevant provisions of any certified coastal management program that applies to the land.		
20 Flexible zone provisions			
20	Flexible zone provisions not applicable to land to which the SEPP applies.	The proposal does not rely upon flexible zone provisions.	Yes

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 RE1 Public Recreation. In accordance with clause 2.3(1) and the RE1 zone landuse table, the proposed development for a community facility is a permissible landuse with consent.

The objectives of the RE1 zone are as follows:

- To enable land to be used for public open space or recreational purposes.
- To provide a range of recreational settings and activities and compatible land uses.
- To protect and enhance the natural environment for recreational purposes.

Clause 2.3(2) - The proposal is consistent with the zone objectives having regard to the following:

- The proposal is a land use compatible with public recreation in the reserve.
- The 'Plaza' area of the development will provide improved activation and surveillance of the existing children's playground in Rotary Park.
- Clause 2.7 - The demolition requires consent as it does not fit within the provisions of SEPP (Exempt and Complying Development) 2008.
- Clause 5.10 – The site is identified as being of potential archaeological significance (A111 - Archaeology of early European settlement). The Applicant has submitted a Statement of Heritage/Archaeological Impact prepared by Eureka Heritage. The proposal has been referred to the Heritage Council of NSW in accordance with Clause 5.10(7). The following comments and recommendation have been provided:

"The Observatory is located within the AMP Inventory Unit 253 which lists the site as unlikely to retain archaeological relics requiring management under the Heritage Act 1977. The Eureka SOHI and Archaeological assessment has reviewed the history and development of the site. It has demonstrated the potential for earlier occupation evidence for Port Macquarie is unlikely for the Observatory allotment, and concurs with the AMP recommendation.

However, a small part of the site works appear to require new services and to increase capacity (sewer and new rising main) to be excavated and connect to the neighbouring Lord and Stewart Streets. There remains some potential for the 1840s gaol to survive in the allotments to the west of the site, as seen at the Historic Well Hotel and site immediate west of the Hotel. The connection for these services (including a new underboring output area in

Stewart Lane) may affect evidence of the former gaol, if they do not follow existing disturbed trench alignments.

Parts of the old stormwater system/drain for the former 1840s gaol (AMU Item s.25) appears to extent into and survive in the neighbouring park to the north (Crown Reserve lot 7025 DP 1060950). This suggests there may be underground services linked to the former gaol which survive in parts and may be undocumented. To avoid the potential for relics and older utilities linked to the 1840s gaol, it is recommended that the reuse of existing service trenches/alignments is undertaken wherever possible, this may require amendment to the Services strategy proposed.

Underboring as currently proposed would require a larger trench to end the bore within Stewart Lane. The larger trench may require archaeological monitoring or earlier investigation via testing, under s139 of the Heritage Act 1977, as this activity may disturb surviving archaeological evidence of the gaol found within the Stewart Lane alignment. These service connections are not assessed in the Eureka Assessment, which focuses on the main works site (7026 DP 1060950).

While these works overall would be a minor aspect of the overall program, it is recommended to better address this aspect of the project, if existing service alignments are not adopted only, that Council includes the following conditions to manage disturbance of relics and associated early infrastructure linked to the A111 LEP listing for the Early Town settlement:

Recommended Conditions of consent for DA.2019.769.1 include:

- 1. Prior to any ground disturbance works related new services (through Lord Street and Stewart Lane) being installed to connect to the new Observatory Site, the Applicant shall ensure an approval under s.139 of the Heritage Act 1977 has been obtained. This application will need to clearly outline what mitigation measures are proposed to avoid harm to any significant deposits, should they be identified during works.*
- 2. The Applicant must ensure that if any unexpected archaeological deposits or relics not identified and considered in the supporting documents for this approval are discovered, work must cease in the affected area(s) and the Heritage Council of NSW must be notified as required by s146 of the Heritage Act 1977. Additional assessment and approval may be required prior to works continuing in the affected area(s) based on the nature of the discovery.*
- 3. Prior to the issue of the occupation certificate by Council and/or the Principal Certifying Authority, the Applicant shall supply a copy of written correspondence from the Heritage Council of NSW or its delegate confirming that their requirements under any Heritage Act 1977 approval have been satisfied.*

Conditions have been recommended incorporating the above requirements of the Heritage Council of NSW.

- 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:**

No draft instruments apply to the site.

(iii) Any Development Control Plan in force

Port Macquarie-Hastings Development Control Plan 2013

DCP 2013: General Provisions			
DCP Objective	Development Provisions	Proposed	Complies
2.2.2.1	Signs primarily identifying products or services are not acceptable, even where relating to products or services available on that site.	The proposed signs do not identify products or services. The electronic media display will include contact details and information about upcoming events.	Yes
	Signage is not permitted outside property boundaries except where mounted upon buildings and clear of pedestrians and road traffic. No signage is permitted upon light or power poles or upon the nature strip (the area between the property boundary and constructed roadway). Limited directional signage and "A" frame signage may separately be approved by Council under the <i>Roads Act 1993</i> or section 68 of the <i>Local government Act 1993</i> .	No signage proposed outside the property boundary.	Yes
	An on-building 'chalkboard' sign, for the purpose of describing services or goods for sale which vary on a regular basis generally should not be any larger than 1.5m ² , and should contain a sign written heading indicating the premises to which it refers.	Not proposed.	N/A
	On-premise signs should not project above or to the side of building facades	Proposed signs do not project above or beyond the building.	Yes
2.2.2.2	Where there is potential for light spill from signage in a non residential zone adjoining or adjacent to	The proposed illuminated sign is on the northern elevation of the building and faces away from nearby	Yes

	residential development, illuminated signage is to be fitted with a time switch to dim by 50% or turn off the light by 11pm each night, depending on the nature of the development.	residential development. It is not considered necessary to require the illumination to be dimmed or switched off.	
2.7.2.2	Design addresses generic principles of Crime Prevention Through Environmental Design guideline: <ul style="list-style-type: none"> Casual surveillance and sightlines Land use mix and activity generators Definition of use and ownership Lighting Way finding Predictable routes and entrapment locations 	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 proposal will provide better lighting, a defined access point, and improved casual surveillance.	Yes
2.3.3.1	Cut and fill 1.0m max. 1m outside the perimeter of the external building walls	Proposal includes fill of up to approximately 700mm for 'Plaza' area.	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. Existing accesses rationalised or removed where practical	No access proposed from classified road.	Yes
	Driveway crossing/s minimal in number and width including maximising street parking	None proposed.	N/A
2.5.3.3	Off-street parking in accordance with Table 2.5.1. (Provision to consider reduced parking where supported by parking demand study)	Community facilities require 1 space per 30m ² GFA in accordance with Table 2.5.1. The proposed Observatory has a total gross floor area of 444m ² and requires 14.8 spaces. Less the credits for the existing building (see below) a total of 11 parking spaces are required for the proposal. The proposal is seeking not	No

		to provide off-street parking due to the loss of public recreational space and loss of existing street parking for new driveways to a parking facility. See comments below regarding on street parking.	
2.5.3.4	Parking credits to be calculated for redevelopment or change of use	<p>The existing building has a gross floor area of 114m² and no off-street parking is provided. Based on the parking rate for community facilities in Table 2.5.1 of the DCP (1 space per 30m²), this equates to a total parking demand of 3.8 spaces.</p> <p>The site therefore has a parking credit of 3.8 spaces.</p>	Yes
2.5.3.5	<p>On street parking, for the purposes of car parking calculations, will not be included unless it can be demonstrated that:</p> <ul style="list-style-type: none"> • there is adequate on street space to accommodate peak and acute parking demands of the area; • parking can be provided without compromising road safety or garbage collection accessibility; • parking can be provided without jeopardising road function; and • that streetscape improvement works, such as landscaped bays and street trees are provided to contribute to the streetscape. 	<p>Given the nature of the use, peak periods for parking demand are expected to be at night when there is less demand for use of street parking by other users, particularly Town Beach, which is the main traffic generator in the area.</p> <p>Street parking can be accommodated without compromising traffic flow or road safety, and the proposed development is the only building requiring a waste collection service in this section of Stewart Street.</p> <p>Rotary Park already has established street tree plantings in all frontages, with some gaps in the proximity of the proposed development. Additional street plantings are not considered appropriate in this instance as they would obstruct some viewing angle for the observatory.</p> <p>Line marking of street parking and a bus drop off /</p>	Yes

		pick up zone are proposed, but landscaped bays are not considered appropriate as they would result in an overall loss of public parking in the locality.	
	On street parking is provided in accordance with AS2890.5.	Capable of complying, subject to recommended conditions.	Yes
2.5.3.6	On street parking will not be permitted unless it can be demonstrated that: <ul style="list-style-type: none"> that streetscape improvement works, such as landscaped bays and street trees are provided. parking does not detract from the streetscape; and 	Rotary Park already has established street tree plantings in all frontages, with some gaps in the proximity of the proposed development. Additional street plantings are not considered appropriate in this instance as they would obstruct some viewing angle for the observatory. Line marking of street parking is proposed, but landscaped bays are not considered appropriate as they would result in an overall loss of public parking in the locality. The line marking of existing street parking is not considered to detract from the streetscape.	
2.5.3.11	Section 94 contributions	Refer to main body of report.	

(iiia) Any planning agreement that has been entered into under section 7.4, or any draft planning agreement that a developer has offered to enter into under section 7.4

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

(iv) Any matters prescribed by the Regulations

Demolition of buildings AS 2601 - Clause 92

Demolition of the existing building on the site is capable of compliance with this Australian Standard and is recommended to be conditioned.

(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 is located within Rotary Park, which is bounded by William Street to the south, Lord Street to the west and Stewart Street to the north-east. The proposed community facility is located at the Stewart Street frontage of the site.

Adjoining the site to the south and west are high density residential developments, with some ground floor commercial uses in William Street.

Adjoining the site to the north and east are public reserves, including Town Beach and Gaol Point.

The proposal will not have any significant adverse impacts to existing adjoining properties or the public domain. The building has been designed to predominantly address Stewart Street and the park to the east of the building.

The proposal is considered to be compatible with existing and proposed development in the locality. The bulk, scale and setbacks of the development are considered acceptable in the context, noting that there are no site specific planning controls or an adopted Plan of Management for Rotary Park.

The proposal is not expected to have significant adverse lighting impacts, subject to the recommended conditions requiring external lighting to be installed in accordance with Australian Standards.

There are no significant 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 between the hours of 9am and 3pm.

View Sharing

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.

A detailed view sharing analysis has been submitted by the Applicant in the Statement of Environmental Effects. The analysis included drone imagery from various heights in the frontage of the nearby apartments considered most likely to have views affected by the proposed development. A copy of the analysis is included at **Attachment 3**.

The notification and advertising of the application resulted in one written submission being received in relation to view impacts on an apartment at 4/9 Lord Street. As a result of the submission, further detailed analysis has been carried out from this particular location.

Using the planning principle adopted by the NSW Land and Environment Court in *Tenacity Consulting v Warringah 2004 NSW LEC 140*, the following comments are provided in regard to the view impacts using the 4 step process to establish whether the view sharing is acceptable.

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: Existing views in the locality include water views to Town Beach and North Beach. The majority of views are partial views due to the mature Norfolk Island Pines in Rotary Park and the surrounding streets and reserves. Views from some locations include the interface between land and water. Photograph of existing views from a number of locations in William Street and Lord Street are included in the Attachments to this report.

The apartment at 4/9 Lord Street enjoys views to the east across Rotary Park to Town Beach (see below). At the time the property was inspected rocks were visible in the surf zone, but the owner has indicated that the land and water interface is also visible at certain times. Broader views are also available from the balcony to the north, including the Hastings River breakwall and North Beach (see below).





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 existing views from 4/9 Lord Street are obtained from the balcony on the eastern elevation and from a living room and dining room with east-facing windows/glass doors. The views are available from both sitting and standing positions, although the views from a sitting position in the living and dining rooms to the location of the proposed community facility are largely obstructed by the balustrade on the balcony (see below).





The majority of the existing views are obtained across the front boundary. Only the broader northern view from the balcony is obtained across a side boundary.

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 Applicant has provided modelling of the impact on views from 4/9 Lord Street, using drone photography taken from the centre of the driveway at the front boundary alignment (see below). The photograph is representative of the view impacts from the living room and the southern end of the balcony. The southern end of the balcony is directly accessible from the living room via sliding glass doors, and at the time of the inspection it was set up as the main outdoor seating area.



From the northern end of the balcony and from a standing position in the dining room, the angle of the view is slightly different and the proposed development would result in the loss of views to rock and the surf zone at Town Beach. The owner has indicated that it would also result in loss of views to the beach and the interface of land and water at Town Beach, but this was not able to be confirmed from the inspection, even when the zoom on the camera was used. It is possible that at low tide the beach would be visible.

At ground level the extent of the building is approximately half of the range of water views available from within the apartment. However, it is noted that part of this extent is already obstructed by the existing observatory building and trees in Rotary Park. The proposed development would also retain some water views above the building.

The extent of the impact is considerably less in the context of the overall view available from the front balcony of the apartment, with views to the north and north-east unaffected by the proposal.

Qualitatively, the view impact is considered to be moderate from the internal living areas where the view is framed towards Rotary Park. The impact is considered to be minor from the front balcony where there is a much broader view retained.

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 reasonableness of the development is difficult to assess in the context of the current planning controls applicable to the site. The subject land is not subject to any LEP or DCP provisions relating to building height, floor space ratio, or building setbacks. There is also no adopted Plan of Management for the reserve that provides any guidance on the types of development a nearby property owner could reasonably expect to be carried out in Rotary Park.

In this context it is only possible to test the reasonableness of the development on the same basis as a complying proposal and consider 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.

The Applicant has advised that the position of the proposed Observatory building was carefully considered during the design phase, which included assessment of the Observatory's key function (viewing astronomical events in the sky). There are a number of tall residential flat buildings along the southern side of William Street which impede the available views to the southern sky. The Observatory's dome was therefore positioned to maximise views to the south (and north and east). The chosen position is not significantly different to the existing domes position, but the slightly more elevated position ensures that views to the south are improved whilst also minimising impacts caused by lighting spill from the surrounding development.

The Applicant has provided the below 3D representation of the proposed building, showing indicative sight lines in each direction. It is noted that the existing Norfolk Island Pine trees are much larger than those shown and further impede views to the south.



In terms of alternative building locations, moving the building downslope to the east or south would reduce the extent of night sky visible from the observatory and compromise its primary function. Moving the building upslope to the west or north-west would maintain the function of the observatory but result in greater loss of view for a number of other nearby properties.

The proposed development was widely notified to nearby apartment buildings and only a single written submission was received that raised concerns regarding an unreasonable loss of existing views. This is an indication that there is a broader acceptance that the proposal has achieved a reasonable building design with an acceptable scale and location. The building is of substantially lower scale and density than existing developments in the high density residential areas to the west and south of Rotary Park.

Having regard to the above assessment, it can be considered that the view sharing impacts are acceptable.

Roads

The site is bounded by Stewart Street, William Street and Lord Street. Adjacent to the site, Stewart Street is a sealed public road under the care and control of Council. Stewart Street is a local street with SA kerb and gutter both side and informal parking both sides of the street. Pedestrian footpaths currently exist along the northern side of Stewart Street between the Gaol Point car park to the Town Beach access road (Alban Place).

William Street is a sealed public road under the care and control of Council. William Street is a distributor road with SA kerb and gutter on the southern side of the street, and no kerb & gutter on the northern side of the street. William Street provides formal parking both sides with 60-degree angle parking on the southern side and parallel parking on the northern side of the street. Pedestrian footpaths are currently provided full width on the southern side of the street only.

Lord Street is a sealed public road under the care and control of Council. Lord Street is a local road with SA kerb and gutter both sides of the road. Lord Street provides informal parking both sides the road and has no formal pedestrian footpaths either side of the road.

Traffic and Transport

The site is currently a crown reserve occupied by the existing Port Macquarie Observatory (community facility). The application proposes the redevelopment of this Observatory building expanding the facility with a new telescope, multi-function area, and 85-seat auditorium.

The RMS guide to traffic generating development provides little guidance to this type of facility. Many of the trips associated with the facility in the day are anticipated to be via charter bus or from passing trade and adjacent tourist uses. Expected traffic impacts in the evening associated with the telescope viewing will be out of peak hours. There is also an existing traffic impact associated with the current operating observatory. Based upon this information, the existing road network is anticipated to have adequate capacity to cater to demands associated with the development.

Site Frontage and Pedestrian Access

The site is bounded by William Street, Lord Street, and Stewart Street. With all parking provided from the neighbouring street network and parking facilities, access to the site is only via pedestrian facilities around the road network and the neighbouring pedestrian network will need to be upgraded to facilitate anticipated movement. The applicant has proposed additional pedestrian facilities along the southern side of Stewart Street and pedestrian connections to the proposed disabled space in the Gaol Point car park.

In addition to the facilities proposed, it is appropriate to extend the existing pedestrian network around and within the development site as all parking for the facility will be provided through existing on-street public parking facilities.

In summary footpath extensions include:

- Shareway paving 2.5m wide connecting the Lord Street and William Street Roundabout to the Rotary Park carpark along Stewart Street.
- Footpath paving 1.5m wide full frontage of Stewart Street. Footpaths to be located within the road reserve or crown reserve or within 5m of the boundary if required to avoid impacts associated with existing trees.

- Shareway paving 2.5m wide between the existing path on the northern side of Stewart Street and the proposed path on the southern side, via a road crossing of Stewart Street.
- Shareway paving 2.5m wide between the Stewart Street and William Street pedestrian crossings providing connectivity to on-street parking in William Street.

All pedestrian access facilities shall comply with Council AUSPEC and Australian Standards, and conditions have been recommended to reflect these requirements.

Parking and Manoeuvring

No off-street parking is currently on site for the existing facility. As the site is surrounded by a wide street network with underutilised parking at peak times, it is appropriate to consider the use of on-street parking in lieu of an off-street carpark in the public open space. Enhancements to the pedestrian network are required to improve connectivity to the public road network and to existing on-street car parking.

The site is anticipated to have events with charter bus use. To facilitate orderly drop-off and pick-up of patrons, a bus drop-off/pick-up zone has been proposed adjacent to the front of the building along the southern side of Stewart Street. This location is appropriate as it is clear of intersections and driveways and provides good connectivity with the building.

Water Supply Connection

Council records indicate that the current development site is fronted by a 100mm PVC water main on the same side of Lord Street.

Final water service sizing will need to be determined by a hydraulic consultant to suit the development as well as addressing fire service coverage to AS 2419 and backflow protection.

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

Sewer Connection

Sewer is currently managed via an existing on-site wastewater system located to the south of the existing building. No sewer connections are currently available to Rotary Park. It is considered that connection to PM01P122MH is the most appropriate for the site.

Due to the invert level of PM01P122MH (18.85m AHD) being above the estimated floor level of the proposed Observatory, a package sewer pump station and sewer rising main is required.

The hydraulic designer is to confer with Council sewer section prior to submitting sewer design plans.

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

Stormwater

The site naturally grades towards the east and is currently un-serviced.

The legal point of discharge for the proposed development is defined as a direct connection to Council's kerb and gutter with the use of an approved adaptor (two proposed).

Stormwater from the proposed development is planned to be disposed via kerb outlets which is consistent 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 Council's AUSPEC requirements, the following must be incorporated into the stormwater drainage plan:

- Discharge to the kerb and gutter is not to exceed 55L/s at any one location.

An appropriate condition has been recommended to reflect this requirement.

Other Utilities

Telecommunication and electricity services are available to the site.

Heritage

The land is not known to be of Aboriginal cultural heritage significance. However, given the location of the land in an elevated position near the coast it is likely that the area was used by Aboriginal people in the past and it is therefore possible that relics could be disturbed during earthworks.

As a precaution, a condition of consent has been recommended that works are to cease in the unexpected event heritage items are found. Works can only recommence when appropriate approvals are obtained for management and/or removal of the heritage item.

As noted under Clause 5.10 of the Port Macquarie-Hastings Local Environmental Plan 2011 earlier in this report, the land is identified as being of potential archaeological significance (A111 - Archaeology of early European settlement). The Applicant has submitted a Statement of Heritage/Archaeological Impact prepared by Eureka Heritage, which has been referred to the Heritage Council of NSW.

The existing observatory building itself is not listed as a heritage item, but the proposal has been reviewed by Council's Heritage Advisor and the following comments received:

"In line with earlier pre DA discussions, the character and quality of the building is to be futuristic and as such indicative of the nebulae to which the observatory provides a public gateway.

It is welcoming to the public and has a clear point of entry and accessibility from the adjacent streets.

The new dome standing at the end of the long raked building mass is a clear indicator of the purpose of the building. It also provides public amenity and improved activation of the Rotary Park.

The building is not listed on the LEP nor on the State Heritage Register but is an iconic building in Port Macquarie and as such needs to be treated as an important cultural and scientific place in the cultural landscape.

As the Statement of heritage Impact identifies, the site has archaeological potential and the proposed method of managing the potential archaeological resource is appropriate.

The proposal is supported and will be a vast improvement on the current facilities in the Park."

A condition is recommended requiring an archival recording of the existing observatory building prior to and during demolition work in accordance with the recommendations of the Statement of Heritage/Archaeological Impact.

The current observatory dome is also proposed to be re-used as a shelter in Rotary Park. The application plans show the conceptual location of the structure. A condition has been recommended requiring detailed plans to be submitted prior to the issue of a Construction Certificate.

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 not have any significant adverse impacts on water resources and the water cycle.

Soils

The proposed development will not have any significant 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 not result in any significant 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 native vegetation and therefore does not trigger the biodiversity offsets scheme. Part 7 of the Biodiversity Conservation Act 2016 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 Section J of the Building Code of Australia. No adverse impacts anticipated.

Noise and vibration

The submitted Statement of Environmental Effects notes the proposed hours of operation to be as follows:

- Observatory astronomical display area:

- 7 days a week during school holidays, including Public Holidays. Typically opening from 10am through to 5pm;
- 6 days a week outside of school holidays (closed Monday's & Public Holidays during school holidays). Typically opening from 10am through to 5pm;
- The auditorium is proposed to be open during all of the above periods with an extended closure time of 11pm; and
- The Observatory (Dome) will typically be operated for evening viewing from sunset through to 11pm. However, depending on conditions and astronomical events these, hours could be extended through to dawn.

Given the nature of the activities during the night time period, and the fact that they would be carried out within the building, it is not expected that the use would result in any significant adverse amenity impacts. A condition has not been recommended restricting the hours of operation, due to the variable hours for astronomical events. However, the Statement of Environmental Effects is referenced in the recommended conditions of consent and will set the general expectation for the way the facility is intended to operate.

A standard precautionary construction site management condition has also been recommended restricting 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 proposal will provide better lighting, a defined access point, and improved casual surveillance to that of the existing building.

Social impacts in the locality

Given the nature of the proposed development and its location the proposal is not considered to have any significant adverse social impacts. The proposal will maintain and improve an important social benefit to the astronomical community and the general public with an interest in astronomy.

Economic impact in the locality

The proposal is not considered to have any significant adverse economic impacts on the locality. A likely positive impact is that the development will maintain employment in the construction industry, which will lead to flow impacts such as 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.

Construction

Construction impacts are considered capable of being managed, standard construction and site management conditions have been recommended.

Cumulative impacts

The proposed development is not considered to have any significant 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

Two (2) written submissions were received following public exhibition of the application. Copies of the written submissions have been provided separately to members of the DAP.

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

Submission Issue/Summary	Planning Comment/Response
Unsympathetic cladding colour (bright primary yellow/gold) shown in the plans should be changed to a more neutral tone (silver/white/grey palette) that still evokes a modern scientific feel, but which blend in with other modern coastal buildings and landscape around it. Any kind of primary colour would be a visual blight on an otherwise calm area of parkland and public space.	<p>The Applicant has indicated that the external cladding to the upper portions of the external façade will be anodised aluminium cladding (Solidal or similar product). The product comes in a range of colours, and while the final product and colour has not yet been confirmed, the proponent is seeking for the building to present as being futuristic and scientific to tell the story of the building's function.</p> <p>There are no Development Control Plan provisions that specify particular external finishes for buildings in Rotary Park. It is therefore considered that there are insufficient grounds for refusal of the application on this basis, or the imposition of a condition requiring changes to the proposed external finishes.</p> <p>The building is also substantially setback from the Lord Street and William Street frontages, which will also assist in reducing the visual impacts for nearby residents.</p>
Impact of the development on existing views from 4/9 Lord Street.	See comments earlier in this report under 'View Sharing'. The impacts of the proposal are considered reasonable having regard to the Land and Environment Court's planning principle.
The proposed new building is significantly larger than the footprint of the current building. The new building should be of similar dimensions to the existing structure.	There are no planning provisions relating to the maximum floor area of buildings in Rotary Park. The proposal is seeking to improve the current facilities to increase public utilisation. The scale of the new building is considered acceptable in the context.
The maximum height of the building at 6.2m is excessive and causes loss of views from 4/9 Lord Street and other	<p>There is no maximum building height adopted for the site on the LEP Height of Buildings Map.</p> <p>The tallest portion of the main building is located</p>

Submission Issue/Summary	Planning Comment/Response
properties. The building should be reduced in height to that of the existing structure.	<p>at the southern end to achieve a ceiling height appropriate for the proposed auditorium. The southern end of the building has the least impact on existing views from 4/9 Lord Street as there is substantial vegetation behind this part of the building.</p> <p>The northern end of the building (with the exception of the telescope dome) is generally less than 4.5m high and is not significantly taller than the existing building.</p> <p>Reducing the height of the telescope dome from 6.1m would have a significant impact on the function of the facility, with a negligible improvement to retained views.</p>
The stated annual attendance of 4000 people seems low. It is unfair to disadvantage local residents and property owners with the amenity impacts from the additional visitors to the area.	The estimated visitation equates to approximately 11 people per day. However, in practice it is likely to be larger groups on a less frequent basis associated with particular astronomical events. In the context of the overall level of activity in the Town Beach precinct, the proposal will be a small proportion of visitation and is not expected to result in any increased amenity impacts.
Loss of property value.	Case law has confirmed that this is not a relevant consideration in the assessment of a development application.
Disagree with extent of existing views from 4/9 Lord Street represented in Applicants drone photographs.	<p>As noted earlier in this report under 'View Sharing' the drone image was taken from approximately the centre of the driveway at the front property boundary. The image is representative of the views from the southern end of the balcony and from the windows/glass sliding doors of the living room.</p> <p>The extent of views from the northern end of the balcony and the windows of the dining room has been reviewed on site and considered in the assessment of view sharing.</p>

(e) The Public Interest

The proposed development satisfies relevant planning controls and will not adversely impact on the wider public interest.

4. DEVELOPMENT CONTRIBUTIONS

Council's Director Corporate Performance has approved an exemption from development contributions in accordance with Clause 2.3 of the Development Contributions Assessment Policy. The proposed development is by a not for profit

organisation on Council managed land. The total value of Section 7.12 and Section 64 (water and sewer) contributions exempted was \$40,048.50.

5. CONCLUSION AND STATEMENT OF REASON

The application has been assessed in accordance with Section 4.15 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 considered suitable for the proposed development and the proposal adequately addresses relevant planning controls. The development is not considered to be contrary to the public's interest and will not result 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

- 1 [↓](#). DA2019 - 769.1 Recommended Conditions
- 2 [↓](#). DA2019 - 769.1 Plans
- 3 [↓](#). DA2019 - 769.1 View Sharing Analysis

**FOR USE BY PLANNERS/SURVEYORS TO PREPARE LIST OF
PROPOSED CONDITIONS - 2011****NOTE: THESE ARE DRAFT ONLY****DA NO: 2019/769****DATE: 6/03/2020****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
Plans	6188 DA1.1_A, DA1.2_A, DA1.3_A, DA2.1_A, DA3.1_A, DA3.2_A, DA5.1_A, DA7.1_A, DA7.2_A, DA7.3_A, DA7.4_A, DA7.5_A, DA7.6_A, and DA7.7_A	King & Campbell Pty Ltd	23 August 2019
Statement of Environmental Effects	Job No. 6188	King & Campbell Pty Ltd	October 2019
Statement of Heritage / Archaeological Impact	Project No 181201	Eureka Heritage	October 2019

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 building or subdivision work shall commence until a Construction Certificate or Subdivision Works Certificate has been issued and the applicant has notified Council of:
- the appointment of a Principal Certifying Authority; and
 - the date on which work will commence.

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

- (3) (A007) The development must only proceed in accordance with the approved stages as set out below:

- Stage 1 - Construction of new telescope dome and associated footpaths.
- Stage 2 - Demolition of existing observatory, ancillary structures, and redundant footpaths.
- Stage 3 - Completion of the development including construction of new community facility, new sewer system, construction of footpaths, line marking of street parking, and bus bay.

Unless specified, the conditions of this consent will apply to all stages, with any decision on any discrepancy with conditions and associated staging resting with Council. Any decision to allow a change to staging will rest with Council along with applicable conditions and any contributions payable.

- (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 appropriate receptacles into separate waste streams;
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) (A029) The provision, at no cost to Council, of concrete foot paving in the following locations:

- Shareway paving 2.5m wide connecting the Lord & William Street Roundabout to the Rotary Park carpark along Stewart Street.
- Footpath paving 1.5m wide to the frontage of Stewart Street between the proposed community facility and the existing pedestrian crossing.

Footpaths to be located within the road reserve or crown reserve or within 5m of the boundary if required to avoid impacts associated with existing trees.

- Shareway paving 2.5m wide between the existing path on the northern side of Stewart Street and the proposed path on the southern side, via a road crossing of Stewart Street.
- Shareway paving 2.5m wide between the Stewart Street and William Street pedestrian crossings providing connectivity to street parking in William Street.

All Pedestrian access facilities shall comply with Council AUSPEC and Australian Standards. The design plans must be approved by Council pursuant to Section 138 of the Roads Act.

- (8) (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.
- (9) (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.

- (10) (A055) Existing water services no longer required are to be disconnected at the main and a request for this free service is to accompany the application for water meter hire.
- (11) (A062) The applicant shall submit to Port Macquarie-Hastings Council plans for the management of trade waste including pre-treatment facilities to the sewerage authority for approval pursuant to Section 68 of the Local Government Act. Upon approval, the proponent shall enter into a written "Trade Waste Agreement" with Council prior to discharging wastes.

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 Stage 3 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. Public parking areas
 3. Sewerage reticulation.
 4. 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.
 5. Stormwater systems.
 6. Erosion & Sedimentation controls.
 7. Location of all existing and proposed utility services including:
 - a. Conduits for electricity supply and communication services (including fibre optic cable).
 - b. Water supply
 - c. Sewerage
 - d. Stormwater
 8. Provision of concrete footpath.
- (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 Stage 3 Construction Certificate.
- Such works include, but not be limited to:
- Civil works
 - Traffic management
 - Work zone areas
 - Hoardings
 - Concrete foot paving
- (4) (B021) A hydraulic strategy and plans are required from a hydraulic consultant for the whole of the development on the site stage by stage. Water service sizing is then to be determined by the hydraulic consultant to suit the proposed domestic and commercial components of the development, as well as addressing fire service requirements to AS 2419 and backflow protection requirements.

- (5) (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 the Stage 3 Construction Certificate. This application is also to include an application for the disconnection of any existing service not required.
- (6) (B072) A stormwater drainage design is to be submitted and approved by Council prior to the issue of the Stage 3 Construction Certificate. The design must be prepared in accordance with Council's AUSPEC Specifications, Australian Rainfall and Runoff 2019, the requirements of Relevant Australian Standards and shall make provision for the following:
 - a) The legal point of discharge for the proposed development is defined as the kerb and gutter of a public road.
- (7) (B063) Prior to release of the Stage 3 Construction Certificate, a detailed landscape plan shall be approved by Council's Group Manager Recreation, Property & Buildings or delegate.
- (8) (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.
- (9) (B195) Prior to the issue of the Stage 2 Construction Certificate, detailed plans of the proposed relocated dome shall be approved by Council's Group Manager Recreation, Property & Buildings or delegate.

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) (C008) No access through the reserve shall be allowed without first obtaining written approval from Council's Parks and Gardens Manager. No clearing or damage to any vegetation on the reserve is permitted. No spoil, fill, waste liquids or solid materials shall be stockpiled on or allowed to move beyond the fence line for any period on the adjoining reserve during or after the development. In the event of accidental damage, the site must be revegetated to the satisfaction of Council. Such approval would need to be undertaken in accordance with Council Policy.
- (3) (C195) Prior to any ground disturbance works related new services (through Lord Street and Stewart Lane) being installed to connect to the new Observatory Site, the Applicant shall ensure an approval under s.139 of the Heritage Act 1977 has been obtained. This application will need to clearly outline what mitigation measures are proposed to avoid harm to any significant deposits, should they be identified during works.

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. at completion of installation of erosion control measures

- b. at completion of installation of traffic management works
- c. when the sub-grade is exposed and prior to placing of pavement materials;
- d. when trenches are open, stormwater/water/sewer pipes and conduits jointed and prior to backfilling;
- e. at the completion of each pavement (sub base/base) layer;
- f. prior to the pouring of concrete for sewerage works and/or works on public property;
- g. on completion of road gravelling or pavement;
- h. 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) (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.
- (3) (D006) A copy of the current stamped approved construction plans must be kept on site for the duration of site works and be made available upon request to either the Principal Certifying Authority or an officer of the Council.
- (4) (D029) The demolition of any existing structure shall be carried out in accordance with Australian Standard AS 2601: *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*.
- (5) (D033) Should any Aboriginal objects be discovered in any areas of the site then all excavation or disturbance to the area is to stop immediately and the National Parks and Wildlife Service is to be informed in accordance with Section 91 of the *National Parks and Wildlife Act 1974*. Subject to an assessment of the extent, integrity and significance of any exposed objects, applications under either Section 87 or Section 90 of the *National Parks and Wildlife Act 1974* may be required before work resumes.
- (6) (D046) The Applicant must ensure that if any unexpected archaeological deposits or relics not identified and considered in the supporting documents for this approval are discovered, work must cease in the affected area(s) and the Heritage Council of NSW must be notified as required by s146 of the *Heritage Act 1977*. Additional assessment and approval may be required prior to works continuing in the affected area(s) based on the nature of the discovery.

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) (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) (E016) Prior to occupation or the issue of the Occupation Certificate (or Part Occupation Certificate) the owner of the building must cause the Principal Certifying Authority to be given a fire safety certificate (or interim fire safety certificate in the case of a building or part of a building occupied before completion) in accordance with Clause 153 of the Environmental Planning and Assessment Regulation 2000 for each measure listed in the schedule. The certificate must only be in the form specified by Clause 174 of the Regulation. A copy of the certificate is to be given to the Commissioner of the New South Wales Fire Brigade and a copy is to be prominently displayed in the building.
- (4) (E034) Prior to occupation or the issuing of the Stage 3 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.
- (5) (E036) Certification by a suitably qualified consultant is to be submitted to the Principal Certifying Authority (PCA) confirming that the street parking has been line marked in accordance with Australian Standard 2890 prior to the issue of the Stage 3 Occupation Certificate.
- (6) (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.
- (7) (E053) All works relating to public infrastructure shall be certified by a practicing Civil Engineer or Registered Surveyor as compliant with the requirements of AUSPEC prior to issue of the Stage 3 Occupation Certificate or release of the security bond, whichever is to occur first.
- (8) (E056) A Certificate of Compliance under the provisions of Section 307 of the *Water Management Act* must be obtained prior to the issue of the Stage 3 Occupation Certificate.
- (9) (E061) Landscaped areas being completed prior to occupation or issue of the Stage 3 Occupation Certificate. Public landscaping may be bonded as agreed to by Council.
- (10) (E072) Lodgement of a security deposit with Council upon practical completion of the public infrastructure works.
- (11) (E195) Prior to the issue of the Occupation Certificate by the Principal Certifying Authority, the Applicant shall supply a copy of written correspondence from the Heritage Council of NSW or its delegate confirming that their requirements under any Heritage Act 1977 approval have been satisfied.
- (12) (E196) Prior to the issue of an Occupation Certificate, an archival recording of the existing observatory prepared by a suitably qualified heritage consultant shall be submitted to the Council. The report shall satisfy recognised standards for such reports. One (1) hard copy is to be provided for inclusion in the Local Studies section of the Port Macquarie Library and an electronic copy provided in PDF format be provided either on DVD or USB storage device.

Photos accompanying the report should be referenced by number on an accurate key plan of the site and be provided in a TIFF format.

F – OCCUPATION OF THE SITE

- (1) (F009) All new and existing essential fire safety measures shall be maintained in working condition at all times.
- (2) (F010) Within each 12 months after completion of the building, the owner of the building must cause Council to be given an annual fire safety statement in accordance with Clause 177 of the Environmental Planning and Assessment Regulation 2000 for each measure listed in the schedule. The statement must only be in the form specified by clause 181 of the Regulation. A copy of the statement is to be given to the Commissioner of the New South Wales Fire Brigade and a copy is to be prominently displayed in the building.
- (3) (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.
- (4) (F024) Offensive noise as defined under the Protection of the Environment Operations Act 1997 shall not be generated as a result of the operation of the development.
- (5) (F036) Any exterior lighting (including illuminated signage) on the site shall be designed and installed so as not to cause a nuisance or adverse impact on the amenity of the surrounding area by light overspill. The lighting shall be the minimum level of illumination necessary for safe operation and must be designed, installed and used in accordance with AS 4282 control of the obtrusive effects of outdoor lighting. No flashing, moving or intermittent lighting is permitted on the site.

APPENDIX J – Architectural Plans

DEVELOPMENT APPLICATION
ROTARY PARK SCIENCE HUB
PORT MACQUARIE ASTRONOMICAL SOCIETY
ROTARY PARK, PORT MACQUARIE NSW 2444



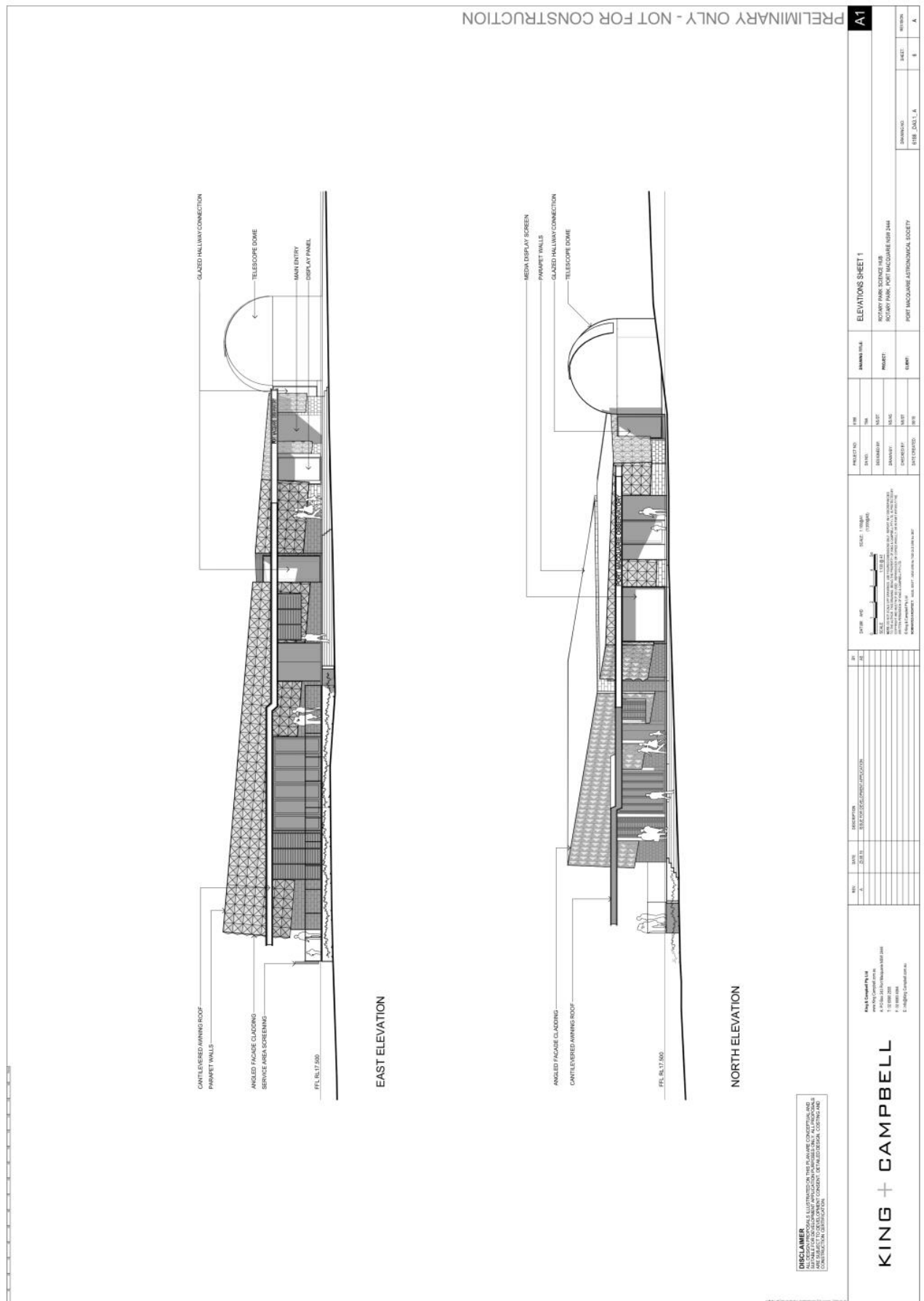
Layout _ Revision	Layout Name
	COVER SHEET
DA1.1_A	PROPOSED SITE PLAN
DA1.2_A	GROUND FLOOR PLAN AND LANDSCAPE PLAN
DA1.3_A	ROOF PLAN
	SECTIONS
DA2.1_A	ELEVATIONS SHEET 1
DA3.2_A	ELEVATIONS SHEET 2
DA5.1_A	PROPOSED STAGED WORKS SCHEDULE
DA7.1_A	PERSPECTIVE - SHEET 1
DA7.2_A	PERSPECTIVE - SHEET 2
DA7.3_A	PERSPECTIVE - SHEET 3
DA7.4_A	PERSPECTIVE - SHEET 4
DA7.5_A	PERSPECTIVE - SHEET 5
DA7.6_A	PERSPECTIVE - SHEET 6
DA7.7_A	PERSPECTIVE - SHEET 7

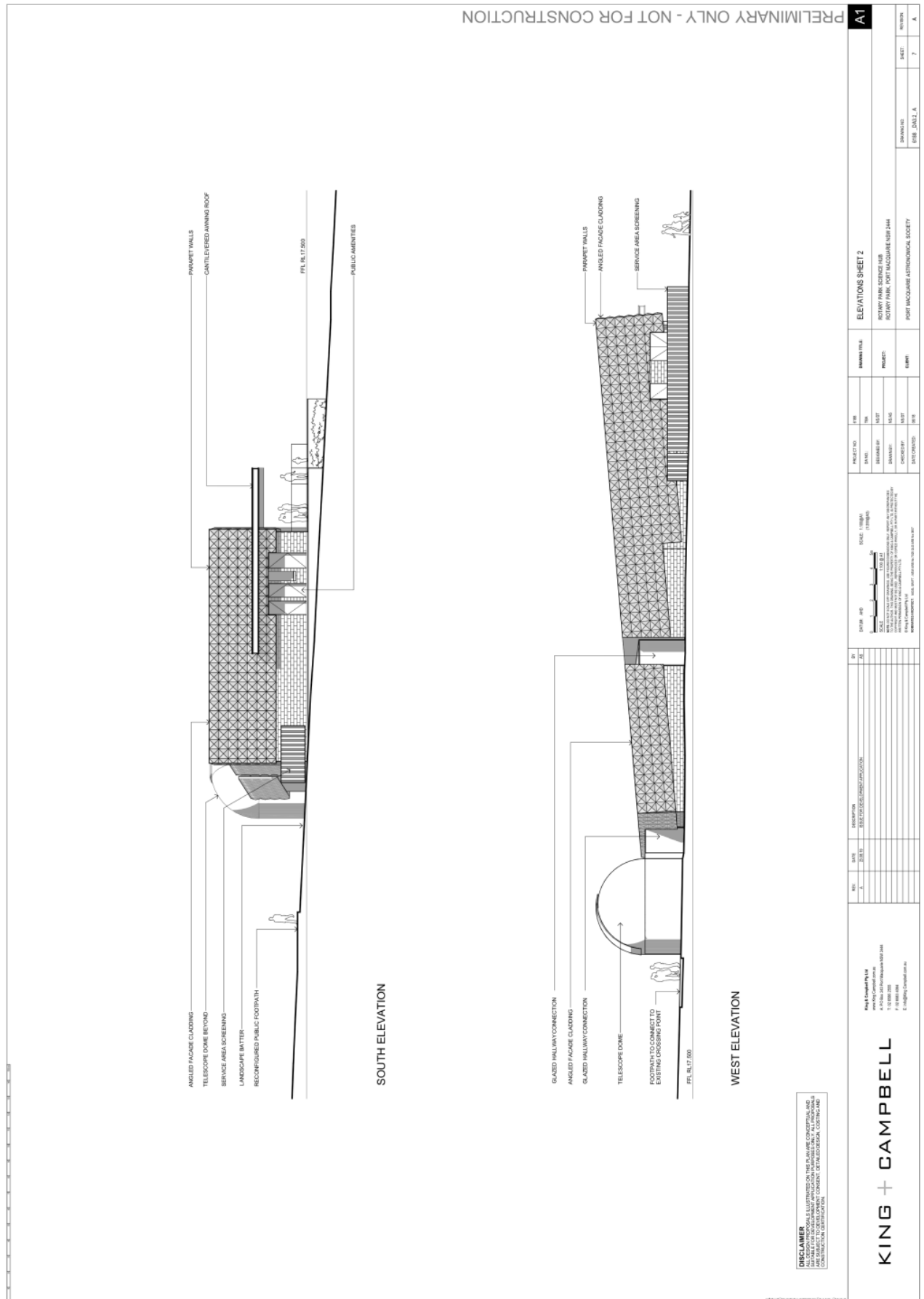
















KING + CAMPBELL

DISCLAIMER
THIS DOCUMENT IS A PRELIMINARY DESIGN AND SHOULD NOT BE USED FOR ANY OTHER PURPOSES WITHOUT THE WRITTEN CONSENT OF KING + CAMPBELL.

KING + CAMPBELL
King + Campbell Pty Ltd
A/C No 141 141/142/143/144/145/146/147/148/149/150/151/152/153/154/155/156/157/158/159/160/161/162/163/164/165/166/167/168/169/170/171/172/173/174/175/176/177/178/179/180/181/182/183/184/185/186/187/188/189/190/191/192/193/194/195/196/197/198/199/200/201/202/203/204/205/206/207/208/209/210/211/212/213/214/215/216/217/218/219/220/221/222/223/224/225/226/227/228/229/230/231/232/233/234/235/236/237/238/239/240/241/242/243/244/245/246/247/248/249/250/251/252/253/254/255/256/257/258/259/260/261/262/263/264/265/266/267/268/269/270/271/272/273/274/275/276/277/278/279/280/281/282/283/284/285/286/287/288/289/290/291/292/293/294/295/296/297/298/299/300/301/302/303/304/305/306/307/308/309/310/311/312/313/314/315/316/317/318/319/320/321/322/323/324/325/326/327/328/329/330/331/332/333/334/335/336/337/338/339/340/341/342/343/344/345/346/347/348/349/350/351/352/353/354/355/356/357/358/359/360/361/362/363/364/365/366/367/368/369/370/371/372/373/374/375/376/377/378/379/380/381/382/383/384/385/386/387/388/389/390/391/392/393/394/395/396/397/398/399/400/401/402/403/404/405/406/407/408/409/410/411/412/413/414/415/416/417/418/419/420/421/422/423/424/425/426/427/428/429/430/431/432/433/434/435/436/437/438/439/440/441/442/443/444/445/446/447/448/449/450/451/452/453/454/455/456/457/458/459/460/461/462/463/464/465/466/467/468/469/470/471/472/473/474/475/476/477/478/479/480/481/482/483/484/485/486/487/488/489/490/491/492/493/494/495/496/497/498/499/500/501/502/503/504/505/506/507/508/509/510/511/512/513/514/515/516/517/518/519/520/521/522/523/524/525/526/527/528/529/530/531/532/533/534/535/536/537/538/539/540/541/542/543/544/545/546/547/548/549/550/551/552/553/554/555/556/557/558/559/560/561/562/563/564/565/566/567/568/569/570/571/572/573/574/575/576/577/578/579/580/581/582/583/584/585/586/587/588/589/590/591/592/593/594/595/596/597/598/599/600/601/602/603/604/605/606/607/608/609/610/611/612/613/614/615/616/617/618/619/620/621/622/623/624/625/626/627/628/629/630/631/632/633/634/635/636/637/638/639/640/641/642/643/644/645/646/647/648/649/650/651/652/653/654/655/656/657/658/659/660/661/662/663/664/665/666/667/668/669/670/671/672/673/674/675/676/677/678/679/680/681/682/683/684/685/686/687/688/689/690/691/692/693/694/695/696/697/698/699/700/701/702/703/704/705/706/707/708/709/710/711/712/713/714/715/716/717/718/719/720/721/722/723/724/725/726/727/728/729/730/731/732/733/734/735/736/737/738/739/740/741/742/743/744/745/746/747/748/749/750/751/752/753/754/755/756/757/758/759/760/761/762/763/764/765/766/767/768/769/770/771/772/773/774/775/776/777/778/779/780/781/782/783/784/785/786/787/788/789/790/791/792/793/794/795/796/797/798/799/800/801/802/803/804/805/806/807/808/809/810/811/812/813/814/815/816/817/818/819/820/821/822/823/824/825/826/827/828/829/830/831/832/833/834/835/836/837/838/839/840/841/842/843/844/845/846/847/848/849/850/851/852/853/854/855/856/857/858/859/860/861/862/863/864/865/866/867/868/869/870/871/872/873/874/875/876/877/878/879/880/881/882/883/884/885/886/887/888/889/890/891/892/893/894/895/896/897/898/899/900/901/902/903/904/905/906/907/908/909/910/911/912/913/914/915/916/917/918/919/920/921/922/923/924/925/926/927/928/929/930/931/932/933/934/935/936/937/938/939/940/941/942/943/944/945/946/947/948/949/950/951/952/953/954/955/956/957/958/959/960/961/962/963/964/965/966/967/968/969/970/971/972/973/974/975/976/977/978/979/980/981/982/983/984/985/986/987/988/989/990/991/992/993/994/995/996/997/998/999/1000/1001/1002/1003/1004/1005/1006/1007/1008/1009/1010/1011/1012/1013/1014/1015/1016/1017/1018/1019/1020/1021/1022/1023/1024/1025/1026/1027/1028/1029/1030/1031/1032/1033/1034/1035/1036/1037/1038/1039/1040/1041/1042/1043/1044/1045/1046/1047/1048/1049/1050/1051/1052/1053/1054/1055/1056/1057/1058/1059/1060/1061/1062/1063/1064/1065/1066/1067/1068/1069/1070/1071/1072/1073/1074/1075/1076/1077/1078/1079/1080/1081/1082/1083/1084/1085/1086/1087/1088/1089/1090/1091/1092/1093/1094/1095/1096/1097/1098/1099/1100/1101/1102/1103/1104/1105/1106/1107/1108/1109/1110/1111/1112/1113/1114/1115/1116/1117/1118/1119/1120/1121/1122/1123/1124/1125/1126/1127/1128/1129/1130/1131/1132/1133/1134/1135/1136/1137/1138/1139/1140/1141/1142/1143/1144/1145/1146/1147/1148/1149/1150/1151/1152/1153/1154/1155/1156/1157/1158/1159/1160/1161/1162/1163/1164/1165/1166/1167/1168/1169/1170/1171/1172/1173/1174/1175/1176/1177/1178/1179/1180/1181/1182/1183/1184/1185/1186/1187/1188/1189/1190/1191/1192/1193/1194/1195/1196/1197/1198/1199/1200/1201/1202/1203/1204/1205/1206/1207/1208/1209/1210/1211/1212/1213/1214/1215/1216/1217/1218/1219/1220/1221/1222/1223/1224/1225/1226/1227/1228/1229/1230/1231/1232/1233/1234/1235/1236/1237/1238/1239/1240/1241/1242/1243/1244/1245/1246/1247/1248/1249/1250/1251/1252/1253/1254/1255/1256/1257/1258/1259/1260/1261/1262/1263/1264/1265/1266/1267/1268/1269/1270/1271/1272/1273/1274/1275/1276/1277/1278/1279/1280/1281/1282/1283/1284/1285/1286/1287/1288/1289/1290/1291/1292/1293/1294/1295/1296/1297/1298/1299/1300/1301/1302/1303/1304/1305/1306/1307/1308/1309/1310/1311/1312/1313/1314/1315/1316/1317/1318/1319/1320/1321/1322/1323/1324/1325/1326/1327/1328/1329/1330/1331/1332/1333/1334/1335/1336/1337/1338/1339/1340/1341/1342/1343/1344/1345/1346/1347/1348/1349/1350/1351/1352/1353/1354/1355/1356/1357/1358/1359/1360/1361/1362/1363/1364/1365/1366/1367/1368/1369/1370/1371/1372/1373/1374/1375/1376/1377/1378/1379/1380/1381/1382/1383/1384/1385/1386/1387/1388/1389/1390/1391/1392/1393/1394/1395/1396/1397/1398/1399/1400/1401/1402/1403/1404/1405/1406/1407/1408/1409/1410/1411/1412/1413/1414/1415/1416/1417/1418/1419/1420/1421/1422/1423/1424/1425/1426/1427/1428/1429/1430/1431/1432/1433/1434/1435/1436/1437/1438/1439/1440/1441/1442/1443/1444/1445/1446/1447/1448/1449/1450/1451/1452/1453/1454/1455/1456/1457/1458/1459/1460/1461/1462/1463/1464/1465/1466/1467/1468/1469/1470/1471/1472/1473/1474/1475/1476/1477/1478/1479/1480/1481/1482/1483/1484/1485/1486/1487/1488/1489/1490/1491/1492/1493/1494/1495/1496/1497/1498/1499/1500/1501/1502/1503/1504/1505/1506/1507/1508/1509/1510/1511/1512/1513/1514/1515/1516/1517/1518/1519/1520/1521/1522/1523/1524/1525/1526/1527/1528/1529/1530/1531/1532/1533/1534/1535/1536/1537/1538/1539/1540/1541/1542/1543/1544/1545/1546/1547/1548/1549/1550/1551/1552/1553/1554/1555/1556/1557/1558/1559/1560/1561/1562/1563/1564/1565/1566/1567/1568/1569/1570/1571/1572/1573/1574/1575/1576/1577/1578/1579/1580/1581/1582/1583/1584/1585/1586/1587/1588/1589/1590/1591/1592/1593/1594/1595/1596/1597/1598/1599/1600/1601/1602/1603/1604/1605/1606/1607/1608/1609/1610/1611/1612/1613/1614/1615/1616/1617/1618/1619/1620/1621/1622/1623/1624/1625/1626/1627/1628/1629/1630/1631/1632/1633/1634/1635/1636/1637/1638/1639/1640/1641/1642/1643/1644/1645/1646/1647/1648/1649/1650/1651/1652/1653/1654/1655/1656/1657/1658/1659/1660/1661/1662/1663/1664/1665/1666/1667/1668/1669/1670/1671/1672/1673/1674/1675/1676/1677/1678/1679/1680/1681/1682/1683/1684/1685/1686/1687/1688/1689/1690/1691/1692/1693/1694/1695/1696/1697/1698/1699/1700/1701/1702/1703/1704/1705/1706/1707/1708/1709/1710/1711/1712/1713/1714/1715/1716/1717/1718/1719/1720/1721/1722/1723/1724/1725/1726/1727/1728/1729/1730/1731/1732/1733/1734/1735/1736/1737/1738/1739/1740/1741/1742/1743/1744/1745/1746/1747/1748/1749/1750/1751/1752/1753/1754/1755/1756/1757/1758/1759/1760/1761/1762/1763/1764/1765/1766/1767/1768/1769/1770/1771/1772/1773/1774/1775/1776/1777/1778/1779/1780/1781/1782/1783/1784/1785/1786/1787/1788/1789/1790/1791/1792/1793/1794/1795/1796/1797/1798/1799/1800/1801/1802/1803/1804/1805/1806/1807/1808/1809/1810/1811/1812/1813/1814/1815/1816/1817/1818/1819/1820/1821/1822/1823/1824/1825/1826/1827/1828/1829/1830/1831/1832/1833/1834/1835/1836/1837/1838/1839/1840/1841/1842/1843/1844/1845/1846/1847/1848/1849/1850/1851/1852/1853/1854/1855/1856/1857/1858/1859/1860/1861/1862/1863/1864/1865/1866/1867/1868/1869/1870/1871/1872/1873/1874/1875/1876/1877/1878/1879/1880/1881/1882/1883/1884/1885/1886/1887/1888/1889/1890/1891/1892/1893/1894/1895/1896/1897/1898/1899/1900/1901/1902/1903/1904/1905/1906/1907/1908/1909/1910/1911/1912/1913/1914/1915/1916/1917/1918/1919/1920/1921/1922/1923/1924/1925/1926/1927/1928/1929/1930/1931/1932/1933/1934/1935/1936/1937/1938/1939/1940/1941/1942/1943/1944/1945/1946/1947/1948/1949/1950/1951/1952/1953/1954/1955/1956/1957/1958/1959/1960/1961/1962/1963/1964/1965/1966/1967/1968/1969/1970/1971/1972/1973/1974/1975/1976/1977/1978/1979/1980/1981/1982/1983/1984/1985/1986/1987/1988/1989/1990/1991/1992/1993/1994/1995/1996/1997/1998/1999/2000/2001/2002/2003/2004/2005/2006/2007/2008/2009/2010/2011/2012/2013/2014/2015/2016/2017/2018/2019/2020/2021/2022/2023/2024/2025/2026/2027/2028/2029/2030/2031/2032/2033/2034/2035/2036/2037/2038/2039/2040/2041/2042/2043/2044/2045/2046/2047/2048/2049/2050/2051/2052/2053/2054/2055/2056/2057/2058/2059/2060/2061/2062/2063/2064/2065/2066/2067/2068/2069/2070/2071/2072/2073/2074/2075/2076/2077/2078/2079/2080/2081/2082/2083/2084/2085/2086/2087/2088/2089/2090/2091/2092/2093/2094/2095/2096/2097/2098/2099/2100/2101/2102/2103/2104/2105/2106/2107/2108/2109/2110/2111/2112/2113/2114/2115/2116/2117/2118/2119/2120/2121/2122/2123/2124/2125/2126/2127/2128/2129/2130/2131/2132/2133/2134/2135/2136/2137/2138/2139/2140/2141/2142/2143/2144/2145/2146/2147/2148/2149/2150/2151/2152/2153/2154/2155/2156/2157/2158/2159/2160/2161/2162/2163/2164/2165/2166/2167/2168/2169/2170/2171/2172/2173/2174/2175/2176/2177/2178/2179/2180/2181/2182/2183/2184/2185/2186/2187/2188/2189/2190/2191/2192/2193/2194/2195/2196/2197/2198/2199/2200/2201/2202/2203/2204/2205/2206/2207/2208/2209/2210/2211/2212/2213/2214/2215/2216/2217/2218/2219/2220/2221/2222/2223/2224/2225/2226/2227/2228/2229/2230/2231/2232/2233/2234/2235/2236/2237/2238/2239/2240/2241/2242/2243/2244/2245/2246/2247/2248/2249/2250/2251/2252/2253/2254/2255/2256/2257/2258/2259/2260/2261/2262/2263/2264/2265/2266/2267/2268/2269/2270/2271/2272/2273/2274/2275/2276/2277/2278/2279/2280/2281/2282/2283/2284/2285/2286/2287/2288/2289/2290/2291/2292/2293/2294/2295/2296/2297/2298/2299/2300/2301/2302/2303/2304/2305/2306/2307/2308/2309/2310/2311/2312/2313/2314/2315/2316/2317/2318/2319/2320/2321/2322/2323/2324/2325/2326/2327/2328/2329/2330/2331/2332/2333/2334/2335/2336/2337/2338/2339/2340/2341/2342/2343/2344/2345/2346/2347/2348/2349/2350/2351/2352/2353/2354/2355/2356/2357/2358/2359/2360/2361/2362/2363/2364/2365/2366/2367/2368/2369/2370/2371/2372/2373/2374/2375/2376/2377/2378/2379/2380/2381/2382/2383/2384/2385/2386/2387/2388/2389/2390/2391/2392/2393/2394/2395/2396/2397/2398/2399/2400/2401/2402/2403/2404/2405/2406/2407/2408/2409/2410/2411/2412/2413/2414/2415/2416/2417/2418/2419/2420/2421/2422/2423/2424/2425/2426/2427/2428/2429/2430/2431/2432/2433/2434/2435/2436/2437/2438/2439/2440/2441/2442/2443/2444/2445/2446/2447/2448/2449/2450/2451/2452/2453/2454/2455/2456/2457/2458/2459/2460/2461/2462/2463/2464/2465/2466/2467/2468/2469/2470/2471/2472/2473/2474/2475/2476/2477/2478/2479/2480/2481/2482/2483/2484/2485/2486/2487/2488/2489/2490/2491/2492/2493/2494/2495/2496/2497/2498/2499/2500/2501/2502/2503/2504/2505/2506/2507/2508/2509/2510/2511/2512/2513/2514/2515/2516/2517/2518/2519/2520/2521/2522/2523/2524/2525/2526/2527/2528/2529/2530/2531/2532/2533/2534/2535/2536/2537/2538/2539/2540/2541/2542/2543/2544/2545/2546/2547/2548/2549/2550/2551/2552/2553/2554/2555/2556/2557/2558/2559/2560/2561/2562/2563/2564/2565/2566/2567/2568/2569/2570/2571/2572/2573/2574/2575/2576/2577/2578/2579/2580/2581/2582/2583/2584/2585/2586/2587/2588/2589/2590/2591/2592/2593/2594/2595/2596/2597/2598/2599/2600/2601/2602/2603/2604/2605/2606/2607/2608/2609/2610/2611/2612/2613/2614/2615/2616/2617/2618/2619/2620/2621/2622/2623/2624/2625/2626/2627/2628/2629/2630/2631/2632/2633/2634/2635/2636/2637/2638/2639/2640/2641/2642/2643/2644/2645/2646/2647/2648/2649/2650/2651/2652/2653/2654/2655/2656/2657/2658/2659/2660/2661/2662/2663/2664/2665/2666/2667/2668/2669/2670/2671/2672/2673/2674/2675/2676/2677/2678/2679/2680/2681/2682/2683/2684/2685/2686/2687/2688/2689/2690/2691/2692/2693/2694/2695/2696/2697/2698/2699/2700/2701/2702/2703/2704/2705/2706/2707/2708/2709/2710/2711/2712/2713/2714/2715/2716/2717/2718/2719/2720/2721/2722/272

[illegible]

[illegible]



DISCLAIMER
ALL DESIGN PROPOSALS ILLUSTRATED ON THIS PLAN ARE CONCEPTUAL AND SUITABLE FOR DEVELOPMENT APPLICATION PURPOSES ONLY. ALL PROPOSALS ARE SUBJECT TO DEVELOPMENT CONSENT, DETAILED DESIGN, COSTING AND CONSTRUCTION CERTIFICATION.

KING + CAMPBELL

King & Campbell Pty Ltd
www.king-campbell.com.au
A. 400 Ross St Port Macquarie NSW 2444
T 02 6590 2200
F 02 6593 4364
E. info@king-campbell.com.au

[illegible]



KING + CAMPBELL

DISCLAIMER
THIS DOCUMENT IS A PRELIMINARY DESIGN AND SHOULD NOT BE USED FOR ANY OTHER PURPOSES WITHOUT THE WRITTEN CONSENT OF KING + CAMPBELL. THE INFORMATION CONTAINED HEREIN IS NOT TO BE USED FOR ANY OTHER PURPOSES WITHOUT THE WRITTEN CONSENT OF KING + CAMPBELL.

KING + CAMPBELL
King + Campbell Pty Ltd
A/C No 141 141/142/143/144/145/146/147/148/149/150/151/152/153/154/155/156/157/158/159/160/161/162/163/164/165/166/167/168/169/170/171/172/173/174/175/176/177/178/179/180/181/182/183/184/185/186/187/188/189/190/191/192/193/194/195/196/197/198/199/200/201/202/203/204/205/206/207/208/209/210/211/212/213/214/215/216/217/218/219/220/221/222/223/224/225/226/227/228/229/230/231/232/233/234/235/236/237/238/239/240/241/242/243/244/245/246/247/248/249/250/251/252/253/254/255/256/257/258/259/260/261/262/263/264/265/266/267/268/269/270/271/272/273/274/275/276/277/278/279/280/281/282/283/284/285/286/287/288/289/290/291/292/293/294/295/296/297/298/299/300/301/302/303/304/305/306/307/308/309/310/311/312/313/314/315/316/317/318/319/320/321/322/323/324/325/326/327/328/329/330/331/332/333/334/335/336/337/338/339/340/341/342/343/344/345/346/347/348/349/350/351/352/353/354/355/356/357/358/359/360/361/362/363/364/365/366/367/368/369/370/371/372/373/374/375/376/377/378/379/380/381/382/383/384/385/386/387/388/389/390/391/392/393/394/395/396/397/398/399/400/401/402/403/404/405/406/407/408/409/410/411/412/413/414/415/416/417/418/419/420/421/422/423/424/425/426/427/428/429/430/431/432/433/434/435/436/437/438/439/440/441/442/443/444/445/446/447/448/449/450/451/452/453/454/455/456/457/458/459/460/461/462/463/464/465/466/467/468/469/470/471/472/473/474/475/476/477/478/479/480/481/482/483/484/485/486/487/488/489/490/491/492/493/494/495/496/497/498/499/500/501/502/503/504/505/506/507/508/509/510/511/512/513/514/515/516/517/518/519/520/521/522/523/524/525/526/527/528/529/530/531/532/533/534/535/536/537/538/539/540/541/542/543/544/545/546/547/548/549/550/551/552/553/554/555/556/557/558/559/560/561/562/563/564/565/566/567/568/569/570/571/572/573/574/575/576/577/578/579/580/581/582/583/584/585/586/587/588/589/590/591/592/593/594/595/596/597/598/599/600/601/602/603/604/605/606/607/608/609/610/611/612/613/614/615/616/617/618/619/620/621/622/623/624/625/626/627/628/629/630/631/632/633/634/635/636/637/638/639/640/641/642/643/644/645/646/647/648/649/650/651/652/653/654/655/656/657/658/659/660/661/662/663/664/665/666/667/668/669/670/671/672/673/674/675/676/677/678/679/680/681/682/683/684/685/686/687/688/689/690/691/692/693/694/695/696/697/698/699/700/701/702/703/704/705/706/707/708/709/710/711/712/713/714/715/716/717/718/719/720/721/722/723/724/725/726/727/728/729/730/731/732/733/734/735/736/737/738/739/740/741/742/743/744/745/746/747/748/749/750/751/752/753/754/755/756/757/758/759/760/761/762/763/764/765/766/767/768/769/770/771/772/773/774/775/776/777/778/779/780/781/782/783/784/785/786/787/788/789/790/791/792/793/794/795/796/797/798/799/800/801/802/803/804/805/806/807/808/809/810/811/812/813/814/815/816/817/818/819/820/821/822/823/824/825/826/827/828/829/830/831/832/833/834/835/836/837/838/839/840/841/842/843/844/845/846/847/848/849/850/851/852/853/854/855/856/857/858/859/860/861/862/863/864/865/866/867/868/869/870/871/872/873/874/875/876/877/878/879/880/881/882/883/884/885/886/887/888/889/890/891/892/893/894/895/896/897/898/899/900/901/902/903/904/905/906/907/908/909/910/911/912/913/914/915/916/917/918/919/920/921/922/923/924/925/926/927/928/929/930/931/932/933/934/935/936/937/938/939/940/941/942/943/944/945/946/947/948/949/950/951/952/953/954/955/956/957/958/959/960/961/962/963/964/965/966/967/968/969/970/971/972/973/974/975/976/977/978/979/980/981/982/983/984/985/986/987/988/989/990/991/992/993/994/995/996/997/998/999/1000/1001/1002/1003/1004/1005/1006/1007/1008/1009/1010/1011/1012/1013/1014/1015/1016/1017/1018/1019/1020/1021/1022/1023/1024/1025/1026/1027/1028/1029/1030/1031/1032/1033/1034/1035/1036/1037/1038/1039/1040/1041/1042/1043/1044/1045/1046/1047/1048/1049/1050/1051/1052/1053/1054/1055/1056/1057/1058/1059/1060/1061/1062/1063/1064/1065/1066/1067/1068/1069/1070/1071/1072/1073/1074/1075/1076/1077/1078/1079/1080/1081/1082/1083/1084/1085/1086/1087/1088/1089/1090/1091/1092/1093/1094/1095/1096/1097/1098/1099/1100/1101/1102/1103/1104/1105/1106/1107/1108/1109/1110/1111/1112/1113/1114/1115/1116/1117/1118/1119/1120/1121/1122/1123/1124/1125/1126/1127/1128/1129/1130/1131/1132/1133/1134/1135/1136/1137/1138/1139/1140/1141/1142/1143/1144/1145/1146/1147/1148/1149/1150/1151/1152/1153/1154/1155/1156/1157/1158/1159/1160/1161/1162/1163/1164/1165/1166/1167/1168/1169/1170/1171/1172/1173/1174/1175/1176/1177/1178/1179/1180/1181/1182/1183/1184/1185/1186/1187/1188/1189/1190/1191/1192/1193/1194/1195/1196/1197/1198/1199/1200/1201/1202/1203/1204/1205/1206/1207/1208/1209/1210/1211/1212/1213/1214/1215/1216/1217/1218/1219/1220/1221/1222/1223/1224/1225/1226/1227/1228/1229/1230/1231/1232/1233/1234/1235/1236/1237/1238/1239/1240/1241/1242/1243/1244/1245/1246/1247/1248/1249/1250/1251/1252/1253/1254/1255/1256/1257/1258/1259/1260/1261/1262/1263/1264/1265/1266/1267/1268/1269/1270/1271/1272/1273/1274/1275/1276/1277/1278/1279/1280/1281/1282/1283/1284/1285/1286/1287/1288/1289/1290/1291/1292/1293/1294/1295/1296/1297/1298/1299/1300/1301/1302/1303/1304/1305/1306/1307/1308/1309/1310/1311/1312/1313/1314/1315/1316/1317/1318/1319/1320/1321/1322/1323/1324/1325/1326/1327/1328/1329/1330/1331/1332/1333/1334/1335/1336/1337/1338/1339/1340/1341/1342/1343/1344/1345/1346/1347/1348/1349/1350/1351/1352/1353/1354/1355/1356/1357/1358/1359/1360/1361/1362/1363/1364/1365/1366/1367/1368/1369/1370/1371/1372/1373/1374/1375/1376/1377/1378/1379/1380/1381/1382/1383/1384/1385/1386/1387/1388/1389/1390/1391/1392/1393/1394/1395/1396/1397/1398/1399/1400/1401/1402/1403/1404/1405/1406/1407/1408/1409/1410/1411/1412/1413/1414/1415/1416/1417/1418/1419/1420/1421/1422/1423/1424/1425/1426/1427/1428/1429/1430/1431/1432/1433/1434/1435/1436/1437/1438/1439/1440/1441/1442/1443/1444/1445/1446/1447/1448/1449/1450/1451/1452/1453/1454/1455/1456/1457/1458/1459/1460/1461/1462/1463/1464/1465/1466/1467/1468/1469/1470/1471/1472/1473/1474/1475/1476/1477/1478/1479/1480/1481/1482/1483/1484/1485/1486/1487/1488/1489/1490/1491/1492/1493/1494/1495/1496/1497/1498/1499/1500/1501/1502/1503/1504/1505/1506/1507/1508/1509/1510/1511/1512/1513/1514/1515/1516/1517/1518/1519/1520/1521/1522/1523/1524/1525/1526/1527/1528/1529/1530/1531/1532/1533/1534/1535/1536/1537/1538/1539/1540/1541/1542/1543/1544/1545/1546/1547/1548/1549/1550/1551/1552/1553/1554/1555/1556/1557/1558/1559/1560/1561/1562/1563/1564/1565/1566/1567/1568/1569/1570/1571/1572/1573/1574/1575/1576/1577/1578/1579/1580/1581/1582/1583/1584/1585/1586/1587/1588/1589/1590/1591/1592/1593/1594/1595/1596/1597/1598/1599/1600/1601/1602/1603/1604/1605/1606/1607/1608/1609/1610/1611/1612/1613/1614/1615/1616/1617/1618/1619/1620/1621/1622/1623/1624/1625/1626/1627/1628/1629/1630/1631/1632/1633/1634/1635/1636/1637/1638/1639/1640/1641/1642/1643/1644/1645/1646/1647/1648/1649/1650/1651/1652/1653/1654/1655/1656/1657/1658/1659/1660/1661/1662/1663/1664/1665/1666/1667/1668/1669/1670/1671/1672/1673/1674/1675/1676/1677/1678/1679/1680/1681/1682/1683/1684/1685/1686/1687/1688/1689/1690/1691/1692/1693/1694/1695/1696/1697/1698/1699/1700/1701/1702/1703/1704/1705/1706/1707/1708/1709/1710/1711/1712/1713/1714/1715/1716/1717/1718/1719/1720/1721/1722/1723/1724/1725/1726/1727/1728/1729/1730/1731/1732/1733/1734/1735/1736/1737/1738/1739/1740/1741/1742/1743/1744/1745/1746/1747/1748/1749/1750/1751/1752/1753/1754/1755/1756/1757/1758/1759/1760/1761/1762/1763/1764/1765/1766/1767/1768/1769/1770/1771/1772/1773/1774/1775/1776/1777/1778/1779/1780/1781/1782/1783/1784/1785/1786/1787/1788/1789/1790/1791/1792/1793/1794/1795/1796/1797/1798/1799/1800/1801/1802/1803/1804/1805/1806/1807/1808/1809/1810/1811/1812/1813/1814/1815/1816/1817/1818/1819/1820/1821/1822/1823/1824/1825/1826/1827/1828/1829/1830/1831/1832/1833/1834/1835/1836/1837/1838/1839/1840/1841/1842/1843/1844/1845/1846/1847/1848/1849/1850/1851/1852/1853/1854/1855/1856/1857/1858/1859/1860/1861/1862/1863/1864/1865/1866/1867/1868/1869/1870/1871/1872/1873/1874/1875/1876/1877/1878/1879/1880/1881/1882/1883/1884/1885/1886/1887/1888/1889/1890/1891/1892/1893/1894/1895/1896/1897/1898/1899/1900/1901/1902/1903/1904/1905/1906/1907/1908/1909/1910/1911/1912/1913/1914/1915/1916/1917/1918/1919/1920/1921/1922/1923/1924/1925/1926/1927/1928/1929/1930/1931/1932/1933/1934/1935/1936/1937/1938/1939/1940/1941/1942/1943/1944/1945/1946/1947/1948/1949/1950/1951/1952/1953/1954/1955/1956/1957/1958/1959/1960/1961/1962/1963/1964/1965/1966/1967/1968/1969/1970/1971/1972/1973/1974/1975/1976/1977/1978/1979/1980/1981/1982/1983/1984/1985/1986/1987/1988/1989/1990/1991/1992/1993/1994/1995/1996/1997/1998/1999/2000/2001/2002/2003/2004/2005/2006/2007/2008/2009/2010/2011/2012/2013/2014/2015/2016/2017/2018/2019/2020/2021/2022/2023/2024/2025/2026/2027/2028/2029/2030/2031/2032/2033/2034/2035/2036/2037/2038/2039/2040/2041/2042/2043/2044/2045/2046/2047/2048/2049/2050/2051/2052/2053/2054/2055/2056/2057/2058/2059/2060/2061/2062/2063/2064/2065/2066/2067/2068/2069/2070/2071/2072/2073/2074/2075/2076/2077/2078/2079/2080/2081/2082/2083/2084/2085/2086/2087/2088/2089/2090/2091/2092/2093/2094/2095/2096/2097/2098/2099/2100/2101/2102/2103/2104/2105/2106/2107/2108/2109/2110/2111/2112/2113/2114/2115/2116/2117/2118/2119/2120/2121/2122/2123/2124/2125/2126/2127/2128/2129/2130/2131/2132/2133/2134/2135/2136/2137/2138/2139/2140/2141/2142/2143/2144/2145/2146/2147/2148/2149/2150/2151/2152/2153/2154/2155/2156/2157/2158/2159/2160/2161/2162/2163/2164/2165/2166/2167/2168/2169/2170/2171/2172/2173/2174/2175/2176/2177/2178/2179/2180/2181/2182/2183/2184/2185/2186/2187/2188/2189/2190/2191/2192/2193/2194/2195/2196/2197/2198/2199/2200/2201/2202/2203/2204/2205/2206/2207/2208/2209/2210/2211/2212/2213/2214/2215/2216/2217/2218/2219/2220/2221/2222/2223/2224/2225/2226/2227/2228/2229/2230/2231/2232/2233/2234/2235/2236/2237/2238/2239/2240/2241/2242/2243/2244/2245/2246/2247/2248/2249/2250/2251/2252/2253/2254/2255/2256/2257/2258/2259/2260/2261/2262/2263/2264/2265/2266/2267/2268/2269/2270/2271/2272/2273/2274/2275/2276/2277/2278/2279/2280/2281/2282/2283/2284/2285/2286/2287/2288/2289/2290/2291/2292/2293/2294/2295/2296/2297/2298/2299/2300/2301/2302/2303/2304/2305/2306/2307/2308/2309/2310/2311/2312/2313/2314/2315/2316/2317/2318/2319/2320/2321/2322/2323/2324/2325/2326/2327/2328/2329/2330/2331/2332/2333/2334/2335/2336/2337/2338/2339/2340/2341/2342/2343/2344/2345/2346/2347/2348/2349/2350/2351/2352/2353/2354/2355/2356/2357/2358/2359/2360/2361/2362/2363/2364/2365/2366/2367/2368/2369/2370/2371/2372/2373/2374/2375/2376/2377/2378/2379/2380/2381/2382/2383/2384/2385/2386/2387/2388/2389/2390/2391/2392/2393/2394/2395/2396/2397/2398/2399/2400/2401/2402/2403/2404/2405/2406/2407/2408/2409/2410/2411/2412/2413/2414/2415/2416/2417/2418/2419/2420/2421/2422/2423/2424/2425/2426/2427/2428/2429/2430/2431/2432/2433/2434/2435/2436/2437/2438/2439/2440/2441/2442/2443/2444/2445/2446/2447/2448/2449/2450/2451/2452/2453/2454/2455/2456/2457/2458/2459/2460/2461/2462/2463/2464/2465/2466/2467/2468/2469/2470/2471/2472/2473/2474/2475/2476/2477/2478/2479/2480/2481/2482/2483/2484/2485/2486/2487/2488/2489/2490/2491/2492/2493/2494/2495/2496/2497/2498/2499/2500/2501/2502/2503/2504/2505/2506/2507/2508/2509/2510/2511/2512/2513/2514/2515/2516/2517/2518/2519/2520/2521/2522/2523/2524/2525/2526/2527/2528/2529/2530/2531/2532/2533/2534/2535/2536/2537/2538/2539/2540/2541/2542/2543/2544/2545/2546/2547/2548/2549/2550/2551/2552/2553/2554/2555/2556/2557/2558/2559/2560/2561/2562/2563/2564/2565/2566/2567/2568/2569/2570/2571/2572/2573/2574/2575/2576/2577/2578/2579/2580/2581/2582/2583/2584/2585/2586/2587/2588/2589/2590/2591/2592/2593/2594/2595/2596/2597/2598/2599/2600/2601/2602/2603/2604/2605/2606/2607/2608/2609/2610/2611/2612/2613/2614/2615/2616/2617/2618/2619/2620/2621/2622/2623/2624/2625/2626/2627/2628/2629/2630/2631/2632/2633/2634/2635/2636/2637/2638/2639/2640/2641/2642/2643/2644/2645/2646/2647/2648/2649/2650/2651/2652/2653/2654/2655/2656/2657/2658/2659/2660/2661/2662/2663/2664/2665/2666/2667/2668/2669/2670/2671/2672/2673/2674/2675/2676/2677/2678/2679/2680/2681/2682/2683/2684/2685/2686/2687/2688/2689/2690/2691/2692/2693/2694/2695/2696/2697/2698/2699/2700/2701/2702/2703/2704/2705/2706/2707/2708/2709/2710/2711/2712/2713/2714/2715/



DISCLAIMER
ALL DESIGN PROPOSALS ARE ILLUSTRATED ON THIS PLAN ARE CONCEPTUAL AND NOT FOR DEVELOPMENT APPLICATION PURPOSES ONLY. ALL PROPOSALS ARE SUBJECT TO DEVELOPMENT CONSENT, DETAILED DESIGN, COSTING AND CONSTRUCTION CERTIFICATION.

KING + CAMPBELL

[illegible]

[illegible]



[illegible]

EXISTING

HEIGHT ABOVE GROUND 2.0m - LOW LEVEL - GROUND FLOOR

HEIGHT ABOVE GROUND 5.3m - MID LEVEL - 1ST FLOOR

HEIGHT ABOVE GROUND 7.7m - UPPER LEVEL - 2ND FLOOR

PROPOSED

HEIGHT ABOVE GROUND 2.0m - LOW LEVEL - GROUND FLOOR

HEIGHT ABOVE GROUND 5.3m - MID LEVEL - 1ST FLOOR

HEIGHT ABOVE GROUND 7.7m - UPPER LEVEL - 2ND FLOOR

NOTE:
EXISTING PHOTO LOCATIONS HAVE BEEN TAKEN USING
AERIAL DRONE PHOTOGRAPHY
LOW AND UPPER LEVELS ARE APPROX. STANDING
HEIGHTS (1.5m) AT BALCONY LEVELS OF CLOSEST
ADJACENT BUILDING.
DATE IMAGES TAKEN: 08/08/19

KING + CAMPBELL

Architects & Planners
Level 10, 100 Queen Street West
Toronto, Ontario M5H 2R9
Tel: 416.593.1111
Fax: 416.593.1112
E: info@kingandcambell.ca

NO.	DATE	REVISIONS
01	08/08/19	SUBMITTAL FOR PERMIT APPLICATION
02		
03		
04		
05		
06		
07		
08		
09		
10		
11		
12		
13		
14		
15		
16		
17		
18		
19		
20		
21		
22		
23		
24		
25		
26		
27		
28		
29		
30		

PROJECT NO.	FIRM	DRAWN BY	CHECKED BY	DATE PREPARED
2019-001	K+C	JL	JL	08/08/19
TITLE	SCALE	DATE	BY	CHKD
PROPOSED DEVELOPMENT	AS SHOWN	08/08/19	JL	JL
NOT TO SCALE				
FOR INFORMATION ONLY - NOT FOR CONSTRUCTION				
THIS DRAWING IS THE PROPERTY OF KING + CAMPBELL INC.				
IT IS TO BE USED ONLY FOR THE PROJECT AND SITE SPECIFICALLY IDENTIFIED HEREON.				
ANY REUSE OR MODIFICATION WITHOUT WRITTEN PERMISSION IS STRICTLY PROHIBITED.				
© 2019 KING + CAMPBELL INC.				

EXHIBIT Q3 - VIEW ANALYSIS - LOCATION @ 1/3 LORD STREET	ANALYST	PROJECT	CURVE	SECTION
ROYAL PARK SCIENCE HUB				
ADJACENT PARK, PORT MACDONALD RIVER DAM				
PORT MACDONALD ASTRONOMICAL SOCIETY				
DATE: 08/08/19				
SHEET: 24				
SECTION: 018 - L&L_A				
A				

PRELIMINARY ONLY - NOT FOR CONSTRUCTION

EXISTING		PROPOSED		HEIGHT ABOVE GROUND 2.9m - LOW LEVEL - GROUND FLOOR		HEIGHT ABOVE GROUND 6.0m - MID LEVEL - 1ST FLOOR		HEIGHT ABOVE GROUND 9.1m - UPPER LEVEL - 2ND FLOOR	
				HEIGHT ABOVE GROUND 2.9m - LOW LEVEL - GROUND FLOOR		HEIGHT ABOVE GROUND 6.0m - MID LEVEL - 1ST FLOOR		HEIGHT ABOVE GROUND 9.1m - UPPER LEVEL - 2ND FLOOR	
				HEIGHT ABOVE GROUND 2.9m - LOW LEVEL - GROUND FLOOR		HEIGHT ABOVE GROUND 6.0m - MID LEVEL - 1ST FLOOR		HEIGHT ABOVE GROUND 9.1m - UPPER LEVEL - 2ND FLOOR	

NOTE:
EXISTING PHOTO LOCATIONS HAVE BEEN TAKEN USING AERIAL DRONE PHOTOGRAPHY
LOW/MID/UPPER LEVELS ARE APPROX. STANDING HEIGHTS (1.5m) AT BALCONY LEVELS OF CLOSEST ADJACENT BUILDING.
DATE IMAGES TAKEN: 08/08/19

EXHIBIT 04 - VIEW ANALYSIS - LOCATION 03 (9 LORD STREET)

PROJECT NO.	DATE	PROJECT NAME	PROJECT LOCATION	PROJECT TYPE	PROJECT STATUS	PROJECT DESCRIPTION	PROJECT CONTACT	PROJECT ADDRESS	PROJECT PHONE	PROJECT EMAIL	PROJECT WEBSITE	PROJECT SOCIAL MEDIA	PROJECT NOTES

KING + CAMPBELL

King & Campbell Pty Ltd
A. King & Campbell Pty Ltd
1. 10/100/100
2. 10/100/100
3. 10/100/100

PRELIMINARY ONLY - NOT FOR CONSTRUCTION

A1

Item: 06

Subject: DA2019 - 896.1 - 3 LOT COMMUNITY TITLE SUBDIVISION AT LOT 105 DP 1212813, NO. 32 BOTANIC DRIVE, KEW

Report Author: Development Assessment Planner, Steven Ford

Applicant:	Declan Power CARE Love Project Management
Owner:	D P Power
Estimated Cost:	\$0
Parcel no:	65688

Alignment with Delivery Program

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

RECOMMENDATION

That DA2019 - 896 for a 3 Lot Community Title Subdivision at Lot 105, DP 1212813, No. 32 Botanic Drive, Kew, be determined by granting consent subject to the recommended conditions.

Executive Summary

This report considers a development application for a 3 lot community 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, 1 submission was received.

The site is considered suitable for the proposed development and the proposal adequately addresses relevant planning controls. The development is not considered to be contrary to the public's interest and will not result a significant adverse social, environmental or economic impact.

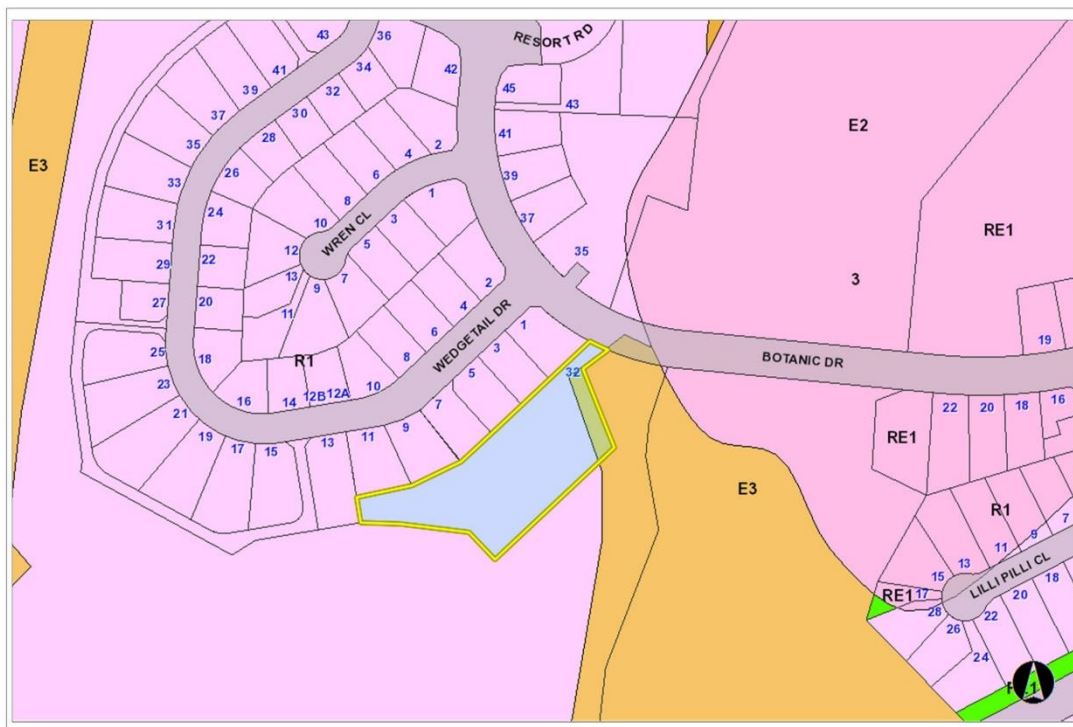
This report recommends that the development application be approved subject to the conditions in **Attachment 1**.

1. BACKGROUND

Existing Sites Features and Surrounding Development

The site has an area of 5,939m².

The site is zoned R1 General Residential and E3 Environmental Management 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:

- 3 Lot Community Title Subdivision;
- Proposed Lots vary from 847m², 1228m² and 3424m², all over the minimum lot size;
- A right of access is proposed over Lot 1 benefitting Lots 2 and 3; and
- Lots 2 and 3 have a building envelope to ensure adequate Flood Planning Levels and Bushfire Attack Levels are achievable for future development.

Refer to **Attachments 2 - 4** at the end of this report for plans of the proposed development.

Application Chronology

- 6 December 2019 - Application Lodged
- 19 December 2019 to 10 January 2020 - Public Notification Period, one submission received
- 11 February 2020 - Additional information and response to submission received
- 14 February 2020 - RFS terms of approval received
- 6 March 2020 - Amended Subdivision Plans received

3. STATUTORY ASSESSMENT**Section 4.15(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

With reference to clauses 6 and 7, the subject land is not greater than 1 hectare and therefore the provisions of SEPP do 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.

State Environmental Planning Policy (Coastal Management) 2018

The site is located within a coastal environment area.

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 13 of the SEPP the proposed development is not considered likely to result in any of the following:

- a) any adverse impact on integrity and resilience of the biophysical, hydrological (surface and groundwater) and ecological environment;
- b) any adverse impacts coastal environmental values and natural coastal processes;
- c) any adverse impact on marine vegetation, native vegetation and fauna and their habitats, undeveloped headlands and rock platforms;
- d) any adverse impact on Aboriginal cultural heritage, practices and places;
- e) any adverse impacts on the cultural and built environment heritage;
- f) any adverse impacts the use of the surf zone;
- g) any adverse impact on the visual amenity and scenic qualities of the coast, including coastal headlands;
- h) overshadowing, wind funnelling and the loss of views from public places to foreshores; and
- i) any adverse impacts on existing public open space and safe access to and along the foreshore, beach, headland or rock platform for members of the public, including persons with a disability.

In accordance with Clause 15 the proposal is not likely to cause increased risk of coastal hazards on the land or other land.

The scale of the proposed development is compatible with the surrounding coastal and built environment. The site is predominately cleared and located within an area zoned for residential purposes.

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 part R1 General Residential and part E3 Environmental Management.
- Clause 2.3(1) and the R1 zone landuse table - The proposed development for a community 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.

The objectives of the E3 zone are as follows:

- To protect, manage and restore areas with special ecological, scientific, cultural or aesthetic values.
- To provide for a limited range of development that does not have an adverse effect on those values.

- 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 4.1 - The lot sizes within the proposed subdivision range are 3,449.3m², 847m² and 1228m². All proposed lots comply with the minimum lot sizes identified in the Lot Size Map relating to the site.

- Clause 4.1AA - Minimum subdivision lot size for community title schemes. For proposed lots, the building envelope is wholly contained within the R1 zoned land and achieves the minimum lot size.
- Clause 4.1B – Minimum lot sizes for split zones. The site has a split zone, being R1 General Residential and E3 Environmental Management. This clause permits the subdivision of the land if one of the lots is not less than the minimum lots size and contains all of the land zoned E3. In addition, all other lots are wholly zoned R1 and are not less than the minimum lot size of 450m2. The proposal complies with this clause.
- Clause 4.2B - The development is within the specified zoning and can be subdivided by community title because the proposed lots meet the minimum lot size outlined in Clause 4.1B.
- Clause 5.10 – Heritage. The site does not contain or adjoin any known heritage items or sites of significance.
- Clause 5.16 - Subdivision of, or dwellings on, land in certain rural, residential or environment protection zones. The following table addresses the requirements of the clause:

Applicable clauses for consideration	Comments	Satisfactory
The existing uses and approved uses of land in the vicinity of the development - 5.16(4)(a)	Original lots is primarily zoned R1 General Residential with a currently approved dwelling and secondary dwelling	Yes
Whether or not the development is likely to have a significant impact on land uses that, in the opinion of the consent authority, are likely to be preferred and the predominant land uses in the vicinity of the development – 5.16(4)(b)	The adjoining land is predominately residential and undeveloped E3 zoned land to the east. It has been demonstrated that the APZ can be wholly contained within the lot boundary and will have minimal impact to the adjoining E3 land.	Yes
Whether or not the development is likely to be incompatible with a use referred to in paragraph (a) or (b) – 5.16(4)(c)	The proposed development is considered compatible with adjoining land.	Yes
Any measures proposed by the applicant to avoid or minimise any incompatibility referred to in paragraph (c) – 5.16(4)(d)	The proposed building envelopes are separated from the existing residential blocks to the north by an access handle providing separation.	Yes

- Clause 7.3 - The site is land within a mapped “flood planning area” (Land subject to flood discharge of 1:100 annual recurrence interval flood event (plus the applicable climate change allowance and relevant freeboard) In this regard the following comments are provided which incorporate consideration of the objectives of Clause 7.3, Council’s Flood Policy 2015, the NSW Government’s *Flood Prone Lands Policy* and the NSW Government’s *Floodplain Development Manual* (2005):

- 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 effect 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; and
- The proposal is not likely to result in unsustainable social and economic costs to the community as a consequence of flooding.
- 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. Provision of electricity will be subject to obtaining satisfactory arrangements certification prior to the issue of a Subdivision Certificate as recommended by a condition of consent.

(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: Chapter 3.6 - Subdivision			
DCP Objective	Development Provisions	Proposed	Complies
3.6.3.1	<p>A site analysis is required for all development and shall illustrate:</p> <ul style="list-style-type: none"> • microclimate; • lot dimensions; • north point; • existing contours and levels to AHD; • flood affected areas; • overland flow patterns, drainage and services; • any contaminated soils or filled areas, or areas of unstable land; • easements and/or connections for drainage and utility services; • identification of any existing trees and other significant vegetation; 	Satisfactory site analysis details submitted.	Yes

	<ul style="list-style-type: none"> • any existing buildings and other structures, including their setback distances; • heritage and archaeological features; • fences; • existing and proposed road network, including connectivity and access for all adjoining land parcels; • pedestrian and vehicle access; • views to and from the site; • overshadowing by neighbouring structures; and • any other notable features or characteristics of the site. 		
3.6.3.3	<p>Battleaxe lots discouraged in greenfield development.</p> <p>Council may consider permitting Torrens Title battleaxe allotments for —infill development where it is demonstrated that;</p> <ul style="list-style-type: none"> • a Torrens Title lot, that is <i>not</i> a battleaxe lot, <i>cannot</i> be achieved; and • the number of crossovers do not reduce the amenity of the street or on street parking; and • the impact of noise, dust and headlights on the land owners adjoining the driveway is addressed by the construction of an acoustic fence for the full length of the driveway; and • addresses privacy between the rear lot and the rear open space of the front lot by the provision of • adequate screening, larger lot size and 	N/A	N/A
		<p>The lot is a uniquely shaped lot, with a narrow street frontage. Subdivision of the proposed site can only be facilitated in a battleaxe shaped lot form. Note the battleaxe handle with have a right of carriageway for proposed Lots 2 and 3.</p>	Yes

	<ul style="list-style-type: none"> setbacks; and extends utilities to the end of the axe handle; and there is sufficient space for garbage collection on the frontage. 		
3.6.3.4	Lots are to be designed to allow the construction of a dwelling, which does not involve more than 1m cut, or fill, measured from natural ground level, outside the dwellings external walls.	All lots are capable of providing for a future dwelling with minimal cut and fill.	Yes
	Lot sizes increased for sloping sites in accordance with Table 3.6.1.	Lots sizes are greater than minimum 450m ²	Yes
	Additional information provided for slope categories in accordance with Table 3.6.2.	N/A	N/A
3.6.3.5	Wherever possible orientate streets to maximise the number of east, west and south facing lots and to minimise the number of narrow north facing lots. Residential street blocks should preferably be orientated north-south with dimensions generally limited to 60-80m by 120-150m as illustrated in Figure 3.6-2.	The existing site has a narrow street frontage. The street frontage will be unchanged, single vehicle crossover only. The proposed lot layout achieves a general north-south orientation satisfying this clause.	Yes
	Lot size and shape are to reflect orientation to ensure future dwelling construction has optimal opportunity for passive solar design.	Lot size and shape reflect orientation to ensure future dwelling construction has optimal opportunity for passive solar design.	Yes
3.6.3.6	Kerb and guttering, associated street drainage, pavement construction and foot paving across the street frontages should be constructed as part of the subdivision works where these do not exist (may be varied subject to criteria in this clause)	No new kerb and guttering proposed or required along Wedgetail Drive.	N/A
3.6.3.7	Subdivisions close to urban centres or along arterial roads serviced by public	The proposed subdivision will increase the lot yield as infill development.	Yes

	transport achieve yield of >35 dwellings per hectare.	Botanic Drive can be serviced by public transport.	
3.6.3.8	All new roads are to be dedicated to Council designed in accordance the Council's adopted AUSPEC design specification documents. All applications to subdivide land should include a road layout plan that meets the Council's design requirements including providing connectivity and access for all land parcels consistent with Council's road hierarchy.	No new roads Shared driveway only	N/A
3.6.3.11	Perimeter roads adjoining bushland should be designed in accordance with Figure 3.6-8 and may be considered part of the APZ requirements for the adjoining land.	N/A - however, note that a private perimeter shared driveway is proposed for the purposed community title subdivision as a fire trail, see bushfire report attached.	Yes
3.6.3.15	Cycling infrastructure should be provided in accordance with the Council's Cycling Plan.	No new footpaths or cycleways required	N/A
	Where physical infrastructure or land dedication cannot be provided or is not identified, a contribution in accordance with the Councils' contribution plan/s.	Development contributions applicable.	Yes
3.6.3.20	Water supply to meet Council's design specifications.	Refer to water comments below later in report.	Yes
3.6.3.21 - 3.6.3.22	All lots connected to reclaimed water if available.	Refer to water comments below later in report.	Yes
3.6.3.24	Separate sewer junction provided for each lot.	Refer to sewer comments below later in report.	Yes
3.6.3.25	Extension of sewer infrastructure at cost of developer.	Refer to sewer comments below later in report.	Yes
3.6.3.26 - 3.6.3.27	Erosion and sediment control plan to be provided.	Standard condition for site management to be applied for any works required.	Yes
3.6.3.28	Saving and re-using top soil and the incorporation of additives to improve existing soils is preferred to	Standard condition for site management to be applied for any works required.	Yes

	the importation of soils for landscaping.		
3.6.3.33	Lot layout should address areas of open space or public environmental management areas.	Proposed lot layout meets the objectives.	Yes
	Perimeter roads should border any area of open space or public environmental management areas.	The proposal includes a private perimeter shared driveway for bushfire protection purposes, as set out in the Bushfire Hazard Assessment report specifically for this subdivision proposal.	Yes
	An assessment against the generic elements of crime prevention through environmental design described in the <i>Crime Prevention Through Environmental Design</i> (CPTED) principles is provided with the subdivision application.	No adverse crime risk identified with lot layout relating to lots fronting an existing street.	Yes
3.6.3.34	All service infrastructure should be underground unless otherwise approved by Council.	Services underground. Standard condition recommended.	Yes
	All service infrastructure should be installed in a common trench.		
	Conduits for the main technology network system should be provided in all streets.		
	Conduits are to be installed in accordance with the National Broadband Network Company Limited's 'Guidelines for Fibre to the Premises Underground Deployment'.		
	Access pits are to be installed at appropriate intervals along all streets.	Satisfactory arrangements certification required.	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	No crime risk issues identified with design of subdivision.	Yes

	guideline: <ul style="list-style-type: none"> • Casual surveillance and sightlines • Land use mix and activity generators • Definition of use and ownership • Lighting • Way finding • Predictable routes and entrapment locations 		
2.4.3	Bushfire risk, Acid sulphate soils, Flooding, Contamination, Airspace protection, Noise and Stormwater	Refer to main body of report.	Yes
2.5.3.2	New accesses not permitted from arterial or distributor roads. Existing accesses rationalised or removed where practical	No existing access to main arterial or distributor road.	Yes
2.5.3.11	Developer contributions	Refer to main body of report.	

(iiia) Any planning agreement that has been entered into under section 7.4, or any draft planning agreement that a developer has offered to enter into under section 7.4

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

(iv) Any matters prescribed by the Regulations

N/A

(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 site has a general southern street frontage orientation to Botanic Drive. Adjoining the site to the north is an established residential subdivision.

Adjoining the site to the east is undeveloped E3 zoned land.

Adjoining the site to the south and west is undeveloped R1 General Residential zoned land

The proposal will not have any significant adverse impacts to existing adjoining properties or 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.

Roads

The site has road frontage to Botanic Drive. Botanic Drive is a sealed public road under the care and control of Council and has the capacity to serve the development.

Traffic and Transport

The site is currently approved for a Dwelling and Secondary dwelling use permitted to generate 14 daily trips. This development proposes to generate 28 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 and Access

Vehicle access to the site is proposed through a shared/community driveway with a right of access to Botanic Drive. Botanic Drive is a Council-owned public road. Access shall comply with Council AUSPEC and Australian Standards, and conditions have been imposed to reflect these requirements.

Parking and Manoeuvring

Parking and driveway widths on site are capable of complying 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 and conditions have been imposed to reflect these requirements.

Water Supply Connection

Council records indicate that the development site has an existing 20mm metered water service. The site is fronted by a 300mm diameter PVC water main on the same side of Botanic Drive.

Each individual lot shall be individually metered with the meters either located at an easily accessible location unless the water supply to the whole site is metered with a single larger meter with private meters at each lot. Details are to be provided on the hydraulic plans.

Final water service sizing will need to be determined by a hydraulic consultant to suit the development as well as addressing fire service coverage to AS 2419 and backflow protection.

Sewer Connection

Council records indicate that the development site has a junction from the existing sewer main which runs outside the northern boundary of the development site. The existing sewer junction shall be capped and a new junction installed at a location which can adequately service the entire development.

Stormwater

The site naturally grades towards southern boundary (rear) and is currently unserviced. On-site stormwater disposal is achievable on the site.

Other Utilities

Telecommunication and electricity services are available to the site.

Evidence of satisfactory arrangements with the relevant utility authorities for provision to each proposed lot will be required prior to Subdivision Certificate approval (**E068**).

Heritage

Following a site inspection and a search of Council, no known items of Aboriginal or European heritage significance exist on the property. No adverse impacts anticipated. The site is considered to be disturbed land due to previous subdivision works.

As a precaution, a condition of consent has been recommended that works are to cease in the unexpected event heritage items are found. Works can only recommence when appropriate approvals are obtained for management and/or removal of the heritage item.

Other land resources

The site is within an established urban context and will not sterilise any significant mineral or agricultural resource. Appropriate erosion control is capable of containing and runoff impacting adjoining environmental land.

Water cycle

The proposed development will not have any significant adverse impacts on water resources and the water cycle.

Soils

The proposed development will not have any significant 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 not result in any significant adverse impacts on the existing air quality or result in any pollution. Standard precautionary site management condition recommended.

Flora and fauna

The proposed subdivision and construction works will not require any removal/clearing of any native vegetation and therefore does not trigger the biodiversity offsets scheme. Part 7 of the Biodiversity Conservation Act 2016 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

No adverse impacts anticipated.

Noise and vibration

The construction and/or operations of the proposed development will not result in any significant adverse impacts on the existing air quality or result in any pollution. Standard precautionary site management condition recommended.

Bushfire

The site is identified as being bushfire prone.

The Applicant has submitted a bushfire report prepared by a Certified Consultant.

In accordance with Section 100B - *Rural Fires Act 1997* - the application proposes subdivision of bush fire prone land that could lawfully be used for residential purposes. As a result, the applicant has submitted a bushfire report prepared by a Certified Consultant. The report was forwarded to the NSW Rural Fire Service who have since issued a Bushfire Safety Authority, which will be incorporated into the consent.

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 future housing density will improve natural surveillance within the locality.

Social impacts in the locality

Given the nature of the proposed development and its location the proposal is not considered to have any significant adverse social impacts.

Economic impact in the locality

The proposal is not considered to have any significant adverse economic impacts on the locality. A likely positive impact is that the development will maintain employment in the construction industry, which will lead to flow impacts such as 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.

Construction

Construction impacts are considered capable of being managed, standard construction and site management conditions have been recommended.

Cumulative impacts

The proposed development is not considered to have any significant 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 and flooding have been adequately addressed and appropriate conditions of consent recommended.

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

One (1) written submission was received following public exhibition of the application. Copies of the written submission have been provided separately to members of the DAP.

Key issues raised in the submission received and comments are provided as follows:

Submission Issue/Summary	Planning Comment/Response
The site where the two additional lots are proposed, was filled-in and raised. The excess fill from the adjoining subdivision was used. Was there an application submitted to the Council for this work to proceed?	The proposal does not relate to any previous subdivision works within the locality.
The area of wetland included in the E3 LEP zone within and outside the owner's front or eastern boundary was severely cropped by a commercial contractor last year.	The proposal does not require removal of vegetation within the land zoned E3. Areas of E3 being referred to has a positive covenant on the Section 88B instrument, which relates to this area being maintained as an inner protection zone for the purposes of Bushfire protection for the adjoining lots to the North. The current owner is required to ensure the maintenance of this area.
The initial DA for the site was approved with the majority of the smaller secondary building outside the building envelope. Will the future owners of lots 2 & 3 be also allowed to build outside the designated building envelope.	This approval does not relate to the previous Council approval for a secondary dwelling. The current application being considered was accompanied by a bushfire report providing recommendations for a Bushfire Attack Level that can be reasonably achieve within the building envelope proposed. Future applications for dwellings will need to comply with the envelopes unless otherwise justified.
Immediately behind the common property boundary of Wedgetail Drive is a substantial drop to the owner's private roadway. (approx. 2.5mtr) It is very steep and have concern with the fence line as well as the Council sewer line will be impacted by soil erosion. The owner be advised to erect a substantial retaining wall along the steep sections as a matter of urgency.	The current application does not propose any substantial earthworks which would result in a retaining wall or impacting the existing boundary fence and existing embankment concerns. As there are no substantive earthworks proposed under this application, no further action is required by the Applicant. This is considered to be a civil matter between neighbours to resolve.
The design includes a right of carriageway which circumnavigates around most of the property boundary. The roadway is unnecessary within the E3 Zone.	The perimeter access is a requirement of the Planning for Bushfire Protection legislation and has been assessed as a necessity in the event of a bushfire occurring within the retained wetland vegetation south of the property. Such bushfire protection measures will also aid in containing any such fire and provides further protection to residential properties located north of the subject land. This perimeter road is also contained within the property boundary and will not lead to any removed of significant vegetation within the adjoining E3 zone as this is already managed as an Inner

Submission Issue/Summary	Planning Comment/Response
	Protection Zone for the adjoining subdivision to the north.
The owner should be required to provide a solid surface for the right of carriageway to prevent the existing dust and noise created by the existing roadway.	The portion of the right of carriageway which is to provide vehicular access for residents from Botanic Drive to their residential lots, will be via the bitumen driveway. This will be required to be completed prior to the release of any Subdivision Certificate.
The current access driveway crossing is too small for the additional traffic the development will generate. Encourage the developer to widen the road crossing entrance.	Council has adopted road crossing standards which are consistent with vehicular access standards. The proposal is compliant with Council's standards for servicing a community title development as is proposed. Therefore, there is no justified reason to require widening to the road crossing.

(e) The Public Interest

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

The proposed development satisfies relevant planning controls and will not have any significant adverse impacts 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 in accordance with Section 7.11 of the Environmental Planning and Assessment Act 1979 towards roads, open space, community cultural services, emergency services and administration buildings.
- A copy of the contributions estimate is included as **Attachment 5**.

5. CONCLUSION AND STATEMENT OF REASON

The application has been assessed in accordance with Section 4.15 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 considered suitable for the proposed development and the proposal adequately addresses relevant planning controls. The development is not considered to be contrary to the public's interest and will not result 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

- 1 [↓](#). DA2019 - 896.1 Recommended Conditions
- 2 [↓](#). DA2019 - 896.1 Draft Subdivision Plan
- 3 [↓](#). DA2019 - 896.1 Stormwater Management Plan
- 4 [↓](#). DA2019 - 896.1 Subdivision Concept Plan
- 5 [↓](#). DA2019 - 896.1 Contributions Estimate
- 6 [↓](#). DA2019 - 896.1 SOEE
- 7 [↓](#). DA2019 - 896.1 RFS General Terms of Approval

**FOR USE BY PLANNERS/SURVEYORS TO PREPARE LIST OF
PROPOSED CONDITIONS****NOTE: THESE ARE DRAFT ONLY****DA NO: 2019/896****DATE: 17/03/2020****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
Proposed Subdivision Layout Plan	Sheets 1	Robert Smallwood Building Plans	undated
Plan of subdivision (draft)	Sheet 1		Undated
Stormwater Management Plan	190120	Flood Works	27 August 2019
Statement of Environmental Effects	6690	Michelle Love	December 2019

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) (A003) The proponent shall submit an application for a Subdivision Certificate for Council certification with all relevant documentation.
- (3) (A004) An application for a Subdivision Works Certificate will be required to be lodged with Council prior to undertaking subdivision works and a Subdivision Certificate is required to be lodged with Council on completion of works.
- (4) (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 appropriate receptacles into separate waste streams;
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 holidaysThe 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) (A013) The general terms of approval from the following authorities, as referred to in section 4.50 of the Environmental Planning and Assessment Act 1979, and referenced below, are attached and form part of the consent conditions for this approval.
 - **NSW Rural Fire Service** - The General Terms of Approval, Reference DA20191224001622 and dated 14 February 2020, are attached and form part of this consent.
- (9) (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.

- (10) (A044) The secondary dwelling shall be provided with a water service from the same meter as the principal dwelling. Any additional water service will incur contributions for augmentation of the town water supply headworks in accordance with the provisions of the relevant Section 64 Development Servicing Plan.

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 Subdivision Works Certificate or Construction Certificate detailed design plans for the following works associated with the developments. Public infrastructure works shall be constructed in accordance with Port Macquarie-Hastings Council's current AUSPEC specifications and design plans are to be accompanied by AUSPEC DQS:
1. Sewerage reticulation.
 2. Water supply reticulation.
 3. Provision of fire trails with the current version of *Planning for Bush Fire Protection*.
- (3) (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.
- (4) (B072) A stormwater drainage design is to be submitted and approved by Council prior to the issue of a Subdivision Works Certificate or Construction Certificate. The design must be prepared in accordance with Council's AUSPEC Specifications, Australian Rainfall and Runoff 2019, the requirements of Relevant Australian Standards.
- (5) (B195) Council records indicate that the development site has an existing 20mm metered water service. The site is fronted by a 300mm diameter PVC water main on the same side of Botanic Drive.
- (6) (B196) Each individual unit shall be individually metered with the meters either located at an easily accessible location unless the water supply to the whole site is metered with a single larger meter with private meters at each unit. Details are to be provided on the hydraulic plans.

- (7) (B197) Final water service sizing will need to be determined by a hydraulic consultant to suit the domestic and commercial components of the development, as well as fire service and backflow protection requirements.
- (8) (B198) Council records indicate that the development site has a junction from the existing sewer main which runs outside the northern boundary of the development site. The existing sewer junction shall be capped and a new junction installed at a location which can adequately service the entire development.
- (9) Council records indicate that the development site has an existing 20mm metered water service. The site is fronted by a 300mm diameter PVC water main on the same side of Botanic Drive.
- (10) Each individual lot shall be individually metered with the meters either located at an easily accessible location unless the water supply to the whole site is metered with a single larger meter with private meters at each unit. Details are to be provided on the hydraulic plans.
- (11) Final water service sizing will need to be determined by a hydraulic consultant to suit the domestic components of the development, as well as fire service and backflow protection requirements.
- (12) Council records indicate that the development site has a junction from the existing sewer main which runs outside the northern boundary of the development site. The existing sewer junction shall be capped and a new junction installed at a location which can adequately service the entire development.

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

D – DURING WORK

- (1) (D001) Development works on public property or works to be accepted by Council as an infrastructure asset are not to proceed past the following hold points without inspection and approval by Council. Notice of required inspection must be given 24 hours prior to inspection, by contacting Council's Customer Service Centre on (02) 6581 8111. You must quote your Construction Certificate number and property description to ensure your inspection is confirmed:
 - a. when trenches are open, stormwater/water/sewer pipes and conduits jointed and prior to backfilling;
 - b. prior to the pouring of concrete for sewerage works and/or works on public property;

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

- (2) (D033) Should any Aboriginal objects be discovered in any areas of the site then all excavation or disturbance to the area is to stop immediately and the National Parks and Wildlife Service, Department of Environment and Conservation is to be informed in accordance with Section 91 of the *National Parks and Wildlife Act 1974*. Subject to an assessment of the extent, integrity and significance of any exposed objects, applications under either Section 87 or Section 90 of the *National Parks and Wildlife Act 1974* may be required before work resumes.

E – PRIOR TO OCCUPATION OR THE ISSUE OF SUBDIVISION CERTIFICATE

- (1) (E008) Payment to Council, prior to the issue of the Subdivision Certificate of the Section 7.11 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:

- Port Macquarie-Hastings Administration Building Contributions Plan 2007
- Hastings S94 Administration Levy Contributions Plan
- Port Macquarie-Hastings Open Space Contributions Plan 2018
- Hastings S94 Major Roads Contributions Plan
- Port Macquarie-Hastings Community Cultural and Emergency Services Contributions Plan 2005
- Port Macquarie-Hastings Section 94 Local Roads Contributions Plan Areas 13, 14 and 15

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.

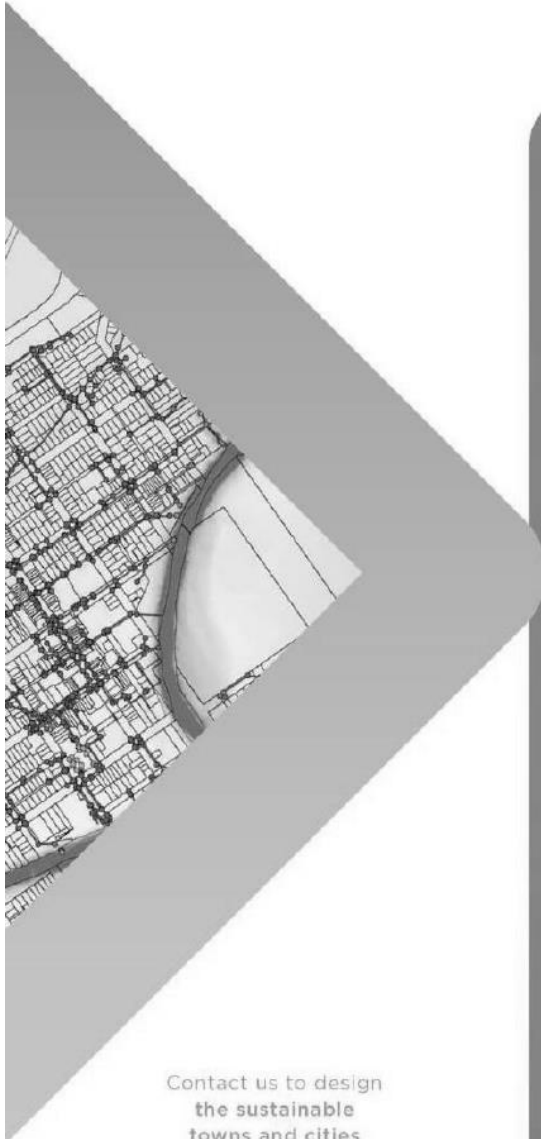
The attached "Notice of Payment" is valid for the period specified on the Notice only. The contribution amounts shown on the Notice are subject to adjustment in accordance with CPI increases adjusted quarterly and the provisions of the relevant plans. Payments can only be made using a current "Notice 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.

- (2) (E009) As part of Notice of Requirements by Port Macquarie-Hastings Council as the Water Authority under Section 306 of the Water Management Act 2000, the payment of a cash contribution, prior to the issue of a Subdivision Certificate, of the Section 64 contributions, as set out in the "Notice of Payment – Developer Charges" schedule attached to this consent 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 sewerage system headworks
 - augmentation of the town sewerage system headworks
- (3) (E010) Driveways, access aisles and parking areas shall be provided with surface. Such a surface shall be on a suitable pavement, constructed and maintained in accordance with Council's Development, Design and Construction Manuals (as amended).

- (4) (E013) Restrictions and/or positive covenant must be provided over the overland flow path for on site detention storage areas with appropriate public awareness signage.
- (5) (E044) The applicant will be required to submit prior to occupation or the issue of the Certificate, certification by a Registered Surveyor that the development has met the necessary flood planning levels specified in this consent.
- (6) (E082) Submission of a compliance certificate accompanying Works as Executed plans with detail included as required by Council's current AUSPEC Specifications. The information is to be submitted in electronic format in accordance with Council's "CADCHECK" requirements detailing all infrastructure for Council to bring in to account its assets under the provisions of AAS27. This information is to be approved by Council prior to issue of the Subdivision or Occupation Certificate. The copyright for all information supplied, shall be assigned to Council.
- (7) (E195) Prior to the release of the subdivision certificate a right of access is to be shown for the perimeter road in accordance with the Bush Hazard Assessment and the approved proposed subdivision layout plan.
- (8S) (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.

[illegible]

REPORT



Contact us to design
the sustainable
towns and cities
of tomorrow.



FLOODWORKS

FLOODWORKS Lismore NSW
m +61 474 793 362
e derek.mackenzie@floodworks.com.au
www.floodworks.com.au

32 BOTANIC DRIVE KEW, NSW
STORMWATER
MANAGEMENT PLAN
DECLAN POWER

Our Ref: 190120

Revision: 00

Date: 27 August 2019



Important Note

This report and all its components (including images, audio, video, text) is copyright. Apart from fair dealing for the purposes of private study, research, criticism or review as permitted under the Copyright Act 1968, no part may be reproduced, copied, transmitted in any form or by any means (electronic, mechanical or graphic) without the prior written permission of The Trustee for Engineering and Environmental Services t/a Floodworks.

This report has been prepared for the sole use the client, for a specific site (herein 'the site', the specific purpose specified in Section 1 of this report (herein 'the purpose'). This report is strictly limited for use by the client, to the purpose and site and may not be used for any other purposes.

Third parties, excluding regulatory agencies assessing an application in relation to the purpose, may not rely on this report. The Trustee for Engineering and Environmental Services t/a Floodworks waives all liability to any third party loss, damage, liability or claim arising out of or incidental to a third party publishing, using or relying on the facts, content, opinions or subject matter contained in this report.

The Trustee for Engineering and Environmental Services t/a Floodworks waives all responsibility for loss or damage where the accuracy and effectiveness of information provided by the Client or other third parties was inaccurate or not up to date and was relied upon, wholly or in part in reporting.



Document Control Register

Engineering and Environmental Services Trust t/a FloodWorks ABN 57 619 124 369
PO Box 823 Lismore NSW 2480

T 0474 793 362 | office@floodworks.com.au | www.floodworks.com.au

Version Register

Version	Status	Author	Reviewer	Change from Previous Version	Authorised for Release	
					Signature	Date
00	Draft	TP	DM		<i>D. Mackenzie</i>	21/08/2019
00	For Issue	TP	DM		<i>D. Mackenzie</i>	27/08/2019

Transmission Register

Controlled copies of this document are issued to the persons/companies listed below. Any copy of this report held by persons not listed in this register is deemed uncontrolled. Updated versions of this report if issued will be released to all parties listed below via the email address listed.

Name	Email Address
Declan Power	powerd@webone.com.au



Executive Summary

FloodWorks has been engaged by Declan Power to prepare a Stormwater Management Plan (SMP) for the proposed Community Title Subdivision Development over 32 Botanic Drive Kew, NSW, properly described as Lot 105 DP1212813, known herein as the subject site. The subject site is within the Port Macquarie-Hastings Council Local Government Area (LGA).

Specifically, the development will incorporate:

- Stormwater quality objectives will be achieved through the Rainwater Reuse connected to toilet and gardens;
- Bioretention Rain gardens
- No On Site Detention is required for this site (Pers Comm PMHC, 31/7/19)

The above design complies with Port Macquarie-Hastings Council DCP D7-Stormwater-Management.



Table of Contents

1.	Introduction	5
1.1.	Background	5
1.2.	Scope	5
1.3.	Objectives	5
1.4.	Description of Subject Site	5
1.5.	Topography and Stormwater Conveyance	6
1.6.	Rainfall	6
1.7.	Soils	6
1.8.	Description of Development	6
2.	Stormwater Quality	8
2.1.	Water Quality Objectives	8
2.2.	Water Quality Concept	8
2.3.	MUSIC Source Node Parameters	8
2.4.	Water Reuse Parameters	9
2.5.	Rainfall Threshold	9
2.6.	Surface Types	9
2.6.1.	Effective Impervious Areas (EIA)	10
2.7.	Contributing Catchments	10
2.8.	Treatment Train	10
2.9.	MUSIC Schematic	11
2.10.	MUSIC Results	11
3.	Summary	13
4.	References	14

Figures

Figure 1.1	Aerial Imagery of Subject Site	6
Figure 1.2	Proposed Plan of Development	7
Figure 2.1	Port Macquarie-Hastings Council Stormwater Quality Objectives	8
Figure 2.2	Proposed Stormwater Treatment Train	10
Figure 2.3	Subject Site Music Schematic and Treatment Train	11
Figure 2.4	MUSIC Results for LPD_A	11

Tables

Table 2.1	Source Node Pollutant Values	9
Table 2.2	Water Reuse	9
Table 2.3	Rainfall Threshold	9
Table 2.4	Surface Type EIA Node Factors (for Source Nodes <10Ha)	10
Table 2.5	Effective Impervious Areas	10
Table 2.6	Sub Catchments – Effective Impervious Areas	10
Table 2.8	Treatment Train Effectiveness	11
Table 2.9	Proposed System Parameters used in Stormwater Quantity Assessment	12

Appendix

Appendix A – Stormwater Management Plans



1. Introduction

1.1. Background

FloodWorks has been engaged by Declan Power to prepare a Stormwater Management Plan (SMP) for the proposed Community Title Subdivision Development over 32 Botanic Drive Kew, NSW (Lot 105 DP1212813), known here in as the subject site.

1.2. Scope

Specifically, this report details the following:

- a. Conceptual Stormwater Management Plan (SMP);
- b. Stormwater quality assessment (MUSIC);
- c. Water sensitive urban concept design.

To minimise the impact of the proposed development on the external sensitive environment the proponent shall implement this SMP. To avoid significant and/or sustained deterioration in downstream water quality, this SMP may be amended as required.

1.3. Objectives

The objective of this SMP is to ensure that there is no worsening of stormwater quality nor any reduction in the environmental values of the downstream receiving waters as a result of activities on the subject site in compliance with the Port Macquarie-Hastings Council Development Control Plan (DCP) 2004.

This objective will be achieved through the implementation of:

- Management strategies designed to minimise water pollution from the development of the subject site

1.4. Description of Subject Site

The subject site is located on 32 Botanic Drive, Kew, within Port Macquarie-Hastings Council, NSW, properly described as Lot 105 on DP1212813. The total site area occupies approximately 2512 m², with a developable area of 809 m² for roof.

The site is bounded by Botanic Drive to the northeast. The site is mainly covered by grass.

Refer to Figure 1.1 for the location and aerial imagery of the subject site.



Figure 1.1 Aerial Imagery of Subject Site

1.5. Topography and Stormwater Conveyance

The site's highest elevation of 3.8m AHD is located in the northwest of the site and lowest elevation of 1.8m AHD is located in the southeast corner. The site's north-western and western areas grade towards the south-eastern corner.

1.6. Rainfall

Intensity Frequency Duration (IFD) data has been derived using the Bureau of Meteorology (BOM) IFD generator. The IFD data is derived in accordance with Australian Rainfall and Runoff 2019 (ARR, 2019) and has been used in determining the peak flow rates from the site.

An additional 3-years of 1-day interval data was obtained for Coastal and applied to the water quality modelling undertaken as part of this assessment. The data indicates the mean annual rainfall and evapotranspiration between 1972 and 1975 was 1752mm/year and 1484mm/year respectively.

1.7. Soils

Native soils were identified as having a high water table and is therefore unsuitable for infiltration. (JD Geotech 30/7/19)

1.8. Description of Development

The proposed development will be Community Title subdivision development with 2 proposed lots. The site entry is from Botanic Drive to the south through an existing sealed driveway. Building envelopes for proposed Lots 2 and 3 are shown coloured yellow and green respectively. These building areas are consistent with the Asset Protection Zones identified for the previous consent, and also based on the preliminary advice from the bushfire consultant for this subdivision proposal. The total developed area is approximately 809m².

The development proposes to use Water Sensitive Urban Design (WSUD) measures to control and treat stormwater as per Councils planning guidelines. The proposed development layout is illustrated in Figure 1.2 below.

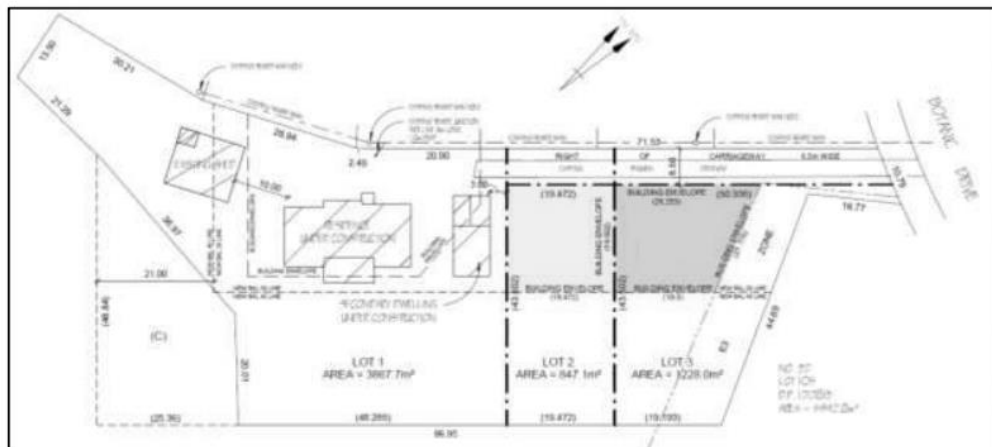


Figure 1.2 Proposed Plan of Development



2. Stormwater Quality

To minimise the potential adverse impacts, the proposed development will reduce contamination in stormwater runoff through the incorporation of Water Sensitive Urban Design (WSUD) measures.

2.1. Water Quality Objectives

As indicated in the Port Macquarie-Hastings Council DCP, all stormwater drainage systems shall be designed to achieve the following Water Quality Objectives (WQO's) as detailed in Figure 2.1.

Table D7. 7 Stormwater Treatment Pollutant Load (ARQ 2003)			
Pollutant	Objective	Pollutant	Objective
Suspended Solids SS	80% retention of average annual load	Sediment	100% retention of sediment greater than 0.125mm for flows up to the 3 month ARI peak flow
Total Phosphorus (TP)	45% retention of average annual load	Oil & Grease	No visible oils for flows up to the 3 month ARI peak flow
Total Nitrogen (TN)	45% retention of average annual load		
Litter	100% retention of litter greater than 5 mm for flows up to the 3 month ARI peak flow		

Figure 2.1 Port Macquarie-Hastings Council Stormwater Quality Objectives

2.2. Water Quality Concept

The MUSIC water quality assessment has been completed as per the *Draft NSW Music Modelling Guidelines* (NSW Sydney CMA, 2010), and the *Music Modelling Guidelines for South East Queensland* (Music by Design, 2006).

To achieve the above water quality objectives, it is proposed to have water reuse via a BASIX minimum 5KL rainwater tank per dwelling. All water in excess of the tank capacity will be directed to end of pipe bioretention – rain garden for treatment.

2.3. MUSIC Source Node Parameters

The MUSIC modelling algorithm used to generate urban runoff is based from the following sources. In accordance with best modelling practice the developed sub-catchments were further separated into the effective contributing impervious areas of Roof. Source node pollutant values are listed in Table 2.1.



Table 2.1 Source Node Pollutant Values

Urban Residential	Total Suspended Solids (log mg/L)		Total Phosphorous (log mg/L)		Total Nitrogen (log mg/L)	
	Mean	Std Dev.	Mean	Std Dev.	Mean	Std Dev.
Storm Flow Concentration	1.30 ⁽¹⁾	0.32	-0.89 ⁽¹⁾	0.25	0.30 ⁽¹⁾	0.19
	2.15 ⁽²⁾		-0.60 ⁽²⁾		0.30 ⁽²⁾	
Base Flow Concentration	0 ⁽¹⁾	0 ⁽¹⁾	0 ⁽¹⁾	0 ⁽¹⁾	0 ⁽¹⁾	0 ⁽¹⁾
	1.2 ⁽²⁾		-0.85 ⁽²⁾		0.11 ⁽²⁾	0.12 ⁽²⁾

NOTE: (1) Values applied to "Roof" areas
(2) Values applied to "Ground" areas

2.4. Water Reuse Parameters

Water Reuse is an important component of Water Sensitive urban design and has been included as per Table 2.2 below (CMA, 2010). Rainwater Tanks are a standard 5KL BASIX rainwater tank per dwelling.

Table 2.2 Water Reuse

End Use	Daily Internal Use in KL/Day/Dwelling
Indoor Uses: All uses	629
Outdoor Uses: All uses	88
* 2.35 occupants per dwelling	

2.5. Rainfall Threshold

The rainfall threshold has been defined as per Table 2.3 (CMA, 2010).

Table 2.3 Rainfall Threshold

Land Use Type	Rainfall Threshold (mm)
Land Use Zoning	
For all Land Use (Residential, rural res, etc)	1.0
Surface Type	
Roofs	0.3
Sealed Roads, driveways Paths, paving	1.5

2.6. Surface Types

In accordance with best modelling practice the developed sub-catchments were further separated into the Effective Impervious Areas.



2.6.1. Effective Impervious Areas (EIA)

Effective Impervious Area (EIA) is the area that will directly contribute flow to the drainage network. These areas will be “effective” in generating runoff which will be delivered rapidly at the catchment outlet during a rainfall event, as per Table 2.4.

Table 2.4 Surface Type EIA Node Factors (for Source Nodes <10Ha)

Surface Types (CMA, 2010 Table 3-5)	EIA Factor
Roofs	1.0 x TA

TA = Total site/Catchment/surface area; TIA = Total Impervious Area; CMA, 2010

Table 2.5 below lists the post developed effective impervious area for sub-catchment.

Table 2.5 Effective Impervious Areas

Sub catchment	Sub Catchment Area (ha)	EIA Factor	Effective Impervious Area (ha)
Roof	0.0809	1	0.0809
TOTAL	0.0809		0.0809

2.7. Contributing Catchments

Table 2.6 below lists the post development effective impervious areas for each sub-catchment.

Table 2.6 Sub Catchments – Effective Impervious Areas

Sub Catchment	Contributing Sub Catchments	Effective Contributing Area (m ²)	Total (m ²)
A	Roof	809	809

2.8. Treatment Train

To ensure the above WQO's can be met at the site's Lawful Point of Discharge (LPD), a treatment train was proposed for the developed site and modelled using the Model for Urban Stormwater Improvement Conceptualisation (MUSIC) software. The proposed treatment train for operational phase of the development is presented schematically in Figure 2.2.

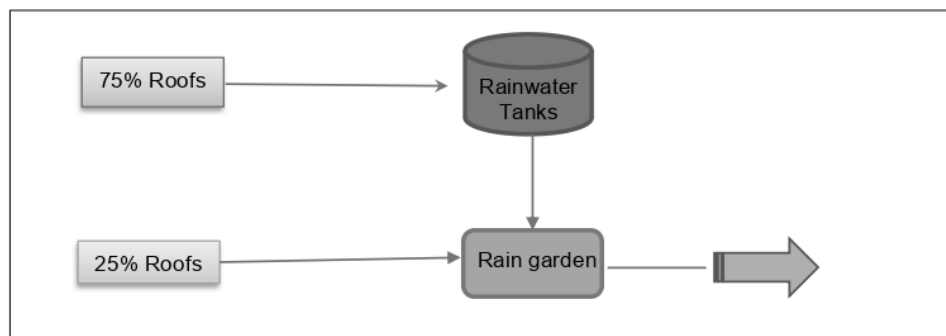


Figure 2.2 Proposed Stormwater Treatment Train



2.9. MUSIC Schematic

Figure 2.3 below shows the arrangement of the water quality treatment measures for the subject site to be used in satisfaction of the Port Macquarie-Hastings Council DCP.

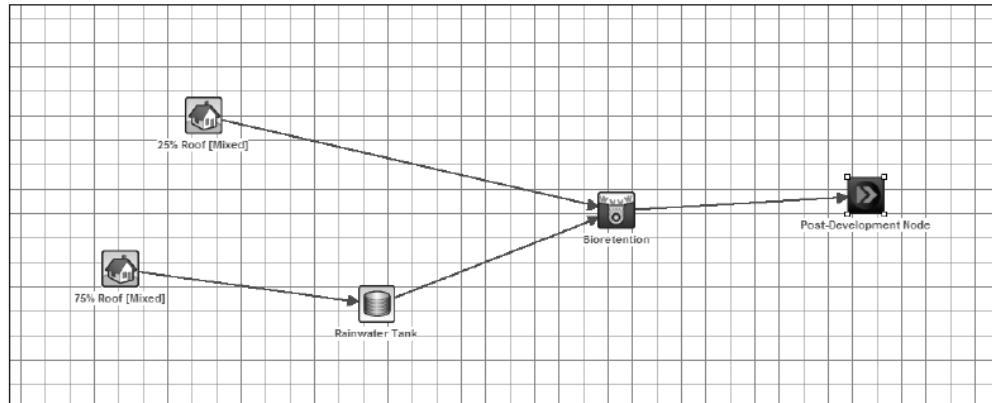


Figure 2.3 Subject Site Music Schematic and Treatment Train

The results for the treatment train area are as per Figure 2.4

Treatment Train Effectiveness - Post-Development Node			
	Sources	Residual Load	% Reduction
Flow (ML/yr)	1.38	1.01	26.5
Total Suspended Solids (kg/yr)	38.1	6.68	82.5
Total Phosphorus (kg/yr)	0.23	0.0797	65.3
Total Nitrogen (kg/yr)	3.02	0.953	68.1
Gross Pollutants (kg/yr)	31.1	0	100

Figure 2.4 MUSIC Results for LPD_A

2.10. MUSIC Results

Results of the MUSIC modelling for the subject site are summarised in Table 2.7 for flow based sub-samples and treatment train effectiveness respectively.

Table 2.7 Treatment Train Effectiveness

Pollutant	LPD_A % Reduction	Target	Target Met?
TSS (kg/yr)	82.5	80%	Yes
TP (kg/yr)	65.3	45%	Yes
TN (kg/yr)	68.1	45%	Yes
Gross Pollutants (kg/yr)	100	100%	Yes

NOTE: All simulations have been run with pollutant export estimation set to "stochastic generation".



The water quality management plan proposed will achieve the water quality objectives of the Port Macquarie-Hastings Council. For further details of the treatment train properties, refer to

Table 2.8 below.

Table 2.8 Proposed System Parameters used in Stormwater Quantity Assessment

Basin ID	Parameter	Value
Rainwater BASIX Tank (2 tanks)	Volume below overflow pipe	2 x 5kL
	Depth above overflow pipe	0.2m
Rain garden (2 unit)	Filter Area	2 x 4 m ²
	Filter Depth	0.4 m
	Extended Detention Depth	0.3 m



3. Summary

This Stormwater Management Plan (SMP) has been designed in accordance with Port Macquarie-Hastings Council Guidelines for Stormwater Management, and complies with D7-Stormwater Management of the DCP.

Specifically, the development will incorporate:

- Stormwater quality objectives will be achieved through the use of 2 rainwater tanks x 5KL and 2 x 4m² rain garden.

In conclusion, the above design complies with Port Macquarie-Hastings Councils DCP D7-Stormwater-Management for stormwater water quality can be achieved on all key indicators TN, TP, TSS and Gross Pollutants.

No On Site Detention is required for this site (Pers Comm PMHC, 31/7/19)

Final location and arrangement of stormwater infrastructure to be confirmed during detail design/construction certificate approval.



4. References

Natural Resources and Water 2007, *Queensland Urban Drainage Design Manual 2nd Ed.*

Music by eWater, NSW *Music Modelling Guidelines*

Music by Design 2006, *Music modelling Guidelines for South East Queensland*

Morand 1994, *Soil Landscapes*

Port Macquarie-Hastings Development Control Plan - D7-Stormwater Management

Aus-Spec 2005 *Handbook Of Stormwater Drainage Design Reference D5 – Stormwater Drainage Design*

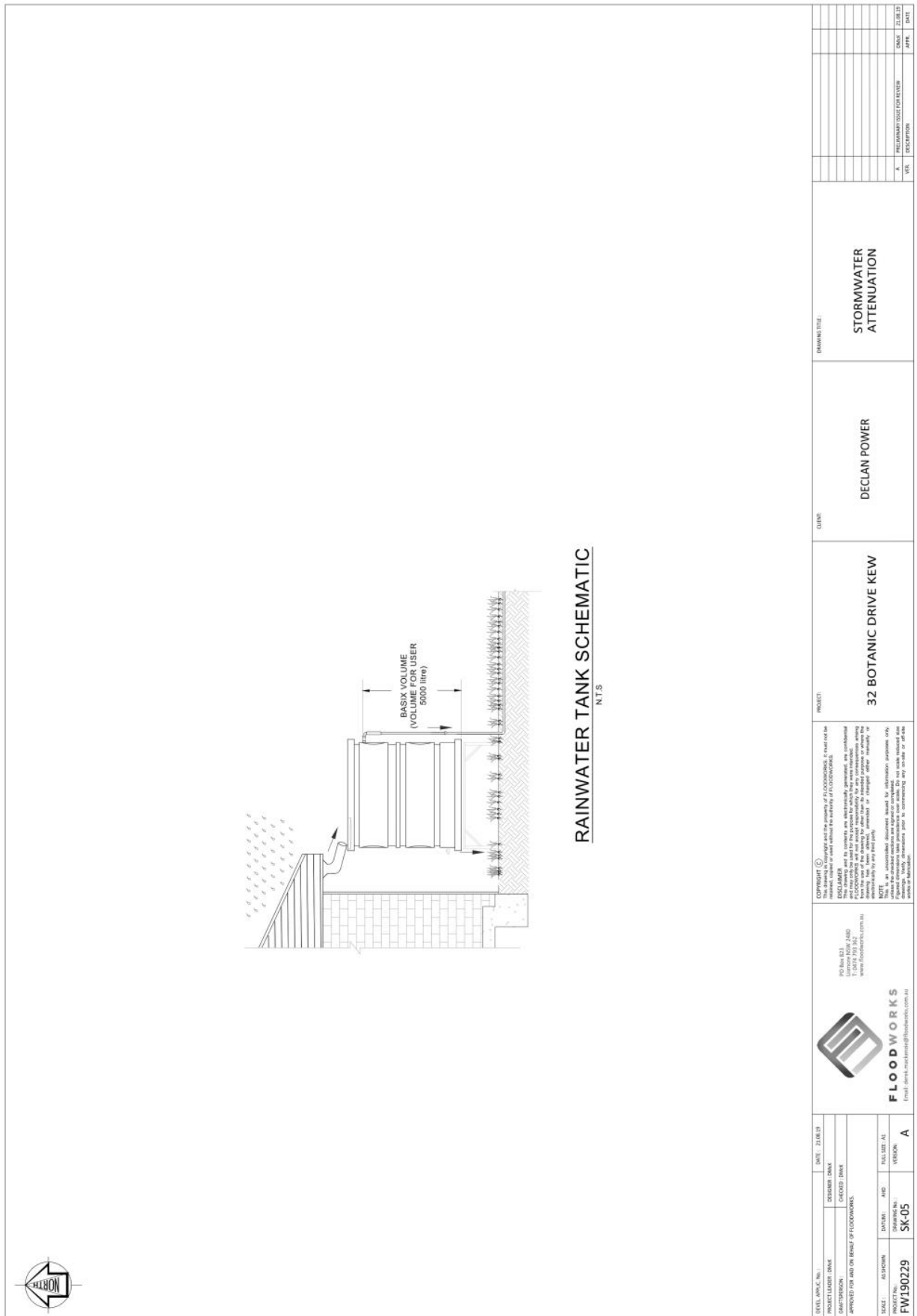
Appendix A Stormwater Management Plans

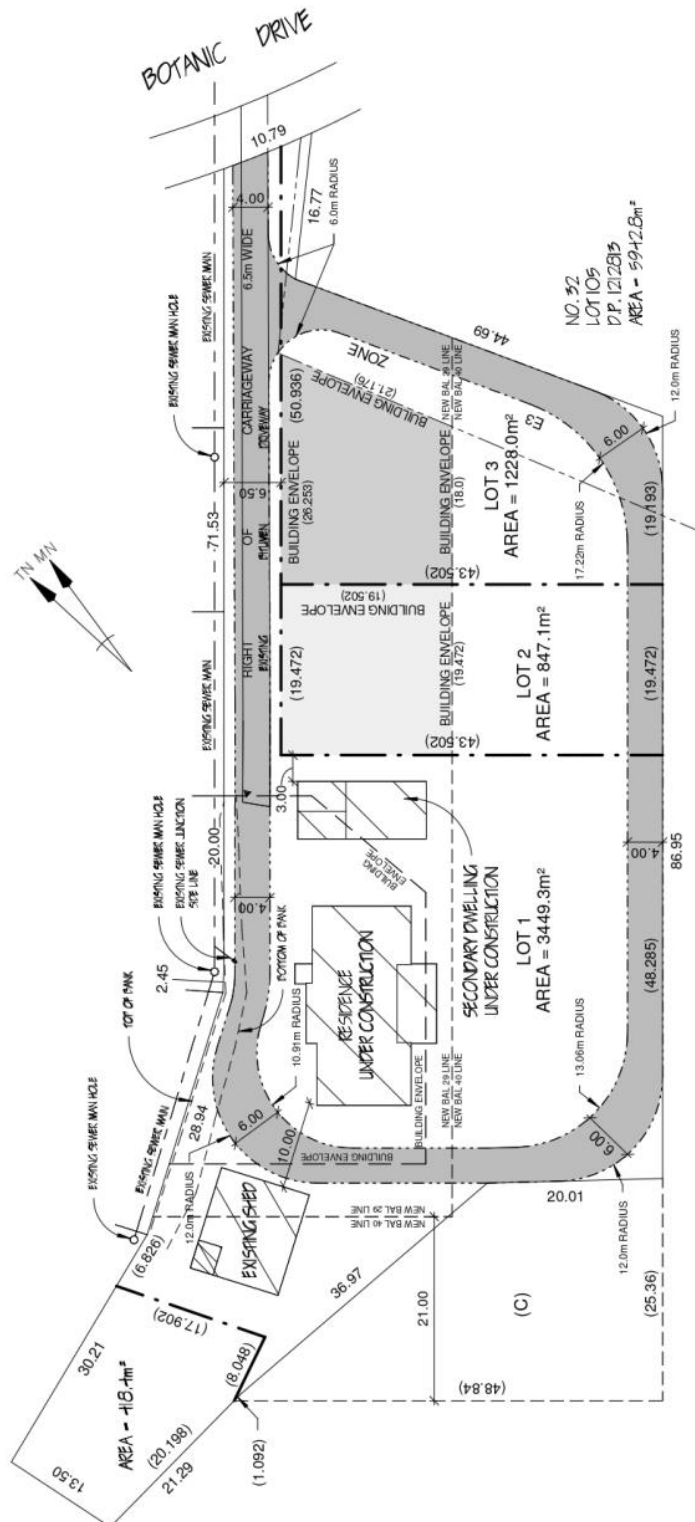












PROPOSED SUBDIVISION LAYOUT PLAN 1:500

- NOTES: _____
- (C) _____
- POSITIVE COVENANT
 - DENOTES BUILDING ENVELOPE AREA FOR LOT 2
 - DENOTES BUILDING ENVELOPE AREA FOR LOT 3
 - DENOTES PROPOSED FIRE TAIL
- ES ZONE LINE PLOTTED FROM DIGITAL DATA SUPPLIED BY "PORT MACQUARRE HARTINGS COUNCIL."

PRE-LODGMNT

NOTE: Copyright © 2019, Robert Smallwood Building Plans
All rights reserved. No part of this drawing may be reproduced
or transmitted in any form or by means, electronic, mechanical,
photocopying, recording or otherwise, without the prior
permission of the copyright holder.

Developer Charges - Estimate

Applicants Name: D P Power
 Property Address: 32 Botanic Drive, Kew
 Lot & Dp: Lot(s):105,DP(s):1212813
 Development: 3 Lot Community Title Subdivision



Water and Sewerage Headworks Levies are levied under S64 of the LGA Act & S306 of the Water Management Act 2000.
 Other contributions are levied under Section 7.11 of the Environmental Planning and Assessment Act and Council's Contribution Plans.

Levy Area	Units	Cost	Estimate
1 Water Supply	2	\$10,296.00 Per ET	\$20,592.00
2 Sewerage Scheme Camden Haven	2	\$3,906.00 Per ET	\$7,812.00
3 Since 13.6.14 - Local Roads - Camden Haven - Area 15	2	\$16,134.00 Per ET	\$32,268.00
4 Since 31.7.18 - Open Space - Camden Haven - Per ET	2	\$6,065.00 Per ET	\$12,130.00
5 Commenced 3 April 2006 - Com, Cul and Em Services CP - Camden Haven	2	\$4,495.00 Per ET	\$8,990.00
6 Com 1.3.07 - Administration Building - All areas	2	\$919.00 Per ET	\$1,838.00
7 Commenced 3 April 2006 - Com, Cul and Em Services CP - Bushfire	2	\$510.00 Per ET	\$1,020.00
8 N/A			
9 N/A			
10 N/A			
11 N/A			
12 N/A			
13 N/A			
14 N/A			
15 Admin General Levy - Applicable to Consents approved after 11/2/03	2.2% S94 Contribution		\$1,237.40
16			
17			
18			
Total Amount of Estimate (Not for Payment Purposes)			\$85,887.40

NOTES: These contribution rates apply to new development and should be used as a guide only.
 Contributions will be determined in conjunction with a Development Application (DA) or Complying Development Application (CDA).
 DAs will be subject to the contributions plans in force at the time of issue of the Consent and for CDCs at time of lodgement.
 Contribution Rates are adjusted quarterly in line with the CPI.

DATE OF ESTIMATE:

17-Mar-2020

Estimate Prepared By Clinton Tink

This is an ESTIMATE ONLY - NOT for Payment Purposes

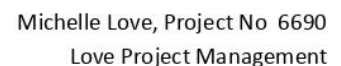
tes\D P Power , 32 Botanic Drive, Kew, 17-Mar-2020.xls

PORT MACQUARIE-HASTINGS COUNCIL



Phone: 0400953101

Residential Subdivision
Lot 105 DP 1212813
32 Botanic Drive, Kew



Item 06
Attachment 6
Page 121

Document Details

Document Version Date: 4th December, 2019

Authorised by: Michelle Love

Signed:



This assessment has been undertaken with skill, care and diligence by the staff of Love Project Management. This assessment is based on information provided by the client, third party research and research undertaken by Love Project Management. Love Project Management disclaims any responsibility to the client and others in respect of any matters outside the scope of this report.

This report has been prepared on behalf of and for the exclusive use of the client and is subject to and issued in accordance with the agreement between the client and Love Project Management. Love Project Management accepts no liability or responsibility of whatsoever nature in respect of any use of or reliance upon this report by any third party.

All parties must acknowledge that conditions of approval at time of consent, post development application and approvals, and other matters, may modify the outcomes described in this report. The information and conclusions presented in this report apply to the subject land at the time of the assessment. All parties must take into account the above information when making decisions on the basis of the findings and conclusion of this report.

The contents and layout of this report are considered the property of Love Project Management and may not be reproduced or copied, other than for the purposes of the consent authority's notification and assessment of the development proposed.

© Love Project Management 2019

Executive Summary

This application is for a residential, community title subdivision, which will result in two additional residential lots. The land area is well in excess of the minimum lot size for the residential zoned area of the land. There is a small area of land zoned E3, and this is wholly contained within proposed lot 3, as is consistent with the LEP provision requirements. A bushfire hazard assessment has been undertaken, and the identified building envelopes will contain land above the flood levels specified in Council's flood policy and consistent with the Prelodgement Minutes.



Contents

Executive Summary	2
Contents	3
1. Subject Land & Background	4
2. Proposal	5
3. Statutory Provisions	6
a) State Environmental Planning Policies	6
i. SEPP (Coastal Management) 2018	6
ii. SEPP 44 – Koala Habitat	8
iii. SEPP 62 – Sustainable Aquaculture	9
b) Local Environmental Plan	9
<i>Clause 2.3 – Zone Objectives</i>	9
<i>Clause 2.6 – Consent for Subdivision</i>	10
<i>Clause 4.1 – Minimum subdivision lot size</i>	10
<i>Clause 4.1B – Minimum subdivision lot size for certain split zones</i>	10
<i>Clause 5.10 Heritage conservation</i>	11
<i>Clause 7.1 Acid Sulphate Soils</i>	11
<i>Clause 7.2 – Earthworks</i>	11
<i>Clause 7.3 Flood Planning</i>	12
<i>Clause 7.5 Koala Habitat</i>	14
<i>Clause 7.6 Coastal Erosion</i>	14
<i>Clause 7.9 Development subject to acoustic controls</i>	14
<i>Clause 7.13 Essential services</i>	14
c) Development Control Plan 2013	17
d) Integrated Development	21
e) Any Planning Agreement	22
f) Any matters prescribed by the Regulations	22
g) Context & Setting	22
h) Access, Transport & Traffic	22
i) Natural Hazards	22
j) Waste	22
k) Water Supply & Sewer Connection	22
l) Stormwater / Water	22
m) Noise & Vibration	22
4. Public Interest	23
5. Conclusion	23
6. Appendix One – Prelodgement Matters	24

1. Subject Land & Background

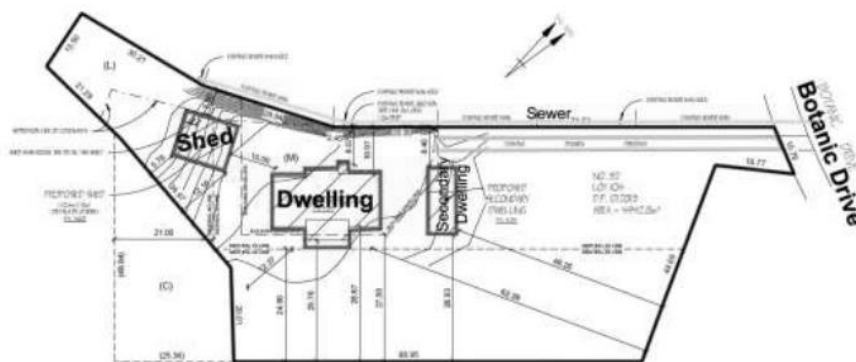
The subject land may be identified as Lot 105 DP 1212813, 32 Botanic Drive, Kew. The subject land is shown outlined in red in the following plan extract.

Figure 1: SIX maps extract showing subject land



The subject land has been approved for a dwelling and granny flat. An extract from the approved site plan is shown below and has been marked up to clearly delineate the approved buildings.

Figure 2: EXISTING APPROVAL - Extract from DA 2017/1025 Site Plan - marked up to show approved buildings

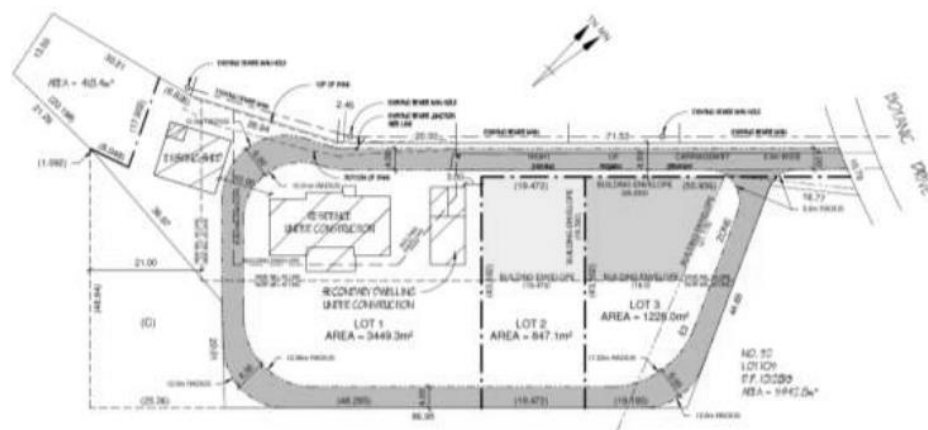


The subject land has an area of 5,996m². There are a number of existing bushfire protection measures in place, including easements for asset protection zones, etc. This subdivision proposal includes further protection measures which will be discussed later in this report.

2. Proposal

The proposal is to subdivide the existing lot into three allotments –creating two additional residential lots. The subdivision is to be undertaken under the provisions of a Community Title development. The resultant three allotments are all greater than the minimum lot size of 450m², and all lots have vehicular access to Botanic Drive via an existing right of carriageway. The subdivision plan is shown in the following extract:

Figure 3: Extract from Subdivision Plan



As shown in the draft Linen Plan, proposed Lot 1 has an area of 3449.3m², proposed Lot 2 has an area of 847.1m² and proposed Lot 3 has an area of 1228.0m². These allotments are comfortably in excess of the minimum lot size of 450m².

Building envelopes for proposed Lots 2 and 3 are shown coloured yellow and green respectively. These building areas are consistent with the Asset Protection Zones identified for the previous consent, and also based on the bushfire assessment report lodged with this application.

The proposal includes a perimeter road 'loop' for bushfire protection purposes, as set out in the Bushfire Hazard Assessment report specifically for this subdivision proposal.

3. Statutory Provisions

The Environmental Planning and Assessment Regulation 2000, Section 4.12 requires development applications to be accompanied by a number of documents and information. The following sections consider the relevant legislation as required under the provisions of Section 4.15 of the Environmental Planning and Assessment Act 1979.

a) State Environmental Planning Policies

i. SEPP (Coastal Management) 2018

The subject land is not mapped as being within the Coastal Use Area as shown by the following Coastal SEPP mapping extract:

Figure 4: Coastal SEPP extract - Subject Land shown in yellow outline – Land NOT mapped as Coastal Use Area



The land is not mapped as being in the Coastal Environment Area of the Coastal SEPP mapping. An extract from the SEPP mapping is shown below:

Figure 5: Coastal SEPP extract - Subject Land shown in yellow outline – Land NOT mapped as Coastal Use Area



The subject land is mapped as being partially within proximity to a wetland area, as shown on the following map extract. The wetland is shown blue, and the proximity area is hatched blue. This hatching only applies to the eastern portion of the subject land.

Figure 6: Coastal SEPP extract –Subject Land is partially within the area mapped as Proximity to Coastal Wetlands (blue hatching)



The Coastal SEPP therefore requires development on the subject land to demonstrate that the works are not likely to adversely impact on the integrity of the Coastal Wetland (shown solid blue). It is noted that the subject land is physically separated from the wetland via Botanic Drive. The proposal will include stormwater drainage controls to ensure any increase in runoff from future development of the subject land does not adversely impact on the wetland area to the north-east of the subject land. This can be conditioned in any approval for subdivision of the land.

Therefore, it is considered that the development proposal will not adversely impact on the identified coastal environment matters identified in the Coastal SEPP.

ii. SEPP 44 – Koala Habitat

The subject land is not mapped in LEP 2011 as being identified as containing koala habitat. The land is less than one hectare in area and therefore the provisions of SEPP 44 do not apply to the development proposal.

iii. SEPP 62 – Sustainable Aquaculture

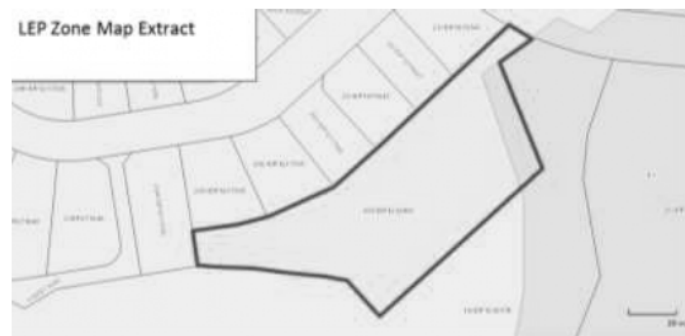
SEPP 62 requires consideration of the effects of any proposed development on oyster aquaculture. A development may be incompatible with or impede oyster aquaculture if, for example, the development will limit access to oyster leases or have an impact on water quality and, consequently, on the health of oysters and of consumers of those oysters.

The subject land is well setback from the ocean areas and the stormwater runoff from the subject land will be controlled within the existing stormwater network system. The proposal will not have any adverse impact on areas of aquaculture.

b) Local Environmental Plan

The subject land is zoned part R1 – General Residential and part E3 – Environmental Management under the provisions of Port Macquarie – Hastings Local Environmental Plan 2011, as shown in the following planning portal extract. The E3 zoned land only applies to a narrow strip of land along the eastern boundary of the land.

Figure 7: Land Zoning - Planning Portal extract – subject land outlined in red

**Clause 2.3 – Zone Objectives**

The objectives of the R1 – General Residential zone and the E3 – Environmental Management zone objectives are shown in the following extract of LEP 2011.

*Zone R1 General Residential**Objectives of zone*

- 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.

*Zone E3 Environmental Management**Objectives of zone*

- To protect, manage and restore areas with special ecological, scientific, cultural or aesthetic values.
- To provide for a limited range of development that does not have an adverse effect on those values.

The proposed subdivision will provide additional housing opportunities on the land, and the land zoned environmental management will be contained within a single allotment to provide for management of the land.

Clause 2.6 – Consent for Subdivision

This clause specifies that subdivision of land requires development consent unless it is exempt. The proposed subdivision is not exempt development and therefore the proposal is part of a formal development application.

Clause 4.1 – Minimum subdivision lot size

This clause applies to a subdivision of land, such that the size of the resulting lots is not to be less than the area shown on the Lot Size map. The subject land has a minimum lot size of 450m² (shaded green and marked 'G') and 40ha (shaded purple and marked 'AB3') as shown on the following LEP map extract.

Figure 8: LEP map extract - Minimum Lot Size



The 40ha minimum lot size portion of the land is already well below this minimum lot size as the entire property is only 5,996m². This matter is discussed under the provisions of clause 4.1B.

Clause 4.1B – Minimum subdivision lot size for certain split zones

This clause may be applied to the subject land as it contains both a residential zone and the E3 zoned land. In the case of the subject land, this clause permits the subdivision of the land if one of the resulting lots will contain residential zoned land with an area of not less than 450m², and all of the land zoned E3. In addition, all other lots will be not less than the minimum lot size of 450m². The proposal complies with this clause as proposed Lot 3 will contain all of the land zoned E3, and proposed Lots 1 and 2 are well in excess of the minimum lot size of 450m².

Clause 4.3 – Height of Buildings

The subject land has a maximum building height of 8.5 metres. The future residential development of the proposed allotments is achievable within this height limit.

Clause 4.4 – Floor Space Ratio

The subject land has a maximum floor space ratio of 0.65:1. This provision will not limit future residential development of the land.

Clause 5.10 Heritage conservation

The subject land does not contain any identified items of European or Aboriginal Heritage, nor are there any heritage items identified on adjoining properties. A search of the AHIMS registry did not identify any areas of known Aboriginal Heritage artefacts or sites within an area with a 50 metre radius of the subject land.

Clause 7.1 Acid Sulphate Soils

The subject land is not mapped as containing any areas of potential acid sulphate soils. This is shown on the following LEP map extract.

Figure 9: LEP map extract - Potential Acid Sulphate Soils

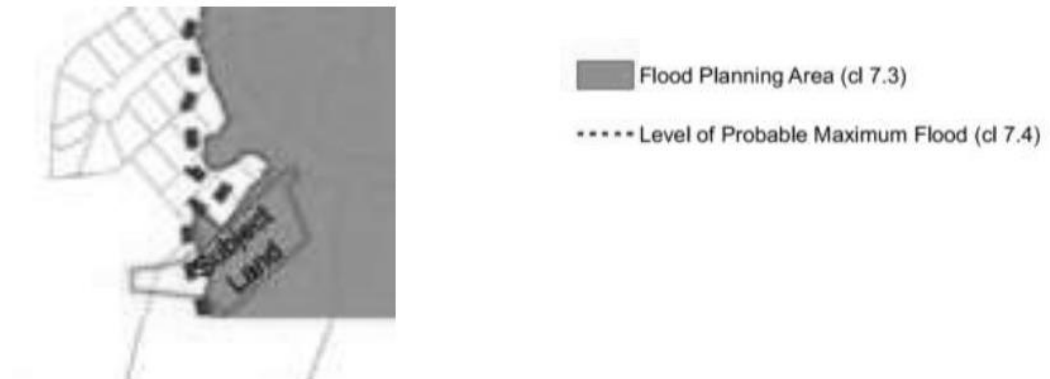
**Clause 7.2 – Earthworks**

The proposal will not require any excessive earthworks to create the subdivision development.

Clause 7.3 Flood Planning

The subject land is mapped as being impacted by potential flooding as shown in the following LEP map extract:

Figure 10: LEP Flood Map Extract with subject land outlined in red



A more detailed flood map as taken from the Camden Haven River flood mapping is shown in the following figure.

Figure 11: Flood Modelling map extract - showing location of Subject Land



This flood modelling extract demonstrates that the subject land contains land mapped as low, medium and high flood hazard.

The following mapping show the subject land appears to be mapped as flood storage area and a small area of flood fringe.

Figure 12: Flood Modelling map extract showing detail for the Hydraulic Category mapping for the subject land



The provisions of clause 7.3 require Council to be satisfied that the development is compatible with the flood hazard and is not likely to significantly adversely affect the flood behavior.

Section 3.4.5 of the Port Macquarie – Hastings Flood Policy provides that subdivision of land within floodprone areas should achieve a Flood Planning Level 2 for the proposed lots and the roads within a residential or rural residential subdivision.

The area of the subject land which is identified as being floodprone is partially flood storage and partially flood fringe. The Council's Flood Policy notes that Council will require the area to have effective warning time and reliable access for evacuation, for the subdivision of land in flood fringe areas.

Subdivision of land within Flood Storage areas requires consideration of the future residential landuses, such that the floor levels of habitable rooms will need to achieve a level at or above Flood Planning Level 3, with the floor level of other structures (garages, sheds, etc) achieving a Flood Planning Level 1.

Figure 13: Flood Planning Categories as per Council's Flood Policy

Category	Proposed - FPL Category Description
FPL1	20 year ARI Flood level (No allowance for Climate Change, No Freeboard)
FPL2	100 year ARI Flood level + Climate Change Allowance (No Freeboard)
FPL3*	100 year ARI Flood level + Climate Change Allowance + 500mm Freeboard
FPL4	Probable Maximum Flood (PMF) as defined in Table 2

* Defines the Flood Planning Area (FPA) in the PMHC LEP.

Council's Prelodgement advice noted: The development must have a land level and access driveway level which meets or exceeds FPL2, being 3.7m AHD. This requirement is noted, and these levels have been incorporated into the subdivision design. The future dwellings will have minimum finished floor levels of 4.2m AHD, being FPL3.

Therefore, it is noted that the development is able to satisfy Council's flood policy requirements.

Clause 7.5 Koala Habitat

The subject land is not mapped as containing any known areas of koala habitat.

Clause 7.6 Coastal Erosion

The subject land is not mapped as being subject to Coastal Erosion.

Clause 7.9 Development subject to acoustic controls

The subject land is not mapped as being subject to acoustic controls.

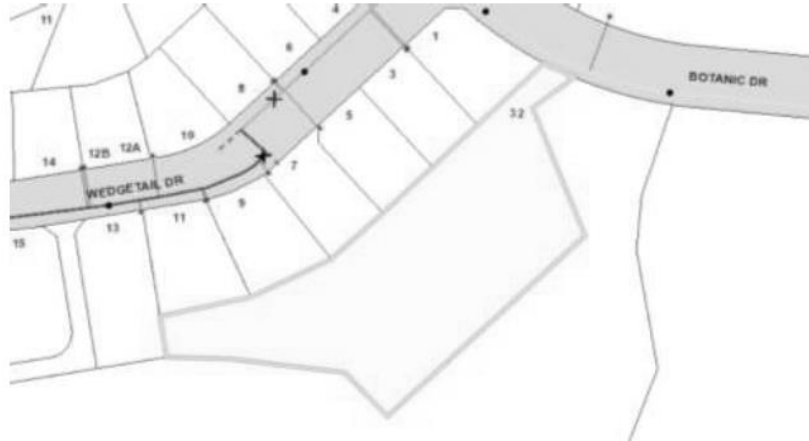
Clause 7.13 Essential services

This clause requires the consent authority to be satisfied that essential services, such as water, electricity, disposal of sewage, stormwater drainage and suitable road access, are available to the development, or suitable arrangements have been made to make them available when required.

The lots will have a shared access from Botanic Drive which will only service three allotments in total, as part of a community title development. The proposed right of carriageway includes the existing bitumen driveway. It is considered that this vehicular access is satisfactory.

The location of Council's water services is shown on the following map extract:

Figure 14: Council's Reticulated Water Services network



The nearest reticulated sewer services are shown on the following map extract. The approved dwellings included connection to this network.

Figure 15: Council's Reticulated Sewer Services network



The existing stormwater network is shown in the following map extract:

Figure 16: Existing Stormwater infrastructure in the locality



Council's online mapping data does not show any reclaimed water networks in proximity to the subject land.

It is considered that the addition of two allotments will not adversely impact on the existing reticulated services networks.

Having regard to the above consideration of the relevant provisions of the Port Macquarie – Hastings Local Environmental Plan, it is considered that the proposal has been designed to be consistent with the provisions of the Local Environmental Plan.

c) Development Control Plan 2013

DCP 2013 contains provisions general provisions relating to vegetation removal, earthworks, etc, and general provisions relating to residential subdivision. The relevant provisions are considered in the following table.

DCP 2013			
DCP Objective	Development Provisions	Proposed	Compliance
DCP GENERAL PROVISIONS			
2.3.3.1	Cut and fill 1.0m max 1m outside the perimeter of the external building walls	No earthworks proposed for this subdivision	N/A
2.3.3.2	Max height retaining wall along road frontage is 1.0m. Where a combination of a fence and a wall is proposed to be greater than 1.2m high:	No front retaining wall proposed Fences on top of retaining walls are not proposed.	N/A N/A
2.3.3.3	Significant earthworks of more than 10% site area or 1ha where surface level changed by more than 5m or earthworks exceed average of 10000m ³ per ha – see requirements	No significant earthworks proposed	Yes
2.3.3.4	EEC buffers	Not applicable	N/A
2.3.3.5	Environmental Offsets & VMPs	Not applicable	N/A
2.3.3.6	Vegetated Riparian buffers according to 1 st – 4 th order streams	Not applicable	N/A
2.3.3.7	Koala Habitat	Not applicable	N/A
2.3.3.8	Hollow Bearing Trees – located by survey and HBT assessment protocol applied	Not applicable	N/A

DCP 2013			
DCP Objective	Development Provisions	Proposed	Compliance
2.3.3.9	HBT removal protocol & offset via nesting boxes	Not applicable	N/A
2.4.3.1	Development within proximity of flight paths not to attract birds or flying vertebrates	Not applicable	N/A
2.4.3.2 & 2.4.3.3	No airborne particulates or gaseous plumes within operational airspace & no hazardous or obtrusive light	Not applicable	N/A
2.4.3.4 Bushfire 2.4.3.5 Flooding 2.4.3.6 Stormwater	Bushfire risk, Flooding, Stormwater	Land identified as subject to bushfire and flooding hazards. These matters are discussed earlier in this report and the proposal is compliant with relevant standards. Stormwater from the site will be directed to the road network or disposed of onsite.	Yes
2.5.3.2	New accesses not permitted from arterial or distributor roads. Existing accesses rationalised or removed where practical.	The existing vehicular access off Botanic Drive will be utilised for the three allotments. No new accesses proposed.	Yes
2.5.3.2	Driveway crossing/s minimal in number and width including maximising street parking	Minimal driveway / crossings required such that one access off Botanic Drive will provide access to the three lots.	Yes
Chapter 3.6 - Subdivision			
3.6.3.1	Site Analysis plan showing contours and flood affected areas etc	Site plan provided	Yes

DCP 2013			
DCP Objective	Development Provisions	Proposed	Compliance
3.6.3.2	Residential Torrens Lots to have minimum width of 15m and depth of 25m	Proposal is for Community Title, therefore torrens title requirements not applicable.	N/A
3.6.3.3	Battleaxe lots discouraged	No battleaxe lots proposed – development is community title. Lots share a right of carriageway which will minimise driveway crossings, etc.	Yes
3.6.3.4	Subdivision to respond to gradient of land	Slope of land consistent throughout this locality and dwelling construction will be satisfactory	Infill development outcome satisfactory
3.6.3.5	Street orientation	No change to street orientation proposed	N/A
3.6.3.6	Street network	No change to street network	N/A
3.6.3.7	Lot orientation	Infill development is consistent with existing lot orientation	Yes

DCP 2013			
DCP Objective	Development Provisions	Proposed	Compliance
3.6.3.8 3.6.3.9 3.6.3.10 3.6.3.11 3.6.3.12	Road design & construction Bus infrastructure Urban Road Design Bushfire Perimeter Road Perimeter Road	No new roads proposed	N/A
3.6.3.13 3.6.3.14 3.6.3.15	Provision of footpaths /cycleway	No change to existing networks	N/A
3.6.3.16 3.6.3.17 3.6.3.18 3.6.3.19	Stormwater management	Stormwater runoff from future dwellings will likely be disposed of onsite.	Yes
3.6.3.20 3.6.3.21 3.6.3.22 3.6.3.23	Reticulated water supply Recycled water supply	Additional connections to water supply to be provided	Yes
3.6.3.24 3.6.3.25	Reticulated sewerage system	No recycled network in this locality	N/A
3.6.3.26 3.6.3.27 3.6.3.28	Erosion controls	Additional connection to be provided	Yes
3.6.3.29 3.6.3.30 3.6.3.31 3.6.3.32 3.6.3.33	Public Open Space	No significant earthworks proposed	N/A
3.6.3.34	Service Infrastructure	Contributions will be payable for additional allotments	Yes
3.6.3.35	Waste Management	Additional connection for additional allotments will be provided as required	Yes
		Waste collection will be provided for the new allotments and may be part of a private arrangement or Council's kerbside collection.	Yes

As noted in the above table, the proposed creation of two additional residential allotments in this locality is consistent with Council's requirements.

d) Integrated Development

The subject land is within an area identified as bushfire prone as shown in the following map extract from the Planning Portal.

Figure 17: Planning Portal map extract: Bushfire Prone Land (subject land outlined in blue)



A bushfire hazard assessment has been undertaken for the proposed subdivision and the complete report is included with this development application.

The bushfire hazard assessment has determined that the proposed subdivision may be undertaken in compliance with the Planning for Bushfire Protection legislation, including the draft PFBP 2018 provisions.

The assessment includes a requirement for the extension of a fire trail to form a loop road. This is shown in the following plan extract from the assessment.

Figure 18: Extract from Bushfire Hazard Assessment



The above plan shows the existing positive covenants on adjoining properties which provide for the maintenance of asset protection zones. These covenants were put in place under the previous development consent. The loop fire trail has been included in the draft linen plan.

Future dwellings are likely to be required to be built to BAL 29 construction standards, however this will be subject to the bushfire construction standards as apply at the time those applications are lodged.

e) Any Planning Agreement

There are no planning agreements existing or proposed for this development.

f) Any matters prescribed by the Regulations

None applicable to the development proposal.

g) Context & Setting

The proposal will provide additional residential allotments within a residential area. The size of the proposed allotments remains well above the minimum lot size permitted for this locality. The proposal is consistent with the existing, and likely future context and setting of the subject land, and makes efficient use of available and serviced residential land.

h) Access, Transport & Traffic

The three residential allotments will have a right of carriageway access to Botanic Drive. The road network has capacity to cater for the two additional allotments. Contributions will be payable to assist Council to undertake broader road network upgrades as residential development requires.

i) Natural Hazards

The land is mapped as partially floodprone, and subject to bushfire hazard. These matters have been discussed earlier in this report.

j) Waste

Waste disposal from the future development of the allotments will either form part of a private waste collection agreement or be part of Council's kerbside collections.

k) Water Supply & Sewer Connection

The existing reticulated water and sewer connections will be utilised to service the additional residential allotment.

l) Stormwater / Water

Stormwater runoff from future dwellings is likely to be accommodated onsite due to the large area of the allotments.

m) Noise & Vibration

The proposed subdivision will not result in any adverse increase in noise or vibration.

4. Public Interest

It is in the public interest to utilise available and serviced residential land. This proposal will ensure the efficient use of unconstrained land occurs.

5. Conclusion

The proposal is consistent with all of Council's controls and requirements. The existing reticulated services and road network has capacity to cater for this proposal. The proposal will result in two additional residential allotments which are capable of accommodating future residential development and should be approved.

6. Appendix One – Prelodgement Matters

This proposal was the subject of a Prelodgement Committee meeting held with Council on 23rd April, 2019. The following items were identified as matters to be addressed in the development application:

Planning

1. Coastal SEPP – this item has been mapped and considered in this report.
2. Land is zoned part R1 – General Residential and part E3 – Environmental Management. This is noted.
3. Clause 4.1B of the LEP requires the lots to meet the minimum lot size of 450m², plus one lot is to contain 450m² of residential zoned land plus all land zoned E3. This has been achieved as shown in the draft linen plan.
4. Address type of subdivision proposed – strata, community title, or strata. The proposal is for community title subdivision type.
5. Bushfire prone land will require assessment and referral to Rural Fire Service. Noted. This application includes a specific bushfire hazard assessment report and the DA fees include referral to RFS.
6. Development contributions will be applicable for additional lots. Noted. Council will condition payment of additional contributions.

Water

1. Development site has existing 200mm metered potable water service from the 300mm diameter water main on the same side of Botanic Drive. Noted.
2. A hydraulic strategy and plans required to determine water service sizing, and address fire protection requirements and backflow protection requirements. Noted. The linen plan includes concept details regarding servicing and detailed plans will be lodged with subdivision application.
3. Separate water meters required – or master meter at the boundary for community title / strata development. Noted.

Flood

1. Clause 7.3 of LEP 2011 to be addressed. The development must have a land level and access driveway level which meets or exceeds FPL2, being 3.7m AHD. Noted. These levels have been incorporated into the subdivision design.
2. Should the land level meet or exceed 3.7m AHD, all dwellings must have a minimum FFL of 4.2m AHD, being FPL3. Noted

Sewer

1. Council records indicate that the development site is connected to sewer via an existing junction in the East of the site. For strata / community Title development, all lots can drain to the existing junction. Plans to be provided for review. Noted. Subdivision plan notes location of services.

Other

1. Make reference to these pre-lodgement comments in the DA report. Noted.

LPM December 2019





NSW RURAL FIRE SERVICE

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

Your reference: 2019/896
Our reference: DA20191224001622-Original-1

ATTENTION: Steven Ford

Date: Friday 14 February 2020

Dear Sir/Madam,

Integrated Development Application
s100B – Subdivision – Community Title Subdivision
32 Botanic drive KEW NSW 2439 AUS, 105//DP1212813

I refer to your correspondence dated 23/12/2019 seeking general terms of approval for the above Integrated Development Application.

The New South Wales Rural Fire Service (NSW RFS) has considered the information submitted. General Terms of Approval, under Division 4.8 of the *Environmental Planning and Assessment Act 1979*, and a Bush Fire Safety Authority, under section 100B of the *Rural Fires Act 1997*, are now issued subject to the following conditions:

Asset Protection Zones

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

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

Construction Standards

The intent of measures is that buildings are designed and constructed to withstand the potential impacts of bush fire attack. To achieve this, the following conditions shall apply:

2. A restriction to the land use, pursuant to section 88B of the 'Conveyancing Act 1919' shall be placed upon proposed Lots 2 & 3 identifying the following:

- future dwellings shall be setback a minimum of 24 metres from the south eastern property boundary; and
- any future dwellings shall be constructed to BAL 29 in accordance with section 3 and section 7 (BAL 29) Australian Standard AS3959-2009 'Construction of buildings in bush fire-prone areas' or NASH Standard

1

Postal address

NSW Rural Fire Service
Locked Bag 17
GRANVILLE NSW 2142

Street address

NSW Rural Fire Service
4 Murray Rose Ave
SYDNEY OLYMPIC PARK NSW 2127

T (02) 8741 5555
F (02) 8741 5550
www.rfs.nsw.gov.au

(1.7.14 updated) 'National Standard Steel Framed Construction in Bushfire Areas – 2014' as appropriate and section A3.7 Addendum Appendix 3 of Planning for Bush Fire Protection 2006'.

Access – Property Access

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

3. The internal community title private road shall be constructed to property access provisions in accordance with section 4.1.3 (2) of 'Planning for Bush Fire Protection 2006'.

Water and Utility Services

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

4. Water, electricity and gas are to comply with section 4.1.3 of 'Planning for Bush Fire Protection 2006'.

General Advice – Consent Authority to Note

- The above conditions are based on the subdivision layout prepared by Robert Smallwood, referenced 19-1423, sheet 1 of 1 as submitted in the correspondence prepared by Love Project Management dated December, 2019.

For any queries regarding this correspondence, please contact Danette Cook on 1300 NSW RFS.

Yours sincerely,

Paul Creenaune
Team Leader, Dev. Assessment & Planning
Planning and Environment Services



BUSH FIRE SAFETY AUTHORITY

Subdivision – Community Title Subdivision
32 Botanic drive KEW NSW 2439 AUS, 105//DP1212813
RFS Reference: DA20191224001622-Original-1

Your Reference: 2019/896

This Bush Fire Safety Authority is issued on behalf of the Commissioner of the NSW Rural Fire Service under s100b of the Rural Fires Act (1997) subject to the attached General Terms of Approval.

This authority confirms that, subject to the General Terms of Approval being met, the proposed development will meet the NSW Rural Fire Service requirements for Bush Fire Safety under *s100b of the Rural Fires Act 1997*.

Paul Creenaune

Team Leader, Dev. Assessment & Planning
Planning and Environment Services

Friday 14 February 2020

Item: 07

Subject: DA2019 - 520.1 - DEMOLITION OF EXISTING TENNIS COURT AND CONSTRUCTION OF MULTI DWELLING-HOUSING AND STRATA SUBDIVISION AT LOT 5 DP 260614, NO. 44 KOALA STREET, PORT MACQUARIE

Report Author: Development Assessment Planning Coordinator, Patrick Galbraith-Robertson

Applicant: Chris Jenkins Design - Architects Pty Ltd
Owner: J Citraro
Estimated Cost: \$1.1M
Parcel no: 11209

Alignment with Delivery Program

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

RECOMMENDATION

That DA2019 - 520.1 for demolition of existing tennis court and construction of multi-dwelling housing and strata subdivision at Lot 5, DP 260614, No. 44 Koala Street, Port Macquarie, be determined by granting consent subject to the recommended conditions.

Executive Summary

This report considers a development application for demolition of an existing tennis court and construction of multi-dwelling housing & strata subdivision at the subject site. The report provides an assessment of the application in accordance with the Environmental Planning and Assessment Act 1979.

Following exhibition of the application on two (2) occasions, thirty-three (33) written submissions were received.

The proposal has been amended during the assessment of the application with the following changes made:

- Reduction from 4 dwellings to 3.
- Retention of existing retaining walls associated with the existing tennis court;
- Change from Torrens title to Strata title subdivision; and
- Stormwater management details now proposed.

The site is considered suitable for the proposed development and the proposal adequately addresses relevant planning controls. The development is not considered to be contrary to the public's interest and will not result a significant adverse social, environmental or economic impact.

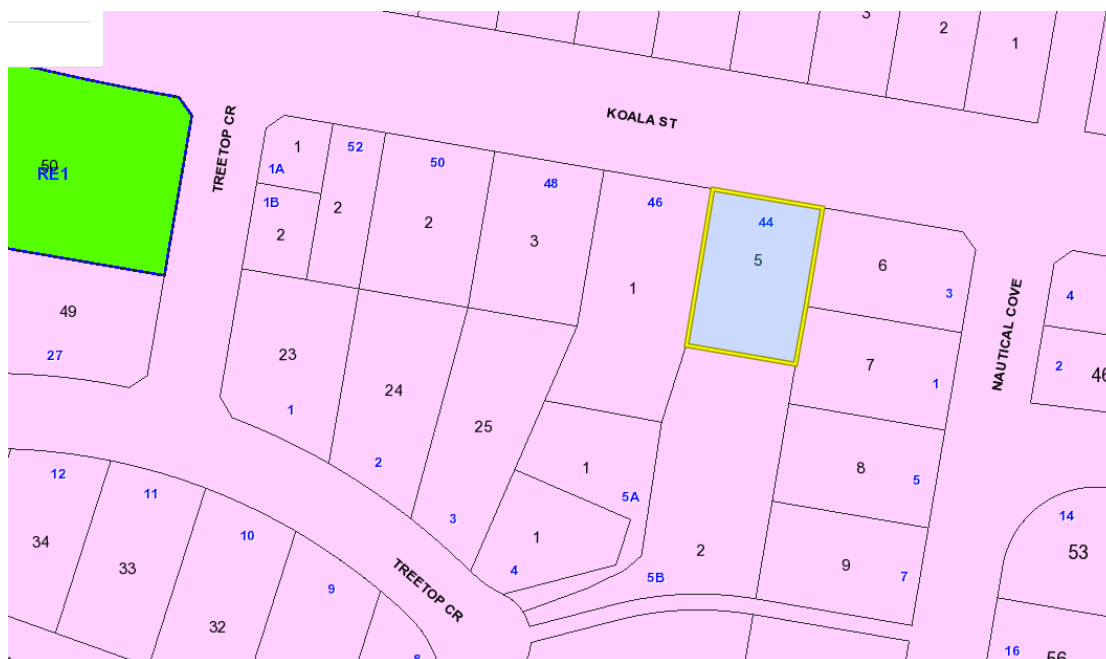
This report recommends that the development application be approved subject to the conditions included in **Attachment 1**.

1. BACKGROUND

Existing Sites Features and Surrounding Development

The site has an area of 1119.7m².

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 (nearmap June 2019):



2. DESCRIPTION OF DEVELOPMENT

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

- Demolition of existing tennis court;
- Construction of 3 x 2 storey attached dwellings with 3 x double carports;
- Construction of new driveway access internally within site and 1 visitor park;
- Strata subdivision - 3 lots;
- Retention of existing retaining walls associated with the existing tennis court;
- Construction of new stormwater line along Koala Street to service the development.

Refer to **Attachment 2** at the end of this report for plans of the proposed development.

Application Chronology

- 17 July 2019 - DA lodged with Council.
- 30 July 2019 - Additional information requested from Applicant - initial assessment concerns raised.
- 24 July to 6 August 2019 - Neighbour notification of original proposal.
- 15 to 28 August 2019 - Re-notification of original proposal.
- 13 December 2019 - Amended plans received from Applicant.
- 23 December 2019 - 10 January 2020 - Re-notification of amended proposal to neighbours.
- 24 January 2020 - Redacted copy of submissions forwarded to Applicant for consideration.

- 30 January 2020 - Additional information received from Applicant including draft subdivision plans and stormwater management details.
- 30 January 2020 - Additional information received to comment on feedback received by Council in submissions.

3. STATUTORY ASSESSMENT**Section 4.15(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 (Koala Habitat Protection) 2019

Clause 15 - A development application made, but not finally determined, before the commencement of this Policy in relation to land to which this Policy applies must be determined as if this Policy had not commenced. The application was made and not finally determined prior to the commencement of this policy. The application is therefore required to be assessed under the relevant provisions of State Environmental Policy No 44 - Koala Habitat Protection. See assessment comments below.

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 (Coastal Management) 2018

The site is not located within a coastal use area or coastal environment area.

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

A BASIX certificates have 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

Clause 100 and 101 of the SEPP refers to certain development on a classified road. In this case, there is no work proposed on the classified road.

The development does not trigger any of the traffic generating development thresholds of Clause 104. Referral to the NSW Roads and Maritime Services is not required.

Based on the above, the proposed development addresses relevant clauses in the SEPP and will not result in adverse conflicts in terms of traffic or noise.

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.
- Clause 2.3(1) and the R1 zone landuse table - The proposed development for a multi-dwelling housing 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.*

Clause 2.3(2) - The proposal is consistent with the zone objectives having regard to the following:

- the proposal is a permissible landuse; and
- the proposal will provide for a variety of suitable housing type.
- Clause 2.7- The demolition of the tennis court requires consent as it does not fit within the provisions of SEPP (Exempt and Complying) 2008.
- Clause 4.1 - The minimum subdivision lot size standard does not apply to the proposed strata title subdivision.
- Clause 4.3 - The maximum overall height of the building above ground level (existing tennis court slab level) is 6.3 m which complies with the standard height limit of 8.5m applying to the site.
- Clause 4.4 - The floor space ratio of the proposal is 0.42:1.0 which complies with the maximum 0.65:1 floor space ratio applying to the site.
- Clause 5.10 – 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 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

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: <ul style="list-style-type: none"> • 4.8m max. height • Single storey 	3 x water tanks are appropriately located at the rear southern	Yes

DCP 2013: Dwellings, Dual occupancies, Dwelling houses, Multi dwelling houses & Ancillary development			
	Requirements	Proposed	Complies
	<ul style="list-style-type: none"> 60m² max. area 100m² for lots >900m² 24 degree max. roof pitch Not located in front setback 	section of the site.	
3.2.2.2	Articulation zone: <ul style="list-style-type: none"> 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 	No elements within the articulation zone front setback to Koala Street.	N/A
	Front setback: <ul style="list-style-type: none"> Min. 6.0m classified road 	6.8m front setback to Koala Street.	Yes
3.2.2.3	Garage 5.5m min. and 1m behind front façade. Garage door recessed behind building line or eaves/overhangs provided	Carports located away from Koala Street frontage >5.5m distance.	Yes
	6m max. width of garage door/s and 50% max. width of building	Carports have no doors and will not be directly visible from Koala Street.	Yes
	Driveway crossover 1/3 max. of site frontage and max. 5.0m width	No new driveway crossings to Koala Street frontage. Existing constructed right of carriageway provides private access connecting to Treetop Crescent.	N/A
3.2.2.4	4m min. rear setback. Variation subject to site analysis and provision of private open space	Minimum 8m southern rear setback.	Yes
3.2.2.5	Side setbacks: <ul style="list-style-type: none"> 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 eastern side setback of the ground and first floor level is a minimum 1.8m setback. The western side setback of the ground and first floor is a minimum 4.6m setback. The first floor setbacks are	Yes

DCP 2013: Dwellings, Dual occupancies, Dwelling houses, Multi dwelling houses & Ancillary development			
	Requirements	Proposed	Complies
		acceptable and will not result in any identifiable overshadowing impacts to neighbouring properties particularly on the eastern side of the development where the first floor setback is less than 3m for a limited length of Unit C. All elevations have compliant articulation with the exception of the ground floor eastern elevation of Unit C and upper floor western elevation of Unit A.	No*
3.2.2.6	35m ² min. private open space area including a useable 4x4m min. area which has 5% max. grade	Each occupancy contains 35m ² open space in one area including a useable 4m x 4m area. There is >55m ² of private open space for each dwelling on the northern side of the dwellings fronting Koala Street.	Yes
3.2.2.7	Front fences: <ul style="list-style-type: none"> If solid 1.2m max height and front setback 1.0m with landscaping 3x3m min. splay for corner sites Fences >1.2m to be 1.8m max. height for 50% or 6.0m max. length of street frontage with 25% openings 0.9x0.9m splays adjoining driveway entrances 	The existing retaining fences walls fronting Koala Street will be used as a front fence with new gates installed for each dwelling. The proposed front fence design is considered to meet the fencing objectives of DCP 2013. No adverse impacts will occur.	N/A
3.2.2.10	Privacy: <ul style="list-style-type: none"> Direct views between living areas of adjacent dwellings screened 	No direct views between living areas of adjacent dwellings	Yes

DCP 2013: Dwellings, Dual occupancies, Dwelling houses, Multi dwelling houses & Ancillary development

	Requirements	Proposed	Complies
	<p>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</p> <ul style="list-style-type: none"> 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 	<p>screened when within 9m radius of any part of window of adjacent dwelling and within 12m of private open space areas of adjacent dwellings.</p> <p>No main living areas are located on the upper first floor - only bedrooms.</p> <p>No privacy screens are recommended.</p>	

DCP 2013: General Provisions

	Requirements	Proposed	Complies
2.7.2.2	Design addresses generic principles of Crime Prevention Through Environmental Design guideline	No concealment or entrapment areas proposed or identified. Adequate casual surveillance available. The plans show a walkway along the western side setback area which is to be gated on the northern boundary to Koala Street.	Yes
2.3.3.1	Cut and fill 1.0m max. 1m outside the perimeter of the external building walls	No significant additional cut and fill <1.0m change 1m outside the perimeter of the external building walls/existing tennis court retaining walls.	Yes
2.3.3.2	1m max. height retaining walls along road frontage	None proposed	N/A
	Any retaining wall >1.0 in height to be certified by structure engineer	Condition recommended to require engineering certification of existing retaining walls to retained for new construction.	Yes
	Combination of retaining wall and	No new front fence	N/A

DCP 2013: General Provisions			
	Requirements	Proposed	Complies
	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	only gates installed into existing retaining wall fences fronting Koala Street.	
2.3.3.8	Removal of hollow bearing trees	No trees proposed to be removed	N/A
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 trees proposed to be removed as listed under DCP	N/A
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	No new access proposed to arterial or distributor road - Koala Street.	N/A
	Driveway crossing/s minimal in number and width including maximising street parking	Existing private access road. No new driveway crossing proposed on either Koala Street or Treetop Crescent.	N/A
2.5.3.3	Parking in accordance with Table 2.5.1. <u>Multi dwelling</u> 1 space per 1 & 2 bedroom occupancies 1.5 spaces per 3+ bedroom occupancies 0.25 spaces per occupancy for visitor parking.	Proposal involves 3 x 3 bedroom dwellings. The minimum parking requirements are therefore 3 x 1.5 spaces + 3 x 0.25 visitor spaces = 5 spaces for dwellings + 1 visitor space required. The development proposes 3 x 2 space double carports and 1 nominated visitor parking space, totalling 7 spaces.	Yes
2.5.3.11	Section 94 contributions	Contributions apply - refer to ET calc and Notice of Payment.	Yes
2.5.3.12 and 2.5.3.13	Landscaping of parking areas	Suitable concept landscaping proposed around driveway/parking locations. More detailed landscaping plan recommended to be submitted prior to	Yes

DCP 2013: General Provisions			
	Requirements	Proposed	Complies
		issue of a Construction Certificate.	
2.5.3.14	Sealed driveway surfaces unless justified	Sealed driveway areas internally within the site 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	No new driveway outside of site. Internal driveways are satisfactory and capable of compliance with AS2890.	Yes
2.5.3.17	Parking areas to be designed to avoid concentrations of water runoff on the surface.	Stormwater drainage is capable of being managed as part of plumbing construction. Refer to concept stormwater management plan submitted attached to this report and assessment comments later in report.	Yes

The proposal seeks to vary standard Development Provision relating to recommended wall articulation of the eastern and western elevations. Specifically, the tow following areas are unable to meet the standard:

- The eastern ground floor wall of Unit C is greater than the recommended 12m unarticulated length. Unit C has a 17.7m length unarticulated ground floor elevation.
- The western upper first floor wall of Unit A is greater than the recommended 12m unarticulated length. Unit A has a 15.15m length unarticulated upper first floor elevation.

The relevant objectives are:

- *To reduce overbearing and perceptions of building bulk on adjoining properties and to maintain privacy.*
- *To provide for visual and acoustic privacy between dwellings.*

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

- The upper floor of Unit C has significant articulation on the eastern side.
- The majority of Unit C is set at a lower level than the ground level of the neighbouring eastern property and will not be very visible.
- The ground floor setback of Unit C is setback greater than the minimum 0.9m permitted setback with a setback of 1.8m side setback.

- The majority of the upper first floor setback of Unit C has an eastern side setback greater than the standard 3m.
- The upper first floor western side setback has a minimum 4.6m side setback which is significantly greater than the minimum 0.9m standard permitted.
- The ground floor western side setback has a minimum 4.6m side setback which is significantly greater than the minimum 0.9m standard permitted.
- The western elevation has two varied construction materials - fibre cement sheeting and weatherboards proposed together with select windows.
- Landscaping is proposed within the western side setback which will assist with softening the building's visual impact where viewed from the western neighbouring property and to some degree from the Koala Street public domain.
- Given the setbacks, levels and materials proposed there are no identifiable adverse overbearing and perceptions of building bulk to neighbouring properties.
- There are no identifiable adverse visual or acoustic impacts associated with the wall lengths and their relationship to the immediate eastern and western neighbouring properties.

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

(iia) Any planning agreement that has been entered into under section 7.4, or any draft planning agreement that a developer has offered to enter into under section 7.4

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

(iv) Any matters prescribed by the Regulations

Demolition of buildings AS 2601 - Clause 92

Demolition of the existing structures on the site is capable of compliance with this Australian Standard and is recommended to be conditioned. The existing retaining walls of the existing tennis court are proposed to be retained for the new construction.

(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 sufficiently compatible with other residential development in the locality and adequately addresses planning controls for the area.
- For a new development to be visually compatible with its context, it should contain, or at least respond to, the essential elements that make up the character of the surrounding environment. The most important contributor to character identified for the subject locality is the relationship of built form to surrounding space created by building height, setbacks, landscaping. There are a number of detached dwellings in the locality with a 1 to 2 storey scale, varied side setback, varied setbacks to Koala Street and limited landscaping for each dwelling particularly fronting Koala Street. The roof style of nearby dwellings

are hipped and gable roof styles of construction. There is an existing approved 2 storey semi-detached dwelling development on the corner of Treetop Crescent and Koala Street.

- The proposal will result in a change in character with a different architectural form including parapet style roof form within the immediate locality however this is considered to be an acceptable physical and visual impact change given the proposal satisfactorily addresses the planning controls applying to the site. The proposal exceeds the minimum setback requirements, is within the building height limit and is below the maximum floor space ratio.
- There are no identifiable adverse impacts on any significant existing view sharing.
- There are no identifiable adverse privacy impacts.
- There are 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.

Roads

The site has road frontage and legal access via a privately owned laneway, which connects to Treetop Crescent. This is achieved by a 7m wide right of carriageway over the five (5) adjacent properties.

Adjacent to the site, the lane way is a sealed private road. It has a 5m wide carriageway within a 7m wide easement. There is SE kerb and gutter along the northern side, with a kerb inlet bit at the bottom of the hill immediately before the intersection with Treetop Crescent. There is no paved footpath, and the lane way provides the sole vehicle access to five (5) properties via private driveways. Treetop Crescent is a sealed public road under the care and control of Council. Treetop Crescent is a Local road with a 7m wide carriageway within a 19m wide road reserve. There is SE kerb and gutter, no paved footpath, and on-street parking is utilised by the local residents.

Traffic and Transport

Although the lot is currently being used as a tennis court, the site is approved for residential use and is permitted to generate 9 daily trips. This development proposes to generate an additional 18 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 and Access

Vehicle access to the site is proposed through a single, shared driveway via the existing right of carriageway to Treetop Crescent. Treetop Crescent is a Council-owned public road. Access shall comply with Council AUSPEC and Australian Standards, and conditions have been imposed to reflect these requirements.

A common paved access path and individual gated access points for each dwelling are proposed to allow for direct pedestrian access from the development to Koala Street.

Parking and Manoeuvring

A total of six (6) parking spaces have been provided on-site within carports with an additional visitor parking space provided within the property. 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 and conditions have been imposed to reflect these requirements. Refer to relevant conditions of consent.

Water Supply Connection

Council records indicate that the development site is fronted by a 100mm diameter AC water main on the same side of Treetop Crescent, the site is also fronted by a 150mm diameter AC main on the opposite side of Koala Street.

A hydraulic strategy and detailed plans are required from a hydraulic consultant for the whole of the development on the site. Water service sizing is then to be determined by the hydraulic consultant to suit the proposed development, as well as addressing fire service requirements to AS 2419 and backflow protection requirements.

Sewer Connection

Council records indicate that the development site is connected to Sewer via junction to the existing sewer line which runs inside the northern boundary of the development lot. The proposed development may discharge all sewer to this existing point of connection.

Stormwater

The site naturally grades towards the western boundary and the frontage of Koala Street and is currently unserviced via the public piped drainage system.

The legal point of discharge for the proposed development is defined as a direct connection to the piped drainage system via an extension of Council's drainage network within Koala Street.

A concept stormwater plan prepared by a consulting engineer has been submitted - refer to Attachment 2. Stormwater from the proposed development is planned to be disposed via a direct connection to Council's piped drainage system, via an extension of the network in Koala Street, which is consistent with the above requirements. The stormwater plan has been reviewed as being acceptable subject to recommended conditions.

A detailed site stormwater management plan will be required to be submitted for assessment with the Section 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; and
- Water quality controls

Other Utilities

Telecommunication and electricity services are available to the site. Evidence of satisfactory arrangements with the relevant utility authorities for provision to each proposed lot will be required prior to Strata Certificate approval.

Overhead powerline connection on Koala Street is considered acceptable.

Heritage

No known items of Aboriginal or European heritage significance exist on the property. No adverse impacts anticipated. The site is in a residential context and considered to be disturbed land.

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 not have any significant adverse impacts on water resources and the water cycle.

Soils

The proposed development will not have any significant 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 not result in any significant 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 native vegetation and therefore does not trigger the biodiversity offsets scheme. Part 7 of the Biodiversity Conservation Act 2016 is considered to be satisfied.

Waste

Satisfactory arrangements are in place for proposed storage and collection of waste and recyclables. Garbage collection is proposed to occur from Koala Street. 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

The construction and/or operations of the proposed development will not result in any significant adverse impacts on the existing air quality or result in any pollution. Standard precautionary site management condition recommended.

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.

The plans show a walkway along the western side setback area which is to be gated on the northern boundary to Koala Street.

Social impacts in the locality

Given the nature of the proposed development and its location the proposal is not considered to have any significant adverse social impacts.

Economic impact in the locality

The proposal is not considered to have any significant adverse economic impacts on the locality. A likely positive impact is that the development will maintain employment in the construction industry, which will lead to flow impacts such as 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

Construction impacts are considered capable of being managed, standard construction and site management conditions have been recommended.

Cumulative impacts

The proposed development is not considered to have any significant 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

Thirty three (33) written submissions were received following public exhibition of the application on two (2) occasions. Thirteen (13) of these submissions were received in regards to the amended proposal. Twenty (20) submissions were received in regards to the original proposal.

Copies of the written submissions have been provided separately to members of the DAP.

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

Submission Issue/Summary	Planning Comment/Response
The amended proposal should be a new DA with the changes proposed.	The amended proposal and plans lodged are able to be submitted provided they are renotified to neighbouring properties and reassessed under the Environmental Planning and Assessment Act 1979.
Question whether proposal will provide a benefit to the neighbourhood.	The proposal will provide a suitable alternate form of low-rise medium housing accommodation which will be sufficiently compatible within the existing neighbourhood.

Submission Issue/Summary	Planning Comment/Response
The proposal will reduce the value and amenity of the neighbourhood.	<p>The potential for any impact on property values is not a planning matter for consideration under the Environmental Planning and Assessment Act 1979.</p> <p>The proposal will not result in any significant adverse amenity impacts in the neighbourhood given the suitability of the proposal for the site, as assessed against the planning controls that apply.</p>
The proposal is inconsistent with the established area of mostly single storey homes on large blocks with ample landscaping.	<p>There is a mix of single and 2 storey homes and a 2 storey dual occupancy development on the corner of Treetop Crescent and Koala Street. The proposal is suitable in scale and bulk having regard to the compliance with the height, floor space ratio and setbacks controls applying to the site.</p> <p>The proposal is sufficiently compatible with the character of the existing surrounding locality having regard to the proposal's compliance with the planning controls applying to the site. Council's primary planning controls are the Port Macquarie-Hastings Local Environmental Plan 2011 and Development Control Plan 2013. The proposal is not at odds with the planning requirements of these planning controls which permit this form of residential development.</p>
The proposal does not comply with the character, bulk and scale of neighbouring properties.	
The desired character of the locality is the one that has been in place for 30 years.	
There is overshadowing of neighbouring properties and view loss.	<p>There are no adverse overshadowing impacts to neighbouring properties given the northern orientation of eastern and western neighbouring properties and the generous rear setback which has been significantly increased from what was originally proposed.</p> <p>Given the compliance with the building height standard and setback controls there are no adverse impacts identified to view loss the immediate locality. There are no identifiable ocean or iconic views identified in the immediate locality to be affected by the proposal.</p>
The overshadowing diagrams in regards to shading on the eastern side of the development are inaccurate and don't comply with the Development Control Plan 2013.	
The proposal will overshadow yards of 3 neighbouring homes at 1 and 2 Nautical Cove and 5 Treetop Crescent and create privacy and noise issues to them.	
The flat metal-roofed construction is not compliant with the established brick and title covenant of this estate.	<p>Clause 1.9A of the Port Macquarie-Hastings Local Environmental Plan 2011 states:</p> <p><i>For the purpose of enabling development on land in any zone to be carried out in accordance with this Plan or with a consent granted under the Act, any agreement, covenant or other similar instrument that restricts the carrying out of that development does not apply to the extent necessary to serve that purpose.</i></p>

Submission Issue/Summary	Planning Comment/Response
	In this regard the proposal is a permissible landuse in the R1 general residential zone and is unable to refused having regard to a private covenant which benefits other owners in subdivision put in place by the developer of the original subdivision in 1980.
The extra vehicles on the right of way will increase the expense of maintaining the road.	The existing private right of carriageway permits vehicular traffic to pass and repass along the private right of carriageway. The private road access is considered to be of a suitable standard and design to cater for the additional traffic. Any issues of maintenance will be a civil private matter to resolve with other neighbours which have rights to use the private driveway.
No details of contribution to the maintenance of the private right of way.	
There is no bus-stop at the south-eastern corner of this property as claimed with the nearest bus stop in Granite Street.	Agree that this detail as submitted is incorrect in regards to an existing bus stop. Whilst no bus stop is identified within close proximity to the site, the proposal provides for compliant off-street parking.
The proposal uses the existing cut and fill of the tennis court to be removed which already exceeds the limit of 1m under Development Control Plan 2013 with no evidence that it is suitable to retain this development. The retaining wall may need to be removed and rebuilt with engineering certification.	It is proposed to use the existing cut and fill of the tennis court to be demolished. Appropriate engineering certification will be required to confirm that the development can be constructed and retain the existing retaining walls. A suitable condition is recommended in this regard.
The submitted details state that garages are proposed when only carports are proposed.	Carports are proposed for provision of covered parking areas for each dwelling.
There is poor visibility for cars backing out of their existing driveways on the private right of way and the extra vehicles that will use it.	The proposal provides for satisfactory vehicle turning areas to enable all vehicles to enter and leave the site in a forwards direction when travelling along the existing private right of carriageway.
The visitor parking is not easily accessible from the street and is at the rear of the lot and not close to Koala Street.	The proposal provides for compliant off-street parking in accordance with Development Control Plan 2013. The 1 visitor park to service 3 dwellings is satisfactorily accessible.
The public thoroughfare along the west side of the development will invite criminal activity and concealment opportunities along it and along the private right of way.	No concealment or entrapment areas proposed or identified. Adequate casual surveillance available. The plans show a walkway along the western side setback area which is to be gated on the northern boundary to Koala Street.

Submission Issue/Summary	Planning Comment/Response
The existing brick fence fronting Koala Street does comply with Development Control Plan 2013 and should have 25% openings or be required to be setback.	The existing front retaining wall fence is proposed to be retained along Koala Street. The development is set higher than the fence and the fence is less than 1.8m in height therefore no transparency is considered warranted to retrofit into the existing fence.
The plans indicate that landscape plantings are proposed on Council land.	There are is no landscaping proposed on Council land or Koala Street.
The window placements on the second floor level facing neighbouring properties living areas does not comply with the Development Control Plan 2013.	No 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. No main living areas are located on the upper first floor - only bedrooms. No privacy screens are considered to be required.
Council has not stated it desires this area to have multiple units built in this low density, large lot neighbourhood.	The proposal will provide a suitable alternative form of residential housing type and density to a typical large low density type housing consistent with the objective of the R1 General Residential zoning applying to the site.
The proposal will not bring employment opportunities or economic benefits to the locality.	The proposal is not considered to have any significant adverse economic impacts on the immediate locality. A likely positive impact is that the development will maintain employment in the broader Port Macquarie-Hastings construction industry, which will lead to flow impacts such as expenditure in the Local Government Area.
The amended proposal does not address the concerns of neighbours.	The amended proposal addresses several initial assessment concerns with the original proposal and will be more compatible within the existing neighbourhood than the original proposal. The amended proposal includes a reduction of 1 dwelling, increase in parking provision (2 spaces per dwelling), a nominated visitor parking space and no reliance on private garbage collection arrangements.
There are other new estates that can provide a variety of housing choices on smaller blocks with unit developments.	The proposal is assessed on its own merits applicable to the site and existing context. The proposal will provide a suitable alternative form of residential housing type and density to low density type housing consistent with the objective of the R1 general residential zoning applying to the site.
There is little real estate demand for units in Port Macquarie.	Real estate demand for a type of this housing is not a matter for consideration of the application under the Environmental Planning and Assessment Act 1979 and is unable to be considered in the determination of the application.
The proposal is visually	The proposed dwellings will be visible in the Koala

Submission Issue/Summary	Planning Comment/Response
prominent in the streetscape from neighbouring homes.	Street streetscape and their design will result in an acceptable streetscape outcome. It is noted that several existing homes do not address Koala Street with rear yards and solid fencing fronting this distributor road.
The use of photos submitted is misleading.	The plans submitted identify what is proposed based upon survey accurate information. The montages submitted are only representative to gain a visual appreciation of the proposal. The proposal has been carefully assessed in detail against the planning requirements applying to the site.
The proposal is overdevelopment in this area and the neighbours can refer approval of inappropriate developments to the Land and Environment Court.	The proposal as amended is not considered to be an overdevelopment of the site based upon the assessment provided earlier in this report. The proposal has been amended during assessment to reduce the density on the site and provide a much better design outcome. There are limited third party appeal rights to the NSW Land and Environment Court post determination of a Development Application. This report focuses on the assessment of the application against the assessment criteria set out in Section 4.55 of the Environmental Planning and Assessment Act 1979.
No dimensions of lots have been provided and the lots are smaller than usually permitted.	The proposal includes a development with multi dwelling housing (3 dwellings proposed on one allotment of land) proposed with strata title subdivision. Refer to the proposed strata title subdivision plans attached to this report. The Port Macquarie-Hastings Local Environmental Plan 2011 permits lots to be proposed below the 450m2 lot size where integrated development with housing which is permissible in the zoning applying to the site.
No details of soft landscaping percentage or percentage of site to be built on have been provided.	There are no planning controls in Development Control Plan 2013 to restrict or require a certain amount of landscaping. The proposal does however provide sufficient opportunities for landscaping particularly noting the larger than normal setbacks to the building proposed.
The proposal is not setback the required distance from Koala Street.	The amended proposal provides for a minimum 6.8m setback to each of the dwellings fronting Koala Street. These setbacks are greater than the minimum standard and compliant with the minimum 4.5m setback requirement of Development Control Plan 2013.
The proposal does not comply with the floor space ratio control.	The floor space ratio of the proposal is 0.42:1.0 which complies with the maximum 0.65:1 floor space ratio applying to the site.
The proposal does not detail how it relies on access from the existing right of way and	The existing private right of carriageway permits vehicular traffic to pass and repass along the private right of carriageway. The private road

Submission Issue/Summary	Planning Comment/Response
no owner's permission has been provided.	<p>access is considered to be of a suitable standard and design to cater for the additional traffic. Any issues of maintenance will be a civil private matter to resolve with other neighbours which have rights to use the private driveway.</p> <p>No new works are proposed along the existing right of carriageway.</p>
The minimum parking requirements are not complied with and no visitor parking is provided.	The proposal complies with the car parking requirements of Development Control Plan 2013 - refer to DCP comments.
No details of how stormwater will be managed have been provided - directed to Koala Street or Treetop Crescent.	<p>A concept stormwater management plan has been submitted during assessment of the amended proposal.</p> <p>The site is not connected to any piped stormwater. However, the stormwater management plan indicates that stormwater can be piped to an underground on-site stormwater detention pit, located in the open space area between the west side of Townhouse A and the western boundary and then piped east, along the road reserve, to an existing kerb inlet pit, located on the western side of the intersection between Koala Street and Nautical Cove.</p> <p>Refer to comments provided earlier in in this report and recommended consent conditions.</p>
The proposal will have a social impact as it doubles the number of premises living off and using this small private right of way.	The social impact of the proposal will not result in any identifiable social displacement and will not have any adverse impacts on the sense of place in the immediate community. The proposal complies with the planning controls and objectives applying to the site.
Will garbage trucks be sent up the right of way to collect bins or be collected on Koala Street.	Garbage collection will be collected from the Koala Street frontage similar to existing dwellings to the west fronting Koala Street.
The new lots are inaccessible from Koala Street.	Direct pedestrian access is proposed for each dwelling to Koala Street.
The amended proposal is detailed to be Torrens title and not Strata title.	The amended proposal has changed the subdivision proposed from Torrens title to Strata Title.
Where will mailboxes be located.	The submitted plans do not show any details of mailbox locations however this is considered achievable to provide on the Koala Street frontages of each dwelling/lot in the same arrangement as the existing dwellings to the immediate west of the site.
Question the side setbacks for the Unit A South side relating to original proposal	The proposal has been amended to remove the dwelling originally proposed within relatively close proximity to the southern boundary.

Submission Issue/Summary	Planning Comment/Response
Original proposal with four(4) townhouses is too much squeezed into site.	Three(3) dwellings are now proposed as part of the amended proposal.
The right of way is too narrow and only wide enough for a single vehicle and does not permit traffic to pass each other.	The proposal provides for satisfactory vehicle turning areas to enable all vehicles to enter and leave the site in a forwards direction when travelling along the existing private right of carriageway.
Increased traffic bottleneck and collision potential at the intersection of Treetop Crescent and Koala Street.	The site is approved for residential use and is permitted to generate 9 daily trips. This development proposes to generate an additional 18 daily trips. Council's specialist Engineering staff have reviewed the proposal and advised that the addition in traffic associated with the development is unlikely to have any adverse impacts to the existing road network within the immediate locality.
The increased traffic flow will present a risk to children particularly being opposite the park.	The proposal relies on an existing private access road connecting to the public road being Treetop Crescent. The proposal will not result in a significant increase in traffic in the locality to warrant mitigation measures to Treetop Crescent and/or Koala Street. The proposal will not prevent children being able to play in the Park itself.
The proposal is in koala corridor and koalas should be considered.	There is no Koala Plan of Management applying to the site. Additionally, the proposal does not propose to remove any koala food trees which could represent any significant koala habitat and site is less than 1 hectare in area therefore no further investigations are required. The site is also not mapped as containing potential significant core koala habitat on recent Koala Habitat Mapping issued by the NSW Department of Planning, Industry and Environment as part of the new Koala Habitat Protection State Environmental Planning Policy - released 1 March 2020. No specific Koala Assessment or mitigations measures are considered required in this regard.
The increased traffic along the right of way will pose a risk to koalas.	
The minimum private open space requirements are not provided for.	Each occupancy contains 35m ² open space in one area including a useable 4m x 4m area. There is >55m ² of private open space per each dwelling on the northern side of the dwellings fronting Koala Street. The private open space proposed complies with the minimum standard requirements of Development Control Plan 2013.

(e) The Public Interest

The proposed development satisfies relevant planning controls as detailed in this report. The proposal will not adversely 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. The site has a 1 x Equivalent Tenement (ET) credit for the existing residential lot.
- Development contributions will be required in accordance with Section 7.11 of the Environmental Planning and Assessment Act 1979 towards roads, open space, community cultural services, emergency services and administration buildings. The site has a 1 x Equivalent Tenement (ET) credit for the existing residential lot.
- A copy of the contributions estimate is included as **Attachment 3**.

5. CONCLUSION AND STATEMENT OF REASON

The application has been assessed in accordance with Section 4.15 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 considered suitable for the proposed development and the proposal adequately addresses relevant planning controls. The development is not considered to be contrary to the public's interest and will not result 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. **Attachment 1**.

Attachments

- 1 [1](#). DA2019 - 520.1 Recommended Conditions
- 2 [2](#). DA2019 - 520.1 Plans
- 3 [3](#). DA2019 - 520.1 Contributions Estimate

**FOR USE BY PLANNERS/SURVEYORS TO PREPARE LIST OF
PROPOSED CONDITIONS****NOTE: THESE ARE DRAFT ONLY****DA NO: 2019/520****DATE: 11/03/2020****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
Strata Subdivision Plans	Sheets 1 and 2	Frank L O-Rourke	undated
BASIX certificate	1012060S	Chris Jenkins Design	10 December 2019
BASIX certificate	1064664S	Chris Jenkins Design	10 December 2019
BASIX certificate	1064663S	Chris Jenkins Design	10 December 2019
Development plans	Drawings DA01 to DA14	Chris Jenkins Design	9 December 2019
Stormwater management plan	Sheets C01 and C02	David R Johnson	January 2020

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

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

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

- (3) (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 holidaysThe 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) (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.
- (8) (A033) The applicant shall provide security to the Council for the payment of the cost of the following:
- a. making good any damage caused to any property of the Council as a consequence of doing anything to which the consent relates,
 - b. completing any public work (such as road work, kerbing and guttering, footway construction, utility services, stormwater drainage and environmental controls) required in connection with the consent,
 - c. remedying any defects in any such public work that arise within twelve (12) months after the work is completed.

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

The security is to be for such reasonable amount as is determined by the consent authority, being an amount that is 10% of the contracted works for Torrens Title subdivision development/the estimated cost plus 30% for building development of public works or \$5000, whichever is the greater of carrying out the development by way of:

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

The security may be used to meet any costs referred to above and on application being made to the Council by the person who provided the security any balance remaining is to be refunded to, or at the direction of, that person. Should Council have to call up the bond and the repair costs exceed the bond amount, a separate

invoice will be issued. If no application is made to the Council for a refund of any balance remaining of the security within 6 years after the work to which the security relates has been completed the Council may pay the balance to the Chief Commissioner of State Revenue under the Unclaimed Money Act 1995.

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:

 - Civil works
 - Traffic management
 - Work zone areas
 - Hoardings
 - Stormwater management
- (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. Roadworks 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. Erosion & sedimentation controls.
 6. Location of all existing and proposed utility services including:
 - a. Conduits for electricity supply and communication services (including fibre optic cable).
 - b. Water supply
 - c. Sewerage
 - d. Stormwater
- (4) (B010) Payment to Council, prior to the issue of the Construction Certificate of the Section 7.11 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:

- Port Macquarie-Hastings Administration Building Contributions Plan 2007
- Hastings S94 Administration Levy Contributions Plan
- Port Macquarie-Hastings Open Space Contributions Plan 2018
- Hastings S94 Major Roads Contributions Plan
- Port Macquarie-Hastings Community Cultural and Emergency Services Contributions Plan 2005

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

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

- (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 Certificate, 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) (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) (B042) A certificate from an approved practising chartered professional civil and/or structural engineer certifying the structural adequacy of the existing retaining wall(s) and/or tennis court concrete slab, if they are to be incorporated into the final design. The certification(s) is to be submitted to the Principal Certifying Authority prior to the release of the Construction Certificate.
- (10) (B053) The design of the carpark and accesses is to be in accordance with Australian Standard 2890 (including AS 2890.1). 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) (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.
- (13) (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 Council's piped drainage system.

In this regard, Council's piped drainage system in Koala Street must be extended by an appropriately sized pipeline (minimum 375mm diameter) to the frontage of the site, where a kerb inlet pit (minimum 2.4m lintel) must be installed, to allow direct piped connection from the development site into the public drainage system.

The pipeline must be designed to have the capacity to convey flows that would be collected at that section of street as generated by a 20 year Average Recurrence Interval storm event.
 - b) The design is to be generally in accordance with the stormwater drainage concept plan on Drawing No 2020-3 prepared by David Johnson Consulting Engineer Pty Ltd and dated January 2020.
 - c) 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.
 - d) The design shall include water quality controls designed to achieve the targets specified within AUSPEC D7.
 - e) OSD facilities may be deleted from the proposed development where it is demonstrated that post development site stormwater discharge to the downstream easement is less than the pre-development condition or it is demonstrated that there is no downstream benefit to the provision of osd facilities.
 - f) The design is to make provision for the natural flow of stormwater runoff from uphill/upstream properties/lands. The design must include the collection of such waters and discharge to the Council drainage system.
 - g) An inspection opening or stormwater pit must be installed inside the property, adjacent to the boundary, for all stormwater outlets.
 - h) The design shall provide details of any components of the existing stormwater drainage system servicing the site that are to be retained.
- (14) (B014) Provision to each lot of a separate metered water connection to Council's main. All work will need to comply with the requirements of Council's adopted AUSPEC Design and Construction Guidelines and Policies.
- (15) (B017) Submission to Council of an application for water main service connections and compliance with Council's requirements for the provision of such connections. Payments of costs to provide for these connections and/or extensions are to be made prior to the issue of the Construction Certificate. This application is also to include an application for the disconnection of any existing service not required.
- (16) (B195) Council records indicate that the development site is fronted by a 100mm diameter AC water main on the same side of Treetop Crescent, the site is also fronted by a 150mm diameter AC main on the opposite side of Koala Street.

A hydraulic strategy and detailed plans are required from a hydraulic consultant for the whole of the development on the site. Water service sizing is then to be determined by the hydraulic consultant to suit the proposed development, as well as addressing fire service requirements to AS 2419 and backflow protection requirements.

- (17) (B196) Council records indicate that the development site is connected to Sewer via junction to the existing sewer line which runs inside the northern boundary of the development lot. The proposed development may discharge all sewer to this existing point of connection.
- (18) Prior to the issue of a Construction Certificate a more detailed landscape plan is to be submitted to the Principal Certifying Authority which includes details of the proposed surface treatment and proposed plantings species and size.

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 and/or Vertical Inspection Shaft (VIS) exists within a property, access to the manhole/VIS shall be made available at all times. Before during and after construction, the sewer manhole/VIS 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.

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. at completion of installation of erosion control measures;
 - b. when trenches are open, stormwater/water/sewer pipes and conduits jointed and prior to backfilling;
 - c. before pouring of kerb & gutter;
 - d. prior to the pouring of concrete for sewerage works and/or works on public property; and
 - e. 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) (D029) The demolition of any existing structure shall be carried out in accordance with Australian Standard AS 2601: *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*.

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) (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) (E010) Driveways, access aisles and parking areas shall be provided with an approved surface. Such a surface shall be on a suitable pavement, constructed and maintained in accordance with Council's Development, Design and Construction Manuals (as amended).
- (4) (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.
- (5) (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.
- (6) (E036) Certification by a suitably qualified consultant is to be submitted to the Principal Certifying Authority (PCA) confirming that the car park and internal accesses have been constructed in accordance with Port Macquarie-Hastings Development Control Plan 2013 and Australian Standard 2890 (including AS 2890.1) 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) (E040) Each onsite detention system is to be marked by a plate in a prominent position which states:

"This is an onsite detention system. It is an offence to reduce the volume of the tank or basin or interfere with any part of the structure that controls the outflow".

This plate is to be fixed into position prior to occupation or the issue of the Occupation or Subdivision Certificate.
- (9) (E046) Prior to the issue of an Occupation Certificate, a positive covenant is to be created under Section 88E of the Conveyancing Act 1919, burdening the owner(s)

with the requirement to maintain the on-site stormwater detention facilities on the property.

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

- a. The Proprietor of the property shall be responsible for maintaining and keeping clear all pits, pipelines, trench barriers and other structures associated with the on-site stormwater detention facilities ("OSD").
- b. The Proprietor shall have the OSD inspected annually by a competent person.
- c. The Council shall have the right to enter upon the land referred to above, at all reasonable times to inspect, construct, install, clean, repair and maintain in good working order all pits, pipelines, trench barriers and other structures in or upon the said land which comprise the OSD or which convey stormwater from the said land; and recover the costs of any such works from the proprietor.
- d. The registered proprietor shall indemnify the Council and any adjoining land owners against damage to their land arising from the failure of any component of the OSD, or failure to clean, maintain and repair the OSD.

The proprietor or successor must bear all costs associated in the preparation of the subject 88E instrument. Evidence of registration with the Lands and Property Information NSW shall be submitted to and approved by the Principal Certifying Authority prior to the issue of an Occupation Certificate.

- (10) (E050) Prior to Council accepting new stormwater infrastructure, a CCTV inspection of all new and modified stormwater assets must be undertaken in accordance with the Conduit Inspection Reporting Code of Australia WSA 05.

A copy of the CCTV inspection footage and inspection report prepared and certified by a suitably qualified person shall be provided to Council prior to the acceptance of works into the nominated 'into maintenance period'.

- (11) (E053) All works relating to public infrastructure 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.
- (12) (E058) Written confirmation being provided to the Principal Certifying Authority (PCA) from any properly qualified person (eg the builder), stating that all commitments made as part of the BASIX Certificate have been completed in accordance with the certificate.
- (13) (E061) Landscaped areas being completed prior to occupation or issue of the Occupation Certificate in accordance with the landscape plan prepared and submitted to the Principal Certifying Authority.
- (14) (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.
- (15) (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

F – OCCUPATION OF THE SITE

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

DRAFT

PROPOSED KOALA STREET TOWNHOUSES

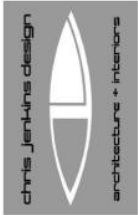
44 KOALA STREET PORT MACQUARIE
PORT MACQUARIE, 2444

FOR JACK CITRARO



DRAWING INDEX:

Layout No:	Layout Name	Rev
DA01	LOCATION PLAN	B
DA02	EXISTING SITE PLAN	B
DA03	PROPOSED SITE PLAN	B
DA04	GROUND FLOOR PLAN	B
DA05	UPPER FLOOR PLAN	B
DA06	ROOF PLAN	B
DA07	ELEVATIONS	B
DA08	ELEVATIONS	B
DA09	SECTIONS	B
DA10	SECTIONS	B
DA11	SHADOW DIAGRAM - 9am + 10am 21 JUNE	B
DA12	SHADOW DIAGRAM - 11am + 12pm 21 JUNE	B
DA13	SHADOW DIAGRAM - 1pm + 2pm 21 JUNE	B
DA14	SHADOW DIAGRAM - 3pm 21 JUNE	B





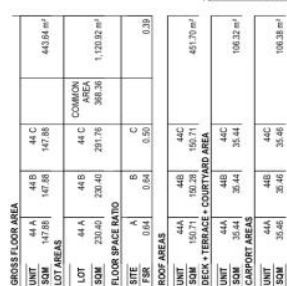
DEVELOPMENT APPLICATION





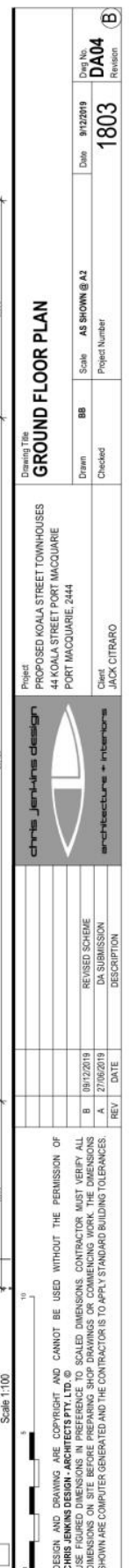
DESIGN AND DRAWING ARE COPYRIGHT AND CANNOT BE USED WITHOUT THE PERMISSION OF CHRIS JENKINS DESIGN ARCHITECTURE + INTERIORS. ALL DIMENSIONS SHOWN IN PARENTHESES ARE TO BE USED IN PREFERENCE TO SCALED DIMENSIONS. CONTRACTOR MUST VERIFY ALL DIMENSIONS ON SITE BEFORE PREPARING SHOP DRAWINGS OR COMMENCING WORK. THE DIMENSIONS SHOWN ARE COMPUTER GENERATED AND THE CONTRACTOR IS TO APPLY STANDARD BUILDING TOLERANCES.		REV B 08/12/2019 A 27/06/2019		DATE 08/12/2019 27/06/2019		DESCRIPTION REVISED SCHEME DA SUBMISSION	
Project: PROPOSED KOOKA STREET TOWNHOUSES 44 KOOKA STREET PORT MACQUARIE PORT MACQUARIE, 2444 Client: JACK CITRARO							
Drawing Title: LOCATION PLAN Scale: AS SHOWN @ A2 Date: 9/12/2019 Drawn: BB Checked: 1803 Project Number: DA01 Revision: B							

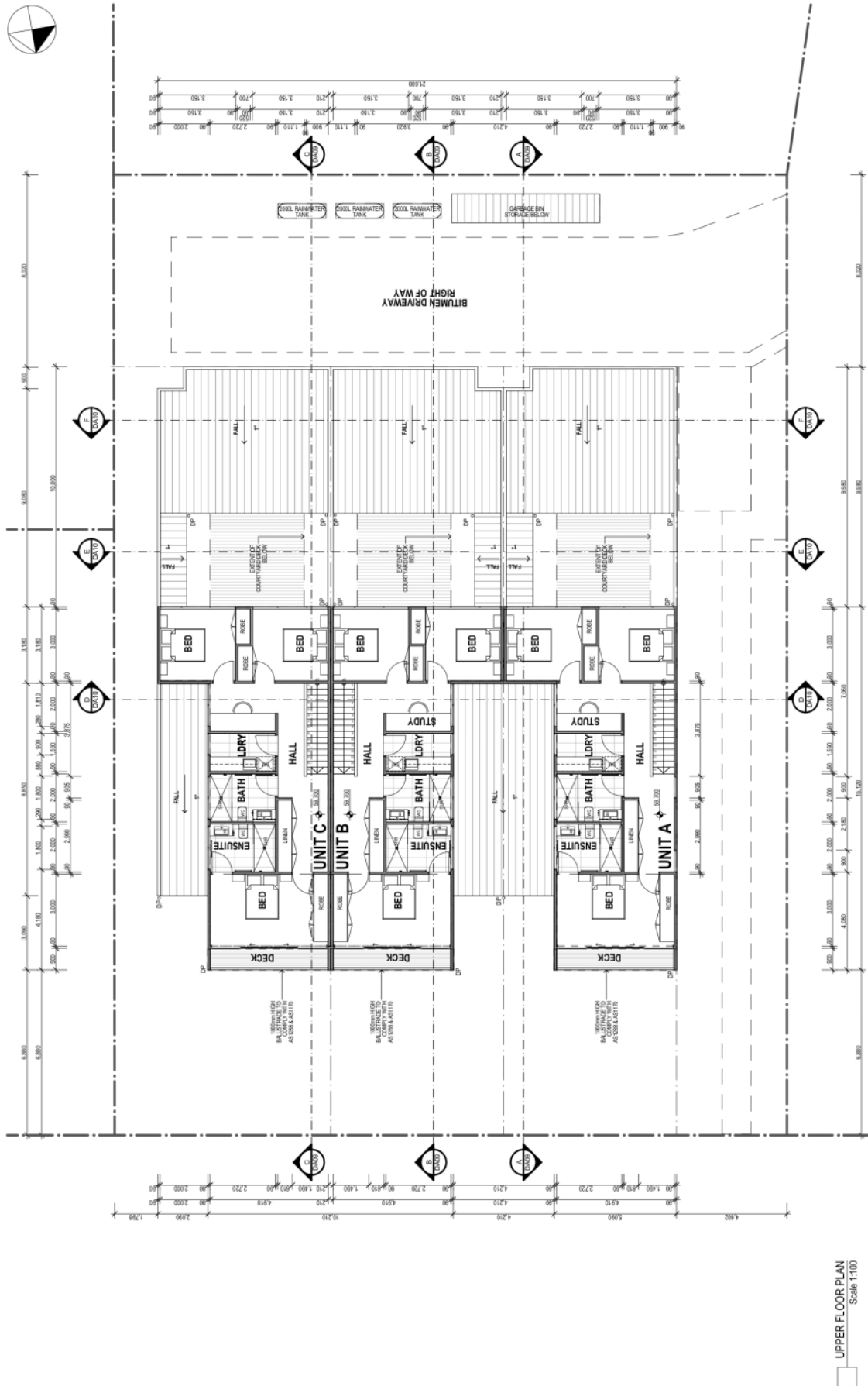


				Project PROPOSED KOALA STREET TOWNHOUSES 44 KOALA STREET PORT MACQUARIE PORT MACQUARIE, 2444		Drawing Title <h1>EXISTING SITE PLAN</h1>		Project BB Scale AS SHOWN @ A2 Checked Project Number		Drawing No. 1803 Revision B	
DESIGN AND DRAWING ARE COPYRIGHT AND CANNOT BE USED WITHOUT THE PERMISSION OF CHRIS JENKINS DESIGN - ARCHITECTS PTY LTD. ©		DIMENSIONS ON SITE BEFORE PREPARING SHOP DRAWINGS OR COMMENCING WORK. THE DIMENSIONS SHOWN ARE COMPUTER GENERATED AND THE CONTRACTOR IS TO APPLY STANDARD BUILDING TOLERANCES.		RE-USED SCHEME DA SUBMISSION REV DATE		DA SUBMISSION REV DATE		DA SUBMISSION REV DATE		DA SUBMISSION REV DATE	

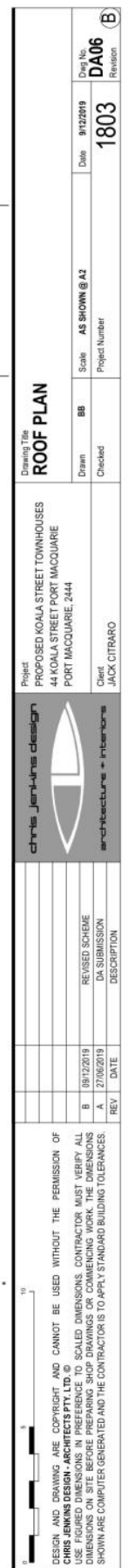


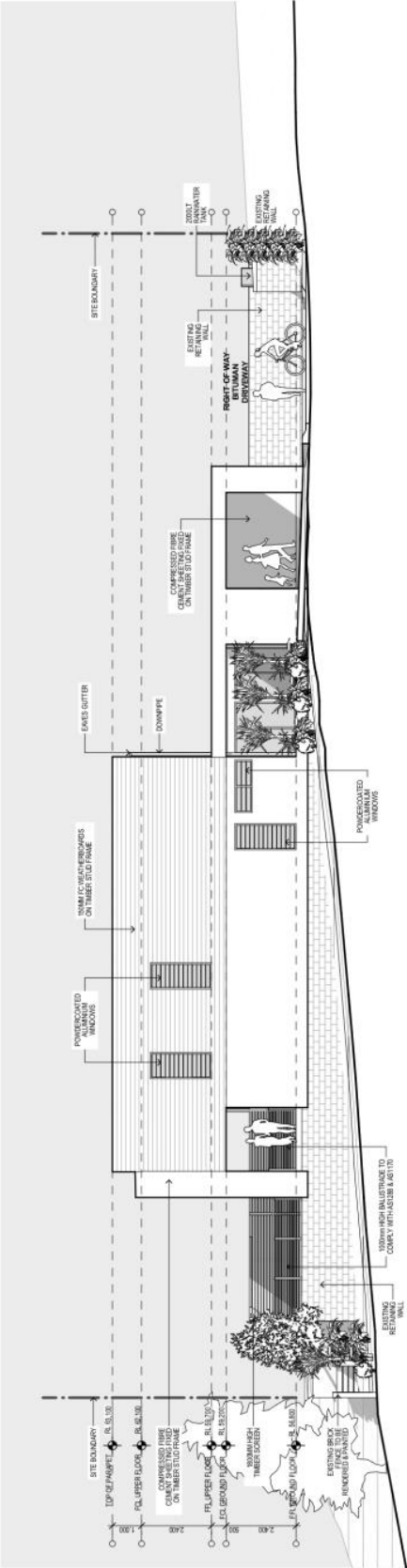
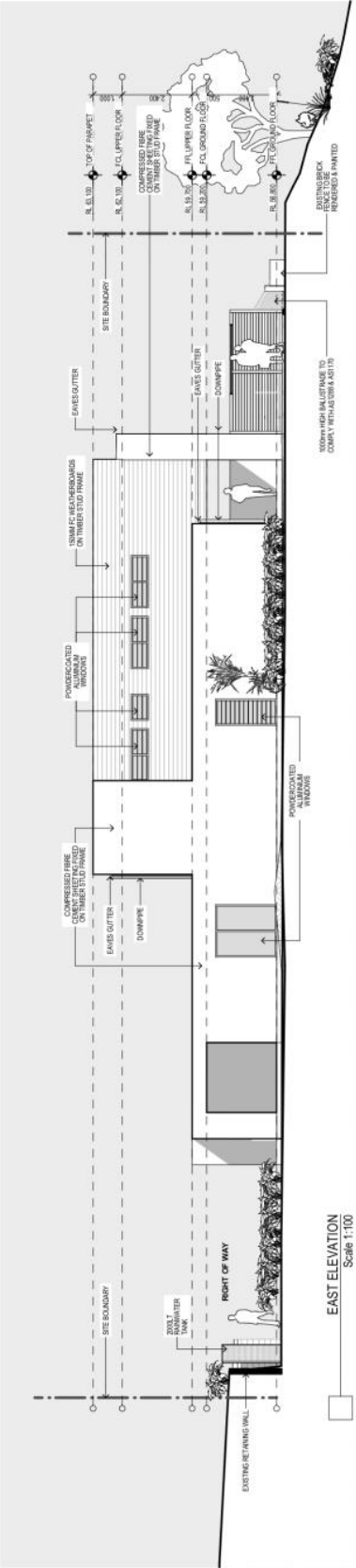
	DESIGN AND DRAWING ARE COPYRIGHT AND CANNOT BE USED WITHOUT THE PERMISSION OF			Project: PROPOSED KOALA STREET TOWNHOUSES 44 KOALA STREET PORT MACQUARIE PORT MACQUARIE, 2444	Drawing Title PROPOSED SITE PLAN	Drawn	Scale	Date	Sheet No.	Revision	
	REVISED SCHEME										Client JACK CITRABARO
	DA SUBMISSION A. 27/06/2019 REV DATE										



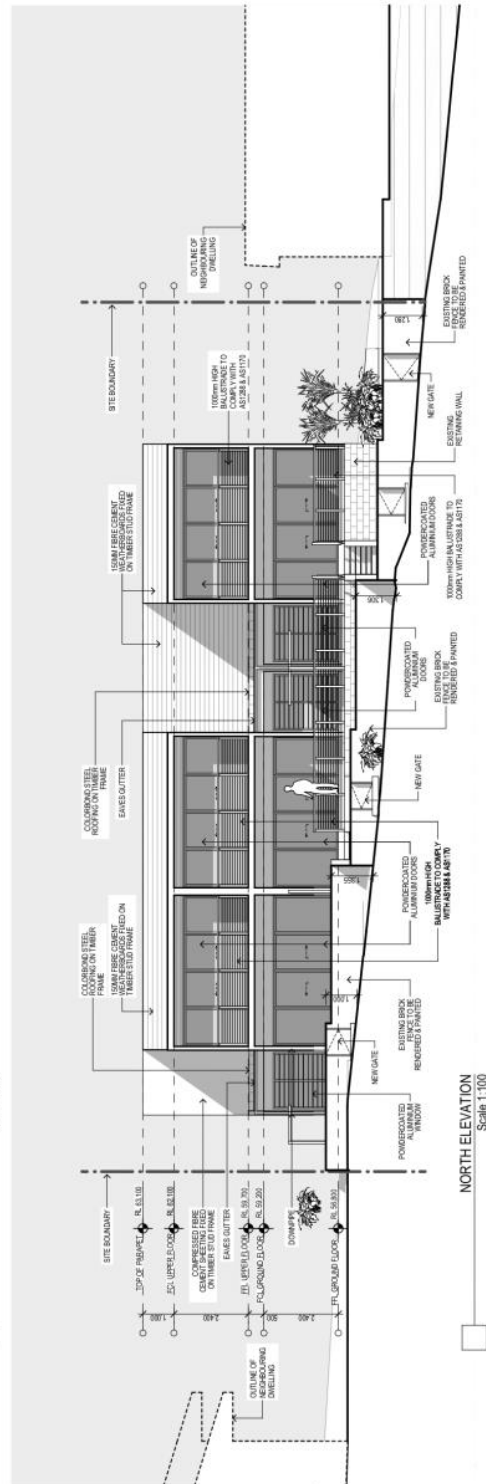


Project				Drawing Title			
PROPOSED KONA STREET TOWNHOUSES 44 KONA STREET PORT MACQUARIE PORT MACQUARIE, 2444				UPPER FLOOR PLAN			
Client JACK CITRARO				Scale AS SHOWN @ A2			
REV				Date			
B				9/12/2019			
A				1803			
DESCRIPTION				Project Number			
REVISED SCHEME				DA05			
DA SUBMISSION				Revision			
DESCRIPTION				B			



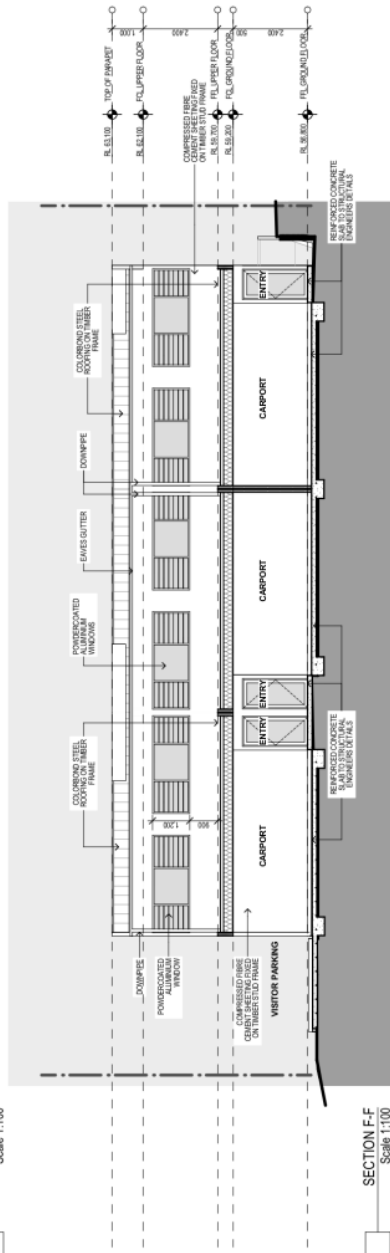



DESIGN AND DRAWING ARE COPYRIGHT AND CANNOT BE USED WITHOUT THE PERMISSION OF CHRIS JENKINS DESIGN ARCHITECTURE + INTERIORS.		Project		Drawing Title		Drawn		Date		Scale		Project Number		Draw No.	
PROPOSED KOMA STREET TOWNHOUSES 44 KOMA STREET PORT MACQUARRE PORT MACQUARRE, 2444		Chris Jenkins design architecture + interiors		ELEVATIONS		BB		9/12/2019		AS SHOWN @ A2		1803		DA07	
REVISED SCHEME DA SUBMISSION		Client JACK CITRARO		Checked		1803		9/12/2019		AS SHOWN @ A2		1803		DA07	
DESCRIPTION		REV		DATE		1803		9/12/2019		AS SHOWN @ A2		1803		DA07	
DESCRIPTION		REV		DATE		1803		9/12/2019		AS SHOWN @ A2		1803		DA07	



DESIGN AND DRAWING ARE COPYRIGHT AND CANNOT BE USED WITHOUT THE PERMISSION OF ARCHITECTURE + INTERIORS 10																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																												
---	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--

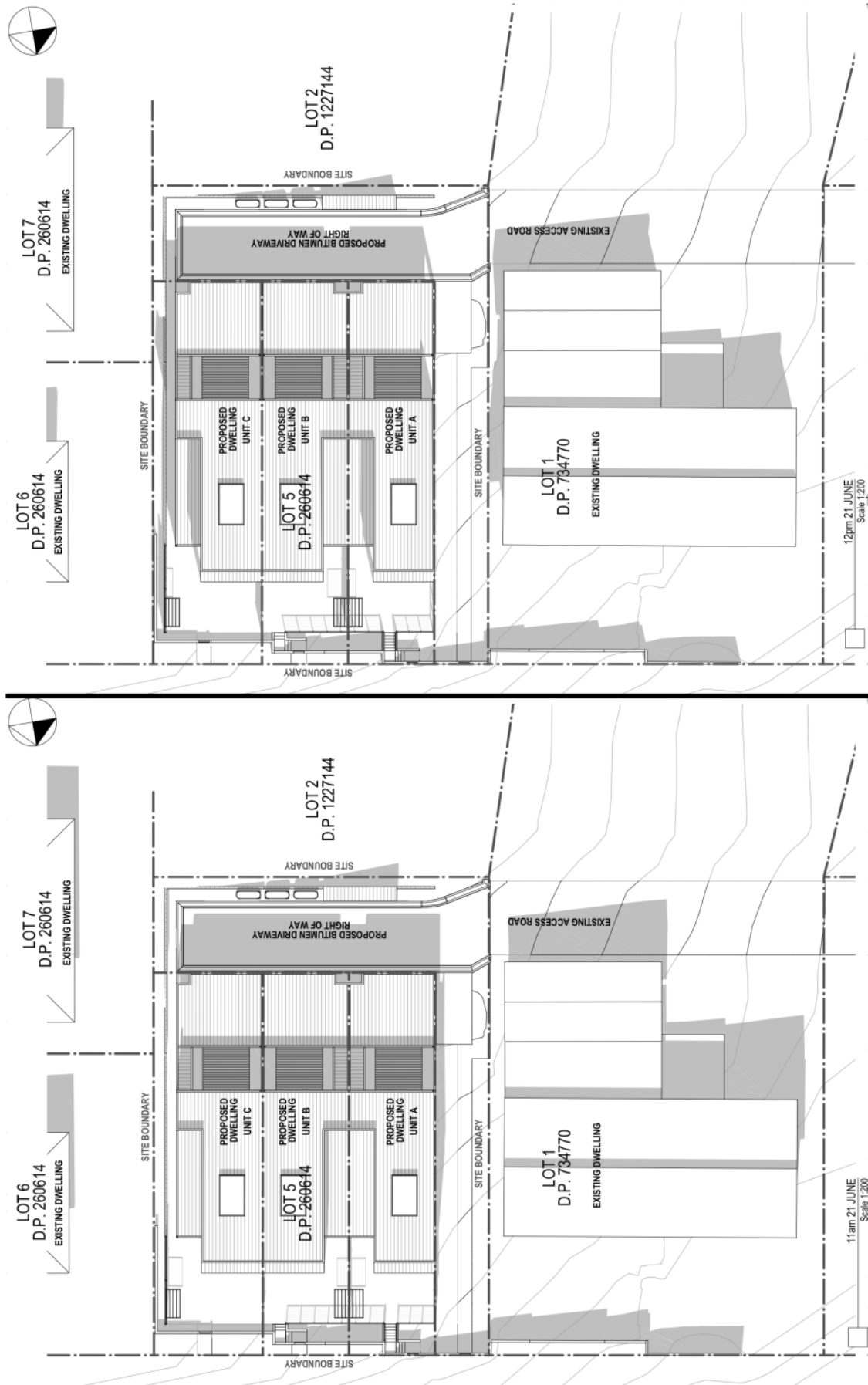
[illegible]



DESIGN AND DRAWING ARE COPYRIGHT AND CANNOT BE USED WITHOUT THE PERMISSION OF																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																		
---	---	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--

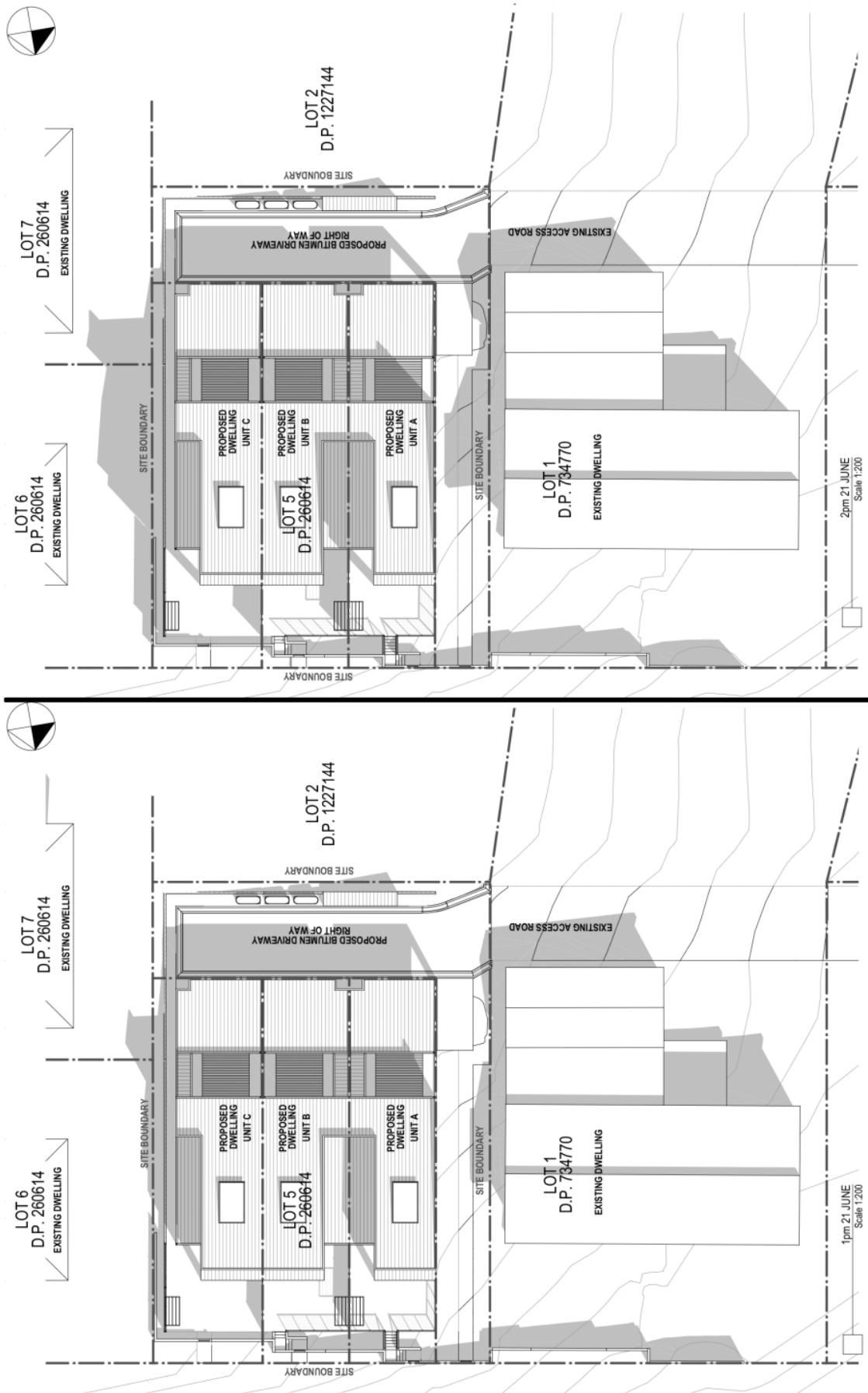


<div>0 10 20</div> <div>Scale 1:200</div>																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																														</	
---	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	----	--

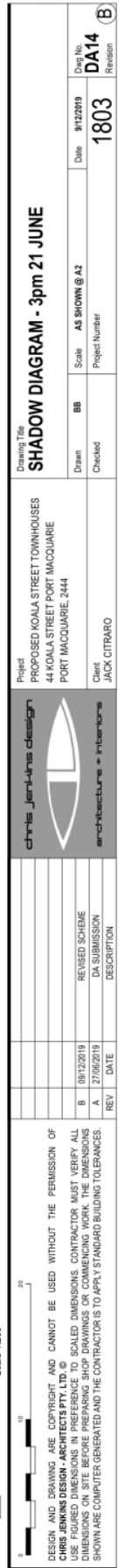


Project				Drawing Title			
PROPOSED KONA STREET TOWNHOUSES 44 KONA STREET PORT MACQUARIE PORT MACQUARIE, 2444				SHADOW DIAGRAM - 11am + 12pm 21 JUNE			
Client JACK CITRARO				Drawn BB	Scale AS SHOWN @ A2	Date 9/12/2019	Draw No. DA12
REV				Checked	Project Number 1803	Revision 1803	Revision (B)
REV	DATE	DESCRIPTION	DESCRIPTION				
B	09/12/2019	REVISED SCHEME					
A	27/06/2019	DA SUBMISSION					

DESIGN AND DRAWING ARE COPYRIGHT AND CANNOT BE USED WITHOUT THE PERMISSION OF THE DESIGNER OR HIS EMPLOYER. THE DESIGNER ACCEPTS NO LIABILITY FOR ANY DAMAGE OR LOSS OF ANY KIND ARISING FROM THE USE OF THIS DRAWING. THE DESIGNER ACCEPTS NO LIABILITY FOR ANY DAMAGE OR LOSS OF ANY KIND ARISING FROM THE USE OF THIS DRAWING. THE DESIGNER ACCEPTS NO LIABILITY FOR ANY DAMAGE OR LOSS OF ANY KIND ARISING FROM THE USE OF THIS DRAWING.



<div>0"10"20"</div> <div>DESIGN AND DRAWING ARE COPYRIGHT AND CANNOT BE USED WITHOUT THE PERMISSION OF CHRIS JENKINS DESIGN ARCHITECTURE + INTERIORS. THE DIMENSIONS SHOWN ARE COMPUTER GENERATED AND THE CONTRACTOR IS TO APPLY STANDARD BUILDING TOLERANCES.</div>		REV		DATE	DA SUBMISSION A. 27/06/2019		REVISED SCHEME B. 09/12/2019		



LOCATION PLAN

KOALA

STREET

1

D.P. 734779

B BALCONY
C COURTYARD
CP CARPORT
G GARDEN AREA

RIGHT OF CARRIAGEWAY 7 WIDE (DP 260614)
EASEMENT FOR SERVICES 7 WIDE (DP 260614)

28

40

NO. 44

TWO STOREY HARDPLANK TOWNHOUSES

G B G B G

C CP C CP C CP

28.045

40

27

D.P. 260614

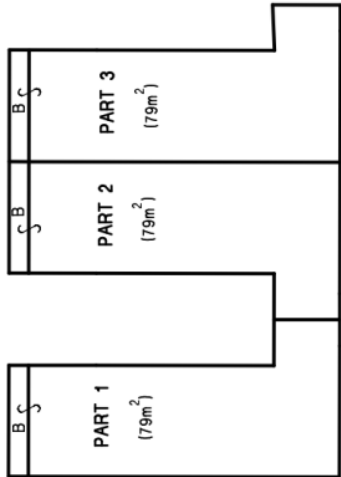
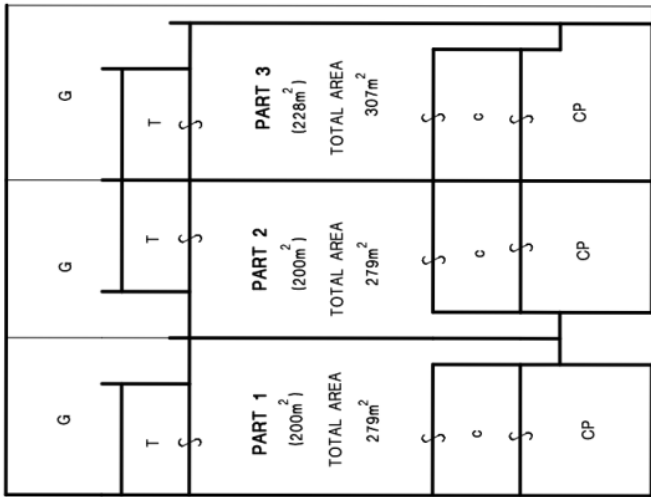
PLAN OF SUBDIVISION OF LOT 50, DP

SURVEYOR:
Name: FRANK L. O'ROURKE
Date:
Reference: 10636-1

LGA: PORT MACQUARIE-HASTINGS
Locality: PORT MACQUARIE
Reduction Ratio: 1:200
Lengths are in metres.

Registered

FLOOR PLAN



ALL AREAS ARE APPROXIMATE

B BALCONY (COVERED)

C COURT YARD

CP CARPORT (COVERED)

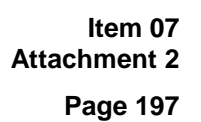
G GARDEN AREA

L LINE OF OUTER FACE OF WALL PRODUCED

THE STRATUM OF A COURTYARD EXTENDS FROM THE UPPER SURFACE OF ITS PAVED FLOOR TO A HEIGHT OF 6 METRES, EXCEPT WHERE COVERED.

THE STRATUM OF A GARDEN AREA EXTENDS BETWEEN 5 BELOW AND 10 ABOVE THE UPPER SURFACE OF THE GROUND FLOOR OF THE RESPECTIVE ADJOINING UNIT, EXCEPT WHERE COVERED.

SURVEYOR: Name: FRANK L. O'ROURKE Date: Reference: 10636-1	PLAN OF SUBDIVISION OF LOT 50, DP	LGA: PORT MACQUARIE-HASTINGS Locality: PORT MACQUARIE Reduction Ratio: 1:200 Lengths are in metres.	Registered
---	-----------------------------------	--	------------



Client

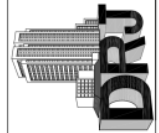
Citraro

Proposed Residential Development

No. 44 Koala Street, Port Macquarie NSW 2444

C01 - Catchment Layouts

C02 - Stormwater Management



DAVID R. JOHNSON
Consulting Engineer Pty Ltd.

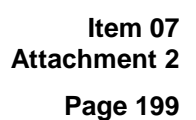
A.B.N. 87 102 381 251

Telephone 0265 811 190

Mobile 0488 000 038

Email drj.eng@bigpond.com

6/34 Acacia Av
P.O. Box 510
Port Macquarie
NSW 2444



Developer Charges - Estimate

Applicants Name: Chris Jenkins Design - Architects Pty Ltd
Property Address: 44 Koala Street, Port Macquarie
Lot & Dp: Lot(s):5,DP(s):260614
Development: Multi dwelling housing and strata title subdivision



Water and Sewerage Headworks Levies are levied under S64 of the LGA Act & S306 of the Water Management Act 2000.
 Other contributions are levied under Section 7.11 of the Environmental Planning and Assessment Act and Council's Contribution Plans.

Levy Area	Units	Cost	Estimate
1 Water Supply	1.4	\$10,296.00 Per ET	\$14,414.40
2 Sewerage Scheme Port Macquarie	2	\$3,906.00 Per ET	\$7,812.00
3 Since 1.7.04 - Major Roads - Port Macquarie - Per ET	1.7	\$7,718.00 Per ET	\$13,120.60
4 Since 31.7.18 - Open Space - Port Macquarie - Per ET	1.7	\$5,686.00 Per ET	\$9,666.20
5 Commenced 3 April 2006 - Com, Cul and Em Services CP - Port Macquarie	1.7	\$4,669.00 Per ET	\$7,937.30
6 Com 1.3.07 - Administration Building - All areas	1.7	\$919.00 Per ET	\$1,562.30
7 N/A			
8 N/A			
9 N/A			
10 N/A			
11 N/A			
12 N/A			
13 N/A			
14 N/A			
15 Admin General Levy - Applicable to Consents approved after 11/2/03	2.2% S94 Contribution		\$710.30
16			
17			
18			
Total Amount of Estimate (Not for Payment Purposes)			\$55,223.10

NOTES: These contribution rates apply to new development and should be used as a guide only.
 Contributions will be determined in conjunction with a Development Application (DA) or Complying Development Application (CDA).
 DAs will be subject to the contributions plans in force at the time of issue of the Consent and for CDCs at time of lodgement.
 Contribution Rates are adjusted quarterly in line with the CPI.

DATE OF ESTIMATE:

16-Mar-2020

Estimate Prepared By Pat Galbraith-Robertson

This is an ESTIMATE ONLY - NOT for Payment Purposes

esign - Architects Pty Ltd, 44 Koala Street, Port Macquarie, 16-Mar-2020.xls

PORT MACQUARIE-HASTINGS COUNCIL