PORT MACQUARIE-HASTINGS COUNCIL

Development Assessment Panel

Business Paper

date of meeting: Wednesday 8 April 2020

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

time: 2:00pm

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

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 &n 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	11/12/19	22/01/20	12/02/20	26/02/20	11/03/20	25/03/20
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 8 April 2020

Items of Business

PORT MACQUARIE HASTINGS COUNCIL

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 25 March 2020 be confirmed.

PORT MACQUARIE HASTINGS

PRESENT

Members:

Paul Drake
David Crofts
Dan Croft

Other Attendees:

Grant Burge
Pat Galbraith-Robertson
Steven Ford

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 11 March 2020 be confirmed.

04 DISCLOSURES OF INTEREST

There were no disclosures of interest presented.

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

Speakers:
Terrence Stafford (applicant)
Chris Ireland (applicant)

CONSENSUS:

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.

- Amend condition B9 to read: '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. If the dome is structurally compromised and not fit for removal, advice is to be obtained from a structural engineer confirming this. The dome is not required to be relocated if Council agrees the dome is structurally compromised.
- Additional condition in Section B of the consent to read: 'Prior to the issue of a construction certificate, details are to be submitted demonstrating that external building finishes have a low reflectivity.'

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

Speakers:
Michelle Love (applicant)
Robert Smallwood (applicant)
Declan Power (applicant)

CONSENSUS:

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 and as amended below:

- Delete conditions B9, B10, B11, B12
- Amend condition B8 to read: '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. A new junction installed at a location which can adequately service the entire development.'

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

Speakers:
Chris Jenkins (applicant)

CONSENSUS:

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.

08 GENERAL BUSINESS

Nil.

The meeting closed at 3:07pm.

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: ☐ **Pecuniary:** Take no part in the consideration and voting and be out of sight of the meeting. ☐ **Non-Pecuniary – Significant Interest:** Take no part in the consideration and voting and be out of sight of the meeting. ☐ **Non-Pecuniary – Less than Significant Interest:** May participate in consideration and voting.	
For the reason that:	
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.

PORT MACQUARIE HASTINGS COUNCIL

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

PECUNIARY INTEREST	
Address of the affected principal place of residence of the councillor or an associated person, company or body (*the **identified land)***	
Relationship of identified land to councillor *[Tick or cross one box.]*	□ 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). □ An associated person of the councillor has an interest in the land. □ An associated company or body of the councillor has interest in the land.
MATTER GIVING RISE TO PECUNIARY INTEREST[1]	
Nature of land that is subject to a change in zone/planning control by proposed LEP *(the **subject land***[2] *[Tick or cross one box]*	□ The identified land. □ Land that adjoins or is adjacent to or is in proximity to the identified land.
Current zone/planning control *[Insert name of current planning instrument and identify relevant zone/planning control applying to the subject land]*	
Proposed change of zone/planning control *[Insert name of proposed LEP and identify proposed change of zone/planning control applying to the subject land]*	
Effect of proposed change of zone/planning control on councillor or associated person *[Tick or cross one box]*	□ Appreciable financial gain. □ 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

PORT MACQUARIE HASTINGS COUNCIL

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 - 676.1 RESIDENTIAL FLAT BUILDING INCLUDING CLAUSE 4.6 OBJECTION TO CLAUSE 4.3 (HEIGHT OF BUILDINGS) OF THE PORT MACQUARIE-HASTINGS LOCAL ENVIRONMENTAL PLAN 2011 AT LOT 1 DP 1211682, 5 DREW CLOSE, PORT MACQUARIE**

Report Author: Development Assessment Planner, Benjamin Roberts

Applicant:	**Wayne Ellis Architect**
Owner:	**Drew Close Developments Pty Ltd**
Estimated Cost:	**$6,108,000**
Parcel no:	**64675**

Alignment with Delivery Program

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

RECOMMENDATION

That it be recommended to Council that DA 2019 - 676.1 for a residential flat building including clause 4.6 objection to clause 4.3 (height of buildings) of the Port Macquarie-Hastings Local Environmental Plan 2011 at Lot 1, DP 1211682, No. 5 Drew Close, Port Macquarie, be determined by granting consent subject to the recommended conditions.

Executive Summary

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

Following exhibition of the application, one (1) submission was received.

The proposal has been amended during the assessment of the application.

The application includes a variation to the building height development standard in the Port Macquarie-Hastings Local Environmental Plan 2011 by more than 10%. The application is therefore required to be determined by Council following consideration by the Development Assessment Panel.

The site is considered suitable for the proposed development and the proposal adequately addresses relevant planning controls as justified. 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.

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

1. BACKGROUND

Existing Sites Features and Surrounding Development

The site has an area of 1684m^2.

The site is zoned R3 medium density residential in accordance with the Port Macquarie-Hastings Local Environmental Plan 2011, as shown in the following zoning plan:

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

2. DESCRIPTION OF DEVELOPMENT

Key aspects of the proposal include the following:

- Construction of a residential flat building comprising 3 x 2 bedroom units and 12 x 3 bedroom units providing a total of 15 residential units.
- Building height variation.

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

Application Chronology

- 1 October 2019 - Application lodged.
- 10 October to 8 November 2019 - Public exhibition via neighbour notification.
- 17 October 2019 - Additional information request (parking layout and shortfall).
- 31 October 2019 - Additional information and revised plans provided addressing parking layout and shortfall.
- 24 December 2019 - Referral to NSW Rural Fire Service seeking advice on adjoining land management and intended building construction standard.
- 22 January 2020 - Advice provided from NSW RFS with recommended conditions.

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

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

In accordance with clause 7, following an inspection of the site and a search of Council records, the subject land is not identified as being potentially contaminated and is suitable for the intended use.

The requirements of this SEPP are therefore satisfied.

State Environmental Planning Policy No. 62 – Sustainable Aquaculture

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

State Environmental Planning Policy No 64 - Advertising and Signage

The proposed development does not include any signage. Standard conditions recommended advising of further consent requirements for signage that is not exempt development.

State Environmental Planning Policy No 65 - Design Quality of Residential Apartment Development

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

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

  (i) the erection of a new building,

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

  (iii) the conversion of an existing building, and

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

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

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Based on the above, the SEPP must be considered.

In accordance with clause 28, the proposal has adequately addressed the design principles contained in the Residential Flat Design Code. The following table provides an assessment against the design quality principles:

Requirement	Proposed	Comments
Principle 1: Context and neighbourhood character Good design responds and contributes to its context. Context is the key natural and built features of an area, their relationship and the character they create when combined. It also includes social, economic, health and environmental conditions. Responding to context involves identifying the desirable elements of an area's existing or future character. Well-designed buildings respond to and enhance the qualities and identity of the area including the adjacent sites, streetscape and neighbourhood. Consideration of local context is important for all sites, including sites in established areas, those undergoing change or identified for change.	The proposal is for a six level residential flat building facing Drew Close with driveway access direct to Drew Close. The area is characterised by a mixture of low rise and high rise developments. A number of similar scale residential flat buildings exist in the immediate area. Encouraging higher density in areas with close proximity to the settlement city precinct and business zones is desirable for the area. The design responds to the site's slope and steps down in height to the north of the site. The design also provides for the majority of apartments to benefit north aspect. The site provides an opportunity for higher density. This density is clearly visible to the East of the proposal where a range of similar scale buildings exist.	Yes. The proposed building design is compatible with existing development and the desired future character of the area as stated in the relevant planning and design policies. It is considered that the building will contribute to the quality and identity of the area. The design responds to the site and density envisaged for the area. It is also in keeping with similar developments to the east and the objectives of the R3 - medium density residential zoning.
Principle 2: Built form and scale Good design achieves a scale, bulk and height appropriate to the existing or desired future character of the street and surrounding buildings. Good design also achieves an appropriate built form for a site and the building's purpose in terms of building alignments,	The proposal incorporates a variation to the LEP control for building height, being a maximum 2.9m over the maximum 14.5m specifically for the lift overrun. The bulk of the building being under the height control. Refer to clause 4.6 of LEP 2011 comments for consideration of the proposed variation.	The height and scale of the building is considered to be appropriate having regard to the desired future character of the area. The height and scale is considered to be sufficiently compatible with existing buildings in the locality. The building is

proportions, building type, articulation and the manipulation of building elements. Appropriate built form defines the public domain, contributes to the character of streetscapes and parks, including their views and vistas, and provides internal amenity and outlook.	The height and bulk of the proposed building are considered to be acceptable in the streetscape and future desired character of the area. The six level residential building is oriented to the north to provide optimal solar access for residents. Landscaped zones are satisfactorily implemented into the building surrounds and entrance to define the public domain and formalise the proposal's streetscape. Satisfactory articulation and variation in building colours and materials are proposed (see drawing No. D15 for surface finishes). The site is visible from the public space of Drew Close and provides a satisfactory contribution to the existing vistas from this location. Impacts on existing views from nearby properties are considered in detail later in this report.	considered to achieve an appropriate built form and incorporates interesting building elements and treatments. The proposed internal unit floorplans provide for internal amenity. The orientation of the block takes advantage of the northern aspect. The design and orientation limits any lateral views/vistas over southern and eastern boundaries.
Principle 3: Density Good design achieves a high level of amenity for residents and each apartment, resulting in a density appropriate to the site and its context. Appropriate densities are consistent with the area's existing or projected population. Appropriate densities can be sustained by existing or proposed infrastructure, public transport, access to jobs,	The proposal provides for 15 units over six storeys with a mixture of 2 and 3 bedroom configurations, which provide for a high level of amenity. The proposal has a floor space ratio (FSR) of 1.15:1, which complies with the maximum 1.5:1 adopted in the LEP. The proposed FSR is consistent with the objectives of the R3	The design has adopted an appropriate density that is sustainable and consistent with surrounding densities.

community facilities and the environment.	Medium Density Residential zone and the height of buildings envisaged for the area. The proposed development is consistent with surrounding densities of the existing buildings within the precinct. The proposed density is also considered to be sustainable having regard to availability of proximity to infrastructure, and public transport, services and community facilities and the environmental quality of the area.	
Principle 4: Sustainability Good design combines positive environmental, social and economic outcomes. Good sustainable design includes use of natural cross ventilation and sunlight for the amenity and liveability of residents and passive thermal design for ventilation, heating and cooling reducing reliance on technology and operation costs. Other elements include recycling and reuse of materials and waste, use of sustainable materials and deep soil zones for groundwater recharge and vegetation.	The north - south orientation of the block has been adequately responded to. All apartments contain a north facing terrace/aspect. All dwellings are naturally cross-ventilated. All dwellings are designed with more than one aspect. The proposed materials of the building have been selected to both ensure robustness and longevity, as well as the potential of material recycling. Material selection has also been considered to minimise maintenance requirements.	BASIX certificate has been provided demonstrating that the design satisfies acceptable energy and water efficiency measures. Suitable landscaping areas are proposed.
Principle 5: Landscape Good design recognises that together landscape and buildings operate as an integrated and sustainable system, resulting in attractive developments with good amenity. A positive image and contextual fit of well	A satisfactory landscaping plan has been submitted which includes substantial landscaping details. The interface with the neighbouring properties to the east is alleviated by screen planting.	Suitable landscaping is proposed. The soil depth and area available is consistent with the objectives of the Residential Flat Design Code.

designed developments is achieved by contributing to the landscape character of the streetscape and neighbourhood. Good landscape design enhances the development's environmental performance by retaining positive natural features which contribute to the local context, co-ordinating water and soil management, solar access, micro-climate, tree canopy, habitat values and preserving green networks. Good landscape design optimises useability, privacy and opportunities for social interaction, equitable access, respect for neighbours' amenity and provides for practical establishment and long term management.	The communal pool and recreation area provides landscaping opportunities to be enjoyed by residents. The south-western corner of the site is proposed to provide for a generous low native planting area.	
Principle 6: Amenity Good design positively influences internal and external amenity for residents and neighbours. Achieving good amenity contributes to positive living environments and resident well being. Good amenity combines appropriate room dimensions and shapes, access to sunlight, natural ventilation, outlook, visual and acoustic privacy, storage, indoor and outdoor space, efficient layouts and service areas and ease of access for all age groups and degrees of mobility.	The building incorporates generous unit layouts and design which optimise the northern orientation, ventilation, privacy etc. The design achieves requirements of SEPP 65 pertaining to solar access, natural ventilation, private open space and privacy. Accessibility is possible via a mixture of ramps, stairs and lifts.	The layout of the units has taken advantage of the northern orientation with an emphasis of natural sunlight and ventilation via extensive north facing windows and balconies. The design and layout will provide a good level of amenity. All units are accessible via lifts. All units include a sufficient amount of private open space. Communal space is available via a large, useable, communal and recreation facilities area

		on the ground floor. All units have a range of outlooks.
Principle 7: Safety Good design optimises safety and security within the development and the public domain. It provides for quality public and private spaces that are clearly defined and fit for the intended purpose. Opportunities to maximise passive surveillance of public and communal areas promote safety. A positive relationship between public and private spaces is achieved through clearly defined secure access points and well lit and visible areas that are easily maintained and appropriate to the location and purpose.	A range of appropriate strategies/design elements have been included to optimise safety and security. The various array of windows, doors and balconies throughout the building provide surveillance of the site and also the public domain. Access to the site is predominately controlled via secure access direct from Drew Close. Electronic access is proposed for the building. Residents will have direct access to their residential floors via lift access. The interface between public and private/communal space is clearly defined at the site frontage.	The proposal adequately addresses the principles of Crime Prevention Through Environmental Design. Where potential exists for concealment areas, surveillance is provided from within the building.
Principle 8: Housing diversity and social interaction Good design achieves a mix of apartment sizes, providing housing choice for different demographics, living needs and household budgets. Well designed apartment developments respond to social context by providing housing and facilities to suit the existing and future social mix. Good design involves practical and flexible features, including different types of communal spaces for a broad range of people and providing opportunities for social interaction among	The unit mix is: • 2 Bedroom Apartments - 20% • 3 Bedroom Apartments - 80% This proposal encourages market diversity and will cater to the changing population dynamics. Each apartment has open plan living with access to large private balconies which provides for flexibility and is additionally supported by large communal areas and facilities.	The proposal adequately addresses social dimensions and housing affordability.

residents.		
Principle 9: Aesthetics Good design achieves a built form that has good proportions and a balanced composition of elements, reflecting the internal layout and structure. Good design uses a variety of materials, colours and textures. The visual appearance of a well designed apartment development responds to the existing or future local context, particularly desirable elements and repetitions of the streetscape.	The plans (See drawing No. D15) provide examples of the colours, textures and finishes.	The colours and materials provided on the plans indicate a contemporary high quality design and finish. The aesthetics of the building will respond appropriately to the surrounding environment and context of the existing and desired character of the locality.

Clause 28(2) - The proposal has adequately addressed the NSW Planning Apartment Design Guide requiring consideration. The following table provides an assessment against the Apartment Design Guide with assessment comments considering the design criteria and design objectives where applicable:

Apartment Design Guide (ADG) Objective	**Design Guidance/Design Criteria (Italics)**	**Proposed**	**Complies**
3A Site analysis			
3A - 1 Site analysis illustrates that design decisions have been based on opportunities and constraints of the site conditions and their relationship to the surrounding context.	Each element in the Site Analysis Checklist should be addressed (Appendix 1 of ADG)	Suitable site analysis completed.	Yes
3B Orientation			
3B - 1 Building types and layouts respond to the streetscape and site while optimising solar access within the	Buildings along the street frontage define the street, by facing it and incorporating direct access from the street (see figure 3B.1). Where the street frontage	Orientation acceptable. Main building designed to face Drew Close. Living areas are orientated to the north.	Yes

development.	is to the east or west, rear buildings should be orientated to the north. Where the street frontage is to the north or south, overshadowing to the south should be minimised and buildings behind the street frontage should be orientated to the east and west (see figure 3B.2).	Building has been designed to achieve north aspect. All dwellings have satisfactory outlooks and solar access.	
3B - 2 Overshadowing of neighbouring properties is minimised during mid-winter.	Living areas, private open space and communal open space should receive solar access in accordance with sections 3D Communal and public open space and 4A Solar and daylight access. Solar access to living rooms, balconies and private open spaces of neighbours should be considered. Where an adjoining property does not currently receive the required hours of solar access, the proposed building ensures solar access to neighbouring properties is not reduced by more than 20%. If the proposal will significantly reduce the solar access of neighbours, building separation should be increased beyond minimums contained in section 3F Visual privacy. Overshadowing should be minimised to the south or down hill by increased upper level setbacks. It is optimal to orientate buildings at 90 degrees to the boundary with neighbouring properties to minimise overshadowing	The proposal minimises overshadowing of neighbouring properties during mid-winter (refer drawing D16). The proposal maintains current solar access for greater than 3 hours each day between 9am and 3pm to the adjoining sites to east and south.	Yes

	and privacy impacts, particularly where minimum setbacks are used and where buildings are higher than the adjoining development. A minimum of 4 hours of solar access should be retained to solar collectors on neighbouring buildings.		
3C Public domain interface			
3C - 1 Transition between private and public domain is achieved without compromising safety and security	Terraces, balconies and courtyard apartments should have direct street entry, where appropriate. Changes in level between private terraces, front gardens and dwelling entries above the street level provide surveillance and improve visual privacy for ground level dwellings (see figure 3C.1). Upper level balconies and windows should overlook the public domain. Front fences and walls along street frontages should use visually permeable materials and treatments. The height of solid fences or walls should be limited to 1m. Length of solid walls should be limited along street frontages. Opportunities should be provided for casual interaction between residents and the public domain. Design solutions may include seating at building entries, near letter boxes and in private courtyards adjacent to streets. In developments with multiple buildings and/or entries, pedestrian entries and spaces associated	Ground floor areas and fence design is consistent with ADG. Balconies and windows overlook communal areas and the public domain. Communal areas, entrances, courtyards and fencing provide for privacy as well as opportunities for casual interaction between residents.	Yes

	with individual buildings/entries should be differentiated to improve legibility for residents, using a number of the following design solutions: • architectural detailing • changes in materials • plant species • colours Opportunities for people to be concealed should be minimised		
3C - 2 Amenity of the public domain is retained and enhanced.	Planting softens the edges of any raised terraces to the street, for example above sub-basement car parking. Mail boxes should be located in lobbies, perpendicular to the street alignment or integrated into front fences where individual street entries are provided. The visual prominence of underground car park vents should be minimised and located at a low level where possible. Substations, pump rooms, garbage storage areas and other service requirements should be located in basement car parks or out of view. Ramping for accessibility should be minimised by building entry location and setting ground floor levels in relation to footpath levels. Durable, graffiti resistant and easily cleanable materials should be used. Where development adjoins public parks, open space or bushland, the design positively addresses this interface	Satisfactory landscaping has been incorporated into the design to soften the built form. Mailbox design and location acceptable. Mailboxes are to be located at the street frontage. Car park design, garbage and other services create no identifiable adverse amenity impacts. The design does not detract from the adjoining public open space. Building entries are clearly defined, landscaping and articulation delineates communal private open space and public. There is minimal use of blank walls and unarticulated elements.	Yes

	and uses a number of the following design solutions: • street access, pedestrian paths and building entries which are clearly defined • paths, low fences and planting that clearly delineate between communal/private open space and the adjoining public open space • minimal use of blank walls, fences and ground level parking. On sloping sites protrusion of car parking above ground level should be minimised by using split levels to step underground car parking		
3D Communal and public open space			
3D - 1 An adequate area of communal open space is provided to enhance residential amenity and to provide opportunities for landscaping	<u>*Design Criteria*</u> *1. Communal open space has a minimum area equal to 25% of the site (see figure 3D.3)* *2. Developments achieve a minimum of 50% direct sunlight to the principal usable part of the communal open space for a minimum of 2 hours between 9 am and 3 pm on 21 June (mid-winter).* Communal open space should be consolidated into a well-designed, easily identified and usable area. Communal open space should have a minimum dimension of 3m, and larger developments should consider greater dimensions. Communal open space should be co-located with	The communal open space on the ground floor comprises more than 25% of the site area. The communal open space will receive 2 hours of solar access to at least 50% of the principal communal open space in mid-winter. Noted balconies are larger and north facing for all proposed dwellings.	Acceptable as the design meets the objectives of this clause.

	deep soil areas. Direct, equitable access should be provided to communal open space areas from common circulation areas, entries and lobbies. Where communal open space cannot be provided at ground level, it should be provided on a podium or roof. Where developments are unable to achieve the design criteria, such as on small lots, sites within business zones, or in a dense urban area, they should: • provide communal spaces elsewhere such as a landscaped roof top terrace or a common room • provide larger balconies or increased private open space for apartments • demonstrate good proximity to public open space and facilities and/or provide contributions to public open space		
3D - 2 Communal open space is designed to allow for a range of activities, respond to site conditions and be attractive and inviting	Facilities are provided within communal open spaces and common spaces for a range of age groups (see also 4F Common circulation and spaces), incorporating some of the following elements: • seating for individuals or groups • barbecue areas • play equipment or play areas • swimming pools, gyms,	The nominated communal area is capable of being used for barbeques, seating and recreation, allowing a mixture of opportunities to enjoy the area. The communal area satisfactorily responds to the microclimate and site conditions by allowing the apartments to enjoy the northern aspect	Yes

	tennis courts or common rooms. The location of facilities responds to microclimate and site conditions with access to sun in winter, shade in summer and shelter from strong winds and down drafts. Visual impacts of services should be minimised, including location of ventilation duct outlets from basement car parks, electrical substations and detention tanks.	and the communal area to be based around shade and ventilation.	
3D - 3 Communal open space is designed to maximise safety	Communal open space and the public domain should be readily visible from habitable rooms and private open space areas while maintaining visual privacy. Design solutions may include: • bay windows • corner windows • balconies. Communal open space should be well lit. Where communal open space/facilities are provided for children and young people they are safe and contained	The communal open space area is satisfactory in regards to safety. All units have a window or living area that overlooks the communal area. The area can be well lit and is also fenced for security.	Yes
3D - 4 Public open space, where provided, is responsive to the existing pattern and uses of the neighbourhood	The public open space should be well connected with public streets along at least one edge. The public open space should be connected with nearby parks and other landscape elements. Public open space should be linked through view lines, pedestrian desire paths, termination points and the wider street grid. Solar access should be provided year round along	No public open space proposed.	N/A

	with protection from strong winds. Opportunities for a range of recreational activities should be provided for people of all ages. A positive address and active frontages should be provided adjacent to public open space. Boundaries should be clearly defined between public open space and private areas		
3E Deep soil zones			
3E - 1 Deep soil zones provide areas on the site that allow for and support healthy plant and tree growth. They improve residential amenity and promote management of water and air quality	<u>*Design Criteria*</u> *1. Deep soil zones are to meet the following minimum requirements:* *a) < 650m², no min dimension, 7% site area deep soil zone.* *b) 650-1500m², 3m dimension, 7% site area deep soil zone.* *c) >1500m², 6m dimension, 7% site area deep soil zone.* On some sites it may be possible to provide larger deep soil zones, depending on the site area and context: • 10% of the site as deep soil on sites with an area of 650m² - 1,500m² • 15% of the site as deep soil on sites greater than 1,500m². Deep soil zones should be located to retain existing significant trees and to allow for the development of healthy root systems, providing anchorage and stability for mature trees. Design solutions may	The site is 1684m^2 and therefore requires 7% of site area to be deep soil zones with a minimum width of 3m. A deep soil zone area of approximately 120m^2 complies with a minimum 3m dimension and equal to 7% of the site area. Additional plantings are also proposed along the eastern portion of the site. It should be noted that there are no existing trees within the site.	Yes

	include: • basement and sub basement car park design that is consolidated beneath building footprints • use of increased front and side setbacks • adequate clearance around trees to ensure long term health • co-location with other deep soil areas on adjacent sites to create larger contiguous areas of deep soil. Achieving the design criteria may not be possible on some sites including where: • the location and building typology have limited or no space for deep soil at ground level (e.g. central business district, constrained sites, high density areas, or in centres) • there is 100% site coverage or non-residential uses at ground floor level. Where a proposal does not achieve deep soil requirements, acceptable stormwater management should be achieved and alternative forms of planting provided such as on structure.		
3F Visual privacy			
3F - 1 Adequate building separation distances are shared equitably between neighbouring	<u>*Design Criteria*</u> *1. Separation between windows and balconies is provided to ensure visual privacy is achieved. Minimum required separation distances from*	The block is unique in shape and setbacks to boundaries are illustrated on the site plan (D01). Setbacks to the	While the preferred setbacks are not achieved, all habitable

sites, to achieve reasonable levels of external and internal visual privacy	*buildings to the side and rear boundaries are as follows:* *a) Building height up to 12m (4 storey) need 6m setback to habitable and 3m to non habitable.* *b) Buildings up to 25m (5-8 storeys) need 9m to habitable and 4.5m to non habitable.* *c) Buildings over 25m (9+ storeys) need 12m to habitable and 6m to non habitable.* *Note: Separation distances between buildings on the same site should combine required building separations depending on the type of room (see figure 3F.2).* *Gallery access circulation should be treated as habitable space when measuring privacy separation distances between neighbouring properties* Generally, one step in the built form as the height increases due to building separations is desirable. Additional steps should be careful not to cause a 'ziggurat' appearance. For residential buildings next to commercial buildings, separation distances should be measured as follows: • for retail, office spaces and commercial balconies use the habitable room distances • for service and plant	eastern side boundary are 7.728m to the front section of the building and 3.368m to the rear portion. Habitable and non-habitable areas are proposed within the desired 9m and 4.5m setback. The rear setback proposed is 3.29m to the rear section of the building and 1.509m to the front dogleg section. Habitable and non-habitable areas are proposed within the desired 9m and 4.5m rear setback. The western side setback is 13.747m to front section of the building and 3.027m to the middle section and 13.453m to the rear section. Non habitable areas are proposed within the 9m setback. There is no detrimental privacy impact to the neighbouring development. Note the northern orientation maximises visual privacy. Windows in the proposal facing the eastern boundary are mainly bedroom and utility rooms. The kitchen windows are provided with privacy screening as proposed and conditioned.	rooms within the preferred setbacks are provided with privacy screening to protect privacy between neighbouring sites. It is also noted that the adjoining the site to the west is recreationally zoned undeveloped land. The setback and privacy measures proposed and conditioned and are considered to be acceptable

	areas use the non-habitable room distances. New development should be located and oriented to maximise visual privacy between buildings on site and for neighbouring buildings. Design solutions include: • site layout and building orientation to minimise privacy impacts (see also section 3B Orientation) • on sloping sites, apartments on different levels have appropriate visual separation distances (see figure 3F.4). Apartment buildings should have an increased separation distance of 3m (in addition to the requirements set out in design criteria 1) when adjacent to a different zone that permits lower density residential development to provide for a transition in scale and increased landscaping (figure 3F.5). Direct lines of sight should be avoided for windows and balconies across corners. No separation is required between blank walls		
3F - 2 Site and building design elements increase privacy without compromising access to light and air and balance outlook and views from habitable rooms	Communal open space, common areas and access paths should be separated from private open space and windows to apartments, particularly habitable room windows. Design solutions may include: • setbacks	• Communal areas are satisfactorily separated from private open space areas. • Balconies and terraces adjoin internal living areas providing separation and privacy.	Yes

and private open space	• solid or partially solid balustrades to balconies at lower levels • fencing and/or trees and vegetation to separate spaces • screening devices • bay windows or pop out windows to provide privacy in one direction and outlook in another • raising apartments/private open space above the public domain or communal open space • planter boxes incorporated into walls and balustrades to increase visual separation • pergolas or shading devices to limit overlooking of lower apartments or private open space • on constrained sites where it can be demonstrated that building layout opportunities are limited, fixed louvres or screen panels to windows and/or balconies. Bedrooms, living spaces and other habitable rooms should be separated from gallery access and other open circulation space by the apartment's service areas. Balconies and private terraces should be located in front of living rooms to increase internal privacy. Windows should be offset from the windows of	• Windows to habitable areas do not directly adjoin other units or windows of adjoining apartments. • Screening has been used to maintain privacy between units and adjoining properties. • Privacy to adjoining properties' private open space is provided through satisfactory design layout to ensure attractive and appropriate boundary interface.	

	adjacent buildings. Recessed balconies and/or vertical fins should be used between adjacent balconies		
3G Pedestrian access and entries			
3G - 1 Building entries and pedestrian access connects to and addresses the public domain	Multiple entries (including communal building entries and individual ground floor entries) should be provided to activate the street edge. Entry locations relate to the street and subdivision pattern and the existing pedestrian network. Building entries should be clearly identifiable and communal entries should be clearly distinguishable from private entries. Where street frontage is limited and multiple buildings are located on the site, a primary street address should be provided with clear sight lines and pathways to secondary building entries.	Development provides pedestrian access on the primary street frontage to Drew Close. The entrances will be identifiable from the street and are considered to be satisfactory.	Yes
3G - 2 Access, entries and pathways are accessible and easy to identify	Building access areas including lift lobbies, stairwells and hallways should be clearly visible from the public domain and communal spaces. The design of ground floors and underground car parks minimise level changes along pathways and entries. Steps and ramps should be integrated into the overall building and landscape design. For large developments 'way finding' maps should be provided to assist visitors and residents (see figure 4T.3).	Access is visible. No major level changes along proposed pathways and entry points. Steps and ramps are integrated to the building design. Electronic access is proposed for the apartments.	Yes

	For large developments electronic access and audio/video intercom should be provided to manage access		
3G - 3 Large sites provide pedestrian links for access to streets and connection to destinations	Pedestrian links through sites facilitate direct connections to open space, main streets, centres and public transport. Pedestrian links should be direct, have clear sight lines, be overlooked by habitable rooms or private open spaces of dwellings, be well lit and contain active uses, where appropriate	Clear line of site is provided to and from entry point to the first floor car park and building entry.	Yes
3H Vehicle access			
3H - 1 Vehicle access points are designed and located to achieve safety, minimise conflicts between pedestrians and vehicles and create high quality streetscapes	Car park access should be integrated with the building's overall facade. Design solutions may include: • the materials and colour palette to minimise visibility from the street • security doors or gates at entries that minimise voids in the facade • where doors are not provided, the visible interior reflects the facade design and the building services, pipes and ducts are concealed. Car park entries should be located behind the building line. Vehicle entries should be located at the lowest point of the site minimising ramp lengths, excavation and impacts on the building form and layout. Car park entry and access	Standard car park access provided, at grade and into the first floor. Satisfactory landscaping provided around the entry to help soften the entry. Headlight glare to unit 101 on ground floor is minimised to the bedroom via a screening feature. The proposed driveway off Drew Close has provided suitable separation to intersections and is considered to be acceptable. Pedestrian and vehicle access points have been separated. Garbage storage is proposed at the front boundary and accessible for collection and	Yes

	should be located on secondary streets or lanes where available. Vehicle standing areas that increase driveway width and encroach into setbacks should be avoided. Access point locations should avoid headlight glare to habitable rooms. Adequate separation distances should be provided between vehicle entries and street intersections. The width and number of vehicle access points should be limited to the minimum. Visual impact of long driveways should be minimised through changing alignments and screen planting. The need for large vehicles to enter or turn around within the site should be avoided. Garbage collection, loading and servicing areas are screened. Clear sight lines should be provided at pedestrian and vehicle crossings. Traffic calming devices such as changes in paving material or textures should be used where appropriate. Pedestrian and vehicle access should be separated and distinguishable. Design solutions may include: • changes in surface materials • level changes	removal via private collection arrangement.	

	• the use of landscaping for separation		
3J Bicycle and car parking			
3J - 1 Car parking is provided based on proximity to public transport in metropolitan Sydney and centres in regional areas <u>Notes</u> Port Macquarie is a nominated regional centre. In terms of using Guide to Traffic Generating Developments, Port Macquarie is a "sub-regional centre" as by definition it does not have access to rail. Medium density is 2 - <20 dwellings. High Density is 20 or more dwellings	<u>Design Criteria</u> *1. For development in the following locations:* *a) on sites that are within 800 metres of a railway station or light rail stop in the Sydney Metropolitan Area; or* *b) on land zoned, and sites within 400 metres of land zoned, B3 Commercial Core, B4 Mixed Use or equivalent in a nominated regional centre* *the minimum car parking requirement for residents and visitors is set out in the Guide to Traffic Generating Developments, or the car parking requirement prescribed by the relevant council, whichever is less* *The car parking needs for a development must be provided off street.* Where a car share scheme operates locally, provide car share parking spaces within the development. Car share spaces, when provided, should be on site. Where less car parking is provided in a development, council should not provide on street resident parking permits <u>Guide to Traffic Generating Developments</u> Medium density residential flat buildings require:	The site is in a nominated regional centre. Site is within 400m of a B3 zone. 15 Apartments - 3 x 2 bed units - 12 x 3 bed units Under the RTA guide a total of 25 spaces are required. Under the DCP 2013 25 spaces are also required. Total of 29 spaces are proposed.	Yes

	- 1 space per unit + - 1 space for every 5 x 2 bedroom unit + - 1 space for every 2 x 3 bedroom unit + - 1 space for 5 units (visitor parking). High density residential flat buildings for metropolitan sub-regional centres require: - 0.6 spaces per 1 bedroom unit - 0.9 spaces per 2 bedroom unit - 1.40 spaces per 3 bedroom unit + - 1 space per 5 units (visitor parking)		
3J - 2 Parking and facilities are provided for other modes of transport	Conveniently located and sufficient numbers of parking spaces should be provided for motorbikes and scooters. Secure undercover bicycle parking should be provided that is easily accessible from both the public domain and common areas. Conveniently located charging stations are provided for electric vehicles, where desirable	The car park allows for vehicle spaces to be used for motorbikes etc. Storage areas are available for bicycles.	Yes
3J - 3 Car park design and access is safe and secure	Supporting facilities within car parks, including garbage, plant and switch rooms, storage areas and car wash bays can be accessed without crossing car parking spaces. Direct, clearly visible and well lit access should be provided into common circulation areas. A clearly defined and visible lobby or waiting	Support facilities available and carpark design satisfactory. The proposal does not include a car wash bay as there is no requirement under the PMHC DCP or the Apartment Design Guide. Commercial car wash facilities are available in	Yes

	area should be provided to lifts and stairs. For larger car parks, safe pedestrian access should be clearly defined and circulation areas have good lighting, colour, line marking and/or bollards	close proximity to the site.	
3J - 4 Visual and environmental impacts of underground car parking are minimised	Excavation should be minimised through efficient car park layouts and ramp design. Car parking layout should be well organised, using a logical, efficient structural grid and double loaded aisles. Protrusion of car parks should not exceed 1m above ground level. Design solutions may include stepping car park levels or using split levels on sloping sites. Natural ventilation should be provided to basement and sub basement car parking areas. Ventilation grills or screening devices for car parking openings should be integrated into the facade and landscape design	Excavation minimised to that practical given the desired density for the site. Layout is well organised with a logical layout and design has utilised a split level layout with ground level entry.	Yes
3J - 5 Visual and environmental impacts of on-grade car parking are minimised	On-grade car parking should be avoided. Where on-grade car parking is unavoidable, the following design solutions are used: • parking is located on the side or rear of the lot away from the primary street frontage • cars are screened from view of streets, buildings, communal and private open space areas	Visitor parking is proposed at grade. This parking area is suitably screened from the street by landscaping and bin storage area.	Yes

	• safe and direct access to building entry points is provided • parking is incorporated into the landscape design of the site, by extending planting and materials into the car park space • stormwater run-off is managed appropriately from car parking surfaces • bio-swales, rain gardens or on site detention tanks are provided, where appropriate • light coloured paving materials or permeable paving systems are used and shade trees are planted between every 4-5 parking spaces to reduce increased surface temperatures from large areas of paving		
3J - 6 Visual and environmental impacts of above ground enclosed car parking are minimised	Exposed parking should not be located along primary street frontages Screening, landscaping and other design elements including public art should be used to integrate the above ground car parking with the facade. Design solutions may include: • car parking that is concealed behind the facade, with windows integrated into the overall facade design (approach should be limited to developments where a larger floor plate podium is suitable at lower levels) • car parking that is 'wrapped' with other	Ground level parking is adequately screened form the street frontage.	Yes

	uses, such as retail, commercial or two storey Small Office/Home Office (SOHO) units along the street frontage (see figure 3J.9). Positive street address and active frontages should be provided at ground level		
4A Solar and daylight access			
4A - 1 To optimise the number of apartments receiving sunlight to habitable rooms, primary windows and private open space	<u>*Design Criteria*</u> *1. Living rooms and private open spaces of at least 70% of apartments in a building receive a minimum of 2 hours direct sunlight between 9 am and 3 pm at mid winter in the Sydney Metropolitan Area and in the Newcastle and Wollongong local government areas.* *2. In all other areas, living rooms and private open spaces of at least 70% of apartments in a building receive a minimum of 3 hours direct sunlight between 9 am and 3 pm at mid winter.* *3. A maximum of 15% of apartments in a building receive no direct sunlight between 9 am and 3 pm at mid winter* The design maximises north aspect and the number of single aspect south facing apartments is minimised. Single aspect, single storey apartments should have a northerly or easterly aspect. Living areas are best located to the north and service areas to the south and west of apartments.	The proposal orientates all living rooms and private open spaces to the north. Living rooms and private open spaces of apartments and townhouses receive greater than 3 hours direct sunlight between 9am and 3pm on the winter solstice. Northern aspects have been maximised in the design. No single aspect apartment or townhouses proposed. More than 1m² sunlight for 15min achieved to living areas. The Design has achieved the desired criteria under this clause.	Yes

	To optimise the direct sunlight to habitable rooms and balconies a number of the following design features are used: • dual aspect apartments • shallow apartment layouts • two storey and mezzanine level apartments • bay windows To maximise the benefit to residents of direct sunlight within living rooms and private open spaces, a minimum of 1m² of direct sunlight, measured at 1m above floor level, is achieved for at least 15 minutes. Achieving the design criteria may not be possible on some sites. This includes: • where greater residential amenity can be achieved along a busy road or rail line by orientating the living rooms away from the noise source • on south facing sloping sites • where significant views are oriented away from the desired aspect for direct sunlight Design drawings need to demonstrate how site constraints and orientation preclude meeting the design criteria and how the development meets the objective.		
4A - 2 Daylight access is maximised where	Courtyards, skylights and high level windows (with sills of 1,500mm or	The proposal maximises solar access.	Yes

sunlight is limited	greater) are used only as a secondary light source in habitable rooms. Where courtyards are used: • use is restricted to kitchens, bathrooms and service areas • building services are concealed with appropriate detailing and materials to visible walls • courtyards are fully open to the sky • access is provided to the light well from a communal area for cleaning and maintenance • acoustic privacy, fire safety and minimum privacy separation distances (see section 3F Visual privacy) are achieved. Opportunities for reflected light into apartments are optimised through: • reflective exterior surfaces on buildings opposite south facing windows • positioning windows to face other buildings or surfaces (on neighbouring sites or within the site) that will reflect light • integrating light shelves into the design • light coloured internal finishes	There is no need to incorporate design solutions to achieve daylight access.	
4A - 3 Design incorporates shading and glare control, particularly for	A number of the following design features are used: • balconies or sun shading that extend far enough to shade	The design incorporates appropriate passive sun control elements. Most of	Yes

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

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

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

	2.7m for main living area floor and 2.4m for second floor, where its area does not exceed 50% of the apartment area *Attic spaces = 1.8m at edge of room with a 30 degree minimum ceiling slope* *If located in mixed use areas = 3.3m for ground and first floor to promote future flexibility of use* *These minimums do not preclude higher ceilings if desired.* Ceiling height can accommodate use of ceiling fans for cooling and heat distribution.		
4C - 2 Ceiling height increases the sense of space in apartments and provides for well proportioned rooms	A number of the following design solutions can be used: • the hierarchy of rooms in an apartment is defined using changes in ceiling heights and alternatives such as raked or curved ceilings, or double height spaces • well proportioned rooms are provided, for example, smaller rooms feel larger and more spacious with higher ceilings • ceiling heights are maximised in habitable rooms by ensuring that bulkheads do not intrude. The stacking of service rooms from floor to floor and coordination of bulkhead location above non-habitable areas, such as robes or storage, can assist	Ceiling heights are acceptable throughout the development.	Yes
4C - 3 Ceiling	Ceiling heights of lower	Development is not	N/A

heights contribute to the flexibility of building use over the life of the building	level apartments in centres should be greater than the minimum required by the design criteria allowing flexibility and conversion to non-residential uses (see figure 4C.1)	located in a commercial or mixed use zone.	
4D Apartment size and layout			
4D - 1 The layout of rooms within an apartment is functional, well organised and provides a high standard of amenity	<u>*Design Criteria*</u> *1. Apartments are required to have the following minimum internal areas:* *Studio = 35m²* *1 bedroom = 50m²* *2 bedroom = 70m²* *3 bedroom = 90m²* *The minimum internal areas include only one bathroom. Additional bathrooms increase the minimum internal area by 5m² each.* *A fourth bedroom and further additional bedrooms increase the minimum internal area by 12m² each.* *2. Every habitable room must have a window in an external wall with a total minimum glass area of not less than 10% of the floor area of the room. Daylight and air may not be borrowed from other rooms.* Kitchens should not be located as part of the main circulation space in larger apartments (such as hallway or entry space). A window should be visible from any point in a habitable room. Where minimum areas or room dimensions are not met apartments need to	The development provides 3 x 2 bedroom units and 12x 3 bedroom units. The 2 bedroom units exceed 70m² and the 3 bedroom units exceed 90m². Every habitable room has access to a window with compliant glass area. Kitchens are not part of hallways etc.	Yes

	demonstrate that they are well designed and demonstrate the usability and functionality of the space with realistically scaled furniture layouts and circulation areas. These circumstances would be assessed on their merits		
4D - 2 Environmental performance of the apartment is maximised	<u>*Design Criteria*</u> *1. Habitable room depths are limited to a maximum of 2.5 x the ceiling height.* *2. In open plan layouts (where the living, dining and kitchen are combined) the maximum habitable room depth is 8m from a window.* Greater than minimum ceiling heights can allow for proportional increases in room depth up to the permitted maximum depths. All living areas and bedrooms should be located on the external face of the building. Where possible: • bathrooms and laundries should have an external openable window. • main living spaces should be oriented toward the primary outlook and aspect and away from noise sources	All units include an open plan layout and generally complies with the maximum habitable room depth of 8m. Living areas and bedrooms are located on the external face of the building.	Yes
4D - 3 Apartment layouts are designed to accommodate a variety of household activities and needs	<u>*Design Criteria*</u> *1. Master bedrooms have a minimum area of 10m² and other bedrooms 9m² (excluding wardrobe space).* *2. Bedrooms have a minimum dimension of 3m*	Master bedrooms comply with the 10m² minimum standard and other bedrooms comply with the 9m² standard. Bedrooms comply with 3m minimum	Yes

	(excluding wardrobe space). *3. Living rooms or combined living/dining rooms have a minimum width of:* • *3.6m for studio and 1 bedroom apartments* • *4m for 2 and 3 bedroom apartments* *4. The width of cross-over or cross-through apartments are at least 4m internally to avoid deep narrow apartment layouts.* Access to bedrooms, bathrooms and laundries is separated from living areas minimising direct openings between living and service areas. All bedrooms allow a minimum length of 1.5m for robes. The main bedroom of an apartment or a studio apartment should be provided with a wardrobe of a minimum 1.8m long, 0.6m deep and 2.1m high. Apartment layouts allow flexibility over time, design solutions may include: • dimensions that facilitate a variety of furniture arrangements and removal • spaces for a range of activities and privacy levels between different spaces within the apartment • dual master apartments • dual key apartments Note: dual key apartments which are separate but on the same title are regarded	dimension. Living rooms comply with 4m minimum dimension. Suitable separation of rooms and bathrooms exists. Robes in bedrooms considered acceptable. Layouts contain flexibility for adaptable uses.	

	as two sole occupancy units for the purposes of the Building Code of Australia and for calculating the mix of apartments • room sizes and proportions or open plans (rectangular spaces (2:3) are more easily furnished than square spaces (1:1)) • efficient planning of circulation by stairs, corridors and through rooms to maximise the amount of usable floor space in rooms		
4E Private open space and balconies			
4E - 1 Apartments provide appropriately sized private open space and balconies to enhance residential amenity	<u>*Design Criteria*</u> *1. All apartments are required to have primary balconies as follows:* *a) Studio apartments = 4m²* *b) 1 bedroom apartments = 8m² and 2m min depth.* *c) 2 bedroom apartments = 10m² and 2m min depth.* *d) 3+ bedroom apartments = 12m² and 2.4m min depth.* *The minimum balcony depth to be counted as contributing to the balcony area is 1m.* *2. For apartments at ground level or on a podium or similar structure, a private open space is provided instead of a balcony. It must have a minimum area of 15m² and a minimum depth of 3m.* Increased communal open space should be provided	All units have balconies and primary open space that exceeds minimum ADG dimensions (Minimum 35m2).	Yes

	where the number or size of balconies are reduced. Storage areas on balconies is additional to the minimum balcony size. Balcony use may be limited in some proposals by: • consistently high wind speeds at 10 storeys and above • close proximity to road, rail or other noise sources • exposure to significant levels of aircraft noise • heritage and adaptive reuse of existing buildings In these situations, juliet balconies, operable walls, enclosed wintergardens or bay windows may be appropriate, and other amenity benefits for occupants should also be provided in the apartments or in the development or both. Natural ventilation also needs to be demonstrated		
4E - 2 Primary private open space and balconies are appropriately located to enhance liveability for residents	Primary open space and balconies should be located adjacent to the living room, dining room or kitchen to extend the living space. Private open spaces and balconies predominantly face north, east or west. Primary open space and balconies should be orientated with the longer side facing outwards or be open to the sky to optimise daylight access into adjacent rooms.	Private open space areas adjoin living areas and are not located on southern elevations. Balconies contain suitable access.	Yes
4E - 3 Private open space and	Solid, partially solid or transparent fences and	Suitable mixture of solid and glass	Yes

balcony design is integrated into and contributes to the overall architectural form and detail of the building	balustrades are selected to respond to the location. They are designed to allow views and passive surveillance of the street while maintaining visual privacy and allowing for a range of uses on the balcony. Solid and partially solid balustrades are preferred. Full width full height glass balustrades alone are generally not desirable. Projecting balconies should be integrated into the building design and the design of soffits considered. Operable screens, shutters, hoods and pergolas are used to control sunlight and wind. Balustrades are set back from the building or balcony edge where overlooking or safety is an issue. Downpipes and balcony drainage are integrated with the overall facade and building design. Air-conditioning units should be located on roofs, in basements, or fully integrated into the building design. Where clothes drying, storage or air conditioning units are located on balconies, they should be screened and integrated in the building design. Ceilings of apartments below terraces should be insulated to avoid heat loss. Water and gas outlets should be provided for primary balconies and	balustrades used to provide views and privacy. Balconies comply with requirements.	

	private open space		
4E - 4 Private open space and balcony design maximises safety.	Changes in ground levels or landscaping are minimised. Design and detailing of balconies avoids opportunities for climbing and falls.	Balcony design will need to comply with the Building Code of Australia for safety reasons.	Yes
4F Common circulation and spaces			
4F - 1 Common circulation spaces achieve good amenity and properly service the number of apartments	<u>*Design Criteria*</u> *1. The maximum number of apartments off a circulation core on a single level is eight.* *2. For buildings of 10 storeys and over, the maximum number of apartments sharing a single lift is 40.* Greater than minimum requirements for corridor widths and/ or ceiling heights allow comfortable movement and access particularly in entry lobbies, outside lifts and at apartment entry doors. Daylight and natural ventilation should be provided to all common circulation spaces that are above ground. Windows should be provided in common circulation spaces and should be adjacent to the stair or lift core or at the ends of corridors. Longer corridors greater than 12m in length from the lift core should be articulated. Design solutions may include: • a series of foyer areas with windows and spaces for seating • wider areas at apartment entry doors and varied ceiling	Maximum number of units off a circulation core is less than the ADG recommendation of 8. Design complies with natural light and ventilation requirements. Living areas do not directly access core area. Additional design mitigation elements are not recommended for visual or acoustic privacy.	Yes

	heights Design common circulation spaces to maximise opportunities for dual aspect apartments, including multiple core apartment buildings and cross over apartments. Achieving the design criteria for the number of apartments off a circulation core may not be possible. Where a development is unable to achieve the design criteria, a high level of amenity for common lobbies, corridors and apartments should be demonstrated, including: • sunlight and natural cross ventilation in apartments • access to ample daylight and natural ventilation in common circulation spaces • common areas for seating and gathering • generous corridors with greater than minimum ceiling heights • other innovative design solutions that provide high levels of amenity Where design criteria 1 is not achieved, no more than 12 apartments should be provided off a circulation core on a single level. Primary living room or bedroom windows should not open directly onto common circulation spaces, whether open or enclosed. Visual and acoustic privacy from common circulation spaces to any other rooms should be carefully		

	controlled		
4F - 2 Common circulation spaces promote safety and provide for social interaction between residents	Direct and legible access should be provided between vertical circulation points and apartment entries by minimising corridor or gallery length to give short, straight, clear sight lines. Tight corners and spaces are avoided. Circulation spaces should be well lit at night. Legible signage should be provided for apartment numbers, common areas and general wayfinding. Incidental spaces, for example space for seating in a corridor, at a stair landing, or near a window are provided. In larger developments, community rooms for activities such as owners corporation meetings or resident use should be provided and are ideally co-located with communal open space. Where external galleries are provided, they are more open than closed above the balustrade along their length.	Common areas are short in length and contain suitable width to allow access. Tight corners and spaces have been avoided. Circulation areas are provided with daylight access and able to be well lit at night. Communal open space is available for residential meetings.	Yes
4G Storage			
4G - 1 Adequate, well designed storage is provided in each apartment	<u>*Design Criteria*</u> *1. In addition to storage in kitchens, bathrooms and bedrooms, the following storage is provided:* *a) Studio apartments = 4m³.* *b) 1 bedroom apartments = 6m³.* *c) 2 bedroom apartments 8m³.*	The 2 and 3 bed units comply with the 8m³ additional storage requirements. At least 50% is provided in the unit.	Yes

	d) 3+ bedroom apartments = 10m³. *At least 50% of the required storage is to be located within the apartment.* Storage is accessible from either circulation or living areas. Storage provided on balconies (in addition to the minimum balcony size) is integrated into the balcony design, weather proof and screened from view from the street. Left over space such as under stairs is used for storage		
4G - 2 Additional storage is conveniently located, accessible and nominated for individual apartments	Storage not located in apartments is secure and clearly allocated to specific apartments. Storage is provided for larger and less frequently accessed items. Storage space in internal or basement car parks is provided at the rear or side of car spaces or in cages so that allocated car parking remains accessible. If communal storage rooms are provided they should be accessible from common circulation areas of the building. Storage not located in an apartment is integrated into the overall building design and is not visible from the public domain.	Storage has been integrated into the design of the car park and not visible to the public.	Yes
4H Acoustic privacy			
4H - 1 Noise transfer is minimised through the siting of buildings and	Adequate building separation is provided within the development and from neighbouring buildings/adjacent uses	The use of separation, screening and location of high use living areas ensures	Yes

building layout	(see also section 2F Building separation and section 3F Visual privacy). Window and door openings are generally orientated away from noise sources. Noisy areas within buildings including building entries and corridors should be located next to or above each other and quieter areas next to or above quieter areas. Storage, circulation areas and non-habitable rooms should be located to buffer noise from external sources. The number of party walls (walls shared with other apartments) are limited and are appropriately insulated. Noise sources such as garage doors, driveways, service areas, plant rooms, building services, mechanical equipment, active communal open spaces and circulation areas should be located at least 3m away from bedrooms.	no adverse acoustic issues. Living areas are also grouped through the levels of the building and townhouses. Noisy areas such as entries and corridors grouped together. Internal noise sources are located at least 3m away from bedrooms. Other acoustic provisions of ADG have been suitably implemented.	
4H - 2 Noise impacts are mitigated within apartments through layout and acoustic treatments	Internal apartment layout separates noisy spaces from quiet spaces, using a number of the following design solutions: • rooms with similar noise requirements are grouped together • doors separate different use zones • wardrobes in bedrooms are co-located to act as sound buffers Where physical separation cannot be achieved noise conflicts are resolved	Apartments are typically mirrored so avoiding shared walls between conflicting residential uses. The design is considered to have met the criteria of this clause.	Yes

	using the following design solutions: • double or acoustic glazing • acoustic seals • use of materials with low noise penetration properties • continuous walls to ground level courtyards where they do not conflict with streetscape or other amenity requirements		
4J Noise and pollution			
4J - 1 In noisy or hostile environments the impacts of external noise and pollution are minimised through the careful siting and layout of buildings	To minimise impacts the following design solutions may be used: • physical separation between buildings and the noise or pollution source • residential uses are located perpendicular to the noise source and where possible buffered by other uses • non-residential buildings are sited to be parallel with the noise source to provide a continuous building that shields residential uses and communal open spaces • non-residential uses are located at lower levels vertically separating the residential component from the noise or pollution source. Setbacks to the underside of residential floor levels should increase relative to traffic volumes and other noise sources • buildings should	Development implements and has regard for ADG requirements. The building includes deep balconies to mitigate any noise concerns. This allows for a balance between providing solar access and views. There are no non-residential uses proposed within the development or adjoining the subject site.	Yes

	respond to both solar access and noise. Where solar access is away from the noise source, nonhabitable rooms can provide a buffer • where solar access is in the same direction as the noise source, dual aspect apartments with shallow building depths are preferable (see figure 4J.4) • landscape design reduces the perception of noise and acts as a filter for air pollution generated by traffic and industry. Achieving the design criteria in this Apartment Design Guide may not be possible in some situations due to noise and pollution. Where developments are unable to achieve the design criteria, alternatives may be considered in the following areas: • solar and daylight access • private open space and balconies • natural cross ventilation		
4J - 2 Appropriate noise shielding or attenuation techniques for the building design, construction and choice of materials are used to mitigate noise transmission	Design solutions to mitigate noise include: • limiting the number and size of openings facing noise sources • providing seals to prevent noise transfer through gaps • using double or acoustic glazing, acoustic louvres or enclosed balconies	Development implements and has regard for ADG requirements.	Yes

	(wintergardens) • using materials with mass and/or sound insulation or absorption properties e.g. solid balcony balustrades, external screens and soffits		
4K Apartment mix			
4K - 1 A range of apartment types and sizes is provided to cater for different household types now and into the future	A variety of apartment types is provided The apartment mix is appropriate, taking into consideration: • the distance to public transport, employment and education centres • the current market demands and projected future demographic trends • the demand for social and affordable housing • different cultural and socioeconomic groups Flexible apartment configurations are provided to support diverse household types and stages of life including single person households, families, multi-generational families and group households.	A suitable apartment mix is provided. The units provide for a diverse household makeup.	Yes
4K - 2 The apartment mix is distributed to suitable locations within the building	Different apartment types are located to achieve successful facade composition and to optimise solar access (see figure 4K.3). Larger apartment types are located on the ground or roof level where there is potential for more open space and on corners where more building frontage is available.	Location of apartments provides acceptable compliance with ADG.	Yes
4L Ground floor apartments			

4L - 1 Street frontage activity is maximised where ground floor apartments are located	Direct street access should be provided to ground floor apartments. Activity is achieved through front gardens, terraces and the facade of the building. Design solutions may include: • both street, foyer and other common internal circulation entrances to ground floor apartments • private open space is next to the street • doors and windows face the street Retail or home office spaces should be located along street frontages. Ground floor apartment layouts support small office home office (SOHO) use to provide future opportunities for conversion into commercial or retail areas. In these cases provide higher floor to ceiling heights and ground floor amenities for easy conversion.	No units proposed on the ground floor. No commercial uses proposed. Landscaping to the street frontage is proposed. Design has adequately addressed the ADG.	Yes
4L - 2 Design of ground floor apartments delivers amenity and safety for residents	Privacy and safety should be provided without obstructing casual surveillance. Design solutions may include: • elevation of private gardens and terraces above the street level by 1-1.5m (see figure 4L.4) • landscaping and private courtyards • window sill heights that minimise sight lines into apartments • integrating balustrades,	The use of appropriate fencing, screening and landscaping provides a suitable mixture of privacy and surveillance. Orientation to the north and large windows have been incorporated in the design to achieve solar access, which complies with the ADG.	Yes

	safety bars or screens with the exterior design Solar access should be maximised through: • high ceilings and tall windows • trees and shrubs that allow solar access in winter and shade in summer		
4M Facades			
4M - 1 Building facades provide visual interest along the street while respecting the character of the local area	Design solutions for front building facades may include: • a composition of varied building elements • a defined base, middle and top of buildings • revealing and concealing certain elements • changes in texture, material, detail and colour to modify the prominence of elements Building services should be integrated within the overall façade. Building facades should be well resolved with an appropriate scale and proportion to the streetscape and human scale. Design solutions may include: • well composed horizontal and vertical elements • variation in floor heights to enhance the human scale • elements that are proportional and arranged in patterns • public artwork or treatments to exterior	The building façade contains suitable elements that comply with ADG requirements creating visual interest.	Yes

	blank walls • grouping of floors or elements such as balconies and windows on taller buildings Building facades relate to key datum lines of adjacent buildings through upper level setbacks, parapets, cornices, awnings or colonnade heights. Shadow is created on the facade throughout the day with building articulation, balconies and deeper window reveals.		
4M - 2 Building functions are expressed by the facade	Building entries should be clearly defined. Important corners are given visual prominence through a change in articulation, materials or colour, roof expression or changes in height. The apartment layout should be expressed externally through facade features such as party walls and floor slabs	Entry is clearly defined. The building provides suitable articulation and apartment layout expressed externally through façade features.	Yes
4N Roof design			
4N - 1 Roof treatments are integrated into the building design and positively respond to the street	Roof design relates to the street. Design solutions may include: • special roof features and strong corners • use of skillion or very low pitch hipped roofs • breaking down the massing of the roof by using smaller elements to avoid bulk • using materials or a pitched form complementary to adjacent buildings Roof treatments should be integrated with the building	Roof design is acceptable. Bulk of the roof has been minimised by using architectural details. Service elements are located central to the building and away from the street frontage.	Yes

	design. Design solutions may include: • roof design proportionate to the overall building size, scale and form • roof materials compliment the building • service elements are integrated		
4N - 2 Opportunities to use roof space for residential accommodation and open space are maximised	Habitable roof space should be provided with good levels of amenity. Design solutions may include: • penthouse apartments • dormer or clerestory windows • openable skylights Open space is provided on roof tops subject to acceptable visual and acoustic privacy, comfort levels, safety and security considerations.	Top floor apartments proposed with large balcony. Acceptable privacy levels achieved.	Yes
4N - 3 Roof design incorporates sustainability features	Roof design maximises solar access to apartments during winter and provides shade during summer. Design solutions may include: • the roof lifts to the north • eaves and overhangs shade walls and windows from summer sun. Skylights and ventilation systems should be integrated into the roof design	Roof design provides suitable shading and solar access.	Yes
4O Landscape design			
4O - 1 Landscape design is viable and sustainable	Landscape design should be environmentally sustainable and can enhance environmental	Suitable landscape plan provided. The landscape has been designed with	Yes

	performance by incorporating: • diverse and appropriate planting • bio-filtration gardens • appropriately planted shading trees • areas for residents to plant vegetables and herbs • composting - green roofs or walls Ongoing maintenance plans should be prepared. Microclimate is enhanced by: • appropriately scaled trees near the eastern and western elevations for shade • a balance of evergreen and deciduous trees to provide shading in summer and sunlight access in winter • shade structures such as pergolas for balconies and courtyards Tree and shrub selection considers size at maturity and the potential for roots to compete (see Table 4) Table 4 requires • For site area up to 850m² = 1 medium tree per 50m² of deep soil zone • Between 850 - 1,500m² = 1 large tree or 2 medium trees per 90m² of deep soil zone • Greater than 1,500m² = 1 large tree or 2 medium trees per 80m² of deep soil zone	great diversity in planting stock and size reinforcing communal open space. Trees and shrub selection has considered size and roots.	

4O - 2 Landscape design contributes to the streetscape and amenity	Landscape design responds to the existing site conditions including: • changes of levels • views • significant landscape features including trees and rock outcrops Significant landscape features should be protected by: • tree protection zones (see figure 4O.5) • appropriate signage and fencing during construction Plants selected should be endemic to the region and reflect the local ecology	Suitable landscaping provided.	Yes
4P Planting on structures			
4P - 1 Appropriate soil profiles are provided	Structures are reinforced for additional saturated soil weight Soil volume is appropriate for plant growth, considerations include: • modifying depths and widths according to the planting mix and irrigation frequency • free draining and long soil life span • tree anchorage Minimum soil standards for plant sizes should be provided in accordance with Table 5. Table 5 requires • Large trees 12-18m high, up to 16m crown spread at maturity = need 150m³ of soil at a depth of 1,200mm and area of 10m x 10m or equivalent.	Planting over structures proposed and capable of being provided. Suitable landscaping provided.	Yes

	• Medium trees 8-12m high, up to 8m crown spread at maturity = need 35m³ of soil at a depth of 1,000mm and area of 6m x 6m or equivalent. • Small trees 6-8m high, up to 4m crown spread at maturity = need 9m³ of soil at a depth of 800mm and area of 3.5m x 3.5m or equivalent. • Shrubs need soil depth of 500-600mm • Ground cover needs soil depth of 300-450mm • Turf needs soil depth of 200mm		
4P - 2 Plant growth is optimised with appropriate selection and maintenance	Plants are suited to site conditions, considerations include: • drought and wind tolerance • seasonal changes in solar access • modified substrate depths for a diverse range of plants • plant longevity A landscape maintenance plan is prepared. Irrigation and drainage systems respond to: • changing site conditions • soil profile and the planting regime • whether rainwater, stormwater or recycled grey water is used	Landscaping plans have included adequate plant selection for the proposal.	Yes
4P - 3 Planting on structures contributes to the	Building design incorporates opportunities for planting on structures.	Design contains adequate plantings within the site such	Yes

quality and amenity of communal and public open spaces	Design solutions may include: • green walls with specialised lighting for indoor green walls • wall design that incorporates planting • green roofs, particularly where roofs are visible from the public domain • planter boxes Note: structures designed to accommodate green walls should be integrated into the building facade and consider the ability of the facade to change over time	areas above sub floor around the communal area and poll to form the first floor level landscaping.	
4Q Universal design			
4Q - 1 Universal design features are included in apartment design to promote flexible housing for all community members	Developments achieve a benchmark of 20% of the total apartments incorporating the Liveable Housing Guideline's silver level universal design features	The open plan design provides for various levels of mobility and accessibility.	Yes
4Q - 2 A variety of apartments with adaptable designs are provided	Adaptable housing should be provided in accordance with the relevant council policy Design solutions for adaptable apartments include: • convenient access to communal and public areas • high level of solar access • minimal structural change and residential amenity loss when adapted • larger car parking spaces for accessibility • parking titled separately from apartments or shared car parking	Building design allows adaptability.	Yes

	arrangements		
4Q - 3 Apartment layouts are flexible and accommodate a range of lifestyle needs	Apartment design incorporates flexible design solutions which may include: • rooms with multiple functions • dual master bedroom apartments with separate bathrooms • larger apartments with various living space options • open plan 'loft' style apartments with only a fixed kitchen, laundry and bathroom	Apartment design allows for flexible room usage and living space.	Yes
4R Adaptive reuse			
4R - 1 New additions to existing buildings are contemporary and complementary and enhance an area's identity and sense of place	Design solutions may include: • new elements to align with the existing building • additions that complement the existing character, siting, scale, proportion, pattern, form and detailing • use of contemporary and complementary materials, finishes, textures and colours Additions to heritage items should be clearly identifiable from the original building. New additions allow for the interpretation and future evolution of the building.	No additions proposed.	N/A
4R - 2 Adapted buildings provide residential amenity while not precluding future adaptive reuse	Design features should be incorporated sensitively into adapted buildings to make up for any physical limitations, to ensure residential amenity is achieved. Design solutions	Not an adapted building.	N/A

	may include: • generously sized voids in deeper buildings • alternative apartment types when orientation is poor • using additions to expand the existing building envelope Some proposals that adapt existing buildings may not be able to achieve all of the design criteria in this Apartment Design Guide. Where developments are unable to achieve the design criteria, alternatives could be considered in the following areas: • where there are existing higher ceilings, depths of habitable rooms could increase subject to demonstrating access to natural ventilation, cross ventilation (when applicable) and solar and daylight access (see also sections 4A Solar and daylight access and 4B Natural ventilation) • alternatives to providing deep soil where less than the minimum requirement is currently available on the site • building and visual separation – subject to demonstrating alternative design approaches to achieving privacy • common circulation • car parking • alternative approaches		

	to private open space and balconies		
4S Mixed use			
4S - 1 Mixed use developments are provided in appropriate locations and provide active street frontages that encourage pedestrian movement	Mixed use development should be concentrated around public transport and centres. Mixed use developments positively contribute to the public domain. Design solutions may include: • development addresses the street • active frontages are provided • diverse activities and uses • avoiding blank walls at the ground level • live/work apartments on the ground floor level, rather than commercial	Not a mixed use development.	N/A
4S - 2 Residential levels of the building are integrated within the development, and safety and amenity is maximised for residents	Residential circulation areas should be clearly defined. Design solutions may include: • residential entries are separated from commercial entries and directly accessible from the street • commercial service areas are separated from residential components • residential car parking and communal facilities are separated or secured • security at entries and safe pedestrian routes are provided • concealment opportunities are avoided Landscaped communal	Development contains limited concealment/entrapment areas and provides suitable surveillance to ensure safety to occupants.	Yes

	open space should be provided at podium or roof levels.		
4T Awnings and signage			
4T - 1 Awnings are well located and complement and integrate with the building design	Awnings should be located along streets with high pedestrian activity and active frontages. A number of the following design solutions are used: • continuous awnings are maintained and provided in areas with an existing pattern • height, depth, material and form complements the existing street character • protection from the sun and rain is provided • awnings are wrapped around the secondary frontages of corner sites • awnings are retractable in areas without an established pattern Awnings should be located over building entries for building address and public domain amenity. Awnings relate to residential windows, balconies, street tree planting, power poles and street infrastructure. Gutters and down pipes should be integrated and concealed. Lighting under awnings should be provided for pedestrian safety.	The development does not front a high pedestrian street or provide an active/commercial frontage. No awnings are proposed. Front fences and gates will delineate entrance.	Yes
4T - 2 Signage responds to the context and desired streetscape character	Signage should be integrated into the building design and respond to the scale, proportion and detailing of the development.	No Signage is proposed.	N/A

	Legible and discrete way finding should be provided for larger developments. Signage is limited to being on and below awnings and a single facade sign on the primary street frontage.		
4U Energy efficiency			
4U - 1 Development incorporates passive environmental design	Adequate natural light is provided to habitable rooms (see 4A Solar and daylight access). Well located, screened outdoor areas should be provided for clothes drying	Location of balconies and open space on the northern elevation ensures quality solar access. The large private open space to apartments (balconies) ensures ample screened outdoor area for clothes drying.	Yes
4U - 2 Development incorporates passive solar design to optimise heat storage in winter and reduce heat transfer in summer	A number of the following design solutions are used: • the use of smart glass or other technologies on north and west elevations • thermal mass in the floors and walls of north facing rooms is maximised • polished concrete floors, tiles or timber rather than carpet • insulated roofs, walls and floors and seals on window and door openings • overhangs and shading devices such as awnings, blinds and screens Provision of consolidated heating and cooling infrastructure should be located in a centralised location (e.g. the basement)	Provisions provided in the design or can be retrospectively applied. Design satisfies BASIX requirements.	Yes

4U - 3 Adequate natural ventilation minimises the need for mechanical ventilation	A number of the following design solutions are used: • rooms with similar usage are grouped together • natural cross ventilation for apartments is optimised • natural ventilation is provided to all habitable rooms and as many non-habitable rooms, common areas and circulation spaces as possible	All the units are provided with satisfactory amount of openings and allowances for ventilation.	Yes
4V Water management and conservation			
4V - 1 Potable water use is minimised	Water efficient fittings, appliances and wastewater reuse should be incorporated. Apartments should be individually metered. Rainwater should be collected, stored and reused on site. Drought tolerant, low water use plants should be used within landscaped areas	BASIX certificate provided. Landscaping can be managed/replanted to suit.	Yes
4V - 3 Flood management systems are integrated into site design	Detention tanks should be located under paved areas, driveways or in basement car parks. On large sites parks or open spaces are designed to provide temporary on site detention basins.	Onsite and underground stormwater detention proposed Large area of gardens and planting will maximise the use of all collected water.	Yes
4W Waste management			
4W - 1 Waste storage facilities are designed to minimise impacts on the streetscape, building entry and	Adequately sized storage areas for rubbish bins should be located discreetly away from the front of the development or in the basement car park.	Suitable sized ground floor waste storage are proposed. The area is screened from the Drew Close frontage.	Yes

amenity of residents	Waste and recycling storage areas should be well ventilated. Circulation design allows bins to be easily manoeuvred between storage and collection points. Temporary storage should be provided for large bulk items such as mattresses. A waste management plan should be prepared	Natural ventilation proposed of the area.	
4W - 2 Domestic waste is minimised by providing safe and convenient source separation and recycling	All dwellings should have a waste and recycling cupboard or temporary storage area of sufficient size to hold two days worth of waste and recycling. Communal waste and recycling rooms are in convenient and accessible locations related to each vertical core. For mixed use developments, residential waste and recycling storage areas and access should be separate and secure from other uses. Alternative waste disposal methods such as composting should be provided	Bin storage areas available within dwellings.	Yes
4X Building maintenance			
4X - 1 Building design detail provides protection from weathering	A number of the following design solutions are used: • roof overhangs to protect walls • hoods over windows and doors to protect openings • detailing horizontal edges with drip lines to avoid staining of surfaces • methods to eliminate or	Design contains suitable weather protection measures.	Yes

	reduce planter box leaching • appropriate design and material selection for hostile locations		
4X - 2 Systems and access enable ease of maintenance	Window design enables cleaning from the inside of the building. Building maintenance systems should be incorporated and integrated into the design of the building form, roof and façade. Design solutions do not require external scaffolding for maintenance access. Manually operated systems such as blinds, sunshades and curtains are used in preference to mechanical systems. Centralised maintenance, services and storage should be provided for communal open space areas within the building.	Windows could be accessed via balconies/extension poles. Access to roof available for servicing and maintenance. Adequate storage and maintenance areas available.	Yes
4X - 3 Material selection reduces ongoing maintenance costs	A number of the following design solutions are used: • sensors to control artificial lighting in common circulation and spaces • natural materials that weather well and improve with time such as face brickwork • easily cleaned surfaces that are graffiti resistant • robust and durable materials and finishes are used in locations which receive heavy wear and tear, such as common circulation areas and lift interiors	Generally robust and modern materials and finishes selected. Majority of the building can be accessed for maintenance from time to time.	Yes

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

A BASIX certificate (1035024M_02) has been submitted demonstrating that the proposal will comply with the requirements of the SEPP. It is recommended that a condition be imposed to ensure that the commitments are incorporated into the development and certified at Occupation Certificate stage.

State Environmental Planning Policy (Coastal Management) 2018

The site is located within a coastal environment area and coastal use area. The site is also partly mapped as coastal wetland and within the proximity area for coastal wetlands. A screen shot of the coastal wetland mapping is provided below for context:

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

In accordance with clause 10, the proposal is declared to be designated development. The application was accompanied by an Environmental Impact Statement (EIS) which is consistent with the issued Secretary's Environmental Assessment Requirements (SEARs). A copy of the issued SEARs and EIS are provided as attachments to this report.

It is evident that the site is highly disturbed and does not physically contain coastal wetland or any vegetation that represents a coastal wetland vegetation community.

In accordance with clause 11, the proposal will not significantly impact on:

(a) the biophysical, hydrological or ecological integrity of the adjacent coastal wetland or littoral rainforest, or

(b) the quantity and quality of surface and ground water flows to and from the adjacent coastal wetland or littoral rainforest.

In accordance with clause 15, the proposed development is not likely to cause increased risk of coastal hazards on that land or other land.

In accordance with clause 16, there is no certified coastal management program that applies to the land.

The bulk, scale and size 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.

State Environmental Planning Policy (Infrastructure) 2007

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

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 R3 Medium Density Residential.
- Clause 2.3(1) and the R3 zone land use table - residential flat buildings are a permissible land use in the R1 zone.
- The following land use in the LEP is relevant to determine and characterise the proposed use:

    - *residential flat building means a building containing 3 or more dwellings, but does not include an attached dwelling or multi dwelling housing.*

- The objectives of the R3 zone are as follows:
    - To provide for the housing needs of the community within a medium density residential environment.
    - To provide a variety of housing types within a medium density residential environment.
    - To enable other land uses that provide facilities or services to meet the day to day needs of residents.

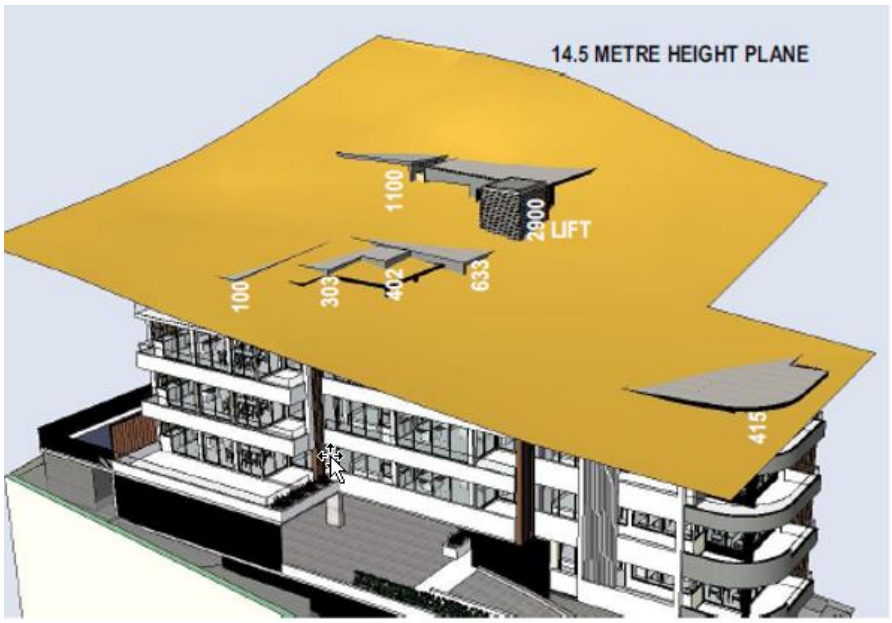
- Clause 2.3(2) - The proposal is consistent with the zone objectives having regard to the following:
    - The proposal is a permissible landuse;
    - The proposal will provide for additional housing needs of the community.
    - The proposal will provide for an appropriate form of higher residential density to which the medium density residential zone, building height standard and floor space ratio standard is trying to achieve.
    - The proposal will provide for a further housing type in the form of a residential flat building. This will complement the current mixture of two

storey dwellings and other residential flat buildings in the immediate area and R3 zone.

- The proposal will not inhibit other land uses that may provide facilities or services to meet the day to day needs of residents.

- Clause 4.3 - This clause establishes the maximum "height of a building" (or building height) that a building may be built to on any parcel of land. The term "building height (or height of building)" is defined in the LEP to mean "the vertical distance between ground level (existing) and the highest point of the building, including plant and lift overruns, but excluding communication devices, antennae, satellite dishes, masts, flagpoles, chimneys, flues and the like". The term "ground level (existing)" is also defined in the LEP to mean "the existing level of a site at any point".

  The subject site has a maximum building height of 14.5m identified on the height of buildings map. The maximum building height proposed is 17.4m, which represents a variation of 20%. The submitted plans identify the parts of the building that exceed the height limit. An extract of the plans showing the height variation is shown below:



AERIAL VIEW FROM THE NORTH WEST CORNER ILLUSTRATING THE EXTENT OF ROOF THAT EXCEEDS THE 14.5 METRE HEIGHT PLANE

  The applicant has submitted a clause 4.6 variation supporting the application, which is addressed under the following clause 4.6 section of this report.

- Clause 4.4 - The floor space ratio of the proposal is 1.15:1. The maximum floor space ratio standard applicable to the site is 1.5:1 and the proposal complies.

- Clause 4.6 - This clause establishes a degree of flexibility for certain development standards in certain circumstances which have demonstrated that a better planning outcome will occur from that flexibility.

In this regard the proposal seeks a variation to the maximum building height standard. The maximum building height proposed is 17.4m and this is to the top of the lift overrun. Inclusion of the lift overrun in the height of a building is consistent with the definition provided for in clause 4.3. As illustrated on the plans the lift-overrun structure itself extends independently above the main roofline. This component, which is the highest part of the building represents a 20% departure from the building height standard.

As illustrated on the height plane plans the majority of the building does sit within the building height standard. Specifically, the bulk of the building sits between 12m to 13.5m in height. Although some other parts of the main building's roofline (excluding the lift overrun) also extend above the height standard. The notable section being the southern portion of the sixth floor, which extends to 15.7m on its northern façade. This component represents an 8% departure from the building height standard.

Assistance on the approach to variation of this standard is also taken from NSW Land and Environment Court and NSW Court of Appeal decisions in:

1. *Wehbe v Pittwater Council (2007) NSW LEC 827 (Wehbe);*
2. *Four2Five Pty Ltd v Ashfield Council (2015) NSWLEC 1009; and*
3. *Al Maha Pty Ltd v Huajun Investments Pty Ltd (2018) NSWCA 245*

Having regard to specific requirements of clause 4.6(3) and 4.6(4) the following assessment comments are provided:

(3) Development consent must not be granted for development that contravenes a development standard unless the consent authority has considered a written request from the applicant that seeks to justify the contravention of the development standard by demonstrating:

(a) that compliance with the development standard is unreasonable or unnecessary in the circumstances of the case, and
(b) that there are sufficient environmental planning grounds to justify contravening the development standard.

Comments: The applicant has submitted a written request in writing seeking justification for contravention of the building height standard for the following reasons (as summarised):

- The steep slope (topography) in the southern portion of the site represents a significant site constraint in providing strict compliance with the standard.
- The proposal is consistent with the height of buildings objectives and zone objectives notwithstanding non-compliance with the standard. Compliance with the development standard in unnecessary in the circumstances of this case notwithstanding the numerical variation.

(4) Development consent must not be granted for development that contravenes a development standard unless:

(a) the consent authority is satisfied that:
(i) the applicant's written request has adequately addressed the matters required to be demonstrated by subclause (3)

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In *Wehbe* 'five methods' have been developed to test whether a compliance with the standard is unreasonable or unnecessary:

1. The objectives of the standard are achieved notwithstanding the non-compliance with the numerical standard and therefore compliance is unnecessary.

2. The underlying objective or purpose of the standard is not relevant to the development and therefore compliance is unnecessary.

3. The underlying object or purpose of the standard would be defeated or thwarted if compliance was required and therefore compliance is unreasonable.
4. The development standard has been virtually abandoned or destroyed by the Council's own actions in granting a consent to proposals departing from the standard and hence compliance is unreasonable and unnecessary.
5. The zoning of the particular land is unreasonable or inappropriate so that a development standard appropriate for that zoning is also unreasonable and unnecessary as it applies to the land.

The proposal relies upon the first test and it is considered that the applicant's written request has satisfactorily demonstrated that the proposed development will achieve the objectives of the height of building development standard despite numerical non-compliance.

There are considered to be sufficient environmental planning grounds to justify contravening the development standard on the following basis:

- The site contains some steep topography in the southern portion. The building design responds to this constraint by stepping up the site.
- The building has an appropriate built form and appearance envisaged for the locality and the objectives of both the building height standard and R3 zone are achieved.
- The portions of the roof and lift overrun that exceed the height limit are a small part of the roof and generally located where the building steps to accommodate the fall of the land.
- The additional height is located centrally to the site and would not result in any adverse amenity impacts to neighbouring properties.
- The height variation does not result in the development achieving any additional floor area compared with a compliant proposal.

On the basis of the above, it is considered that the Applicant's clause 4.6 variation has adequately addressed the matters required to be demonstrated by clause 4.6(3).

> *(ii) the proposed development will be in the public interest because it is consistent with the objectives of the particular standard and the objectives for development within the zone in which the development is proposed to be carried out,*

The consistency of the proposal with the zone objectives has been discussed above under clause 2.3. Consideration of the proposal's consistency with the objectives of the building height standard (clause 4.3) is provided as follows:

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

Comments: The variation is primarily for the lift overrun and small sections of the roof line in response to the site topography. The majority of the building sits wholly beneath the 14.5m height limit and the design has been stepped in response to the topographical constraint.

There are a number of similar sized residential flat buildings in the locality to the east of the site. It is noted that the intention of the zoning and density controls is to create a higher density residential environment. The density proposed is commensurate with the site's proximity to the Settlement city precinct, and would not create a bulk or character inconsistent with that envisaged by the applicable zoning or density controls.

The sections of the building above the height standard do not result in a significant difference in how the building will be read, nor do they produce any significant adverse impacts.

The proposed height, bulk and scale of the development is considered compatible with the existing and desired future character of the locality.

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

Comments: Due to the stepping of the building in response to the topography the building will present as five storey when view from Drew Close. The visual impact of the building is minimal and considered satisfactory.

View impacts and solar access are considered later in this report under. Specifically, it is noted that any view impacts to the property at number 9 Hastings Avenue would not be a result of the building height variation. The proposed variation is unlikely to create any adverse view loss or overshadowing.

Visual privacy is maintained by minimising windows along the southern elevation and incorporation of northern orientated living areas to units.

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

Comments: The site does not contain or adjoin and heritage conservation areas or heritage items. No adverse impacts would result.

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

Comments: The proposal will provide for a building that adequately responds to the site constraints and provides for a built form and land use intensity envisaged for the area.

The development is consistent with the building height and zone objectives of the LEP 2011 and is unlikely to have any implications on State related issues or the broader public interest.

(b) the concurrence of the Secretary has been obtained.

Comments: In accordance Planning Circular PS18-003 issued by NSW Planning and Environment, dated 21 February 2018, Council can assume the Director's concurrence for clause 4.6 variations to the height of buildings standard. In addition, the variation contravenes the numerical standard by more than 10% and needs to be determined at an Ordinary meeting of Council.

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Having regard to the above consideration and comments it is recommended that the building height variation be supported.

- 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.

(iii) Any Development Control Plan in force

Port Macquarie-Hastings Development Control Plan 2013

DCP 2013: Residential Flat Development, Tourist and Visitor Accommodation and Mixed Use Development			
DCP Objective	Development Provisions	Proposed	Complies
3.3.2.2	Satisfactory site analysis plan submitted.	Relevant information shown on submitted documentation.	Yes
3.3.2.3	Statement addressing site attributes and constraints submitted.	Relevant information shown on submitted documentation and plans.	Yes
3.3.2.4	Streetscape and front setback: • Within 20% of the average setback of the adjoining buildings. • 3m setback to all frontages if no adjoining development. • 2m setback to secondary frontages. • Max. 9m setback for tourist development to allow for swimming pool.	Front setback to Drew Close varies from 4.982m to 8.68m. This is consistent with the setback of existing buildings fronting Drew Close that are setback about 6m from the boundary.	Yes
3.3.2.5	Balconies and building extrusions can encroach up to 600mm into setback.	Balconies to not encroach into the minimum 3m setback.	N/A
	Buildings generally aligned to street boundary.	The block is oddly shaped and the building aligns to the street boundary.	Yes
	Primary openings aligned to street boundary or rear of site.	The buildings and openings are orientated north towards the street frontage.	Yes
3.3.2.6	Side setbacks comply with Figure 3.3-1: • Min. Side setback 1.5m for 75% of building depth. • Windows on side walls min. 3m from side	Eastern side varies from 3.368m to 7.728m. Western side varies from 13.027m to 13.747m.	Yes Yes

	boundary. • 3m minimum where adjacent to existing strata titled building.		
	Side walls adjacent to existing strata-titled buildings should be articulated and modulated to respond to the existing buildings.	Does not adjoin existing strata titled building.	N/A
	Min. 6m rear setback (including sub basements)	The rear southern boundary setback vary from 1.509m, 3.29m to 12.345m.	No but having regard to the lot shape, site constraints, building design the portions of the building within the 6m setback are considered acceptable.
3.3.2.7	A party wall development may be required if site amalgamation is not possible and higher density development is envisaged by these controls.	Not required.	N/A
3.3.2.8	Party wall development can occur only with the agreement and consent of the adjoining property owner. Exposed party walls should be finished in a quality comparable to front facade finishes.	Not required.	N/A
3.3.2.9	Corner sites consolidated with adjacent land where possible.	Not a corner site.	N/A
	Where consolidation not possible a minimum setback of 6m should extend to secondary street (see Fig 3.3-2 and 3.3-3).	Consolidation not proposed or required.	N/A
3.3.2.10	Where sites adjacent to open space are to be developed the edge of the open space should be defined with a public road and buildings address the open space.	The site ds not adjoin public open space areas.	N/A
3.3.2.11	Deep soil zones:	variable 3m – 12.3m wide	Yes

	• Extend the width of the site and have minimum depth of 6m. • Are contiguous across sites and within sites (see Fig 3.3-4).	deep soil zone is available across the rear of the subject site whilst additional deep soils zones are located across the eastern and northern aspects of the proposed development.	
3.3.2.12	Deep soil zones accommodate existing advanced trees, and allow for advanced tree planting.	No existing trees within the site. Appropriate landscaping treatment is proposed.	Yes
3.3.2.13	Deep soil zones integrated with stormwater management measures.	Capable of integration.	Yes
3.3.2.14	Sunlight to the principal area of ground-level private open space of adjacent properties should not be reduced to less than 3 hours between 9.00am and 3.00pm on June 22.	The impact of the proposed building on solar access is considered for the adjoining sites to the east and south. The shadow diagrams indicates that the proposed development will allow for a minimum 3 hours.	Yes
	Where existing overshadowing by buildings and fences is greater than this, sunlight should not be reduced by more than 20%.	The proposal does not add to any existing overshadowing impacts form other buildings to adjoining dwellings.	Yes
	Buildings should not reduce the sunlight available to the windows of living areas that face north in existing adjacent dwellings to less than the above specification.	The north facing windows of existing dwellings will not be impacted in terms of access to sunlight form the proposed development. Refer to shadow diagrams.	Yes
3.3.2.15	Internal clothes drying space provided (not mechanical).	Sufficient area provided for clothes drying.	Yes
	Ceiling fans provided in preference to air conditioning.	Can be installed retrospectively.	Yes
	Solar hot water systems (or equivalent technology) provided.	Energy efficiency requirements covered by BASIX.	Yes
	Photovoltaic arrays installed where practical.	Solar panels proposed on roof.	Yes
3.3.2.16	Landscape plan provided including: • 35% soft landscaping with minimum width of 3m. • Existing vegetation and proposed treatment. • Details of hard landscaping.	Landscaping plan provided. The landscaping is designed to be in scale with the building, improve the privacy of the residential flats, relate to the buildings form, add to the amenity of the balconies by screening excessive sun and generally softening the	No. Less than 35% of the site is proposed to be landscaped. This is mainly due to the rock

	• Location of communal recreational facilities. • Species not to obscure doors, paths, etc. • Street trees in accordance with Council's list.	building. The amount of landscaping is below 35% but is generous in width <3m and especially in the south-western portion.	shelf located in the south-western portion of the site. The landscaping proposed is considered to beacceptabl e.
3.3.2.17	Existing vegetation to be retained and nutrient-rich water prevented from entering native gardens.	There is very limited existing vegetation on the site due to the topography.	Proposed landscaping will improve
3.3.2.18	Landscape plan to demonstrate how trees and vegetation contribute to energy efficiency and prevent winter shading on neighbouring properties.	Landscaping plan indicates select species and plantings locations to achieve shade outcomes.	Landscaping proposed is acceptable.
3.3.2.19	Street trees in accordance with Council's list.	No street trees are proposed and there is limited opportunity along the Drew Close frontage to provide successful street tree plantings.	No but considered acceptable.
3.3.2.20	All dwellings at ground floor level have minimum 35m^2 of private open space, including one area 4m x 4m at maximum grade of 5% and directly accessible from living area.	No units proposed on the ground floor.	N/A
	Separate private open space for any resident manager or permanent occupant of a tourist facility.	No permanent resident onsite manager proposed.	N/A
3.3.2.21	Where open space is of irregular shape, areas having a width less than 2m are excluded from calculated area.	Noted.	N/A
	Dwellings not at ground level have balconies with minimum area 8m^2 and minimum dimension 2m.	All dwellings provided with balconies in excess of 8m2 with a minimum 2m dimension.	Yes
3.3.2.22	Fencing or landscaping defines public/communal and private open space.	Fencing, gates and mail box structure help define public and private spaces.	Yes
3.3.2.23	Solid fences should be: • Max. 1.2m high, • Setback 1m, • Suitably landscaped, • Provide 3m x 3m splay.	1.8m high fencing proposed. See below.	N/A

	Where front fences higher than 1.2m: • Max. 1.8m high, • Landscaped recesses for 50% of frontage, or length of fence not more than 6m or 50% of street frontage. • Min. 25% transparent, • 3m x 3m splay for corner sites. • 900mm x 900mm splay at vehicle driveways.	Appropriate 1.8m open style picket security fencing and entry gates proposed along street frontage.	Yes
3.3.2.24	Fencing materials consistent with or complimentary to existing fencing in the street.	Proposed fencing and materials considered appropriate. Limited existing fencing along the street.	Yes
3.3.2.25	Fences constructed of chain wire, solid timber or masonry and solid street not permitted, even if consistent with existing fencing in the locality.	None proposed.	N/A
3.3.2.26	Building to be designed so that: • Busy, noisy areas face the street. • Quiet areas face the side or rear of the lot. • Bedrooms have line of site separation of at least 3m from parking areas, streets and shared driveways.	The parking is located on the ground and first floors. The units are located above to limit noise impact. Wherever possible like rooms in adjoining apartments have been located together thereby reducing the potential for reduced acoustic privacy.	Yes
	Openings of adjacent dwellings separated by at least 6m.	>6m separation proposed.	Yes
3.3.2.27	Building designed so noise transmission between apartments is minimised.	Like rooms in adjoining apartments have been located together thereby reducing the potential for noise transmission.	Yes
	Uses are to be coupled internally and between apartments i.e. noisy internal and noisy external spaces should be placed together. (See Figure 3.3-6).	See above.	Yes
3.3.2.28	Development complies with AS/NZS2107:2000 *Acoustic – Recommended design sound levels and reverberation times for*	The residential units have been designed to comply with the noise transmission requirements of the National Construction Code.	Yes

	building interiors for residential development.		
3.3.2.29	Impact of noise from key public places to be considered.	No adverse impacts are identifiable to public open space areas.	Yes
3.3.2.30	Direct views between living room windows to be screened where: • Ground floor windows are within 9m of windows in an adjoining dwelling. • Other floors are within a 12m radius. • Living room windows are within 12m radius of the principal area of private open space of other dwellings.	Combination of screens, fencing and separation will ensure privacy is retained both to and from the development. Living rooms are positioned to facilitate views north and provide solar access and to avoid overlooking of other private open spaces.	Yes
	Direct views may be screened with either a 1.8m high fence or wall, or screening that has maximum 25% openings.	Refer to above comment. Adequate screening has been proposed to ensure privacy.	Yes
	Windows in habitable rooms screened if >1m above ground level and wall set back <3m.	No habitable rooms above ground level are setback within 3m.	Yes
	Balconies, decks, etc screened if <3m from boundary and floor area >3m^2 and floor level >1m above ground level.	No habitable rooms above ground level are setback within 3m.	Yes
3.3.2.31	Developments to be designed in accordance with AS 1428.	Development capable of complying. Details will be required at Construction Certificate stage.	Yes
3.3.2.32	Barrier free access to at least 20% of dwellings provided.	The proposal is capable of applying.	Yes
3.3.2.33	Developments located close to open space, recreation, entertainment and employment.	Site located close to Stuart Park and facilities to the west. Close to settlement city precinct to the north.	Yes
	Where LEP permits FSR > 1:1, FSR not less than 1:1 should be achieved.	LEP permits 1.5:1. Proposed FSR 1.15:1.	Yes
3.3.2.34	Variety of types - studio, 1, 2, 3 and 3+ bedroom apartments	Development provides a mix of 2 and 3 bedroom apartments.	Yes
	Studio and 1 bedroom apartments not > 20% of total number of apartments.	No studio or 1 bedroom apartments.	N/A
	Mix of 1 and 3 bedroom apartments at ground level.	No units proposed on ground level.	N/A

3.3.2.35	Council's Affordable Housing Strategy to be considered for residential flat buildings.	While targeted at providing a medium density outcome the internal layout of the units allows for some flexibility of use. This has been achieved through the careful placement of the different living spaces in a logical hierarchy.	Yes
3.3.2.36	Lift over-runs and plant integrated within roof structures.	The lift overrun extends above the main roof form. However, it is central to the building and will be barely visible from the public domain given the site topography.	Yes
	Outdoor recreation areas on roof tops to be landscaped and incorporate shade structures and wind screens.	No recreational roof top areas proposed.	N/A
	Outdoor roof areas oriented to the street.	No recreational roof top areas proposed.	N/A
	Roof design to generate interesting skyline.	The stepped design creates an interesting façade and roof treatment.	Yes
3.3.2.37	Facade composition should: • Have balance of horizontal and vertical elements. • Respond to environmental and energy needs. • Incorporate wind mitigation. • Reflect uses within the buildings. • Include combination of building elements.	Development provides mixture of articulation and materials to create an interesting façade with regard to the environment. The design has met the desirable criteria for building elements of the Apartment Design Guide.	Yes
3.3.2.38	Building elements, materials and colours consistent or complimentary to those existing in the street.	Proposed colours and materials considered satisfactory and suitable for the desired character.	Yes
3.3.2.39	Entrances clearly identifiable from street level.	Entry off Drew close is clearly defined.	Yes
	Entries provide clear transition between public street and shared private circulation spaces/apartments.	The entry alongside the mailboxes, fencing and gate define the public/private interface.	Yes
	Entries provide clear line of sight between one circulation space and the next.	Entry is clear.	Yes

	Entries avoid ambiguous and publicly accessible small spaces in entry areas.	Entry is clear.	Yes
	Entries sheltered and well lit.	Entry to the building is clear and capable of being well lit.	Yes
	Entries and circulation spaces sized for movement of furniture.	The design allows for movement of furniture throughout.	Yes
	Corridors minimum 2.5m wide and 3.0m high.	Internal corridors are of sufficient width.	Yes
	Corridor lengths minimised and avoid tight corners.	Corridor lengths minimised and tight corners avoided.	Yes
	Longer corridors articulated by: • Changing direction and width. • Utilising series of foyers. • Incorporating windows.	Refer above.	Yes
3.3.2.40	Minimum 1 balcony per apartment.	At least 1 balcony per apartment has been provided.	Yes
	Main balcony accessible from living area.	Balconies accessible from living areas.	Yes
	Balconies take advantage of favourable climatic conditions.	Each unit has north facing balcony providing solar access.	Yes
	Balconies and balustrades balance privacy and views.	Mixture of glass and screened balconies proposed.	Yes
3.3.2.41	Balconies include sunscreens, pergolas, shutters and operable walls.	Majority of balconies include sheltered components, sliding doors to create an indoor/outdoor living area and privacy screens.	Yes
	Balconies recessed to create shadowing to facade.	Majority of balconies are recessed or contain shade structures to create shadow elements over the façade.	Yes
	Solid balustrades discouraged.	All balconies have a glass balustrade components. A mix of solid and glass balustrades to allow for privacy.	Yes
	Air conditioning units not visible from the street.	AC units not visible form the street. Likely to be roof top plant.	Yes
3.3.2.42	Secure open air clothes drying facilities that are: • easily accessible, • screened from public domain and communal spaces, • located with high	Sufficient area available on apartment balconies for clothes drying.	Yes

	degree of solar access.		
3.3.2.43	Mailboxes integrated into building design and sighted to ensure accessibility and security.	Mailbox area will be incorporated into the front entrance and street frontage.	Yes
3.3.2.44	Public and private space clearly defined.	Private and public space appropriately defined.	Yes
	Entrances: • oriented to public street, • provide direct and well lit access between car parks, lift lobbies and unit entrances, • optimise security by grouping clusters (max. 8) around a common lobby	The entrance is orientated to Drew Close. Entrances are clearly defined. The entry and parking areas are capable of being well lit.	Yes
	Surveillance facilitated by: • views over public space from living areas, • casual views of common internal areas, • provision of windows and balconies, • separate entries to ground level apartments.	Casual surveillance of communal open space and available from apartments.	Yes
	Concealment avoided by: • preventing dark or blind alcoves, • providing lighting in all common areas, • providing graded car parking illumination (greater at entrances).	Building design limits concealment opportunities. All communal and car parking areas are capable of being lit.	Yes
	Access to all parts of the building to be controlled.	Access to the building and throughout can be controlled via various electrical security systems and keys.	Yes
3.3.2.45	Accessible storage provided for tenants in basement car park or garages.	Storage areas provided in parking areas adjoining car spaces which will be suitably allocated to each unit.	Yes
	One bike stowage space per dwelling provided.	Objectives have been satisfied with bicycle storage area available within each unit and in the parking areas.	Yes
3.3.2.46	For developments of < 6 dwellings individual waste management permitted. Designated area to be provided for storage of bins:	See below. More than 6 dwellings proposed.	N/A

	• not visible from street, • easily accessible, • not adjoining private or communal space, windows or clothes drying areas, • on hard stand area, • close to street and a tap for washing, • maintained free of pests.		
	Communal bulk waste required where: • > 6 dwellings, or • Number of bins wouldn't fit in street frontage, or • Topography would make street collection difficult.	Communal bin storage area identified alongside visitor parking at the site entrance. This will be collected via a private waste collection arrangement.	Yes
	Communal bulk waste facilities integrated into development and located at ground or sub-basement level. • Not visible from street, • Easily accessible, • Can be serviced by collection vehicles, • Not adjoining private or communal space, windows or clothes drying areas, • Has water and drainage facilities for cleaning, • Maintained free of pests.	Bin storage area identified alongside visitor parking at the site entrance. Adequately screened from the street with a combination of fencing and landscaping treatments.	Yes
	Evidence provided that site can be serviced by waste collection service.	Condition recommended requiring private waste collection service for the development.	Yes
3.3.2.47	Common trenching of utility services where possible.	Capable of being undertaken.	Yes
	Above ground utility infrastructure integrated with building design.	Area exists onsite to incorporate infrastructure within garden beds or the building design.	Yes
	Site and individual units numbered.	Street numbering will satisfy this provision.	Yes
	Common aerials and satellite dishes provided.	None proposed.	N/A

DCP 2013: General Provisions

DCP Objective	Development Provisions	Proposed	Complies
2.7.2.2	Design addresses generic principles of Crime Prevention Through Environmental Design guideline: • Casual surveillance and sightlines • Land use mix and activity generators • Definition of use and ownership • Lighting • Way finding • Predictable routes and entrapment locations	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.	Yes
2.3.3.1	Cut and fill 1.0m max. 1m outside the perimeter of the external building walls	Cut >1m, but generally contained within external walls of the building footprint.	Yes
2.3.3.2	1m max. height retaining walls along road frontages	No retaining walls proposed along street frontage.	N/A
	Any retaining wall >1.0 in height to be certified by structural engineer	Suitable condition applied.	Yes
	Combination of retaining wall and front fence height	No combination of retaining wall and front fence proposed.	N/A
2.3.3.8 onwards	Removal of hollow bearing trees	No hollow bearing trees proposed to be removed.	N/A
2.6.3.1	Tree removal (3m or higher with 100mm diameter trunk and 3m outside dwelling footprint	No trees to be removed. The site is void of any significant vegetation.	N/A
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	Development does not front an arterial or distributor road. Vehicle access limited to one crossover from Drew Close.	Yes
	Driveway crossing/s minimal in number and width including maximising street parking	One crossover proposed.	Yes
2.5.3.3	Off-street parking in accordance with Table 2.5.1: • 1 per 1 or 2 bed unit, 1.5 per 3-4 bed unit + 1 visitor per 4 units.	15 Apartments: - 3 x 2 bed units - 12 x 3 bed units 25 spaces are required.	Yes

		Total of 29 spaces are proposed. It is noted that a further 5 stacked spaces are proposed.	
2.5.3.5	On-street parking permitted subject to justification	No on-street parking proposed.	N/A
2.5.3.7	Visitor parking to be easily accessible	Four visitor spaces are located alongside the vehicular entry driveway at ground level.	Yes
	Stacked parking permitted for medium density where visitor parking and 5.5m length achieved	Noted	N/A
	Parking in accordance with AS 2890.1	The parking layout was amended during assessment to reflect compliance with the standard.	Yes
2.5.3.9	Bicycle and motorcycle parking considered and designed generally in accordance with the principles of AS2890.3	Space exists in the parking areas to accommodate bicycle and motor cycle parking.	Yes
2.5.3.10	Parking concessions possible for conservation of heritage items	Not proposed.	N/A
2.5.3.11	Section 94 contributions	Refer to main body of report.	Yes
2.5.3.12 and 2.5.3.13	Landscaping of parking areas	Landscaping of visitor parking area considered acceptable. Ground floor and first floor parking will be underneath the building.	Yes
2.5.3.14	Sealed driveway surfaces unless justified	Driveway will be sealed. Conditions applied.	Yes
2.5.3.15	Driveway grades for first 6m of 'parking area' shall be 5% grade (Note AS/NZS 2890.1 permits steeper grades)	The site is relatively flat at the entry point from Drew Close. Driveway grades can comply.	Yes
2.5.3.16	Transitional grades min. 2m length	Compliance possible.	Yes
2.5.3.17	Parking areas to be designed to avoid concentrations of water runoff on the surface.	Stormwater from hardstand and visitor parking area capable of being managed.	Yes
	Vehicle washing facilities – grassed area etc available.	Area exists at ground level for car washing.	Yes
	No direct discharge to K&G or swale drain	Adequate stormwater arrangements proposed.	Yes
2.5.3.18	Car parking areas drained to swales, bio retention, rain gardens and infiltration areas	Adequate stormwater arrangements proposed.	Yes

DCP 2013 - Part 4.2 Area Based Provisions (Westport Neighbourhood)

DCP Objective	Development Provisions	Proposed	Complies
4.2.4.1	New streets, laneways, park edges and pedestrian linkages as per figure 4.2-3	None are identified in this location and none are proposed.	N/A
4.2.4.2	Minimum lot frontage of 24m at the boundary for residential flat development.	The lot is odd shape and it only has 20m of frontage to Drew Close. It opens up beyond the boundary and the building has been designed to reflect the shape of the lot.	No but considered acceptable. The proposal is consistent with bulk and scale envisaged for the area.
	Sites with multiple frontages may provide a reduced frontage to 18m.	The site does not have multiple frontages.	N/A
	Where a minimum street frontage cannot be achieved, the development potential is reduced.	Noted.	Noted.
4.2.4.3	Buildings do not exceed the maximum height controls under the LEP.	Proposal incorporates a building height variation. Refer to comments under clause 4.3 and 4.6 of the LEP heading within this report.	No but considered acceptable
	Setbacks and building alignments are to be consistent with those shown in Figure 4.2-4.	No controls applicable to this site.	N/A
4.2.4.4	Setbacks and building alignments are to be consistent with those shown in Figure 4.2-5 and Figure 4.2-6.	No setbacks are identified for the site.	N/A
	Where no setback is shown, buildings are to be setback 3 metres from the street.	The building is setback over 3m from the street.	Yes
4.2.4.5	Buildings are setback: - 3 metres from	Eastern side varies from 3.368m to 7.728m.	Yes

	side boundaries, and - 6 metres from the rear boundary.	Western side varies from 13.027m to 13.747m. The rear southern boundary setback vary from 1.509m, 3.29m to 12.345m.	No but having regard to the lot shape, site constraints, building design the portions of the building within the 6m setback are considered acceptable.
	Party wall development is not appropriate in the precinct.	No party wall development proposed.	N/A
4.2.4.7	Side and rear walls are to be articulated to achieve privacy separation with balconies and windows of adjacent buildings. Between 5 and 8 storeys/up to 25 metres - 9 metres for habitable rooms and balconies, 4.5 metres for non-habitable rooms.	Adequate articulation is incorporate into the building design overall.	Yes
4.2.4.8	Communal open space is to be at least 25 per cent of the site area.	The communal open space on the ground floor exceeds 25% of the site area.	Acceptable as the design meets the objectives of this clause.
	Where it is demonstrated that 25 per cent is not achievable due to site size constraints, provide a minimum 5 square metres per dwelling unit as consolidated communal open space.	Meets above.	N/A
	A minimum 2 hours sunlight is provided to the principle	More than 2 hours provided to communal open	Yes

	portion of communal open space between 9am and 3pm in mid-winter.	space areas.	
4.2.4.9	Deep soil of 15% of the site to be provided with minimum 6m dimension.	The competing and overriding provisions of the ADG requires 7% of site area to be deep soil zones with a minimum width of 3m. A deep soil zone area of approximately 120m^2 complies with a minimum 3m dimension and equal to 7% of the site area. Additional plantings are also proposed along the eastern portion of the site. It should be noted that there are no existing trees within the site.	Yes
4.2.4.10	Any fences or retaining walls over 1.2 metres above the boundary level should be 50 per cent transparent above the 1.2 metre datum.	Appropriate 1.8m open style picket security fencing and entry gates proposed along street frontage.	Yes

(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.

(iv) Any matters prescribed by the Regulations

No matters prescribed by the regulations apply.

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

Context and setting

The proposal will be unlikely to have any adverse impacts to existing adjoining properties and satisfactorily addresses the public domain.

The proposal is considered to be consistent with other residential development in the locality and adequately addresses planning controls for the area.

There are no significant 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.

View sharing
During public exhibition a concern was expressed surrounding view loss by the residents of 9 Hastings Avenue.

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

Using the principles of NSW Land and Environment Court caselaw - Tenacity Consulting v Waringah 2004 NSW LEC 140, the following comments are provided in regards to the view impacts using the 4 step process to establish whether the view sharing is acceptable.

Step 1

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

Comments: The residence at 9 Hastings Avenue enjoys elevated views of the settlement city precinct, Hastings River and hinterland. These views are wide ranging and are enjoyed toward the north, northeast, northwest and west. The view to the northwest across the development site is to the hinterland. The hinterland view includes treetops on the foreground and mountains in the background. A hinterland view is also enjoyed to the west behind the site. There are no iconic views enjoyed from the dwelling impacted. The view to the north and north east to the Hastings River and its interface with the land is considered to be a valuable view.

A screenshot looking north down Hastings Avenue from google street view provides some context of the view:

Step 2

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

Comments: The views are enjoyed from elevated north facing living and outdoor areas across a side boundary. The views are enjoyed from both standing and sitting positions from various parts of both residences.

Step 3

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

Comments: The extent of the impact upon the views enjoyed from 9 Hastings Avenue is considered to be minor for the following reasons:

- The most valuable views to Settlement City and Hastings River land interface are not impacted.
- The hinterland view to the west behind the site is not impacted.
- The hinterland view to the northwest across the site is only a small portion of the wide-ranging views enjoyed from the property.

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: While a building height variation is sought it is primarily for the lift overrun and small portions of the roof which are central to the building. The majority of the building falls within the prescribed 14.5m building height. It is important to note that the southernmost part of the proposed building is sitting under the 14.5m building height control and it is this part of the building that is impacting on views across the site. Hence, a fully compliant building height will result in the same view impact.

Roads
The site has road frontage to Drew Close, being a sealed public road under the care and control of Council. Drew Close is a Local road with a formation width of approximately 7m within a 20m road reserve. The eastern extents of Drew close have SA upright kerb and gutter, whilst the frontage and the western extents of Drew Close are not formalised and only consist of gravel shoulders.

Traffic and Transport
The site is zoned for medium density residential use and the proposed development is consistent with this zoning. Assuming approximately 7 vehicle trips per day per unit, this would generate an additional 105 vehicle trips per day in the area. This additional 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 though one access driveway to onto Drew Close. All accesses shall comply with Council AUSPEC and Australian Standards, and conditions have been imposed to reflect these requirements.

Due to the type and size of development, additional works are required to include which have been included in the relevant conditions of consent:

- A suitable end of road treatment for a public road to allow vehicles to turn around in accordance with AUSPEC. This may be a cul-de-sac head, however noting the limitations with the road reserve width alternative designs with signposted no stopping /parking may be more appropriate.
- Kerb and gutter along the western extents of Drew Close.
- Concrete footpath paving from the development site down Drew Close to connect to the existing footpath along Warlters Street.

Suitable conditions of consent have been recommended.

Parking and Manoeuvring
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.

Water Supply
Council records indicate that the development site is not currently metered for water.
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. There is also the option for

utilising remotely read electronic meters. 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 domestic and commercial components of the development, as well as fire service and backflow protection requirements.

Council's existing 100mm asbestos cement water main which enters the site on the eastern side of Drew Close shall be removed, with the new termination point of the main being the existing duckfoot hydrant on the property frontage of 3 Drew Close.

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

Sewer Supply
Council records indicate that the development site is not currently connected to sewer. The proposed development shall drain all sewage to a new or existing sewer manhole approved by the Water & Sewer Planning Manager. The hydraulic designer is to confer with Council sewer section prior to submitting sewer design plans.

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 S.68 application.

Stormwater
The site naturally grades towards the Drew Close frontage and is currently (un)serviced via a formal piped connection, with the nearest point of connection being a downstream stormwater kerb inlet located approximately 40m to the north of the site in Warlters St.

The legal point of discharge for the proposed development is defined as a direct connection to Council's downstream stormwater pit referred to above, which will necessitate the extension of the piped drainage system to the site frontage.

The site is traversed by two existing easements for drainage, located along the eastern and western site boundaries respectively. Neither of these existing easements are currently piped.

Stormwater from the proposed development is planned to be disposed via an extension of the piped drainage system in Warlters Street to the frontage of the site, which is consistent with the above requirements. Furthermore, the stormwater drainage plan submitted incorporates OSD facilities which have been conceptually designed to achieve compliance with the requirements of Council's AUSPEC specifications. The application has demonstrated that OSD facilities can be readily incorporated into the development.

However, the stormwater plans submitted only include the piping of one of the existing easements for drainage that traverse the site. IN this regard, Council pre-lodgement advice to the applicant was to construct suitably sized stormwater infrastructure within both of the existing easements for drainage traversing the site in conjunction with the proposed development. This advice was on the basis that the proposed development, including retaining walls, hard surfaces and other structures would make it extremely difficult for a future adjoining and upstream landowner to

construct such infrastructure following the development of the site. A specific condition of consent is proposed to require that the detailed plans submitted with the s68 application prior to the issue of a CC include the piping of both easements for drainage traversing the site.

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 CC.

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

Heritage
No heritage items are known to exist on the site. Standard condition recommended advising of process should unexpected relics be uncovered during earthworks.

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 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 identified as being bushfire prone. The application was supported by a bushfire risk assessment report which makes a number recommendations including bushfire attack level (BAL) construction standards. During assessment the vegetation classification and management regime of adjoining land was queried and having regard to the nature of the development a referral undertaken to NSW Rural Fire Service to confirm expected BAL construction standards.

The NSW Rural Fire Service provided advice and confirmed expected BAL construction standard a number of recommended conditions which form part of the recommend consent conditions.

Safety, security and crime prevention
The proposed development will be unlikely to create any concealment/entrapment areas or crime spots that would result in any identifiable loss of safety or reduction of security in the immediate area. The increase in housing density will improve natural surveillance within the locality and openings from each dwelling overlook common and private areas.

Social impacts in the locality
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. Site constraints 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:

PORT MACQUARIE HASTINGS COUNCIL

Submission Issue/Summary	Planning Comment/Response
Increased traffic to the area will lead to increased congestion especially opposite a school.	Refer to comment under transport and traffic heading of this report.
The buildings height is out of character with the buildings around it. Existing residential buildings are significantly lower in comparison.	Refer to comments under clauses 4.3 and 4.6 of Port Macquarie-Hastings Local Environmental Plan 2011.
The height of the building will impact on views to the north enjoyed from 9 Hastings Avenue.	Refer to view sharing assessment comments within the report.
The height of the building will result in significant shadowing of adjoining properties.	The shadow diagrams supporting the application indicate the extent of overshadowing impact from the proposed development. The impacts are well within adopted standards for minimum solar access.
The proposal would reduce the resale value and development potential of 9 Hastings Avenue.	The impact to property value is not a relevant consideration under planning legislation.
A review of the height and scale of the building is requested with a view in providing a smaller scale development.	The proposed height and scale of the proposal is considered to be appropriate for the site having regard to the adopted planning controls.

(e) The Public Interest

The proposed development satisfies relevant planning controls as justified and 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.

- 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 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.

Attachments

1⇩. DA2019 - 676.1 Recommended Conditions
2⇩. DA2019 - 676.1 Attachment 2 - Plans
3⇩. DA2019 - 676.1 Attachment 3 - Contributions Quote
4⇩. DA2019 - 676.1 Clause 4.6 Building Height Variation
5⇩. DA2019 - 676.1 SEPP 65 Design Verification Statement
6⇩. DA2019 - 676.1 Apartment Design Guide Assessment
7⇩. DA2019 - 676.1 Bushfire Assessment Report
8⇩. DA2019 - 676.1 Environmental Assessment Requirements (SEARS)
9⇩. DA2019 - 676.1 SEARs.
10⇩. DA2019 - 676.1 Stormwater Plan
11⇩. DA2019 - 676.1 NSW RFS Bushfire comment and suggested conditions

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

NOTE: THESE ARE DRAFT ONLY

DA NO: 2019/676 DATE: 25/03/2020

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
Site survey	Job Ref: 8048	Frank O'Rourke and Associates	February 2006
Cover Sheet	Project No: 1906 Drawing No: D00	Wayne Ellis Architect	31 October 2019
Site Plan	Project No: 1906 Drawing No: D01	Wayne Ellis Architect	31 October 2019
Ground floor plan	Project No: 1906 Drawing No: D02	Wayne Ellis Architect	8 November 2019
First floor plan	Project No: 1906 Drawing No: D03	Wayne Ellis Architect	8 November 2019
Second floor plan	Project No: 1906 Drawing No: D04	Wayne Ellis Architect	8 November 2019
Third floor Plan	Project No: 1906 Drawing No: D05	Wayne Ellis Architect	8 November 2019
Fourth floor Plan	Project No: 1906 Drawing No: D06	Wayne Ellis Architect	8 November 2019
Fifth floor plan	Project No: 1906 Drawing No: D07	Wayne Ellis Architect	8 November 2019
Sixth floor plan	Project No: 1906 Drawing No: D08	Wayne Ellis Architect	8 November 2019
Elevations	Project No: 1906 Drawing No: D09	Wayne Ellis Architect	31 October 2019
Elevations	Project No: 1906 Drawing No: D10	Wayne Ellis Architect	31 October 2019
Sections	Project No: 1906 Drawing No: D11	Wayne Ellis Architect	31 October 2019

Site analysis plan	Project No: 1906 Drawing No: D12	Wayne Ellis Architect	31 October 2019
Window Schedule	Project No: 1906 Drawing No: D13	Wayne Ellis Architect	31 October 2019
Height analysis plan	Project No: 1906 Drawing No: D14	Wayne Ellis Architect	31 October 2019
Surface finishes plan	Project No: 1906 Drawing No: D15	Wayne Ellis Architect	31 October 2019
Shadow diagrams plan	Project No: 1906 Drawing No: D16	Wayne Ellis Architect	31 October 2019
Car parking manoeuvring plan	Project No: 1906 Drawing No: D17	Wayne Ellis Architect	8 November 2019
Landscape plan and details	Project No: 1906 Drawing No: A01 and A02	Wayne Ellis Architect	14 August 2019
Preliminary Stormwater and Detention Layout	Sheet C01 and C02 Drawing No: 2019-80	David Johnson Consulting Engineer Pty Ltd	August 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 work shall commence until a Construction Certificate has been issued and the applicant has notified Council of:

a. the appointment of a Principal Certifying Authority; and

b. the date on which work will commence.

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

(3) (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.

(4) (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.

(5) (A011) The design and construction of all public infrastructure works shall be in accordance with Council's adopted AUSPEC Specifications.

(6) (A012) This consent does not provide for staging of the development. Any staging will require a separate consent or an amendment to this consent.

(7) (A014) This approval does not provide any indemnity to the owner or applicant under the Disability Discrimination Act 1992 with respect to the provision of access and facilities for people with disabilities.

(8) (A029) The provision, at no cost to Council, of concrete foot paving for the full street frontages of the development. For Drew Close, extension to the footpath paving along Warlters Street is required with design details in accordance with AUSPEC and Council Standard drawing ASD101 and 103. The design plans must be approved by Council pursuant to Section 138 of the Roads Act.

(9) (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.

(10) (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.

(11) From the commencement of building works, 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'.

(12) New construction must comply with section 3 and section 6 (BAL 19) Australian Standard AS3959-2009 'Construction of buildings in bush fire-prone area' or NASH Standard (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'.

(13) Water, electricity and gas supply must comply with section 4.1.3 of 'Planning for Bush Fire Protection 2006'.

(14) Landscaping of the site shall comply with the principles of Appendix 5 of 'Planning for Bush Fire Protection 2006'.

B – PRIOR TO ISSUE OF A CONSTRUCTION CERTIFICATE

(1) (B001) Prior to release of the Construction Certificate, approval pursuant to Section 68 of the Local Government Act, 1993 to carry out water supply, stormwater and sewerage works is to be obtained from Port Macquarie-Hastings Council. The following is to be clearly illustrated on the site plan to accompany the application for Section 68 approval:

- Position and depth of the sewer (including junction)
- Stormwater drainage termination point
- Easements
- Water main
- Proposed water meter location

(2) (B003) Submission to the Principal Certifying Authority prior to the issue of a Construction Certificate detailed design plans for the following works associated with the developments. Public infrastructure works shall be constructed in accordance with Port Macquarie-Hastings Council's current AUSPEC specifications and design plans are to be accompanied by AUSPEC DQS:

1. Road works along the frontage of the development.
2. Public parking areas including;
   a. Driveways and access aisles;
   b. Parking bays
   c. Delivery vehicle service bays & turning areas in accordance with AS2890.
3. Sewerage reticulation. Council records indicate that the development site is not currently connected to sewer. The proposed development shall drain all sewage to a new or existing sewer manhole approved by the Water & Sewer Planning Manager. The hydraulic designer is to confer with Council sewer section prior to submitting sewer design plans.
4. Water supply reticulation. 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. Council records indicate that the development site is not currently metered for water.
5. Retaining walls.
6. Stormwater systems.
7. Erosion & Sedimentation controls.

8. 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
9. Detailed driveway profile in accordance with Australian Standard 2890, AUSPEC D1, and ASD 202, Port Macquarie-Hastings Council current version.
10. Provision of a 1.5m (unless varied in writing by Council) concrete footpath along Drew Close connecting to the existing footpath on Warlters Street.

(3) (B006) An application pursuant to Section 138 of the Roads Act, 1993 to carry out works required by the Development Consent on or within public road is to be submitted to and obtained from Port Macquarie-Hastings Council prior to release of the Construction Certificate.

Such works include, but not be limited to:

- Civil works
- Traffic management
- Work zone areas
- Hoardings
- Concrete foot paving
- Footway and gutter crossing
- Functional vehicular access

(4) (B010) Payment to Council, prior to the issue of the Construction 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) (B021) A hydraulic strategy and plans are required from a hydraulic consultant for the whole of the development on the site. Water service sizing is to be determined by a 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.

(7) (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.

(8) (B030) Prior to issue of a Construction Certificate, a pavement design report shall be prepared by a suitably qualified geotechnical or civil engineer and submitted to Council, including soil test results and in-situ CBR values (NATA certified). Council's minimum pavement compaction testing criteria are as follows:

a. 98% (modified) base layers - Maximum Modified Dry Density test in accordance with AS1289.5.2.1

b. 95% (modified) sub-base layers - Maximum Modified Dry Density test in accordance with AS1289.5.2.1

c. 100% (standard) subgrade/select layers - Maximum Standard Dry Density test in accordance with AS1289.5.1.1 (or for in-situ subgrade soils only, wet density testing may be used).

(9) (B034) Prior to release of the Construction Certificate the submission of details to Council for the disposal of any spoil gained from the site and/or details of the source of fill, heavy construction materials and proposed routes to and from the site, including, but not limited to:

- The pavement condition of the route/s proposed (excluding collector, sub-arterial and arterial roads) for the haulage of fill material to the site and/or haulage of excess material from the site. The condition report shall include photographs of the existing pavement and pavement deflection test results taken in the travel lanes;
- Recommended load limits for haulage vehicles and;
- A procedure for monitoring the condition of the pavement during the haulage;
- Bond to guarantee public infrastructure is not damaged as a result of construction activity,

and;

Council shall determine the need for and extent of any rectification work on the haulage route/s considered attributable by the haulage of materials to and/or from the site.

(10) (B038) Footings and/or concrete slabs of buildings adjacent to sewer lines or stormwater easements are to be designed so that no loads are imposed on the infrastructure. Detailed drawings and specifications prepared by a

practising chartered professional civil and/or structural engineer are to be submitted to the Principal Certifying Authority with the application for the Construction Certificate. Certification that the construction of footings and piers has been carried out in accordance with the approved drawings and specifications shall be provided by a practising chartered professional civil and/or structural engineer to the Principal Certifying Authority with the application for the Section 307 - Certificate of Compliance/Occupation Certificate.

(11) (B041) Prior to the issue of the Construction Certificate a dilapidation report shall be prepared by a suitably qualified person for buildings on adjoining properties. Such report shall be furnished to the Principal Certifying Authority and adjoining property owners.

(12) (B046) The building shall be designed and constructed so as to comply with the Bushfire Attack Level (BAL) 19 requirements of Australian Standard 3959 and the specifications and requirements of Planning for Bush Fire Protection. Details shall be submitted to the Principal Certifying Authority with the application for Construction Certificate demonstrating compliance with this requirement.

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

(13) (B053) The design of the carpark and accesses is to be in accordance with Australian Standard 2890 (including AS 2890.1, AS 2890.2 and AS 2890.6). Certification of the design by a suitably qualified consultant is to be provided to the Principal Certifying Authority prior to release of the Construction Certificate.

(14) (B064) The applicant's landscape consultant shall consult with service authorities regarding the selection and placement of street trees near services. The location of all proposed and existing overhead and underground service lines shall be indicated on the Detailed Landscape Plan to be submitted with the Construction Certificate application.

(15) (B065) The applicant shall implement a landscape maintenance program for a minimum period of twelve (12) months to ensure that all landscape work becomes well established by regular maintenance. Details of the program must be submitted with the Detailed Landscape Plan with the Construction Certificate application.

(16) (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.

(17) (B085) The location of electricity substations are to be clearly illustrated on the Construction Certificate plans. All substations are to remain on private property unless otherwise agreed to by Port Macquarie-Hastings Council.

(18) (B195) 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 <a direct connection to Council's downstream piped drainage system in Warlters Street.

b) In this regard, Council's piped drainage system in Warlters Street must be extended by an appropriately sized pipeline (minimum 375mm diameter) to the northern end of Drew Close, where a junction pit must be installed, to allow direct piped connection from the development site into the public drainage system (Junction pit shall be located within Drew Close road reserve).

c) The design is to be generally in accordance with the stormwater drainage concept plan on Drawing No D2019-80 C01 and C02 prepared by David R Johnson and dated August 2019

d) The design shall include the construction of an interallotment drainage system within the existing easements to drain water traversing the site including the provision of junctions to service each of the benefitted upstream and adjoining properties. In this regard, the stormwater plan referred to in Point c) above shall be amended to include the piping of the existing easement for drainage located along the western site boundary servicing Lot 31 Plan DP 869227 in addition to the easement along the eastern side of the site shown on those plans..

e) 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 1%AEP event, with modelling undertaken in accordance with the requirements of ARR2019. Note that pre development discharge shall be calculated assuming that the site is a 'greenfield' development site as per AUSPEC requirements.

f) The design shall include water quality controls designed to achieve the targets specified within AUSPEC D7.

g) 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.

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

i) The Stormwater Management Plan must include detail of how subsoil from the proposed basement will be drained. Pump-out of the subsoil drainage associated with the basement is not permitted unless it can be demonstrated that groundwater flows are minimal/ intermittent and subject to direct connection of the site discharge to Council's piped drainage system. This option will only be considered when supported by detailed geotechnical investigation.

   Where subsurface waters are permitted to be pumped from the basement, discharge must be connected directly to Councils piped drainage system via the OSD storage.

(19) (B197) Each individual unit shall be individually water 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. There is also the option for utilising remotely read electronic meters. Details are to be provided on the hydraulic plans.

(20) (B198) Council's existing 100mm asbestos cement water main which enters the site on the eastern side of Drew Close shall be removed, with the new termination point of the main being the existing duckfoot hydrant on the property frontage of 3 Drew Close (Strata Plan 16979).

(21) (B200) A certifier must not issue a Construction Certificate for the development unless the certifier has received the statement by the qualified designer verifying that the plans and specifications achieve or improve the design quality of the development for which development consent was granted, having regard to the design quality principles.

(22) Drew Close is to upgraded to provide a suitable end of road turn around treatment for a public road. The design is to be in accordance with AUSPEC and to the category of an Urban Access Place. Upgrade of Drew Close is to include kerb and gutter along the western extents to connect into the existing kerb and gutter of

Walters Street. Details and designs are to be provided with the application pursuant to Section 138 of the Roads Act, 1993.

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) (C003) A controlled activity approval shall be obtained from the airport operator for any crane that may be used during the construction phase that would penetrate the Obstacle Limitation Surface (OLS). To avoid any doubt as to whether an approval is required, applicants should check with the airport operator at the earliest possible stage.

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

(4) (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. at completion of installation of erosion control measures
b. at completion of installation of traffic management works
c. before commencement of any filling works;
d. when the sub-grade is exposed and prior to placing of pavement materials;
e. when trenches are open, stormwater/water/sewer pipes and conduits jointed and prior to backfilling;
f. at the completion of each pavement (sub base/base) layer;
g. before pouring of kerb and gutter;
h. prior to the pouring of concrete for sewerage works and/or works on public property;
i. on completion of road gravelling or pavement;
j. during construction of sewer infrastructure;
k. during construction of water infrastructure;
l. 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) (D007) A survey certificate from a registered land surveyor is to be submitted to the Principal Certifying Authority at footings and/or formwork stage. Such certificate shall set out the boundaries of the site, the actual situation of the buildings and include certification that siting levels comply with the approved plans.

(5) (D010) Reduced levels prepared by a registered Surveyor must be submitted to the Principal Certifying Authority at the completion of the roof framework and include certification that building heights comply with the plans approved with the development consent.

(6) (D011) Provision being made for support of adjoining properties and roadways during construction.

(7) (D015) The swimming pool shall not to be filled with water until a safety fence/barrier complying with the current Swimming Pools Act and Regulations has been installed and an inspection has been carried out and approval given by the Principal Certifying Authority.

(8) (D016) Where depth of water in the pool exceeds 300mm during construction a temporary barrier or fence in accordance with the current Swimming Pools Act and Regulations is to be erected or other precaution taken so as to prevent entry of children into the pool.

(9) (D023) During all phases of demolition, excavation and construction, it is the responsibility of the applicant and their contractors to:

a. Ascertain the exact location of the Council stormwater drainage pipeline and associated pits traversing the site in the vicinity of the works.

b. Take measures to protect the in-ground Council stormwater drainage pipeline and associated pits.

c. Ensure dedicated overland flow paths are satisfactorily maintained through the site.

Stormwater drainage pipes can be damaged through applying excessive loading (such as construction machinery, material storage and the like). All proposed structures and construction activities must be sited fully clear of Council's stormwater drainage pipes, pits, easements, watercourses and overland flow paths on the site.

If the Council pipeline is uncovered during construction, all work must cease and the Certifying Authority and Council must be contacted immediately for advice.

Any damage caused to Council's stormwater drainage system must be immediately repaired in full and at no cost to Council.

(10) (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.

(11) (D052) Prior to laying of Asphaltic Concrete (AC) or wearing surface course, submission to Council of pavement and soil test results prepared by a NATA registered person for all road pavement construction, including:

a. CBR test results, and

b. Subgrade / select fill, sub-base and base pavement compaction reports in accordance with AS1289.5.1.1 & AS1289.5.2.1 as applicable.

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 a concrete surface. Such a surface shall be on a suitable pavement, constructed and maintained in accordance with Council's Development, Design and Construction Manuals (as amended).

(4) (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.

(5) (E020) The provision of a suitable sign containing the details required by the current Swimming Pools Act and Regulations.

(6) (E021) Pool to be fenced in accordance with the Swimming Pools Act, 1992.

(7) (E030) Vehicle ramps, driveways, turning circles and parking spaces being paved, sealed and line marked prior to occupation or the issue of the Occupation Certificate or commencement of the approved land use.

(8) (E031) Provision of a sign at the front vehicular access point within the property, prior to occupation or the issue of the Occupation Certificate, indicating that visitor/customer parking is available on-site.

(8) (E034) Prior to occupation or the issuing of the Occupation (Final or Interim) or Subdivision Certificate provision to the Principal Certifying Authority of documentation from Port Macquarie-Hastings Council being the local roads authority certifying that all matters required by the approval issued pursuant to Section 138 of the Roads Act have been satisfactorily completed.

(9) (E038) Interallotment drainage shall be piped and centrally located within an inter-allotment drainage easement, installed in accordance with Council's current AUSPEC standards (minimum 225mm pipe diameter within a minimum 1.5m easement). Details shall be provided:

- As part of a Local Government Act (s68) application with evidence of registration of the easement with the Land Titles Office provided to Council prior to issue of the s68 Certificate of Completion; or

- As part of a Construction Certificate application for subdivision works with dedication of the easement as part of any Subdivision Certificate associated with interallotment drainage.

(10) (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.

(11) (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.

(12) (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.

(13) (E048) 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 water quality control facilities within the site.

In addition, a maintenance schedule for the water quality controls must be submitted to Council for approval with the stormwater work-as executed plans. This maintenance schedule and work as executed plan shall be registered and referred to as part of the positive covenant.

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 inspecting, maintaining and keeping clear all components of and structures associated with the stormwater quality improvement device (SQID) in accordance with the maintenance plan in order to achieve the design system performance targets.

b. The Proprietor shall have the SQID 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 components or structures in or upon the said land which comprise the SQID 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 SQID, or failure to clean, maintain and repair the SQID.

The instrument shall be created and registered on the title of the relevant lot(s) with the Lands and Property Information (LPI) NSW. The plan and terms of the easement must be endorsed by Council through formal application prior to lodgement at the Lands and Property Information NSW. Evidence of registration shall be submitted to and approved by the Principal Certifying Authority prior to the issue of an Occupation Certificate.

(14) (E049) A final Dilapidation Report including a photographic survey must be submitted after the completion of works. A copy of this Dilapidation Report together with the accompanying photographs must be given to the adjoining property owners. A copy must be submitted to Council and the Principal Certifying Authority prior to the issue of an Occupation Certificate.

Any damage identified in the Dilapidation Report must be fully rectified by the applicant or owner at no cost to the Council prior to the issue of an Occupation Certificate.

(15) (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'.

(16) (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.

(17) (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 Certificate or release of the security bond, whichever is to occur first.

(18) (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 certificate.

(19) (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.

(20) (E061) Landscaped areas being completed prior to occupation or issue of the Occupation Certificate. Public landscaping may be bonded as agreed to by Council.

(21) (E062) Prior to occupation or the issue of any Occupation Certificate, evidence must be provided to the Principal Certifying Authority that satisfactory arrangements are in place for collection of general waste (rubbish), recycling and food and garden organics from the premises by a private waste contractor. All wastes are to be collected as separate waste streams.

(22) (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

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

(24) Prior to issue of a Occupation Certificate, an interallotment drainage system, and associated 1.5m wide easement for drainage must be provided over the development lot to enable the gravity drainage of existing upstream properties. The easement and interallotment system, must comply with the requirements of AUSPEC D5.

(25) (E072) Lodgement of a security deposit with Council upon practical completion of the subdivision works.

(26) (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 an Occupation Certificate. The copyright for all information supplied, shall be assigned to Council.

(27) (E195) A certifier must not issue an Occupation Certificate to authorise a person to commence occupation or use of the development unless the certifier has received the statement by the qualified designer verifying that the development achieves the design quality of the development as shown in the plans and specifications in respect of which the construction certificate was issued, having regard to the design quality principles.

F – OCCUPATION OF THE SITE

(1) (F001) On site car parking in accordance with the approved plans to be provided in an unrestricted manner at all times during the operations of development.

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

(3) (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.

(4) (F013) All garbage areas are to be screened from the street, create no adverse odour impact on adjoining properties and be kept free of pests at all times.

(5) (F027) The swimming pool filtration motor shall be operated between the following hours only:

Monday to Friday (other than a public holiday)
7.00 am – 8.00 pm

Saturday to Sunday and Public Holidays
8.00 am – 8.00 pm

The pool filtration motor shall be enclosed with an effective soundproof unit.

(6) (F036) Any exterior lighting 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.

(7) (F195) Use of the pool and recreational facilities in communal areas are for residents and guests only.

DEVELOPMENT APPLICATION ISSUE

PROJECT: RESIDENTIAL FLAT BUILDING

ADDRESS 5 DREW CLOSE
PORT MACQUARIE NSW 2444
Lot 1 DP 1211682

Client: Drew Close Developments PL

Applicant: Wayne Ellis architects

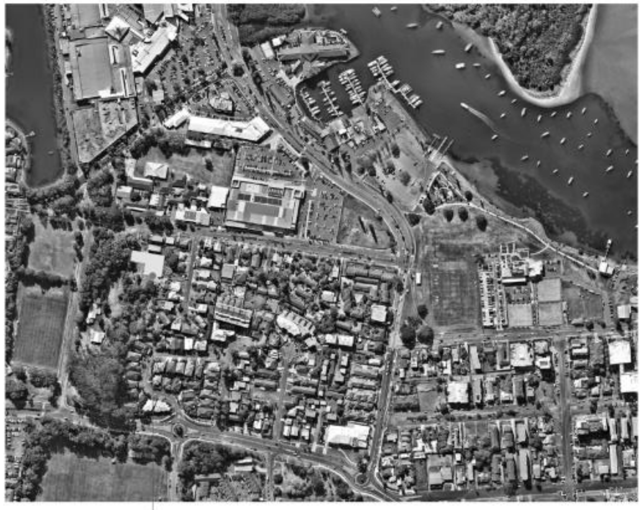
DRAWING SCHEDULE

ARCHITECTURAL

COVER SHEET	D00
SITE PLAN	D01
GROUND FLOOR	D02
FIRST FLOOR PLAN	D03
2ND FLOOR PLAN	D04
3RD FLOOR PLAN	D05
4TH FLOOR PLAN	D06
5TH FLOOR PLAN	D07
6TH FLOOR PLAN	D08
ELEVATIONS	D09
ELEVATIONS	D10
SECTIONS	D11
SITE ANALYSIS	D12
WINDOW SCHEDULE	D13
HEIGHT ANALYSIS	D14
SURFACE FINISHES SCHEDULE	D15
SHADOW DIAGRAMS	D16
CAR PARKING AS2890.1	D17
SURVEY PLAN	

LANDSCAPE

LANDSCAPE PLAN	A01
LANDSCAPE DETAILS	A02



PROPOSED DEVELOPMENT

VIEW FROM NORTH EAST CORNER DREW CLOSE

STATISTICS

LOCATION: LOT 1 DP 1211682
5 DREW CLOSE,
PORT MACQUARIE. NSW. 2444

SITE AREA: 1,684.4m2

ZONE: R3 Medium Density Residential

FSR: PERMISSIBLE 1.5:1.0 PROPOSED 1.15: 1.0

UNIT	BEDROOMS	Gross Floor Area	
101	3	121.04	
201	3	135.75	
202	2	101.52	
203	3	126.97	
301	3	135.75	
302	2	101.52	
303	3	126.97	
304	3	142.31	
401	3	135.75	
402	2	101.52	
403	3	126.97	
404	3	152.11	
501	3	120.45	
502	3	150.11	
601	3	157.25	1,935.99m2

CARPARKING	REQUIRED	PROPOSED
1.5/ 3 Bedroom Unit	18	21
1.0/ 2 Bedroom Unit	3	3
1 Visitor per 4 Units	3.75	4
1 Accessible	1	28
	25.75	

DA 31/10/2019

Amendments

Notes

wayne ellis architect

Client: Drew Close Developments PL

Project: PROPOSED RESIDENTIAL UNITS
5 Drew Close. Port Macquarie NSW 2444

Drawing: COVER SHEET

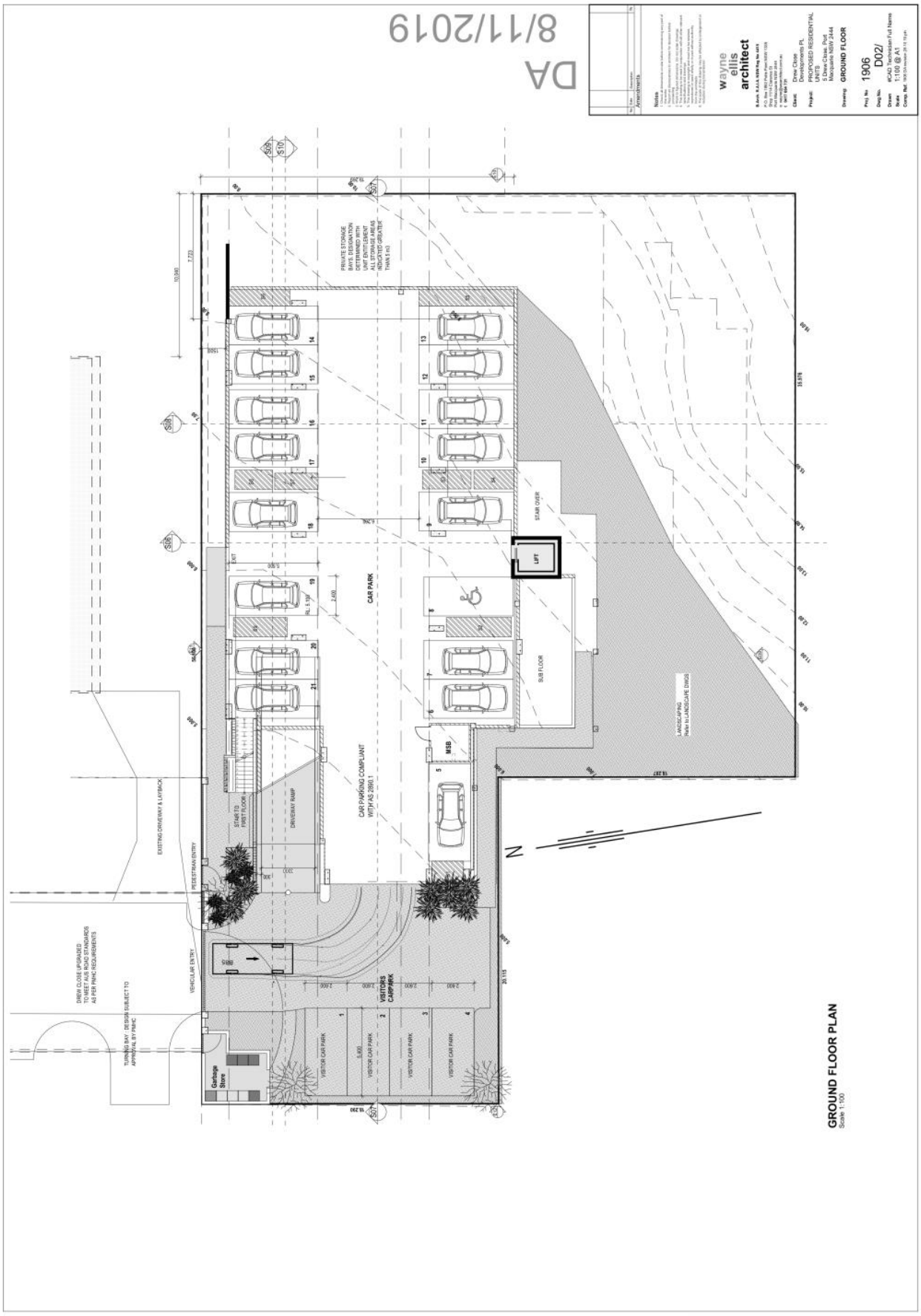
Proj. No 1906

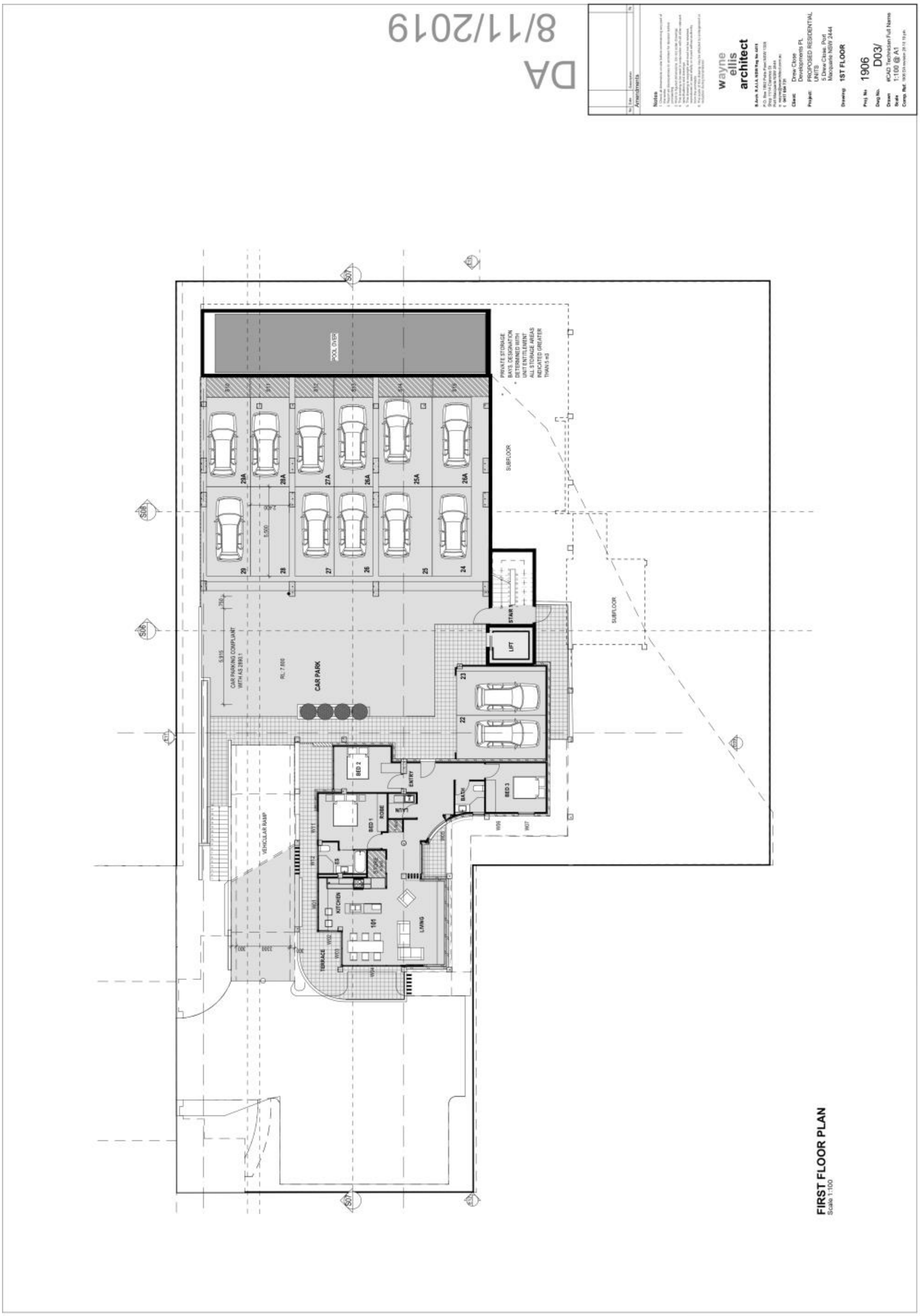
Dwg No. D00/

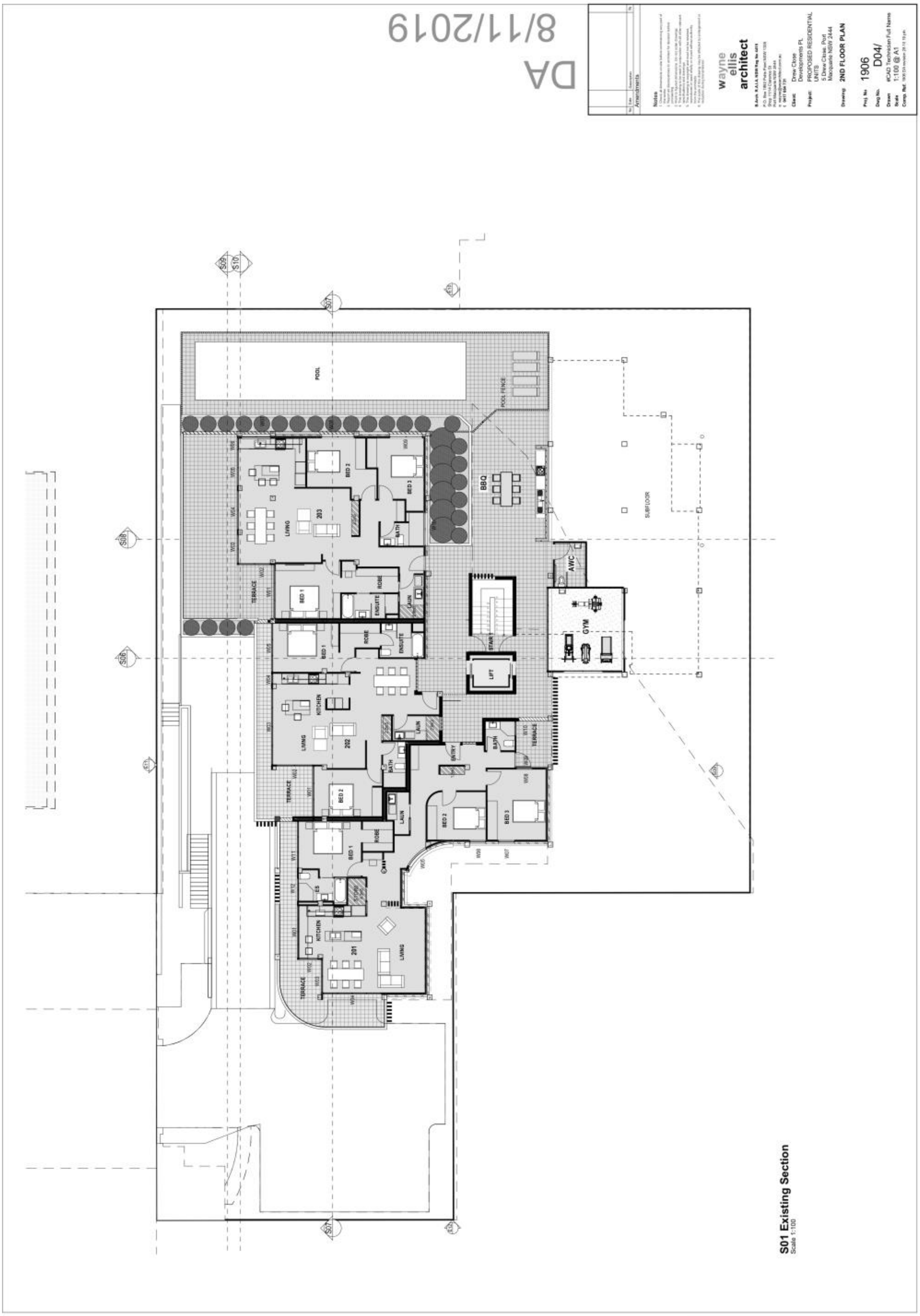
Drawn #CAD Technician Full Name

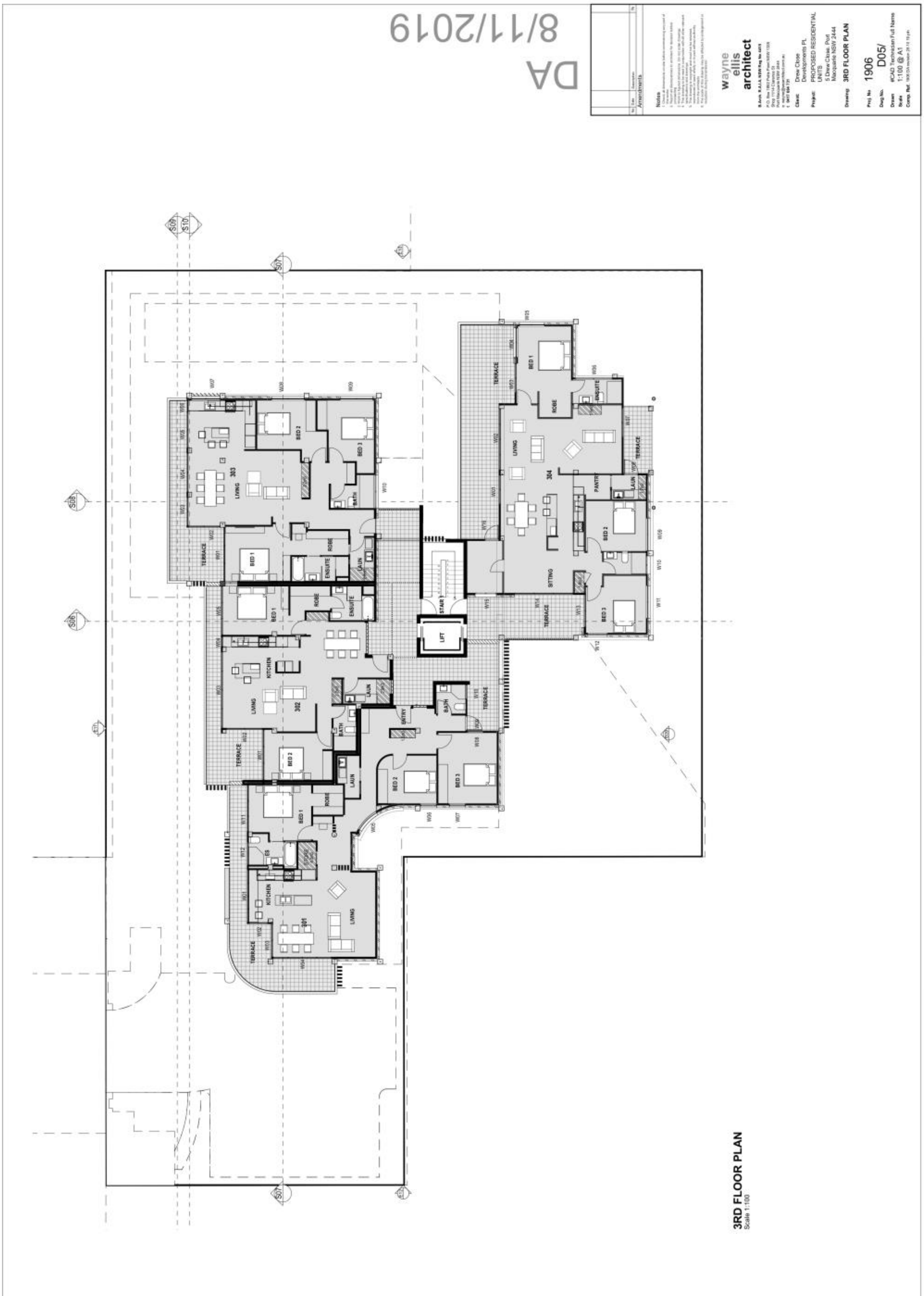
Scale 1:1.39 @ A1

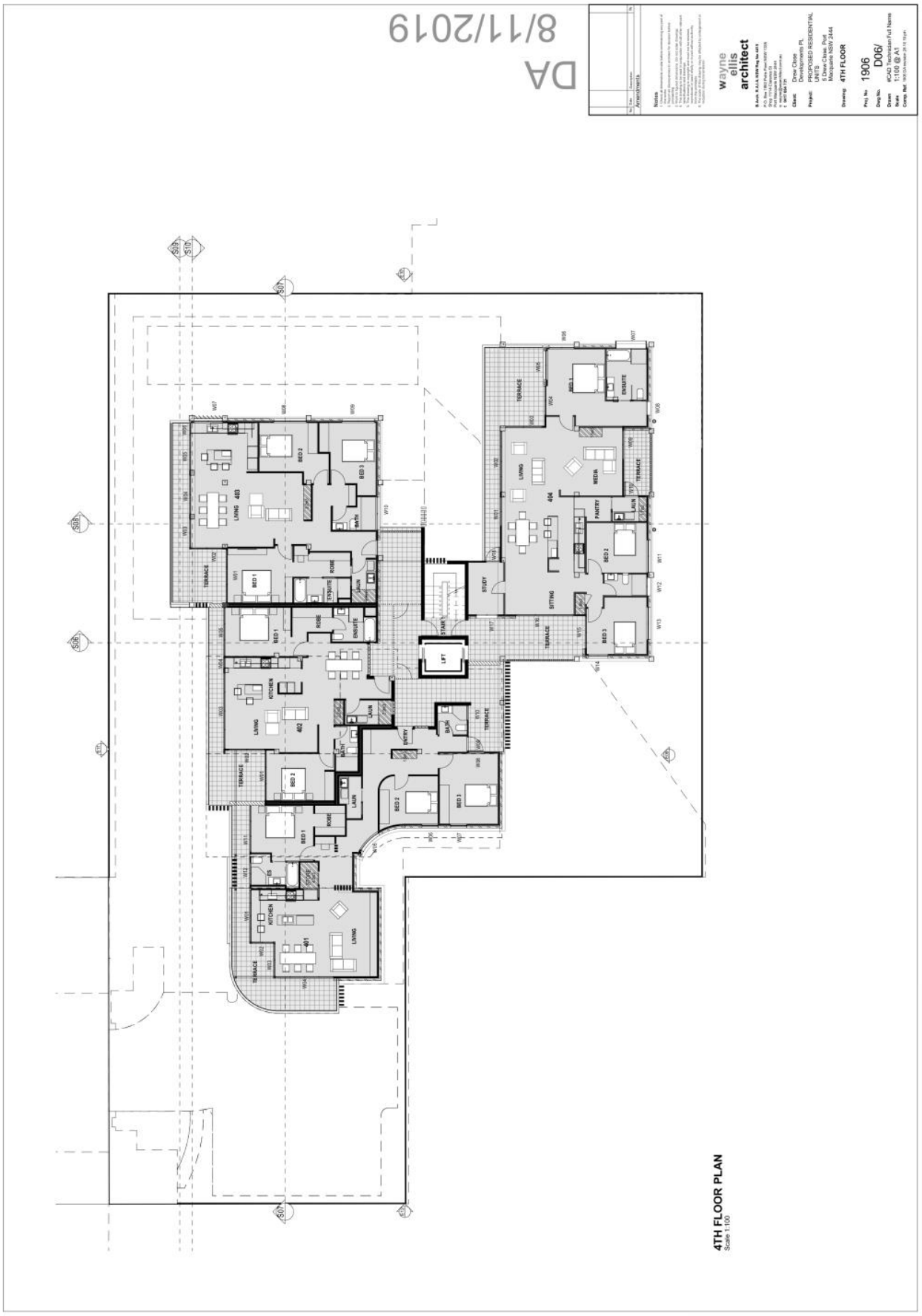

DA
31/10/2019
wayne ellis architect
PROPOSED RESIDENTIAL FLATS
5 Drew Close, Port Macquarie NSW 2444
SITE PLAN
1906
D01/
Drew Close Developments PL
3 STOREY RESIDENTIAL FLAT BUILDING
Lot 1 DP 1007734
No 5 DREW CLOSE
SITE AREA: 1,684m2
POOL
POOL DECK
SOLAR PANELS
PATH
COLORBOND BOUNDARY FENCE
LANDSCAPING
Refer l\ Landscape dwgs
PEDESTRIAN ENTRY
VEHICULAR ENTRY
DREW CLOSE
VISITOR CAR PARK
Garbage Store
TURNING BAY - DESIGN SUBJECT TO APPROVAL BY PMHC
SITE PLAN
Scale 1:100


DA
8/11/2019
wayne ellis architect
Project: PROPOSED RESIDENTIAL FLATS
5 Drew Close, Port Macquarie NSW 2444
Drawing: GROUND FLOOR
Proj No. 1906
Dwg No. D02/
Client: Drew Close Developments PL
CAR PARK
CAR PARKING COMPLIANT WITH AS 2890.1
DRIVEWAY RAMP
VISITORS CARPARK
VISITOR CAR PARK
LIFT
STAIR OVER
SUB FLOOR
MSB
Garbage Store
EXISTING DRIVEWAY & LAYBACK
PEDESTRIAN ENTRY
VEHICULAR ENTRY
DREW CLOSE UPGRADED TO MEET AUS ROAD STANDARDS AS PER PMC REQUIREMENTS
LANDSCAPING Refer to LANDSCAPE DWGS
GROUND FLOOR PLAN
Scale 1:100

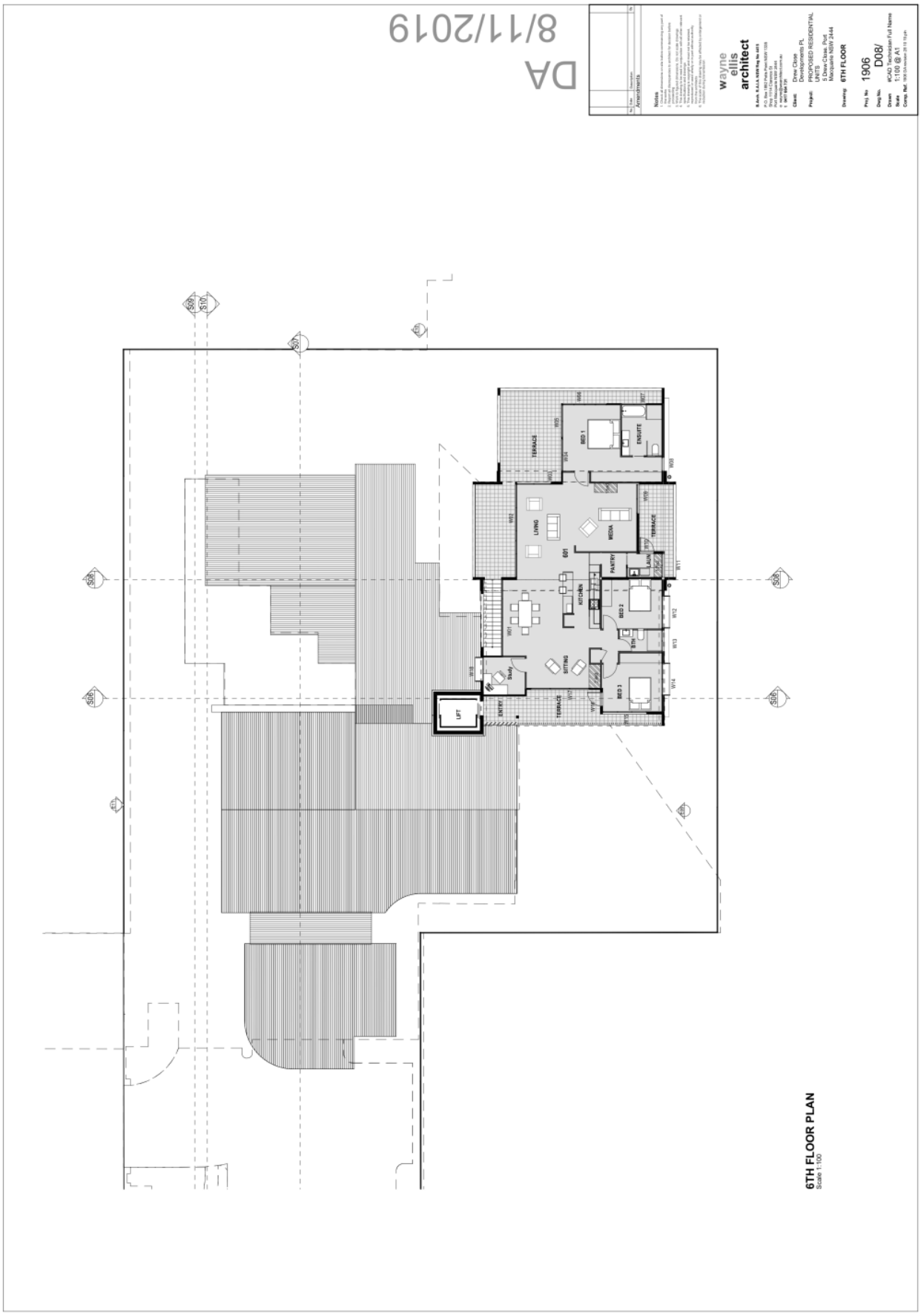

DA
8/11/2019
wayne ellis architect
PROPOSED RESIDENTIAL UNITS
1ST FLOOR
1906
D03/
CAR PARK
FIRST FLOOR PLAN
Scale 1:100

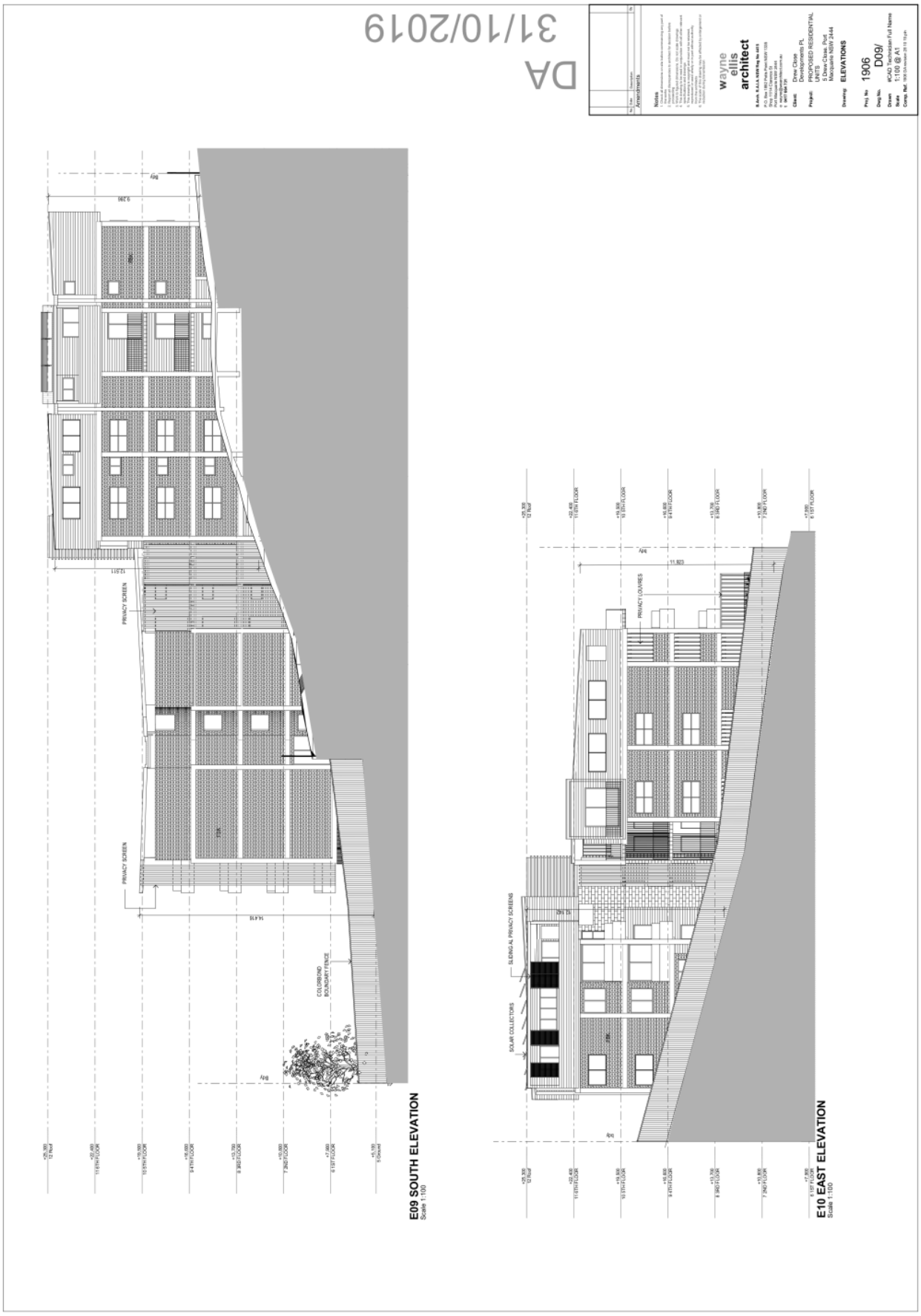

DA
8/11/2019
wayne ellis architect
2ND FLOOR PLAN
1906
D04/
1:100 @ A1
POOL
POOL FENCE
BBQ
SUBFLOOR
AWC
GYM
STAIR
LIFT
TERRACE
LIVING
KITCHEN
BED 1
BED 2
BED 3
ENSUITE
ROBE
LAUN
BATH
ENTRY
201
202
203
S01 Existing Section
Scale 1:100

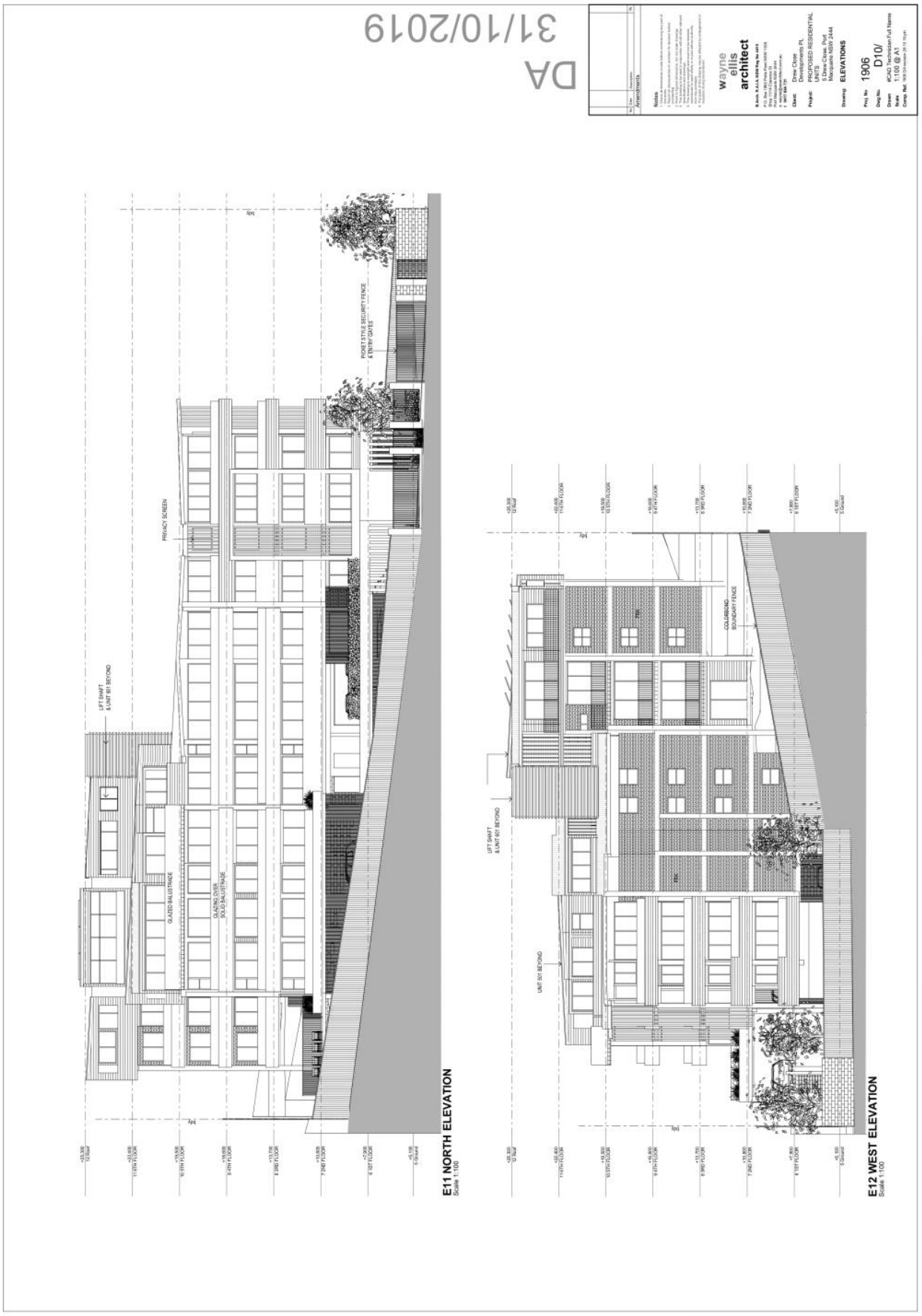

DA
8/11/2019
wayne ellis architect
3RD FLOOR PLAN
Scale 1:100

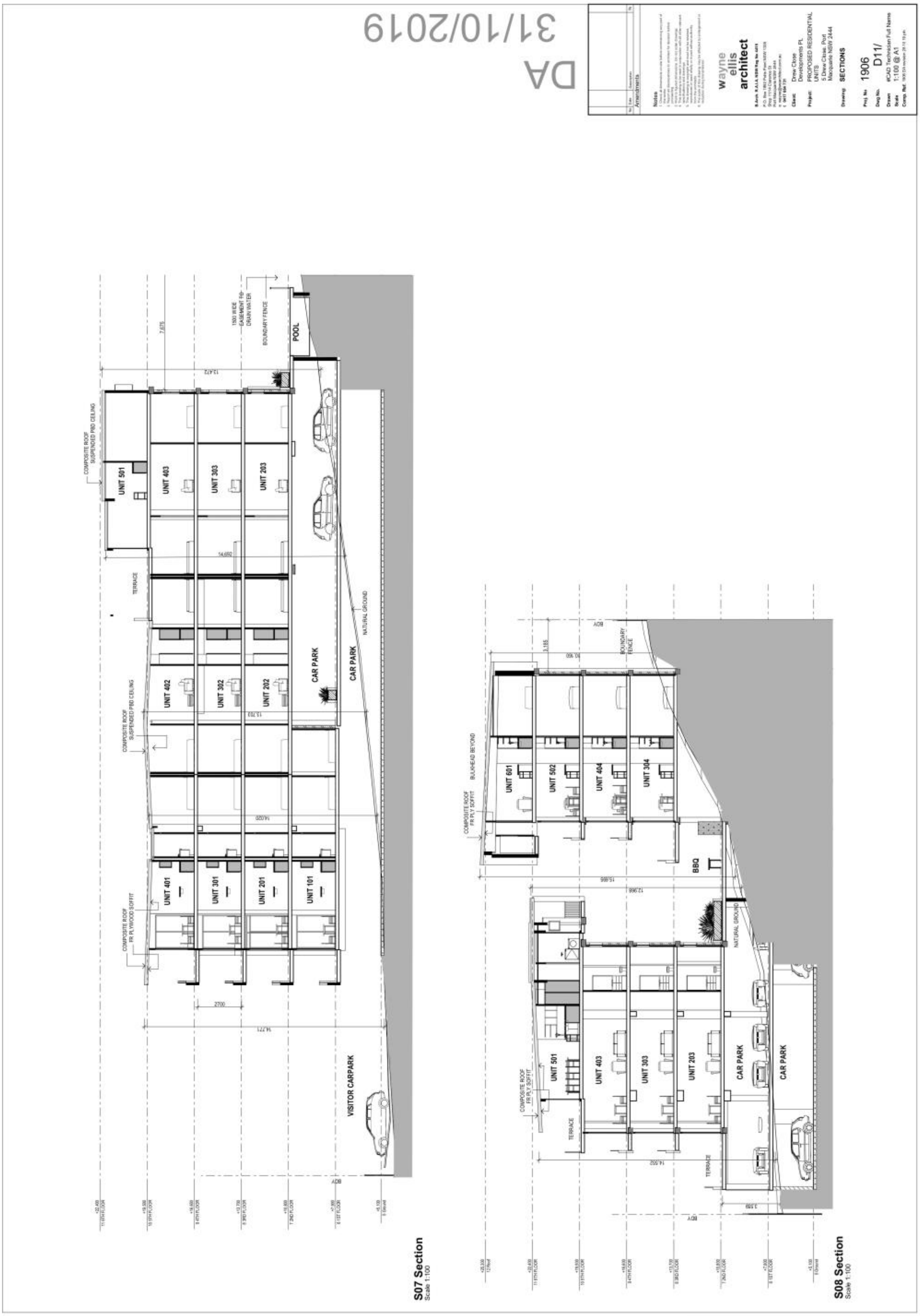

DA
8/11/2019
wayne ellis architect
4TH FLOOR PLAN
Scale 1:100


DA
8/11/2019
wayne ellis architect
10. 5TH FLOOR
Scale: 1:100

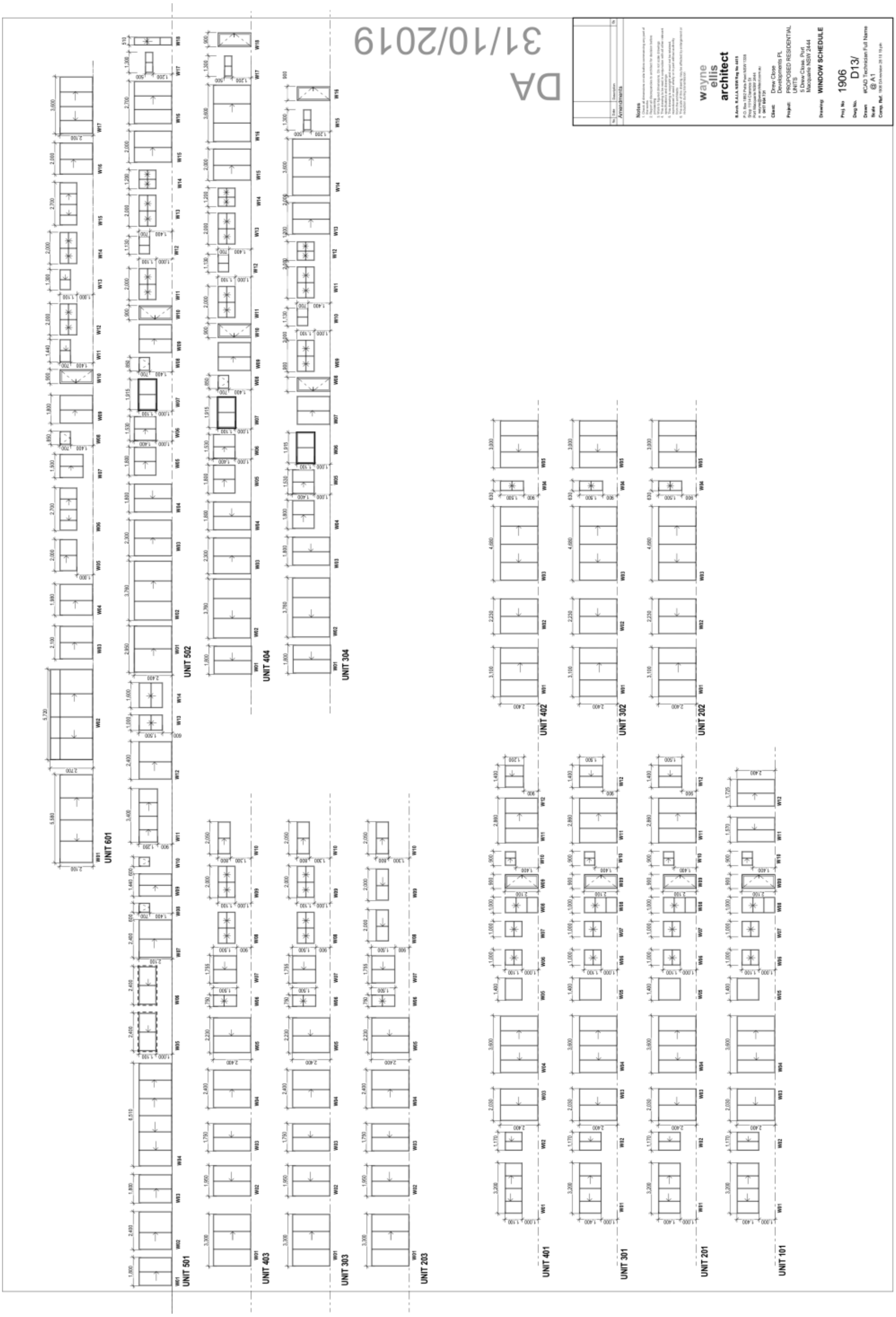

DA
8/11/2019
wayne ellis architect
Amendments
Notes
Client: Drew Close Developments PL
Project: PROPOSED RESIDENTIAL FLATS 5 Drew Close, Port Macquarie NSW 2444
Drawing: 6TH FLOOR
Proj No: 1906
Dwg No: D08/
Drawn: WDAD Technician Full Name
Scale: 1:100 @ A1
Comp. Ref: 1906 DA revision 28.10.19.pln
TERRACE
BED 1
ENSUITE
LIVING
MEDIA
TERRACE
PANTRY
LAUN
KITCHEN
BED 2
BTH
SITTING
BED 3
STUDY
ENTRY
LIFT
6TH FLOOR PLAN
Scale: 1:100


DA
31/10/2019
wayne ellis architect
Amendments
Notes
Client: Drew Close Developments PL
Project: PROPOSED RESIDENTIAL FLATS 5 Drew Close, Port Macquarie NSW 2444
Drawing: ELEVATIONS
Proj No: 1906
Dwg No: D09/
Drawn: MCAD Technician Full Name
Scale: 1:100 @ A1
Comp. Ref:
E09 SOUTH ELEVATION
Scale 1:100
E10 EAST ELEVATION
Scale 1:100
PRIVACY SCREEN
PRIVACY LOUVRES
SLIDING AL PRIVACY SCREENS
SOLAR COLLECTORS
COLORBOND BOUNDARY FENCE
12 Roof
11 6TH FLOOR
10 5TH FLOOR
9 4TH FLOOR
8 3RD FLOOR
7 2ND FLOOR
6 1ST FLOOR
5 Ground


DA
31/10/2019
wayne ellis architect
PROPOSED RESIDENTIAL FLATS
5 Drew Close, Port Macquarie NSW 2444
ELEVATIONS
Proj No. 1906
Dwg No. D10/
E11 NORTH ELEVATION
Scale 1:100
E12 WEST ELEVATION
Scale 1:100
PRIVACY SCREEN
LIFT SHAFT & UNIT 601 BEYOND
GLAZED BALUSTRADE
GLAZING OVER SOLID BALUSTRADE
POOLSTYLE SECURITY FENCE & ENTRY GATES
COLORBOND BOUNDARY FENCE
UNIT 601 BEYOND


DA
31/10/2019
wayne ellis architect
SECTIONS
1906
D11/
S07 Section
Scale 1:100
S08 Section
Scale 1:100
VISITOR CARPARK
CAR PARK


DA
31/10/2019
wayne ellis architect
PROPOSED RESIDENTIAL HOUSE
5 Drew Close, Port Macquarie NSW 2444
SITE ANALYSIS
1906
D12/
HASTINGS AVENUE
WARLTERS STREET
DREW CLOSE
170 METRES WALKING DISTANCE TO K MART
600 METRES WALKING DISTANCE TO WESTPORT CLUB & HASTINGS RIVER
RESIDENCE
RESIDENCE
RESIDENCE
RESIDENCE
RESIDENCE
VACANT LOT
VACANT LOT
3 STOREY BRICK FLATS
3 STOREY BRICK FLATS
RIDGE RL 22.5
RIDGE RL. 26.4
RIDGE RL. 19.6
ROCK OUT CROP
RL 20.500
RL 16.900
RL11.300
RL 9.400
RL 6.000
RL 4.300
ENTRY
CAR PARK
ELEVATED VIEWS TO HINTERLAND
ELEVATED VIEWS TO HINTERLAND
SUMMER NORTH EAST SEA BREEZE
SUMMER TEA TIME SHADOW LINE
SUMMER 21ST JUNE SHADOW LINE
SHADOW LINE
BUSHLAND
BUSHLAND
BIRAPI LAND


DA
31/10/2019
wayne ellis architect
WINDOW SCHEDULE
1906
D13/
UNIT 601
UNIT 502
UNIT 501
UNIT 404
UNIT 403
UNIT 402
UNIT 401
UNIT 304
UNIT 303
UNIT 302
UNIT 301
UNIT 203
UNIT 202
UNIT 201
UNIT 101

DA
31/10/2019

wayne ellis architect

Client: Drew Close Developments PL
Project: PROPOSED RESIDENTIAL HOUSE
5 Drew Close, Port Macquarie NSW 2444
Drawing: HEIGHT ANALYSIS
Proj No. 1906
Dwg No. D14/
Drawn: WDAD Technician Full Name
Scale: 1:1, 1:1.22, 1:1.32 @ A1
Comp. Ref: 1906 DA revision 29.10.19.pln

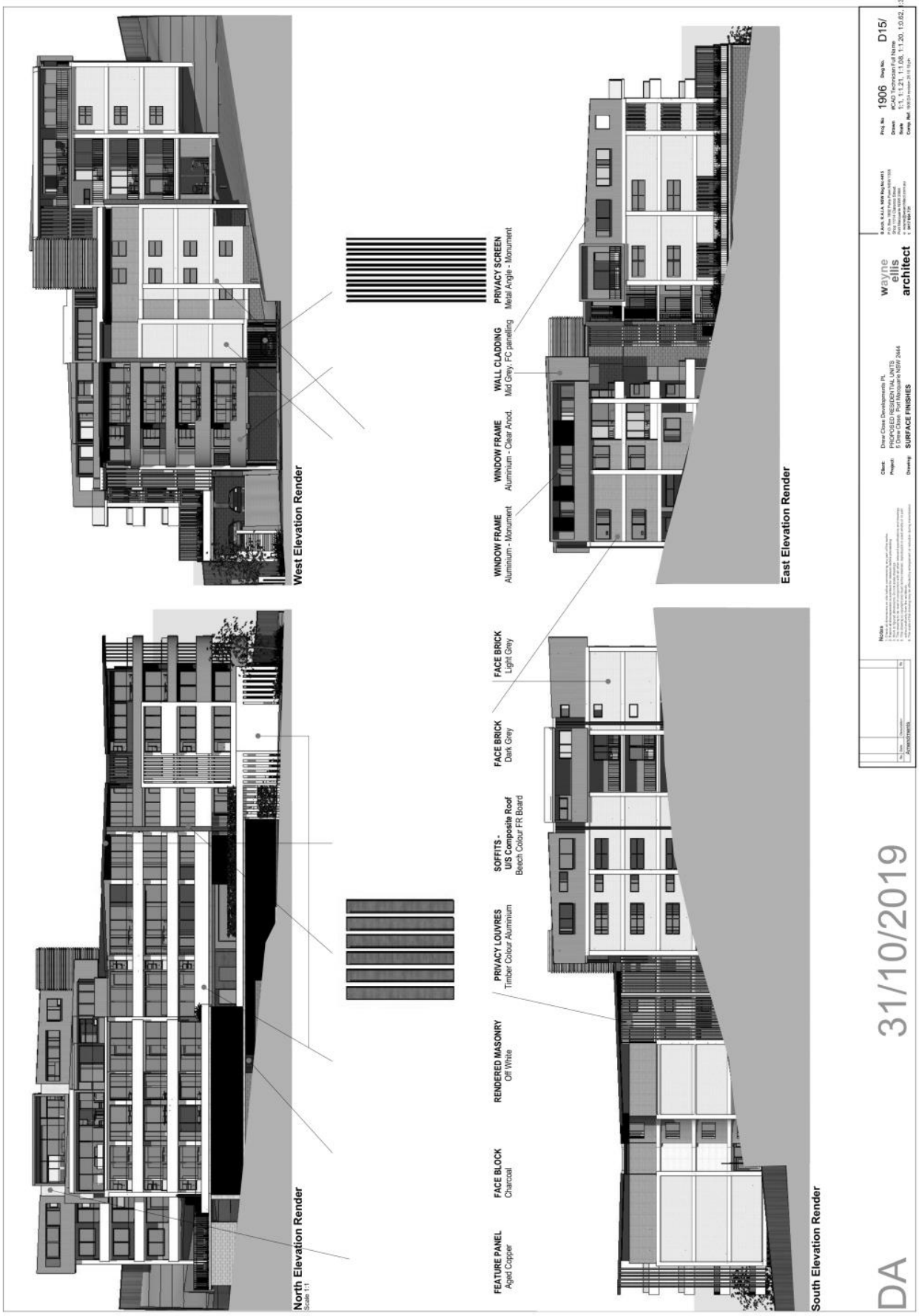
14.5 METRE HEIGHT PLANE

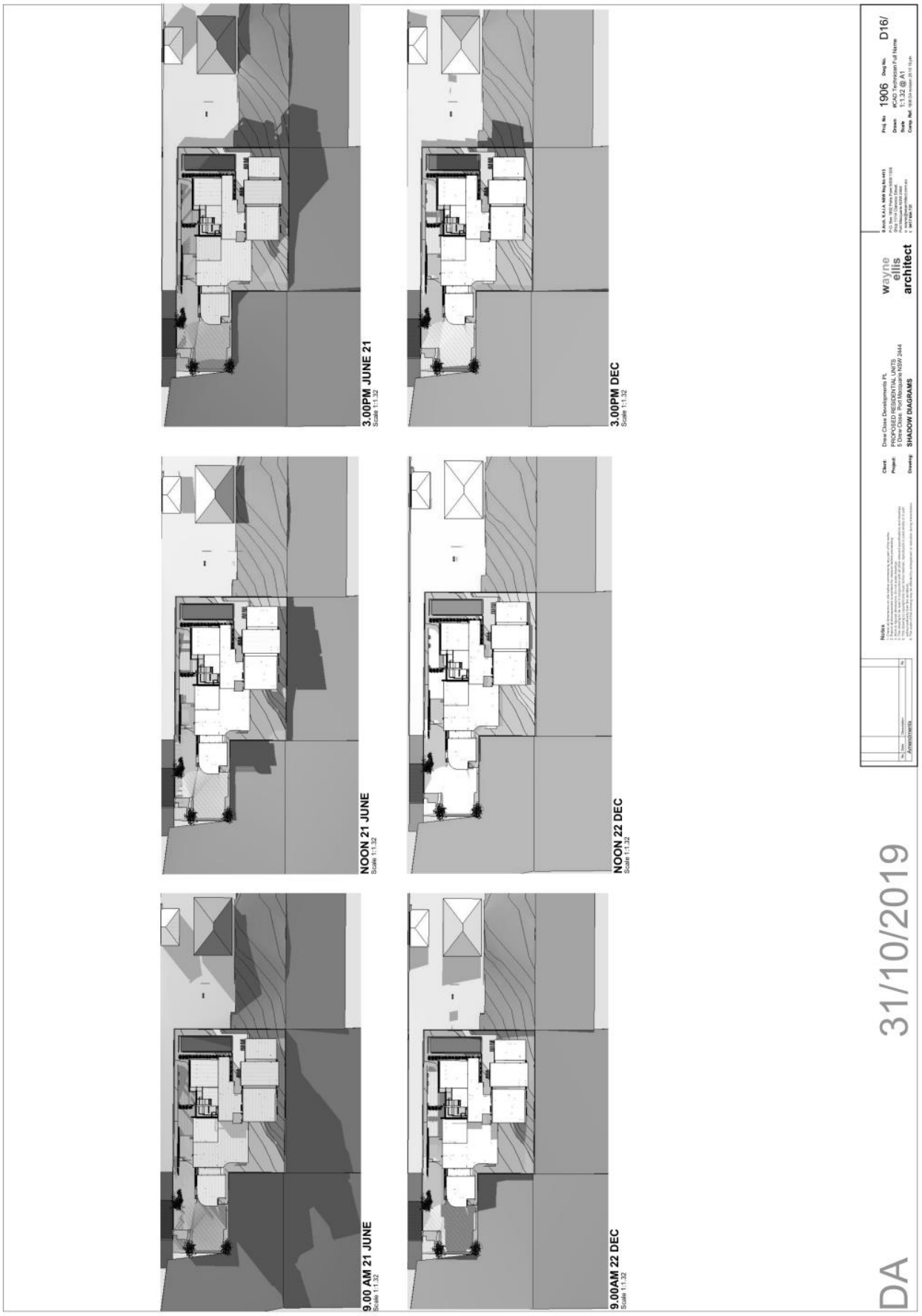
AERIAL VIEW FROM THE NORTH WEST CORNER ILLUSTRATING THE EXTENT OF ROOF THAT EXCEEDS THE 14.5 METRE HEIGHT PLANE

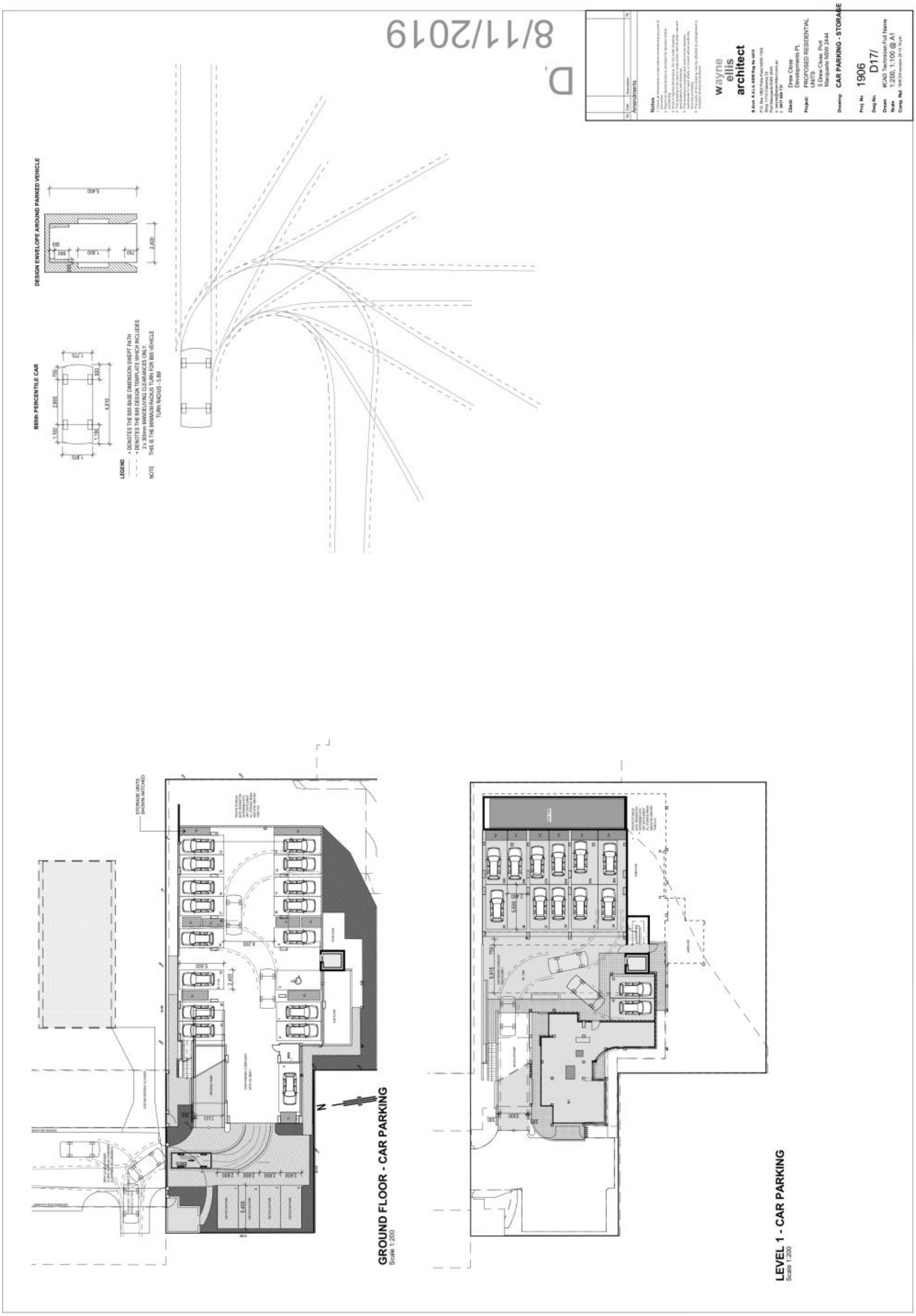
14.5 METRE HEIGHT PLANE

VIEW FROM THE SOUTH ILLUSTRATING THE EXTENT OF WALL (RED) PERMISSIBLE UNDER THE 14.5 METRE HEIGHT LIMIT

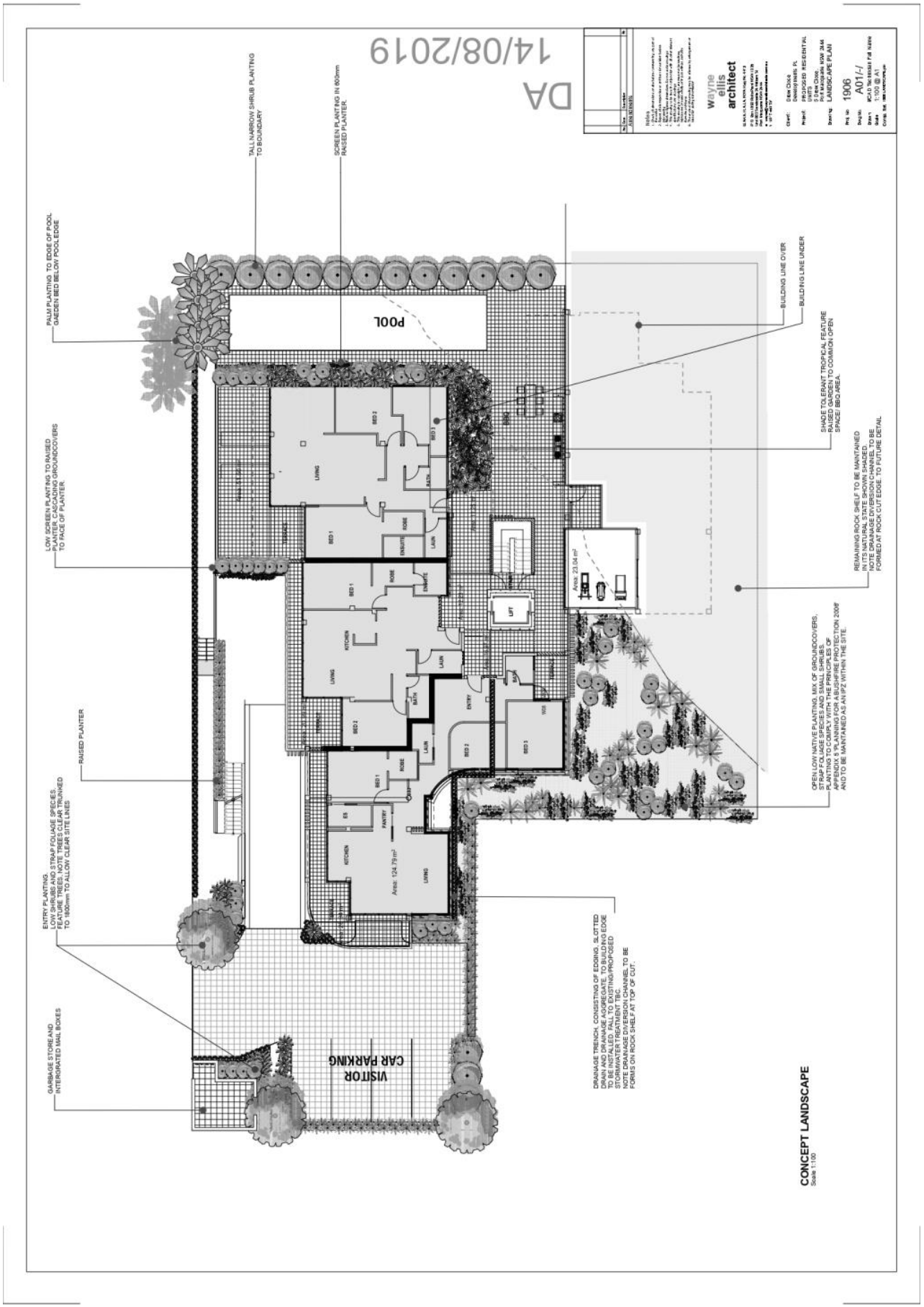
VIEW FROM NORTH EAST CORNER ILLUSTRATING THE EXTENT OF WALL (RED) PERMISSIBLE UNDER THE 14.5 METRE HEIGHT LIMIT.

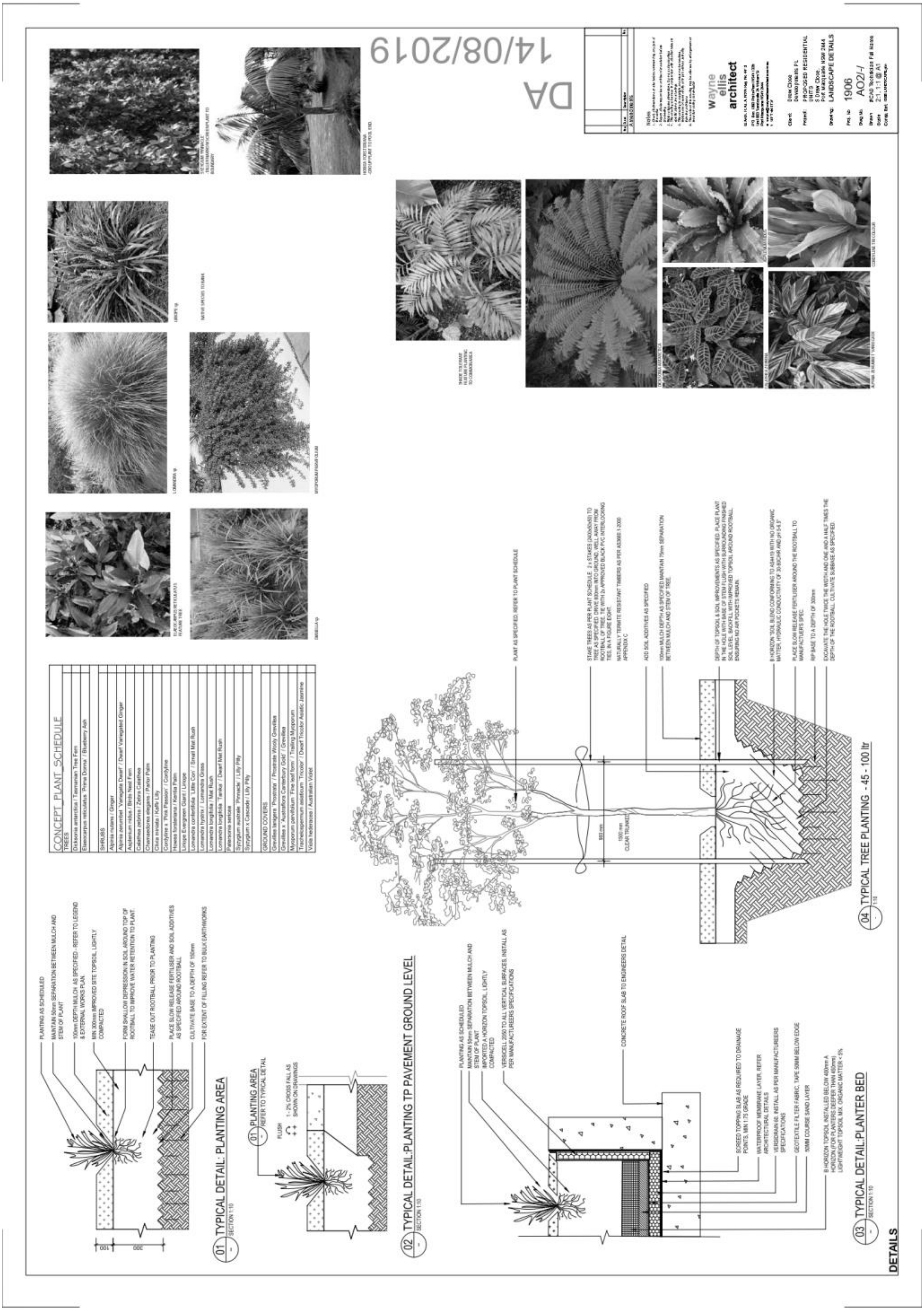

West Elevation Render
East Elevation Render
North Elevation Render
Scale 1:1
South Elevation Render
PRIVACY SCREEN Metal Angle - Monument
WALL CLADDING Mid Grey, FC panelling
WINDOW FRAME Aluminium - Clear Anod.
WINDOW FRAME Aluminium - Monument
FACE BRICK Light Grey
FACE BRICK Dark Grey
SOFFITS - U/S Composite Roof Beech Colour FR Board
PRIVACY LOUVRES Timber Colour Aluminium
RENDERED MASONRY Off White
FACE BLOCK Charcoal
FEATURE PANEL Aged Copper
DA
31/10/2019
wayne ellis architect
Dora Close Developments Pty
PROPOSED RESIDENTIAL UNITS
SURFACE FINISHES
1906
D15/


3.00PM JUNE 21
Scale 1:1.32
3.00PM DEC
Scale 1:1.32
NOON 21 JUNE
Scale 1:1.32
NOON 22 DEC
Scale 1:1.32
9.00 AM 21 JUNE
Scale 1:1.32
9.00AM 22 DEC
Scale 1:1.32
DA
31/10/2019
wayne ellis architect
Client: Dina Close Developments Pt.
Project: PROPOSED RESIDENTIAL UNITS
Drawing: SHADOW DIAGRAMS
Proj No 1906 Dwg No. D16/
Drawn: ACAD Technician Full Name
Date: 31/10/2019
Scale: 1:1.32 @ A1



GROUND FLOOR - CAR PARKING
Scale 1:200
LEVEL 1 - CAR PARKING
Scale 1:200
B85th PERCENTILE CAR
DESIGN ENVELOPE AROUND PARKED VEHICLE
wayne
ellis
architect
PROPOSED RESIDENTIAL UNITS
5 Drew Close, Port Macquarie NSW 2444
CAR PARKING - STORAGE
1906
D17/


DA
14/08/2019
wayne ellis architect
CONCEPT LANDSCAPE
Scale 1:100
POOL
VISITOR CAR PARKING
TALL NARROW SHRUB PLANTING TO BOUNDARY
SCREEN PLANTING IN 900mm RAISED PLANTER.
PALM PLANTING TO EDGE OF POOL GARDEN BED BELOW POOL EDGE
LOW SCREEN PLANTING TO RAISED PLANTER AND GROUNDCOVERS TO FACE OF PLANTER
RAISED PLANTER
ENTRY PLANTING LOW SHRUBS AND STRAP FOLIAGE SPECIES, FEATURE TREES. NOTE TREES CLEAR TRUNKED TO 1800mm TO ALLOW CLEAR SITE LINES
GARBAGE STORE AND INTERGRATED MAIL BOXES
BUILDING LINE OVER
BUILDING LINE UNDER
SHADE TOLERANT TROPICAL FEATURE PLANTING AND GROUNDCOVERS TO COMMON OPEN SPACE/ BBQ AREA.
REMAINING ROCK SHELF TO BE MAINTAINED IN ITS NATURAL STATE SHOWN SHADED. PLANTING TO DRIP EDGE OF CHANNEL TO BE FORMED AT ROCK CUT EDGE - TO FUTURE DETAIL
OPEN LOW NATIVE PLANTING, MIX OF GROUNDCOVERS, STRAPPY FOLIAGE SPECIES AND SHRUBS PLANTING TO COMPLY WITH THE PRINCIPLES OF APPENDIX 5 PLANNING FOR A BUSHFIRE PROTECTION 2006 AND TO BE MAINTAINED AS AN IPZ WITHIN THE SITE.
DRAINAGE TRENCH, CONSISTING OF EDGING, SLOTTED DRAIN AND DRAINAGE AGGREGATE, TO BUILDING EDGE TO BE INSTALLED, FALL TO EXISTING/PROPOSED STORMWATER PIT/SYSTEM - TO BE DETAILED
NOTE DRAINAGE DIVERSION CHANNEL TO BE FORMED ON ROCK SHELF AT TOP OF CUT.


CONCEPT PLANT SCHEDULE
TREES
Dicksonia antarctica / Tasmanian Tree Fern
Elaeocarpus reticulatus 'Prima Donna' / Blueberry Ash
SHRUBS
Alpinia nutans / Ginger
Alpinia zerumbet 'Variegata Dwarf' / Dwarf Variegated Ginger
Asplenium nidus / Birds Nest Fern
Calathea zebrina / Zebra Calathea
Chamaedorea elegans / Parlor Palm
Clivia miniata / Kaffir Lilly
Cordyline x 'Pink Passion' / Cordyline
Howea forsteriana / Kentia Palm
Liriope Evergreen Giant / Liriope
Lomandra confertifolia 'Little Con' / Small Mat Rush
Lomandra hystrix / Lomandra Grass
Lomandra longifolia / Mat Rush
Lomandra longifolia 'Tanika' / Dwarf Mat Rush
Patersonia sericea
Syzygium australe 'Pinnacle' / Lilly Pilly
Syzygium x Cascade / Lilly Pilly
GROUND COVERS
Grevillea lanigera 'Prostrata' / Prostrate Wooly Grevillea
Grevillea x 'Austraflora Canterbury Gold' / Grevillea
Myoporum parvifolium 'Fine leaf form' / Trailing Myoporum
Trachelospermum asiaticum 'Tricolor' / Dwarf Tricolor Asiatic Jasmine
Viola hederacea / Australian Violet
01 TYPICAL DETAIL: PLANTING AREA
SECTION 1:10
PLANTING AS SCHEDULED
MAINTAIN 50mm SEPARATION BETWEEN MULCH AND STEM OF PLANT
100mm DEPTH MULCH AS SPECIFIED - REFER TO LEGEND & EXTERNAL WORKS PLAN
MIN 300mm IMPROVED SITE TOPSOIL, LIGHTLY COMPACTED
FORM SHALLOW DEPRESSION IN SOIL AROUND TOP OF ROOTBALL TO IMPROVE WATER RETENTION TO PLANT.
TEASE OUT ROOTBALL PRIOR TO PLANTING
PLACE SLOW RELEASE FERTILISER AND SOIL ADDITIVES AS SPECIFIED AROUND ROOTBALL
CULTIVATE BASE TO A DEPTH OF 150mm
FOR EXTENT OF FILLING REFER TO BULK EARTHWORKS
02 TYPICAL DETAIL:PLANTING TP PAVEMENT GROUND LEVEL
SECTION 1:10
01 PLANTING AREA
REFER TO TYPICAL DETAIL
FLUSH
1 - 2% CROSS FALL AS SHOWN ON DRAWINGS
03 TYPICAL DETAIL:PLANTER BED
SECTION 1:10
CONCRETE ROOF SLAB TO ENGINEERS DETAIL
SCREED TOPPING SLAB AS REQUIRED TO DRAINAGE POINTS, MIN 1:75 GRADE
WATERPROOF MEMBRANE LAYER, REFER ARCHITECTURAL DETAILS
GEOTEXTILE FILTER FABRIC, TAPE 50MM BELOW EDGE
50MM COURSE SAND LAYER
04 TYPICAL TREE PLANTING - 45 - 100 ltr
PLANT AS SPECIFIED. REFER TO PLANT SCHEDULE
ADD SOIL ADDITIVES AS SPECIFIED
RIP BASE TO A DEPTH OF 300mm
DA
14/08/2019
wayne ellis architect
Client: Drew Close Developments PL
Project: PROPOSED RESIDENTIAL UNITS 5 Drew Close, Port Macquarie NSW 2444
Drawing: LANDSCAPE DETAILS
Proj. No: 1906
Dwg No: AO2/-/
DETAILS

Developer Charges - Estimate

Applicants Name: Wayne Ellis
Property Address: 5 Drew Close, Port Macquarie
Lot & Dp: Lot(s):1,DP(s):1211682
Development: Residential Flat Building

PORT MACQUARIE HASTINGS

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	8.54	$10,296.00	Per ET	$87,927.80
2	Sewerage Scheme Port Macquarie	13.25	$3,906.00	Per ET	$51,754.50
3	Since 1.7.04 - Major Roads - Port Macquarie - Per ET	12.21	$7,718.00	Per ET	$94,236.70
4	Since 31.7.18 - Open Space - Port Macquarie - Per ET	12.21	$5,686.00	Per ET	$69,426.00
5	Commenced 3 April 2006 - Com, Cul and Em Services CP - Port Macquarie	12.21	$4,669.00	Per ET	$57,008.40
6	Com 1.3.07 - Administration Building - All areas	12.21	$919.00	Per ET	$11,220.90
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			$5,101.60
16					
17					
18					
	Total Amount of Estimate (Not for Payment Purposes)				**$376,675.90**

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: **26-Mar-2020**

Estimate Prepared By Ben Roberts

This is an ESTIMATE ONLY - NOT for Payment Purposes

/Wayne Ellis, 5 Drew Close, Port Macquarie, 26-Mar-2020.xls

PORT MACQUARIE-HASTINGS COUNCIL

Justification of Variation to Development Standard Building Height –
Clause 4.3 of
Port Macquarie–Hastings Local Environmental Plan (2011)

Proposed Residential Flat Development at
5 Drew Close,
PORT MACQUARIE NSW

For:
Drew Close Developments Pty Ltd

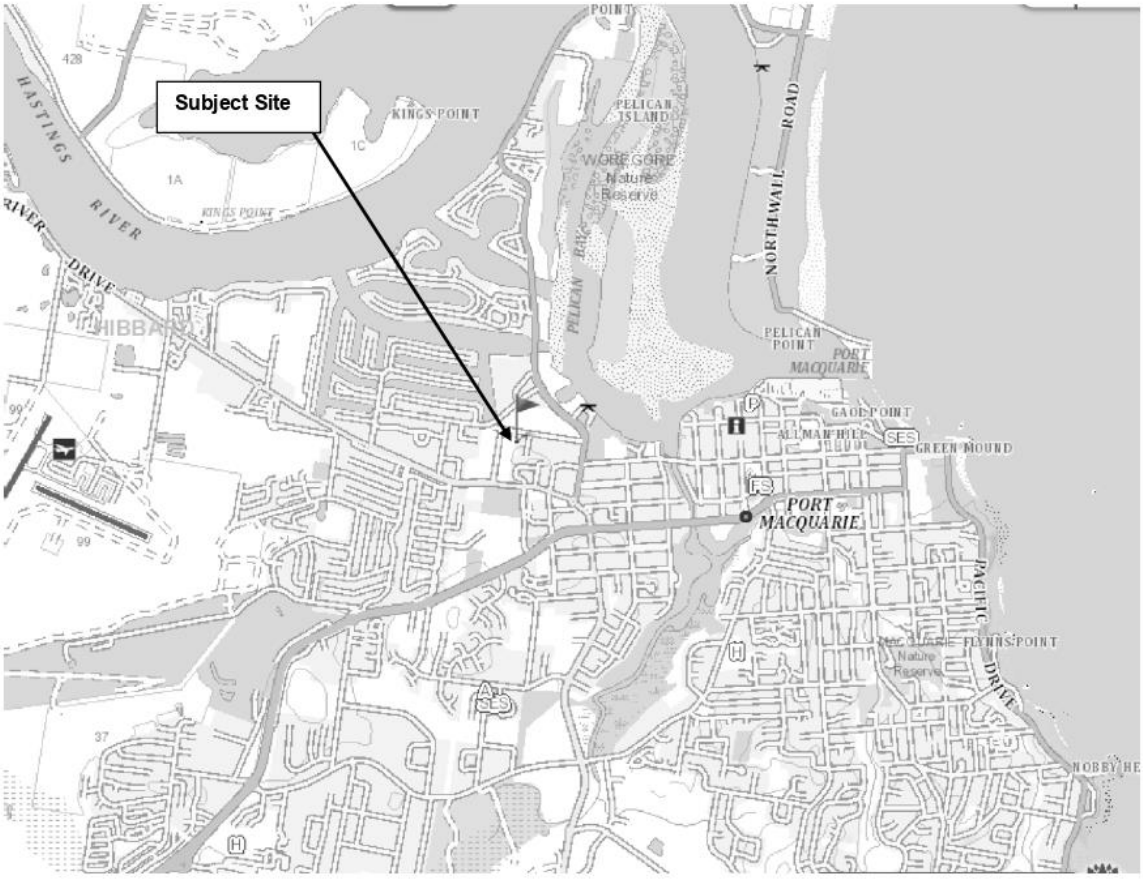
CONTENTS

1. INTRODUCTION

1.1 Purpose of Report

This report is submitted to Port Macquarie - Hastings Council as part of a development application for the construction of a residential flat development at Lot 1 DP 1007734, 5 Drew Close, Port Macquarie.

Figure 1 – Site Location



The purpose of this report is to provide justification for a variation to the Building Height provisions of Port Macquarie-Hastings Councils Local Environmental Plan, (LEP) 2011 for the residential flat building development which is proposed to be undertaken on the subject site.

1.2 Background

The proposed development includes the construction of two separate residential flat buildings with shared access, carparking and recreational facilities. It is noted that the design of the building's provides for a step-

in bulk and scale in response to changes in topographic conditions with the buildings providing for a maximum five (5) storey outcome in response to the sites northwesterly downslope condition. The northern most built form is five (5) storey's whilst the southernmost building is four (4) storey's in design.

The proposed development provides for fifteen (15) residential units comprising three (3) x 2-bedroom units and twelve (12) x 3-bedroom units with dedicated carparking by way of designated carparking areas within the proposed development.

The floor areas of the proposed residential units, (including perimeter walls), are as follows;

- Unit 101 – 135.07m^2
- Unit 201 – 135.75m^2
- Unit 202 - 101.52m^2
- Unit 203 - 126.97m^2
- Unit 301 - 135.75m^2
- Unit 302 - 101.52m^2
- Unit 303 - 126.97m^2
- Unit 304 - 142.31m^2
- Unit 401 - 135.75m^2
- Unit 402 - 101.52m^2
- Unit 403 - 126.97m^2
- Unit 404 - 152.11m^2
- Unit 501 - 120.45m^2
- Unit 502 - 147.50m^2
- Unit 601 - 141.62m^2

Building parking infrastructure, (vehicle), will occupy the ground floor of the northern built form with a mixture of carparking, pedestrian access and a residential unit occupying the first-floor level. The remaining fourteen (14) residential units and recreation facilities, (common gymnasium, pool and BBQ areas), are spread amongst the remaining levels of the proposed buildings.

The proposed development will be a secure compound with keypad/remote control access via a front gate.

The site has approximately 13m fall from southeast to the northwest. The topography of adjoining and adjacent land contains moderate to steep down slopes and a westerly cross-fall**.** Topographic conditions in the locality flatten to the north and west of the subject site.

The topography of the subject site couple with the design of the proposed building's provides that the height of the proposed building's is in excess of the development standard provided for by Clause 4.3 of Port Macquarie-Hastings Councils Local Environmental Plan, (LEP) 2011.

This report therefore provides justification as to why Port Macquarie-Hastings Council should support the variation to the building height as proposed.

2. LEP 2011 REQUIREMENTS

2.1 Introduction

Port Macquarie – Hastings LEP 2011 specifies a number of principle development standards that are applicable for the erection of buildings in the Port Macquarie-Hastings Local Government Area.

In this regard Part 4 of the LEP provides for development standards related to;

- *Lot size;*
- *Rural Subdivision;*
- *Building Height;*
- *Floor Space Ratio;*

Being a "performance based" document the LEP provides for a series of objective together with specific design provisions that are 'Deemed to Satisfy' the performance objectives. Adoption of the specified design provisions would therefore provide for a building solution to be approved by Council as this specified solution is deemed to meet the relevant performance objectives.

However, Clause 4.6 of the LEP recognizes the need to allow for exceptions to the specified design provisions. In this regard Clause 4.6 (2) of the LEP provides that;

(2) Development consent may, subject to this clause, be granted for development even though the development would contravene a development standard imposed by this or any other environmental planning instrument. However, this clause does not apply to a development standard that is expressly excluded from the operation of this clause.

It is noted that issues pertaining to the height of buildings is not expressly excluded from the operation of Clause 4.6.

In addition to establishing a framework for the consideration of exceptions to LEP development standards Clause 4.6 (3) – (5) of the LEP establishes the process by which exceptions to development standards are to be lodged, assessed and determined. The LEP which are applicable are as follows;

(3) Development consent must not be granted for development that contravenes a development standard unless the consent authority has considered a written request from the applicant that seeks to justify the contravention of the development standard by demonstrating:
(a) that compliance with the development standard is unreasonable or unnecessary in the circumstances of the case, and
(b) that there are sufficient environmental planning grounds to justify contravening the development standard.
(4) Development consent must not be granted for development that contravenes a development standard unless:
(a) the consent authority is satisfied that:
(i) the applicant's written request has adequately addressed the matters required to be demonstrated by sub clause (3), and

(ii) the proposed development will be in the public interest because it is consistent with the objectives of the particular standard and the objectives for development within the zone in which the development is proposed to be carried out, and
(b) the concurrence of the Director-General has been obtained.
(5) In deciding whether to grant concurrence, the Director-General must consider:
(a) whether contravention of the development standard raises any matter of significance for State or regional environmental planning, and
(b) the public benefit of maintaining the development standard, and
(c) any other matters required to be taken into consideration by the Director-General before granting concurrence.

This report will provide justification for the variation of the acceptable design solution for the height of the proposed residential flat building having regard to the relevant provisions of the LEP.

2.2 Building Height Development Standard

Clause 4.3 of the LEP provides that the height of a building erected on the subject site is not to exceed 14.5m, refer to **Figure 2** below;

Figure 2 - Building Height 'Deemed to Satisfy' Standard for Subject site.

It is noted that the follow definition applies to the determination of the actual height of the building;

building height *(or* ***height of building****) means the vertical distance between ground level (existing) and the highest point of the building, including plant and lift overruns, but excluding communication devices, antennae, satellite dishes, masts, flagpoles, chimneys, flues and the like.*

2.3 Development Standard Exemption Sought

In general, the overall height of the proposed development complies with the intent of the 14.5m height limited with the roof of the main building being predominately below 14.5m above the variable ground level across the subject site.

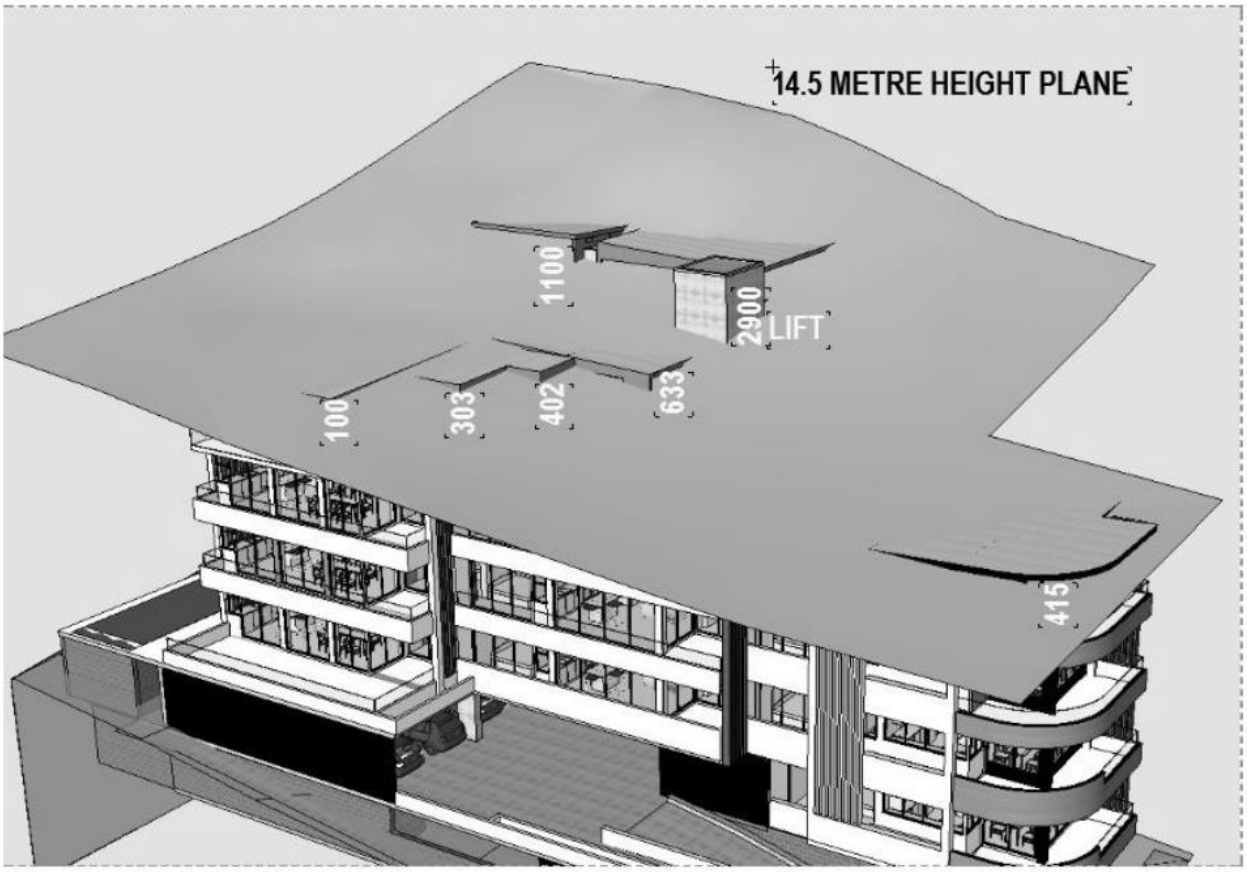
Figure 3 - Building Heights below 14.5m

VIEW FROM THE SOUTH ILLUSTRATING THE EXTENT OF WALL (RED) PERMISSIBLE UNDER THE 14.5 METRE HEIGHT LIMIT

It is however noted that due to the steep slopes in the southern portion of the subject site the height of the building increases to be a maximum of 15.7m on the northern façade of the rear building. It is also noted that the lift overrun is approximately 2.9m above the 14.5m height standard.

The following figure indicates those portions of the proposed buildings which exceed the 14.5m height envelope as it pertains to the subject site.

Figure 4 - Building Heights above 14.5m



AERIAL VIEW FROM THE NORTH WEST CORNER ILLUSTRATING THE EXTENT OF ROOF THAT EXCEEDS THE 14.5 METRE HEIGHT PLANE

As can be seen in the above figure the majority of the proposed buildings is well below the 14.5m height standard with the bulk and scale of the majority of the proposed buildings being entirely consistent with the 14.5m height standard when viewed from Drew Close to the northwest and from the adjoining and adjacent properties to the northeast, south, east and west with the exceedance of the development standard masked by the significant changes in topography over the subject site and the response of the building design to the changes in topography.

In this regard the design of the proposed development seeks to limit the exceedance of the development standard by stepping each of the proposed building in response to landform change. This approach limits the overall height of the building providing for a maximum 1.2m exceedance of the 14.5m development standard. This represents a variation to the development standard of only 8% which, having regard to the significant landform variation which exists over the subject site, is considered to be justifiable in the circumstances.

The following table summarizes the development standard together with the actual heights of the buildings together with the quantum of the variation which is sought. The following table has been prepared having regard to the building height definition provided for in Section 2.2 of this report;

Table 1 – Building Height Summary.

BUILDING HIEGHT DEVELOPMENT STANDARD	HIEGHT OF MAJOR BULK OF BUILDING	ACTUAL WORST CASE HIEGHT OF BUILDING	QUANTUM OF VARIATION TO DEEMED TO SATISFY BUILDING HIEGHT STANDARD
14.5m	Approximately 12m - 13.5m	15.7m	1.2m approximately

3. PERFORMANCE ASSESSMENT

As has already been identified the structure of Port Macquarie Hastings LEP 2011 provides for merit assessment of variations to development standards.

This structure is reflected in;

- The inclusion of Clause 4.6 into the LEP which recognizes the need to allow for exceptions to the specified design provisions.

- The inclusion of performance objectives in relation to development standards. The inclusion of specific performance objectives provides for a design solution to be approved on the basis that its outcomes will be consistent with the nominated performance objectives.

It is however noted that the LEP does not indicate the manner by which a performance assessment is to be carried out.

3.1 Performance Objectives

The performance objectives that are relevant to the requested variation are contained within Clause 4.3(1) of LEP (2011) as follows;

'(1) The objectives of this clause are as follows:

(a) to ensure that buildings are compatible with the height, bulk and scale of the existing and desired future character of the locality,
(b) to minimize visual impact, disruption of views, loss of privacy and loss of solar access to existing development,
(c) to minimize the adverse impact of development on heritage conservation areas and heritage items,
(d) to nominate heights that will provide a transition in built form and land use intensity within the area covered by this Plan'.

It is therefore considered that where a building design solution is consistent with the above objectives it can be assessed as being consistent with the requirements of PMHC LEP (2011) and as such development consent can be issued on the basis that the proposed development is in accordance with the relevant development standards.

3.2 Performance Assessment Method

To ensure that a performance-based solution meets the relevant Performance Objectives it must be assessed using a nominated/accepted Assessment Method. In this regard it is noted that PMHC LEP (2011) does not nominated a process/method of assessment of an alternative design solution. In this regard common assessment methods used for performance-based building design are as follows;

(a) Evidence to support that a design meets a Performance Requirement or a Deemed-to-Satisfy Provision.

(b) Verification Methods.

(c) Comparison with the Deemed-to-Satisfy Provisions.

(d) Expert Judgement.

Having regard to the above it is proposed to utilize a combination of (a) and (c) above as the method of assessing the proposed building design and the variation of the buildings height when compared to the 'Deemed to Satisfy' provision.

3.3 Performance Assessment

The following justification is provided in respect of each of the performance objectives listed in Section 3.1 of this report;

Table 2 – Performance Assessment

PERFORMANCE OBJECTIVE	PERFORMANCE ASSESSMENT
(a) to ensure that buildings are compatible with the height, bulk and scale of the existing and desired future character of the locality.	The existing and future character of the locality is one of higher density residential development with council's land use zoning and associated development controls and standards providing for buildings with a larger bulk and scale than contemplated in other residential areas.

	The relevance of the proposed building height design solution to the existing and future character of the locality is assessed as follows; **Existing Character** It is noted that the existing character of the area, from the perspective of height, bulk and scale, is dominated by two storey residential buildings which would, due to topographic conditions, provide for a height and scale outcome which would exceed a typical two storey building. Recognizing the intention of supporting higher density of development in the area a number of residential flat buildings, with heights in excess of five 5 storeys, are present on land to the east of the subject site. The presence of these buildings reflects the transitional nature of residential development in the general locality. It is further noted that a previously approved residential flat building development for the subject site, (and adjoining and adjacent land to the east), provided for a height, (bulk and scale), outcome which exceeds that which is now proposed for the subject site. In this regard the proposed development is consistent with the transitioning nature of building heights, (and bulk and scale), in the area. Having regard to the above the outcomes provided for by the proposed building height design solution are entirely consistent with the existing character of the locality in relation to height, bulk and scale. **Future Character** The building height development standards provided for by LEP 2011 for the subject site and surrounds provide for a 'Deemed to Satisfy' standard of 14.5m which would typically provide for a 5 storey building. In this regard it is noted that the proposed development is entirely consistent with this development standard with the roof of the proposed buildings being between 12m and 15.7m above ground level which taking into account the topography of the area provides for a five (5) storey building.

	It is noted that the majority of the height exceedance associated with the main bulk of the proposed buildings is associated with the south to north topography of the subject site. In the context of the topography of the subject site and adjoining and adjacent land the bulk and scale of the lower elevated areas of the building will be masked by; • existing and future residential development on adjoining land to the south and east. This will be particularly reinforced through the redevelopment of adjoining lots to the south and east; the presence of a disused quarry in the southern aspect which will restrict redevelopment opportunities in the southern aspect to the subject site; • the stepping of the proposed buildings in response to landform change. This stepping seeks to minimize the bulk and scale of the buildings and seeks to ensure that the buildings present as four to five storey's; • the limited development opportunities for land to the west of the subject site given the recreational land use zonings which are present in this aspect; • the significant changes in topography over the subject site which allows for bulk and scale to of the bulk and scale to be shielded particularly when viewed from the south and east; • the limited view paths which exist to the subject site from the north and west. It is important to note that the adoption of a 14.5m height standard together with a floor space ratio of 1.5:1 reflects council's clear intention for the area to transition from lower density residential development to a higher density of development. With this in mind the nature of the development standards needs to have regard to impacts associated with transitioning the development form of a locality, i.e. the impacts of the proposed development need to be assessed having

	regard to the future character of the area. In this regard the minor nature of the height exceedance, in the context of the location and nature of the height standard exceedances, is such that the height of the proposed development is entirely consistent with the desired future character of the locality. Whilst Drew Close is 'dead end' in design and construction its road reserve width can clearly accommodate development of greater densities and heights through site redevelopment within the framework of integrating good urban design principles. In this regard when viewed from Drew Close those portions of the subject building which are in excess of the 14.5m development standard will have a negligible impact in relation to proposed buildings bulk and scale as it; • Will be generally indiscernible from the main bulk of the building particularly given the stepped nature of the building in relation to the south to north landform. • Will have a minimum impact when considered in the context of the height, bulk and scale backdrop which exists by virtue of the undeveloped nature of adjoining and adjacent land to the south of the subject site. • Will be consistent with the height of buildings which could result through the future redevelopment of adjoining land to the north, south and east of the subject site. Given the relatively minor nature of the height standard exceedance it is considered that the impact on the future character of the locality of the proposed building design solution as it relates to building height will be minimal. It is also noted that notwithstanding the height development standards provided for in LEP 2011 the future character of the locality has as yet to transition with the proposed development representing the first development which responds to Councils vision for the immediate area. In the context of the life cycle of

	building infrastructure the most recent decisions of Council (LEP 2011 and DCP 2013) have not as yet had a significant impact upon the achievement of the desired future character envisaged by the LEP and associated development controls and standards.
(b) to minimise visual impact, disruption of views, loss of privacy and loss of solar access to existing development	Solar access studies show acceptable results for June 22 as a result of the proposed development in relation to adjoining and adjacent existing development. Accordingly, the proposed building height design solution will have no significant impact on solar access beyond that contemplated by the 'Deemed to Satisfy' development standard. Notwithstanding the variation to the building height development standard acceptable standards of solar access will continue to be provided to adjoining and adjacent buildings. It is noted that when viewed from Drew Close the proposed development will present five (5) storey buildings which is generally consistent with the 'Deemed to Satisfy' development standard. Accordingly, the visual impact of the proposed building height solution will be minimal. Some impacts on views will be experienced particularly in relation to the existing dwelling on the adjoining allotment to the south (dwelling is diagonally to the southeast of the proposed development). It is however noted that the issue of view loss is related to the area of the building which is significantly less than the 14.5m height standard rather than the small portions of the proposed building which exceed the 14.5m height standard. In this regard it is the height of the proposed building immediately adjacent to the southern boundary which has the greatest impact on available view paths. In this regard **Figure 3** above clearly shows that the height of the building along the southern elevation is significantly less than the 14.5m height standard. It is further noted that the relationship of the existing building to the south to those areas of the proposed building which exceed the 14.5m height standard is such that the impacts on predominant view paths is very limited. In this regard the main areas of view from the existing dwelling to the south are to the northeast and direct north whilst the height exceedance areas of the

	proposed building retain a northwest relationship to the existing dwelling. Accordingly, the impact on views of those areas of the proposed building which exceed the 14.5m height standard are minimal in the context of the expectations associated with the development standards which are relevant to the subject site and general locality. Whilst some views to the northwest will be impacted upon it is considered that this outcome is acceptable in the context that; • The proposed development continues to provide for view sharing; and • The development controls for the subject site, (and adjoining and adjacent land), clearly contemplate a height outcome which is different to that which has historically applied to the area. Accordingly impacts on views associated with the proposed development are entirely consistent with the transition which council is seeking to encourage in the locality. Impacts on occupant privacy are minimized through the orientation of all proposed residential flats to the front (north) and rear (south) of the subject site. Where necessary privacy has been maintained via the use of walls and privacy screens. In this regard it is noted that the orientation of existing buildings to the north and south of the subject site provide for major living/habitable rooms facing the northern orientation. Accordingly, high levels of visual privacy are maintained through the design of the proposed buildings in that; • window areas in the southern orientation are minimized; and • the northern orientation of habitable/living rooms has been maximized so as to reinforce the northerly focus of the residential building on adjoining land to the north. Having regard to the above it is clear that quality urban planning and building design outcomes will be achieved as a result of the proposed development and the associated building height design solution will have minimal impact in relation to visual impact, views, loss of

	privacy and loss of solar access issues.
(c) to minimise the adverse impact of development on heritage conservation areas and heritage items,	The subject site does not form part of an area which the LEP identifies as being of potential heritage importance and as such proposed development will have negligible impact on heritage conservation areas and heritage items. In a broader context identified items/issues of heritage significance are not located in the general area to the subject site and as such the height of the proposed development is appropriate in the context of existing and future height, bulk and scale of the locality.
(d) to nominate heights that will provide a transition in built form and land use intensity within the area covered by this Plan'.	Refer to previous comments and height justification report. The proposal is considered acceptable for the following reasons: • The building design has had regard for views from adjoining properties and continues to provide for the sharing of views. • The bulk and scale of the development is consistent with the development densities and bulk and scale provisions which are relevant to the future development of land within the locality. • The site is steep and strict compliance with the standard is difficult to achieve and considered unreasonable in the circumstances. • The building contains articulation to break up the bulk of the building. • The north/south aspect will ensure overshadowing impacts are minimal. • Windows and outlook from the development are focused towards the north with windows on the southern side of the development minimized and associated with low activity areas or are well separated from adjoining properties. • The height transitions well with the adjoining properties to the south and east. In this regard the exceedance of the 14.5m height requirement is confined to areas which are to the west of the predominant view paths of the residential buildings on land to the south land east of the subject site. In this regard the

	exceedance of the height standard has no bearing on the loss of views from the existing buildings to the south and east. • The building design provides a suitable height that has regard for and responds to the current legislative height controls which are relevant to the subject site and other properties in the locality.

Having regard to the above it is considered that the design solution of the subject building as it relates to the issue of building height is consistent to the relevant performance objectives of Port Macquarie – Hastings Council LEP 2011.

3.4 Consistency with LEP Exception Requirements

Given that the proposed building height design solution is consistent with the relevant building height development standard performance objectives of the LEP it is considered that the issuing of development approval for the subject development, (as proposed), by Port Macquarie-Hastings Council is consistent with the requirements of Clause 4.3 of the LEP in that;

- *compliance with the development standard is unreasonable or unnecessary in the circumstances of the case, as the proposed alternative design solution satisfies the specific performance objectives which are relevant to the height of buildings; and*
- *there are sufficient environmental planning grounds to justify contravening the development standard as demonstrated in the performance assessment (Section 3.2 of this report); and*
- *the applicant's written request has adequately addressed the matters required to be demonstrated; and*
- *the proposed development will be in the public interest because it is consistent with the objectives of the particular standard and the objectives for development within the zone in which the development is proposed to be carried out; and*
- *the contravention of the subject development standard does not raise any matter of significance for State or regional environmental planning, and*
- *based upon merit assessment there is no public benefit in maintaining the development standard, and*

Accordingly, it is recommended that Port Macquarie-Hastings Council approval the variation to the height standard as provided for by the proposed building design solution.

4. CONCLUSION

Having regard to the above it is considered that the proposed building design solution is consistent with the relevant building height performance standards as provided for by Clause 4.3 of the LEP and as such the exemption to the development standard is appropriate in the specific circumstances.

Accordingly, the proposed building design solution is able to be supported by Port Macquarie-Hastings Council pursuant to Clause 4.3 of the LEP.

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Potts Point NSW 1335
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Port Macquarie NSW 244
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DESIGN VERIFICATION STATEMENT

14th August 2019. Job No: 1906

Project: Proposed Residential Apartments
5 Drew Close. Port Macquarie. NSW 2444

Dear Sir/Madam,

Please be advised that the proposed development referred to above has been prepared in accordance with all relevant requirements of governing Authorities, National Construction Code Series 2017 and relevant Australian Standards.
I hereby verify that (a) that I have directed the design of the development, and

(b) the residential flat development achieves the design principles set out in Part 2 of SEPP No 65 Design Quality of Residential Flat Development.

Wayne Ellis
B.Arch. R.A.I.A. NSW Reg No 4415
Wayne Ellis Architect

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t (02) 6584 9669
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e wayne@wearchitect.com.au

APARTMENT DESIGN GUIDE COMPLIANCE ASSESSMENT REPORT 5 DREW CLOSE, PORT MACQUARIE	
PART 3 – SITING THE DEVELOPMENT	
OBJECTIVE	**COMMENT**
3A Site Analysis	
Objective 3A-1 Site analysis illustrates that design decisions have been based on opportunities and constraints of the site conditions and their relationship to the surrounding context	***Compliant*** *An Infill building that reflects the adjoining existing & proposed buildings, all designed to take best advantage of prevailing breezes, orientation, views etc.*
3B Orientation	
Objective 3B-1 Building types and layouts respond to the streetscape and site while optimising solar access within the development	***Compliant -*** *Living rooms and open spaces, balconies, face northwards.* *The separate buildings which comprise the development and proposed units maintain a northern orientation thereby ensuring that solar access to the development is maximized.*
Objective 3B-2 Overshadowing of neighbouring properties is minimised during mid-winter	***Compliant -*** *Overshadowing to the south is N/A.* *The impact of the proposed buildings on solar access has been reviewed for the adjoining site to the south and east. The assessment indicates that the proposed development will have no overshadowing impacts due to the nature of the design of buildings on adjoining and adjacent land to the south and east.*
3C Public Doman Interface	
Objective 3C-1 Transition between private and public domain is achieved without compromising safety and security	***Compliant -*** *The entry* ***area*** *is well lit and activated and overlooked.* *The proposal has been designed to minimize the risk of crime and maximize safety and*

	security. *Pedestrian entrances will be well lit, secure and visibility to and from the entrances is maintained. The buildings car parking areas are secured via a controlled roller door at the site boundary.* *All units will have good casual surveillance of recreation facilities on the site from the internal and external living areas (without sacrificing privacy).*	
Objective 3C-2 Amenity of the public domain is retained and enhanced	***Compliant -*** *The design of the development will enhance the amenity of the area whilst retaining privacy and security for the residential occupants of the proposed development.* *The 'dead end' design of Drew Close together with the proposed setback of the built form of the development will ensure that amenity impacts on the public domain will be minimal as the majority of the proposed development will be obscured from public spaces.*	
3D Communal and Public Open Space		
Objective 3D-1 An adequate area of communal open space is provided to enhance residential amenity and to provide opportunities for landscaping	**Design criteria** 1. Communal open space has a minimum area equal to 25% of the site (see figure 3D.3) 2. Developments achieve a minimum of 50% direct sunlight to the principal usable part of the communal open space for a minimum of 2 hours between 9 am and 3 pm on 21 June (mid-winter)	*Communal areas are available in the eastern aspect of the subject site.* *An area of >50m² is available for use. However given the nature and size of the proposed development private open space will be the predominately used recreation area.*
Objective 3D-2 Communal open space is designed to allow for a range of activities, respond to site conditions and be attractive and inviting	***Compliant -*** *given the nature and size of the proposed development private open space will be the predominately used recreation area.* *The proposed communal open space (BBQ area) is designed to allow for a range of activities,*	

	responds to site conditions and will be attractive and inviting.	
Objective 3D-3 Communal open space is designed to maximise safety	***Compliant -*** *given the nature and size of the proposed development private open space will be the predominately used recreation area.* *The location of the communal open space along the eastern portion of the propose development provides for safety and security.*	
Objective 3D-4 Public open space, where provided, is responsive to the existing pattern and uses of the neighbourhood	*Not Applicable*	
3E Deep soil Zones		
Objective 3E-1 Deep soil zones provide areas on the site that allow for and support healthy plant and tree growth. They improve residential amenity and promote management of water and air quality	**Design criteria** Deep soil zones are to meet the following minimum requirements: • 3m minimum dimension • 7% of site area	***Compliant*** *– minimum 3m – 12.3m at rear available Additional deep soil areas are available along the northern and eastern aspects (24% of site)*
3F Visual Privacy		
Objective 3F-1 Adequate building separation distances are shared equitably between neighbouring sites, to achieve reasonable levels of external and internal visual privacy	**Design criteria** Separation between windows and balconies is provided to ensure visual privacy is achieved. Minimum required separation distances from buildings to the side and rear boundaries are as follows: • Habitable Room/balcony setback – 9m • Non habitable rooms setback – 4.5m	 ***Compliant*** ***Compliant***

		Direct views are minimized through the orientation of all residential flats to the front (north) and rear (south) of the subject site. *Where necessary privacy has been maintained via the use of walls and privacy screens.* *In this regard it is noted that the orientation of existing buildings to the north and south, east and southeast of the subject site provide for major living/habitable rooms facing the northern orientation. Accordingly high levels of visual privacy are maintained through the design of the proposed building;* • *Minimizing window areas in the southern orientation; and* • *Maximizing the northern orientation of habitable/living rooms so as to reinforce the northerly focus of the adjoining residential buildings.*
	Objective 3F-2 Site and building design elements increase privacy without compromising access to light and air and balance outlook and views from habitable rooms and private open space	***Compliant*** *- To the north & south privacy is retained via topography, distance and external screening.* *Direct views are minimized through the orientation of all units to the front and rear of the subject site.* *Where necessary privacy has been maintained via the use of walls and screens.* *The unit layouts have emphasis on access to sunlight and ventilation via extensive north*

	facing glazing and openings.
3G Pedestrian access and entries	
Objective 3G-1 Building entries and pedestrian access connects to and addresses the public domain	***Compliant** - pedestrian access connects to the public domain of Drew Close.*
Objective 3G-2 Access, entries and pathways are accessible and easy to identify	***Compliant - t**he proposed building's entries, pedestrian access and pathways are accessible and easy to identify.*
Objective 3G-3 Large sites provide pedestrian links for access to streets and connection to destinations	*Not Applicable*
3H Vehicle Access	
Objective 3H-1 Vehicle access points are designed and located to achieve safety, minimise conflicts between pedestrians and vehicles and create high quality streetscapes	***Compliant** - Vehicle access points are located at the western end of the northern property boundary and connect directly with Drew Close.* *The design of the access point provides that it is easy to identify and has been designed to the relevant design standards in order to respond to the safety and security issues that are relevant to the subject site. The integration of the vehicle access point into the overall design concept for the development site provides for a high-quality streetscape outcome.* *It is further noted that the setback of the built form from the western property boundary provides that the proposed development will be partially obscured from Drew Close thereby reducing its impact upon the streetscape.* *The access location would not create unacceptable headlight glare for habitable rooms.* *The driveway crossover is the minimum width possible to facilitate safe passing of vehicles at the site access.* *Sight lines are available where the vehicular access crosses pedestrian areas.*

3J Bicycle and Car Parking			
Objective 3J-1 Car parking is provided based on proximity to public transport in metropolitan Sydney and centres in regional areas	**Design criteria** For development in the following locations: • on sites that are within 800 metres of a railway station or light rail stop in the Sydney Metropolitan Area; or • on land zoned, and sites within 400 metres of land zoned, B3 Commercial Core, B4 Mixed Use or equivalent in a nominated regional centre the minimum car parking requirement for residents and visitors is set out in the Guide to Traffic Generating Developments, or the car parking requirement prescribed by the relevant council, whichever is less The car parking needs for a development must be provided off street	***Compliant*** *The subject site is within 400m of a B3 zone in a nominated regional centre and parking can be provided in accordance with the RTA Guide to Traffic Generating Developments, or the car parking requirement prescribed by the relevant council, whichever is less.* ***RTA Guide*** *The RTA Guide requires a minimum of 1 space for each unit, plus an additional 1 space per each thereof, plus an additional 1 space per each 2 x 3 or more-bedroom unit or part thereof.* *An additional one space per each five units for visitor parking or part thereof is also required. The development includes 3 x 2 bed units, and 12 x 3 bed units. A total of 25 spaces would be required under the RTA Guide.* ***Council DCP*** *(i) Residential Flat -* *1.0 per 2-bedroom unit = 3* *1.5 per 3-bedroom unit = 18*	

			+ 1 visitors' space per 4 per units = 3.75 ***Total Onsite Parking Requirements** = 25* *A total of 25 spaces is required under Council's DCP and the RTA Guidelines. The development proposes 32 off street parking spaces and therefore satisfies this requirement.* *Having regard to the above it is noted that all required carparking is able to be provided onsite to service the proposed development.*
	Objective 3J-2 Parking and facilities are provided for other modes of transport	***Compliant** –the proposed development provides opportunities for parking and facilities for other modes of transport (e.g. Bicycles and motor bikes).*	
	Objective 3J-3 Car park design and access is safe and secure	***Compliant** – The Drew Close street frontage is well lit.* *The entry to the building is well defined via paving, will be well and continuously illuminated and will be covered via casual surveillance.* *The carparking areas can only be accessed via remote control activation of the security gate at the boundary.*	
	Objective 3J-4 Visual and environmental impacts of underground car parking are minimised	*Not Applicable*	
	Objective 3J-5 Visual and environmental impacts of on-grade car parking are minimised	***Compliant** – The design of the buildings is such that visual and environmental impacts are minimized.* *The design of the buildings is such that whilst the vehicle entries to the subject site are*	

	clearly defined the access to the enclosed car parking is obscured from view and is not readily apparent from public places. The internalization of the entry to the car parking areas ensures that visual impacts are minimized.	
Objective 3J-6 Visual and environmental impacts of above ground enclosed car parking are minimised	***Compliant** – The design of the building is such that visual and environmental impacts are minimized.* *The design of the building is such that whilst the vehicle entries to the subject site are clearly defined the access to the enclosed car parking is obscured from view and is not readily apparent from public places. The internalization of the entry to the car parking areas ensures that visual impacts are minimized.*	
PART 4 – DESIGNING THE BUILDING		
4A Daylight and Solar Access		
Objective 4A-1 To optimise the number of apartments receiving sunlight to habitable rooms, primary windows and private open space	**Design criteria** 1. Living rooms and private open spaces of at least 70% of apartments in a building receive a minimum of 2 hours direct sunlight between 9am and 3pm at mid-winter in the Sydney Metropolitan Area and in the Newcastle and Wollongong local government areas. 2. In all other areas, living rooms and private open spaces of at least 70% of apartments in a building receive a minimum of 3 hours direct sunlight between 9 am and 3 pm at mid-winter 3. A maximum of 15% of apartments in a building receive no direct sunlight between 9 am and 3 pm at mid-	***Compliant*** ***Compliant*** ***Compliant***

	winter	
Objective 4A-2 Daylight access is maximised where sunlight is limited	***Compliant*** *- All of north facing façades incorporate window elements.* *Major window areas face north.* *All units have dual orientations (north and south).*	
Objective 4A-3 Design incorporates shading and glare control, particularly for warmer months	***Compliant*** *- Deep balconies & vertical sun control louvres provided.*	
4B Natural Ventilation		
Objective 4B-1 All habitable rooms are naturally ventilated	***Compliant*** *– significant areas of openable windows and doors have been provided to all habitable rooms.* *Natural ventilation of habitable rooms is compliant with the requirements of the NCC.*	
Objective 4B-2 The layout and design of single aspect apartments maximises natural ventilation	***Compliant*** *- All units have dual orientations (north and south).*	
Objective 4B-3 The number of apartments with natural cross ventilation is maximised to create a comfortable indoor environment for residents	**Design criteria** 1. At least 60% of apartments are naturally cross ventilated in the first nine storeys of the building. Apartments at ten storeys or greater are deemed to be cross ventilated only if any enclosure of the balconies at these levels allows adequate natural ventilation and cannot be fully enclosed 2. Overall depth of a cross-over or cross-through apartment does not	***Compliant*** *- All apartments have cross ventilation.* ***Compliant*** *- The open plan layout has not led to a compromise in respect to ventilation,*

	exceed 18m, measured glass line to glass line		*solar access and view amenity. The proposed design is considered to be consistent with the performance objective.*
4C Ceiling Heights			
Objective 4C-1 Ceiling height achieves sufficient natural ventilation and daylight access	**Design criteria** 1. Measured from finished floor level to finished ceiling level, minimum ceiling heights are: • 2.7m habitable rooms • 2.4m non habitable rooms		***Compliant*** *for units – habitable areas proposed to be a minimum of 2.7m and non-habitable will be a minimum of 2.4m.*
Objective 4C-2 Ceiling height increases the sense of space in apartments and provides for well-proportioned rooms	***Compliant*** *– common ceiling height throughout all habitable rooms with service bulk heads positioned so as to minimize visual and amenity impacts within spaces. Services to be centralized in non-habitable areas whereby reduced ceiling height is proposed and allowable.*		
Objective 4C-3 Ceiling heights contribute to the flexibility of building use over the life of the building	***Compliant*** *– ceiling heights are in general consistent with the minimum required.*		
4D Apartment Size and Layout			
Objective 4D-1 The layout of rooms within an apartment is functional, well organised and provides a high standard of amenity	**Design criteria** Apartments are required to have the following minimum internal areas: • 2 bedroom – $70m^2$ • 3 bedroom – $90m^2$ The minimum internal areas include only one bathroom. Additional		***Compliant***

	bathrooms increase the minimum internal area by 5m2 each A fourth bedroom and further additional bedrooms increase the minimum internal area by 12m2 each • Every habitable room must have a window in an external wall with a total minimum glass area of not less than 10% of the floor area of the room. Daylight and air may not be borrowed from other rooms	***Compliant***
Objective 4D-2 Environmental performance of the apartment is maximised	**Design criteria** 1. Habitable room depths are limited to a maximum of 2.5 x the ceiling height 2. In open plan layouts (where the living, dining and kitchen are combined) the maximum habitable room depth is 8m from a window	***Compliant*** *All bedrooms are compliant* *Living Room & Dining room Compliant.*
Objective 4D-3 Apartment layouts are designed to accommodate a variety of household activities and needs	**Design criteria** 1. Master bedrooms have a minimum area of $10m^2$ and other bedrooms $9m^2$ (excluding wardrobe space) 2. Bedrooms have a minimum dimension of 3m (excluding wardrobe space) 3. Living rooms or combined living/dining rooms have a minimum width of:	***Compliant*** ***Compliant*** ***Compliant***

	• 3.6m for studio and 1 bedroom apartments • 4m for 2 and 3 bedroom apartments 4. The width of cross-over or cross-through apartments are at least 4m internally to avoid deep narrow apartment layouts	***Compliant***
4E Private Open Space and Balconies			
Objective 4E-1 Apartments provide appropriately sized private open space and balconies to enhance residential amenity	**Design criteria** 1. All apartments are required to have primary balconies as follows: ○ Minimum area – 12m^2 ○ Minimum depth – 2.4m The minimum balcony depth to be counted as contributing to the balcony area is 1m 2. For apartments at ground level or on a podium or similar structure, a private open space is provided instead of a balcony. It must have a minimum area of 15m^2 and a minimum depth of 3m	***Compliant*** ***Compliant***	
Objective 4E-2 Primary private open space and balconies are appropriately located to enhance liveability for residents	***Compliant*** – *The design provides for a direct link to Bedrooms & Living Area*		
Objective 4E-3 Private open space and balcony design is integrated into and contributes to the overall architectural form and detail of the building	***Compliant*** - *It is the expression of form and façade articulation.*		

Objective 4E-4 Private open space and balcony design maximises safety	***Compliant -*** *NCC compliant balustrades are proposed.*	
4F Common circulation and spaces		
Objective 4F-1 Common circulation spaces achieve good amenity and properly service the number of apartments	**Design criteria** 1. The maximum number of apartments off a circulation core on a single level is eight 2. For buildings of 10 storeys and over, the maximum number of apartments sharing a single lift is 40	***Compliant*** ***N/A***
Objective 4F-2 Common circulation spaces promote safety and provide for social interaction between residents	***N/A*** *–The design of the common entry/terrace areas provides for opportunities for social interaction between residents whilst its open nature and location provides for high levels of surveillance and security.*	
4G Storage		
Objective 4G-1 Adequate, well designed storage is provided in each apartment	**Design criteria** In addition to storage in kitchens, bathrooms and bedrooms, the following storage is provided: • $10m^2$ At least 50% of the required storage is to be located within the apartment	***Compliant***
Objective 4G-2 Additional storage is conveniently located, accessible and nominated for individual apartments	***Compliant -*** *significant areas available in the carparking level to accommodate additional storage for each unit.*	

4H Acoustic privacy	
Objective 4H-1 Noise transfer is minimised through the siting of buildings and building layout	***Compliant** – there are no opposing openings, i.e. parallel unit arrangement.* *The residential units have been designed to comply with the noise transmission requirements of the NCC.*
Objective 4H-2 Noise impacts are mitigated within apartments through layout and acoustic treatments	***Compliant –** The design of the units minimizes the interface between non habitable areas and habitable areas.*
4J Noise and pollution	
Objective 4J-1 In noisy or hostile environments the impacts of external noise and pollution are minimised through the careful siting and layout of buildings	***N/A** – the location is not considered to be a noisy or hostile environment.*
Objective 4J-2 Appropriate noise shielding or attenuation techniques for the building design, construction and choice of materials are used to mitigate noise transmission	***Compliant-** Building construction techniques and choices of materials are used to mitigate noise transmission.*
4K Apartment mix	
Objective 4K-1 A range of apartment types and sizes is provided to cater for different household types now and into the future	***Compliant** - the proposed development provides for three 2 x bed units and twelve 3 x bed units which provides for variation in size and layout. Given that the overall development is integrated compliance is achieved.*
Objective 4K-2 The apartment mix is distributed to suitable locations within the building	***Compliant** – refer to comments above.*
4L Ground floor apartments	
Objective 4L-1	***N/A** – the design of the proposed development and its spatial relationship and context with*

Street frontage activity is maximised where ground floor apartments are located	*Drew Close provides that street frontage activity is not relevant*
Objective 4L-2 Design of ground floor apartments delivers amenity and safety for residents	***Compliant*** *– the design of the proposed development provides that the amenity and safety of the residents of ground floor apartments is protected.*
4M Facades	
Objective 4M-1 Building facades provide visual interest along the street while respecting the character of the local area	***Compliant*** *- Non repetitive levels and dissimilar to adjoining developments.* *The building façade is a decorative pattern that will explain to the spectator that the floor levels are similar and thereby indicate uniformity with the development on the north and west whilst not being a repetition. The use of a dominant form/element will give the buildings some individuality whilst it provides for buildings of similar function and doesn't add the perception of more repetitive building mass.* *The façade treatment will retain the base, middle and top effect. The form of the southern and eastern façades is less articulated but still incorporates massing that defines the base, middle and top of each of the buildings.* *Windows and openings to the north are proposed to be generally full height to maximise ventilation and sun access.* *The building facades provide visual interest whilst respecting the character of the local area.*
Objective 4M-2 Building functions are expressed by the facade	***Compliant*** *- Clearly residential development.* *The building facades provides visual interest whilst respecting the residential character of the local area.*
4N Roof design	
Objective 4N-1 Roof treatments are integrated into the building design and	***N/A*** *– No roof treatments proposed.*

positively respond to the street	
Objective 4N-2 Opportunities to use roof space for residential accommodation and open space are maximised	***N/A*** *– No roof top terraces proposed.*
Objective 4N-3 Roof design incorporates sustainability features	***Compliant*** *- Solar panels are proposed.*
4O Landscape design	
Objective 4O-1 Landscape design is viable and sustainable	***Compliant*** *- The subject site does not have any native vegetation.* *New landscaping will be incorporated into the development.* *The landscaping will be designed to be in scale with the buildings, improve the privacy of the residential flats, relate to the building forms, add to the amenity of the balconies/terraces by screening excessive sun and generally soften the buildings.* *The landscaping will comply with the requirements of port Macquarie Hastings Councils DCP 2013.*
Objective 4O-2 Landscape design contributes to the streetscape and amenity	***Compliant*** *– refer to comments above.*
4P Planting on structures	
Objective 4P-1 Appropriate soil profiles are provided	***Compliant*** *– refer to comments in above section.* *Building design provides for landscaping to be incorporated into design.*
Objective 4P-2 Plant growth is optimised with appropriate selection and maintenance	***Compliant*** *– refer to comments in above section.*
Objective 4P-3 Planting on structures contributes to the quality and amenity of communal and public open spaces	***Compliant*** *– refer to comments in above section.* *Building design provides for landscaping to be incorporated into design.*

4Q Universal design	
Objective 4Q-1 Universal design features are included in apartment design to promote flexible housing for all community members	***Compliant*** *- Suitable for long term residential accommodation.* *Open plan design provides for various levels of mobility and adaptation for where mobility impairment requires adaption of fixtures and facilities.*
Objective 4Q-2 A variety of apartments with adaptable designs are provided	***Compliant*** *- Variety provided in the context of similar developments in the immediate precinct. Variation in design provided. Design provides for:* • *high level of solar access;* • *minimal structural change and residential amenity loss if adapted;* • *additional car parking spaces for accessibility*
Objective 4Q-3 Apartment layouts are flexible and accommodate a range of lifestyle needs	***Compliant*** *- 3 x two bedroom apartments and 12 x three bedroom apartment provides flexibility and accommodates a range of lifestyle needs lettable options.* *Design provides for:* • *rooms with multiple functions* • *master bedroom apartments with separate bathrooms* • *larger apartments with various living space options*
4R Adaptive reuse	
Objective 4R-1 New additions to existing buildings are contemporary and complementary and enhance an area's identity and sense of place	***N/A***
Objective 4R-2 Adapted buildings provide residential amenity while not precluding future adaptive reuse	***N/A***

4S Mixed use	
Objective 4S-1 Mixed use developments are provided in appropriate locations and provide active street frontages that encourage pedestrian movement	***N/A***
Objective 4S-2 Residential levels of the building are integrated within the development, and safety and amenity is maximised for residents	***N/A***
4T Awnings and signage	
Objective 4T-1 Awnings are well located and complement and integrate with the building design	***N/A***
Objective 4T-2 Signage responds to the context and desired streetscape character	***N/A***
4U Energy efficiency	
Objective 4U-1 Development incorporates passive environmental design	***Compliant*** *- refer to BASIX assessment.*
Objective 4U-2 Development incorporates passive solar design to optimise heat storage in winter and reduce heat transfer in summer	***Compliant*** *- refer to BASIX assessment.*
Objective 4U-3 Adequate natural ventilation minimises the need for mechanical ventilation	***Compliant*** *- refer to BASIX assessment. Significant areas of openable windows and doors have been provided to all habitable rooms. Natural ventilation of habitable rooms is compliant with the requirements of the NCC.*
4V Water management and conservation	
Objective 4V-1 Potable water use is minimised	***N/A***

Objective 4V-2 Urban stormwater is treated on site before being discharged to receiving waters	***Compliant*** *- Stormwater Retention system to be incorporated into proposed development.*
Objective 4V-3 Flood management systems are integrated into site design	***N/A***
4W Waste management	
Objective 4W-1 Waste storage facilities are designed to minimise impacts on the streetscape, building entry and amenity of residents	***Compliant*** *- a waste storage area has been provided on the ground floor level of the proposed development adjacent to the site entry.* *Providing the waste storage area on the ground floor area ensures that the facilities are easily accessible to all occupants.* *The ground floor location also provides for ease of servicing.*
Objective 4W-2 Domestic waste is minimised by providing safe and convenient source separation and recycling	***Compliant*** *- via Domestic waste removal service using the source separated 'coloured bin' system.* *Design provides for;* • *waste and recycling to be convenient and accessible;* • *residential waste and recycling storage areas and access are separate and secure.*
4X Building maintenance	
Objective 4X-1 Building design detail provides protection from weathering	***Compliant*** *– the building design provides for;* • *balcony (roof) overhangs to protect walls (north and southern elevations);* • *detailing horizontal edges with drip lines to avoid staining of surfaces;* • *use of waterproof membranes to minimize planter box leaching;* • *appropriate design and material selection*

Objective 4X-2 Systems and access enable ease of maintenance	***Compliant*** *- access to roof available to enable servicing/maintenance. North and south balconies make glass accessible for cleaning and maintenance.* *High levels of access to internal fixtures/fittings/services and plant available through good design and construction practices.*
Objective 4X-3 Material selection reduces ongoing maintenance costs	***Compliant*** *- the building has been designed with architectural, construction details and material selections which provide protection from weathering; and which have been selected in consideration of ongoing maintenance requirements.* *The use of face brickwork, glass, clear anodised and prefinished aluminium incorporated specifically to reduce ongoing maintenance requirements and costs.*

DAVID PENSINI
Building Certification and
Environmental Services

BUSHFIRE HAZARD ASSESSMENT

PROPOSED RESIDENTIAL FLAT BUILDING INCORPORATING STRATA TITLE SUBDIVISION

LOT 1 DP 1007734, 5 DREW CLOSE PORT MACQUARIE

CLIENT:
DREW CLOSE DEVELOPMENTS PTY LTD

AUGUST 2019

3 Blair Street, Port Macquarie NSW 2444 – PO Box 5581, Port Macquarie NSW 2444 – Phone 0434 166 150 – Email kdpensini@bigpond.com
ABN 55 183 050 741

This report has been prepared by David Pensini - Building Certification and Environmental Services with all reasonable skill, care and diligence for Lloyd Coastal Property P/L.

The information contained in this report has been gathered from discussions with representatives of Lloyd Coastal Property P/L, a review of the plans provided by Lloyd Coastal Property P/L.

No inspection or assessment has been undertaken on other aspects of the proposed development outside the scope of this report.

This report does not imply, nor should it be implied, that the proposed building design will comply fully with relevant legislation.

The report shall not be construed as relieving any other party of their responsibilities or obligations.

David Pensini - Building Certification and Environmental Services disclaims any responsibility to Lloyd Coastal Property P/L and others in respect of any matters outside the scope of this report.

The report is confidential, and the writer accepts no responsibility of whatsoever nature, to third parties who use this report, or part thereof is made known. Any such party relies on this report at their own risk.

For and on behalf of David Pensini - Building Certification and Environmental Services.

Prepared by: *David Pensini*

Signed:

Dated: *12th August 2019*

Version	Date	Information relating to report			
1.0	6th August 2019		Draft		
2.0	12th August 2019		Issued to Client		
			Prepared by	**Verified by**	**Approved by**
		Name	David Pensini		David Pensini
		Signature			

Table of Contents

1.0 INTRODUCTION

The single lot which comprises the subject site is currently known as Lot 1 DP 1007734, 5 Drew Close, Port Macquarie.

It is proposed to construct a residential flat building development on the subject site which contains fifteen (15) residential units. It is also proposed to subdivide the subject lot so as to create fifteen (15) separate Strata Title lots which will enable the separate ownership and occupation of each of the residential units.

The report is based on a site assessment carried out on 8th August 2019.

This report is to demonstrate that the bushfire risk is manageable for the proposed residential flat building development and associated Strata Title subdivision and to determine the bushfire protection management measures which would be applicable to the subject site and proposed residential flat building development.

The development is an integrated development and has a requirement for a Bush Fire Safety Authority under Section 100B of the *Rural Fires Act 1997*.

NOTE

The report has been prepared with all reasonable skill, care and diligence.

The information contained in this report has been gathered from field survey, experience and has been completed in consideration of the following legislation.

1. Rural Fires Act 1997.
2. Environmental Planning and Assessment Act 1979.
3. Building Code of Australia.
4. Council Local Environment Plans and Development Control Plans where applicable.
5. NSW Rural Fire Services, Planning for Bushfire Protection, 2006.
6. AS 3959 - 2009 Construction of Buildings in Bushfire Prone Areas.
7. AS 3959 - 2018 Construction of Buildings in Bushfire Prone Areas

The report recognizes the fact that no property and lives can be guaranteed to survive a bushfire attack. The report examines ways the risk of bushfire attack can be reduced where the site falls within the scope of the legislation.

The report is confidential, and the writer accepts no responsibility of whatsoever nature, to third parties who use this report or part thereof is made known. Any such party relies on this report at their own risk.

This report has been based upon the vegetation characteristics observed at the time of site inspection. No responsibility is taken where the vegetation characteristics of the subject site or surrounding areas is changed or modified beyond that which is presented within this report.

1.1 Objectives

The objectives of this report are to:

- Ensure that the proposed residential flat development of the subject site has measures sufficient to minimize the impact of bushfires; and
- Reduce the risk to property and the community from bushfire.

1.2 Legislative Framework

On 1st August 2002 the Environmental Planning and Assessment Act, 1979, and the Rural Fires Act, 1997, were both amended to enhance bush fire protection in NSW through the development assessment process.

In broad terms, the planning considerations provide two main steps. These involve:

(i) Strategic Planning through;

- the mapping of bush fire prone;
- determining suitable bush fire requirements during the preparation of a Local Environmental Plan/Development Control Plan; and
- the identification of the extent to which land is bushfire prone.

(ii) Development assessment through;

- obtaining a bush fire safety authority for residential or rural-residential subdivision and special fire protection purpose developments in bushfire prone areas from the Rural Fire Service (RFS); and

- seeking advice from the RFS in relation to infill and other developments in bushfire prone areas that cannot comply with the requirements of NSW Rural Fire Service, ***Planning for Bushfire Protection***, 2006; and

- the application of additional requirements of the Building Code of Australia (BCA) in relation to construction standards for Class 1, 2, 3, 4 and some Class 9 buildings in bushfire prone areas.

It is noted that this report focuses upon the development assessment processes associated with the proposed residential flat building development on the subject site which includes the Strata Title subdivision of each of the proposed residential apartments. In this regard the proposed development is an integrated development and has a requirement for a Bush Fire Safety Authority under Section 100B of the *Rural Fires Act 1997*.

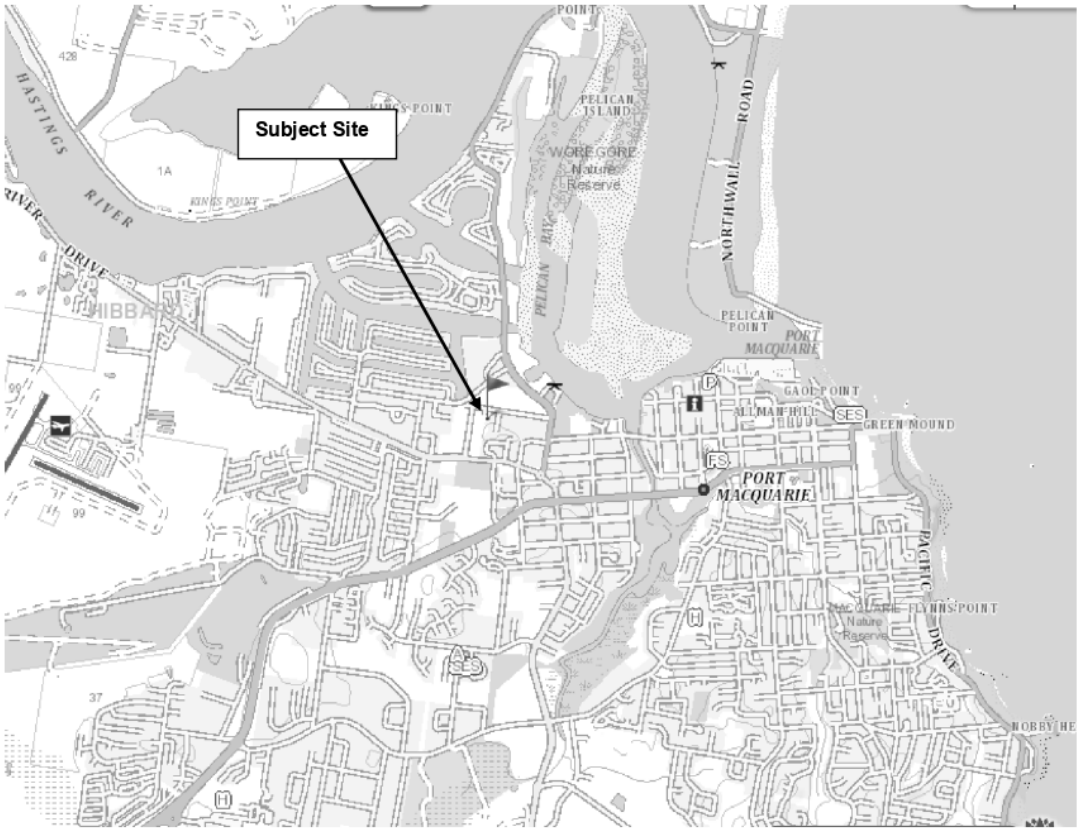
As per the NSW Rural Fire Service's Fast Fact of 01/10 all development on bushfire prone land in NSW should comply with the requirements of Addendum Appendix 3 and the other bushfire protection measures identified within Rural Fire Services, ***Planning for Bushfire Protection***, 2006.

This report therefore examines the relevant provisions of NSW Rural Fire Services, ***Planning for Bushfire Protection***, 2006 to determine the bushfire protection measures required to be implemented in conjunction with the residential flat building development on the subject site.

1.3 Location and Site Description

The subject site is located on the western fringe of the West Port Macquarie area. It is within easy walking distance to the services and facilities located within the CBD as well as Town Beach and the Hastings River, refer to **Figure 1.**

Figure 1 – Site Location



The subject site is also in proximity to a range of community/recreational facilities including entertainment venues and sporting and recreational facilities.

The area is characterized by a mix of commercial and residential development which reflects the subject sites CBD fringe location. The locality contains a range of residential development including older multistory and low-density residential flat and unit developments. The age of existing building infrastructure is mixed with more recent developments, (i.e. <5 years old), intermingled with historical developments which are in excess of 40 – 50 years old.

The character of the immediate locality, particularly to the north and east is dominated by larger low-density residential developments which are generally up to two (2) storey in bulk and scale. The western aspect of the subject site is dominated by a large parcel of land which supports the activities of the Local Aboriginal Lands Council before a transition to a mixture of open space, residential, recreational and commercial development. A residential allotment adjoins immediately to the south of the subject site before a transition to the parcel of land which extends from the west into the southern aspect. A large disused quarry is present in the southern aspect beyond the immediately adjoining residential allotment.

The subject site comprises one (1) Torrens Title lot and is irregular in shape with a total site area of approximately 1684.4m^2. It has a narrow frontage to Drew Close in the western portion of its northern boundary with Drew Close acting as the access to the subject site, refer to **Figure 2**.

Figure 2 – Subject Site

The topography of the subject site is dominated by a small hill/ridgeline the crest of which is located to the southeast of the subject site. Being located on the northwestern side slopes of the hill/ridgeline slope conditions over the subject site are dominated by moderate to steep south to north downslopes in the southern and eastern portions of the subject site with slope conditions becoming gentle in the far northern and northwestern portions of the subject site. A moderate to steep east to west cross fall is also present. The subject site has approximately 13m fall from southeast to the northwest. The topography of adjoining and adjacent land contains moderate to steep south to north down slopes with a westerly cross-fall. Topographic conditions in the locality generally flatten to the north and west of the subject site. The topography to the south of the subject site contains upslope conditions before vertical transition to flat conditions before a return to southerly upslope conditions. The vertical slope transition reflects the presence of an abandoned 'hard rock' quarry which involved the easterly excavation into the hill/ridgeline which is the dominant topographic feature in the area.

The subject site does not have any significant vegetation with some grasses and exotic regrowth being the predominant vegetation on the subject site. Managed garden areas are present within adjoining and adjacent developed residential lots whilst managed vegetation and an area of remnant Forested Wetland are the predominant vegetation on adjoining land to the west. It is noted that vegetation in the southern aspect is limited by the presence of rock outcrops in this aspect.

Access to the subject site is gained off Drew Close which adjoins the subject site along the far western portion of its northern boundary and connects with Walters Street to the north which is a connecting road in the locality.

The nearest Fire Service is in Port Macquarie, (Port Macquarie NSW Fire Brigade), and the nearest fire control centre is located in Wauchope.

1.4 Site History

The subject site currently vacant of any improvements.

Subject site – looking from the northwest towards the southeast

The subject site forms part of a historical subdivision with the majority of lots within the locality being developed for a mix of residential, commercial, and educational purposes.

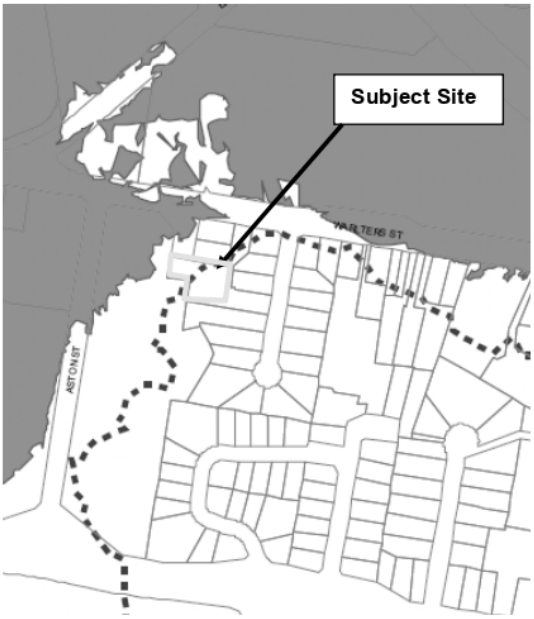
The subject site is zoned Medium Density Residential (R3). Land with a Medium Density Residential (R3) zoning is also present to the north, east and south whilst land with a Private Recreation (RE2) zoning is present to the west and at distance to the south, refer to **Figure 3**.

Figure 3 – Land Use Zoning

The environmental and heritage features of the subject site are summarized as follows;

Table 1 – Environmental and Heritage Features

ENVIRONMENTAL/HERITAGE FEATURE	COMMENT
Riparian corridors	There are no riparian corridors on or adjacent to the subject site.
SEPP (Coastal Management) 2018	The subject site is subject to the SEPP. It is noted that whilst the subject site is not identified as being within the Littoral Rainforests Area or Coastal Vulnerability Area, it is shown to be located within the Coastal Wetland, Coastal Use and Coastal Environment Areas.
SEPP 44 – Koala Habitat	The site of the proposed development does not contain any vegetation of Koala Habitat significance.
Areas of geological interest	The subject site is not identified as being subject to

	acid sulphate soil conditions.
Environmental protection zones	The subject site does not contain any land or area with an environmental protection zoning or classification.
Land slip	It is noted that the subject site does not involve areas where land slip is considered to be an issue for the subject site or proposed development.
Flood prone land	The north-western portion of the subject site is identified as being within the probable maximum flood level and is therefore subject to compliance with the flood planning area provisions of Port Macquarie-Hastings Councils LEP, 2011, refer to below figure.  Due to the topography of the subject site and the positioning of the built form on the subject site the proposed development will be located to the east of the eastern most extent of the Level of Probable Maximum Flood and accordingly there will be no specific flood impact considerations for the proposed development.
National Park Estate or other Reserves	The subject site does not form part of the National Park Estate or other Reserves.
Threatened species, populations, endangered ecological communities and critical habitat	Threatened species, populations, endangered ecological communities and critical habitat are unlikely to be present in the area of the proposed development.
Aboriginal Heritage	Items of aboriginal heritage are unlikely to be present on the subject site due to the landform alteration which has occurred over time.

1.5 Development Proposal

The proposed residential flat building development provides for fifteen (15) residential units comprising three (3) x 2-bedroom units and twelve (12) x 3-bedroom units with dedicated car parking by way of designated car parking areas within the proposed development.

The proposed development includes the construction of two separate residential flat buildings with shared access, carparking and recreational facilities. It is noted that the design of the building's provides for a step-in bulk and scale in response to changes in topographic conditions with the buildings providing for a maximum five (5) storey outcome in response to the sites northwesterly downslope condition. The northern most built form is five (5) storey's whilst the southernmost building is four (4) storey's in design, refer to **Appendix 1**.

The floor areas of the proposed residential units, (including perimeter walls), are as follows;

- Unit 101 – 135.07m^2
- Unit 201 – 135.75m^2
- Unit 202 - 101.52m^2
- Unit 203 - 126.97m^2
- Unit 301 - 135.75m^2
- Unit 302 - 101.52m^2
- Unit 303 - 126.97m^2
- Unit 304 - 142.31m^2
- Unit 401 - 135.75m^2
- Unit 402 - 101.52m^2
- Unit 403 - 126.97m^2
- Unit 404 - 152.11m^2
- Unit 501 - 120.45m^2
- Unit 502 - 147.50m^2
- Unit 601 - 141.62m^2

Building parking infrastructure, (vehicle), will occupy the ground floor of the northern built form with a mixture of carparking, pedestrian access and a residential unit occupying the first-floor level. The remaining fourteen (14) residential units and recreation facilities, (common gymnasium, pool and BBQ areas), are spread amongst the remaining levels of the proposed buildings.

Access to the proposed development will be gained off Drew Close which adjoins the subject site along the far western portion of its northern boundary and connects with Walters Street to the north which is a connecting road in the locality. Onsite car parking and manoeuvring will be accessed by an internal road which will connect directly with Drew Close.

1.6 Fauna and Flora Issues

A fauna and flora evaluation has not been undertaken in conjunction with this bushfire hazard assessment and as such issues pertaining to fauna and flora are outside the scope of this report.

2.0 BUSHFIRE HAZARD ASSESSMENT

2.1 Assessment Methodology

Several factors need to be considered in determining the bushfire hazard for the subject site. These factors are slope, vegetation type, and distance from hazard, access/egress and fire weather. Each of these factors has been reviewed in determining the bushfire protection measures which are applicable to the subject site and proposed development.

An assessment of the slopes and vegetation structures on and surrounding the subject site was carried out by David Pensini - Building Certification and Environmental Services on 8th August 2019.

The assessment of slope and vegetation being carried out in accordance with Appendix 2 of NSW Rural Fire Service, ***Planning for Bushfire Protection***, 2006, Section 2 of AS 3959 – 2009 and Section 2 of AS 3959 – 2018.

2.2 Hazard Vegetation

Bushfire Prone Land Risk Mapping of the area provides that the subject site is located within the 100m buffer zone to Category 1 vegetation which is located at distance to the south of the subject site. The subject site is also located within the 30m buffer zone to an area of Category 2 bushfire hazard vegetation located on adjoining land to northwest of the subject site; refer to **Figure 4**.

Figure 4 - Bushfire Prone Land Mapping

The inspection of the subject site confirmed the presence of the hazard vegetation to the south and northwest of the subject site with the spatial relationships of hazard vegetation shown in the above mapping being confirmed as being representative of actual conditions.

Importantly the hazard vegetation which is shown to be present to the northwest has been classified as Category 2 vegetation and as such a 30m buffer zone is applicable to this area of vegetation. The adoption of a Category 2 classification needs to be considered in the development of threat management strategies which are applicable to the development of the subject site as the adoption of this category of vegetation indicates a lessor bushfire risk profile for the subject vegetation. The level of risk indicated by a Category 2 classification is also important in the context of development implications for other properties in the locality.

2.3 Slope Assessment

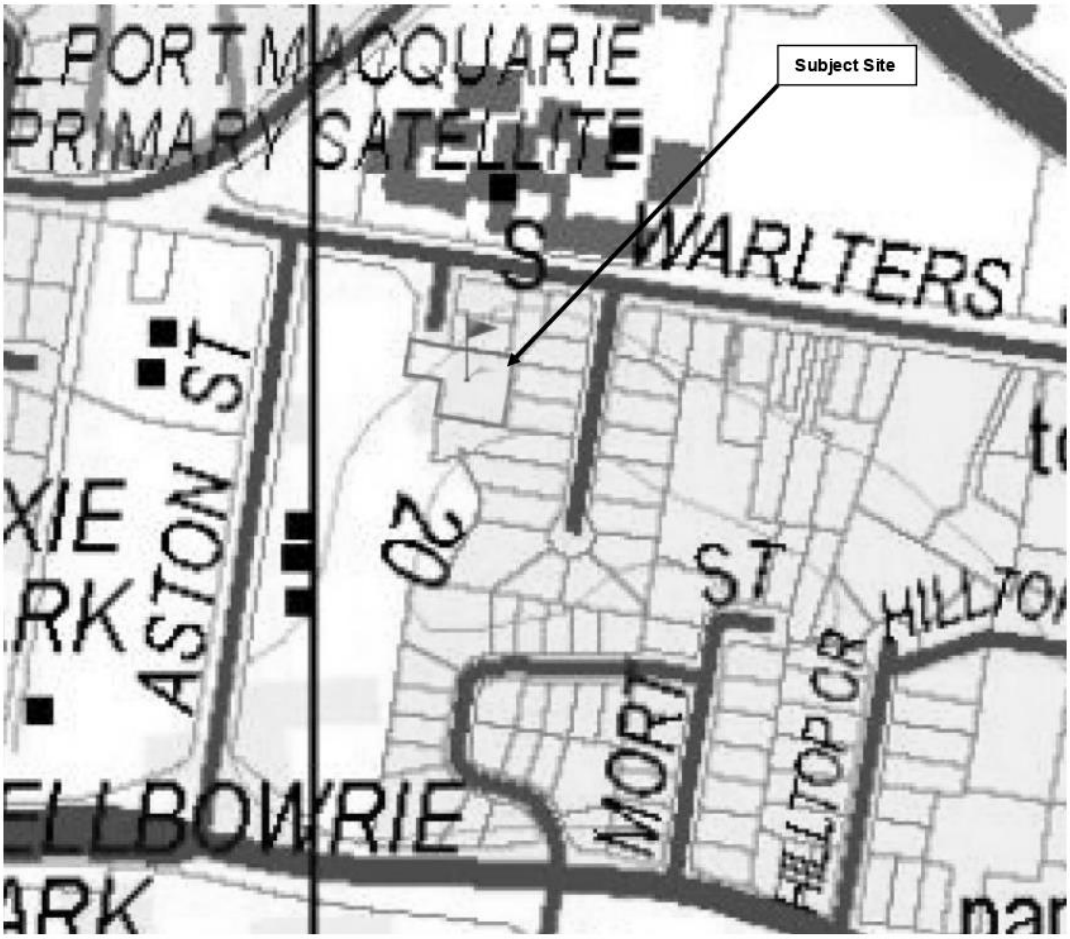
Slope is a major factor to consider when assessing the bushfire hazard of the proposed subdivision. Therefore, the slope of the subject site and surrounding area, (to a distance of 100m), was measured using a Suunto PM-5/360 PC Clinometer.

The hazard vegetation on the subject site and adjacent and adjoining land was identified and the slopes within the vegetation measured.

The topography of the subject site is dominated by a small hill/ridgeline the crest of which is located to the southeast of the subject site. Being located on the northwestern side slopes of the hill/ridgeline slope conditions over the subject site are dominated by moderate to steep south to north downslopes in the southern and eastern portions of the subject site with slope conditions becoming gentle in the far northern and northwestern portions of the subject site. A moderate to steep east to west cross fall is also present. The subject site has approximately 13m fall from southeast to the northwest. The topography of adjoining and adjacent land contains moderate to steep south to north down slopes with a westerly cross-fall. Topographic conditions in the locality generally flatten to the north and west of the subject site. The topography to the south of the subject site contains upslope conditions before vertical transition to flat conditions before a return to southerly upslope conditions. The vertical slope transition reflects the presence of an abandoned 'hard rock' quarry which involved the easterly excavation into the hill/ridgeline which is the dominant topographic feature in the area.

The topographic features of the subject site and adjoining land are shown in **Figure 5** below;

Figure 5 – Topographic Features



Given the nature of the proposed development, the determination of slope conditions was focussed upon identifying the worst-case slope conditions which would be relevant to bushfire attack for the proposed development.

Therefore, the following table indicates the worst-case slopes which have been adopted for the purposes of this bushfire hazard assessment.

Table 2 – Hazard Vegetation Slopes

HAZARD	SLOPE RANGE	UPSLOPE/DOWN SLOPE
Northwest	0˚	Flat
South	8˚ - 9˚	Downslope

***Note: In accordance with NSW Rural Fire Services, Planning for Bushfire Protection, 2006, AS3959 – 2009 all upslope vegetation is considered to be 0˚.**

All the above slopes were considered when assessing the required Asset Protection Zones and Bushfire Attack Levels for the proposed residential flat building development.

2.4 Vegetation Assessment

The vegetation on and surrounding the subject site was assessed over a distance of 140m from the proposed development.

The vegetation formations were classified using the system adopted as per Keith (2004) and in accordance with Appendix 3 of NSW Rural Fire Service, ***Planning for Bushfire Protection***, 2006 and Table 2.3 of AS 3959 - 2009.

2.4.1 Vegetation within Subject Site

The subject site currently contains exposed earth, rock outcrops, grasses and exotic species.

Grasslands and exotics over the subject site

Grasslands and exotics over the subject site

Given the nature of the proposed development no areas of hazard vegetation will be present on the subject site.

2.4.2 Vegetation on Adjoining and Adjacent Land to Subject Site

Managed vegetation and including scattered and clusters of trees and landscaping associated with developed residential and commercial allotments dominate the vegetation characteristics to the north and east of the subject site. Accordingly, no areas of bushfire hazard vegetation were identified within 140m to the north or east of the subject site.

Existing residential development to the north of the subject site

Existing residential development to the east of the subject site

A residential allotment with managed vegetation and significant rock outcrops is present immediately to the south of the subject site before a transition to landscaping and managed grasslands with scattered and clusters of trees within a large parcel of land which supports the cultural and administrative functions of the Local Aboriginal Lands Council. It is noted that this

aspect includes significant vertical rock walls which have been created via the operation of an historic 'hard rock' quarry on the land. Given the shear nature of the quarry excavation no areas of hazard vegetation were assessed as being present.

Vertical quarry excavation to the south of the subject site

It is however noted that to the south of the historic 'hard rock' quarry is an area of Wet Sclerophyll Forest. Whilst this area of Forest vegetation is small in size, fragmented and isolated from other areas of hazard vegetation in adopting a conservative approach to bushfire hazard assessment a Wet Sclerophyll Forest specification has been adopted for the hazard vegetation in the southern aspect. It is noted that due to the topography of the subject site and the presence of the historic 'hard rock' quarry excavation to the south of the subject site, the proposed development is shielded from the Forest vegetation in the southern aspect.

Wet Sclerophyll Forest vegetation at distance to the south of the subject site

Land to the west of the subject site contains a mixture of managed vegetation with scattered and clusters of trees in the active use areas of the large parcel of land which supports the

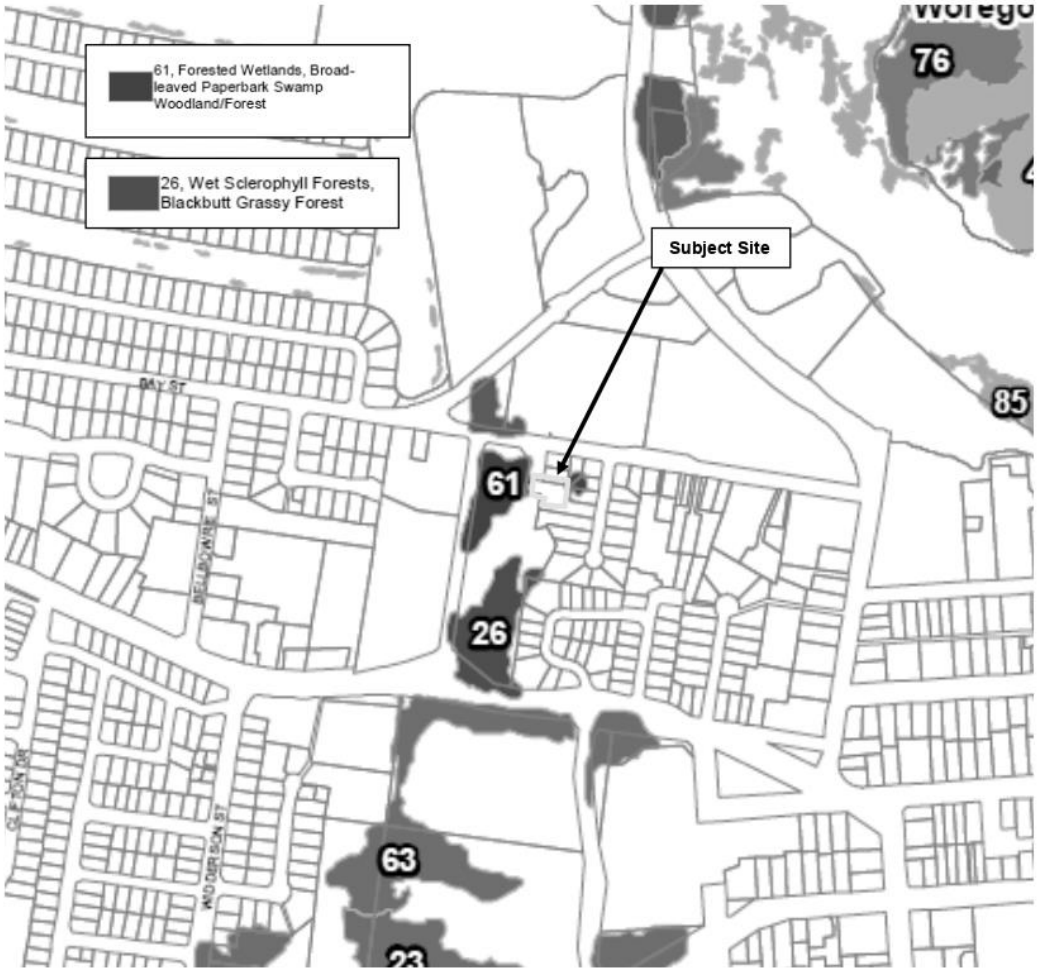
cultural and administrative functions of the Local Aboriginal Lands Council however in the far northern portion of this parcel of land is a small area of remnant Forested Wetland. Given its small size and its isolation from other areas of bushfire hazard vegetation in the locality a specification similar to Rainforest has been adopted for the remnant Forested Wetland. It is further noted that the remnant Forested Wetland is separated from the subject site by approximately 5m wide strip of managed grassland.

Managed vegetation to west of the subject site in and around active use areas by the Local Aboriginal Lands Council

Fragmented and highly disturbed remnants of Forested Wetland vegetation to the northwest of the subject site

The identification of vegetation of bushfire hazard significance to the subject site is consistent with the vegetation mapping of the area which was carried out by Port Macquarie-Hastings Council in 2013; refer to **Figure 6** below;

Figure 6 - Vegetation Relationships to Subject Site



The following table summarizes the worst-case vegetation structures which are of bushfire significance and have been adopted for the purposes of this report.

Table 3 – Summary of Vegetation Characteristics

ASPECT	VEGETATION DESCRIPTION	VEGETATION CLASSIFICATION – (Keith, 2004)	VEGETATION CLASSIFICATION – (AS3959 - 2009) **
Northwest	Remnant and highly disturbed areas of Forested Wetland within adjoining land	Similar in specification to Rainforest	Rainforest
South	Wet Sclerophyll Forest to the south of the historic 'hard rock' quarry	Wet Sclerophyll Forest	Forest

** Refer to Appendix 3 of NSW Rural Fire Services, ***Planning for Bushfire Protection***, 2006.

2.5 Fire Danger Index

The fire weather for the site is assumed on the worst-case scenario. In accordance with NSW Rural Fire Services, ***Planning for Bushfire Protection***, 2006, Table 2.1 of AS 3959 – 2009 and Table 2.1 of AS 3959 - 2018, the fire weather for the site is based upon the 1:50 year fire weather scenario and has a Fire Danger Index (FDI) of 80.

3.0 BUSHFIRE THREAT REDUCTION MEASURES

The following bushfire issues and constraints have been identified through considering the requirements of NSW Rural Fire Service, ***Planning for Bushfire Protection***, 2006 in relation to the proposed development.

In order to reduce the bushfire threat, it is suggested the following measures be included in any strategy developed for the proposed residential flat building development.

3.1 NSW Rural Fire Services, Planning for Bushfire Protection, 2006

3.1.1 Asset Protection Zones

To ensure that the aims and objectives of NSW Rural Fire Service, ***Planning for Bushfire Protection***, 2006 are achieved for the proposed residential subdivision, an Asset Protection Zone (APZ) between the asset and the hazard should be provided.

The APZ provides for; minimal separation for safe firefighting, reduced radiant heat, reduced influence of convection driven winds, reduced ember viability and dispersal of smoke. The APZ consists of an Inner Protection Area (IPA) and Outer Protection Area (OPA). The IPA is an area closest to the buildings that incorporates defendable space and is used for managing heat intensities at the building surface. The OPA is positioned adjacent to the hazard and the purpose of the OPA is to reduce the potential length of flame by slowing the rate of spread, filtering embers and suppressing the crown fire.

Section 4.1.3 of NSW Rural Fire Service**, *Planning for Bushfire Protection***, 2006 provides the performance requirements and acceptable solutions that must be complied with in relation to the provision of APZ's for the proposed residential flat building development. These requirements are summarized as follows;

Table 4 - APZ Requirements (PfBP 2006)

Intent of measures: to provide sufficient space and maintain reduced fuel loads, so as to ensure radiant heat levels at buildings are below critical limits and to prevent direct flame contact with a building.	
Performance Criteria	**Acceptable Solutions**
The intent may be achieved where:	
• radiant heat levels at any point on a proposed building will not exceed 29 kW/m^2	• an APZ is provided in accordance with the relevant tables/ figures in Appendix 2 of NSWRFS Planning for Bushfire Protection 2006 • the APZ is wholly within the boundaries of the development site. Exceptional circumstances may apply (see section 3.3 of NSWRFS Planning for Bushfire Protection 2006)
• APZs are managed and maintained to prevent the spread of a fire towards the building.	• in accordance with the requirements of Standards for Asset Protection Zones (RFS, 2005) *Note: A Monitoring and Fuel Management Program should be required as a condition of development consent.*

• APZ maintenance is practical, soil stability is not compromised and the potential for crown fires is negated	• the APZ is located on lands with slopes less than 18 degrees.

The following table indicates the minimum required APZ's between bushfire hazards and the proposed residential flat building development based upon the vegetation and slope characteristics provided for in Section 2 of this report.

Table 5 - Asset Protection Zone Requirements (PfBP 2006)

DIRECTION OF HAZARD	VEGETATION TYPE	SLOPE	IPA	OPA	TOTAL APZ	MINIMUM APZ ACHIEVEABLE	COMPLIANCE (with Minimum APZ Requirements)
Northwest	Similar in specification to Rainforest	0˚ Flat	10m	-	10m	>15m	✔
South	Wet Sclerophyll Forest	8˚ - 9˚ Down slope	18m	15m	33m	>70m**	✔

***Note: APZ includes subject site, adjoining residential properties and the managed vegetation within the private recreation open space area (including disused quarry).**

It is therefore considered that appropriate APZ's are available for the proposed residential flat building development having regard to the proposed new lot shapes and sizes.

It is therefore considered that suitable APZ's will be available for the proposed residential flat building development. Compliance with the APZ requirements of NSW Rural Fire Service, ***Planning for Bushfire Protection***, 2006 is demonstrated as follows;

Table 6 – Compliance with PfBP 2006 APZ Requirements

Intent of measures: to provide sufficient space and maintain reduced fuel loads, so as to ensure radiant heat levels at buildings are below critical limits and to prevent direct flame contact with a building.		
Performance Criteria	**Acceptable Solutions**	**Compliance**
The intent may be achieved where:		
• radiant heat levels at any point on a proposed building will not exceed 29 kW/m^2	• an APZ is provided in accordance with the relevant tables/ figures in Appendix 2 of NSW RFS Planning for Bushfire Protection 2006 • the APZ is wholly within the boundaries of the development site. Exceptional circumstances may apply (see section 3.3 of NSWRFS Planning for Bushfire Protection 2006)	✔ APZ's can be provided in accordance with Appendix 2 of NSW RFS Planning for Bushfire Protection 2006.
• APZs are managed and maintained to prevent the spread of a fire towards the building.	• in accordance with the requirements of Standards for Asset Protection Zones (RFS, 2005) *Note: A Monitoring and Fuel Management Program should be required as a condition of development consent.*	✔ APZ's can be managed and maintained in accordance with the requirements of Standards for Asset Protection Zones (RFS, 2005).
• APZ maintenance is practical, soil stability is not compromised and the potential for crown fires is negated	• the APZ is located on lands with a slope less than 18 degree.	✔ All APZ's will be located on land with a slope less than 18 degree.

A concept plan for the provision of APZ's to the proposed residential flat building development is included as **Appendix 2**.

3.1.2 Defendable Space/Asset Protection Zone Management

Areas identified as forming part of the minimum APZ requirements for the proposed residential flat building development must be managed so as to comply with the standards which are applicable to Asset Protection Zones as follows;

Inner Protection Area (IPA)

An IPA should provide a tree canopy cover of less than 15% and should be located greater than 2 metres from any part of the roofline of a dwelling.

Garden beds of flammable shrubs are not to be located under trees and should be no closer than 10m from an exposed window or door.

Trees should have lower limbs removed up to a height of 2 metres above the ground.

3.1.3 Operational Access and Egress

Access to the proposed residential flat building development will generally remain consistent with the existing arrangements in that access to the proposed residential flat building development will be via Drew Close which adjoins the subject site in the western portion of the northern property boundary. Drew Close connects with Walters Street to the north with Walters Street serving as a connecting road in the locality. Onsite car parking and manoeuvring associated with the proposed residential flat building development will be accessed by an internal road which will connect directly with Drew Close.

Both Drew Close and Walters Street are two-wheel drive, all weather two-way bitumen sealed public roads. Walters Street connects to the east with the main distributor road in the locality being Park Street. As Park Street is located to the east of the subject site, movement to and from the subject site and proposed development is to and from areas which would be protected from the effects of bushfire.

Drew Close extending to the north of the subject site

Walters Street to the north of the subject site

The existing public road infrastructure in the immediate area therefore provides for a number of access and egress options to and from areas that would be protected from any bushfire threat. Having regard to the relatively short travel distances involved to areas that would be protected from the effects of fire and the variety in access and egress options to and from the subject site and proposed development, it is considered that adequate access and egress is available.

Section 4.1.3 of NSW Rural Fire Service, ***Planning for Bushfire Protection***, 2006 provides that no specific access requirements apply to dwellings in an urban area where a 70-metre unobstructed path can be demonstrated between the most distant external part of a proposed dwelling and the nearest part of the public access road, (where the road speed limit is not greater than 70kph), that supports the operational use of emergency fire fighting vehicles (i.e. a hydrant or water supply). In this regard the speed limit along Drew Close and Walters Street in this location is a maximum of 50kph and the maximum unobstructed path between available hydrants in Drew Close and the proposed residential apartments is likely to be less than 70m. Accordingly where the worst-case distance between the proposed residential apartments and hydrants is less than 70m then there are no specific internal access road requirements.

However, were compliant internal access road infrastructure is required then such is to be designed and constructed so as to comply with the relevant internal road design requirements provided for in Section 4.1.3 of NSW Rural Fire Services, ***Planning for Bushfire Protection***, 2006. The relevant internal road provisions which are applicable to the proposed development are summarized as follows;

Table 7 - Acceptable Solutions (Access/Internal Roads)

Intent of measures: 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.		
Performance Criteria	**Acceptable Solutions**	**Compliance**
The intent may be achieved where:		
Access to properties is provided in recognition of the risk to fire fighters and/ or evacuating occupants.	At least one alternative property access road is provided for individual dwellings (or groups of dwellings) that are located more than 200 metres from a public through road	✔ An alternative property access road is not required is the proposed dwellings are located <200m from a public road

The capacity of road surfaces and bridges is sufficient to carry fully loaded fire fighting vehicles. All weather access is provided.	Bridges clearly indicate load rating and pavements and bridges are capable of carrying a load of 15 tonnes.	✔ Future design of road infrastructure to comply where necessary
	Roads do not traverse a wetland or other land potentially subject to periodic inundation (other than a flood or storm surge).	✔ Future design of road infrastructure to comply where necessary
Internal road widths and design enable safe access for emergency services and allow crews to work with equipment about the vehicle	A minimum carriageway width of four metres for rural-residential areas, rural landholdings or urban areas with a distance of greater than 70 metres from the nearest hydrant point to the most external part of a proposed building (or footprint). *Note: No specific access requirements apply in a urban area where a 70 metres unobstructed path can be demonstrated between the most distant external part of the proposed dwelling and the nearest part of the public access road (where the road speed limit is not greater than 70kph) that supports the operational use of emergency firefighting vehicles (i.e. a hydrant or water supply).* In forest, woodland and heath situations, rural property access roads have passing bays every 200 metres that are 20 metres long by two metres wide, making a minimum trafficable width of six metres at the passing bay. A minimum vertical clearance of four metres to any overhanging obstructions, including tree branches. Internal roads for rural properties provide a loop road around any dwelling or incorporate a turning circle with a minimum 12 metre outer radius. Curves have a minimum inner radius of six metres and are minimal in number to allow for rapid access and egress. The minimum distance between inner and outer curves is six metres. The cross fall is not more than 10 degrees. Maximum grades for sealed roads do not exceed 15 degrees and not more than 10 degrees for unsealed roads. *Note: Some short constrictions in the access may be accepted where they are not less than the minimum (3.5m), extend for no more than 30m and where the obstruction cannot be reasonably avoided or removed. The gradients applicable to public roads also apply*	✔ Future design of road infrastructure to comply where necessary

	to community style development property access roads in addition to the above. Access to a development comprising more than three dwellings has formalized access by dedication of a road and not by right of way.	

Given the existing nature of the public road infrastructure and the nature of the proposed development it is considered that access and egress arrangements for the future residential development of the subject site can be consistent with the relevant performance requirements of NSW Rural Fire Services, ***Planning for Bushfire Protection***, 2006.

3.1.4 Services - Water, Gas and Electricity

As set out in Section 4.1.3 of NSW Rural Fire Services, ***Planning for Bushfire Protection***, 2006, developments in bushfire prone areas must maintain a water supply reserve dedicated to firefighting purposes.

Given that the proposed development will have access to the reticulated water supply which currently services the area, the extension of which will be required by Port Macquarie-Hastings Council to service the proposed development, a water supply suitable for firefighting purposes will be available. It is however noted that in accordance with NSW Rural Fire Services, ***Planning for Bushfire Protection***, 2006 the determination of a guaranteed water supply is to be made by the water supply authority where mains water supply is available.

Electricity supply is available and will be accessible to the residential development of the land.

Reticulated gas services are not available to the site; however, any reticulated or bottled gas supply is to be installed and maintained in accordance with AS1596 and the requirements of the relevant authorities. Metal piping is to be used. All fixed gas cylinders are to be kept clear of all flammable materials to a distance of 10m and shielded on the hazard side of the installation.

If gas cylinders need to be kept close to a building, the release valves are to be directed away from the building and at least 2m away from any combustible material, so that they do not act as a catalyst to combustion. Connects to and from gas cylinders need to be metal. Polymer sheathed flexible gas supply lines to gas meters adjacent to buildings are not to be used

The incorporation into the proposed development of the relevant provisions of the following acceptable solutions as provided for by Section 4.1.3 of NSW Rural Fire Services, ***Planning for Bushfire Protection***, 2006 will ensure compliance with the intent for the provision of services to the proposed residential flat building development.

Table 8 – Service Provision Requirements

Intent of measures: 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	
Performance Criteria	**Acceptable Solutions**
The intent may be achieved where:	
Reticulated water supplies • water supplies are easily accessible and located at regular intervals	• reticulated water supply to urban subdivisions uses a ring main system for areas with perimeter roads. • fire hydrant spacing, sizing and pressures comply with AS 2419.1 – 2005. Where this cannot be met, the RFS will require a test report of the water pressures anticipated by the relevant water supply authority. In such cases, the location, number and sizing of hydrants shall be determined using fire engineering principles. • hydrants are not located within any road carriageway

	• all above ground water and gas service pipes external to the building are metal, including and up to any taps. • the provisions of parking on public roads are met.
Electricity Services • location of electricity services limits the possibility of ignition of surrounding bush land or the fabric of buildings • regular inspection of lines is undertaken to ensure they are not fouled by branches.	• where practicable, electrical transmission lines are underground. • where overhead electrical transmission lines are proposed: - lines are installed with short pole spacing (30 metres), unless crossing gullies, gorges or riparian areas; and - no part of a tree is closer to a power line than the distance set out in accordance with the specifications in 'Vegetation Safety Clearances' issued by Energy Australia (NS179, April 2002).
Gas services • location of gas services will not lead to ignition of surrounding bush land or the fabric of buildings	• reticulated or bottled gas is installed and maintained in accordance with AS 1596 and the requirements of relevant authorities. Metal piping is to be used. • all fixed gas cylinders are kept clear of all flammable materials to a distance of 10 metres and shielded on the hazard side of the installation. • if gas cylinders need to be kept close to the building, the release valves are directed away from the building and at least 2 metres away from any combustible material, so that they do not act as a catalyst to combustion. Connections to and from gas cylinders are metal. • polymer sheathed flexible gas supply lines to gas meters adjacent to buildings are not used.

It is considered that the relevant acceptable solutions as provided for by Section 4.1.3 of NSW Rural Fire Services, ***Planning for Bushfire Protection***, 2006 are capable of being complied with in relation to the proposed residential flat building development.

As such the intent for the provision of services to the proposed development can be achieved.

3.1.5 Landscaping

Landscaping is a major cause of fire spread to dwellings and therefore any future landscaping on the proposed development will need careful planning to produce gardens that do not contribute to the spread of a bushfire.

Appendix 5 of NSW Rural Fire Services, ***Planning for Bushfire Protection***, 2006, contains standards that are applicable to the provision and maintenance of landscaping. Any landscaping proposed to be undertaken in conjunction with the proposed development is to comply with the principles contained in Appendix 5 of NSW Rural Fire Services, ***Planning for Bushfire Protection,*** 2006.

Compliance with Appendix 5 of **NSW Rural Fire Services, *Planning for Bushfire Protection,*** 2006, will satisfy the intent of the bush fire protection measures that are applicable to the provision of landscaping.

3.1.6 Construction of Buildings

It is noted that Appendix 3 of NSW Rural Fire Service, ***Planning for Bushfire Protection***, 2006 now contains specific construction requirements which the NSW Rural Fire Service will seek to impose, through the development control process, in addition to the construction requirements contained within AS3959 – 2009.

Based upon the nature of the proposed residential development it is considered that the requirements of NSW Rural Fire Services, ***Planning for Bushfire Protection***, 2006 for the siting, design and construction of residential buildings can be satisfied.

The relevant requirements of NSW Rural Fire Services, ***Planning for Bushfire Protection***, 2006, are summarized as follows;

Table 9 – Building Siting and Design Requirements (PfBP 2006)

PERFORMANCE CRITERIA	ACCEPTABLE SOLUTIONS
in relation to siting and design: • buildings are sited and designed to minimize the risk of bush fire attack.	• buildings are designed and sited in accordance with the siting and design principles
in relation to construction standards: • it is demonstrated that the proposed building can withstand bush fire attack in the form of wind, smoke, embers, radiant heat and flame contact.	• construction determined in accordance with Appendix 3 and the *Requirements for attached garages and other structures*

3.1.7 High Rise Development

Consideration has also been given to the NSW Rural Fire Service Practice Note 2/12 'Planning Instruments and Policies', specifically in relation to high-rise development within bushfire prone land albeit that the proposed development would not typically be considered a 'high rise' building.

The aforementioned practice note details additional points of consideration when assessing high-rise development within bushfire prone areas. In adopting a conservative approach to bushfire hazard assessment and threat management the matters provided for in Practice Note 2/12 have been considered. The following table lists the additional consideration points and our comment of the proposals ability to address them.

Table 10 – High Rise Development in Bushfire Prone Land

CONSIDERATION	COMMENT
Location – high-rise buildings should not be located along ridges or along slopes with significant fire runs	The proposed development is located on hill side slopes with the topography of the area fattening in the northern and western aspects. Fire run conditions towards the subject site are extremely limited.
Existing infrastructure – when high-rise developments are proposed their impact during potential bush fire emergencies needs to be considered, particularly in terms of evacuating occupants along the road network and the availability of water supplies available for high-rise firefighting;	The proposed apartment buildings will have street frontage to public roads to the north. Hydrants are available along the existing public roads. Furthermore where required other essential fire safety provisions will be installed in accordance with the National Construction Code. In consideration of the bushfire threat posed to the subject development and site specific circumstances the subject site is considered acceptable for high-rise development.
External facades – external facades may result in increased exposure to radiant heat and also convection columns. Specialized modelling may be needed and APZs may need to be increased over and above those specified to account for this.	The highest Bushfire Attack Level to the proposed residential flat buildings was determined from Table 2.4.2 of AS3959 – 2009 to be 'BAL 19'.
Potential for entrapment - the risk associated with occupant egress is	In consideration of the bushfire threat posed to the subject development and site-specific circumstances

higher in high-rise buildings than for lower-rise structures and therefore the potential for entrapment during a bush fire emergency should be addressed	and egress routes the subject site is considered acceptable for high-rise development.

3.2 AS3959 – 2009 Construction of Buildings in Bushfire Prone Areas

3.2.1 General

In NSW, the bushfire protection provisions of the Building Code of Australia, (BCA), are applied to Class 1, 2, 3, Class 4 parts of buildings, some Class 10 buildings and Class 9 buildings that are Special Fire Protection Purposes (SFPP's).

The BCA references AS3959 – 2009 as the Deemed-to-Satisfy (DTS) solution for construction requirements in bushfire prone areas for NSW.

It is however noted that there are a number of NSW variations to the application of AS3959 – 2009 including a restriction on the utilization of the Bushfire Attack Level – Flame Zone requirements of the Australian Standard as a 'deemed to satisfy solution' for these situations. Consequently, in NSW all situations which are determined as being subject to the Bushfire Attack Level – Flame Zone requirements of AS3959 – 2009 must be treated on merit with construction requirements being determined on a specific site assessment basis.

As the development concept involves the construction of residential dwellings (BCA Class 2) the requirements of AS3959 – 2009 will be applicable to the proposed development.

The following assessment of Bushfire Attack Levels in accordance with AS 3959 – 2009 is provided as it applies to the future residential flat building development on the subject site. This assessment is based upon the provision of the minimum required APZ as provided for by **Table 5** of this report.

3.2.2 Vegetation

To complete the assessment under AS 3959 (2009) the vegetation, as originally assessed in accordance with Keith, has to be converted to Specht. The following table shows the conversion:

Table 11 – Summary of Vegetation Characteristics

ASPECT	VEGETATION CLASSIFICATION – (Keith, 2004)	VEGETATION CLASSIFICATION – (Specht)
Northwest	Similar in specification to Rainforest	Rainforest
West	Wet Sclerophyll Forest	Forest

3.2.3 AS3959 (2009) Construction of Buildings in Bushfire Prone Areas

The following construction requirements in accordance with AS 3959 (2009) *Construction of Buildings in Bushfire Prone Areas* is required for the bushfire attack level categories.

Table 12 – Bushfire Attack Levels

BUSHFIRE ATTACK LEVEL (BAL)
No construction requirements under AS 3959 (2009)
BAL - 12.5
BAL - 19
BAL - 40

BAL - FZ

Based upon the information presented in Section 2 of this report the worst-case Bushfire Attack Levels pursuant to AS3959 (2009) have been determined as being applicable to the residential flat buildings on the subject site.

It is noted that the following BAL assessment has been based upon the provision of the worst case minimum required Asset Protection Zones to the proposed residential flat building development on the subject site.

Table 13 – Worst Case Bushfire Attack Levels for Nominated Vegetation Classifications and Slopes

ASPECT	VEGETATION CLLASSIFICATION	DISTANCE (between future dwelling and hazard vegetation)	SLOPE	BUSHFIRE ATTACK LEVEL (BAL) AS 3959 2009
Northwest	Rainforest	>15m	0˚ Flat	BAL 19
South	Forest	>70m	8˚ - 9˚ Down slope	BAL 12.5

The information presented in the above table indicates that under the worst-case spatial separation scenario between the proposed residential flat building development and areas of bushfire hazard vegetation, the proposed development would be subjected to a worst-case Bushfire Attack Level of BAL 19 (AS 3959 – 2009). The BAL 19 construction requirements as amended by NSW Rural Fire Service, ***Planning for Bushfire Protection***, 2006 are provided as **Appendix 3**.

However, in accordance with Section 3.5 of AS3959 – 2009 those elevations of the proposed development which are facing the northern, eastern and southern aspects are considered to be shielded from the worst-case hazard vegetation to the west and as such a lower level of construction can be applied to these elevations of the proposed residential flat building development. Accordingly, those aspects of the elevations of the proposed residential flat building development which are shielded from the bushfire hazard vegetation in accordance with Section 3.5 of AS3959 – 2009 can be constructed so as to comply BAL 12.5 requirements of AS 3959 – 2009.The BAL 12.5 construction requirements as amended by NSW Rural Fire Service, ***Planning for Bushfire Protection***, 2006 are provided as **Appendix 4**.

4.0 SUMMARY REQUIREMENTS

The following requirements are provided in response to the proposed residential flat building development as provided in **Appendix 1**.

(i) Asset Protection Zones for existing and proposed development are to be provided to the proposed development in accordance with **Table 5** of this report.

(ii) Water and other services are to be provided to the proposed residential flat building development in accordance with the requirements detailed in Section 3.1.4 of this report.

(iii) Where the proposed residential flat building is located in excess of 70m from available hydrants in Drew Close then an internal property access road complying with the requirements of Section 3.1.3 of this report is to be provided.

(iv) The proposed residential flat building is to be constructed so as to comply with the BAL 19 construction requirements of AS 3959 – 2009 as amended by NSW Rural Fire Service, ***Planning for Bushfire Protection***, 2006, refer to **Appendix 3.**

However in accordance with Section 3.5 of AS3959 – 2009 those elevations of the proposed residential flat building development which are assessed to be shielded from areas of hazard vegetation can be constructed so as to comply with the BAL 12.5 construction requirements of AS 3959 – 2009 as amended by NSW Rural Fire Service, ***Planning for Bushfire Protection***, 2006, refer to **Appendix 4.**

(v) Adopt the landscaping principals in accordance with Section 3.1.5 of this report.

5.0 CONCLUSION

It is considered that the proposed residential flat building development on land known as Lot 1 DP 1007734, 5 Drew Close, Port Macquarie is at risk of bushfire attack; however, it is in our opinion that with the implementation of the bushfire threat reduction measures and consideration of the recommendations in this report, the bushfire risk is manageable for the proposed development.

With the implementation of the recommendations it is considered that it will be possible for the proposed residential flat building development to meet the applicable acceptable solutions as provided for in NSW Rural Fire Service**,** ***Planning for Bushfire Protection*****,** 2006 having regard to the existing subdivision layout, the size of the subject site and the extent of development on adjoining and adjacent land.

This report is however contingent upon the following assumptions and limitations.

Assumptions

(i) For a satisfactory level of bushfire safety to be achieved regular inspection and testing of proposed measures, building elements and methods of construction, specifically nominated in this report, is essential and is assumed in the conclusion of this assessment.

(ii) There are no re-vegetation plans in respect to hazard vegetation and therefore the assumed fuel loading will not alter.

(iii) Any future residential developments are constructed and maintained in accordance with the risk reduction strategy in this report.

(iv) The vegetation characteristics of the subject site and surrounding land remains unchanged from that observed at the time of inspection.

(v) The information contained in this report is based upon the information provided for review, refer to **Appendices 1.**

No responsibility is accepted for the accuracy of the information contained within the above plans.

Limitations

(i) The data, methodologies, calculations and conclusions documented within this report specifically relate to the building and must not be used for any other purpose.

(ii) A reassessment will be required to verify consistency with this assessment if there is building alterations and/or additions, change in use, or changes to the risk reduction strategy contained in this report

6.0 REFERENCES

NSW Rural Fire Services, ***Planning for Bushfire Protection***, 2001

NSW Rural Fire Services, ***Planning for Bushfire Protection***, 2006

AS 3959-2009, ***Construction of Buildings in Bushfire Prone Areas***

AS 3959-2018, ***Construction of Buildings in Bushfire Prone Areas***

Keith David 2004, Ocean ***Shores to Desert Dunes, The Native Vegetation of New South Wales and the ACT***, Department of Environment and Conservation

NSW State Government***, Rural Fires Act***, 1997

Port Macquarie-Hastings Councils, ***Bushfire Prone Land Mapping***

NSW Rural Fire Service, ***Guideline for Bushfire Prone Land Mapping***, 2002

Australian Building Codes Board, ***Building Code of Australia***, 2010

NSW Rural Fire Service – *Guideline for Bushfire Prone Land Mapping 2002*

Disclaimer

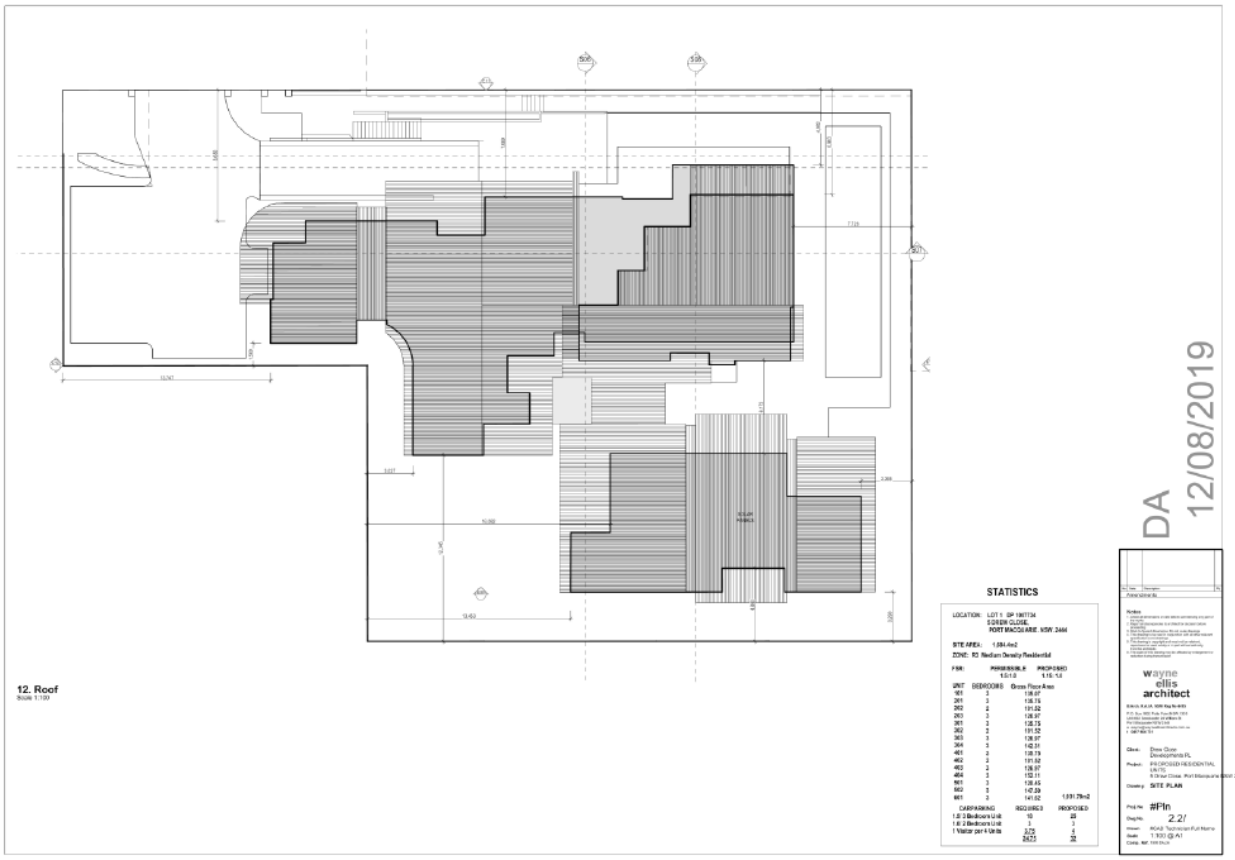
The findings referred to in this report are those which, in the opinion of the author, are required to meet the requirements of NSW Rural Fire Service, ***Planning for Bushfire Protection***, 2006. It should be noted that the Local Authority having jurisdiction for the area in which the property is located may, within their statutory powers, require different, additional or alternative works/requirements to be carried out other than those referred to in this report.

This report has been prepared partially on information provided by the client. Information provided by the client in respect of details of construction.

The author denies any legal liability for action taken as a consequence of the following:

- The Local Authority requiring alternative or additional requirements to those proposed or recommended in this report.
- Incorrect information, or misinformation, provided by the client with regard the proposed building which is in good faith included in the strategies proposed in this report and later found to be false.

APPENDIX 1
Proposed Development

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E11 NORTH ELEVATION
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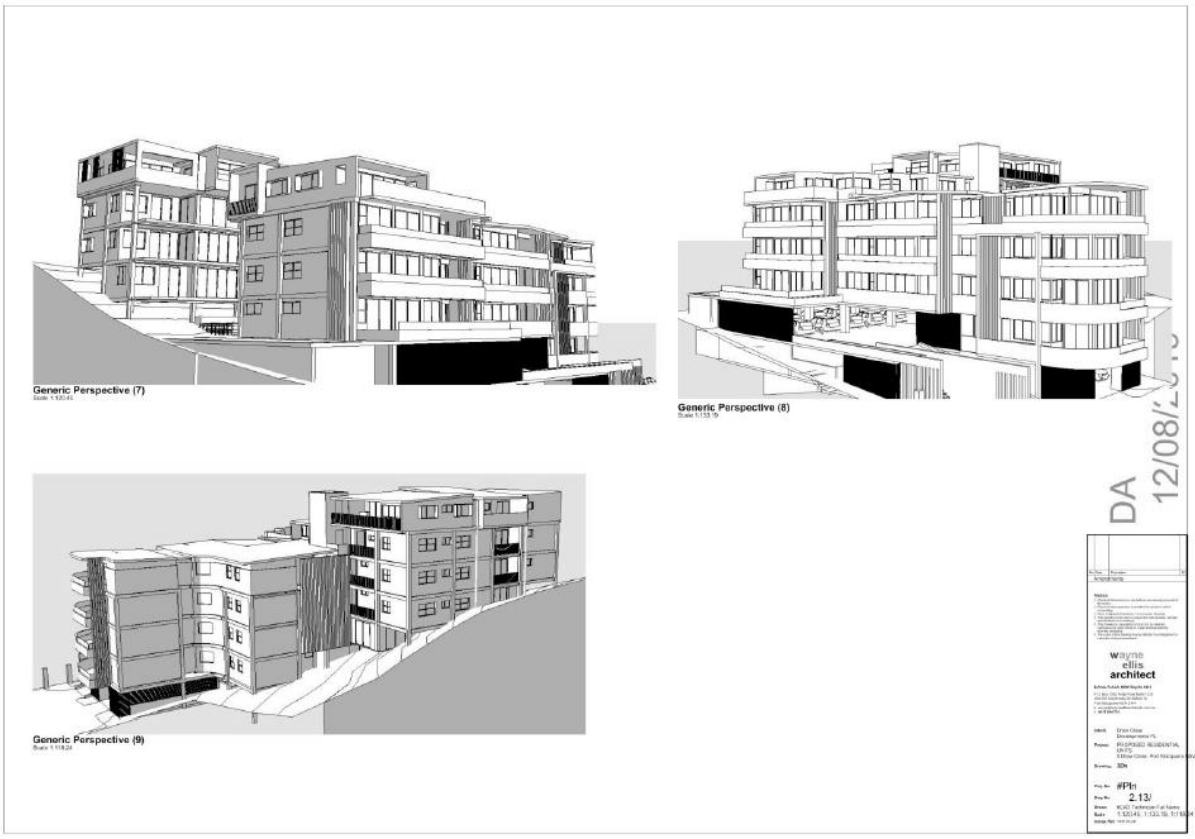
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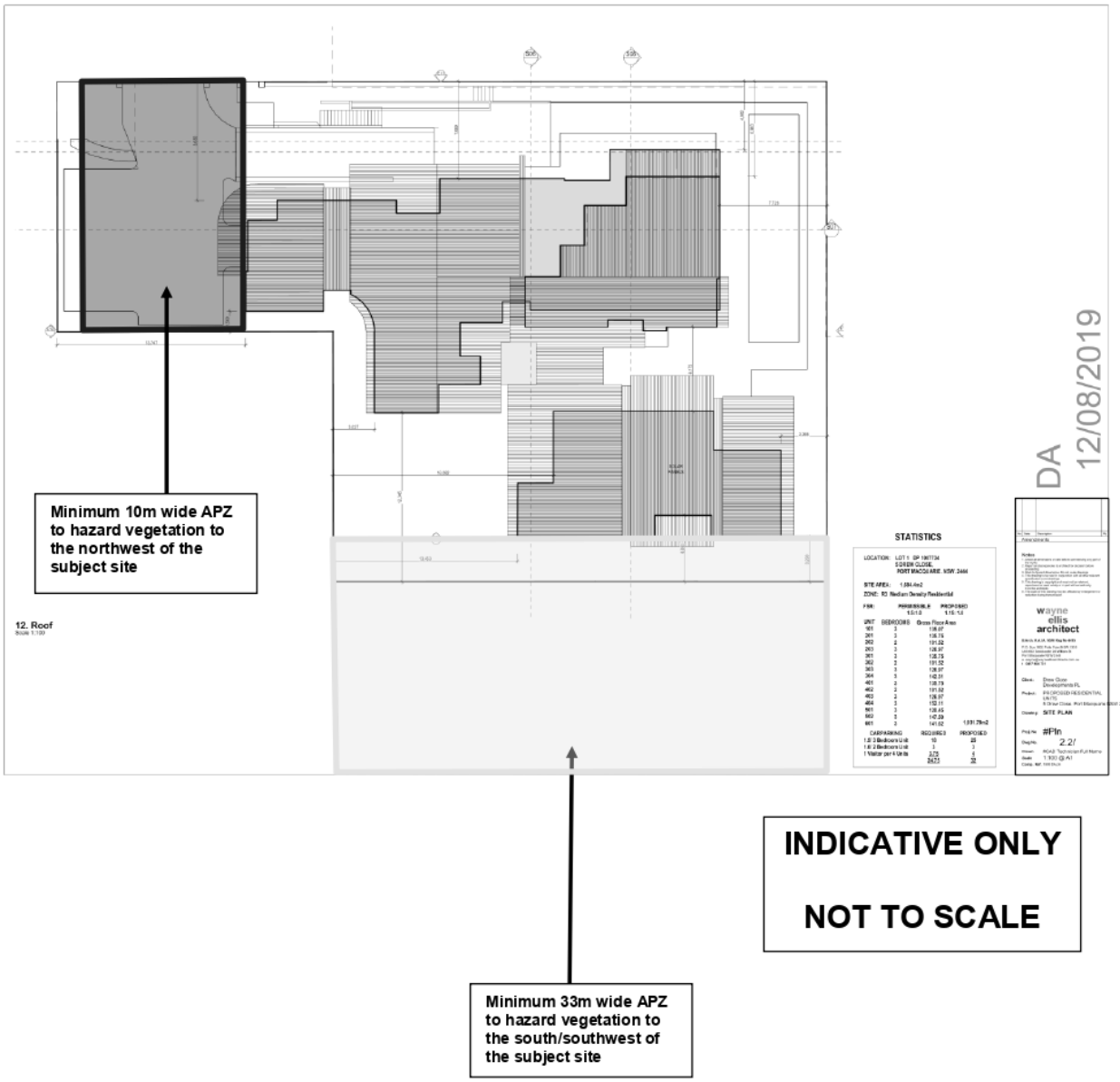
APPENDIX 2
APZ Compliance Concept



APPENDIX 3
Bushfire Attack Level 19 (Construction Requirements)

CONSTRUCTION FOR BUSHFIRE ATTACK LEVEL 19 (BAL-19)
Version 2.2

Part of Building	Specifically	Construction requirements in accordance with AS 3959-2009 and Appendix 3 (2010) of Planning for Bushfire Protection (2006)
Subfloor supports		This standard does not provide construction requirements for subfloor supports where the subfloor space is enclosed with: (a) a wall that complies with Clause 7.4 of AS 3959-2009; or (b) Corrosion resistant steel, bronze or aluminium mesh or perforated sheet with a maximum aperture size of 2 mm; or (c) a combination of items above. Where the subfloor space is unenclosed, the support posts, columns, stumps, piers and poles shall be: (i) of non combustible material; or (ii) of bushfire-resisting timber (see Appendix F of AS 3959-2009); or (iii) a combination of items above. NOTE: This requirement applies to the principal building only and not to verandas, decks, steps, ramps and landings (see Clause 7.7)
Floors	**Concrete slabs on ground**	This Standard does not provide concrete slabs on ground.
	Elevated floors	**Enclosed subfloor** This standard does not provide construction requirements for elevated floors, including bearers, joists and flooring, where the subfloor space is enclosed with: (a) a wall that complies with Clause 7.4 of AS 3959-2009; or (b) corrosion-resistant steel, bronze or aluminium mesh or perforated sheet with a maximum aperture size of 2 mm; or (c) a combination of items above. **Unenclosed subfloor space** Where the subfloor space is unenclosed, bearers, joists and flooring, less than 400 mm above finished ground level, shall be one of the following: (a) Materials that comply with the following: (i) Bearers and joists shall be- (A) non-combustible; or (B) bushfire-resisting timbers (see Appendix F of AS 3959-2009) ; or (C) a combination of items above. (ii) Flooring shall be- (A) non-combustible; or (B) bushfire-resisting timbers, (see Appendix F of AS 3959-2009); or (C) timber, (other than bushfire-resisting timber), particle board or plywood flooring where the underside is lined with sarking-type material mineral wool insulation; or (D) a combination of items above; or

		(b) A system complying with AS 1530.8.1 This standard does not provide construction requirements for elements which are 400 mm or more above finished ground level.
External walls	**Walls**	The exposed components of an external wall that are less than 400 mm from the ground or less than 400 mm above decks, carport roofs, awnings and similar elements or fittings having an angle less than 18 degrees to the horizontal and extending more than 110 mm in width from the wall shall be: (a) Non-combustible material: or (b) Timber logs of a species with a density of 680 kg/m3 or greater at a 12 percent moisture content; of a minimum nominal overall thickness of 90 mm and a minimum thickness of 70 mm (see Clause 3.11); and gauge planed: or (c) Cladding that is fixed externally to a timber-framed or a steel-framed wall and is — (i) non-combustible material; or (ii) fibre-cement a minimum of 6 mm in thickness; or (iii) bushfire-resisting timber (see Appendix F); or (iv) a timber species as specified in Paragraph E1, Appendix E; or (v) a combination of any of Items (i), (ii), (iii) or (iv) above: or (d) a combination of any of Items (a), (b) or (c) above. This Standard does not provide construction requirements for the exposed components of an external wall that are 400 mm or more from the ground or 400 mm or more above decks, carport roofs, awnings and similar elements or fittings having an angle less than 18 degrees to the horizontal and extending more than 110 mm in width from the wall.
	Joints	All joints in external surface material of walls shall be covered, sealed, overlapped, backed or butt jointed to prevent gaps greater than 3 mm.
	Vents and weep holes	Vents and weepholes in external walls shall be screened with a mesh with a maximum aperture of 2 mm, made of corrosion-resistant steel, bronze or aluminium, except where the vents and weepholes have an aperture less than 3 mm (see Clause 3.6 of the standard), or are located in an external wall of a subfloor space.
External glazed elements and assemblies and external doors.	**Bushfire shutters**	Where fitted, bushfire shutters must comply with Clause 3.7 of AS 3959-2009 and be made from: (a) non Combustible material; or (b) a timber species as specified in Paragraph E1 Appendix E of AS 3959-2009; or (c) bushfire-resisting timber (see Appendix F of AS 3959-2009); or (d) a combination of any items (a) (b) or (c)

	Screens for windows and doors	Where fitted, screens for windows and doors shall have corrosion-resisting steel, bronze or aluminium mesh or perforated sheet with a maximum aperture size of 2 mm. Gaps between the perimeter of the screen assembly and the building elements to which it is fitted shall not exceed 3 mm. The frame supporting the mesh or perforated sheet shall be made from either: (a) metal; or (b) bushfire-resisting timber (see Appendix F of AS 3959-2009); or (c) a timber species in Paragraph E2, Appendix E of AS 3959-2009.
	Windows	Window assemblies shall comply with one of the following: (a) They shall be completely protected by a bushfire shutter that complies with clause 6.5.1 of AS 3959-2009; or (b) They shall be completely protected externally by screens that comply with Clause 6.5.1A of AS 3959-2009; or (c) They shall comply with the following; (i) For window assemblies less than 400 mm from the ground or less than 400 mm above decks, carport roofs, awnings and similar elements or fittings (such as masonry sills) having an angle less than 18 degrees to the horizontal and extending more than 110 mm in width from the window frame (see Figure D3, Appendix D), window frames and window joinery shall be made from: (A) bushfire resisting timber, (see Appendix F of AS 3959-2009); or (B) a timber species as specified in Paragraph E2, Appendix E of AS 3959-2009; or (C) metal; or (D) metal reinforced PVC-U. The reinforcing members shall be made from aluminium, stainless steel or corrosion resistant steel and the frame and sash must be able to hold the design load and structural strength. (ii) Externally fitted hardware that supports the sash in its functions of opening and closing shall be metal. (iii) Where glazing is less than 400 mm from the ground or less than 400 mm above decks, carport roofs, awnings and similar elements or fittings, having an angle less than 18 degrees to the horizontal and extending more than 110 mm in width from the window frame (see Figure D3, Appendix D), the glazing shall be toughened glass minimum 5 mm in thickness, or glass blocks with no restriction on glazing methods. NOTE: Where double-glazed units are used, the above requirements apply to the external face of the window assembly only. (iv) Where glazing is other than specified in (iii), annealed glass can be used. Where annealed glass is used, both the fixed and openable portions of windows shall be screened externally with screens that comply with Clause 6.5.1A of AS3959-2009. (v) Where toughened glass is used, it shall be toughened glass minimum 5 mm and the openable portions of windows shall be screened internally

		or externally with screens that comply with Clause 6.5.1A of AS 3959-2009. (vi) Glazed elements that are designed to take internal screens shall be toughened glass minimum 5 mm and the openable portion shall be screened with screens that comply with Clause 6.5.1A of AS 3959-2009.
	Doors- Side hung external doors (including French doors, panel fold and bi-fold doors)	These doors must comply with one of the following; (a) They shall be protected by a bushfire shutter that complies with Clause 6.5.1 of AS 3959-2009; or (b) They shall be completely protected externally by screens that comply with Clause 6.5.1A of AS 3959-2009; or (c) They shall comply with the following: (i) Doors shall be- (A) non combustible; or (B) a solid timber, laminated timber or reconstituted timber door, having a minimum thickness of 35 mm for the first 400 mm above the threshold; or (C) a door, including a hollow core door, non combustible kick plate on the outside for the first 400 mm above the threshold; or (D) a fully framed glazed door, where the framing is made from materials required for bushfire shutters (see Clause 6.5.1 of AS 3959-2009), or from a timber species as specified in Paragraph E2, Appendix E of AS 3959-2009. (E) a fully framed glazed door, where the framing is made from materials specified for bushfire shutters (see Clause 6.5.1), or from a timber species as specified in Paragraph E2, Appendix E of AS3959 – 2009. (ii) Where doors incorporate glazing, the glazing shall be toughened glass minimum 5 mm in thickness. (iii) Doors must be tight fitting to the door frame and to an abutting door, if applicable. (iv) Where any part of the door frame is less than 400 mm from the ground or less than 400 mm above decks, carport roofs, awnings and similar elements or fittings having an angle less than 18 degrees to the horizontal and extending more than 110 mm in width from the door (see Figure D3, Appendix D), that part of the door frame shall be made from one of the following: (a) Bushfire resisting timber (see Appendix F of AS 3959-2009); or (b) A timber species as specified in Paragraph E2, Appendix E of AS 3959-2009; or (c) Metal; or (d) Metal reinforced PVC-U. The reinforcing members shall be made from aluminium, stainless steel or corrosion resistant steel and the frame must be able to hold the design load and structural strength. (v) Weather strips, draught excluders or draught seals

		shall be install at the base of side-hung external doors.
	Doors- sliding doors	Sliding doors shall comply with one of the following; (a) They shall be protected by a bushfire shutter that complies with Clause 6.5.1 of AS 3959-2009; or (b) They shall be completely protected externally by screens that comply with Clause 6.5.1A of AS 3959-2009; or (c) They shall comply with the following: (i) Any glazing incorporating in sliding doors shall be toughened glass minimum 5 mm. (ii) Both the door frame supporting the sliding door and the framing surrounding any glazing shall be made from: (A) Bushfire resisting timber (see Appendix F of AS 3959-2009); or (B) A timber species as specified in Paragraph E2 of AS 3959-2009, Appendix E of AS 3959-2009; or (C) Metal; or (D) Metal reinforced PVC-U. The reinforcing members shall be made from aluminium, stainless steel or corrosion resistant steel and the frame must be able to hold the design load and structural strength. (iii) There are no requirements to screen the openable part of the sliding door. However if screened the screens must comply with Clause 6.5.1A of AS 3959-2009. (iv) Sliding doors shall be tight-fitting in the frames.
	Doors- vehicle access doors (garage doors)	The following applies: (a) The lower portion of vehicle access doors that are within 400 mm of the ground when the door is closed shall be made from: (i) non combustible material; or (ii) bushfire resisting timber (see Appendix F of AS 3959-2009); or (iii) fibre-cement sheet a minimum of 6 mm in thickness; or (iv) a timber species as specified in Paragraph E1, Appendix E of AS 3959-2009; or (v) a combination of items above. (b) Panel lift, tilt doors or side-hung doors shall be fitted with weather strips, draught excluders, draught seals or guide tracks, as appropriate to the door type with a maximum gap of no more than 3 mm. (c) Roller doors shall have guide tracks with a maximum gap no greater than 3 mm and fitted with a nylon brush that is in contact with the door, (see figure D4, Appendix D of AS 3959-2009). (d) Vehicles access doors shall not include ventilation slots.
Roofs (including veranda and attached carport roofs, penetrations, eaves, fascias, gutters and	**General**	The following apply to all types of roofs and roofing systems. Roof tiles, roof sheets and roof covering accessories shall be non-combustible. The roof/wall must be sealed to prevent openings greater than 3 mm, by using fascia and eaves lining or by sealing between the top of wall and

downpipes)		underside of roof and between the rafters at the line of the wall. Roof ventilation openings such as gable and roof vents, shall be fitted with ember guards made of non combustible material or a corrosion-resistant steel, bronze or aluminium mesh or perforated sheet with maximum aperture size of 2mm.
	Tiled roofs	Tiled roofs shall be fully sarked. The sarking shall— (a) be located on top of the roof framing, except that the roof battens may be fixed above the sarking; (b) cover the entire roof area including ridges and hips; and (c) extend into gutters and valleys.
	Sheet roofs	Sheet roofs shall— (a) be fully sarked in accordance with Clause 6.6.2 of As3959 - 2009, except that foil-backed insulation blankets may be installed over the battens; and (b) have any gaps greater than 3 mm (such as under corrugations or ribs of sheet roofing and between roof components) sealed at the fascia or wall line and at valleys, hips and ridges by— (i) a mesh or perforated sheet with a maximum aperture of 2 mm, made of corrosion-resistant steel, bronze or aluminium; or (ii) mineral wool; or (iii) other non-combustible material; or (iv) a combination of any of Items (i), (ii) or (iii) above.
	Veranda, carport awning roofs	The following apply to veranda, carport and awning roofs: A veranda, carport or awning roof forming part of the main roof space (see figure D1 (a), Appendix D of AS 3959-2009) shall meet all requirements for the main roof, as specified in Clauses 6.6.1, 6.6.2, 6.6.3, 6.6.5 and 6.6.6 of AS 3959-2009. A veranda, carport or awning roof separated from the main roof space by an external wall (see figures D1 (b) and D1 (c), Appendix D of AS 3959-2009) complying with clause 6.4 of AS 3959-2009, shall have a non-combustible roof covering.
	Roof penetrations	The following apply to roof penetrations: Roof penetrations, including roof lights, roof ventilators, roof mounted evaporative cooling units, aerials, vent pipes and supports for solar collectors, shall be adequately sealed at the roof to prevent gaps greater than 3 mm with non combustible materials. Openings in vented roof lights, roof ventilators or vent pipes shall be fitted with ember guards made from a mesh or perforated sheet with a maximum aperture of 2 mm, made of corrosion-resistant steel, bronze or aluminium. This requirement does not apply to the exhaust flues of heating or cooking devices with closed combustion chambers. In the case of gas appliance flues, ember guards shall not be fitted. NOTE: Gasfitters are required to provide a metal flue pipe above the roof and terminate with a certified gas flue cowl complying with AS 4566. Advice may be obtained from State gas technical regulators. Grade A safety glass complying with as 1288 is required for all overhead glazing. Glazed elements in roof lights and skylights may be of polymer, provided

		a Grade A safety glass diffuser, complying with AS 1288, is installed under the glazing. Where glazing is an insulating glazing unit (IGU), Grade A toughened safety glass of minimum 4 mm in thickness shall be used in the outer pane of the IGU. Flashing elements of tubular skylights may be of a fire-retardant material, provided the roof integrity is maintained by an under-flashing of a material having a flammability index of no more than 5. Evaporative cooling units shall be fitted with non-combustible butterfly closers as close as practicable to the roof level, or the unit shall be fitted with non-combustible covers with a mesh or perforated sheet with a maximum aperture of 2 mm, made of corrosion-resistant steel, bronze or aluminium.
	Eaves lining, fascias and gables.	The following apply to eaves linings, fascias and gables: (a) Gables shall comply with Clause 6.4 of AS 3959-2009. (b) Eaves penetration shall be protected the same as for roof penetrations, as specified in Clause 6.6.5 of AS 3959-2009. (c) Eaves ventilation openings greater than 3 mm shall be fitted with ember guards made of non combustible material or corrosion-resistant steel, bronze and aluminium mesh or perforated sheet with a maximum aperture size of 2mm. Joints in eaves lining, fascias and gables may be sealed with plastic joining strips or timber storm moulds. This standard does not provide construction requirements for fascias, bargeboards and eaves linings.
	Gutters and downpipes.	This standard does not provide material requirements for: (a) Gutters, with the exception of box gutters; and (b) Downpipes. If installed, gutter and valley leaf guards shall be non-combustible. Box gutters shall be non-combustible and flashed at the junction with the roof with non-combustible materials.
Verandas, Decks, Steps, Ramps and landings.	**General**	Decking may be spaced. There is no requirement to enclose the subfloor spaces of verandas, decks, steps, ramps or landings.
	Enclosed subfloor spaces of verandas, decks, steps, ramps and landings.	**Materials to enclose a subfloor space** The subfloor spaces of verandas, decks, steps, ramps and landing are considered to be 'enclosed' when- (a) the material used to enclose the subfloor space complies with Clause 7.4 of AS 3959-2009; and (b) all openings greater than 3 mm are screened with a corrosion-resistant steel, bronze or aluminium mesh with a maximum aperture of 2mm. **Supports** This standard does not provide construction requirements for support posts, columns, stumps, stringers, piers and poles. **Framing** This standard does not provide construction requirements for the framing of verandas, decks, ramps or landing (i.e., bearers and joists).

		Decking, stair treads and the trafficable surfaces of ramps and landings Decking, stairs treads and trafficable surfaces of ramps and landings shall be- (a) of non combustible material; or (b) of bushfire-resisting timber (see Appendix F); or a combination of items above.
	Unenclosed subfloor spaces of verandas, decks, ramps and landings.	**Supports** Support posts, columns, stumps, stringers, piers and poles shall be; (a) of non combustible material; or (b) of bushfire-resisting timber (see Appendix F of AS 3959-2009); or (c) a combination of items above. **Framing** Framing of verandas, decks, ramps or landing (i.e. bearers and joists), shall be: (a) of non combustible material; or (b) of bushfire-resisting timber (see Appendix F of AS 3959-2009); or (c) a combination of the items above **Decking, stair treads and the trafficable surfaces of ramps and landings** Decking, stair treads and the trafficable surfaces of ramps and landings shall be - (a) of non combustible material; or (b) of bushfire-resisting timber (see Appendix F of AS 3959-2009); or (c) a combination of items above.
	Balustrades, handrails or other barriers	Those parts of the handrails and balustrades less than 125 mm from any glazing or any combustible wall shall be- (a) of non combustible material; or (b) of bushfire-resisting timber (see Appendix F of AS 3959-2009); or (c) a combination of items above Those parts of the handrails and balustrades that are 125 mm or more from the building have no requirements.
Water and gas supply pipes		Above-ground water and gas supply pipes shall be metal.

Note: Any sarking shall be:
a. Non-combustible; or
b. Breather-type sarking complying with AS/NZS 4200.1 and with a flammability index of not more than 5 (see AS1530.2) and sarked on the outside frame; or
c. An insulation material conforming to the appropriate Australian Standard for that material.
*** This includes Addendum: Appendix 3 of *Planning for Bushfire Protection, 2006.***

APPENDIX 4
Bushfire Attack Level 12.5 (Construction Requirements)

CONSTRUCTION FOR BUSHFIRE ATTACK LEVEL 12.5 (BAL-12.5)
Version 2.2

Part of Building	Specifically	Construction requirements in accordance with AS 3959-2009 and Appendix 3 (2010) of Planning for Bushfire Protection (2006)
Subfloor supports		This standard does not provide construction requirements for subfloor supports where the subfloor space is enclosed with: (a) a wall that complies with Clause 7.4 of AS 3959-2009; or (b) Corrosion resistant steel, bronze or aluminium mesh or perforated sheet with a maximum aperture size of 2 mm; or (c) a combination of items above. Where the subfloor space is unenclosed, the support posts, columns, stumps, piers and poles shall be: (i) of non-combustible material; or (ii) of bushfire-resisting timber (see Appendix F of AS 3959-2009); or (iii) a combination of items above. NOTE: This requirement applies to the principal building only and not to verandas, decks, steps, ramps and landings (see Clause 7.7)
Floors	**Concrete slabs on ground**	This Standard does not provide construction requirements for concrete slabs on the ground.
	Elevated floors	**Enclosed subfloor** This standard does not provide construction requirements for elevated floors, including bearers, joists and flooring, where the subfloor space is enclosed with (a) a wall that complies with Clause 7.4 of AS 3959-2009; or (b) corrosion-resistant steel, bronze or aluminium mesh or perforated sheet with a maximum aperture size of 2 mm; or (c) a combination of items above. **Unenclosed subfloor space** Where the subfloor space is unenclosed, bearers, joists and flooring, less than 400 mm above finished ground level, shall be one of the following: (a) Materials that comply with the following: (i) Bearers and joists shall be- (A) non-combustible; or (B) bushfire-resisting timbers (see Appendix F of AS 3959-2009); or (C) a combination of items above. (ii) Flooring shall be- (A) non-combustible; or (B) bushfire-resisting timbers (see Appendix F of AS 3959-2009); or (C) timber (other than bushfire-resisting timber), particle board or plywood flooring where the

		underside is lined with sarking-type material mineral wool insulation; or (D) a combination of items above; or (b) A system complying with AS 1530.8.1 This standard does not provide construction requirements for elements which are 400 mm or more above finished ground level.
External walls	**Walls**	The exposed components of an external wall that are less than 400 mm from the ground or less than 400 mm above decks, carport roofs, awnings and similar elements or fittings having an angle less than 18 degrees to the horizontal and extending more than 110 mm in width from the wall (see Figure D3, Appendix D of AS3959 - 2009) shall be: (a) Non-combustible material. NOTE: Examples include, but are not limited to, the following (with a minimum of 90 mm in thickness): (a) Full masonry or masonry veneer walls with an outer leaf of clay, concrete, calcium silicate or natural stone. (b) Precast or in situ walls of concrete or aerated concrete. (c) Earth wall including mud brick. or (b) Timber logs of a species with a density of 680 kg/m3 or greater at a 12 percent moisture content; of a minimum nominal overall thickness of 90 mm and a minimum thickness of 70 mm (see Clause 3.11 of AS3959 - 2009); and gauge planed. or (c) Cladding that is fixed externally to a timber-framed or a steel-framed wall and is— (i) non-combustible material; or (ii) fibre-cement a minimum of 6 mm in thickness; or (iii) bushfire-resisting timber (see Appendix F of AS3959 - 2009); or (iv) a timber species as specified in Paragraph E1, Appendix E of AS3959 - 2009; or (v) a combination of any of Items (i), (ii), (iii) or (iv) above. or (d) A combination of any of Items (a), (b) or (c) above. This Standard does not provide construction requirements for the exposed components of an external wall that are 400 mm or more from the ground or 400 mm or more above decks, carport roofs, awnings and similar elements or fittings having an angle less than 18 degrees to the horizontal and extending more than 110 mm in width from the wall (see Figure D3, Appendix D of AS3959 - 2009).
	Joints	All joints in external surface material of walls be covered, sealed, overlapped, backed or butt jointed to prevent gaps greater than 3 mm.
	Vents and weep holes	Vents and weep holes in external walls shall be screened with a mesh with a maximum aperture of 2 mm, made of corrosion-resistant steel, bronze or aluminium, except where the vents and weep holes have an aperture less than 3 mm (see Clause 3.6 of AS3959-2009), or are located in an external wall of a subfloor space.
External glazed elements and assemblies and external doors.	**Bushfire shutters**	Where fitted, bushfire shutters must comply with Clause 3.7 of AS 3959-2009 and be made from- (a) Non-Combustible material; or (b) A timber species as specified in Paragraph E1 Appendix E of AS 3959-2009; or (c) Bushfire-resisting timber (see Appendix F of AS 3959-2009); or (d) A combination of any items (a) (b) or (c) above.

	Screens for windows and doors	Where fitted, screens for windows and doors shall have corrosion-resisting steel, bronze or aluminium mesh or perforated sheet with a maximum aperture size of 2 mm. Gaps between the perimeter of the screen assembly and the building elements to which it is fitted shall not exceed 3 mm. The frame supporting the mesh or perforated sheet shall be made from— (a) metal; or (b) bushfire-resisting timber (see Appendix F of AS3959 - 2009); or (c) a timber species as specified in Paragraph E2, Appendix E of As3959 – 2009).
	Windows	Window assemblies shall comply with one of the following: (a) They shall be completely protected by a bushfire shutter that complies with Clause 5.5.1 of AS 3959-2009; or (b) They shall be completely protected externally by screens that comply with Clause 5.5.1A of AS 3959-2009; or (c) They shall comply with the following; (i) For window assemblies less than 400 mm from the ground or less than 400 mm above decks, carport roofs, awnings and similar elements or fitting having an angle less than 18 degrees to the horizontal and extending more than 110 mm in width from the window frame (see figure D3, Appendix D of AS 3959-2009), window frames and window joinery shall be made from: (A) Bushfire resisting timber (see Appendix F of AS 3959-2009); or (B) A timber species as specified in Paragraph E2, Appendix E of AS 3959-2009; or (C) Metal; or (D) Metal reinforced PVC-U. The reinforcing members shall be made from aluminium, stainless steel or corrosion- resistant steel and the frame and sash shall satisfy the design load, performance and structural strength of the member. (ii) Externally fitted hardware that supports the sash in its functions of opening and closing shall be metal. (iii) Where glazing is less than 400 mm from the ground or less than 400 mm above decks, carport roofs, awnings and similar elements or fittings having an angle less than 18 degrees to the horizontal and extending more than 110 mm in width from the window frame, the glazing shall be Grade A safety glass minimum 4 mm thickness, or glass blocks with no restrictions on glazing methods. (iv) Where glazing is other than specified in (iii), annealed glass can be used. (v) Openable portions of windows shall be screened internally and externally with screens that apply with Clause 5.5.1A of AS 3959-2009.
	Doors- Side hung external	These doors must comply with one of the following:

	doors (including French doors, panel fold and bi-fold doors)	(a) Doors and door frames shall be protected by bushfire shutters that comply with Clause 5.5.1 of AS3959 - 2009. or (b) Doors and door frames shall be protected externally by screens that comply with Clause 5.5.1A AS3959 - 2009. or (c) Doors and door frames shall comply with the following: (i) Doors shall be— (A) non-combustible; or (B) a solid timber, laminated timber or reconstituted timber door, having a minimum thickness of 35 mm for the first 400 mm above the threshold; or; (C) a door, including a hollow core door, with a non-combustible kick plate on the outside for the first 400 mm above the threshold; or (D) a door, including a hollow core door, protected externally by a screen that complies with Clause 5.5.1A AS3959 - 2009; or (E) a fully framed glazed door, where the framing is made from materials specified for bushfire shutters (see Clause 5.5.1 of AS3959 - 2009), or from a timber species as specified in Paragraph E2, Appendix E of AS3959 - 2009. Where doors incorporate glazing, glazing must comply with glazing requirements for windows. Doors must be tight fitting to the door frame and to an abutting door, if applicable. Where any part of the door is less than 400 mm from the ground or less than 400 mm above decks, carport roofs, awnings and similar elements or fittings having an angle less than 18 degrees to the horizontal and extending more than 110 mm in width from the door (see figure D3, Appendix D of AS 3959-2009), that part of the door frame shall be made from; (a) Bushfire resisting timber (see Appendix F of AS 3959-2009); or (b) A timber species as specified in Paragraph E2, Appendix E of AS 3959-2009; or (c) Metal; or (d) Metal reinforced PVC-U. The reinforcing members shall be made from aluminium, stainless steel or corrosion resistant steel and the door assembly shall satisfy the design load, performance and structural strength of the member. Weather strips, draught excluders or draught seals shall be installed at the base of side-hung external doors.
	Doors- sliding doors	Sliding doors shall comply with one of the following; a) They shall be completely protected by a bushfire shutter that complies with Clause 5.5.1 of AS 3959-2009; or b) They shall be completely protected externally by screens that comply with Clause 5.5.1A of AS 3959-2009; or c) They shall comply with the following: (i) Any glazing incorporating in sliding doors shall be Grade A safety glass complying with AS 1288. (ii) Both the door frame supporting the sliding door and the framing surrounding any glazing shall be made from:

		(a) Bushfire resisting timber (see Appendix F of AS 3959-2009); or (b) A timber species as specified in Paragraph E2, Appendix E of AS 3959-2009; or (c) Metal; or (d) Metal reinforced PVC-U. The reinforcing members shall be made from aluminium, stainless steel or corrosion resistant steel and the frame must be able to hold the design load and structural strength. (iii) No requirements to screen the openable part of the sliding door. However, if screened must comply with Clause 5.5.1A of AS 3959-2009. (iv) Sliding doors shall be tight-fitting in the frames.
	Doors- vehicle access doors (garage doors)	The following applies: (a) Lower portion of vehicle access door that is within 400 mm of the ground when door is closed shall be made from: (i) Non-combustible material; or (ii) Bushfire resisting timber (see Appendix F of AS 3959-2009); or (iii) Fibre cement sheet, a minimum of 6 mm in thickness; or (iv) A timber species as specified in Paragraph E1, Appendix E of AS 3959-2009; or (v) A combination of any item above. b) Panel lift, tilt doors or side-hung doors shall be fitted with weather strips, draught excluders, draught seals or guide tracks, as appropriate to the door type with maximum gap no more than 3 mm. c) Roller doors shall have guide tracks with maximum gap no greater than 3 mm and fitted with a nylon brush that is in contact with the door, (see figure D4, Appendix D of AS 3959-2009). d) Vehicles access doors shall not include ventilation slots.
Roofs (Including veranda and attached carport roofs, penetrations, eaves, fascia's, gutters and downpipes)	**General**	The following apply to all types of roofs and roofing systems. Roof tiles, roof sheets and roof covering accessories shall be non-combustible. The roof/wall junction must be sealed to prevent openings greater than 3 mm, by using fascia and eaves lining or by sealing between the top of wall and underside of roof and between the rafters at the line of the wall. Roof ventilation openings such as gable and roof vents, shall be fitted with ember guards made of non-combustible material or a mesh or perforated sheet with a maximum aperture of 2mm, made of corrosion-resistant steel, bronze or aluminium.
	Tiled roofs	Tiled roofs shall be fully sarked. The sarking shall— (a) be located on top of the roof framing, except that the roof battens may be fixed above the sarking; (b) cover the entire roof area including ridges and hips; and (c) extend into gutters and valleys.
	Sheet roofs	Sheet roofs shall— (a) be fully sarked in accordance with Clause 5.6.2, except that foil-backed insulation blankets may be installed over the battens; and (b) have any gaps greater than 3 mm (such as under corrugations or ribs of sheet roofing and between roof components) sealed at the fascia or

		wall line and at valleys, hips and ridges by— (i) a mesh or perforated sheet with a maximum aperture of 2 mm, made of corrosion-resistant steel, bronze or aluminium; or (ii) mineral wool; or (iii) other non-combustible material; or (iv) a combination of any of Items (i), (ii) or (iii) above.
	Veranda, carport awning roofs	The following apply to veranda, carport and awning roof: A veranda, carport or awning roof forming part of the main roof space, (see figure D1 (a), Appendix D of AS 3959-2009), shall meet all requirements for the main roof, as specified in Clauses 5.6.1, 5.6.2,5.6.3, 5.6.5 and 5.6.6 of AS 3959-2009. A veranda, carport or awning roof separated from the main roof space by an external wall, (see figures D1 (b) and D1 (c), Appendix D of AS 3959-2009), complying with clause 5.4 of AS 3959-2009, shall have a non-combustible roof covering.
	Roof penetrations	The following applies to roof penetrations: Roof penetrations, including roof lights, roof ventilators, roof mounted evaporative cooling units, aerials, vent pipes and supports for solar collectors, shall be adequately sealed at the roof to prevent gaps greater than 3 mm. The material used to seal the penetration shall be non-combustible. Openings in vented roof lights, roof ventilators or vent pipes shall be fitted with ember guards made from a mesh or perforated sheet with a maximum aperture of 2 mm, made of corrosion-resistant steel, bronze or aluminium. This requirement does not apply to the exhaust flues of heating or cooking devices with closed combustion chambers. In the case of gas appliance flues, ember guards shall not be fitted. NOTE: Gasfitters are required to provide a metal flue pipe above the roof and terminate with a certified gas flue cowl complying with AS 4566. Advice may be obtained from State gas technical regulators. Grade A safety glass complying with as 1288 is required for all overhead glazing. Glazed elements in roof lights and skylights may be a polymer provided a Grade A safety glass diffuser, complying with as 1288, is installed under the glazing. Where glazing is an insulating glazing unit (IGU), Grade A toughened safety glass minimum 4 mm thickness, shall be used in the outer pane of the IGU. Flashing elements of tubular skylights may be of a fire-retardant material, provided the roof integrity is maintained by an under-flashing of a material having a flammability index no more than 5. Evaporative cooling units shall be fitted with non-combustible butterfly closers as close as practicable to the roof level or the unit shall be fitted with non-combustible covers with a mesh or perforated sheet with a maximum aperture of 2 mm, made of corrosion-resistant steel, bronze or aluminium. Vent pipes made from PVC are permitted.
	Eaves lining, fascia's and gables.	The following apply to eaves linings, fascia's and gables: (a) Gables shall comply with Clause 5.4 of AS 3959-2009. (b) Eaves penetration shall be protected the same as for roof

		penetrations, as specified in Clause 5.6.5. (c) Eaves ventilation openings greater than 3 mm shall be fitted with ember guards made of non-combustible material or a mesh or perforated sheet with a maximum aperture or 2mm, made of corrosion-resistant steel, bronze or aluminium. Joints in eaves linings, fascia's and gables may be sealed with plastic joining strips or timber storm moulds. This Standard does not provide construction requirements for fascia's, bargeboards and eaves linings.
	Gutters and downpipes.	This Standard does not provide requirements for— (a) Gutters, with the exception of box gutters; and (b) Downpipes. If installed, gutter and valley leaf guards shall be non-combustible. Box gutters shall be non-combustible and flashed at the junction with the roof with non-combustible material.
Verandas, Decks, Steps, Ramps and landings.	**General**	Decking may be spaced. There is no requirement to enclose the subfloor spaces of verandas, decks, steps, ramps or landings.
	Enclosed subfloor spaces of verandas, decks, steps, ramps and landings.	**Materials to enclose a subfloor space** The subfloor spaces of verandas, decks, steps, ramps and landing are considered to be 'enclosed' when- (a) the material used to enclose the subfloor space complies with Clause 7.4 of AS 3959-2009; and (b) all openings greater than 3 mm are screened with a corrosion-resistant steel, bronze or aluminium mesh with a maximum aperture of 2mm. **Supports** This standard does not provide construction requirements for support posts, columns, stumps, stringers, piers and poles. **Framing** This standard does not provide construction requirements for the framing of verandas, decks, ramps or landing (i.e., bearers and joists). **Decking, stair treads and the trafficable surfaces of ramps and landings** Decking, stairs treads and trafficable surfaces of ramps and landings shall be- (a) of non-combustible material; or (b) of bushfire-resisting timber (see Appendix F); or a) a combination of items above.
	Unenclosed subfloor spaces of verandas, decks, ramps and landings.	**Supports** Support posts, columns, stumps, stringers, piers and poles shall be; (a) of non-combustible material; or (b) of bushfire-resisting timber (see Appendix F of AS 3959-2009); or (c) a combination of items above. **Framing** Framing of verandas, decks, ramps or landing (i.e. bearers and joists), shall be: (a) of non-combustible material; or

		(b) of bushfire-resisting timber (see Appendix F of AS 3959-2009); or (c) a combination of the items above **Decking, stair treads and the trafficable surfaces of ramps and landings** Decking, stair treads and the trafficable surfaces of ramps and landings shall - (a) of non-combustible material; or (b) of bushfire-resisting timber (see Appendix F of AS 3959-2009); or a combination of items above
	Balustrades, handrails or other barriers	Those parts of the handrails and balustrades less than 125 mm from any glazing or any combustible wall shall be- (a) of non-combustible material; or (b) of bushfire-resisting timber (see Appendix F of AS 3959-2009); or (c) a combination of items above Those parts of the handrails and balustrades that are 125 mm or more from the building have no requirements.
Water and gas supply pipe		Above-ground water and gas supply pipes shall be metal.

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

*** This includes Addendum: Appendix 3 of *Planning for Bushfire Protection, 2006*.**

NSW GOVERNMENT | Planning & Environment

Industry Assessments
Contact: Mary Ellen Trimble
Phone: (02) 9274 6213
Email: maryellen.trimble@planning.nsw.gov.

Mr Craig Swift-McNair
General Manager
Port Macquarie-Hastings Council
PO Box 84
PORT MACQUARIE NSW 2444

SEAR 1376

Dear Mr Swift-McNair,

Residential Flat Building in Coastal Wetland from the Coastal Management SEPP
5 Drew Close, Port Macquarie (Lot 1 and DP 1007734)
Planning Secretary's Environmental Assessment Requirements (SEAR) 1376

For your information, I have attached a copy of the Planning Secretary's Environmental Assessment Requirements (SEARs) for the preparation of an Environmental Impact Statement (EIS) for the above proposal, which have been provided to the Applicant.

If a development application (DA) and EIS are subsequently lodged with Council, please forward one electronic copy to the Director, Industry Assessments, Department of Planning, Industry and Environment, prior to the commencement of the public exhibition period. This will allow the Department to exhibit the document in its head office concurrently with Council's exhibition.

Following the exhibition period, Council must send the Department a copy of all the submissions it has received, in accordance with Clause 81 of the Environmental Planning and Assessment Regulation 2000. **If the Department does not respond within 21 days, Council may proceed to determine the application.**

In addition, it would be appreciated if Council would forward the Department a copy of the determination of the DA.

Should you have any enquiries, please contact me on the details above.

Yours sincerely

Mary Ellen Trimble
Student Para Planner
Industry Assessments

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PORT MACQUARIE HASTINGS
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Planning, Industry & Environment

Mr David Pensini
Building and Environmental Services
PO Box 5581
PORT MACQUARIE NSW 2444

SEAR 1376

Dear Mr Pensini,

Residential Flat Building in Coastal Wetland from the Coastal Management SEPP
5 Drew Close, Port Macquarie (Lot 1 and DP 1007734)
Planning Secretary's Environmental Assessment Requirements (SEAR) 1376

Thank you for your request for the Planning Secretary's Environmental Assessment Requirements (SEARs) for the preparation of an Environmental Impact Statement (EIS) for the above development proposal. I have attached a copy of these requirements.

In support of your application, you indicated that your proposal is both designated and integrated development under Part 4 of the *Environmental Planning and Assessment Act 1979* and requires an approval under the *Rural Fires Act 1997*. In preparing the SEARs, the Department of Planning, Industry and Environment (the Department) has consulted with the Rural Fire Service NSW. A copy of their requirements is attached.

The Department also consulted with the Department of Primary Industries – Fisheries. A copy of their additional requirements for the EIS is attached.

If other integrated approvals are identified before the Development Application (DA) is lodged, you must undertake direct consultation with the relevant agencies, and address their requirements in the EIS.

If your proposal contains any actions that could have a significant impact on matters of National Environmental Significance, then it will require an additional approval under the Commonwealth *Environment Protection and Biodiversity Conservation Act 1999* (EPBC Act). This approval is in addition to any approvals required under NSW legislation. If you have any questions about the application of the EPBC Act to your proposal, you should contact the Commonwealth Department of the Environment and Energy on (02) 6274 1111.

Should you have any further enquiries, please contact Mary Ellen Trimble, Planning and Assessment, at the Department on (02) 9274 6213 or via maryellen.trimble@planning.nsw.gov.au.

Yours sincerely

C. Ritchie 17/9/19

Chris Ritchie
Director
Industry Assessments
as delegate of the Planning Secretary

Planning Secretary's Environmental Assessment Requirements

Section 4.12(8) of the *Environmental Planning and Assessment Act 1979*
Schedule 2 of the Environmental Planning and Assessment Regulation 2000

Designated Development

SEAR Number	1376
Proposal	Residential Flat Building
Location	5 Drew Close, Port Macquarie (Lot 1 DP 1007734), Port Macquarie-Hastings LGA
Applicant	David Pensini Building and Environmental Services
Date of Issue	16 September 2019
General Requirements	The Environmental Impact Statement (EIS) must meet the minimum form and content requirements in clauses 6 and 7 of Schedule 2 of the Environmental Planning and Assessment Regulation 2000.
Key Issues	The EIS must include an assessment of all potential impacts of the proposed development on the existing environment (including cumulative impacts if necessary) and develop appropriate measures to avoid, minimise, mitigate and/or manage these potential impacts. As part of the EIS assessment, the following matters must also be addressed: • **strategic and statutory context** – including: – a detailed justification for the proposal and suitability of the site for the development – a demonstration that the proposal is consistent with all relevant planning strategies, environmental planning instruments, development control plans (DCPs), or justification for any inconsistencies – a list of any approvals that must be obtained under any other Act or law before the development may lawfully be carried out. • **hazards and risk** – including: – an assessment of the risk of bushfire, including addressing the requirements of *Planning for Bush Fire Protection 2006* (RFS). Any proposed Asset Protection Zones must not adversely affect environmental objectives (e.g. buffers) – any geotechnical limitations that may occur on the site and if necessary, appropriate design considerations to address this – an assessment of flood risk on the site. The assessment should determine: the flood hazard in the area; address the impact of flooding on the proposed development, and the development's impact (including filling) on flood behaviour of the site and adjacent lands; and address adequate egress and safety in a flood event • **soil and water** – including: – a description of local soils, topography, drainage and landscapes – an assessment of potential impacts on floodplain and stormwater management and any impact to flooding in the catchment – details of sediment and erosion controls – an assessment in accordance with ASSMAC Guidelines for the presence and extent of acid sulfate soils (ASS) and potential acid sulfate soils (PASS) on the site and, where relevant, appropriate mitigation measures – a detailed site water balance – an assessment of potential impacts on the quality and quantity of surface

	and groundwater resources – details of the proposed stormwater and wastewater management systems (including sewage), water monitoring program and other measures to mitigate surface and groundwater impacts – characterisation of the nature and extent of any contamination on the site and surrounding area – a description and appraisal of impact mitigation and monitoring measures • **traffic and transport** – including: – details of road transport routes and access to the site – road traffic predictions for the development during construction and for residential car parking use. – an assessment of impacts to the safety and function of the road network and the details of any road upgrades required for the development. • **biodiversity** – including a description of any potential vegetation clearing needed to undertake the proposal and any impacts to flora and fauna. • **visual** – including an impact assessment at private receptors and public vantage points. • **heritage** – including Aboriginal and non-Aboriginal cultural heritage
Environmental Planning Instruments and other policies	The EIS must assess the proposal against the relevant environmental planning instruments, including but not limited to: • State Environmental Planning Policy (Infrastructure) 2007 • State Environmental Planning Policy (Coastal Management) 2018 • State Environmental Planning Policy (Vegetation in Non-Rural) 2017 • State Environmental Planning Policy No. 44 – Koala Habitat Protection • State Environmental Planning Policy No. 55 – Remediation of Land • State Environmental Planning Policy No. 65 – Design Quality of Residential Apartment Development • Port Macquarie-Hastings Local Environmental Plan 2011 • relevant development control plans and section 7.11 plans.
Guidelines	During the preparation of the EIS you should consult the Department's Register of Development Assessment Guidelines which is available on the Department's website at https://www.planning.nsw.gov.au/Assess-and-Regulate/Development-Assessment/Industries. Whilst not exhaustive, this Register contains some of the guidelines, policies, and plans that must be taken into account in the environmental assessment of the proposed development.
Consultation	During the preparation of the EIS, you must consult the relevant local, State and Commonwealth government authorities, service providers and community groups, and address any issues they may raise in the EIS. In particular, you should consult with the: • Department of Planning, Industry and Environment, specifically the: o Water Group • Department of Primary Industries – Fisheries • NSW Rural Fire Service • Birpai Local Aboriginal Land Council • Port Macquarie-Hastings Council • the surrounding landowners and occupiers that are likely to be impacted by the proposal. Details of the consultation carried out and issues raised must be included in the EIS.
Further consultation after 2 years	If you do not lodge an application under Section 4.12(8) of the *Environmental Planning and Assessment Act 1979* within 2 years of the issue date of these SEARs, you must consult with the Planning Secretary in relation to any further requirements for lodgement.

NSW RURAL FIRE SERVICE

The Secretary
NSW Planning, Industry & Environment
GPO Box 39
SYDNEY NSW 2001

Your Ref: EAR 1376
Our Ref: D19/2892
DA19082720197 AB

ATTENTION: Mary Ellen Trimble

13 September 2019

Dear Ms Trimble

Agency Comment:- Environmental Assessment Requirements for Residential Flat Buildings – 1//1211682 - 5 Drew Close Port Macquarie

I refer to your correspondence dated 23 August 2019 seeking comment from the NSW Rural Fire Service (NSW RFS) on matters to be included in the Secretary's environmental assessment requirements for an environmental impact statement for the above development proposal.

Port Macquarie Hasting Council maps the subject land as bush fire prone. The NSW RFS considers that the environmental impact statement for the proposed development should address the following:

- Were no subdivision is proposed, A1.1 of Planning for Bush Fire Protection 2006; and/or
- Where strata subdivision is proposed, A1.3 A1.1 of Planning for Bush Fire Protection 2006.

For any enquiries regarding this correspondence please contact Alan Bawden on 6691 0400.

Yours sincerely,

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

Postal address
Records
NSW Rural Fire Service
Locked Bag 17
GRANVILLE NSW 2142

Street address
NSW Rural Fire Service
Planning and Environment Services (North)
Suite 1, 129 West High Street
COFFS HARBOUR NSW 2450

T (02) 6691 0400
F (02) 6691 0499
www.rfs.nsw.gov.au
Email: pes@rfs.nsw.gov.au

Mary Ellen Trimble

From:	sophia.stanley@dpi.nsw.gov.au on behalf of DPI Cabinet <dpi.cabinet@dpi.nsw.gov.au>
Sent:	Thursday, 12 September 2019 9:49 AM
To:	Mary Ellen Trimble
Cc:	Brendan Stone; Jane Bak
Subject:	Request for Input: Proposed Residential Flat Buildings on land partly mapped as Coastal Wetlands and Bushfire Prone Land– 5 Drew Close, Port Macquarie (Lot 1 DP 1211682) – SEAR 1376 Agency Referral To: Adam Oehlman <landuse.enquiries@dpi.nsw.gov.au>
Attachments:	SEARs Request - 5 Drew Close, Port Macquarie.pdf; Planning Report - 5 Drew Close, Port Macquarie.pdf; SEARS REQUEST - FORM A.pdf

Dear Mary Ellen

Subject: Proposed Residential Flat Buildings on land partly mapped as Coastal Wetlands and Bushfire Prone Land– 5 Drew Close, Port Macquarie (Lot 1 DP 1211682) – SEAR 1376 Agency Referral

I refer to your email of 29 August 2019 to the Department of Primary of Industries (DPI) regarding the above matter.

DPI has reviewed the request and advises that:

- the subject site (i.e. Lot 1 DP 1080285) includes areas mapped as Coastal Wetlands in accordance with the Coastal Management State Environmental Planning Policy. Coastal Wetlands are Type 1 Highly Sensitive Key Fish Habitat in accordance with the Policy and Guidelines for Fish Habitat Conservation and Management (accessible via https://www.dpi.nsw.gov.au/fishing/habitat/publications/pubs/fish-habitat-conservation) and are consequently afforded the highest level of protection
- the EIS for this proposal should address the requirements of the Policy and Guidelines, noting that impacts to Coastal Wetlands may require offsetting
- the final EIS should be referred to DPI Fisheries for review.

DPI notes that it is responsible for ensuring:

- that fish stocks are conserved and that there is "no net loss" of key fish habitats upon which they depend. To achieve this, the Coastal Systems Unit assesses activities under Part 4 and Part 5 of the *Environmental Planning and Assessment Act 1979* in accordance with:
  - the *Fisheries Management Act 1994* objectives,
  - the aquatic habitat protection and threatened species conservation provisions in Parts 7 and 7A of the *Fisheries Management Act 1994*, and
  - the Policy and Guidelines for Fish Habitat Conservation and Management
- the sustainable management of viable commercial fishing and aquaculture; quality recreational fishing; and to promote the continuation of Aboriginal cultural fishing within NSW.

If the applicant has any further questions, please contact Peter Henwood, Fisheries Manager, Coastal Systems (North Coast) on peter.henwood@dpi.nsw.gov.au or 0417 343 393.

Kind regards
Sophia

DPI Coordination Team:
Cass McNamara, Manager - 0404 087 481
Jane Bak, A/Manager - 0438 458 914 (27 Aug - 20 Sept)
Sophia Stanley, Policy & Project Officer - 0427 326 931

Planning Secretary's Environmental Assessment Requirements

Section 4.12(8) of the *Environmental Planning and Assessment Act 1979*.
Schedule 3 of the Environmental Planning and Assessment Regulation 2000.

Designated Development

SEAR Number	1376
Proposal	Residential Flat Building
Location	5 Drew Close, Port Macquarie (Lot 1 DP 1007734), Port Macquarie-Hastings LGA
Applicant	David Pensini Building and Environmental Services
Date of Issue	16 September 2019
General Requirements	The Environmental Impact Statement (EIS) must meet the minimum form and content requirements in clauses 6 and 7 of Schedule 2 of the Environmental Planning and Assessment Regulation 2000.
Key Issues	The EIS must include an assessment of all potential impacts of the proposed development on the existing environment (including cumulative impacts if necessary) and develop appropriate measures to avoid, minimise, mitigate and/or manage these potential impacts. As part of the EIS assessment, the following matters must also be addressed: • **strategic and statutory context** – including: – a detailed justification for the proposal and suitability of the site for the development – a demonstration that the proposal is consistent with all relevant planning strategies, environmental planning instruments, development control plans (DCPs), or justification for any inconsistencies – a list of any approvals that must be obtained under any other Act or law before the development may lawfully be carried out. • **hazards and risk** – including: – an assessment of the risk of bushfire, including addressing the requirements of *Planning for Bush Fire Protection 2006* (RFS). Any proposed Asset Protection Zones must not adversely affect environmental objectives (e.g. buffers) – any geotechnical limitations that may occur on the site and if necessary, appropriate design considerations to address this – an assessment of flood risk on the site. The assessment should determine: the flood hazard in the area; address the impact of flooding on the proposed development, and the development's impact (including filling) on flood behaviour of the site and adjacent lands; and address adequate egress and safety in a flood event • **soil and water** – including: – a description of local soils, topography, drainage and landscapes – an assessment of potential impacts on floodplain and stormwater management and any impact to flooding in the catchment – details of sediment and erosion controls – an assessment in accordance with ASSMAC Guidelines for the presence and extent of acid sulfate soils (ASS) and potential acid sulfate soils (PASS) on the site and, where relevant, appropriate mitigation measures – a detailed site water balance – an assessment of potential impacts on the quality and quantity of surface

	and groundwater resources – details of the proposed stormwater and wastewater management systems (including sewage), water monitoring program and other measures to mitigate surface and groundwater impacts – characterisation of the nature and extent of any contamination on the site and surrounding area – a description and appraisal of impact mitigation and monitoring measures • **traffic and transport** – including: – details of road transport routes and access to the site – road traffic predictions for the development during construction and for residential car parking use. – an assessment of impacts to the safety and function of the road network and the details of any road upgrades required for the development. • **biodiversity** – including a description of any potential vegetation clearing needed to undertake the proposal and any impacts to flora and fauna. • **visual** – including an impact assessment at private receptors and public vantage points. • **heritage** – including Aboriginal and non-Aboriginal cultural heritage
Environmental Planning Instruments and other policies	The EIS must assess the proposal against the relevant environmental planning instruments, including but not limited to: • State Environmental Planning Policy (Infrastructure) 2007 • State Environmental Planning Policy (Coastal Management) 2018 • State Environmental Planning Policy (Vegetation in Non-Rural) 2017 • State Environmental Planning Policy No. 44 – Koala Habitat Protection • State Environmental Planning Policy No. 55 – Remediation of Land • State Environmental Planning Policy No. 65 – Design Quality of Residential Apartment Development • Port Macquarie-Hastings Local Environmental Plan 2011 • relevant development control plans and section 7.11 plans.
Guidelines	During the preparation of the EIS you should consult the Department's Register of Development Assessment Guidelines which is available on the Department's website at https://www.planning.nsw.gov.au/Assess-and-Regulate/Development-Assessment/Industries. Whilst not exhaustive, this Register contains some of the guidelines, policies, and plans that must be taken into account in the environmental assessment of the proposed development.
Consultation	During the preparation of the EIS, you must consult the relevant local, State and Commonwealth government authorities, service providers and community groups, and address any issues they may raise in the EIS. In particular, you should consult with the: • Department of Planning, Industry and Environment, specifically the: o Water Group • Department of Primary Industries – Fisheries • NSW Rural Fire Service • Birpai Local Aboriginal Land Council • Port Macquarie-Hastings Council • the surrounding landowners and occupiers that are likely to be impacted by the proposal. Details of the consultation carried out and issues raised must be included in the EIS.
Further consultation after 2 years	If you do not lodge an application under Section 4.12(8) of the *Environmental Planning and Assessment Act 1979* within 2 years of the issue date of these SEARs, you must consult with the Planning Secretary in relation to any further requirements for lodgement.

NSW RURAL FIRE SERVICE

The Secretary
NSW Planning, Industry & Environment
GPO Box 39
SYDNEY NSW 2001

Your Ref: EAR 1376
Our Ref: D19/2892
DA19082720197 AB

ATTENTION: Mary Ellen Trimble

13 September 2019

Dear Ms Trimble

Agency Comment:- Environmental Assessment Requirements for Residential Flat Buildings – 1//1211682 - 5 Drew Close Port Macquarie

I refer to your correspondence dated 23 August 2019 seeking comment from the NSW Rural Fire Service (NSW RFS) on matters to be included in the Secretary's environmental assessment requirements for an environmental impact statement for the above development proposal.

Port Macquarie Hasting Council maps the subject land as bush fire prone. The NSW RFS considers that the environmental impact statement for the proposed development should address the following:

- Were no subdivision is proposed, A1.1 of Planning for Bush Fire Protection 2006; and/or
- Where strata subdivision is proposed, A1.3 A1.1 of Planning for Bush Fire Protection 2006.

For any enquiries regarding this correspondence please contact Alan Bawden on 6691 0400.

Yours sincerely,

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

Postal address
Records
NSW Rural Fire Service
Locked Bag 17
GRANVILLE NSW 2142

Street address
NSW Rural Fire Service
Planning and Environment Services (North)
Suite 1, 129 West High Street
COFFS HARBOUR NSW 2450

T (02) 6691 0400
F (02) 6691 0499
www.rfs.nsw.gov.au
Email: pes@rfs.nsw.gov.au

Mary Ellen Trimble

From: sophia.stanley@dpi.nsw.gov.au on behalf of DPI Cabinet <dpi.cabinet@dpi.nsw.gov.au>
Sent: Thursday, 12 September 2019 9:49 AM
To: Mary Ellen Trimble
Cc: Brendan Stone; Jane Bak
Subject: Request for Input: Proposed Residential Flat Buildings on land partly mapped as Coastal Wetlands and Bushfire Prone Land– 5 Drew Close, Port Macquarie (Lot 1 DP 1211682) – SEAR 1376 Agency Referral To: Adam Oehlman <landuse.enquiries@dpi.nsw.gov.au>
Attachments: SEARs Request - 5 Drew Close, Port Macquarie.pdf; Planning Report - 5 Drew Close, Port Macquarie.pdf; SEARS REQUEST - FORM A.pdf

Dear Mary Ellen

Subject: Proposed Residential Flat Buildings on land partly mapped as Coastal Wetlands and Bushfire Prone Land– 5 Drew Close, Port Macquarie (Lot 1 DP 1211682) – SEAR 1376 Agency Referral

I refer to your email of 29 August 2019 to the Department of Primary of Industries (DPI) regarding the above matter.

DPI has reviewed the request and advises that:

- the subject site (i.e. Lot 1 DP 1080285) includes areas mapped as Coastal Wetlands in accordance with the Coastal Management State Environmental Planning Policy. Coastal Wetlands are Type 1 Highly Sensitive Key Fish Habitat in accordance with the Policy and Guidelines for Fish Habitat Conservation and Management (accessible via https://www.dpi.nsw.gov.au/fishing/habitat/publications/pubs/fish-habitat-conservation) and are consequently afforded the highest level of protection
- the EIS for this proposal should address the requirements of the Policy and Guidelines, noting that impacts to Coastal Wetlands may require offsetting
- the final EIS should be referred to DPI Fisheries for review.

DPI notes that it is responsible for ensuring:

- that fish stocks are conserved and that there is "no net loss" of key fish habitats upon which they depend. To achieve this, the Coastal Systems Unit assesses activities under Part 4 and Part 5 of the *Environmental Planning and Assessment Act 1979* in accordance with:
  - the *Fisheries Management Act 1994* objectives,
  - the aquatic habitat protection and threatened species conservation provisions in Parts 7 and 7A of the *Fisheries Management Act 1994*, and
  - the Policy and Guidelines for Fish Habitat Conservation and Management
- the sustainable management of viable commercial fishing and aquaculture; quality recreational fishing; and to promote the continuation of Aboriginal cultural fishing within NSW.

If the applicant has any further questions, please contact Peter Henwood, Fisheries Manager, Coastal Systems (North Coast) on peter.henwood@dpi.nsw.gov.au or 0417 343 393.

Kind regards
Sophia

DPI Coordination Team:
Cass McNamara, Manager - 0404 087 481
Jane Bak, A/Manager - 0438 458 914 (27 Aug - 20 Sept)
Sophia Stanley, Policy & Project Officer - 0427 326 931

Client

Lloyd Coastal Property P/L

Proposed Residential Development

No. 5 Drew Close, Port Macquarie NSW 2444

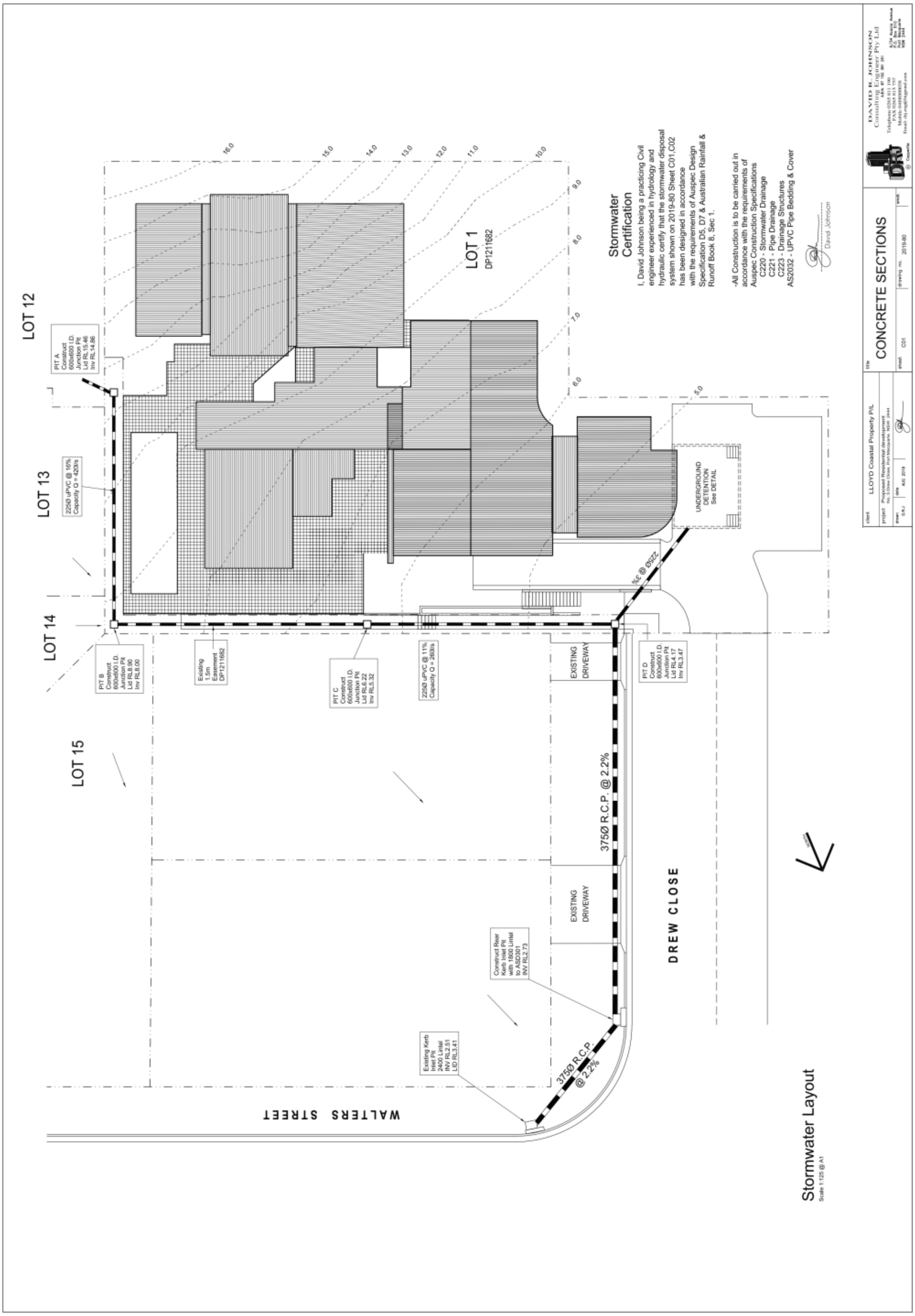
C01 - Stormwater Layout

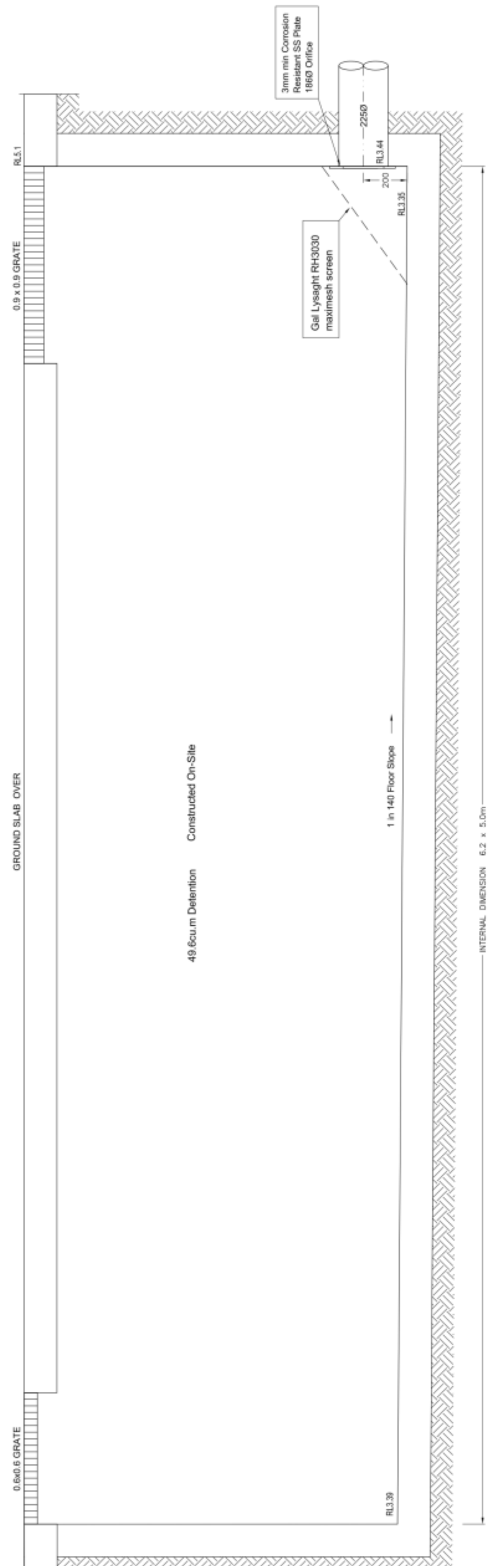
C02 - Detention Layout

DAVID R. JOHNSON
Consulting Engineer Pty Ltd.
A.B.N. 87 102 381 251

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

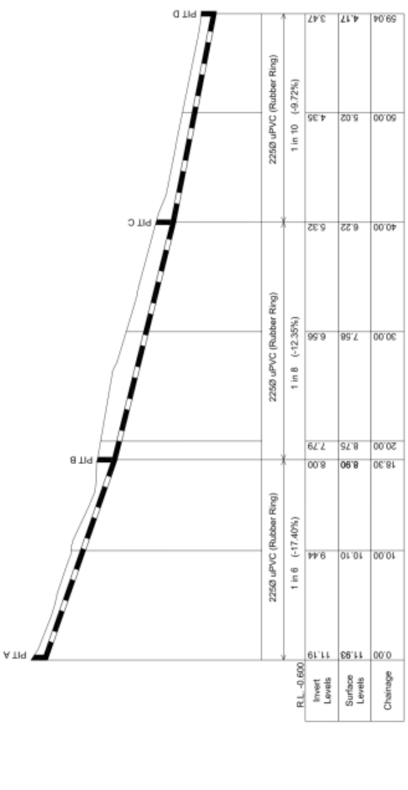
Telephone 0265 811 190
Mobile 0488 000 038
Email drj.eng@bigpond.com


LOT 12
LOT 13
LOT 14
LOT 15
LOT 1
DP1211682
PIT A Construct 600x600 I.D. Junction Pit Lid RL15.46 Inv RL14.86
225Ø uPVC @ 16% Capacity Q = 420l/s
PIT B Construct 600x600 I.D. Junction Pit Lid RL8.90 Inv RL8.00
Existing 1.5m Easement DP1211682
PIT C Construct 600x600 I.D. Junction Pit Lid RL6.22 Inv RL5.32
225Ø uPVC @ 11% Capacity Q = 260l/s
PIT D Construct 600x600 I.D. Junction Pit Lid RL4.17 Inv RL3.47
225Ø @ 3%
UNDERGROUND DETENTION See DETAIL
EXISTING DRIVEWAY
EXISTING DRIVEWAY
375Ø R.C.P. @ 2.2%
375Ø R.C.P. @ 2.2%
Construct Rear Kerb Inlet Pit with 1800 Lintel to ASD301 INV RL2.73
Existing Kerb Inlet Pit 2400 Lintel INV RL2.51 LID RL3.41
DREW CLOSE
WALTERS STREET
Stormwater Certification
I, David Johnson being a practicing Civil engineer experienced in hydrology and hydraulic certify that the stormwater disposal system shown on 2019-80 Sheet C01,C02 has been designed in accordance with the requirements of Auspec Design Specification D5, D7 & Australian Rainfall & Runoff Book 8, Sec 1.
-All Construction is to be carried out in accordance with the requirements of Auspec Construction Specifications
C220 - Stormwater Drainage
C221 - Pipe Drainage
C223 - Drainage Structures
AS2032 - UPVC Pipe Bedding & Cover
David Johnson
Stormwater Layout
Scale 1:125 @ A1
LLOYD Coastal Property P/L
CONCRETE SECTIONS
C01
2019-80
DAVID R. JOHNSON
Consulting Engineer Pty Ltd



Detention Layout
Scale 1:10

SITE	1000sq.m	
LAND USE	EXISTING	PROPOSED
Roof/Pavement	-	1260
Landscape	1684	424
Impervious	0%	75%



Stormwater Easement Longsection
VERT 1:100
HOR. 1:200

DETENTION OUTPUT

10 Year ARI Storm Durations						
	EXISTING	PROPOSED				
Impervious	0%	75% Impervious Site				
Storm Duration	Q l/s	Catchment Q l/s	Pipe l/s	Overflow Q l/s	Total Q l/s	Water Level
10min	39	63	39	-	39	4.15
20min	66	77	50	-	50	4.33
30min	67	81	51	-	51	4.35
60min	62	79	51	-	51	4.36
120min	70	77	52	-	52	4.36
180min	40	45	40	-	40	4.15

100 Year ARI Storm Durations						
	EXISTING	PROPOSED				
Impervious	0%	75% Impervious Site				
Storm Duration	Q l/s	Catchment Q l/s	Pipe l/s	Overflow Q l/s	Total Q l/s	Water Level
10min	78	96	58	-	58	4.51
20min	113	116	71	-	71	4.82
30min	109	121	71	-	71	4.81
60min	97	121	74	-	74	4.92
120min	106	114	72	-	72	4.85
180min	65	67	57	-	57	4.47

client: LLOYD Coastal Property P/L
project: Proposed Residential development, No. 5 Drew Close, Port Macquarie NSW 2444
drawn: D.R.J date: AUG 2019
title: DETENTION LAYOUT
sheet: C02 drawing no.: 2019-80

DAVID R. JOHNSON
Consulting Engineer Pty Ltd

NSW GOVERNMENT | NSW RURAL FIRE SERVICE

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

Your reference: 2019/676
Our reference: DA20200110000061-Original-1

ATTENTION: Benjamin Roberts

Date: Wednesday 22 January 2020

Dear Sir/Madam,

Development Application
s4.14 – Multiple Dwelling – Multi Dwelling Housing
5 Drew close PORT MACQUARIE NSW 2444 AUS, 1//DP1211682

I refer to your correspondence dated 31/12/2019 seeking advice regarding bush fire protection for the above Development Application in accordance with section 4.14 of the *Environmental Planning and Assessment Act 1979*.

The New South Wales Rural Fire Service (NSW RFS) has considered the information submitted and provides the following recommended conditions:

Asset Protection Zones
The intent of measures is to minimise the risk of bush fire attack and provide protection for emergency services personnel, residents and others assisting fire fighting activities. To achieve this, the following conditions shall apply:
1. From the commencement of building works, 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. New construction must comply with section 3 and section 6 (BAL 19) Australian Standard AS3959-2009 'Construction of buildings in bush fire-prone area' or NASH Standard (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'.

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

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

3. Water, electricity and gas supply must comply with section 4.1.3 of 'Planning for Bush Fire Protection 2006'.

Landscaping Assessment
The intent of measures is for landscaping. To achieve this, the following conditions shall apply:
4. Landscaping of the site shall comply with the principles of Appendix 5 of 'Planning for Bush Fire Protection 2006'.

General Advice – Consent Authority to Note
The above advice is based on the drawing titled 'Site Plan' prepared by Wayne Ellis Architect, numbered 1906 and dated 18th September, 2019.

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

Yours sincerely,

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

Item: **06**

Subject: **DA2019 - 867.1- MULTI DWELLING HOUSING AND STRATA TITLE SUBDIVISION AT LOT 110 DP788310, NO.18 MONTAGUE STREET, PORT MACQUARIE**

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

Applicant:	**Johnson Family Homes**
Owner:	**SJ & K Johnson**
Estimated Cost:	**$650,000**
Parcel no:	**13885**

Alignment with Delivery Program

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

RECOMMENDATION

That DA2019 - 867 for a multi dwelling housing and strata title subdivision at Lot 110, DP 788310, No. 18 Montague Street, Port Macquarie, be determined by granting consent subject to the recommended conditions.

Executive Summary

This report considers a development application for a multi dwelling housing and strata title subdivision proposal at the subject site and provides an assessment of the application in accordance with the Environmental Planning and Assessment Act 1979.

Following exhibition of the application, one (1) submission was received.

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

- Unit 3 courtyard 5% maximum design grade clarified on plans;
- Driveway long sections provided;
- Privacy screen added to Unit 3 upper deck.

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 attached conditions (**Attachment 1**).

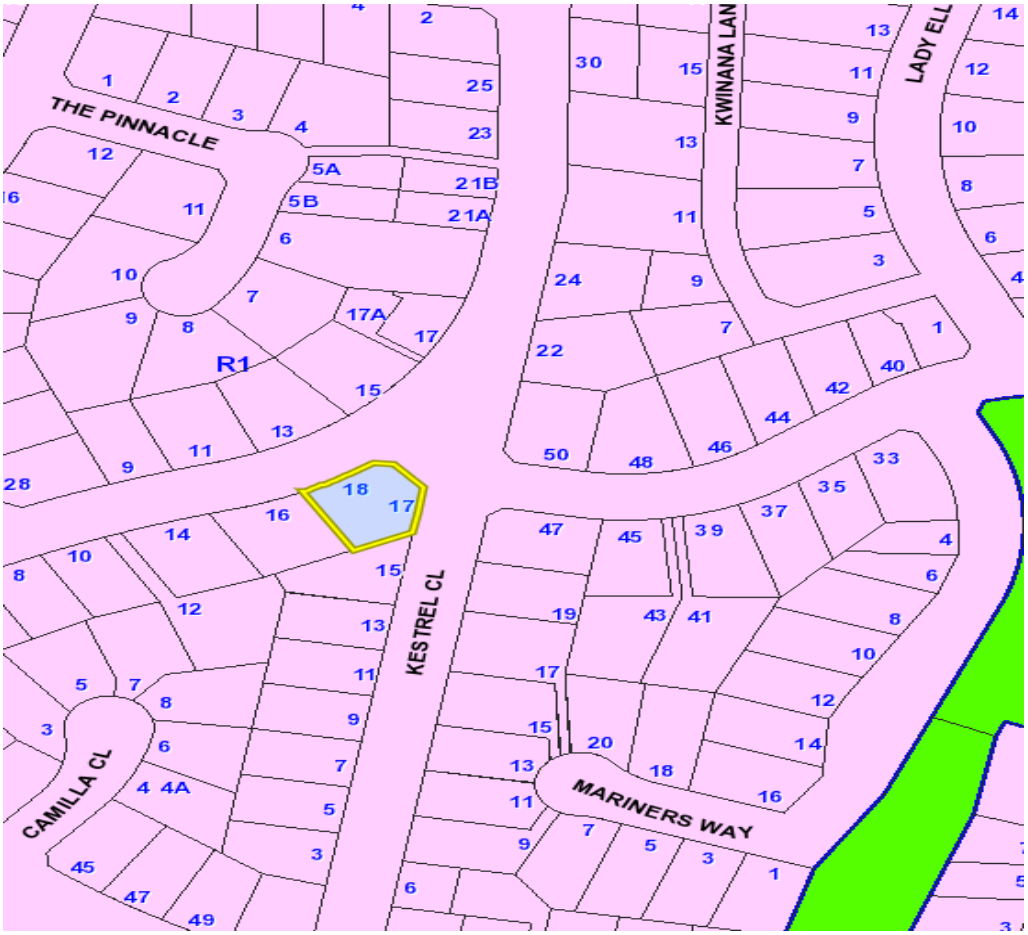
PORT MACQUARIE HASTINGS COUNCIL

1. BACKGROUND

Existing Sites Features and Surrounding Development

The site has an area of 783m2.

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



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

2. DESCRIPTION OF DEVELOPMENT

Key aspects of the proposal include the following:

- Construction of three (3) x attached dwellings on a vacant lot (multi dwelling-housing); and
- Strata title subdivision.

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

Application Chronology

- 25 November 2019 - DA lodged.
- 18 December 2019 to 10 January 2020 - Neighbour notification of proposal.
- 24 January 2020 - Additional information requested from Applicant - driveway grades, private open space and privacy impacts associated with Unit 3 and submission for consideration.
- 25 March 2020 - Amended plans and additional information 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 (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 certificate has been submitted demonstrating that the proposal will comply with the requirements of the SEPP. It is recommended that a condition be imposed to ensure that the commitments are incorporated into the development and certified at Occupation Certificate stage.

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 contribute to the variety of suitable housing types and densities in the locality.

- 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 is 8.3m, 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 0.649:1.0, 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

DCP 2013: Dwellings, Dual occupancies, Dwelling houses, Multi dwelling houses & Ancillary development			
	Requirements	**Proposed**	**Complies**
3.2.2.1	Ancillary development: • 4.8m max. height • Single storey • 60m^2 max. area • 100m^2 for lots >900m2 • 24 degree max. roof pitch • Not located in front setback	The rainwater tanks are located within the courtyard areas for Units 1 & 2, and in the rear yard of Unit 3.	Yes/No* Unit 1 and 2 water tank only
3.2.2.2	Articulation zone: • Min. 3m front setback • An entry feature or portico • A balcony, deck, patio, pergola, terrace or verandah • A window box treatment • A bay window or similar feature • An awning or other feature over a window • A sun shading feature	No elements within the articulation zone front setback to Kestrel Close and Montague Street.	N/A
	Front setback: • Primary road front setback min. 4.5m to Montague Street: north-east or within 20% of adjoining dwelling if on corner	Primary front setback min. 4.05m to 6.0m setback to Montague Street: north-east. Secondary road front	Yes/No*

DCP 2013: Dwellings, Dual occupancies, Dwelling houses, Multi dwelling houses & Ancillary development			
	Requirements	**Proposed**	**Complies**
	lot • Secondary road front setback min. 3.0m to Montague Street: north and north-west and Kestrel Close Note: *A corner lot means a lot that has 2 contiguous boundaries with a road or roads (other than a lane) that intersect at an angle of 135 degrees or less (whether or not the lot has any other boundaries with a road).*	setback min. 3.096m to Montague Street: north. Secondary road front setback min. 2.82m to Montague Street: north-west. Secondary road front setback min. 3.0m to Kestrel Close.	
3.2.2.3	Garage 5.5m min. and 1m behind front façade. Garage door recessed behind building line or eaves/overhangs provided	Garage door setback requirements are complied with.	Yes
	6m max. width of garage door/s and 50% max. width of building	Width of garage door requirements are complied with.	Yes
	Driveway crossover 1/3 max. of site frontage and max. 5.0m width	Driveway crossing width requirements are complied with.	Yes
3.2.2.4	4m min. rear setback. Variation subject to site analysis and provision of private open space	The site is a corner lot.	N/A
3.2.2.5	Side setbacks: • Ground floor = min. 0.9m • First floors & above = min. 3m setback or where it can be demonstrated that overshadowing not adverse = 0.9m min. • Building wall set in and out every 12m by 0.5m	Ground floor = 1.05m minimum (Unit 3). First floor = 1.05m minimum (Unit 3 balcony). This is acceptable and will not result in any adverse overshadowing or privacy impacts to neighbouring properties. All elevations have compliant articulation.	Yes
3.2.2.6	35m2 min. private open space area including a useable 4x4m min. area, which has 5% max. grade	All Units exceed the minimum requirement of 35m2 of private open space areas. However, it is noted that units 1 and 2 do not contain 35m2 in a single area.	Yes/No*
3.2.2.7	Front fences:	The proposed front	N/A

DCP 2013: Dwellings, Dual occupancies, Dwelling houses, Multi dwelling houses & Ancillary development			
	Requirements	**Proposed**	**Complies**
	• 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	courtyard fence design is considered to meet the fencing objectives of DCP 2013. No adverse impacts will occur.	
3.2.2.10	Privacy: • Direct views between living areas of adjacent dwellings screened when within 9m radius of any part of window of adjacent dwelling and within 12m of private open space areas of adjacent dwellings. ie. 1.8m fence or privacy screening which has 25% max. openings and is permanently fixed • Privacy screen required if floor level > 1m height, window side/rear setback (other than bedroom) is less than 3m and sill height less than 1.5m • Privacy screens provided to balconies/verandahs etc which have <3m side/rear setback and floor level height >1m	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 additional privacy screens are recommended.	Yes

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.	Yes
2.3.3.1	Cut and fill 1.0m max. 1m outside the perimeter of the external building walls	Cut and fill 1.0m max. 1m outside the perimeter of the external building walls associated with the front courtyards of units 1 and 2. Retaining wall 1.4m associated with and cut for vehicle turning areas and fill for private open space courtyard for Unit	Yes

DCP 2013: General Provisions			
	Requirements	**Proposed**	**Complies**
		3 is less than 1m change either side of wall.	
2.3.3.2	1m max. height retaining walls along road frontage	1.2m high retaining wall along north-west frontage to Montague Street for part length of boundary.	No*
	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 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	The front courtyard walls and combined fence are not erected up to the front boundary however there is a small section of combined retaining wall and fencing fronting Montague Street: north-west which, in combination exceed the 1.8m standard fence height.	No*
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 trees proposed to be removed	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 accesses permitted from arterial or distributor roads.	N/A
	Driveway crossing/s minimal in number and width including maximising street parking	Driveway crossings minimal in number and width including maximising street parking opportunities.	Yes
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	Proposal involves 3 x 3/4 bedroom dwellings. The minimum parking requirements are therefore 3 x 1.5 spaces + 3 x 0.25 visitor spaces = 5 spaces for dwellings	Yes/No*

DCP 2013: General Provisions			
	Requirements	**Proposed**	**Complies**
	0.25 spaces per occupancy for visitor parking.	+ 1 visitor space required. Each of the 3 dwellings have a double garage = 6 parking spaces. Unit 3 has a visitor parking area available within the driveway. Units 1 and 2 do not have a nominated separate visitor parking space.	
2.5.3.11	Section 94 contributions	Contributions apply.	Yes
2.5.3.12 and 2.5.3.13	Landscaping of parking areas	Suitable concept landscaping proposed around driveway/parking locations.	Yes
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	Driveway grades capable of satisfying Council standard driveway crossover requirements. Condition recommended for section 138 Roads Act permit.	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

**Variations:*

Rainwater tanks in front setback

The proposal seeks to vary the standard Development Provision relating to recommended location of water tanks. Specifically, the following areas of the proposal are unable to meet the standard:

- The water tanks for Unit 1 and 2 are located in the front courtyards/front setbacks. Unit 3 complies with its' water tank located to the rear of Unit 3.
-

The relevant objectives are:

- *To facilitate and sustain certain development as ancillary development.*

  Note: Ancillary development is development that is ancillary or subordinate to the core purpose of the development being carried out

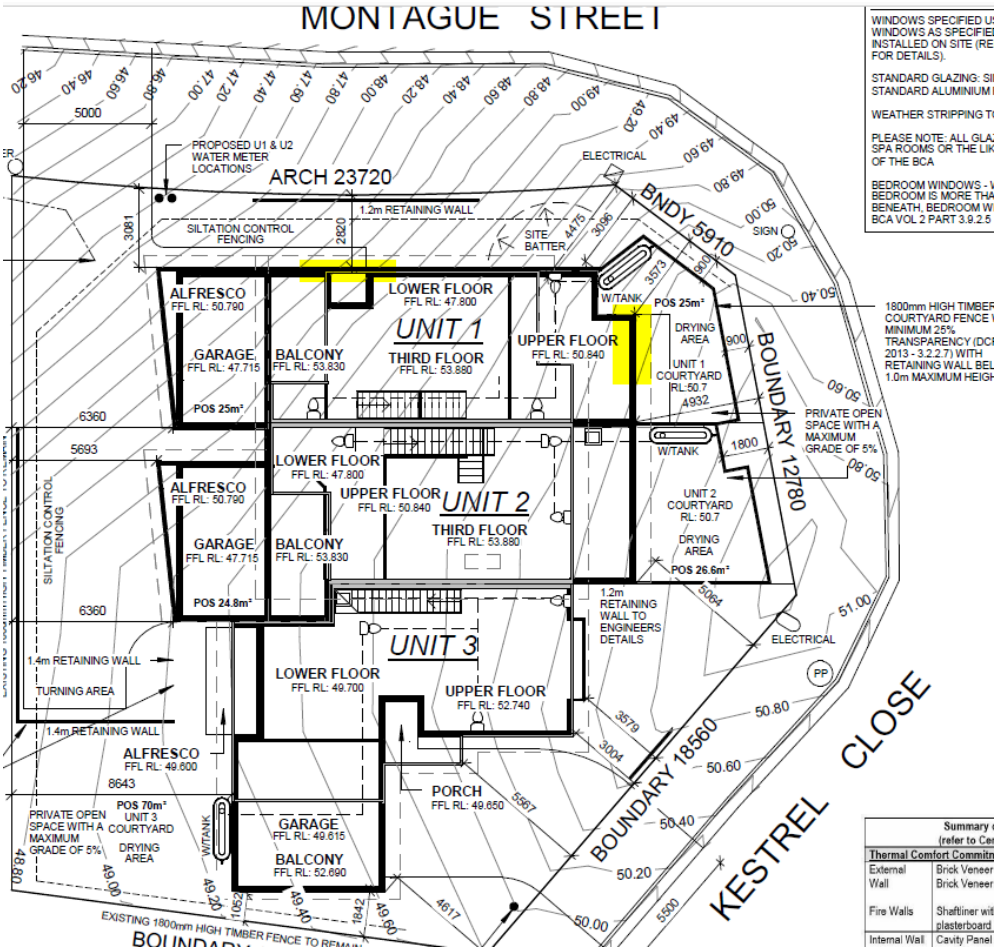
Having regard for the development provisions and relevant objectives, the variation is considered acceptable for the following reasons:

- The site is a corner lot with multiple street frontages.
- The alignments of the two (2) tanks for units 1 and 2 are perpendicular to the street frontage.
- The tanks are located in the front courtyards behind 1.8m high fences and will largely be not visible from the street.

Front setback

The proposal seeks to vary the standard Development Provision relating to recommended primary and secondary front setbacks. Specifically, the following areas of the proposal are unable to meet the standard:

- A small length of the corner of Unit 1 is within the standard primary front setback of min. 4.5m to Montague Street: north-east. The encroachment is 0.45m.
- A small length of Unit 1 is within the standard secondary road front setback of min. 3.0m to Montague Street: north-west.
- The sections of building in question are highlighted as shown below:
  -



The relevant objectives are:

- *Front setbacks should support an attractive streetscape.*
-

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

- The site is a corner lot with multiple secondary street frontages.
- The variation to the secondary frontage to Montague Street: north-west is very minor and relates to the curved property boundary, which does not follow the road pavement alignment.
- The variation to the primary frontage to Montague Street: north-east is very minor and the secondary frontage to the north to Montague Street is compliant at this point is 3.573m, which is 0.573m greater than the secondary frontage minimum standard.
- The majority of the primary street frontage is significantly greater than the minimum 4.5m.
- The proposal will result in an attractive streetscape.

<u>Units 1 and 2 Private Open Space</u>

The proposal seeks to vary the standard Development Provision relating to recommended 35m^2 private open space for Unit 1 and 2 to be in one area.

The relevant objectives are:

- *To encourage useable private open space for dwellings to meet the occupants requirements for privacy, safety, access, outdoor activities and landscaping.*

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

- The total private outdoor living area for Unit 1 is 58.9m^2, and for Unit 2 the area is 62.7m2, however the largest single area is 25m^2 and 26.6m^2 respectively.
- Units 1 and 2 have their largest private open space areas located within the front, north facing courtyards. These courtyards both have direct linkage to indoor living areas. The front courtyards could be extended to the property boundary and may then achieve the total area; however, a better streetscape is achieved by keeping the fences set in.
- Units 1 and 2 both have large alfresco areas at the rear of the property. These alfresco areas are also large areas, but less than the 35m^2, being 25m^2 and 24.8m^2 respectively. These alfresco areas will provide an alternate outdoor living area, and these areas have good separation to the dwelling on the adjoining property, as well as the adjoining unit. Having more than one outdoor living area allows the future residents to choose between shade or sun areas depending on the time of day / season.
- Units 1 and 2 provide useable space for the future residents, and satisfy the relevant objectives of the DCP.

<u>Section of Unit 1 front courtyard wall and combined fence height</u>

The proposal seeks to vary the standard Development Provision relating to recommended 1.8m height restriction for front retaining wall heights with front fence combined. The area of non-compliance is associated with a section of fence and wall for Unit 1 courtyard fronting Montague Street: north-west.

The relevant objectives are:

- *To ensure retaining walls are functional, safe and positively contribute to the development*

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

- The variation is minor with the retaining wall under part of the front fence being 0.7m. Moving further east along the Montague Street the fence becomes compliant.
- The courtyard walls and front fencing are set back from the front property boundaries and landscaping is proposed.
- Having regard to the topography of the site, this is considered an acceptable solution to ensuring privacy and separation / security for the private living areas of the future residents.

<u>Off-street visitor parking for Units 1 and 2</u>

The relevant objectives are:

PORT MACQUARIE HASTINGS COUNCIL

- *Provision of sufficient parking spaces for different landuses.*

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

- Each of the three (3) units have a double garage thus providing six (6) off street parking spaces. This is above the minimum calculated minimum 5 (rounded up from 4.5) parking space requirement.
- Unit 3 has a setback for the garage, which provides for visitor parking in front of the garages.
- Unit 1 and 2 from a parking provision perspective can be considered as a dual occupancy with only two (2) dwellings sharing one driveway and not requiring specific assigned visitor parking. 4 parking spaces are provided for Units 1 and 2.
- Being a corner site, the site has a large street frontage that provides for l on street parking opportunities.

(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 proposal is unlikely to have any adverse impacts to existing adjoining properties and satisfactorily addresses the public domain.
- 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 primarily hipped and gable roof styles of construction.
- There are examples of multiple dwellings and differing architectural styles in the surrounding area are presented below. Points c. and d. are back-to-back developments:
    - a) 23 Ashdown Drive
    - b) 40 + 40a Ashdown Drive
    - c) 21a + 21b Montague St
    - d) 5a + 5b The Pinnacle
- The proposal will result in a change in character with a different architectural form including skillion style roof forms 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 generally complies with the minimum setback requirements (minor variations only), is within the maximum building height limit and the maximum floor space ratio.

- There are no adverse impacts on existing view sharing particularly given the compliance with the building height control applying to the site.
- There are no identifiable adverse privacy impacts to adjoining and adjacent properties. A privacy screen has been added to Unit 3 upper level deck.
- 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 is located in the south quadrant of the intersection with Montague Street, Ashdown Street and Kestrel Close. Adjacent to the site, all streets are local sealed public road under the care and control of Council with SA kerb and gutter.

Montague Street has a 9m road formation within a 20m Road Reserve; Ashdown Drive is a 7m road formation within a 19m Road Reserve; and Kestrel Close is a local road with a 11m road formation within a 20.115m Road Reserve.

Traffic and Transport
The site is currently approved for a single residential dwelling use permitted to generate seven (7) daily trips. This development proposes three (3) units expected to generate up to 21 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 though two (2) individual driveway, one (1) driveway on Montague Street, which is shared, with Units 1 and 2 and one on Kestrel Close that serves Unit 3. Access shall comply with Council AUSPEC and Australian Standards, and conditions have been imposed to reflect these requirements.

Parking and Manoeuvring
A total of six (6) parking spaces have been provided on-site within garages with additional parking provided available within the driveway for unit 3. 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 for Units 1 and 2. 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 a sealed water service from the 100 PVC water main on the same side of Kestrel Close. A separate metered water service is required for each unit. Engineering plans are to be provided to the Water Supply Section.

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

Sewer Connection
Council records indicate that the development site is connected to Sewer via junction to the existing sewer main in the eastern corner of the lot. This can be adopted for the development. Engineering plans are to be provided to the Sewer Section.

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

Stormwater
The site naturally grades towards the south-western corner of the site fronting the Montague Street frontage.

The Applicant has submitted a concept Stormwater Management Plan prepared by David R Johnson (refer to **Attachment 2**) which includes details to addressed likely proposed arrangements for conveyance of drainage to a private piped network and underground detention tank. The overflow from the detention tank is then proposed to connect to the kerb with an outlet to Montague Street, which is the legal point of discharge for the proposed

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.

The submitted engineering concept plan is considered satisfactory in regards to capability of management of stormwater subject to appropriate consent conditions as recommended.

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

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 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 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.

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

One (1) written submission has been received following public exhibition of the application. Copies of the written submission has 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
Objection to any breaches of planning instruments.	The variations proposed to Development Control Plan 2013 only have merit to support when having regard to the performance based objectives that support the development provisions. Specific variations are addressed earlier in this report and are considered to be appropriately justified.
The size and construction style of the 3 storey multi dwellings will be visually dominating and inconsistent with the nature of surrounding dwellings.	The building meets the objectives of R1 General Residential zone under the Port Macquarie-Hastings local Environmental Plan 2011. The buildings have a well designed street presentation using a variation of building materials and finishes. The proposal is sufficiently compatible with the character of the existing surrounding locality having regard to the proposal's compliance with the objectives of 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 considered to be at odds with the planning requirements of these planning controls, which permit this form of residential development.
The proposal is significantly outside of the building lines of the surrounding properties. The designation of Montague Street as a secondary road (in addition to the breach of the setback requirements as identified in the application) will result in the building extending well beyond the building line of the existing properties and will create an unsightly streetscape.	The proposal complies with the desired streetscape front setback controls of Development Control Plan 2013 with the exception of two minor variations. The site is a corner lot with multiple street frontages.
The proposed 3 level design building will create privacy issues to 15 Montague Street.	Having regard to the privacy standards in the DCP as considered earlier in this report the proposal will not result in adverse privacy

Submission Issue/Summary	Planning Comment/Response
	impacts to adjoining properties. 15 Montague Street is on the opposite side of Montague Street and the dwelling and its associated pool on this property is greater than 25 metres from the site. The privacy standards of Development Control Plan 2013 focus on a 12m radius for privacy impacts.
The proposal may cause visual obstructions for traffic on the intersection of Montague Street and Ashdown Drive which can get busy particularly at school drop off and pick up times.	It is noted that the site has an existing splayed property frontage along Montague Street and Kestrel Close street frontages. The courtyard fencing on the corner of Montague Street and Kestrel Close is setback 0.9 metres from the front boundary. The proposed building including fencing will not result in any obstruction of key sightlines for the directions of travelling public along Montague Street and Kestrel Close.
A less dense housing alternative would be suited to the site.	The proposal is not considered to be an overdevelopment of the site based upon the assessment provided earlier in this report.

(e) The Public Interest

The proposed development satisfies relevant planning controls (as justified) and 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.

- 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 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 **Attachment 1.**

Attachments

1⇩. DA2019 - 867.1 Recommended Conditions
2⇩. DA2019 - 867.1 Plans.
3⇩. DA2019 - 867.1 Contributions Estimate

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

NOTE: THESE ARE DRAFT ONLY

DA NO: 2019/867 **DATE: 27/03/2020**

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
Development plans	Sheets 1 to 13	Collins W Collins	25 March 2020
BASIX Certificate	1039655M_02	Collins W Collins	28 August 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 work shall commence until a Construction Certificate has been issued and the applicant has notified Council of:

a. the appointment of a Principal Certifying Authority; and

b. the date on which work will commence.

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

(3) (A005) This consent allows the strata-subdivision of the units, subject to the submission of an application for a Strata Certificate.

(4) (A008) Any necessary alterations to, or relocations of, public utility services to be carried out at no cost to council and in accordance with the requirements of the relevant authority including the provision of easements over existing and proposed public infrastructure.

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

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

adjoins the public domain, fencing is to be in place so as to prevent public access to the site;

4. Building waste is to be managed via an appropriate receptacle;
5. Toilet facilities are to be provided on the work site at the rate of one toilet for every 20 persons or part of 20 persons employed at the site.
6. Building work being limited to the following hours, unless otherwise permitted by Council;
   - Monday to Saturday from 7.00am to 6.00pm
   - No work to be carried out on Sunday or public holidays

   The builder to be responsible to instruct and control his sub-contractors regarding the hours of work.

(6) (A011) The design and construction of all public infrastructure works shall be in accordance with Council's adopted AUSPEC Specifications.

(7) (A033) The applicant shall provide security to the Council for the payment of the cost of the following:

a. making good any damage caused to any property of the Council as a consequence of doing anything to which the consent relates,

b. completing any public work (such as road work, kerbing and guttering, footway construction, utility services, stormwater drainage and environmental controls) required in connection with the consent,

c. remedying any defects in any such public work that arise within twelve (12) months after the work is completed.

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

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

i. deposit with the Council, or

ii. an unconditional bank guarantee in favour of the Council.

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

(8) (A012) This consent does not provide for staging of the development. Any staging will require a separate consent or an amendment to this consent.

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:

- Traffic management
- Hoardings
- Concrete foot paving
- Footway and gutter crossing

(3) (B003) Submission to the Principal Certifying Authority prior to the issue of a Construction Certificate detailed design plans for the following works associated with the developments. Public infrastructure works shall be constructed in accordance with Port Macquarie-Hastings Council's current AUSPEC specifications and design plans are to be accompanied by AUSPEC DQS:

1. Sewerage reticulation.
2. Water 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.
3. Stormwater systems.

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

(10) Council records indicate that the development site has a sealed water service from the 100 PVC water main on the same side of Kestrel Close. A separate metered water service is required for each unit. Engineering plans are to be provided to the Water Supply Section.

(11) Council records indicate that the development site is connected to Sewer via junction to the existing sewer main in the eastern corner of the lot. This can be adopted for the development. Engineering plans are to be provided to the Sewer Section.

(12) (B039) Detailed drawings and specifications prepared by a professional engineer for all retaining walls supporting:

i. earthworks that are more than 600mm above or below ground level (existing); or

ii. located within 1m of the property boundaries; or

iii. earthworks that are more than 1m above or below ground level (existing) in any other location;

are to be submitted to the Principal Certifying Authority with the application for Construction Certificate.

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/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.

D – DURING WORK

(1) (D001) Development works on public property or works to be accepted by Council as an infrastructure asset are not to proceed past the following hold points without inspection and approval by Council. Notice of required inspection must be given 24 hours prior to inspection, by contacting Council's Customer Service Centre on (02) 6581 8111. You must quote your Construction Certificate number and property description to ensure your inspection is confirmed:

a. when trenches are open, stormwater/water/sewer pipes and conduits jointed and prior to backfilling;
b. prior to the pouring of concrete for sewerage works and/or works on public property;
c. during construction of sewer infrastructure;

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

(2) (D006) A copy of the current stamped approved construction plans must be kept on site for the duration of site works and be made available upon request to either the Principal Certifying Authority or an officer of the Council.

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

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

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

(3) (E034) Prior to occupation or the issuing of the Occupation Certificate provision to the Principal Certifying Authority of documentation from Port Macquarie-Hastings Council being the local roads authority certifying that all matters required by the approval issued pursuant to Section 138 of the Roads Act have been satisfactorily completed.

(4) (E053) All works 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.

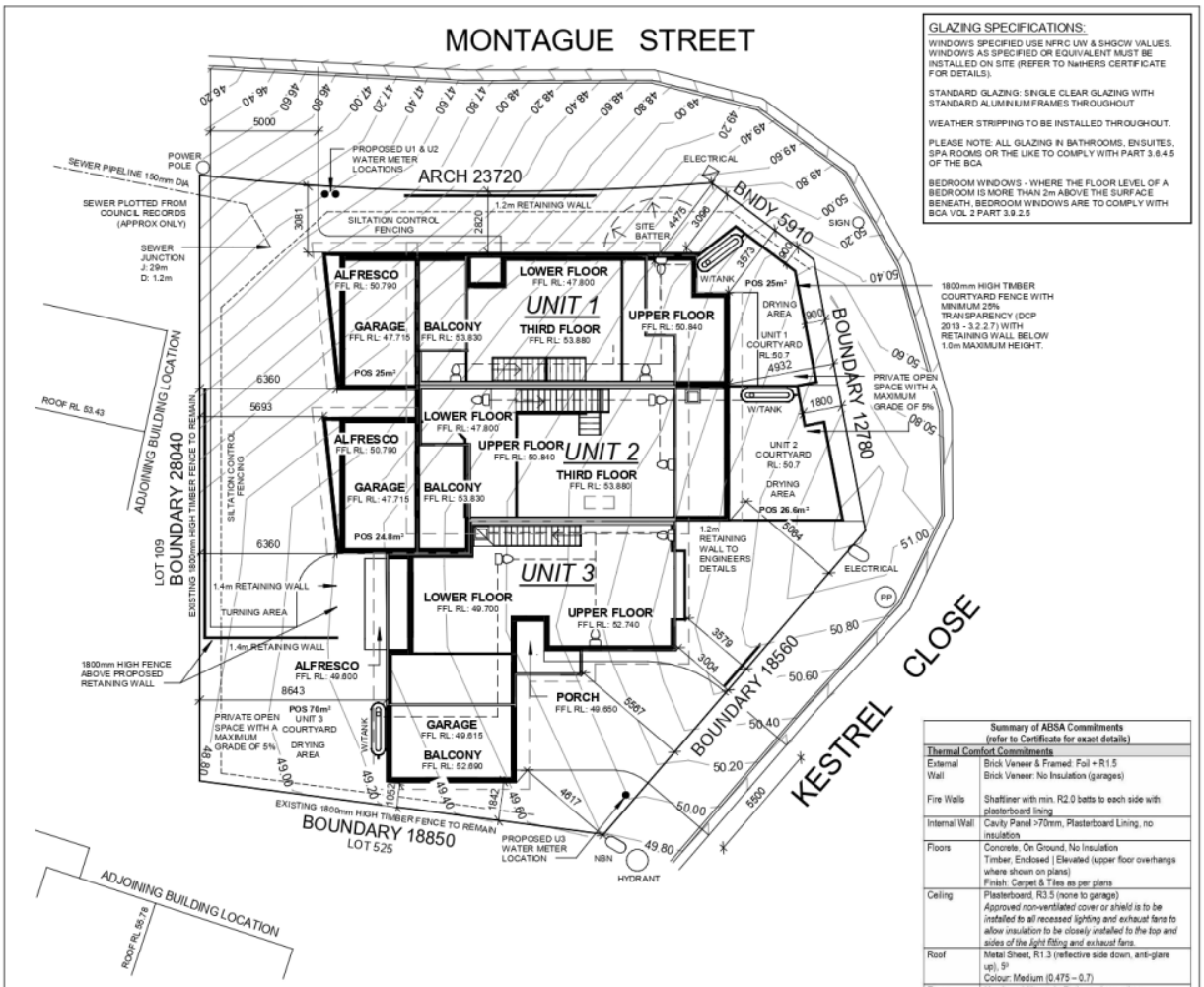
(5) (E058) Written confirmation being provided to the Principal Certifying Authority (PCA) from any properly qualified person (eg the builder), stating that all commitments made as part of the BASIX Certificate have been completed in accordance with the certificate.

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

(7) (E056) A Certificate of Compliance under the provisions of Section 307 of the Water Management Act must be obtained prior to the issue of any occupation or subdivision certificate. The application for the certificate is to include an acceptable Work-As-Executed plan for water and sewer mains and services from a Professional Engineer or Registered Surveyor.

F – OCCUPATION OF THE SITE

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



SITE PLAN

SCALE 1:200

SITE INFORMATION & LEGEND

NOTE: CONTOURS AND SPOT LEVELS ARE INDICATIVE ONLY AND FINAL SITE LEVELS COMPLETED BY A REGISTERED SURVEYOR IS RECOMMENDED BEFORE START OF CONSTRUCTION.

SEWER LINE

STORMWATER NOTE:
STORMWATER/RAINWATER OVERFLOW TO MONTAGUE STREET KERB, REFER TO ENGINEERS DIAGRAMS.

SITE AREA:	= 784m²
PERMISSIBLE SITE COVERAGE (dwelling & ancillary developments)	=43%
FLOOR AREA (excluding garages, excluding stairways & voids)	=494.3m²
FLOOR SPACE RATIO	= 64.9%
BUSHFIRE AFFECTED	=NO

GLAZING SPECIFICATIONS:

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

STANDARD GLAZING: SINGLE CLEAR GLAZING WITH STANDARD ALUMINIUM FRAMES THROUGHOUT

WEATHER STRIPPING TO BE INSTALLED THROUGHOUT.

PLEASE NOTE: ALL GLAZING IN BATHROOMS, ENSUITES, SPA ROOMS OR THE LIKE TO COMPLY WITH PART 3.8.4.5 OF THE BCA

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

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

Thermal Comfort Commitments	
External Wall	Brick Veneer & Framed: Foil + R1.5 Brick Veneer: No Insulation (garages)
Fire Walls	Shaftliner with min. R2.0 batts to each side with plasterboard lining
Internal Wall	Cavity Panel >70mm, Plasterboard Lining, no insulation
Floors	Concrete, On Ground, No Insulation Timber, Enclosed	Elevated (upper floor overhangs where shown on plans) Finish: Carpet & Tiles as per plans
Ceiling	Plasterboard, R3.5 (none to garage) *Approved non-ventilated cover or shield is to be installed to all recessed lighting and exhaust fans to allow insulation to be closely installed to the top and sides of the light fitting and exhaust fans.*
Roof	Metal Sheet, R1.3 (reflective side down, anti-glare up), 5° Colour: Medium (0.475 – 0.7)
Eaves	*Varying widths and offsets as shown plans*
Glazing	Single clear with aluminium frames throughout *Weather stripping throughout. Windows as specified or equivalent to be installed on site*

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

Water Commitments			
Showerheads:	3* (>6 but <=7.5 L/min)	Toilets:	3 Star
Basin Taps:	3 Star	Kitchen Taps:	3 Star
Individual Water Tank:	U1/U2/U3: 2,000L	Individual Roof Collection:	U1/U2/U3: 50m²
Individual Rainwater Connection:	All toilets in the development Cold water supply to the washing machine At least 1 external tap		
Energy Commitments			
HWS:	Solar (electric boosted) STCs 26 - 30		
Cooling:	Ceiling Fan in at least 1 bedroom and 1 living room	1-phase air-conditioning in at least 1 living room and 1 bedroom (4 Star New Rating)	
Heating:	1-phase air-conditioning in at least 1 living room and 1 bedroom (4 Star New Rating)		
Ventilation:	Kitchen: not ducted, manual control Bathroom & Laundry: ducted, manual control		
Appliances:	Electric Cooktop & Electric Oven to be installed		
Artificial Lighting:	The following rooms are to be primarily lit by fluorescent or LED lamps: All Bedrooms/Study | All Living/Dining Rooms | The Kitchen | All Hallways | The Laundry | All Bathrooms/Toilets		
Clothes Line:	**U1 & 2 & 3**: Fixed outdoor clothes drying line to be installed **U1 & 2 & 3**: Fixed indoor clothes drying line to be installed		
Alternative Energy:	U3: A photovoltaic system with a capacity to generate at least 1.5 peak kW must be installed and connected to the development's electrical system		

ABSA Australian Building Sustainability Association
HERS Assessments completed within the accreditation period are part of the ABSA quality audit system
Accreditation Period 01/04/19-31/03/2020
Assessor Name Keith James
Assessor Number 32265
Assessor Signature
This Accredited Assessor is qualified to use NatHERS Accredited Software and has agreed to follow the ABSA Code of Practice

FLOOR AREAS	UNIT 1	UNIT 2	UNIT 3
LOWER FLOOR AREA:	41.7 m²	24.1 m²	70.7 m²
GARAGE AREA:	36.1 m²	35.7 m²	35.9 m²
UPPER FLOOR AREA:	81 m²	70.7 m²	93.2 m²
ALFRESCO AREA:	25 m²	24.8 m²	10.4 m²
THIRD FLOOR AREA:	52.4 m²	60.5 m²	N/A m²
BALCONY AREA:	8.9 m²	11.3 m²	21.5 m²
TOTAL FLOOR AREA:	245.1 m²	227.1 m²	231.7 m²
TOTAL ROOF AREA:	123.8 m²	127.1 m²	133.4 m²

FLOOR AREAS AS PER LEPP DEFINITION FOR FSR CALCS			
TOTAL FSR EACH:	174.6 m²	173.4 m²	160.6 m²
TOTAL COMBINED:	508.6 m²/ 64.9%		

ALL LEVELS WERE COMPLETED BY COASTAL SURVEY SOLUTIONS AND ARE TO AHD. ALL LEVELS AND CONTOURS TO BE CONFIRMED BY BUILDER / SURVEYOR PRIOR TO START OF CONSTRUCTION.

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

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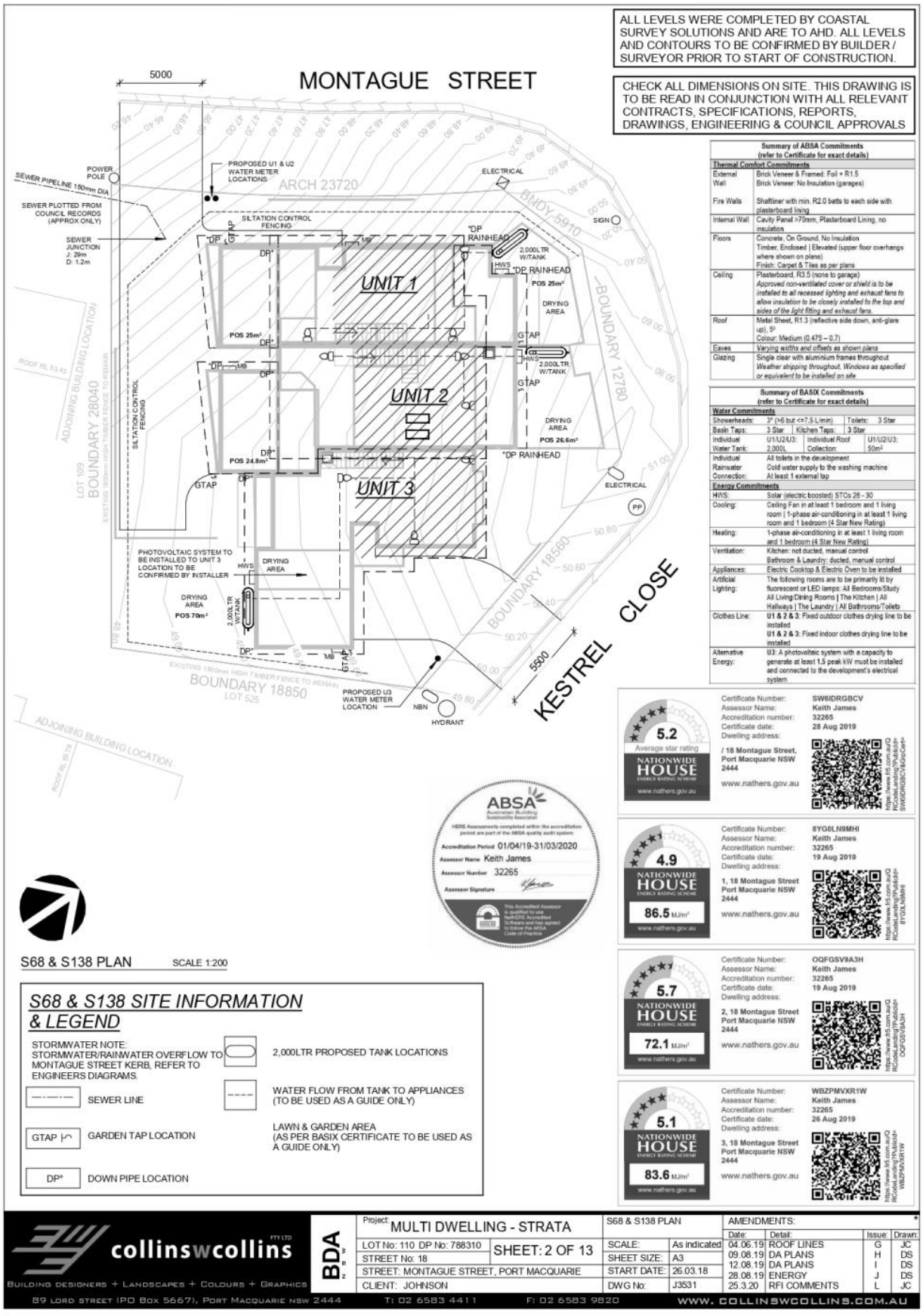
BDA

Project: MULTI DWELLING - STRATA		SITE PLAN	
LOT No: 110 DP No: 788310	SHEET: 1 OF 13	SCALE:	As indicated
STREET No: 18		SHEET SIZE:	A3
STREET: MONTAGUE STREET, PORT MACQUARIE		START DATE:	26.03.18
CLIENT: JOHNSON		DWG No:	J3531

AMENDMENTS: *

Date:	Detail:	Issue:	Drawn:
04.06.19	ROOF LINES	G	JC
09.08.19	DA PLANS	H	DS
12.08.19	DA PLANS	I	DS
28.08.19	ENERGY	J	DS
25.3.20	RFI COMMENTS	L	JC



ALL LEVELS WERE COMPLETED BY COASTAL SURVEY SOLUTIONS AND ARE TO AHD. ALL LEVELS AND CONTOURS TO BE CONFIRMED BY BUILDER / SURVEYOR PRIOR TO START OF CONSTRUCTION.

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

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

Thermal Comfort Commitments	
External Wall	Brick Veneer & Framed: Foil + R1.5
	Brick Veneer: No Insulation (garages)
Fire Walls	Shaftliner with min. R2.0 batts to each side with plasterboard lining
Internal Wall	Cavity Panel >70mm, Plasterboard Lining, no insulation
Floors	Concrete, On Ground, No Insulation
	Timber, Enclosed | Elevated (upper floor overhangs where shown on plans)
	Finish: Carpet & Tiles as per plans
Ceiling	Plasterboard, R3.5 (none to garage)
	Approved non-ventilated cover or shield is to be installed to all recessed lighting and exhaust fans to allow insulation to be closely installed to the top and sides of the light fitting and exhaust fans.
Roof	Metal Sheet, R1.3 (reflective side down, anti-glare up), 5°
	Colour: Medium (0.475 – 0.7)
Eaves	*Varying widths and offsets as shown plans*
Glazing	Single clear with aluminium frames throughout
	Weather stripping throughout. Windows as specified or equivalent to be installed on site

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

Water Commitments					
Showerheads:	3* (>6 but <=7.5 L/min)		Toilets:	3 Star	
Basin Taps:	3 Star	Kitchen Taps:	3 Star		
Individual Water Tank:	U1/U2/U3: 2,000L	Individual Roof Collection:	U1/U2/U3: 50m²		
Individual Rainwater Connection:	All toilets in the development Cold water supply to the washing machine At least 1 external tap				
Energy Commitments					
HWS:	Solar (electric boosted) STCs 26 - 30				
Cooling:	Ceiling Fan in at least 1 bedroom and 1 living room | 1-phase air-conditioning in at least 1 living room and 1 bedroom (4 Star New Rating)				
Heating:	1-phase air-conditioning in at least 1 living room and 1 bedroom (4 Star New Rating)				
Ventilation:	Kitchen: not ducted, manual control Bathroom & Laundry: ducted, manual control				
Appliances:	Electric Cooktop & Electric Oven to be installed				
Artificial Lighting:	The following rooms are to be primarily lit by fluorescent or LED lamps: All Bedrooms/Study | All Living/Dining Rooms | The Kitchen | All Hallways | The Laundry | All Bathrooms/Toilets				
Clothes Line:	**U1 & 2 & 3**: Fixed outdoor clothes drying line to be installed **U1 & 2 & 3**: Fixed indoor clothes drying line to be installed				
Alternative Energy:	**U3**: A photovoltaic system with a capacity to generate at least 1.5 peak kW must be installed and connected to the development's electrical system				

Certificate Number: SW6IDRGBCV
Assessor Name: Keith James
Accreditation number: 32265
Certificate date: 28 Aug 2019
Dwelling address: / 18 Montague Street, Port Macquarie NSW 2444
www.nathers.gov.au

Certificate Number: 8YG0LN9MHI
Assessor Name: Keith James
Accreditation number: 32265
Certificate date: 19 Aug 2019
Dwelling address: 1, 18 Montague Street Port Macquarie NSW 2444
www.nathers.gov.au

Certificate Number: OQFGSV9A3H
Assessor Name: Keith James
Accreditation number: 32265
Certificate date: 19 Aug 2019
Dwelling address: 2, 18 Montague Street Port Macquarie NSW 2444
www.nathers.gov.au

Certificate Number: WBZPMVXR1W
Assessor Name: Keith James
Accreditation number: 32265
Certificate date: 26 Aug 2019
Dwelling address: 3, 18 Montague Street Port Macquarie NSW 2444
www.nathers.gov.au

S68 & S138 PLAN SCALE 1:200

S68 & S138 SITE INFORMATION & LEGEND

STORMWATER NOTE:
STORMWATER/RAINWATER OVERFLOW TO MONTAGUE STREET KERB, REFER TO ENGINEERS DIAGRAMS.

2,000LTR PROPOSED TANK LOCATIONS

SEWER LINE

WATER FLOW FROM TANK TO APPLIANCES (TO BE USED AS A GUIDE ONLY)

GTAP — GARDEN TAP LOCATION

LAWN & GARDEN AREA (AS PER BASIX CERTIFICATE TO BE USED AS A GUIDE ONLY)

DP* — DOWN PIPE LOCATION

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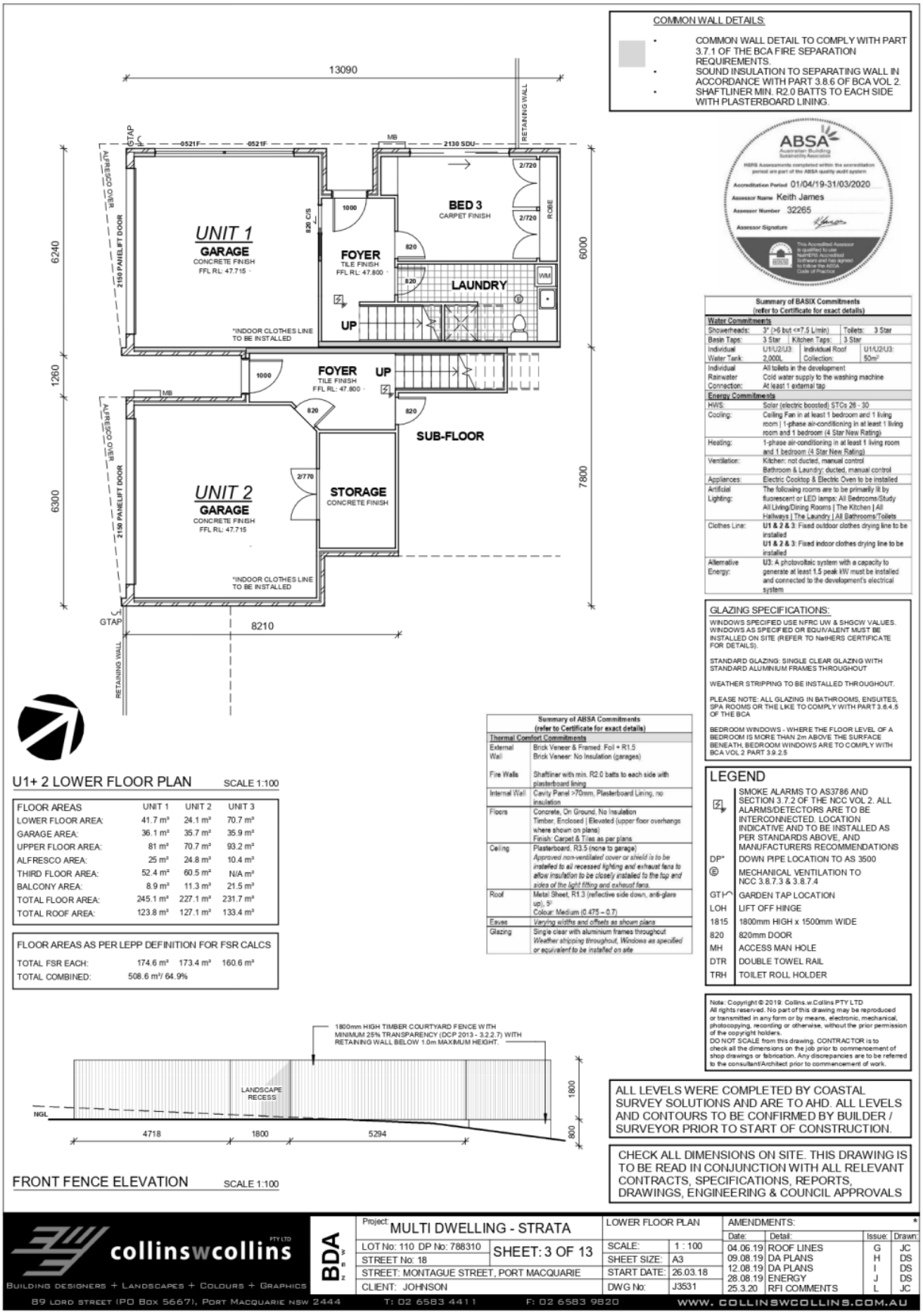
BDA NSW

Project: MULTI DWELLING - STRATA		S68 & S138 PLAN	
LOT No: 110 DP No: 788310	SHEET: 2 OF 13	SCALE:	As indicated
STREET No: 18		SHEET SIZE:	A3
STREET: MONTAGUE STREET, PORT MACQUARIE		START DATE:	26.03.18
CLIENT: JOHNSON		DWG No:	J3531

AMENDMENTS:

Date:	Detail:	Issue:	Drawn:
04.06.19	ROOF LINES	G	JC
09.08.19	DA PLANS	H	DS
12.08.19	DA PLANS	I	DS
28.08.19	ENERGY	J	DS
25.3.20	RFI COMMENTS	L	JC



COMMON WALL DETAILS:

- COMMON WALL DETAIL TO COMPLY WITH PART 3.7.1 OF THE BCA FIRE SEPARATION REQUIREMENTS.
- SOUND INSULATION TO SEPARATING WALL IN ACCORDANCE WITH PART 3.8.6 OF BCA VOL 2.
- SHAFTLINER MIN. R2.0 BATTS TO EACH SIDE WITH PLASTERBOARD LINING.

ABSA Australian Building Sustainability Association
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Accreditation Period: 01/04/19-31/03/2020
Assessor Name: Keith James
Assessor Number: 32265
Assessor Signature:
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Summary of BASIX Commitments (refer to Certificate for exact details)					
Water Commitments					
Showerheads:	3* (>6 but <=7.5 L/min)		Toilets:	3 Star	
Basin Taps:	3 Star	Kitchen Taps:	3 Star		
Individual Water Tank:	U1/U2/U3: 2,000L	Individual Roof Collection:	U1/U2/U3: 50m²		
Individual Rainwater Connection:	All toilets in the development Cold water supply to the washing machine At least 1 external tap				
Energy Commitments					
HWS:	Solar (electric boosted) STCs 28 - 30				
Cooling:	Ceiling Fan in at least 1 bedroom and 1 living room | 1-phase air-conditioning in at least 1 living room and 1 bedroom (4 Star New Rating)				
Heating:	1-phase air-conditioning in at least 1 living room and 1 bedroom (4 Star New Rating)				
Ventilation:	Kitchen: not ducted, manual control Bathroom & Laundry: ducted, manual control				
Appliances:	Electric Cooktop & Electric Oven to be installed				
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Clothes Line:	**U1 & 2 & 3**: Fixed outdoor clothes drying line to be installed **U1 & 2 & 3**: Fixed indoor clothes drying line to be installed				
Alternative Energy:	U3: A photovoltaic system with a capacity to generate at least 1.5 peak kW must be installed and connected to the development's electrical system				

GLAZING SPECIFICATIONS:

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

STANDARD GLAZING: SINGLE CLEAR GLAZING WITH STANDARD ALUMINIUM FRAMES THROUGHOUT

WEATHER STRIPPING TO BE INSTALLED THROUGHOUT.

PLEASE NOTE: ALL GLAZING IN BATHROOMS, ENSUITES, SPA ROOMS OR THE LIKE TO COMPLY WITH PART 3.8.4.5 OF THE BCA

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

Summary of ABSA Commitments (refer to Certificate for exact details)	
Thermal Comfort Commitments	
External Wall:	Brick Veneer & Framed: Foil + R1.5 Brick Veneer: No Insulation (garages)
Fire Walls	Shaftliner with min. R2.0 batts to each side with plasterboard lining
Internal Wall	Cavity Panel >70mm, Plasterboard Lining, no insulation
Floors	Concrete, On Ground, No Insulation Timber, Enclosed | Elevated (upper floor overhangs where shown on plans) Finish: Carpet & Tiles as per plans
Ceiling	Plasterboard, R3.5 (none to garage) *Approved non-ventilated cover or shield is to be installed to all recessed lighting and exhaust fans to allow insulation to be closely installed to the top and sides of the light fitting and exhaust fans.*
Roof	Metal Sheet, R1.3 (reflective side down, anti-glare up), 5° Colour: Medium (0.475 – 0.7)
Eaves	*Varying widths and offsets as shown plans*
Glazing	Single clear with aluminium frames throughout *Weather stripping throughout, Windows as specified or equivalent to be installed on site*

U1+ 2 LOWER FLOOR PLAN SCALE 1:100

FLOOR AREAS	UNIT 1	UNIT 2	UNIT 3
LOWER FLOOR AREA:	41.7 m²	24.1 m²	70.7 m²
GARAGE AREA:	36.1 m²	35.7 m²	35.9 m²
UPPER FLOOR AREA:	81 m²	70.7 m²	93.2 m²
ALFRESCO AREA:	25 m²	24.8 m²	10.4 m²
THIRD FLOOR AREA:	52.4 m²	60.5 m²	N/A m²
BALCONY AREA:	8.9 m²	11.3 m²	21.5 m²
TOTAL FLOOR AREA:	245.1 m²	227.1 m²	231.7 m²
TOTAL ROOF AREA:	123.8 m²	127.1 m²	133.4 m²

FLOOR AREAS AS PER LEPP DEFINITION FOR FSR CALCS			
TOTAL FSR EACH:	174.6 m²	173.4 m²	160.6 m²
TOTAL COMBINED:	508.6 m²/ 64.9%		

LEGEND

	SMOKE ALARMS TO AS3786 AND SECTION 3.7.2 OF THE NCC VOL 2. ALL ALARMS/DETECTORS ARE TO BE INTERCONNECTED. LOCATION INDICATIVE AND TO BE INSTALLED AS PER STANDARDS ABOVE, AND MANUFACTURERS RECOMMENDATIONS
DP*	DOWN PIPE LOCATION TO AS 3500
Ⓔ	MECHANICAL VENTILATION TO NCC 3.8.7.3 & 3.8.7.4
GTAP	GARDEN TAP LOCATION
LOH	LIFT OFF HINGE
1815	1800mm HIGH x 1500mm WIDE
820	820mm DOOR
MH	ACCESS MAN HOLE
DTR	DOUBLE TOWEL RAIL
TRH	TOILET ROLL HOLDER

FRONT FENCE ELEVATION SCALE 1:100

ALL LEVELS WERE COMPLETED BY COASTAL SURVEY SOLUTIONS AND ARE TO AHD. ALL LEVELS AND CONTOURS TO BE CONFIRMED BY BUILDER / SURVEYOR PRIOR TO START OF CONSTRUCTION.

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

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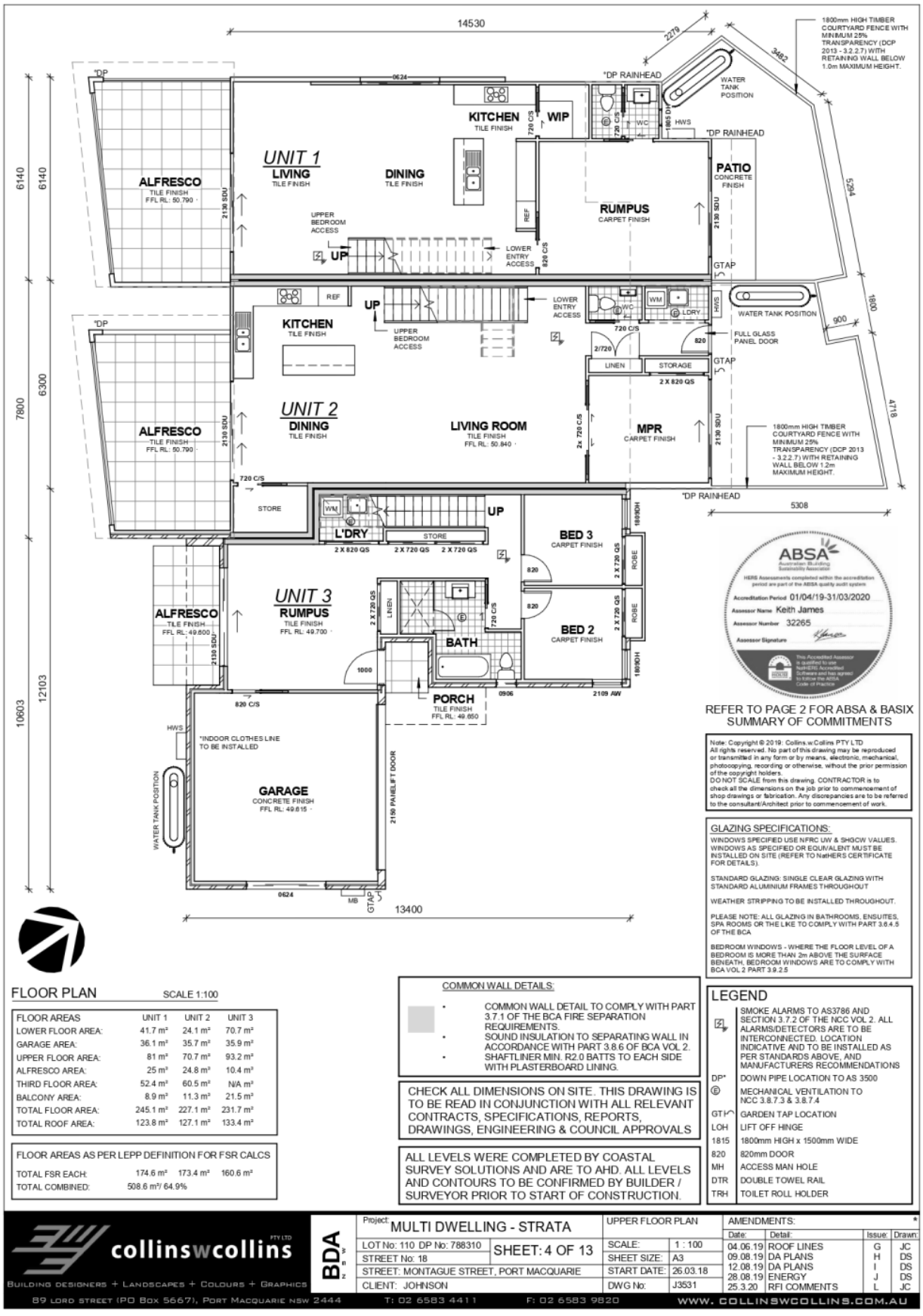
BDA NSW

Project: MULTI DWELLING - STRATA		LOWER FLOOR PLAN	
LOT No: 110 DP No: 788310	SHEET: 3 OF 13	SCALE:	1 : 100
STREET No: 18		SHEET SIZE:	A3
STREET: MONTAGUE STREET, PORT MACQUARIE		START DATE:	26.03.18
CLIENT: JOHNSON		DWG No:	J3531

AMENDMENTS:

Date:	Detail:	Issue:	Drawn:
04.06.19	ROOF LINES	G	JC
09.08.19	DA PLANS	H	DS
12.08.19	DA PLANS	I	DS
28.08.19	ENERGY	J	DS
25.3.20	RFI COMMENTS	L	JC



ABSA
Australian Building Sustainability Association
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Accreditation Period: 01/04/19-31/03/2020
Assessor Name: Keith James
Assessor Number: 32265
Assessor Signature:
This Accredited Assessor is qualified to use NatHERS Accredited Software and has agreed to follow the ABSA Code of Practice

REFER TO PAGE 2 FOR ABSA & BASIX SUMMARY OF COMMITMENTS

GLAZING SPECIFICATIONS:

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

STANDARD GLAZING: SINGLE CLEAR GLAZING WITH STANDARD ALUMINIUM FRAMES THROUGHOUT

WEATHER STRIPPING TO BE INSTALLED THROUGHOUT.

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

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

FLOOR PLAN

SCALE 1:100

FLOOR AREAS	UNIT 1	UNIT 2	UNIT 3
LOWER FLOOR AREA:	41.7 m²	24.1 m²	70.7 m²
GARAGE AREA:	36.1 m²	35.7 m²	35.9 m²
UPPER FLOOR AREA:	81 m²	70.7 m²	93.2 m²
ALFRESCO AREA:	25 m²	24.8 m²	10.4 m²
THIRD FLOOR AREA:	52.4 m²	60.5 m²	N/A m²
BALCONY AREA:	8.9 m²	11.3 m²	21.5 m²
TOTAL FLOOR AREA:	245.1 m²	227.1 m²	231.7 m²
TOTAL ROOF AREA:	123.8 m²	127.1 m²	133.4 m²

FLOOR AREAS AS PER LEPP DEFINITION FOR FSR CALCS			
TOTAL FSR EACH:	174.6 m²	173.4 m²	160.6 m²
TOTAL COMBINED:	508.6 m²/ 64.9%		

COMMON WALL DETAILS:

- COMMON WALL DETAIL TO COMPLY WITH PART 3.7.1 OF THE BCA FIRE SEPARATION REQUIREMENTS.
- SOUND INSULATION TO SEPARATING WALL IN ACCORDANCE WITH PART 3.8.6 OF BCA VOL 2.
- SHAFTLINER MIN. R2.0 BATTS TO EACH SIDE WITH PLASTERBOARD LINING.

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

ALL LEVELS WERE COMPLETED BY COASTAL SURVEY SOLUTIONS AND ARE TO AHD. ALL LEVELS AND CONTOURS TO BE CONFIRMED BY BUILDER / SURVEYOR PRIOR TO START OF CONSTRUCTION.

LEGEND

	SMOKE ALARMS TO AS3786 AND SECTION 3.7.2 OF THE NCC VOL 2. ALL ALARMS/DETECTORS ARE TO BE INTERCONNECTED. LOCATION INDICATIVE AND TO BE INSTALLED AS PER STANDARDS ABOVE, AND MANUFACTURERS RECOMMENDATIONS
DP*	DOWN PIPE LOCATION TO AS 3500
Ⓔ	MECHANICAL VENTILATION TO NCC 3.8.7.3 & 3.8.7.4
GTAP	GARDEN TAP LOCATION
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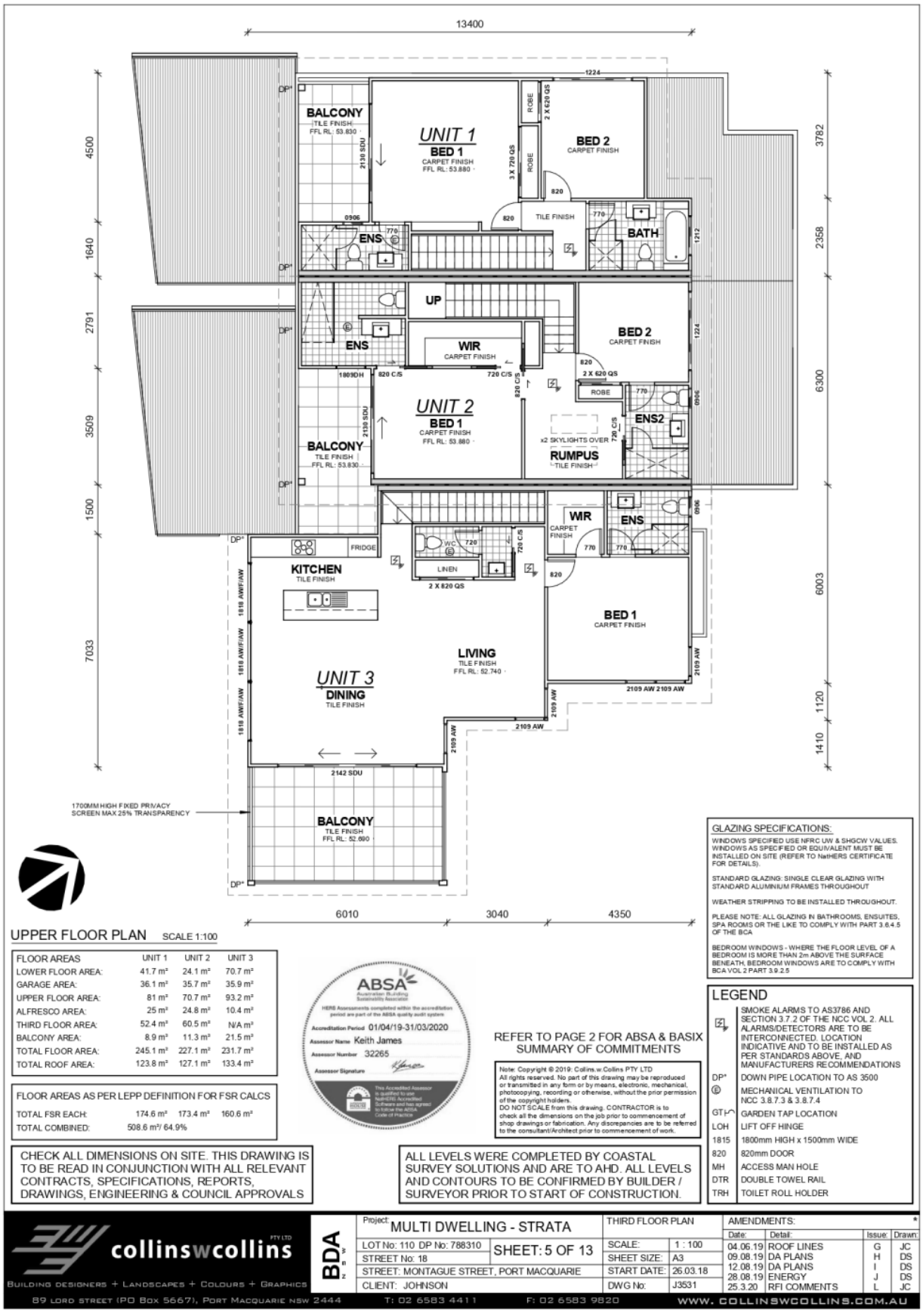
BDA

Project: MULTI DWELLING - STRATA		UPPER FLOOR PLAN	
LOT No: 110 DP No: 788310	SHEET: 4 OF 13	SCALE:	1 : 100
STREET No: 18		SHEET SIZE:	A3
STREET: MONTAGUE STREET, PORT MACQUARIE		START DATE:	26.03.18
CLIENT: JOHNSON		DWG No:	J3531

AMENDMENTS:

Date:	Detail:	Issue:	Drawn:
04.06.19	ROOF LINES	G	JC
09.08.19	DA PLANS	H	DS
12.08.19	DA PLANS	I	DS
28.08.19	ENERGY	J	DS
25.3.20	RFI COMMENTS	L	JC



UPPER FLOOR PLAN SCALE 1:100

FLOOR AREAS	UNIT 1	UNIT 2	UNIT 3
LOWER FLOOR AREA:	41.7 m²	24.1 m²	70.7 m²
GARAGE AREA:	36.1 m²	35.7 m²	35.9 m²
UPPER FLOOR AREA:	81 m²	70.7 m²	93.2 m²
ALFRESCO AREA:	25 m²	24.8 m²	10.4 m²
THIRD FLOOR AREA:	52.4 m²	60.5 m²	N/A m²
BALCONY AREA:	8.9 m²	11.3 m²	21.5 m²
TOTAL FLOOR AREA:	245.1 m²	227.1 m²	231.7 m²
TOTAL ROOF AREA:	123.8 m²	127.1 m²	133.4 m²

FLOOR AREAS AS PER LEPP DEFINITION FOR FSR CALCS			
TOTAL FSR EACH:	174.6 m²	173.4 m²	160.6 m²
TOTAL COMBINED:	508.6 m²/ 64.9%		

ABSA Australian Building Sustainability Association
HERS Assessments completed within the accreditation period are part of the ABSA quality audit system
Accreditation Period 01/04/19-31/03/2020
Assessor Name Keith James
Assessor Number 32265
Assessor Signature
This Accredited Assessor is qualified to use NatHERS Accredited Software and has agreed to follow the ABSA Code of Practice

REFER TO PAGE 2 FOR ABSA & BASIX SUMMARY OF COMMITMENTS

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

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GLAZING SPECIFICATIONS:

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WEATHER STRIPPING TO BE INSTALLED THROUGHOUT.

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

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

LEGEND

	SMOKE ALARMS TO AS3786 AND SECTION 3.7.2 OF THE NCC VOL 2. ALL ALARMS/DETECTORS ARE TO BE INTERCONNECTED. LOCATION INDICATIVE AND TO BE INSTALLED AS PER STANDARDS ABOVE, AND MANUFACTURERS RECOMMENDATIONS
DP*	DOWN PIPE LOCATION TO AS 3500
Ⓔ	MECHANICAL VENTILATION TO NCC 3.8.7.3 & 3.8.7.4
GT	GARDEN TAP LOCATION
LOH	LIFT OFF HINGE
1815	1800mm HIGH x 1500mm WIDE
820	820mm DOOR
MH	ACCESS MAN HOLE
DTR	DOUBLE TOWEL RAIL
TRH	TOILET ROLL HOLDER

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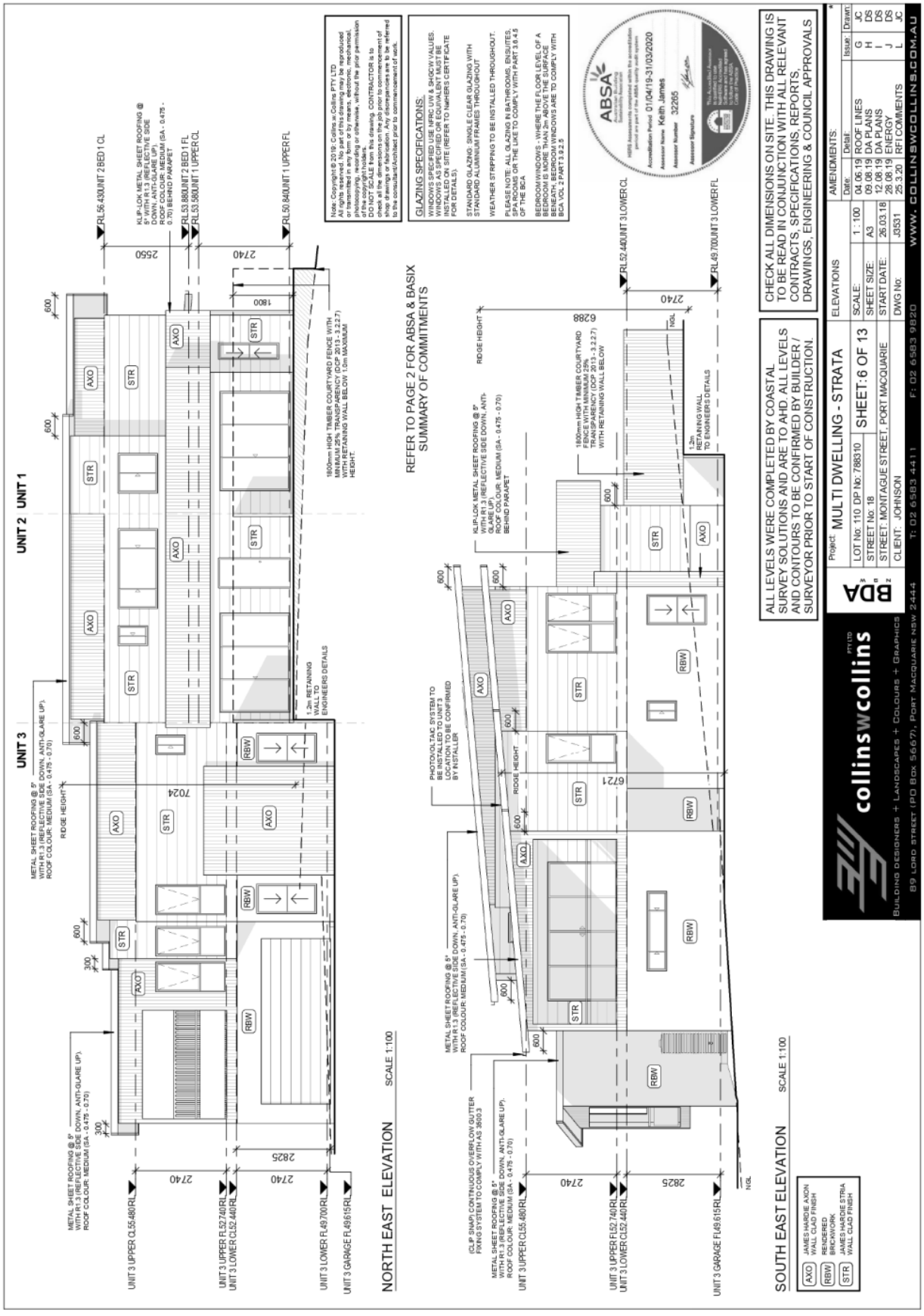
BDA New Zealand

Project: MULTI DWELLING - STRATA		THIRD FLOOR PLAN	
LOT No: 110 DP No: 788310	SHEET: 5 OF 13	SCALE:	1 : 100
STREET No: 18		SHEET SIZE:	A3
STREET: MONTAGUE STREET, PORT MACQUARIE		START DATE:	26.03.18
CLIENT: JOHNSON		DWG No:	J3531

AMENDMENTS:

Date:	Detail:	Issue:	Drawn:
04.06.19	ROOF LINES	G	JC
09.08.19	DA PLANS	H	DS
12.08.19	DA PLANS	I	DS
28.08.19	ENERGY	J	DS
25.3.20	RFI COMMENTS	L	JC


UNIT 2 UNIT 1
UNIT 3
NORTH EAST ELEVATION SCALE 1:100
SOUTH EAST ELEVATION SCALE 1:100
REFER TO PAGE 2 FOR ABSA & BASIX SUMMARY OF COMMITMENTS
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BEDROOM WINDOWS - WHERE THE FLOOR LEVEL OF A BEDROOM IS MORE THAN 2m ABOVE THE SURFACE BELOW, BEDROOM WINDOWS ARE TO COMPLY WITH BCA VOL 1, PART 3.9.2.5
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AXO JAMES HARDIE AXON WALL CLAD FINISH
RBW RENDERED BRICKWORK
STR JAMES HARDIE STRIA WALL CLAD FINISH
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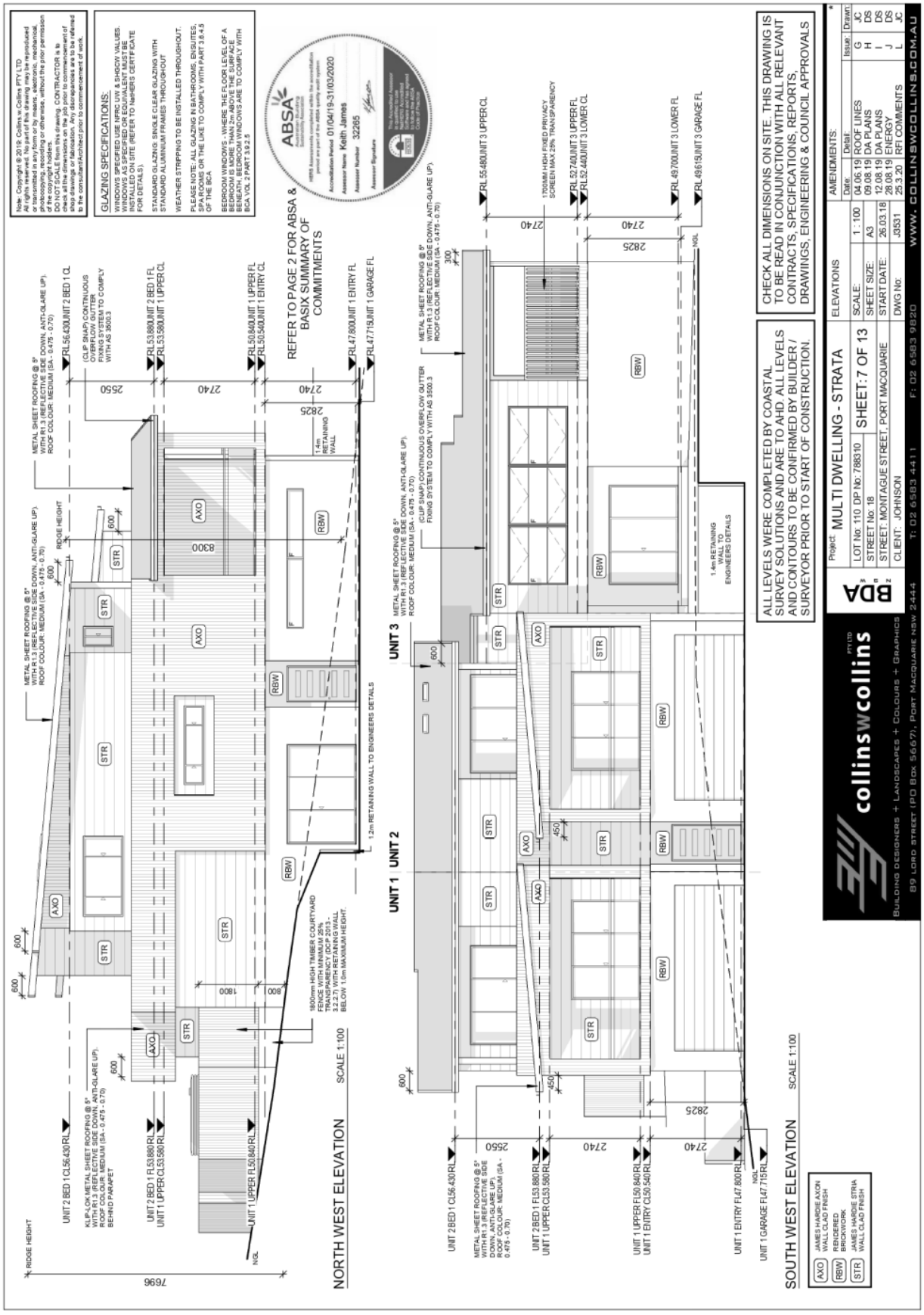
BDA
Project: MULTI DWELLING - STRATA
LOT No: 110 DP No: 788310
STREET No: 18
STREET: MONTAGUE STREET, PORT MACQUARIE
CLIENT: JOHNSON
ELEVATIONS
SCALE: 1 : 100
SHEET SIZE: A3
START DATE: 26.03.18
DWG No: J3531
SHEET: 6 OF 13
AMENDMENTS:
Date: Detail: Issue: Drawn:
04.06.19 ROOF LINES G JC
09.08.19 DA PLANS H DS
12.08.19 DA PLANS I DS
28.08.19 ENERGY J DS
25.3.20 RFI COMMENTS L JC
ABSA
Accreditation Period 01/04/19-31/03/2020
Assessor Name Keith James
Assessor Number 32265
Assessor Signature


NORTH WEST ELEVATION SCALE 1:100
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ABSA
Accreditation Period: 01/04/19-31/03/2020
Assessor Name: Keith James
Assessor Number: 32265
Assessor Signature
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BDA
Project: MULTI DWELLING - STRATA
LOT No: 110 DP No: 788310
STREET No: 18
STREET: MONTAGUE STREET, PORT MACQUARIE
CLIENT: JOHNSON
ELEVATIONS
SCALE: 1 : 100
SHEET SIZE: A3
START DATE: 26.03.18
DWG No: J3531
SHEET: 7 OF 13
AMENDMENTS:
Issue: G Date: 04.06.19 Detail: ROOF LINES Drawn: JC
H 09.08.19 DA PLANS DS
I 12.08.19 DA PLANS DS
J 28.08.19 ENERGY DS
L 25.3.20 RFI COMMENTS JC

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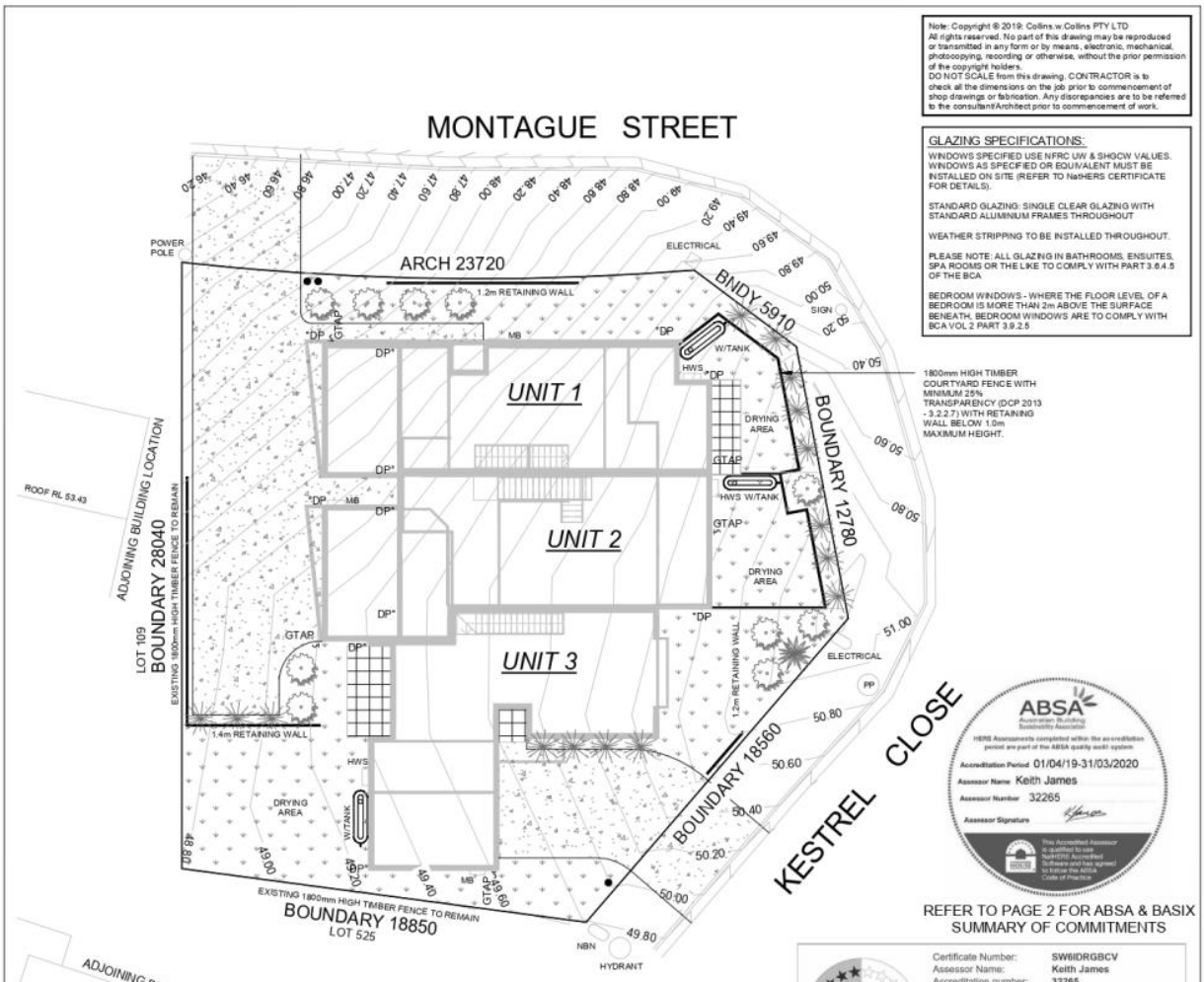

ABSA
Accreditation Period 01/04/19-31/03/2020
Assessor Name Keith James
Assessor Number 32265
Assessor Signature

REFER TO PAGE 2 FOR ABSA & BASIX SUMMARY OF COMMITMENTS

5.2 Average star rating
NATIONWIDE HOUSE ENERGY RATING SCHEME
www.nathers.gov.au

Certificate Number: SW6IDRGBCV
Assessor Name: Keith James
Accreditation number: 32265
Certificate date: 28 Aug 2019
Dwelling address: / 18 Montague Street, Port Macquarie NSW 2444
www.nathers.gov.au

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INDICATIVE LANDSCAPE PLAN SCALE 1:200

LEGEND AND NOTES

- NEW WARM SEASON TURF GRASS THROUGHOUT
- HARD SURFACE - PATHS PATHS TO HAVE PERMEABLE SURFACE FINISH
- HARD SURFACE - DRIVEWAY REFER BUILDING DESIGN FOR DETAILS
- HARD SURFACE - PATIOS REFER BUILDING DESIGN FOR DETAILS
- EXISTING NEIGHBOURING VEGETATION TO BE PRESERVED AND PROTECTED THROUGHOUT
- SMALL EVERGREEN NATIVE TREES
- FEATURE OR STATEMENT PLANTINGS
- NEW SMALL / MEDIUM EVERGREEN SHRUBS
- NEW SMALL / MEDIUM EVERGREEN SOFT WOODED PERENNIALS
- NEW EVERGREEN PROSTRATE SHRUBS OR GROUND COVER PLANTINGS

- THIS PLAN IS NOT BE USED FOR CONSTRUCTION
- THIS PLAN IS CONCEPTUAL ONLY AND IS DESIGNED TO HIGHLIGHT VARIOUS LANDSCAPE USES AROUND THE SITE.
- ANY SUGGESTED PLANTS OR PLANT LIST IS INDICATIVE ONLY AND THE FINAL SELECTION OF ACTUAL SPECIES WILL BE SITE AND MICRO CLIMATE DEPENDENT.
- ALL HARD-SCAPED SURFACES SHALL BE INSTALLED BY QUALIFIED LANDSCAPE TRADES AND AS PER MANUFACTURERS INSTRUCTIONS.
- TURF SPECIES SHALL CONSISTS OF A WARM SEASON SPECIES ONLY SUCH AS; BUFFALO, KIKUYU OR COUCH.
- THE ADVICE AND PLAN FROM A PROFESSIONAL LANDSCAPE DESIGNER IS TO BE SOUGHT PRIOR TO ANY CONSTRUCTION / LANDSCAPE WORKS COMMENCING.
- LANDSCAPE HAS A DOMINANT NORTHERN ASPECT AND SELECTED PLANTS ARE TO BE SUN TO FULL SUN TOLERANT CAPABLE OF WITHSTANDING YEAR ROUND NORTHERN SUN.
- PLANTS ON THE IMMEDIATE SOUTHERN SIDE OF BUILDINGS AND DWELLING MAY NEED SOME SHADE TOLERANCE.
- PLANTINGS ARE TO BE WATER WISE AND DROUGHT TOLERANT ONCE ESTABLISHED

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BDA NSW

Project: MULTI DWELLING - STRATA		INDICATIVE LANDSCAPE PLAN	
LOT No: 110 DP No: 788310	SHEET: 8 OF 13	SCALE:	As indicated
STREET No: 18		SHEET SIZE:	A3
STREET: MONTAGUE STREET, PORT MACQUARIE		START DATE:	26.03.18
CLIENT: JOHNSON		DWG No:	J3531

AMENDMENTS:

Date:	Detail:	Issue:	Drawn:
04.06.19	ROOF LINES	G	JC
09.08.19	DA PLANS	H	DS
12.08.19	DA PLANS	I	DS
28.08.19	ENERGY	J	DS
25.3.20	RFI COMMENTS	L	JC

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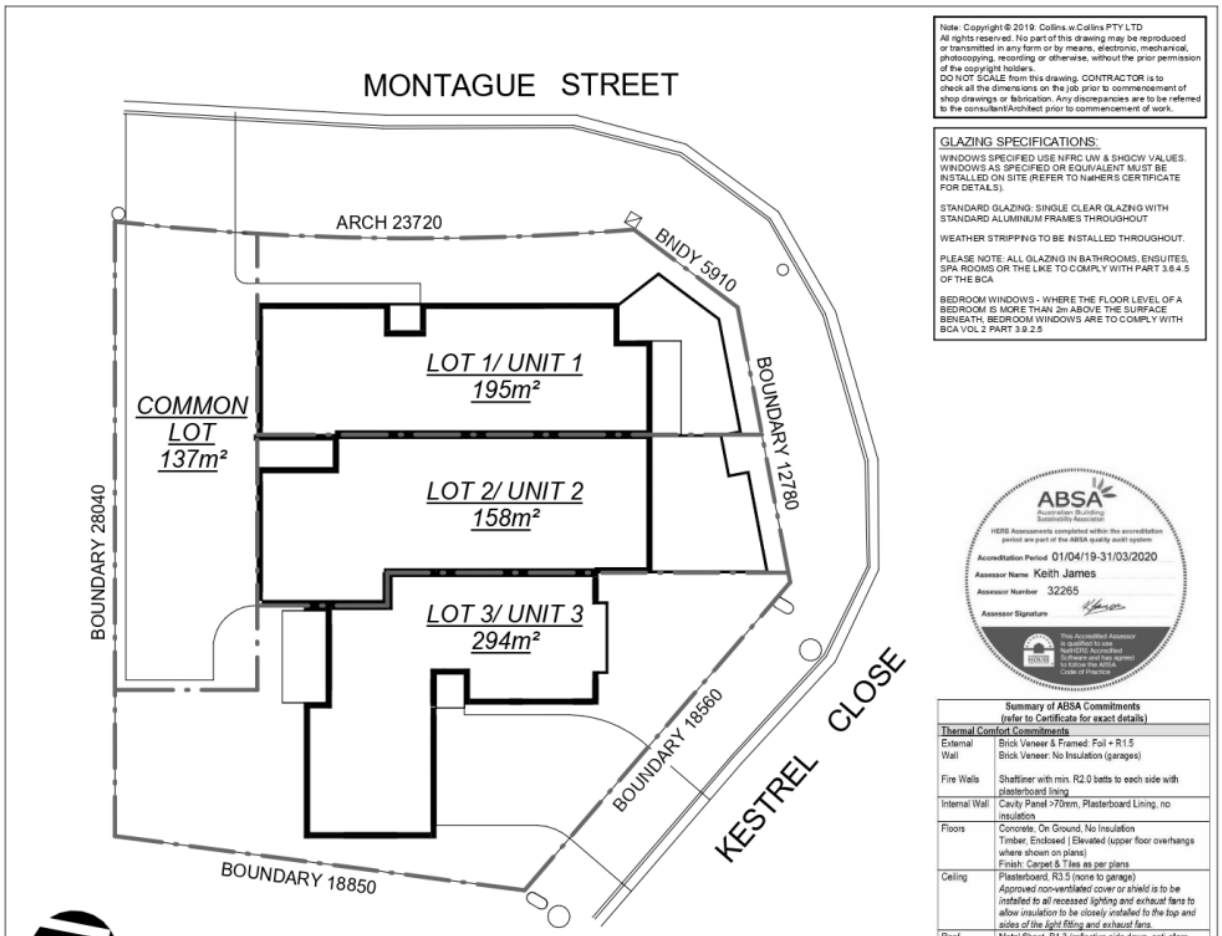

ABSA
Australian Building Sustainability Association
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Accreditation Period 01/04/19-31/03/2020
Assessor Name Keith James
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DRAFT SUB-DIVISION PLAN SCALE 1:200
STRATA TITLE

SUB-DIVISION TABLE	COMMON	U1/LOT 1	U1/LOT 2	U3/LOT 3
INDIVIDUAL LOT AREA:	41.7 m²	24.1 m²	70.7 m²	70.7 m²
TOTAL AREA:	784 m²			

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

Thermal Comfort Commitments	
External Wall	Brick Veneer & Framed: Foil + R1.5 Brick Veneer: No Insulation (garages)
Fire Walls	Shaftliner with min. R2.0 batts to each side with plasterboard lining
Internal Wall	Cavity Panel >70mm, Plasterboard Lining, no insulation
Floors	Concrete, On Ground, No Insulation Timber, Enclosed | Elevated (upper floor overhangs where shown on plans) Finish: Carpet & Tiles as per plans
Ceiling	Plasterboard, R3.5 (none to garage) *Approved non-ventilated cover or shield is to be installed to all recessed lighting and exhaust fans to allow insulation to be closely installed to the top and sides of the light fitting and exhaust fans.*
Roof	Metal Sheet, R1.3 (reflective side down, anti-glare up), 5° Colour: Medium (0.475 – 0.7)
Eaves	*Varying widths and offsets as shown plans*
Glazing	Single clear with aluminium frames throughout *Weather stripping throughout. Windows as specified or equivalent to be installed on site*

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

Water Commitments					
Showerheads:	3* (>6 but <=7.5 L/min)			Toilets:	3 Star
Basin Taps:	3 Star	Kitchen Taps:		3 Star	
Individual Water Tank:	U1/U2/U3: 2,000L	Individual Roof Collection:		U1/U2/U3: 50m²	
Individual Rainwater Connection:	All toilets in the development Cold water supply to the washing machine At least 1 external tap				
Energy Commitments					
HWS:	Solar (electric boosted) STCs 26 - 30				
Cooling:	Ceiling Fan in at least 1 bedroom and 1 living room | 1-phase air-conditioning in at least 1 living room and 1 bedroom (4 Star New Rating)				
Heating:	1-phase air-conditioning in at least 1 living room and 1 bedroom (4 Star New Rating)				
Ventilation:	Kitchen: not ducted, manual control Bathroom & Laundry: ducted, manual control				
Appliances:	Electric Cooktop & Electric Oven to be installed				
Artificial Lighting:	The following rooms are to be primarily lit by fluorescent or LED lamps: All Bedrooms/Study | All Living/Dining Rooms | The Kitchen | All Hallways | The Laundry | All Bathrooms/Toilets				
Clothes Line:	**U1 & 2 & 3:** Fixed outdoor clothes drying line to be installed **U1 & 2 & 3:** Fixed indoor clothes drying line to be installed				
Alternative Energy:	**U3:** A photovoltaic system with a capacity to generate at least 1.5 peak kW must be installed and connected to the development's electrical system				

5.2 Average star rating NATIONWIDE HOUSE ENERGY RATING SCHEME www.nathers.gov.au

Certificate Number: SW6IDRGBCV
Assessor Name: Keith James
Accreditation number: 32265
Certificate date: 28 Aug 2019
Dwelling address: / 18 Montague Street, Port Macquarie NSW 2444
www.nathers.gov.au

5.7 NATIONWIDE HOUSE ENERGY RATING SCHEME 72.1 MJ/m² www.nathers.gov.au

Certificate Number: OQFGSV9A3H
Assessor Name: Keith James
Accreditation number: 32265
Certificate date: 19 Aug 2019
Dwelling address: 2, 18 Montague Street Port Macquarie NSW 2444
www.nathers.gov.au

4.9 NATIONWIDE HOUSE ENERGY RATING SCHEME 86.5 MJ/m² www.nathers.gov.au

Certificate Number: 8YG0LN9MHI
Assessor Name: Keith James
Accreditation number: 32265
Certificate date: 19 Aug 2019
Dwelling address: 1, 18 Montague Street Port Macquarie NSW 2444
www.nathers.gov.au

5.1 NATIONWIDE HOUSE ENERGY RATING SCHEME 83.6 MJ/m² www.nathers.gov.au

Certificate Number: WBZPMVXR1W
Assessor Name: Keith James
Accreditation number: 32265
Certificate date: 26 Aug 2019
Dwelling address: 3, 18 Montague Street Port Macquarie NSW 2444
www.nathers.gov.au

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Project: MULTI DWELLING - STRATA		DRAFT SUB-DIVISION PLAN	
LOT No: 110 DP No: 788310	SHEET: 9 OF 13	SCALE:	As indicated
STREET No: 18		SHEET SIZE:	A3
STREET: MONTAGUE STREET, PORT MACQUARIE		START DATE:	26.03.18
CLIENT: JOHNSON		DWG No:	J3531

AMENDMENTS:

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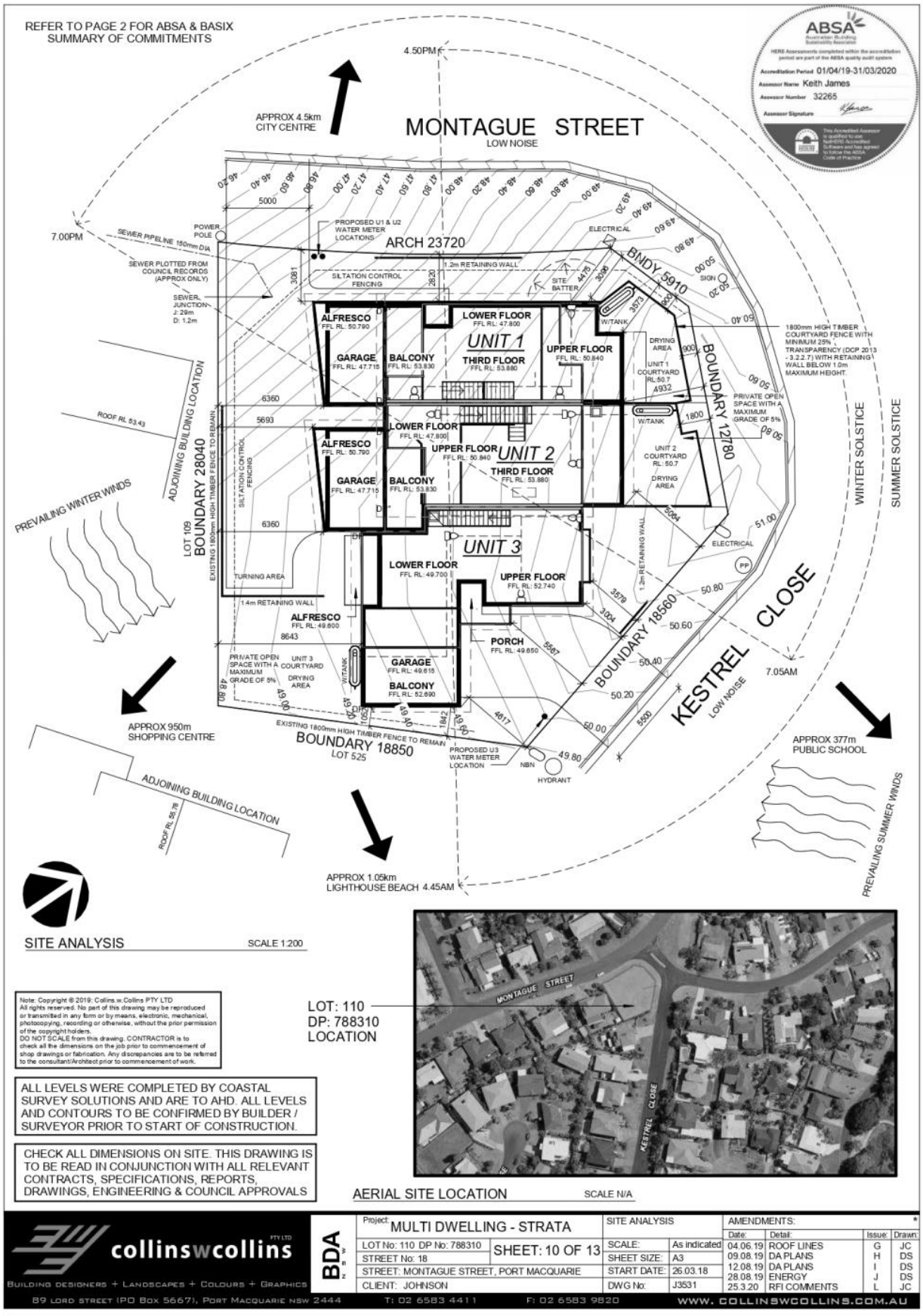
25.3.20	RFI COMMENTS	L	JC



SITE ANALYSIS SCALE 1:200

LOT: 110
DP: 788310
LOCATION

AERIAL SITE LOCATION SCALE N/A

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Project:	MULTI DWELLING - STRATA
LOT No: 110 DP No: 788310	SHEET: 10 OF 13
STREET No: 18	
STREET: MONTAGUE STREET, PORT MACQUARIE	
CLIENT: JOHNSON	

SITE ANALYSIS	
SCALE:	As indicated
SHEET SIZE:	A3
START DATE:	26.03.18
DWG No:	J3531

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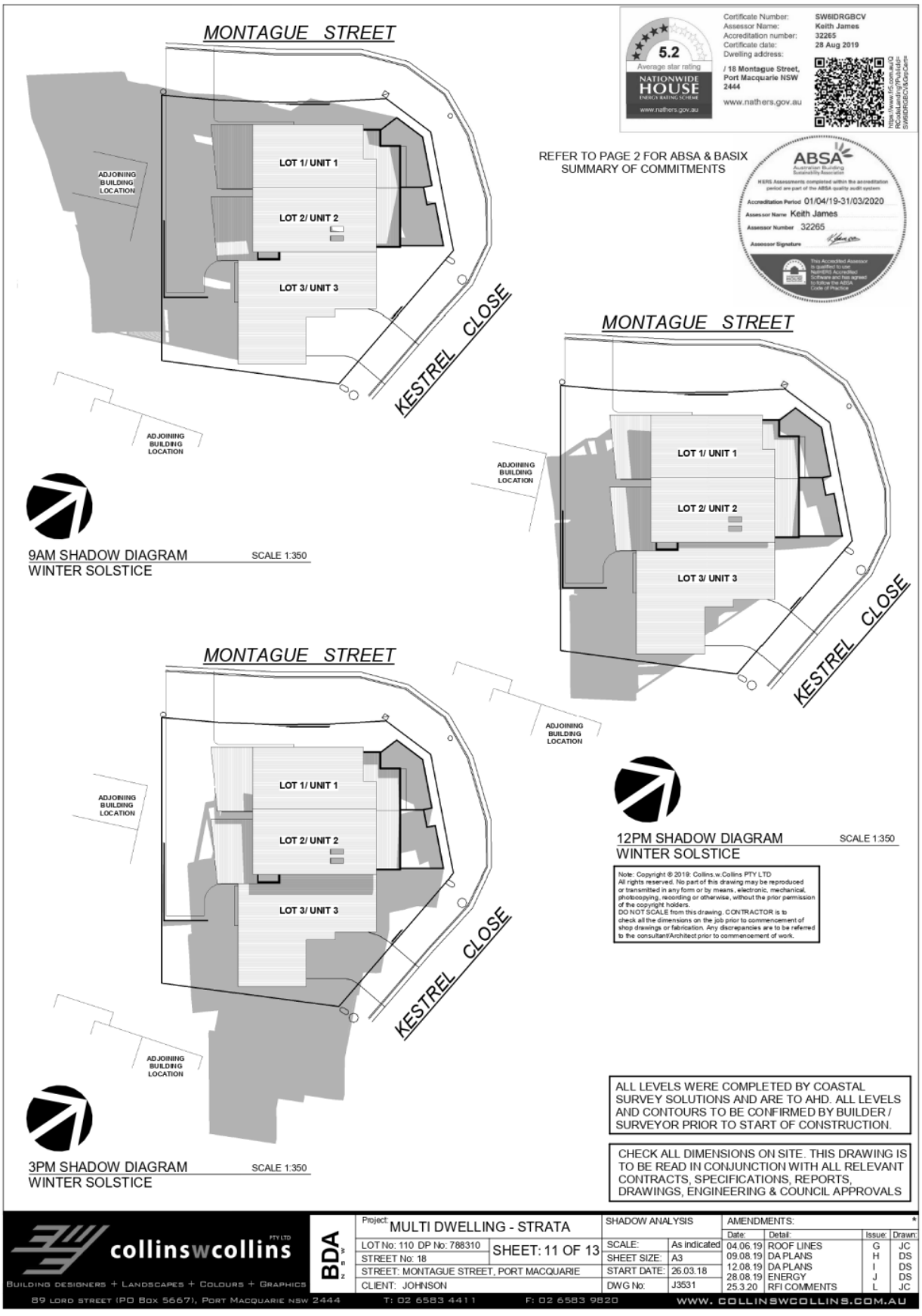
MONTAGUE STREET
LOT 1/ UNIT 1
LOT 2/ UNIT 2
LOT 3/ UNIT 3
ADJOINING BUILDING LOCATION
KESTREL CLOSE
9AM SHADOW DIAGRAM
WINTER SOLSTICE
SCALE 1:350
MONTAGUE STREET
LOT 1/ UNIT 1
LOT 2/ UNIT 2
LOT 3/ UNIT 3
ADJOINING BUILDING LOCATION
KESTREL CLOSE
12PM SHADOW DIAGRAM
WINTER SOLSTICE
SCALE 1:350
MONTAGUE STREET
LOT 1/ UNIT 1
LOT 2/ UNIT 2
LOT 3/ UNIT 3
ADJOINING BUILDING LOCATION
KESTREL CLOSE
3PM SHADOW DIAGRAM
WINTER SOLSTICE
SCALE 1:350
5.2
Average star rating
NATIONWIDE HOUSE ENERGY RATING SCHEME
www.nathers.gov.au
Certificate Number: SW6IDRGBCV
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Accreditation Period 01/04/19-31/03/2020
Assessor Name Keith James
Assessor Number 32265
Assessor Signature
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WWW. COLLINSWCOLLINS.COM.AU
BDA
Project: MULTI DWELLING - STRATA
LOT No: 110 DP No: 788310
SHEET: 11 OF 13
STREET No: 18
STREET: MONTAGUE STREET, PORT MACQUARIE
CLIENT: JOHNSON
SHADOW ANALYSIS
SCALE: As indicated
SHEET SIZE: A3
START DATE: 26.03.18
DWG No: J3531
AMENDMENTS:
Date: Detail: Issue: Drawn:
04.06.19 ROOF LINES G JC
09.08.19 DA PLANS H DS
12.08.19 DA PLANS I DS
28.08.19 ENERGY J DS
25.3.20 RFI COMMENTS L JC

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

1. FALLS, SLIPS, TRIPS

A) WORKING AT HEIGHTS

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

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

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

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

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

2. FALLING OBJECTS

LOOSE MATERIALS OR SMALL OBJECTS

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

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

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

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

3. TRAFFIC MANAGEMENT

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

4. SERVICES

GENERAL

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

5. MANUAL TASKS

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

6. HAZARDOUS SUBSTANCES

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

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

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

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

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

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

7. CONFINED SPACES

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

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

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

8. PUBLIC ACCESS

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

9. OPERATIONAL USE OF BUILDING RESIDENTIAL BUILDINGS

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

10.OTHER HIGH RISK ACTIVITY

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

EXCAVATIONS

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

FOUNDATIONS AND FOOTINGS

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

EFFLUENT DISPOSAL/DRAINAGE

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

TIMBER FRAMING

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

STEEL FRAMING

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

ROOFING

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

MASONRY

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

CLADDING AND LININGS

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

JOINERY

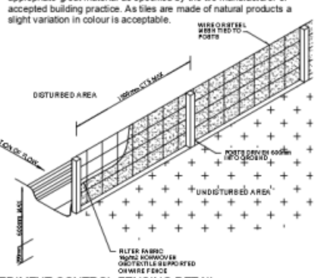
1. General
All joinery work (metal and timber) shall be manufactured and installed according to accepted building practices.
2. Door Frames
External door frames shall be a minimum of 32mm thick solid rebated 12mm deep to receive doors. Internal jamb linings shall be a minimum of 18mm thick fit with 12mm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

SERVICES

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

TILING

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



SEDIMENT CONTROL FENCING DETAIL NOT TO SCALE

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		LOT No: 110 DP No: 788310	SHEET: 12 OF 13	SCALE: As indicated
		STREET No: 18		SHEET SIZE: A3
		STREET: MONTAGUE STREET, PORT MACQUARIE		START DATE: 26.03.18
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AMENDMENTS: *

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BUILDING SPECIFICATIONS FOR CLASS 1 AND 10 BUILDINGS

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

SITE PREPARATION

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

FOOTINGS AND SLABS

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

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

MASONRY

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

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

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

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

FRAMING

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

ROOF AND WALL CLADDING

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

GLAZING

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

FIRE SAFETY

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

BUSHFIRE AREAS

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

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

HEALTH AND AMENITY

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

SAFE MOVEMENT AND ACCESS

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

ADDITIONAL CONSTRUCTION REQUIREMENTS

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

STRUCTURAL DESIGN MANUALS

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

ENERGY EFFICIENCY

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

collinswcollins PTY LTD
BUILDING DESIGNERS + LANDSCAPES + COLOURS + GRAPHICS
BDA NSW
89 LORD STREET (PO BOX 5667), PORT MACQUARIE NSW 2444 T: 02 6583 4411 F: 02 6583 9820 WWW.COLLINSWCOLLINS.COM.AU

Project: MULTI DWELLING - STRATA		BUILDING SPECIFICATIONS	
LOT No: 110 DP No: 788310	SHEET: 13 OF 13	SCALE:	1 : 100
STREET No: 18		SHEET SIZE:	A3
STREET: MONTAGUE STREET, PORT MACQUARIE		START DATE:	26.03.18
CLIENT: JOHNSON		DWG No:	J3531

AMENDMENTS: *

Date:	Detail:	Issue:	Drawn:
04.06.19	ROOF LINES	G	JC
09.08.19	DA PLANS	H	DS
12.08.19	DA PLANS	I	DS
28.08.19	ENERGY	J	DS
25.3.20	RFI COMMENTS	L	JC

Client

Johnson Family Homes

Proposed Stormwater Mangement

Montague Street, Port Macquarie 2444

C01 - Stormwater Management Plan

C02 - Detention Layout

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
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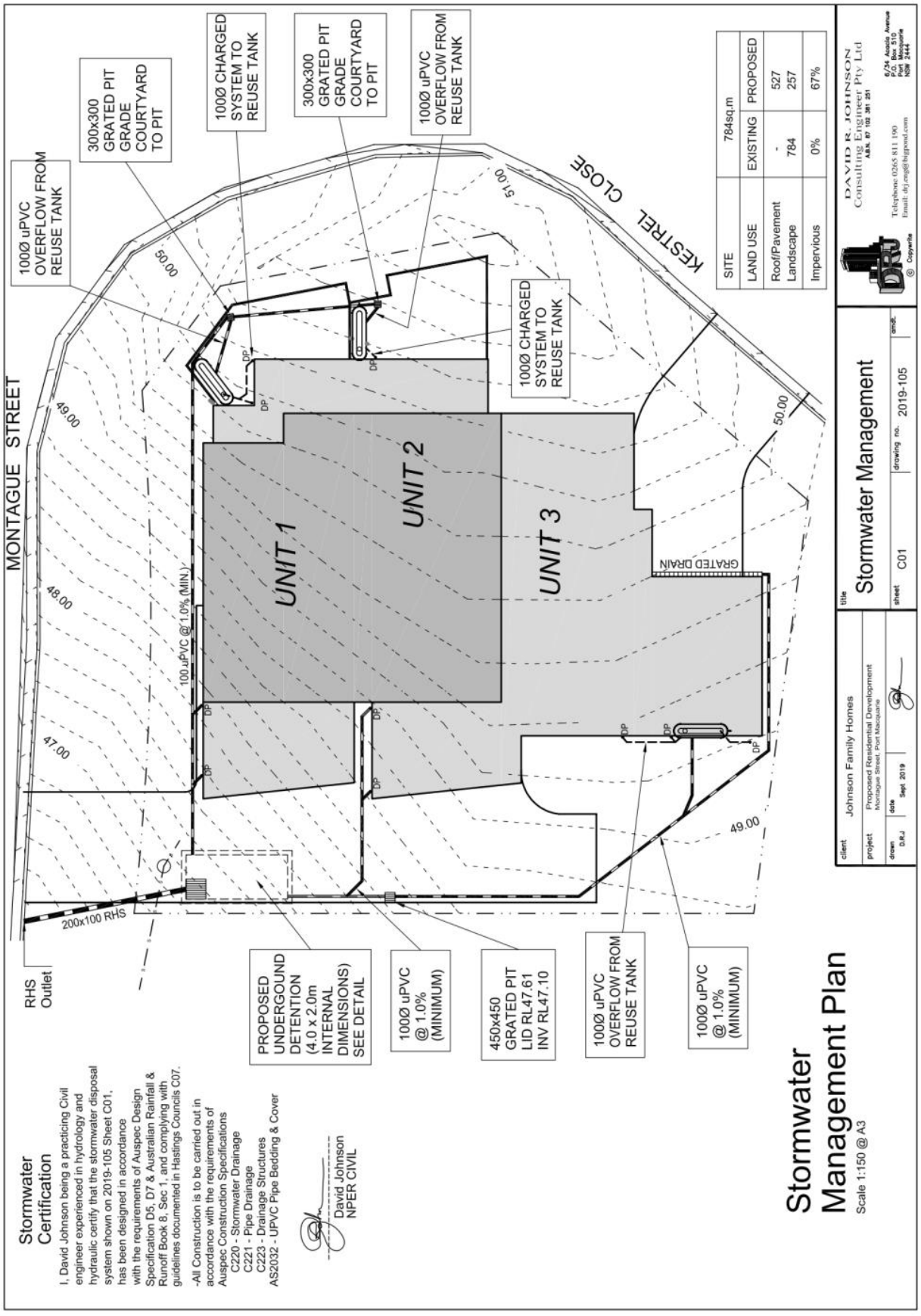
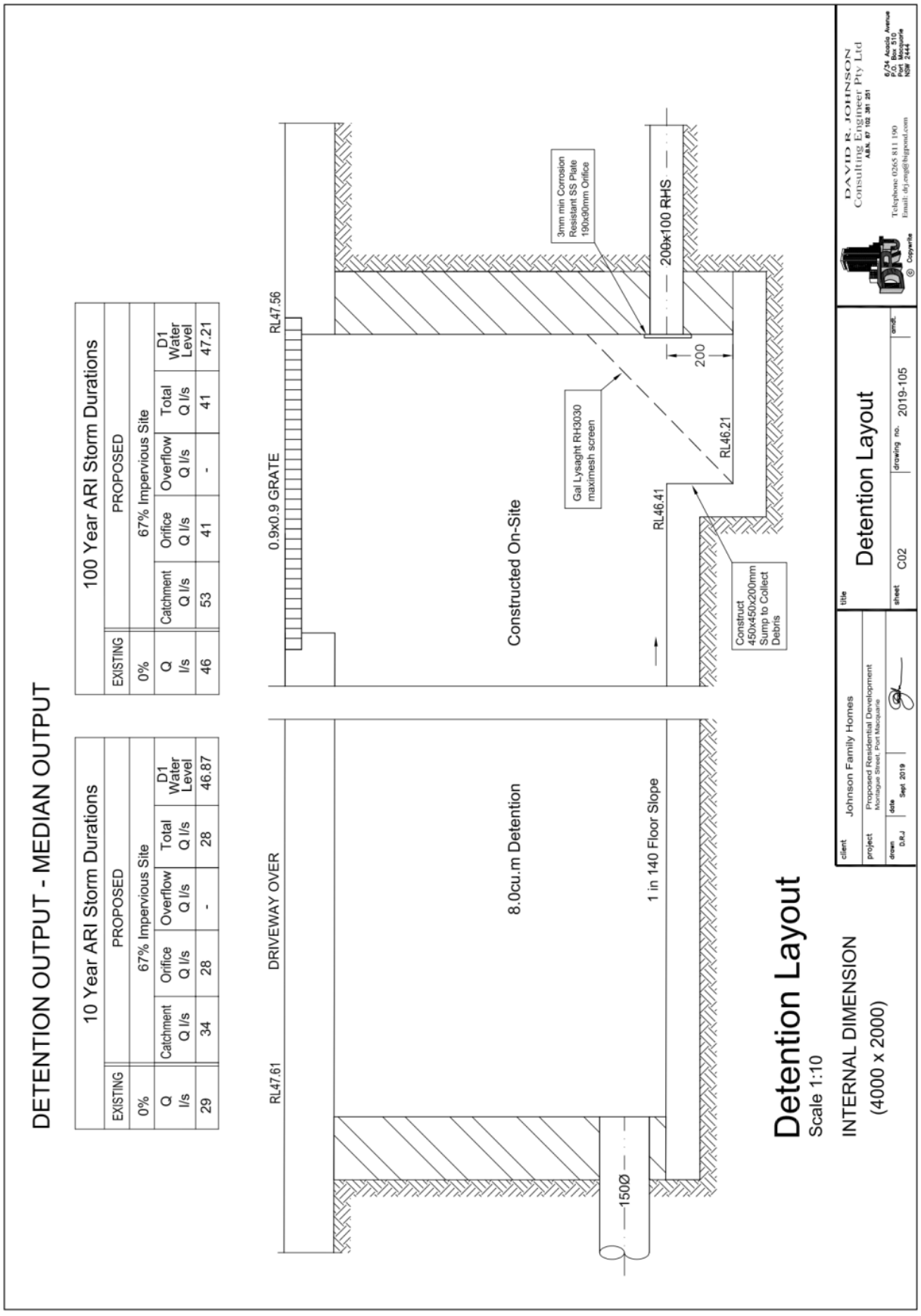

MONTAGUE STREET
KESTREL CLOSE
UNIT 1
UNIT 2
UNIT 3
100Ø uPVC OVERFLOW FROM REUSE TANK
300x300 GRATED PIT GRADE COURTYARD TO PIT
100Ø CHARGED SYSTEM TO REUSE TANK
300x300 GRATED PIT GRADE COURTYARD TO PIT
100Ø uPVC OVERFLOW FROM REUSE TANK
100Ø CHARGED SYSTEM TO REUSE TANK
GRATED DRAIN
100 uPVC @ 1.0% (MIN.)
200x100 RHS
RHS Outlet
PROPOSED UNDERGOUND DETENTION (4.0 x 2.0m INTERNAL DIMENSIONS) SEE DETAIL
100Ø uPVC @ 1.0% (MINIMUM)
450x450 GRATED PIT LID RL47.61 INV RL47.10
100Ø uPVC OVERFLOW FROM REUSE TANK
100Ø uPVC @ 1.0% (MINIMUM)
48.00
49.00
50.00
47.00
SITE 784sq.m
LAND USE EXISTING PROPOSED
Roof/Pavement - 527
Landscape 784 257
Impervious 0% 67%
DAVID R. JOHNSON
Consulting Engineer Pty Ltd
client Johnson Family Homes
project Proposed Residential Development Montague Street Port Macquarie
drawn DRJ
date Sept 2019
title Stormwater Management
sheet C01
drawing no. 2019-105
Stormwater Certification
I, David Johnson being a practicing Civil engineer experienced in hydrology and hydraulic certify that the stormwater disposal system shown on 2019-105 Sheet C01, has been designed in accordance with the requirements of Auspec Design Specification D5, D7 & Australian Rainfall & Runoff Book 8, Sec 1, and complying with guidelines documented in Hastings Councils C07.
-All Construction is to be carried out in accordance with the requirements of Auspec Construction Specifications
C220 - Stormwater Drainage
C221 - Pipe Drainage
C223 - Drainage Structures
AS2032 - UPVC Pipe Bedding & Cover
David Johnson
NPER CIVIL
Stormwater Management Plan
Scale 1:150 @ A3


DETENTION OUTPUT - MEDIAN OUTPUT
10 Year ARI Storm Durations
EXISTING
PROPOSED
0%
67% Impervious Site
Q l/s
Catchment Q l/s
Orifice Q l/s
Overflow Q l/s
Total Q l/s
D1 Water Level
29
34
28
-
28
46.87
100 Year ARI Storm Durations
EXISTING
PROPOSED
0%
67% Impervious Site
Q l/s
Catchment Q l/s
Orifice Q l/s
Overflow Q l/s
Total Q l/s
D1 Water Level
46
53
41
-
41
47.21
RL47.61
DRIVEWAY OVER
0.9x0.9 GRATE
RL47.56
8.0cu.m Detention
Constructed On-Site
1 in 140 Floor Slope
Gal Lysaght RH3030 maximesh screen
3mm min Corrosion Resistant SS Plate 190x90mm Orifice
200x100 RHS
200
RL46.41
RL46.21
Construct 450x450x200mm Sump to Collect Debris
1500
Detention Layout
Scale 1:10
INTERNAL DIMENSION
(4000 x 2000)
client Johnson Family Homes
project Proposed Residential Development Montague Street Port Macquarie
drawn DRJ
date Sept 2019
title Detention Layout
sheet C02
drawing no. 2019-105
DAVID R. JOHNSON
Consulting Engineer Pty Ltd
ABN 87 102 381 251
6/34 Acacia Avenue
P.O. Box 510
Port Macquarie
NSW 2444
Telephone 0265 811 190
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Developer Charges - Estimate

PORT MACQUARIE HASTINGS

Applicants Name: Johnson Family Homes
Property Address: 18 Montague Street, Port Macquarie
Lot & Dp: Lot(s):110,DP(s):788310
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	1.8	$7,718.00	Per ET	$13,892.40
4	Since 31.7.18 - Open Space - Port Macquarie - Per ET	1.8	$5,686.00	Per ET	$10,234.80
5	Commenced 3 April 2006 - Com, Cul and Em Services CP - Port Macquarie	1.8	$4,669.00	Per ET	$8,404.20
6	Com 1.3.07 - Administration Building - All areas	1.8	$919.00	Per ET	$1,654.20
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			$752.00
16					
17					
18					
	Total Amount of Estimate (Not for Payment Purposes)				**$57,164.00**

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: **27-Mar-2020**

Estimate Prepared By Pat Galbraith-Robertson

This is an ESTIMATE ONLY - NOT for Payment Purposes

Family Homes, 18 Montague Street, Port Macquarie, 27-Mar-2020.xls

PORT MACQUARIE-HASTINGS COUNCIL