PORT MACQUARIE-HASTINGS
COUNCIL

Development Assessment Panel

Business Paper

date of meeting:	**Wednesday 12 August 2020**
location:	**via Skype**
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	06/05/20	27/05/20	10/06/20	24/06/20	08/07/20	22/07/20
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 12 August 2020

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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 22 July 2020 be confirmed.

PRESENT

Members:

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

Other Attendees:

Mayor Peta Pinson
Councillor Sharon Griffiths
Acting Development Engineering Coordinator (Grant Burge)
Development Assessment Planner (Fiona Tierney)
Development Assessment Planner (Steven Ford)
Development Assessment Planner (Chris Gardiner)
Development Engineer (Kerrod Franklin)
Building Surveyor (Andrew Rock)
Building Surveyor (Warren Wisemantel)
Administration Officer (Tricia Mann)

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 8 July 2020 be confirmed.

04 DISCLOSURES OF INTEREST

There were no disclosures of interest presented.

SUSPENSION OF STANDING ORDERS

CONSENSUS:

That Standing Orders be suspended to allow Item 06 to be brought forward and considered next, to allow previously advised speakers to speak first.

06 DA2020 - 366.1 SECONDARY DWELLING AT LOT 15 DP 231845, NO 2 PERKS PARADE, PORT MACQUARIE

Speakers:
Nigel Harding (applicant)

CONSENSUS:

That DA2020 - 366.1 for a secondary dwelling at Lot 15 DP 231845, No. 2 Perks Parade, Port Macquarie, be determined by granting consent subject to the recommended conditions and as amended below:

Resolution as per recommendation subject to the following changes to conditions of consent:

- Delete condition B(5)
- New condition in Section B of the consent to read: 'Prior to release of the Construction Certificate, amended plans are to be submitted providing for:
    - The lowering of the secondary dwelling floor level by 300mm.
    - The placement of fixed privacy louvres on the kitchen window. The louvres are to be angled so as to prevent overlooking of the neighbouring property.'

05 DA2020 - 259.1 DWELLING AND SWIMMING POOL AT LOT 46 DP 231816 NO 11-13 DENT CRESCENT, PORT MACQUARIE

Speakers:
Alan Gleeson (opposing application)
Lucie Oliveira (opposing application)
Daniel Oliveira (opposing application)
Tony Thorne (applicant)

CONSENSUS:

That DA 2020 - 259.1 for a Dwelling and Swimming Pool at Lot 46, DP 231816, No. 11-13 Dent Crescent, Port Macquarie, be deferred to allow the applicant an opportunity to submit amended plans so as to lessen the view impacts on 15 and 17 Dent Crescent and have better regard for 'Step 4' of the Tenacity view sharing principles.

Item 06 DA2020 - 366.1 Secondary Dwelling at Lot 15 DP 231845, No 2 Perks Parade, Port Macquarie, has been addressed previously within the meeting.

07 DA2018 - 621.1 ALTERATIONS AND ADDITIONS TO CARAVAN PARK AT LOT 3, DP 1103628, NO. 152 DIAMOND HEAD ROAD, DUNBOGAN

Speakers:
John Tranter (opposing application)
Peter Johnston (opposing application)
Donna Clarke (applicant)
Cicely Sylow (applicant)

CONSENSUS:

That DA2018 - 621.1 for Alterations and Additions to Caravan Park at Lot 3, DP 1103628, No. 152 Diamond Head Road, Dunbogan, be deferred to enable the applicant to submit amended plans and details addressing the following:

- A more detailed site plan including the following:
  - Road widths and circulation, including appropriate pavement markings and signage for one-way access roads.
  - Confirming the location of the waste facilities on the workshop lot.
  - Confirming any relocation of the barbeque area structures and bird aviary from sites 80 and 82.
- Provision of clothes drying areas consistent with Clause 116 of the Local Government (Manufactured Home Estates, Caravan Parks, Camping Grounds and Moveable Dwellings) Regulation 2005.
- Consideration of options for retention of the koala food tree near the proposed new community building.
- Consideration of an alternative location for the storage shed so that the landscaped area between sites 108 and 109 can be retained.

08 DA2020 - 143.2 MODIFICATION TO ANCILLARY ANIMAL TRAINING ESTABLISHMENT BUILDING (HORSE ARENA) AT LOT 12 DP 702224, NO 42 COWARRA CLOSE KING CREEK

Speakers:
Stephen Cross (opposing application)
Nick Lawton (applicant)

CONSENSUS:

That DA 2020/143.2 for a modification to an ancillary animal training establishment (horse arena) at Lot 12, DP 702224, No. 42 Cowarra Close, King Creek, be determined by granting consent subject to the recommended conditions and as amended below:

- Additional condition in Section E of the consent to read: ‘ Prior to release of the Occupation Certificate, the following is to occur:
  - The horse arena area is to be bunded to manage material from being tracked off the arena.
  - The earth batter around the arena structure is not to extend more than twenty (20) metres from the perimeter of the horse arena structure.
  - Any excess spoil is to be disposed of to an approved location.
  - Erosion and sediment control measures are to remain in place where grass has not yet established on the exposed area of soil.

09 DA2020 - 302.1 ANIMAL TRAINING ESTABLISHMENT (HORSE RIDING) AT LOT 4 DP 1126660, 22 ENNIS ROAD, REDBANK

Speakers:
Christie McEwan (applicant)

CONSENSUS:

That DA 2020 - 302.1 for an animal training establishment (horse riding) at Lot 4, DP 1126660, No. 22 Ennis Road, Redbank, be determined by granting consent subject to the recommended conditions and as amended below:

- Renumber Section A of the consent so as the conditions read 1 through to 3.
- Renumber Section B of the consent so as the conditions read 1 through to 5.
- Amend condition B(3) to read: ‘Hours of operation of the development are restricted to the following hours:

  - 8am to 6pm Seven days a week.’
- Amend condition B(5) to read: ‘To ensure adequate off-street parking and toilet facilities are available no more than Seven (7) riders and three (3) staff shall be onsite at any one time.’

10 DA2019 - 780 MANUFACTURED HOUSING ESTATE, ANCILLARY BUILDINGS AND ASSOCIATED INFRASTRUCTURE, LOT 46 DP1256576 SOUTH ATLANTIC DRIVE, LAKE CATHIE

Speakers:
Mark McCormick (opposing application)
Robyn Wilson (opposing application)
Darren Gill (opposing application)
Tony Thorne (opposing application)
Donna Clarke (applicant)
Craig Nethery (applicant)
Adrian Pullich (applicant)

CONSENSUS:

That DA 2019 - 780.01 for a Manufactured Housing Estate, Ancillary Buildings and Associated Infrastructure at Lot 146, DP 1256576, South Atlantic Drive, Lake Cathie, be deferred to enable the legal advice to be obtained on the following:

- The proposal's consistency with the 'Sydmart' Voluntary Planning Agreement applying to the land.
- The proposal's relationship with DA216-88 on the subject land and whether the proposal will compromise this consent.

11 GENERAL BUSINESS

Nil.

The meeting closed at 5:50pm.

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)

PORT MACQUARIE HASTINGS COUNCIL

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.

<u>Managing non-pecuniary conflicts of interest</u>

5.6 Where you have a non-pecuniary conflict of interest in a matter for the purposes of clause 5.2, you must disclose the relevant private interest you have in relation to the matter fully and in writing as soon as practicable after becoming aware of the non-pecuniary conflict of interest and on each occasion on which the non-pecuniary conflict of interest arises in relation to the matter. In the case of members of council staff other than the general manager, such a disclosure is to be made to the staff member's manager. In the case of the general manager, such a disclosure is to be made to the mayor.

5.7 If a disclosure is made at a council or committee meeting, both the disclosure and the nature of the interest must be recorded in the minutes on each occasion on which the non-pecuniary conflict of interest arises. This disclosure constitutes disclosure in writing for the purposes of clause 5.6.

5.8 How you manage a non-pecuniary conflict of interest will depend on whether or not it is significant.

5.9 As a general rule, a non-pecuniary conflict of interest will be significant where it does not involve a pecuniary interest for the purposes of clause 4.1, but it involves:

a) a relationship between a council official and another person who is affected by a decision or a matter under consideration that is particularly close, such as a current or former spouse or de facto partner, a relative for the purposes of clause 4.4 or another person from the council official's extended family that the council official has a close personal relationship with, or another person living in the same household
b) other relationships with persons who are affected by a decision or a matter under consideration that are particularly close, such as friendships and business relationships. Closeness is defined by the nature of the friendship or business relationship, the frequency of contact and the duration of the friendship or relationship.
c) an affiliation between the council official and an organisation (such as a sporting body, club, religious, cultural or charitable organisation, corporation or association) that is affected by a decision or a matter under consideration that is particularly strong. The strength of a council official's affiliation with an organisation is to be determined by the extent to which they actively participate in the management, administration or other activities of the organisation.
d) membership, as the council's representative, of the board or management committee of an organisation that is affected by a decision or a matter under consideration, in circumstances where the interests of the council and the organisation are potentially in conflict in relation to the particular matter
e) a financial interest (other than an interest of a type referred to in clause 4.6) that is not a pecuniary interest for the purposes of clause 4.1
f) the conferral or loss of a personal benefit other than one conferred or lost as a member of the community or a broader class of people affected by a decision.

5.10 Significant non-pecuniary conflicts of interest must be managed in one of two ways:

a) by not participating in consideration of, or decision making in relation to, the matter in which you have the significant non-pecuniary conflict of interest and the matter being allocated to another person for consideration or determination, or
b) if the significant non-pecuniary conflict of interest arises in relation to a matter under consideration at a council or committee meeting, by managing the conflict of interest as if you had a pecuniary interest in the matter by complying with clauses 4.28 and 4.29.

5.11 If you determine that you have a non-pecuniary conflict of interest in a matter that is not significant and does not require further action, when disclosing the interest you must also explain in writing why you consider that the non-pecuniary conflict of interest is not significant and does not require further action in the circumstances.

5.12 If you are a member of staff of council other than the general manager, the decision on which option should be taken to manage a non-pecuniary conflict of interest must be made in consultation with and at the direction of your manager. In the case of the general manager, the decision on which option should be taken to manage a non-pecuniary conflict of interest must be made in consultation with and at the direction of the mayor.

5.13 Despite clause 5.10(b), a councillor who has a significant non-pecuniary conflict of interest in a matter, may participate in a decision to delegate consideration of the matter in question to another body or person.

5.14 Council committee members are not required to declare and manage a non-pecuniary conflict of interest in accordance with the requirements of this Part where it arises from an interest they have as a person chosen to represent the community, or as a member of a non-profit organisation or other community or special interest group, if they have been appointed to represent the organisation or group on the council committee.

SPECIAL DISCLOSURE OF PECUNIARY INTEREST DECLARATION

This form must be completed using block letters or typed.
If there is insufficient space for all the information you are required to disclose, you must attach an appendix which is to be properly identified and signed by you.

By *[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.

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[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: **DA2020 - 321.1 DUAL OCCUPANCY AND TORRENS TITLE SUBDIVISION AT LOT 136 DP 1248149, NO. 3 SEAHORSE RISE, LAKE CATHIE**

Report Author: Development Assessment Planner, Chris Gardiner

Applicant:	**Auspac Enterprises Pty Ltd**
Owner:	**Auspac Enterprises Pty Ltd**
Estimated Cost:	**$519,264**
Parcel no:	**68857**

Alignment with Delivery Program

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

RECOMMENDATION

That DA2020 - 321.1 for a Dual Occupancy and Torrens Title Subdivision at Lot 136, DP 1248149, No. 3 Seahorse Rise, Lake Cathie, be determined by granting consent subject to the recommended conditions.

Executive Summary

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

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

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

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

1. BACKGROUND

Existing Sites Features and Surrounding Development

The site has an area of 551.2m^2.

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

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

2. DESCRIPTION OF DEVELOPMENT

Key aspects of the proposal include the following:

- Construction of a single storey attached dual occupancy with 2 x 3/4 bedroom dwellings; and
- 2 lot Torrens title subdivision.

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

Application Chronology

- 30 April 2020 - Application lodged.
- 12 May 2020 to 25 May 2020 - Neighbour notification.
- 11 June 2020 - Bush Fire Safety Authority issued by NSW Rural Fire Service.

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 5 - This SEPP applies to the Port Macquarie-Hastings Local Government Area.

Clause 8 - The site is subject to the adopted Area 14 Koala Plan of Management. No tree removal is proposed and the proposal is consistent with the adopted plan of management.

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 (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.

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 dual occupancy (attached) is a permissible landuse with consent. Following subdivision, each lot will contain a semi-detached dwelling.

  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 development will contribute to the variety of housing types and densities to meet the housing needs of the community.
- Clause 4.1A - The minimum lot sizes do not apply to the proposal as it involves subdivision into two lots and construction of a semi-detached dwelling on each lot.
- Clause 4.3 - The maximum overall height of the building above ground level (existing) is 6.0m, 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 0.44:1 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 7.9 - The site is mapped as being subject to acoustic controls. The impacts of road traffic noise were considered as part of the parent subdivision (DA2016 - 88). A Traffic Noise Impact Assessment prepared by SLR and dated 4 November 2015 was submitted as part of that application. The report determined that Category 1 (normal) construction will achieve satisfactory internal noise levels (see below).

- Clause 7.13 - Satisfactory arrangements are in place for provision of essential services including water supply, electricity supply, sewer infrastructure, stormwater drainage and suitable road access to service the development.

Provision of electricity will be subject to obtaining satisfactory arrangements certification prior to the issue of a Subdivision Certificate as recommended by a condition of consent.

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

No draft instruments apply to the site.

(iii) Any Development Control Plan in force

Port Macquarie-Hastings Development Control Plan 2013

DCP 2013: Dwellings, Dual occupancies, Dwelling houses, Multi dwelling houses & Ancillary development			
	Requirements	**Proposed**	**Complies**
3.2.2.2	Articulation zone: • Min. 3m front setback • An entry feature or portico • A balcony, deck, patio, pergola, terrace or verandah • A window box treatment • A bay window or similar feature • An awning or other feature over a window • A sun shading feature	The development contains a porch for each unit within the articulation zone. The porches do not exceed 25% of the articulation zone and are setback more than 3m (4.11m).	Yes
	Front setback (Residential not R5 zone): • Min. 6.0m classified road • Min. 4.5m local road or within 20% of adjoining dwelling if on corner lot • Min. 3.0m secondary road • Min. 2.0m Laneway	4.5m.	Yes
3.2.2.3	Garage 5.5m min. and 1m behind front façade. Garage door recessed behind building line or eaves/overhangs provided	5.64m and minimum 1m behind the building line.	Yes
	6m max. width of garage door/s and 50% max. width of building	2.4m wide and less than 50% of building width.	Yes
	Driveway crossover 1/3 max. of site frontage and max. 5.0m width	5.0m wide and less than 1/3 of site frontage.	Yes
3.2.2.4	4m min. rear setback. Variation subject to site analysis and provision of private open space	5.92m.	Yes
3.2.2.5	Side setbacks: • Ground floor = min. 0.9m • First floors & above = min. 3m setback or where it can be demonstrated that overshadowing	Minimum 1.114m. The proposal includes single storey walls up to	No, but acceptable

DCP 2013: Dwellings, Dual occupancies, Dwelling houses, Multi dwelling houses & Ancillary development			
	Requirements	**Proposed**	**Complies**
	not adverse = 0.9m min. • Building wall set in and out every 12m by 0.5m	18m long without articulation. The wall articulation satisfies the objectives of the development provision particularly noting the single storey nature of the proposal. Recent amendments to the DCP no longer require wall articulation for single storey development.	
3.2.2.6	35m2 min. private open space area including a useable 4x4m min. area which has 5% max. grade	Each occupancy contains 35m² open space in one area including a useable 4m x 4m area.	Yes
3.2.2.7	Front fences: • 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	No front fences proposed.	N/A
3.2.2.8	Front fences and walls to have complimentary materials to context No chain wire, solid timber, masonry or solid steel front fences	No front fencing proposed.	N/A
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	The development will not compromise privacy in the area due to a combination of building design and boundary fencing.	Yes

DCP 2013: Dwellings, Dual occupancies, Dwelling houses, Multi dwelling houses & Ancillary development			
	Requirements	**Proposed**	**Complies**
	balconies/verandahs etc which have <3m side/rear setback and floor level height >1m		

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. 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 change 1m outside the perimeter of the external building walls	Yes
2.3.3.2	1m max. height retaining walls along road frontage	None proposed	N/A
	Any retaining wall >1.0 in height to be certified by structure engineer	No retaining wall likely >1m.	N/A
	Combination of retaining wall and front fence height max 1.8m, max length 6.0m or 30% of frontage, fence component 25% transparent, and splay at corners and adjacent to driveway	No retaining wall front fence combination proposed.	N/A
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 access proposed to arterial or distributor road.	N/A
	Driveway crossing/s minimal in number and width including maximising street parking	Driveway crossing is minimal in width including maximising street parking.	Yes
2.5.3.3	Parking in accordance with Table 2.5.1. <u>Dwelling/dual occupancies</u> 1 space per dwelling/occupancy (behind building line). <u>Multi dwelling</u> 1 space per 1 & 2 bedroom occupancies	Proposal involves dual occupancy, which will be 2 semi-detached dwellings following subdivision. Each dwelling provides 1 parking space behind the building line.	Yes

DCP 2013: General Provisions			
	Requirements	**Proposed**	**Complies**
	1.5 spaces per 3+ bedroom occupancies 0.25 spaces per occupancy for visitor parking.		
2.5.3.11	Section 94 contributions	Contributions apply - refer to ET calc and NOP.	Yes
2.5.3.12 and 2.5.3.13	Landscaping of parking areas	Suitable landscaping proposed around driveway/parking locations.	Yes
2.5.3.14	Sealed driveway surfaces unless justified	Sealed driveway areas 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.	Yes

Note: Subdivision provisions of the DCP (except battleaxe handle width) are aimed at the creation of vacant lots (i.e. not lots within an integrated housing proposal such as this) and have therefore been excluded from the above assessment. Servicing requirements are discussed later in this report.

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

The previous landowner has entered into 'The Sydmart Area 14 Stage 1A Planning Agreement' with Port Macquarie-Hastings Council. In summary, the agreement requires:

- Monetary development contributions for water supply, roads, sewerage, open space, and administration purposes
- Specific works by the landowner for the purposes of providing water supply and roads.
- Dedication of specified land to the Council by the landowner on which some works will be situated

The proposed development does not trigger any requirements of this planning agreement.

(iv) Any matters prescribed by the Regulations

No matters prescribed by the regulations are applicable to the proposal.

(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 compatible with other existing and likely future residential development in the locality and adequately addresses planning controls for the area.

There are no adverse impacts on existing view sharing, privacy, or overshadowing impacts. The proposal does not prevent adjoining properties from receiving 3 hours of sunlight to private open space and primary living areas on 21 June.

Roads
The site has road frontage to Seahorse Rise. Adjacent to the site, Seahorse Rise is a sealed public road under the care and control of Council.

Traffic and Transport
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 a shared driveway with direct frontage to Seahorse Rise. Access shall comply with Council AUSPEC and Australian Standards, and conditions have been recommended to reflect these requirements.

As the proposal include Torrens title subdivision with no separation between the driveways, it is recommended that a reciprocal right of carriageway/access be registered to provide for shared use of the driveway.

Parking and Manoeuvring
A total of 2 parking spaces have been provided on-site within garages with additional parking available within the driveway. Parking and driveway widths on site can comply with relevant Australian Standards (AS 2890) and conditions have been recommended to reflect these requirements.

Water Supply Connection
Each Torrens title lot requires a separate metered water connection to Council's water main. Any required water main extension is to be at no cost to Council. All design and works shall be in accordance with Council's adopted AUSPEC Specifications.

Detailed plans will be required to be submitted for assessment with the Section 68 application.
Sewer Connection
Each Torrens title lot requires a separate line to Council's sewer main. Any required sewer main extension is to be at no cost to Council. Any abandoned sewer junctions are to be capped off at Council's sewer main. All design & works shall be in accordance with Council's adopted AUSPEC Specifications.

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

Stormwater
The site naturally grades towards the rear and is currently serviced via an existing interallotment drainage system.

The legal point of discharge for the proposed development is defined as a direct connection to the existing interallotment drainage system for each lot. The existing stormwater junction can be utilised for Lot 2 and a new junction will be required for Lot 1.

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.

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

Heritage
No known items of Aboriginal or European heritage significance exist on the property. Appropriate investigations for Aboriginal archaeology have been carried out as part of the strategic planning for the area and the land has been significantly disturbed by subdivision works.

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.

Potential impacts of road traffic noise have been considered earlier in this report under Clause 7.9 of the LEP.

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

A condition has been recommended incorporating the requirements of the Bushfire Safety Authority.

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 of bushfire and road traffic noise 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.

A copy of the written submission has been provided separately to members of the DAP.

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

Submission Issue/Summary	Planning Comment/Response
The proposal essentially involves 2 x 4 bedroom dwellings with only a single parking space per dwelling. The cumulative impact of this development and other similar proposals in the street will result in a significant number of vehicles using street parking and causing congestion and restricted vehicle and pedestrian access.	The proposal complies with the minimum parking requirements in DCP 2013 (one space per dwelling for dual occupancies). Section 4.15(3A) of the Environmental Planning and Assessment Act 1979 provides that: *If a development control plan contains provisions that relate to the development that is the subject of a development application, the consent authority—* *(a) if those provisions set standards with respect to an aspect of the development and the development application complies with those standards—is not to require more onerous standards with respect to that aspect of the development* Accordingly, additional parking above the DCP requirements cannot be required, and it cannot be considered that a complying proposal will result in adverse cumulative impacts.

(e) The Public Interest

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

Ecologically Sustainable Development and Precautionary Principle
Ecologically sustainable development requires the effective integration of economic and environmental considerations in decision-making processes.

The four principles of ecologically sustainable development are:

- the precautionary principle,
- intergenerational equity,
- conservation of biological diversity and ecological integrity,
- improved valuation, pricing and incentive mechanisms.

The principles of ESD require that a balance needs to be struck between the man-made development and the need to retain the natural vegetation. Based on the assessment provided in the report and with recommended conditions of consent, it is considered an appropriate balance has been struck.

Climate change
The proposal is not considered to be vulnerable to any risks associated with climate change.

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. DA2020 - 321.1 Recommended Conditions
2. DA2020 - 321.1 Contributions Estimate
3. DA2020 - 321.1 Plans

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

NOTE: THESE ARE DRAFT ONLY

DA NO: 2020/321 **DATE: 30/07/2020**

PRESCRIBED CONDITIONS

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

A – GENERAL MATTERS

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

Plan / Supporting Document	Reference	Prepared by	Date
Plans	RT692 Sheet 1, 3 - 7, 12, & 13 Issue L	Rob Tate Family Homes	24 April 2020
Statement of Environmental Effects	RT692	Collins W Collins Pty Ltd	April 2020
BASIX Certificate	1096008M	Collins W Collins Pty Ltd	24 April 2020
Bushfire Assessment	-	Krisann Johnson	21 April 2020

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

(2) (A002) No building or subdivision work shall commence until a Construction Certificate or Subdivision Works Certificate has been issued and the applicant has notified Council of:

a. the appointment of a Principal Certifying Authority; and

b. the date on which work will commence.

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

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

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

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

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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) (A013) The general terms of approval from the following authorities, as referred to in section 4.50 of the Environmental Planning and Assessment Act 1979, and referenced below, are attached and form part of the consent conditions for this approval.

- **NSW Rural Fire Service** - The General Terms of Approval, Reference DA20200509001658-Original-1 and dated 11 June 2020, are attached and form part of this consent.

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

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

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

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

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

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

i. deposit with the Council, or

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

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

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

B – PRIOR TO ISSUE OF A CONSTRUCTION CERTIFICATE OR SUBDIVISION WORKS CERTIFICATE

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

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

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

Such works include, but not be limited to:

- Civil works
- Traffic management
- Work zone areas
- Footway and gutter crossing
- Functional vehicular access

(3) (B003) Submission to the Principal Certifying Authority prior to the issue of a Construction Certificate or Subdivision Works 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 or Subdivision Certificate (whichever occurs first) 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

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

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

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

(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 or Subdivision Certificate (whichever occurs first), of the Section 64 contributions, as set out in the "Notice of Payment – Developer Charges" schedule attached to this consent unless deferral of payment of contributions has been approved by Council. The contributions are levied in accordance with the provisions of the relevant Section 64 Development Servicing Plan towards the following:

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

(6) (B016) Provision to each lot of a separate sewer line to Council's main. All work will need to comply with the requirements of Council's adopted AUSPEC Design and Construction Guidelines and Policies. Any abandoned sewer junctions are to be capped off at Council's sewer main and Council notified to carry out an inspection prior to backfilling of this work.

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

(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) (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.

(9) (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.

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(10) (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.

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

a) All allotments must be provided with a direct point of connection to the public piped drainage system. Kerb outlets are not permitted.

(12) Each Torrens Title lot requires a separate metered water connection to Council's water main. Any required water main extension is to be at no cost to Council. All design & works shall be in accordance with Council's adopted AUSPEC Specifications.

C – PRIOR TO ANY WORK COMMENCING ON SITE

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

D – DURING WORK

(1) (D001) Development works on public property or works to be accepted by Council as an infrastructure asset are not to proceed past the following hold points without inspection and approval by Council. Notice of required inspection must be given 24 hours prior to inspection, by contacting Council's Customer Service Centre on (02) 6581 8111. You must quote your Construction Certificate number and property description to ensure your inspection is confirmed:

a. when trenches are open, stormwater/water/sewer pipes and conduits jointed and prior to backfilling;

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

c. during construction of sewer infrastructure;

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

(2) (D006) A copy of the current stamped approved construction plans must be kept on site for the duration of site works and be made available upon request to either the Principal Certifying Authority or an officer of the Council.

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

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.

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(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.

(8) (E068) Prior to the issue of a Subdivision or 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 lots or dwellings (including street lighting and fibre optic cabling where required).

(9) (E195) The subdivision certificate shall not be issued until such time that the dwellings associated with this development are substantially commenced (as determined by Council) or where a restriction as to user, prohibits any dwelling on each lot other than the dwelling approved as part of this consent.

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

a. Reciprocal right of access over the shared driveway.

F – OCCUPATION OF THE SITE

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

DRAFT

Developer Charges - Estimate

PORT MACQUARIE HASTINGS

Applicants Name: Auspac Enterprises Pty Ltd
Property Address: 3 Seahorse Rise, Lake Cathie
Lot & Dp: Lot(s):136,DP(s):1248149
Development: Dual Occupancy and Torrens 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	0.6	$10,322.00	Per ET	$6,193.20
2	Sewerage Scheme Lake Cathie/Bonny Hills	1	$3,916.00	Per ET	$3,916.00
3	Since 13.6.14 - Local Roads - Lake Cathie/Bonny Hills - Area 14	1	$13,422.00	Per ET	$13,422.00
4	Since 31.1.18 - Open Space - Lake Cathie/Bonny Hills - Per ET	1	$6,826.00	Per ET	$6,826.00
5	Commenced 3 April 2006 - Com, Cul and Em Services CP - Lake Cathie / Bonny Hills	1	$5,329.00	Per ET	$5,329.00
6	Com 1.3.07 - Administration Building - All areas	1	$921.00	Per ET	$921.00
7	Commenced 3 April 2006 - Com, Cul and Em Services CP - Bushfire	1	$511.00	Per ET	$511.00
8	N/A				
9	N/A				
10	N/A				
11	N/A				
12	N/A				
13	N/A				
14	N/A				
15	Admin General Levy - Applicable to Consents approved after 11/2/03	2.2% S94 Contribution			$594.10
16					
17					
18					
	Total Amount of Estimate (Not for Payment Purposes)				**$37,712.30**

Not for Payment Purposes

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: **30-Jul-2020**

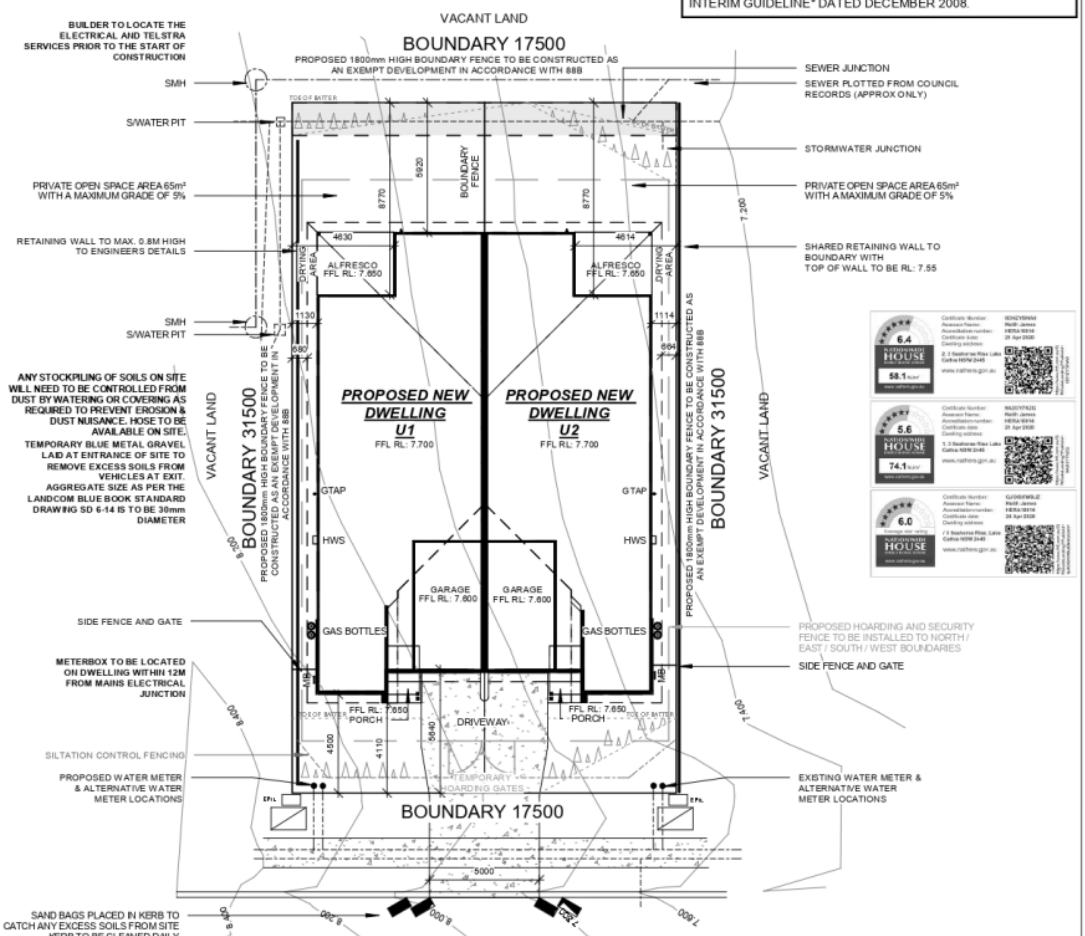
Estimate Prepared By Chris Gardiner

This is an ESTIMATE ONLY - NOT for Payment Purposes

Enterprises Pty Ltd, 3 Seahorse Rise, Lake Cathie, 30-Jul-2020.xls

PORT MACQUARIE-HASTINGS COUNCIL

CATEGORY 1 NOISE LEVEL BUILDING CONSTRUCTION REQUIREMENTS IN ACCORDANCE WITH THE DOCUMENT "DEVELOPMENT NEAR RAIL CORRIDORS AND BUSY ROAD - INTERIM GUIDELINE" DATED DECEMBER 2008.



SITE PLAN SCALE 1:200

Summary of ABSA Commitments (refer to Certificate for exact details)	
Thermal Comfort Commitments	
External Wall	Framed & NRG (60mm EPS)/ Breathable Sarking + R1.5
Common Wall	CSR2405 or equivalent party wall system, min. R2.5 batts to either side
Internal Wall	Cavity Panel >70mm with Plasterboard lining, no insulation
Floors	Concrete (waffle Pod), On Ground, No insulation Finish: Timber Laminate, Carpet & Tiles as per plans
Ceiling	Plasterboard, R2.5 *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), 20° 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* (>5 but <=7.5 L/min)	Toilets	3 Star
Basin Taps:	3 Star	Kitchen Taps:	3 Star
Reticulated Alternative Water connection. All toilets in the development Cold water supply to the washing machine At least 1 external tap			
Energy Commitments			
HWS:	Gas instantaneous, 6 Star Rating		
Cooling:	Ceiling Fan in at least 1 bedroom | 1-phase air-conditioning in at least 1 living room (5 Star New Rating)		
Heating:	1-phase air-conditioning in at least 1 living room (5 Star New Rating)		
Ventilation:	Kitchen: ducted, manual control Bathroom: ducted, manual control Laundry: no mechanical ventilation		
Appliances:	Gas 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		
Clothesline:	Fixed outdoor clothes drying line to be installed		

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.

SITE AREA:	= 551.20m²
HABITABLE AREA (including garages)	=292.5m²
FSR (as per LEP)	= 44%
BUSHFIRE AFFECTED	=YES
APPROX 420m² HARDSTAND AREA	

- SILTATION CONTROL IN ACCORDANCE WITH COUNCIL POLICY E1 AND THE ADOPTED AUSPEC STANDARD
- SEWER LINE
- GTAP — GARDEN TAP LOCATION
- DP* — DOWN PIPE LOCATION
- SITE HOARDING FENCING

BAL = LOW
PLEASE REFER TO BUSHFIRE REPORT BY S & K JOHNSON CONSTRUCTIONS PTY LTD (KRISANN JOHNSON) AND AS3959-2018 FOR CONSTRUCTION DETAILS

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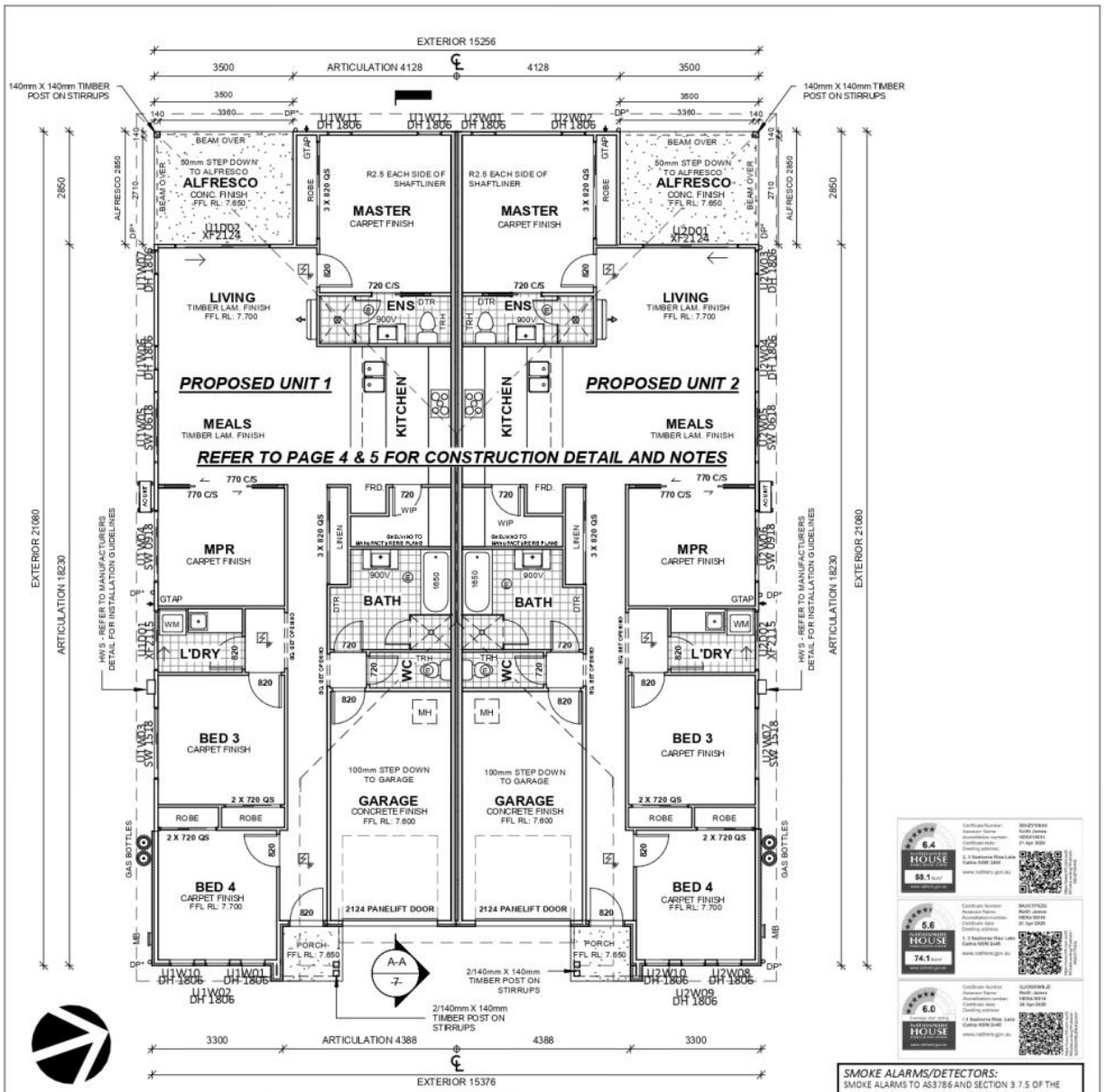
CHECK ALL DIMENSIONS ON SITE. THIS DRAWING IS TO BE READ IN CONJUNCTION WITH ALL RELEVANT CONTRACTS, SPECIFICATIONS, REPORTS, DRAWINGS, ENGINEERING & COUNCIL APPROVALS

rob tate family homes

PROJECT: DUAL OCC. (TORRENS TITLE)		SITE PLAN	
LOT No: 136 DP No: 1248149	SHEET: 1 OF 17		
STREET No: 3		SCALE:	As indicated
STREET NAME: SEAHORSE RISE, LAKE CATHIE		SHEET SIZE:	A3
		START DATE:	10.12.19
CLIENT: RT_AUSPAC ENTERPRISES PTY LTD		DWG No:	RT692

DRAWING REVISIONS + NOTES:

Date:	Detail:	Issue:	Drawn:
10.12.19	INITIAL ISSUE	A	AE
03.03.20	REVISED CONCEPT - ELECTRICAL PLAN | DIMS	F	AE
03.03.20	REVISED CONCEPT - VANITY | ALFRESCO	G	AE
04.03.20	REVISED CONCEPT - ADDITIONAL DIMENSIONS	H	AE
07.04.20	CC PLANS	K	TMR
24.04.20	ANCILLARIES	L	AE



FLOOR PLAN

SCALE 1:100

AREAS - FLOOR U1	
*FLOOR AREA MEASURED FROM EXTERNAL FACE *UPPER FLOOR AREAS EXCLUDE STAIRS & VOIDS	
NAME	AREA
U1 GARAGE AREA	19.7 m²
U1 FLOOR AREA	127.1 m²
U1 ALFRESCO AREA	10.0 m²
U1 PORCH AREA	2.1 m²
TOTAL	158.9 m²

AREAS - FLOOR U2	
*FLOOR AREA MEASURED FROM EXTERNAL FACE *UPPER FLOOR AREAS EXCLUDE STAIRS & VOIDS	
NAME	AREA
U2 GARAGE AREA	19.7 m²
U2 FLOOR AREA	127.1 m²
U2 ALFRESCO AREA	10.0 m²
U2 PORCH AREA	2.1 m²
TOTAL	158.9 m²

AREAS - ROOF AREAS	
*ROOF AREA MEASURED AS FOOTPRINT ONLY	
NAME	AREA
U1 ROOF AREA	180.2 m²
U2 ROOF AREA	180.2 m²
Total Area	360.4 m²

LEGEND

	SMOKE ALARMS TO AS3786 AND SECTION 3.7.5 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 & AS 1668.2
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

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

SMOKE ALARMS/DETECTORS:
SMOKE ALARMS TO AS3786 AND SECTION 3.7.5 OF THE NCC BCA VOL 2. ALL ALARMS/DETECTORS ARE TO BE INTERCONNECTED. LOCATIONS ON PLANS ARE INDICATIVE. INSTALLATION TO BE AS PER STANDARDS ABOVE, AND MANUFACTURERS SPECIFICATIONS

CATEGORY 1 NOISE LEVEL BUILDING CONSTRUCTION REQUIREMENTS IN ACCORDANCE WITH THE DOCUMENT "DEVELOPMENT NEAR RAIL CORRIDORS AND BUSY ROAD - INTERIM GUIDELINE" DATED DECEMBER 2008.

BAL = LOW
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rob tate family homes

PROJECT: DUAL OCC. (TORRENS TITLE)		FLOOR PLAN - OVERALL	
LOT No: 136 DP No: 1248149	SHEET: 3 OF 17		
STREET No: 3		SCALE:	1 : 100
STREET NAME: SEAHORSE RISE, LAKE CATHIE		SHEET SIZE:	A3
		START DATE:	10.12.19
CLIENT: RT_AUSPAC ENTERPRISES PTY LTD		DWG No:	RT692

DRAWING REVISIONS + NOTES:

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04.03.20	REVISED CONCEPT - ADDITIONAL DIMENSIONS	H	AE
07.04.20	CC PLANS	K	TMR
24.04.20	ANCILLARIES	L	AE

CATEGORY 1 NOISE LEVEL BUILDING CONSTRUCTION REQUIREMENTS IN ACCORDANCE WITH THE DOCUMENT "DEVELOPMENT NEAR RAIL CORRIDORS AND BUSY ROAD - INTERIM GUIDELINE" DATED DECEMBER 2008.

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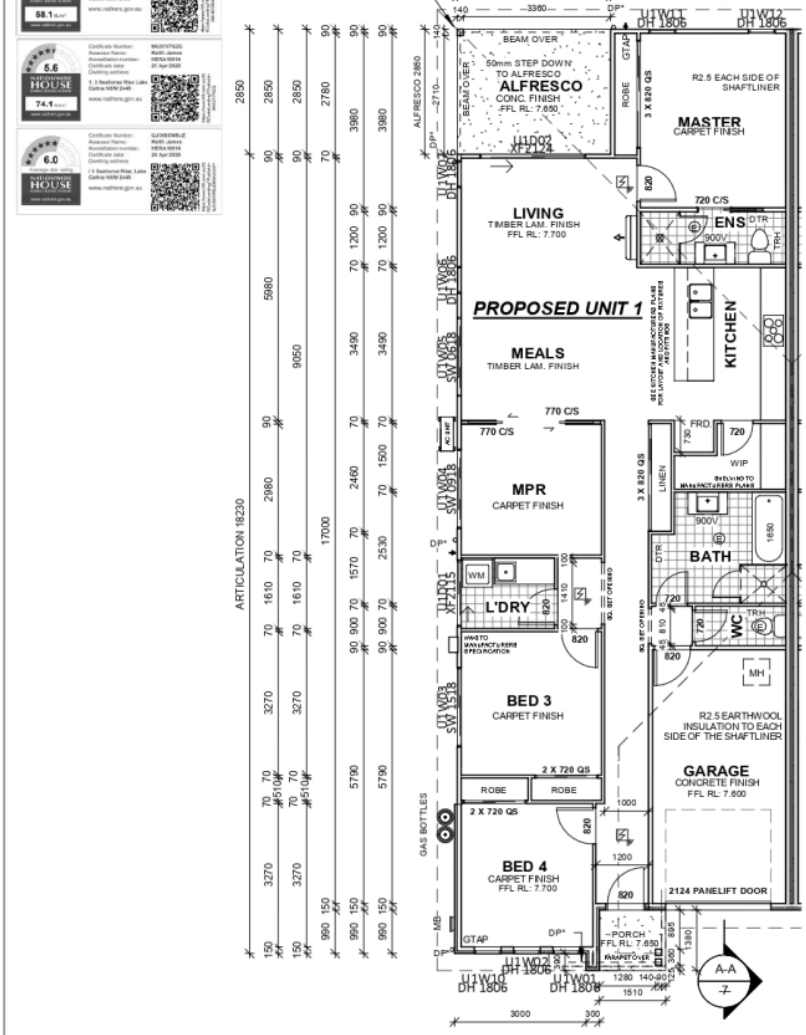

FLOOR PLAN - U1 SCALE 1:100

AREAS - FLOOR U1	
*FLOOR AREA MEASURED FROM EXTERNAL FACE *UPPER FLOOR AREAS EXCLUDE STAIRS & VOIDS	
NAME	AREA
U1 GARAGE AREA	19.7 m²
U1 FLOOR AREA	127.1 m²
U1 ALFRESCO AREA	10.0 m²
U1 PORCH AREA	2.1 m²
TOTAL	158.9 m²

AREAS - ROOF AREAS	
*ROOF AREA MEASURED AS FOOTPRINT ONLY	
NAME	AREA
U1 ROOF AREA	180.2 m²
U2 ROOF AREA	180.2 m²
Total Area	360.4 m²

LEGEND

	SMOKE ALARMS TO AS3786 AND SECTION 3.7.5 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
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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

CONSTRUCTION NOTES:

STAIRS, HANDRAILS & BALUSTRADE NOTES:
STAIRS TO COMPLY WITH SECTION 3.9.1.3 & SECTION 3.9.1.4. & 3.9.1.1 SLIP RESISTANCE CLASSIFICATION TABLE IN ACCORDANCE WITH AS4586.

HANDRAIL HEIGHTS TO BE NO LESS THAN 1000mm FROM PROPOSED FINISHED FL. BALUSTRADE & HANDRAIL TO BE IN ACCORDANCE WITH 3.9.2.3 & 3.9.2.4 OF THE BCA
WINDOW NOTES:
BEDROOM WINDOWS - WHERE THE FLOOR LEVEL OF A BEDROOM IS 2M OR MORE ABOVE THE SURFACE BENEATH, BEDROOM WINDOWS ARE TO COMPLY WITH VOL 2 BCA PART 3.9.2.5.

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WIND CATEGORY TO BE CONFIRMED PRIOR TO START OF CONSTRUCTION. IF N2 OR HIGHER, ENGAGED PERS TO BRICKWORK AREA'S ARE TO COMPLY WITH AS 4773.1-2010 & AS 4773 2-2010

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

WINDOWS AND GLAZING TO COMPLY WITH:
AS 4055 : WIND LOADS FOR HOUSING
AS 1288 : GLASS IN BUILDING - SELECTION & INSTALLATION
AS 2047 : WINDOWS & EXTERNAL DOORS IN BUILDING
AS 1170-Part 2: WIND ACTIONS
AS 3959 : CONSTRUCTION OF BUILDINGS IN BUSHFIRE PRONE AREAS
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BAL = LOW
PLEASE REFER TO BUSHFIRE REPORT
BY S & K JOHNSON CONSTRUCTIONS PTY LTD (KRISANN JOHNSON) AND AS3959-2018 FOR CONSTRUCTION DETAILS

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

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COMMON WALL DETAILS:
- ***CSR 5935***
- 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.

rob tate family homes

PROJECT: DUAL OCC. (TORRENS TITLE)		FLOOR PLAN - U1	
LOT No: 136 DP No: 1248149	SHEET: 4 OF 17	SCALE:	1 : 100
STREET No: 3		SHEET SIZE:	A3
STREET NAME: SEAHORSE RISE, LAKE CATHIE		START DATE:	10.12.19
CLIENT: RT_AUSPAC ENTERPRISES PTY LTD		DWG No:	RT692

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Date:	Detail:	Issue:	Drawn:
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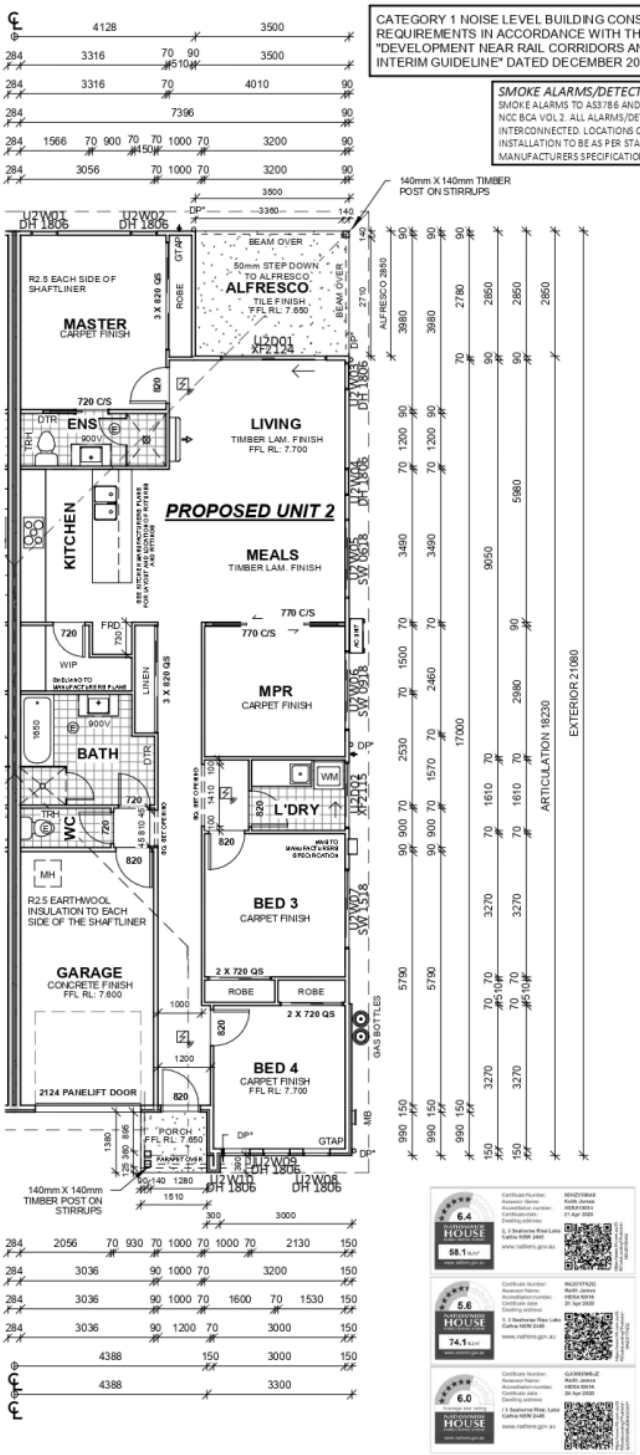
07.04.20	CC PLANS	K	TMR
24.04.20	ANCILLARIES	L	AE



FLOOR PLAN - U2 SCALE 1:100

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AREAS - FLOOR U2

*FLOOR AREA MEASURED FROM EXTERNAL FACE
*UPPER FLOOR AREAS EXCLUDE STAIRS & VOIDS

NAME	AREA
U2 GARAGE AREA	19.7 m²
U2 FLOOR AREA	127.1 m²
U2 ALFRESCO AREA	10.0 m²
U2 PORCH AREA	2.1 m²
TOTAL	158.9 m²

AREAS - ROOF AREAS

*ROOF AREA MEASURED AS FOOTPRINT ONLY

NAME	AREA
U1 ROOF AREA	180.2 m²
U2 ROOF AREA	180.2 m²
Total Area	360.4 m²

LEGEND

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CONSTRUCTION NOTES:

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- 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.

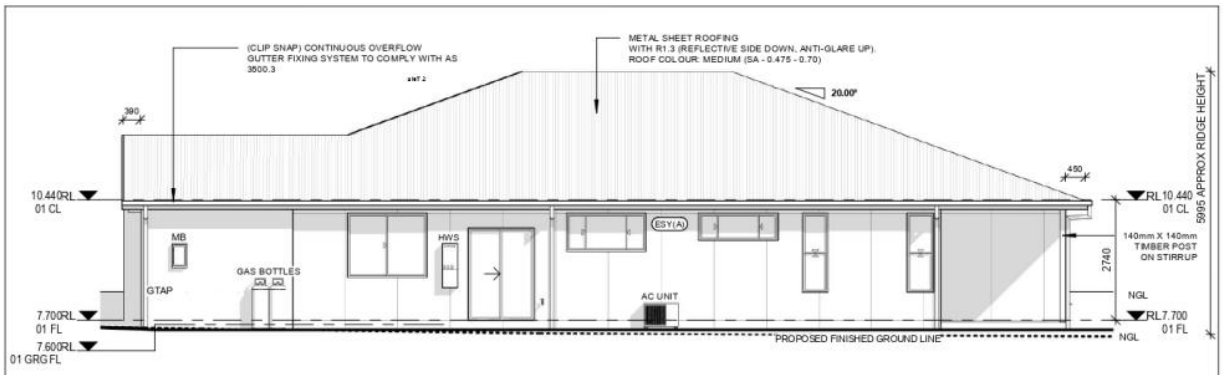
CHECK ALL DIMENSIONS ON SITE. THIS DRAWING IS TO BE READ IN CONJUNCTION WITH ALL RELEVANT CONTRACTS, SPECIFICATIONS, REPORTS, DRAWINGS, ENGINEERING & COUNCIL APPROVALS

rob tate family homes

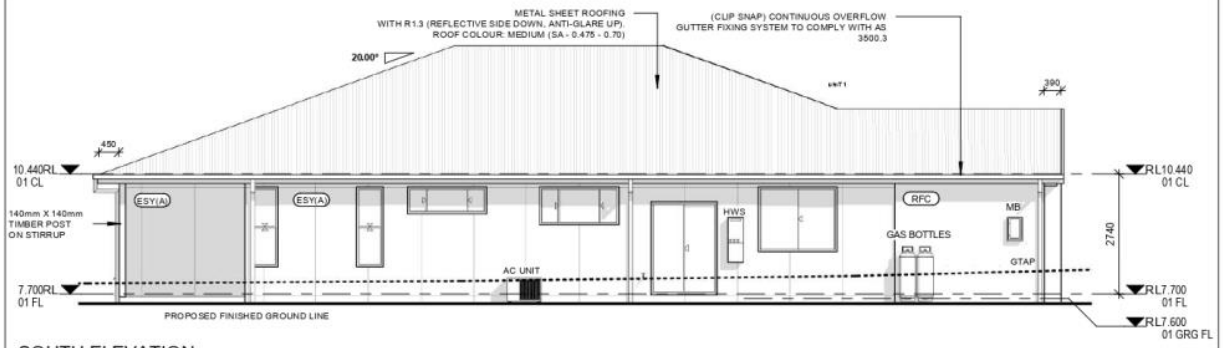
PROJECT: DUAL OCC. (TORRENS TITLE)		FLOOR PLAN - U2	
LOT No: 136 DP No: 1248149	SHEET: 5 OF 17		
STREET No: 3		SCALE:	1 : 100
STREET NAME: SEAHORSE RISE, LAKE CATHIE		SHEET SIZE:	A3
		START DATE:	10.12.19
CLIENT: RT_AUSPAC ENTERPRISES PTY LTD		DWG No:	RT692

DRAWING REVISIONS + NOTES:

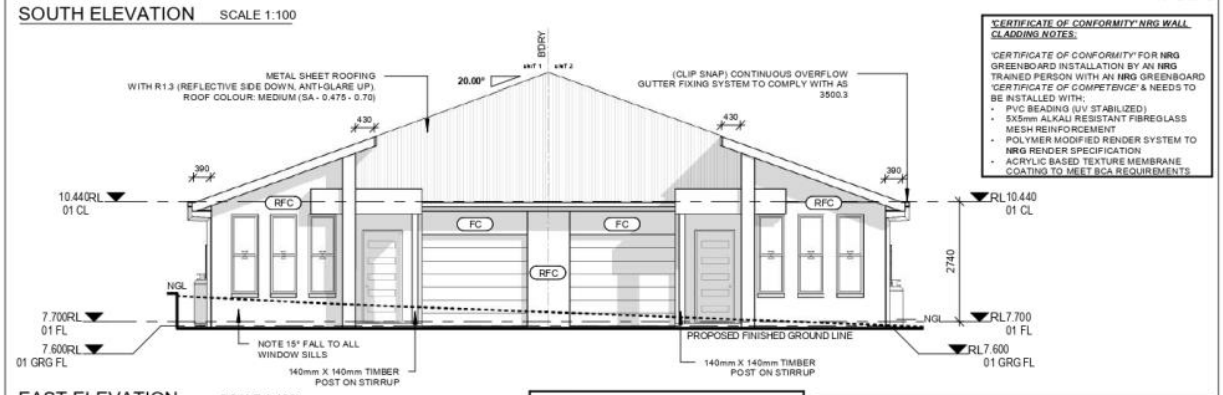
Date:	Detail:	Issue:	Drawn:
10.12.19	INITIAL ISSUE	A	AE
03.03.20	REVISED CONCEPT - ELECTRICAL PLAN | DIMS	F	AE
03.03.20	REVISED CONCEPT - VANITY | ALFRESCO	G	AE
04.03.20	REVISED CONCEPT - ADDITIONAL DIMENSIONS	H	AE
07.04.20	CC PLANS	K	TMR
24.04.20	ANCILLARIES	L	AE



NORTH ELEVATION SCALE 1:100



SOUTH ELEVATION SCALE 1:100



EAST ELEVATION SCALE 1:100

'CERTIFICATE OF CONFORMITY' NRG WALL CLADDING NOTES:

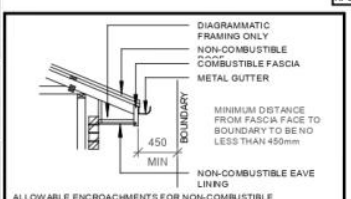
'CERTIFICATE OF CONFORMITY' FOR **NRG** GREENBOARD INSTALLATION BY AN **NRG** TRAINED PERSON WITH AN **NRG** GREENBOARD *'CERTIFICATE OF COMPETENCE'* & NEEDS TO BE INSTALLED WITH:

- PVC BEADING (UV STABILIZED)
- 5X5mm ALKALI RESISTANT FIBREGLASS MESH REINFORCEMENT
- POLYMER MODIFIED RENDER SYSTEM TO **NRG** RENDER SPECIFICATION
- ACRYLIC BASED TEXTURE MEMBRANE COATING TO MEET BCA REQUIREMENTS

EXTERNAL FINISHES

LABEL	MATERIAL DESCRIPTION
ESY(A)	JAMES HARDIE EASY LAP 1200mm X 2440mm CLADDING
FC	FC SHEET
RFC	RENDERED FOAM PANEL

BAL = LOW
PLEASE REFER TO BUSHFIRE REPORT BY S & K JOHNSON CONSTRUCTIONS PTY LTD (KRISANN JOHNSON) AND AS3959-2018 FOR CONSTRUCTION DETAILS



ALLOWABLE ENCROACHMENTS FOR NON-COMBUSTIBLE CONSTRUCTION AS PER FIGURE 3.7.1.9 OF THE BCA

CATEGORY 1 NOISE LEVEL BUILDING CONSTRUCTION REQUIREMENTS IN ACCORDANCE WITH THE DOCUMENT "DEVELOPMENT NEAR RAIL CORRIDORS AND BUSY ROAD - INTERIM GUIDELINE" DATED DECEMBER 2008.

CONSTRUCTION NOTES:

STAIRS, HANDRAILS & BALUSTRADE NOTES:
STAIRS TO COMPLY WITH SECTION 3.9.1.3 & SECTION 3.9.1.4. & 3.9.1.1 SLIP RESISTANCE CLASSIFICATION TABLE IN ACCORDANCE WITH AS4586.

HANDRAIL HEIGHTS TO BE NO LESS THAN 1000mm FROM PROPOSED FINISHED FL. BALUSTRADE & HANDRAIL TO BE IN ACCORDANCE WITH 3.9.2.3 & 3.9.2.4 OF THE BCA

WINDOW NOTES:
BEDROOM WINDOWS - WHERE THE FLOOR LEVEL OF A BEDROOM IS 2M OR MORE ABOVE THE SURFACE BENEATH, BEDROOM WINDOWS ARE TO COMPLY WITH VOL 2 BCA PART 3.9.2.5.

WINDOWS - WHERE THE FLOOR LEVEL IS 4m OR MORE ABOVE THE SURFACE BENEATH, WINDOWS ARE TO COMPLY WITH VOL 2 BCA PART 3.9.2.5.
BARRIER WITH A HEIGHT OF NOT LESS THAN 865mm ABOVE FLOOR IS REQUIRED TO AN OPENABLE WINDOW TO COMPLY WITH VOL 2 BCA PART 3.9.2.5

WIND CATEGORY TO BE CONFIRMED PRIOR TO START OF CONSTRUCTION. IF N2 OR HIGHER, ENGAGED PIERS TO BRICKWORK AREA'S ARE TO COMPLY WITH AS 4773.1-2010 & AS 4773.2-2010

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

PLEASE REFER TO THE "SUMMARY OF BASIX AND NatHERS COMMITMENTS" ON PAGE 1 FOR FURTHER INFORMATION. PLEASE REFER TO THE BASIX AND NatHERS CERTIFICATES FOR EXACT DETAILS.

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PROJECT: DUAL OCC. (TORRENS TITLE)		ELEVATION	
LOT No: 136 DP No:1248149	SHEET: 6 OF 17		
STREET No: 3		SCALE:	As indicated
STREET NAME: SEAHORSE RISE, LAKE CATHIE		SHEET SIZE:	A3
		START DATE:	10.12.19
CLIENT: RT_AUSPAC ENTERPRISES PTY LTD		DWG No:	RT692

DRAWING REVISIONS + NOTES:

Date:	Detail:	Issue:	Drawn:
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03.03.20	REVISED CONCEPT - VANITY | ALFRESCO	G	AE
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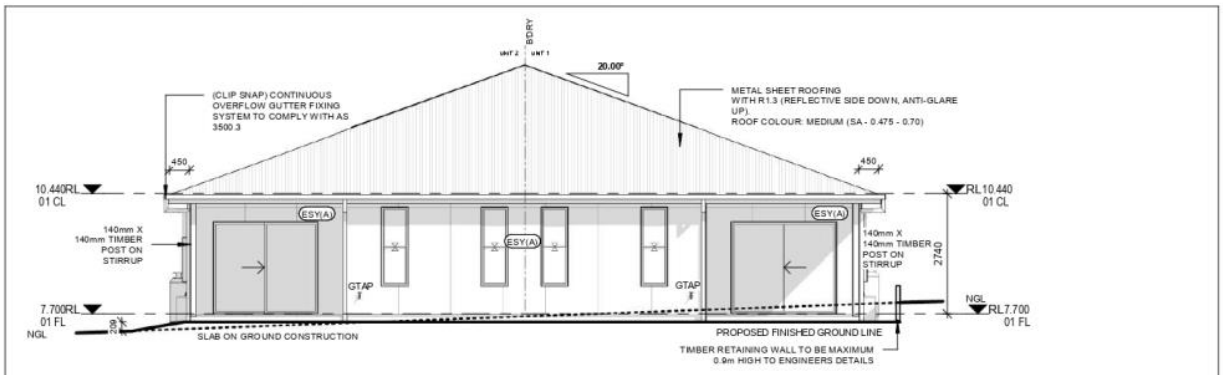
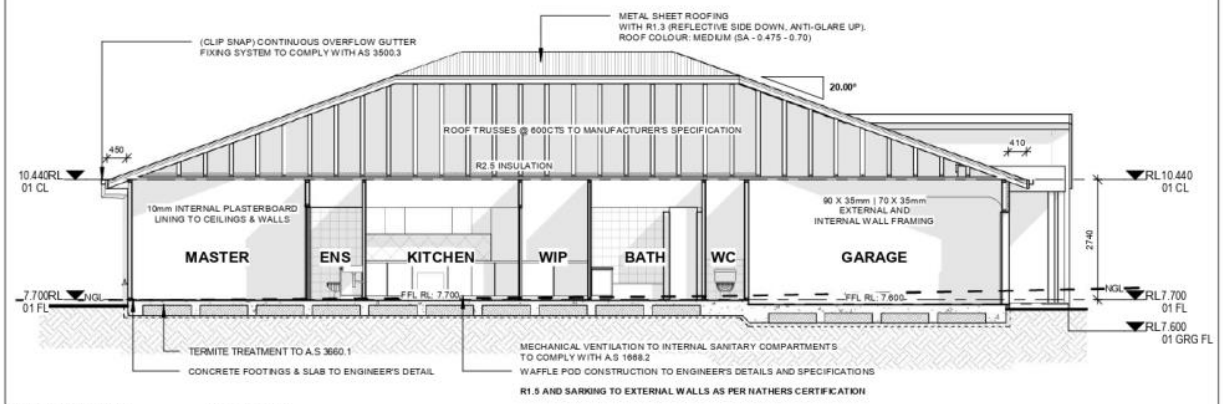


WEST ELEVATION SCALE 1:100



SECTION A-A SCALE 1:100

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EXTERNAL FINISHES	
LABEL	MATERIAL DESCRIPTION
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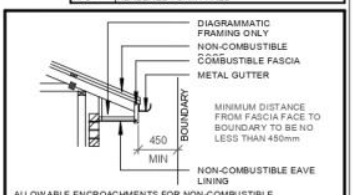

ALLOWABLE ENCROACHMENTS FOR NON-COMBUSTIBLE CONSTRUCTION AS PER FIGURE 3.7.1.9 OF THE BCA

CATEGORY 1 NOISE LEVEL BUILDING CONSTRUCTION REQUIREMENTS IN ACCORDANCE WITH THE DOCUMENT "DEVELOPMENT NEAR RAIL CORRIDORS AND BUSY ROAD - INTERIM GUIDELINE" DATED DECEMBER 2008.

COMMON WALL DETAILS:
- *CSR 5935*
- 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.

BAL = LOW
PLEASE REFER TO BUSHFIRE REPORT BY S & K JOHNSON CONSTRUCTIONS PTY LTD (KRISANN JOHNSON) AND AS3959-2018 FOR CONSTRUCTION DETAILS

CONSTRUCTION NOTES:

STAIRS, HANDRAILS & BALUSTRADE NOTES:
STAIRS TO COMPLY WITH SECTION 3.9.1.3 & SECTION 3.9.1.4. & 3.9.1.1 SLIP RESISTANCE CLASSIFICATION TABLE IN ACCORDANCE WITH AS4586.

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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

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

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

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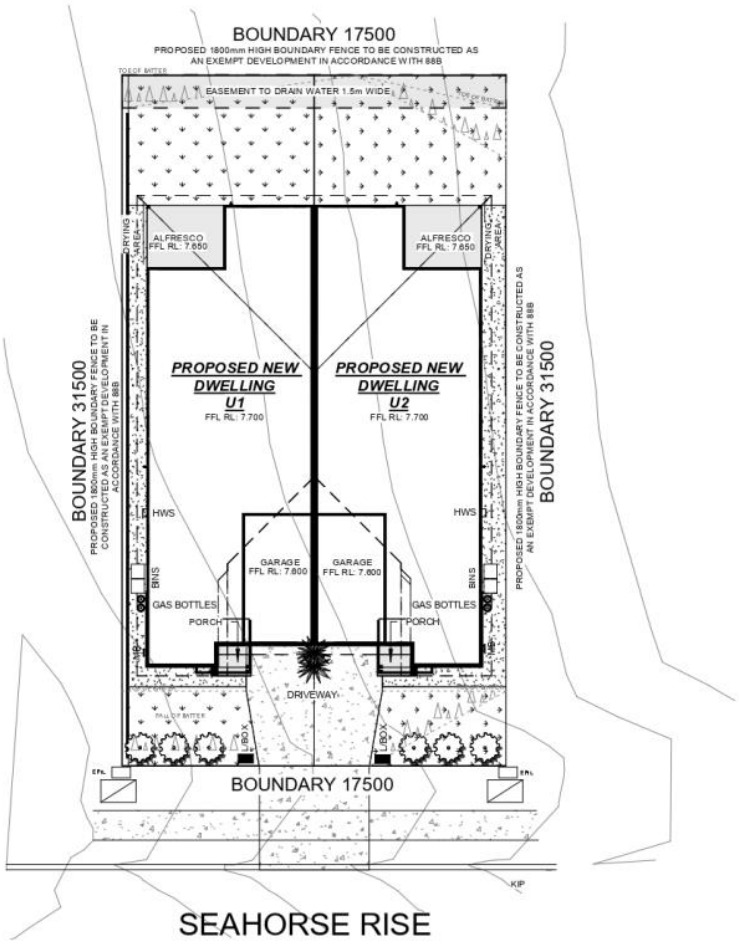
PROJECT: DUAL OCC. (TORRENS TITLE)		ELEVATION & SECTION	
LOT No: 136 DP No:1248149	SHEET: 7 OF 17		
STREET No: 3		SCALE:	As indicated
STREET NAME: SEAHORSE RISE, LAKE CATHIE		SHEET SIZE:	A3
		START DATE:	10.12.19
CLIENT: RT_AUSPAC ENTERPRISES PTY LTD		DWG No:	RT692

DRAWING REVISIONS + NOTES:

Date:	Detail:	Issue:	Drawn:
10.12.19	INITIAL ISSUE	A	AE
03.03.20	REVISED CONCEPT - ELECTRICAL PLAN | DIMS	F	AE
03.03.20	REVISED CONCEPT - VANITY | ALFRESCO	G	AE
04.03.20	REVISED CONCEPT - ADDITIONAL DIMENSIONS	H	AE
07.04.20	CC PLANS	K	TMR
24.04.20	ANCILLARIES	L	AE



INDICATIVE LANDSCAPING PLAN SCALE 1:100

BAL = LOW
PLEASE REFER TO BUSHFIRE REPORT
BY S & K JOHNSON CONSTRUCTIONS PTY LTD (KRISANN JOHNSON) AND AS3959-2018 FOR CONSTRUCTION DETAILS

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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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PROJECT: DUAL OCC. (TORRENS TITLE)		INDICATIVE LANDSCAPING	
LOT No: 136 DP No: 1248149	SHEET: 12 OF 17		
STREET No: 3		SCALE:	As indicated
STREET NAME: SEAHORSE RISE, LAKE CATHIE		SHEET SIZE:	A3
		START DATE:	10.12.19
CLIENT: RT_AUSPAC ENTERPRISES PTY LTD		DWG No:	RT692

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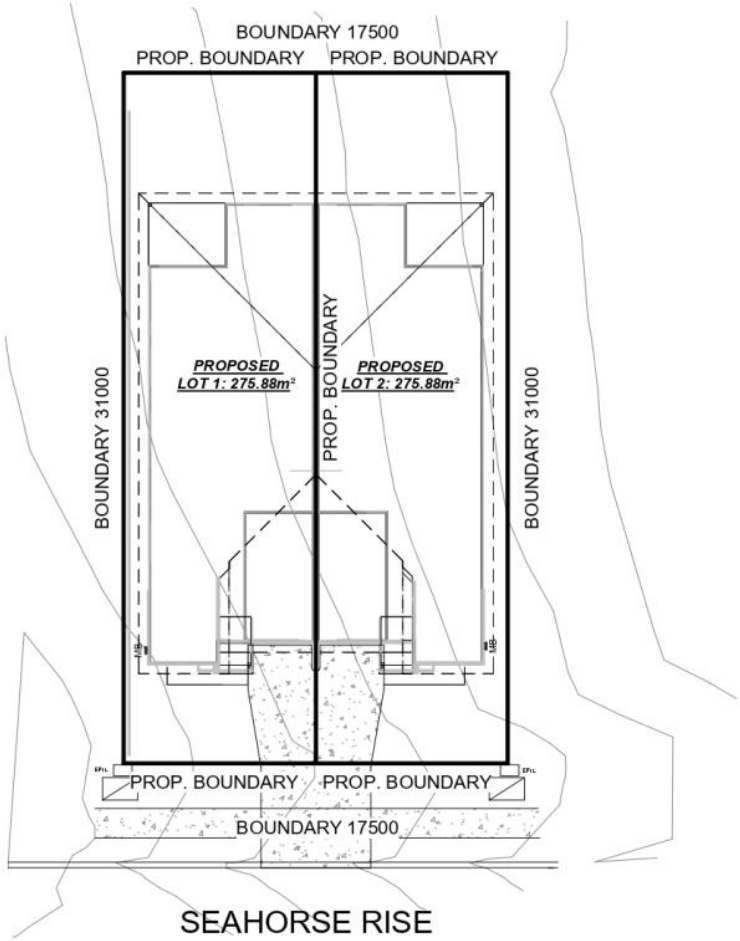
04.03.20	REVISED CONCEPT - ADDITIONAL DIMENSIONS	H	AE
07.04.20	CC PLANS	K	TMR
24.04.20	ANCILLARIES	L	AE

EXISTING LOT SCHEDULE	
Name	Area
EXISTING LOT	551.25 m²
TOTAL: 1	551.25 m²

PROPOSED LOT SCHEDULE	
Name	Area
PROP LOT 1	275.88 m²
PROP LOT 2	275.37 m²
TOTAL: 2	551.25 m²



DRAFT SUBDIVISION PLAN SCALE 1:100

CATEGORY 1 NOISE LEVEL BUILDING CONSTRUCTION REQUIREMENTS IN ACCORDANCE WITH THE DOCUMENT "DEVELOPMENT NEAR RAIL CORRIDORS AND BUSY ROAD - INTERIM GUIDELINE" DATED DECEMBER 2008.

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rob tate family homes

PROJECT DUAL OCC. (TORRENS TITLE)		DRAFT SUBDIVISION PLAN	
LOT No: 136 DP No:1248149	SHEET: 13 OF 17		
STREET No: 3		SCALE:	As indicated
STREET NAME: SEAHORSE RISE, LAKE CATHIE		SHEET SIZE:	A3
		START DATE:	10.12.19
CLIENT: RT_AUSPAC ENTERPRISES PTY LTD		DWG No:	RT692

DRAWING REVISIONS + NOTES:

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04.03.20	REVISED CONCEPT - ADDITIONAL DIMENSIONS	H	AE
07.04.20	CC PLANS	K	TMR
24.04.20	ANCILLARIES	L	AE

Item: **06**

Subject: **DA2018 - 621.1 ALTERATIONS AND ADDITIONS TO CARAVAN PARK AT LOT 3, DP 1103628, NO. 152 DIAMOND HEAD ROAD, DUNBOGAN**

Report Author: Development Assessment Planner, Chris Gardiner

Applicant:	**Land Dynamics Australia**
Owner:	**Ritchie Village Property Pty Ltd**
Estimated Cost:	**$480,000**
Parcel no:	**49782**

Alignment with Delivery Program

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

RECOMMENDATION

1. **That the Koala Plan of Management (KPoM) prepared by Biodiversity Australia and dated June 2019 be approved.**
2. **That DA2018 - 621.1 for Alterations and Additions to Caravan Park at Lot 3, DP 1103628, No. 152 Diamond Head Road, Dunbogan, be determined by granting consent subject to the recommended conditions.**

Executive Summary

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

This proposal was previously considered by the Development Assessment Panel on 22 July 2020 and it was resolved:

"That DA2018 - 621.1 for Alterations and Additions to Caravan Park at Lot 3, DP 1103628, No. 152 Diamond Head Road, Dunbogan, be deferred to enable the applicant to submit amended plans and details addressing the following:

- *A more detailed site plan including the following:*
  - *Road widths and circulation, including appropriate pavement markings and signage for one-way access roads.*
  - *Confirming the location of the waste facilities on the workshop lot.*
  - *Confirming any relocation of the barbeque area structures and bird aviary from sites 80 and 82.*
- *Provision of clothes drying areas consistent with Clause 116 of the Local Government (Manufactured Home Estates, Caravan Parks, Camping Grounds and Moveable Dwellings) Regulation 2005.*

- *Consideration of options for retention of the koala food tree near the proposed new community building.*
- *Consideration of an alternative location for the storage shed so that the landscaped area between sites 108 and 109 can be retained.*

The Applicant has provided the following response to the deferral items and provided an amended Site Plan to clarify some of the items.

- ***A more detailed site plan including the following:***
  - ***Road widths and circulation, including appropriate pavement markings and signage for one-way access roads.***
    - *Please see attached plan noting road widths and circulation for one-way access roads to be marked on the roads*
  - ***Confirming the location of the waste facilities on the workshop lot.***
    - *This has now been noted on the revised plans (attached)*
  - ***Confirming any relocation of the barbeque area structures and bird aviary from sites 80 and 82.***
    - *Please see amenities plans lodged with the application which provides both floor plans and elevation plans of the BBQ area to the south of the building (document titled: F. Proposed Amenities Plans 5111 – re-provided for ease of reference). Two commercial BBQs will be provided as well as washing up facilities, a fridge and microwave. This is a significant improvement and upgrade to the current situation as presently the park offers only a basic BBQ and no washing up facilities with the BBQ area.*
    - *The future of the bird aviary has not been decided but for the purposes of this application we have now noted on the plans that this will be removed. Historically there have been two notable cockatoos in this cage – one died last year and the other one is owned by the resident, who's home is for sale and he is moving to Kew with family.*
- ***Provision of clothes drying areas consistent with Clause 116 of the Local Government (Manufactured Home Estates, Caravan Parks, Camping Grounds and Moveable Dwellings) Regulation 2005.***
  - *The distance of clothes line required for the application is 268m. We expect to demonstrate compliance with this requirement at the section 68 stage, and demonstrate now how this may be achieved:*
    - *The clothes drying area to the west of the proposed amenities building is approximately 7,310mm by 5,150mm*
    - *The typical distance between lines is 100mm (see for example, Hill Hoist model clothes lines)*
    - *At 100mm between lines, across a distance of 3500mm (to allow some space for ease of access), is 35 lines*
    - *35 x 7,310mm = 255m*
    - *The remaining 13m of clothes line can be accommodated in a number of ways:*
    - *Using a fold down or retractable line in the area behind the office/main residence (see for example: https://www.lifestyleclotheslines.com.au/products/austral-compact-39-clothesline which provides 39m of space); and/or*
    - *Including the line space provided for on permanent sites (noting that residents prefer to dry their clothes on their own site).*
  - *We see no practical issue with the layout presented in the plan that would prevent us from demonstrating that the compliant length of clothes line is provided. The revised map retains the clothes drying area to the east of*

the amenities (7,310mm by 5,150mm) and it now also identifies the additional location behind the office/main residence as a further location.

- ***Consideration of options for retention of the koala food tree near the proposed new community building****.*
  - *The purpose behind the proposed relocation of the amenities is to locate it closer to the short term and camp sites so it complies with the 100m proximity requirement (the current location does not currently comply) and to provide disabled facilities.*
  - *The only available developable space is within the Western portion of the caravan park, where short and camp sites are located. Any location chosen will have to displace sites and some trees.*
  - *We considered multiple locations for the amenities block, but were significantly limited in choice by:*
    - *the requirement that the amenities must have a FFL which is at or above the 1:20 year flood level of 2.56m AHD*
    - *the requirement to provide shower, toilet and associated facilities, designed in accordance with AS 1428.1--2001, Design for access and mobility Part 1: General requirements for access--New building work (disability facilities) – a block that meets the flood level requirements has to be raised, which in turn requires multiple ramps for disabled access*
    - *the koala corridor (along the western portion of the site) and presence of KFTs throughout the site*
    - *proximity to the Camden Haven River*
  - *We also took into consideration:*
    - *impact on existing residents in the park*
    - *the location of our current infrastructure and our ability to connect into this (including our existing sewage system, electricity supply and water supply)*
    - *view impacts*
  - *With all those factors taken into consideration, we identified the location as presented in the application as being the option that balanced all these competing factors. Alternative locations included:*
    - *placement within the D and E line of sites, but this would require the removal of 2 KFTs, it would sit right on the koala corridor and also have a negative view impact for all residents. It also presented issues in terms of access to the existing sewerage infrastructure and the like; or*
    - *the most eastern section of the C and D line of sites, so within the current build line of the existing permanent dwellings – this was not selected due to site 109 access issues and the immediately surrounding permanent residents (noise, lights, view etc). We therefore moved the proposed amenities down a couple of sites as far as feasible (taking into account flood levels, raising of the building, disability access, view impacts, existing site locations/boundaries/access in those rows of sites (ie site boundaries can't be easily moved due to tree locations) and existing infrastructure).*
  - *We note site 109 is still not entirely satisfied, as they would still like to traverse the short term sites to access the underside of their home to manoeuvre their caravan (which the proposed amenities partially obstructs). We note at the DAP meeting on 22.07.2020, John Tranter commented on the removal of an additional tree (see attached bloodwood in the centre of the attached photo, located on B2) to allow them access*

under their home in their preferred location. We are amenable to the tree's removal to resolve this issue, and support them should they seek a condition that allows its removal.

- ***Consideration of an alternative location for the storage shed so that the landscaped area between sites 108 and 109 can be retained.***
  - *The plan has been updated to identify the location of the sewer pump in this area and where the shed can be located with minimal disruption to the present landscaping.*

Assessment comments in the report have been updated accordingly based on this new information.

Following exhibition of the application on two occasions, two (2) submissions were received. A further written submission was also received following the previous consideration of the item at the Development Assessment Panel Meeting on 22 July 2020.

The proposal has been amended through the assessment process to address site layout, access, ecological impacts, and stormwater management issues, as well as the deferral items noted above.

The site is considered to be 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.

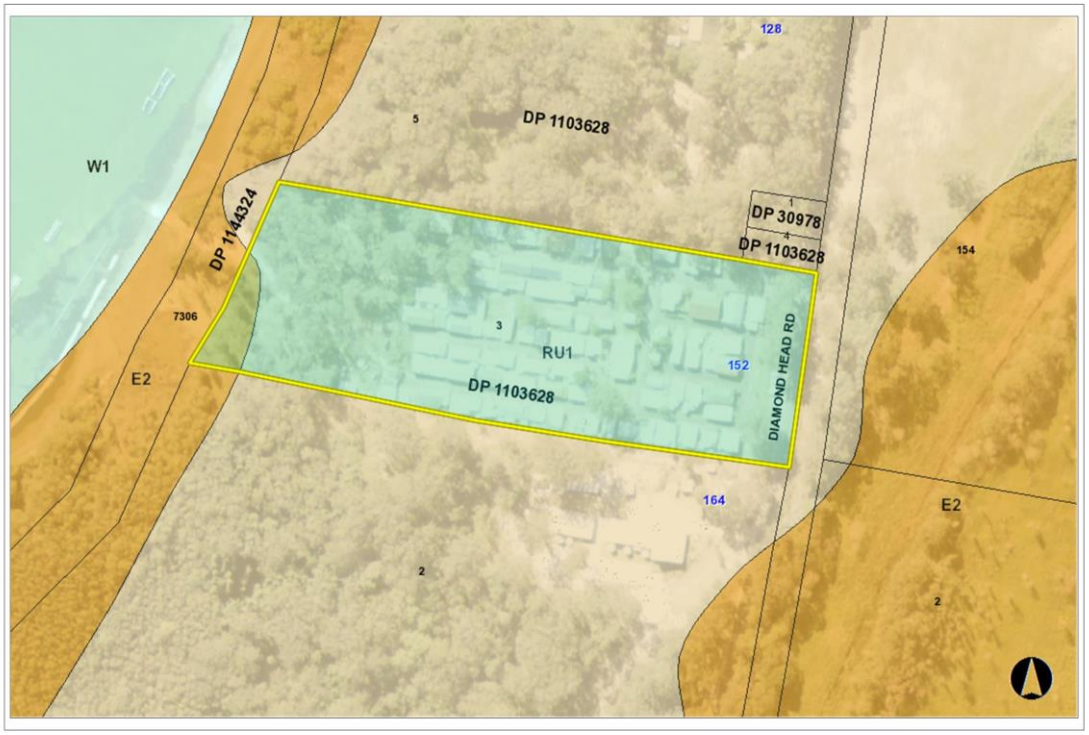
This report recommends that the development application be approved subject to the attached conditions **(Attachment 1)**.

1. BACKGROUND

Existing Sites Features and Surrounding Development

The site has an area of 3.214 hectares.

The site is zoned RU1 Primary Production and E2 Environmental Conservation in accordance with the Port Macquarie-Hastings Local Environmental Plan 2011, as shown in the following zoning plan:



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

2. DESCRIPTION OF DEVELOPMENT

Key aspects of the proposal include the following:

- Construction of new community and amenities building;
- Demolition of existing amenities building, caretaker's cottage, BBQ area, and aviary;
- Changes to caravan park layout, including roads, parking, and sites;
- Changes to the use of sites within the caravan park from 78 long-term sites, 38 short-term sites, and 18 camp sites to 82 long-term sites, 52 short-term sites, and 5 camp sites (overall increase of 5 sites);
- Clearing of vegetation including one Koala food tree; and
- Construction of new storage shed.

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

Application Chronology

- 13 August 2018 - Application lodged.
- 17 August 2018 - Additional information requested from Applicant.
- 23 August 2018 to 5 September 2018 - Neighbour notification.
- 29 October 2019 - Further additional information requested from Applicant.
- 7 January 2019 - Bushfire Safety Authority received from NSW Rural Fire Service.
- 20 February 2019 - Additional information submitted by Applicant.
- 26 February 2019 to 11 March 2019 - Application re-notified with additional information and amended plans.
- 10 May 2019 - Amendments to submitted Koala Plan of Management requested.
- 4 June 2019 - Amended Koala Plan of Management submitted.
- 5 June 2019 - Amended Koala Plan of Management sent to NSW Department of Planning, Industry and Environment in accordance with SEPP 44.
- 24 July 2019 - Koala Plan of Management approved by NSW Department of Planning, Industry and Environment.
- 2 September 2019 - Item withdrawn from the agenda of DAP meeting of 11 September 2019 at the Applicant's request to allow consideration of the implications of the recommended conditions.
- 22 April 2020 - Additional details of proposed stormwater management provided.

3. STATUTORY ASSESSMENT

Section 4.15(1) Matters for Consideration

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

(a) The provisions (where applicable) of:
(i) Any Environmental Planning Instrument

State Environmental Planning Policy No. 21 - Caravan Parks
Relevant clauses of the SEPP and assessment comments on the proposal's consistency with the SEPP are outlined below:

8 Development consent required for caravan parks

(1) Development for the purposes of a caravan park may be carried out only with the development consent of the Council.

(2) Before granting development consent to the use of land for the purposes of a caravan park, a Council must determine:

(a) the number of sites (if any) within that land that the Council considers are suitable for long-term residence, within the meaning of the Local Government (Caravan Parks and Camping Grounds) Transitional Regulation 1993, and

(b) the number of sites (if any) within that land that the Council considers are not suitable for long-term residence, but are suitable for short-term residence, within the meaning of that Regulation.

(3) A Council must not grant development consent to the use of land for the purposes of a caravan park unless it imposes as a condition of that consent a condition specifying the maximum number of sites (if any) within that land that may be used for long-term residence.

(4) The holder of an approval under Part 1 of Chapter 7 of the Local Government Act 1993 to operate a caravan park or camping ground on land must not, without the development consent of the Council, allow a person to occupy a site within that land:

(a) for a continuous period of more than 3 months, except as provided by paragraph (b), or

(b) for a continuous period longer than the period (if any) for which the person is allowed to be accommodated within the land by an extension that has been granted under clause 19 (6) of the Local Government (Caravan Parks and Camping Grounds) Transitional Regulation 1993,

if such a use of that site was not lawful under the Environmental Planning and Assessment Act 1979 when this Policy commenced.

(4A) Except as provided by subclause (4), nothing in this Policy or any other environmental planning instrument requires separate development consent to be obtained for the installation or placement of a moveable dwelling on land on which development for the purposes of a caravan park is being lawfully carried out.

(5) This clause does not apply to any land that is authorised to be used for the purposes of a manufactured home estate by a development consent granted pursuant to State Environmental Planning Policy No 36—Manufactured Home Estates or dedicated or reserved under the National Parks and Wildlife Act 1974.

The proposal seeks consent for 82 long-term sites, 52 short-term sites, and 5 camp sites. The previous development consent (DA2017 – 211.1) for the caravan park allowed 78 long-term sites, 38 short-term sites, and 18 camp sites. The proposal results in a minor change to the tenure of the sites, as well as an increase in the overall number of sites by 5 sites. The proposed increase in the number of long term sites is justified on the basis that it would create an orderly layout where short term and long term site are separated as far as practical. Various transport services are available to the site that would allow long term residents to access services in Laurieton.

10 Matters to be considered by Councils

A Council may grant a development consent required by this Policy only after it has considered the following:

(a) whether, because of its location or character, the land concerned is particularly suitable for use as a caravan park for tourists or for long-term residence,

(b) whether there is adequate provision for tourist accommodation in the locality of that land, and whether existing or potential tourist accommodation will be displaced by the use of sites for long-term residence,

(c) whether there is adequate low-cost housing, or land available for low-cost housing, in that locality,

(d) whether necessary community facilities and services are available within the caravan park to which the development application relates or in the locality (or both), and whether those facilities and services are reasonably accessible to the occupants of the caravan park,

(e) any relevant guidelines issued by the Director, and

(f) the provisions of the Local Government (Caravan Parks and Camping Grounds) Transitional Regulation 1993.

The site is an existing caravan park that provides a mix of long and short-term sites. The proposal includes a minor change to the existing mix of long and short-term sites and is not expected to significantly affect existing tourist providers or the provision of low-cost housing in the locality.

The park has some facilities and various transport services are available to the site that would allow long-term residents to access services in Laurieton.

The below table considers the applicable provisions of the Local Government (Manufactured Home Estates, Caravan Parks, Camping Grounds and Moveable Dwellings) Regulation 2005.

CLAUSE	REQUIREMENT	COMMENT/COMPLIANCE
Part 3, Division 1 Operation of caravan parks and camping grounds		
71 Factors for consideration before approval is granted	(1) Council must be satisfied that the estate will be designed in accordance with Division 3; and (2) Council must have regard to the Floodplain Development Manual.	(1) Yes- refer to comments on Division 3 (2) Site is flood prone. See comments under clauses 7.3 and 7.4 of LEP.
72 Matters to be specified in approval	Any approval must specify the number, size and location of the dwelling and camping sites.	Section 68 approval to operate will need to specify these matters.
73 Conditions of approval	The consent must be conditioned to ensure the design, construction, maintenance and operation of the estate is in accordance with Division 3.	Section 68 approval to operate will need to specify these matters.
Part 3, Division 3 Caravan parks and camping grounds		
83 Minimum size of caravan park or camping ground	Estate must have an area of not less than 1 hectare.	Complies - site has an area of 3.214 hectares.
84 Community amenities	Minimum 10% of site area to be reserved for	Less than 10% of the site area (approx. 8%) available for

	recreation and other communal activities, or such lesser proportion (but not less than 6 per cent).	recreational or communal activities. However, site is subject to exemption as an existing park and Ordinance 71 previously provided for a lesser area. The available area for communal activities would not be substantially altered from the existing approval.
85 Size of dwelling sites and camp sites	(1) A long-term site must have an area of at least 80 square metres. (2) A short-term site must have an area of at least 65 square metres. (3) A camp site must have an area of at least: (a) 40 square metres, in the case of a camp site for which a separate parking space is provided within 30 metres of the camp site, or (b) 50 square metres, in any other case.	Complies – all proposed sites have an area greater than the minimum required.
86 Site identification	Dwelling sites to be identified and site boundaries delineated.	Capable of complying. Would need to be in place prior to Section 68 approval to operate.
87 Dwelling sites to have road frontage	A dwelling site must have vehicular access to an access road.	All dwelling sites have vehicular access to an access road.
88 Setbacks of community buildings	(1) A community building must not be located closer than 10 metres to the boundary of a caravan park or camping ground, or to the boundary of a dwelling site or camp site, unless the approval for the caravan park or camping ground so allows. (2) The approval for a caravan park or camping ground must not allow a lesser distance than 10 metres unless the council is satisfied that the community building has been or will be properly screened, fenced,	The proposal includes a new community building containing amenities, laundry facilities, and barbeque areas. The building is proposed to be setback between approximately 5m and 6m from the adjoining dwelling sites. The building design and screening/landscaping proposed are considered to be generally adequate to allow a setback of less than 10m. Site 80 is setback 10m from the office.

	enclosed or otherwise treated. (3) A community building must not in any case be located closer than 3 metres to the boundary of a caravan park or camping ground or 5 metres to the boundary of a dwelling site or camp site.	
89 Setbacks of dwelling sites and camp sites from road frontages	(1) A dwelling site or camp site must not be located closer than 10 metres to a public road or 3 metres to any other boundary of the caravan park or camping ground unless the approval for the caravan park or camping ground so allows. (2) The approval for a caravan park or camping ground must not allow a lesser distance unless the council is satisfied that the dwelling site or camp site has been or will be properly screened, fenced, enclosed or otherwise treated.	Existing site 1 is setback approximately 5m from the front boundary and is not proposed to be changed by this application. All other sites are setback more than 10m from the front boundary. All sites along the side boundaries of the site directly adjoin the boundary and the 3m setback is not provided. The proposal does not include any changes to the existing approved setbacks.
90 Use of buffer zones	Nothing in this Regulation prevents land within a buffer zone arising from the setbacks required by this Division from being used: (a) for community amenities, access roads, car parking spaces, footpaths or landscaping, or (b) for any similar purpose allowed by the approval for the caravan park or camping ground.	N/A
91 Separation distances	(1) A moveable dwelling must not be installed closer to any other moveable dwelling	The proposed sites are of adequate dimensions for future moveable dwellings to be installed with appropriate separation

	than: (a) 3 metres, if it is situated on a long-term site, or (b) 2.5 metres, if it is situated on a short-term site or camp site. (2) This clause does not prohibit the installation of semi-detached relocatable homes on adjoining dwelling sites so long as they are separated by construction conforming to the fire safety and sound insulation provisions relating to class 1 buildings contained in Section 3.7.1 and 3.8.6 of Volume Two of the *Building Code of Australia*.	distances. Compliance would need to be demonstrated prior to the issue of a Section 68 approval to operate.
92 Entrance and exit roads	(1) A road that forms an entrance to or exit from a caravan park or camping ground must be at least 7 metres wide. (2) In the case of a divided road, the width of the sealed portion of the road on either side of the median strip must be at least 5 metres. (3) The arrangement for the width of an entrance or exit road to taper into or meet the width of the sealed portion of the access roads leading to the entrance or exit must be as specified in the approval for the caravan park or camping ground.	Proposal includes widening of the existing entry/exit road to a minimum of 7m wide.
93 Forecourt	A caravan park must have a forecourt, measuring at least 4 metres by 20 metres, to accommodate incoming vehicles.	Forecourt proposed forward of the office and residence on site 3.
94 Width of roads	(1) The width of an	New roads shown to be generally

	access road must be: (a) at least 6 metres for a two-way access road, and (b) at least 4 metres for a one-way access road. (2) The direction of travel for a one-way access road must be indicated by means of conspicuous signs.	4m wide and suitable for one-way circulation, with the exception of the 3m wide 'informal access track' providing access to the group of short term and camp sites in the south-west corner of the caravan park. The Applicant has indicated the intention to submit a Section 82 objection to this standard as part of the approval to operate process. The road corridor is wide enough to accommodate a 4m wide road in the event that a variation is not supported. Condition recommended requiring signage and/or pavement markings confirming the direction of travel for one-way roads prior to the issue of a Section 68 approval to operate.
95 Speed limits	The speed limit applicable to an access road: (a) must not exceed 15 kilometres per hour, and (b) must be indicated by means of conspicuous signs.	Existing 10km/h speed limit within the caravan park sign posted.
96 Resident parking	(1) A caravan park or camping ground must contain at least one resident parking space for each dwelling site or camp site. (2) The parking space for a dwelling site or camp site may be on-site (that is, forming part of the site) or off-site (that is, not forming part of the site). (3) An off-site space must be marked (for example, by means of line marking, marker pegs or similar means) to identify the particular dwelling site or camp site to which it relates. (4) An off-site parking space for a dwelling site or camp site must be situated in the location specified in the approval	One space is proposed to be retained on each of the dwelling sites, consistent with the existing arrangements.

	for the caravan park or camping ground. (5) Each off-site parking space is to have, at minimum, dimensions of: (a) 5.4 metres by 2.5 metres, in the case of angle parking, and (b) 6.1 metres by 2.5 metres, in any other case.	
97 Visitor parking	(1) A caravan park or camping ground must contain no fewer visitor parking spaces than the following: (a) one visitor parking space for each 10 (and any remaining fraction of 10) long-term sites in the caravan park or camping ground, (b) one visitor parking space for each 20 (and any remaining fraction of 20) short-term sites in the caravan park or camping ground, (c) one visitor parking space for each 40 (and any remaining fraction of 40) camp sites in the caravan park or camping ground. (2) The minimum number of visitor parking spaces to be provided is 4.	The proposal includes 82 long-term sites, 52 short-term sites, and 5 camp sites. At the relevant parking rates this would require: 82 long-term sites = 9 spaces, 52 short-term sites = 3 spaces, 5 camp sites = 1 space. Total visitor parking required = 13 spaces. The submitted plans show 13 visitor parking spaces (including 2 spaces for people with disabilities), which complies with the minimum requirements.
98 Visitor parking for people with disabilities	(1) A caravan park or camping ground must contain at least one visitor parking space for people with disabilities. (2) A caravan park or camping ground that contains more than 100 sites must contain at least one visitor parking space for people with disabilities for each 100 sites or fraction of 100 sites. (3) Such parking is to be provided in	2 of the visitor parking spaces are required to be accessible. The submitted plans show 2 accessible spaces.

	accordance with AS/NZS 2890.1:2004 *Parking facilities—Off street parking*. (4) Visitor parking spaces for people with disabilities must be clearly identified as such. (5) Visitor parking spaces provided under this clause may be counted for the purposes of clause 97.	
99 Road surfaces	All access roads, including all passing and parking bays, must have an all-weather sealed or other surface finish specified in the approval for the caravan park or camping ground, and must be adapted to the topography to allow for adequate drainage and to eliminate excessive grades.	Conditions recommended requiring sealed surface for new parking areas and roads. Existing gravel roads at the western end of the site recommended to be upgraded to sealed surface given the change of usage from camp sites to short-term sites.
100 Lighting	All access roads must be adequately lit between sunset and sunrise.	Lighting will be required for new access roads. Condition recommended confirming this requirement.
101 Water supply	(1) A caravan park or camping ground: (a) must be connected to a mains water supply, or (b) must be provided with an alternative water supply service as specified in the approval for the caravan park or camping ground. (2) A dwelling site must be connected to the water supply service for the caravan park or camping ground. (5) The water supply service must comply with: (a) the *Plumbing and Drainage Act 2011* and any regulations under	Water supply will be required for each dwelling site. Details to be provided with Section 68 application.

	that Act, and (b) the requirements of any relevant statutory body.	
102 Sewerage	(1) A caravan park or camping ground: (a) must be connected to a main sewer, or (b) must be provided with an alternative sewage disposal system as specified in the approval for the caravan park or camping ground. (2) A long-term site must be provided with a connection to the sewage disposal system for the caravan park or camping ground. (3) A caravan park or camping ground that includes any short-term sites or camp sites must be provided with at least one common soil waste dump point for the disposal of closet waste from caravan holding tanks and the like. The common soil waste dump point must be located so as to permit adequate access by caravans and campervans. (4) A short-term site must be provided with a disposal point, as specified in the approval, for the disposal of sullage (that is, domestic waste from baths, basins, showers, laundries and kitchens, including floor wastes from those sources) from any moveable dwelling installed on the site. More than one short-term site may be provided with the same disposal point. (5) The sewage disposal system must	All long-term sites and the new amenities block will be connected to sewer. A common dump point exists in the park and is proposed to be retained.

	comply with: (a) the *Plumbing and Drainage Act 2011* and any regulations under that Act, and (b) the requirements of any relevant statutory body.	
103 Drainage	(1) A caravan park or camping ground must be provided with a stormwater drainage system. (2) All dwelling sites and camp sites must be adequately drained.	See comments later in this report under Stormwater.
104 Electricity Supply	(1) A dwelling site must be supplied with electricity from a reticulated electricity service. (2) In the case of a long-term site, the electricity must be supplied by means of an electrical circuit connected to a separate electricity meter.	Existing electricity supply to current sites. The supply will need to be extended/altered to service the new/reconfigured sites. The supply would need to be demonstrated to be consistent with these requirements prior to the issue of an approval to operate the caravan park.
105 Common trenches	A common trench may be used for the installation of services in accordance with guidelines set out in AMCORD.	Noted.
106 Modification of calculations	In calculating the facilities to be provided in accordance with this Subdivision: (a) 2 camp sites are taken to be the equivalent of one dwelling site, and (b) dwelling sites reserved for use by self-contained moveable dwellings, and dwelling sites provided with ensuite facilities, are to be disregarded.	Noted. See calculations below under clauses 107-109. The Applicant has noted in the Statement of Environmental Effects that all long-term sites will have self-contained movable dwellings and these have been excluded from the calculations.
107 Number of showers and toilets to be provided.	Facilities to be provided in accordance with table.	Excluding the self-contained long-term sites, the development will include 52 short-term sites and 5 camp sites. This equates to 55 sites as 2 camp sites can be

		counted as a single site. In accordance with the Table the following facilities are required: WC's – 6 Female, 4 Male; Urinals – 2; Showers – 4 Female, 4 Male; Hand basins – 3 Female, 3 Male. The proposed new amenities building provides sufficient facilities for the 55 equivalent sites that are not self-contained. A condition is recommended requiring all long-term sites to be restricted to self-contained moveable dwellings.
108 Facilities for people with disabilities	Minimum one facility required. Can be disregarded if all sites proposed to be designated for self-contained moveable dwellings.	Two accessible facilities proposed.
109 Other facilities	(1) All showers and hand basins required by this Subdivision must be supplied with hot and cold running water. (2) A mirror must be provided: (a) for each hand basin provided, or (b) if 2 or more hand basins are provided together, for each pair of hand basins. (3) Means for sanitary napkin disposal must be provided in each communal facility that contains water closets for female use and, in a facility containing 10 or more water closets, must be provided at the rate of one for each 10 (or remaining fraction of 10) water closets.	Capable of complying. Will need to be provided prior to the issue of a Section 68 approval to operate.
110 Construction of shower blocks and toilet blocks	(1) Except as otherwise provided by the approval for the caravan park or camping ground, the shower and toilet	The amenities building includes predominantly brick walls. Internal fitout of the amenities is capable of complying with the requirements of this clause and will need to be

	facilities provided for a caravan park or camping ground must be housed in a shower block or toilet block: (a) that is constructed of brick or concrete masonry block, and (b) that has a non-slip floor of tile or other impervious material adequately drained to outlets, and (c) that has smooth, hard, durable and water-resistant interior finishes, and (d) that has shower recesses with tile or other impervious finishes to a height of at least 1.8 metres, and (e) that has tile or other impervious skirtings around water closet cubicle walls, and (f) that has tile or other impervious finish around wash basins, and (g) that has adequate lighting (both inside and outside) and adequate ventilation at all times, and (h) that has all its walls, ceilings and floors, fixtures, fittings and appliances maintained in a clean and sanitary condition at all times. (2) Subject to clause 108 (2) and (3), if male and female shower or toilet facilities are located in the same building, that building must be divided for separate use by each sex. (3) Water closets must be provided in individual cubicles having a minimum floor area of 1.1 square metres and a minimum width of 0.8	completed to the relevant standard prior to the issue of the Section 68 approval to operate.

	metre.	
111 Proximity of dwelling sites to shower blocks and toilet blocks	(1) A long-term site must not be situated more than 75 metres (measured in a straight line) from a shower block or toilet block. (2) A short-term site or camp site must not be situated more than 100 metres (measured in a straight line) from a shower block or toilet block. (3) This clause does not apply in respect of dwelling sites reserved for use by self-contained moveable dwellings and dwelling sites provided with ensuite facilities.	The proposed new shower and toilet block will be located within 100m of all short-term and camp sites. The long-term sites are proposed to be reserved for self-contained moveable dwellings and are not required to be in proximity to the facilities
113 Washing Machines	(1) A caravan park or camping ground must be provided with: (a) at least one washing machine for each 25 (and any remaining fraction of 25 greater than 12) long-term sites, and (b) at least one washing machine for each 30 (and any remaining fraction of 30 greater than 15) short-term sites. (2) The minimum number of washing machines to be provided is 2.	Proposal requires: 82/25 = 3 machines; 52/30 = 2 machines. Total = 5 machines. The proposed laundry facility includes 5 washing machines and meets this requirement.
114 Laundry Tubs	(1) A caravan park or camping ground must be provided with: (a) at least one laundry tub for each 50 (and any remaining fraction of 50) long-term sites, and (b) at least one laundry tub for each 60 (and any remaining fraction of 60) short-term sites. (2) The minimum number of laundry tubs to be provided is one.	Proposal requires: 82/50 = 2 tubs; 52/60 = 1 tub. Total = 3 tubs. The proposed laundry facility includes 3 laundry tubs and meets this requirement.

115 Clothes dryers	(1) A caravan park or camping ground must be provided with: (a) at least one mechanical clothes dryer for each 60 (and any remaining fraction of 60 greater than 30) long-term sites, and (b) at least one mechanical clothes dryer for each 80 (and any remaining fraction of 80 greater than 40) short-term sites. (2) The minimum number of mechanical clothes dryers to be provided is one.	Proposal requires: 82/60 = 1 dryer; 52/80 = 1 dryer. Total = 2 dryers. The proposed laundry facility includes 5 dryers and meets this requirement.
116 Drying area	(1) A caravan park or camping ground must be provided with clothes line space at the rate of 2 metres of line for each dwelling site. (2) The minimum length of clothes line space to be provided is 50 metres.	Proposal requires: 134 x 2 = 268m of clothes line space. The Applicant has demonstrated that the development is capable of complying with this requirement in the space available following the reconfiguration of the caravan park. Confirmation will be required prior to the issue of an approval to operate.
117 Water supply	Washing machines and laundry tubs required by this Subdivision must be supplied with both hot and cold water.	Noted. This would need to be confirmed prior to the issue of a Section 68 approval to operate.
118 Ironing facilities	A caravan park or camping ground must be provided with ironing boards, electric irons and power points available for connection to electric irons at the rate of one for every 60 (or remaining fraction of 60) short-term sites.	1 ironing facility required. This would need to be confirmed prior to the issue of a Section 68 approval to operate.
119 Construction of laundry blocks	Except as otherwise provided by the approval for the caravan park or camping ground, the laundry facilities provided for a caravan park or camping ground must be housed in a	The amenities building includes predominantly brick walls. Internal fitout of the amenities is capable of complying with the requirements of this clause and will need to be completed to the relevant standard prior to the issue of the Section 68 approval to operate.

	laundry block: (a) that is constructed of brick or concrete masonry block, and (b) that has a non-slip floor of tile or other impervious material adequately drained to outlets, and (c) that has smooth, hard, durable and water-resistant interior finishes, and (d) that has adequate lighting (both inside and outside) and adequate ventilation at all times, and (e) that has all its walls, ceilings and floors, fixtures, fittings and appliances maintained in a clean and sanitary condition at all times.	
120 Maintenance	The laundry facilities required by this Subdivision that are housed in a laundry block must be maintained in a serviceable and safe condition.	Noted. This will be a requirement of the Section 68 approval to operate.
127 Garbage removal	Arrangements specified in the approval for the caravan park or camping ground must be instituted and maintained for the removal of garbage and for the maintenance of garbage receptacles in a clean and sanitary condition.	No changes proposed to existing waste management for the premises.
128 Fire hydrants	(1) No part of a dwelling site, camp site or community building within a caravan park or camping ground may be situated more than 90 metres from a fire hydrant. (2) Any fire hydrant located within a caravan park or camping ground	Hydrant coverage required. Exemption for existing parks under Ordinance 71 does not apply as a number of the sites proposed in the application were not in existence on 1 December 1986. Compliant hydrant coverage will need to be provided prior to the issue of an approval to operate.

	must: (a) be a double-headed pillar-type fire hydrant, and (b) be maintained to the standard specified in the approval for the caravan park or camping ground.	
129 Fire hose reels	(1) Fire hose reels must be installed so that each dwelling site or camp site in the caravan park or camping ground can be reached by a fire hose. (2) The fire hose reels must be constructed in accordance with AS/NZS 1221:1997, *Fire hose reels* and installed in accordance with AS 2441—1988, *Installation of fire hose reels*, as in force on 1 September 2005.	Site contains some existing fire hose reels, and one is proposed to be relocated clear of the new amenities building. Compliant fire hose reel coverage will need to be provided prior to the issue of an approval to operate.
130 Car washing bay	A caravan park must be provided with an area for use for washing vehicles.	Existing car washing bay proposed to be retained.

State Environmental Planning Policy (Koala Habitat Protection) 2019

Clause 5 - This SEPP applies to the Port Macquarie-Hastings Local Government Area.

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

State Environmental Planning Policy No. 44 - Koala Habitat Protection

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

An ecological assessment prepared by Biodiversity Australia and dated 8 January 2019 has been submitted with the application. The assessment addresses the requirements of SEPP 44 and determined that the site constitutes both potential koala habitat and core koala habitat.

A Koala Plan of Management (KPoM) prepared by Biodiversity Australia and dated June 2019 has been submitted. The KPoM includes the following recommended ameliorative measures:

- Habitat retention (with the exception of the single koala food tree proposed to be removed for the development);
- Habitat replacement;
- General clearing measures, including pre-clearing surveys and clearing supervision;
- Dog management; and
- Disease management.

A copy of the Koala Plan of Management is included in **Attachment 4**.

In accordance with Clause 13 of the SEPP, the KPoM has been approved by the NSW Department of Planning, Industry & Environment on 24 July 2019. It is recommended that the Panel approve the KPoM on behalf of Council.

In accordance with Clause 9(2) of the SEPP, the recommended determination of the development application is not considered to be inconsistent with the KPoM.

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 includes areas mapped as coastal wetland, proximity area for coastal wetland, coastal use area, and coastal environment area.

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

The proposal does not include any works within the mapped coastal wetland, and does not trigger the designated development provisions.

Having regard to clause 11 of the SEPP the proposed development will not significantly impact on the biophysical, hydrological or ecological integrity of the adjacent coastal wetland or littoral rainforest, or adversely affect the quantity and quality of surface and ground water flows to the adjacent coastal wetland. The recommended condition includes water quality controls to improve the quality of surface water discharged into the coastal wetland.

Having regard to clauses 13 and 14 of the SEPP the proposed development is not considered likely to result in any of the following:

a) any adverse impact on integrity and resilience of the biophysical, hydrological (surface and groundwater) and ecological environment;
b) any adverse impacts coastal environmental values and natural coastal processes;
c) any adverse impacts on marine vegetation, native vegetation and fauna and their habitats, undeveloped headlands and rock platforms;
d) any adverse impact on marine vegetation, native vegetation and fauna and their habitats, undeveloped headlands and rock platforms;

e) any adverse impact on Aboriginal cultural heritage, practices and places;
f) any adverse impacts on the cultural and built environment heritage;
g) any adverse impacts the use of the surf zone;
h) any adverse impact on the visual amenity and scenic qualities of the coast, including coastal headlands;
i) overshadowing, wind funnelling and the loss of views from public places to foreshores;

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

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 RU1 Primary Production.
- Clause 2.3(1) and the RU1 zone landuse table- The proposed development for a caravan park is a prohibited landuse.

  However, the site has existing use rights as a caravan park which has lawfully commenced and has a current approval to operate under Section 68 of the Local Government Act 1993. Clause 41 of the Environmental Planning and Assessment Regulation 2000 allows for an existing use to be altered or enlarged with consent.

a) Clause 43(2) of the Regulation requires that:
   (2) The alteration or extension:
   (a) must be for the existing use of the building or work and for no other use, and
   (b) must be erected or carried out only on the land on which the building or work was erected or carried out immediately before the relevant date.

   The proposal is for the existing use (caravan park) and is also located on the same land as the existing use. The proposal therefore satisfies this requirement.

- Clause 2.7 - The demolition requires consent as it does not fit within the provisions of SEPP (Exempt and Complying Development Codes) 2008.
- Clause 5.10 – The site does not contain or adjoin any known heritage items or sites of significance.
- Clause 7.1 - The site is mapped as potentially containing class 2, 3, and 5 acid sulphate soils. The proposed development does not include and excavation of a nature that would require submission of an Acid Sulphate Soil Management Plan.
- Clause 7.3 - The site is land within a mapped “flood planning area” (land subject to flood discharge of 1:100 annual recurrence interval flood event, plus the applicable climate change allowance and relevant freeboard). In this regard the following comments are provided which incorporate consideration of the objectives of Clause 7.3, Council’s Flood Policy, the NSW Government’s *Flood Prone Lands Policy* and the NSW Government’s *Floodplain Development Manual* (2005):
  - The proposal is compatible with the flood hazard of the land taking into account projected changes as a result of climate change;

- The proposal will not result in a significant adverse affect on flood behaviour that would result in detrimental increases in the potential flood affectation of other development or properties;
- The proposal incorporates measures to minimise & manage the flood risk to life and property associated with the use of land;
- The proposal is not likely to significantly adversely affect the environment or cause avoidable erosion, siltation, destruction of riparian vegetation or a reduction in the stability of river banks or watercourses;
- The proposal is not likely to result in unsustainable social and economic costs to the community as a consequence of flooding;

The caravan park includes existing sites below the Flood Policy requirement of FPL1, and a condition has been recommended to ensure that the development does not increase the total number of sites below that level. On this basis, it could be considered that the flood risk is not increased from the existing situation.

Conditions have also been recommended to ensure that the new community/amenities building is constructed to the relevant floor levels and engineering standards in Council's Flood Policy.

- Clause 7.4 – The proposal is for a caravan park and includes some land between the flood planning area and the line that is shown as the probable maximum flood (PMF) level on the Flood Planning Map. The proposal would result in a slight increase in the overall number of sites, however conditions have been recommended to ensure that the number of flood affected sites is no increased.

  The Flood Evacuation Plan submitted by the Applicant is not considered appropriate, as it requires people to evacuate through higher hazard areas along Diamond Head Road towards Laurieton. A more appropriate evacuation route would be via Diamond Head Road south to the Pacific Highway. The caravan park also includes land above the Probable Maximum Flood level including accommodation buildings and amenities, and it is possible that residents/visitors could shelter on the site if they are unable to evacuate in time. A condition is recommended requiring an amended Flood Evacuation Plan to be submitted for approval by Council, prior to the issue of a Section 68 approval to operate the caravan park.
- Clause 7.13 - Satisfactory arrangements are in place for provision of essential services including water supply, electricity supply, sewer infrastructure, stormwater drainage and suitable road access to service the development.

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

No draft instruments apply to the site.

(iii) Any Development Control Plan in force

Port Macquarie-Hastings Development Control Plan 2013

DCP 2013: General Provisions			
	Requirements	**Proposed**	**Complies**
2.7.2.2	Design addresses generic principles of Crime Prevention Through	The proposed development will be unlikely to create any concealment/entrapment	Yes

DCP 2013: General Provisions			
	Requirements	**Proposed**	**Complies**
	Environmental Design guideline	areas or crime spots that would result in any identifiable loss of safety or reduction of security in the immediate area.	
2.3.3.8	Removal of hollow bearing trees	None proposed to be removed.	Yes
2.6.3.1	Tree removal (3m or higher with 100mm diameter trunk at 1m above ground level and 3m from external wall of existing dwelling)	See comments under Flora and Fauna later in this report.	
2.4.3	Bushfire risk, Acid sulphate soils, Flooding, Contamination, Airspace protection, Noise and Stormwater	Refer to main body of report.	
2.5.3.3	Parking in accordance with Table 2.5.1. 1 space per single dwelling (behind building line)	See comments earlier under SEPP No. 21 regarding parking requirements.	
2.5.3.11	Section 94 contributions	Refer to main body of report.	

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

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

(iv) Any matters prescribed by the Regulations

Demolition of buildings AS 2601 - Clause 92

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

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

Context and setting
The site has a general easterly street frontage orientation to Diamond Head Road.

Adjoining the site to the north is rural land containing a dwelling and eco-tourist facility.

Adjoining the site to the east is an extractive industry (sand mine).

Adjoining the site to the south is rural land associated with the extractive industry which currently also contains a community facility (Men's Shed).

Adjoining the site to the west is the Camden Haven River.

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

Roads
The site has road frontage to Diamond Head Road.

Adjacent to the site, Diamond Head Road is a sealed public road under the care and control of Council. Diamond Head Road is a rural collector road with an 8.3m carriageway within an 18m road reserve.

Traffic and transport
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
All accesses shall comply with Council AUSPEC and Australian Standards, and conditions have been recommended to reflect these requirements.

Parking and manoeuvring
A total of 15 parking spaces have been provided on-site. Parking and driveway widths on site can comply with relevant Australian Standards (AS 2890) and conditions have been recommended to reflect these requirements.

Due to the type of development, car park circulation is required to enable vehicles to enter and exit the site in a forward manner. Site plans show adequate area is available and conditions have been recommended to reflect these requirements.

Water supply connection
Council records indicate that the development site has two existing metered water services from the 100 PVC water main on the same side of Diamond Head Road.

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

Detailed plans will be required to be submitted for assessment with the Section 68 application, and conditions have been recommended to reflect these requirements.

Sewer connection
The site is connected to sewer via a private sewer pump stations and a private rising main along Diamond Head Road. The existing infrastructure is capable of accommodating the additional loading associated with the proposed development.

New plumbing work associated with the proposed site reconfiguration, office alterations, and new amenities building. Detailed plans will be required to be submitted for assessment with the Section 68 application, and conditions have been recommended to reflect these requirements.

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

Having regard to the extent of impervious area within the caravan park, compliance with AUSPEC D5 and D7 would typically be required if the proposal was a new

development. However, as the proposal is for alterations and additions to an existing caravan park involving only a minor increase in existing impervious areas it is not warranted to require full compliance with current AUSPEC requirements for water quality controls. The site is located in a sensitive location adjoining the Camden Haven River, mapped coastal wetland, and priority oyster aquaculture areas and it is still desirable to achieve some improvements to the existing quality of stormwater discharged from the caravan park.

The Applicant has submitted the below proposal for improvements to water quality:

1. Construct sediment traps/sumps in all new/proposed stormwater pits. This also is to include filter screens on pipe outlets (or equivalent) to capture coarse pollutants (rubbish and leaves, etc);
2. Provision of a Stormwater Maintenance Plan, to set out required stormwater maintenance works and frequency in a manner that will allow the caravan park operator to maintain the system;
3. Provision of a Construction Stormwater Management Plan (Erosion & Sediment Control Plan), to manage erosion and sediment runoff during construction:
   a. In accordance with 'Managing Urban Stormwater - Soils and Construction (Blue Book)'
   b. Including specification of monitoring and maintenance frequency

Council's Senior Stormwater Engineer is satisfied conceptually with this approach. 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 stormwater management plan will be required to include the Stormwater Maintenance Plan and Construction Stormwater Management Plan.

An operational condition has also been recommended requiring the system to be maintained in accordance with the Stormwater Maintenance Plan.

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.

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

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

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

Air and microclimate

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

Flora and fauna
The Applicant has submitted an ecological assessment prepared by Biodiversity Australia and dated 8 January 2019.

The proposed development includes clearing of approximately 600m^2 of native vegetation in the footprint of the new amenities building. The Biodiversity Offset Scheme doesn't apply for the following reasons:

- The land to be cleared isn't identified on the Biodiversity Values Map (only a small part of the north-west corner is mapped);
- The extent of clearing is below the thresholds in Clause 7.2 of the Biodiversity Conservation Regulation 2017;
- The application of test of significance (5 part test) demonstrates that the development will not have a significant impact on biodiversity values.

Minimum lot size of land (LEP Lot Size Map)	**Area of Clearing**
Less than 1 hectare	0.25 hectare or more
Less than 40 hectares but not less than 1 hectare	0.5 hectare or more
Less than 1,000 hectares but not less than 40 hectares	1 hectare or more
1,000 hectares or more	2 hectares or more

The report includes the following recommendations, which are recommended to be incorporated into conditions of consent:

- General clearing measures;
- Pre-clearing survey and clearing supervision; and
- Offset tree planting.

Waste
Satisfactory arrangements are in place for proposed storage and collection of waste and recyclables. No adverse impacts anticipated. Standard precautionary site management condition recommended.

Energy
No adverse impacts anticipated.

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

Bushfire
The site is identified as being bushfire prone. In accordance with Section 100B - *Rural Fires Act 1997* - the application proposes development for a special fire protection purpose. The NSW Rural Fire Service have issued a Bush Fire Safety Authority, subject to conditions. A condition is recommended incorporating the RFS requirements.

Safety, security and crime prevention

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

Social impacts in the locality
A Social Impact Assessment has been submitted with the application. The proposal will provide social benefit through the provision of additional affordable housing in an area where such accommodation is in demand. The caravan park provides adequate facilities and access to services to support the expected future residents of the long-term sites. The reconfiguration of sites to separate short-term and long-term residents will provide for better management of impacts within the park.

Economic impact in the locality
No adverse impacts. A likely positive impact is that the development will maintain employment in the construction industry, which will lead to flow on 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
No potential adverse impacts identified to neighbouring properties with the construction of the proposal.

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

(c) The suitability of the site for the development

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

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

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

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

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

Submission Issue/Summary	Planning Comment/Response
Noise and light impacts from new community building on eco-tourist accommodation at No. 128 Diamond Head Road.	The proposed new community/amenities building includes only three high level windows to the amenities on its northern elevation. The internal lighting is expected to remain on during the night. However, the amenity of the neighbouring accommodation buildings is not expected to be significantly impacted due to the size of the windows and the separation distance from accommodation. It is noted that Clause 100 of the Local Government (Manufactured Home Estates, Caravan Parks, Camping Grounds and Moveable Dwellings) Regulation 2005 requires all access roads to be adequately lit between sunset and sunrise. Lighting associated with the community building is not expected to have a greater impact than the existing road lighting requirement. A standard condition is also recommended requiring all external lighting to comply with AS 4282 - *Control of the obtrusive effects of outdoor lighting*. The BBQ area includes a screen wall to the northern side and will be subject to the existing noise controls and time curfew. The caravan park has a resident manager responsible for controlling noise generally at the park. A standard condition is recommended regarding management of offensive noise.
The development should not create an expectation for neighbouring properties to maintain asset protection zones for the benefit of the caravan park.	The bushfire assessment submitted with the application assumes that the hazard vegetation is located at the northern boundary of the site and does not provide for any asset protection zone on the neighbouring property. The Bush Fire Safety Authority issued by the NSW Rural Fire Service also does not require any asset protection zone to be provided on the neighbouring property.
The existing sewer pump station is	The proposed development is within

Submission Issue/Summary	Planning Comment/Response
located below the 1:100 flood level and there is potential for major floods to result in leakage of effluent into the adjacent property, watercourses, and oyster growing areas. The additional effluent created by the development would increase this risk.	the capacity of the existing sewer pump stations and there is not considered to be any nexus for requiring the western pump station to be upgraded to improve flood protection as part of the current proposed. The system is licensed and subject to ongoing inspections by Council's Environmental Health staff.
The site forms part of a Koala corridor and the development needs to maintain connectivity with adjoining sites.	A Koala Plan of Management (KPoM) for the site has been prepared as part of the proposal. The KPoM is considered satisfactory by Council's Natural Resources staff, and has been approved by the Department of Planning, Industry and Environment. The preparation of the KPoM included consideration of the existing Plan of Management for the neighbouring property at 128 Diamond Head Road.
The existing caretaker's cottage that is proposed to be removed contains asbestos and needs to be safely managed.	A condition has been recommended requiring demolition and asbestos removal to be carried out in accordance with relevant standards.
Request confirmation that removal of the caretaker's cottage will remove the requirement to maintain an APZ on the adjoining property.	The bushfire assessment submitted with the application assumes that the hazard vegetation is located at the northern boundary of the site and does not provide for any asset protection zone on the neighbouring property.
Request that high level lighting is not used for the proposed new parking area.	A standard condition has been recommended requiring all external lighting to comply with AS 4282 - *Control of the obtrusive effects of outdoor lighting*.
Request confirmation of the definitions of camp site and short-term site and what is permitted to be placed on them.	The legislation defines the different types of sites as follows. ***camp site*** *means an area of land within a camping ground on which a campervan or tent may be installed or, in the case of a primitive camping ground, on which a campervan, tent or caravan may be installed, and that is designated as a camp site by the approval for the camping ground.* ***short-term site*** *means a dwelling site on which a moveable dwelling that is ordinarily used for holiday purposes may be installed and that is specified in the approval for a*

Submission Issue/Summary	Planning Comment/Response
	caravan park as being a short-term site. ***long-term site*** *means a dwelling site that is specified in the approval for a caravan park as being a long-term site.* Essentially camp sites are limited to tents and campervans. Short-term sites can additionally have caravans, RV's, and manufactured homes (but only for holiday use). Long-term sites can have the same items as short-term sites, and can be occupied on a permanent basis.
The Bushfire Assessment is inconsistent with the Ecological Assessment and incorrectly notes that the land is not affected by coastal wetlands.	Noted. The assessment of the application has considered the presence of mapped coastal wetland and proximity in accordance with SEPP (Coastal Management) 2018. The conditions of the Bushfire Safety Authority would not compromise the coastal wetland.
The Bushfire Assessment is inconsistent with the Ecological Assessment in noting that the impacted vegetation is unlikely to be of importance for Koalas.	Noted. The assessment of the application has considered the presence of core Koala habitat in accordance with SEPP 44. The conditions of the Bushfire Safety Authority would not compromise the amelioration measures identified in the Koala Plan of Management.
If the flood evacuation plan submitted with the application is acceptable to Council, request that similar arrangements be accepted for the adjoining development at No. 128 Diamond Head Road.	The submitted flood evacuation plan is not acceptable, as noted earlier in this report. Any changes to the approved flood evacuation plan for No. 128 Diamond Head Road could be considered through a Section 4.55 application as a separate matter.
The proposed new amenities block would prevent access for a caravan to park at the existing manufactured home on site 109.	It is not a requirement of the Local Government (Manufactured Home Estates, Caravan Parks, Camping Grounds and Moveable Dwellings) Regulation 2005 that sites be capable of accommodating a manufactured home and manoeuvring area for a caravan. Clause 164(2) of the Regulation prevent a caravan from being installed on a site that contains a relocatable home. The road width and site dimensions

Submission Issue/Summary	Planning Comment/Response
	are consistent with the Regulation. The residents of site 109 could negotiate the use of an additional site with the caravan park operator if additional space if required to park/manoeuvre their caravan.

(e) The Public Interest

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

Ecologically Sustainable Development and Precautionary Principle
Ecologically sustainable development requires the effective integration of economic and environmental considerations in decision-making processes.
The four principles of ecologically sustainable development are:

- the precautionary principle,
- intergenerational equity,
- conservation of biological diversity and ecological integrity,
- improved valuation, pricing and incentive mechanisms.

The principles of ESD require that a balance needs to be struck between the man-made development and the need to retain the natural vegetation. Based on the assessment provided in the report and with recommended conditions of consent, it is considered an appropriate balance has been struck.

Climate change
The proposal is not considered to be vulnerable to any risks associated with climate change.

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.
  b)
- 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. DA2018 - 621.1 Recommend DA Conditions.
2. DA2018 - 621.1 Plans.
3. DA2018 - 621.1 Contribution Estimate
4. DA2018 - 621.1 Koala Plan of Management

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

NOTE: THESE ARE DRAFT ONLY

DA NO: 2018/621 **DATE: 12/08/2019**

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 Plan	5111 Drawing 1, Issue J	Land Dynamics Australia	28 July 2020
Amenities Building Plans	D3670 Sheet 1 to 5, Issue N	Collins W Collins Pty Ltd	31 May 2018
Office Plans	D3670 Sheet 1, Issue B	Collins W Collins Pty Ltd	31 May 2018
Landscape Plan	5111 Drawing 4, Issue A	Land Dynamics Australia	9 November 2018
Shed Plan	I/N: 0011420	Absco Sheds	Undated
Statement of Environmental Effects	-	Land Dynamics Australia	July 2018
Bushfire Hazard Assessment	-	David Pensini Building Certification and Environmental Services	July 2018
Ecological Assessment	-	Biodiversity Australia	8 January 2019
Koala Plan of Management	-	Biodiversity Australia	June 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

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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) (A006) 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.

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

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

1. Erosion and sediment controls are to be implemented to prevent sediment from leaving the site. The controls are to be maintained until the development is complete and the site stabilised with permanent vegetation;
2. Appropriate dust control measures;
3. Building equipment and materials shall be contained wholly within the site unless approval to use the road reserve has been obtained. Where work adjoins the public domain, fencing is to be in place so as to prevent public access to the site;
4. Building waste is to be managed via appropriate receptacles into separate waste streams;
5. Toilet facilities are to be provided on the work site at the rate of one toilet for every 20 persons or part of 20 persons employed at the site.
6. Building work being limited to the following hours, unless otherwise permitted by Council;
   - Monday to Saturday from 7.00am to 6.00pm
   - No work to be carried out on Sunday or public holidays

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

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

(7) (A013) The general terms of approval from the following authorities, as referred to in section 4.50 of the Environmental Planning and Assessment Act 1979, and referenced below, are attached and form part of the consent conditions for this approval.

- **NSW Rural Fire Service -** The General Terms of Approval, Reference D18/7988 DA18110915992 PC and dated 7 January 2019, are attached and form part of this consent.

(8) (A032) The developer is responsible for any costs relating to minor alterations and extensions to ensure satisfactory transitions of existing roads, drainage and Council services for the purposes of the development.

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

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

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

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

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

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

i. deposit with the Council, or

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

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

(10) (A070) Trees within the footprint of the proposed new amenities building (a single Bloodwood, four Broadleaf Paperbark and a single Swamp Mahogany), within the existing BBQ area (three Jacarandas and one pine tree), and a single Blackbutt at the caravan park entrance are to be removed. All other trees within the site are to be retained unless separate consent is obtained for their removal.

(11) (A090) All new plumbing fixtures shall comply with the current version of the Plumbing Code of Australia and Australian Standard 3500. For the purpose of the code and standard the declared flood level is the 1 in 100 year flood level of 3.20m AHD. Details demonstrating compliance shall be clearly illustrated on plans accompanying the Section 68 application.

(12) (A195) The amenities building shall allow flood waters up to the 1 in 20 year event to pass beneath or through the building. The building may be enclosed for security purposes with slats or lattice material provided the porosity of each wall/side is no less than 50%.

(13) (A196) All parts of the amenities building structure below the applicable Flood Planning Level (1 in 100 flood level including climate change, plus the relevant freeboard) shall be constructed from flood compatible materials compliant with the ABCB Standard for Construction of Buildings in Flood Hazard Areas. Consideration should also be given to the relevant provisions contained with the Hawkesbury-Nepean Floodplain Management Steering Committee document *Reducing Vulnerability of Buildings to Flood Damage (2007).* For the purpose of this requirement, the 1 in 100 year flood level including climate change may be assumed to be RL3.92m AHD.

(14) (A197) The floor level of all new moveable dwellings, other than tents and registrable vehicles under the Road Transport Act 2013, is to be a minimum of 500mm above the 1 in 100 year flood level including the applicable climate change allowance. For the purpose of this requirement, the 1 in 100 year flood level including climate change may be assumed to be RL3.92m AHD. The

floor level of all habitable areas must therefore be at or above 4.42m AHD. The Section 68 application shall include plans clearly illustrating floor levels satisfying this requirement. The applicant will be required to submit prior to certificate of completion, certification by a Registered Surveyor that the development has met the necessary flood planning levels specified in this consent.

(15) (A198) Prior to the use of any new, altered, converted or relocated sites commencing, a new/modified approval to operate a caravan park shall be obtained in accordance with Section 68 of the Local Government Act 1993.

(16) (A199) The development shall comply with all requirements of the Koala Plan of Management prepared by Biodiversity Australia and dated June 2019.

(17) (A200) The maximum number of long-term sites shall not exceed 82 sites and the maximum number of short-term sites and camp sites shall not exceed the number specified in the Section 68 approval to operate a caravan park. The total number of sites shall not exceed 139 sites.

(18) (A201) Only self-contained moveable dwellings are permitted to be installed on long-term sites.

(19) (A202) The use of short-term sites A6, A7, A8, A9, A10, G1, G2, G7, G8, H1, and H4 shall be restricted to tents and moveable dwellings registrable under the Road Transport Act 2013.

B – PRIOR TO ISSUE OF A CONSTRUCTION CERTIFICATE

(1) (B001) Prior to release of the Construction Certificate for the amenities building, office, or storage shed, 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) (B005) Prior to release of the Construction Certificate, approval must be obtained from Council under Section 68 of the Local Government Act 1993, for work to alter any onsite sewage management facility related to the development.

(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:

- Footway and gutter crossing
- Functional vehicular access

(4) (B025) Prior to the issue of a Construction Certificate for the amenities building, final water service sizing for the proposed development will need to be determined by a hydraulic consultant to suit the domestic and commercial components of the development, as well as addressing fire service and backflow protection requirements.

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

a) The design is to provide sediment traps/sumps in all new/proposed stormwater pits. This also is to include filter screens on pipe outlets (or equivalent) to capture coarse pollutants (rubbish and leaves, etc).

b) Provision of a Stormwater Maintenance Plan, to set out required stormwater maintenance works and frequency in a manner that will allow ongoing maintenance by the caravan park operator.

c) Provision of a Construction Stormwater Management Plan, to manage erosion and sediment runoff during construction in accordance with 'Managing Urban Stormwater - Soils and Construction (Blue Book)'. The Plan shall include details of monitoring and maintenance frequencies.

d) Where works are staged, a plan is to be provided which demonstrates which treatment measure/s is/are are to be constructed with which civil works stage. Separate plans are required for any temporary treatment (where applicable e.g. for building phase when a staged construction methodology is adopted) and ultimate design.

e) The design shall provide details of any components of the existing stormwater drainage system servicing the site that are to be retained.

(6) (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.

(7) (B195) Prior to release of the Construction Certificate for the amenities building or storage shed a practising chartered professional structural engineer is to provide certification to the PCA that the amenities building is designed so that all structural members are capable of withstanding flood forces and the impact of any debris (carried by floodwaters) likely to occur for a range of floods up to and including the 1 in 100 year flood including climate change and the relevant freeboard level of 500mm. For the purpose of this requirement, the 1 in in 100 year flood levelling including climate change may be assumed to be 3.92m AHD. Velocities to be adopted for the calculation of forces created by flood waters and debris loading shall be at least <u>three (3) times</u> the velocities for a 1 in 100 year flood including climate change plus freeboard. For the purpose of this requirement, the velocity for the 1 in 100 flood including climate change may be assumed to be 0.15m/s.

(8) (B196) The floor level of the amenities building and storage shed is to be at or above the 1 in 20 year flood level. For the purpose of this requirement, the 1 in 20 year flood level may be assumed to be RL 2.56m AHD. Prior to release of the Construction Certificate floor levels satisfying this requirement shall be clearly illustrated on the plans.

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) (C015) Tree protection fencing, compliant with *AS 4970/2009 Protection of trees on development sites* must be provided where works are proposed in proximity to retained trees. The fencing shall be in place prior to the commencement of any works or soil disturbance and maintained for the entirety of the works.

D – DURING WORK

(1) (D001) Development works on public property or works to be accepted by Council as an infrastructure asset are not to proceed past the following hold points without inspection and approval by Council. Notice of required inspection must be given 24 hours prior to inspection, by contacting Council's Customer Service Centre on (02) 6581 8111. You must quote your Construction Certificate number and property description to ensure your inspection is confirmed:

a. at completion of installation of erosion control measures

b. at completion of installation of traffic management works

c. when trenches are open, stormwater/water/sewer pipes and conduits jointed and prior to backfilling;

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

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

(3) (D006) A copy of the current stamped approved construction plans must be kept on site for the duration of site works and be made available upon request to either the Principal Certifying Authority or an officer of the Council.

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

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

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

Safely disposing of asbestos waste from your home

Fibro & Asbestos - A Renovator and Homeowner's Guide

Asbestos Awareness

(5) (D040) Wastes including vegetation and building waste shall not be disposed of by burning.

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(6) (D042) The washing of equipment and/or the disposal of building materials, including cement slurry, shall not occur within the drip line of any tree that has been nominated for retention on the site or adjacent land.

(7) (D043) Any damage to a tree nominated for retention/protection during the construction phase shall be treated by an Arborist with a minimum qualification AQF level 5 (diploma level) or an international qualification considered equivalent by Council, or a person deemed suitable by Council at the developer's expense.

(8) (D045) A suitably qualified ecological consultant shall inspect all native trees that have been approved for removal before they are felled. If there are any koala or other fauna species in the tree, work in the vicinity is to cease until the animal has moved from the area. If it is likely that hollows are providing habitat for native species, traps shall be set for several nights and any native species found shall be relocated to an appropriate nearby location.

(9) (D050) The capacity and effectiveness of tree protection fencing, compliant with *AS 4970/2009 Protection of trees on development sites* shall be maintained at all times in accordance with the approved management plan until such time as the site is no longer subject to any construction or earth moving works.

E – PRIOR TO THE ISSUE OF AN OCCUPATION CERTIFICATE OR SECTION 68 APPROVAL TO OPERATE A CARAVAN PARK

(1) (E001) The amenities building, office, and storage shed shall not be occupied or used in whole or in part until an Occupation Certificate has been issued by the Principal Certifying Authority.

(2) (E005) Prior to the release of any bond securities held by Council for infrastructure works associated with developments, a formal written application is to be submitted to Council specifying detail of works and bond amount.

(3) (E010) Driveways, access aisles and parking areas shall be provided with an approved surface. Such a surface shall be on a suitable pavement, constructed and maintained in accordance with Council's Development, Design and Construction Manuals (as amended).

(4) (E030) Vehicle ramps, driveways, turning circles and parking spaces being paved, sealed and line marked prior to the issue of a Section 68 approval to operate a caravan park that includes any new, altered, converted or relocated sites authorised by this consent.

(5) (E031) Provision of a sign at the front vehicular access point within the property, prior to the issue of a Section 68 approval to operate a caravan park that includes any new, altered, converted or relocated sites authorised by this consent, indicating that visitor parking is available on-site.

(6) (E034) Prior to the issue of a Section 68 approval to operate a caravan park that includes any new, altered, converted or relocated sites authorised by this consent, provision to the Council 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.

(7) (E036) Certification by a suitably qualified consultant is to be submitted to the Principal Certifying Authority (PCA) confirming that the car park and internal accesses have been constructed in accordance with Port Macquarie-Hastings Development Control Plan 2013 and Australian Standard 2890 (including AS

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2890.1, AS 2890.2 and AS 2890.6) prior to occupation or issue of a Section 68 approval to operate a caravan park that includes any new, altered, converted or relocated sites authorised by this consent.

(8) (E045) All electrical meter boxes for new manufactured homes shall be placed at a level which is above the 1 in 100 year flood level including the applicable climate change allowance. The positioning of meter boxes shall comply with the requirements of the relevant electricity authority. For the purpose of this requirement, the 1 in 100 year flood level including climate change may be assumed to be RL 3.92m AHD.

(9) (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.

(10) (E056) A Certificate of Compliance under the provisions of Section 307 of the *Water Management Act* must be obtained prior to the issue of any Occupation Certificate or Section 68 approval to operate a caravan park that includes any new, altered, converted or relocated sites authorised by this consent.

(11) (E195) The applicant will be required to submit prior to occupation or the issue of the Occupation Certificate for the amenities building or storage shed, certification by a Registered Surveyor that the development has met the necessary flood planning levels specified in this consent.

(12) (E196) Prior to the issue of any Section 68 approval to operate a caravan park that includes any of sites G6 - G8, H1 - H5, and/or J1 - J5, the access road shall be constructed and provided with adequate lighting.

(13) (E197) Prior to the issue of any Section 68 approval to operate a caravan park that includes any new, altered, converted or relocated sites authorised by this consent, signage and pavement markings shall be provided clearly identifying the direction of travel for all internal access roads. Roads having a pavement width of less than 6m shall be restricted to one-way travel.

(14) (E198) Prior to the issue of any Section 68 approval to operate a caravan park that includes any new, altered, converted or relocated sites authorised by this consent, an amended community plan shall be submitted to Council demonstrating that there will be no increase in the number of sites below the flood planning level compared with the number approved under DA2017 - 211.1.

(15) (E199) A detailed Flood Evacuation Plan undertaken by a suitably qualified consultant with demonstrated experience in preparing flood plans shall be submitted to Council for approval which covers all existing and proposed development on the site. The Flood Evacuation Plan must be determined to be satisfactory by Council prior to the release of the Section 68 approval to operate a caravan park that includes any new, altered, converted or relocated sites authorised by this consent. The Flood Evacuation Plan must demonstrate that all new development meets the provisions of the Port Macquarie-Hastings Flood Policy (2018). The Flood Evacuation Plan submitted as part of the DA documentation is not considered to have satisfied this requirement.

F – PRIOR TO OCCUPATION OF SITES G5, 50, 60, 80 & 82, INSTALLATION OF INDIVIDUAL MANUFACTURED HOMES ON THOSE SITES OR ISSUE OF CERTIFICATE OF COMPLETION IN ACCORDANCE WITH SECTION 69 OF LOCAL GOVERNMENT (MANUFACTURED HOME ESTATES, CARAVANS, CAMPING GROUNDS AND MOVEABLE DWELLINGS) REGULATION 2005

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(1) (E008) Payment to Council, prior to occupation, installation of manufactured homes or issue of a certificate of completion for new sites (whichever occurs first), of the Section 7.11 contributions set out in the "Notice of Payment – Developer Charges" schedule, 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.

(2) (E009) As part of Notice of Requirements by Port Macquarie-Hastings Council as the Water Authority under Section 306 of the Water Management Act 2000, the payment of a cash contribution, prior to occupation, installation of manufactured homes or issue of a certificate of completion for new sites (whichever occurs first), of the Section 64 contributions, as set out in the "Notice of Payment – Developer Charges" schedule 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

G – OCCUPATION OF THE SITE

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

(2) (F003) All loading and unloading operations associated with servicing the site must be carried out within the confines of the site, at all times and must not obstruct other properties/units or the public way.

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

(4) (F024) Offensive noise as defined under the Protection of the Environment Operations Act 1997 shall not be generated as a result of the operation of the development.

(5) (F036) Any exterior lighting 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.

(6) (F195) Stormwater systems shall be maintained in accordance with the approved Stormwater Maintenance Plan.

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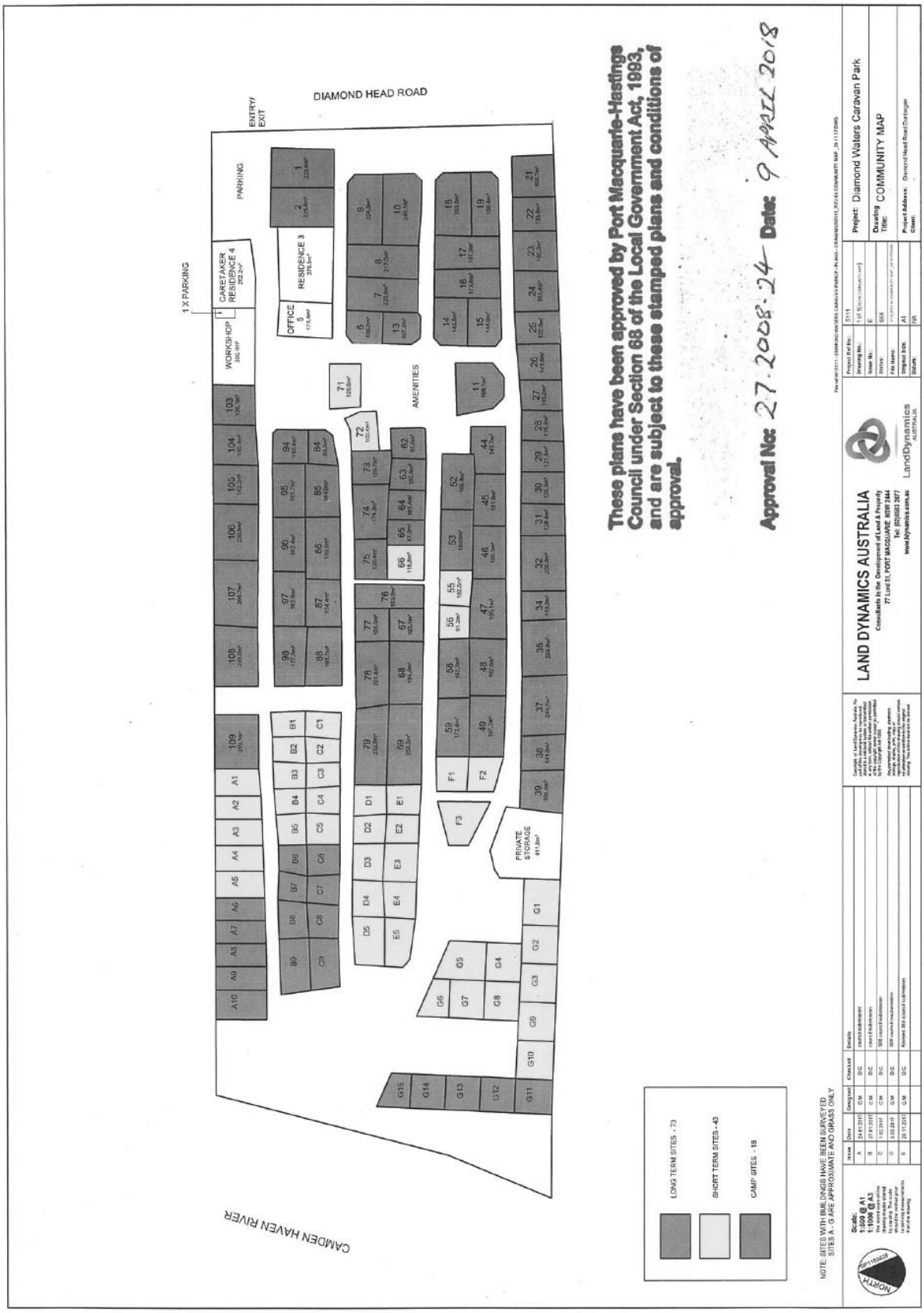
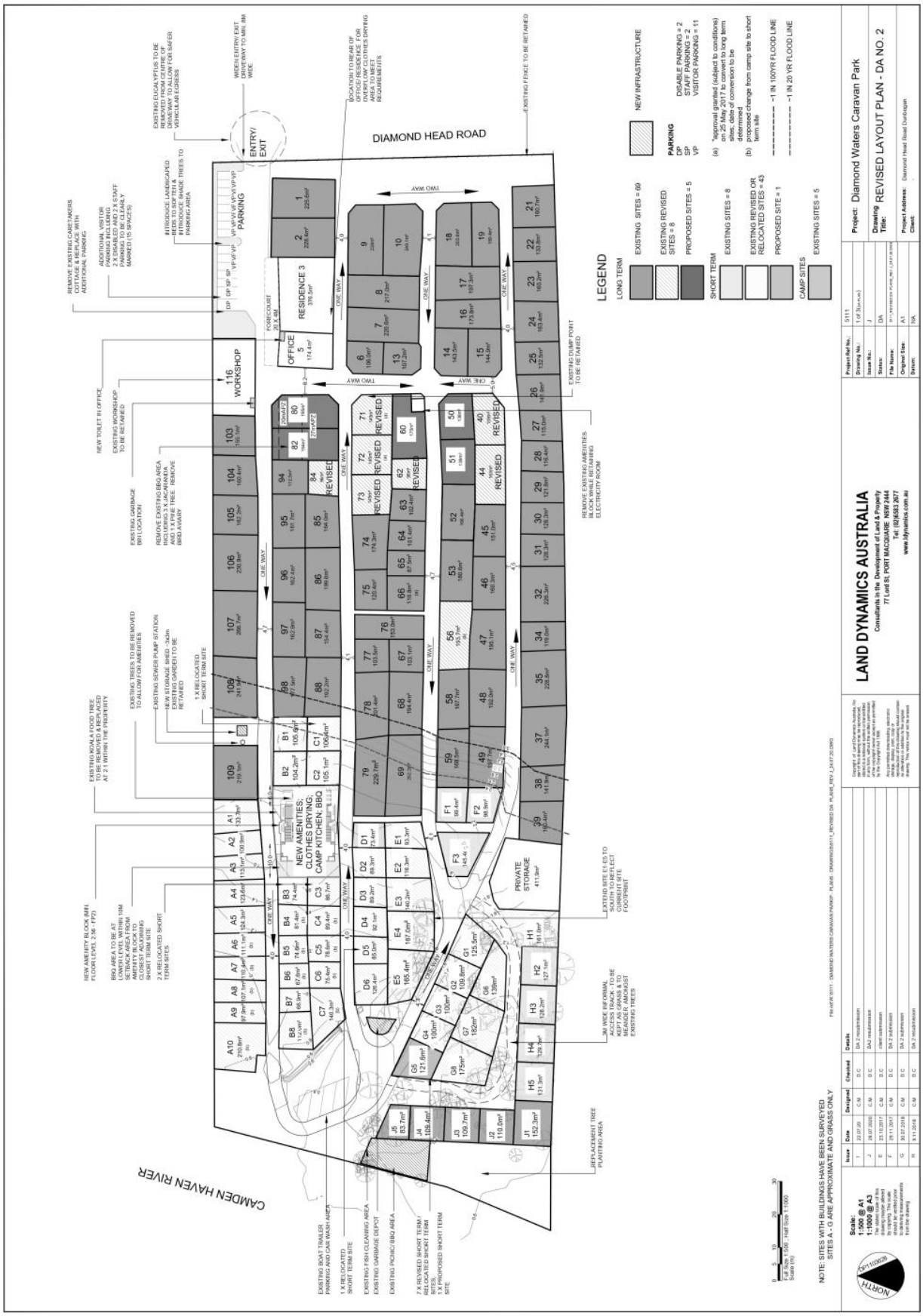
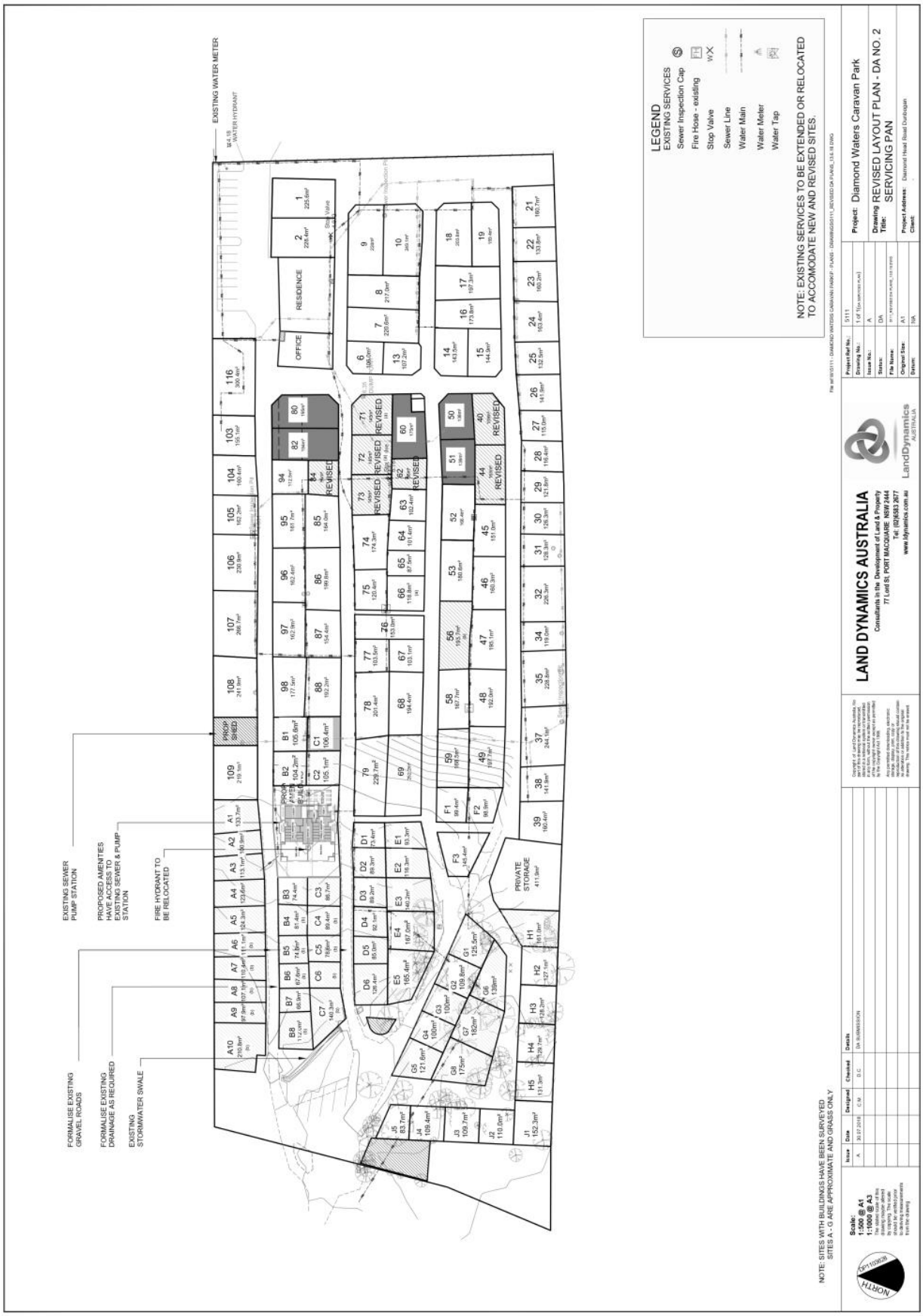
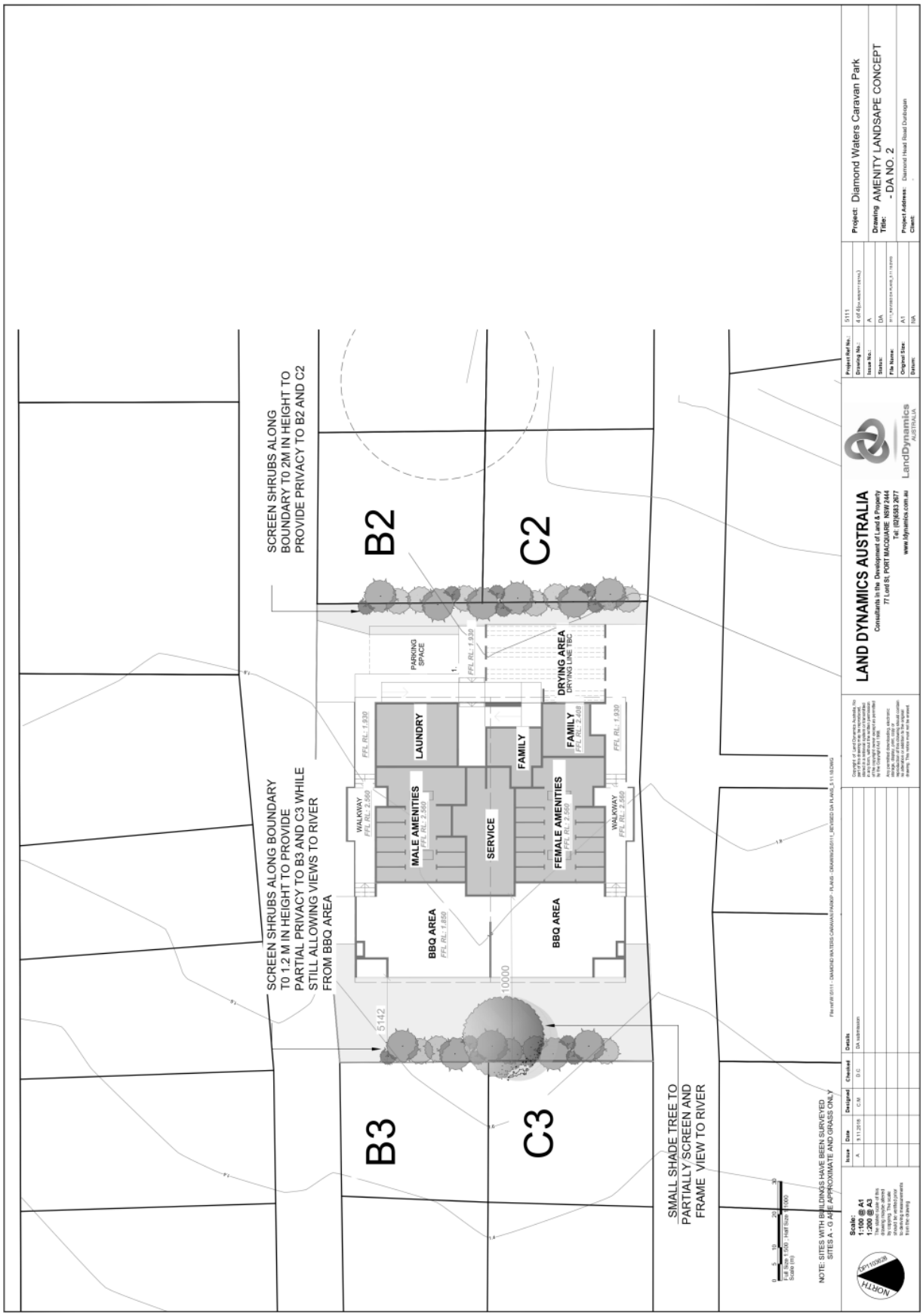
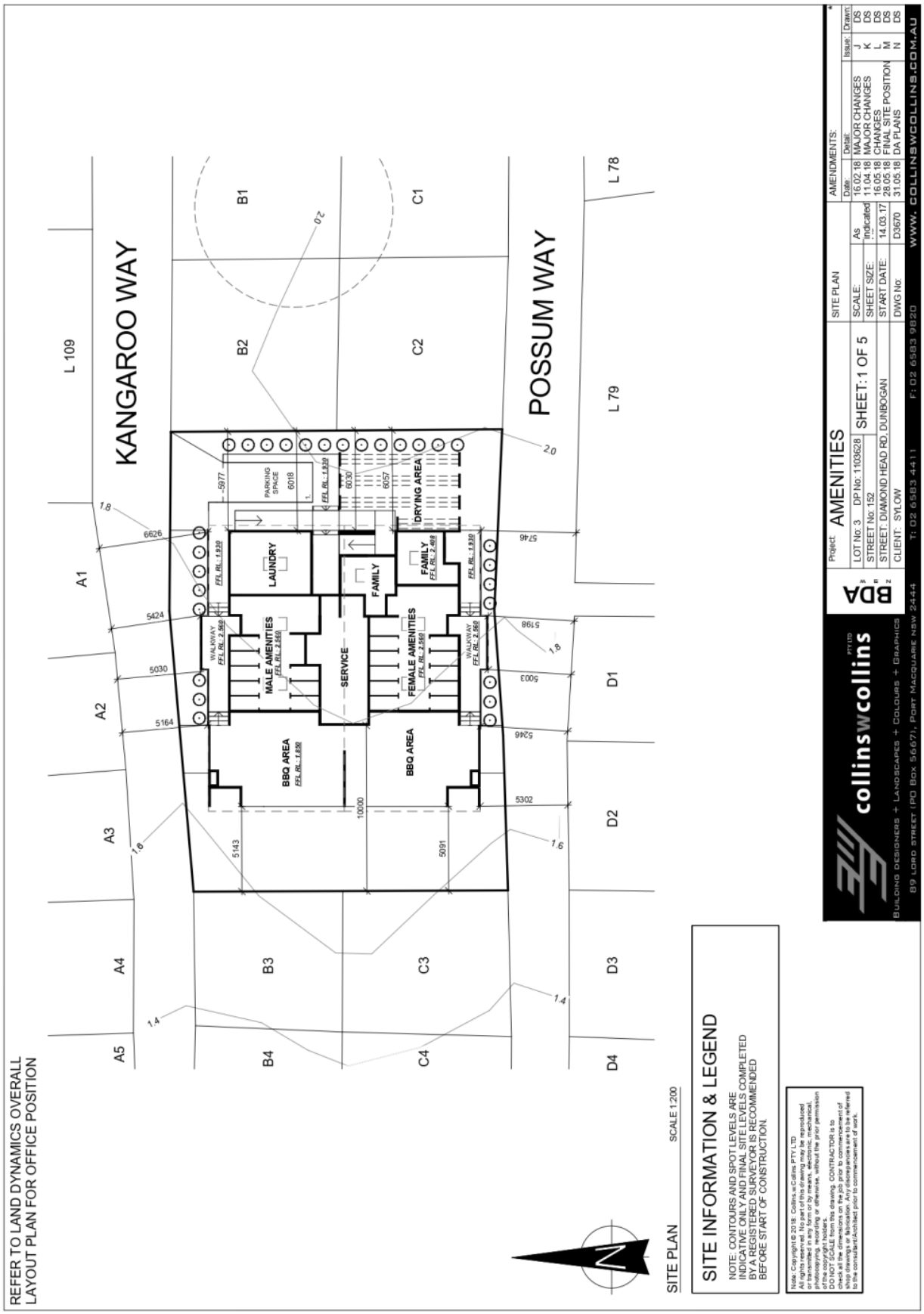

DIAMOND HEAD ROAD
ENTRY/ EXIT
PARKING
1 X PARKING
CARETAKER RESIDENCE 4
WORKSHOP
RESIDENCE 3
OFFICE 5
AMENITIES
PRIVATE STORAGE
CAMDEN HAVEN RIVER
These plans have been approved by Port Macquarie-Hastings Council under Section 68 of the Local Government Act, 1993, and are subject to these stamped plans and conditions of approval.
Approval No: 27.2008.24 Date: 9 APRIL 2018
LAND DYNAMICS AUSTRALIA
Project: Diamond Waters Caravan Park
Drawing Title: COMMUNITY MAP
LONG TERM SITES - 73
SHORT TERM SITES - 43
CAMP SITES - 18
NOTE SITES WITH BUILDINGS HAVE BEEN SURVEYED
SITES A - G ARE APPROXIMATE AND GRASS ONLY


DIAMOND HEAD ROAD
CAMDEN HAVEN RIVER
LEGEND
LONG TERM
EXISTING SITES = 69
EXISTING REVISED SITES = 8
PROPOSED SITES = 5
SHORT TERM
EXISTING SITES = 8
EXISTING REVISED OR RELOCATED SITES = 43
PROPOSED SITE = 1
CAMP SITES
EXISTING SITES = 5
NEW INFRASTRUCTURE
PARKING
DISABLE PARKING = 2
STAFF PARKING = 2
VISITOR PARKING = 11
~1 IN 100YR FLOOD LINE
~1 IN 20 YR FLOOD LINE
NEW AMENITIES; CLOTHES DRYING; CAMP KITCHEN; BBQ
PRIVATE STORAGE
RESIDENCE 3
OFFICE 5
116 WORKSHOP
ENTRY/ EXIT
NOTE: SITES WITH BUILDINGS HAVE BEEN SURVEYED
SITES A - G ARE APPROXIMATE AND GRASS ONLY
LAND DYNAMICS AUSTRALIA
Consultants in the Development of Land & Property
77 Lord St, PORT MACQUARIE NSW 2444
Tel: (02)6583 2677
www.ldynamics.com.au
Project: Diamond Waters Caravan Park
Drawing Title: REVISED LAYOUT PLAN - DA NO. 2
Project Address: Diamond Head Road Dunbogan
Scale: 1:500 @ A1 1:1000 @ A3
NORTH


EXISTING WATER METER
EXISTING SEWER PUMP STATION
PROPOSED AMENITIES HAVE ACCESS TO EXISTING SEWER & PUMP STATION
FIRE HYDRANT TO BE RELOCATED
FORMALISE EXISTING GRAVEL ROADS
FORMALISE EXISTING DRAINAGE AS REQUIRED
EXISTING STORMWATER SWALE
RESIDENCE
OFFICE
PROP SHED
PRIVATE STORAGE
LEGEND
EXISTING SERVICES
Sewer Inspection Cap
Fire Hose - existing
Stop Valve
Sewer Line
Water Main
Water Meter
Water Tap
NOTE: EXISTING SERVICES TO BE EXTENDED OR RELOCATED TO ACCOMODATE NEW AND REVISED SITES.
NOTE: SITES WITH BUILDINGS HAVE BEEN SURVEYED
SITES A - G ARE APPROXIMATE AND GRASS ONLY
LAND DYNAMICS AUSTRALIA
Consultants in the Development of Land & Property
77 Lord St, PORT MACQUARIE NSW 2444
Tel: (02)6583 2677
www.ldynamics.com.au
LandDynamics AUSTRALIA
Project: Diamond Waters Caravan Park
Drawing Title: REVISED LAYOUT PLAN - DA NO. 2
SERVICING PAN
Project Address: Diamond Head Road Dunbogan
Scale: 1:500 @ A1 1:1000 @ A3
NORTH


SCREEN SHRUBS ALONG BOUNDARY T0 2M IN HEIGHT TO PROVIDE PRIVACY TO B2 AND C2
SCREEN SHRUBS ALONG BOUNDARY T0 1.2 M IN HEIGHT TO PROVIDE PARTIAL PRIVACY TO B3 AND C3 WHILE STILL ALLOWING VIEWS TO RIVER FROM BBQ AREA
SMALL SHADE TREE TO PARTIALLY SCREEN AND FRAME VIEW TO RIVER
B2
C2
B3
C3
PARKING SPACE
DRYING AREA
DRYING LINE TBC
LAUNDRY
FAMILY
FAMILY
MALE AMENITIES
SERVICE
FEMALE AMENITIES
WALKWAY
WALKWAY
BBQ AREA
BBQ AREA
10000
5142
NOTE: SITES WITH BUILDINGS HAVE BEEN SURVEYED
SITES A - G ARE APPROXIMATE AND GRASS ONLY
LAND DYNAMICS AUSTRALIA
Consultants in the Development of Land & Property
77 Lord St, PORT MACQUARIE NSW 2444
Tel: (02)6583 2677
www.ldynamics.com.au
LandDynamics AUSTRALIA
Project: Diamond Waters Caravan Park
Drawing Title: AMENITY LANDSAPE CONCEPT - DA NO. 2
Project Address: Diamond Head Road Dunbogan
Scale: 1:100 @ A1 1:200 @ A3
NORTH


REFER TO LAND DYNAMICS OVERALL
LAYOUT PLAN FOR OFFICE POSITION
KANGAROO WAY
POSSUM WAY
L 109
L 78
L 79
A1
A2
A3
A4
A5
B1
B2
B3
B4
C1
C2
C3
C4
D1
D2
D3
D4
PARKING SPACE
DRYING AREA
LAUNDRY
FAMILY
FAMILY
MALE AMENITIES
FEMALE AMENITIES
SERVICE
BBQ AREA
BBQ AREA
WALKWAY
WALKWAY
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.
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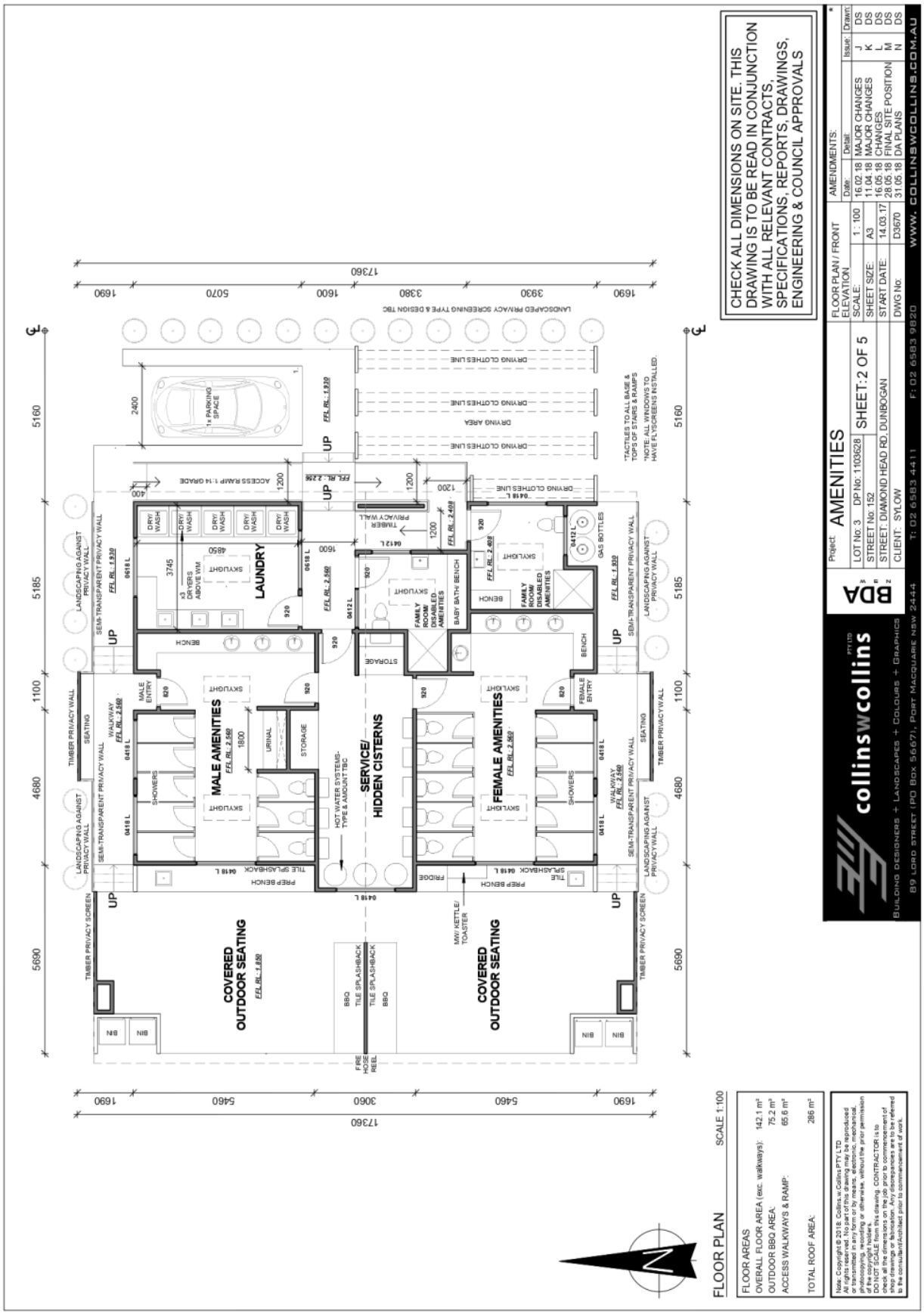
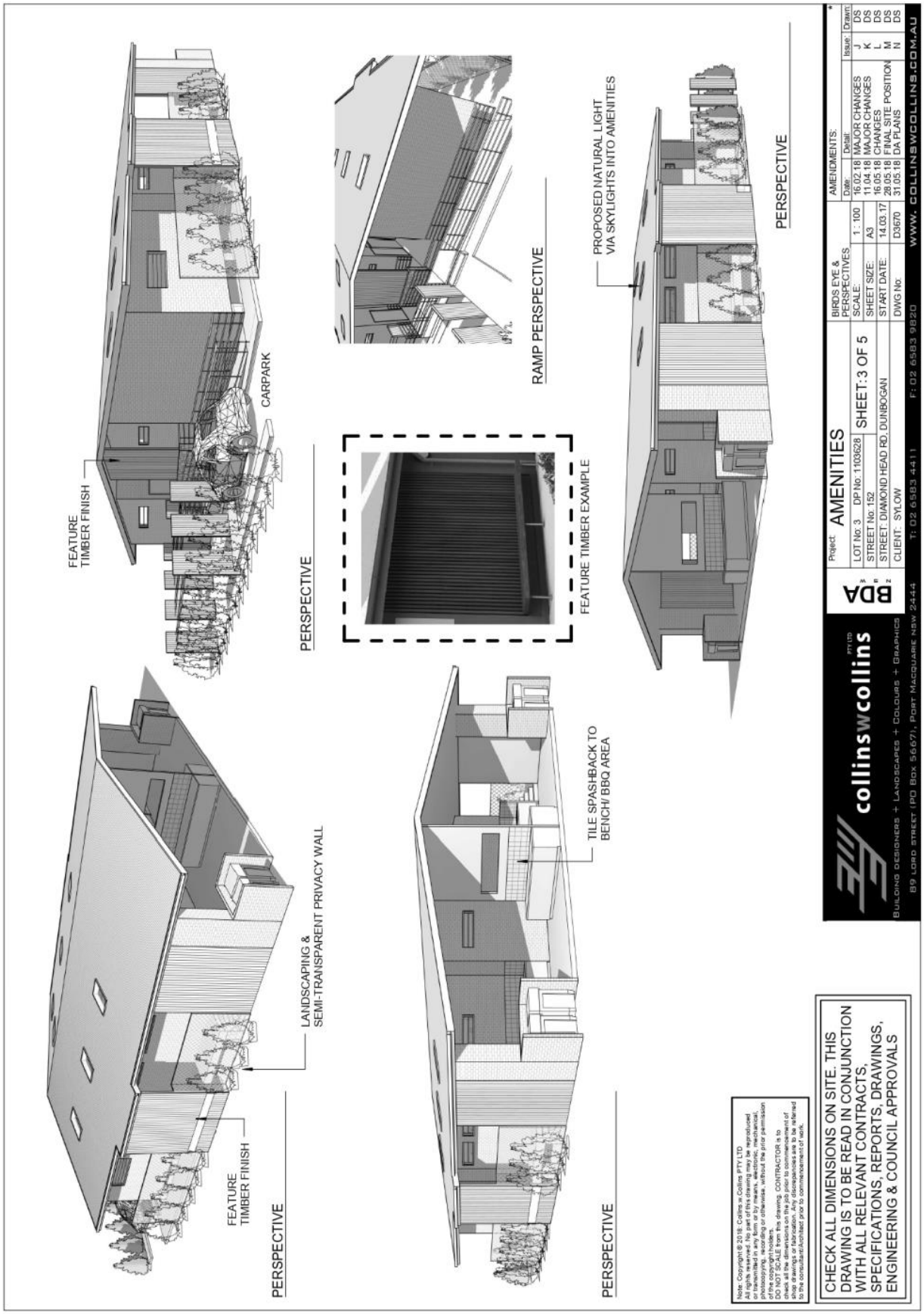
BDA
collinswcollins PTY LTD
BUILDING DESIGNERS + LANDSCAPES + COLOURS + GRAPHICS
89 LORD STREET (PO BOX 5667), PORT MACQUARIE NSW 2444
T: 02 6583 4411 F: 02 6583 9820
WWW. COLLINSWCOLLINS.COM.AU
Project: AMENITIES
LOT No: 3 DP No: 1103628
STREET No: 152
STREET: DIAMOND HEAD RD, DUNBOGAN
CLIENT: SYLOW
SHEET: 1 OF 5
SITE PLAN
SCALE: As indicated
SHEET SIZE:
START DATE: 14.03.17
DWG No: D3670
AMENDMENTS:
Date: Detail: Issue: Drawn:
16.02.18 MAJOR CHANGES J DS
11.04.18 MAJOR CHANGES K DS
16.05.18 CHANGES L DS
28.05.18 FINAL SITE POSITION M DS
31.05.18 DA PLANS N DS


CHECK ALL DIMENSIONS ON SITE. THIS DRAWING IS TO BE READ IN CONJUNCTION WITH ALL RELEVANT CONTRACTS, SPECIFICATIONS, REPORTS, DRAWINGS, ENGINEERING & COUNCIL APPROVALS
Project: AMENITIES
LOT No: 3 DP No: 1103628
STREET No: 152
STREET: DIAMOND HEAD RD, DUNBOGAN
CLIENT: SYLOW
SHEET: 2 OF 5
FLOOR PLAN / FRONT ELEVATION
SCALE: 1 : 100
SHEET SIZE: A3
START DATE: 14.03.17
DWG No: D3670
AMENDMENTS:
Date: Detail: Issue: Drawn:
16.02.18 MAJOR CHANGES J DS
11.04.18 MAJOR CHANGES K DS
16.05.18 CHANGES L DS
28.05.18 FINAL SITE POSITION M DS
31.05.18 DA PLANS N DS
WWW. COLLINSWCOLLINS.COM.AU
BDA
collinswcollins PTY LTD
BUILDING DESIGNERS + LANDSCAPES + COLOURS + GRAPHICS
89 LORD STREET (PO BOX 5667), PORT MACQUARIE NSW 2444
T: 02 6583 4411 F: 02 6583 9820
FLOOR PLAN
SCALE 1:100
FLOOR AREAS
OVERALL FLOOR AREA (exc. walkways): 142.1 m²
OUTDOOR BBQ AREA: 75.2 m²
ACCESS WALKWAYS & RAMP: 65.6 m²
TOTAL ROOF AREA: 286 m²
LAUNDRY
MALE AMENITIES
FEMALE AMENITIES
SERVICE/ HIDDEN CISTERNS
COVERED OUTDOOR SEATING
COVERED OUTDOOR SEATING
LANDSCAPED PRIVACY SCREENING TYPE & DESIGN TBC
TACTILES TO ALL BASE & TOPS OF STAIRS & RAMPS
*NOTE: ALL WINDOWS TO HAVE FLYSCREENS INSTALLED.
1x PARKING SPACE
ACCESS RAMP 1:14 GRADE
DRYING CLOTHES LINE
DRYING AREA
TIMBER PRIVACY WALL
SEMI-TRANSPARENT PRIVACY WALL
LANDSCAPING AGAINST PRIVACY WALL
TIMBER PRIVACY SCREEN
SEATING
WALKWAY
BENCH
SKYLIGHT
STORAGE
URINAL
SHOWERS
PREP BENCH
TILE SPLASHBACK
FRIDGE
MW/ KETTLE/ TOASTER
BIN
BBQ
FIRE HOSE REEL
FAMILY ROOM/ DISABLED AMENITIES
BABY BATH/ BENCH
GAS BOTTLES
DRY/ WASH
3745
4850
1800
1200
2400
1690
5070
1600
3380
3930
5460
3060
17360
5160
5185
1100
4680
5690


FEATURE TIMBER FINISH
CARPARK
PERSPECTIVE
RAMP PERSPECTIVE
FEATURE TIMBER EXAMPLE
PROPOSED NATURAL LIGHT VIA SKYLIGHTS INTO AMENITIES
PERSPECTIVE
LANDSCAPING & SEMI-TRANSPARENT PRIVACY WALL
FEATURE TIMBER FINISH
PERSPECTIVE
TILE SPASHBACK TO BENCH/ BBQ AREA
PERSPECTIVE
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CHECK ALL DIMENSIONS ON SITE. THIS DRAWING IS TO BE READ IN CONJUNCTION WITH ALL RELEVANT CONTRACTS, SPECIFICATIONS, REPORTS, DRAWINGS, ENGINEERING & COUNCIL APPROVALS
BDA
Project: AMENITIES
LOT No: 3 DP No: 1103628
STREET No: 152
STREET: DIAMOND HEAD RD, DUNBOGAN
CLIENT: SYLOW
SHEET:3 OF 5
BIRD'S EYE & PERSPECTIVES
SCALE: 1 : 100
SHEET SIZE: A3
START DATE: 14.03.17
DWG No: D3670
AMENDMENTS:
Date: Detail: Issue: Drawn:
16.02.18 MAJOR CHANGES J DS
11.04.18 MAJOR CHANGES K DS
16.05.18 CHANGES L DS
28.05.18 FINAL SITE POSITION M DS
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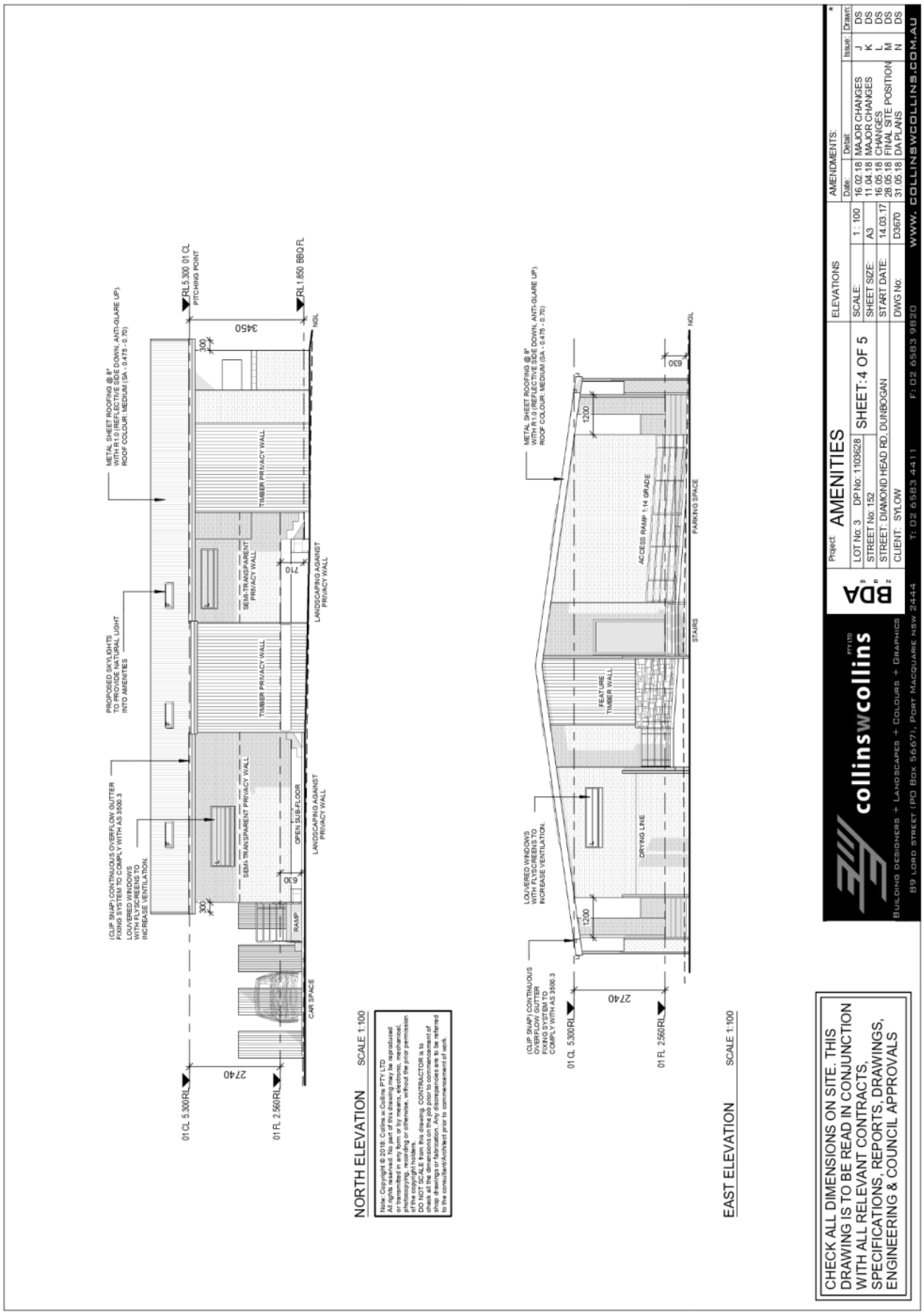
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EAST ELEVATION SCALE 1:100
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Project: AMENITIES
LOT No: 3 DP No: 1103628
STREET No: 152
STREET: DIAMOND HEAD RD, DUNBOGAN
CLIENT: SYLOW
SHEET: 4 OF 5
ELEVATIONS
SCALE: 1 : 100
SHEET SIZE: A3
START DATE: 14.03.17
DWG No: D3670
AMENDMENTS:
Date: Detail: Issue: Drawn:
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(CLIP SNAP) CONTINUOUS OVERFLOW GUTTER FIXING SYSTEM TO COMPLY WITH AS 3500.3
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RL 5.300 01 CL PITCHING POINT
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OPEN SUB-FLOOR
RAMP
CAR SPACE
ACCESS RAMP 1:14 GRADE
PARKING SPACE
STAIRS
FEATURE TIMBER WALL
DRYING LINE
1200
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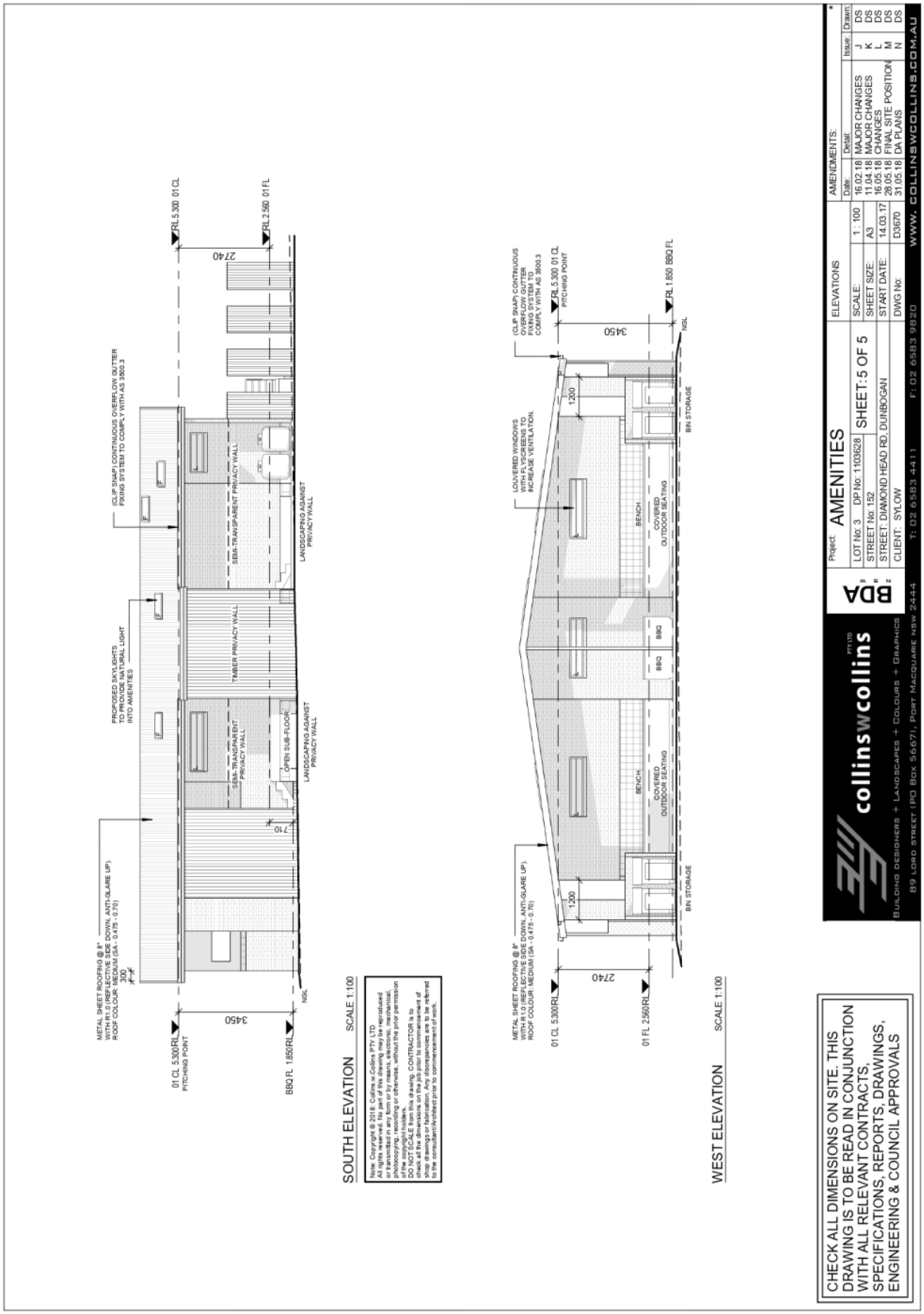
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LOT No: 3 DP No: 1103628
STREET No: 152
STREET: DIAMOND HEAD RD, DUNBOGAN
CLIENT: SYLOW
SHEET: 5 OF 5
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SCALE: 1 : 100
SHEET SIZE: A3
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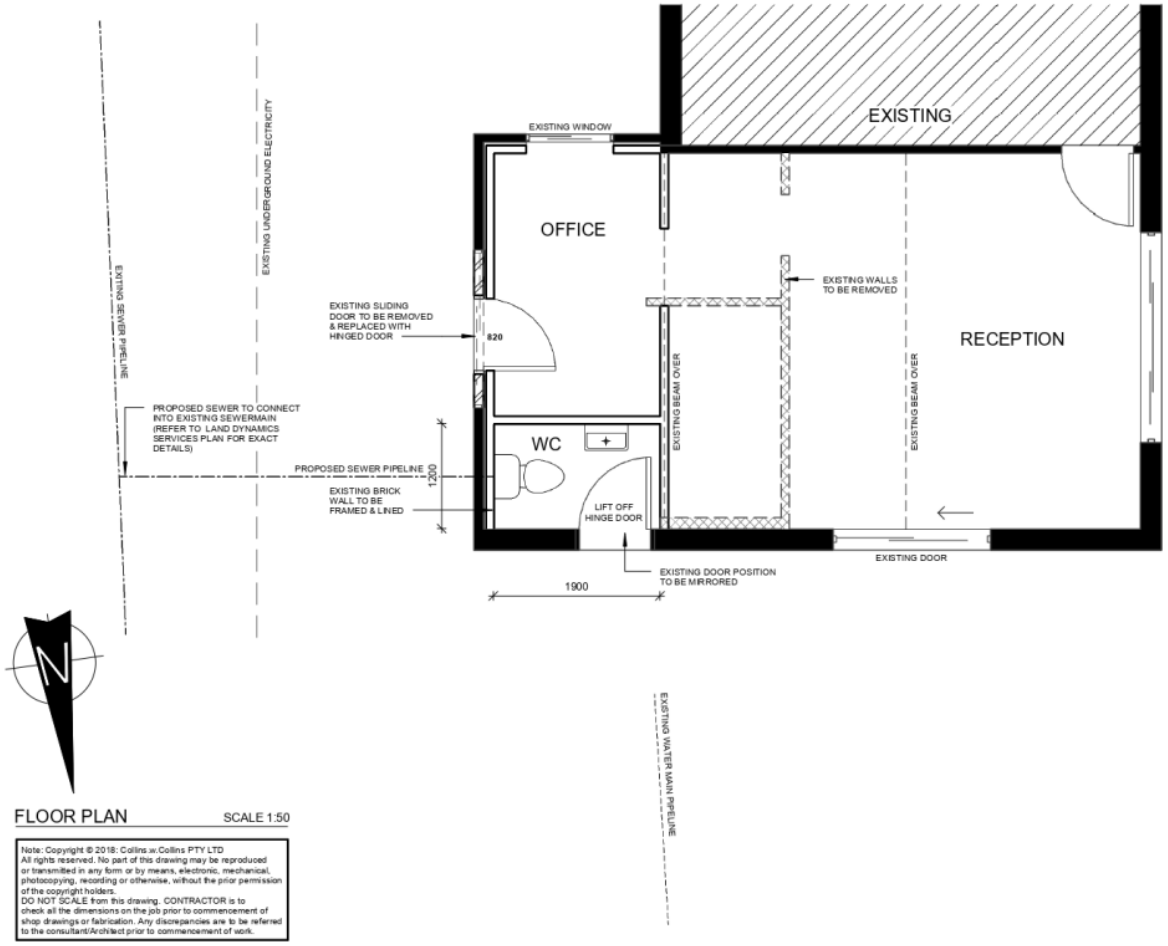
LAYOUT PLAN FOR OFFICE POSITION



FLOOR PLAN SCALE 1:50

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FLOOR AREAS
EXISTING OFFICE + RECEPTION FLOOR AREA: 35.9 m²

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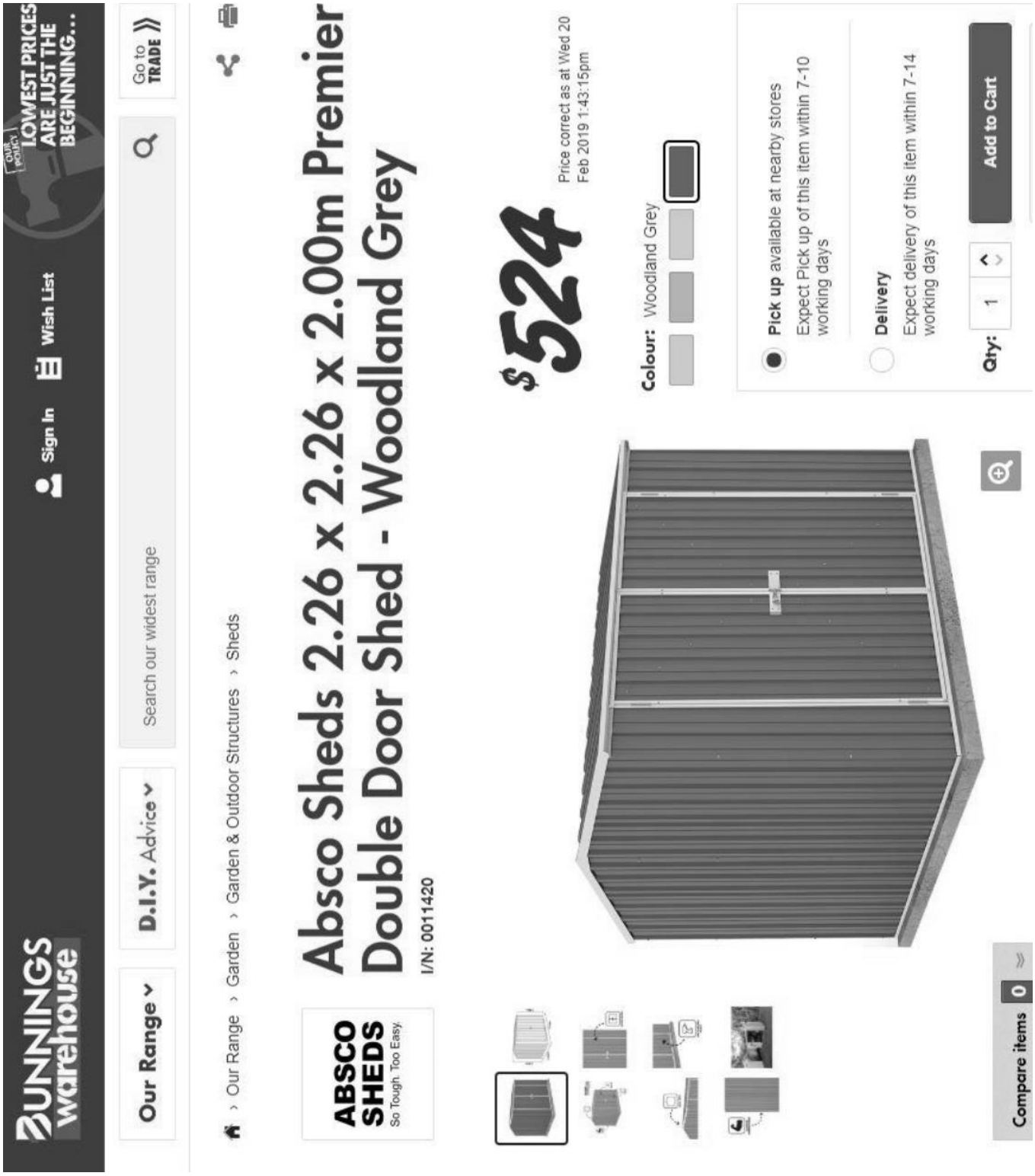
Project: OFFICE WC		FLOOR PLAN	
LOT No: 3 DP No: 1103628	SHEET: 1 OF 1	SCALE:	As indicated
STREET No: 152		SHEET SIZE:	A3
STREET: DIAMOND HEAD ROAD, DUNBOGAN		START DATE:	14.03.17
CLIENT: SYLOW		DWG No:	D3670

AMENDMENTS: *

Date:	Detail:	Issue:	Drawn:
19.07.17	INITIAL ISSUE	A	DS
31.05.18	DA ISSUE	B	DS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Delivery
Expect delivery of this item within 7-14 working days
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Developer Charges - Estimate

PORT MACQUARIE HASTINGS

Applicants Name: Land Dynamics Australia
Property Address: 152 Diamond Head Road, Dunbogan
Lot & Dp: Lot(s):3,DP(s):1103628
Development: Alterations & Additions to Caravan Park

(Note: The contributions in this Notice of Payment are based on four (4) of the sites being occupied by 2 bedroom homes and one (1) site being used as a short term caravan site. Exact contributions to be determined at the installation stage based on bedrooms and/or use of the site).
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	1.95	$10,322.00	Per ET	$20,127.90
2	Sewerage Scheme Camden Haven	2.35	$3,916.00	Per ET	$9,202.60
3	Since 1.7.04 - Major Roads - Camden Haven - Per ET	2.13	$8,558.00	Per ET	$18,228.50
4	Since 31.7.18 - Open Space - Camden Haven - Per ET	2.13	$6,081.00	Per ET	$12,952.50
5	Commenced 3 April 2006 - Com, Cul and Em Services CP - Camden Haven	2.13	$4,507.00	Per ET	$9,599.90
6	Com 1.3.07 - Administration Building - All areas	2.13	$921.00	Per ET	$1,961.70
7	N/A				
8	N/A				
9	N/A				
10	N/A				
11	N/A				
12	Bushfire Additional	2.13	$511.00	Per ET	$1,088.40
13	N/A				
14	N/A				
15	Admin General Levy - Applicable to Consents approved after 11/2/03	2.2% S94 Contribution			$964.20
16					
17					
18					
	Total Amount of Estimate (Not for Payment Purposes)				**$74,125.70**

Not for Payment Purposes

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: **3-Jul-2020**

Estimate Prepared By Chris Gardiner

This is an ESTIMATE ONLY - NOT for Payment Purposes

ıamics Australia, 152 Diamond Head Road, Dunbogan, 3-Jul-2020.xls

PORT MACQUARIE-HASTINGS COUNCIL

Biodiversity AUSTRALIA

Koala Plan of Management:

Project:

Proposed Upgrades to Diamond Waters Caravan Park

Client:

Diamond Waters Caravan Park
C/- Land Dynamics

June 2019

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Document Status

Version	Purpose	Author	Reviewed By	Approved By	Date
Rev 1.0	Draft	Leonie Stevenson	Will Steggall	Will Steggall	08/01/2019
Rev 2.0	Final	Leonie Stevenson	Will Steggall	Will Steggall	08/01/2019
Rev 3.0	Final	Leonie Stevenson	Will Steggall	Will Steggall	04/06/2019

Document Control

Copy No.	Date	Type/Via	Issued to	Name	Purpose
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2	08/01/2019	Electronic/ Email	Biodiversity Australia	Chantal Sargeant	File Copy
3	08/01/2019	Electronic/ Email	Land Dynamics	Claire Mathieson	Client Copy
4	08/01/2019	Electronic/ Email	Biodiversity Australia	Chantal Sargeant	File Copy
5	04/06/2019	Electronic/ Email	Land Dynamics	Claire Mathieson	Client Copy
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Project Number: EC3266

Our Document Reference: EC3266-BEC-REP-DiamondWatersKPoM-rev3.0

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1.0 Introduction

Biodiversity Australia Pty was engaged by Land Dynamics to prepare a Koala Plan of Management for proposed upgrades to Diamond Waters Caravan Park, Diamond Head Road, Dunbogan.

Ecological assessment undertaken by Naturecall (2016) and more recent investigations found that the site is part of a wider area of Core Koala Habitat used regularly by a population of Koalas. Consequently, a Koala Plan of Management (KPoM) is required to accompany the Development Application (DA).

2.0 Background Information

2.1. Key Definitions

The site and property is defined as Lot 3 DP 1103628 Diamond Head Road, Dunbogan, which is 3.2ha in area. The study area is land within 100m of the site, and the locality is land within a 10km radius of the site.

2.2. Site Location and Adjoining Landuses

The site is comprised is comprised of a 3.21 ha lot that is currently run as a Caravan Park. It is located on Diamond Head Road approximately 2.3 km south of Laurieton (Figure 1).

The Camden Haven River forms the western boundary of the site and Diamond Head Road occurs along the eastern boundary. The northern extent of Crowdy Bay National Park occurs 600 m to the south of the site and the Dunbogan Beach occurs 800 m to the east.

2.3. Proposed Development

The proposed development is for the construction of a new amenities building and minor changes to the existing caravan park layout. These changes include additional car parking spaces in the existing car park; additional long term sites and improvements of the existing office (Figure 2). These minor works will improve functionality of the park and improve on the existing amenities for occupants and visitors.

The proposed works require the removal of a small amount of native vegetation which falls within the footprint of the new amenities building.

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Figure 1: Property location and extent

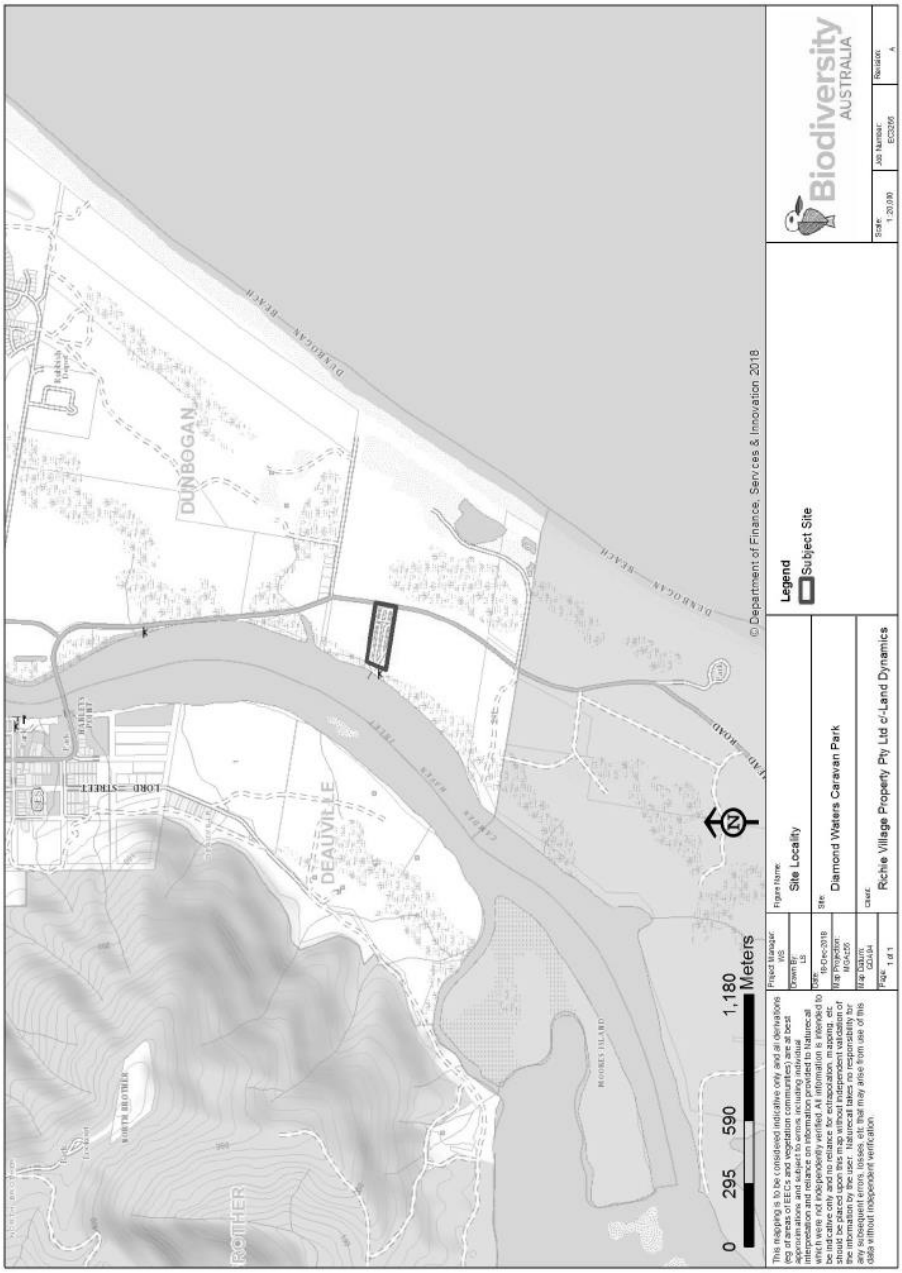

Figure 2: Development plan (Source: Land Dynamics 2018)

3.0 KPoM Objectives and Performance Criteria

3.1. Objectives

The principle objective of this Koala Plan of Management is to ensure the study area retains its ability to support a Koala population and to maintain the carrying capacity and linkages within the broader Core Koala Habitat.

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

- To maintain the viability of the current Koala population which occurs in the local area via:
  - Retaining the majority of existing mature Koala food trees, and current activity areas
  - No net loss of Koala habitat
  - Maintaining linkages with other habitat known to be required by the local Koala population; and,
- To effectively minimise the proposal's contributions to threats facing the Koala.

3.2. Performance Criteria

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

- Retention of the site's local linkage and landscape linkage values.
- 2:1 replacement of KFTs removed for the proposal
- Nil Koala deaths or injury as a result of the development.
- No increase in disease incidence.
- No unmitigated increase in threats to Koalas within the study area.

3.3. Guidelines for Individual KPoMs

The SEPP 44 B35 Circular (Department of Urban Affairs and Planning 1995) provides guidelines for the preparation of individual Koala Plans of Management (KPoMs). These are shown in Table 1 below along with the section in which they are addressed in the KPoM.

Table 1: SEPP 44 KPoM guidelines

Number	Criteria	Section Addressed
1	An estimate of population size	Section 5.4.1
2	Identification of preferred tree species for the locality and extent of resource available	Section 5.4.2

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Number	Criteria	Section Addressed
3	An assessment of the regional distribution of Koalas and the extent of alternative habitat available to compensate for that to be affected by the actions	Section 5.4.3
4	Identification of linkages of Core Koala Habitat to other adjacent areas of habitat and movement of Kolas between areas of habitat. Provision of strategies to enhance and manage these corridors	Section 5.4.3 Section 7.1
5	Identification of major threatening processes such as disease, clearance of habitat, road kill and dog attack which impact on the population. Provision of methods for reducing these impacts	Section 6 & 7
6	Provision of detailed proposals for amelioration of impacts on Koala populations from any anticipated development within zones of Core Koala Habitat	Section 7
7	Identification of any opportunities to increase size or improve condition of existing core habitat, this should include lands adjacent to areas of identified Core Koala Habitat	Section 7
8	The plan should state clearly what it aims to achieve (for example, maintaining or expanding the current population size or habitat area)	Section 3
9	The plan should state criteria against which achievement of these objectives is to be measured (for example, a specified population size or specific time frame or the abatement of threats to the population)	Section 3
10	The plan should also have provisions for continuing monitoring, review and reporting. This should include an identification or who will undertake further work and how it will be funded.	Section 8

4.0 State and Federal Koala Policies

4.1. SEPP No. 44 - Koala Habitat Protection

State Environmental Planning Policy no. 44 – Koala Habitat Protection (SEPP 44) is a planning policy that "*aims to encourage the proper conservation and management of areas of natural vegetation that provide habitat for Koalas to ensure a permanent free-living population over their present range and reverse the current trend of Koala population decline*".

SEPP 44 requires the identification of Potential and Core Koala Habitat on development sites and planning areas, and the preparation of a Koala Plan of Management (KPOM) if Core Koala Habitat is found.

SEPP 44 also allows local governments to prepare LGA wide Koala management plans referred to as Comprehensive Koala Plans of Management (CKPoM). Coastal LGA's that have implemented CKPoMs include Kempsey, Coffs Harbour, Port Stephens and Lismore. No approved CKPoM has been prepared for the Port Macquarie-Hastings LGA to date, however a large Koala population study has recently been undertaken by Biolink (2013).

4.2. National Koala Conservation Strategy 1998

This was prepared in 1998 by the Australian and New Zealand Environment and Conservation Council (ANZECC) and subsequently signed by the Commonwealth, States and Territories. The primary aim of the strategy was "*to conserve Koalas by retaining viable populations in the wild throughout their natural range*".

The strategy sets out the following six objectives to achieve this primary aim:

- To conserve Koalas in their existing habitat
- To rehabilitate and restore Koala habitat and populations
- To develop a better understanding of the conservation biology of Koalas
- To ensure that the community has access to factual information about the distribution, conservation and management of Koalas at a national, state and local scale
- To manage captive, sick or injured Koalas and orphaned wild Koalas to ensure consistent and high standards of care
- To manage over-browsing to effectively prevent both Koala starvation and ecosystem damage in discrete patches of habitat

A 10 year review of the strategy was undertaken by Parsons Brinckerhoff in 2008 (Predavec 2008). This found that the strategy had been poorly implemented and coordinated overall and had achieved few positive outcomes. The review also stated that significant declines in Koala populations and habitat in Queensland, New South Wales and Victoria had occurred since the strategy was implemented and the main threatening processes continued to operate.

4.3. National Koala Conservation and Management Strategy 2009-2014

This was prepared by the Natural Resource Management Ministerial Council to supersede the 1998 National Koala Strategy, and was effective from December 2009 with a review scheduled in 2014. It addressed shortcomings of the 1998 strategy by including a detailed implementation plan and setting up an implementation team to coordinate the identified actions which were linked to outputs, prioritised, and a time-frame.

The plan also aimed to strengthen partnerships between government, stakeholders and the community and effectively engage the community in Koala conservation.

4.4. NSW Koala Recovery Plan 2008

A NSW Recovery Plan for the Koala was prepared by the then Department of Environment and Climate Change (DECC) in 2008. The overall objective of the plan is "*to reverse the decline of the Koala in New South Wales, to ensure adequate protection, management and restoration of Koala habitat, and to maintain healthy breeding populations of Koalas throughout their current range.*"

The plan adopted the specific objectives of the National Koala Conservation Strategy (ANZECC 1998) to achieve broader conservation outcomes. A number of specific recovery actions and performance criteria were formulated to implement the objectives.

4.5. Biodiversity Conservation Act 2016

The *Biodiversity Conservation Act 2016* (BC Act) is a key piece of NSW State legislation that relates to the conservation of threatened species, populations and ecological communities and promotion of ecologically sustainable development. Provision is made under the Act for the preparation of recovery plans, threat abatement plans and mapping of critical habitat.

An assessment under the provisions of Act is required if a development or activity is likely to impact identified threatened species, populations or ecological communities. Assessment is also required if a development requires clearing of native vegetation over a certain threshold or affects an area mapped on the Biodiversity Values Map.

The Koala is listed as Vulnerable under the BC Act.

4.6. Environmental Protection and Biodiversity Conservation Act 1999

The *Environment Protection and Biodiversity Conservation Act 1999* (EPBC Act) is the Federal Government's primary environmental legislative instrument. This act necessitates approval for any action that will have a Significant Impact on Matters of National Environmental Significance (MNES). MNES recognised under the EPBC Act, that act as a trigger for the Commonwealth assessment and approval process include;

- World Heritage properties;
- National Heritage Places;
- RAMSAR wetlands of international significance;
- Threatened species and ecological communities;
- Migratory species;
- Nuclear actions, including uranium mining;
- The Commonwealth marine environment;
- A water resource, in relation to coal seam gas development and large coal mining development

The Koala was listed as Vulnerable under the EPBC Act in April 2012. This listing covered the most at-risk Koala populations in Queensland, NSW and the ACT. As a result, any actions that are likely to have a significant impact on the Koala in these states must be referred to the Minister who will decide whether an assessment is required under the EPBC Act (DotE 2014).

5.0 Koala Habitat and Population Characteristics

5.1. Site Vegetation Communities

Field survey confirmed that the PMHC vegetation mapping layer (Biolink 2013) (Figure 3) is accurate within the subject site. This mapping shows that Swamp Sclerophyll Forest occurs in the west of the site with a small patch of coastal saltmarsh in the northwest. Coastal Dune Forest dominated by Blackbutt occurs to the north and south of the site.

The following table provides a summary of the site vegetation community types and area, and the corresponding Koala habitat category.

Table 2: Summary of site vegetation communities

Vegetation Community	PMHC Code	Formation	PMHC Koala Habitat Category	Area on site (ha)
Blackbutt Coastal Dune Heathy Woodland/Forest	31	Dry Sclerophyll Forest	Secondary (B)	0.032
Broad-leaved Paperbark – Swamp Mahogany Swamp Forest	63	Forested Wetland	Primary	0.674

5.2. Koala Habitat

As shown in Figure 4, the majority of the vegetation on site is mapped as Primary Koala habitat (Biolink 2013b). This is habitat where primary food species are the dominant canopy tree species. The remaining small patch of vegetation in the south-east of the site is mapped as Secondary (B) Koala habitat (Biolink 2013b). This is habitat where primary food species are absent and the habitat contains secondary and/or supplementary species only.

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Figure 3. Vegetation communities within the KPoM area (PMHC LGA mapping)

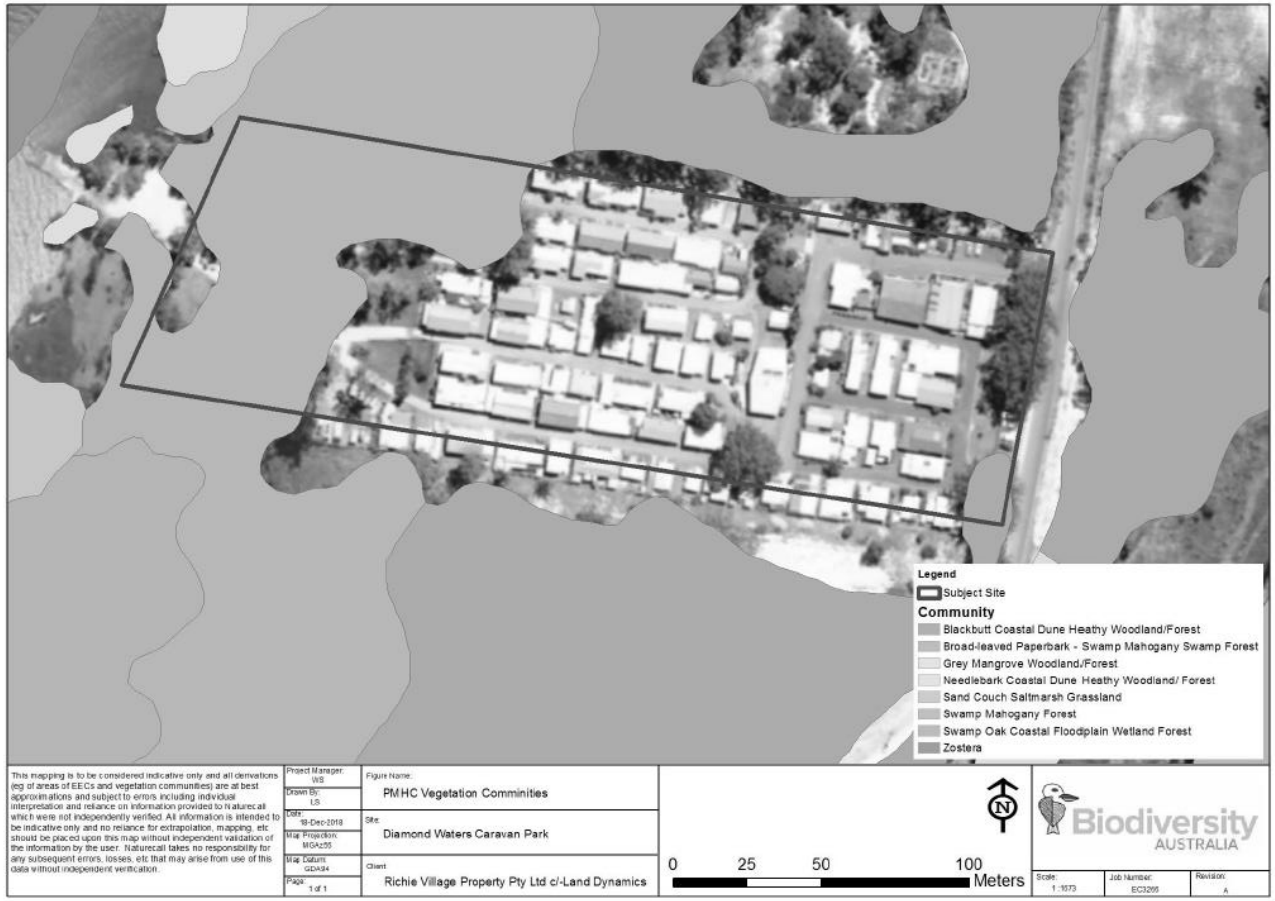

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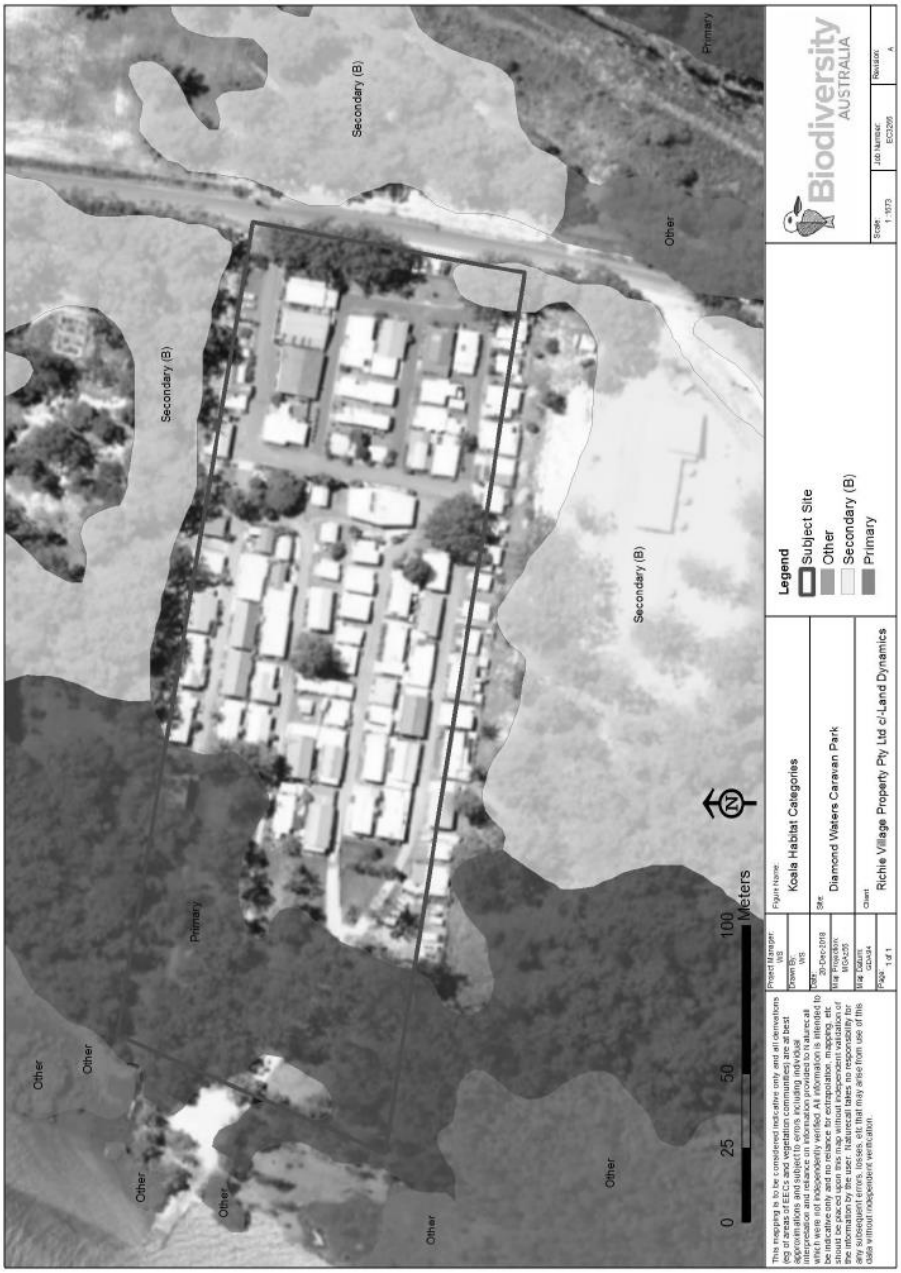
Figure 4: Koala habitat mapping



5.3. SEPP 44 Koala Habitat Assessment

5.3.1. Potential Koala Habitat Assessment

The identification of an area of land as Potential Koala habitat is determined by the presence of Primary Preferred Koala Browse tree species. These species are listed under Schedule 2 of SEPP 44: *Koala Habitat Protection* (DoP 1995).

Potential Koala Habitat is defined as areas where the tree species listed under Schedule 2 constitute at least 15% of the total number of trees in the upper or lower strata of the tree component. Primary preferred food species occurring in the Local Government Area (LGA) are: Tallowwood (*E. microcorys*), Scribbly Gum (*E. signata*), Grey Gum (*E. punctata*), Swamp Mahogany (*E. robusta*) and Forest Red Gum (*E. tereticornis*).

An area of land to which the policy applies, must be at least 1ha (and may include adjoining land in the same ownership). According to a Land and Environment Court ruling (*St Ives Bus Services v. Ku-Ring-Gai Council 1995 NSW LEC 189*), it may also refer to a minimum of 1ha of habitat within a larger property containing sufficient Schedule 2 species to qualify as Potential Koala Habitat.

There are two Schedule 2 browse species present on site which comprise Swamp Mahogany and Tallowwood.

A Koala Habitat Assessment undertaken in 2016 over the site determined that Schedule 2 species (mainly Swamp Mahogany) were locally common within the west of the site, resulting in Schedule 2 species constituting >15% canopy cover over at least 1ha in area. The site thus considered to contain Potential Koala Habitat.

Additionally Biolink (2013b) also classified the site in terms of Koala habitat, with 0.6ha of the site being classed as Primary Koala habitat with a small 0.03 ha area containing Secondary (B) Koala habitat.

5.3.2. Core Koala Habitat Assessment Results

5.3.2.1. 2016 Survey

No Koalas were observed or detected indirectly on site during field inspections, however Koala scats were located under 12 trees in the west of the site. Communication with caravan park residents indicated that the site is used regularly by Koalas.

5.3.2.2. 2018 Survey

Two SAT surveys were undertaken in the west of the site in December 2018.

The SAT surveys consisted of checking the ground and leaf litter in a 2m radius around 30 trees tree for a period of two minutes per tree or until a scat was found. This technique is recognised as a very efficient method of detecting Koala presence, and in some instances, is a method used to identify areas of major Koala activity/significance e.g. Core Koala Habitat (Phillips and Callahan 1995; Jurskis and Potter 1997).

Both SAT surveys did not record any Koala scats. A resident did however report a Koala sighting from the caravan park approximately 2 weeks prior.

5.3.3. Conclusion

The 2016 assessment recorded high Koala activity. While no Koala scats were recorded during the 2018 survey, it is evident that Koalas still use the site habitat through reports of caravan park residents. Adjoining land to the north of the site has also been demonstrated to support Core Koala Habitat. It is therefore considered that the site forms part of a larger area of Core Koala Habitat and a Koala Plan of Management is required to accompany the development application.

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Figure 5: Extent of Core Koala Habitat on the subject site

5.4. Characteristics of the Core Koala Habitat

5.4.1. Estimate of Population Size

Given recent survey results and scarcity of nearby records in Bionet, it is expected that the local Koala population is low-density. The local population that would use habitat on the site is likely to consist of at least 3 Koalas constituting at least one dominant male and a mature female (and potentially their offspring), which would utilise the site as part of a larger area of habitat.

5.4.2. Preferred Tree Species

From a collation of previous landscape-based Koala food tree research and data collected the coastal LGA study, Biolink (2013c) determined that the following are the primary preferred Koala browse species in the PMHC LGA, depending on soil landscape:

Table 3: PMHC LGA primary preferred Koala food trees per soil landscape

Transferral, Alluvial, Swamp and Thrumster Residual (TASTr) Soil Landscapes: Medium to High Fertility	Erosional, other Residuals, Colluvial, Beach and Aeolian (ERCBA) Soil Landscapes: Low to Medium Fertility
Tallowwood (*E. microcorys*)	*Tallowwood (*E. microcorys*)
Swamp Mahogany (*E. robusta*)	Swamp Mahogany (*E. robusta*)
Grey Gum (*E. propinqua*)	
Forest Red Gum (*Eucalyptus tereticornis*)	

* Tallowwood use appears to be size dependent on low to medium soil landscapes (Biolink 2013b).

Tallowwood and Swamp Mahogany are likely to be preferred food tree species on the property.

5.4.3. Koala Populations, Site Context and Linkages

Regional and Local Government Area Distribution of Koalas

(i) *Regional Distribution of Koalas*

Koala numbers have declined throughout most of their previous range in NSW, with the main occurrences being in the northeast of the state (DECC 2008). Most coastal populations now persist in fragmented and isolated areas of habitat (predominantly secondary class A with some localised primary areas supporting high density populations), with extensive areas of potential habitat appearing to be devoid of Koalas (DECC 2008). In contrast, some well-known western populations appear to be increasing. The difference is considered to primarily be due to increasing development pressure eg from agriculture and urban expansion in the coastal region (DECC 2008, AKF 2014, 2007).

In the north coast and mid-north coast regions, areas with large numbers of records are restricted to localities such as Ballina, Port Stephens, Port Macquarie, Coffs Harbour, Tweed and Lismore (Connell Wagner 2000b, Lunney *et al* 1999, Port Stephens Council 2001, DECC 2008, AKF 2008, 2007). The Koala Recovery Plan (DECC 2008) notes that in addition to these major population centres are numerous small populations many of which are disjunct to urban and rural development, as well as natural barriers (DECC 2008).

(ii) *Distribution and Abundance of Koalas in the PMHC LGA*:

The coastal sector of the Hastings Local Government Area (LGA) is well known to contain a viable Koala population in varying densities, generally within the following major areas (Biolink 2013, Connell Wagner 2000a, 2000b, Starr 1990, Biolink 2003, 2005a, 2005a, 2005c, 2008, 2013, AMBS 2003, Biosis 2004, Kendall 1993, 1991, Mt King Ecological Surveys 1993, OEH 2017a):

- Port Macquarie urban area
- Lake Cathie Plains to Lakes Innes/Thrumster area (approaching Sancrox)
- Lake Innes Nature Reserve/Kooloonbung Creek Nature Reserve and adjoining private lands
- Lake Cathie area
- Dunbogan Peninsula
- Point Plomer area

A number of other well-known smaller population centres also occur in scattered occurrences eg Broken Bago State Forest, Telegraph Point, North Brother, Bonny Hills, North Shore and Huntington area (OEH 2018a, Biolink 2013).

Biolink (2013b) in their major study estimated a population of approximately 2000 Koalas in the coastal LGA, occupying an Area of Occupancy of only 24% of available habitat.

(iii) *Local Populations*:

The Dunbogan area and Crowdy Bay National Park are known to contain a viable Koala populations (Darkheart 2007, Biolink 2013). Other known Koala populations in the locality are located in the Bonny Hills area and West Haven, however are of little relevance to the site due to their distance and/or the presence of physical barriers such as the Camden Haven River between these records and the site.

Local areas of Koala habitat of relevance to the site are located in the general Dunbogan area (eg near the Dunbogan Tip) and along a strip of land between the Camden Haven River and Dunbogan Beach down to Crowdy Head National Park.

Linkages

Refer to Figure 6 for the following:

(i) *Regional*:

An OEH modelled regional corridor is mapped over part of the property. This corridor extends to the north and south of the site along a strip of land located between the Camden Haven River and the Pacific Ocean.

(ii) *Local*:

The forested areas in the west of the site have direct connectivity to adjoining forest to the north and south. This forms part of a larger local habitat linkage between Diamond Head Road and the Camden Haven River. To the south, it connects to extensive areas of habitat contained within Crowdy Bay National Park. The adjoining property to the north contains largely intact habitat, however north of here, habitat is fragmented by Diamond Head Road

The lack of impassable physical barriers across the west of the site mean the site's vegetation would provide good connectivity for the Koala.

5.4.4. Database Searches

Database Records

The Bionet Atlas (OEH 2018a) shows 479 records of Koalas within 10km of the site. Of these, 104 records occur within 5km, but only 12 within 2km. The nearest record lies 750m to the north with another occurring 1km to the northeast. Another two records occur 1.6km to the south. No records occur within the site or study area itself.

Large clusters of records occur in Dunbogan and North Haven to the north and the Diamond Head/Indian Head area to the south which correspond to known populations in these areas (Figure 7). As seen in Figure 7, most of the nearby records are >10 years old.

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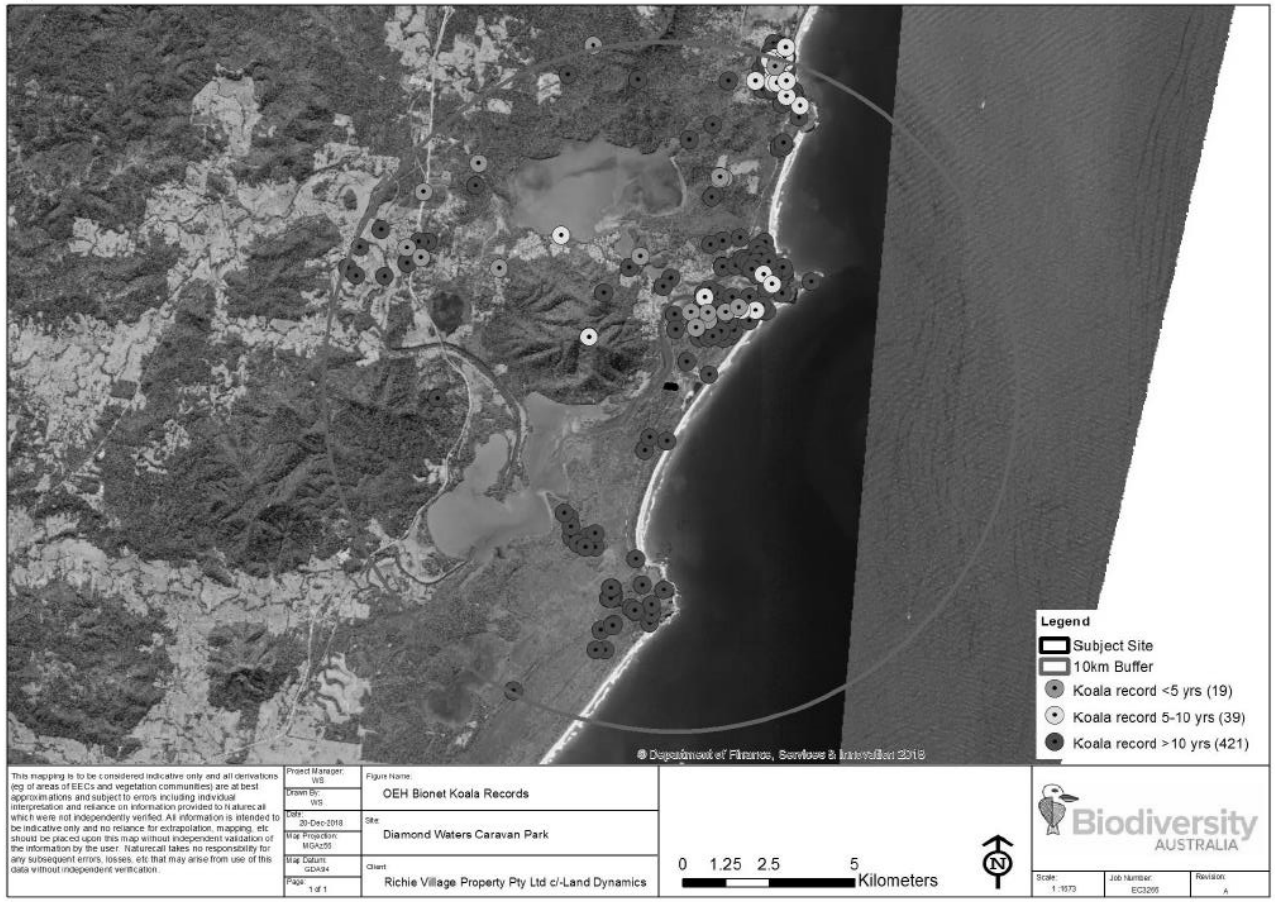
Figure 6. Local and regional corridors

Figure 7. Koala Records
(Source: OEH 2017a)



6.0 Threat Assessment

6.1. Current Threats

Development of Koala habitat is generally associated with the following impacts/threats (Connell Wagner 2000a, 2000b, Wilkes and Snowden 1998, Biolink 2013b, 2003, 2005a, 2005b, 2005c, 2008, Dr Stephen Phillips pers. comm., Lunney *et al* 1999, Port Stephens Council 2001, AKF 2007, 2000, State Forests 2000, DECC 2008). In context of the anticipated development, these are first identified, and then the ameliorative measures/recommendations to address this threat/impact are described in this section.

Identified threatening processes are:

- Loss of forage trees/habitat
- Injury during vegetation clearing
- Road kill
- Dog attack
- Physical barriers
- Bushfire
- Disease

These are described in detail below.

6.1.1. Loss of Forage Trees/Habitat

Habitat loss and/or fragmentation is the most serious threat to Koalas both historically and at present (DECC 2008, AKF 2014, 2007, 2000, Connell Wagner 2000b, Port Stephens Council 2001, Lunney *et al* 1999, Wilkes and Snowden 1998, etc.).

The Port Macquarie Hastings Council Development Control Plan (DCP) 2013 states that the removal of Koala browse tree species is to be replaced at a ratio of 2:1 on site.

One Swamp Mahogany will require removal for construction of a new amenities block. Under the DCP, the removal of this tree would require 2 to be replanted.

These will be planted in the southwest of the site as shown in Figure 2.

6.1.2. Injury During Clearing

There is potential for Koalas to be injured during the clearing phase if no mitigation actions are undertaken. The ecological report prepared for the project and this KPoM has recommended that an ecologist be present prior to and during the clearing phase to ensure that no Koalas are present in the clearing area and none enter the site during works. This should effectively reduce the potential for Koala injury.

6.1.3. Traffic Collision (Road Kills)

Wilkes and Snowden (1998) and Connell Wagner (2000b) note that traffic collision (usually resulting in death) is a major threatening process to the Port Macquarie Koala population, particularly to males, who account for most of the injured animals (most likely due to more frequent and longer movements during their life cycle eg during breeding seasons).

Diamond Head Road runs along the eastern boundary of the property, however it is expected that local traffic volume will not be increased as a result of the proposal. Therefore there will be no considerable increase in the threat of vehicle strike due to the proposed development.

No new internal roads within the caravan park are required.

6.1.4. Pets and Feral Predators

Domestic Dogs

Dog attack is a major cause of Koala mortality. Domestic dogs are probably the main source of dog attack mortality near residential areas (Wilkes and Snowden 1998, Lunney *et al* 1999, Port Stephens Council 2001, Connell Wagner 2000, State Forests 2000).

Following extensive fire, dog attack (and predation by wild dogs) is a key threat to low density Koala populations (Lunney *et al* 2007, McAlpine *et al* 2006). This is due to the fact that the populations are small, hence any increase in mortality which exceeds recruitment rates can lead to the decline of the local population.

There is potential for the proposed increase of long-term and short-term caravan sites to lead to an increase in domestic dogs to the property. The Diamond Waters Caravan Park already enforces strict rules for pet owners with pets required to be kept on leads at all times and never to be left unattended within the park. As these rules are currently enforced on the property, it is predicted that impacts from a potential increase in domestic pets would be minor and would not pose an increased threat to the local Koala population.

Feral Cats, Wild Dogs and Foxes

Feral cats and foxes are not considered a significant threat to Koalas, though there is the potential for attack on sick, injured or juvenile Koalas (DECC 2008). These vermin are also a serious threat to native species ie recognised as Key Threatening Processes (NSWSC 2000a, 2000b, Dickman 1996). These are subject to current controls under the PMHC Feral Species Management Strategy.

Wild dogs have the potential to occur on the property and thus pose a threat to Koalas. The proposed development is not likely to increase the threat of wild dogs

6.1.5. Barriers

Developments may result in physical and behavioural barriers that impair Koala usage of the site or access to adjacent areas.

Fences offer the main physical barrier. Koalas can climb sturdy chain mesh, wooden paling or solid-type fences with wooden fences on both sides (Port Stephens Council 2001, Wilkes and Snowden 1998). Busy roads, barking or aggressive dogs, and adverse human contact may pose behavioural barriers (DECC 2008).

No fences or other physical barriers that pose a barrier to Koala movement are proposed as part of this proposal.

6.1.6. Bushfire

Bushfires, particularly intense, crown-burning fires, are a major threat to wildlife and threatened fauna such as Koalas (DECC 2008). Extensive fires that burn out a large extent of habitat – particularly habitat that is isolated or fragmented, and thus limited in escape, refuge or re-colonisation potential, are particularly damaging if not catastrophic via direct mortality or indirectly (e.g. insufficient resources left to support the population).

Less intense fires may also cause secondary problems such as smoke-inhalation/breathing disorders, loss of food supply, stress and displacement (e.g. via complete burning of an individual's home range).

Altered fire frequency can also ultimately simplify or alter the character of vegetation communities by removing fire sensitive species (e.g. convert wet sclerophyll to dry), and even develop fire-prone communities e.g. promote development of a grassy groundcover (NSWSC 2000).

The site is unlikely to have a high fire risk as it is sparsely vegetated and has no understorey vegetation present. The groundcover comprises grassland and is regularly maintained. The development will not increase the risk of fire over the site.

6.1.7. Disease

Most Koalas are naturally infected with Chlamydia pathogens (Sharp and Phillips 1999, Phillips 1997). Chlamydia and other diseases may develop when Koalas are under stress, of which one cause is habitat loss/disturbance (DECC 2008, Catling 1991, McFarland 1999, AKF 2007, Port Stephens Council 2001). Chlamydia infections may lead to urinary tract and reproductive tract infections which can cause female infertility.

This disease occurs throughout the Port Macquarie Koala population (Connell Wagner 2000b). This is a concern for low density populations given the risk of transmission of this disease through the population via breeding activity, and potential sterilisation of dominant adults limiting recruitment and fecundity.

The proposal is not expected to result in any significant increase stresses on the local aggregate given the minor loss or modification of habitat, no significant barriers and only a localised increased human presence.

7.0 Ameliorative Measures

7.1. Habitat Retention and Offsets

7.1.1. Habitat Retention

Aside from the single Koala food tree that requires removal, all Koala food trees occurring within the property are to be retained.

7.1.2. Habitat Replacement

Two Koala food trees are proposed to be planted on the property. Council policy requires that replacement plantings are to be spaced at a minimum of 10m apart to allow maximum crown development via allowing low branching (woodland form) and reduced competition. Trees are preferred to be advanced size trees in 20 litre pots, unless plantings are undertaken pre-emptively (preferably at least 5 years before actual tree loss) in which case small size classes may be used.

The offset plantings will be managed and monitored under this KPoM as detailed in Section 8 and Appendix 1.

7.1.3. General Clearing Measures

The area to be cleared should be clearly marked prior to clearing in order to prevent inadvertent clearance beyond what is required and has been assessed.

Site induction is to specify that no clearing is to occur beyond the marked area, and vehicles are only to be parked in designated areas. Clearing and earthworks is to avoid damage to root zones of any retained trees and no materials or fill are to be placed under retained trees or within adjacent vegetation.

7.1.4. Pre-clearing Survey and Clearing Supervision

The following ameliorative measures should be carried out during clearing works on the subject site.

1. The clearing extent is to be inspected for Koalas and other fauna by a qualified ecologist immediately prior to commencement of any vegetation removal involving machinery and/or tree-felling. This is to occur each morning if clearing spans over multiple days.
2. If a Koala is present in an area subject to vegetation removal/modification, works must be suspended until the Koala moves along on its own volition. If the Koala is located in a position that a 50m buffer may be established, works may proceed outside this buffer.

7.2. Dog Management

7.2.1. Pets

As discussed in Section 6.1.4, strict rules are already enforced within the caravan park regarding domestic animals. These include the prohibition of domestic cats, a requirement for dogs to be kept on a lead of less than four meters long at all times and no pet to be left unattended within the park grounds. These measures are deemed effective in preventing faunal injury by domestic animals and it is recommended that these rules are continued to be enforced and monitored in the future.

7.2.2. Wild Dogs

Wild dogs and feral cats are potential predators for the Koala population (cats only pose threat to sick or juvenile Koalas) both on and adjacent to the site. Wild dogs were not detected on site during the survey however they could potentially occur.

Any Wild Dog or Feral Cat sightings within the caravan park are to be reported to Council.

7.3. Disease

Disease is a current threat to the local Koala aggregate. To help reduce this, the following measures are to be implemented:

- Contact details for Koala Hospital at site during clearing/construction works.
- Koala Hospital details to be provided in a common space in the caravan park and guests/residents should be encouraged to report any sick or injured Koalas.

8.0 Implementation, Monitoring and Compliance

8.1. KPoM Implementation Schedule

To ensure key measures of this KPoM are implemented, the DA must demonstrate compliance with the provisions of the KPoM at various stages from the DA to post-construction. Table 5 shows a provisional timeline for implementation of the KPoM measures which indicates what will need to be reported at given stages.

Table 4: Implementation schedule for ameliorative measures

Issue	Pre-DA	DA Approval	Construction Phase	Operation Phase
Retention and Protection of Key Habitat	NA	• Approval of plan detailing trees/habitat to be removed	• Clear identification and fencing off of trees/vegetation to be removed/retained. • Construction undertaken in accordance with KPoM and consent conditions. • Compliance enforcement by Council.	• All retained habitat managed and protected permanently. • No further clearing • Compliance enforcement by Council as required.
Habitat replacement	• Identify and map proposed location of all planting areas in relation to development	• Commence and complete planting works as per KPoM specifications within 3 months of approval.	• Maintain plantings as applicable – 100% replacement within 3 months of any failed plantings for the first 5 years	• maintenance of weeds and plantings, as per the detailed offset planting plan, for a minimum of 3 years • Compliance enforcement by Council. Implementation of any recommendations for improvements until plantings are self-sufficient.
Mortality/injury during clearing of habitat	NA	NA	• Pre-clear survey by ecologist • Report to PMHC confirming compliance.	N/A

Issue	Pre-DA	DA Approval	Construction Phase	Operation Phase
Disease	N/A	N/A	• Construction undertaken in accordance with plans. • Contact details for Koala Hospital provided on site during construction	• Koala records kept and included in the monitoring reports for the duration of 3 years • Reporting of any sick Koalas to Koala hospital. • Implementation of any recommendations for improvements. • Compliance enforcement by Council.

8.2. Monitoring

The implementation and effectiveness of the KPoM will be monitored via a monitoring report submitted annually for three years after development approval. The monitoring report is to provide the following details:

- Koala survey (include usage assessment standard survey, plus collation of other records) to determine if the property has retained its Koala functionality, and if usage has increased.
- Map/plan showing sightings and/or scat deposits, with comparative assessment with previous reports.
- Details (including location, etc) of any Koala mortality or sickness incidents (road kills, dog attack and disease), emergency actions and census of population health.
- Details on status of offset plantings and if maintenance is required further or trees are fully established and self-sufficient.
- Details on compliance/implementation of other measures detailed in this KPoM.
- Recommendations for improvements to the KPoM that will have to be implemented (with appropriate time lines to allow compliance). Implementation of these measures is to be detailed in the subsequent reports.

This will be undertaken by a qualified ecologist (funded by the proponent of the proposed development), with a report provided to PMHC. The results of the monitoring and checklist will be used by PMHC to initiate compliance if required, or amendments of the KPoM to achieve its objectives.

9.0 Conclusion

The principle objective of this Koala Plan of Management is to ensure the property retains its ability to support a Koala population in the long term and maintain linkages within the broader landscape of identified Core Koala Habitat.

To achieve this, the KPoM aims to achieve the following:

- Retention of the majority of Koala habitat present on site.
- Mitigation of potential and existing threats via effective measures with compliance mechanisms to ensure mortality rates are not elevated to the point of resulting in population collapse or creation of a sink.

The proposal poses a relatively low threat to the site's Core Koala Habitat values given the minimal habitat loss required. Provided the proposal abides the KPoM's requirements: connectivity, habitability and carrying capacity for the Koala should be retained in the long term.

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Appendix 1: Offset Planting Specifications

A 3.1 Offset Requirements

The proposal will require the removal of a single primary Koala food tree listed in the PMHC DCP 2013. This tree is to be offset with 2 replacement plantings. These are to be planted in available canopy gaps in the west of the site.

A 3.2 Objectives and Performance Criteria

A 3.2.1 Objective

The primary objective is to ensure the required offset plantings for the proposed development are effectively implemented to achieve positive environmental outcomes for the site and address statutory compliance.

A 3.2.2 Performance Criteria

The performance criteria against which achievement of this primary objective is to be measured are:

- Establishment of offset plantings within one year.
- Establishment of canopy trees with 100% success rate at the end of three years.

A 3.3 Proposed Environmental Works

A 3.3.1 Tree Planting

The details of proposed works are provided in the Table below.

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Table 5: Details of offset plantings

OBJECTIVES	ESTABLISHMENT PHASE: Year 1	MAINTENANCE AND MONITORING PHASE: Ongoing
1. Plant 2 Koala food trees within planting area and maintain to establishment up to 3 years from planting or when stem diameter is minimum 100mm at breast height (DBH)	**Timeframe**: To be conducted within 3 months of development approval. **Responsible party**: Landowner or bush regenerator. **Planting**: • Source 2 advanced Koala food trees from a local supplier comprising Tallowwood and/or Swamp Mahogany • Minimum pot size is to be 200mm, minimum stock height 1000mm • Remove any and all weed species including exotic grasses using environmentally acceptable methods (i.e. hand pulling and selective herbicide spraying) from nominated planting areas • Trees to be planted and guarded as per the PMHC document D2019/246370 "PMHC Standard Offset Koala Food Tree planting drawing" • Plant trees no closer than 10m apart from other plantings or nearest tree to minimise competition. • Provide dense organic mulch layer around all plantings (preferably using mulch from native vegetation removed from site). • Protect each planting with wire mesh wrapped around three star pickets to reduce grazing pressure from macropods, deer and wind damage. • Water at planting and regularly (at least once per month or if insufficient rain every 2 weeks) for first 3 months. • Any tree planting failures are to be immediately replaced. • On-going weed management to ensure plantings not subject to competition. **Milestones**: No planting failure at 12 months.	**Timeframe:** Ongoing **Responsible party:** Landowner or bush regenerator **Maintenance requirements to include but not be limited to:-** • Monitor plantings for loss and replacement of all plantings that fail • Continued weed removal and control until trees are >2m tall. • Replacement and topping up of mulch layer for first 3 years • Monitor and act upon any disease or insect infestations • Removal of tree guards after 3 years or minimum 100mm DBH **Milestones:** No planting failures at 3 years. **Monitoring and Reporting:** Required annually at end of Year 2 and Year 3. Plantings to be inspected and photographs sent to PMHC to demonstrate successful establishment and/or an inspection by suitable Council officer.

	Monitoring and Reporting: Plantings to be inspected and photographs sent to PMHC 12 months after planting to demonstrate successful establishment and/or an inspection by suitable Council officer.	

Item: **07**

Subject: **DA2020 - 242.1 BOUNDARY ADJUSTMENT AND MULTI DWELLING HOUSING AT LOT 334 DP 1237302 AND LOT 401 DP 1244641, NO 96 PHILIP CHARLEY DRIVE, PORT MACQUARIE**

Report Author: Development Assessment Planner, Chris Gardiner

Applicant:	**Morr Homes & Projects**
Owner:	**Gant Super Pty Ltd & Ascot Park Pty Ltd**
Estimated Cost:	**$2,500,000**
Parcel no:	**67575 & 68026**

Alignment with Delivery Program

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

RECOMMENDATION

That DA2020 - 242.1 for a Boundary Adjustment and Multi Dwelling Housing at Lot 334 DP 1237302, and Lot 401 DP 1244641, No. 96 Philip Charley Drive, Port Macquarie, be determined by granting consent subject to the recommended conditions.

Executive Summary

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

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

The proposal has been amended through the assessment process, including changes to access, visitor parking, servicing, retaining walls, and waste management.

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.

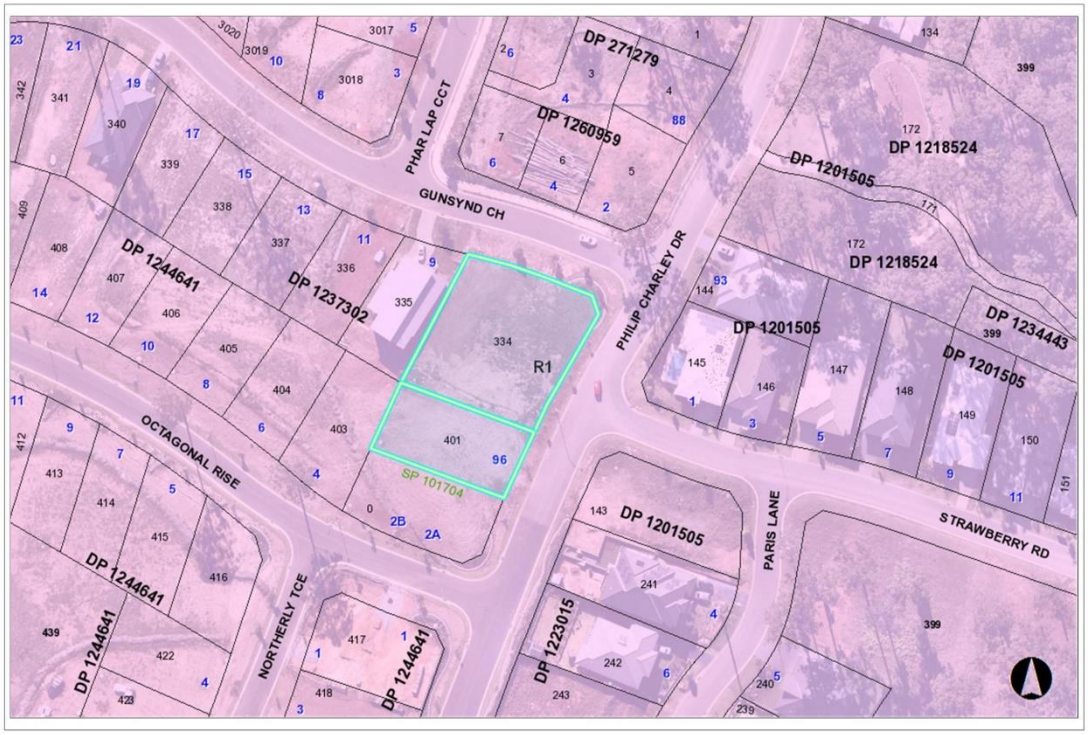
This report recommends that the development application be approved subject to the attached conditions (**Attachment 1**).

1. BACKGROUND

Existing Sites Features and Surrounding Development

The site has a combined area of 2197.3m^2.

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



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

2. DESCRIPTION OF DEVELOPMENT

Key aspects of the proposal include the following:

- Boundary adjustment between the two existing Torrens title lots;
- Construction of multi dwelling housing on each lot comprising two storey attached dwelling (3 dwellings on proposed Lot 1, and 5 dwellings on proposed Lot 2), with shared driveway access off Gunsynd Chase.

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

Application Chronology

- 1 April 2020 - Application lodged.
- 14 April 2020 to 27 April 2020 - Neighbour notification.
- 20 May 2020 - Bushfire Safety Authority issued by NSW Rural Fire Service.
- 9 June 2020 - Additional information requested from Applicant.
- 17 July 2020 - Final additional information submitted.

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 5 - This SEPP applies to the Port Macquarie-Hastings Local Government Area.

Clause 8 - The site is subject to the adopted Maher's Headland Koala Plan of Management (KPoM). Part of the site is within the Core Habitat "Medium (normal) Use" area and Part 4 of the KPoM applies. The proposed development does not include any clearing of vegetation or construction of new roads. Fencing of the site has been located on the plans to be in accordance with Part 4(d) of the KPoM, and a condition has been recommended requiring details prior to the issue of a construction Certificate.

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 (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.

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 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 will increase the variety of housing types and densities in the locality.
  - The development will contribute to meeting the housing needs of the community.

- Clause 4.1 - The lot sizes within the proposed subdivision range from 809.3m^2 to 1389m^2. All proposed Torrens title lots comply with the minimum lot size of 450m^2 identified in the Lot Size Map relating to the site.
- Clause 4.3 - The maximum overall height of the building above ground level (existing) is 7.85m, 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 0.54:1 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 7.5 – Part of the land is shown as "Koala Habitat area" on the Koala Habitat Map. See comments earlier under SEPP (Koala Habitat Protection) 2019 regarding consistency with the Maher's Headland Koala Plan of Management.
- Clause 7.13 - Satisfactory arrangements are in place for provision of essential services including water supply, electricity supply, sewer infrastructure, stormwater drainage and suitable road access to service the development. Provision of electricity will be subject to obtaining satisfactory arrangements certification prior to the issue of a Subdivision Certificate as recommended by a condition of consent.

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

No draft instruments apply to the site.

(iii) Any Development Control Plan in force

Port Macquarie-Hastings Development Control Plan 2013

DCP 2013: Dwellings, Dual occupancies, Dwelling houses, Multi dwelling houses & Ancillary development			
	Requirements	**Proposed**	**Complies**
3.2.2.1	Ancillary development: • 4.8m max. height • Single storey • 60m2 max. area • 100m2 for lots >900m2 • 24-degree max. roof pitch • Not located in front setback	Water tanks appropriately located.	Yes
3.2.2.2	Articulation zone: • Min. 3m front setback • An entry feature or portico • A balcony, deck, patio, pergola, terrace or verandah • A window box treatment • A bay window or similar feature • An awning or other feature over a window • A sun shading feature	The development does not contain any articulation elements.	N/A
	Front setback (Residential not R5 zone): • Min. 6.0m classified road	Minimum 7.15m setback to Philip Charley Drive (primary street) and 4.5m to Gunsynd Chase (secondary street)..	Yes

DCP 2013: Dwellings, Dual occupancies, Dwelling houses, Multi dwelling houses & Ancillary development			
	Requirements	**Proposed**	**Complies**
	• Min. 4.5m local road or within 20% of adjoining dwelling if on corner lot • Min. 3.0m secondary road • Min. 2.0m Laneway		
3.2.2.3	Garage 5.5m min. and 1m behind front façade. Garage door recessed behind building line or eaves/overhangs provided	Garages not oriented towards the street. All garages have side/rear access from a common driveway.	N/A
	6m max. width of garage door/s and 50% max. width of building	4.8m wide and more than 50% of building width. Garages are oriented to the side/rear boundary and will not impact on the streetscape. Considered to be consistent with the objectives of the provision.	Yes
	Driveway crossover 1/3 max. of site frontage and max. 5.0m width	Common driveway 5m wide and less than 1/3 of site frontage	Yes
3.2.2.4	4m min. rear setback. Variation subject to site analysis and provision of private open space	Minimum 11.17m rear setback.	Yes
3.2.2.5	Side setbacks: • Ground floor = min. 0.9m • First floors & above = min. 3m setback or where it can be demonstrated that overshadowing not adverse = 0.9m min. • Building wall set in and out every 12m by 0.5m	Minimum 3.7m side setback for two storey building. The development is an integrated housing proposal and units 5 & 6 will have a party wall on the property boundary. The walls of the end units are articulated at 12.19m, which is a minor variation to the provision. However, the proposal is still considered to satisfy the objectives of the development provision.	No, but acceptable
3.2.2.6	35m2 min. private open space area including a useable 4x4m min. area which has 5% max. grade	Each occupancy contains 35m² open space in one area including a useable 4m x 4m area accessible off a living room.	Yes
3.2.2.7	Front fences: • If solid 1.2m max height and front setback 1.0m with landscaping	The proposed front fence design is considered to meet the fencing provisions and objectives of DCP 2013. The entire fence is setback from the front boundary	Yes

DCP 2013: Dwellings, Dual occupancies, Dwelling houses, Multi dwelling houses & Ancillary development			
	Requirements	**Proposed**	**Complies**
	• 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	with landscaping proposed.	
3.2.2.8	Front fences and walls to have complimentary materials to context No chain wire, solid timber, masonry or solid steel front fences	Fencing design complies.	Yes
3.2.2.10	Privacy: • Direct views between living areas of adjacent dwellings screened when within 9m radius of any part of window of adjacent dwelling and within 12m of private open space areas of adjacent dwellings. ie. 1.8m fence or privacy screening which has 25% max. openings and is permanently fixed • Privacy screen required if floor level > 1m height, window side/rear setback (other than bedroom) is less than 3m and sill height less than 1.5m • Privacy screens provided to balconies/verandahs etc which have <3m side/rear setback and floor level height >1m	The development will not compromise privacy in the area due to a combination of building design and use of screening/fencing.	Yes

DCP 2013: General Provisions			
	Requirements	**Proposed**	**Complies**
2.7.2.2	Design addresses generic	No concealment or entrapment	Yes

DCP 2013: General Provisions			
	Requirements	**Proposed**	**Complies**
	principles of Crime Prevention Through Environmental Design guideline	areas proposed. Adequate casual surveillance available.	
2.3.3.1	Cut and fill 1.0m max. 1m outside the perimeter of the external building walls	Fill of up to 1.7m is proposed at the south-west corner of the driveway (behind Unit 8). The land drops off steeply in this corner and the degree of fill is necessary to achieve acceptable grades for the driveway access and manoeuvring area. The proposal has been amended during the assessment process to reduce the extent of fill (previously 2.2m), provide greater separation between the retaining wall and the property boundary, and provide for terraced retaining to accommodate better landscape treatment of the retaining wall. The retaining walls will be required to be certified by a structural engineer, and a condition has been recommended in this regard. The engineering plans have demonstrated that stormwater from the development can still be adequately managed with the extent of fill, and the use of the area for vehicle manoeuvring is not expected to result in any adverse privacy issues. On this basis, the proposal is considered to be consistent with the objectives of the provision.	No, but acceptable
2.3.3.2	1m max. height retaining walls along road frontage	Retaining wall up to 1.06m high along road frontage to Philip Charley Drive. Considered to be acceptable as the retaining wall is for cut within the site and will not be visible from the public domain.	No, but acceptable
	Any retaining wall >1.0 in height to be certified by structure engineer	Condition recommended requiring engineering certification of retaining walls.	Yes
	Combination of retaining wall and front fence height	Proposal includes 1.8m high fence on top of retaining walls of	No, but acceptable

DCP 2013: General Provisions			
	Requirements	**Proposed**	**Complies**
	max 1.8m, max length 6.0m or 30% of frontage, fence component 25% transparent, and splay at corners and adjacent to driveway	up to 1.06m at the site frontage. However, the retaining walls are for cut within the site and would not be visible from the street. The retaining walls would not increase the overall height of the fence when viewed from the public domain.	
2.3.3.8	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 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 access proposed to arterial or distributor road.	Yes
	Driveway crossing/s minimal in number and width including maximising street parking	Driveway crossings are minimal in width and maximise retention of street parking.	Yes
2.5.3.3	Parking in accordance with Table 2.5.1. <u>Dwelling/dual occupancies</u> 1 space per dwelling/occupancy (behind building line). <u>Multi dwelling</u> 1 space per 1 & 2 bedroom occupancies 1.5 spaces per 3+ bedroom occupancies 0.25 spaces per occupancy for visitor parking.	The proposal includes 8 x 3 bedroom units and requires 8 x 1.5 = 12 parking spaces, plus 8/4 = 2 visitor parking spaces. The proposal includes double garages for each unit (16 spaces), plus 2 designated visitor parking spaces. Both visitor parking spaces are located on proposed Lot 2 and an appropriate easement will be required to ensure that the 3 units on Lot 1 are able to use the visitor parking.	Yes
2.5.3.11	Section 94 contributions	Contributions apply - refer to ET calc and NOP.	Yes
2.5.3.12 and 2.5.3.13	Landscaping of parking areas	Suitable landscaping proposed around driveway/parking locations.	Yes
2.5.3.14	Sealed driveway surfaces unless justified	Sealed driveway areas proposed.	Yes
2.5.3.15	Driveway grades first 6m	Driveway grades capable of	Yes

DCP 2013: General Provisions			
	Requirements	**Proposed**	**Complies**
and 2.5.3.16	or 'parking area' shall be 5% grade with transitions of 2m length.	satisfying Council standard driveway crossover requirements. Condition recommended for section 138 Roads Act permit.	
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.	Yes

Note: Subdivision provisions of the DCP (except battleaxe handle width) are aimed at the creation of vacant lots (i.e. not lots within an integrated housing proposal such as this) and have therefore been excluded from the above assessment. Servicing requirements are discussed later in this report.

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

(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

No matters prescribed by the regulations are applicable to the proposal.

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

Context and Setting
The site has a general easterly street frontage orientation to Philip Charley Drive and a northerly orientation to Gunsynd Chase. Adjoining the site to the north is multi dwelling housing. Adjoining the site to the east and west are single dwellings and vacant residential lots. Adjoining the site to the south is a single storey dual occupancy (attached).

The proposal will not have any significant adverse impacts to existing adjoining properties and satisfactorily addresses the public domain.

The proposal will result in a change in character with a different architectural form including terrace style housing within the immediate locality. This is considered to be an acceptable physical and visual impact change given the proposal satisfactorily addresses the planning controls applying to the site. The proposal exceeds the minimum setback requirements, is within the building height limit and is below the maximum floor space ratio. There are also no precinct specific local character controls applying to the subject locality.

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

The proposal does not have a significant adverse impact on existing view sharing.

The proposal does not have significant adverse lighting impacts.

There are no significant adverse privacy impacts.

There are no significant adverse overshadowing impacts. The proposal does not prevent adjoining properties from receiving 3 hours of sunlight to private open space and primary living areas on 21 June between the hours of 9am and 3pm.

Roads
The site has road frontage to Philip Charley Drive and Gunsynd Chase, both of which are seals public roads under the care and control of Council. Driveway access is via Gunsynd Chase.

Philip Charley Drive is classified within AUSPEC as an Urban Collector with a 9m carriageway, a 19m Road Reserve, and type SE (layback) kerb. Gunsynd Chase is classified within AUSPEC as a Local Street with a 7m carriageway, a 19m reserve width, and type SE (layback) kerb.

Traffic and Transport
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 via a single shared driveway with direct frontage to Gunsynd Chase, being a Council-owned public road. Access shall comply with Council AUSPEC and Australian Standards, and conditions have been recommended to reflect these requirements.

Due to the type and size of development, additional works are required to include:

- Concrete footpath paving along the full frontage of Philip Charley Drive, connecting into the existing footpath to the north.

Parking and Manoeuvring
A total of 16 parking spaces have been provided on-site within garages with an additional 2 visitor parking spaces proposed on the western side of the driveway. Parking and driveway widths on site are capable of complying with relevant Australian Standards (AS 2890) and conditions have been recommended to reflect these requirements.

Due to the type of development, car park circulation is required to enable vehicles to enter and exit the site in a forward manner. Site plans show adequate area is available and conditions have been recommended to reflect these requirements.

Water Supply Connection
Council records indicate that each existing lot is currently serviced. Existing Lot 334 DP 1237302 is serviced from the 150mm diameter main located on the opposite side of Gunsynd Close. Existing Lot 401 DP 1244641 is serviced from the 150mm water main located on the same side as Philip Charley Drive.

Each proposed unit requires a separate metered water connection to Council's water main. The existing services can be utilized as two (2) of the required services, unless the locations prove to be inappropriate for the development in which case the service needs to be disconnected. All design & works shall be in accordance with Council's adopted AUSPEC Specifications.

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

Sewer Connection
According to Council records the existing Torrens title lots each have an existing junction for connection to sewer. The multi dwelling housing on each lot shall discharge to a single junction. This junction shall be required to discharge into a manhole. Any abandoned sewer junctions are to be capped off at Council's sewer main. All design & works shall be in accordance with Council's adopted AUSPEC Specifications.

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

Stormwater
The site naturally grades towards the rear and is currently serviced via an existing interallotment drainage system. Each Torrens title lot will still be able to utilise the existing connection to the interallotment drainage following the proposed boundary adjustment.

Concept stormwater plans have been submitted with the application, demonstrating that the development is capable of draining to the existing points of connection.

A detailed site stormwater management plan will be required to be submitted for assessment with the Section 68 application and prior to the issue of a Construction Certificate. In accordance with Councils AUSPEC requirements, on site stormwater detention facilities must be incorporated into the stormwater drainage plan.

Conditions have been recommended to reflect these requirements.

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

Heritage
No known items of Aboriginal or European heritage significance exist on the property. The site is considered to be disturbed land due to previous land clearing and subdivision works.

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

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

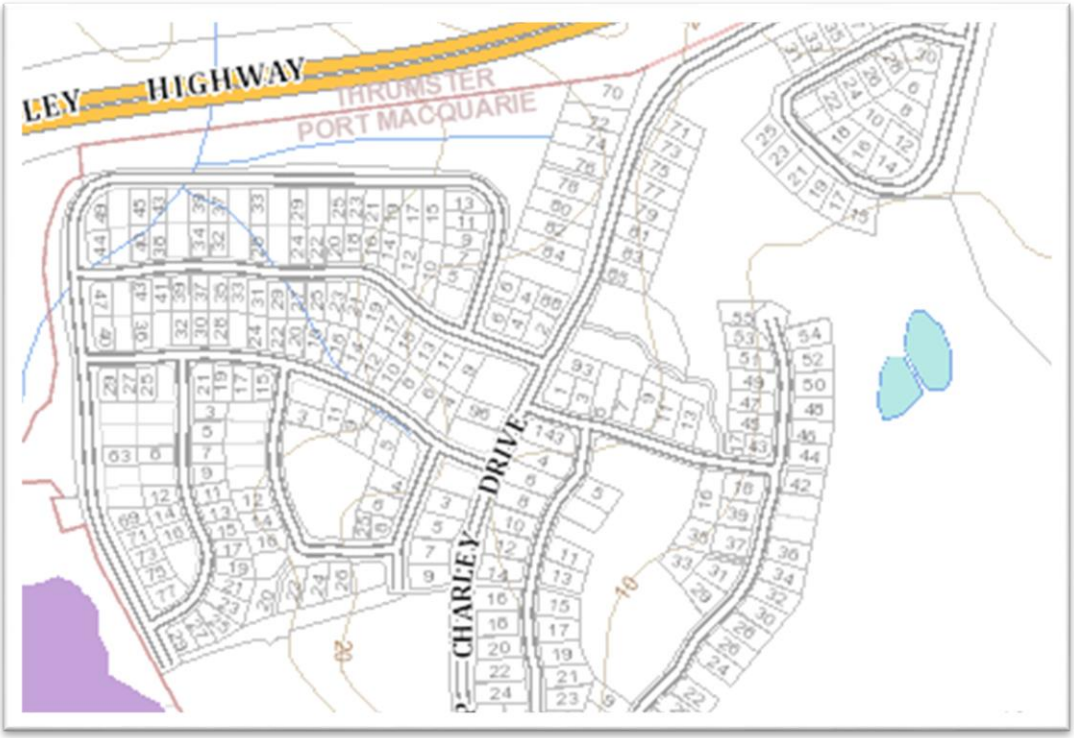
Water cycle
The proposed development will not have any significant adverse impacts on water resources and the water cycle.

Soils
The proposed development will not have any significant adverse impacts on soils in terms of quality, erosion, stability and/or productivity subject to a standard condition requiring erosion and sediment controls to be in place prior to and during construction.

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

Flora and fauna
The Biodiversity Offset Scheme doesn't apply for the following reasons:

- The land isn't identified on the Biodiversity Values Map (see map extract below - 9 June 2020);
- There is no vegetation clearing to trigger any of the thresholds in Clause 7.2 of the Biodiversity Conservation Regulation 2017;
- The application of test of significance (5 Part Test) demonstrates that the development will not have a significant impact on biodiversity values.



Waste
The submitted Statement of Environmental Effects indicates that the Applicant considers that there is sufficient street frontage for a public kerbside waste collection.

A private waste collection service was investigated during the assessment process, with a common waste storage area on the western side of the driveway. This determined not to be ideal due to the proximity of the storage area to the

neighbouring dwelling and issues manoeuvring garbage collection vehicles within the site.

Storage of individual bins within the front courtyard of each dwelling, with public kerbside collection in Philip Charley Drive is considered acceptable having regard to the length of the site frontage to the street. Each front courtyard will require a ramp suitable for wheeling bins to the street, as they are generally set approximately 1m below street level. A condition has been recommended requiring detailed design of the ramps prior to the issue of a Construction Certificate.

Energy
The proposal includes measures to address energy efficiency and will be required to comply with the requirements of BASIX. No adverse impacts anticipated.

Noise and vibration
The construction and operation 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.

The site is affected by road traffic noise from the Oxley Highway and the approved noise contour plan for the subdivision identified that Category 2 construction in accordance with the Department of Planning's *Development near Rail Corridors and Busy Roads– Interim Guideline* is required to achieve satisfactory internal noise levels. Conditions have been recommended requiring certification of the construction standard at the Construction Certificate and Occupation Certificate stages.

Bushfire
The site is identified as being bushfire prone.

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

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

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

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

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

Submission Issue/Summary	Planning Comment/Response
Loss of privacy to dwellings on the eastern side of Philip Charley Drive due to two storey construction and existing low fencing on the eastern side of Philip Charley Drive.	The upper floor eastern elevation of the proposed units contains the window of a master bedroom and a small balcony (3.7m x 1.2m) accessible off the bedroom. This is not considered to be a living area, or the principal area of private open space for the purpose of considering the DCP privacy provisions. The balconies are separated from the private open space of the dwellings on the eastern side of Philip Charley Drive by a minimum of 27m. The DCP provides that adequate privacy is achieved in an urban context with a separation distance of 12m. The proposed development achieves more than double the minimum requirement.
Proposal is not consistent with the covenants for the estate that other had to comply with.	Council is not required to enforce developer covenants and Clause 1.9A of the Port Macquarie-Hastings Local Environmental Plan 2011 provides that they have no effect for the purpose of making planning decisions.

Submission Issue/Summary	Planning Comment/Response
	In this instance the application also includes written confirmation from Ascot Park Pty Ltd in relation to covenant variations.
The proposed development is out of character with existing development in the area the vast majority of which, are substantial, prestigious, single level, single dwelling, family homes.	The area contains a mix of housing type and densities. Adjoining the site to the north is a multi dwelling housing development comprising 6 x two storey dwellings. Adjoining the site to the south is an attached dual occupancy, and to the east and west are single dwellings. While terrace style housing is different to the existing built forms in the locality, it is considered compatible with the residential context in terms of building height, floor space ratio and building setbacks. The proposal includes generous setbacks to Philip Charley Drive, and the ground floor level of the buildings is approximately 1m below street level, which will reduce the bulk of the buildings when viewed from the street.
The development will be much noisier and busier than the two single dwellings that this land was originally designated for.	Having regard to the site area, it is not considered reasonable to assume that the land would only contain two single dwellings given the range of permitted land uses in the zone.
The proposal is for smaller dwellings targeted at the rental market. Renters are generally not as invested in the area or willing to be good neighbours. This will lead to social problems in the community.	The consent authority can only consider the use of the buildings and has no control over who occupies them. A condition has been recommended preventing the use of the dwellings for short-term holiday accommodation.
The site access is close to the intersection of Philip Charley Drive and Gunsynd Chase and the development will cause the road network to become congested and potentially dangerous.	The proposed driveway meets engineering standard for separation for the intersection. The majority of traffic movements from the development are expected to be left-turn in and right-turn out. The driveway is of sufficient width to accommodate vehicles passing within the site, and the development
Impacts on local traffic during construction phase.	Construction impacts will be of a temporary nature and are capable of being appropriately managed. Any road closures, or works zone on the adjoining public roads will require review and approval as part of the Section 138 (Roads Act) process.

Submission Issue/Summary	Planning Comment/Response
More applications of a similar nature will lead to the area becoming overpopulated.	The overall planning for the area assumed dwelling yields based on an average number of dwellings per hectare, which accounted for the range of housing types permissible in the zone. It is not considered that the proposal will be an overdevelopment of the site having regard to the adopted floor space ratio for the area.
The design of the development with front gates to Philip Charley Drive, will lead to visitors and residents parking in the street. Philip Charley Drive is the main road in and out of the estate and the site is located opposite to the intersection of Strawberry Road. Street parking in this location will adversely affect traffic in the area.	Philip Charley Drive has a pavement width of 9m and has been designed to maintain two-way traffic flow with parking on one side of the street.

(e) The Public Interest

The proposed development will be in the wider public interest with provision of appropriate additional housing. The proposed development satisfies relevant planning controls and will not adversely impact on the wider public interest.

Ecologically Sustainable Development and Precautionary Principle
Ecologically sustainable development requires the effective integration of economic and environmental considerations in decision-making processes.
The four principles of ecologically sustainable development are:

- the precautionary principle,
- intergenerational equity,
- conservation of biological diversity and ecological integrity,
- improved valuation, pricing and incentive mechanisms.

The principles of ESD require that a balance needs to be struck between the man-made development and the need to retain the natural vegetation. Based on the assessment provided in the report and with recommended conditions of consent, it is considered an appropriate balance has been struck.

Climate change
The proposal is not considered to be vulnerable to any risks associated with climate change.

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**.

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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 to be 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. DA2020 - 242.1 Recommended Conditions
2. DA2020 - 242.1 Plans
3. DA2020 - 242.1 Contributions Estimate

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

NOTE: THESE ARE DRAFT ONLY

DA NO: 2020/242 **DATE: 31/07/2020**

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 and Floor Plans	10-0XX A100, A200, and A201	Morr Constructions Pty Ltd	22 June 2020
Landscaping, Elevation and Earthworks Plans	10-0XX A101, A103, A202, A300, A301, and A302	Morr Constructions Pty Ltd	13 July 2020
Draft DP	-	Mark Ross Cornish	Undated
BASIX Certificates	1084668M and 1084739M	10 Star Building Assessments	19 March 2020
Bushfire Assessment	-	Krisann Johnson	29 March 2020
Statement of Environmental Effects	Version 1	Morr Constructions Pty Ltd	March 2020

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

(2) (A002) No building or subdivision work shall commence until a Construction Certificate or Subdivision Works 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.

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(3) (A004) An application for a Subdivision Works Certificate will be required to be lodged with Council prior to undertaking subdivision works and a Subdivision Certificate is required to be lodged with Council on completion of works

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

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

1. Erosion and sediment controls are to be implemented to prevent sediment from leaving the site. The controls are to be maintained until the development is complete and the site stabilised with permanent vegetation;
2. Appropriate dust control measures;
3. Building equipment and materials shall be contained wholly within the site unless approval to use the road reserve has been obtained. Where work adjoins the public domain, fencing is to be in place so as to prevent public access to the site;
4. Building waste is to be managed via 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) (A013) The general terms of approval from the following authorities, as referred to in section 4.50 of the Environmental Planning and Assessment Act 1979, and referenced below, are attached and form part of the consent conditions for this approval.

- **NSW Rural Fire Service -** The General Terms of Approval, Reference DA20200414001313-Original-1 and dated 20 May 2020, are attached and form part of this consent.

(8) (A029) The provision, at no cost to Council, of concrete foot across the full road frontage of the property along Philip Charley Drive, and connecting into the existing footpath on the northern side of Gunsynd Chase. Footpath paving (unless varied in writing by Council) is to be in accordance with AUSPEC and Council Standard drawing ASD103. 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,

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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) (A055) Existing water services no longer required are to be disconnected at the main and a request for this free service is to accompany the application for water meter hire.

(12) (A057) The applicant is to ensure the proposed development will drain to the existing point of connection to Council's sewerage system.

B – PRIOR TO ISSUE OF A CONSTRUCTION CERTIFICATE OR SUBDIVISION WORKS CERTIFICATE

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

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

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

Such works include, but not be limited to:

- Civil works
- Traffic management
- Work zone areas

- Hoardings
- Concrete foot paving
- Footway and gutter crossing
- Functional vehicular access

(3) (B003) Submission to the Principal Certifying Authority prior to the issue of a Construction Certificate or Subdivision Works 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 frontage.
2. Sewerage reticulation.
3. Water supply plans shall include hydraulic plans for internal water supply services and associated works in accordance with AS 3500, Plumbing Code of Australia and Port Macquarie-Hastings Council Policies.
4. Stormwater systems.
5. Erosion and sedimentation controls.
6. Location of all existing and proposed utility services including; electricity and communications, water supply, sewerage and stormwater.
7. Driveway profile and long section in accordance with AS2890, AUSPEC D1 and ASD208.
8. Provision of concrete footpath across the full road frontage of the property fronting Philip Charley Drive, and connecting into the existing footpath on the northern side of Gunsynd Chase.

(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
- Innes Peninsula Contributions Plan - Road Works
- 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.

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(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) (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) and located within 1m of the property boundaries; or

ii. 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.

(10) (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.

(11) (B054) A driveway longitudinal section shall accompany the section 138 application pursuant to section 138 of the Roads Act, 1993. The section shall demonstrate compliance with Council's adopted AUSPEC Design and Construction Guidelines.

(12) (B057) The existing sewer including junction and/or stormwater drainage shall be located on the site and the position and depth indicated on the plans which accompany the application for the Construction Certificate.

(13) (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.

(14) (B046) The building shall be designed and constructed so as to comply with the Bushfire Attack Level (BAL) 12.5 requirements of Australian Standard 3959 and the specifications and requirements of Planning for Bush Fire

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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.

(15) (B195) Each proposed unit requires a separate metered water connection to Council's water main. The existing services can be utilized as two (2) of the required services, unless the locations prove to be inappropriate for the development in which case the service needs to be disconnected. All design & works shall be in accordance with Council's adopted AUSPEC Specifications.

(16) (B196) According to Council records the existing Torrens Title lots each have an existing junction for connection to sewer. The multi dwelling housing on each lot shall discharge to a single junction. This junction shall be required to discharge into a manhole. Any abandoned sewer junctions are to be capped off at Council's sewer main. All design & works shall be in accordance with Council's adopted AUSPEC Specifications.

(17) (B197) A stormwater drainage design is to be submitted and approved by Council prior to the issue of a Construction Certificate. The design must be prepared in accordance with Council's AUSPEC Specifications and the requirements of Relevant Australian Standards and make provision for the following:

a) The legal point of discharge for the proposed development is defined as the interallotment drainage system for each respective lot. Each multi dwelling housing development should separately drain to the existing interallotment drainage line within their respective lots.

b) The design shall incorporate on-site stormwater detention facilities to limit site stormwater discharge to pre development flow rates for all storm events up to and including the 100 year ARI event, unless it can demonstrated to Council's satisfaction that the impervious area is within design allowances of the existing detention basin. Note that pre development discharge shall be calculated assuming that the site is a 'greenfield' development site as per AUSPEC requirements.

(18) (B198) Prior to the issue of a Construction Certificate detailed fencing plans shall be submitted to the Principal Certifying Authority for approval. The fencing shall be in accordance with Part 4(d) of the Maher's Headland Koala Plan of Management:

- Maintaining a minimum clearance from the ground and bottom of the fence of 250mm, OR,
- Fence design composed of wooden post and rail using rails or slats <15cm wide and incorporating installing timber posts on each side of the fence at 45° with a plank over the top or along the fence to facilitate a ladder and walkway, OR,
- Inclusion of retained trees within the fencing.

(19) (B199) Prior to the issue of a Construction Certificate, plans shall be submitted to the Principal Certifying Authority detailing ramps within the front courtyards sufficient to allow waste bins to be taken to the street in Philip Charley Drive.

(20) (B200) Prior to the issue of a Construction Certificate plans shall clearly illustrate how the building design complies with Category 2 noise construction standards of the *Development Near Rail Corridors and Busy Roads – Interim Guideline, December 2008* issued by NSW Department of Planning.

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

(3) (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. 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 trenches are open, stormwater/water/sewer pipes and conduits jointed and prior to backfilling;
e. before pouring of kerb and gutter;
f. prior to the pouring of concrete for sewerage works and/or works on public property;
g. during construction of sewer infrastructure;
h. during construction of water infrastructure;

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

(2) (D006) A copy of the current stamped approved construction plans must be kept on site for the duration of site works and be made available upon request to either the Principal Certifying Authority or an officer of the Council.

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

(4) (D029) The demolition of any existing structure shall be carried out in accordance with Australian Standard AS 2601: *The Demolition of Structures*. No demolition materials shall be burnt or buried on site. The person responsible for the demolition works shall ensure that all vehicles leaving the

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site carrying demolition materials have their loads covered and do not track soil or waste materials onto the road. Should the demolition works obstruct or inconvenience pedestrian or vehicular traffic on an adjoining public road or reserve, separate application shall be made to Council to enclose the public place with a hoarding fence.

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

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

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

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

a. Provision of easements for all shared areas relating to access, parking, turning areas, and waste storage

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

(6) (E039) An appropriately qualified and practising consultant is 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.
f. All shared areas relating to access, parking, turning areas, and

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(6) (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.

(7) (E058) Prior to the issue of an Occupation Certificate, 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.

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

(9) (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.

(10) (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

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

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

(13) (E079) Submission to the Principal Certifying Authority of certification by a Registered Surveyor prior to the issue of a Subdivision Certificate that all services and domestic drainage lines are wholly contained within the respective lots and easements.

(14) (E082) Submission of a compliance certificate accompanying Works as Executed plans with detail included as required by Council's current AUSPEC Specifications. The information is to be submitted in electronic format in accordance with Council's "CADCHECK" requirements detailing all infrastructure for Council to bring in to account its assets under the provisions of AAS27. This information is to be approved by Council prior to issue of the Subdivision or Occupation Certificate. The copyright for all information supplied, shall be assigned to Council.

F – OCCUPATION OF THE SITE

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

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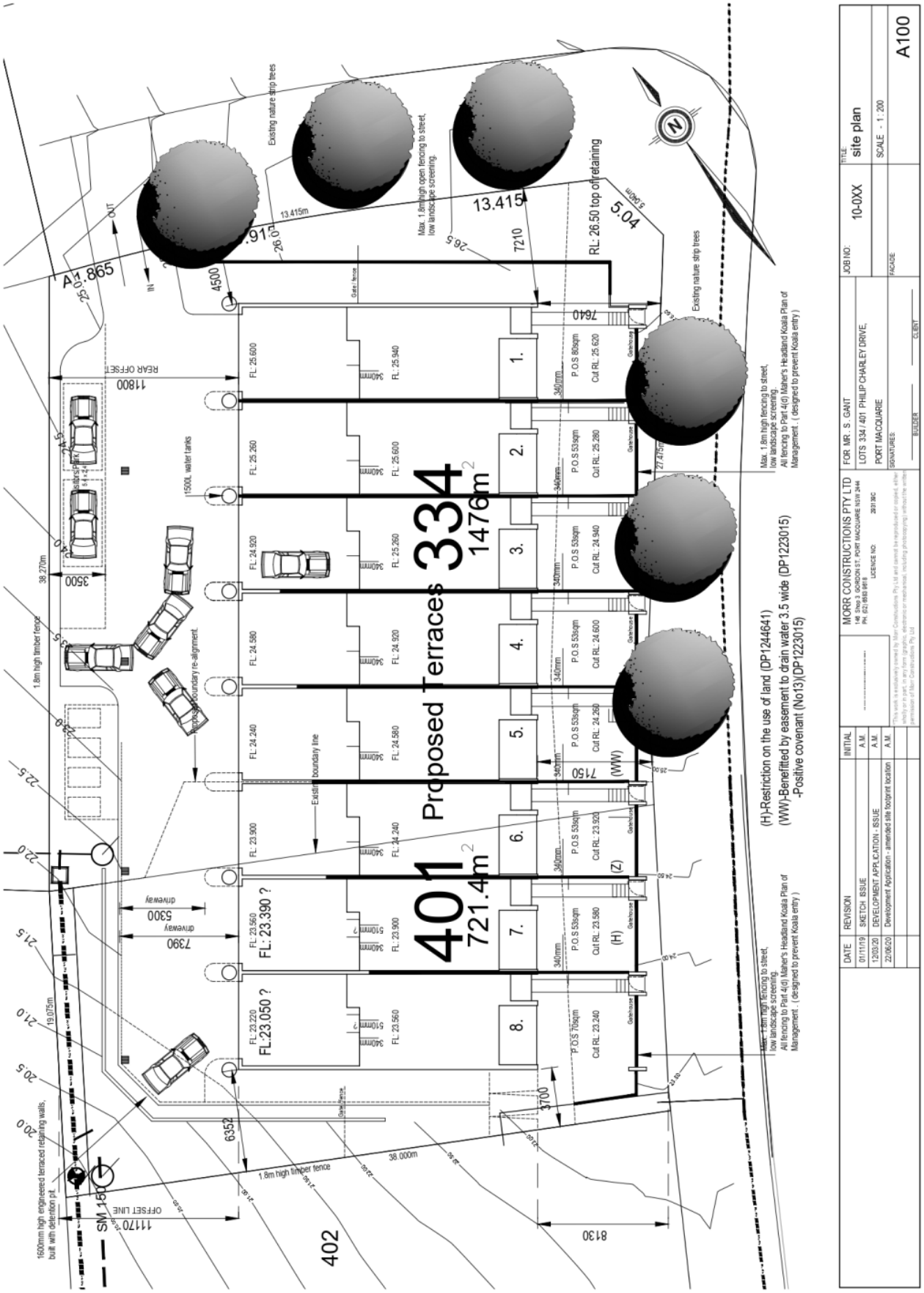
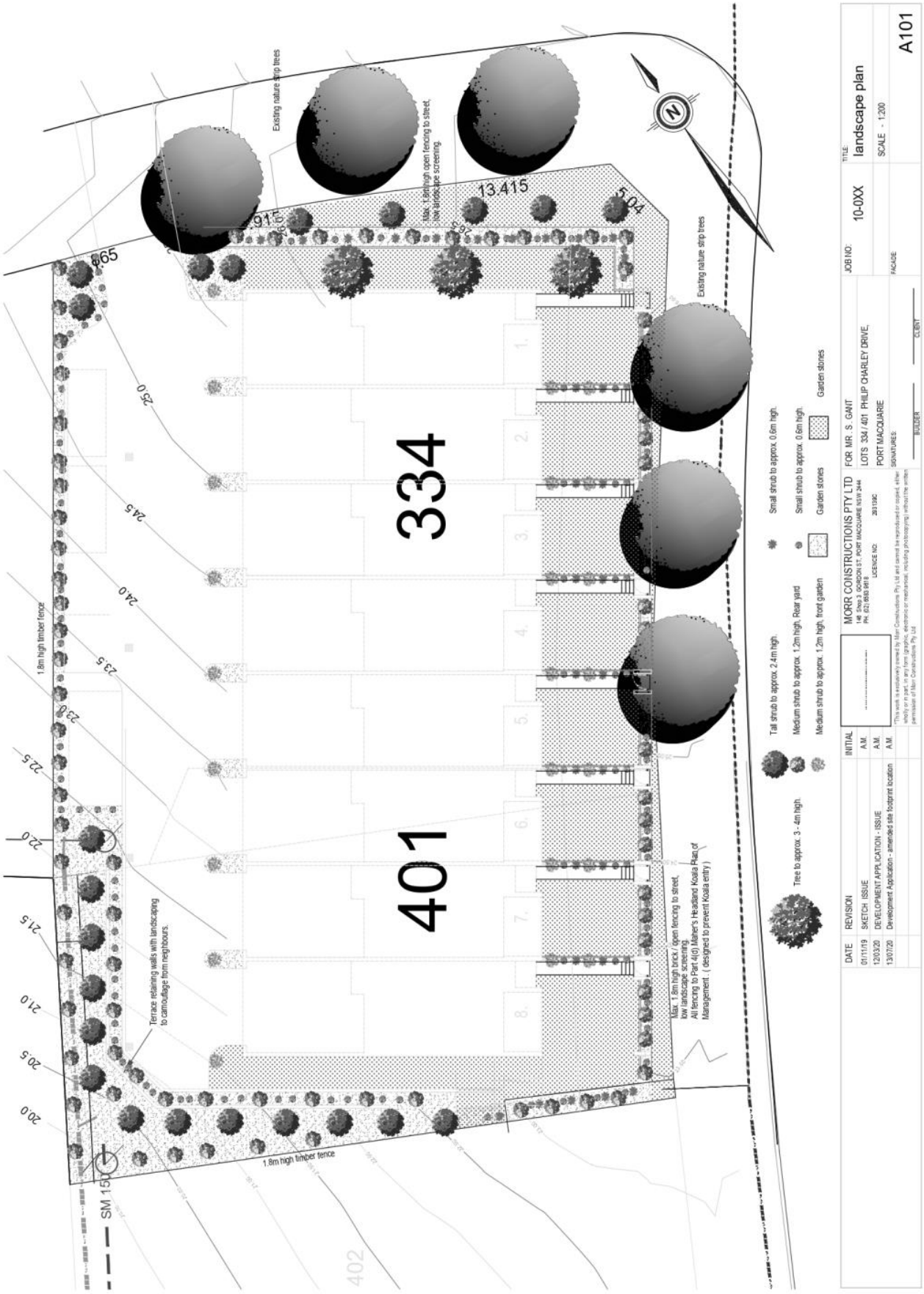
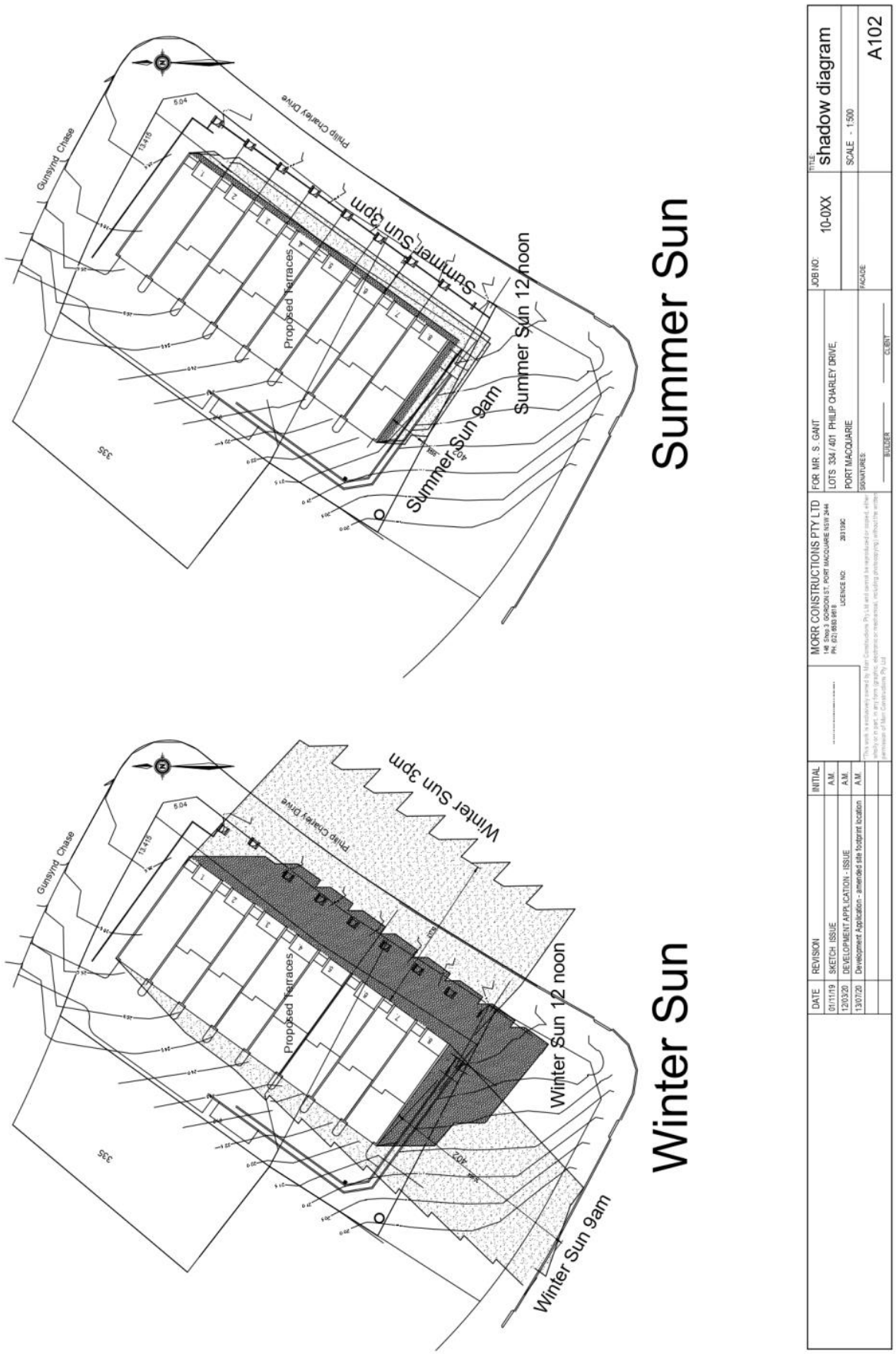
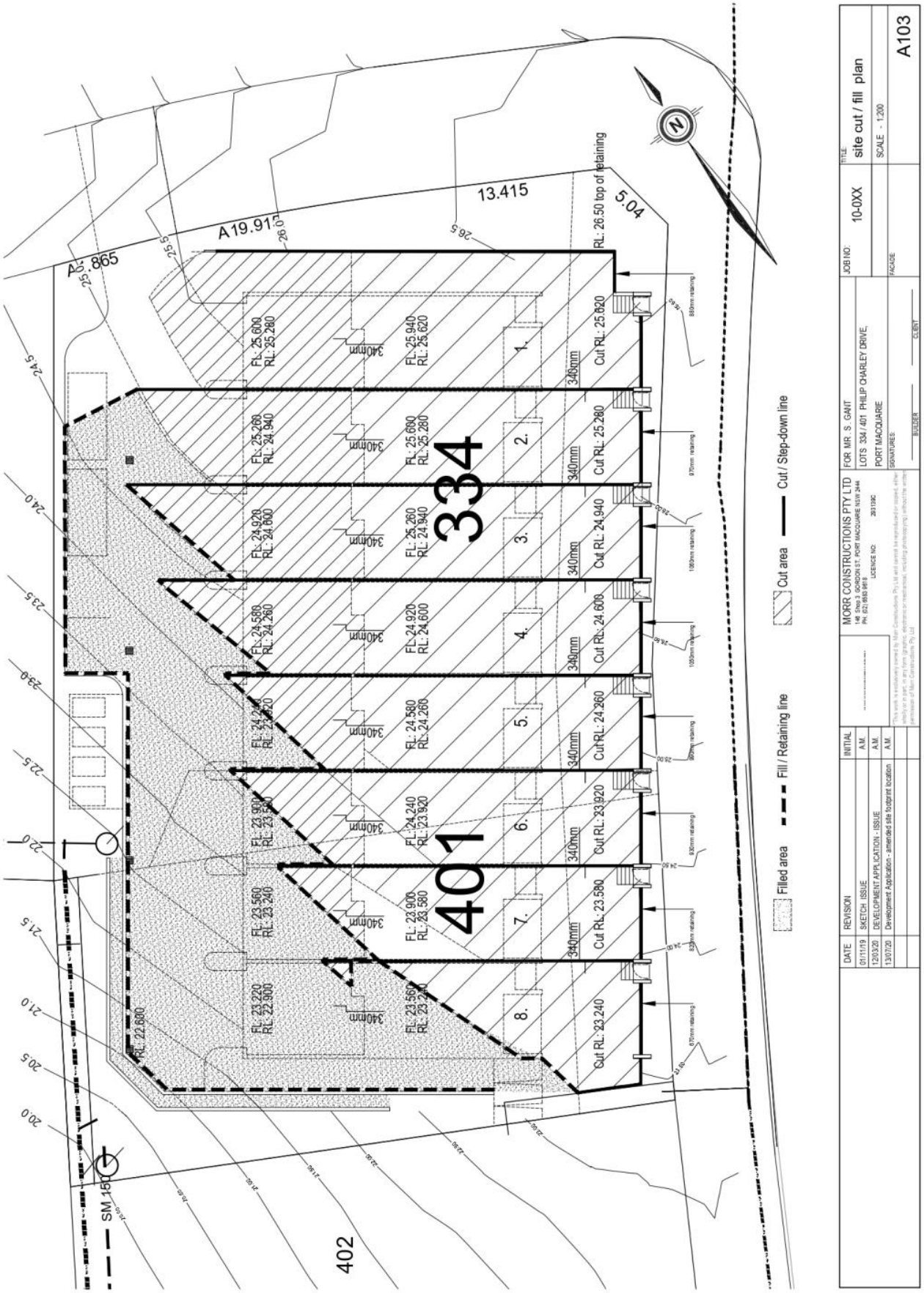
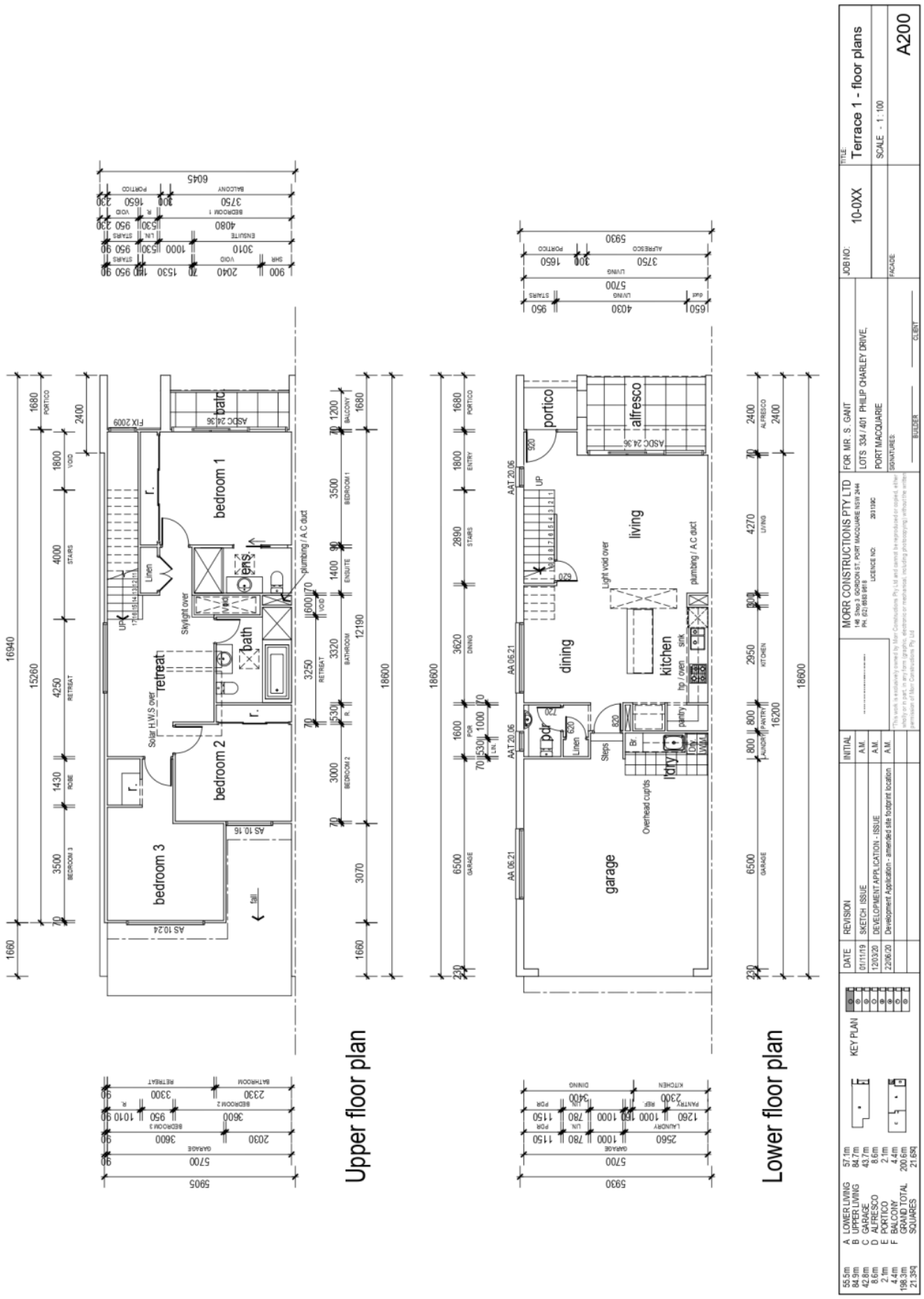
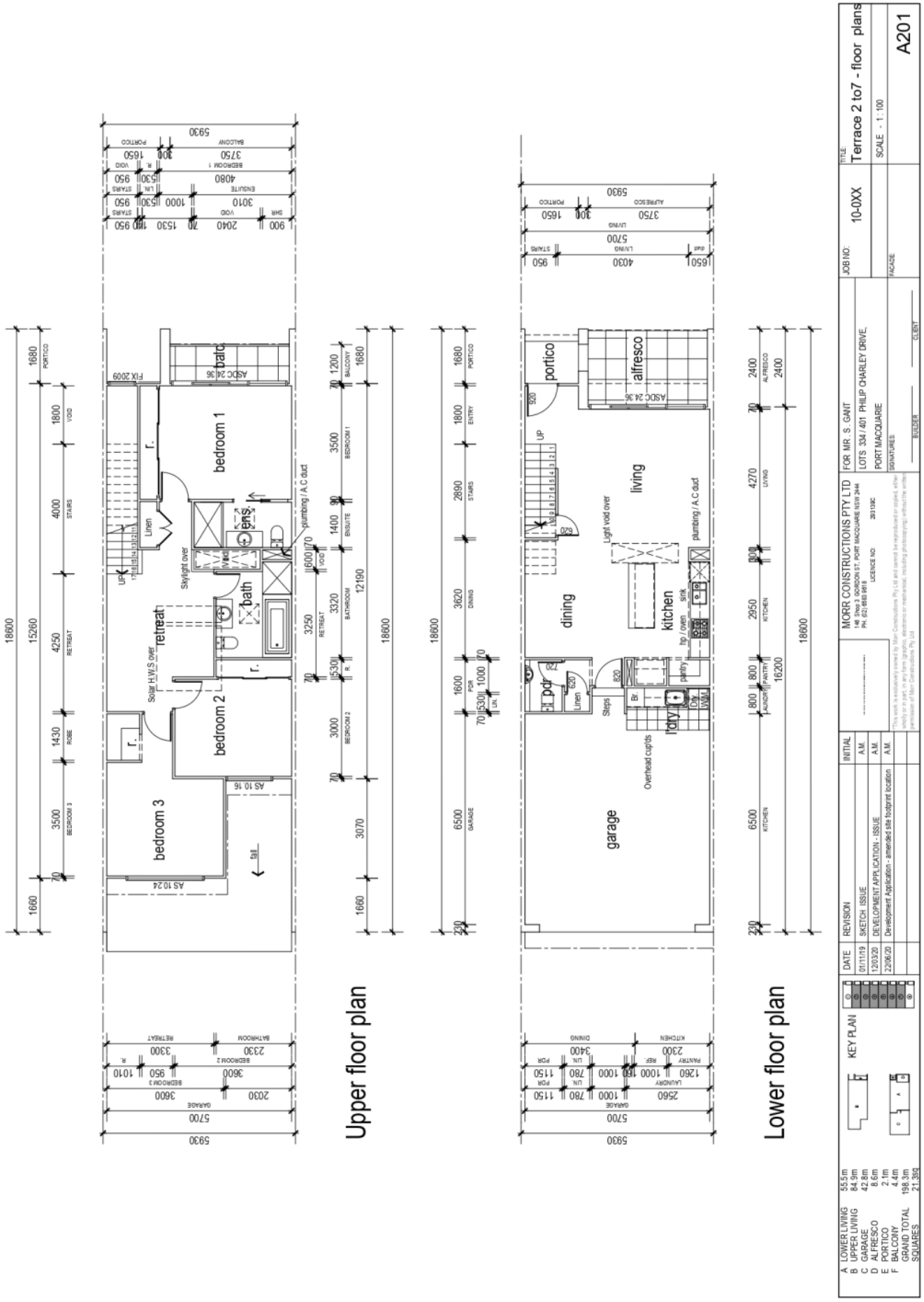

Proposed Terraces
401
721.4m²
334
1476m²
402
1. 2. 3. 4. 5. 6. 7. 8.
FL: 23.050 ?
FL: 23.390 ?
FL: 23.900
FL: 24.240
FL: 24.580
FL: 24.920
FL: 25.260
FL: 25.600
FL: 23.220
FL: 23.560
FL: 23.900
FL: 24.240
FL: 24.580
FL: 24.920
FL: 25.260
FL: 25.600
FL: 25.940
P.O.S 709sqm
P.O.S 53sqm
P.O.S 80sqm
Cut RL: 23.240
Cut RL: 23.580
Cut RL: 23.920
Cut RL: 24.260
Cut RL: 24.600
Cut RL: 24.940
Cut RL: 25.280
Cut RL: 25.620
(H)
(Z)
(WW)
340mm
510mm
7390
5300
7150
7610
4500
3700
6352
8130
11800
11170
3500
1500L water tanks
Existing nature strip trees
Max. 1.8m high open fencing to street, low landscape screening.
RL: 26.50 top of retaining
13.415
13.415m
5.04
5.040m
26.5
26.0
25.5
25.0
24.5
24.0
23.5
23.0
22.5
22.0
21.5
21.0
20.5
20.0
19.075m
38.270m
38.000m
27.475m
REAR OFFSET
OFFSET LINE
Gate/fence
Gatehouse
Existing boundary line
Proposed boundary re-alignment
1.8m high timber fence
1600mm high engineered terraced retaining walls, built with detention pit
SM 150
OUT
IN
Max. 1.8m high fencing to street, low landscape screening.
All fencing to Part 4(d) Maher's Headland Koala Plan of Management . (designed to prevent Koala entry)
(H)-Restriction on the use of land (DP1244641)
(WW)-Benefitted by easement to drain water 3.5 wide (DP1223015)
-Positive covenant (No13)(DP1223015)
MORR CONSTRUCTIONS PTY LTD
146 Shop 3 GORDON ST, PORT MACQUARIE NSW 2444
PH. (02) 6583 9918
LICENCE NO: 291360
FOR MR. S. GANT
LOTS 334 / 401 PHILIP CHARLEY DRIVE,
PORT MACQUARIE
JOB NO: 10-0XX
TITLE: site plan
SCALE - 1 : 200
A100
DATE | REVISION | INITIAL
01/11/19 | SKETCH ISSUE | A.M.
12/03/20 | DEVELOPMENT APPLICATION - ISSUE | A.M.
22/06/20 | Development Application - amended site footprint location | A.M.

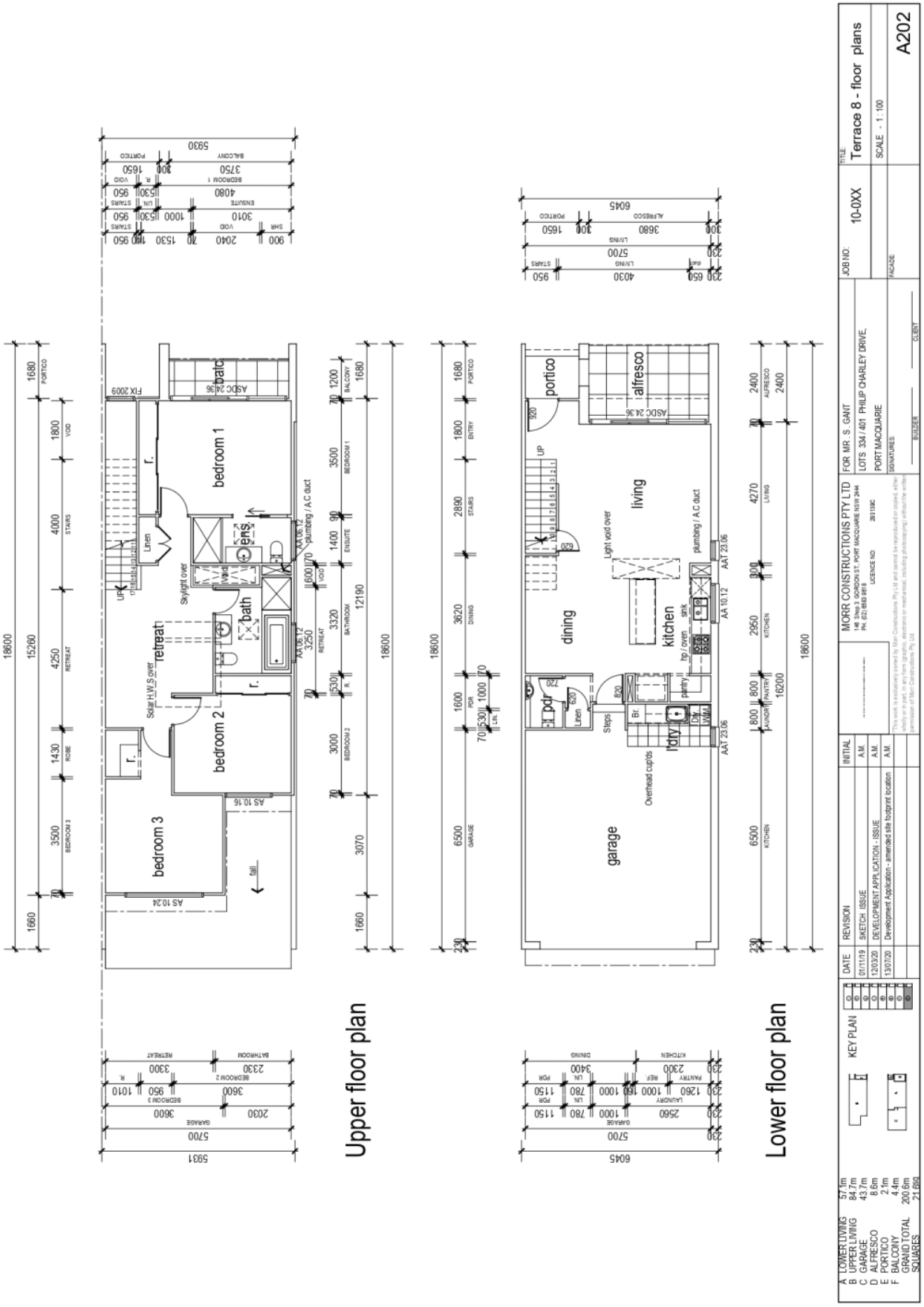

334
401
402
13.415
5.04
Existing nature strip trees
Max. 1.8m high open fencing to street, low landscape screening.
Terrace retaining walls with landscaping to camouflage from neighbours.
1.8m high timber fence
Max. 1.8m high brick / open fencing to street, low landscape screening.
All fencing to Part 4(d) Maher's Headland Koala Plan of Management. (designed to prevent Koala entry)
Tree to approx. 3 - 4m high.
Tall shrub to approx. 2.4m high.
Medium shrub to approx. 1.2m high, Rear yard
Medium shrub to approx. 1.2m high, front garden
Small shrub to approx. 0.6m high.
Small shrub to approx. 0.6m high.
Garden stones
Garden stones
MORR CONSTRUCTIONS PTY LTD
FOR MR. S. GANT
LOTS 334 / 401 PHILIP CHARLEY DRIVE,
PORT MACQUARIE
JOB NO: 10-0XX
TITLE: landscape plan
SCALE - 1:200
A101
DATE
REVISION
INITIAL
01/11/19
SKETCH ISSUE
12/03/20
DEVELOPMENT APPLICATION - ISSUE
13/07/20
Development Application - amended site footprint location

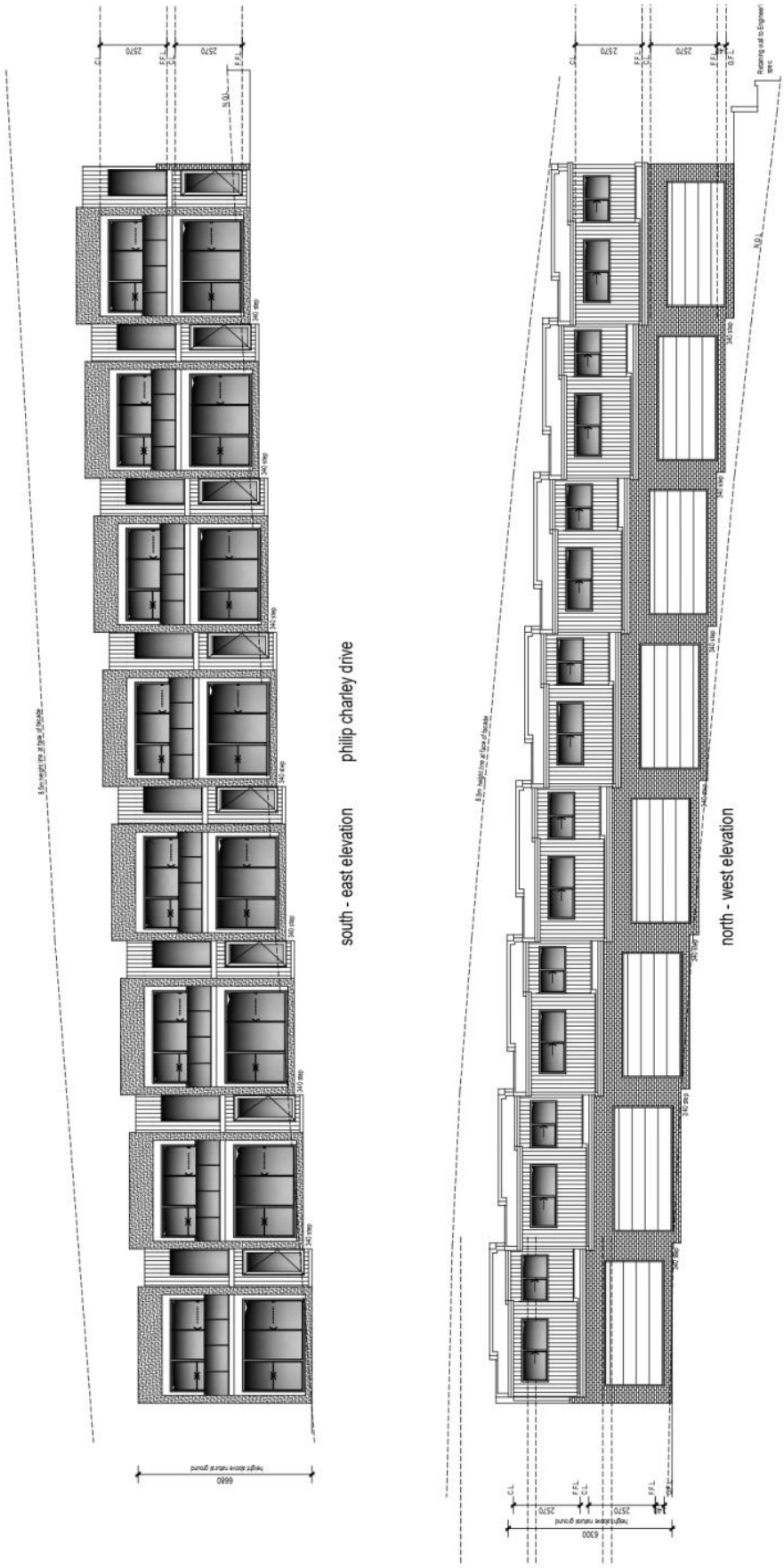

Summer Sun
Winter Sun
Gunsynd Chase
Philip Charley Drive
Proposed Terraces
Summer Sun 3pm
Summer Sun 12 noon
Summer Sun 9am
Winter Sun 3pm
Winter Sun 12 noon
Winter Sun 9am
335
402
5.04
13.415
MORR CONSTRUCTIONS PTY LTD
FOR MR. S. GANT
LOTS 334 / 401 PHILIP CHARLEY DRIVE,
PORT MACQUARIE
JOB NO: 10-0XX
TITLE: shadow diagram
SCALE - 1:500
A102
DATE
REVISION
INITIAL
01/11/19
SKETCH ISSUE
A.M.
12/03/20
DEVELOPMENT APPLICATION - ISSUE
A.M.
13/07/20
Development Application - amended site footprint location
A.M.


A19.913
A5.865
13.415
5.04
RL: 26.50 top of retaining
334
401
402
1.
2.
3.
4.
5.
6.
7.
8.
FL: 25.600
RL: 25.280
FL: 25.940
RL: 25.620
FL: 25.260
RL: 24.940
FL: 25.280
RL: 25.600
FL: 24.920
RL: 24.600
FL: 25.260
RL: 24.940
FL: 24.580
RL: 24.260
FL: 24.920
RL: 24.600
FL: 24.240
RL: 23.920
FL: 24.580
RL: 24.260
FL: 23.900
RL: 23.580
FL: 24.240
RL: 23.920
FL: 23.560
RL: 23.240
FL: 23.900
RL: 23.580
FL: 23.220
RL: 22.900
FL: 23.560
RL: 23.240
340mm
Cut RL: 25.820
Cut RL: 25.280
Cut RL: 24.940
Cut RL: 24.600
Cut RL: 24.260
Cut RL: 23.920
Cut RL: 23.580
Cut RL: 23.240
RL: 22.600
SM 150
Filled area
Fill / Retaining line
Cut area
Cut / Step-down line
MORR CONSTRUCTIONS PTY LTD
FOR MR. S. GANT
LOTS 334 / 401 PHILIP CHARLEY DRIVE,
PORT MACQUARIE
JOB NO: 10-0XX
TITLE: site cut / fill plan
SCALE - 1:200
A103
DATE
REVISION
INITIAL
01/11/19 SKETCH ISSUE A.M.
12/03/20 DEVELOPMENT APPLICATION - ISSUE A.M.
13/07/20 Development Application - amended site footprint location A.M.


Upper floor plan
Lower floor plan
bedroom 1
bedroom 2
bedroom 3
retreat
bath
ens.
balc.
portico
alfresco
living
dining
kitchen
garage
MORR CONSTRUCTIONS PTY LTD
FOR MR. S. GANT
LOTS 334 / 401 PHILIP CHARLEY DRIVE,
PORT MACQUARIE
JOB NO: 10-0XX
TITLE: Terrace 1 - floor plans
SCALE - 1 : 100
A200
KEY PLAN
A LOWER LIVING 57.1m
B UPPER LIVING 84.7m
C GARAGE 43.7m
D ALFRESCO 8.6m
E PORTICO 2.1m
F BALCONY 4.4m
GRAND TOTAL 200.6m
SQUARES 21.6sq


Upper floor plan
Lower floor plan
bedroom 1
bedroom 2
bedroom 3
retreat
bath
ens
portico
alfresco
living
dining
kitchen
garage
Terrace 2 to7 - floor plans
A201
10-0XX
MORR CONSTRUCTIONS PTY LTD
KEY PLAN


Upper floor plan
Lower floor plan
bedroom 1
bedroom 2
bedroom 3
retreat
bath
ens
balc
portico
alfresco
living
dining
kitchen
garage
KEY PLAN
MORR CONSTRUCTIONS PTY LTD
FOR MR. S. GANT
LOTS 334 / 401 PHILIP CHARLEY DRIVE,
PORT MACQUARIE
JOB NO: 10-0XX
TITLE: Terrace 8 - floor plans
SCALE - 1 : 100
A202
A LOWER LIVING 57.1m
B UPPER LIVING 84.7m
C GARAGE 43.7m
D ALFRESCO 8.6m
E PORTICO 2.1m
F BALCONY 4.4m
GRAND TOTAL 200.6m
SQUARES 21.6sq



DATE	ISSUE	INITIAL
13/03/20	DEVELOPMENT APPLICATION - ISSUE	A.M.
13/07/20	Development Application - amended site footprint location	A.M.

MORR CONSTRUCTIONS PTY LTD
146 Shop 3 GORDON ST, PORT MACQUARIE NSW 2444
PH. (02) 6583 9818 LICENCE NO: 281159C

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FOR MR. S. GANT
LOTS 334 / 401 PHILIP CHARLEY DRIVE,
PORT MACQUARIE

SIGNATURES
BUILDER CLIENT

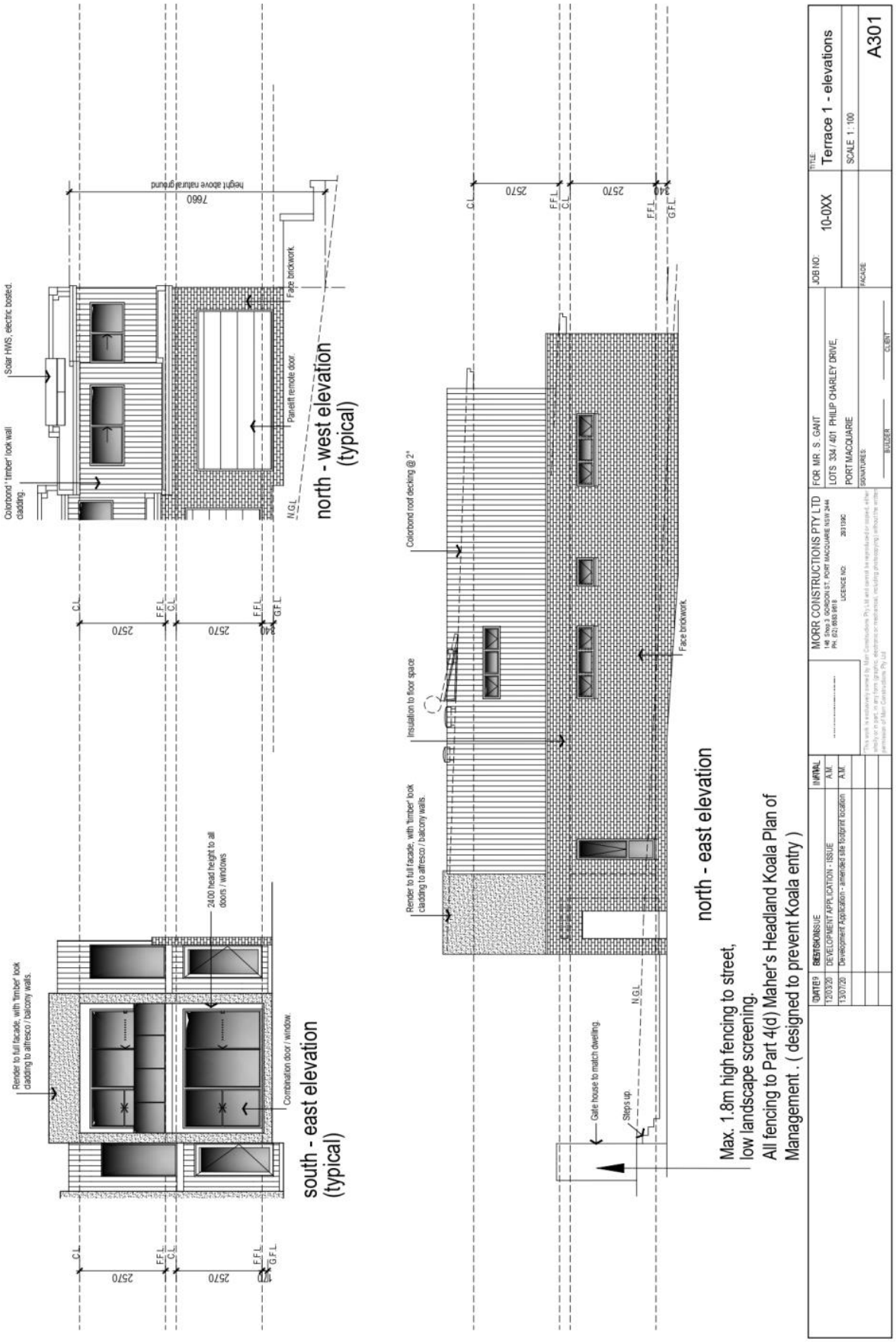
JOB NO: 10-0XX

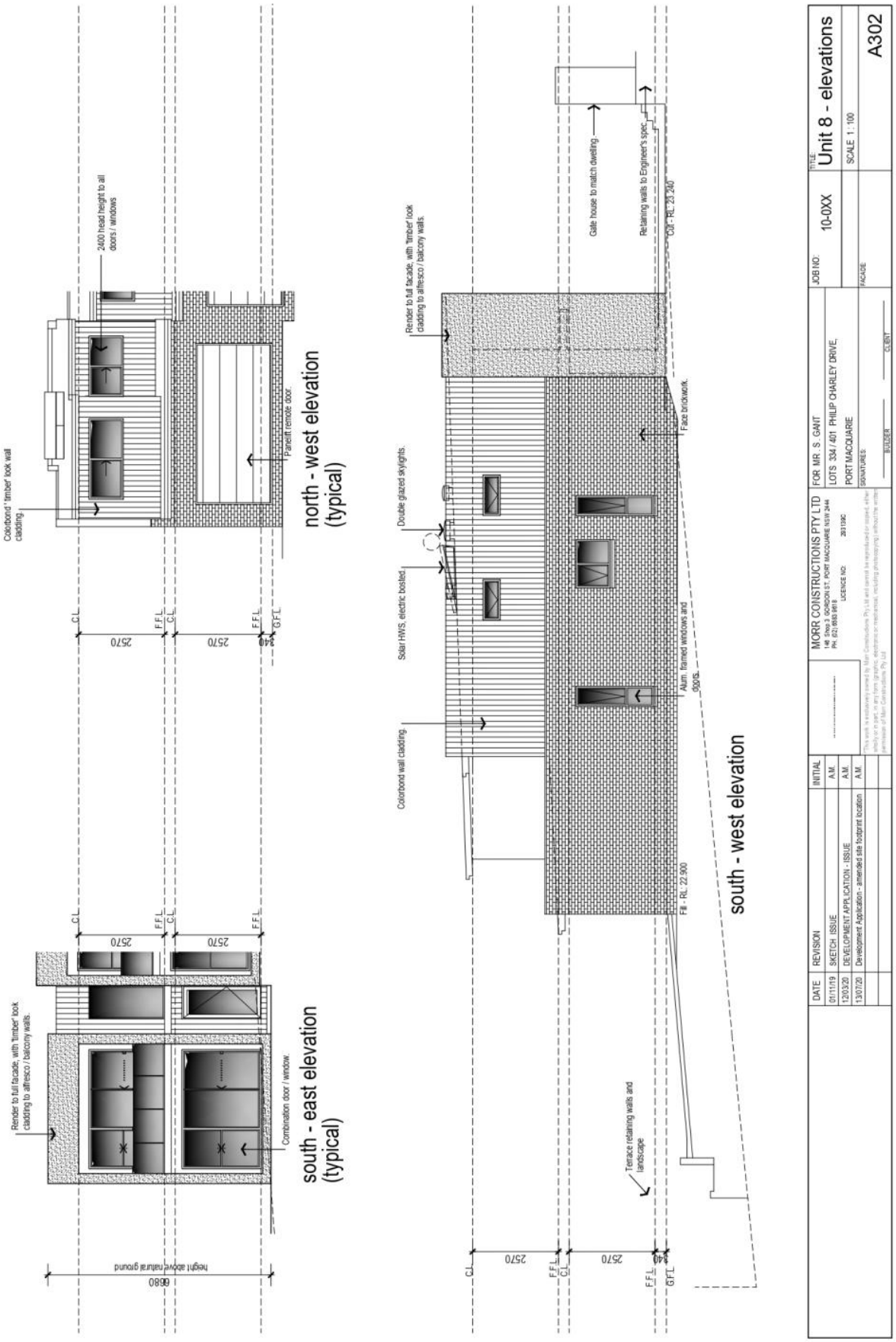
TITLE: Front / Rear facades

SCALE 1 : 150

FACADE

A300


north - west elevation
(typical)
south - east elevation
(typical)
north - east elevation
Max. 1.8m high fencing to street,
low landscape screening.
All fencing to Part 4(d) Maher's Headland Koala Plan of
Management . (designed to prevent Koala entry)
Solar HWS, electric boosted.
Colorbond ' timber' look wall cladding.
Face brickwork.
Panelift remote door.
Colorbond roof decking @ 2°
Insulation to floor space
Render to full facade, with 'timber' look cladding to alfresco / balcony walls.
Combination door / window.
2400 head height to all doors / windows
Gate house to match dwelling.
Steps up.
MORR CONSTRUCTIONS PTY LTD
FOR MR. S. GANT
LOTS 334 / 401 PHILIP CHARLEY DRIVE,
PORT MACQUARIE
JOB NO: 10-0XX
TITLE: Terrace 1 - elevations
SCALE 1 : 100
A301


north - west elevation
(typical)
south - east elevation
(typical)
south - west elevation
2400 head height to all doors / windows
Colorbond "timber" look wall cladding.
Panelift remote door.
Render to full facade, with "timber" look cladding to alfresco / balcony walls.
Combination door / window.
height above natural ground
6680
2570
340
C.L.
F.F.L.
G.F.L.
Double glazed skylights.
Solar HWS, electric bosted.
Colorbond wall cladding.
Alum. framed windows and doors.
Face brickwork.
Gate house to match dwelling.
Retaining walls to Engineer's spec.
Cut - RL: 23.240
Fill - RL: 22.900
Terrace retaining walls and landscape
MORR CONSTRUCTIONS PTY LTD
FOR MR. S. GANT
LOTS 334 / 401 PHILIP CHARLEY DRIVE,
PORT MACQUARIE
JOB NO: 10-0XX
TITLE: Unit 8 - elevations
SCALE 1 : 100
A302
DATE
REVISION
INITIAL
01/11/19
SKETCH ISSUE
12/03/20
DEVELOPMENT APPLICATION - ISSUE
13/07/20
Development Application - amended site footprint location

PLAN FORM 1 (A3) WARNING: CREASING OR FOLDING WILL LEAD TO REJECTION SHEET 1 OF 1 SHEETS

DRAFT DP: ALL DIMENSIONS SUBJECT TO FINAL SURVEY.
AND EASEMENTS AND FINAL CONSTRUCTION.

MGA NORTH
ZONE 56

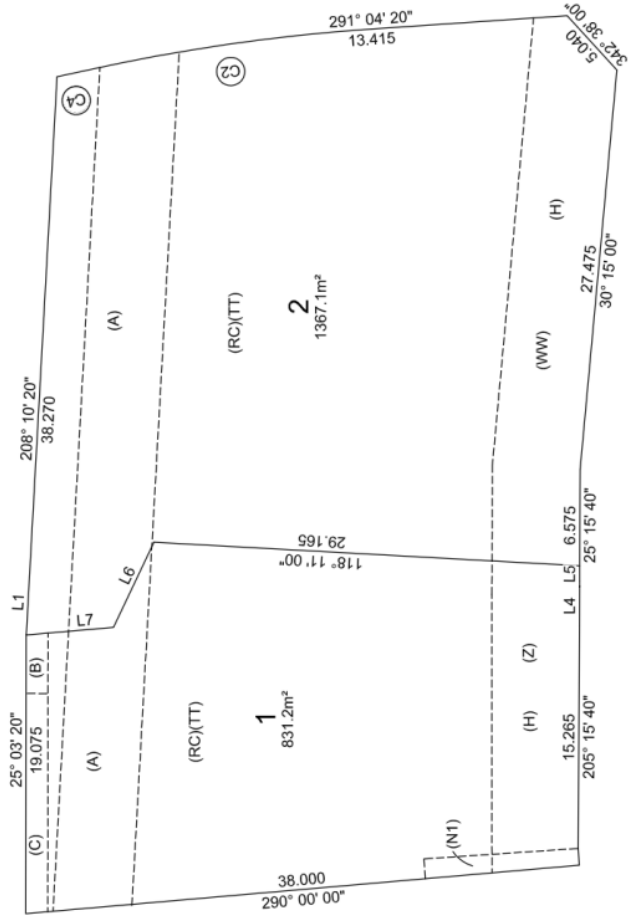
SCHEDULE OF SHORT LINES	
NO.	BEARING & DISTANCE
L1	208° 10' 20" - 38.270
L4	205° 15' 40" - 2.660
L5	25° 15' 40" - 1.425
L6	50° 24' 40" - 6.450
L7	109° 58' 00" - 6.000

SCHEDULE OF CURVED LINES		
NO.	ARC	CHORD	RADIUS
C1	1.865	282° 40' 40" - 1.865	169.00
C2	19.915	106° 43' 00" - 19.895	131.00

(A) - PROPOSED RIGHT OF ACCESS VARIABLE WIDTH
(B) - EASEMENT TO DRAIN WATER 1.5 WIDE (DP1234443)
(C) - EASEMENT TO DRAIN WATER 1.5 WIDE (DP1244641)
(H) - RESTRICTION ON THE USE OF LAND (DP1244641)
(N1) - POSITIVE COVENANT (DP1223015) (NO.17)
(RC) - BENEFITTED BY RIGHT OF CARRIAGEWAY 30 WIDE (DP630179)
(TT) - POSITIVE COVENANT (DP1218524)
(WW) - BENEFITTED BY EASEMENT TO DRAIN WATER 3.5 WIDE (DP1223015)
- POSITIVE COVENANT (NO.13)(DP1223015)

GUNSYND CHASE

PHILIP CHARLEY DRIVE



Surveyor : MARK ROSS CORNISH
Date of Survey :
Surveyor's Ref :

PLAN OF SUBDIVISION OF LOT334 DP1237302
AND LOT 401 DP1244641

LGA: PORT MACQUARIE HASTINGS
Locality : PORT MACQUARIE
Subdivision No:
Lengths are in metres. RRatio 1:300

Registered

DRAFT DP

00 10 20 30 40 50 Table of mm 90 100 110 120 130 140 150

Client

Gant

Proposed Stormwater Mangement

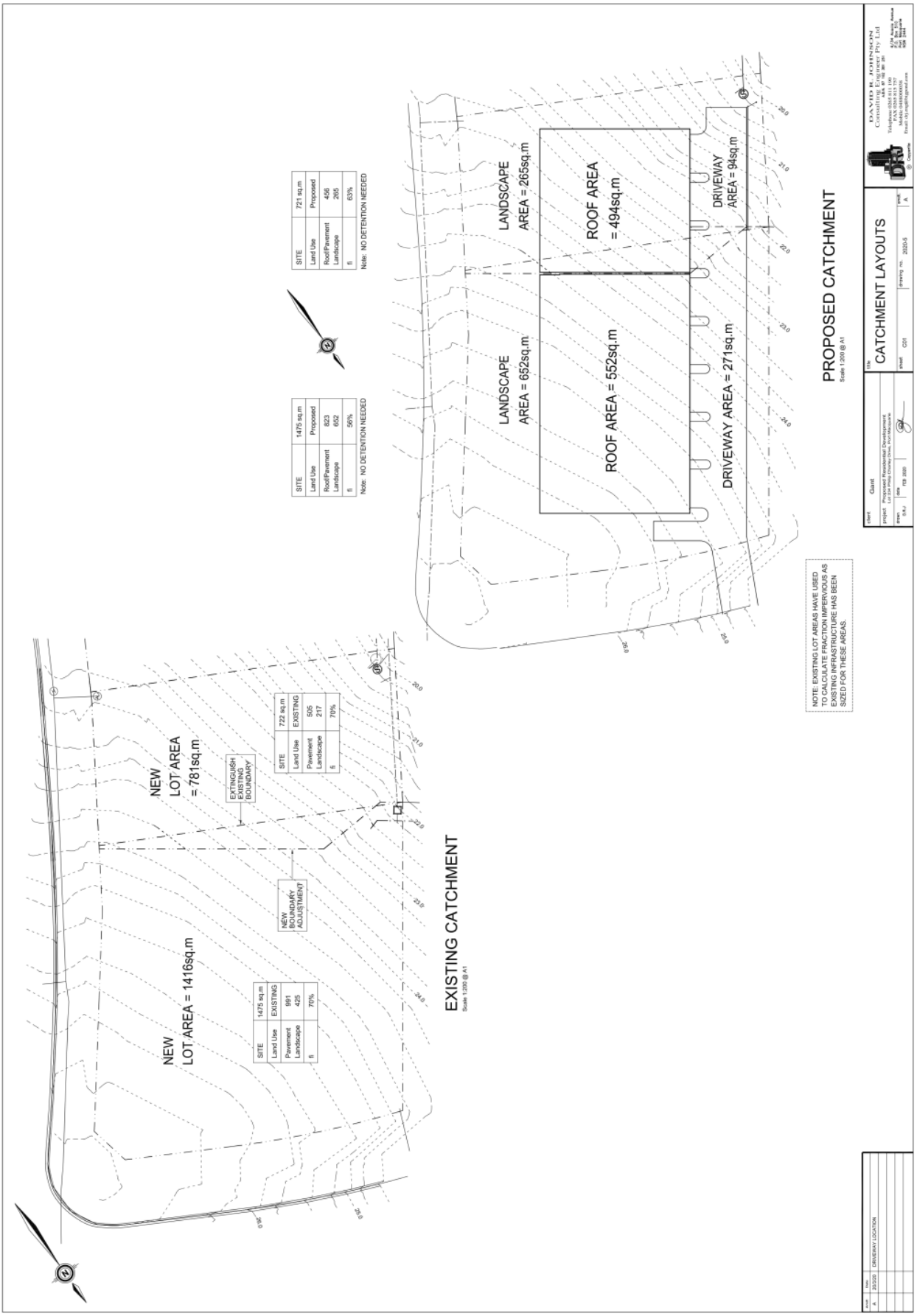
Lot 334 Philip Charley Drive, Port Macquarie NSW 2444

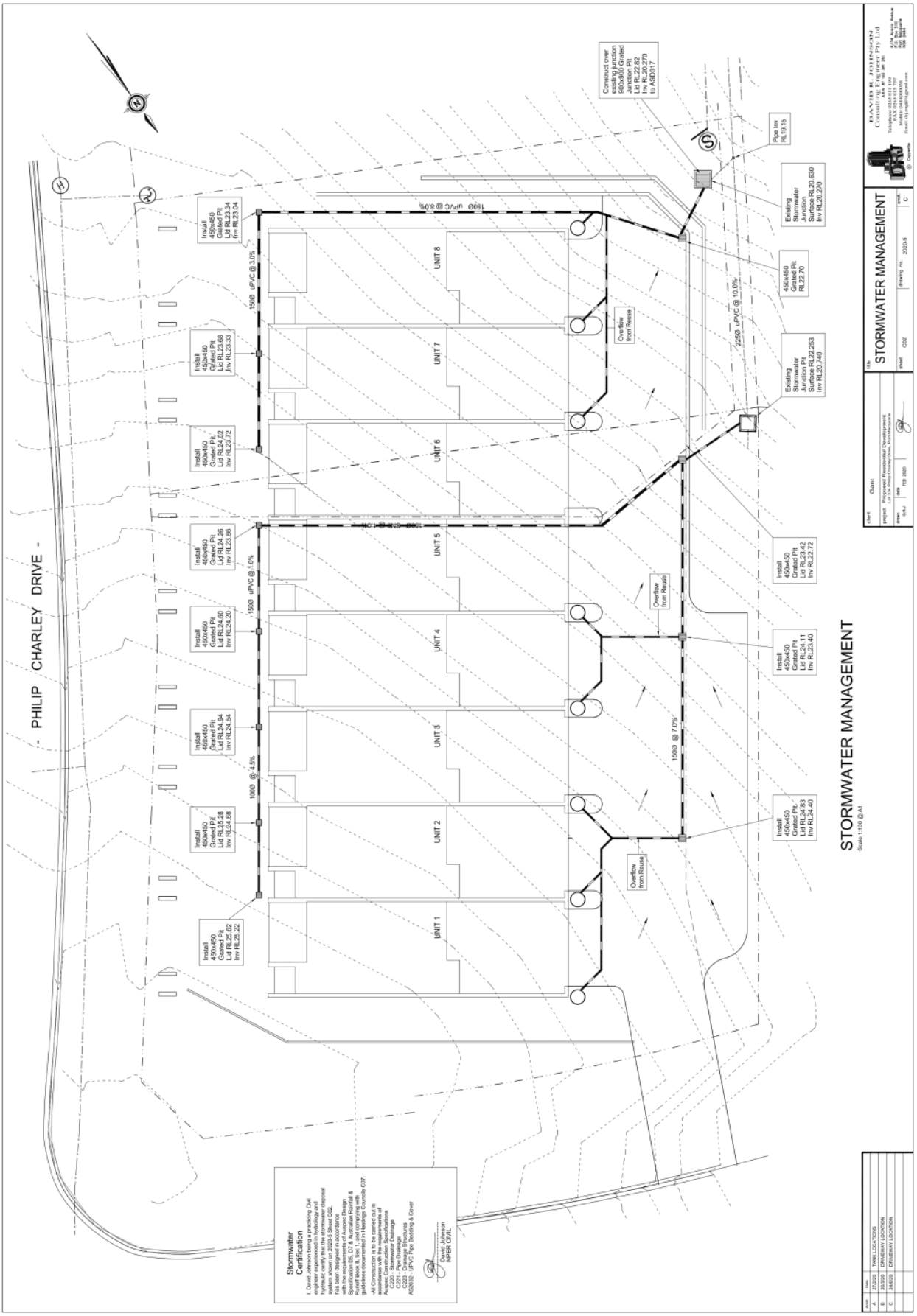
C01 - Catchment Layouts

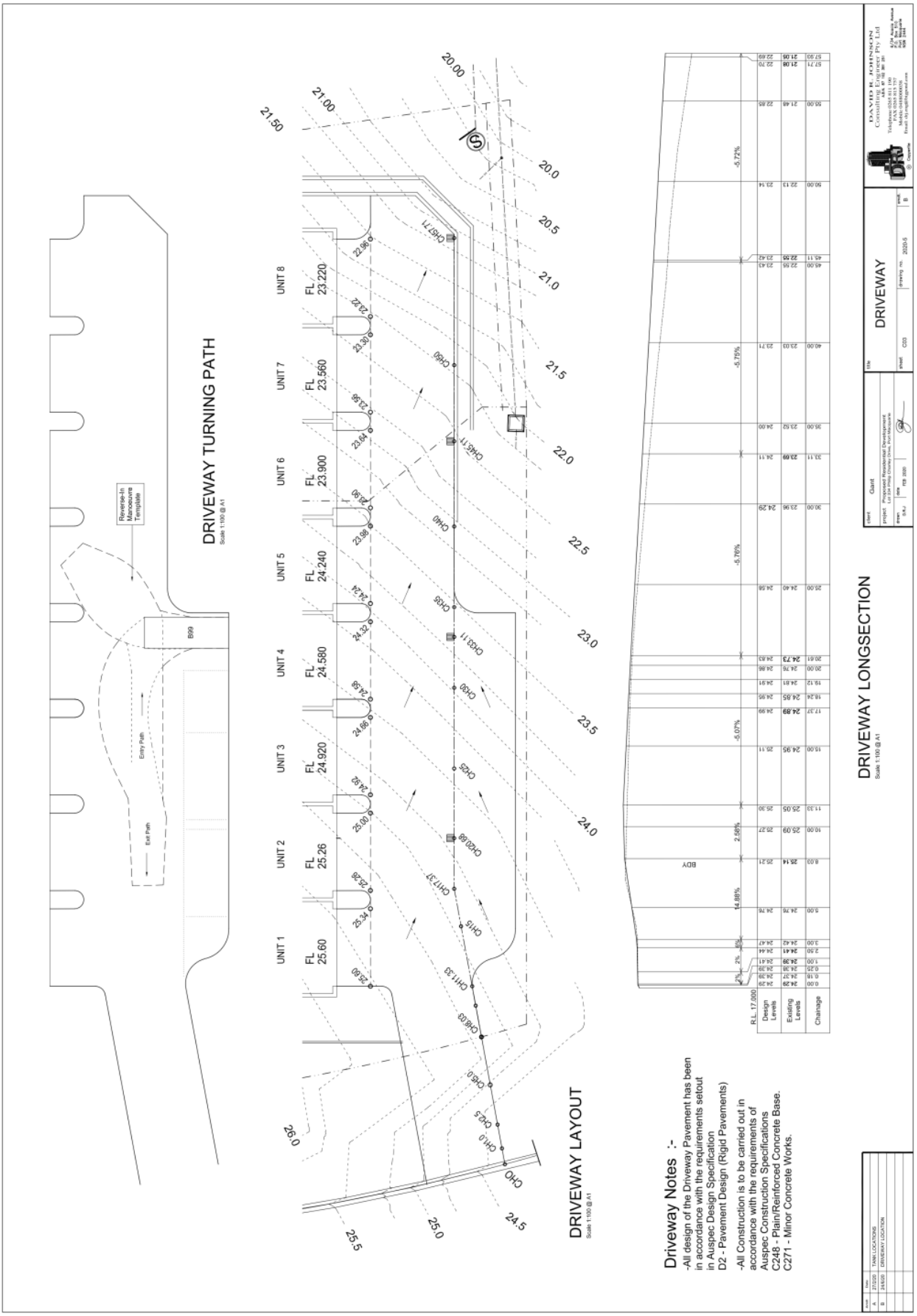
C02 - Stormwater Management

C03 - Detention & Driveway Details

DAVID R. JOHNSON
Consulting Engineer Pty Ltd.
A.B.N. 87 102 381 251
Telephone 0265 811 190
Mobile 0488 000 038
Email drj.eng@bigpond.com
6/34 Acacia Av
P.O. Box 510
Port Macquarie
NSW 2444


EXISTING CATCHMENT
Scale 1:200 @ A1
NEW LOT AREA = 1416sq.m
NEW LOT AREA = 781sq.m
EXTINGUISH EXISTING BOUNDARY
NEW BOUNDARY ADJUSTMENT
SITE 1475 sq.m
Land Use EXISTING
Pavement 991
Landscape 425
fi 70%
SITE 722 sq.m
Land Use EXISTING
Pavement 505
Landscape 217
fi 70%
PROPOSED CATCHMENT
Scale 1:200 @ A1
LANDSCAPE AREA = 652sq.m
LANDSCAPE AREA = 265sq.m
ROOF AREA = 552sq.m
ROOF AREA = 494sq.m
DRIVEWAY AREA = 271sq.m
DRIVEWAY AREA = 94sq.m
SITE 1475 sq.m
Land Use Proposed
Roof/Pavement 823
Landscape 652
fi 56%
Note: NO DETENTION NEEDED
SITE 721 sq.m
Land Use Proposed
Roof/Pavement 456
Landscape 265
fi 63%
Note: NO DETENTION NEEDED
NOTE: EXISTING LOT AREAS HAVE USED TO CALCULATE FRACTION IMPERVIOUS AS EXISTING INFRASTRUCTURE HAS BEEN SIZED FOR THESE AREAS.
CATCHMENT LAYOUTS
DAVID R. JOHNSON
Consulting Engineer Pty Ltd
Gant
Proposed Residential Development
C01
2020-5
A
DRIVEWAY LOCATION


- PHILIP CHARLEY DRIVE -
UNIT 1
UNIT 2
UNIT 3
UNIT 4
UNIT 5
UNIT 6
UNIT 7
UNIT 8
1500 @ 7.0%
1500 uPVC @ 1.0%
1000 @ 4.5%
1500 uPVC @ 3.0%
1500 uPVC @ 6.0%
2250 uPVC @ 10.0%
Overflow from Reuse
Overflow from Reuse
Overflow from Reuse
Install 450x450 Grated Pit Lid RL25.22 Inv RL25.62
Install 450x450 Grated Pit Lid RL25.28 Inv RL24.88
Install 450x450 Grated Pit Lid RL24.54 Inv RL24.94
Install 450x450 Grated Pit Lid RL24.20 Inv RL24.60
Install 450x450 Grated Pit Lid RL23.86 Inv RL24.26
Install 450x450 Grated Pit Lid RL23.72 Inv RL24.02
Install 450x450 Grated Pit Lid RL23.33 Inv RL23.68
Install 450x450 Grated Pit Lid RL23.34 Inv RL23.84
Install 450x450 Grated Pit Lid RL23.40 Inv RL24.83
Install 450x450 Grated Pit Lid RL23.40 Inv RL24.11
Install 450x450 Grated Pit Lid RL22.72 Inv RL23.42
Existing Stormwater Junction Surface RL20.740 Inv RL20.740
Existing Stormwater Junction Surface RL22.253 Inv RL20.740
450x450 Grated Pit RL22.70
Existing Stormwater Junction Surface RL20.630 Inv RL20.270
Pipe Inv RL18.15
Construct over existing junction 900x900 Grated Junction Pit Lid RL22.82 Inv RL20.270 to ASD317
Stormwater Certification
I, David Johnson, a Registered Professional Engineer of Queensland and a practicing Civil engineer experienced in hydrology and hydraulic, certify that the stormwater disposal system as shown on Drawing No. 2020-5 C02, has been designed in accordance with the requirements of Auspec Design Specifications D5 & D7, Australian Rainfall & Runoff Book 9, Sol. 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
A5B202 - UPVC Pipe Bedding & Cover
David Johnson
NPER CIVIL
STORMWATER MANAGEMENT
Scale 1:100 @ A1
DAVID R. JOHNSON
Consulting Engineer Pty Ltd
ACN 009 673 777
Telephone 0358 811 180
Facsimile 0358 811 777
Mobile 0408000005
Email dj@nperfect.com
627a Bass Avenue
Port Welshpool
Vic 3966
Australia
client Giant
project Proposed Residential Development
Lot 24 Philip Charley Drive, Port Welshpool
drawn TKJ
date FEB 2020
title STORMWATER MANAGEMENT
sheet C02
drawing no. 2020-5
issue C
A 27/02/20 TANK LOCATIONS
B 20/02/20 DRIVEWAY LOCATION
C 24/02/20 DRIVEWAY LOCATION


DRIVEWAY TURNING PATH
Scale 1:100 @ A1
Reverse-in Manoeuvre Template
Entry Path
Exit Path
B99
UNIT 1
UNIT 2
UNIT 3
UNIT 4
UNIT 5
UNIT 6
UNIT 7
UNIT 8
FL 25.60
FL 25.26
FL 24.920
FL 24.580
FL 24.240
FL 23.900
FL 23.560
FL 23.220
DRIVEWAY LAYOUT
Scale 1:100 @ A1
DRIVEWAY LONGSECTION
Scale 1:100 @ A1
Driveway Notes :-
-All design of the Driveway Pavement has been in accordance with the requirements setout in Auspec Design Specification D2 - Pavement Design (Rigid Pavements)
-All Construction is to be carried out in accordance with the requirements of Auspec Construction Specifications C248 - Plain/Reinforced Concrete Base. C271 - Minor Concrete Works.
DRIVEWAY
DAVID R. JOHNSON
Consulting Engineer Pty Ltd

Developer Charges - Estimate

PORT MACQUARIE HASTINGS

Applicants Name: Morr Constructions Pty Ltd
Property Address: 96 Philip Charley Drive, Port Macquarie
Lot & Dp: Lot(s):334 & 401,DP(s):1237302 & 1244641
Development: Multi Dwelling Housing and Combination of Torrens and Strata 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	4.4	$10,085.00	Per ET	$44,374.00
2	Sewerage Scheme Port Macquarie	6	$3,826.00	Per ET	$22,956.00
3	Since 1.7.04 - Major Roads - Innes Peninsula - Per ET	5.2	$9,313.00	Per ET	$48,427.60
4	Since 31.7.18 - Open Space - Innes Peninsula - Per ET	5.2	$6,230.00	Per ET	$32,396.00
5	Commenced 3 April 2006 - Com, Cul and Em Services CP - Innes Peninsula	5.2	$4,573.00	Per ET	$23,779.60
6	Com 1.3.07 - Administration Building - All areas	5.2	$900.00	Per ET	$4,680.00
7	N/A				
8	N/A				
9	N/A				
10	N/A				
11	N/A				
12	Bushfire Additional	5.2	$499.00	Per ET	$2,594.80
13	N/A				
14	N/A				
15	Admin General Levy - Applicable to Consents approved after 11/2/03	2.2% S94 Contribution			$2,461.30
16					
17					
18					
	Total Amount of Estimate (Not for Payment Purposes)				**$181,669.30**

Not for Payment Purposes

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: **5-Aug-2020**

Estimate Prepared By Chris Gardiner

This is an ESTIMATE ONLY - NOT for Payment Purposes

uctions Pty Ltd, 96 Philip Charley Drive, Port Macquarie, 5-Aug-2020.xls

PORT MACQUARIE-HASTINGS COUNCIL

Item: **08**

Subject: **DA2020 - 237.1 2 LOT TORRENS TITLE SUBDIVISION (STAGE 1) AND DUAL OCCUPANCY WITH STRATA SUBDIVISION (STAGE 2) AT LOT 1 DP 568609, NO. 32 WARLTERS STREET, WAUCHOPE**

Report Author: Development Assessment Planner, Chris Gardiner

Applicant:	**P J Isaac**
Owner:	**P J Isaac**
Estimated Cost:	**$345000**
Parcel no:	**24617**

Alignment with Delivery Program

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

RECOMMENDATION

That DA2020 - 237.1 for a 2 Lot Torrens Title Subdivision (Stage 1) and Dual Occupancy with Strata Subdivision (Stage 2) at Lot 1, DP 568609, No. 32 Warlters Street, Wauchope, be determined by granting consent subject to the recommended conditions.

Executive Summary

This report considers a development application for a 2 lot Torrens title subdivision (Stage 1) and dual occupancy with strata subdivision (Stage 2) 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 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**).

1. BACKGROUND

Existing Sites Features and Surrounding Development

The site has an area of 1475m^2.

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

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

2. DESCRIPTION OF DEVELOPMENT

Key aspects of the proposal include the following:

- Stage 1 - 2 lot Torrens title subdivision, with existing multi dwelling housing to be retained on Lot 1, and Lot 2 being a vacant lot.
- Stage 2 - Dual occupancy and strata subdivision on Lot 2.

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

Application Chronology

- 31 March 2020 - Application lodged.
- 9 April 2020 to 24 April 2020 - Neighbour notification.

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 5 - This SEPP applies to the Port Macquarie-Hastings Local Government Area.

Clause 10 - The site isn't identified on the Koala Development Application Map or under a Koala Plan of Management, and the land has an area less than 1 hectare including adjoining land in the same ownership. The SEPP does not prevent the granting of consent on the land being less than 1 hectare in area.

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 (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.

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 multi dwelling housing and dual occupancy (following subdivision) are permissible land uses 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 would contribute to the range of housing types and densities to meet the housing needs of the community.

- Clause 4.1 - The lot sizes within the proposed subdivision range from 486.12m^2 to 988.47m^2. All proposed lots comply with the minimum lot size of 450m^2 identified in the Lot Size Map relating to the site.
- Clause 4.3 - The maximum overall height of the building above ground level (existing) is 4.25m 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 0.22:1 for Lot 1 and 0.46:1 for Lot 2, 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. Provision of electricity will be subject to obtaining satisfactory arrangements certification prior to the issue of a Subdivision Certificate as recommended by a condition of consent.

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

No draft instruments apply to the site.

(iii) Any Development Control Plan in force

Port Macquarie-Hastings Development Control Plan 2013

DCP 2013: Dwellings, Dual occupancies, Dwelling houses, Multi dwelling houses & Ancillary development			
	Requirements	**Proposed**	**Complies**
3.2.2.1	Ancillary development: • 4.8m max. height • Single storey • 60m2 max. area • 100m2 for lots >900m2 • 24-degree max. roof pitch	Water tanks appropriately located.	Yes

DCP 2013: Dwellings, Dual occupancies, Dwelling houses, Multi dwelling houses & Ancillary development			
	Requirements	**Proposed**	**Complies**
	• Not located in front setback		
3.2.2.2	Articulation zone: • Min. 3m front setback • An entry feature or portico • A balcony, deck, patio, pergola, terrace or verandah • A window box treatment • A bay window or similar feature • An awning or other feature over a window • A sun shading feature	The development contains a verandah within the articulation zone. The verandah does not exceed 25% of the articulation zone and has a setback of 3.47m.	Yes
	Front setback (Residential not R5 zone): • Min. 6.0m classified road • Min. 4.5m local road or within 20% of adjoining dwelling if on corner lot • Min. 3.0m secondary road • Min. 2.0m Laneway	4.5m from local road.	Yes
3.2.2.3	Garage 5.5m min. and 1m behind front façade. Garage door recessed behind building line or eaves/overhangs provided	Carport setback minimum 6.727m.	Yes
	6m max. width of garage door/s and 50% max. width of building	Carport 6m wide and less than 50% of building width.	Yes
	Driveway crossover 1/3 max. of site frontage and max. 5.0m width	New driveway 3m wide and less than 1/3 of site frontage.	Yes
3.2.2.4	4m min. rear setback. Variation subject to site analysis and provision of private open space	Minimum 4.005m rear setback.	Yes
3.2.2.5	Side setbacks: • Ground floor = min. 0.9m • First floors & above = min. 3m setback or where it can be demonstrated that overshadowing not adverse = 0.9m min. • Building wall set in and out every 12m by 0.5m	Side setback minimum 0.9m for single storey wall. The wall articulation is compliant and satisfies the objectives of the development provision.	Yes

DCP 2013: Dwellings, Dual occupancies, Dwelling houses, Multi dwelling houses & Ancillary development			
	Requirements	**Proposed**	**Complies**
3.2.2.6	35m2 min. private open space area including a useable 4x4m min. area which has 5% max. grade	Each occupancy contains 35m² open space in one area including a useable 4m x 4m area accessible off a living room. The proposal would not compromise the principal areas of private open space of existing multi dwelling housing on proposed Lot 1.	Yes
3.2.2.7	Front fences: • If solid 1.2m max height and front setback 1.0m with landscaping • 3x3m min. splay for corner sites • Fences >1.2m to be 1.8m max. height for 50% or 6.0m max. length of street frontage with 25% openings • 0.9x0.9m splays adjoining driveway entrances	The proposed front fence design is considered to meet the fencing provisions and objectives of DCP 2013. No adverse impacts will occur.	Yes
3.2.2.8	Front fences and walls to have complimentary materials to context No chain wire, solid timber, masonry or solid steel front fences	Fencing design complies.	Yes
3.2.2.10	Privacy: • Direct views between living areas of adjacent dwellings screened when within 9m radius of any part of window of adjacent dwelling and within 12m of private open space areas of adjacent dwellings. ie. 1.8m fence or privacy screening which has 25% max. openings and is permanently fixed • Privacy screen required if floor level > 1m height, window side/rear setback (other than bedroom) is less than 3m	The development will not compromise privacy in the area due to a combination of building design and use of screening/fencing.	Yes

DCP 2013: Dwellings, Dual occupancies, Dwelling houses, Multi dwelling houses & Ancillary development			
	Requirements	**Proposed**	**Complies**
	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		

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. 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 change 1m outside the perimeter of the external building walls.	Yes
2.3.3.2	1m max. height retaining walls along road frontage	None proposed.	N/A
	Any retaining wall >1.0 in height to be certified by structure engineer	No retaining wall likely >1m.	Yes
	Combination of retaining wall and front fence height max 1.8m, max length 6.0m or 30% of frontage, fence component 25% transparent, and splay at corners and adjacent to driveway	No retaining wall front fence combination proposed.	N/A
2.3.3.8	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 100m diameter trunk at 1m above ground level and 3m from external wall of existing dwelling)	The proposal includes removal of 4 garden trees. The trees to be removed do not include any koala food trees that require offsetting.	Yes
2.4.3	Bushfire risk, Acid sulphate soils, Flooding, Contamination, Airspace protection, Noise and Stormwater	Refer to main body of report.	
2.5.3.2	New accesses not permitted from arterial or distributor roads	No new access proposed to arterial or distributor road.	Yes
	Driveway crossing/s minimal in number and width including maximising street parking	Driveway crossings are minimal in width and maximise retention of street parking.	Yes

DCP 2013: General Provisions			
	Requirements	**Proposed**	**Complies**
2.5.3.3	Parking in accordance with Table 2.5.1. <u>Dwelling/dual occupancies</u> 1 space per dwelling/occupancy (behind building line). <u>Multi dwelling</u> 1 space per 1 & 2 bedroom occupancies 1.5 spaces per 3+ bedroom occupancies 0.25 spaces per occupancy for visitor parking.	The existing development on Lot 1 comprises 2 x 2 bedroom units, and 1 x 1 bedroom unit. This component of the development therefore requires 3 spaces, plus 1 visitor parking space. The existing development contains 3 parking spaces within the garage and carport, with no designated visitor parking. The proposed subdivision would not result in any reduction in the existing parking. The proposed dual occupancy includes 1 parking space per dwelling and satisfies the DCP provisions.	Yes
2.5.3.11	Section 94 contributions	Contributions apply - refer to ET calc and NOP.	Yes
2.5.3.12 and 2.5.3.13	Landscaping of parking areas	Suitable landscaping proposed around driveway/parking locations.	Yes
2.5.3.14	Sealed driveway surfaces unless justified	Sealed driveway areas proposed for new work. Existing units on Lot 1 have gravel driveway, but are not proposed to be altered and it is not considered that there is any nexus to require upgrade of the existing surface, other than the shared part of the driveway adjacent to the proposed dual occupancy.	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.	Yes

Note: Subdivision provisions of the DCP (except battleaxe handle width) are aimed at the creation of vacant lots (i.e. not lots within an integrated housing proposal such as this) and have therefore been excluded from the above assessment. Servicing requirements are discussed later in this report.

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

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

(iv) Any matters prescribed by the Regulations

No matters prescribed by the regulations are applicable to the proposal.

(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 compatible with other residential development in the locality and adequately addresses planning controls for the area.

There are no adverse impacts on privacy or existing view sharing. There are no adverse overshadowing impacts. The proposal does not prevent adjoining properties from receiving 3 hours of sunlight to private open space and primary living areas on 21 June.

Roads
The site has road frontage to Warlters Street. Adjacent to the site, Warlters Street is a sealed public road under the care and control of Council.

Traffic and Transport
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 via a shared driveway with direct frontage to Warlters Street. Access shall comply with Council AUSPEC and Australian Standards, and conditions have been recommended to reflect these requirements. It is also recommended that the shared part of the existing gravel driveway be upgraded to a bitumen sealed or concrete surface as the proposal will intensify the use of this area.

Parking and Manoeuvring
A total of 5 parking spaces have been provided on-site within garages/carports. Parking and driveway widths on site can comply with relevant Australian Standards (AS 2890) and conditions have been recommended to reflect these requirements.

Due to the type of development, car park circulation is required to enable vehicles to enter and exit the site in a forward manner. Site plans show adequate area is available and conditions have been recommended to reflect these requirements.

Water Supply Connection
Council records indicate that the development site has an existing 20mm metered water service. 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 in accordance with AS3500.

Provision to each lot of a separate metered water connection to Council's main. All work will need to comply with the requirements of Council's adopted AUSPEC Design and Construction Guidelines and Policies.

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 a junction to the existing sewer main, which runs outside of the north-eastern boundary of the development site. The proposed development may discharge all sewage to the existing point of connection to Council's sewer system.

Provision is required to each lot of a separate sewer line to Council's main.

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

Stormwater
The site naturally grades towards the street frontage and is currently serviced via a kerb outlet. The location of the existing kerb adaptor is deemed unsuitable, due to its close proximity to the existing sewer manhole and neighbouring driveway layback. A single kerb adaptor is to be utilised for both proposed lots, via an interallotment drainage system and the establishment of the relevant easements.

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 Subdivision Works Certificate.

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

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.

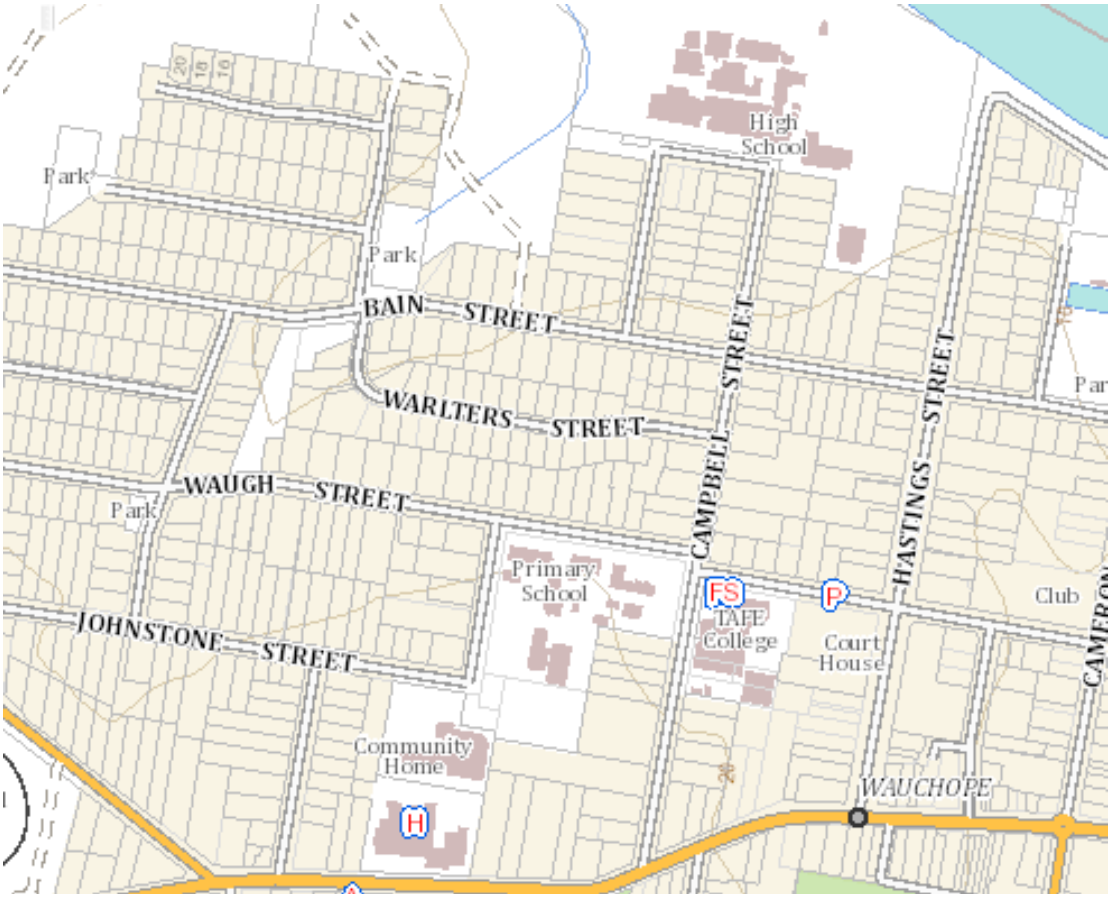
Other land resources
The site is within an established urban context and will not sterilise any significant mineral or agricultural resource.

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. An extract of the Biodiversity Values Map (accessed 3 June 2020) is included below.



Waste
Satisfactory arrangements are in place for the proposed storage and collection of waste and recyclables. Proposed Lot 2 has sufficient site frontage for kerbside collection for the dual occupancy. However, the subdivision will significantly reduce the site frontage of the existing multi dwelling housing on proposed Lot 1. The site frontage of Lot 1 is entirely driveway crossover and there is no opportunity for placement of bins at the kerb for collection. A condition is recommended requiring a private waste collection service for Lot 1.

A standard precautionary site management condition is also recommended during construction.

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 was received following public exhibition of the application. A copy of the written submission has been provided separately to members of the DAP.

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

Submission Issue/Summary	Planning Comment/Response
The proposal will result in overcrowding of an existing town allotment and will detrimentally impact Wauchope's infrastructure, culture and aesthetic. There are already 22 bedrooms across 5 properties in the elbow section of Warlters Street.	The floor space ratio for the proposal is significantly below the maximum permitted for the area and the density of the proposal is therefore considered acceptable for the area. The objectives of the R1 zone seek a mix of housing types and densities, and the proposal would contribute to an appropriate mix. The planning controls do not include any provisions that seek to retain a character of single dwellings on larger lots. The existing infrastructure in the locality is adequate for the proposed development.
The additional traffic associated with the development will result in safety issues at the intersection of Warlters Street with Campbell Street and Bain Street, particularly peak school times. The traffic will also increase wear and tear on the existing overused roads.	The proposal is for two additional dwellings, which are expected to generate an average of 18 trips per day, with an increase of 1.7 peak hour trips according to the Guide to Traffic Generating Development. This traffic is within the capacity of the existing road network and the proposal does not warrant any road or intersection upgrades.
Loss of greenery with the proposed removal of 4 trees. The existing trees provide a benefit to neighbouring properties in terms of visual screening and privacy.	The trees proposed to be removed comprise 2 mango trees, a jacaranda, and a pine. None of these trees are identified in the DCP as requiring retention on development sites, or any form of offsetting. It is noted that the trees provide some privacy screening in their current form. Privacy impacts are discussed in more detail later in this table.
Loss of privacy to existing dwelling and rear deck of No. 27 Waugh Street. The removal of Tree 1 will allow residents of Unit 2 a direct line of sight into the elevated rear deck and living room windows.	The rear deck of No 27 Waugh Street is separated by approximately 15m from the private open space area of Unit 2 and approximately 20m from the living area windows. The DCP provides that 12m of separation is sufficient to provide privacy in an urban context. In addition to the separation distance, Unit 2 and its rear private open space are proposed to be cut in approximately 600mm below ground level at the existing 1.8m high boundary fence. This will effectively provide a 2.4m high privacy screen on the development side. The 1.8m high fence alone would achieve the DCP privacy requirements.
Removal of trees will result in privacy impacts on No. 27 Waugh Street from foot traffic in Warlters Street, and glare from vehicle headlights.	The rear deck of No. 27 Waugh Street is located approximately 50m from Warlters Street and the property contains a 1.8m high fence on the boundary. The proposed dual occupancy on Lot 2 is expected to block any headlight glare or direct sight lines, given that it would have a 0.9m side setback to the

Submission Issue/Summary	Planning Comment/Response
	eastern boundary and a 1.8m high fence at the site frontage.

(e) The Public Interest

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

Ecologically Sustainable Development and Precautionary Principle
Ecologically sustainable development requires the effective integration of economic and environmental considerations in decision-making processes.

The four principles of ecologically sustainable development are:
- the precautionary principle,
- intergenerational equity,
- conservation of biological diversity and ecological integrity,
- improved valuation, pricing and incentive mechanisms.

The principles of ESD require that a balance needs to be struck between the man-made development and the need to retain the natural vegetation. Based on the assessment provided in the report and with recommended conditions of consent, it is considered an appropriate balance has been struck.

Climate change
The proposal is not considered to be vulnerable to any risks associated with climate change.

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. DA2020 - 237.1 Recommended Conditions
2. DA2020 - 237.1 Plans
3. DA2020 - 237.1 Contributions Estimate

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

NOTE: THESE ARE DRAFT ONLY

DA NO: 2020/237 **DATE: 3/08/2020**

PRESCRIBED CONDITIONS

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

A – GENERAL MATTERS

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

Plan / Supporting Document	Reference	Prepared by	Date
Plans	Sheet No 1, 1A, 1B, 2, 3, 4, and 5	Narelle Kilmurray	31 March 2020
Statement of Environmental Effect	6716	Love Project Management	March 2020
BASIX Certificate	1065299M	Narelle Kilmurray	2 March 2020

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

(2) (A002) No building or subdivision work shall commence until a Construction Certificate or Subdivision Works Certificate has been issued and the applicant has notified Council of:

a. the appointment of a Principal Certifying Authority; and

b. the date on which work will commence.

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

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

(4) (A005) This consent allows the strata-subdivision of the dual occupancy on proposed Lot 2, subject to the submission of an application for a Strata Certificate.

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

- Stage 1 - 2 lot Torrens title subdivision;
- Stage 2 - Dual occupancy with strata subdivision on proposed Lot 2.

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

(6) (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.

(7) (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.

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

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

a. making good any damage caused to any property of the Council as a consequence of doing anything to which the consent relates,
b. completing any public work (such as road work, kerbing and guttering, footway construction, utility services, stormwater drainage and environmental controls) required in connection with the consent,
c. remedying any defects in any such public work that arise within twelve (12) months after the work is completed.

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

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

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

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

B – PRIOR TO ISSUE OF A CONSTRUCTION CERTIFICATE OR SUBDIVISION WORKS CERTIFICATE

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

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

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

Such works include, but not be limited to:

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

(3) (B003) Submission to the Principal Certifying Authority prior to the issue of a Construction Certificate or Subdivision Works 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. Detailed driveway profile in accordance with ASD 202 & ASD 207.

(4) (B010) Payment to Council, prior to the issue of the Construction or Subdivision Certificate (whichever occurs first) 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

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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 or Subdivision Certificate (whichever occurs first), of the Section 64 contributions, as set out in the "Notice of Payment – Developer Charges" schedule attached to this consent unless deferral of payment of contributions has been approved by Council. The contributions are levied in accordance with the provisions of the relevant Section 64 Development Servicing Plan towards the following:

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

(6) (B016) Provision to each lot of a separate sewer line to Council's main. All work will need to comply with the requirements of Council's adopted AUSPEC Design and Construction Guidelines and Policies. Any abandoned sewer junctions are to be capped off at Council's sewer main and Council notified to carry out an inspection prior to backfilling of this work.

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

(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) (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.

(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.

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

a) The legal point of discharge for the proposed development is defined as the kerb and gutter of a public road.

b) The location of the existing kerb adaptor is deemed unsuitable, due to its close proximity to the existing sewer manhole and neighbouring driveway layback. A single kerb adaptor is to be utilised for both proposed lots, via an interallotment drainage system and the establishment of the relevant easements.

c) The design is to be generally in accordance with the stormwater drainage concept plan on Drawing No 11854-1 prepared by B. R. Development Consulting and dated March 2019.

d) Prior to the issue of a Subdivision Works Certificate, pre and post development catchment DRAINS modelling is required for the total lot area (~1473 m2) to demonstrate site stormwater discharge is limited to pre development flow rates for all storm events up to and including the 100 year ARI event. Note that the site's existing use is deemed acceptable when defining pre development conditions.

e) 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.

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

g) The design shall provide details of any components of the existing stormwater drainage system servicing the site that are to be retained.

(11) Council records indicate that the development site has an existing 20mm metered water service. 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 in accordance with AS3500.

(12) Provision to each lot of a separate metered water connection to Council's main. All work will need to comply with the requirements of Council's adopted AUSPEC Design and Construction Guidelines and Policies.

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

D – DURING WORK

(1) (D001) Development works on public property or works to be accepted by Council as an infrastructure asset are not to proceed past the following hold points without inspection and approval by Council. Notice of required

DRAFT

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) (E005) Prior to release of bond securities, a written application to be submitted to Council.

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

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

(5) (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 Subdivision Works Certificate with dedication of the easement as part of any Subdivision Certificate associated with interallotment drainage.

(6) (E039) An appropriately qualified and practising consultant is required to furnish a Compliance Certificate to the Principal Certifying Authority confirming 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.

(7) (E053) All works relating to public infrastructure shall be certified by a practicing Civil Engineer or Registered Surveyor as compliant with the

DRAFT

requirements of AUSPEC prior to issue of Occupation/Subdivision Certificate or release of the security bond, whichever is to occur first.

(8) (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.

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

(10) (E056) A Certificate of Compliance under the provisions of Section 307 of the Water Management Act must be obtained prior to the issue of any Occupation, Subdivision, or Strata 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.

(11) (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.

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

(13) (E082) Submission of a compliance certificate accompanying Works as Executed plans with detail included as required by Council's current AUSPEC Specifications. The information is to be submitted in electronic format in accordance with Council's "CADCHECK" requirements detailing all infrastructure for Council to bring in to account its assets under the provisions of AAS27. This information is to be approved by Council prior to issue of the Subdivision or Occupation Certificate. The copyright for all information supplied, shall be assigned to Council.

(14) (E062) Prior to the issue of a Subdivision 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 proposed Lot 1 by a private waste contractor. All wastes are to be collected as separate waste streams.

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

a. Provision of a reciprocal right of access over the shared part of the driveway access.

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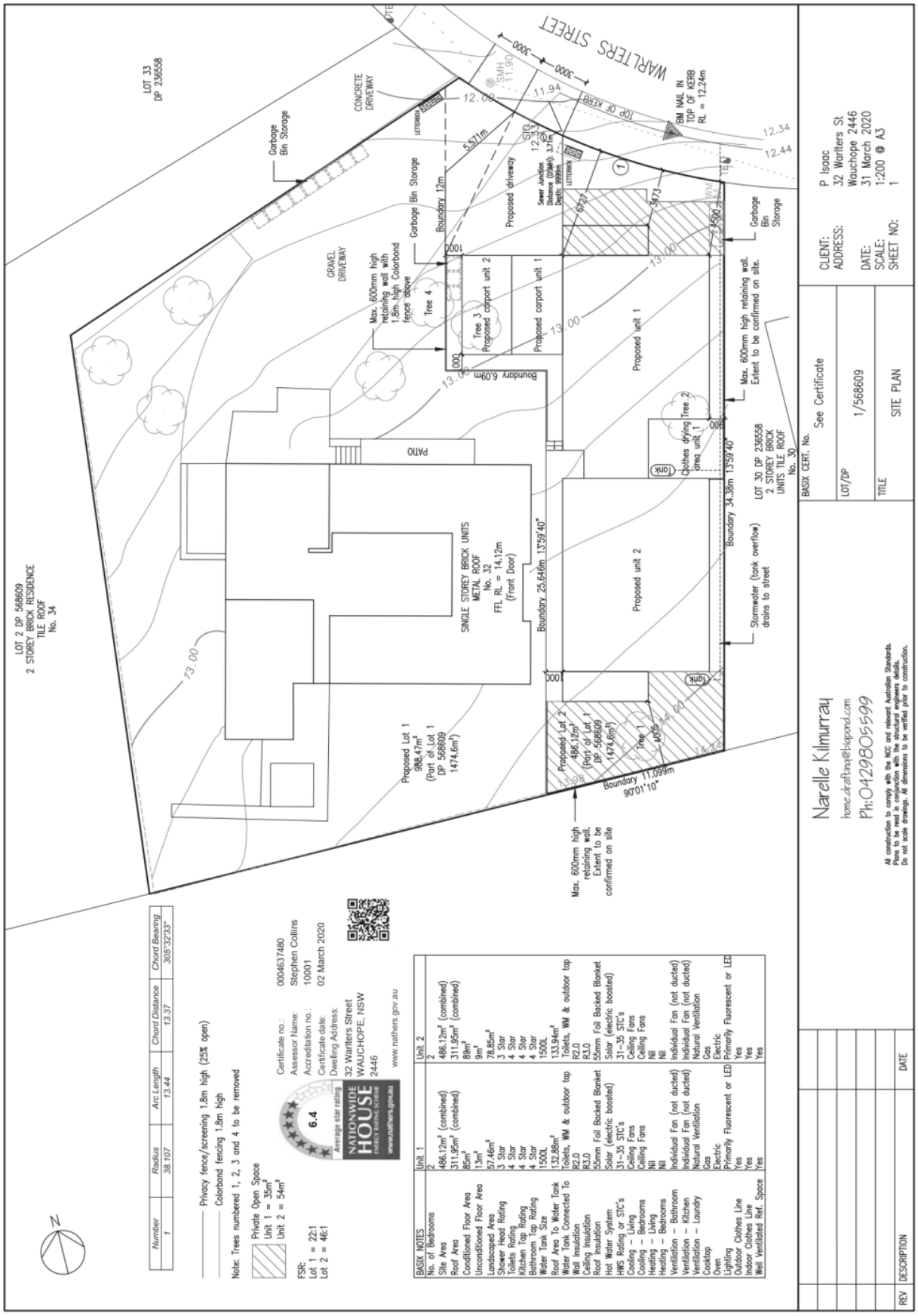
b. Requiring collection of general waste (rubbish), recycling and food and garden organics from proposed Lot 1 by a private waste contractor. All wastes are to be collected as separate waste streams.

(16) (E195) Prior to the issue of an Occupation Certificate or Strata Certificate, the shared part of the driveway shall be provided with a bitumen sealed or 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).

F – OCCUPATION OF THE SITE

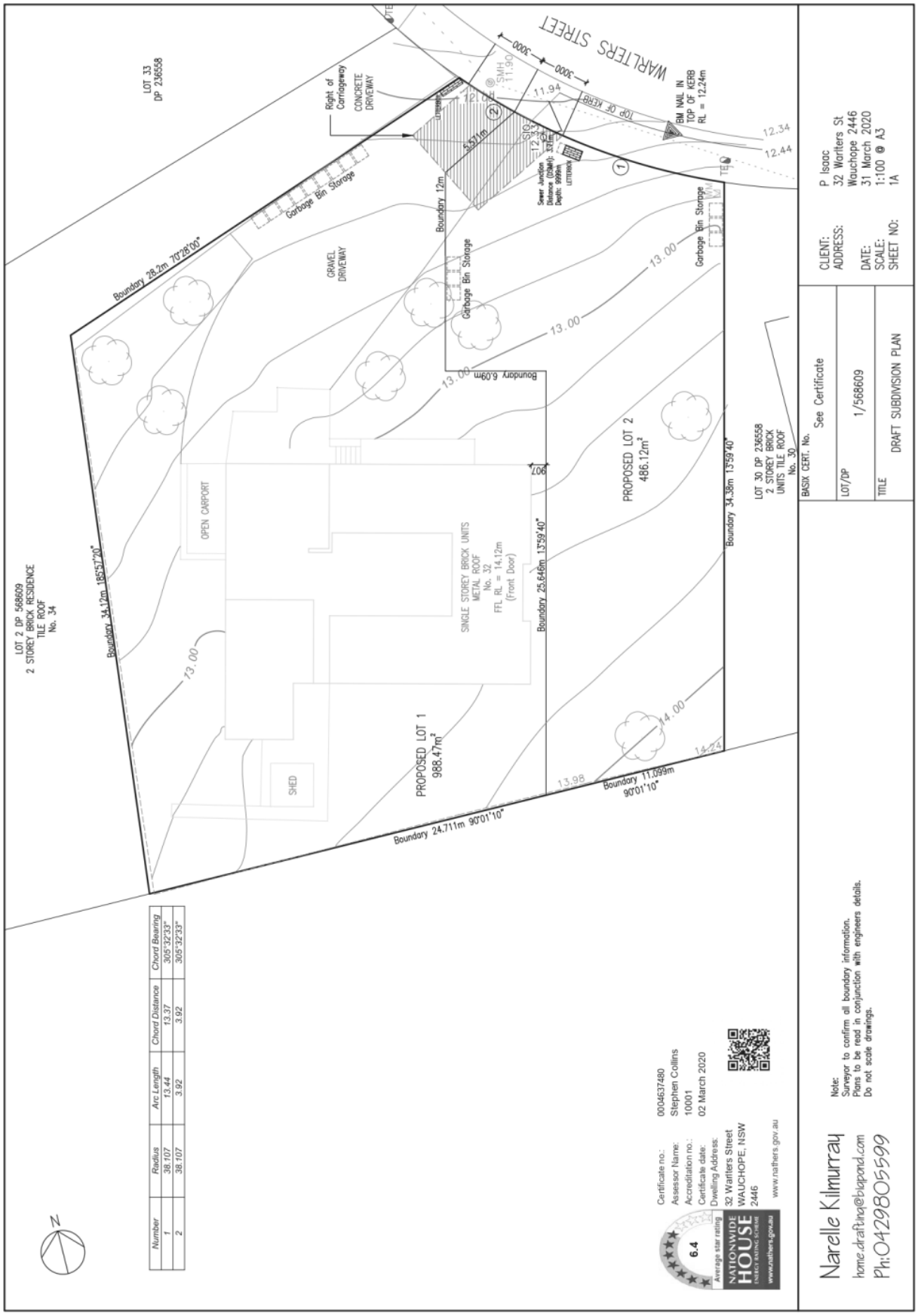
(1) (F004) The dwellings are approved for permanent residential use and not for short term tourist and visitor accommodation.

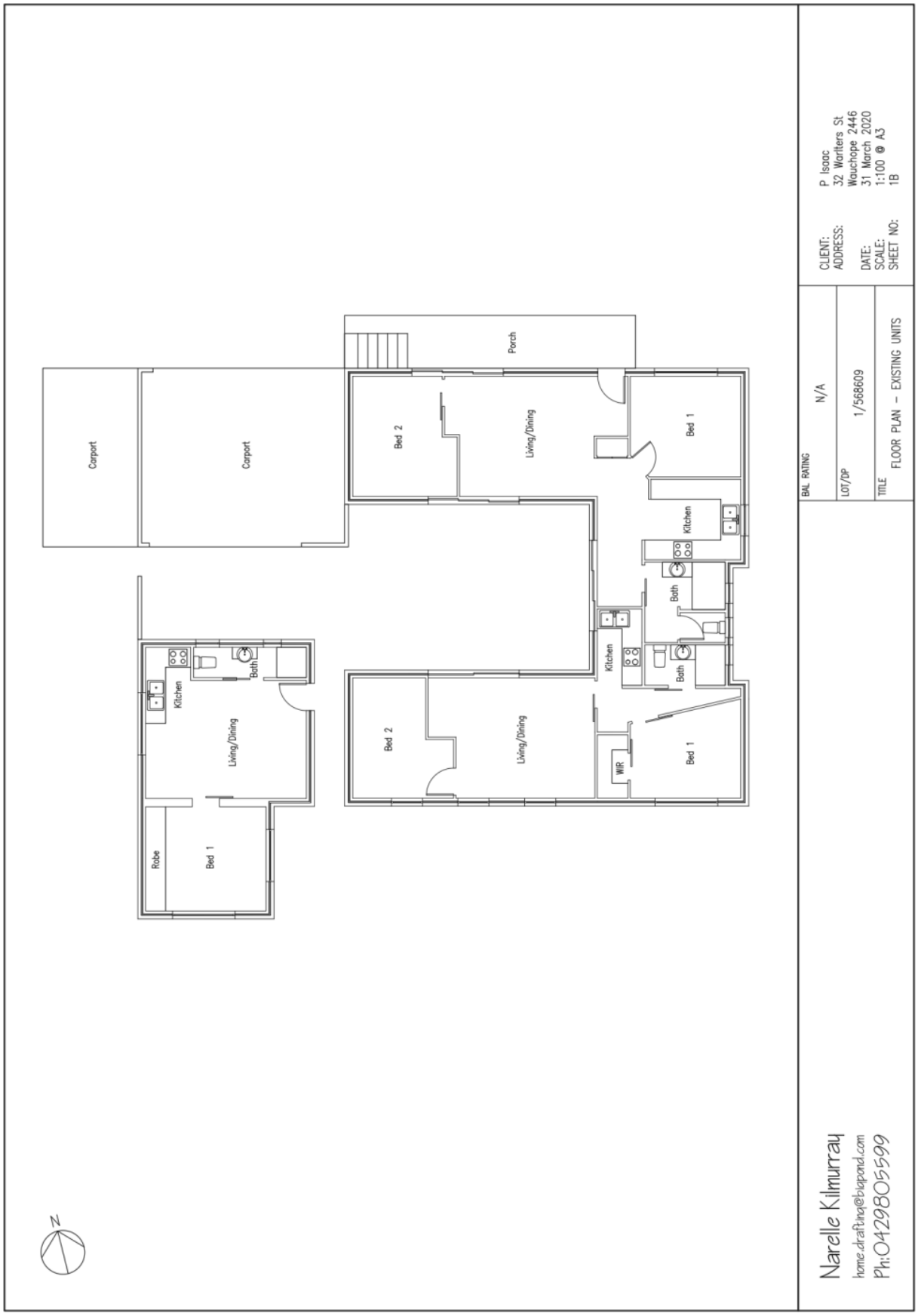
DRAFT

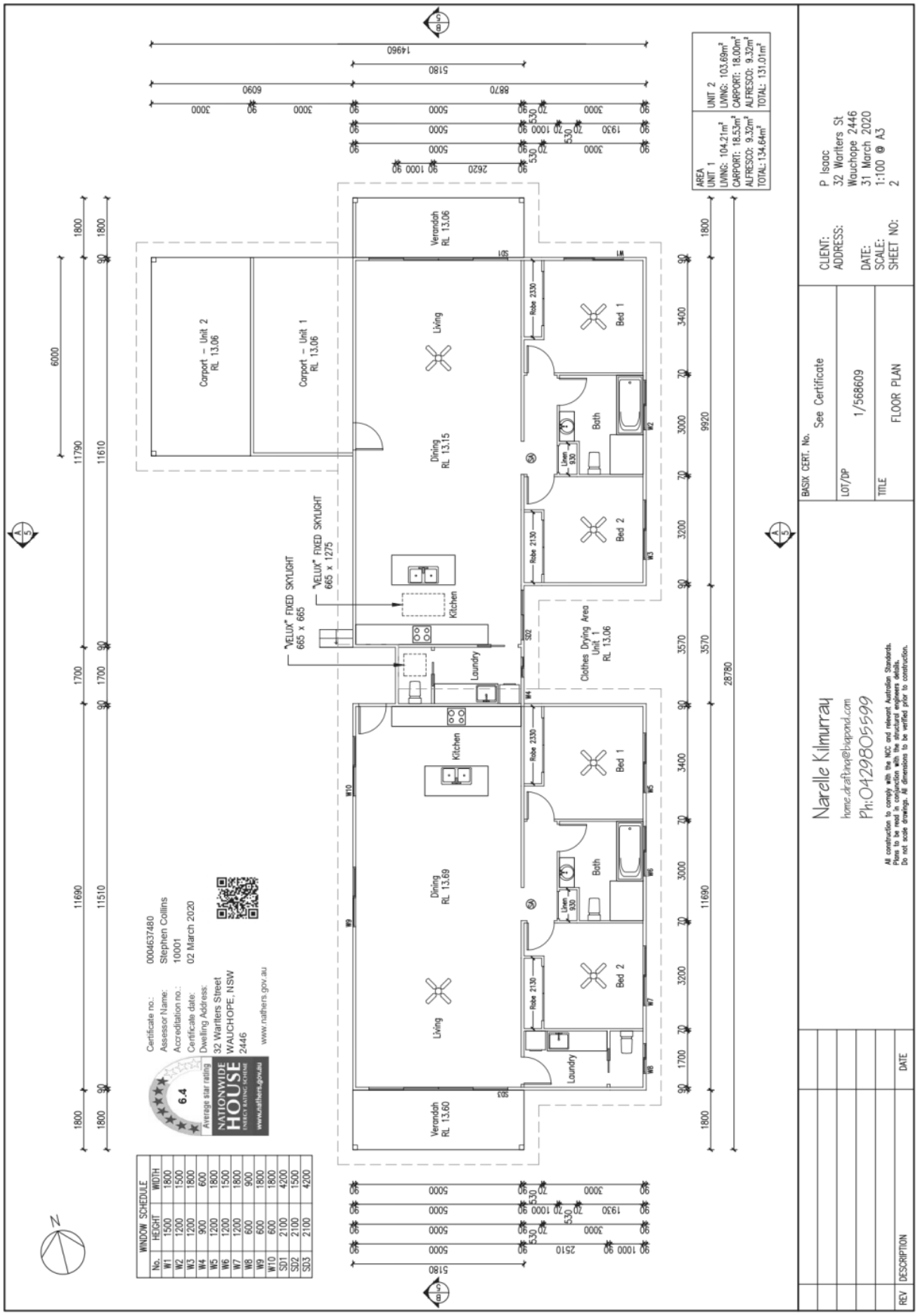


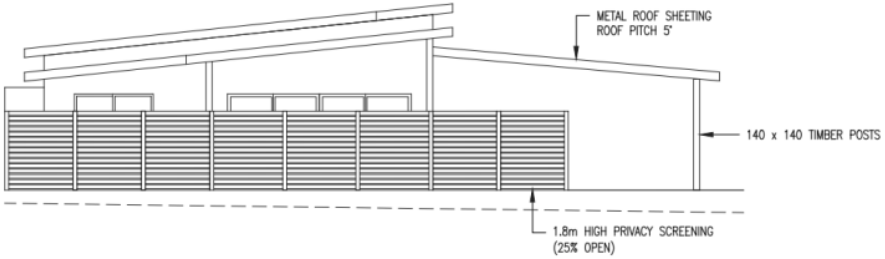
Number	Radius	Arc Length	Chord Distance	Chord Bearing
1	38.107	13.44	13.37	305°32'33"

BASIX NOTES	Unit 1	Unit 2
No. of Bedrooms	2	2
Site Area	486.12m² (combined)	486.12m² (combined)
Roof Area	311.95m² (combined)	311.95m² (combined)
Conditioned Floor Area	85m²	89m²
Unconditioned Floor Area	13m²	9m²
Landscaped Area	57.46m²	78.85m²
Shower Head Rating	3 Star	3 Star
Toilets Rating	4 Star	4 Star
Kitchen Tap Rating	4 Star	4 Star
Bathroom Tap Rating	4 Star	4 Star
Water Tank Size	1500L	1500L
Roof Area To Water Tank	132.88m²	133.94m²
Water Tank Connected To	Toilets, WM & outdoor tap	Toilets, WM & outdoor tap
Wall Insulation	R2.0	R2.0
Ceiling Insulation	R3.0	R3.0
Roof Insulation	55mm Foil Backed Blanket	55mm Foil Backed Blanket
Hot Water System	Solar (electric boosted)	Solar (electric boosted)
HWS Rating or STC's	31–35 STC's	31–35 STC's
Cooling – Living	Ceiling Fans	Ceiling Fans
Cooling – Bedrooms	Ceiling Fans	Ceiling Fans
Heating – Living	Nil	Nil
Heating – Bedrooms	Nil	Nil
Ventilation – Bathroom	Individual Fan (not ducted)	Individual Fan (not ducted)
Ventilation – Kitchen	Individual Fan (not ducted)	Individual Fan (not ducted)
Ventilation – Laundry	Natural Ventilation	Natural Ventilation
Cooktop	Gas	Gas
Oven	Electric	Electric
Lighting	Primarily Fluorescent or LED	Primarily Fluorescent or LED
Outdoor Clothes Line	Yes	Yes
Indoor Clothes Line	Yes	Yes
Well Ventilated Ref. Space	Yes	Yes

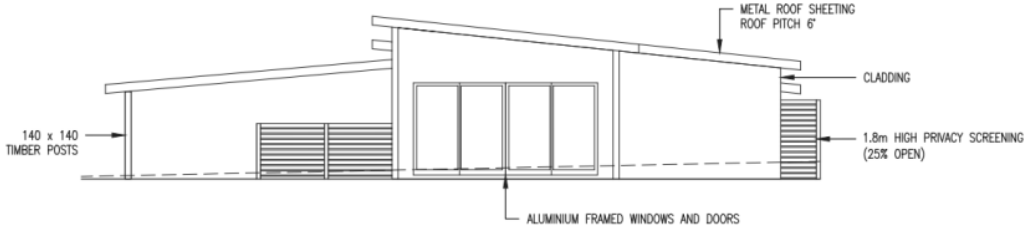

WARLTERS STREET
LOT 33
DP 236558
Right of Carriageway
CONCRETE DRIVEWAY
Garbage Bin Storage
Boundary 28.2m 70°28'00"
GRAVEL DRIVEWAY
Boundary 12m
Garbage Bin Storage
Boundary 6.09m
OPEN CARPORT
SINGLE STOREY BRICK UNITS
METAL ROOF
No. 32
FFL RL = 14.12m
(Front Door)
SHED
PROPOSED LOT 1
988.47m²
PROPOSED LOT 2
486.12m²
Boundary 25.646m 13°59'40"
Boundary 34.38m 13°59'40"
Boundary 34.12m 185°51'20"
Boundary 24.711m 90°01'10"
Boundary 11.099m
90°01'10"
LOT 2 DP 568609
2 STOREY BRICK RESIDENCE
TILE ROOF
No. 34
LOT 30 DP 236558
2 STOREY BRICK
UNITS TILE ROOF
No. 30
BM NAIL IN
TOP OF KERB
RL = 12.24m
TOP OF KERB
Sewer Junction
Distance (Dsjn): 3.31m
Depth: 999mm
LUTHWICK
SMH
11.90
12.34
12.44
11.94
13.00
14.00
13.98
14.24
3000
3000
4.571m
Number | Radius | Arc Length | Chord Distance | Chord Bearing
1 | 38.107 | 13.44 | 13.37 | 305°32'33"
2 | 38.107 | 3.92 | 3.92 | 305°32'33"
N
Certificate no.: 0004637480
Assessor Name: Stephen Collins
Accreditation no.: 10001
Certificate date: 02 March 2020
Dwelling Address: 32 Warlters Street WAUCHOPE, NSW 2446
6.4
Average star rating
NATIONWIDE HOUSE ENERGY RATING SCHEME
www.nathers.gov.au
Note:
Surveyor to confirm all boundary information.
Plans to be read in conjunction with engineers details.
Do not scale drawings.
Narelle Kilmurray
home.drafting@bigpond.com
Ph:0429805599
BASIX CERT. No. See Certificate
LOT/DP 1/568609
TITLE DRAFT SUBDIVISION PLAN
CLIENT: P Isaac
ADDRESS: 32 Warlters St
Wauchope 2446
DATE: 31 March 2020
SCALE: 1:100 @ A3
SHEET NO: 1A


Carport
Carport
Porch
Bed 2
Living/Dining
Bed 1
Kitchen
Bath
Kitchen
Bath
Bath
Kitchen
Living/Dining
Robe
Bed 1
Bed 2
Living/Dining
WIR
Bed 1
N
CLIENT: P Isaac
ADDRESS: 32 Worlters St Wauchope 2446
DATE: 31 March 2020
SCALE: 1:100 @ A3
SHEET NO: 1B
BAL RATING N/A
LOT/DP 1/568609
TITLE FLOOR PLAN – EXISTING UNITS
Narelle Kilmurray
home.drafting@bigpond.com
Ph:0429805599


Carport – Unit 2
RL 13.06
Carport – Unit 1
RL 13.06
Verandah
RL 13.06
Living
Dining
RL 13.15
Bed 1
Bath
Bed 2
Kitchen
Laundry
Clothes Drying Area
Unit 1
RL 13.06
Dining
RL 13.69
Verandah
RL 13.60
"VELUX" FIXED SKYLIGHT
665 x 665
"VELUX" FIXED SKYLIGHT
665 x 1275
AREA
UNIT 1
LIVING: 104.21m²
CARPORT: 18.53m²
ALFRESCO: 9.32m²
TOTAL: 134.64m²
UNIT 2
LIVING: 103.69m²
CARPORT: 18.00m²
ALFRESCO: 9.32m²
TOTAL: 131.01m²
Certificate no.: 0004637480
Assessor Name: Stephen Collins
Accreditation no.: 10001
Certificate date: 02 March 2020
Dwelling Address: 32 Warlters Street
WAUCHOPE, NSW
2446
www.nathers.gov.au
6.4
Average star rating
NATIONWIDE HOUSE ENERGY RATING SCHEME
www.nathers.gov.au
WINDOW SCHEDULE
No. HEIGHT WIDTH
W1 1500 1800
W2 1200 1500
W3 1200 1800
W4 900 600
W5 1200 1800
W6 1200 1500
W7 1200 1800
W8 600 900
W9 600 1800
W10 600 1800
S01 2100 4200
S02 2100 1500
S03 2100 4200
N
CLIENT: P Isaac
ADDRESS: 32 Warlters St
Wauchope 2446
DATE: 31 March 2020
SCALE: 1:100 @ A3
SHEET NO: 2
BASIX CERT. No. See Certificate
LOT/DP 1/568609
TITLE FLOOR PLAN
Narelle Kilmurray
home.drafting@bigpond.com
Ph:0429805599
All construction to comply with the NCC and relevant Australian Standards.
Plans to be read in conjunction with the structural engineers details.
Do not scale drawings. All dimensions to be verified prior to construction.
REV DESCRIPTION DATE



NORTH ELEVATION



SOUTH ELEVATION

HERA Assessor # 10001	December 2019	CDA Reference: 3315
32 Warlters Street WAUCHOPE NSW 2446		
Concept Designs Australia		
conceptdesignsaus@outlook.com		Ph: 0418877571
Thermal Performance Specifications		
External Wall Construction	*Insulation*	*Colour (Solar Absorptance)* / *Detail*
FC Cladding	Vapour barrier/ Antiglare foil + R2.0	Dark
Internal Wall Construction	*Insulation*	*Detail*
Plasterboard	None	
Party Wall	R2.0 (thermal requirement only, see manufacturers specifications for fire and acoustic requirements)	Wall between units
Ceiling Construction	*Insulation*	*Detail*
Plasterboard	R2.5	All ceilings adjacent to roof space
Roof Construction	*Insulation*	*Colour (Solar Absorptance)* / *Detail*
Colorbond	55mm anticon blanket	Dark
Floor Construction	*Insulation*	*Covering*
Concrete	None	Carpet and Tiles

Windows *Glass and frame type*	*U Value*	*SHGC*	*Details*
Aluminium framed single clear	6.70	0.70	All glazing as drawn

Skylights Velux – U Value 2.6 SHGC 0.24 (sizes as drawn)

U and SHGC values are according to AFRC. Alternate products may be used if the U value is the same or lower and the SHGC is within 10% of the above figures. This also applies to changes to the thickness of glass required to meet Bushfire regulations.

Fixed shading – Eaves *Width includes guttering, offset is distance above windows*

Width: As drawn Offset: As drawn *Nominal only, refer to plan for detail*

Fixed shading – Other *Verandahs, Pergolas (type and description)*

Shaded areas and shade devices as drawn, adjoining buildings and boundary fences

Building Sealing

External doors to be weather stripped and windows to comply with AS 2047.

LED downlights to be sealed.

Exhaust fans to be fitted with dampers as per NCC.

6.4 Average star rating
NATIONWIDE HOUSE ENERGY RATING SCHEME
www.nathers.gov.au

Certificate no.: 0004637480
Assessor Name: Stephen Collins
Accreditation no.: 10001
Certificate date: 02 March 2020
Dwelling Address:
32 Warlters Street
WAUCHOPE, NSW
2446

www.nathers.gov.au

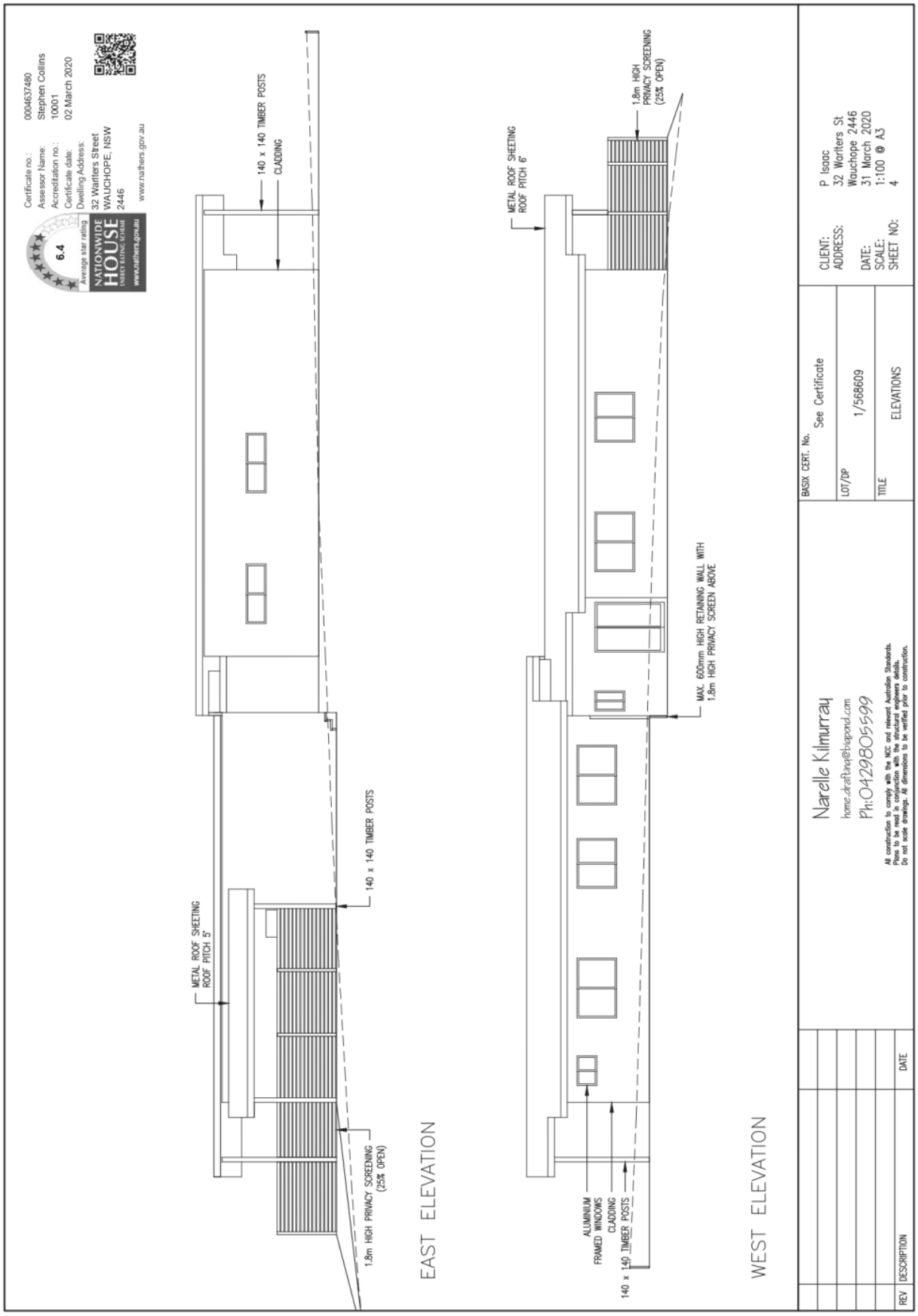
REV	DESCRIPTION	DATE

Narelle Kilmurray
home.drafting@bigpond.com
Ph:0429805599

All construction to comply with the NCC and relevant Australian Standards.
Plans to be read in conjunction with the structural engineers details.
Do not scale drawings. All dimensions to be verified prior to construction.

BASIX CERT. No. See Certificate
LOT/DP 1/568609
TITLE ELEVATIONS

CLIENT: P Isaac
ADDRESS: 32 Warlters St Wauchope 2446
DATE: 31 March 2020
SCALE: 1:100 @ A3
SHEET NO: 3

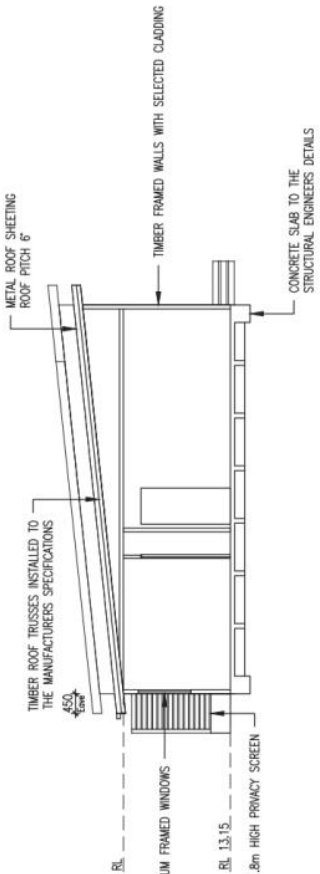

Certificate no.: 0004637480
Assessor Name: Stephen Collins
Accreditation no.: 10001
Certificate date: 02 March 2020
Dwelling Address: 32 Warriters Street WAUCHOPE, NSW 2446
www.nathers.gov.au
6.4
Average star rating
NATIONWIDE HOUSE ENERGY RATING SCHEME
www.nathers.gov.au
140 x 140 TIMBER POSTS
CLADDING
METAL ROOF SHEETING ROOF PITCH 5°
140 x 140 TIMBER POSTS
1.8m HIGH PRIVACY SCREENING (25% OPEN)
EAST ELEVATION
METAL ROOF SHEETING ROOF PITCH 6°
1.8m HIGH PRIVACY SCREENING (25% OPEN)
MAX. 600mm HIGH RETAINING WALL WITH 1.8m HIGH PRIVACY SCREEN ABOVE
ALUMINIUM FRAMED WINDOWS
CLADDING
140 x 140 TIMBER POSTS
WEST ELEVATION
BASIX CERT. No. See Certificate
LOT/DP 1/568609
TITLE ELEVATIONS
CLIENT: P Isooc
ADDRESS: 32 Worliers St Wauchope 2446
DATE: 31 March 2020
SCALE: 1:100 @ A3
SHEET NO: 4
Narelle Kilmurray
home.drafting@bigpond.com
Ph:0429805599
All construction to comply with the NCC and relevant Australian Standards.
Plans to be read in conjunction with the structural engineers details.
Do not scale drawings. All dimensions to be verified prior to construction.
REV DESCRIPTION DATE

NOTES:
Plans to be read in conjunction with the structural engineers details.
Plans to be read in conjunction with frame and truss design.
All dimensions to be confirmed prior to fabrication or construction.
Electrical installations to be in accordance with AS3018.
Plumbing and drainage to be in accordance with AS3500.
All construction to be in accordance with the BCA and relevant Australian Standards.

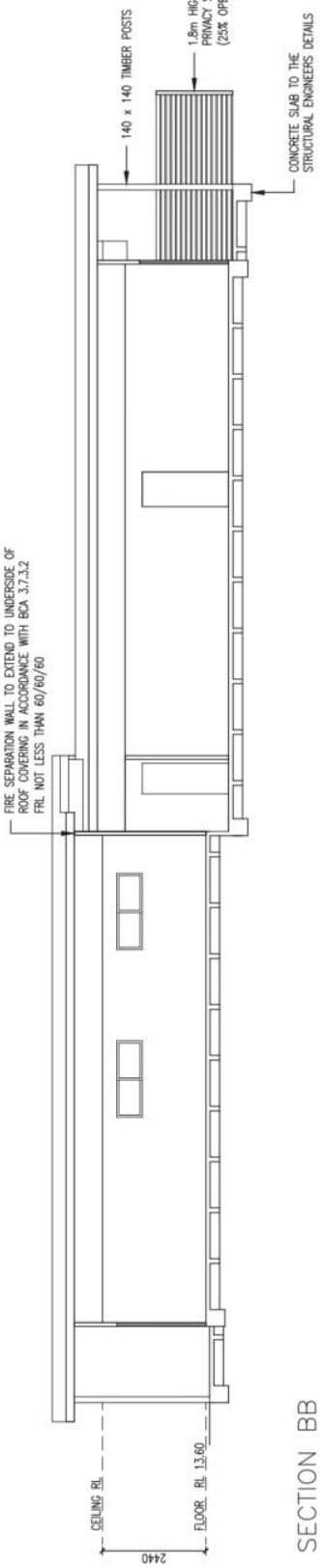
BCA	Relevant Australian Standard/s
3.1.1 Earthworks	AS4678
3.1.2 Earth retaining structures	AS3500.3
3.1.3 Drainage	AS3660
3.1.4 Termite risk management	
3.2.2 Preparation for footings & slabs	AS2870, AS3600
3.2.3 Concrete & reinforcing	AS1684, AS2870, AS3600, AS4100
3.2.5 Footing & slab construction	AS3700, AS4773
3.3 Masonry	AS1684
3.4.1 Sub-floor ventilation	AS4100, AS4600
3.4.2 Steel framing	AS1684, AS1720, AS1860
3.4.3 Timber framing	AS4100, AS4600
3.4.4 Structural steel members	AS1562
3.5.1 Sheet roofing	AS2049, AS2050, AS4597
3.5.2 Roof tiles	AS3500, AS2179
3.5.3 Gutters & downpipes	AS1859, AS2904, AS2908
3.5.4 Timber & composite wall cladding	AS1562
3.5.5 Metal wall cladding	AS1288, AS2047
3.6 Glazing	AS4254
3.7 Fire safety	AS3786
3.7.5 Smoke alarms	AS3740, AS4654
3.8.1 Wet areas and waterproofing	AS1680
3.8.4 Light	AS1668
3.8.5 Ventilation	
3.8.6 Sound insulation	AS4200
3.8.7 Condensation management	AS1170
3.9.1 Stairway & ramp construction	AS1170
3.9.2 Barriers and handrails	AS1926
3.10.1 Swimming pools	
3.10.5 Construction in bushfire prone areas	AS3959

Certificate no.: 0004637480
Assessor Name: Stephen Collins
Accreditation no.: 10001
Certificate date: 02 March 2020
Dwelling Address: 32 Warriters Street WAUCHOPE, NSW 2446
www.nathers.gov.au

6.4 Average star rating
NATIONWIDE HOUSE ENERGY RATING SCHEME www.nathers.gov.au



SECTION AA



SECTION BB

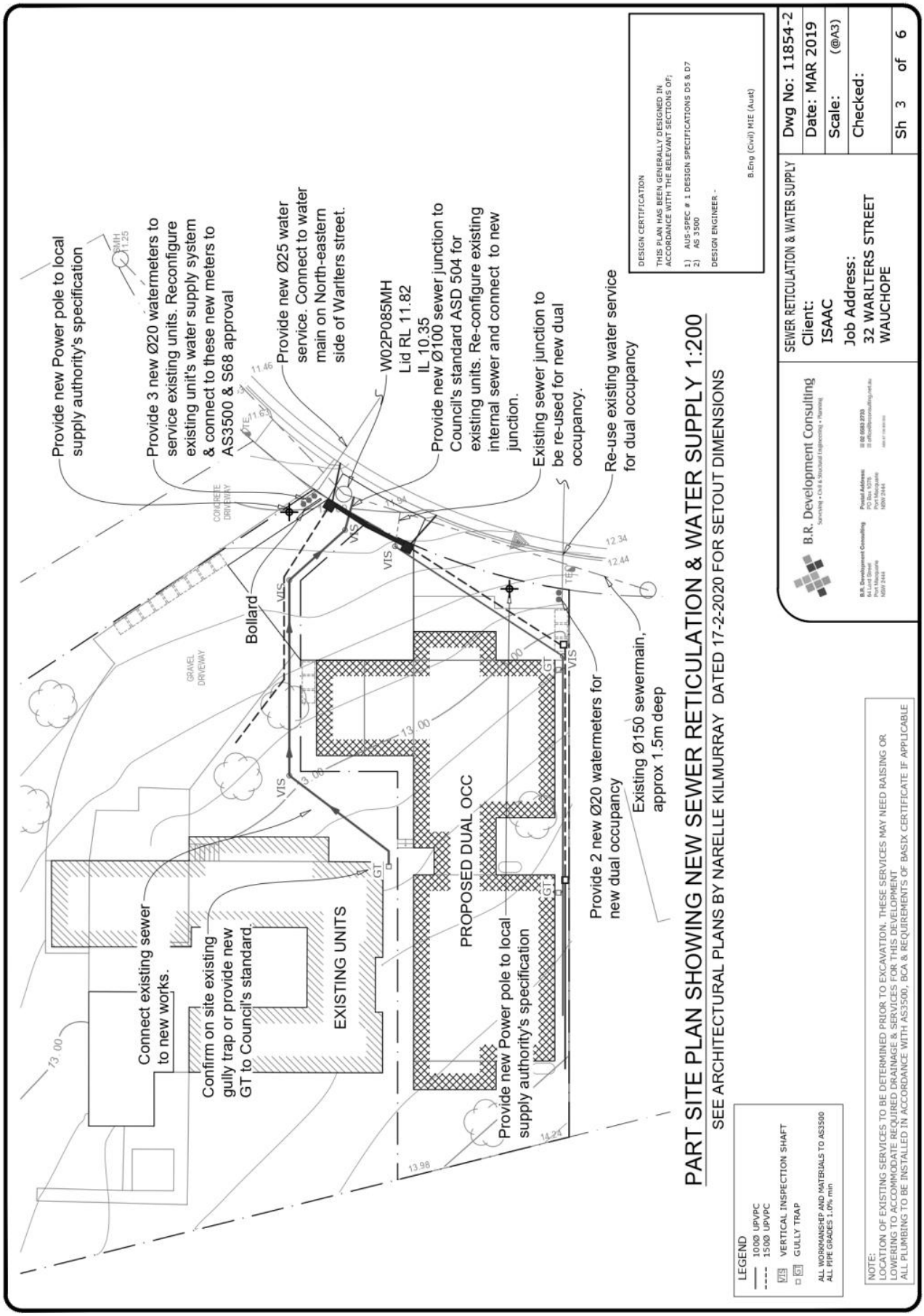
Narelle Kilmurray
home.drafting@bigpond.com
Ph:0429805599

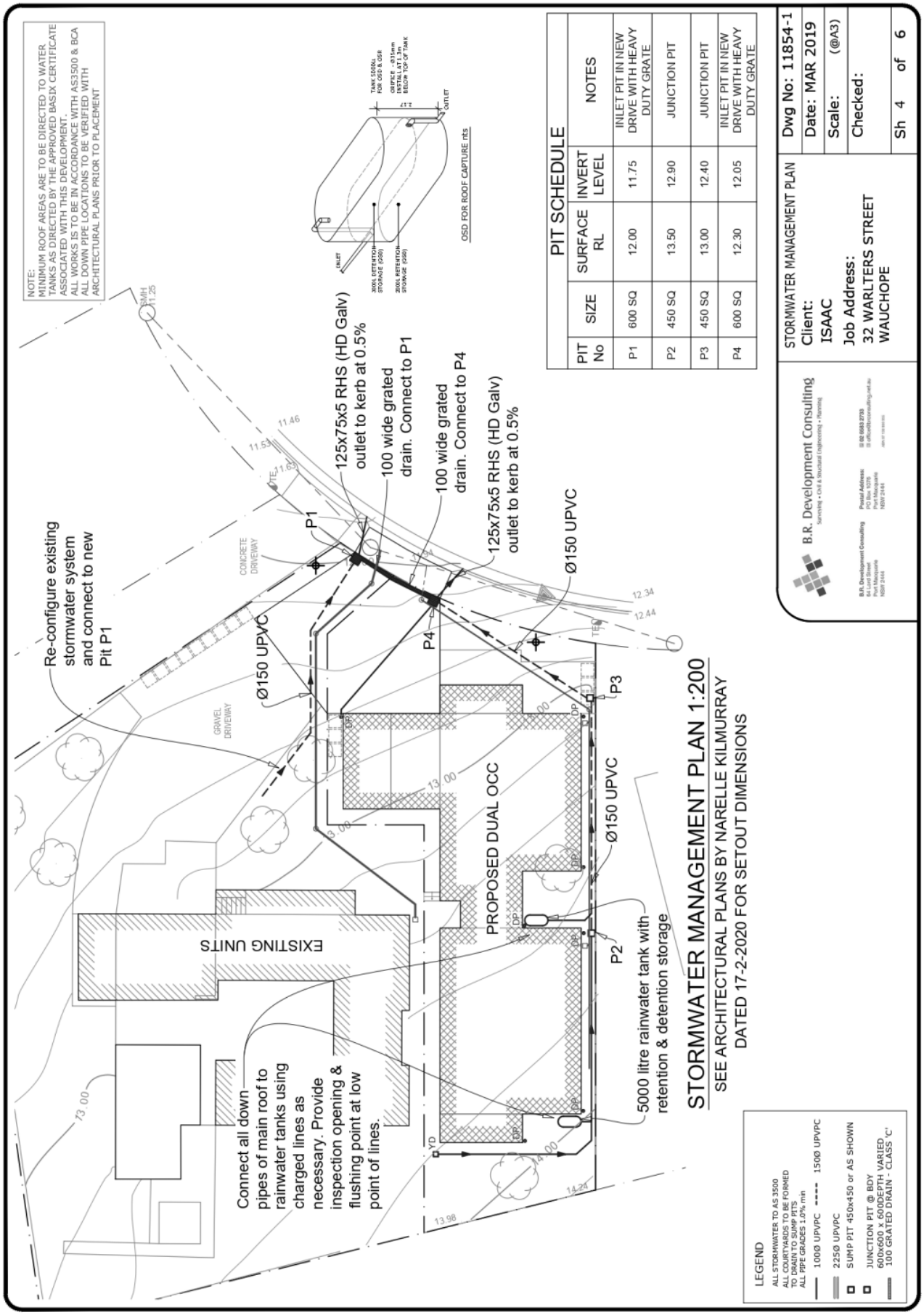
All construction to comply with the NCC and relevant Australian Standards.
Plans to be read in conjunction with the structural engineers details.
Do not scale drawings. All dimensions to be verified prior to construction.

BASIX CERT. No. See Certificate
LOT/DP 1/568609
TITLE SECTIONS

CLIENT: P Isaac
ADDRESS: 32 Warriters St Wauchope 2446
DATE: 31 March 2020
SCALE: 1:100 @ A3
SHEET NO: 5

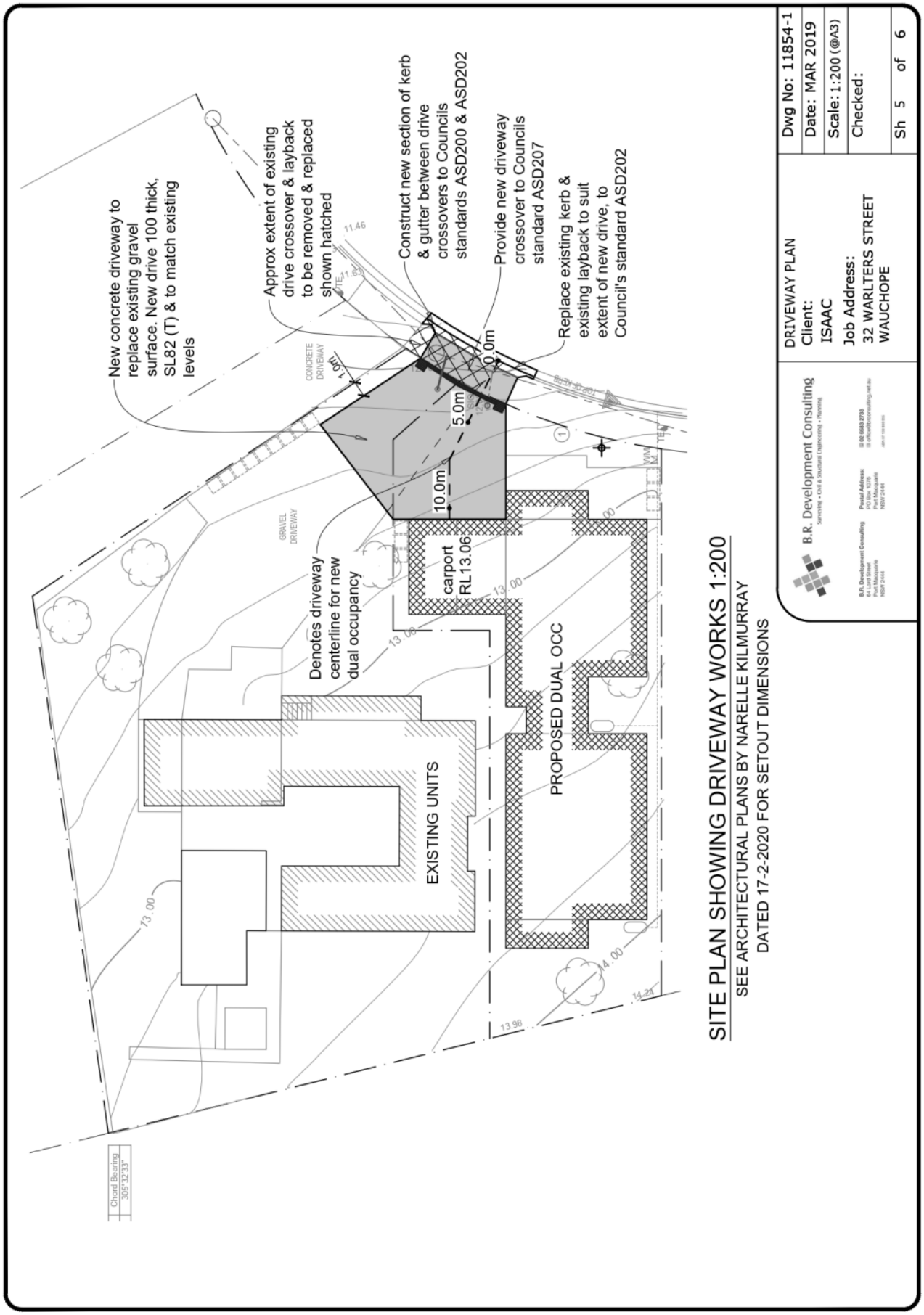
REV	DESCRIPTION	DATE


PART SITE PLAN SHOWING NEW SEWER RETICULATION & WATER SUPPLY 1:200
SEE ARCHITECTURAL PLANS BY NARELLE KILMURRAY DATED 17-2-2020 FOR SETOUT DIMENSIONS
Provide new Power pole to local supply authority's specification
Provide 3 new Ø20 watermeters to service existing units. Reconfigure existing unit's water supply system & connect to these new meters to AS3500 & S68 approval
Provide new Ø25 water service. Connect to water main on North-eastern side of Warlters street.
W02P085MH
Lid RL 11.82
IL 10.35
Provide new Ø100 sewer junction to Council's standard ASD 504 for existing units. Re-configure existing internal sewer and connect to new junction.
Existing sewer junction to be re-used for new dual occupancy.
Re-use existing water service for dual occupancy
Bollard
Existing Ø150 sewermain, approx 1.5m deep
Provide 2 new Ø20 watermeters for new dual occupancy
PROPOSED DUAL OCC
EXISTING UNITS
Connect existing sewer to new works.
Confirm on site existing gully trap or provide new GT to Council's standard.
Provide new Power pole to local supply authority's specification
CONCRETE DRIVEWAY
GRAVEL DRIVEWAY
VIS
GT
DESIGN CERTIFICATION
THIS PLAN HAS BEEN GENERALLY DESIGNED IN ACCORDANCE WITH THE RELEVANT SECTIONS OF;
1) AUS-SPEC # 1 DESIGN SPECIFICATIONS D5 & D7
2) AS 3500
DESIGN ENGINEER -
B.Eng (Civil) MIE (Aust)
B.R. Development Consulting
SEWER RETICULATION & WATER SUPPLY
Client:
ISAAC
Job Address:
32 WARLTERS STREET
WAUCHOPE
Dwg No: 11854-2
Date: MAR 2019
Scale: (@A3)
Checked:
Sh 3 of 6
LEGEND
1000 UPVPC
1500 UPVPC
VERTICAL INSPECTION SHAFT
GULLY TRAP
ALL WORKMANSHIP AND MATERIALS TO AS3500
ALL PIPE GRADES 1.0% min
NOTE:
LOCATION OF EXISTING SERVICES TO BE DETERMINED PRIOR TO EXCAVATION. THESE SERVICES MAY NEED RAISING OR LOWERING TO ACCOMMODATE REQUIRED DRAINAGE & SERVICES FOR THIS DEVELOPMENT
ALL PLUMBING TO BE INSTALLED IN ACCORDANCE WITH AS3500, BCA & REQUIREMENTS OF BASIX CERTIFICATE IF APPLICABLE



PIT SCHEDULE

PIT No	SIZE	SURFACE RL	INVERT LEVEL	NOTES
P1	600 SQ	12.00	11.75	INLET PIT IN NEW DRIVE WITH HEAVY DUTY GRATE
P2	450 SQ	13.50	12.90	JUNCTION PIT
P3	450 SQ	13.00	12.40	JUNCTION PIT
P4	600 SQ	12.30	12.05	INLET PIT IN NEW DRIVE WITH HEAVY DUTY GRATE


New concrete driveway to replace existing gravel surface. New drive 100 thick, SL82 (T) & to match existing levels
Approx extent of existing drive crossover & layback to be removed & replaced shown hatched
Construct new section of kerb & gutter between drive crossovers to Councils standards ASD200 & ASD202
Provide new driveway crossover to Councils standard ASD207
Replace existing kerb & existing layback to suit extent of new drive, to Council's standard ASD202
CONCRETE DRIVEWAY
GRAVEL DRIVEWAY
1.0m
5.0m
10.0m
carport RL13.06
Denotes driveway centerline for new dual occupancy
EXISTING UNITS
PROPOSED DUAL OCC
11.46
11.63
13.00
13.06
14.00
14.24
13.98
Chord Bearing 305°32'33"
SITE PLAN SHOWING DRIVEWAY WORKS 1:200
SEE ARCHITECTURAL PLANS BY NARELLE KILMURRAY
DATED 17-2-2020 FOR SETOUT DIMENSIONS
B.R. Development Consulting
DRIVEWAY PLAN
Client:
ISAAC
Job Address:
32 WARLTERS STREET
WAUCHOPE
Dwg No: 11854-1
Date: MAR 2019
Scale: 1:200 (@A3)
Checked:
Sh 5 of 6

Developer Charges - Estimate

PORT MACQUARIE HASTINGS

Applicants Name: P J Isaac
Property Address: 32 Warlters Street, Wauchope
Lot & Dp: Lot(s):1,DP(s):568609
Development: 2 Lot Torrens Title Subdivision (Stage 1) and Dual Occupancy with Strata Subdivision (Stage 2)

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	1.2	$10,085.00	Per ET	$12,102.00
2	Sewerage Scheme Wauchope	1.5	$3,826.00	Per ET	$5,739.00
3	Since 1.7.04 - Major Roads - Wauchope - Per ET	1.34	$7,065.00	Per ET	$9,467.10
4	Since 31.7.18 - Open Space - Wauchope - Per ET	1.34	$5,182.00	Per ET	$6,943.80
5	Commenced 3 April 2006 - Com, Cul and Em Services CP - Wauchope	1.34	$4,684.00	Per ET	$6,276.50
6	Com 1.3.07 - Administration Building - All areas	1.34	$900.00	Per ET	$1,206.00
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			$525.60
16					
17					
18					
	Total Amount of Estimate (Not for Payment Purposes)				**$42,260.00**

Not for Payment Purposes

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: **6-Aug-2020**

Estimate Prepared By Chris Gardiner

This is an ESTIMATE ONLY - NOT for Payment Purposes

s\P J Isaac, 32 Warlters Street, Wauchope, 6-Aug-2020.xls

PORT MACQUARIE-HASTINGS COUNCIL

Item: **09**

Subject: **DA2019 - 780 MANUFACTURED HOUSING ESTATE, ANCILLARY BUILDINGS AND ASSOCIATED INFRASTRUCTURE, LOT 46 DP1256576 SOUTH ATLANTIC DRIVE, LAKE CATHIE**

Report Author: Development Assessment Planner, Steven Ford

Applicant:	**Gen Life c/- Land Dynamics Australia**
Owner:	**RTS Super Pty Ltd and Stacks Super Pty Ltd and TJS Super Pty Ltd**
Estimated Cost:	**$15,000,000.00**
Parcel no:	**69224**

Alignment with Delivery Program

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

RECOMMENDATION

That DA 2019 - 780.01 for a Manufactured Housing Estate, Ancillary Buildings and Associated Infrastructure at Lot 146, DP 1256576, South Atlantic Drive, Lake Cathie, be determined by granting consent subject to the recommended conditions.

Executive Summary

This report considers a development application for a Manufactured Housing Estate, Ancillary Structures and Associated Infrastructure at the subject site and provides an assessment of the application in accordance with the Environmental Planning and Assessment Act 1979.

This proposal was previously considered by the Development Assessment Panel on 22 July 2020 and it was resolved:

"That DA 2019 - 780.01 for a Manufactured Housing Estate, Ancillary Buildings and Associated Infrastructure at Lot 146, DP 1256576, South Atlantic Drive, Lake Cathie, be deferred to enable the legal advice to be obtained on the following:

- *The proposal's consistency with the 'Sydmart' Voluntary Planning Agreement applying to the land.*
- *The proposal's relationship with DA2016-88 on the subject land and whether the proposal will compromise this consent."*

The Applicant has provided their own legal advice **(Attachment 11)** to the deferral items. With regards to the deferred items, the advice concludes;

- *Item 18 - In conclusion, it is my opinion that the Proposed Development is consistent with the VPA because the obligations under clauses 13.2 and 14.1 with respect to the completion of the "Future Road Links" and the dedication of*

such land are not relevant to the Proposed Development – that is, the clauses do not operate so as to require completion of the "Future Road Links", and the dedication of that land, prior to the issue of any "Occupation Certificate" for residential development on the Site.

- *Item 25 - In my opinion, to avoid practical difficulties and legal complexities which may arise from the operation of two competing consents in respect of the Overlapping Consent Land, it would be preferable to surrender the Subdivision Consent in respect of that Land if the Council grants the Potential Consent.*
- Proposed condition B(5) requires surrendering all remaining stages of the existing subdivision consent, as follows;

  1. (5) (B009) The applicant shall surrender Stages 2C, 3, 4, 5, 6 & 7 the consent relating to DA No. 2016.88.05 (as amended) for a Residential Subdivision at Forest Parkway by submitting an application for "Surrender of a Consent" to Council in accordance with the Environmental Planning and Assessment Regulation 2000, prior to release of the Construction Certificate.

In addition to the deferred items, as raised at the previous meeting, the Applicant has agreed to providing the following:

- A private entry/exit to South Atlantic Drive, that will be controlled by a gated/electronic entry (Proposed condition B(31)), and
- Agrees to different roof colours being incorporated on the proposed manufactured homes (Proposed condition A(27)).

Following exhibition of the application, nine (9) submissions were received. No further submissions have been received since the proposal was deferred at the Development Assessment Panel held on the 22 July 2020.

No changes to the proposed plans have been made since the proposal was deferred at the Development Assessment Panel held on the 22 July 2020.

The proposal has been amended during the assessment of the application. The primary changes made to the proposal included a new site plan, inclusion of the northern collector road (Solomon Drive), increase to the number of housing sites from 159 to 166 and changes to the community building layout.

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.

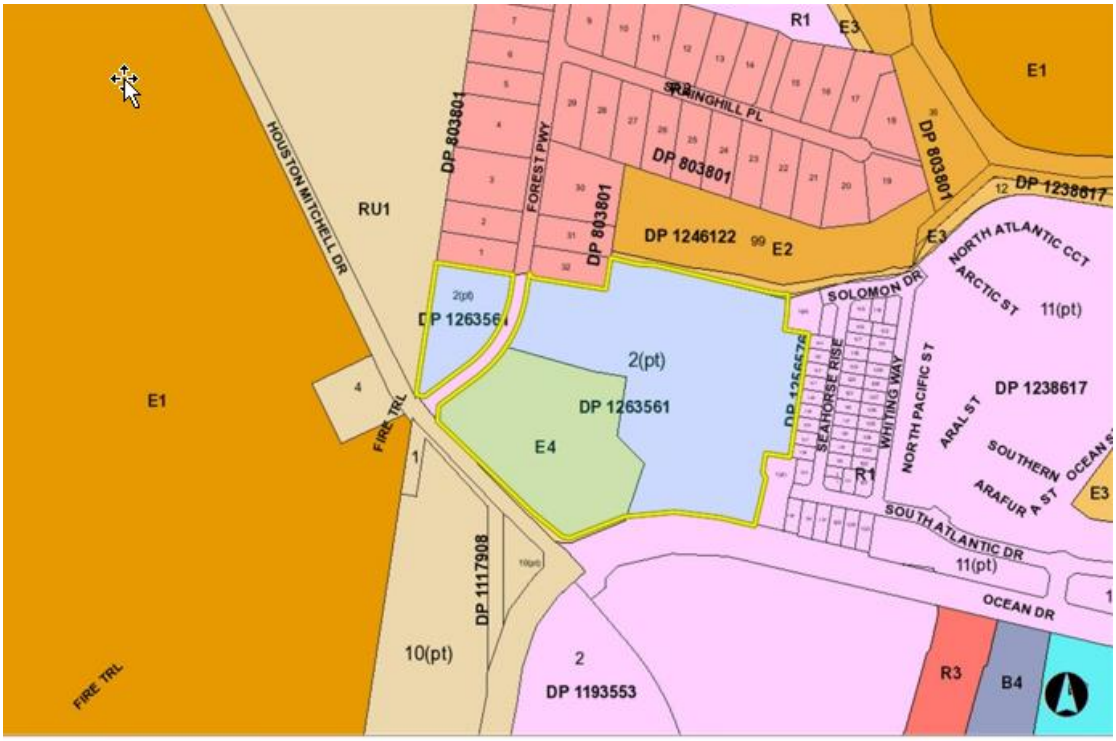
This report recommends that the development application be approved subject to the attached conditions included as **Attachment 1**.

1. BACKGROUND

Existing Sites Features and Surrounding Development

The site has an area of 12.805Ha.

The site is zoned R1 General Residential and E4 Environmental Living in accordance with the Port Macquarie-Hastings Local Environmental Plan 2011, as shown in the following zoning plan:

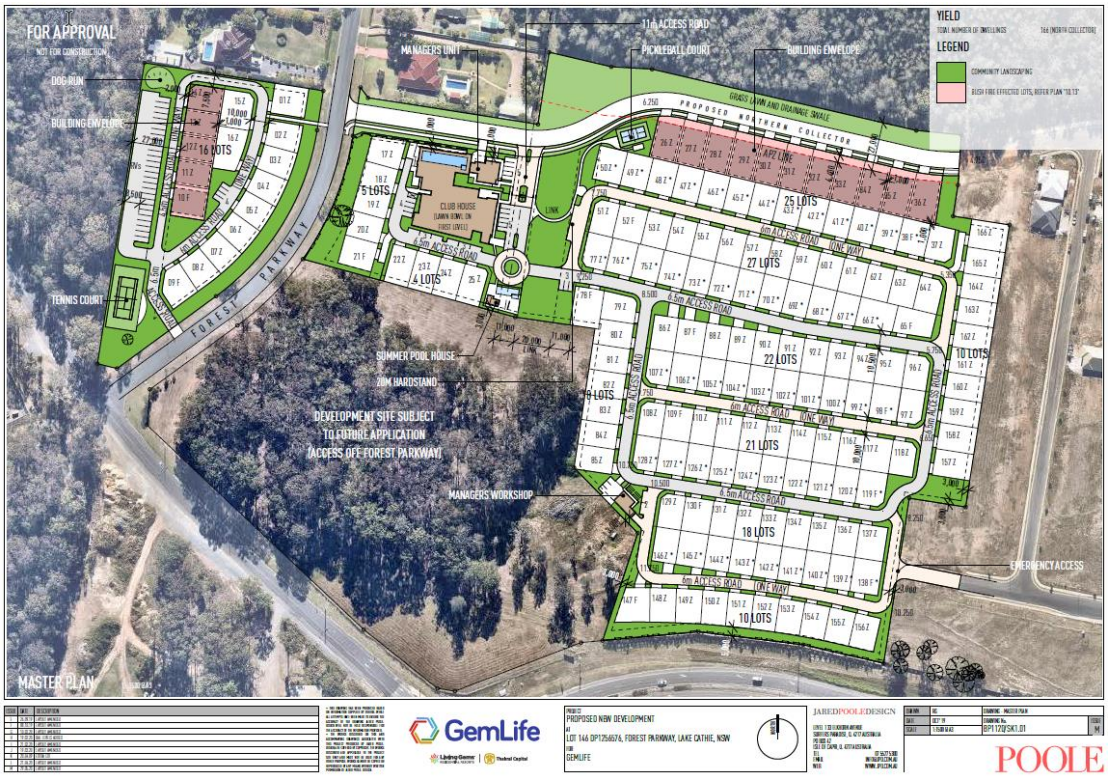


The proposed development is located on the southern edge of the village of Lake Cathie and forms part of Area 14 as part of Council's future land release planning.

The development area occurs on a gentle and low north east facing slope, which is visible from Ocean Drive to the South of the development.

The development site is located over 8.8 ha in an area where 83 lots were approved under DA 2016/88 for stages 2C, 3, 4, 5 and 7. The development area has previously been cleared under the existing development consent and Vegetation Management Plan.

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



2. DESCRIPTION OF DEVELOPMENT

Key aspects of the proposal include the following:

- 166 Manufactured Home Sites over 5 stages
- Site Office and Manager's Residence
- Community Clubhouse
- Swimming pools, Tennis Court, Pickleball Court, Community landscaping

- Recreational Vehicle Parking
- Signage and community fencing
- Access roads
- Servicing
- Extension of Solomon Drive (Northern Collector Road)

Refer to **Attachments 2, 4, 5, 6, 7, 8, 9 and 10** at the end of this report for plans and supporting details for the proposed development.

Application Chronology

- 24 October 2019 - Application Lodged
- 21 November 2019 until 04 December 2019 - Neighbourhood notification - 9 Submissions received by Council
- 09 January 2020 - Additional Information response submitted by Applicant
- 05 February - additional information meeting with Applicant and Council
- 12 March 2020 - Request for additional information from NSW Rural Fire Service
- 30 March 2020 - Amended Plans and supporting Documents submitted by Applicant
- 04 April 2020 to 24 April 2020 - Neighbourhood Re-notification - 5 revised submissions received
- 07 May 2020 - Determination received from NSW Rural Fire Service
- 22 May 2020 - Additional information response to submissions submitted by Applicant
- 02 June 2020 - Additional information submitted by Applicant, including Services concept plan, landscaping concept plan, updated site plan, amended Ecology Report, typical road section (proposed Solomon Drive), updated Stormwater Management Plan, and traffic response to submissions.
- 18 June 2020 - Additional information regarding Vegetation Management Plan
- 30 June 2020 - Amended Club House and Manager's Residence Plans received
- The lot description has changed since the application was lodged and is now Lot 2 DP1263561.

3. STATUTORY ASSESSMENT

Section 4.15(1) Matters for Consideration

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

(a) The provisions (where applicable) of:

(i) Any Environmental Planning Instrument

State Environmental Planning Policy No. 21 - Caravan Parks

The proposal is not for a caravan park under this SEPP.

State Environmental Planning Policy No. 36 - Manufactured Home Estates

The aims of this policy and comments are provided below:

(a) to facilitate the establishment of manufactured home estates as a contemporary form of medium density residential development that provides an alternative to traditional housing arrangements, and

Comment(s): Manufactured Home Estates are considered a contemporary form of medium density housing. The proposed development will provide an alternative to traditional housing.

(b) to provide immediate development opportunities for manufactured home estates on the commencement of this Policy, and

Comments: This policy was gazetted and commenced on 16 July 1993.

(c) to encourage the provision of affordable housing in well-designed estates, and

Comment(s): The proposal will provide a form of alternative residential housing in a specifically designed estate. Adequate provision has been made for on-site facilities, services and open space above minimum standards of the Local Government (Manufactured Home Estates, Caravan Parks, Camping Grounds and Moveable Dwellings) Regulation 2005.

(d) to ensure that manufactured home estates are situated only in suitable locations and not on land having important resources or having landscape, scenic or ecological qualities that should be preserved, and

Comment(s): Assessment of the proposal (as amended) having regard to landscape, scenic, existing approvals and in particular ecological qualities has concluded the site, based on merit, is capable of preserving these qualities with the proposed development.

(e) to ensure that manufactured home estates are adequately serviced and have access to essential community facilities and services; and

Comment(s): The proposed development will be capable of being serviced by adequate infrastructure including reticulated water and sewer facilities. The proposal will provide a number of suitable community facilities within the estate and access to social and health services will be available within close proximity to the site by either public or private transport options (private shuttle bus service).

(f) to protect the environment surrounding manufactured home estates, and

Comment(s): Measures have been incorporated into the design of the estate to provide adequate protection to the environment within and surrounding the proposed estate. The proposed development (as amended), has provided an extension of Solomon Drive, which provides separation to the E3 and E2 land to the North. In addition, there is currently a Vegetation Management Plan (VMP) in place regarding an environmental corridor through part of the site. A northern section of the site has already been dedicated to Council as part of an existing approved subdivision (DA2016/87 - as amended). Comments regarding the VMP are discussed later in this report.

(g) to provide measures which will facilitate security of tenure for residents of manufactured home estates.

Comment(s): Tenure is largely secured through the large upfront capital required to establish supporting infrastructure. Conditions of consent have been recommended to require community and recreational facilities to be provided up front and before occupation of any sites particularly noting the Staging of the proposal. Tenancy agreements are the other means for tenure security for future residents.

The proposed development is considered consistent with the aims of this policy.

Clause 6 - Where development for the purposes of a manufactured home estate may be carried out

Clause 6 of this policy provides where development for the purposes of a manufactured home estate maybe carried out. In particular, the subject clause allows a manufactured home estate on land where a 'caravan park' is permissible. The R1 residential zoning of the subject land permits 'caravan parks' with development consent.

In addition, the proposed development is not subject to any of the excluded areas contained in Schedule 2 of the SEPP.

Clause 7 - Development consent required for manufactured home estates

Clause 7(1) provides that development for the purposes of a manufactured home estate permitted to be carried out by this Policy may be carried out but only with the development consent of the Council.

Comment(s): Noted. This Development Application is seeking development consent.

Clause 7(2) provides that a Council must not consent to any such development unless it imposes, as a condition of the consent, a requirement that an approval to operate a manufactured home estate on the land on which the development is to be carried out must be obtained under Part 1 of Chapter 7 of the Local Government Act 1993.

Comment(s): Noted. A suitable condition is recommended in this regard.

Clause 7(3) provides that nothing in this Policy requires a separate development consent to authorise the placing of each manufactured home within a manufactured home estate.

Comment(s): Noted. The installation or construction of a dwelling on individual manufactured home sites will not require separate development consent.

Clause 8 - Subdivision of manufactured home estates

(1) Land on which development for the purposes of a manufactured home estate may be lawfully carried out (whether or not because of a development consent granted pursuant to this Policy) may be subdivided:

(a) under section 289K of the Local Government Act 1919 for lease purposes, or
(b) under the Community Land Development Act 1989,

only with the development consent of the Council.

(2) A Council must not grant a development consent for such a subdivision if any of the lots intended to be created by the proposed subdivision would contravene a requirement of the Local Government (Manufactured Home Estates) Transitional Regulation 1993.

(3) Any prohibition or restriction on the subdivision of land imposed by any other environmental planning instrument (whether made before or after this Policy) does not apply to such a subdivision.

(4) This Policy does not allow the subdivision of land within a Crown reserve.

Comment(s): No subdivision of the MHE for lease or community title purposes is proposed with the subject development application.

Clause 9 - Matters to be considered by Councils

Clause 9(1) provides that Council may grant development consent for the purposes of a manufactured home estate only if it satisfied:

(a) That each of the sites on which a manufactured home is or will be installed within the manufactured home is or will be installed within the manufactured home estate is or will be adequately provided with reticulated water, a reticulated sewerage system, drainage and electricity, and

Comment(s): Each of the proposed sites within the proposed estate are capable of being serviced by reticulated water, reticulated sewer, drainage and electricity services. Appropriate conditions are recommended in this regard.

(b) that the manufactured home estate is or will be provided with adequate transport services, and

Comments(s): The road network provided to and within the estate is considered appropriate for the proposed development. A private daily bus service is proposed as part of the site's plan of management. A future public transport service will be capable to servicing the site along Solomon Drive.

(c) that sufficient community facilities and services, whether situated within or outside the estate, are or will be available and reasonably accessible to the residents of the manufactured home estate, and

Comment(s): A range of community facilities are proposed within the estate, which will be directly available and accessible to the residents within the estate. The community facilities proposed include a clubhouse, swimming pool, bowling, tennis court, golf practice facility, gym, auditorium, men's shed and community open space. In providing a private bus service, residents within the estate will also have access to other facilities and services outside the estate and surrounds.

(d) that the development will not have an adverse effect on any:
- *conservation area*
- *heritage item*
- *waterway or land having special landscape, scenic or ecological qualities, which is identified in an environmental planning instrument applicable to the land concerned.*

Comment(s): The proposed development will not have any identifiable adverse impacts on any of the above. The previous subdivision approval of the site is also noted to have addressed these matters previously, with the proposed site plan.

Clause 9(2) provides that Council may grant development consent for the purposes of a manufactured home estate only after it has considered the following:

(a) *the cumulative impact of the proposed development and other manufactured home estates in the locality,*

Comments: An assessment of the proposed development, supporting documentation and legislative provisions suggests that there will be no adverse cumulative impact in the locality. The amended plans received during the assessment and the traffic impact statement suggests that the road networks are adequate to support the development and the proposed development has in several aspects similar impacts to the existing approved subdivision on the site.

Whilst it is noted that this is a second manufactured home estate being introduced into the locality, this is consistent with the Port Macquarie Hastings Development Control Plan 2013 description for Precinct A which indicates that it will comprise “predominantly manufactured homes”.

The popularity of other manufactured home estates in the area demonstrates demand for this form of housing and not adversely impacting the locality or other manufactured home estates to warrant recommending refusing consent to the DA.

(b) *any relevant guidelines issued by the Director,*

Comment(s): No relevant guidelines identified.

(c) *the provisions of the Local Government (Manufactured Home Estates) Transitional Regulation 1993.*

Comment(s): The above Regulation has since been repealed. The Local Government (Manufactured Home Estates, Caravan Parks, Camping Grounds and Moveable Dwellings) Regulation 2005 is the current Regulation applicable. A detailed checklist of compliance with the Local Government (Manufactured Home Estates, Caravan Parks, Camping Grounds and Moveable Dwellings) Regulation 2005 is provided below:

Local Government (Manufactured Home Estates, Caravan Parks, Camping Grounds and Moveable Dwellings) Regulation 2005.

It is noted that the Development Application was accompanied by a section 82(1) objection under the Local Government Act 1993. This objection is specifically seeking an exemption to clause 41 of this regulation which requires manufactured homes to be constructed and assembled onsite. This is considered to be a matter for consideration outside of the Development Application process. It is noted that this approach has been taken for approval of other MHEs. From a planning perspective, no objection is raised with on-site construction.

The relevant parts of the regulation are addressed below in the following table:

CLAUSE	REQUIREMENT (in summary)	COMMENT/COMPLIANCE
Division 1 Application of Part		
Clause 1-4	No specific requirements only information on the legislation in terms of operation, definitions etc.	Noted
5 Application of Part	This part applies to both the operation of the manufactured home estate and the installation of the home itself.	Noted
Division 2 Approvals and exemptions		
6 Factors for consideration before approval is granted	(1) Council must be satisfied that the estate will be designed in accordance with Division 3; and (2) Council must have regard to the Floodplain Development Manual.	(1) The proposed development has been designed in accordance with Division 3, refer to comments in Division 3; (2) Consultation has been undertaken with Council's Flood Engineer as part of the site is mapped as flood prone land. Council's Flood Engineer has given consideration to the proposal with regard to the Floodplain Development Manual and provided recommended conditions to be applied to any consent issued. It is noted that flood mitigation measures have also been achieved for the site by the existing approved subdivision, DA2016/88 as amended.
7 Matters to be specified in approval	Any approval must specify the number, size and location of the dwelling sites.	Site plans clearly identify proposed lot location. Approval to operate is capable of complying.
8 Conditions of approval	The approval must be conditioned to ensure the design, construction, maintenance and operation of the estate is in accordance with Division 3	N/A only relevant to approval to operate.
9 Conditional exemption	(1) Council approval is not required for: (a) the installation of a home within the estate, so long as it is designed, constructed and installed in accordance with Division 4 and is only occupied after certificate of completion is	N/A only relevant to approval to operate.

	issued; or (b) the associated structure is designed, constructed and installed in accordance with Division 4. (2) This exemption applies only of the installation is carried out by the operator of the estate. (3) This exemption does not apply to the installation of a home on flood liable land. (4) This exemption does not apply for homes or associated structures of more than one storey.	
10 Installation on flood liable land	(1) Council must have regard to the Floodplain Development Manual. (2) The home must be designed, constructed and installed in accordance with Division 4.	(1) As detailed above, part of the site is mapped as flood prone land. Flood planning levels are considered capable being satisfied. (2) Noted.
11 Installation of manufactured home or associated structure of more than one storey	Council assessment must have regard to the amenity of the adjoining occupiers.	N/A - For consideration with the application for approval to operate. Plans provided indicate future single storey occupancies.
Division 3 Manufactured home estates		
12 Minimum size of estate	Estate must have an area of not less than 1 hectare.	Complies – total proposed manufactured home estate area is approximately 8.8 hectares.
13 Community amenities	(1) 10% of total area of estate must be reserved for recreation or other communal activities. (2) If lesser proportion, Council must have regard to the type and range of amenities proposed.	As amended during the assessment, over 10% of the site is available for recreational or communal activities. This includes the proposed clubhouse, pool, tennis court, men's shed, dog park and community landscaping.
14 Size of dwelling sites	A dwelling site must have an area of at least 130m².	Complies – All proposed site have areas exceeding 130m². Minimum site area is 290m^2 to 450m^2.
15 Site identification	(1) Dwelling site to be numbered with clearly identified boundaries. (2) Site identification must be conspicuous.	Complies – Each of the dwelling sites is capable of being clearly numbered.

16 Dwelling sites to have road frontage	A dwelling site must have vehicular access to a road.	Complies – all proposed dwelling sites have vehicle access via direct frontage or shared driveway.
17 Setbacks of community buildings	(1) Not to be located closer than 10m to boundary of estate and dwelling sites. (2) Any lesser distance to satisfy Council that building has been properly screened, fenced, enclosed or otherwise treated. (3) Must not in any case be closer than 2m to any boundary.	The main community facility building is within 10m from the proposed extension of Solomon Drive. The Clubhouse and recreational facilities will be enclosed and screened by fencing/ landscaping. Other community facilities will be incorporated into the community landscaping. No community facilities will be within 10m of a residential property or an existing road. The lesser distance proposed is considered acceptable.
18 Setbacks of dwelling sites from road frontages	(1) No closer than 10m to a public road or 3m to any other boundary unless approved. (2) Any lesser distance to satisfy Council that the dwelling site has been properly screened, fenced, enclosed or otherwise treated.	As amended during the assessment, there will be 11 Lots with direct frontage to the proposed northern collector road which has been included in the submission. Lots adjoining the southern boundary are a minimum 5m from the boundary. All other lots achieve the minimum 10m setback. Screening and noise mitigation measures have been implemented within the road reserve for the southern boundary already. Additionally, due to the large sites, these sites will be capable of replicating setback requirements similar to standard residential development and development provisions from the Port Macquarie Hastings Development Control Plan 2013. Noise has been assessed by Council's EHO. Variation considered acceptable.

		The lesser distance proposed is considered acceptable.
19 Use of buffer zones	Buffer zones can be used for: (a) community amenities, access roads, car parking, footpaths or landscaping, or (b) or any similar purpose.	Capable of complying.
20 Entrance and exit roads	(1) Entrance to or exit from estate must be 8m wide. (2) Divided roads to have at least 5m on either side. (3) Tapers between entrance and access roads to be in the approval.	Complies as amended during assessment. The entrance and exit roads meet the requirements.
21 Width of roads	(1) Road reserve to be: (a) 8.5m for major access road, and (b) 6m for minor access road. (2) Sealed portion of access road must be: (a) 6m for major roads, and (b) 4m for minor roads. (3) Passing bays required for minor access roads exceeding 80m in length (4) Passing bays at intervals of 100m. (5) Sealed portion of access road with a passing bay to be: (a) 8.5m for major road, and (b) 6m for minor roads.	(1) The widths of all proposed internal roads are capable of compliance with the requirements. (a) 8.5m to 10.5m (b) 5.358m to 11.5m (2) Sealed portions - 6.5m access roads. Roads of 6m and 4.5m are proposed to be one-way. (3)(4)(5) capable of complying
22 Speed restrictions as part of road design	(a) 30 km/hr for major access roads, and (b) 15 km/hr for minor access roads.	To be sign-posted accordingly and suitable condition recommended.
23 Visitor parking	(1)(a) 8 spaces for an estate with 35 sites. (b) 12 spaces for 35 to 70 sites. (c) 16 spaces for 70 to 105 sites. (d) 20 spaces for 105, plus 1/7 sites over 140. (2)(a) Minimum dimensions of 5.4m x 2.5m, and (b) 6.1m x 2.5m. (3) Visitor spaces to be clearly identified.	For the 166 sites proposed a total of 23 visitor car parking spaces are required. It is proposed to provide 32 visitor spaces throughout the property. All spaces are capable of the minimum dimension requirements. Visitor spaces can be sign posted.
24 Visitor parking for people with disabilities	(1) 1 space for people with a disability. (2) If more than 100 sites - 1 / 100 sites of fraction of 100 sites. (3) In accordance with AS/NZS 2890.1:2004. (4) Visitor and disabled spaces to be	For the 166 sites proposed, a total of 2 disabled visitor spaces are required. 4 disabled visitor spaces proposed.

	clearly marked. (5) Visitor spaces to be counted under clause 23.	
25 Road surfaces	Must have all-weather sealed surface, allow for adequate drainage and eliminate excessive grades.	Complies and will be covered in conditions.
26 Lighting	Roads to be lit between sunset and sunrise.	To be provided and will be conditioned.
27 Water supply	(1)(a) Estate must be connected to mains water, or (b) provided with an alternative. (2)(a) Dwelling site must be connected to the estate water supply, and (b) separately metered. (3)(a) water supply to comply with the Plumbing and Drainage Code of Practice, and (b) Requirements of relevant statutory bodies. (4) Water for domestic requirements to comply with 'Australian Drinking Water Guidelines.	Complies – Estate is to be connected to mains water and will be separately metered. Will be conditioned to comply.
28 Sewerage	(1)(a) Estate must be connected to main sewer, or (b) alternative approved system. (2) Dwelling site to be connected to estate system. (3)(a) System to comply with the Plumbing and Drainage Code of Practice, and (b) Requirements of relevant statutory bodies.	Complies. Estate to be connected to reticulated main sewer. A new sewer main is required outside of the development site. Each dwelling site will be required to be connected to the estate system. Council's Sewer Engineers are satisfied that satisfactory arrangements can be made in this regard.
29 Drainage	(1) Estate to comply with specified and approved stormwater drainage system. (2)(a) dwelling site to be connected with estate system, or (b) or provided with on-site drainage system. (3)(a) System to comply with the Plumbing and Drainage Code of Practice, and (b) Requirements of relevant statutory bodies.	Stormwater management plan has been submitted and will be conditioned to comply. Dwelling sites will be required to be directly connected to the proposed stormwater drainage system.
30 Electricity supply	(1) Dwelling site to be supplied with electricity and a separate meter. (2) Installation in accordance with AS/NZS 3000:2000. (3) Electricity charge to comply with standard for locality.	Electricity supply is capable of being supplied to each dwelling site. Recommended condition applied requiring letter from respective electricity

		authority confirming satisfactory arrangement have been made.
31 Telephone lines	Must be available to each dwelling site.	Each dwelling site will capable of having a telephone service available.
32 Common trenches	Common trench may be used.	Noted.
33 Garbage removal	Arrangements to be specified and must be in a clean and sanitary condition.	All proposed dwelling sites will be provided with a garbage collection service via a private waste contractor. A central collection point can be provided where the access road will not allow passage by a garbage truck. An appropriate condition is recommended.
34 Fire hydrants	(1) Dwelling site and community building to be no more than 90m from fire hydrant. (2)(a) hydrant to be a double-headed pillar-type hydrant, and (b) maintained to standard specified.	Capable and will be conditioned to comply.
35 Buildings	(1) A building must not be erected in an estate unless the approval allows. (2) Buildings allowed within an estate include: (a) community building, (b) Brick or masonry separating walls or external facades to homes. (3) Brick or masonry external façade permitted only if: (a) the dwelling site is within a 'neighbourhood lot', and (b) the owner of the lot is also the proprietor.	Complies. No buildings, other than community/recreational buildings and manager's residence are proposed as part of this proposal.
36 Use of manufactured home estates	(1)(a) estate must not be used for any other commercial purpose, or (b) manufacture, construction or reconstruction of a moveable dwelling. (2) Manufactured home may be used for exhibition purposes. (3) Renovation and maintenance permitted on homes.	Noted.
37 Community	Map to be provided to Council.	Noted. A community map will be required to be

map		provided to Council and will be a condition of any approval to operate the MHE under a separate section 68 permit.
38 Access to approval and community map	Approval, community map and this Regulation must be available for inspection.	Noted. Will be condition as part of the approval to operate the MHE under a separate section 68 permit.

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

In accordance with clauses 6 and 7, the subject land has an area of more than 1 hectare in size (including any adjoining land under same ownership) and therefore the provisions of SEPP must be considered.

The site is subject to an existing Koala Plan of Management (Area 14 KPOM). An ecological assessment has been submitted with the application with site specific amelioration measures consistent with the Area 14 KPOM which currently applies to the site.

Having regard to the active approval DA2016.88.5 (staged subdivision), approved 27 May 2020, and provisions of the KPOM, the proposed development is considered to remain consistent with previous approval requirements. This was reiterated by comments from an ecologist and review by Council's Natural Resources Team. Appropriate conditions have been applied. In summary, the MHE will still comply with the following:

- Use koala food trees throughout the site and be implemented via a Vegetation Management Plan (VMP).
- Separation of key koala areas from busier residential development/roads.
- Revegetation of buffers/habitat linkages that are devoid of vegetation.
- Conditions being imposed to manage fauna/koalas during clearing process.
- Pool design being koala friendly.
- Standard street lighting being conditioned.
- Compensatory plantings in accordance with the KPOM.
- A VPA being in place for the management of environmental land and vegetation management.
- Core koala habitat areas being retained/untouched.
- Creation of habitat linkages consistent with the KPOM. In particular, the north south habitat linkage will be moved from the road reserve to private properties. This change will ensure the linkage is retained but involves potentially less dangerous road crossings for fauna.

State Environmental Planning Policy (Coastal Management) 2018

The site is located within an area containing coastal wetlands, coastal wetland proximity, coastal use area and coastal environment area. The development area, however is only identified as containing a small portion of coastal wetlands proximity. The application has been referred under the Water Management Act to the NSW Natural Resource Access Regulator. No requirement was specified under the Act for a Controlled Activity Approval.

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

Having regard to clause 11 of the SEPP, the proposed development will not result in:
identifiable significant adverse impacts on the biophysical, hydrological or ecological integrity of the adjacent coastal wetland to the development site; and
any identifiable significant reduction to the quantity and quality of surface and ground water flows to and from the adjacent coastal wetland.

Having regard to clauses 13 and 14 of the SEPP, the proposed development is not considered likely to result in any of the following:

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

Clause 15 - The proposal is not likely to cause increased risk of coastal hazards on the land or other land.

The bulk, scale and size of the proposed development is sufficiently 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 No. 55 – Remediation of Land

Following an inspection of the site and a search of Council records, the subject land is not identified as being potentially contaminated and is suitable for the intended use.

State Environmental Planning Policy No. 64 – Advertising and Signage

The proposed development includes proposed advertising signage in the form of business/building identification.

Clause 7 - This SEPP prevails over the Port Macquarie-Hastings LEP 2011 in the event of any inconsistency.

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

Applicable clauses for consideration	Comments	Satisfactory
Clause 8(a) Consistent with objectives of the policy as set out in Clause 3(1)(a).	The signage is consistent with the objectives of this policy.	Yes
Schedule 1(1) Character of the area.	The entrance wall and signage to be incorporated will not be out of character with the area with regards to residential estate signage.	Yes
Schedule 1(2) Special areas.	The entrance signage will not adversely impact on any identifiable special areas.	Yes
Schedule 1(3) Views and vistas.	The entrance signage will not adversely impact on any views or vistas.	Yes
Schedule 1(4) Streetscape, setting or landscape.	The entrance works and signage will not adversely detract from the streetscape.	Yes
Schedule 1(5) Site and building.	This signage is compatible with the entrance wall to which it is to be located.	Yes
Schedule 1(6) Associated devices and logos with advertisements and advertising structures.	None proposed.	Yes
Schedule 1(7) Illumination.	Any illumination of the entrance signage is capable of being controlled.	Yes
Schedule 1(7) Safety.	The signage will not adversely impact on public safety matters.	Yes

State Environmental Planning Policy (Housing for Seniors or People with a Disability) 2004

The Applicant has submitted that the development is not age restricted although the Statement of Environmental Effects states that the development is targeted to over 55. No provisions of this SEPP require specific consideration in this regard.

State Environmental Planning Policy (Infrastructure) 2007

Clause 45 - No objection was raised from the relevant electricity supplier regarding the proposed development.

Clause 101 refers to development with frontage to a classified road. The adjoining Ocean Drive is a classified road. In this case, the development does not create any additional crossovers onto the classified road or substantial increase in traffic. Therefore, no adverse impact on the road network will occur.

Clause 101 - The development has frontage to a classified road (Ocean Drive). The proposed development will not impact on the functioning of the road for the following reasons:

- Access to the site has been provided by an alternative (i.e. no new access direct onto Ocean Drive is proposed).
- Erosion and sediment control measures will be in place during construction to ensure no adverse dust impacts on road users.
- The road layout has been amended through the assessment process to provide a northern collector road.
- Consideration and justification has been provided that considered the rezoning and DCP process deemed acceptable from a functionality aspect.
- A noise impact assessment and consideration to the existing approved residential subdivision reviewed by Council Environmental Health Officer. The findings of the report were accepted by Council's Environmental Health Officer subject to conditions. It should be noted that some lots closer to Ocean Drive will need Category 2 dwelling installation/construction, which are to be reinforced in conditions.
- A vegetated buffer area separates the subdivision from the road which may assist with reducing some impact from emissions.
- Council Engineers have assessed the traffic volumes and impacts and deemed the site suitable.

Clause 102 - Ocean Drive does not carry an annual average daily traffic volume of 20,000 vehicles and therefore further consideration is not required in this case. It should be noted that impacts from road noise are still considered later is this report as a site specific constraint outside the SEPP.

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.

Based on the above, the proposed development addresses relevant clauses in the SEPP and will not to create any significant adverse conflict in terms of traffic or noise.

State Environmental Planning Policy (State and Regional Development) 2011

The proposed development does not have a capital investment value of more than $30 million and is not considered Regional Development (as per legislation in force at the time of lodgement of the DA). No provisions of this SEPP require specific consideration in this regard.

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 and E4 Environmental Living. The manufactured Home Estate is located wholly within the R1 zone, on a future lot approved by DA2016/88, as amended.

- Clause 2.3(1) and the R1 landuse table - The proposed development of a Manufactured Housing Estate is a permissible landuse with consent in the R1 zone.

2.
3. The proposed recreation and communal facilities are based upon the submitted details and locations best characterised as being ancillary to the primary landuse and therefore permissible. The SEPP 36 requires communal facilities also which implies permissibility also for such ancillary uses.

The objectives of the R1 zone are as follows:
- *To provide for the housing needs of the community.*
- *To provide for a variety of housing types and densities.*
- *To enable other land uses that provide facilities or services to meet the day to day needs of residents.*

The objectives of the E4 zone are as follows:
- *To provide for low-impact residential development in areas with special ecological, scientific or aesthetic values.*
- *To ensure that residential development does not have an adverse effect on those values.*

- Clause 2.3(2) - The proposal is consistent with the R1 zone objectives having regard to the following:
  - The proposal is a permissible landuse;
  - The proposal will provide for an alternative type of residential housing and density; and
  - The works are located wholly within the R1 zone.

  Note: the proposed MHE does not encroach into the E4 zone. Therefore, the E4 zone objectives have not been considered as part of the amended application.
- Clause 4.3 - The maximum overall height above ground level (existing). Residential buildings are characterised by single storey manufactured homes, heights will be managed through the section 68 process. The community facilities are 8.5m in height and manager's residence is 7.682m which complies with the standard height limit of 8.5m applying to the site.
- Clause 4.4 - The floor space ratio of the component of proposal with permanent community amenity buildings does not exceed and 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 7.1 - The site is mapped as potentially containing class 5 acid sulfate soils. The proposed development includes excavation in the impacted area of the site for the Solomon Drive and infrastructure, however therefore no adverse impacts are expected to occur to the acid sulphate soils found on site.

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

- The proposal is compatible with the flood hazard of the land taking into account projected changes as a result of climate change;
- The proposal will not result in a significant adverse effect on flood behaviour that would result in detrimental increases in the potential flood affectation of other development or properties;
- The proposal incorporates measures to minimise and manage the flood risk to life and property associated with the use of land;
- The proposal is not likely to significantly adversely affect the environment or cause avoidable erosion, siltation, destruction of riparian vegetation or a reduction in the stability of river banks or watercourses;
- The proposal is not likely to result in unsustainable social and economic costs to the community as a consequence of flooding.

Appropriate conditions are recommended to address flooding risk mitigation.

- Clause 7.9 - Development subject to acoustic controls. Acoustic impacts were considered in detail during the Area 14 planning (report prepared by Heggies) and the approval of the residential subdivision over the site by DA 2016/88 (report prepared by SLR dated 2015). The report approved as part of DA 2016/88 remains appropriate for the proposed MHE, including construction categories for the dwellings on the sites along Ocean Drive. The approved fencing, mounding and landscaping in now in place and establishing. This application retains these features to ensure the acoustic measure remains applicable to the new MHE sites. Conditions of consent have been applied to require compliance with the recommendations of the report.
- Clause 7.13 - Satisfactory arrangements are in place for provision of essential services including water supply, electricity supply, on-site sewage management/sewer infrastructure, stormwater drainage and suitable road access to service the development. Provision of electricity will be subject to obtaining satisfactory arrangements certification prior to the issue of a Construction Certificate for the MHE as recommended by a condition of consent.

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

No draft instruments apply to the site.

(iii) Any Development Control Plan in force

Port Macquarie-Hastings Development Control Plan 2013

DCP 2013: General Provisions			
	Requirements	**Proposed**	**Complies**
2.2.2.1	Signage to be building or business identification. Be contained to within the property. Not project above building facades. Potential for light spill from illumination to be subject to curfew.	Identification and entrance signage integrated into boundary fencing and entrances. Illumination curfew to be conditioned.	Yes

DCP 2013: General Provisions			
	Requirements	**Proposed**	**Complies**
2.3.3.3	Significant land reforming proposals shall not change surface levels by more than 5m.	No significant land reforming proposed under this proposal. Landform change complies.	Yes
2.3.3.1	Cut and fill 1.0m max. 1m outside the perimeter of the external building walls	Earthworks are proposed and capable of being managed. Cut and fill will likely exceed 1m in areas surrounding the community amenities. These works and levels will not result in any identifiable adverse impacts to existing neighbouring properties. Suitable site management conditions recommended for engineering certification.	Yes
2.3.3.2	1m max. height retaining walls along road frontage	No retaining walls along road frontage proposed.	N/A
	Any retaining wall >1.0 in height to be certified by structure engineer	Engineering certification capable.	Yes - capable
	Combination of retaining wall and front fence height max 1.8m, max length 6.0m or 30% of frontage, fence component 25% transparent, and splay at corners and adjacent to driveway	No combination of retaining and front fence proposed.	N/A
2.3.3.8	Removal of hollow bearing trees	Tree removal (including hollow bearing) covered by Ecological Assessment and Vegetation Management Plan. No hollow bearing trees are proposed for removal.	Yes
2.6.3.1	Tree removal (3m or higher with 100m diameter trunk at 1m above ground level and 3m from external wall of existing dwelling)	Two trees proposed to be removed under this Application. Tree removal proposed to be addressed by way of offset planting together with compliance with KPoM and Vegetation Management Plan.	Yes
2.4.3	Bushfire risk, Acid sulphate soils, Flooding, Contamination, Airspace protection, Noise and Stormwater	Refer to main body of report.	Yes

DCP 2013: General Provisions			
	Requirements	**Proposed**	**Complies**
2.5.3.2	New accesses not permitted from arterial or distributor roads	No new access proposed off arterial or distributor roads.	Yes
	Driveway crossing/s minimal in number and width including maximising street parking	Two entrance and exit points proposed via proposed Solomon Drive and Forest Parkway.	Yes
2.5.3.3	Parking in accordance with Table 2.5.1.	Adequate off-street parking is proposed consistent with the requirement of the Local Government (Manufactured Home Estates, Caravan Parks, Camping Grounds and Moveable Dwellings) Regulation 2005. Typical House design indicates each dwelling is capable of at least one car space. Manager's residence will have 2 off street car parking spaces. 23 visitor spaces required as per SEPP 36. Total of 32 visitor spaces provided.	Yes
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	Suitable landscaping proposed. Refer to detailed landscaping Plans.	Yes
2.5.3.14	Sealed driveway surfaces unless justified	Internal roads to be sealed.	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	Internal roads can comply with requirements of the Local Government (Manufactured Home Estates, Caravan Parks, Camping Grounds and Moveable Dwellings) Regulation 2005.	Yes
2.5.3.17	Parking areas to be designed to avoid concentrations of water runoff on the surface.	Parking areas will be adequately drained.	Yes
	Vehicle washing facilities – grassed area etc. available.	Suitable areas available for car washing.	Yes
2.7.2.1	Social impact assessment shall be submitted in accordance with Council's Social Impact Assessment Policy	A Social Impact Assessment has been submitted with the DA that is considered later in this report.	Yes

DCP 2013: General Provisions			
	Requirements	**Proposed**	**Complies**
2.7.2.2	Design addresses generic principles of Crime Prevention Through Environmental Design guideline	Adequate casual surveillance will be available for all community amenities within the development.	Yes

DCP 2013 - DCP 2011 Part 5 Rainbow Beach (relevant provisions only)			
DCP Objective	**Development Provisions**	**Proposed**	**Complies**
5.2.2.1	a) Development consistent with layout on Figures 5.2-3.	The proposed development, as amended, provides a northern collector road allowing movement through the precinct, pedestrian access and does not impact existing connections to Ocean Drive for the existing Elanora subdivision, Ocean Club MHE, Ocean Club East MHE extension and the proposed Aged Care Facility. The proposal seeks a variation for the continuation of the Southern Collector road. The applicant has demonstrated that this was not a requirement in the Sydmart Voluntary Planning Agreement and is a development provision within the DCP. (**See Attachment 11**) DCP controls can be varied once development progresses in a release area and the DCP objectives have been satisfactorily addressed. The DCP's development provisions are designed to guide development. The Traffic Impact Assessment (TIA) addresses the variation with respect to connectivity still being achieved, traffic volumes and distributions being adequate within the	No - refer to additional comment below

		proposed network and the envisage development of the area. The provision of the circular arrangement of the collector roads in this Precinct was created before the granting of consent for Ocean Club in the centre of the precinct, which has just one access point to the south. Whilst the road (North collector road - Solomon Drive) is still expected to be provided to the north of Ocean Club under a VPA, the approval of that Ocean Club and Ocean East MHE extension has altered traffic movements within the precinct and rather than distributing the movements throughout the entire precinct, or providing north and south connections. This development channels traffic movements to the south only via South Atlantic drive to the Baltic Street and Ocean Drive intersection. The provision of the Collector Road along the northern boundary has improved the proposed impact to connectivity and satisfies the DCP objectives. The inclusion of the Southern Collector Road would not have a significant benefit given the traffic movements from the Precinct to Ocean Drive and adjoining areas. The TIA demonstrates that this connection is not required as the Northern Collector road is capable of providing the east to west connectivity once completed. The Northern Collector road from Forest Parkway to Seahorse drive will be completed in Stage 1 of the proposed development.	

		The development is generally in accordance with the layout requirements.	
	b) First DA in precinct needs staging plan.	Not the first DA in the precinct. Nonetheless, a staging plan has been provided for the proposed development.	Yes
	c) Development yields.	Development yields on track noting the proposal is a form of medium density housing and a second MHE for the precinct.	Yes
5.2.2.2	Staged developments need an Infrastructure Servicing Plan.	Capable of compliance, especially through conditions and s68/138 process.	Yes
5.2.2.3	a) Signalised and roundabout intersections are provided in accordance with layout figures.	Not relevant to the site.	N/A
	b) Design requirements for Ocean Drive.	Development complies with design requirements for Ocean Drive.	Yes
5.2.2.5	a) Cycleways, shareways etc requirements	A cycleway and shareways linkage has been provided along the northern collector road allowing continued movement through the precinct. There is an existing footpath on the western side of Seahorse Rise that provides connectivity between the southern and northern collector roads, which will reduce the impact of the loss of public access through the MHE. This generally complies in accordance with the development provisions. Note, in accordance with the Local Government (Manufactured Home Estates, Caravan Parks, Camping Grounds and Moveable Dwellings) Regulation 2005, community landscaping, including pedestrian paths have been included within	Yes

		the MHE design.	
	b) Pedestrian link requirements.	Pedestrian links have been provided in general accordance to the development provisions and figure 5.2-6 of the DCP.	Yes
5.2.2.9	Noise, visual amenity, SEPP 26 buffer and urban design.	The applicant has submitted a noise report, fencing detail, landscaping demonstrating general consistency with the approved residential subdivision (DA2016/88, as amended) and within accordance with the DCP. To be reinforced through conditions.	Yes
5.2.2.6	a) Environmental Living Area (E4 zone)	The proposal adjoins the E4 zoned land. Vegetation Connectivity has not been compromised the intent of the current VMP. Design has demonstrated that a management Unit 1 corridor provides connectivity to the vegetation to the north.	Yes
	e) 20m wide habitat link as per Figure 5.2-7.	20m habitat link provided generally consistent with Figure 71. As approved on the existing subdivision plan, this corridor will be managed on private land and be consistent with the current VMP.	Yes
	f) 30m wide road reserve habitat link as per Figure 5.2-7	Not relevant to the site.	N/A
	g) Development considers existing rural residential areas, KPOM requirements and linkages.	Development complies with the Area 14 KPOM and will be installing/protecting key habitat links. The development considers the existing rural residential area by providing adequate separation and not compromising planned environmental linkages.	Yes
	h) Subdivision adjoining R2 and E4 zones is designed to avoid adverse amenity impacts by using landscaping and differing density.	Refer to comments above. In addition, the proposed development is consistent with the approved VMP in place for the existing subdivision to ensure significant	Yes

		landscaping/vegetation throughout the precinct/adjoining land.	
5.2.2.10	Development in flood planning area requirements.	Compliance with flooding addressed above in LEP 2011.	Yes
5.2.2.13	e) Houston Mitchell Drive Treatment	Development provides foot paving and landscaping along Forest Parkway to Houston Mitchell Drive. Footpath, fencing and vegetation along Houston Mitchell Drive does not adjoin the future proposed lot and is captured in the final residential stage of DA2016/88, as amended, which adjoins Houston Mitchell Drive in accordance with DCP.	Yes

The proposal seeks to vary Development Provision relating to 5.2.2.1 - Urban Structure and Lot Layout and 5.2.2.3 - Road Design and Construction.

The relevant 5.2.2.1 objectives are:

- To establish a clear urban structure that maximises the sense of neighbourhood and encourages walking and cycling
- To ensure development in each precinct is delivered in an orderly and efficient manner
- To facilitate the efficient use of land that accommodates the area's predicted population growth
- To achieve housing choice and residential densities sufficient to support:
  - Business and mixed use centres
  - Public transport provision
  - Infrastructure investment

The relevant 5.2.2.3 objectives are:

- To provide for the safe and functional movement of all modes of transport along Ocean Drive.
- To provide equal access to all mobility groups along Ocean Drive, including public transport, pedestrian, mobility assistance vehicles and cycling.
- To ensure gateway sites contribute to a safe public environment by providing clear wayfinding cues.
- To ensure gateway sites contribute to a safe public environment by avoiding traffic movements from parking or site access and egress close to the intersection.

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

- The Traffic Impact Assessment (TIA) addresses the variation with respect to connectivity still being achieved, traffic volumes and distributions being adequate within the proposed network and the envisage development of the area.
- The adjoining developments access to Ocean Drive have not been impacted.

- The existing amenity of the rural residential estate on Forest Parkway is not impacted by this variation, as pedestrian linkages and vehicular connections have been provided.
- The proposal does not impact the interface to Ocean Drive.
- The northern collector road provides east to west connectivity.
- Once the northern collector road is completed, there will be less reliance on the local north-south roads.
- Pedestrian circulation generally complies.
- The proposed site is not considered a gateway site.
- The proposal ensures efficient use of land that accommodates for housing choice and residential densities for predicted population growth to support the local economy, public transport and infrastructure.
- The proposal does not obstruct wildlife or vegetation corridors within the precinct.
- The proposal generally complies with the overall objectives of Precinct A, anticipating to provide 500 new dwellings, predominately manufactured homes and detached houses.

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

(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

The land owner has entered into The Sydmart Area 14 Stage 1A Planning Agreement with Port Macquarie-Hastings Council. In summary, the agreement requires:

- Monetary development contributions for water supply, roads, sewerage, open space, and administration purposes
- Specific works by the landowner for the purposes of providing water supply and roads.
- Dedication of specified land to the Council by the landowner on which some works will be situated

The proposed development complies with relevant planning agreements subject to conditions.

The Applicant has provided additional clarification regarding this matter, see **Attachment 11** of this report.

(iv) Any matters prescribed by the Regulations

Local Government (Manufactured Home Estates, Caravan Parks, Camping Grounds and Moveable Dwellings) Regulation 2005 - Addressed earlier in this report

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

Context and setting

The site has street access from Forest Parkway, South Atlantic Drive and Solomon Drive, which connect to Houston Mitchell Drive and Ocean Drive. As amended to proposal will connect Solomon Drive to Forest Parkway and form part of a perimeter collector road for Area 14 Stage 1A.

Adjoining the site to the north is an existing large lot residential subdivision with associated housing. Further north is the Lake Innes Nature Reserve and land approved under DA2016 - 87 for 68 residential lots.

Adjoining the site to the east is 45 Residential lots and Ocean Club manufactured housing estate that is partially complete with further sites to be created.

Adjoining the site to the south is 16 Lot E4 Environmental living subdivision, Houston Mitchell Drive and Ocean Drive intersection, and an approved 702 lot residential subdivision including a commercial zone and Lake Cathie Primary School.

Adjoining the site to the west is timbered rural land and National Park.

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

The proposal is considered to be sufficiently compatible with other developing residential development in the locality and adequately addresses planning controls for the area including the variation to the indicative planned southern collector road.

The proposal does not have a significant adverse impact on existing view sharing.

The proposal does not have significant adverse lighting impacts subject to compliance with consent conditions.

There are no significant adverse privacy impacts. Adequate building separation and is proposed.

There are no significant adverse overshadowing impacts. The proposal does not prevent adjoining properties from receiving 3 hours of sunlight to private open space and primary living areas on 21 June between the hours of 9am and 3pm.

Roads
The site is located over existing Stages 2B, 3, 4, 5 and 7 of Elanora (DA 2016/88). The site has road frontage to Ocean Drive and Forest Parkway, both are public roads under the care and control of Council.

Ocean Drive is a Rural Arterial RMS Classified Road with an 11m wide pavement formation (including shoulders to both sides of the pavement within a 40m road reserve. No vehicle access is permitted to Ocean Drive from the development.
As amended during the assessment, the development now includes an extension of the northern collector road, Solomon Drive, linking Forest Parkway to the eastern end of Precinct A. This will provide an alternative route and less reliance on Forest Parkway.

The Application and Traffic Impact Assessment (TIA) has adequately addresses the DCP variation of not continuing the Southern Collector Road, South Atlantic Drive. By not extending Southern Collector Road, it does not compromise the existing and approved connections to Ocean Drive.

Forest Parkway is a rural residential road with a 9m wide pavement formation with upright kerb and gutter within a 20m road reserve. The development proposes access to Forest Parkway via Solomon Drive and a secondary driveway for the western stage of the development.

Council's DCP defines a collector and significant road network within the area of the development. This includes a collector road network connecting South Atlantic Drive to Solomon Drive, as well as link this collector network to Forest Parkway. This precinct network was defined to minimise impacts to the regional network and to facilitate public amenities including water, bus service and public pathways in the area. All developments in the precinct have preserved this network and have either conditions to construct the network, or have entered into a Voluntary Planning Agreement (VPA) to construct the network in accordance with the DCP.

The connection of the both Solomon Drive and South Atlantic Drive to Forest Parkway was not required until Stage 6 of Elanora (DA2016/88). The proposed development will connect the existing part of Solomon Drive to Forest Parkway.

Both Solomon Drive is a collector road with a 9m pavement formation within a 19m wide road reserve with kerb and gutter and indented bus bays around the circuit.

This network is critical to the planning for the precinct and without this network, critical functions within the precinct cannot be delivered. Therefore, the development is required to extend the network within its first stage, preserving its function generally in accordance with the DCP.

Traffic and transport
The application includes a Traffic Impact Assessment conducted by Streetwise Road Safety and Traffic Services on 24 October 2019. The current site is part of a 151 lot approved residential development. Stage 1 of the development has been constructed and consist of 45 lots, Stage 2A of the development (6 lots) and Stage 6 (17 lots) as approved are to be retained for future development. Stages 2C, 3, 4, and 7 of Elanora are to be excised out of the development for consideration by this Manufactured Home Estate application.

The traffic study shows the original development (all stages) would generate a total of 1,117 daily trips and 113 peak hour trips as follows:

- Stage 1 and Stage 2A generating 377 daily trips and 38 peak hour trips,
- Stage 6 generating 126 daily trips and 13 peak hour trips; and
- Stages 2B, 3, 4, and 7 generating 614 daily trips and 62 peak hour trips.

The study also notes that Manufactured Home Estates generate traffic differently than other residential developments and the RMS guidelines do not provide clear information of anticipated rates associated with this type of use. As such, trip generation was determined from the neighbouring manufactured home estate by counting existing traffic impacts. Based upon this data, the 159-site manufactured home estate is estimated to generate 573 daily trips and 62 peak hour trips which is less than the 614 daily trips and 62 peak hour trips originally vested with the development. Therefore, the overall regional road network will have adequate capacity to cater to the overall development.

Irrespective of the capacity findings above, changes to access arrangements with the development will increase the use of Forest Parkway, as it is the primary entry and exit. The traffic study shows traffic impacts associated with this change will increase

the use of the Forest Parkway and Houston Mitchell Drive intersection warranting an additional channelised right turn lane (CHR(s)) to address operational needs with the proposed manufactured housing estate. Conditions of consent are imposed to require this turn lane to be constructed with the development.

The study summarised that:

- The Forest Parkway and the local road network has the capacity to cater for the future traffic volumes generated by the development.
- The intersection of Huston Mitchell Drive and Forest Parkway shall be upgraded to ta CHR(s) intersection providing an exclusive right turn lane from Houston Mitchell Drive to Forest Parkway.
- Internal roadways, parking spaces comply with the Local Government Manufactured Home Estates, Caravan parks and Movable Dwellings Regulation 2005 and Australian Standards (AS 2890).

An assessment of the submitted information has been undertaken by Council Engineering staff. The traffic study is considered to be acceptable and appropriate conditions are recommended to address specific requirements to mitigate traffic related impacts as detailed in the report attachments.

Noting proposed condition B(5) on the consent, it is considered that there are a number of viable options for achieving access to the E(4) zoned land from Forest Parkway. This is capable of being resolved in a future application on this land.

Site frontage and access
Vehicle access is proposed though two (2) access driveways, one on Forest Parkway and Solomon Drive. The northern access driveway, via Solomon Drive, provides access to the amenity building (clubhouse and workshop) and 139 home sites, while the western driveway provides access to the recreation vehicle parking and 16 home sites. 11 home sites will have direct driveway access to Solomon Drive. All accesses to public roads shall comply with Council AUS-SPEC and Australian Standards, and internal roads and driveways shall comply with the Local Government (Manufactured Home Estates, Caravan Parks, Camping Grounds and Moveable Dwellings) Regulation 2000 requirements. Conditions have been imposed to reflect these requirements.

Parking and manoeuvring
Visitor parking is to comply with provisions of the Local Government (Manufactured Home Estates, Caravan Parks, Camping Grounds and Moveable Dwellings) Regulation 2005. For a 166-site development a total of 24 visitor spaces are required. Based upon the current site plan adequate spaces have been provided on-site.

Parking and driveway widths on site can comply with relevant Australian Standards (AS 2890) as well as clause 23 (2) of the Local Government (Manufactured Home Estates, Caravan Parks, Camping Grounds and Moveable Dwellings) Regulation 2005. Conditions have been imposed to reflect these requirements.
Due to the type of development, car park circulation is required to enable vehicles to enter and exit the site in a forward manner. Site plans show circulation routes and conditions have been imposed to reflect these requirements.

Pedestrian network
Council's DCP outlines pedestrian facility network linkages throughout the precinct. In general, a pedestrian shareway is required along the northern boundary of the

development site with connections to Springhill Place and Forest Parkway. Furthermore, pedestrian linkages are proposed through a sealed path network (2.1m wide) along Forest Parkway and Houston Mitchell Drive connecting to the Houston Mitchell Drive and Ocean Drive roundabout where pedestrian facilities have already been installed.

As amended during the assessment, the proposal now includes the northern collector road and a pedestrian shared way consistent with figure 5.2-6 of the DCP. Pedestrian links have been provided east to north through stage 1 of Elanora (DA2016/88). Once the adjoining developments to the east are completed, the pedestrian and shared ways will circulate around the precinct.

In order to facilitate pedestrian movements through around the precinct, the development will be required to provide pedestrian linkages generally in accordance with the DCP. Conditions have been imposed and has been amended to incorporate this significant road network.

Water supply connection
Each individual unit or lot shall be individually metered with the meters either located at an easily accessible location unless the water supply to the whole site is metered with a single larger meter with private meters at each unit. There is also the option for utilising remotely read electronic meters. Details are to be provided on the hydraulic plans.

Potable water main connections are to be provided on the eastern boundary to the existing 200mm PVC water main in South Atlantic Drive; on the southern boundary to the existing 300mm PVC water main In Ocean Drive and on the western boundary to the existing 150mm PVC water main in Forest parkway. On the north eastern corner, the 100mm potable water main is to extend to the sewer pump station lot either at a suitable offset to the sewer gravity main or by arrangement with the adjoining land owner. Details are to be shown on the engineering plans.

Council owned water mains shall be located in public roads or public reserves.

Reclaim water main connections are to be provided on the eastern boundary to the existing 150mm PVC water main and on the southern boundary to the existing 200mm PVC water main. On the north eastern corner, the 100mm reclaimed water main is to extend towards the sewer pump station lot either at a suitable offset to the sewer gravity main or by arrangement with the adjoining Land owner. Details are to be shown on the engineering plans.

Sewer connection
Council records indicate that the development site is able to be connected to sewer at an existing sewer manhole on the development lot. Details are to be shown on the engineering plans.

Stormwater
The site naturally grades towards the north/north-east corner (rear of the site) and is currently unserviced via the public piped drainage system.

A stormwater management plan has been submitted in support of the development application and demonstrates conceptually that the development can achieve Council's AUSPEC requirements with regard to water quality and detention. In this regard, two (2) stormwater basins are proposed. In the Eastern catchment, a new basin is proposed to be constructed in the north of the site, including a large grass

swale to accommodate any excess runoff. In the Western catchment, rainwater tanks have included to manage discharge, with the construction of a new bio-retention basin proposed for the north-east corner of the site. The report demonstrates that these basins and associated treatment trains achieve compliance with Council's water quality targets. MUSIC modelling output summaries have been submitted to demonstrate compliance in this regard.

The plan indicates that no stormwater will be discharged to the Ocean Drive frontage of 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.
In accordance with Councils AUSPEC requirements, the following must be incorporated into the stormwater drainage plan:

- Detailed modelling and calculations to demonstrate that the designed system meets the above objectives,
- Design specifications for the detention and water quality facilities
- Maintenance plans/specifications for the detention and water quality facilities
- Design specifications for the outlet form the stormwater basin to demonstrate that flows are being discharged onto the surface of the land in a manner that matches pre development discharge.
- Refer to conditions of consent for details

Other utilities
Telecommunication and electricity services are available to the site. Evidence of satisfactory arrangements with the relevant utility authorities for provision to each proposed lot will be required prior to Construction Certificate approval (**E068**).

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

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

Other land resources
The site is within an establishing 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
The Site is subject to an existing Vegetation Management Plan and will supersede part of the existing residential subdivision approval, DA2016/88 as amended. Note substantial works under the existing approval have commenced over the site. Construction of the proposed development will require removal/clearing of three native trees from the development site. No primary Koala food trees will be removed under this proposal. No hollow-bearing trees, nests or other habitat features will require removal. Part 7 of the Biodiversity Conservation Act 2016 is considered to be satisfied.

Conditions have been recommended requiring amended landscape management plans, ensure compliance under the existing vegetation management plan, as detailed:

- *The total number of trees (58) planted in each specific area (eg north of collector road, north of roundabout, south of roundabout)*
- *The LMP must reference or include a standard drawing that details the site preparation, planting, protection and after-care for all trees and understory vegetation in the habitat linkage.*
- *It must detail thresholds and standards for tree health and when dead/dying trees must be replaced in accordance with the approved 2016 VMP.*
- *The number of each species in each area, noting that 58 of the trees must be koala browse species. Drawing No. 5405 0003 Rev: B includes Corymbia gummifera and Melaleuca quinquenervia - it is requested that these species are not used unless surplus space is available supplementary to the 58 KFTs. Preferred KFT species are: Eucalyptus microcorys, E. robusta and E. tereticornis. The smaller, shorter-lived E. nicholii has also been suggested but is non-indigenous and preferably not to be used.*
- *Drawing No. 5405 0003 Rev: B shows offset trees planted in the detention basin north of the collector road and Drawing No. 5405 0006 Rev B: shows trees overhanging Lot32/DP0803801 as well as within the detention basin. Both of these locations are not suitable. The plan must show planting locations that do not conflict in this manner.*
- *Fencing must not be erected at either the north or south ends of the habitat linkage. These areas must provide unimpeded access/egress to all fauna.*
- *Threats to native vegetation can be managed with the use of exclusion fencing during the establishment phase of revegetation and potentially in the longer term. Fencing must allow the unimpeded access/egress of koalas by means of a 200mm gap at the base of the fence as approved by Council staff.*

Waste
With regards to the ongoing operational management of waste; an Operational Management Plan will be prepared with the appointed private waste contractor, ensuring each moveable dwelling will have access to an appropriate garbage collection service onsite.

Each dwelling will have access to suitable garbage and recycling bin facilities, allowing for waste to be sorted prior to collection. No adverse impacts anticipated. An appropriate condition is recommended in this regard.

Standard precautionary site management condition recommended.

Energy
No adverse impacts identifiable.

Noise and vibration
Acoustic impacts were considered in detail during the Area 14 planning (report prepared by Heggies) and the approval of the residential subdivision over the site by DA 2016/88 (report prepared by SLR dated 2015). The approved fencing, mounding and landscaping in now in place and establishing. This application retains these features to ensure the acoustic measure remains applicable to the new MHE sites.

The application was referred to Council's Environmental Health Officer to consider impacts of road noise from Ocean Drive (classified road). After review, there are no identifiable concerns that the recommendations cannot be achieved. Several conditions have been recommended

Bushfire
The site is identified as being bushfire prone.

In accordance with Section 100B - Rural Fires Act 1997, manufactured home estates are an additional special fire protection purpose prescribed by the regulations and require a Bushfire Safety Authority.

The Applicant has submitted a bushfire report prepared by a Consultant. The report has carried out an assessment under Section 100B requirements.

The Commissioner has assessed the development and has issued a Bushfire Safety Authority subject to 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 and provision of significant communal facilities will improve natural surveillance within the locality and openings from each dwelling overlook common and private areas.

Social impacts in the locality
A Social Impact Assessment prepared by Land Dynamics Australia has been submitted with the DA as required by Council's Development Control Plan 2013 and Social Impact Assessment Policy.
The below is a list of the key mitigation measures from the Social Impact Assessment, which the Applicant has considered in the design and proposes to incorporate into the occupancy of the site:

1. Development of a Landscape Plan for the Lifestyle Resort, with plantings which encourage screening along boundaries within setback areas.
2. The landscape buffer is to be maintained to enhance acoustic privacy and reduce visual impacts.
3. The front vehicular access gate / boom gate or similar to the site be set back to allow access to the reception at all times to facilitate site access by visitors, service providers and to ensure a welcoming entrance to the site is provided.
4. The entrance to the Lifestyle Resort will be provided with low glare security lighting after dark and the overall site will contain low glare lighting to increase security and reduce opportunities for crime.
5. Provision of community facilities and landscaping.

As amended during the assessment process, the inclusion of the northern collector road (Solomon Drive), pedestrian and shared way into the proposed development,

this ensures connectivity and circulation through the precinct and resolved some of the key traffic impacts raised during the social impact survey.

Subject to the above being complied with, the proposal has been assessed as being unlikely to result in adverse social impacts which would warrant refusing the DA. Residents of the MHE will have access to local community services and business. Issues relating to impact on character have been addressed in the Statement of Environmental Effects, Traffic Impact Assessment and throughout this report.

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. The proposed design provides a landscaped buffer between the proposed dwelling sites and the existing and future dwellings (outside the MHE site) and has had regard to the environmental qualities of the site.

The proposal has no identifiable adverse impacts on the amenity of any adjoining sites and is therefore considered suitable within the locality.

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

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

(c) The suitability of the site for the development

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

Site constraints of bushfire risk, road noise and flooding have been adequately addressed and appropriate conditions of consent recommended.

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

Nine (9) written submissions were received following public exhibition of the application. Copies of the written submissions have been provided separately to members of the DAP.

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

Submission Issue/Summary	Planning Comment/Response
Inconsistency with Strategic and Development Planning for the Area 14 Lake Cathie/Bonny Hills Urban Release Area and the Port	The subject site is zoned R1 General Residential and E4 Environmental Living. The proposal is located wholly within the R1 zone, on a future lot approved by DA2016/88.

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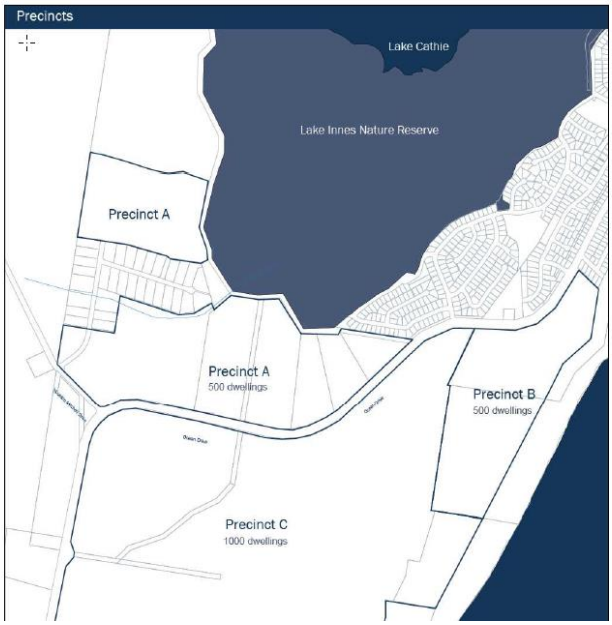
Macquarie Hastings Development Control Plan 2013, 5.2.2 Rainbow Beach.	In accordance the SEPP36 a Manufactured Home Estate is permissible as a 'caravan park' under this LEP. The proposal is an alternative form of medium density residential housing to that of a typical residential subdivision and housing development.
	
	With the exception of not providing the desired indicative southern collector road connection through the site, the proposal has had sufficient regard to the development planning for this precinct. This variation is specifically addressed earlier in this report.
	
	More specifically, the development site is with Precinct A of Rainbow Beach.
	
	 
	
	In particular, the Development Provisions aim to:
	• *facilitate development that accommodates population growth of around 2,000 new dwellings while maintaining a coastal village feel,*
	• *protect and enhance the environmental values of the area,*
	• *achieve residential densities sufficient to support:*
	  ○ *business and mixed use centres*
	  ○ *public transport provision, and*
	  ○ *infrastructure investment,*
	• *facilitate a mix of housing types and encourage higher residential densities in areas close to retail or community activities and public transport nodes,*
	• *encourage an urban form that clearly defines*

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	the new centres, • *ensure a high level of amenity for future residents and visitors, and* • *ensure a high level of visual and acoustic amenity along the Ocean Drive Corridor.* *<u>Precinct objectives</u>* *Precinct A is the area that is bounded by Ocean Drive, Houston Mitchell Drive, Lake Innes Nature Reserve and the existing residential development along Explorers Way.* *Fully developed, Precinct A is anticipated to provide about 500 new dwellings, predominantly manufactured homes and detached houses providing for about 1,200 residents.* *The desired outcomes for the precinct are:* • *Habitat linkages through the precinct are maintained and improved,* • *The viability and health of the area's koala populations are maintained and improved,* • *Provide an attractive interface to Ocean Drive.* • *The existing amenity of the rural residential estate on Forest Parkway is adequately protected.* With regards to the proposed landuse, the proposed development meets the development provisions, providing both manufactured housing and detached dwellings and provides housing density to support local services.
Traffic, Pedestrian, Cycleway and Public Transport Impacts: Deletion of the Southern Collector or significant road, and the associated shareway, pedestrian pathways and potential public transport connectivity	As amended during the assessment, the proposed development now includes continuation of the northern collector road. The development provides external pedestrian and cyclist connections via the extension of Solomon Drive, which will allow sufficient connectivity east to west through Precinct A. This now allows vehicle and recreation connections through the development site and generally consistent with intent of clause 5.2.2.3 of DCP 2013. The only change is the continuation of South Atlantic Drive through to Forest Parkway maintaining a collector road width - refer to DCP road network figure below:

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	 Vehicle and pedestrian connection north to south is maintained through the existing stage 1 of the Elanora Subdivision. This will likely become less relied upon for once Solomon Drive connection east to west is completed through adjoining developments. <u>Traffic Impact</u> The Traffic Impact Statement, prepared by Streetwise Road Safety and Traffic Services, indicates the proposed development will generate less demand on the road network to the current approved Elanora subdivision (DA2016/88). It is noted that the subject to planning the Ocean Drive Corridor, South Atlantic Drive design was intended to reduce the reliance of additional intersections adjoining Ocean Drive. With this the importance of certain areas of South Atlantic Drive are more important in the proposed road hierarchy. <u>Pedestrian and Shareway</u> The pedestrian and shareway proposed along Solomon Drive is in general accordance with

Submission Issue/Summary	Planning Comment/Response
	Figure 5.2-6, public open space and pedestrian movement in the DCP 2013 (pictured below). The Applicant has satisfactorily demonstrated that the existing developments will have access for pedestrians, sharedways and that continuation of South Atlantic Drive through the southern part of the subject site is not necessary to achieve the development provisions. <u>Public Transport</u> The Application has demonstrated that there are no existing public transport services impacted by the proposed development. Typically, and as required for Manufactured Housing Estates, a community bus service will operate for its residents. Public transport access external to the development is provided along Solomon Drive and can be incorporated in the South Atlantic Drive and Baltic Street intersection. The TIA notes that all existing developments are within 400m of a collector road and future public transport route. Based on the justification provided, the Applicant has demonstrated that the proposed development responds in general accordance to the development provisions of the DCP for

Submission Issue/Summary	Planning Comment/Response
	Precinct A.
Contrary to the Voluntary Planning Agreement registered on the Title of the subject Land; - executed Sydmart Area 14 Stage 1A Planning Agreement *In relation to the current development proposal, the requirement in the VPA for "Future Road Links" is relevant. Future Road Links is a defined term within each respective VPA, including the Sydmart VPA, as follows: "Future Road Links means the land identified as such on Plan No. 2"*	As part of the Lake Cathie Bonny Hills URA Stage 1A rezoning, all landowners entered into a Voluntary Planning Agreement for payment of development contributions, infrastructure works and dedication of land. With the regards to the definition of "Future Road Links" and Plan No. 2 of the Sydmart VPA, it is noted that the only roads to be provided under the Sydmart VPA are the Future Road Links identified on Map 2. The Future Road Links on Map 2 relate to connections further north of Precinct A and not the collector roads/extension of Soloman Drive and South Atlantic Drive. Since the last time this item was reported to DAP, the Applicant has sought legal advice regarding the deferred item referring to "*the consistency of the Development Application with the 'Sydmart' Voluntary Planning Agreement applying to the Site (VPA)".* Concluding, …"*the Proposed Development is consistent with the VPA because the obligations under clauses 13.2 and 14.1 with respect to the completion of the "Future Road Links" and the dedication of such land are not relevant to the Proposed Development*…" Based on the advice received, there are no implications to the Sydmart VPA. Therefore the proposal does not require the Sydmart VPA to be modified.
Inconsistency with Existing Approvals	The site plan originally submitted deleted both collector roads through the subject site. As amended through the assessment process, the northern collector road (Solomon Drive) has now been included, providing an important desired east to west connection and a perimeter road, which is consistent with the adjoining approved developments and in general accordance with clause 5.2.2.3 of the DCP 2013. The proposed design does not compromise existing developments connections to Collector/significant roads, being either Solomon Drive or South Atlantic Drive to Ocean Drive. Once Solomon Drive connection east to west is completed through adjoining developments, it is

Submission Issue/Summary	Planning Comment/Response
	likely that there will be less reliance on the Forest Parkway and Houston Mitchell Drive intersection, as well as the north to south connection of Seahorse Rise and Whiting Way. By including Solomon Drive, the proposed development now includes clear pedestrian and shareways east to west consistent with the developments adjoining to the east of the development site. It is noted that the proposed development has a secondary driveway/emergency access point adjoining South Atlantic Drive.
Secondary entry at South Atlantic Drive	During the assessment process, a secondary exit was discussed as a mitigation measure to assist traffic dispersion. Following consultation with the Applicant, a condition has been recommended requiring the current emergency exit to South Atlantic Drive to become a formal exit from the MHE and the detail shown on the Construction Certificate (CC) drawings. In the event of an emergency, this would allow for greater dispersal of traffic exiting the MHE, with easy connection to South Atlantic Drive, without the need to exit via the main entry or drive through other streets in the precinct. This exit would provide access for the MHE residents directly to Baltic St and the future intersection, further dispersing the traffic away from the northern collector road and the Forest Parkway and Houston Mitchell Drive intersection. A complete entry at this point is not supported by the Applicant for safety and security reasons, and entry will be via the main entry only.
Bushfire Impacts	The layout with the northern collector road assists with bushfire concerns. The New South Wales Rural Fire Service (RFS) concerns have been satisfactorily addressed in the revised layout. The RFS have considered the revised information submitted and provided general terms of Approval, under Division 4.8 of the Environmental Planning and Assessment Act 1979, and a Bush Fire Safety Authority, under section 100B of the Rural Fires Act 1997, reference DA20191127001235-Original-1, 7 May 2020. Additional planting is required in accordance

Submission Issue/Summary	Planning Comment/Response
	with the Koala Plan of Management; however, the bushfire requirements must be considered when choosing their location to ensure the APZ is still met. The landscaping plan and vegetation management plan have demonstrated that appropriate APZs can be achieved. The proposed development has an emergency access point adjoining South Atlantic Drive. <u>Typical dwelling plans</u> It is noted that the construction of the proposed dwellings is subject to the Section 82 Objection of the Local Government Act 1993, which will form part of the Section 68 application for the Approval to Operate the Manufactured Housing Estate. With regards to construction standards, the Applicant has demonstrated that manufactured homes can be constructed as such to meet relevant bushfire attack levels as recommended.
Inconsistent descriptions of Development as being an over 50s residential estate or not.	It is common for many MHE's not to be age restricted. However, MHE's focus on a certain demographic which is typically over 50's. Neither State Environmental Planning Policy 36 - Manufactured Home Estates, or the Local Government (Manufactured Home Estates, Caravan Parks, Camping Grounds and Moveable Dwellings) Regulation 2005, restrict the age of the occupants of the proposed estate, or the number of occupants. The mechanism proposed to control the residents on the site is the Plan of Management which sets out the policies and requirements, as well as the on-site management and entry being via the main entrance. In this instance, compared to other similar developments, there are no identifiable concerns to require restrictions on age or number of occupants.
The Social Impact Statement appears to have not addressed all key issues, engaged all nearby residents or landowner and provided suitable questions to key issues.	Response from the Applicant regarding how the Social Impact Statement (SIA) and adjoining land surveyed was undertaken; *A letterbox drop was provided to those properties that were constructed or under construction. Assistance was provided from the existing residents to further distribute the survey and an extension of time provided to respond. The vacant land was in many instances owned by the current landowner, who*

Submission Issue/Summary	Planning Comment/Response
	did not complete the survey. There is no requirement for this informal consultation to cover the entire release area and Council undertakes their own notification of the DA after lodgement in accordance with the Act and Regulations. It was considered, and referenced within the SIA, that the TIA addresses the road network. The general traffic concerns that were raised were addressed in the SIA. The SIA is not intended to be a complete assessment or to replace Council's legislative notification.
High density concerns including environmental concerns from increased density such as drainage, water, traffic, waste and amenity.	The proposal is considered to be an alternate form of medium density residential development which is permitted by State legislation. The size of the sites are greater than the minimum site sizes permitted under SEPP 36. The footprint of development within the MHE estate is considerably less than would be likely with single dwellings, or dual occupancies as occurring in the Elanora Estate, provides greater green areas than the existing approval and provides the northern collector road and pedestrian linkages to east to west. The environment concerns such as stormwater, water, waste and amenity have been reviewed by Council staff as acceptable.
Noise Impact to existing rural subdivision.	The current approved residential subdivision, DA2016/88) includes the northern collector road along this northern area, generally in the same location. The impacts associated with the road were deemed acceptable at time of approval. The existing subdivision proposes 7 lots to adjoin the southern and western boundary of 22 Forest Parkway and 34m buffer to the proposed collector road. The proposed lots will have a minimum 4m rear setback. The proposed 19m wide collector road will directly adjoin the southern boundary and will be landscaped as to ensure visual privacy and amenity. The MHE proposed the northern collector road is provided generally in accordance to the DCP development provisions. The evidence related to existing MHE developments indicates considerably less traffic movements due to less private vehicle movements compared to a standard residential subdivision. Following consultation with the

Submission Issue/Summary	Planning Comment/Response
	applicant a condition of consent is recommended to which requires the emergency exit to South Atlantic Drive to be a formal exit from the MHE (not entry) with the detail to be shown on the CC drawings. This would allow for greater dispersal of traffic exiting the MHE and as such will potentially reduce the potential noise impacts with the main entry. Further, a review of the site plan indicates that visitors to the site are invited into the development to park and the main entry to the office and Clubhouse are away from the road, which all assists in reducing potential noise impacts to the rural residential area to the north. The landscape concept plan is also important and details screen planting, which assists to alleviate perceived impacts. It is also noted that that there is a separation of at least 22m from the northern boundary to the Community facilities. The entry to the Clubhouse is well within the site and the key community area such as the dining hall are well away from the site boundary. The road and planting assist with separation and reduce noise impacts of the Community Facilities. The noise generated by the approved residential lots along the northern boundary would potentially exceed the restricted use of community facilities within the site. It is noted that the E2 and E3 zoned land to the north will provide adequate separation to Springhill Place. It is considered that the proposed development is capable of complying with similar noise levels to the existing approved subdivision.

(e) The Public Interest

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

The proposed development satisfies relevant planning controls, including the justified variation to the DCP, and will not have any significant adverse impacts on the wider public interest.

Ecologically Sustainable Development and Precautionary Principle
Ecologically sustainable development requires the effective integration of economic and environmental considerations in decision-making processes.

The four principles of ecologically sustainable development are:

- the precautionary principle,
- intergenerational equity,
- conservation of biological diversity and ecological integrity,
- improved valuation, pricing and incentive mechanisms.

The principles of ESD require that a balance needs to be struck between the man-made development and the need to retain the natural vegetation. Based on the assessment provided in the report and with recommended conditions of consent, it is considered an appropriate balance has been struck.

Climate change
The proposal is not considered to be vulnerable to any risks associated with climate change.

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.
  4.
- Development Contributions will be required in accordance with the Sydmart Area 14 Stage 1A Planning Agreement towards local roads and open space.
  5.
- A copy of the contributions estimate is included as **Attachment 3**.
  6.

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 - 780.1 Recommended DA Conditions.
2. DA2019 - 780.1 Plans
3. DA2019 - 780.1 Contribution Estimate
4. DA2019 - 780.1 Bushfire Report
5. DA2019 - 780.1 Ecology Report
6. DA2019 - 780.1 Draft Plan of Management
7. DA2019 - 780.1 Social Impact Assessment

8. DA2019 - 780.1 Stormwater Management Plan
9. DA2019 - 780.1 SLR Traffic Noise Report.PDF
10. DA2019 - 780.1 Traffic Impact Assessment
11. DA2019 - 780.1 Legal Opinion

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

NOTE: THESE ARE DRAFT ONLY

DA NO: 2019/780 **DATE: 3/08/2020**

PRESCRIBED CONDITIONS

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

A – GENERAL MATTERS

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

Plan / Supporting Document	Reference	Prepared by	Date
Plans	BP1120/SK - 0.01, 1.01, 1.02, 6.01, 6.02, 7.01, 7.02, 7.03, 7.04, 8.01, 8.02, 9.01, 9.02, 9.03, 9.04, 9.05	Jared Poole Design	21 February 2020, 23 March 2020, 29 May 2020, 29 June 2020
Engineering Services Concept Plans	5405 DWG No. 0002	Land Dynamics	28 May 2020
Landscape Plans	5405 DWG No. 0003	Land Dynamics	28 May 2020
SOEE	5405 (Rev A)	Land Dynamics	30 March 2020
Bushfire Hazard Assessment		David Pensini	March 2020
Traffic Impact Assessment	J/N112019	Streetwise Road Safety & Traffic Services	3 March 2020
Ecological Assessment	EC3677 (Rev 4)	Biodiversity Australia	May 2020
BASIX Certificate	1088002S	Wide Spectrum Pty Ltd	20 March 2020

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

(2) (A002) No building or subdivision work shall commence until a Construction Certificate or Subdivision Works Certificate has been issued and the applicant has notified Council of:

a. the appointment of a Principal Certifying Authority; and

b. the date on which work will commence.

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

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

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

- (describe staging, eg: Stage 1: Lots 1-10)
- Stage 1; Sites 17 - 36 (20 Sites), Manager's residence, site office, Clubhouse, Summer pool house, community facilities, main vehicle entry from Solomon Drive, Construction of Proposed Northern Collector Road, Forest Parkway and Houston Mitchell Drive intersection works, internal road construction, 18 visitor car parking spaces, open space recreation with pathways and landscaping, vegetation management plan works, drainage works, infrastructure works.
- Stage 2; sites 37 - 80, 86 - 96 and 161 - 166 (61 sites), internal road construction, 6 visitor car parking spaces, open space recreation with pathways and landscaping, secondary entry/exit and emergency access driveway to South Atlantic Drive, drainage and other services.
- Stage 3; Sites 81 - 85, 97-137 and 157 - 160 (50 sites), internal road construction, 5 visitor parking spaces, landscaping, drainage and other services, Manager's workshop, and Resort Bus parking.
- Stage 4; Sites 138 - 156 (19 sites), internal road construction, open space recreation areas with pathways and landscaping, drainage and other services.
- Stage 5; Sites 1 - 16 (16 sites), Road construction, 3 Visitor parking spaces, 34 space Recreation Vehicle / Caravan storage parking, Open space recreation areas with pathways and landscaping, pedestrian access, Drainage and other services.

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

(5) (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.

(6) (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;

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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.

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

(8) (A013) The general terms of approval from the following authorities, as referred to in section 4.50 of the Environmental Planning and Assessment Act 1979, and referenced below, are attached and form part of the consent conditions for this approval.

- **NSW Rural Fire Service** - The General Terms of Approval, Reference DA20191127001235-Original-1 and dated 7 May 2020, are attached and form part of this consent.

(9) (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.

(10) (A029) The provision, at no cost to Council, of concrete foot paving for the full street frontages of the development. Unless varied by Council Staff in writing, is required in accordance with AUSPEC and DWG No. 0002.1 Typical Collector Road Cross Section by Land Dynamics. The design plans must be approved by Council pursuant to Section 138 of the Roads Act. As follows;

- Collector Standard shall require at a minimum, footpath 1.2m min on one sides of the road and a shareway 2.5m adjoining the future public reserve.
- A 1.2m footpath shall be provided along Forest Parkway on the eastern side of the road.

(11) (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.

(12) (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

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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.

(13) (A062) The applicant shall submit to Port Macquarie-Hastings Council plans for the management of trade waste including pre-treatment facilities to the sewerage authority for approval pursuant to Section 68 of the Local Government Act. Upon approval the proponent shall enter into a written "Trade Waste Agreement" with Council prior to discharging wastes.

(14) (A068) All roads are to be constructed so that the lowest point of any road is at or above the 1% A.E.P. flood level.

(15) (A195) Certification from a suitably qualified and practicing professional clearly certifying that the construction of the manufactured homes within proximity to Ocean Drive, Being Lot 7 to 9 and Lots 129 to 156 have been constructed in full accordance with Category 2 construction set out in Appendix C of the "Development Near Rail Corridors and Busy Roads - Interim Guideline" (2008) and relevant "Recommendations" made in Section 6 on page 14 of the 'Traffic Noise impact Assessment Report Lot 34 DP 803801, Corner Houston Mitchell Drive and Ocean Drive, Lake Cathie" prepared by SLR Consulting Australia Pty Ltd, Report No. 630.11297 Revision 0, dated 4 November 2015.

The certification shall be submitted to Council with the individual Section 68 application for installation of a manufactured home. The certificate of completion issued by Council in accordance with Section 69 will not be issued for Lots 7 to 9 and Lots 129 to 156 without certification of construction in full accordance with the recommendations made in the Spectrum Acoustics Noise Impact Assessment Report.

(16) (A196) The beauty salon shall comply with Schedule 2 "Standards enforceable by orders", Part 3 'Standards for beauty salons' under the Local Government (General) Regulation, 2005. .

(17) (A197) Entrance threshold landscaping and signage shall be located in private lands.

(18) (A198) This consent provides for a total of 166 manufactured home sites and a manager's residence within the approved Manufactured Home Estate.

(19) (A199) Unless varied by this consent the manufactured home estate is to comply with Local Government (Manufactured Home Estates, Caravan Parks, Camping Grounds and Moveable Dwellings) Regulation 2005.

(20) (A200) The development is not to be used for tourist (i.e. short term stay) purposes.

(21) (A201) The use of the community and recreational facilities within the site are for residents or their guests use only.

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(22) (A202) Operational Approval for the proposed development requires a minimum 4.5m front boundary setback to dwellings erected on proposed dwelling sites 26 to 36 inclusive in order to achieve compliance with the required APZ's for the proposed development.

(23) (A203) The proposed alternative emergency access road/path which connects the proposed MHE development with the public road infrastructure to the east of the subject site is to be constructed as part of Stage 2 of the proposed MHE development, as per the Bushfire Hazard Assessment.

(24) The Developer is to comply with the Sydmart Area 14 Stage 1A Planning Agreement under Section 93F of the Environmental Planning and Assessment Act 1979 between Port Macquarie - Hastings Council and Sydmart Pty Limited. The planning agreement, as varied or substituted from time to time, is to be performed in connection with the carrying out of the development the subject of this consent.

(25) Unless varied by these conditions of consent, the development is to be carried out in accordance with the approved Vegetation Management Plan and Area 14 Koala Plan of Management.

(26) From the date of development commencement, the developer is to provide a monitoring report every 5 years to Council in accordance with Section 7 of the Area 14 Koala Plan of Management.

(27) Different roof colours are to be incorporated on the dwellings of the manufactured housings estate. A minimum of 30% of the total dwellings are to have different roof colours and be scattered throughout the estate.

B – PRIOR TO ISSUE OF A CONSTRUCTION CERTIFICATE

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

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

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

1. Road works along the frontage of the development.
2. New roads within the subdivision.
3. Earthworks, including filling of the land for flood protection.
4. Public parking areas including;
   a. Driveways and access aisles;
   b. Parking bays
   c. Delivery vehicle service bays & turning areas in accordance with .
5. Sewerage reticulation.

6. Water supply reticulation.
7. 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.
8. Stormwater systems.
9. Erosion & Sedimentation controls.
10. 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
11. Open space facilities, pathways, cycleways and associated facilities.
12. Landscaping/waste management facilities.
13. Detailed driveway profile in accordance with Australian Standard 2890, AUSPEC D1, and ASDASD 202 & 207, Port Macquarie-Hastings Council current version.
14. Provision of a bus bay in accordance with Council's adopted AUSPEC Design and Construction Guidelines and shelter in accordance with Council standard drawings located along Solomon Drive.
15. Provision of pedestrian access ways a minimum of 1.5m and 2.5mm wide, from Forest Parkway to Seahorse Rise; such access ways to include a concrete pathway 1.5m and 2.5m wide including kerb ramps where necessary (unless varied in writing by Council) .
16. Provision of a 1.5m and 2.5m (unless varied in writing by Council) concrete footpath along Forest Parkway and Solomon Drive (road).
17. Detailed intersection layout at the junction of Houston Mitchell Drive and Forest Parkway in accordance with the current version of the AUSTROADS guidelines for Intersection design, giving particular attention to sight distance.

(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

Where works are proposed on an RMS classified facility, the Road Authority shall obtain RMS concurrence prior to any approval.

(4) (B008) This consent approves the staging of the subdivision subject to:

a. the applicant supplying an updated staging plan when lodging a Subdivision Works Certificate application showing each of the preceding stages and the proposed stages of the subdivision;

b. compliance with any other conditions of consent in relation to the staging of works.

(5) (B009) The applicant shall surrender Stages 2C, 3, 4, 5, 6 & 7 the consent relating to DA No. 2016.88.05 (as amended) for a Residential Subdivision at Forest Parkway by submitting an application for "Surrender of a Consent" to Council in accordance with the Environmental Planning and Assessment Regulation 2000, prior to release of the Construction Certificate.

(6) (B010) Payment to Council, prior to the issue of the Construction Certificate for the Manager's Residence 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 and/or an executed planning agreement applying to the land, and generally in accordance with the provisions of the following plans:

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

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

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

(7) (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 for the Manager's Residence or any community buildings (whichever occurs first), of the Section 64 contributions, as set out in the "Notice of Payment – Developer Charges" schedule attached to this consent unless deferral of payment of contributions has been approved by Council. The contributions are levied in accordance with the provisions of the relevant Section 64 Development Servicing Plan towards the following:

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

(8) (B017) Submission to Council of an application for water main connections and compliance with Council's requirements for the provision of such connections. Payments of costs to provide for these connections and/or extensions are to be made prior to the issue of the Construction Certificate.

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(9) (B021) A hydraulic strategy and plans are required from a hydraulic consultant for the whole of the development on the site stage by stage. Water service sizing is then to be determined by the hydraulic consultant to suit the proposed domestic and commercial components of the development, as well as addressing fire service requirements to AS 2419 and backflow protection requirements.

(10) (B030) Prior to issue of Subdivision Works Certificate or 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).

(11) (B049) Work associated with the fit out of hairdressing, beauty and skin penetrations salons shall be designed and carried out in accordance with the requirements of:

a. The Local Government (General) Regulation 2005,
b. The Building Code of Australia,
c. Public Health Act 2010,
d. Public Health Regulation 2012

Prior to release of the Construction Certificate details demonstrating compliance with the above are to be illustrated on the plans.

(12) (B052) The provision of 3m x 3m splay corners or otherwise agreed to by Port Macquarie-Hastings Council. Details must be submitted to and approved by Port Macquarie-Hastings Council prior to release of the Subdivision Works Certificate or Construction Certificate.

(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) (B057) The existing sewer including junction and/or stormwater drainage shall be located on the site and the position and depth indicated on the plans which accompany the application for the Construction Certificate.

(15) (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.

(16) (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.

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(17) (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.

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

(19) (B195) Each individual unit or lot shall be individually metered with the meters either located at an easily accessible location unless the water supply to the whole site is metered with a single larger meter with private meters at each unit. There is also the option for utilising remotely read electronic meters. Details are to be provided on the hydraulic plans.

(20) (B196) Potable water main connections are to be provided on the eastern boundary to the existing 200mm PVC water main in South Atlantic Drive; on the southern boundary to the existing 300mm PVC water main In Ocean Drive and on the western boundary to the existing 150mm PVC water main in Forest parkway. On the north eastern corner, the 100mm potable water main is to extend to the sewer pump station lot either at a suitable offset to the sewer gravity main or by arrangement with the adjoining land owner. Details are to be shown on the engineering plans.

(21) (B197) Council owned water mains shall be located in public roads or public reserves.

(22) (B198) Reclaim water main connections are to be provided on the eastern boundary to the existing 150mm PVC water main and on the southern boundary to the existing 200mm PVC water main. On the north eastern corner, the 100mm reclaimed water main is to extend towards the sewer pump station lot either at a suitable offset to the sewer gravity main or by arrangement with the adjoining land owner. Details are to be shown on the engineering plans.

(23) (B199) An upgrade of the unsignalised intersection of Forest Parkway and Houston Mitchell Drive is required within the first stage of the development, in accordance with AUSTROADS and Council's AUS-SPEC standards, at no cost to Council, and with adherence to the following items:

a) Design details shall be approved by Council as part of a Roads Act (s138) application prior to construction.

b) The intersection upgrade will require the inclusion of a CHR(s) turning layout. The intersection must be designed in accordance with AUSTROADS and Council's AUS-SPEC standards.

c) The required road widening shall accommodate a 2m wide shoulder (cycle lane) to match into the existing.

d) Any road reserve widening to accommodate these works is to be dedicated at no cost to Council.

e) The intersection shall include suitable stormwater drainage infrastructure designed to meet the requirements of AUS-SPEC D5.

f) A detailed Geotech report shall be provided to Council as part of the Roads Act application and shall detail the pavement design for the intersection, as well as any reconstruction works along these section of the roads that are required as a result of the new road design.

g) An AC surface finish, complaint with Council AUS-SPEC standards shall be required for the full width of the pavement (i.e. north and southbound) and for the full extent of the roadworks along Houston Mitchell Drive.

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h) Any proposed changes to regulatory signs and devices on public roads will require the endorsement of the Local Traffic Committee prior to Council's approval.

i) The provision of any additional civil works within Forest Parkway and Houston Mitchell Drive at no cost to Council, necessary to ensure satisfactory transitions to existing work as a result of work conditioned for the development. Design plans are to be approved by Council prior to issue of the Subdivision Works Certificate.

(24) (B200) An extension of Solomon Drive, from Forest Parkway to Seahorse Rise, to Collector Road standard is required within the first stage of the development, in accordance with AUSTROADS and Council's AUS-SPEC standards, at no cost to Council, and with adherence to the following items:

a) Design details shall be approved by Council as part of a Roads Act (s138) application prior to construction.

b) The Solomon Drive extension must connect to the existing carriageway in the east, with a new intersection with Forest Parkway constructed in the west. Both Solomon Drive and the associated intersection must be designed in accordance with AUSTROADS and Council's AUS-SPEC standards.

c) Any road reserve widening to accommodate these works is to be dedicated at no cost to Council.

d) These works shall include suitable stormwater drainage infrastructure designed to meet the requirements of AUS-SPEC D5.

e) A detailed Geotech report shall be provided to Council as part of the Roads Act application and shall detail the pavement design for these works, as well as any reconstruction works along this section of road that are required as a result of the new road design.

f) Any proposed changes to regulatory signs and devices on public roads will require the endorsement of the Local Traffic Committee prior to Council's approval.

g) The provision of any additional civil works within Solomon Drive and Forest Parkway at no cost to Council, necessary to ensure satisfactory transitions to existing work as a result of work conditioned for the development. Design plans are to be approved by Council prior to issue of the Subdivision Works Certificate.

(26) (B204) Extension the sealed shared use path (2.5m wide) along the northern side and 1.2m wide footpath along the southern side of Solomon Drive, connecting the Forest Parkway pathways to the existing Solomon Drive paths, in accordance with Council's development control plan (DCP). Design plans shall be provided as part of the Roads Act application with construction completed prior to occupation certificate for any community buildings/facilities.

(27) (B203) The level of all residential areas are to be at or above the 1 in 100 year flood level including the applicable climate change allowance plus 500mm freeboard as per the requirements of DP14.1 of the PMH DCP 2013 - Part 5 and the PMH Flood Policy (2018). For the purpose of this requirement, the 1 in 100 year flood level including climate change plus 500mm freeboard may be assumed to be RL4.0m AHD. Prior to release of the Construction Certificate? levels satisfying this requirement shall be clearly illustrated on the plans.

(28) (B204) The level of all roads is to be at or above the 1 in 100 year flood level including the applicable climate change allowance as per the requirements of

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DP14.1 of the PMH DCP 2013 - Part 5 and the PMH Flood Policy (2018). For the purpose of this requirement, the 1 in 100 year flood level including climate change may be assumed to be RL3.5m AHD. Prior to release of the Construction Certificate? levels satisfying this requirement shall be clearly illustrated on the plans.

(29) The proposed Clubhouse Building is to be constructed so as to comply with the BAL 19 requirements of AS3959 – 2009, (as amended by NSW Rural Fire Services, Planning for Bushfire Protection, 2006), refer to Appendix 9.

(30) The proposed Managers Residence is to be constructed so as to comply with the BAL 29 requirements of AS3959 – 2009, (as amended by NSW Rural Fire Services, Planning for Bushfire Protection, 2006), refer to Appendix 10.

(31) Prior to the release of the Construction Certificate, amended plans are to be provided, demonstrating the proposed emergency exit driveway to South Atlantic Drive be changed to a private entry/exit to South Atlantic Drive, that can be controlled by a gated/electronic entry for the MHE residents, as well as an emergency access point.

(32) (B205) Prior to the issue of the Construction Certificate, Amended Vegetation Management Plan (VMP) must be submitted and approved by Council. The amended VMP drawings are required to demonstrate;

- The total number of trees (58) planted in each specific area (eg north of collector road, north of roundabout, south of roundabout)
- The VMP must reference or include a standard drawing that details the site preparation, planting, protection and after-care for all trees and understory vegetation in the habitat linkage.
- It must detail thresholds and standards for tree health and when dead/dying trees must be replaced in accordance with the approved 2016 VMP.
- The number of each species in each area, noting that 58 of the trees must be koala browse species. Drawing No. 5405 0003 Rev: B includes Corymbia gummifera and Melaleuca quinquenervia - it is requested that these species are not used unless surplus space is available supplementary to the 58 KFTs. Preferred KFT species are: Eucalyptus microcorys, E. robusta and E. tereticornis. The smaller, shorter-lived E. nicholii has also been suggested but is non-indigenous and preferably not to be used.
- Drawing No. 5405 0003 Rev: B shows offset trees planted in the detention basin north of the collector road and Drawing No. 5405 0006 Rev B: shows trees overhanging Lot32/DP0803801 as well as within the detention basin. Both of these locations are not suitable. The plan must show planting locations that do not conflict in this manner.
- Fencing must not be erected at either the north or south ends of the habitat linkage. These areas must provide unimpeded access/egress to all fauna, unless otherwise agreed by Council.
- Threats to native vegetation can be managed with the use of exclusion fencing during the establishment phase of revegetation and potentially in the longer term. Fencing must allow the unimpeded access/egress of koalas by means of a 200mm gap at the base of the fence as approved by Council staff.
- The amended plans will need to demonstrate general compliance with the existing VMP requirements associated with DA2016 - 88.5.

C – PRIOR TO ANY WORK COMMENCING ON SITE

(1) (C001) A minimum of one (1) week's notice in writing of the intention to commence works on public land is required to be given to Council together with the name of the principal contractor and any major sub-contractors engaged to carry out works. Works shall only be carried out by a contractor accredited with Council.

(2) (C002) Prior to the commencement of any works, a pre-construction meeting shall be organised by the applicant. This meeting is to be attended by the applicant or consultants, principal contractor and Council's development engineer or a representative.

(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.

(5) (C195) Immediately prior to any vegetation/clearing work commencing a pre-clearing survey shall be undertaken by a suitably qualified ecologist. The ecologist shall prepare a pre-clearing survey report and a copy provided to Port Macquarie-Hastings Council prior to any vegetation/clearing work commencing.

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.

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(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) (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.

(7) (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.

(8) (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.

(9) (D037) Noise from construction activities (measure as the L_{AeqT} noise level) shall not exceed the background noise level (measured as the L_{A90} noise level in the absence of the source), for periods of construction between 4 and 26 weeks by 10 dB(A), and for periods of construction exceeding 26 weeks by 5 dB(A), in any Octave Band Centre Frequency, when measured at any affected residence, or premises.

(10) (D040) Waste shall not be disposed of by burning.

(11) (D041) Provision of the entrance threshold landscaping and signage shall be undertaken at the full cost of the proponent if located on public property and shall be maintained for the duration of subdivision works. Any structures shall be removed within two (2) years after the expiration of the roadworks and infrastructure maintenance period.

(12) (D051) Prior to commencement of any pavement works a material quality report from the proposed supplier shall be submitted to Council. The pavement materials shall meet Council's current specifications at the time of construction.

(13) (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, LICENSE TO OPERATE OR THE ISSUE OF SUBDIVISION CERTIFICATE

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

(2) (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) (E007) The owner/applicant is responsible for ensuring that any imported fill is either Virgin Excavated Natural Material (VENM) or Excavated Natural Material (ENM). Prior to the issue of an Occupation Certificate, certification is to be provided to Council demonstrating that the fill is either VENM or ENM.

(4) (E010) Driveways, access aisles and parking areas shall be provided with an approved surface. Such a surface shall be on a suitable pavement, constructed and maintained in accordance with Council's Development, Design and Construction Manuals (as amended).

(5) (E012) Dedication as public road to Council, the area required for road widening along the frontage of the development at no cost to Council. Details are to be incorporated in the plan of subdivision.

(6) (E015) Prior to occupation or issue of the Occupation Certificate, details of compliance with the bushfire risk assessment is to be provided to the Principal Certifying Authority.

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

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

(10) (E024) Occupation of the premises shall not occur until a registration application has been submitted to Council's Environmental Health Unit for the food premises.

(11) (E026) Occupation of the premises shall not occur until a Public Health Act 2010 Notification Form has been submitted to Council's Environmental Health Officer and payment of "Public Health Premises - Notification Fee" has been made.

(12) (E027) A final site inspection relating to the works carried out on the premises shall be arranged by the applicant and shall be undertaken by Council's Environmental Health Officer.

(13) (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.

(14) (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.

(15) (E034) Prior to any occupation, or License to operate, or Subdivision Certificate (whichever occurs first) provision to the Principal Certifying Authority of documentation from Port Macquarie-Hastings Council being the

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local roads authority certifying that all matters required by the approval issued pursuant to Section 138 of the Roads Act have been satisfactorily completed.

(16) (E038) Interallotment drainage where associated with subdivision 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.

(17) (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.

(18) (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.

(19) (E042) Creation of drainage easement between lots (i.e. interallotment)

Where stormwater pipelines traverse lots other than those which they benefit appropriate drainage easements shall be created and registered on the title of the relevant lot(s) with the Lands and Property Information NSW.

a. For pipes less than 500mm diameter, the easement width must be a minimum of 1500mm. Easements for larger diameter pipes must be the pipeline diameter plus 1200mm wide, with a minimum width of 2400mm.
b. Where easements are associated with a subdivision, the easement shall be established with the plan of subdivision and Section 88B instrument. Details to be submitted to Council prior to issue of Subdivision Certificate.

Where easements are not associated with a subdivision, the easement shall be approved by Council prior to lodgement at Lands and Property Information (LPI) NSW and evidence of registration shall be submitted to the Principal Certifying Authority prior to any Occupation Certificate.

(20) (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.

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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.

(21) (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.

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(22) (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.

(23) (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.

(24) (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.

(25) (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.

(26) (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.

(27) (E064) Provision of street lighting to all new roads in accordance with AS1158 and compliance with the requirements of the electricity authority regarding provision of electricity to serve the development. Provision shall be made for placement of conduits for future requirements or upgrades. Evidence by way of letter from the electricity provider, indicating compliance with this condition shall be submitted prior to the issue of the Subdivision Certificate.

Any proposal to erect non-standard, prestige or Smart Poles (or equivalent) street lighting shall:

- Forward all plans to the service provider for comment;
- Include instruction for completion of 'Lighting Requirements';
- be referred to Council together with details of the difference in annual charges over a twenty five (25) year period in accordance with Policy R5 – Street Lighting on Public Roads;
- Supply to Council to keep in stock, one (1) extra pole for every six (6) run of poles, for all poles that are non-standard poles.

(28) (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

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

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

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

a. Restriction as to user in respect of the Manufactured Housing Estate for a private garbage service to be in place requiring the collection of all domestic waste comprising general waste (rubbish), recycling and food and garden organics by private contractors. All wastes are to be collected as separate waste streams.

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

(32) (E080) The applicant is required to make provision in the application for a Subdivision Certificate:

a. dedication as public road of the area required for road widening,

(33) (E082) Submission of a compliance certificate accompanying Works as Executed plans with detail included as required by Council's current AUSPEC Specifications. The information is to be submitted in electronic format in accordance with Council's "CADCHECK" requirements detailing all infrastructure for Council to bring in to account its assets under the provisions of AAS27. This information is to be approved by Council prior to issue of the Subdivision or Occupation Certificate. The copyright for all information supplied, shall be assigned to Council.

(34) (E195) Prior to the issuing of any type of Occupation Certificate or occupation of the site, whichever occurs first, certification from a suitably qualified and practising professional certifying that the beauty salon and hairdressing salon complies with:

1. Schedule 1 "Standards enforceable by orders", Part 2 'Standards for hairdressing shops' under the Local Government (General) Regulation, 2005; and
2. Schedule 2 "Standards enforceable by orders", Part 3 'Standards for beauty salons' under the Local Government (General) Regulation, 2005.

The certification shall be submitted to council.

(35) (E196) Prior to the issuing of any type of Occupation Certificate or occupation of the site, whichever occurs first, certification from a suitably qualified and practising professional certifying that the beauty salon and hairdressing salon complies with the relevant requirements of the Public Health Act, 2010 and the Public Health Regulation, 2012 shall be submitted to council.

(36) (E197) Approval to operate a manufactured home estate on the land on which the development is to be carried out must be obtained under Part 1 of Chapter 7 of the Local Government Act, 1993.

(37) (E198) Landscaped areas being completed in accordance with the stamped approved landscaping plans and staging plans prior to occupation. Public landscaping may be bonded as agreed to by Council.

(38) In conjunction with the subdivision certificate;

a) A "Right of Access" and an easement for services shall be created over the MHE site for the E4 land associated with Stage 6 of DA2016/88, unless otherwise varied in writing from Council.

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F – PRIOR TO OCCUPATION OF INDIVIDUAL MANUFACTURED HOMES / ISSUE OF CERTIFICATE OF COMPLETION IN ACCORDANCE WITH SECTION 69 OF LOCAL GOVERNMENT (MANUFACTURED HOME ESTATES, CARAVANS, CAMPING GROUNDS AND MOVEABLE DWELLINGS) REGULATION

(1) The installation of a manufactured home within the estate is to comply with Division 4 of Local Government (Manufactured Home Estates, Caravan Parks, Camping Grounds and Moveable Dwellings) Regulation 2005.

(2) The community facilities and recreational facilities shall be completed and Occupation Certificate issued prior to occupation or the issue of any certificate of completion of a manufactured home within the estate.

(3) Payment to Council of the Section 7.11 contributions set out in the "Notice of Payment – Developer Charges" schedule attached to this consent and/or as amended by a "Notice of Payment - Developer Charges" issued at the time of installation of a manufactured home (based upon the number of bedrooms in the individual manufactured home), unless deferral of payment of contributions has been approved by Council. The contributions are levied, pursuant to the Environmental Planning and Assessment Act 1979 and/or an executed planning agreement applying to the land, and generally in accordance with the provisions of the following plans:

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

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

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

(4) As part of Notice of Requirements by Port Macquarie-Hastings Council as the Water Authority under Section 306 of the Water Management Act 2000, the payment of a cash contribution of the Section 64 contributions, as set out in the "Notice of Payment – Developer Charges" schedule attached to this consent and/or as amended by a "Notice of Payment - Developer Charges" issued at the time of installation of a manufactured home (based upon the number of bedrooms in the individual manufactured home), is required to be paid to Council, 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 Plans and towards the following:

- augmentation of the town water supply headworks

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- augmentation of the town sewerage system headworks

(5) Timing of payment of monetary contributions:

1. A Section 68 application for the installation of a manufactured home is to be lodged with Council, including a site map indicating the location of each site. Council may then issue notification of contributions payable.
2. Prior to occupation of any manufactured home, a Notice of completion is to be lodged with Council accompanied by the required contributions for that manufactured home, and specifying the location of each site.

(6) The construction of the manufactured homes on Lots:

1) 7 to 9 near the front gateway adjacent to Forest Parkway; and

2) 129 to 156 in the front SE corner facing, or near Ocean Drive,

must be constructed in full compliance with the requirements of Category 2 construction set out in Appendix C of the "Development Near Rail Corridors and Busy Roads - Interim Guideline" (2008) and relevant "Recommendations" made in Section 6 on page 14 of the 'Traffic Noise impact Assessment Report Lot 34 DP 803801, Corner Houston Mitchell Drive and Ocean Drive, Lake Cathie" prepared by SLR Consulting Australia Pty Ltd, Report No. 630.11297 Revision 0, dated 4 November 2015. The construction standard of each affected home shall be certified by a suitably qualified and practising professional and the certification is required to be submitted to Council within thirty (30) days of the manufactured home being installed on the lot.

(7) BCA compliant artificial ventilation shall be provided to all habitable rooms in the manufactured homes on Lots 7 to 9 and 129 to 156. The ventilation provided in each home is required to be certified by a suitably qualified and practising professional and the certification submitted to Council.

(8) Certification that manufactured homes located on each of the proposed dwellings sites are constructed so as to comply with the BAL requires of Table 14 of the Bushfire Hazard Assessment, prepared by David Pensini, March 2020. In this regard the proposed design of the MHE development is to provide for a worst-case Bushfire Attack Level (BAL) for manufactured homes installed on each MHE site of BAL 29, (as amended by NSW Rural Fire Services, Planning for Bushfire Protection, 2006).

(9) Prior to occupation of individual manufactured homes or issue of certificate of completion, the Bushfire Attack Level (BAL) for each dwelling on a dwelling site and the proposed community buildings is to be no worse than BAL 29. Additionally, a minimum 4.5m front boundary setback to dwellings erected on proposed dwelling sites 26 to 36 inclusive is required.

G - OCCUPATION OF SITE

(1) (F001) On site car parking in accordance with the approved plans to be provided in an unrestricted manner at all times during the operations of development for use by both staff and patrons. A total of spaces are to be provided onsite.

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

(3) (F006) The basin of the outflow control pit and the debris screen must be cleaned of debris and sediment on a regular basis by the owner.

(4) (F009) All new and existing essential fire safety measures shall be maintained in working condition at all times.

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(5) (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.

(6) (F011) Each required fire-isolated exit shall have displayed in a conspicuous position adjacent to each access doorway, a notice in accordance with the Environmental Planning and Assessment Regulation 2000.

(7) (F012) The placement of storage racks, cabinets, or the like shall not obstruct any path of travel to an exit nor the efficient operation and effective coverage of any fire hose reel, fire hydrant, portable fire extinguisher or other essential fire safety measures.

(8) (F017) Materials stockpiles and handling areas shall be maintained in a condition that prevents wind blown or traffic generated dust.

(9) (F020) Liquid materials, including Fluids, oils and chemicals are to be stored in roofed and imperviously bund area. The bund shall be capable of containing 110% of the capacity of the largest container stored, or 25% of the total storage volume, whichever is greatest.

(10) (F021) All solid waste generated by the development which cannot be reused or recycled, shall be disposed of at Council's waste management facilities.

(11) (F024) Offensive noise as defined under the Protection of the Environment Operations Act 1997, shall not be generated as a result of the operation of the development.

(12) (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.

(13) (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.

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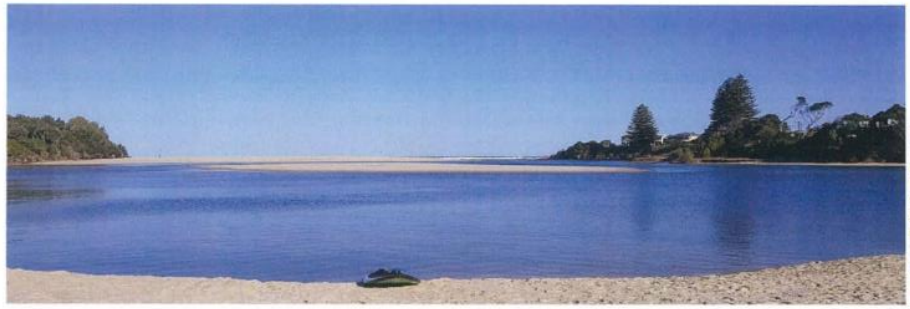
POOLE

FOR APPROVAL

NOT FOR CONSTRUCTION



PROJECT: PROPOSED NEW DEVELOPMENT

AT: LOT 146 DP1256576, FOREST PARKWAY, LAKE CATHIE, NSW

FOR: GEMLIFE

DRAWING REGISTER -

SHEET	DESCRIPTION	SCALE ON A3 SHEET
LOCATION		
BP1120/SK/0.01	SITE ANALYSIS	NTS
0.02	THE GEMLIFE COMMUNITY	NTS
0.03	THE GEMLIFE COMMUNITY	NTS
SITE INFORMATION		
1.01	MASTER PLAN	1 : 1500
1.02	STAGING PLAN	1 : 1500
MANAGERS UNIT		
6.01	MANAGER UNIT & ENTRY - PLAN	1 : 200
6.02	MANAGER UNIT & ENTRY - ELEVATIONS	1 : 200
CLUB HOUSE		
7.01	CLUB HOUSE - GROUND FLOOR PLAN	1 : 200
7.02	CLUB HOUSE - FIRST FLOOR PLAN	1 : 200
7.03	CLUB HOUSE - ELEVATIONS	1 : 200
7.04	CLUB HOUSE - ELEVATIONS	1 : 200
WORKSHOP		
8.01	WORKSHOP - PLAN	1 : 200
8.02	WORKSHOP - ELEVATIONS	1 : 100

SHEET	DESCRIPTION	SCALE ON A3 SHEET
OTHER BUILDING		
BP1120/SK/9.01	ENTRY 2 - PLAN	1 : 200
9.02	ENTRY 2 - ELEVATIONS	1 : 200
9.03	RV PARKING	1 : 400
9.04	SUMMER HOUSE - PLAN	1 : 200
9.05	SUMMER HOUSE - ELEVATIONS	1 : 200
TYPICAL HOUSES		
10.01	TYPICAL HOUSE DESIGN 1 - PLAN	1 : 100
10.02	TYPICAL HOUSE DESIGN 1 - FACADES	1 : 100
10.03	TYPICAL HOUSE DESIGN 2 - PLAN	1 : 100
10.04	TYPICAL HOUSE DESIGN 2 - FACADES	1 : 100
10.05	TYPICAL HOUSE DESIGN 3 - PLAN	1 : 100
10.06	TYPICAL HOUSE DESIGN 3 - FACADES	1 : 100
10.07	BUSHFIRE REQUIREMENTS	1 : 100

RFI ISSUE 24/3/20

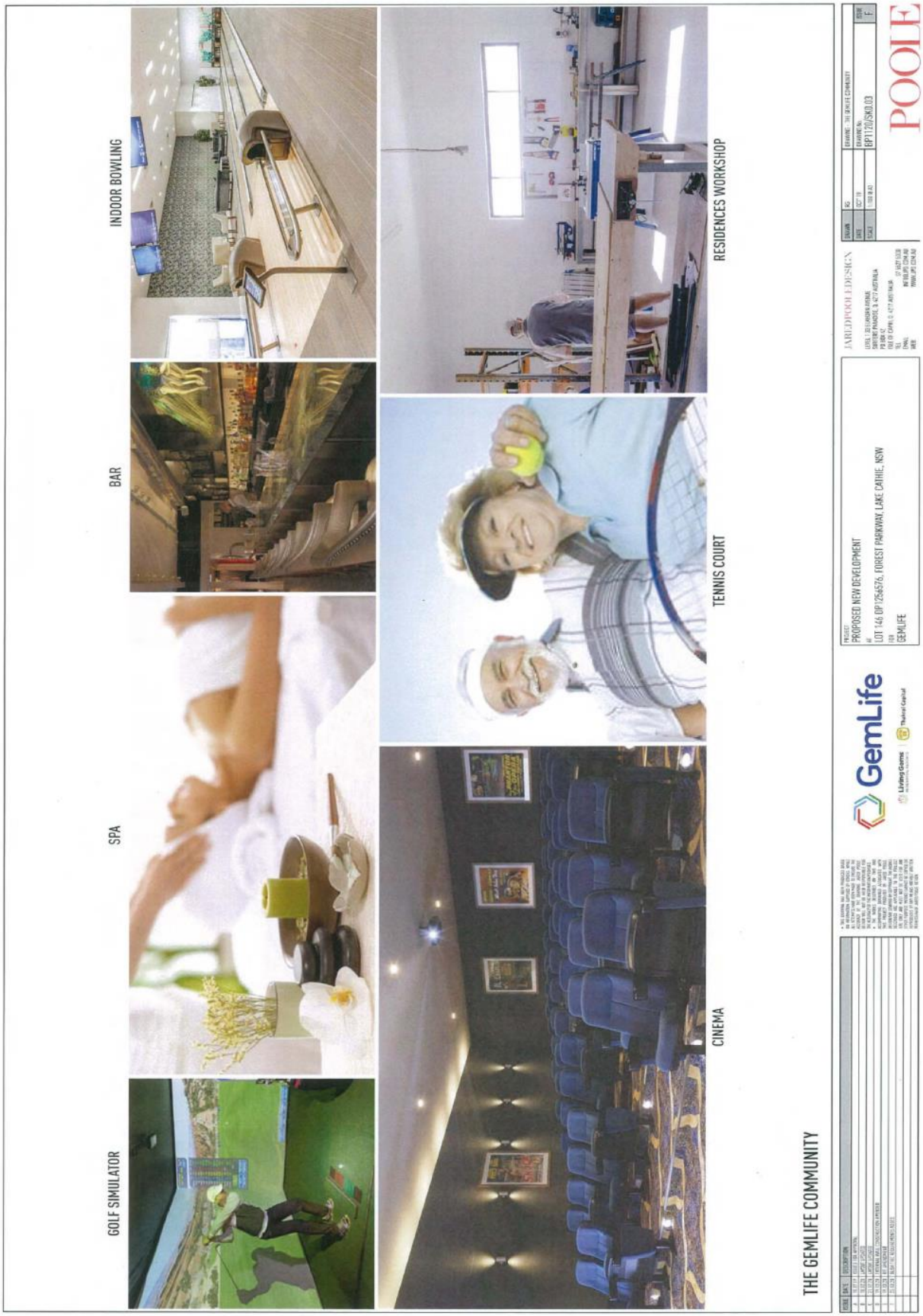
GemLife

Living Gems | Thakral Capital

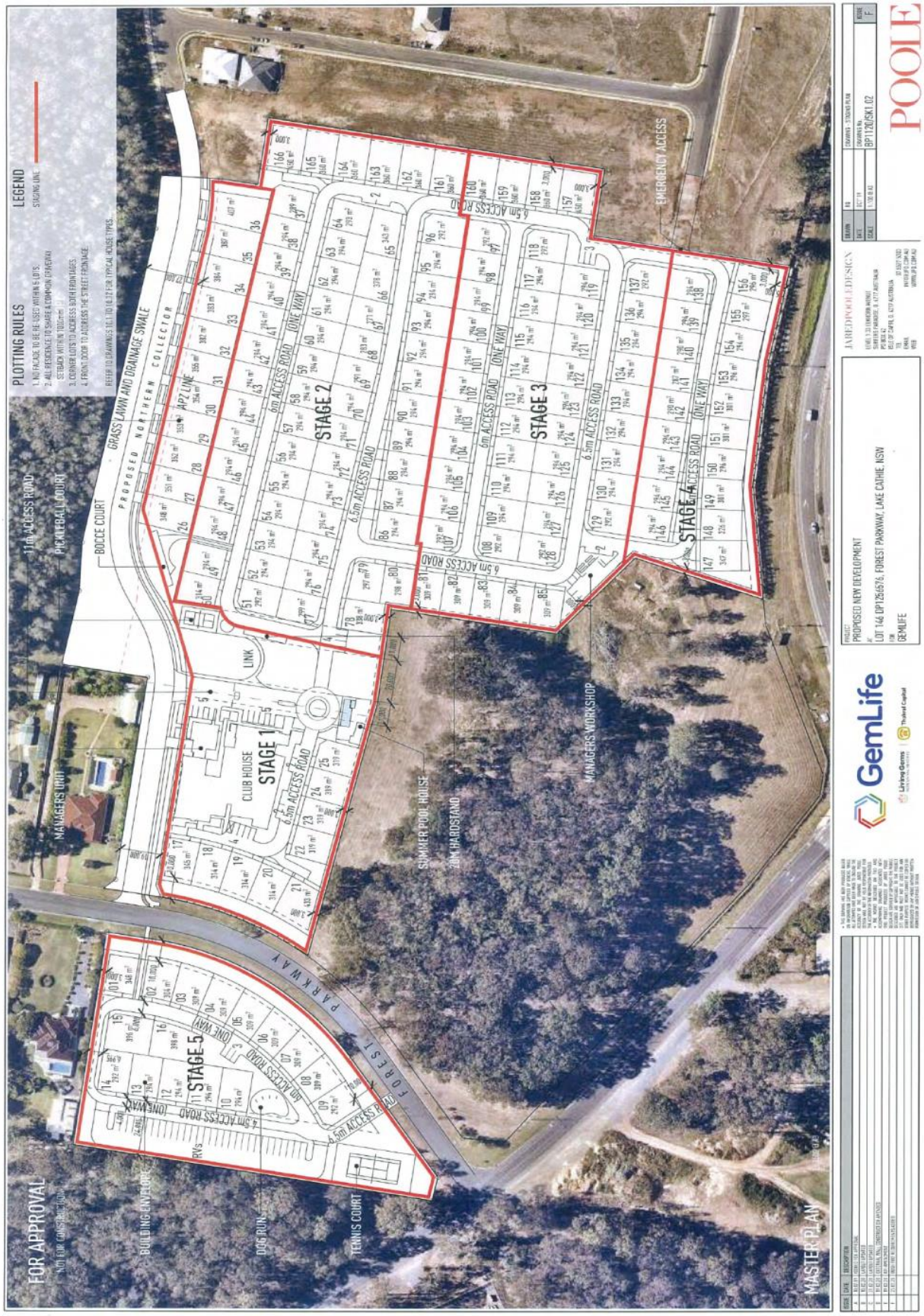
JAREDPOOLEDESIGN

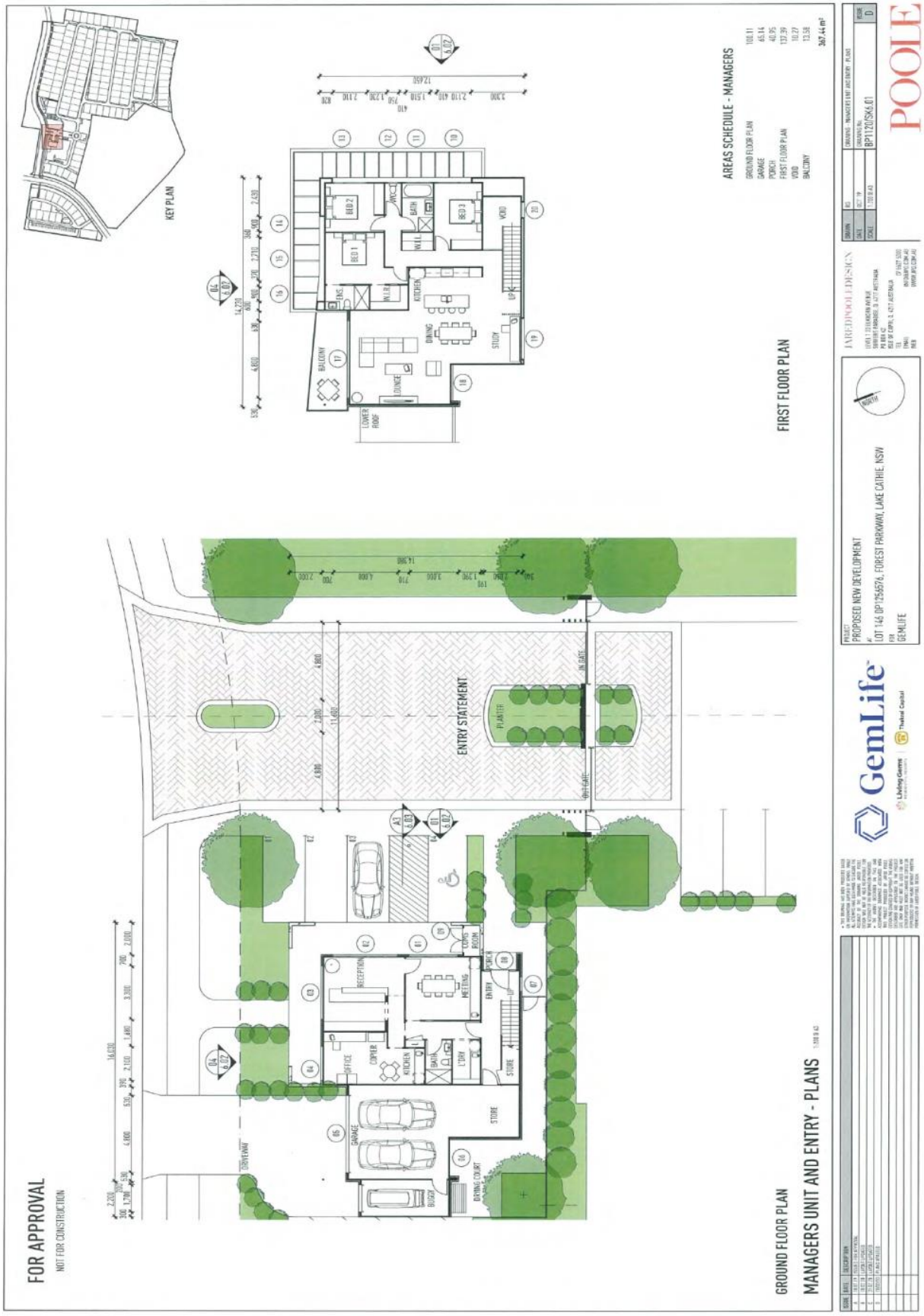
FOR APPROVAL
NOT FOR CONSTRUCTION
QUEENS LAKE CONSERVATION AREA
SITE VIEWS
COWARRA PARK PRESCHOOL & LONG DAY CARE CENTRE
FOREST PARKWAY
SITE VIEWS
LAKE CATHIE
OCEAN CLUB RESORT
SUBJECT SITE LOT 33 DP803801
HOUSTON MITCHELL DRIVE
OCEAN DRIVE
LAKE CATHIE PUBLIC SCHOOL
1.8 KM TO PUBLIC TRANSPORT
4KM TO WOOLWORTHS
3.4 KM TO MEDICAL CENTRE
SITE ANALYSIS
PROJECT
PROPOSED NEW DEVELOPMENT
AT
LOT 146 DP1256676, FOREST PARKWAY, LAKE CATHIE, NSW
FOR
GEMLIFE
GemLife
Living Gems
Thakral Capital
JAREDPOOLEDESIGN
BP1120/SK0.01
POOLE

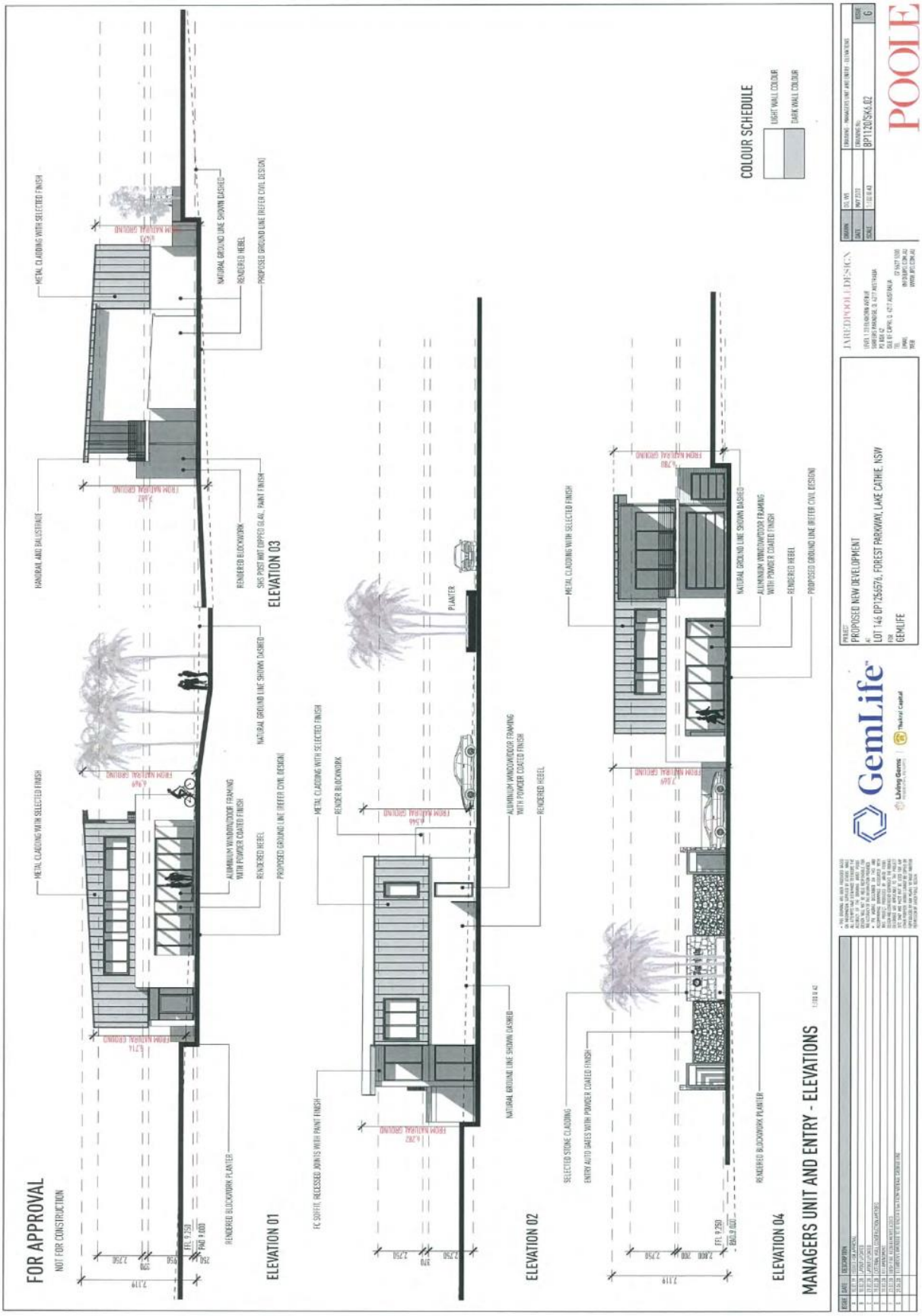
Peaceful coastal living and a haven for lovers of the white sands and sunshine.
Vibrance, sophistication and a passion for the finer things in life are in abundance at this proposed master planned resort designed to bring people together.
Lake Cathie is GemLife's newest resort.
SALON
BALLROOM
GYM
THE GEMLIFE COMMUNITY
GemLife
PROPOSED NEW DEVELOPMENT
LOT 146 DP1256576, FOREST PARKWAY, LAKE CATHIE, NSW
GEMLIFE
POOLE

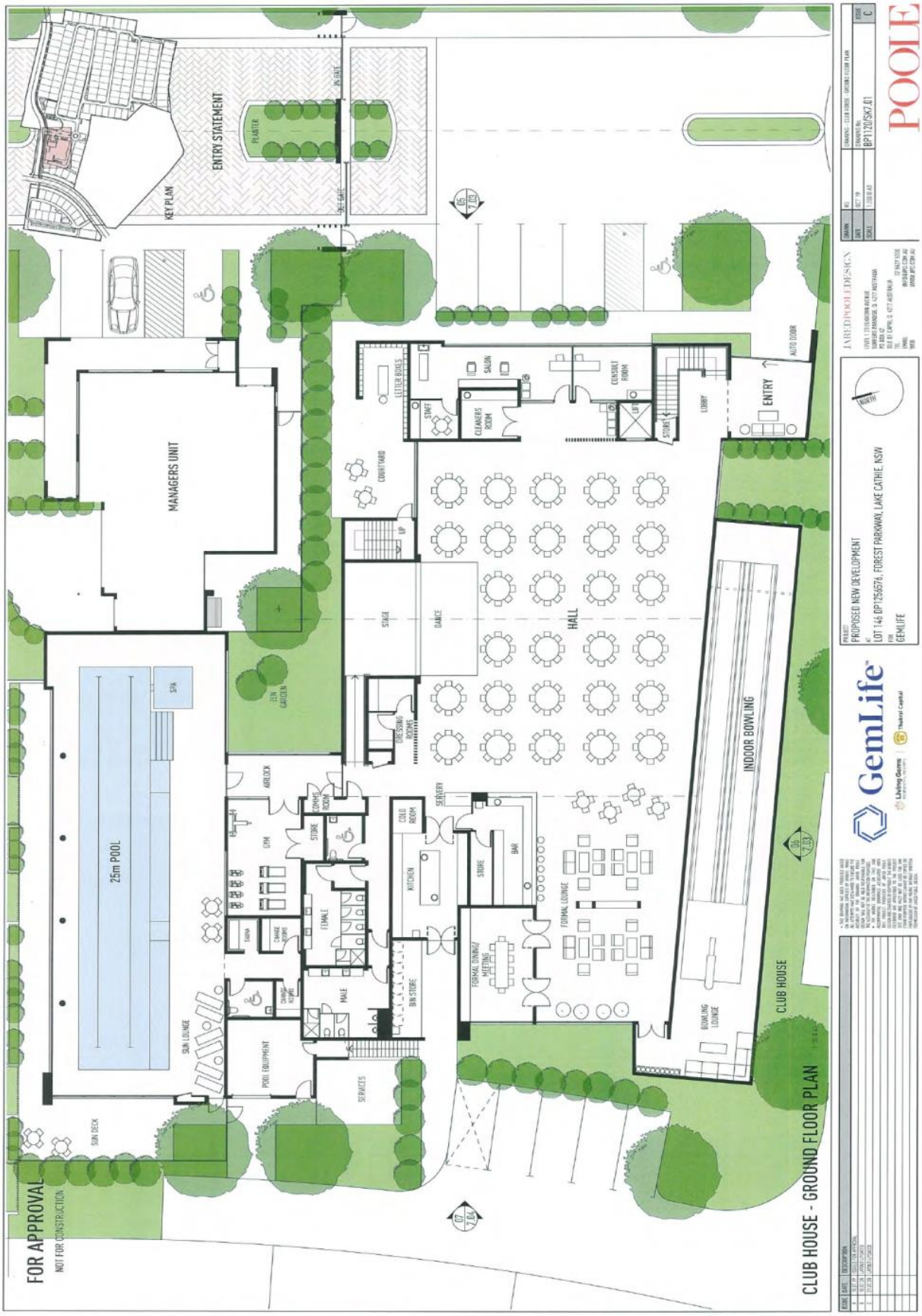

INDOOR BOWLING
BAR
SPA
GOLF SIMULATOR
RESIDENCES WORKSHOP
TENNIS COURT
CINEMA
THE GEMLIFE COMMUNITY
PROPOSED NEW DEVELOPMENT
LOT 146 DP 1256576, FOREST PARKWAY, LAKE CATHIE, NSW
GEMLIFE
GemLife
POOLE

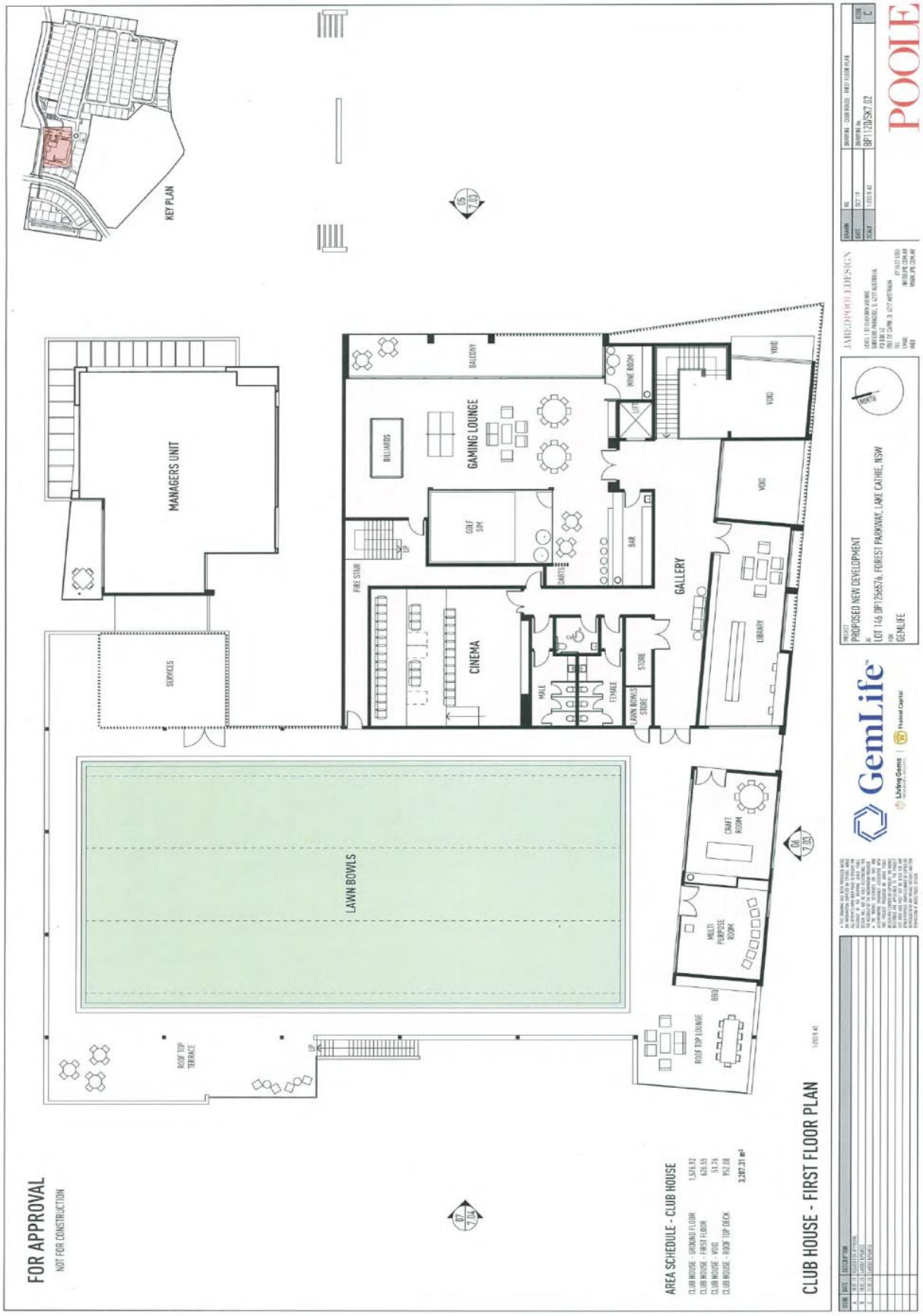
YIELD
TOTAL NUMBER OF DWELLINGS 166 (NORTH COLLECTOR)
LEGEND
COMMUNITY LANDSCAPING
BUSH FIRE EFFECTED LOTS, REFER PLAN '10.13'
FOR APPROVAL
NOT FOR CONSTRUCTION
DOG RUN
BUILDING ENVELOPE
TENNIS COURT
MANAGERS UNIT
PICKLEBALL COURT
11m ACCESS ROAD
BUILDING ENVELOPE
GRASS LAWN AND DRAINAGE SWALE
PROPOSED NORTHERN COLLECTOR
APZ LINE
CLUB HOUSE
SUMMER POOL HOUSE
20M HARDSTAND
DEVELOPMENT SITE SUBJECT TO FUTURE APPLICATION (ACCESS OFF FOREST PARKWAY)
MANAGERS WORKSHOP
FOREST PARKWAY
EMERGENCY ACCESS
6.5m ACCESS ROAD
6m ACCESS ROAD (ONE WAY)
4.5m ACCESS ROAD (ONE WAY)
LINK
25 LOTS
27 LOTS
22 LOTS
21 LOTS
18 LOTS
10 LOTS
16 LOTS
5 LOTS
4 LOTS
8 LOTS
MASTER PLAN
PROPOSED NEW DEVELOPMENT
LOT 146 DP1256576, FOREST PARKWAY, LAKE CATHIE, NSW
GEMLIFE
GemLife
POOLE
BP1120/SK1.01

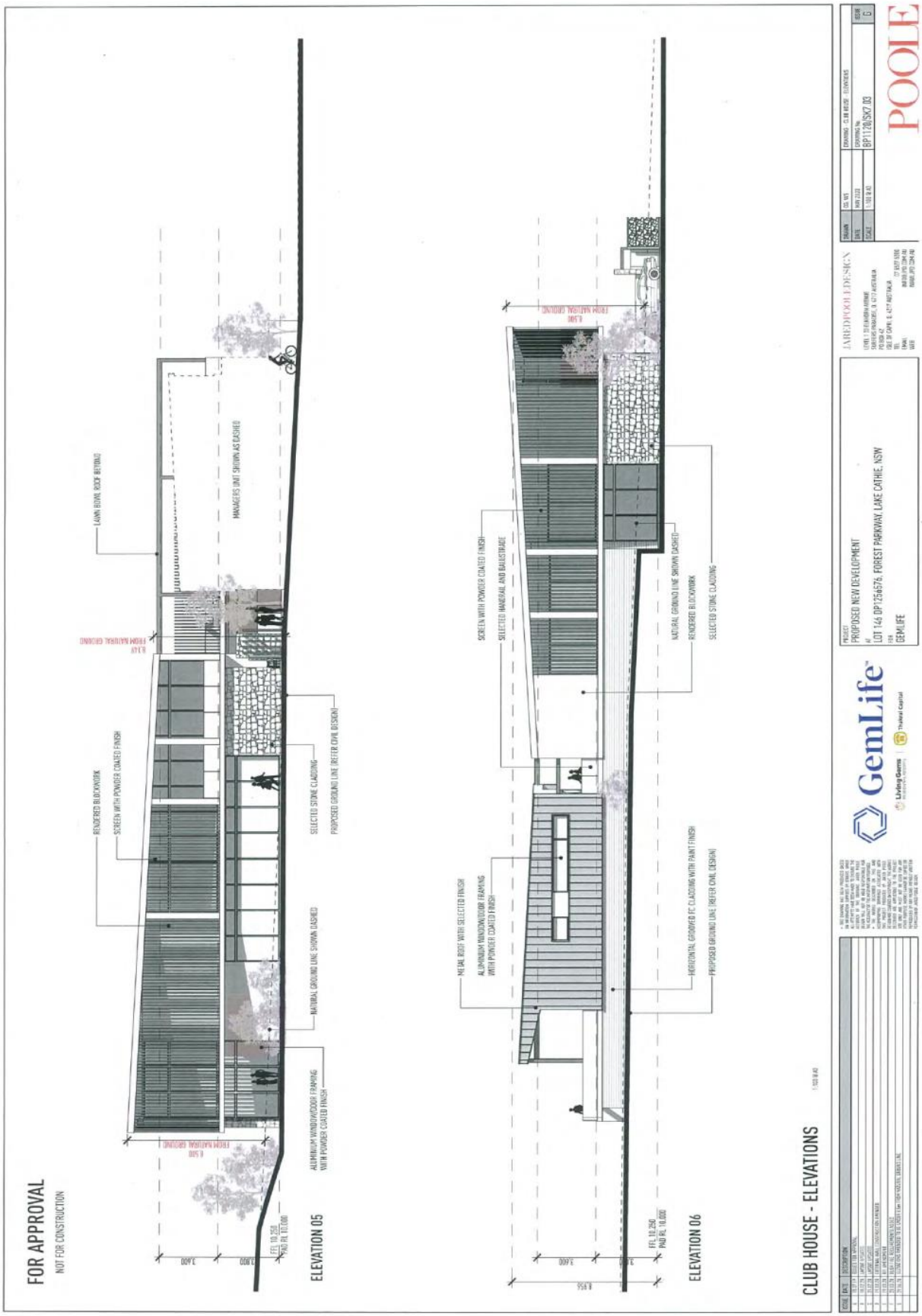

FOR APPROVAL
NOT FOR CONSTRUCTION
BUILDING ENVELOPE
DOG RUN
TENNIS COURT
MASTER PLAN
STAGE 1
STAGE 2
STAGE 3
STAGE 4
STAGE 5
CLUB HOUSE
LINK
BOCCE COURT
PICKLEBALL COURT
11m ACCESS ROAD
MANAGERS UNIT
SUMMER POOL HOUSE
20M HARDSTAND
MANAGERS WORKSHOP
EMERGENCY ACCESS
GRASS LAWN AND DRAINAGE SWALE
PROPOSED NORTHERN COLLECTOR
FOREST PARKWAY
6.5m ACCESS ROAD
6m ACCESS ROAD
ONE WAY
APZ LINE
PLOTTING RULES
LEGEND
STAGING LINE
POOLE
GemLife
PROPOSED NEW DEVELOPMENT
LOT 146 DP1256676, FOREST PARKWAY, LAKE CATHIE, NSW
GEMLIFE
BP1120/SK1.02

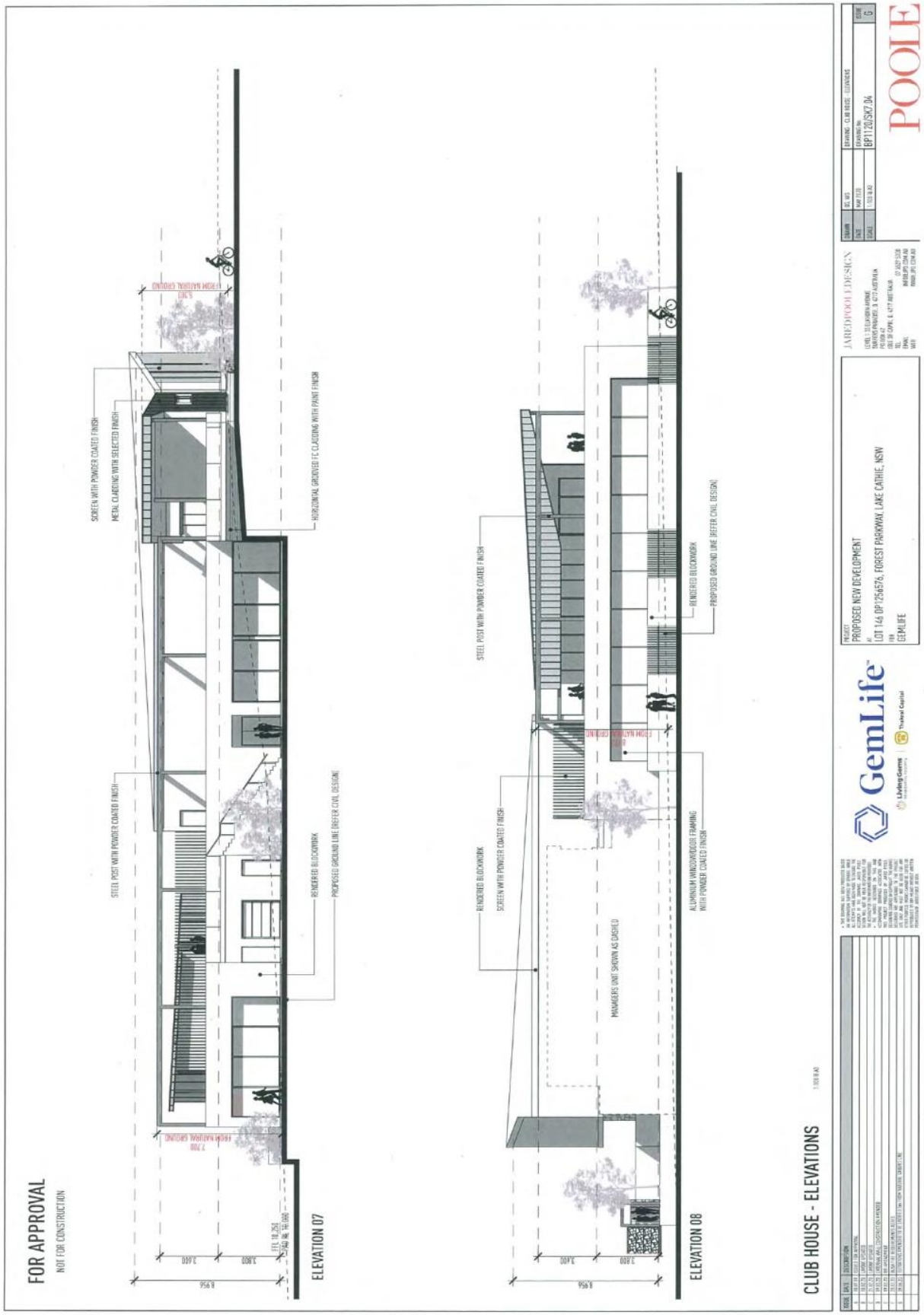

FOR APPROVAL
NOT FOR CONSTRUCTION
KEY PLAN
GROUND FLOOR PLAN
MANAGERS UNIT AND ENTRY - PLANS
ENTRY STATEMENT
FIRST FLOOR PLAN
AREAS SCHEDULE - MANAGERS
GROUND FLOOR PLAN 108.11
GARAGE 65.14
PORCH 40.95
FIRST FLOOR PLAN 137.39
VOID 10.27
BALCONY 13.58
367.44 m²
PROPOSED NEW DEVELOPMENT
LOT 146 DP1256576, FOREST PARKWAY, LAKE CATHIE, NSW
FOR
GEMLIFE
GemLife
POOLE

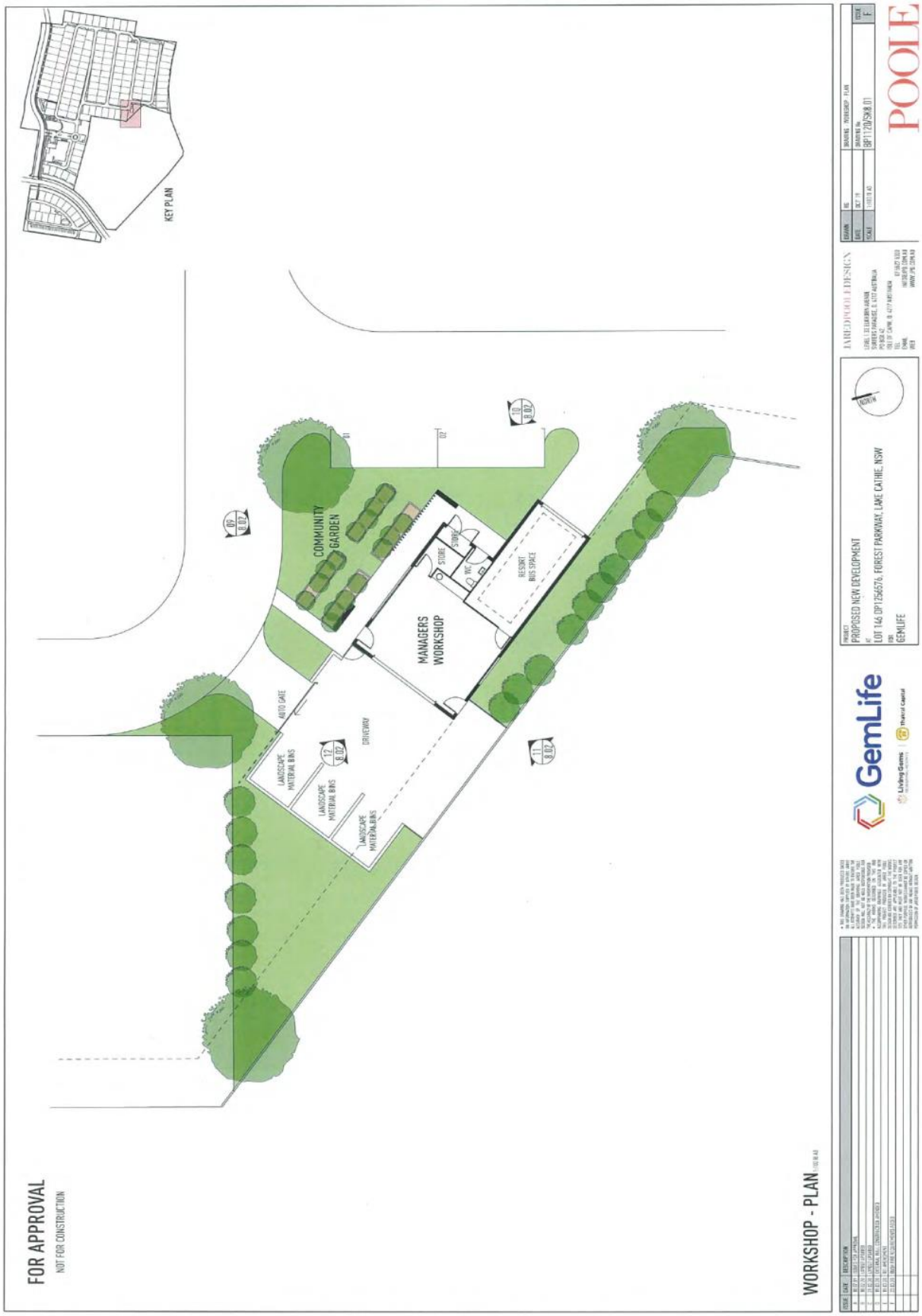

FOR APPROVAL
NOT FOR CONSTRUCTION
ELEVATION 01
ELEVATION 02
ELEVATION 03
ELEVATION 04
MANAGERS UNIT AND ENTRY - ELEVATIONS
COLOUR SCHEDULE
LIGHT WALL COLOUR
DARK WALL COLOUR
PROPOSED NEW DEVELOPMENT
LOT 146 DP1265976, FOREST PARKWAY, LAKE CATHIE, NSW
GEMLIFE
GemLife
POOLE
BP1120/SK.02

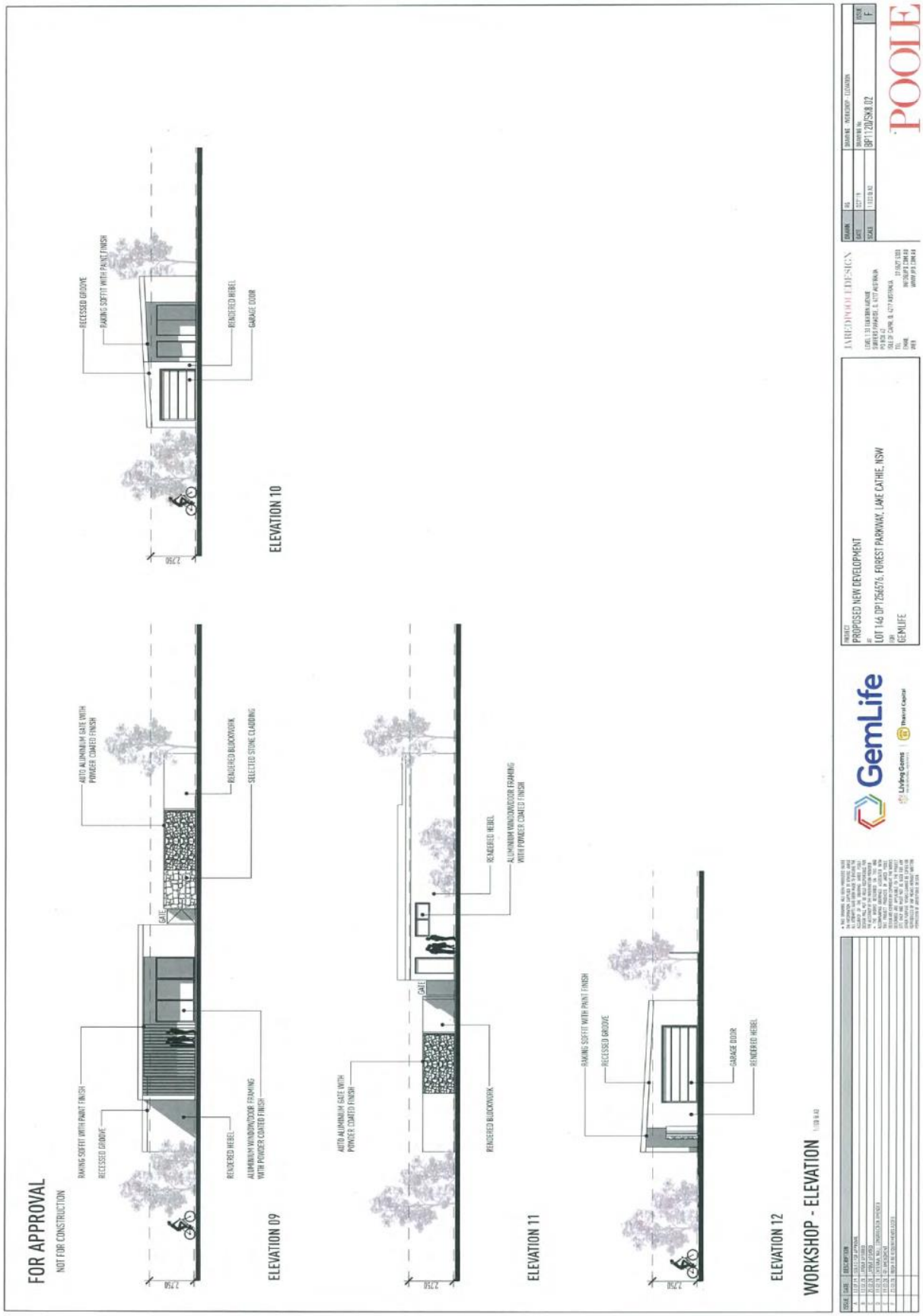

FOR APPROVAL
NOT FOR CONSTRUCTION
CLUB HOUSE - GROUND FLOOR PLAN
ENTRY STATEMENT
KEY PLAN
MANAGERS UNIT
25m POOL
SUN DECK
SUN LOUNGE
POOL EQUIPMENT
SERVICES
MALE
FEMALE
GYM
AIRLOCK
STORE
COMMS ROOM
COLD ROOM
KITCHEN
SERVERY
BAR
FORMAL DINING/ MEETING
FORMAL LOUNGE
BIN STORE
BOWLING LOUNGE
INDOOR BOWLING
CLUB HOUSE
HALL
STAGE
DANCE
DRESSING ROOMS
COURTYARD
LETTER BOXES
STAFF
CLEANERS ROOM
SALON
CONSULT ROOM
LIFT
STORE
LOBBY
ENTRY
AUTO DOOR
NORTH
PROJECT
PROPOSED NEW DEVELOPMENT
AT
LOT 146 DP1256576, FOREST PARKWAY, LAKE CATHIE, NSW
FOR
GEMLIFE
GemLife
JARED POOLE DESIGN
POOLE
BP1120/SK7.01
C

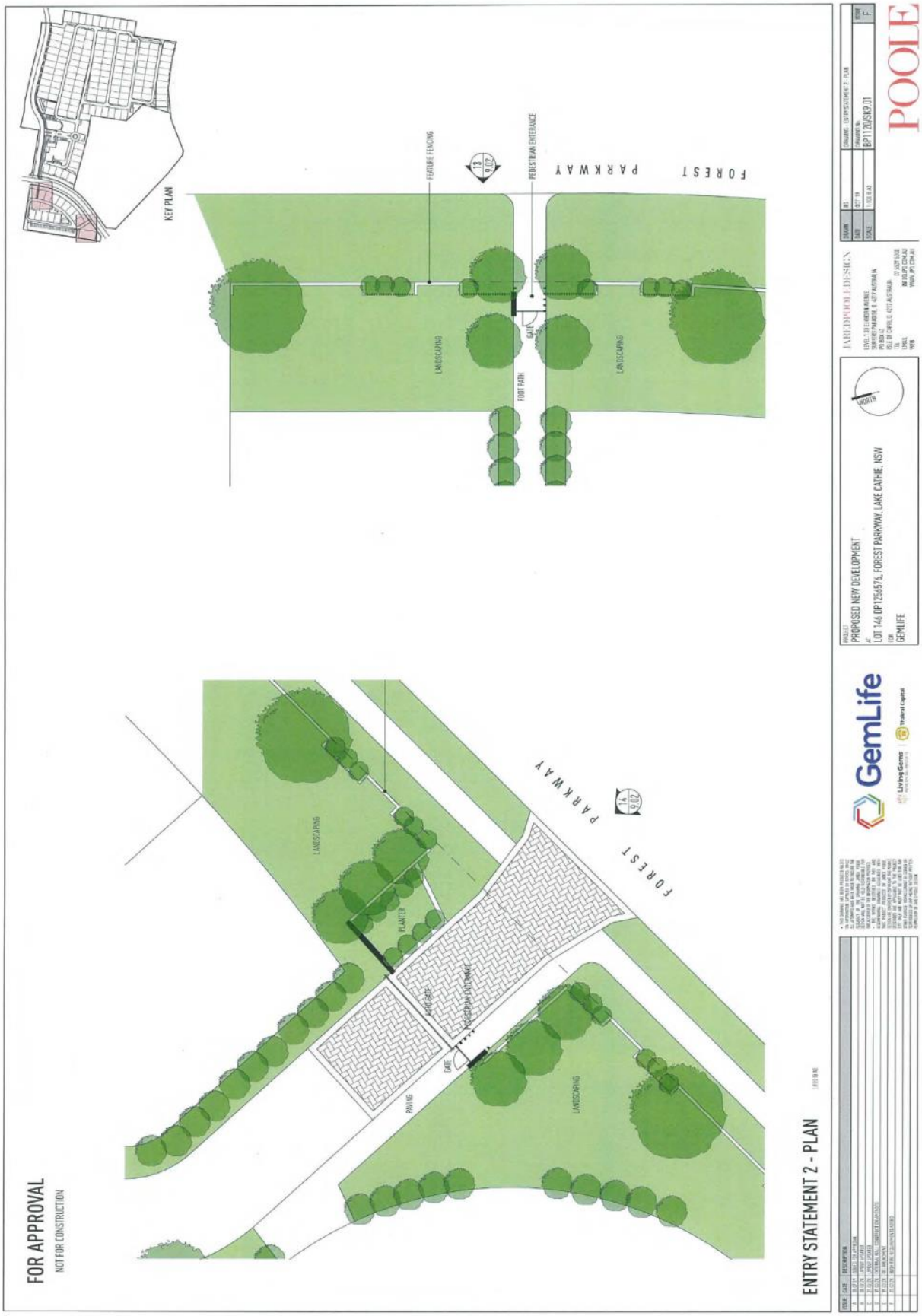

KEY PLAN
MANAGERS UNIT
SERVICES
BALCONY
BILLIARDS
GAMING LOUNGE
WINE ROOM
LIFT
VOID
VOID
VOID
GOLF SIM
UP
FIRE STAIR
DARTS
BAR
GALLERY
CINEMA
MALE
FEMALE
LAWN BOWLS STORE
STORE
LIBRARY
LAWN BOWLS
CRAFT ROOM
MULTI PURPOSE ROOM
BBQ
ROOF TOP LOUNGE
ROOF TOP TERRACE
UP
FOR APPROVAL
NOT FOR CONSTRUCTION
AREA SCHEDULE - CLUB HOUSE
CLUB HOUSE - GROUND FLOOR 1,576.92
CLUB HOUSE - FIRST FLOOR 626.55
CLUB HOUSE - VOID 53.24
CLUB HOUSE - ROOF TOP DECK 952.08
3,207.31 m²
CLUB HOUSE - FIRST FLOOR PLAN
PROPOSED NEW DEVELOPMENT
LOT 145 DP1256575, FOREST PARKWAY, LAKE CATHIE, NSW
GEMLIFE
GemLife
POOLE

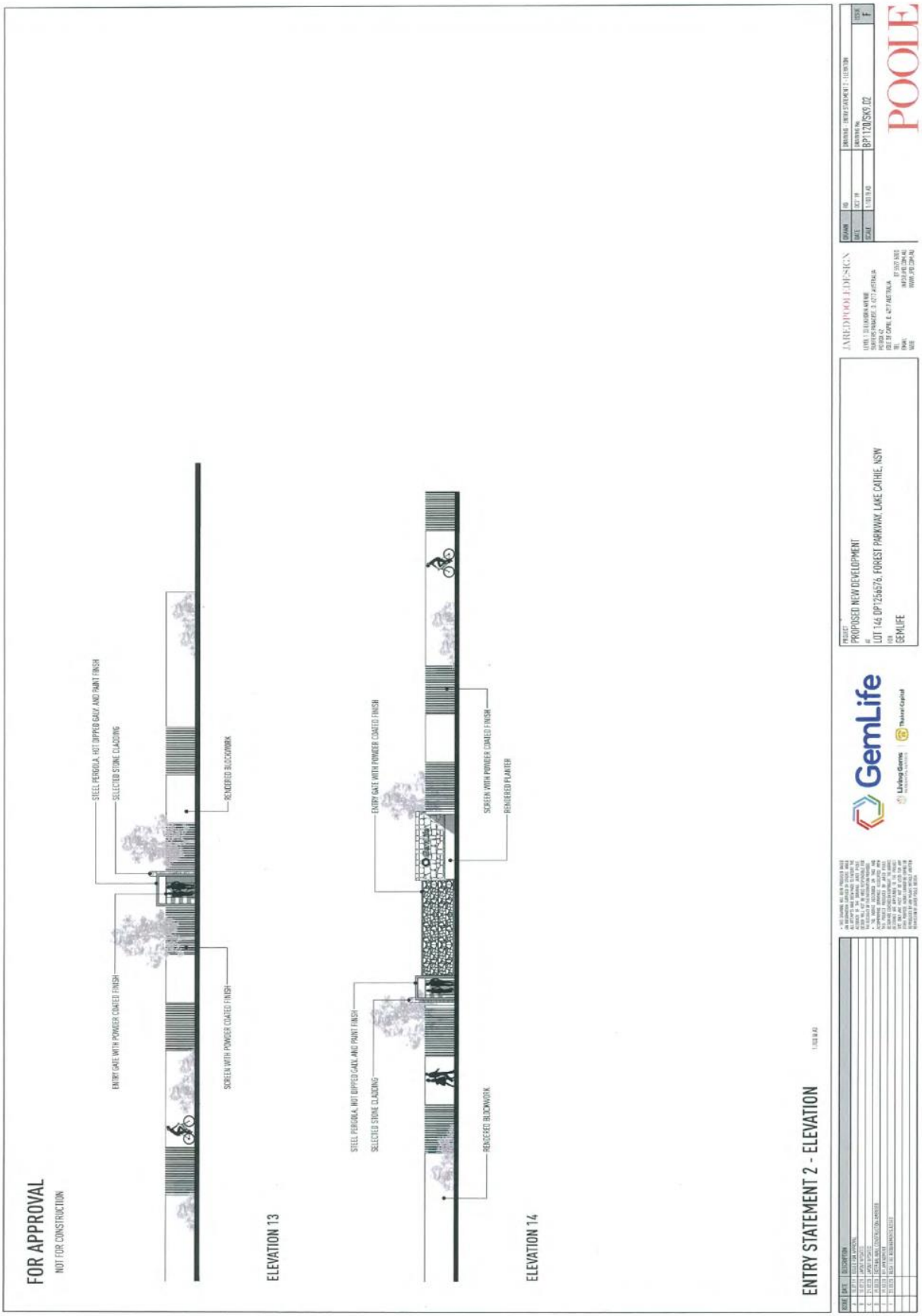

FOR APPROVAL
NOT FOR CONSTRUCTION
LAWN BOWL ROOF BEYOND
MANAGERS UNIT SHOWN AS DASHED
RENDERED BLOCKWORK
SCREEN WITH POWDER COATED FINISH
SELECTED STONE CLADDING
PROPOSED GROUND LINE (REFER CIVIL DESIGN)
NATURAL GROUND LINE SHOWN DASHED
ALUMINIUM WINDOW/DOOR FRAMING WITH POWDER COATED FINISH
ELEVATION 05
SCREEN WITH POWDER COATED FINISH
SELECTED HANDRAIL AND BALUSTRADE
NATURAL GROUND LINE SHOWN DASHED
RENDERED BLOCKWORK
SELECTED STONE CLADDING
METAL ROOF WITH SELECTED FINISH
ALUMINIUM WINDOW/DOOR FRAMING WITH POWDER COATED FINISH
HORIZONTAL GROOVED FC CLADDING WITH PAINT FINISH
PROPOSED GROUND LINE (REFER CIVIL DESIGN)
ELEVATION 06
CLUB HOUSE - ELEVATIONS
JARED POOLE DESIGN
PROJECT
PROPOSED NEW DEVELOPMENT
AT
LOT 146 DP 1256675, FOREST PARKWAY, LAKE CATHIE, NSW
FOR
GEMLIFE
GemLife
POOLE

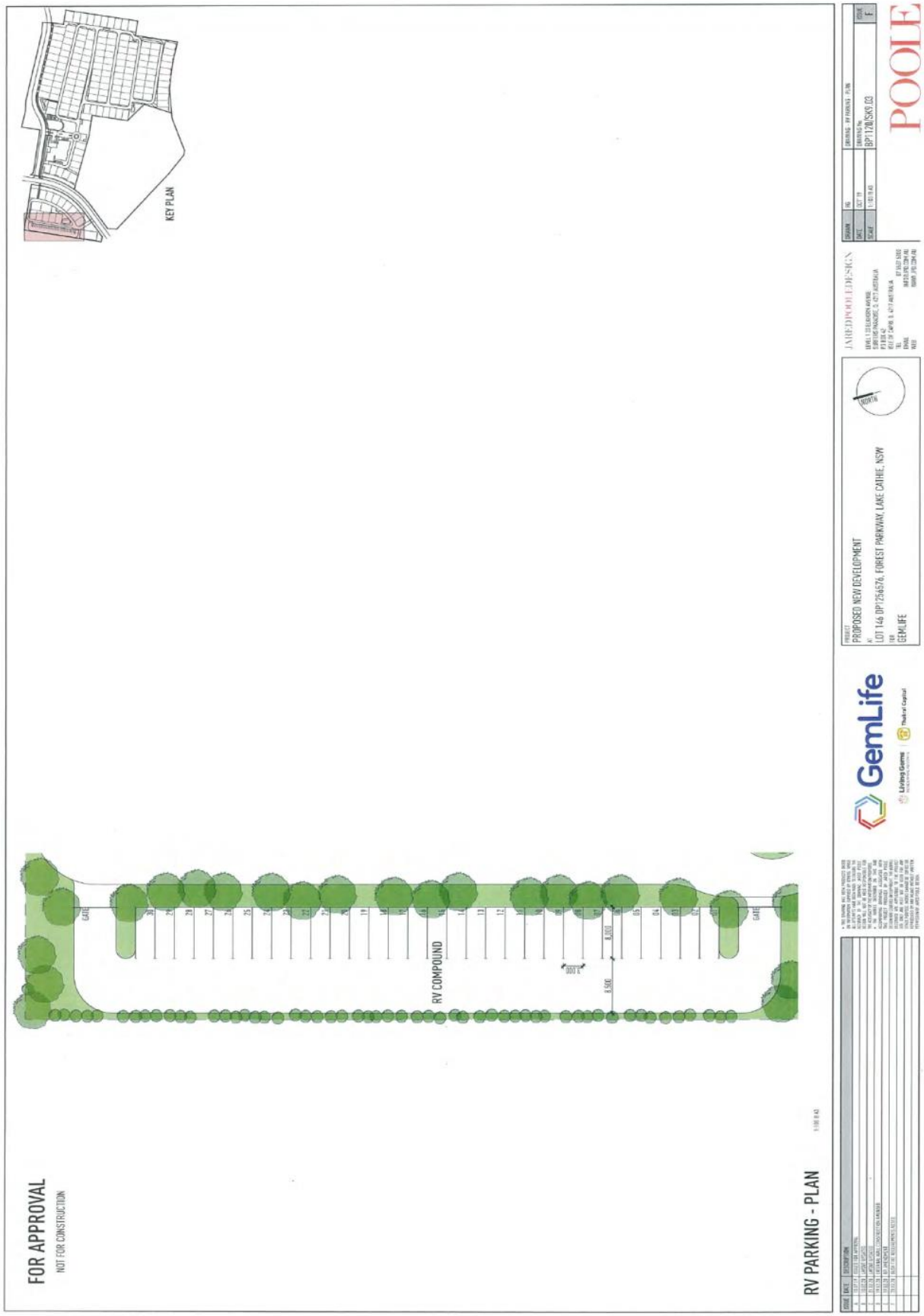

FOR APPROVAL
NOT FOR CONSTRUCTION
SCREEN WITH POWDER COATED FINISH
METAL CLADDING WITH SELECTED FINISH
HORIZONTAL GROOVED FC CLADDING WITH PAINT FINISH
STEEL POST WITH POWDER COATED FINISH
RENDERED BLOCKWORK
PROPOSED GROUND LINE (REFER CIVIL DESIGN)
FROM NATURAL GROUND
ELEVATION 07
STEEL POST WITH POWDER COATED FINISH
RENDERED BLOCKWORK
SCREEN WITH POWDER COATED FINISH
MANAGERS UNIT SHOWN AS DASHED
ALUMINIUM WINDOW/DOOR FRAMING WITH POWDER COATED FINISH
RENDERED BLOCKWORK
PROPOSED GROUND LINE (REFER CIVIL DESIGN)
ELEVATION 08
CLUB HOUSE - ELEVATIONS
PROJECT
PROPOSED NEW DEVELOPMENT
AT
LOT 146 DP1256575, FOREST PARKWAY, LAKE CATHIE, NSW
FOR
GEMLIFE
JARED POOLE DESIGN
GemLife
POOLE

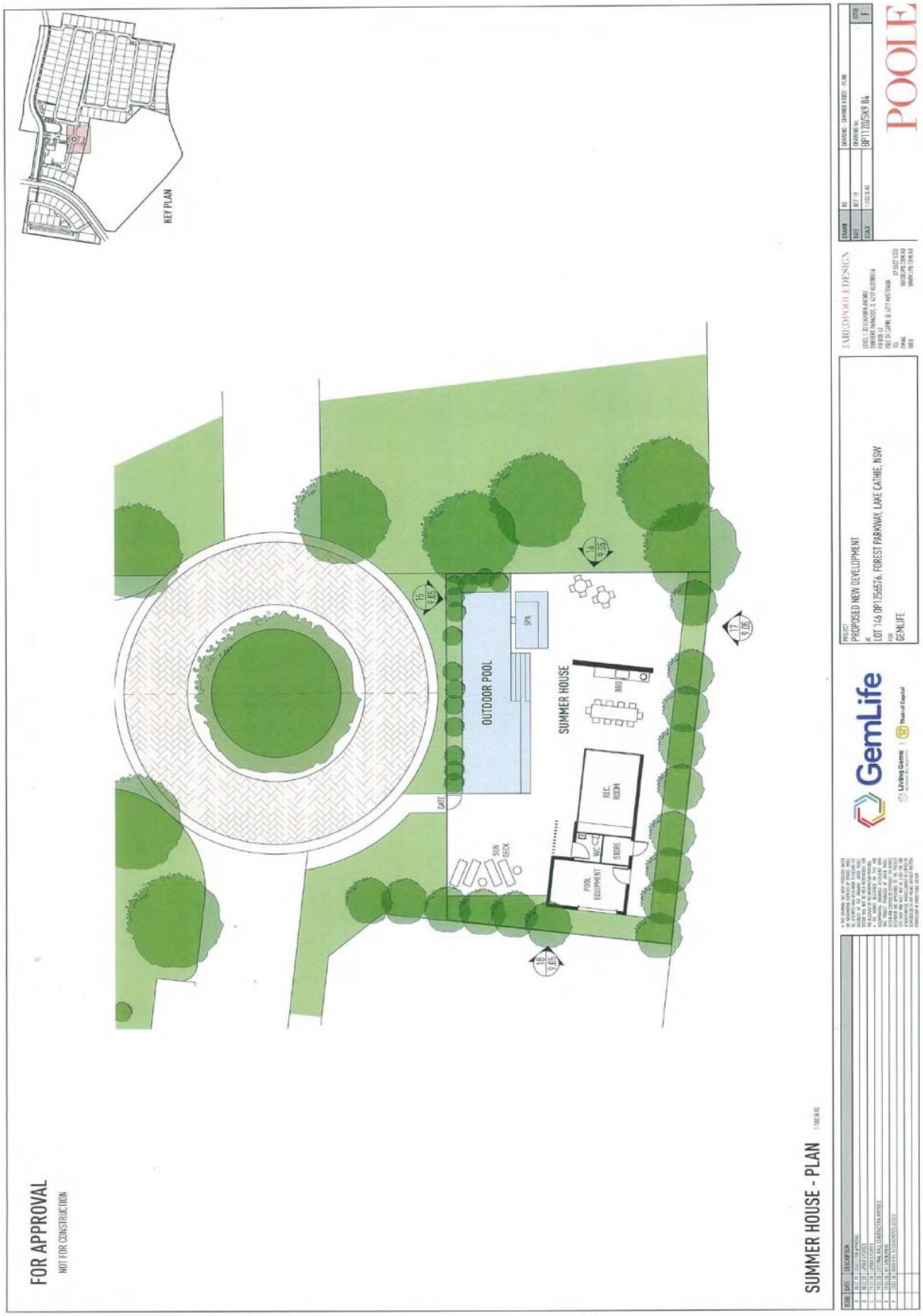

KEY PLAN
COMMUNITY GARDEN
MANAGERS WORKSHOP
STORE
STORE
WC
RESORT BUS SPACE
AUTO GATE
DRIVEWAY
LANDSCAPE MATERIAL BINS
LANDSCAPE MATERIAL BINS
LANDSCAPE MATERIAL BINS
FOR APPROVAL
NOT FOR CONSTRUCTION
WORKSHOP - PLAN
PROPOSED NEW DEVELOPMENT
LOT 146 DP1256576, FOREST PARKWAY, LAKE CATHIE, NSW
GEMLIFE
GemLife
POOLE

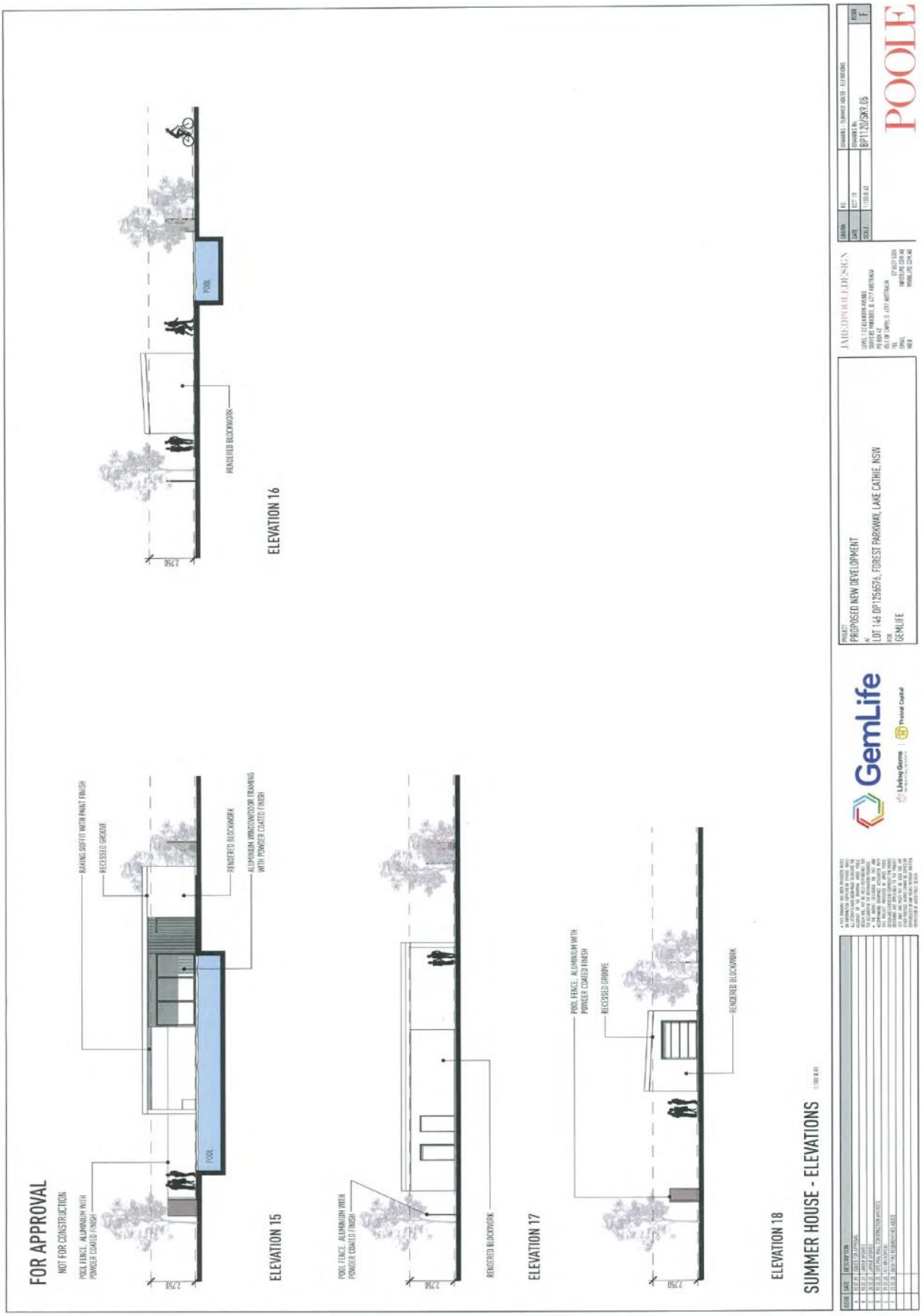

FOR APPROVAL
NOT FOR CONSTRUCTION
RECESSED GROOVE
RAKING SOFFIT WITH PAINT FINISH
RENDERED REBEL
GARAGE DOOR
ELEVATION 10
AUTO ALUMINIUM GATE WITH POWDER COATED FINISH
RENDERED BLOCKWORK
SELECTED STONE CLADDING
GATE
ALUMINIUM WINDOW/DOOR FRAMING WITH POWDER COATED FINISH
ELEVATION 09
ALUMINIUM WINDOW/DOOR FRAMING WITH POWDER COATED FINISH
ELEVATION 11
ELEVATION 12
WORKSHOP - ELEVATION
PROJECT
PROPOSED NEW DEVELOPMENT
AT
LOT 146 DP1256576, FOREST PARKWAY, LAKE CATHIE, NSW
FOR
GEMLIFE
GemLife
POOLE

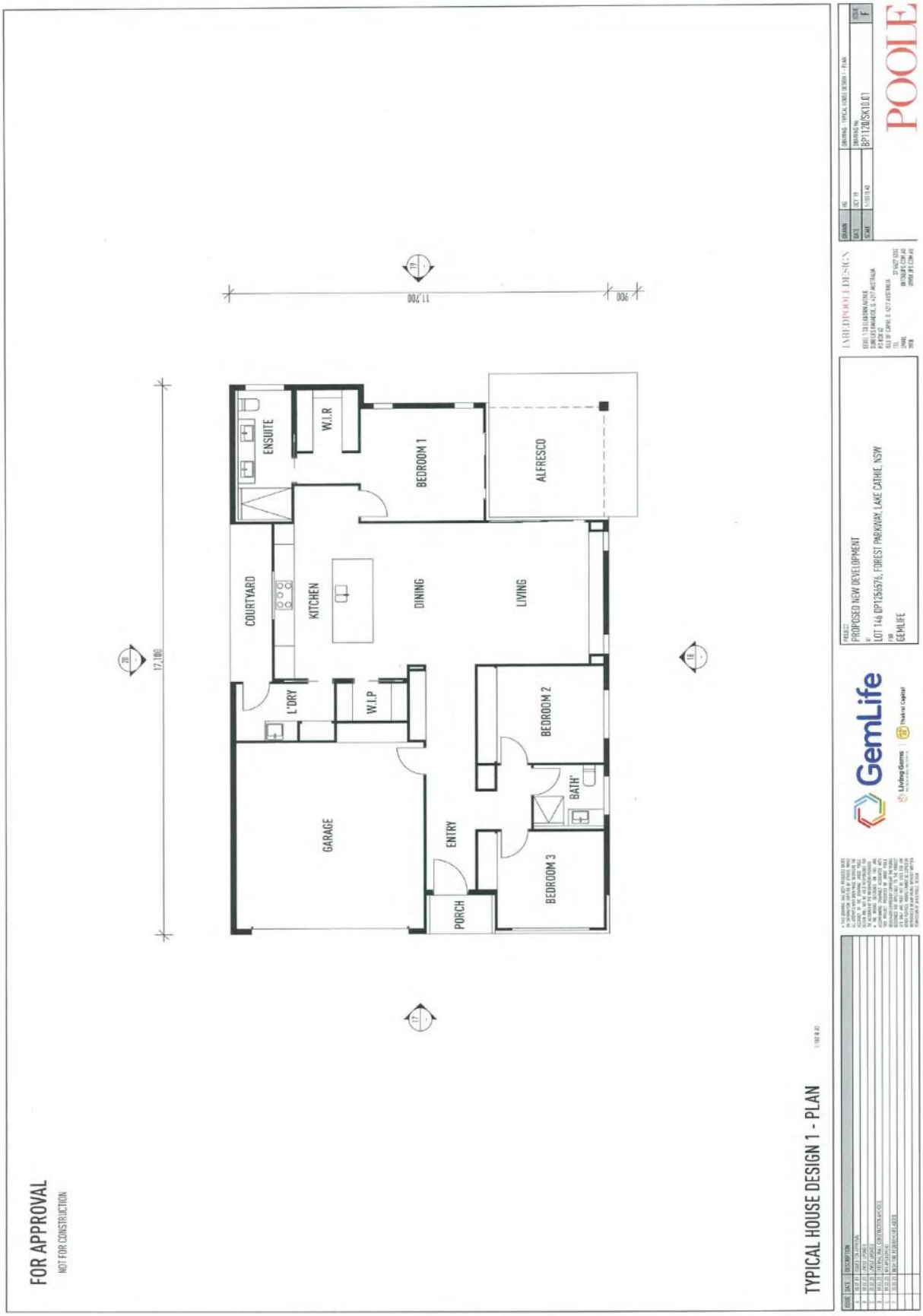

FOR APPROVAL
NOT FOR CONSTRUCTION
ENTRY STATEMENT 2 - PLAN
KEY PLAN
FOREST PARKWAY
FEATURE FENCING
PEDESTRIAN ENTERANCE
LANDSCAPING
FOOT PATH
GATE
PLANTER
PAVING
PROPOSED NEW DEVELOPMENT
LOT 146 DP1256576, FOREST PARKWAY, LAKE CATHIE, NSW
GEMLIFE
POOLE
BP1120/SK9.01


FOR APPROVAL
NOT FOR CONSTRUCTION
ELEVATION 13
STEEL PERGOLA, HOT DIPPED GALV. AND PAINT FINISH
SELECTED STONE CLADDING
RENDERED BLOCKWORK
ENTRY GATE WITH POWDER COATED FINISH
SCREEN WITH POWDER COATED FINISH
ELEVATION 14
ENTRY GATE WITH POWDER COATED FINISH
SCREEN WITH POWDER COATED FINISH
RENDERED PLANTER
STEEL PERGOLA, HOT DIPPED GALV. AND PAINT FINISH
SELECTED STONE CLADDING
RENDERED BLOCKWORK
ENTRY STATEMENT 2 - ELEVATION
PROPOSED NEW DEVELOPMENT
LOT 146 DP1256576, FOREST PARKWAY, LAKE CATHIE, NSW
GEMLIFE
GemLife
POOLE

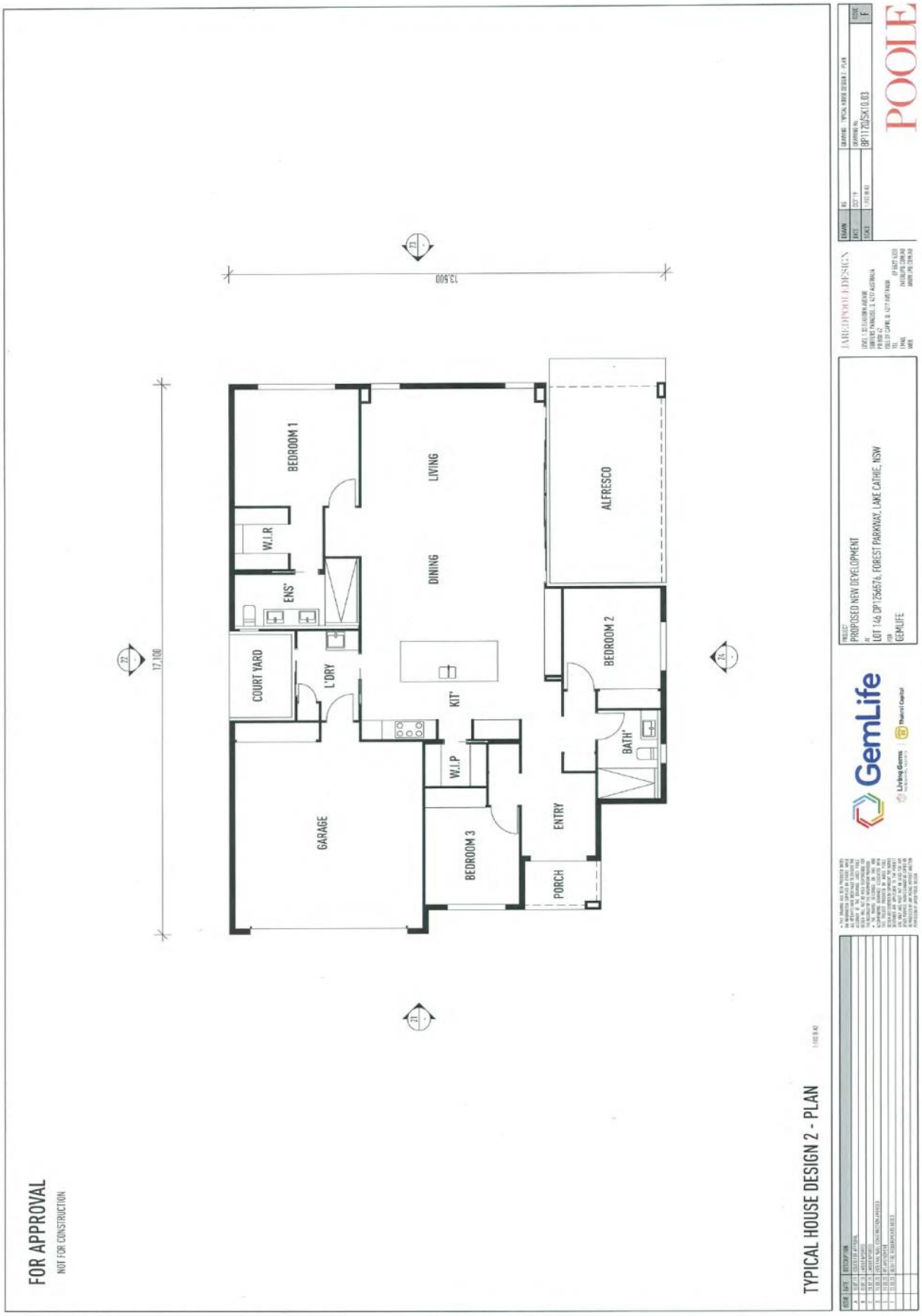

KEY PLAN
RV COMPOUND
GATE
FOR APPROVAL
NOT FOR CONSTRUCTION
RV PARKING - PLAN
PROPOSED NEW DEVELOPMENT
LOT 146 DP1256576, FOREST PARKWAY, LAKE CATHIE, NSW
GEMLIFE
GemLife
POOLE


KEY PLAN
OUTDOOR POOL
SPA
SUMMER HOUSE
BBQ
REC. ROOM
STORE
WC
POOL EQUIPMENT
SUN DECK
GATE
FOR APPROVAL
NOT FOR CONSTRUCTION
SUMMER HOUSE - PLAN
PROPOSED NEW DEVELOPMENT
LOT 146 DP1256576, FOREST PARKWAY, LAKE CATHIE, NSW
GEMLIFE
GemLife
POOLE

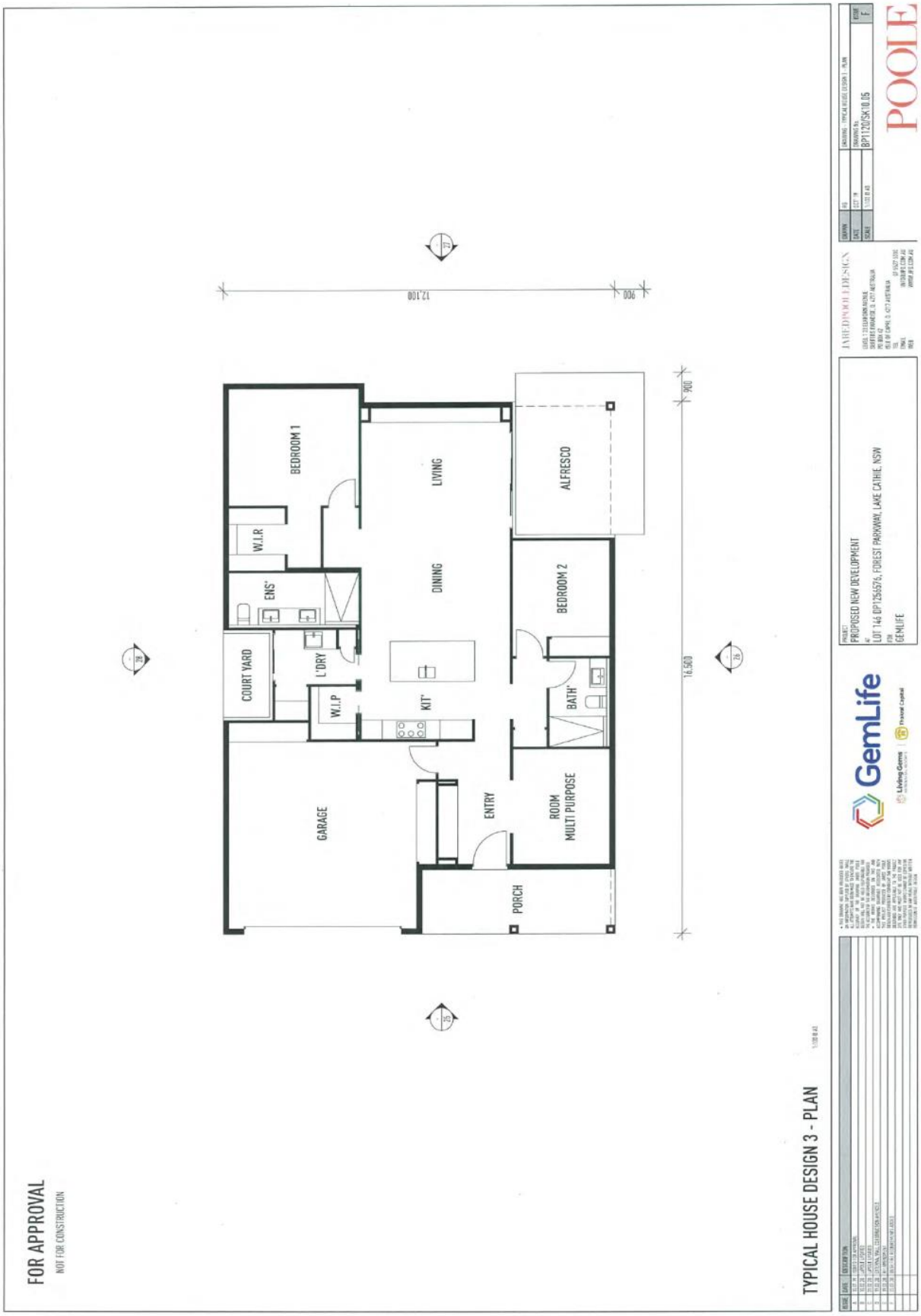

FOR APPROVAL
NOT FOR CONSTRUCTION
POOL FENCE - ALUMINIUM WITH POWDER COATED FINISH
BAKING SOFFIT WITH PAINT FINISH
RECESSED GROOVE
RENDERED BLOCKWORK
ALUMINIUM WINDOW/DOOR FRAMING WITH POWDER COATED FINISH
POOL
2250
ELEVATION 15
POOL FENCE - ALUMINIUM WITH POWDER COATED FINISH
RENDERED BLOCKWORK
ELEVATION 17
POOL FENCE - ALUMINIUM WITH POWDER COATED FINISH
RECESSED GROOVE
RENDERED BLOCKWORK
ELEVATION 18
RENDERED BLOCKWORK
ELEVATION 16
SUMMER HOUSE - ELEVATIONS
PROJECT
PROPOSED NEW DEVELOPMENT
AT
LOT 143 DP1255576, FOREST PARKWAY, LAKE CATHIE, NSW
FOR
GEMLIFE
GemLife
POOLE


FOR APPROVAL
NOT FOR CONSTRUCTION
TYPICAL HOUSE DESIGN 1 - PLAN
17,100
11,700
900
GARAGE
PORCH
ENTRY
BEDROOM 3
BATH
BEDROOM 2
L'DRY
W.I.P
COURTYARD
KITCHEN
DINING
LIVING
ENSUITE
W.I.R
BEDROOM 1
ALFRESCO
PROJECT
PROPOSED NEW DEVELOPMENT
AT
LOT 144 DP1255376, FOREST PARKWAY LAKE CATHIE, NSW
FOR
GEMLIFE
GemLife
POOLE

HIP
GABLE
SKILLION
TYPICAL HOUSE DESIGN 1 - FACADES
PROPOSED NEW DEVELOPMENT
LOT 146 DP1256576, FOREST PARKWAY, LAKE CATHIE, NSW
GemLife
POOLE
BP1120/SK10.02


FOR APPROVAL
NOT FOR CONSTRUCTION
TYPICAL HOUSE DESIGN 2 - PLAN
13,500
17,100
BEDROOM 1
W.I.R
ENS'
COURT YARD
L'DRY
GARAGE
LIVING
DINING
KIT'
W.I.P
BEDROOM 3
ALFRESCO
BEDROOM 2
BATH'
ENTRY
PORCH
PROJECT
PROPOSED NEW DEVELOPMENT
AT
LOT 143 DP 1254576, FOREST PARKWAY, LAKE CATHIE, NSW
FOR
GEMLIFE
GemLife
POOLE

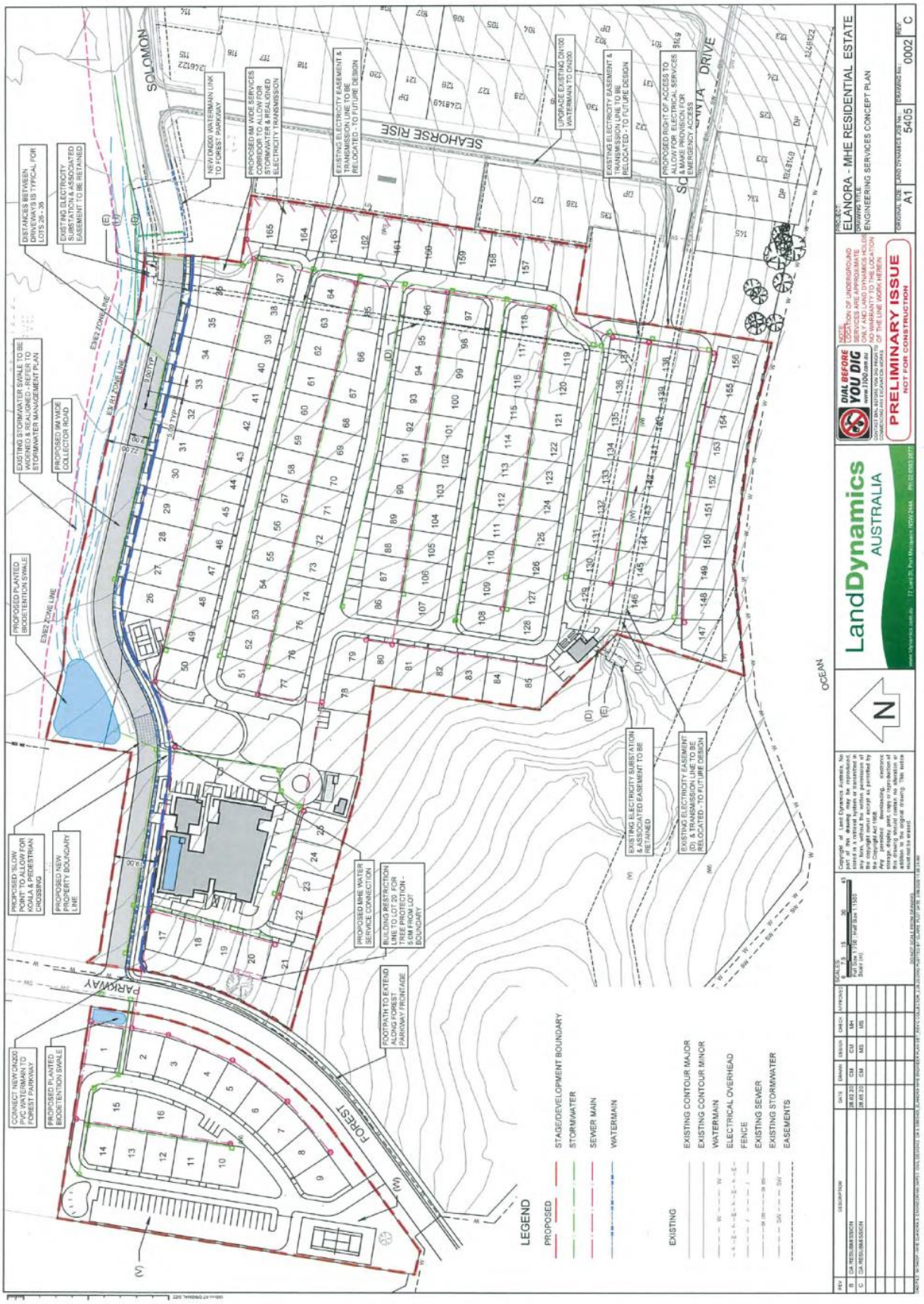
HIP 1
HIP 2
SKILLION
TYPICAL HOUSE DESIGN 2 - FACADES
GemLife
Living Gems
Thakral Capital
PROPOSED NEW DEVELOPMENT
LOT 146 DP1256576, FOREST PARKWAY, LAKE CATHIE, NSW
GEMLIFE
JARED POOLE DESIGN
BP1120/SK10.04
POOLE

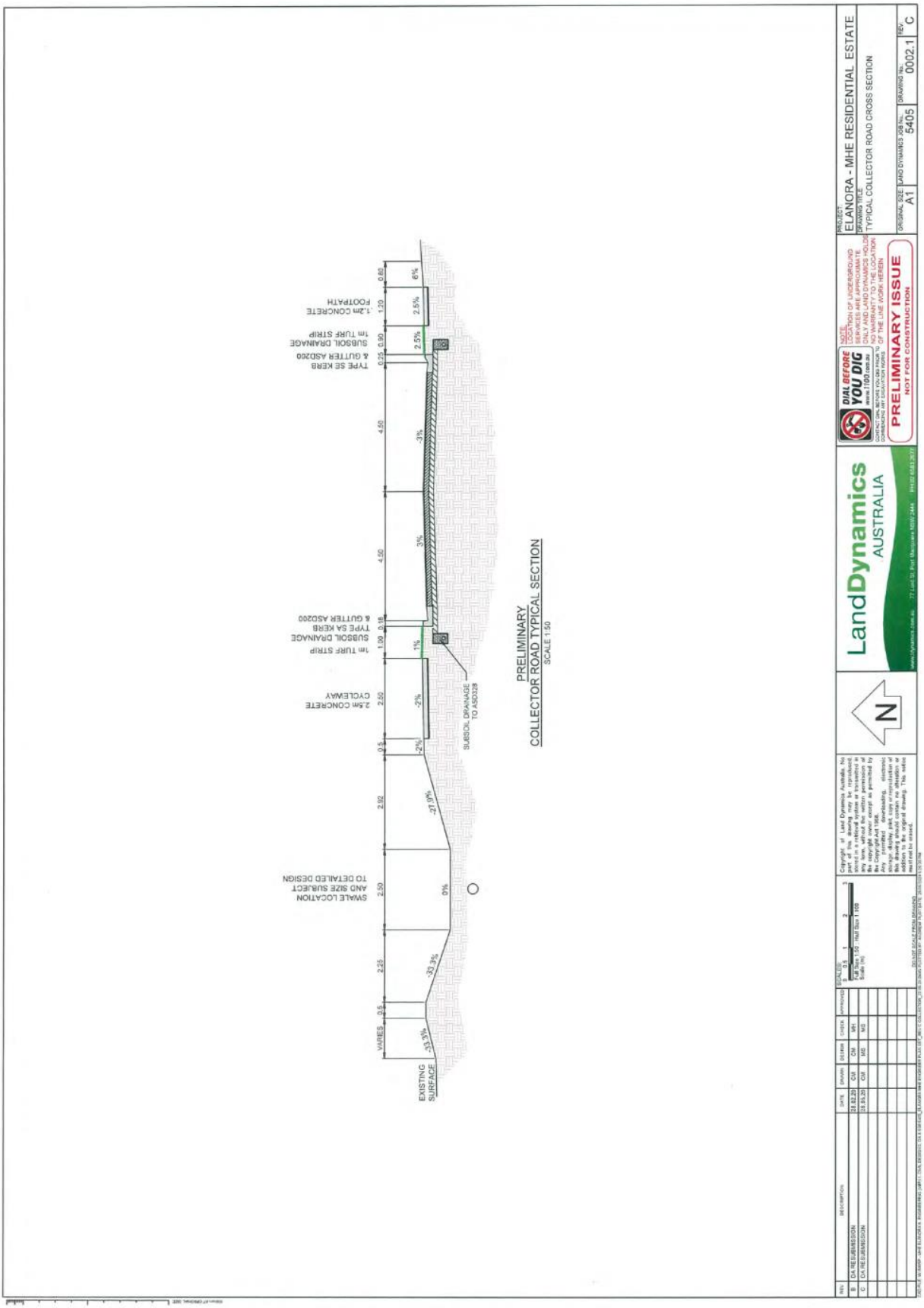

FOR APPROVAL
NOT FOR CONSTRUCTION
TYPICAL HOUSE DESIGN 3 - PLAN
BEDROOM 1
W.I.R
ENS'
COURT YARD
L'DRY
W.I.P
GARAGE
LIVING
DINING
KIT'
ENTRY
ALFRESCO
BEDROOM 2
BATH'
ROOM
MULTI PURPOSE
PORCH
12,100
900
16,500
900
PROPOSED NEW DEVELOPMENT
LOT 146 DP1255375, FOREST PARKWAY, LAKE CATHIE, NSW
GEMLIFE
GemLife
POOLE

HIP
DUTCH GABLE
SKILLION
TYPICAL HOUSE DESIGN 3 - FACADES
GemLife
Living Gems
Tweed Coast
PROPOSED NEW DEVELOPMENT
LOT 146 DP1256576, FOREST PARKWAY, LAKE CATHIE, NSW
GEMLIFE
POOLE

FOR APPROVAL
NOT FOR CONSTRUCTION
- BUSH FIRE TREATMENT: BAL 29.0 OR LESS
VEHICLE ACCESS DOOR
GARAGE
COURTYARD
KITCHEN
DINING
LIVING
ALFRESCO
BEDROOM 1
ENSUITE
W.I.R
BEDROOM 2
BEDROOM 3
BATH
ENTRY
PORCH
L'DRY
W.I.P
GemLife
POOLE
BUSHFIRE REQUIREMENTS

SEAHORSE RISE
SOUTH ATLANTIC
PARKWAY
FOREST
DRIVE
HOUSTON
PLANT SPECIES LIST
LandDynamics
AUSTRALIA
ELANORA - MHE RESIDENTIAL ESTATE
LANDSCAPE CONCEPT PLAN
PRELIMINARY ISSUE
A1
5405
0003
B


SOLOMON
SEAHORSE RISE
FOREST PARKWAY
OCEAN
LEGEND
PROPOSED
STAGE/DEVELOPMENT BOUNDARY
STORMWATER
SEWER MAIN
WATERMAIN
EXISTING
EXISTING CONTOUR MAJOR
EXISTING CONTOUR MINOR
WATERMAIN
ELECTRICAL OVERHEAD
FENCE
EXISTING SEWER
EXISTING STORMWATER
EASEMENTS
LandDynamics
AUSTRALIA
PRELIMINARY ISSUE
NOT FOR CONSTRUCTION
ELANORA - MHE RESIDENTIAL ESTATE
ENGINEERING SERVICES CONCEPT PLAN
A1
5405
0002
C


PRELIMINARY
COLLECTOR ROAD TYPICAL SECTION
SCALE 1:50
EXISTING SURFACE
VARIES
0.5
2.25
2.50
SWALE LOCATION AND SIZE SUBJECT TO DETAILED DESIGN
2.82
0.5
2.50
CYCLEWAY
2.5m CONCRETE
1m TURF STRIP
SUBSOIL DRAINAGE
TYPE SA KERB
& GUTTER AS0200
1.00
0.18
4.50
4.50
0.75
0.90
1.20
0.60
TYPE SE KERB
& GUTTER AS0200
SUBSOIL DRAINAGE
1m TURF STRIP
1.2m CONCRETE
FOOTPATH
-33.3%
-27.0%
-2%
-2%
1%
3%
-3%
2.5%
2.5%
6%
0%
SUBSOIL DRAINAGE TO AS0328
LandDynamics
AUSTRALIA
DIAL BEFORE YOU DIG
PRELIMINARY ISSUE
NOT FOR CONSTRUCTION
ELANORA - MHE RESIDENTIAL ESTATE
TYPICAL COLLECTOR ROAD CROSS SECTION
A1
5405
0002.1
C

Developer Charges - Estimate

PORT MACQUARIE HASTINGS

Applicants Name: Land Dynamics Australia
Property Address: South Atlantic Drive Lake Cathie
Lot & Dp: Lot(s):2,DP(s):1263561
Development: Manufactured Housing Estate (166 units), Manager's residence, Ancillary Buildings and Associated Infrastructure

Note: This ESTIMATE includes contributions amounts referred to in the Sydmart Area 14 Stage 1A Planning Agreement dated 23 December 2011.
The ESTIMATE is based on all dwellings containing 3 bedrooms.
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	137.23	$10,322.00	Per ET	$1,416,529.30
2	Sewerage Scheme Lake Cathie/Bonny Hills	170.71	$3,916.00	Per ET	$668,516.00
3	Since 13.6.14 - Local Roads - Lake Cathie/Bonny Hills - Area 14	149.3	$13,422.00	Per ET	$2,003,904.60
4	Open Space Contribution provided for in the Sydmart Area 14 Stage 1A Planning Agreement	149.3	$7,763.00	Per ET	$1,159,015.90
5	Commenced 3 April 2006 - Com, Cul and Em Services CP - Lake Cathie / Bonny Hills	149.3	$5,329.00	Per ET	$795,619.70
6	Com 1.3.07 - Administration Building - All areas	149.3	$921.00	Per ET	$137,505.30
7	Commenced 3 April 2006 - Com, Cul and Em Services CP - Bushfire	149.3	$511.00	Per ET	$76,292.30
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			$91,791.40
16					
17					
18					
	Total Amount of Estimate (Not for Payment Purposes)				**$6,349,174.50**

Not for Payment Purposes

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: **15-Jul-2020**

Estimate Prepared By Steven Ford

This is an ESTIMATE ONLY - NOT for Payment Purposes

PORT MACQUARIE-HASTINGS COUNCIL

DAVID PENSINI
Building Certification and
Environmental Services

SUPPLIMENTARY BUSHFIRE HAZARD ASSESSMENT

PROPOSED MANUFACTURED HOUSING ESTATE

**LOT 138 DP 1248149,
FOREST PARKWAY,
LAKE CATHIE**

**CLIENT:
GEMLIFE**

MARCH 2020

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 GemLife.

The information contained in this report has been gathered from discussions with representatives of GemLife, a review of the plans provided on behalf of GemLife and experience.

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 development 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 GemLife 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: *26th March 2020*

Version	Date	Information relating to report			
		Reason for issue			
1.0	20th September 2019		Draft		
2.0	30th September 2019		Final Report		
3.0	8th October 2019		Change to Masterplan		
4.0	5th March 2020		Changes to Development Concept		
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			Prepared by	**Verified by**	**Approved by**
		Name	David Pensini		David Pensini
		Signature			

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1.0 INTRODUCTION

The subject site is located in the southwestern fringes of the Lake Cathie area and is known as Lot 138 DP 1248149, Forest Parkway, Lake Cathie.

It is noted that the subject site has already been approved for residential subdivision via Development Consent DA 2016/88.

In September 2019 David Pensini – Building Certification and Environmental Services prepared a Bushfire Hazard Assessment Report for a Manufactured Housing Estate (MHE) development on the subject site however following comments from Port Macquarie Hastings Council the development concept for the MHE development has been modified. In this regard it is now proposed to construct and operate a Manufactured Housing Estate (MHE) comprising one hundred and sixty-six (166) dwelling sites and associated community facilities and supporting infrastructure on the subject site.

Access to and from the proposed MHE development is to be via an extension of the public collector road infrastructure which currently terminates adjacent to the north-eastern corner of the subject site. Forest Parkway which bisects the western portion of the subject site will continue to provide access to the western portion of the proposed MHE development. A new internal road system will service the proposed MHE with this road network connecting with the public collector road extension and Forest Parkway.

This report is based on a site assessment carried out on 25th September 2019.

The purpose of this supplementary report is to demonstrate that the bushfire risk is manageable for the proposed Manufactured Housing Estate and to determine the bushfire protection management measures which are applicable to the development of the subject site having regard to the modified layout of the MHE development.

The proposed development is a Special Fire Protection Purpose Development and as such is 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.

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 development of the land as a Manufactured Housing Estate 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 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 and/or 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); through development application DA
- 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 development of the subject site as a Manufactured Housing Estate (MHE).

The proposed development is a Special Fire Protection Purpose Development and as such is Integrated Development and has a requirement for a Bush Fire Safety Authority under Section 100B of the *Rural Fires Act 1997*.

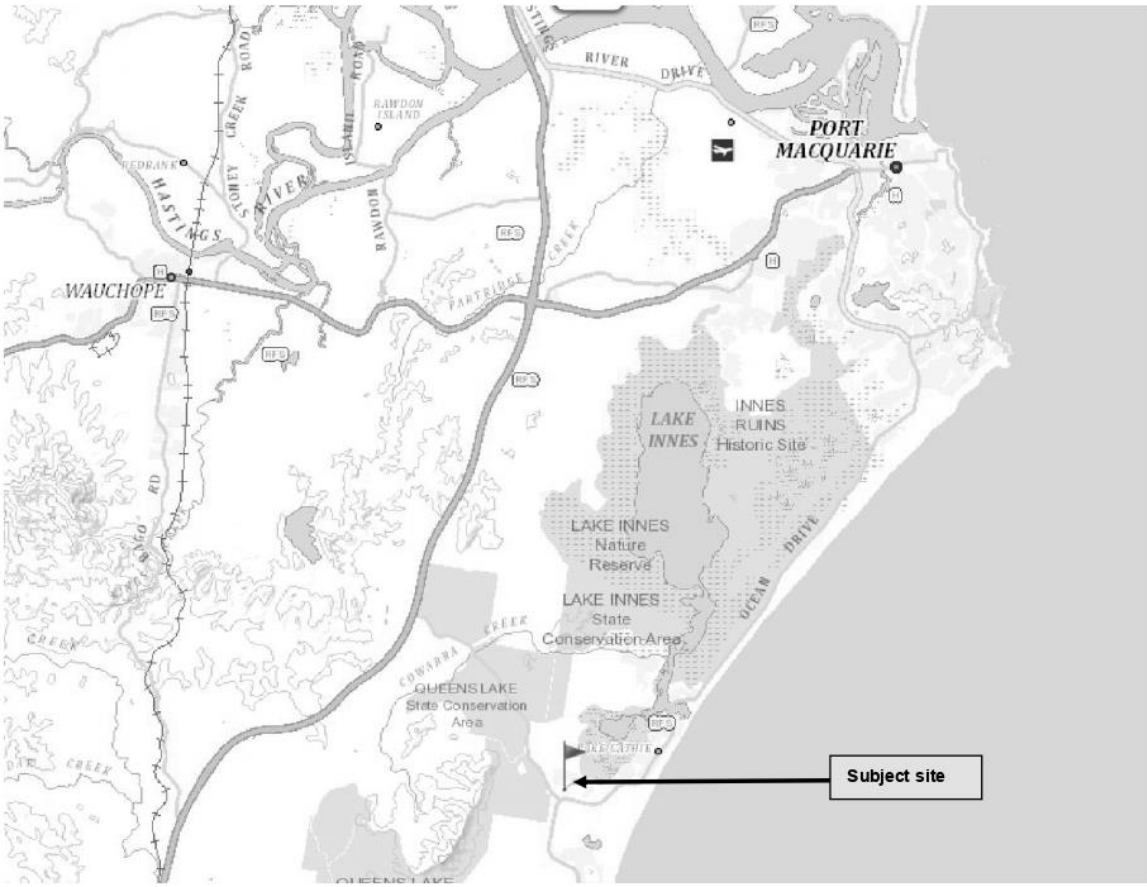
It is however noted that NSW Rural Fire Service**,** ***Planning for Bushfire Protection***, 2006 identifies the similarities of MHE development with residential subdivision development and from that perspective provides that certain aspects of the design and construction of MHE development can have regard to the residential subdivision requirements of NSW Rural Fire Service**,** ***Planning for Bushfire Protection***, 2006 rather than the Special Fire Protection Purpose Development requirements of the Guideline.

1.3 Site Location

The site of the subject development is now known as Lot 138 DP 1248149, Forest Parkway, Lake Cathie.

The subject site is located approximately 16km to the southwest of Port Macquarie Central Business District (CBD) and approximately 600m to the west of the urban footprint of the coastal village of Lake Cathie, refer to **Figure 1** below;

Figure 1 - Site Location

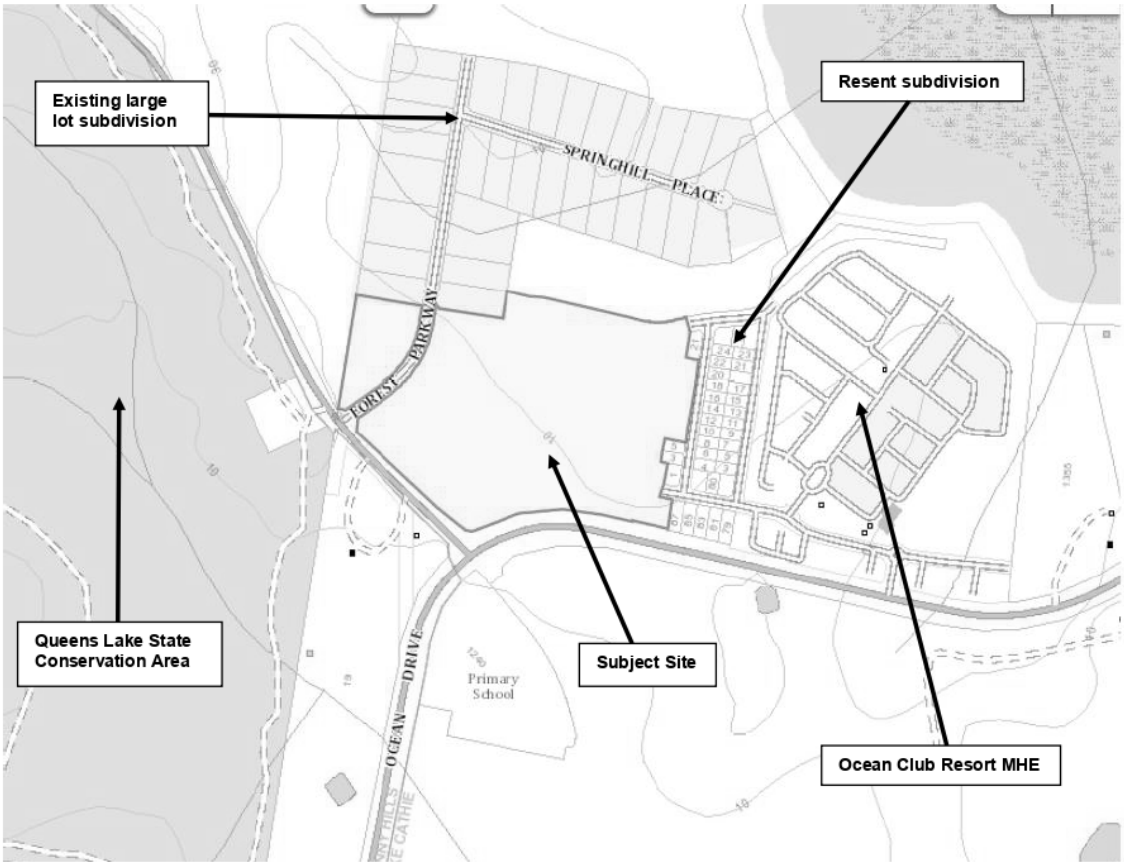


Forming part of the Area 14 Urban Growth Precinct, (which is located between the existing urbanized areas of Lake Cathie and Bonny Hills), the land within this area has recently and will continue to experience significant urban expansion with residential development expanding into residentially zoned but undeveloped land with a rural/rural residential land use history and character.

Therefore, the character of the locality is that of an urban fringe area with residential development expanding into undeveloped residentially zoned parcels of land. The subject site is located to the west of the southernmost extent of the urban footprint of Lake Cathie with a historic large lot residential subdivision present to the north and northwest of the subject site. It is noted that the majority of lots within the historical large lot subdivision have been developed for residential occupation and use.

The character of the area is predominately rural/rural residential to the south although the recent construction of the Lake Cathie Public School on adjacent land in this aspect reinforces the transition in land use which is occurring in the locality. It is also noted that a residential subdivision is currently under construction adjacent to the Lake Cathie Public School. Extensive areas of bushland are present to the west of the subject site, (Queens Lake State Conservation Area). Larger residential sized allotments of land are present to the north although an area of bushland separates the subject site from the developed larger residential lots. To the east of the subject site are developed residential lots within the first stages of the residential subdivision which the subject site forms part of before a transition to the 'Ocean Club Resort' Manufactured Housing Estate (MHE). The 'Ocean Club Resort' complex encompasses detached residential dwellings within a managed community environment, refer to **Figure 2** below.

Figure 2 – Subject Site



The area of land which is the subject of this report is irregular in shape and occupies some 13.38 hectares, refer to **Appendix 1**.

The topography of the subject site and the immediate area is influenced by a northwest to southeast ridgeline the crest of which is roughly defined by the east west alignment of the Houston Mitchell Drive and Ocean Drive road reserves. Being located on the eastern foot slopes of the ridgeline the subject site and surrounding land contains gentle west to east downslopes with gentle southerly and northerly downslopes also evident. The presence of small intermittently easterly flowing creeks to the north of the subject site defines a transition in southerly and northerly slope conditions with undulating topographical conditions resulting.

Slope conditions also reflect the presence of low-lying lands which are present around the fringes of the Lake Cathie water body. To the south and west of the subject site, (beyond the Houston Mitchell Drive and Ocean Drive road reserves), slopes transition to westerly and southerly downslopes.

The waterbody which is known as Lake Cathie is the main hydraulic feature in the area with natural and artificial drainage features providing for a north-easterly surface water movement towards the lake. A number of intermittently flowing creeks/drainage gullies are present in or adjacent to the subject site.

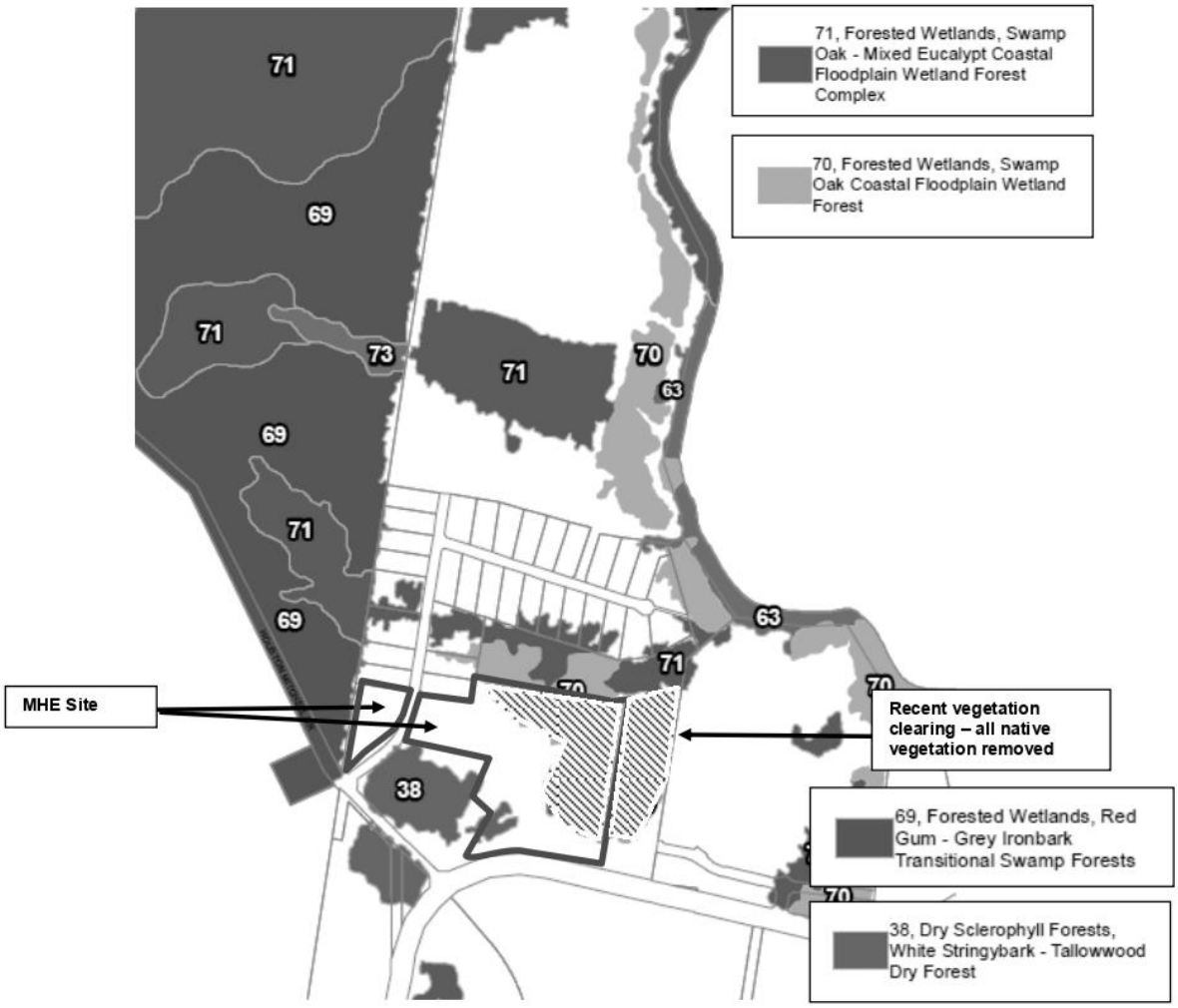
Access to the subject site is available via Forest Parkway which is the main connecting road to and within the existing large lot residential subdivision which is present to the north of the subject site. It is noted that Forest Parkway bisects the western portion of the subject site and as such the subject site has two (2) areas either side of the Forest Parkway. The main public road which services the 'Ocean Club Resort' MHE, South Atlantic Drive, has been extended to service Stage 1 of the approved residential subdivision which the subject site forms part of with the subject site having access to South Atlantic Drive which is present to the east of the eastern boundary of the subject site. It is also noted that the main collector road which is proposed to service the locality, (Solomon Drive), terminates adjacent to the north-eastern corner of the site of the proposed development with the masterplan for the area providing for the extension of this road so as to connect with Forest Parkway.

Grasslands with scattered trees occupy the majority of subject site with managed vegetation now present in the cleared area of the subject site however a remnant area of highly disturbed Dry Sclerophyll Forest is present in the south-western corner of the site.

Vegetation to the north of the subject site consists of an area of Forested Wetland vegetation which adjoins the eastern portion of the northern property boundary whilst managed vegetation associated with developed residential lots adjoin the western portion of the northern property boundary. Grasslands with scattered and small clusters of trees are present on adjacent land to the south of the subject site although a small remnant of Dry Sclerophyll Forest is also present to the southwest. Managed vegetation within recently constructed residential lots together with the developed areas of the 'Ocean Club Resort' MHE development are present to the east, whilst Dry Sclerophyll Forest is present to the west of the subject site.

The vegetation characteristics of the subject site and adjoining and adjacent land are shown in **Figure 3** below;

Figure 3 – Extract from Port Macquarie Hastings Vegetation Mapping 2013



The closest Rural Fire Service, (Lake Cathie Rural Fire Service), is located approximately 2.3km to the northeast of the subject site and the closest fire control centre is located at Wauchope.

1.4 Site History and Features

Located to the southwest of the developed areas of Lake Cathie, land uses within the locality, including the subject site, have until recently been dominated by rural/rural residential and bushland activities. In this regard it is considered that the areas of the subject site which have been approved for residential developed may have been used for rural/agricultural purposes. The low-lying nature of land to the north of the subject site and the presence of bushland to the west suggest a less active history of land use in these areas.

Being located within the Area 14 Urban Growth Area, (which is located between the urbanized areas of the Lake Cathie and Bonny Hill villages), the land within this area has recently and will continue to experience significant urban expansion with residential development expanding into residentially zoned but undeveloped land with a rural/rural residential land use history up until more recent times.

It is noted that the subject site has already been approved for residential subdivision via Development Consent DA 2016/88 with Stage 1 of the approved subdivision having recently been completed to the east of the subject site, refer to **Appendix 2**.

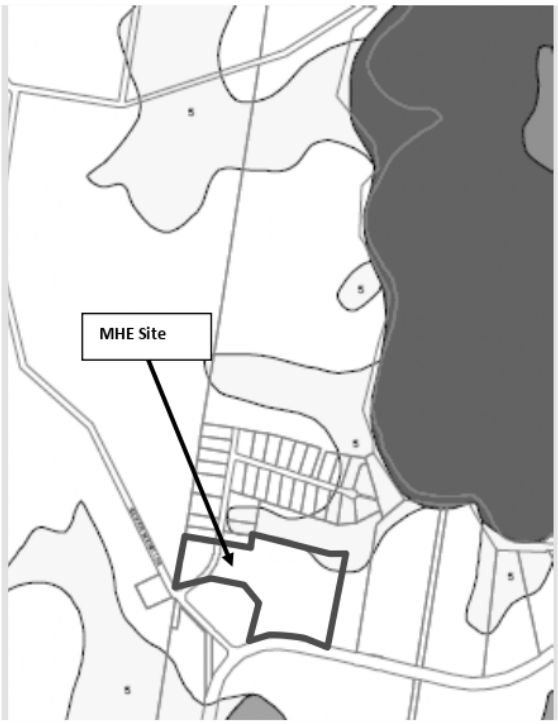
The area of land which comprises the subject site has a current land use zoning of General Residential (R1) and Environmental Living (E4). It is noted that the Environmental Living land use zoning (E4), provides for the residential occupation and use of this land. Land with a Residential (R2) and Environmental Conservation (E2) land use zoning is present to the north of the subject site with residentially zoned land extending to the south/southeast of the subject site. Land to the west and southwest of the subject site maintains a Rural (RU1) land use zoning, refer to **Figure 4** below.

Figure 4 – Land Use Zoning

Fire has recently occurred in bushland to the north of the subject site, (based upon visual observations).

The environmental and heritage features of the areas of the subject site which forms the basis of this report are summarized as follows;

Table 1 – Environmental and Heritage Features

ENVIRONMENTAL/HERITAGE FEATURE	COMMENT
Riparian Corridors	There are no riparian corridors on the subject site in the area of the already approved residential subdivision development.
SEPP (Coastal Management) 2018	The subject site is currently subject to SEPP (Coastal Management) 2018 due to the proximity of coastal wetlands.
SEPP 44 – Koala Habitat	The application of SEPP 44 to the subject site has already been assessed as part of the already approved residential subdivision development which the subject site forms part of
Areas of geological interest	Potential acid sulphate soils (Class 5) are indicated as being possibly present in the far north-eastern portion of the subject site, refer below.  Based upon the nature of the already approved development and the various construction and land use management options available it is considered that land contamination issues, (including the disturbance of acid sulphate soils), will not be an impediment to the proposed MHE development.
Environmental Protection Zones	The subject site is zoned, pursuant to Port Macquarie-Hastings Councils LEP, (2011), as General Residential (R1) and Environmental Living (E4), refer to **Figure 4** above.

	It is noted that the Environmental Living land use zoning provides for the residential occupation and use
Land slip	Given the gently undulating nature of the topography of the subject site and surrounding areas land slip is not considered to be an issue for the subject site.
Flood prone land	The subject site is not identified as being flood prone land however the far north-eastern portion of the subject site is identified as being potentially affected by the probable maximum flood level and as such the flood planning provisions of Port Macquarie-Hastings Councils LEP, 2011 maybe applicable, refer below. Based upon the nature of the already approved residential subdivision development and the various construction and land use management options available it is considered that flooding issues will not be an impediment to the proposed MHE development.
National Park Estate or other Reserves	The subject land does not form part of the National Park Estate or other Reserves.
Threatened species, populations, endangered ecological communities and critical habitat	Given the level of disturbance of the subject site no threatened flora or fauna species are expected to be present on the subject site.
Ecologically Endangered Communities (EEC's)	Given the level of disturbance of the subject site it is unlikely to contain or support EEC's. This issue has already been assessed as part of the already approved residential subdivision development of the subject site.

OEH Key Habitats and Corridors	The subject site is unlikely to form part of OEH key habitats and corridors. This issue has already been assessed as part of the already approved residential subdivision development of the subject site.
Aboriginal Heritage	Items of aboriginal heritage are unlikely to be present given the active vegetation modification and management which has occurred on the subject site and the level of site disturbance which has occurred. This issue has already been assessed as part of the already approved residential subdivision development of the subject site.

1.6 Development Proposal

It is proposed to construct and operate a Manufactured Housing Estate (MHE) comprising one hundred and sixty six (166) dwelling sites and associated community facilities and infrastructure on all but the southwestern portion of Lot 138 DP 1248149, Forest Parkway, Lake Cathie, refer to **Appendix 3**.

It is noted that the southwestern portion of the subject site is excluded from the MHE development site with this area of land being subject to development in accordance with the residential subdivision concept already approved for the subject site via Development Consent DA 2016/88.

The development concept involves the staging of the development of the MHE, refer to **Appendix 4**. The proposed staging involves;

- Stage 1 - 20 dwelling sites, community facilities and managers residence.
- Stage 2 - 61 dwelling sites.
- Stage 3 - 50 dwelling sites and workshop building.
- Stage 4 - 19 dwelling sites.
- Stage 5 - 16 dwellings site, tennis court and dog run.

The development concept for the subject site provides for house sites within the MHE which are typical for MHE developments. It is noted that the development concept provides for the onsite construction of a dwelling on each dwelling site with three standard dwelling designs available for choice, refer to **Appendix 5**.

As with a significant number of recent MHE developments in NSW it is proposed to construct the individual buildings onsite.

Access to and from the proposed MHE development is to be via an extension of the public collector road infrastructure, (Solomon Drive), which currently terminates adjacent to the north-eastern corner of the subject site. The proposed extension of Solomon Drive will provide for a perimeter road approach to hazard vegetation to the north of the proposed MHE development. Forest Parkway which bisects the western portion of the subject site will continue to provide access to the western portion of the proposed MHE development. A new internal road system will service the proposed MHE with this road network connecting with the public collector road extension and Forest Parkway.

The proposed private road infrastructure servicing the proposed MHE will, in conjunction with the existing and proposed public road system, provide for the east/west movement of vehicles and will separate the MHE development from areas of bushfire hazard vegetation. Access to the proposed individual MHE sites and community facilities will also be provided via a number of internal access roads which will provide direct road frontage to each of the proposed MHE sites.

The road system within the proposed MHE will function as a combination of two way and one-way traffic movement and will be constructed to normal private road standards with a through road design providing for alternative directions of travel.
It is noted that the development concept provides for a number of open space areas which will contain;

- active use recreation/parkland areas;
- community facilities;
- swimming pool; and
- workshop.

It is further noted that the development concept incorporates a secondary access road from the eastern area of the proposed MHE development which will connect with the public road infrastructure within Stage 1 of the completed residential subdivision to the east of the subject site.

1.7 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 Procedure

Several factors need to be considered in determining the bushfire hazard for the proposed MHE development being slope, vegetation type, distance from vegetation and access/egress. Each of these factors has been reviewed in determining a bushfire hazard rating for the subject site and proposed development.

An assessment of the slopes and vegetation structures on and surrounding the site was carried out 25th September 2019.

The assessment of slope and vegetation being carried out in accordance with;

- Appendix 2 and Appendix 3 of NSW Rural Fire Service, ***Planning for Bushfire Protection***, 2006; and
- Section 2 of AS3959 – 2009.

2.2 Hazard Vegetation

Bushfire Prone Land Risk Mapping provides that areas of bushfire hazard vegetation are located on the subject site itself as well as on adjoining land to the north, northeast, west and southwest of the subject site; refer to **Figure 5**.

Figure 5 – Extract from Bushfire Risk Mapping

It is however noted that the above bushfire prone land mapping does not indicate;

- The significant clearing which has occurred over the eastern portion of the subject site as part of the approved residential subdivision of the subject site and adjoining land to the east; and
- The presence of Grasslands which are now considered to be bushfire hazard vegetation by virtue of amendments to AS3959 – 2009. In this regard the adjacent land to the south of the subject site contains significant areas of Grassland; and
- The remnant nature of vegetation contained in the southwestern portion of the subject site.

2.3 Slope Assessment

Slope is a major factor to consider when assessing the bushfire risk of any development which is subject to compliance with the requirements of NSW Rural Fire Service, ***Planning for Bushfire Protection***, 2006. 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 topography of the subject site and the immediate area is influenced by a northwest to southeast ridgeline the crest of which is roughly defined by the east west alignment of the Houston Mitchell Drive and Ocean Drive road reserves. Being located on the eastern foot slopes of the ridgeline the subject site and surrounding land contains gentle west to east downslopes with gentle southerly and northerly downslopes also evident. The presence of

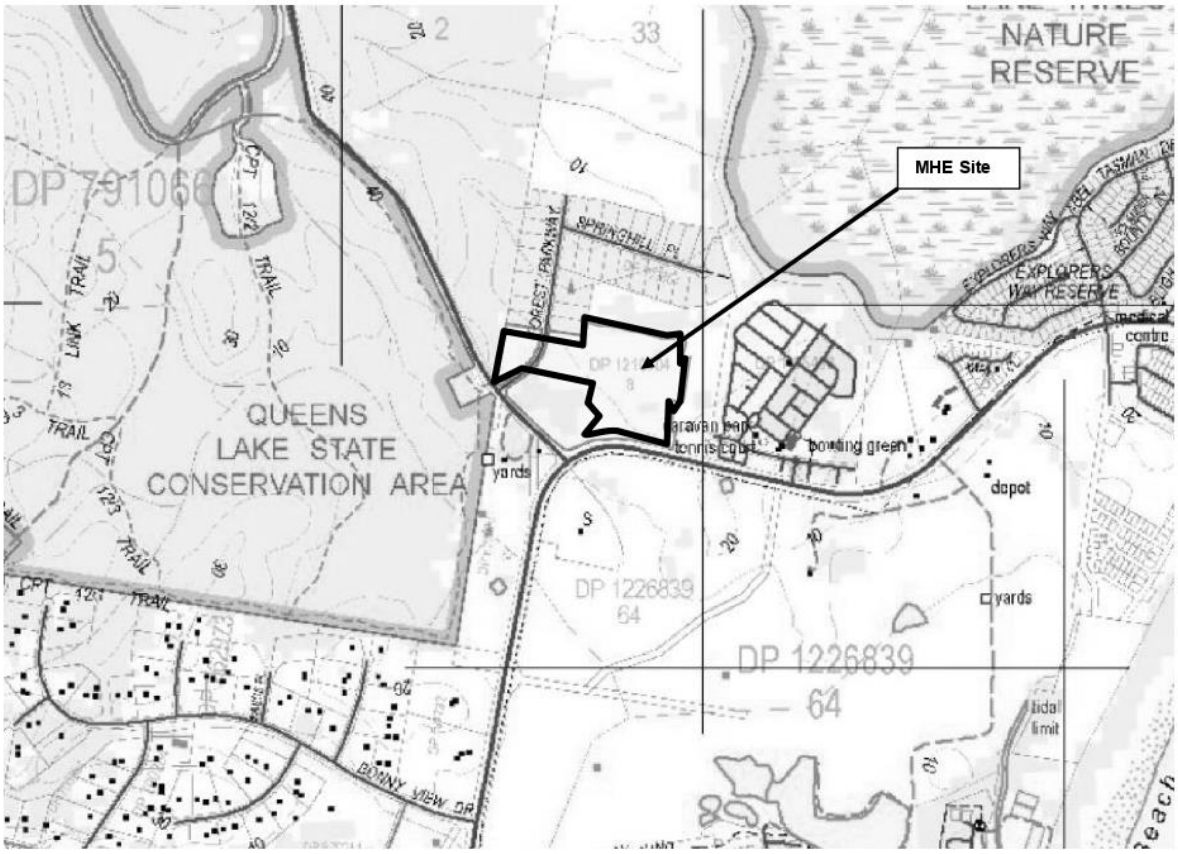
small intermittently easterly flowing creeks to the north of the subject site defines a transition in southerly and northerly slope conditions with undulating topographical conditions resulting.

Slope conditions also reflect the presence of low-lying lands which are present around the fringes of the Lake Cathie water body. To the south and west of the subject site, (beyond the Houston Mitchell Drive and Ocean Drive road reserves), slopes transition to westerly and southerly downslopes.

The waterbody which is known as Lake Cathie is the main hydraulic feature in the area with natural and artificial drainage features providing for an easterly surface water movement towards the lake. A number of intermittently flowing creeks/drainage gullies are present in or adjacent to the subject site.

The topographic features of the subject site and immediately adjoining and adjacent land are shown in **Figure 6** below.

Figure 6 – Topographical features of Subject Site and Surrounds



The following table indicates the slopes measured within the vegetation affecting the subject site.

Table 2 - Slope Assessment Results

DIRECTION OF HAZARD	SLOPE degrees)	UPSLOPE/DOWN SLOPE
North	2˚ - 3˚	Down slope
South	2˚ - 3˚	Down slope
Southwest/west	2˚ - 3˚ (0˚)**	Upslope

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

The above slopes were considered when assessing the required defendable spaces and indicative Bushfire Attack Levels, (BAL's), for the proposed MHE development.

It is noted that the slope conditions for the western aspect of the development areas which have been adopted for the purposes of this report reflect the predominant westerly upslope conditions which exist in this aspect. Whilst the undulating land in the locality does provide for some downslope conditions the slope conditions which would most affect fire behaviour were the westerly up slopes with fire moving away from the proposed MHE 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.

The following information is provided in relation to the floristic characteristics of the subject site and adjoining and adjacent land. In adopting a conservative approach to bushfire hazard assessment worst case vegetation characteristics have been identified.

2.4.1 Vegetation within Development Site

Grasslands with scattered trees occupy the majority of the subject site whilst a remnant area of highly disturbed Dry Sclerophyll Forest is present in the south-western corner of the development site, (within Stage 6 of the already approved residential subdivision of the subject site).

Cleared eastern and central portions of the subject site – grasslands predominating

Remnant Dry Sclerophyll Forest vegetation in southwestern corner of subject site

Cleared western portion of the subject site – grasslands predominating

The development concept for the proposed MHE development also provides for a vegetated link which extends from the southern aspect to the proposed collector road which will adjoin the proposed MHE development to the north. The link will contain scattered and clusters of trees within a grassland understorey. It is noted that the fringes of the link are to be created and managed to the standards which are applicable to APZ's. It is also noted that the extension of the public collector road to the north of the proposed MHE together with the required APZ along the southwestern perimeter of the MHE will provide for disconnection between the link and areas of hazard vegetation to the north and southwest of the proposed MHE development. The creation and management of the proposed link is to be implemented and enforced through a Vegetation Management Plan (VMP) which will specify the requirements for the creation and on-going management of this area.

Having regard to the existing and proposed vegetation on the subject site and the design and nature of the proposed MHE development the following areas of vegetation require consideration in the determination of bushfire threat management strategies for the proposed development;

- Proposed link – whilst no floristic information is available for this area of vegetation in adopting a conservative approach to bushfire hazard assessment a Rainforest specification has been adopted for this area of vegetation. This classification reflects the potential similarities of the size of this area of vegetation with remnant or riparian areas of vegetation and also reflects the isolated nature of this area of vegetation. This classification also reflects the development and implementation of a Vegetation Management Plan for this area which ensures that fuel loads are consistent with Category 2 vegetation. It is however noted that the identification of the link as potential bushfire hazard vegetation is highly conservative with fuel loads and threat management risk consistent with that which would be expected of windbreaks or landscape screening whereby a low threat approach to the bushfire threat posed by the link could be adopted. However, in adopting a conservative approach to bushfire threat identification and management a Rainforest vegetation classification has been adopted in order that a level of redundancy is reflected in the identification and implementation of relevant bushfire threat management strategies for the proposed MHE development.

- Vegetation within the already approved large residential lots in the southwestern portion of the subject site. In recognition of the isolated nature of vegetation to be retained within the E4 zoned land, its relatively small size, the absence of shrub and

understorey and the upslope relationship to the proposed MHE development, (fire run conditions <50m towards the proposed MHE development), a specification similar to Rainforest could be adopted for this area of vegetation. However, in adopting a conservative approach to bushfire hazard identification a specification similar to Dry Sclerophyll Forest has been adopted for this area of vegetation albeit that this classification is highly conservative.

2.4.2 Vegetation on Adjoining and Adjacent Land to Development Site

Managed vegetation associated with developed residential lots extends for >140m along the western portion of the northern property boundary of the subject site however an area of Broad-Leaved Paperbark/Sheoak/Sclerophyll Forest ecotone will be present to the north/northeast of the proposed MHE development with this area of vegetation being assessed as being similar in specification to Forested Wetland.

Broad-Leaved Paperbark/Sheoak /Sclerophyll Forest ecotone along eastern portion of northern boundary

Grasslands with scattered and small clusters of trees are present to the south of the subject site, (beyond the Ocean Drive road reserve). A small remnant of Dry Sclerophyll Forest is however present in the south-western aspect, (beyond the Houston Mitchell Drive road reserve).

Grasslands to the south of the subject site – beyond the Ocean Drive road reserve

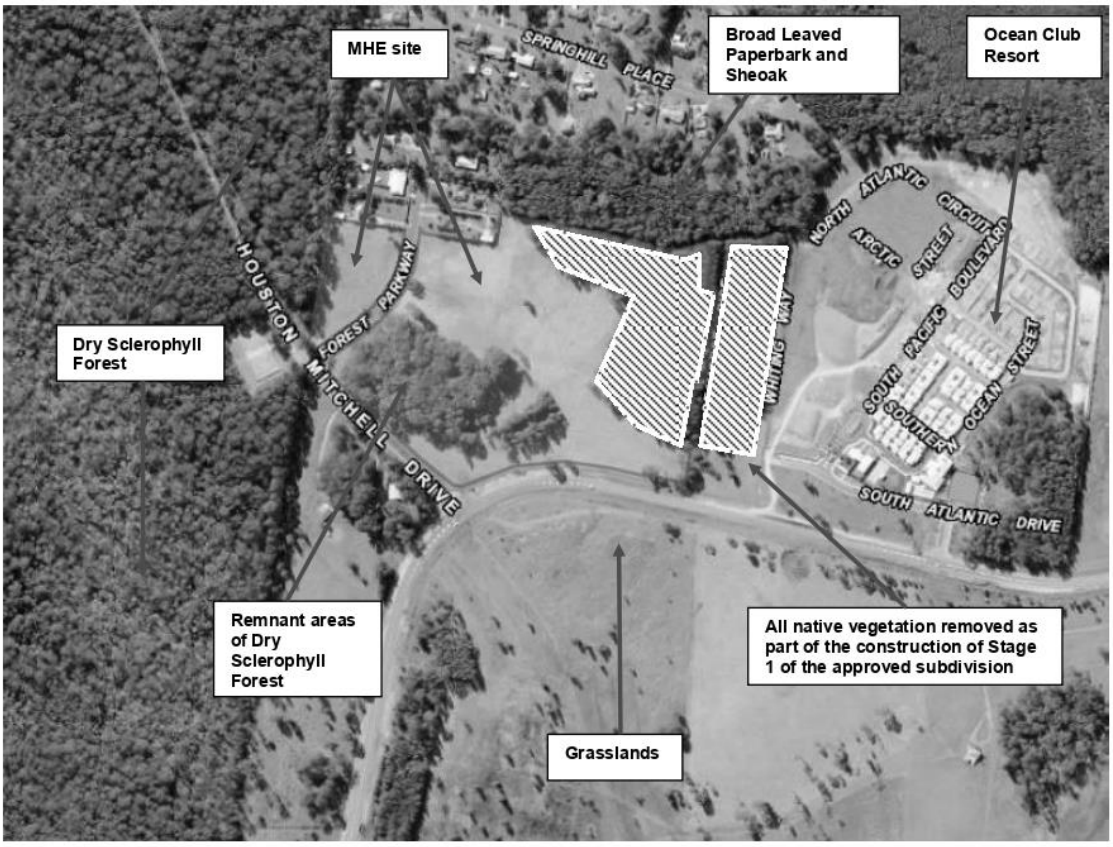
Managed vegetation within the developed residential lots in Stage 1 of the approved residential subdivision which the subject site forms part of and the 'Ocean Club Resort' MHE development are present to the east for a distance of >140m and accordingly no areas of bushfire hazard vegetation are relevant to the proposed development in the eastern aspect.

Developed residential lots and infrastructure within the 'Ocean Club' MHE complex to the east of the subject site

Areas of Dry Sclerophyll Forest are present to the west of the proposed MHE development area. A Dry Sclerophyll Forest classification has therefore been adopted for the western aspect

An indication of the relationship of the vegetation of bushfire significance to the proposed MHE development is presented in **Figure 7** below.

Figure 7 - Vegetation Relationships to the Subject Site



The following table summarizes the various vegetation structures which are of bushfire significance to the proposed MHE development.

Table 3 – Summary of Vegetation Characteristics

ASPECT	VEGETATION DESCRIPTION	VEGETATION CLASSIFICATION – (Keith, 2004)
Within development footprint of the MHE	Revegetation within proposed open space link area	Similar in specification to Rainforest
North/northeast	Broad Leaved Paperbark/Sheoak/Sclerophyll Forest ecotone on adjoining land to the proposed MHE.	Forested Wetland
South/southeast	Grasslands on adjacent land to the subject site.	Grassland
Southwest	Remnant Dry Sclerophyll Forest vegetation within Stage 6 of the approved subdivision of the area of land which the subject site forms part of.	Similar in specification to Dry Sclerophyll Forest
West	Dry Sclerophyll Forest on adjoining land to the west of the subject site.	Dry Sclerophyll Forest

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 and Table 2.1 of AS 3959 - 2009, 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

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

The following issues and constraints have been identified through considering the requirements of NSW Rural Fire Service, ***Planning for Bushfire Protection***, 2006 as they apply to the development of the area which is the subject of this report as a Manufactured Housing Estate.

It is noted that whilst MHE developments are identified as being Special Fire Protection Purpose development, NSW Rural Fire Service, ***Planning for Bushfire Protection***, 2006 identifies the similarities of MHE development with residential subdivision development and from that perspective provides that certain aspects of the design and construction of MHE developments can have regard to the residential subdivision requirements of NSW Rural Fire Service, ***Planning for Bushfire Protection***, 2006 rather than the Special Fire Protection Purpose Development requirements of the Guideline.

3.1.1 Defendable Space/Asset Protection Zone

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

The APZ provides for; minimal separation for safe fire fighting, 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.

(i) Residential Dwelling Sites

It is noted that whilst the proposed MHE development is defined as being a Special Fire Protection Purpose development, NSW Rural Fire Service, ***Planning for Bushfire Protection***, 2006 provides that the design and construction of MHE development should be consistent with the residential development provisions of the Guideline as MHE developments are essentially residential developments similar to any other housing developments.

Section 4.1.3 of NSW Rural Fire Service, ***Planning for Bushfire Protection***, 2006 therefore provides the performance requirements and acceptable solutions that must be complied with in relation to the provision of APZ's to the proposed MHE 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 a slope less than 18 degrees.

However in order for the proposed dwelling sites within the MHE to be assessed in accordance with the requirements of **Table 4** above it is necessary to demonstrate that future moveable dwellings on the dwellings sites will not be exposed to radiant heat levels not exceeding 29kW/m^2 as compliance with the minimum APZ requirements of NSW Rural Fire Service, *Planning for Bushfire Protection*, 2006 will not in itself ensure compliance with the 29kW/m^2 radiant heat criteria.

In this regard the strategy which has been adopted in order to demonstrate compliance with the 29kW/m^2 criteria is based upon providing APZ's around the perimeter of the MHE development which are necessary to ensure that future dwellings can be installed on each of the proposed dwelling site in compliance with the 29kW/m^2 radiant heat criteria. The application of APZ's which are larger than the minimums required under the Guideline

guarantees that any future dwellings can be installed within each of the individual dwelling sites and comply with the 29kW/m^2 radiant heat criteria.

Having regard to the above, **Table 5** of this report indicates the required APZ's between the various hazards and a dwelling positioned on each of the proposed MHE sites proposed as part of the MHE. It is noted that the APZ's provided for in **Table 5** have been based upon the achievement of a worst-case radiant heat exposure of future dwellings of 29kW/m^2 located within each of the proposed dwelling sites which is the relevant performance criteria reflected in **Table 4** above.

Table 5 - Asset Protection Zone Requirements (29kW/m^2) (PfBP 2006)

DIRECTION OF HAZARD	VEGETATION TYPE	SLOPE	IPA	OPA	REQUIRED APZ	MINIMUM APZ ACHIEVABLE (to dwellings within Sites)	COMPLIANCE (with Minimum APZ Requirements)
Within development footprint of the MHE	Similar in specification to Rainforest	2˚ - 3˚ Down slope	11m	-	11m	Minimum 11m	✔
North/ northeast	Forested Wetland	2˚ - 3˚ Down slope	15m	12m	27m	Minimum 27m	✔
South/ southeast	Grassland	2˚ - 3˚ Down slope	10m	-	10m	>40m	✔
Southwest	Similar in specification to Dry Sclerophyll Forest	2˚ - 3˚ (0˚)** Upslope	11m	10m	21m	Minimum 21m	✔
West	Dry Sclerophyll Forest	2˚ - 3˚ (0˚)** Upslope	11m	10m	21m	Minimum 4.5m	✔

As can be seen in **Table 5** above the required APZ's for the MHE development can be achieved and accordingly it is considered that suitable APZ's will be available for each of the proposed manufactured homes on each of the proposed MHE sites. It is however noted that portion of proposed dwelling sites 26 to 36 inclusive will need to be utilized as part of the required APZ's for the residential dwellings to be erected on these sites. It will therefore be necessary to ensure that a minimum 4.5m front setback is required for any dwelling erected on these sites. In this regard conditions of approval should be imposed on the development consent and Section 68 (Local Government Act 1993) Operational Approval for the proposed development which requires a minimum 4.5m front boundary setback to dwellings erected on proposed dwelling sites 26 to 36 inclusive.

It is also noted that the proposed Managers Residence will be provided with APZ's which will be in excess of the minimum APZ's required in **Table 5** above in order to achieve compliance with the worst-case radiant heat exposure criteria of 29kW/m^2 which is applicable to residential dwellings.

(i) Proposed Community Buildings

It is noted that the development concept for the proposed MHE includes the provision of a clubhouse which is for the exclusive use/in support of the residents of the MHE with this building infrastructure being ancillary to the occupation of the subject site. In this regard the provision of APZ's to these building assets needs to have regard to the relevant requirements of Section 4.6 of NSW Rural Fire Service, ***Planning for Bushfire Protection***, 2006 on the basis of the NCC Class 9 building classification applying to these building assets.

It is noted that Section 4.2.6 of the Guideline provides that NCC Class 9 building should be assessed on their merits in terms of the application of the SFPP requirements of the Guideline. In this regard the Guideline provides that;

The major issue in these situations is to determine whether staff or other occupants have a capacity for firefighting response and /or adequate emergency and evacuation planning in place.

This approach recognizes that the adoption of the SFPP development requirements for building assets based purely upon there NCC classification is not relevant as this in itself does not reflect the relevant occupant and building asset threat management requirements which are applicable to a development.

Given that the proposed clubhouse building is ancillary to the proposed dwellings within the MHE development it is considered that this building will not be required to be used for shelter or as part of the emergency and evacuation arrangements for the MHE.

It is also noted that the occupant characteristics of the MHE development are such that the focus of firefighting response will be centred on the individual dwelling assets within the MHE similar to that which would be the case in a residential subdivision situation. In this regard the proposed clubhouse building will have no relevance in terms of emergency and evacuation planning, and it is not envisaged that a 'shelter in place' or 'safe harbourage' approach is required for this building asset.

In this regard the residential nature of the proposed development and the characteristics of the occupants are such that in the event of a bushfire residents will be focused upon protecting their own dwelling assets as would be expected in a typical residential subdivision or will be evacuating the development site using their own transport.

Additionally, given the nature of the proposed development staff will not be present onsite at all times and as such will be not available for firefighting activities. Additionally, the number of employees onsite will be such that a limited capacity for firefighting will be available with the main focus of employees during a bushfire emergency being on the implementation of evacuation arrangements from the site.

A the proposed club house building is not required for the safe operation of the proposed MHE development, the adoption of bushfire threat management strategies which are in excess of those which are relevant to the residential development on each of the proposed dwelling sites is considered to be unjustified. Accordingly the provision of APZ's to the proposed club house building should be in accordance with those specified in **Table 5** above as these APZ's are considered relevant and applicable given the ancillary nature of this building asset to the occupation of the proposed dwelling sites within the proposed MHE development.

It is noted that as the managers workshop building would be a NCC Class 10a building there are no specific APZ requirements applicable to this building.

(ii) APZ Compliance

Onsite inspection of the development site provides that all required APZ can be provided within the boundaries of the subject site or via existing and proposed public roads. A concept plan for the provision of APZ's to the subject development is included as **Appendix 5**.

It is noted that the proposed development provides for significant open space areas which will form part of the required APZ/defendable spaces for the proposed MHE development. The creation and management of the open space areas will form part of the ongoing management of the MHE. In this regard a Vegetation Management Plan (VMP) is to be prepared and implemented so as to provide for the creation and ongoing maintenance of the nominated APZ areas to the standards which are applicable to APZ's. Additionally, the VMP is to provide for;

- the creation and ongoing management of the minimum required APZ's as provided for in **Appendix 6** of this report; and

- the ongoing management of understorey within the remnant forest vegetation within the approved large residential lots, (southwestern portion of the subject site), until such times as this area is developed as residential lots; and

- the ongoing management of vegetation within the proposed link open space area so as to ensure that fuel loads are consistent with Category 2 vegetation; and

- the ongoing management of vegetation with undeveloped stages of the MHE development so as to meet the APZ standards until such times as the MHE development is completed.

Based upon the proposed MHE design it is considered that the intent of the requirement for the provision of Asset Protection Zones as required by NSW Rural Fire Services, *Planning for Bushfire Protection*, 2006 can be satisfied.

3.1.2 Defendable Space/Asset Protection Zone Management

The active use areas of the proposed MHE development must be managed so as to comply with the standards which are applicable to Asset Protection Zones as follows;

(i) 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 building.

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 and from the main eastern area of the proposed MHE development is to be via an extension of the public collector road infrastructure, (Solomon Drive), which currently terminates adjacent to the north-eastern corner of the subject site. The extension of Solomon Drive will connect with Forest Parkway. The extension of Solomon Drive will provide for the main entry road to the proposed MHE development. With an 8m wide carriageway the proposed extension of the collector road provides for a compliant perimeter road approach to separating areas of bushfire hazard vegetation in the north from the proposed MHE development.

Forest Parkway, which bisects the western portion of the subject site, will continue to provide access to the western portion of the proposed MHE development.

Forest Parkway which bisects the subject site

The extension of the public collector road infrastructure will connect with Forest Parkway in the west and existing public road infrastructure to the east of the subject site. Forest Parkway connects with Houston Mitchell Drive to the south of the subject site with travel to the east of Houston Mitchell Drive providing for connection to Ocean Drive albeit that access to and from the proposed MHE is not proposed from Ocean Drive. Travel along Houston Mitchell Drive to the west provides for connection to the Pacific Highway.

Houston Mitchell Drive – to the southwest of the subject site

Access to Ocean Drive is also available by existing public road infrastructure which is present to the east of the subject site. Ocean Drive is a major connecting road between Port Macquarie in the north and Laurieton to the south and adjoins the subject site along the eastern portion of its southern property boundary.

Movement to and from the proposed MHE development will therefore be facilitated by a number of public road options which will allow for alternative options for movement to and from areas protected from the impacts of bushfire.

In order to provide for compliant access and egress to the subject lots it will be necessary to provide for new public road infrastructure/systems which comply with Section 4.1.3 of NSW Rural Fire Services, ***Planning for Bushfire Protection***, 2006 and summarized as follows;

Table 6 - Public Road Requirements (PfBP 2006)

Intent of measures: to provide safe operational access to structures and water supply for emergency services, while residents are seeking to evacuate from an area.		
Performance Criteria	**Acceptable Solutions**	**Compliance Comment**
The intent may be achieved where:		
• firefighters are provided with safe all-weather access to structures (thus allowing more efficient use of firefighting resources)	• public roads are two-wheel drive, all weather roads.	✔ Design of collector road extension to comply
• public road widths and design that allow safe access for firefighters while residents are evacuating an area.	• urban perimeter roads are two-way, that is, at least two traffic lane widths (carriageway 8 metres minimum kerb to kerb), allowing traffic to pass in opposite directions. Non-perimeter roads comply with Table 4.1 – Road widths for Category 1 Tanker (Medium Rigid Vehicle). • the perimeter road is linked to the internal road system at an interval of no greater than 500 metres in urban areas. • traffic management devices are constructed to facilitate access by emergency services vehicles. • public roads have a cross fall not exceeding 3 degrees. • all roads are through roads. Dead end roads are not recommended, but if unavoidable, dead ends are not more than 200 metres in length, incorporate a minimum 12 metres outer radius turning circle, and are clearly sign posted as a dead end and direct traffic away from the hazard. • curves of roads (other than perimeter roads) are a minimum inner radius of six metres and minimal in number, to allow for rapid access and egress. • the minimum distance between inner and outer curves is six metres. • maximum grades for sealed roads do not exceed 15 degrees and an average grade of not more than 10 degrees or other gradient specified by road design standards, whichever is the lesser	✔ Design of all new public road infrastructure to comply

	gradient. • there is a minimum vertical clearance to a height of four metres above the road at all times.	
• the capacity of road surfaces and bridges is sufficient to carry fully loaded fire fighting vehicles.	• the capacity of road surfaces and bridges is sufficient to carry fully loaded firefighting vehicles (approximately 15 tonnes for areas with reticulated water, 28 tonnes or 9 tonnes per axle for all other areas). Bridges clearly indicate load rating.	✔ Design of new public road infrastructure to comply
• roads that are clearly sign- posted (with easily distinguishable names) and buildings/properties that are clearly numbered.	• public roads greater than 6.5 metres wide to locate hydrants outside of parking reserves to ensure accessibility to reticulated water for fire suppression. • public roads between 6.5 metres and 8 metres wide are No Parking on one side with the services (hydrants) located on this side to ensure accessibility to reticulated water for fire suppression.	✔ Design of new public road infrastructure to comply
• there is clear access to reticulated water supply	• public roads up to 6.5 metres wide provide parking within parking bays and locate services outside of the parking bays to ensure accessibility to reticulated water for fire suppression. • one way only public access roads are no less than 3.5 metres wide and provide parking within parking bays and locate services outside of the parking bays to ensure accessibility to reticulated water for fire suppression.	✔ Design of new public road infrastructure to comply

A new internal road system will service the proposed MHE with this road network connecting with the public collector road extension and Forest Parkway. The proposed private road infrastructure servicing the proposed MHE will, in conjunction with the existing and proposed public road system, provide for the east/west movement of vehicles and will separate the MHE development from areas of bushfire hazard vegetation. Access to the proposed individual MHE sites and community facilities will also be provided via a number of internal access roads which will provide direct road frontage to each of the proposed MHE sites

It is noted that NSW Rural Fire Services, ***Planning for Bushfire Protection***, 2006 does not specifically prescribe widths for internal private access roads for any forms of development. In this regard the following performance criterion of Section 4.2.7 of NSW Rural Fire Services, ***Planning for Bushfire Protection***, 2006 is to be shown to be complied with;

'Internal road widths and design enable safe access for emergency services and allow crews to work with equipment about the vehicle'

In addition to the above performance criteria which relates the emergency services the following intent as outlined in Section 4.2.7 of NSW Rural Fire Services, ***Planning for Bushfire Protection***, 2006 must also be demonstrated to be complied with;

'*Large numbers of vehicles may be attempting to simultaneously enter or leave an area, congesting the roads and restricting fire services and other emergency services personnel accessing an area. For this reason, roads should be planned for suitable widths to permit access into and out of the area during such situations'*

In considering this reference to Table 4.1 of NSW Rural Fire Services, ***Planning for Bushfire Protection***, 2006 provides guidance regarding internal access road design via the design requirements for public roads;

Table 4.1 provides the minimum widths for public roads that are not perimeter roads for the safe access of fire fighting vehicles in urban areas.

Curve radius (inside edge) (metres)	Swept Path (metres width)	Single lane (metres width)	Two way (metres width)
<40	3.5	4.5	8.0
40-69	3.0	3.9	7.5
70-100	2.7	3.6	6.9
>100	2.5	3.5	6.5

Source: AS 2890.2 – 2002.

Having regards to the above the main entry road into the MHE complex will provide for the two-way movement of vehicles which in conjunction with the main collector internal roads within the MHE development providing for a minimum 6.5m wide roadway which is consistent with the standard required for two way public roads. It is however noted that a number of internal access roads within the MHE have road widths in the order of 4.5m – 6m on the basis that these internal roads facilitate the nominated one-way movement of travel. These road widths are however consistent with the standard required for one-way public roads. It is noted that the proposed internal road design is consistent with the design standards of the Local Government (Manufactured Homes Estates, Caravan Parks, Camping Grounds and Moveable Dwellings) Regulation 2005 which requires the width of the sealed portion of an access road to be at least 6 metres for a major access road and at least 4 metres for a minor access road.

In general, the proposed internal roads will provide for the through movement of vehicles with the internal road design providing for the minimization of dead-end arrangements. In this regard a single cul de sac arrangement is proposed, however the length of the dead-end access road arrangement is significantly less than the 200m standard typically provided by NSW Rural Fire Services, ***Planning for Bushfire Protection***, 2006. It is also noted that suitable turning arrangements are provided for at the end of the cul de sac via a designed vehicle turning bay which has been integrated within a carparking area.

In order to provide for compliant access and egress to and from the proposed MHE development it will be necessary that the new internal road infrastructure/systems comply with Section 4.1.3 of NSW Rural Fire Services, ***Planning for Bushfire Protection***, 2006 as summarized as follows;

Table 7 – Access/Internal Road Requirements (PfBP 2006)

Intent of measures: to provide safe access to/from the public road system for firefighters providing property protection during a bush fire and for occupants faced with evacuation.		
Performance Criteria	**Acceptable Solutions**	**Compliance Comment**
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	✔ It is noted that the design provides for a loop road design which provides for an alternative to movement from the subject site/proposed development.

		An alternative means of movement to and from the proposed development will be provided via an alternative access road which will connect the south-eastern portion of the MHE development with the existing residential subdivision to the east of the subject site.
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.	✔ No bridges are proposed.
	Roads do not traverse a wetland or other land potentially subject to periodic inundation (other than a flood or storm surge).	✔ Roads will be all weather in design and construction. Roads do not traverse a wetland or other land potentially subject to periodic inundation (other than a flood or storm surge).
Internal road widths and design enable safe access for emergency services and allow crews to work with equipment about the vehicle	Internal roads are two-wheel drive, sealed, all weather roads. Internal perimeter roads are provided with at least two traffic lane widths (carriageway 8 meters minimum kerb to kerb) and shoulders on each side, allowing traffic to pass in opposite directions; Roads are through roads. Dead end roads are not more than 100m in length from a through road, incorporate a minimum 12 meters outer radius turning circle, and are clearly signposted as a dead end; Traffic management devices are constructed to facilitate access by emergency service vehicles; A minimum vertical clearance of four meters to any overhanging obstructions, including tree branches, is provided; Curves have a minimum inner radius of six meters and are minimal in number to allow for rapid access and egress; The minimum distance between inner and outer curves is six meters; Maximum grades do not exceed 15 degrees and average grades are not more than 10 degrees; Cross fall of the pavement is not more than 10 degrees; Roads do not traverse through a wetland or any other land potentially subject to periodic inundation (other than flood or storm surge);	✔ The design and construction of roads is to provide for compliance with the relevant design and construction provisions. The proposed 6m internal road widths coupled with the extensive open space areas adjacent to the roads is considered relevant in the circumstances as significant area will be available to facilitate firefighting/asset protection operations whilst enabling the unobstructed movement of vehicles and maintaining pedestrian/fire service personnel safety.

	Roads are clearly sign posted and bridges clearly indicate load ratings; The internal road surfaces and bridges have a capacity to carry fully loaded fire fighting vehicles (15 tonnes);	

The development concept for the subject site also incorporates a secondary emergency secondary access road which will connect with the internal MHE road network and the public road network within the existing residential subdivision which adjoins the subject site to the east. The proposed secondary emergency access road will connect with the south-eastern corner of the MHE site and connect with an existing public road to the east. It is noted that the secondary emergency access road will need to be constructed as part of Stage 2 of the proposed MHE.

It is further noted that the design and construction of the proposed alternative emergency access road/path is to provide for an all-weather two-wheel drive surface which is suitable for use by emergency service vehicles including RFS tanker. An RFS keyed gate / bollard is to be provided at the eastern end of the proposed alternative emergency access road/path. It is noted that normal resident access / egress to and from the proposed MHE will be via the proposed collector road extension and Forest Parkway with the use of the alternative emergency access road/path being restricted to emergency situations. It is important that the design of the proposed alternative emergency access road/path allows for the two way movement of vehicles albeit that the road would only be used in an emergency situation.

Based upon the separation of the proposed manufactured home sites and community buildings from the bushfire hazard vegetation it is considered that the requirements of NSW Rural Fire Services, ***Planning for Bushfire Protection***, 2006 for the provision of access and egress can be satisfied.

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 provides for the multiple residential occupation of the subject site, all proposed manufactured homes and community facilities will have access to the reticulated water supply, the extension of which will be required by Port Macquarie-Hastings Council to service the proposed MHE. 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 in the locality and are therefore not available to the subject site.

The incorporation into the proposed MHE 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 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**	**Compliance Comment**
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.	✔ To comply
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).	✔ To comply
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.	✔ To comply (where applicable)

3.1.5 Landscaping

Landscaping is a major cause of fire spreading to buildings, and therefore any landscaping proposed in conjunction with the proposed development of the subject site will need consideration when planning, to produce gardens that do not contribute to the spread of a bushfire.

When planning any future landscaping surrounding any MHE development, consideration should be given to the following:

- The choice of vegetation – consideration should be given to the flammability of the plant and the relation of their location to their flammability and ongoing maintenance to remove flammable fuels.
- Trees as windbreaks/firebreaks – Trees in the landscaping can be used as windbreaks and also firebreaks by trapping embers and flying debris.
- Vegetation management – Maintain a garden that does not contribute to the spread of bushfire.
- Maintenance of property – Maintenance of the property is an important factor in the prevention of losses from 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 any future development of the areas which are the subject of this report 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 Emergency Evacuation Planning

Special Fire Protection Purpose developments should have suitable management arrangements and structures capable of developing and implementing an Emergency Plan. Before occupation of the proposed MHE development an Emergency Evacuation Plan incorporating bushfire evacuation will be required to be produced for the proposed development.

Compliance with the following acceptable solutions as provided for by Section 4.2.7 of NSW Rural Fire Services, ***Planning for Bushfire Protection***, 2006 will ensure compliance with the intent for Emergency Evacuation Planning before occupation of the proposed MHE development.

Table 9 - Acceptable Solutions for Emergency and Evacuation

Intent of measures: to provide suitable emergency and evacuation (and relocation) arrangements for occupants of special fire protection purpose developments		
Performance Criteria	**Acceptable Solutions**	**Compliance Comment**
The intent may be achieved where:		
An Emergency and Evacuation Management Plan is approved by the relevant fire authority for the area.	An emergency evacuation plan is prepared consistent with the RFS Guidelines for the preparation of *Emergency/Evacuation Plan*. Compliance with AS 3745-2002 'Emergency control organization and procedures for buildings, structures and workplaces for residential accommodation.'	✔ To comply

Suitable management arrangements are established for consultation and implementation of the emergency and evacuation plan.	An Emergency Planning Committee is established to consult with residents (and their families in the case of schools) and staff in developing and implementing an Emergency Procedures Manual. Detailed plans of all Emergency Assembly Areas including "onsite" and "offsite" arrangements as stated in AS 3745-2002 are clearly displayed, and an annual (as a minimum) trial emergency evacuation is conducted.	✔ To comply

3.1.7 Construction Requirements

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.

Accordingly, the determination of the construction requirements which will be applicable to manufactured homes and associated community facilities will need to have regard to the construction requirements nominated in Appendix 3 of NSW Rural Fire Service, ***Planning for Bushfire Protection***, 2006 in addition to the requirements of AS3959 – 2009.

It is however noted that due to the unknown nature of the development of each of the proposed MHE sites the application of the requirements of Appendix 3 of NSW Rural Fire Service, ***Planning for Bushfire Protection***, 2006 is not considered relevant at this stage of the planning process.

Notwithstanding the above based upon the size of the subject site and proposed MHE and the spatial relationship with areas of bushfire hazard vegetation and the dwelling design options provided for in **Appendix 5** of this report, it is considered that the requirements of NSW Rural Fire Services**,** ***Planning for Bushfire Protection***, 2006 for the siting, design and construction of any future residential and community facility buildings can be satisfied**.**

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

Table 10 – 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*

3.2 Construction of Buildings in Bushfire Prone Areas

3.2.1 General

The bushfire construction requirements of Volume 2 of the Building Code of Australia for residential dwellings are now applicable in NSW. In this regard the Building Code of Australia provides that compliance with the relevant requirements of AS3959 – 2009 satisfies the performance requirements which are applicable to Part 3.7.4, (Bushfire Areas), of Volume 2 of the Building Code of Australia.

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 site-specific assessment basis.

Given that the development which is the subject of this report does not involve the erection of any residential buildings the determination of Bushfire Attack Levels that would be applicable to future residential buildings is not relevant at this time. It is however noted that compliance with the minimum Asset Protection Zone requirements for the proposed MHE development, as nominated in **Table 5** of this report, will provide for opportunities for future dwellings and associated community buildings to be installed upon the proposed sites in compliance with the requirements provided for in AS 3959-2009.

Notwithstanding the above the following preliminary assessment of worst-case Bushfire Attack Levels is provided.

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)
Within development footprint of the MHE	Similar in specification to Rainforest	Rainforest
North/ northeast	Forested Wetland	Forest
South/ southeast	Grassland	Grassland
Southwest	Similar in specification to Dry Sclerophyll Forest	Forest
West	Dry 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 Bushfire Attack Levels pursuant to AS3959 – 2009 have been preliminarily determined as being applicable to the proposed MHE sites and associated community buildings. It is noted that the following BAL assessment has been based upon the provision and management of APZ's as provided for in **Table 5** of this report.

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

ASPECT	VEGETATION CLLASSIFICATION	DISTANCE (of proposed Building/s from Hazard Vegetation)	SLOPE	BUSHFIRE ATTACK LEVEL (BAL)
Community Facilities Buildings (Worst Case Spatial Relationships)				
Within development footprint of the MHE	Rainforest	Minimum 20m	2˚ - 3˚ Down slope	BAL 19
North/ northeast	Forest	>40m	2˚ - 3˚ Down slope	BAL 19
South/ southeast	Grassland	>100m	2˚ - 3˚ Down slope	BAL Low Risk
Southwest	Forest	>50m	2˚ - 3˚ (0˚)** Upslope	BAL 12.5
West	Forest	>100m	2˚ - 3˚ (0˚)** Upslope	BAL Low Risk
Residential Dwelling Sites (Including Proposed Managers Residence)				
Within development footprint of the MHE	Rainforest	Minimum 11m	2˚ - 3˚ Down slope	BAL 29
North/ northeast	Forest	Minimum 27m	2˚ - 3˚ Down slope	BAL 29
South/ southeast	Grassland	>40m	2˚ - 3˚ Down slope	BAL 12.5
Southwest	Forest	Minimum 21m	2˚ - 3˚ (0˚)** Upslope	BAL 29
West	Forest	Minimum 24.5m	2˚ - 3˚ (0˚)** Upslope	BAL 29

The information presented in the above table indicates that under the worst-case spatial separation scenario between the proposed community buildings and dwellings installed on the proposed MHE sites and areas of bushfire hazard vegetation a worst-case Bushfire Attack Level of BAL 29 will apply. This Bushfire Attack Level outcome is entirely consistent with the acceptable solution requirements of NSW Rural Fire Service, ***Planning for Bushfire Protection***, 2006.

Based upon the information presented in Section 2 of this report the Bushfire Attack Levels pursuant to AS3959 – 2009 have been preliminarily determined as being applicable to the

proposed MHE sites and supporting infrastructure, refer to **Appendix 7**. Based upon the Bushfire Attack Level contours provided for in **Appendix 7**, the following worst-case BAL levels have been preliminarily determined for each of the proposed MHE lots and supporting infrastructure within the proposed development.

Table 14 – Preliminary Bushfire Attack Levels (BAL's) for Proposed MHE Infrastructure and Dwellings

BUSHFIRE ATTACK LEVEL (BAL)	PROPOSED SITES
BAL Low Risk	90 – 103, 114 – 121, 135 – 141, 157 - 162
BAL 12.5 (Refer to **Appendix 8**)	1 – 4, 17 – 19, 52 – 75, 86 – 89, 104 - 113, 122 – 128, 131 – 134, 142 – 144, 149 - 156 and 163 - 165
BAL 19 (Refer to **Appendix 9**)	5 - 8, 20, 37 – 49, 76, 129 – 130, 145, 148, 166 and Clubhouse Building
BAL 29 (Refer to **Appendix 10**)	9 – 14, 21 – 36, 50, 51, 77 – 85, 146, 147 and Managers Residence

Notwithstanding the above the identification of Bushfire Attack Levels for the individual MHE sites are to be verified prior to the issuing of construction certification for the proposed development. In this regard the proposed design of the development is to provide for a worst-case Bushfire Attack Level (BAL) for manufactured homes installed on each MHE site and the proposed community buildings of BAL 29, (as amended by NSW Rural Fire Services, ***Planning for Bushfire Protection***, 2006).

It is noted that as the managers workshop building would be an NCC Class 10a building there are no specific construction requirements which are applicable to this building however given its potential spatial relationship to manufactured homes located on adjacent dwellings sites it is recommended that this building be constructed to the BAL 29 construction requirements of AS 3959 - 2009, (as amended by NSW Rural Fire Services**, *Planning for Bushfire Protection*,** 2006)..

4.0 SUMMARY OF FINDINGS

The following recommendations are provided in response to the proposed MHE development layout provided as **Appendix 3**.

(i) Adopt Landscaping principals in accordance with Section 3.1.4 of this report.

(ii) Asset Protection Zones are to be provided to the proposed development in accordance with Section 3.1.1 of this report. In this regard the active use areas of the MHE development must be created and managed at all times so as to comply with the standards which are applicable to Inner Protection Areas this includes all parkland areas.

(iii) Conditions of approval should be imposed on the development consent and Section 68 (Local Government Act 1993) Operational Approval for the proposed development which requires a minimum 4.5m front boundary setback to dwellings erected on proposed dwelling sites 26 to 36 inclusive in order to achieve compliance with the required APZ's for the proposed development..

(iv) A Vegetation Management Plan is to be prepared for the areas of the proposed MHE nominated as open space. The Vegetation Management Plan is to be prepared and implemented so as to provide for the creation and ongoing maintenance of the nominated APZ areas to the standards which are applicable to APZ's. Additionally, the VMP is to provide for;

- the creation and ongoing management of the minimum required APZ's as provided for in **Appendix 6** of this report; and

- the ongoing management of understorey within the remnant forest vegetation within the approved large residential lots, (southwestern portion of the subject site), until such times as this area is developed as residential lots; and
- the ongoing management of vegetation within the proposed link open space area so as to ensure that fuel loads are consistent with Category 2 vegetation; and
- the ongoing management of vegetation with undeveloped stages of the MHE development so as to meet the APZ standards until such times as the MHE development is completed.

(v) Water and other services are to be provided to the proposed development in accordance with the requirements detailed in Section 3.1.3 of this report.

(vi) The design and construction of all new public roads in conjunction with the proposed MHE development are to comply with the acceptable solutions provided for in Section 4.1.3 of NSW Rural Fire Services, ***Planning for Bushfire Protection***, 2006.

(vii) The design and construction of all internal access roads, including the alternative emergency access road/path, within and servicing the proposed MHE development are to comply with the acceptable solutions provided for in Section 4.1.3 of NSW Rural Fire Services, ***Planning for Bushfire Protection***, 2006.

(viii) The design of the proposed alternative emergency access road/path allows for the two-way movement of vehicles.

(ix) An RFS keyed gate / bollard is to be provided at the eastern end of the proposed alternative emergency access road/path.

(x) The proposed alternative emergency access road/path which connects the proposed MHE development with the public road infrastructure to the east of the subject site is to be constructed as part of Stage 2 of the proposed MHE development.

(xi) Manufactured homes to b located on each of the proposed dwellings sites is to be constructed so as to comply with the BAL requires of **Table14** of this report. In this regard the proposed design of the MHE development is to provide for a worst-case Bushfire Attack Level (BAL) for manufactured homes installed on each MHE site of BAL 29, (as amended by NSW Rural Fire Services, ***Planning for Bushfire Protection***, 2006).

(xii) The proposed Clubhouse Building is to be constructed so as to comply with the BAL 19 requirements of AS3959 – 2009, (as amended by NSW Rural Fire Services, ***Planning for Bushfire Protection***, 2006), refer to **Appendix 9**.

(xiii) The proposed Managers Residence is to be constructed so as to comply with the BAL 29 requirements of AS3959 – 2009, (as amended by NSW Rural Fire Services, ***Planning for Bushfire Protection***, 2006), refer to **Appendix 10**.

(xiv) A condition is to be imposed on the development consent for the proposed development which requires that the Bushfire Attack Level (BAL) for each dwelling on a dwelling site and the proposed community buildings is to be no worse than BAL 29. In this regard a minimum 4.5m front boundary setback to dwellings erected on proposed dwelling sites 26 to 36 inclusive is required.

(xv) A condition is to be imposed on the Section 68 (Local Government Act 1993) Operational Approval for the proposed development which requires that the Bushfire Attack Level (BAL) for each dwelling on a dwelling site and the proposed community buildings is to be no worse than BAL 29. In this regard a minimum 4.5m front boundary setback to dwellings erected on proposed dwelling sites 26 to 36 inclusive is required.

5.0 CONCLUSION

It is considered that the proposed Manufactured Housing Estate (MHE) development on land known as Lot 138 DP 1248149, Forest Parkway, Lake Cathie 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 MHE development to meet the applicable acceptable solutions as provided for in NSW Rural Fire Service**, *Planning for Bushfire Protection*,** 2006**.**

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) It is assumed that the building works will comply with the DTS provisions of the BCA including the relevant requirements of Australian Standard 3959 – 2009.

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

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

(vi) The information contained in this report is based upon the information provided for review, refer to **Appendices 3, 4** and **5.**

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***, 2006

AS 3959-2009, ***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***, 2011
NSW Rural Fire Service – *Guideline for Bushfire Prone Land Mapping 2002*

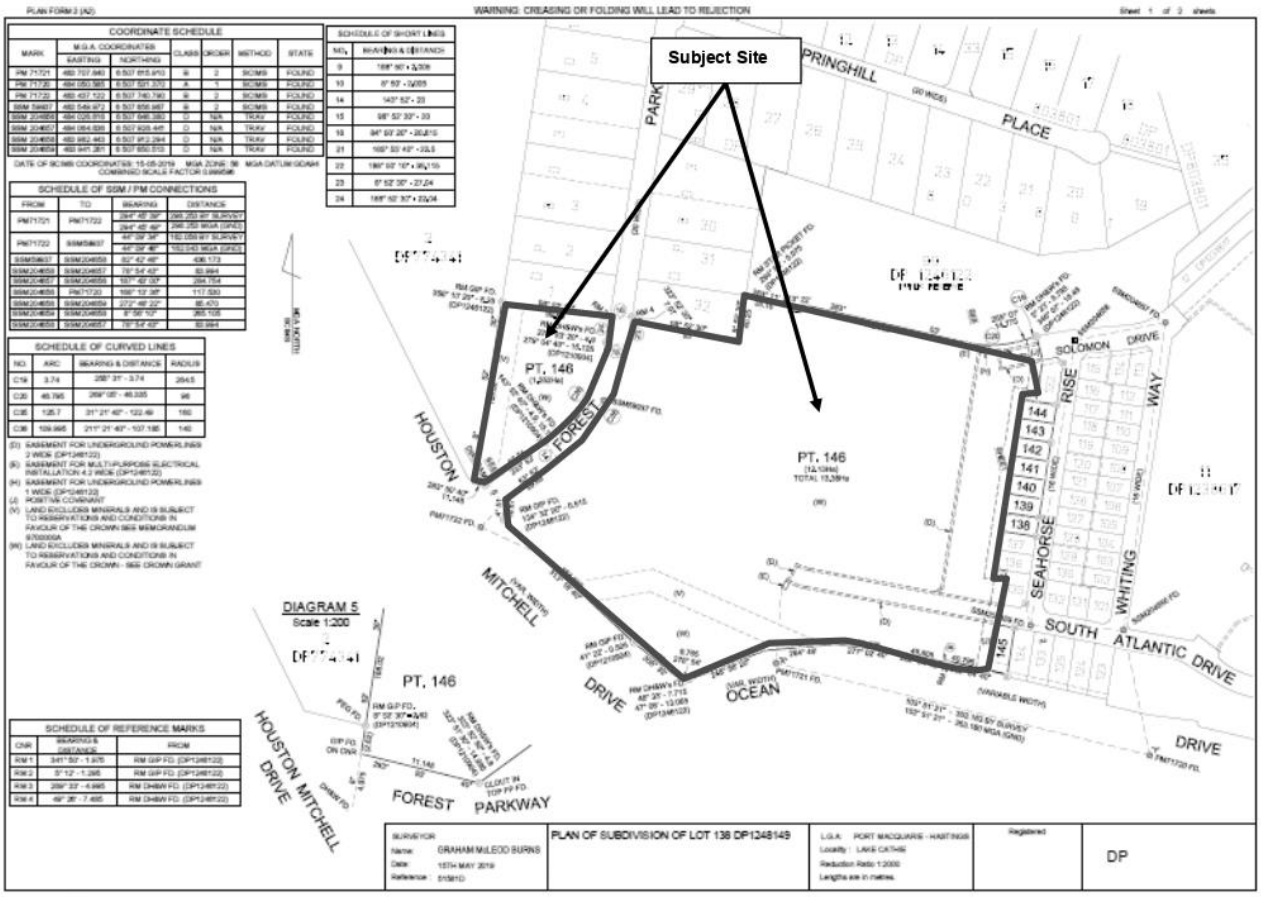
Disclaimer

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.

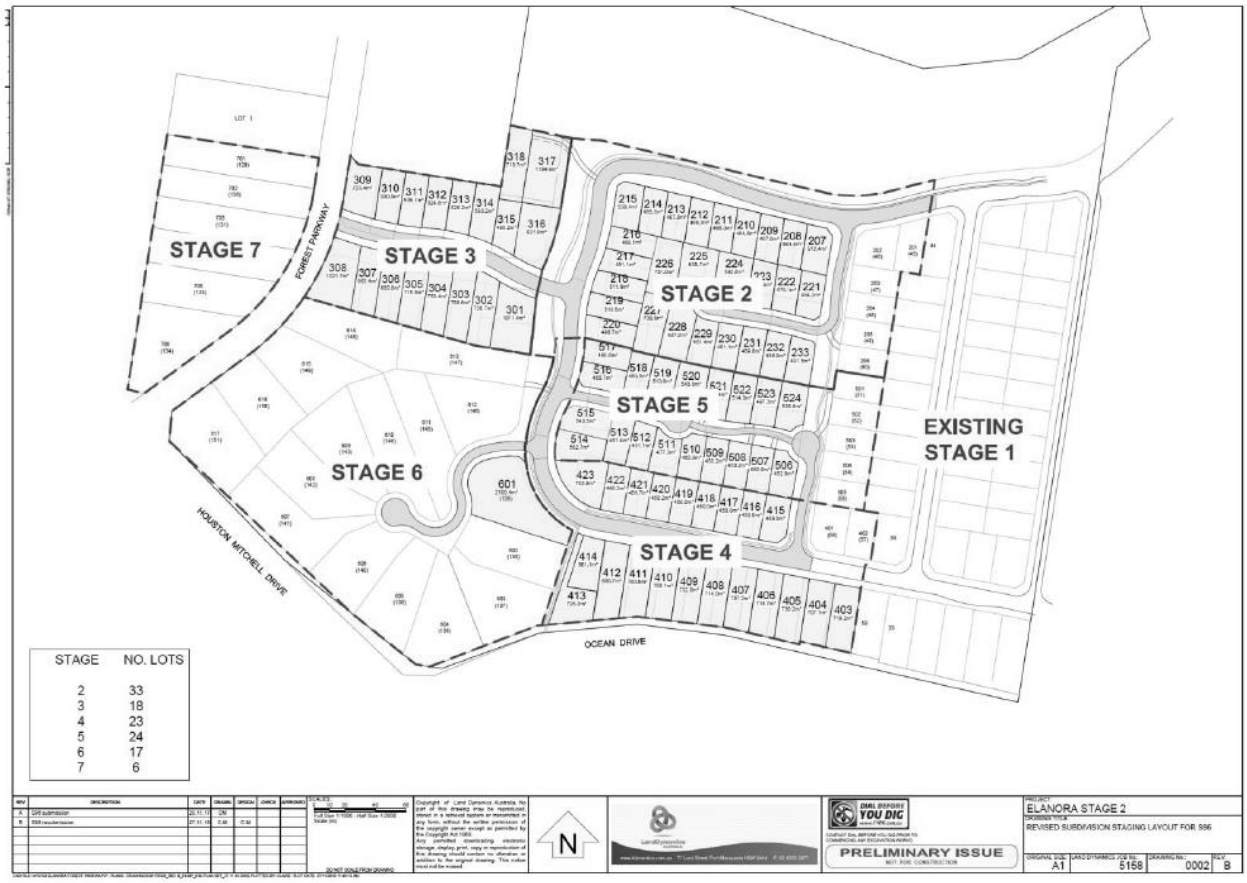
This report has been prepared partially on information provided by the client. Information provided by the client in respect of details of construction.
The author denies any legal liability for action taken as a consequence of the following:

- 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 are in good faith included in the strategies proposed in this report and later found to be false.

APPENDIX 1
Subject Site

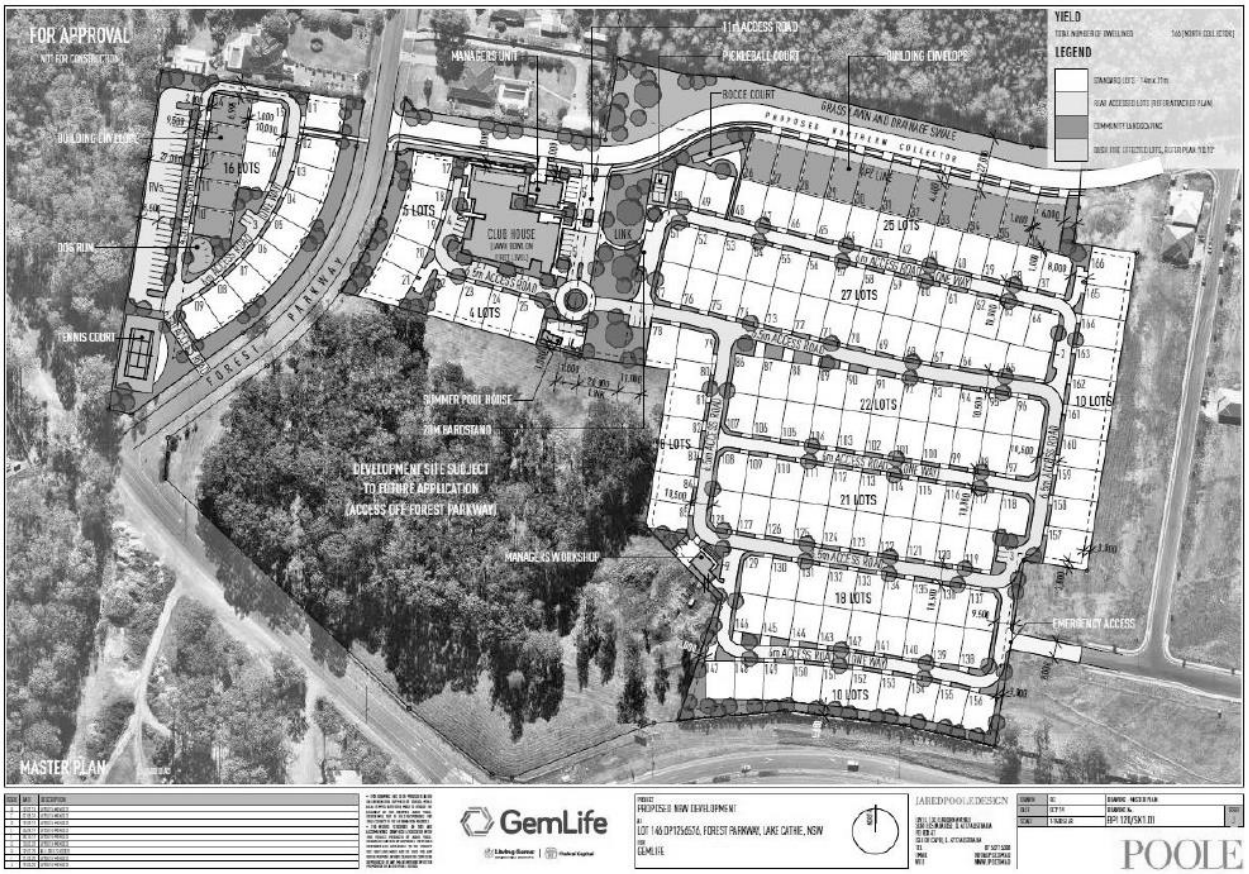


APPENDIX 2
Existing Approved Residential Subdivision



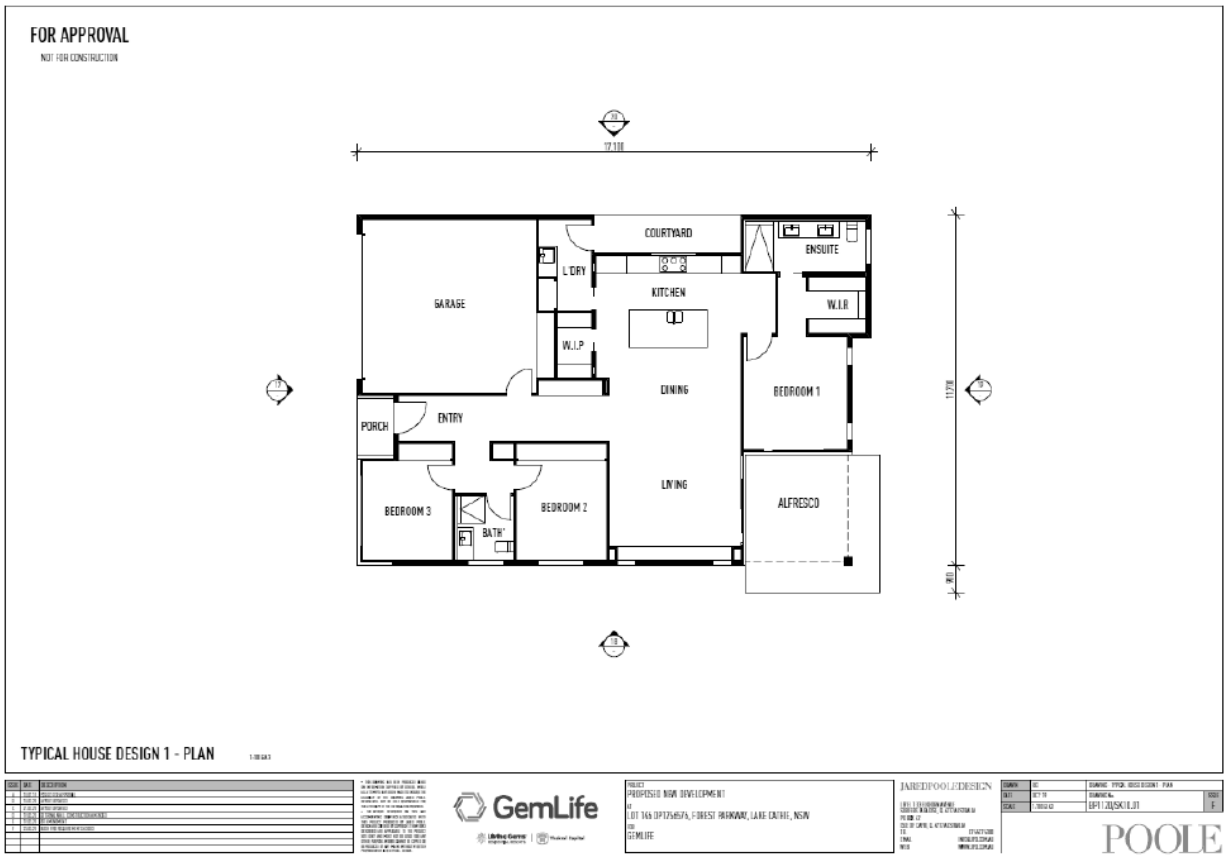
STAGE	NO. LOTS
2	33
3	18
4	23
5	24
6	17
7	6

APPENDIX 3
Proposed MHE Development



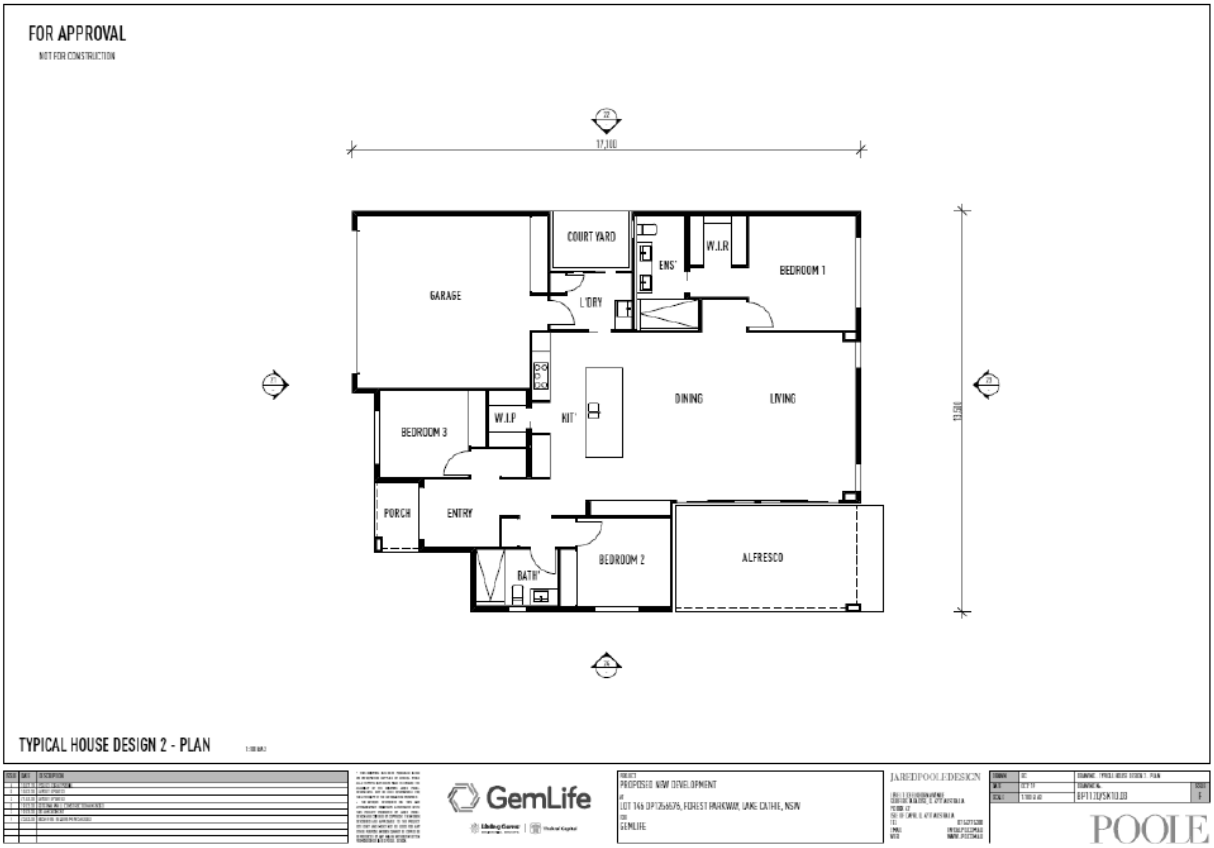
APPENDIX 4
Staging Plan

APPENDIX 5
Dwelling Design Options
Option 1



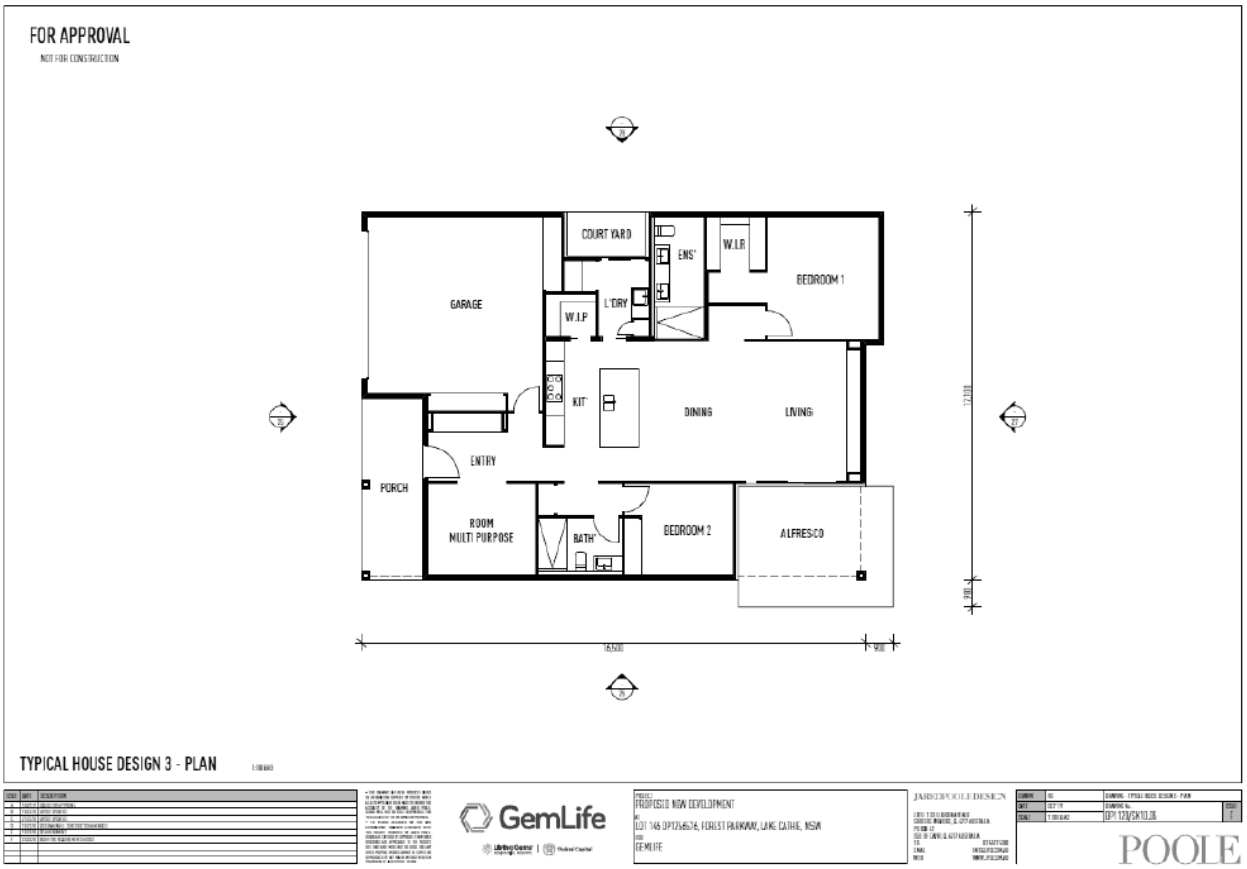
HIP
GABLE
SKILLION
TYPICAL HOUSE DESIGN 1 - FACADES
GemLife
POOLE

APPENDIX 5
Dwelling Design Options
Option 2



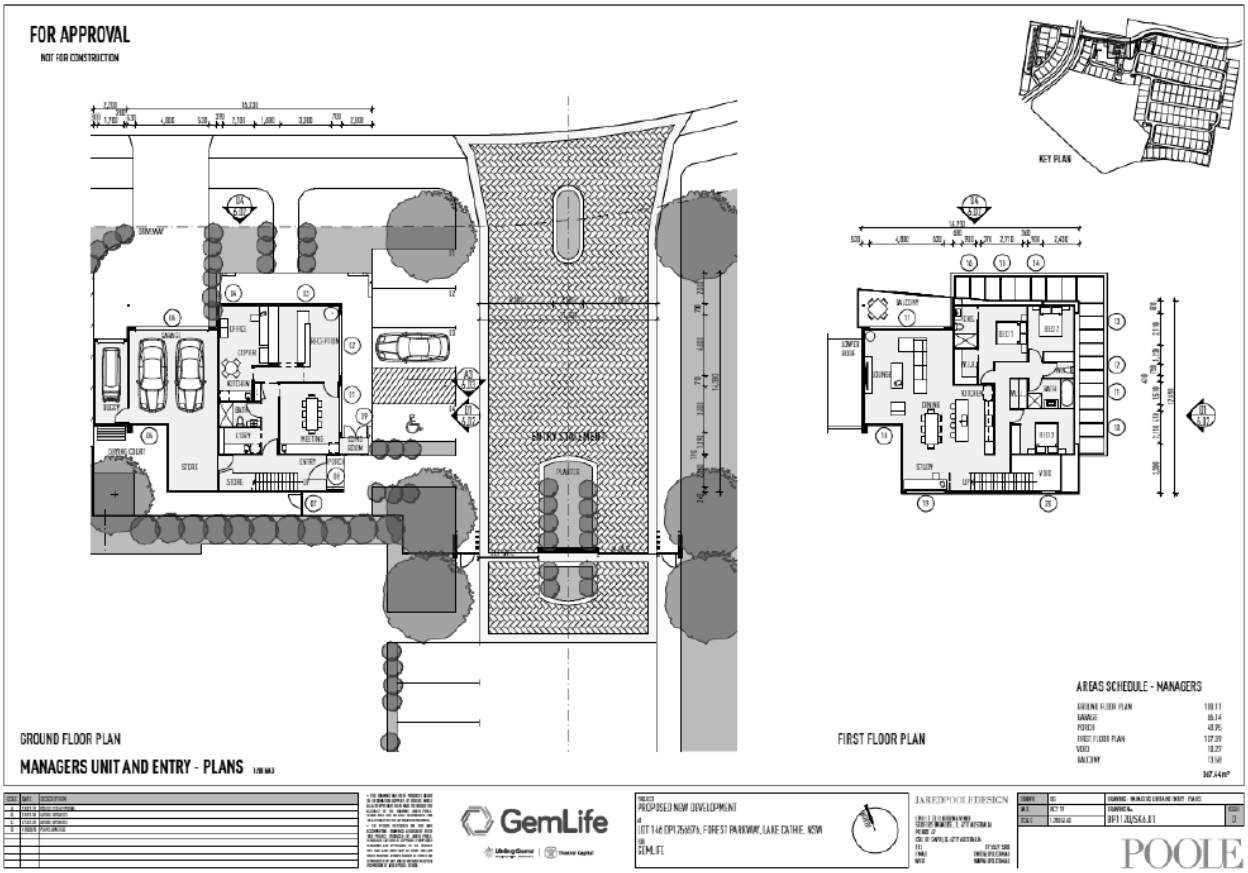
HIP 1
HIP 2
SKILLION
TYPICAL HOUSE DESIGN 2 - FACADES
GemLife
PROPOSED NEW DEVELOPMENT
GEMLIFE
POOLE

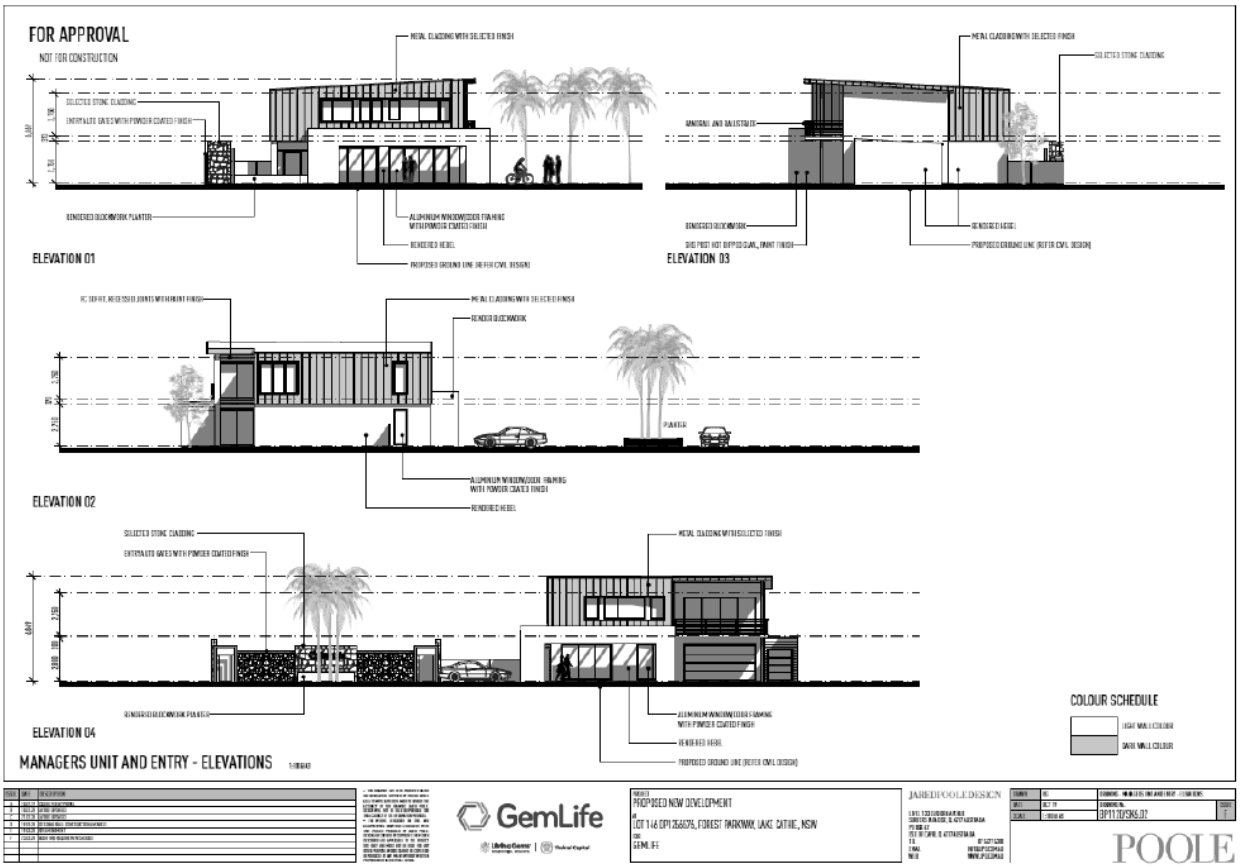
APPENDIX 5
Dwelling Design Options
Option 3



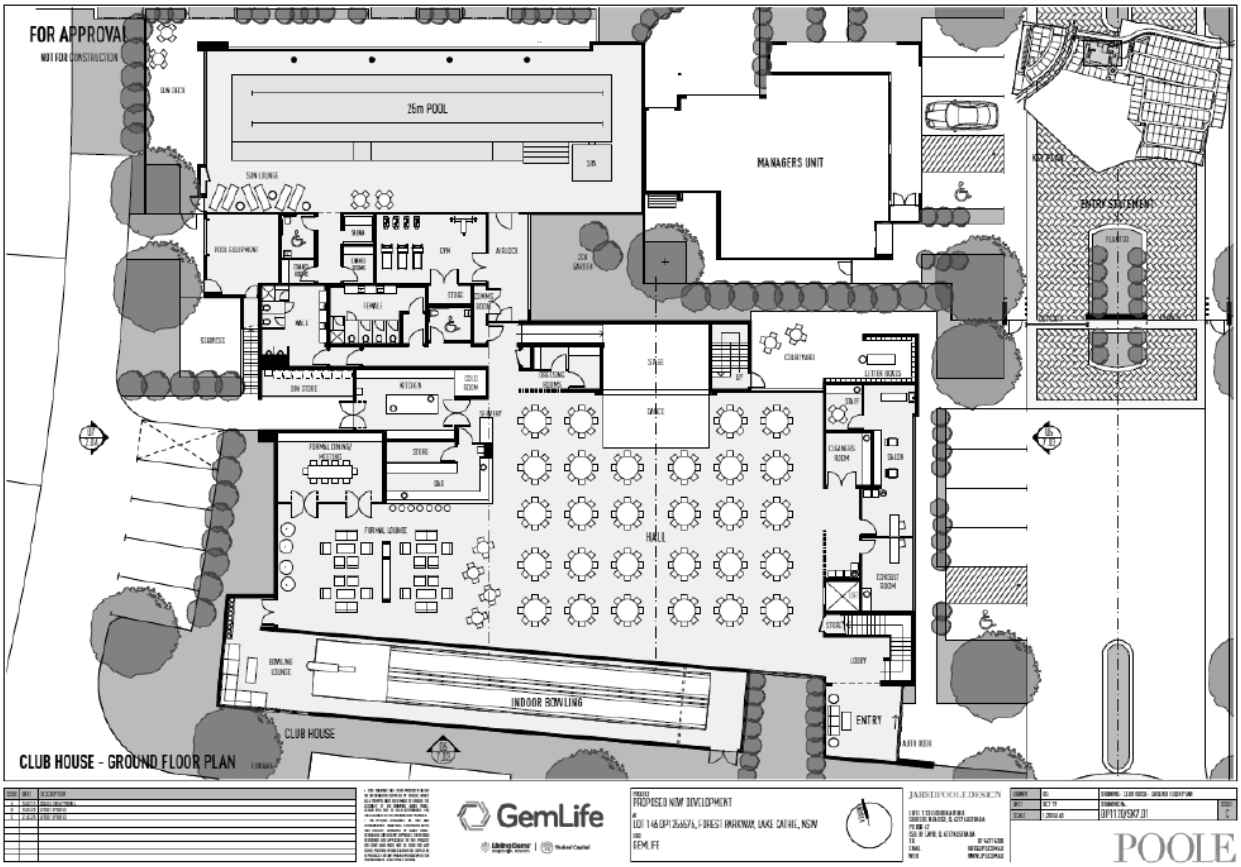
HIP
DUTCH GABLE
SKILLION
TYPICAL HOUSE DESIGN 3 - FACADES
GemLife
PROPOSED NEW DEVELOPMENT
LOT 144 DP1254674, FOREST PARKWAY, LAKE CATHIE, NSW
GEMLIFE
JARED POOLE DESIGN
POOLE

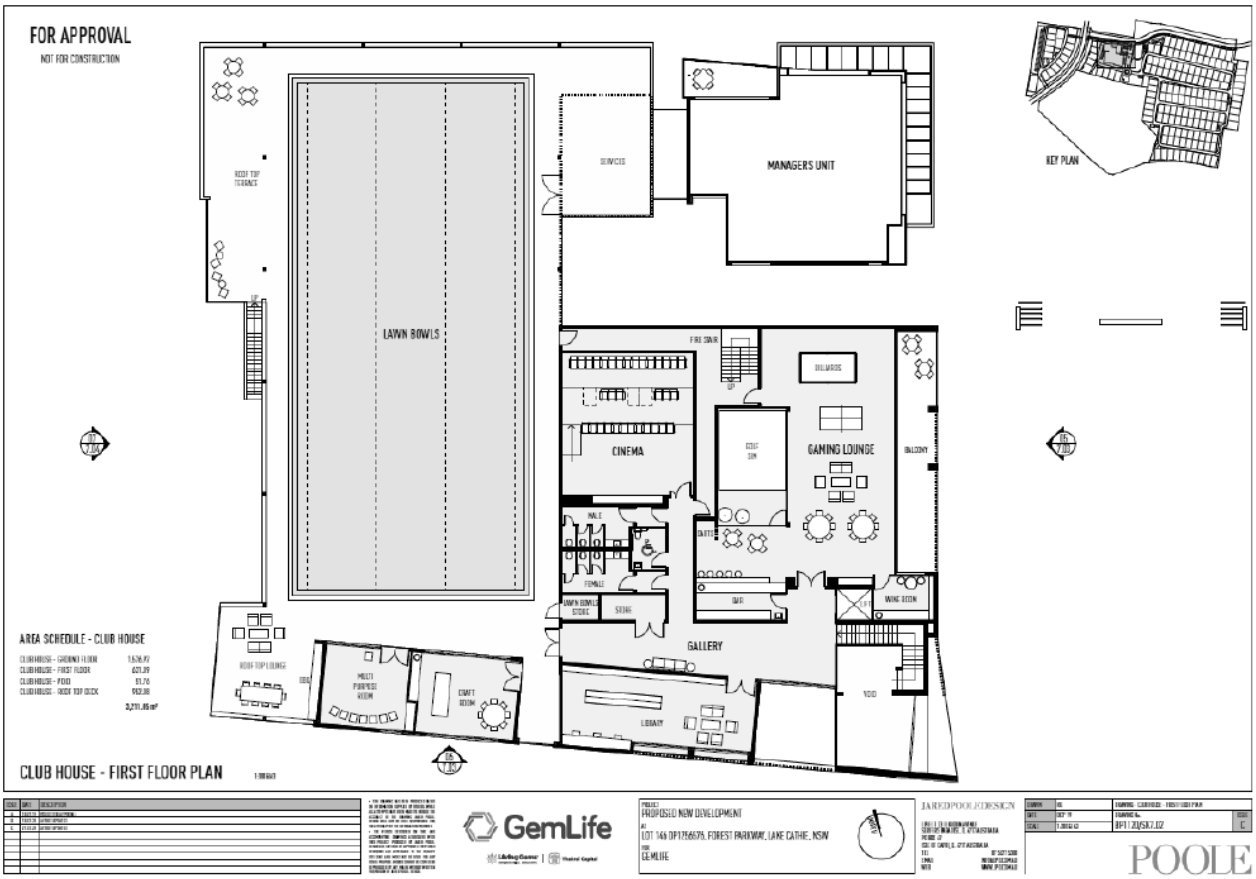
APPENDIX 5
Managers Dwelling




FOR APPROVAL
NOT FOR CONSTRUCTION
ELEVATION 01
ELEVATION 02
ELEVATION 03
ELEVATION 04
MANAGERS UNIT AND ENTRY - ELEVATIONS
COLOUR SCHEDULE
GemLife
PROPOSED NEW DEVELOPMENT
JARED POOLE DESIGN
POOLE

APPENDIX 5
Community Building

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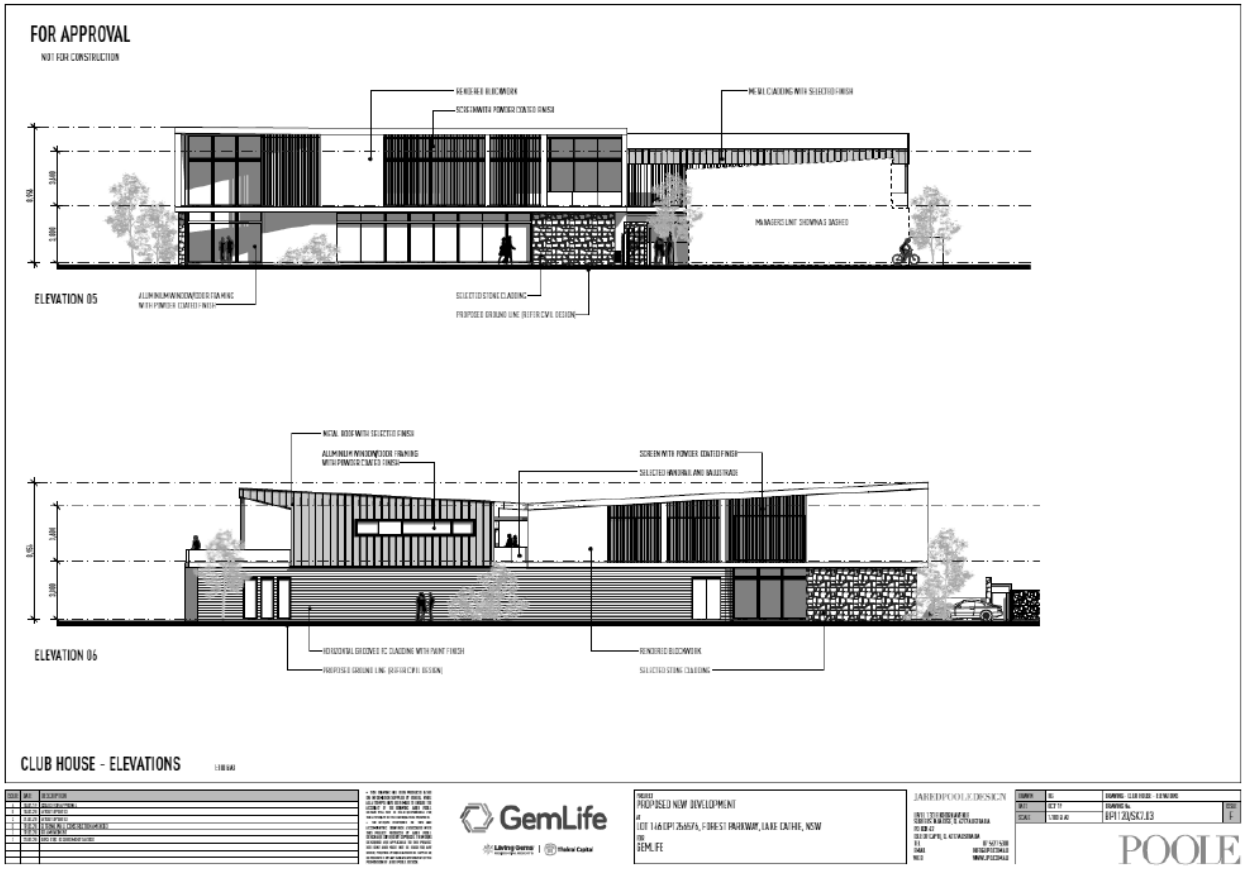
MANAGERS UNIT
KEY PLAN
CINEMA
GAMING LOUNGE
GALLERY
AREA SCHEDULE - CLUB HOUSE
CLUB HOUSE - FIRST FLOOR PLAN
GemLife
PROPOSED NEW DEVELOPMENT
POOLE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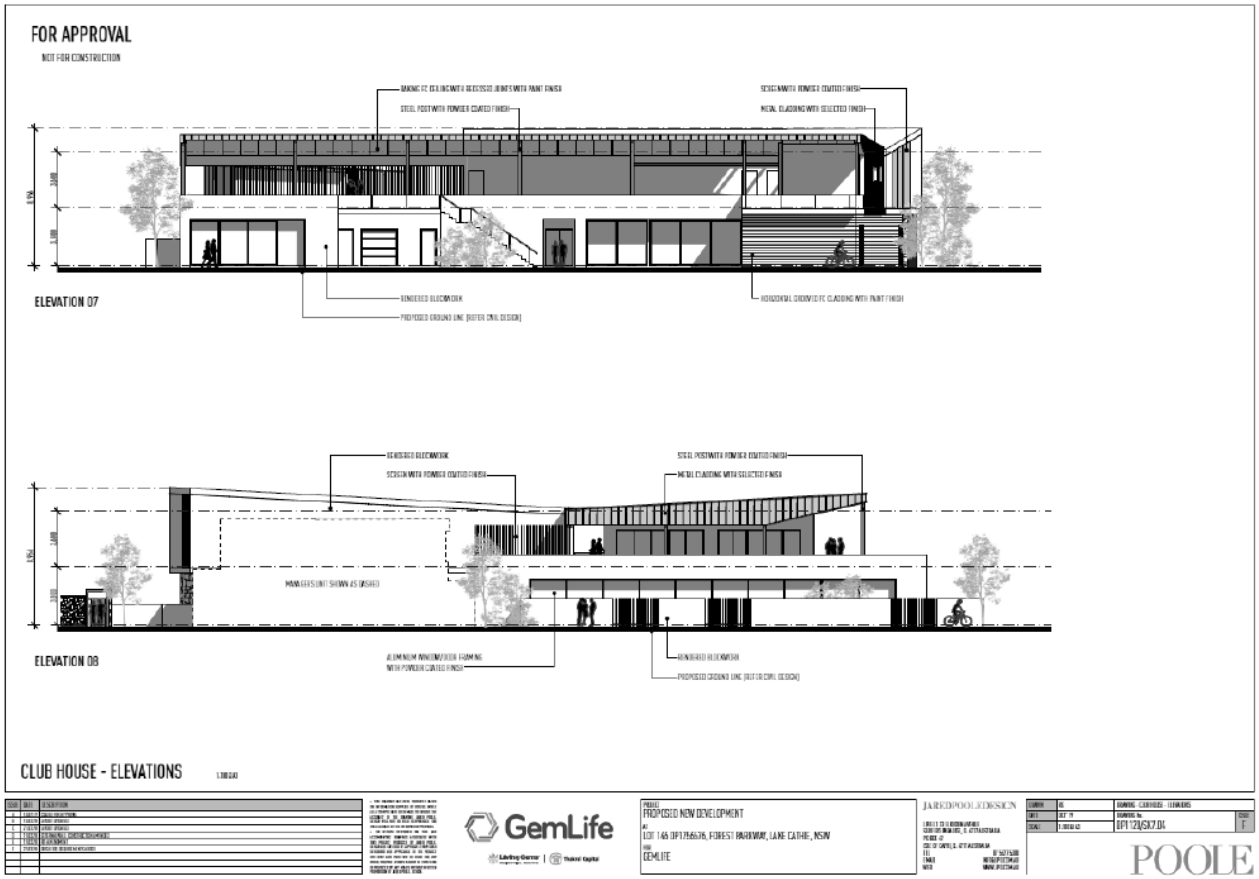
GEMLIFE
JAREDPOOLEDESIGN
POOLE


FOR APPROVAL
NOT FOR CONSTRUCTION
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ELEVATION 08
CLUB HOUSE - ELEVATIONS
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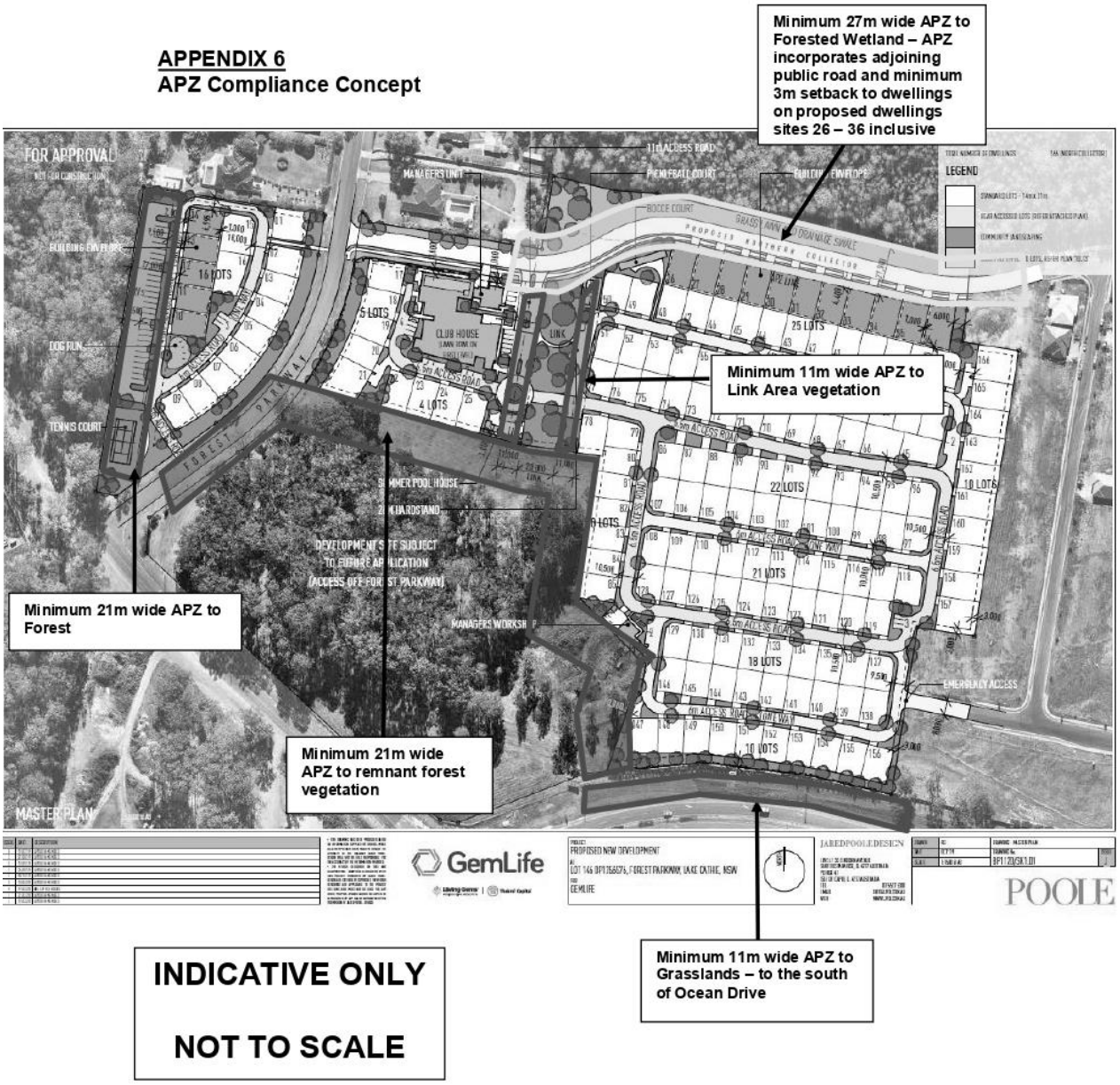
PROPOSED NEW DEVELOPMENT
GEMLIFE
POOLE

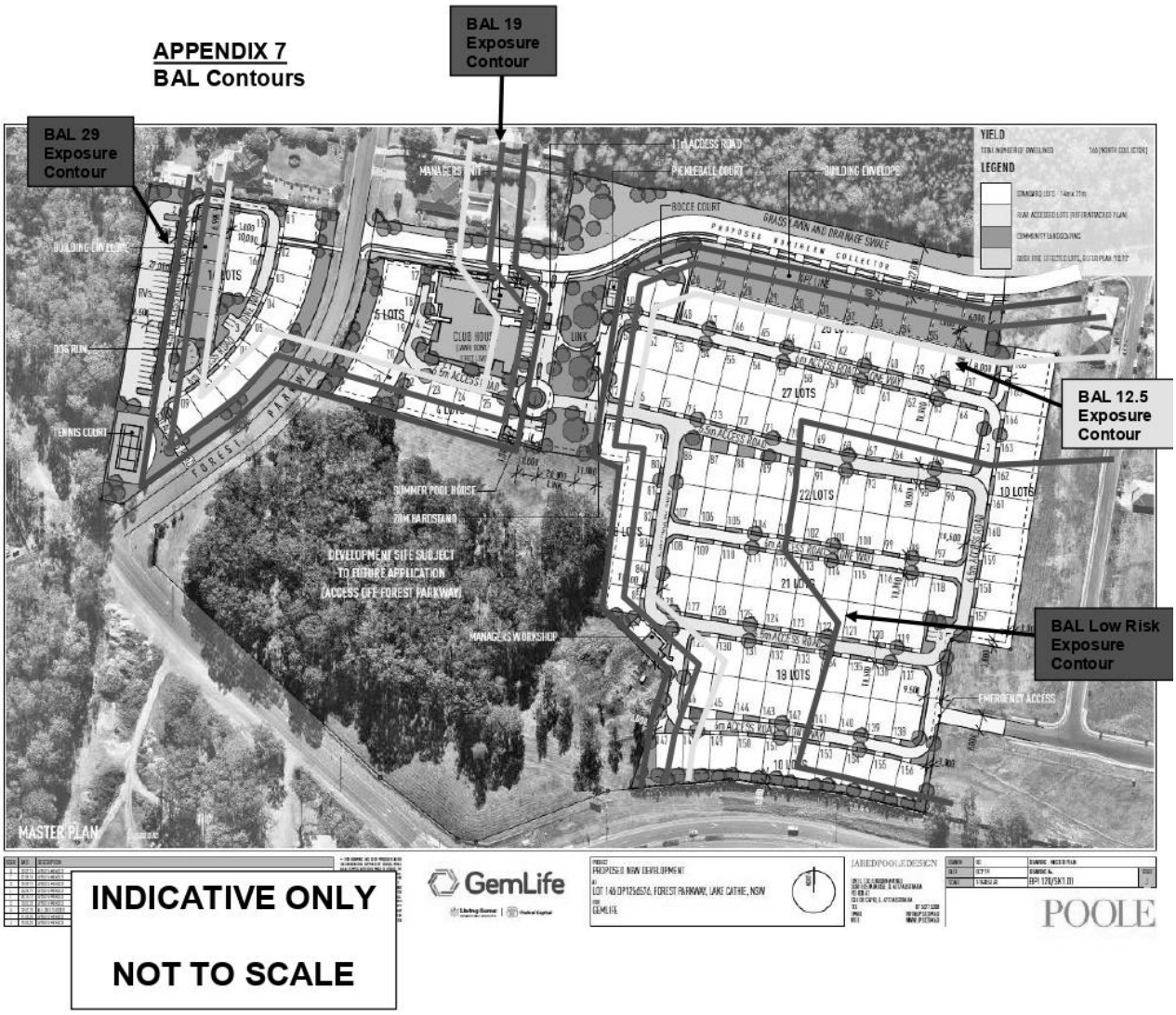
APPENDIX 6
APZ Compliance Concept



INDICATIVE ONLY

NOT TO SCALE

APPENDIX 7
BAL Contours



APPENDIX 8
BAL 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 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 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 doors (including French doors, panel fold and bi-fold doors)	These doors must comply with one of the following: (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, fascias, 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 (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 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*.**

APPENDIX 9
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 10
Bushfire Attack Level 29 (Construction Requirements)

CONSTRUCTION FOR BUSHFIRE ATTACK LEVEL 29 (BAL-29)

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 a wall that complies with Clause 7.4, except that sarking is not required where specified in Clause 7.4.1 (c); 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.
Floors	**Concrete slabs on ground**	This standard does not provide construction requirements for 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, except that sarking is not required where specified in Clause 7.4.1 (c); 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 external walls 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); and gauge planed. or (c) Cladding that is fixed externally to a timber-framed or a steel-framed wall that is sarked on the outside of the frame and is— (i) fibre-cement a minimum of 6 mm in thickness; or (ii) steel sheeting; or (iii) bushfire-resisting timber (see Appendix F); or (iv) a combination of any of Items (i), (ii) or (iii) above.
	Joints	All joints in the external surface material of walls shall be covered, sealed, overlapped, backed or butt-jointed to prevent gaps greater than 3 mm.
	Vents and weepholes	Vents and weepholes in external walls shall be screened with a mesh with a maximum aperture of 2 mm, made of corrosion-resistant steel, bronze or aluminium, except where the vents and weepholes have an aperture less than 3 mm (see Clause 3.6), 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) bushfire-resisting timber (see Appendix F of AS 3959-2009); or (c) a combination of any items 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 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)
	Windows	Window assemblies shall comply with one of the following: (a) They shall be completely protected by a bushfire shutter that complies with Clause 7.5.1 of AS 3959-2009; or (b) They shall comply with the following: (i) Window frames and window joinery and shall be made from: (A) Bushfire resisting timber (see Appendix F of AS 3959-2009); or (B) Metal; or (C) Metal-reinforced PVC-U. The reinforcing members shall be made from aluminium, stainless steel, or corrosion-resistant steel, and the frame and any sash shall satisfy the design load, performance and structural strength of the member. (ii) Externally fitted hardware that supports the sash in its function of opening and closing shall be metal. (iii) Glazing shall be toughened glass minimum 5 mm. NOTE: Where double-glazed units are used, the above requirements apply to the external face of the window assembly only. (iv) For glazing which is less than 400 mm from the ground or less that 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, that portion shall be screened externally with a screen which complies with Clause 7.5.1A of AS 3959 – 2009. (v) The openable portions of windows shall be screened internally or externally with screens that comply with Clause 7.5.1A 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) Doors and door frames shall be protected by bushfire shutters that comply with Clause 7.5.1 of AS3959 - 2009. or (b) Doors and door frames shall be protected externally by screens that comply with Clause 7.5.1A of 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, protected externally by a screen that complies with Clause 7.5.1A of AS3959 - 2009; or (D) a fully framed glazed door, where the framing is made from non-combustible materials or from bushfire-resisting timber (see Appendix F of AS3959 - 2009). (ii) Externally fitted hardware that supports the panel in its functions of opening and closing shall be metal. (iii) Where doors incorporate glazing, the glazing shall be toughened glass minimum 6 mm in thickness. NOTE: Where double-glazed units are used, the above requirements apply to the external face of the window assembly only. (iv) 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 door (see Figure D3,

		Appendix D of AS3959 - 2009), that portion shall be screened externally with screens that comply with Clause 7.5.1A of AS3959 - 2009. (v) Door frames shall be made from: (A) Bushfire-resisting timber (see Appendix F). or (B) Metal. or (C) 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. (vi) Doors shall be tight-fitting to the door frame and to an abutting door, if applicable. (vii) 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 7.5.1: or (b) They shall be completely protected externally by screens that comply with Clause 7.5.1A of AS 3959-2009; or (c) They shall comply with the following: (i) 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) Metal; or (C) 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. (ii) Externally fitted hardware that supports the panel in its functions of opening and closing shall be metal. (iii) Where sliding doors incorporate glazing, the glazing shall be toughened glass minimum 6 mm. (iv) Sliding doors shall be tight-fitting in the frames.

	Doors- vehicle access doors (garage doors)	The following applies: (a) Vehicle access doors 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 combination on any 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 maximum gaps 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. (d) Vehicles access doors shall not include ventilation slots.
Roofs (including verandas and attached carport roofs, penetrations, eaves, fascias, gables, gutters and downpipes)	**General**	The following apply to all types of roofs and roofing systems: (a) Roof tiles, roof sheets and roof-covering accessories shall be non-combustible. (b) The roof/wall junction shall be sealed, to prevent openings greater than 3 mm, either by the use of fascia and eaves linings or by sealing between the top of the wall and the underside of the roof and between the rafters at the line of the wall. (c) Roof ventilation openings, such as gable and roof vents, shall be fitted with ember guards made of non-combustible material or a mesh or perforated sheet with a maximum aperture size of 2 mm, made of corrosion-resistant steel, bronze or aluminium. (d) A pipe or conduit that penetrates the roof covering shall be non-combustible.
	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 7.6.2, 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 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 the requirements for the main roof, as specified in clauses 7.6.1, 7.6.2,7.6.3, 7.6.5 and 7.6.6. 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 7.4 of AS3959-2009 shall have a non-combustible roof covering and the support structure shall be- (i) non combustible material; or (ii) bushfire-resisting timber (see Appendix F of AS3959 2009); or (iii) timber rafters lined on the underside with fibre-cement sheeting a minimum of 6 mm in thickness, or with material complying with AS 1530.8.1; or (iv) a combination of items above
	Roof penetration	The following apply to roof penetrations: (a) Roof penetrations, including roof lights, roof ventilators, roof-mounted evaporative cooling units, aerials, vent pipes and supports for solar collectors, shall be adequately sealed at the roof to prevent gaps greater than 3 mm. The material used to seal the penetration shall be non-combustible. (b) Openings in 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. 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. (c) Grade a safety glass complying with AS 1288 is to be used for all overhead glazing. (d) Flashing elements of tubular skylights shall be non-combustible. However, they may be of an alternative material, provided the integrity of the roof covering is maintained by an under-flashing made of non-combustible material. (e) 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, shall be used in the outer pane of the IGU. (f) Where roof lights are installed in roofs having a pitch of less than 18 degrees to the horizontal, glazing shall be protected with ember guards made from corrosion-resisting steel, bronze or aluminium mesh or perforated sheet with a maximum aperture of 2 mm. (g) 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. (h) External single plane glazed elements of roof lights and skylights, where the pitch of the glazed element is 18 degrees or less to the horizontal, shall be protected 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.
	Eave linings, fascias and gables	The following apply to eaves linings, fascias and gables: (a) Gables shall comply with Clause 7.4 of AS3959 - 2009. (b) Fascias and bargeboards shall— (i) where timber is used, be made from bushfire-resisting timber (see Appendix F of AS3959 - 2009); or (ii) where made from metal, be fixed at 450 mm centres; or (iii) be a combination of Items (i) and (ii) above. (c) Eaves linings shall be— (i) fibre-cement sheet, a minimum 4.5 mm in thickness; or (ii) bushfire-resisting timber (see Appendix F of AS3959 - 2009); or (iii) a combination of Items (i) and (ii) above. (d) Eaves penetrations shall be protected the same as for roof penetrations, as specified in Clause 7.6.5 of AS3959 - 2009. (e) Eaves ventilation openings greater than 3 mm shall be fitted with ember guards made of non-combustible material or a mesh or perforated sheet with a maximum aperture of 2 mm, made of corrosion-resistant steel, bronze or aluminium. (f) Joints in eaves linings, fascias and gables may be sealed with plastic joining strips or timber storm moulds.
	Gutters and downpipes	This Standard does not provide requirements for downpipes.

		If installed, gutter and valley leaf guards shall be non-combustible. With the exception of box gutters, gutters shall be metal or PVC-U. 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 or 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 (c) 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 (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, exposed 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.

Biodiversity AUSTRALIA

SUSTAINABLE PARTNERSHIPS
DEDICATED TO ACHIEVING
ECOLOGICAL AND ECONOMICAL BALANCE

LEADING THE WAY
IN ENVIRONMENTAL
MANAGEMENT

ECOLOGICAL ASSESSMENT FOR PROPOSED MANUFACURED HOUSING ESTATE

GEMLIFE C/- LAND DYNAMICS

May 2020

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1. Background Information

The Proposal is to establish a Manufactured Housing Estate on the subject site which is located on the corner of Ocean Drive and Forest Parkway, Lake Cathie (Figure 1). It comprises an 8.5 ha vacant land parcel (Lot 138 DP 1248149) across two Lots separated by Forest Parkway. The site is vegetated with slashed exotic grassland and scattered trees. Part of the site formerly comprised Swamp Oak Forest, however this was cleared as part of a subdivision approval in 2016.

The proposal is to establish a Manufactured Housing Estate over the site. A number of lots, a club house and open space areas will be established. The development layout plan is shown in Figure 2. The development will include extensive landscaping and a number of Koala food trees will also be planted.

A site inspection was undertaken on 21st August 2019 by Biodiversity Australia's Principal Ecologist. The site was inspected for hollow-bearing trees, preferred Koala food trees, fauna habitats, threatened species and threatened ecological communities over a period of three hours.

Photo 1: View of the site looking east towards Seashore Rise

Photo 2: View of the site west of Forest Parkway

Photo 3: View south to retained vegetation on adjoining Lot

Figure 1: Location of the subject site

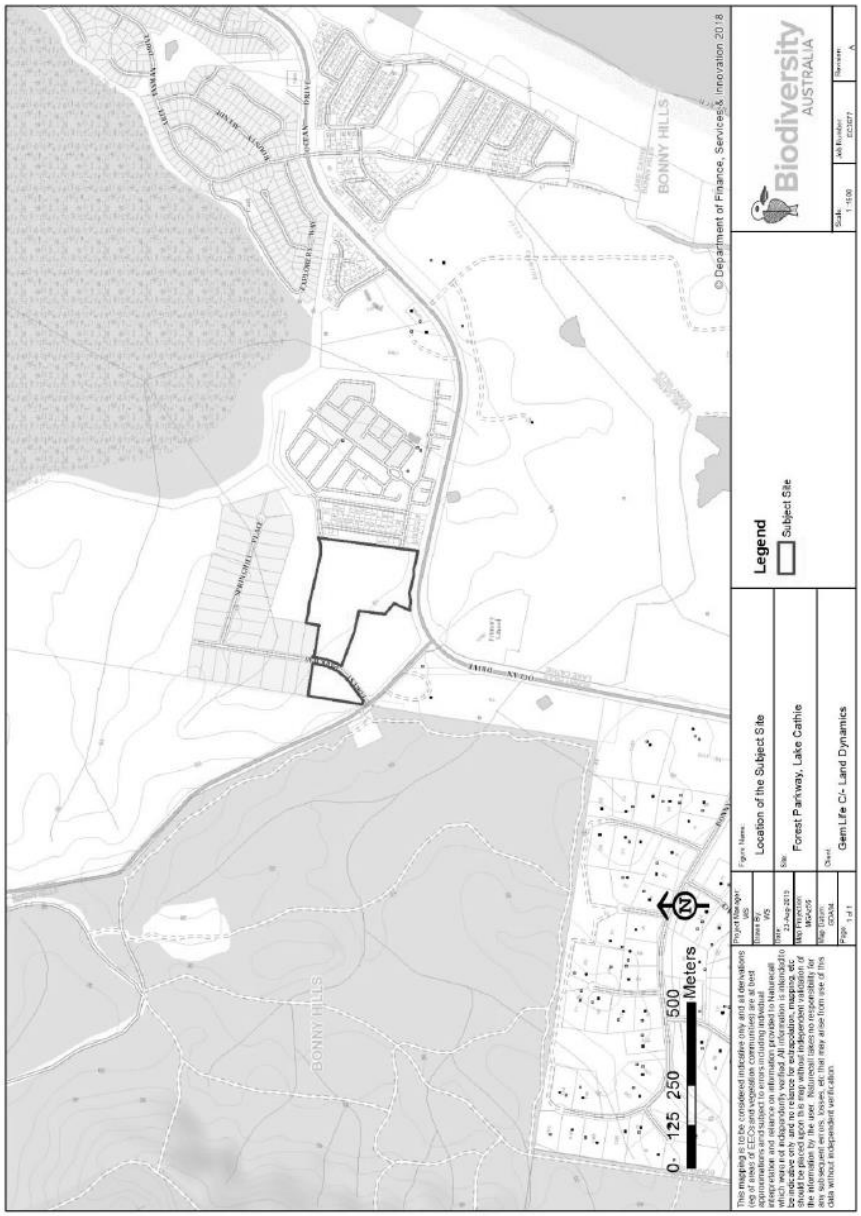

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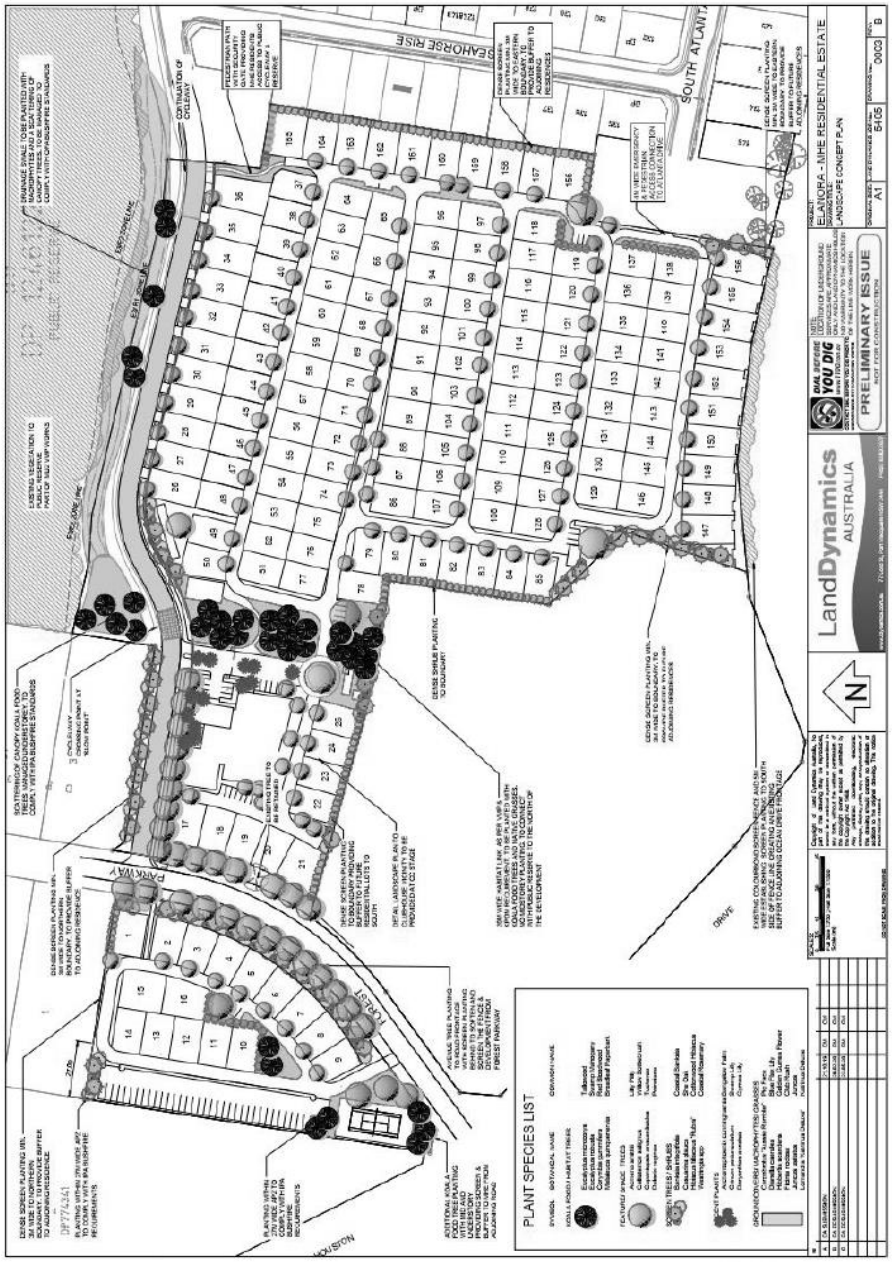
Figure 2: Development layout plan



2. Summary of Ecological Values

2.1 Vegetation Communities

The vegetation survey identified one vegetation community over the subject site. This consists of slashed exotic grasslands with scattered trees (Photo 4 and 5). A few native groundcover species also occur in low abundance. This vegetation type occurs across the entire site.

A description if this vegetation community is provided below followed by a flora species list for the site in Table 1.

2.1.1 Derived Exotic Grassland

Distribution: Occurs over the entire site

Mapped PMHC Community: Not mapped

EEC Status: Not an EEC

Structure and Floristics:

Canopy: Five canopy species occur across the entire site. These are Bangalay (*Eucalyptus botryoides*), Spotted Gum (*Corymbia maculata*), Grey Ironbark (*Eucalyptus siderophloia*) and Forest Red Gum (*Eucalyptus tereticornis*). These range from 13-18 m in height.

Understorey/shrub layer: This layer is not present on the subject site.

Groundcover: The groundcover largely comprised exotic grasses. Dominant species in this layer were Paspalum (*Paspalum dilatatum*), Paramatta Grass (*Sporobolus africanus*) and Whisky Grass (*Andropogon virginicus*). Common pasture weeds including Fire Weed (*Senecio madagascariensis*) and Lambs Tongue (*Plantago lanceolata*) were also common. Native grasses were scattered through the site in low abundance and included Blady Grass (*Imperata cylindrica*) and Browns Lovegrass (*Eragrostis brownii*).

Comments: Vegetation over the subject site is in poor condition as few native species are present and mainly comprises exotic groundcover dominated by exotic and non-indigenous species. Vegetation has been highly altered and subject to regular mowing.

2.2 Threatened Plants and Endangered Ecological Communities

No threatened plant species were recorded in the study area during the site survey and none would be expected to potentially occur. A search of the OEH Bionet database found that there are no previous records of threatened plant species on the site.

The site is not located on a Coastal Floodplain (Troedson and Hashimoto 2008) and the vegetation on the subject site is not analogous to any Endangered Ecological Community (EEC) listed under the *Biodiversity Conservation Act 2016* (BC Act) or *Environment Protection and Biodiversity Conservation Act 1999* (EPBC Act).

A Swamp Oak Forest community occurs to the north of the site which has potential to qualify as an EEC, however previous assessment on adjoining land has indicated that this area is not located on an alluvial floodplain formation and does not qualify as an EEC (Peter Parker 2016).

Table 1: Flora species recorded during the survey

Common Name	Scientific Name	Frequency
Canopy Trees		
Bangalay	*Eucalyptus botryoides*	R (2 trees)
Spotted Gum	*Corymbia maculata*	R (1 tree)
Grey Ironbark	*Eucalyptus siderophloia*	R (1 tree)
Forest Red Gum	*Eucalyptus tereticornis*	R (1 tree)
Grasses		
Whisky Grass*	*Andropogon virginicus**	C
Carpet Grass	*Axonopus fissifolius**	C
Rhodes Grass*	*Chloris gayana**	O
Couch	*Cynodon dactylon*	O
Brown's Lovegrass	*Eragrostis brownii*	U
Blady Grass	*Imperata cylindrica*	U
-	*Juncus usitatus*	U
Paspalum*	*Paspalum dilatatum**	D
Broadleaf Paspalum*	*Paspalum mandiocanum**	D
Vasey Grass*	*Paspalum urvillei**	U
Setaria*	*Setaria sphacelata**	O
Paramatta Grass*	*Sporobolus africanus**	C
Groundcovers		
Kidney Weed	*Dichondra repens*	U
Pennywort*	*Hydrocotyle bonariensis**	O
Flatweed*	*Hypochaeris radicata**	C
Lamb's Tongue*	*Plantago lanceolata**	C
River Buttercup	*Ranunculus inundatus*	U
Fireweed*	*Senecio madagascariensis**	O
Purpletop*	*Verbena bonariensis**	O
Key: Exotic species (*) Frequency Key: Dominant (D), Common (C), Occasional (O), Uncommon (U), Rare (R).		

Photo 2: Vegetation Community on site

Photo 3: Isolated Bangalay tree in the west of the site

2.3 Fauna and Habitat Values

The habitats present on site are poor given that it is largely cleared land. The scattered trees remaining would provide some values for fauna species such as a nectar and pollen source for birds, possum/gliders and Flying Foxes and prey resources (e.g. insects). No trees on the subject site contained glider sap incisions. No hollow-bearing trees were recorded on the subject site. There is no aquatic habitat or drainage lines on the subject site.

One preferred Koala food tree, Forest Red Gum, was located in the west at the rear of the block (Figure 4, Photo 4). This is able to be retained.

Opportunistic searches for fauna were undertaken during the site survey. Birds were the main species recorded. Only common woodland species including Noisy Miner, Magpie Lark, Rainbow Lorikeet, Australian Magpie, Grey Butcherbird, Laughing Kookaburra and Masked Lapwing were recorded. No reptile species were recorded.

The only mammal species found was the Eastern Grey Kangaroo. Searches for Koala scats were undertaken under the trees on site, however no evidence of the Koala was found.

2.3.1 Threatened Fauna

The OEH Bionet Atlas does not show any records of threatened fauna species on the subject site. The Koala has been recorded in close proximity to the site on Forest Parkway, Ocean Drive and Houston Mitchell Drive (OEH 2019). The Swift Parrot has also been recorded nearby south of Houston Mitchell Drive. No threatened fauna species were detected during the site inspection.

Given the nearby Koala records and presence of a known population in the area (Biolink 2009, Peter Parker 2016), the Koala has the potential to use scattered trees along the Forest Parkway Road Reserve as refuge and for foraging. Higher quality Koala habitat is located offsite to the south, west and north of the site. The Area 14 KPoM does not identify any Potential or Core Koala Habitat on the site.

Photo 4: Forest Red Gum to be retained in the southwest of the site

3. Impact Assessment

The proposal is to establish a Manufactured Housing Estate including a number of lots, club house and open space areas. Ecological impacts will be limited as the development site has been previously cleared and only scattered trees remain in the development footprint.

Three trees are proposed to be removed to establish the development. These comprise the following:

- 1 Bangalay (*Eucalyptus botryoides*);
- 1 Grey Ironbark (*Eucalyptus siderophloia*); and
- 1 Spotted Gum (*Corymbia maculata*).

Removal of these trees will lead to a very minor reduction of foraging resources for potentially occurring threatened species including the Grey-headed Flying Fox and Little Lorikeet. These trees do not contain hollows, as such no potential breeding habitat for hollow-obligate species will be removed.

The following potential indirect impacts may be associated with the proposal:

a) ***Fragmentation and landscape change*:** The removal of three trees for the development will not lead to any fragmentation or isolation of habitat.

b) ***Injury/mortality during clearing:*** No hollow-bearing trees, hollow logs, aquatic habitat or dense groundcover will be removed, hence there would be very low potential for fauna injury during tree removal works. There is some potential for the Koala to be present within the trees to be removed, and a pre-clear inspection by an ecologist is recommended.

c) ***Weed invasion:*** Weeds currently occur throughout the site. The proposal is unlikely to introduce any new weed species or increase the spread of weeds. None of the new Lots directly adjoin bushland hence there is a very low risk of new residents dumping garden clippings into native bushland. Native species are recommended to be used in landscaping.

d) ***Erosion and sedimentation:*** Standard mechanisms and controls will be required to ensure that erosion and sedimentation impacts do not extend beyond the development footprint where they could potentially impact swamp forest and aquatic habitats.

e) ***Noise and vibration:*** The construction phase will temporarily increase noise and vibration levels, however will be diurnal and temporary only. This may result in some sensitive species avoiding the area, however is not expected to pose any impacts to known/potentially occurring threatened species.

f) ***Introduction of feral species:*** New residents may wish to keep domestic pets. This has the potential to increase the number domestic/feral species in the area and result in predation or attack of native fauna if animals are not contained. This is a particular risk to the Koala and recommendations are provided to assist in managing risk of dog attack.

g) ***Artificial Lighting:*** New dwellings resulting from the MHE may feature external lighting. If directed into adjacent vegetation, it may impact nocturnal fauna by changing their behaviour or making them more vulnerable to predation.

h) ***Increased human presence:*** Development of the site will see an increase in the level of human presence. Fauna occurring in the study area are likely to be tolerant of anthropogenic impacts given the existing level of human presence in the area.

Figure 4: Trees present on the site

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4. PMHC DCP Compliance Assessment

Under the Port Macquarie-Hastings Council Local Environmental Plan (PMHC LEP) 2011, Council has prepared and implemented the PMHC Development Control Plan (DCP) 2013.

The DCP has a specific provisions for hollow-bearing trees (HBTs) and Koala Food Trees (KFTs) which require offset measures should they be removed along with provisions for EECs and riparian zones which require buffers on land >1 ha. The relevant provisions for these are discussed below.

4.1 HBT Provisions

No hollow-bearing trees were found within the site.

4.2 Koala Food Trees

Searches for Koala food trees listed under the Port Macquarie Hastings Council, Development Control Plan 2013 have been carried out by Biodiversity Australia. One KFT was identified on the site which is proposed to be retained. No replacement planting are required.

4.3 EEC Provisions

No EECs were recorded on or in close proximity to the development site, hence the PMHC DCP provisions for EECs do not apply.

4.4 Riparian Zone Provisions

The development site does not contain any waterways or areas of riparian vegetation, hence the PMHC DCP provisions for riparian zones do not apply.

5. SEPP 44 – Koala Habitat Protection

The development site falls under the Area 14 Koala Plan of Management (Biolink 2009). The development site however does not contain any Potential Koala Habitat mapped under the KPoM. The development is compliant with the KPoM and no Koala food trees listed in the KPoM will require removal for the development.

The site is covered by a Vegetation Management Plan which provides details of Koala food tree plantings required as part of this and adjoining developments. The development includes planting of a 20m wide habitat link as specified in the KPoM which will benefit the local Koala population.

As per the KPoM, clearing must not proceed until the area has been inspected by an ecologist and approval for tree removal given in writing. No clearing or earthworks are to be undertaken within 25m of an identified Koala.

6. Biodiversity Conservation Act 2016 Assessment

6.1 Biodiversity Offset Scheme Requirement

Under the NSW Biodiversity Conservation Act 2016 and Biodiversity Conservation Regulation 2017, Part 4 developments under the Environmental Planning & Assessment Act 1979 (other than State Significant Development) are assessed through the following process:

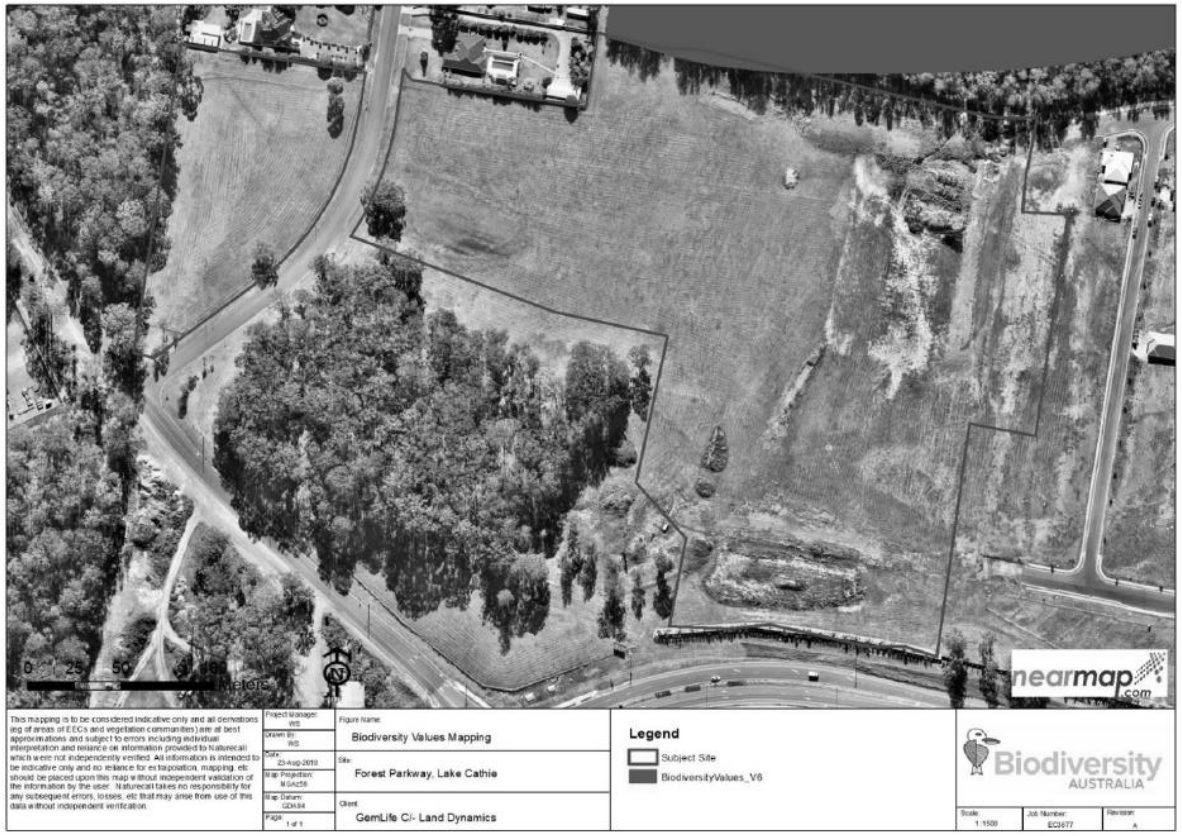
- For developments in which the impact exceeds the clearing threshold, will impact any area mapped on the Biodiversity Value Map or impact on an area of Outstanding Biodiversity Value, a Biodiversity Development Assessment Report (BDAR) will be required. This assesses the impact using the Biodiversity Assessment Method (BAM) and determines the offset obligations required.
- Developments which fall below the clearing threshold and do not impact on sensitive biodiversity values must be assessed under the new five-part test of significance (replacing the former seven part test). If the test determines that a significant impact is likely, a BDAR will be required. There is no offset obligation for Part 4 developments which fall below the threshold and/or are unlikely to have a significant impact on threatened species and/or ecological communities.

The table below provides an assessment to determine if a BDAR is required.

Table 2: Assessment of BDAR requirement

Criteria	Response
Will the development require clearing of native vegetation?	Yes – three trees to be removed
Has the development been granted Biodiversity Certification?	No
Is the development considered State Significant Infrastructure?	No
Does the development affect an area mapped in the NSW Biodiversity Values Map?	No. A very small area of the site along the northern boundary is mapped on the Biodiversity Values Map. Site inspection found that there is no vegetation present in this mapped area, and it is likely to be a mapping overestimation/error due to tree shadow from the adjoining forest vegetation. No native vegetation will be removed from the mapped area.
Minimum lot size on which the development is located.	450M²
Will the development require the removal of >0.25 ha of vegetation?	No. Only three trees require removal with the remainder comprising exotic grassland
Is the development likely to result in a significant impact on threatened species or ecological communities?	No. Refer to Five part Test in Section 5.2
Result	BDAR not required

Figure 5: Biodiversity values mapping



6.2 Test of Significance

The Test of Significance is prescribed in Part 7, Division 1, Section 7.2 of the *Biodiversity Conservation Act 2016*. The purpose of the Test of Significance is to determine whether a proposed development or activity is likely to significantly affect threatened species or ecological communities, or their habitats.

If it is determined that a development or activity will have a significant effect, a Biodiversity Development Assessment Report will be required.

The Test of Significance has been prepared in consideration of the *Threatened Species Test of Significance Guidelines* (OEH 2018).

6.2.1 Entities to be Assessed

The potential occurrence assessment in Appendix 1 has determined that the following species are considered to be potentially occurring in the study area and are also subject to the Test of Significance:

- Little Eagle;
- Square-tailed Kite;
- Barking Owl;
- Powerful Owl;
- Masked Owl;
- Eastern False Pipistrelle;
- Little Bent-wing Bat;
- Eastern Bent-wing Bat;
- Eastern Free-tail Bat;
- Koala;
- Grey-headed Flying Fox;
- Yellow-bellied Sheathtail-bat; and
- Greater Broad-nosed Bat.

6.2.2 Responses

a) In the case of a threatened species, whether the proposed development or activity is likely to have an adverse effect on the life cycle of the species such that a viable local population of the species is likely to be placed at risk of extinction.

The proposal consists of a manufactured home estate which includes number of lots, a club house, open space areas and landscaping. The site is currently mostly cleared and establishing he development will only require the removal of three native trees. Removal of these trees is unlikely to result in any measurable impact on the subject species, and their loss will be offset with the extensive landscaping that will be established as part of the development. The remaining vegetation affected consists of exotic grassland which is unlikely to provide foraging values or prey habitat for the subject species. There is some potential for minor indirect impacts such as noise, artificial lighting and predation on native fauna from domestic pets. The recommendations provided as part of this report will assist in reducing the potential for indirect impacts.

While the habitats present on the subject site may provide low quality foraging resources for a number of the subject species, it would not comprise any significant extent of habitat or be capable of supporting breeding. Habitat to support the local populations of these wide ranging species will remain in adjoining forest areas which include extensive habitat contained within Queens Lake State Conservation Area.

The Koala has been recorded in close proximity to the site, and has the potential to use scattered trees along the Forest Parkway Road Reserve as refuge. The existing Southern Swamp Mahogany in the eastern side of Forest Parkway will be retained and integrated into landscape plantings. Three trees on the western side of Forest Parkway will be removed. This is unlikely to lead to any significant adverse impacts on the Koala given the extent of higher quality foraging habitat available in the study area and the extensive landscape and Koala food tree plantings proposed which would assist in offsetting negative impacts and provide greater refuge and connectivity potential along Forest Parkway. Koala food tree plantings are not proposed as street trees and will be planted in lower risk areas away from roads.

No hollow-bearing trees will require removal for the development, hence there will be no loss of potential breeding habitat for hollow obligate species.

As such, removal of this habitat would be highly unlikely to place a viable population of the subject species at risk of extinction.

b) In the case of an endangered ecological community or critically endangered ecological community, whether the proposed development or activity:

(i) Is likely to have an adverse effect on the extent of the ecological community such that its local occurrence is likely to be placed at risk of extinction, or

(ii) Is likely to substantially and adversely modify the composition of the ecological community such that its local occurrence is likely to be placed at risk of extinction.

No EECs are present on the development footprint. A Swamp Oak Forest community occurs to the north of the site which has potential to qualify as an EEC, however previous assessment on adjoining land has indicated that this area is not located on an alluvial floodplain formation and does not qualify as an EEC (Peter Parker 2016).

c) In relation to the habitat of a threatened species or ecological community:

(i) The extent to which habitat is likely to be removed or modified as a result of the proposed development or activity, and

(ii) Whether an area of habitat is likely to become fragmented or isolated from other areas of habitat as a result of the proposed development or activity, and

(iii) The importance of the habitat to be removed, modified, fragmented or isolated to the long-term survival of the species or ecological community in the locality.

Habitat to be removed comprises one Southern Swamp Mahogany, one Grey Ironbark and one Spotted Gum. The remaining vegetation affected consists of exotic grassland.

The habitat to be removed represents a small portion of the habitat available to the subject species in the study area and locality, and is unlikely to be sufficient to solely support any threatened species.

The vegetation on site is also unlikely to provide local connectivity for species with major barriers occurring north, west and east of the subject site. The removal of these trees is unlikely to reduce connectivity for arboreal species in the study area as nearby areas of connectivity will remain and no areas of habitat will become isolated as a result of the proposal.

The site offers potential habitat for several threatened fauna species. However, given the extent of modification and limitations of the site habitats, these species would be reliant on nearby habitats to

fulfil their lifecycle requirements and the modified vegetation within the development footprint would not be of any key importance.

d) Whether the proposed development or activity is likely to have an adverse effect on any declared area of outstanding biodiversity value (either directly or indirectly).

The proposed development will not directly or indirectly affect an area of outstanding biodiversity value.

e) Whether the proposed development or activity is or is part of a key threatening process or is likely to increase the impact of a key threatening process.

A Key Threatening Process (KTP) is defined as a process that threatens, or may have the capability to threaten, the survival or evolutionary development of species, populations or ecological communities. Due to the minor level of impact associated with the development, it would not contribute to listed KTP's to any significant extent.

7. EPBC Act 1999 – Matters of National Environmental Significance

The provisions of the EPBC Act (1999) require determination of whether the proposal has, will or is likely to have a significant impact on a "matter of national environmental significance". These matters are listed and addressed in summary as follows:

1) **World Heritage Properties:** The site is not listed as a World Heritage area nor does the proposal affect any such area.
2) **National Heritage Places**: The site is not listed as a National Heritage Place nor does the proposal affect any such area.
3) **Ramsar Wetlands of International Significance:** A Ramsar wetland does not occur on the site, nor does the proposal affect a Ramsar Wetland.
4) **EPBCA listed Threatened Species and Communities:** No threatened species or communities were recorded on the site. The Koala and Grey-headed Flying Fox are however considered to have a moderate to high potential to occur. Given the minor extent of habitat removal required, the proposed development would be unlikely to result in a significant impact on these species.
5) **Migratory Species Protected under International Agreements:** No Migratory species is likely to be significantly affected by the proposal.
6) **The Commonwealth Marine Environment (CME):** The site is not within the CME nor does it affect such.
7) **The Great Barrier Reef Marine Park:** The proposal does not affect the Great Barrier Reef Marine Park.
8) **Nuclear Actions:** The proposal is not a nuclear action.
9) **A water resource, in relation to coal seam gas development and large coal mining development**: The proposal is not a mining development.

It is considered that the proposal is not required to be referred to Department of Environment and Energy (DEE) for approval under the EPBC Act (1999).

8. Recommendations

8.1 Clearing to Minimum Required

Tree removal on the site is to be limited to the minimum required to establish the development. The single Forest Red Gum identified near the site boundary is to be retained and protected. There is to be no vegetation removal undertaken in the area in the north of the site mapped on the Biodiversity Values map.

The trees to be removed are to be clearly marked prior to commencement of clearing with flagging tape and/or spray paint. All native trees/vegetation falling outside the minimum clearing area required are to remain undisturbed.

Clearing and earthworks is to avoid damage to root zones of the retained trees. There is to be no parking/driving of vehicles or storage of materials (including soils) under retained trees on site.

8.2 Pre-clearing Survey

The area of clearing work is to be inspected for Koalas and other fauna by an ecologist immediately prior to commencement of any vegetation removal involving machinery and/or tree-felling. Other than Koalas, any detected fauna is to be relocated off-site where possible. Any bird nest considered active is to be removed in a manner that allows retrieval of eggs/young, and these are to be taken into care by FAWNA.

If a Koala is present in the proposed clearing area, works are to be suspended until the Koala moves along on its own volition. If the Koala is located in a position that a 25 m buffer may be established, works may proceed outside this buffer.

8.3 Fencing

Any fencing as part of this proposal (e.g. during construction and/or boundary fencing) is to be Koala permeable and pose no risk of injury to fauna e.g. no barbed wire or exposed wire ends that would pose a risk of entanglement.

8.4 Domestic Pets

New residents may wish to keep cats and dogs. These should be restrained to the vicinity of the residences and yards as far as practicable to avoid potential injury to native fauna. Pets should not be allowed to roam in the open space areas and adjoining bushland, and signage is recommended to be installed notifying residents.

8.5 Weed Control

Disturbance of the development site's soils has potential to encourage weed invasion. Hence, it is recommended that:

- Disturbance of vegetation and soils on the site should be limited to the areas of the proposed work and should not extend into adjacent vegetation.
- Appropriate collection and disposal of all weed material removed via clearing.

- Removal of any new weed infestations that have developed throughout the works.

8.6 Erosion and Sedimentation Control

Erosion and sedimentation controls are to be established as per standard practices to reduce the potential for off-site impacts.

Proposed drainage systems need to be adequately designed and effectively established to prevent the risk of any substantial impacts (e.g. erosion and sedimentation, changed hydrology from stormwater runoff) as per statutory obligations. This is of particular concern to the Swamp Oak forest habitats to the north of the site. Any stormwater runoff which enters this area must be of suitable quality and not introduce an excessive sediment or nutrient load and cause eutrophication. It is preferable to divert runoff away from this community to minimise the risk of changes to hydrology.

9. Conclusion

This report has assessed removal of vegetation on Lot 138 DP 1248149, Lake Cathie for construction of a Manufactured Housing Estate. Three native trees are proposed to be removed from the development site. No primary Koala food trees will be removed under this proposal. No hollow-bearing trees, nests or other habitat features will require removal.

No threatened flora or fauna species or ecological communities were detected on the subject site during the survey. A number of highly mobile threatened fauna species were recognised as potential occurrences in the study area.

The significance assessments carried out for the proposed development determined that the proposal is not expected to significantly impact upon the potentially occurring threatened species due to the limited extent of vegetation to be removed, the fact that local populations of the subject species would extend beyond the study area; and the proposed ameliorative measures detailed in this report. Consequently, the proposal is not considered to require a Biodiversity Development Assessment Report, or referral to the DEE for approval under the EPBC Act 1999.

10. References

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A-1 Potential Occurrence Assessment

A-1-1 Flora Species Eligibility for Test of Significance and MNES Assessment

Table 3: Potential occurrence assessment - flora

Species	BC Act	EPBC Act	Link to Profile	Likelihood of Occurrence	Significance Assessment Required?
Dwarf Heath Casuarina *Allocasuarina defungens*	E	E	http://www.environment.nsw.gov.au/threatenedspeciesapp/profile.aspx?id=10037	In NSW this species is mostly found growing in tall heath on sand. No suitable habitat on subject site. Unlikely to occur.	No
North Brother Wattle *Acacia courtii*	V	V	https://www.environment.nsw.gov.au/threatenedspeciesapp/profile.aspx?id=10011	This species is only known from the mountains of North Brother, Middle Brother and South Brother. Although the subject site is in close proximity to these mountains, this species is unlikely to occur due to a preference for steep, dry, rocky slopes (OEH 2019b).	No
Trailing Woodruff *Asperula asthenes*	V	V	http://www.environment.nsw.gov.au/threatenedSpeciesApp/profile.aspx?id=10068	This species is known to occur in damp areas, often along river banks. No suitable habitat occurs on the site. Unlikely to occur.	No
Leafless Tongue-orchid *Cryptostylis hunteriana*	V	V	https://www.environment.nsw.gov.au/threatenedSpeciesApp/profile.aspx?id=10187	Site habitat unlikely to be suitable due to disturbance history and extent of dense exotic groundcover. No local records. Unlikely to occur.	No
White-flowered Wax Plant *Cynanchum elegans*	E	E	http://www.environment.nsw.gov.au/threatenedspeciesapp/profile.aspx?id=10196	This species predominately occurs in dry rainforest and littoral rainforest communities. Habitat of this type does not occur on the subject site and this species was not found. Unlikely to occur.	No
- *Dracophyllum macranthum*	V	-	https://www.environment.nsw.gov.au/threatenedspeciesapp/profile.aspx?id=20097	This species is known only from the mountainous areas of Coorabakh National Park and the adjacent parts of Comboyne State Forest and Lansdowne State Forest (OEH 2019b). The subject site does not occur in these areas hence this species is unlikely to occur.	No
- *Euphrasia arguta*	CE	CE	https://www.environment.nsw.gov.au/threatenedSpeciesApp/profile.aspx?id=20165	No suitable habitat on site and no local records. Unlucky to occur.	No
Macadamia Nut *Macadamia integrifolia*	-	V	http://www.environment.gov.au/cgi-bin/sprat/public/publicspecies.pl?taxon_id=7326	This species is generally found in Queensland with the subject site occurring in the southern extent of this	No

Species	BC Act	EPBC Act	Link to Profile	Likelihood of Occurrence	Significance Assessment Required?
				species' known distribution. Records in the locality are planted trees. Unlikely to occur.	
Biconvex Paperbark *Melaleuca biconvexa*	V	V	http://www.environment.nsw.gov.au/threatenedSpeciesApp/profile.aspx?id=10514	This species occurs in swamp margins or creek edges. No suitable habitat occurs on site and this distinctive species was not recorded during the survey. Unlikely to occur.	No
Groves Paperbark *Melaleuca groveana*	V	-	https://www.environment.nsw.gov.au/threatenedspeciesapp/profile.aspx?id=10516	Site habitat is unlikely to be suitable and not identified during surveys. Likely to be readily detected if present. Unlikely to occur.	No
Red-flowered King of the Fairies *Oberonia titania*	V	-	https://www.environment.nsw.gov.au/threatenedspeciesapp/profile.aspx?id=10571	Site habitat unlikely to be suitable due to disturbance history and lack of suitable habitat. Unlikely to occur.	No
Lesser Swamp-orchid *Phaius australis*	E	E	https://www.environment.nsw.gov.au/threatenedSpeciesApp/profile.aspx?id=10610	This species is limited to areas of swampy grassland and swampy forest. No suitable habitat occurs on the subject site and no local records. Unlikely to occur.	No
Scrub Turpentine *Rhodamnia rubescens*	E	-	https://www.environment.nsw.gov.au/ThreatenedSpeciesApp/profile.aspx?id=20341	Site habitat unlikely to be suitable due to disturbance history and extent of vegetation clearing. Unlikely to occur.	No
Native Guava *Rhodomyrtus psidioides*	E	-	https://www.environment.nsw.gov.au/threatenedSpeciesApp/profile.aspx?id=20342	This species is often found near creeks and drainage lines within rainforest communities. Unlikely to be suitable habitat and it was not recorded on site during the survey. Unlikely to occur.	No
Magenta Lilly Pilly *Syzygium paniculatum*	E	3	https://www.environment.nsw.gov.au/threatenedSpeciesApp/profile.aspx?id=10794	This species is restricted to specific soils of riverside rainforests and remnant littoral rainforests (OEH 2019b). No suitable habitat for this species occurs within the subject site and no local records occur. Unlikely to occur.	No
Austral Toadflax *Thesium austral*	V	V	https://www.environment.nsw.gov.au/threatenedSpeciesApp/profile.aspx?id=10802	The site habitat in general is unlikely to be suitable for this species which is more often associated with grassland on coastal sea cliffs. Unlikely to occur.	No

A-1-2 Fauna Species Eligibility for Test of Significance and MNES Assessment

Table 4: Potential occurrence assessment – fauna

Species	BC Act	EPBC Act	Link to Profile	Likelihood of Occurrence	Significance Assessment Required?
Amphibians					
Wallum Froglet *Crinia tinnula*	V	-	https://www.environment.nsw.gov.au/threatenedSpeciesApp/profile.aspx?id=10183	This species is generally found in coastal acidic paperbark swamps with potential to also occur in heathland and Melaleuca sedgelands. Habitat of this type does not occur within the subject site.	No
Green & Golden Bell Frog *Litoria aurea*	E	V	http://www.environment.nsw.gov.au/threatenedspeciesapp/profile.aspx?id=10483	This species inhabits permanent waterbodies with a preference for those which are still. A small farm dam is located on the site, however it is located within a disturbed landscape and is infested with Plague Minnow. Unlikely to occur.	No
Green-thighed Frog *Litoria brevipalmata*	V	-	https://www.environment.nsw.gov.au/threatenedSpeciesApp/profile.aspx?id=10485	A generalist species found in a range of habitats containing a water source however preference is given to wet forests. The site is located within a disturbed landscape and does not contain suitable habitat for this species. Unlikely to occur.	No
Giant Barred Frog *Mixophyes iteratus*	-	E	https://www.environment.nsw.gov.au/threatenedspeciesapp/profile.aspx?id=10538	This species is found in moist forests and rainforests. The vegetation communities on site are not suitable and this species has not been recorded in the locality. Unlikely to occur.	No
Birds					
Regent Honeyeater *Anthochaera phrygia*	CE	CE	http://www.environment.nsw.gov.au/threatenedSpeciesApp/profile.aspx?id=10841	Very few favoured foraging species are present on the site and no proximate records. Very low to nil chance of occurring.	No
Dusky Woodswallow *Artamus cyanopterus cyanopterus*	V	-	http://www.environment.nsw.gov.au/threatenedspeciesapp/profile.aspx?id=20303	This species is found in open woodland and eucalypt forests, with a preference for a groundcover of sedges and grasses and woody debris (OEH 2019b). Site unlikely to provide suitable habitat due to extent of modification.	No
Australasian Bittern *Botaurus poiciloptilus*	E	E	http://www.environment.nsw.gov.au/threatenedspeciesapp/profile.aspx?id=10105	An estuarine or freshwater species found in areas of dense sedges, reeds and rushes. Suitable habitat for this species does not occur on site. Unlikely to occur.	No

Species	BC Act	EPBC Act	Link to Profile	Likelihood of Occurrence	Significance Assessment Required?
Glossy Black Cockatoo *Calyptorhynchus lathami*	V	-	http://www.environment.nsw.gov.au/threatenedspeciesapp/profile.aspx?id=10140	This species requires *Allocasuarina* species to forage and large tree hollows to breed. No potential foraging or breeding habitat for this species occurs on site. Unlikely to occur.	No
Varied Sittella *Daphoenositta chrysoptera*	V	-	https://www.environment.nsw.gov.au/threatenedspeciesapp/profile.aspx?id=20135	This species forages in trees with rough bark or on dead trees. It is known to occur in a range of vegetation types excluding deserts and grassland. Habitat within the subject site is likely to be too exposed and fragmented to support this species. Unlikely to occur.	No
Eastern Bristlebird *Dasyornis brachypterus*	E	E	http://www.environment.nsw.gov.au/threatenedSpeciesApp/profile.aspx?id=10206	Site habitat is unsuitable for this species and there are no local records. Unlikely to occur.	No
Black Necked Stork *Ephippiorhynchus asiaticus*	E	-	http://www.environment.nsw.gov.au/threatenedspeciesapp/profile.aspx?id=10275	This species is found in close proximity to a water source. Generally, inhabits lakes, swamps, mudflats and mangroves. The nearby lake margins may provide a foraging resource for this species however no foraging habitat occurs within the site. Unlikely to occur.	No
Little Lorikeet *Glossopsitta pusilla*	V	-	https://www.environment.nsw.gov.au/threatenedspeciesapp/profile.aspx?id=20111	This species is mostly found in areas of profuse-flowering eucalypts where it feeds on nectar and pollen from the tree canopy. Has been recorded occurring in isolated roadside and paddock trees. No potential foraging or nesting habitat occurs on site. Unlikely to occur.	No
Red Goshawk *Erythotriorchis radiatus*	-	V	https://www.environment.nsw.gov.au/threatenedspeciesapp/profile.aspx?id=10279	This species is very rare in NSW with most records occurring north of the Clarence River. Records south of this consist solely of occasional historic records in Port Stephens (OEH 2019b). This species is often found in mosaic vegetation in close proximity to a watercourse and requires a large bird population as a prey resource. Its preferred habitats are Melaleuca swamp forest, mixed subtropical rainforest and riparian eucalyptus forest. Habitat favoured by this species does not occur on the subject site and no local records occur. Unlikely chance of occurrence.	No
Painted Honeyeater *Grantiella picta*	V	V	http://www.environment.gov.au/cgi-bin/sprat/public/publicspecies.pl?taxon_id=470	This species inhabits mistletoe-infested forest and woodland communities. This habitat does not occur on site and this species has not been recorded in the locality. Unlikely to occur.	No

Species	BC Act	EPBC Act	Link to Profile	Likelihood of Occurrence	Significance Assessment Required?
Brogla *Grus rubicunda*	V	-	https://www.environment.nsw.gov.au/threatenedspeciesapp/profile.aspx?id=20111	A coastal and inland wetland species. The nearby lake margins may provide a foraging resource for this species however no foraging habitat occurs within the site. Habitat on site is likely to be too disturbed for this species. Unlikely to occur.	No
White-bellied Sea Eagle *Haliaeetus leucogaster*	V	M	http://www.environment.nsw.gov.au/threatenedspeciesapp/profile.aspx?id=20322	This species is found in areas containing large open water for foraging. Nests are often build in tall emergent eucalypts and often have dead branches or trees nearby to be used as 'guard roosts' (OEH 2019b). Although a potential foraging resource occurs nearby to the subject site, the vegetation on site is unlikely to provide a suitable nesting site for this species. Unlikely to occur.	No
Little Eagle *Hieraaetus morphnoides*	V	-	http://www.environment.nsw.gov.au/threatenedspeciesapp/profile.aspx?id=20131	This species forages in forest and woodland communities that contain an abundance of prey resources. The development site is unlikely to support a sufficient prey source for this species however there is a very marginal potential for it to forage over the site as part of a larger range.	**Yes**
Swift Parrot *Lathamus discolor*	E	CE	http://www.environment.gov.au/cgi-bin/sprat/public/publicspecies.pl?taxon_id=744	This species favours winter flowering eucalypts. These are rare on site and this species would be unlikely to use the habitats on site given the extent of higher quality habitat nearby.	No
Square-tailed Kite *Lophoictinia isura*	V	-	http://www.environment.nsw.gov.au/threatenedSpeciesApp/profile.aspx?id=10495	This species is commonly found in open forests and woodlands. Large stick nests are constructed in forks of living trees. No nests found on or adjacent to the site and it was not detected by the survey. Recorded in locality, hence at least fair chance of occurrence foraging over the site as part of a larger foraging range.	**Yes**
Barking Owl *Ninox connivens*	V	-	https://www.environment.nsw.gov.au/threatenedspeciesapp/profile.aspx?id=10561	This species hunts over large territories where is prefers open country. Tree hollows in well-forested hills, flats or riverine woodland are required for nesting. No nesting habitat occur on site for this species however the subject site may provide foraging habitat as a small part of a large hunting range. Low chance of occurrence.	**Yes**
Powerful Owl *Ninox strenua*	V	-	http://www.environment.nsw.gov.au/threatenedspeciesapp/profile.aspx?id=10562	This species occurs in sclerophyll forests and requires an abundance and diversity of prey species. Tree hollows are also required for nesting. Prey species are likely to be	**Yes**

Species	BC Act	EPBC Act	Link to Profile	Likelihood of Occurrence	Significance Assessment Required?
				scarce however the site may form part of a larger foraging territory. Fair chance of occurrence.	
Eastern Osprey *Pandion cristatus*	V	M	http://www.environment.nsw.gov.au/threatenedspeciesapp/profile.aspx?id=10585	A water-dependent species which favours river mouths and coastal lakes and lagoons (OEH 2019b). This species forages over large waterbodies and breeds in nests constructed in the dead branches high in the canopy. Neither foraging, nor breeding habitat occur within the subject site. Unlikely to occur.	No
Flame Robin *Petroica phoenicea*	V	-	https://www.environment.nsw.gov.au/threatenedspeciesapp/profile.aspx?id=20129	Site is likely to be too exposed and does not contain understorey vegetation or any coarse woody debris. Not recorded in the locality within the last 10 years. Unlikely to occur.	No
Wompoo Fruit-Dove *Ptilinopus magnificus*	V	-	https://www.environment.nsw.gov.au/threatenedSpeciesApp/profile.aspx?id=10707	A rainforest species which also inhabits wet sclerophyll forests with a rainforest understory. Habitat within the site and study area is likely to be too fragmented and disturbed to support this species. Unlikely to occur.	No
Masked Owl *Tyto novaehollandiae*	V	-	http://www.environment.nsw.gov.au/threatenedspeciesapp/profile.aspx?id=10820	This species occurs in forests and woodlands with a sparse understory. It requires tree hollows for nesting and an abundance and diversity of prey species. No large tree hollows were recorded on site and prey species are likely scarce across the study area, however there is some potential to forage over the site as part of a larger range. Moderate chance of occurrence.	**Yes**
Sooty Owl *Tyto tenebricosa*	V	-	https://www.environment.nsw.gov.au/threatenedspeciesapp/profile.aspx?id=10821	A rainforest species which requires very large tree-hollows to roost/nest. The lack of large tree hollows and desirable vegetation within the subject site is a large constraint for this species. Unlikely to occur.	No
Mammals					
Eastern Pygmy-possum *Cercartetus nanus*	V	-	http://www.environment.nsw.gov.au/threatenedspeciesapp/profile.aspx?id=10155	Site habitat is likely to be too exposed due to the lack of understory and shrub layers. Poor foraging values. Unlikely to occur.	No
Large-eared Pied Bat *Chalinolobus dwyeri*	V	V	http://www.environment.nsw.gov.au/threatenedSpeciesApp/profile.aspx?id=10157	The development site lacks preferred roosts such as caves, mines and Fairy Martin nests. Considered unlikely to occur on site due to the lack of breeding habitat and limited records in the locality.	No

Species	BC Act	EPBC Act	Link to Profile	Likelihood of Occurrence	Significance Assessment Required?
Spotted-Tailed Quoll *Dasyurus maculatus*	V	E	http://www.environment.nsw.gov.au/threatenedspeciesapp/profile.aspx?id=10207	This species prefers forest habitats with dense vegetation. For nesting, caves, large hollow logs or tree hollows are required. Site habitat likely to be too disturbed for this species and only sparse local records occur. Unlikely to occur.	No
Eastern False Pipistrelle *Falsistrellus tasmaniensis*	V	-	https://www.environment.nsw.gov.au/threatenedSpeciesApp/profile.aspx?id=10331	A winter-hibernating species with a preference for moist habitats containing trees taller than 20 m in height (OEH 2019b). Roosts in eucalypt hollow however has been found roosting in buildings or under loose bark. No potential roosting habitat occurs on site however the subject site may contain some potential foraging habitat which may be used as part of a larger area. Low potential to occur.	**Yes**
Golden-tipped Bat *Kerivoula papuensis*	V	-	https://www.environment.nsw.gov.au/threatenedspeciesapp/profile.aspx?id=10444	The development site lacks preferred roosts such as caves and mines. Generally, occur in intact forest habitats. Considered unlikely to occur on site due to the lack of breeding habitat and limited records in the locality.	No
Little Bent-wing Bat *Miniopterus australis*	V	-	http://www.environment.nsw.gov.au/threatenedspeciesapp/profile.aspx?id=10533	This species is known to occur in well-forested areas and often found roosting in caves, old mines and old buildings. No roosting habitat for this species occurs on the development site however site may form a small part of larger foraging range. High chance of occurring on site.	**Yes**
Eastern Bent-wing Bat *Miniopterus schreibersii oceanensis*	V	-	http://www.environment.nsw.gov.au/threatenedspeciesapp/profile.aspx?id=10534	As for Little Bent-wing Bat.	**Yes**
Eastern Free-tail Bat *Mormopterus norfolkensis*	V	-	http://www.environment.nsw.gov.au/threatenedspeciesapp/profile.aspx?id=10544	As for Little Bent-wing Bat.	**Yes**
Southern Myotis *Myotis macropus*	V	-	https://www.environment.nsw.gov.au/threatenedspeciesapp/profile.aspx?id=10549	This species requires tree hollows, caves, tunnels or dense foliage for roosting. Forages along creek lines and other water bodies and has a preference for riparian habitat. No suitable waterbodies for foraging occur on site and no potential roosts occur. Unlikely chance of occurrence.	No
Greater Glider *Petauroides volans*	E	V	http://www.environment.nsw.gov.au/threatenedspeciesapp/profile.aspx?id=20306	This species requires a high density of tree hollows for shelter. The subject site does not contain suitable foraging habitat or hollow-bearing trees to support this species. Unlikely to occur.	No

Species	BC Act	EPBC Act	Link to Profile	Likelihood of Occurrence	Significance Assessment Required?
Yellow-bellied Glider *Petaurus australis*	V	-	https://www.environment.nsw.gov.au/threatenedspeciesapp/profile.aspx?id=10601	The subject site does contain enough habitat to support this species due to the sparse tree cover. Unlikely to occur. Potential to occur in adjacent habitat but unlikely to be affected by the proposal.	No
Squirrel Glider *Petaurus norfolcensis*	V	-	http://www.environment.nsw.gov.au/threatenedspeciesapp/profile.aspx?id=10604	This species is commonly found in dry, open forests with an abundance of winter-flowering trees. Given the highly fragmented nature of the site and lack of potential denning habitat, it is considered unlikely to occur. Potential to occur in adjacent habitat but unlikely to be affected by the proposal.	No
Brush-tailed Phascogale *Phascogale tapoatafa*	V	-	https://www.environment.nsw.gov.au/threatenedSpeciesApp/profile.aspx?id=10613	This species is generally found in areas of dry sclerophyll open forest containing sparse groundcover (OEH 2019b). The site is unlikely to support this species due to the lack of potential foraging and denning habitat. Unlikely to occur.	No
Brush-tailed Rock-wallaby *Petrogale penicillata*	V	V	https://www.environment.nsw.gov.au/threatenedSpeciesApp/profile.aspx?id=10605	This species requires areas of rocky escarpments, outcrops and cliffs as it seeks shelter in caves and rock crevices by day. By night, this species is forages on vegetation adjacent to these areas. No habitat of this type occurs within close proximity to the subject site. Unlikely to occur.	No
Koala *Phascolarctos cinereus*	V	V	https://www.environment.nsw.gov.au/threatenedSpeciesApp/profile.aspx?id=10616	The site contains a few scattered trees which could potentially provide foraging habitat, however the site has poor support values overall and does not provide connectivity between local forested areas. Has also been recorded nearby on Forest Parkway and Houston Mitchell Drive. Moderate chance of occurrence.	**Yes**
Common Planigale *Planigale maculata*	V	-	http://www.environment.nsw.gov.au/threatenedspeciesapp/profile.aspx?id=10635	This species is found in areas where there is dense groundcover and in close proximity to water. Hollow logs, rocks and crevices are required for shelter diurnally. No suitable habitat on site, unlikely to occur.	No
Long-nosed Potoroo (SE mainland) *Potorous tridactylus*	V	V	http://www.environment.nsw.gov.au/threatenedspeciesapp/profile.aspx?id=10662	This species requires a dense understory and groundcover for refuge whilst feeding. This habitat does not occur on site. Unlikely to occur on site.	No
Eastern Chestnut Mouse *Pseudomys gracilicaudatus*	V	-	https://www.environment.nsw.gov.au/threatenedspeciesapp/profile.aspx?id=10687	This species requires intact habitats with a dense understory. Suitable habitat for this species does not occur on site. Unlikely to occur.	No

Species	BC Act	EPBC Act	Link to Profile	Likelihood of Occurrence	Significance Assessment Required?
New Holland Mouse *Pseudomys novaehollandiae*	-	V	http://www.environment.gov.au/cgi-bin/sprat/public/publicspecies.pl?taxon_id=96	This species requires heathlands with a dense understory. Suitable habitat for this species does not occur on site. Unlikely to occur.	No
Grey-headed Flying Fox *Pteropus poliocephalus*	V	V	http://www.environment.nsw.gov.au/threatenedspeciesapp/profile.aspx?id=10697	A nomadic species which is dependent on winter flowering eucalypts. Suitable foraging resources occur on site for this species however no breeding or roosting camps were located within the subject site. Highly likely to occur foraging as part of larger range.	**Yes**
Yellow-bellied Sheathtail-bat *Saccolaimus flaviventris*	V	-	https://www.environment.nsw.gov.au/threatenedspeciesapp/profile.aspx?id=10741	A wide-spread species which has been recorded in a variety of habitats across the state. A number of records occur within the locality. Low chance of utilising the subject site for foraging as part of a larger area.	**Yes**
Greater Broad-nosed Bat *Scoteanax rueppellii*	V	-	https://www.environment.nsw.gov.au/threatenedSpeciesApp/profile.aspx?id=10748	This species utilises a range of habitats and generally roosts in tree hollows. Low chance of occurrence using site as part of a larger range.	**Yes**
Eastern Cave Bat *Vespadelus troughtoni*	V	-	https://www.environment.nsw.gov.au/threatenedSpeciesApp/profile.aspx?id=10829	A cave-dwelling bat that inhabits wet sclerophyll forest and tropical mixed woodland. Suitable habitat for this species does not exist of site and this species has not been recorded in the locality in the past ten years. Unlikely to occur.	No

LandDynamics
AUSTRALIA

DRAFT PLAN OF MANAGEMENT

Lifestyle Resort

Lot 138 DP 1248149

Corner Forest Parkway & Ocean Drive, Lake Cathie

October 2019

Prepared for:

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Prepared By:

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Disclaimer

This report was prepared in accordance with the scope of works set out in correspondence between the client and Land Dynamics Australia. To the best of Land Dynamics Australia's knowledge, the report presented herein accurately reflects the Client's intentions when the report was printed. However, it is recognised that conditions of approval at time of consent, post development application modification of the proposals design, and the influence of unanticipated future events may modify the outcomes described in this report.

Land Dynamics Australia used information and documentation provided by external persons, companies and authority. Whilst checks were completed by Land Dynamics Australia to ensure that this information and/or documentation was accurate, it has been taken on good faith and has not been independently verified. It is therefore advised that all information and conclusions presented in this report apply to the subject land at the time of assessment, and the subject proposal only.

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1. INTRODUCTION

This Plan of Management (PoM) is the document which defines the value, use, management practices and intent to ensure the Manufactured Housing Lifestyle Resort (referred to as Lifestyle Resort) achieves the general objectives set out below in Section 3 of this plan.

The provisions of this Plan of Management are to be satisfied by the operator of the Lifestyle Resort at Forest Parkway & Ocean Drive, Lake Cathie. In the event there is a change in the ownership of the premises, Port Macquarie Hastings Council is to be notified in writing within three (3) weeks of such change of ownership. The letter of notification is to provide Council the details of the new operator including name, address and contact phone number.

1.1 Why Prepare a Plan of Management?

The PoM has been prepared for the following reasons:

- Outlines operational and day to day use and management.
- Sets out a range of policies and procedures to ensure the Plan of Management is appropriately well-managed, offering high quality of services to residents of the Lifestyle Resort and guests.
- Promotes the safe and efficient operation of the development.
- Sets out procedures to ensure the operations of the Lifestyle Resort do not adversely affect its neighbours.

2. DESCRIPTION OF SUBJECT PREMISES & APPROVALS

2.1 Address & Consents

Address: Lot 138 DP 1248149, Corner Forest Parkway & Ocean Drive, Lake Cathie

Telephone: To be advised

Operator: GemLife

Consent: To be updated once development consent is issued.

2.2 Services and Facilities

The services offered are that of a long term Lifestyle Resort incorporating 159 dwelling sites within a private Lifestyle Resort containing internal roads, services and drainage and communal facilities.

Community facilities include:-

- On-site Manager.
- Clubhouse which includes on the ground floor a large hall, consultation rooms, kitchen, amenities, storage areas, gymnasium, lounge areas, stage area, bar, ten pin bowling alley and connects to an indoor swimming pool and adjoining tennis court. The first floor includes a cinema, gaming lounge, bar, golf simulator, library, craft room, multi-purpose room, lounge areas and lawn bowling green.
- Passive recreation areas, including a bocce court.
- Gated entry with license plate recognition or keypad.
- Resort shuttle bus and Intra-resort shuttle buggy.
- RV, caravan and boat storage.

- Workshop.
- Landscaping throughout the Lifestyle Resort and along the boundaries.
- A drainage swale is provided along the northern portion of the site and into the adjoining reserve.

Below is the site plan for the Lifestyle Resort.

Figure 1 – Site Plan - Lifestyle Resort

2.4 Hours of Operation

The Lifestyle Resort operates twenty four (24) hours seven (7) days a week. An on-site Manager resides within the Lifestyle Resort and is available for after-hours emergencies via telephone.

The hours of operation will evolve as the Lifestyle Resort develops and may be increased during periods of heavy use of operational facilities. The annual audit and review of the PoM will be amended in this regard.

The office hours available for residents of the Lifestyle Resort to access Management are to be clearly identified and displayed at the office and can be varied by Management with notification of residents and erection of a sign at the office.

2.5 Record Keeping

Management shall maintain and keep secure a record of all residents of the Lifestyle Resort.

Management is to keep a current version of the following on file and available for residents of the Lifestyle Resort to view at Reception:

- Plan of Management;
- Development Consent for the Lifestyle Resort (and any modifications);
- Any approved Section 82 Objection to Regulation compliance;
- Section 68 Approval to Operate for the estate; and
- Certificate of Compliance or Section 68 Approval issued for the dwellings.

2.6 Staging

The development will be undertaken in stages. Management shall ensure all residents of the Lifestyle Resort and the surrounding area are aware of the staged development of the Lifestyle Resort to prevent mis-communication within the community and keep residents informed.

Management is to distribute a 6 monthly newsletter update to surrounding residents to be informed of the progress of the development's construction, throughout the entire construction.

2.7 Communication

Management is to communicate with residents of the Lifestyle Resort via a Noticeboard at the Clubhouse and Residents' introductory Welcome Information Package.

A Noticeboard is to be provided within Reception or Clubhouse to alert residents to inhouse events and visiting services and of the Community Bus schedule, as well as local events and activities.

3. GENERAL OBJECTIVES

3.1 Aims

This Plan of Management aims to ensure:

(i) the continued health and safety of all residents within the development at all times;

(ii) that the development operates with minimal impact upon the surrounding area and adjoining residential dwellings;

(iii) the presentation, maintenance and repairs of the development are to a high standard and undertaken in a timely fashion;

(iv) the cleanliness of the Lifestyle Resort;

(v) the safety and security of the Lifestyle Resort;

(vi) restricting access to the premises to promote safety and security for residences;

(vii) accessibility for residents throughout the Lifestyle Resort to all communal areas;

(viii) control of any anti-social behaviour within the development; and

(ix) the updating and carrying out of emergency procedures.

3.2 Proprietor's Roles and Responsibilities

The proprietor/operator has overall responsibility for ensuring the Lifestyle Resort achieves the objectives set out in this plan and in accordance with any conditions of development consent that may be imposed by Port Macquarie Hastings Council.

The proprietor/operator is responsible for the overall management of the Lifestyle Resort and overseeing the implementation of all:-

(i) management and operating policies and procedures;

(ii) the recruitment, training and supervision of staff; and

(iii) roles and responsibilities.

Management and staff will be responsible for upholding and implementing all policies and procedures set out in this plan with particular reference to monitoring access, unauthorised activities and difficult and/or anti-social behaviour.

This will include:-

(i) monitoring the entrances to the Lifestyle Resort;

(ii) communicating with police, ambulance and other emergency services where required;

(iii) overseeing procedures for evacuation in the case of fire or other emergency;

(iv) induction and supervision of all personnel;

(v) preparation and implementation of the staff roster;

(vi) education and training of all personnel;

(vii) resolving any issues of conflict;

(viii) oversight of all health, safety and security procedures;

(ix) oversight of all cleaning, maintenance and waste management;

(x) regular evaluation of the premises for maintenance, repairs, and replacements;

(xi) implementation of EEO requirements, NSW Health and WorkCover NSW requirements and regulations;

(xii) oversight of stocktaking with particular reference to ensuring a well-stocked supply of cleaning products and linen for the community/club house facilities;

(xiii) oversight of maintenance of incidents and accident/injury registers;

(xiv) liaise with neighbours as required to ensure the Lifestyle Resort operates in a manner that does not adversely impact on the social amenity of surrounding residents; and

(xv) oversight and maintenance of communal letterboxes.

3.3 Staff Roles and Responsibilities

A Manager is to be appointed to run the Lifestyle Resort on a day-to-day basis. Any Manager must have clear "Working with Children" check prior to being appointed to the position.

The Manager will be responsible for:-

(i) day to day running of the Lifestyle Resort;

(ii) conducting interviews with potential residents and direct communication with residents, including resolving any problems that may arise;

(iii) ensuring repairs and maintenance works are carried out in a timely manner;

(iv) maintain hygiene standards within the Lifestyle Resort and ensuring regular cleaning of facilities and the Lifestyle Resort;

(v) enforcement of the Lifestyle Resort rules;

(vi) communicating and building a positive relationship with neighbours; and

(vii) managing the operation of the café or any other facilities by a third party.

The roles and responsibilities of the management staff include:-

(i) assisting in upholding and implementing all relevant policies and procedures with particular reference to monitoring access, unauthorised activities and difficult and/or anti-social behaviour;

(ii) contribute to the monitoring of the entrance of the Lifestyle Resort and its facilities;

(iii) spot cleaning of common areas and Lifestyle Resort facilities on a needs basis;

(iv) cleaning and laundering of all linen for the community/club house facilities;

(v) removal of waste and maintenance of waste collection areas;

(vi) cleaning and disinfecting all wet areas, toilets and common areas;

(vii) maintenance of cleaning schedules and spot cleaning checklist;

(viii) act under instructions of the manager/proprietor in case of an emergency and/or evacuation of the Lifestyle Resort or any of its facilities; and

(ix) ensuring all child resistant barriers to the swimming pool is operational and the water quality of the pool is maintained.

3.4 Cleaning of the Lifestyle Resort Facilities

All cleaning must ensure that all dirt, dust and substances are collected and removed. All sanitary facilities and surfaces are cleaned first with neutral detergents and any bleach or disinfectants are used strictly in accordance with the manufacturer's instructions.

All equipment used for mopping including mop and bucket are to be cleaned with warm water and detergent after use and the equipment is then stored to dry with buckets placed upside down and mop supported off the ground.

Warning signs are posted in areas where floor surfaces may be damp or slippery during and after the floor cleaning activities.

The frequency of cleaning of facilities will increase as the Lifestyle Resort develops and during periods of heavy use of operational facilities. The annual audit and review of the PoM will be amended in this regard.

4. STATUTORY & POLICY FRAMEWORK

4.1 Introduction

The management, operation and improvement of the Lifestyle Resort must take account of a range of statutory controls and policies. It is a fundamental requirement of this Plan of Management that the Manager will comply with the requirements of applicable legislation, regulations, approvals and policies.

Operators of Lifestyle Resorts have certain obligations under the Local Government (Manufactured Home Lifestyle Resorts, Caravan Parks, Camping Grounds and Moveable Dwellings Regulation (the Regulation).

The Regulation is made under the Local Government Act 1993 and is upgraded from time to time. Homes in Lifestyle Resort must comply with the Regulation that was in place at the time the home was placed on the site.

The following provides a list and description of key legislation:

- Environmental Planning and Assessment Act 1979 and any planning instrument permitting the use of the land for a specified purpose or otherwise regulating the use of the land;
- Local Government Act 1993; and

- The relevant provisions of the Local Government (Manufactured Home Lifestyle Resorts, Caravan Park, Camping Grounds and Moveable Dwellings) Regulation 2005.

4.2. Local Government (Manufactured Home Lifestyle Resorts, Caravan Parks, Camping Grounds & Moveable Dwellings) Regulation 2005

The technical standards for the development and operation of Lifestyle Resorts are defined in the Local Government (Manufactured Home Lifestyle Resorts, Caravan Parks, Camping Grounds and Moveable Dwellings) Regulation 2005. The Regulation addresses technical requirements with respect to site types, setbacks, site coverage, road dimensions, parking, provision of amenities and the like. Clause 74 of this Regulation provides that the prior approval of a Council is not required for the installation of a relocatable home or an associated structure on a dwelling site within a Lifestyle Resort so long as it is designed and constructed in accordance with the requirements of the Regulations. This exemption is modified by sub clauses 6 and 7 which deal with installation on flood liable land and moveable dwellings of more than one storey.

Compliance with the Regulations can be varied by the approval of a Section 82 Objection. Management is to keep a copy of any approved Section 82 Objection on file.

5. IMPLEMENTATION OF PLAN OBJECTIVES

The above Plan objectives will be achieved via the following in-house management policies and procedures.

5.1 Health and Well-Being

Management will be responsible for the regular inspection of all Lifestyle Resort facilities and common areas.

Management will be responsible for regular pest control.

All new residents of the Lifestyle Resort will be provided with an information pack containing the following:-

(i) locality map and directions;

(ii) public transport options, bus time tables and community bus details;

(iii) information on local community services (council services, doctors, pharmacies, etc.);

(iv) shopping centre location;

(v) Lifestyle Resort rules;

(vi) business hours contact details and emergency contact details for park management;

(vii) alternative contact details if manager unavailable; and

(viii) emergency evacuation procedures.

Lifestyle Resort Rules will be prepared and adopted covering the following issues:-

(i) rental/lease payments;

(ii) policies regarding unauthorised activities;

(iii) peace and quiet, abusive language, excessive noise and anti-social behaviour in consideration of internal and adjoining neighbours;

(iv) behaviour and conduct in communal areas and Lifestyle Resort facilities; and

(v) contact details for emergencies.

5.2 Safety

The entrance to the Lifestyle Resort will be provided with low glare security lighting after dark. The overall site will contain pole lighting. The Manager is to be on site at all times. In addition, the following procedures will be implemented:-

(i) the preparation of fire and other emergency evacuation plans. All personnel are trained in emergency evacuation procedures;

(ii) emergency services number is coded into the telephone for easy access to Police and other emergency services;

(iii) all fire extinguishers, smoke detectors, exit signs and emergency signs serviced regularly. All personnel are familiar with the use of fire extinguishers;

(iv) all gas installations and fittings must be checked at least once every two years by a licensed gas fitter;

(v) all electrical installations and fittings must be checked at least once every five years by a licensed electrician;

(vi) all power outlets and electrical circuits must be connected to circuit breakers that comply with the applicable Australian Standard;

(vii) all bathrooms or toilets within the community facilities must be fitted with a privacy latch that can be securely latched from the inside without a key;

(viii) training is provided in dealing with difficult or intoxicated persons;

(ix) adequate pole lighting for security purposes is provided in accorded throughout the entire development;

(x) management staff are to maintain the Lifestyle Resort incident book and accident/injury register. Any breach of security or related episode is entered into the incident book and reported to the Manager. The incident book is to be provided to NSW Police if and when requested;

(xi) all cash money is to be kept in a safe/strong box in the office on the Lifestyle Resort premises. Cash is to be banked on a daily basis; and

(xii) all child resistant barriers to the swimming pool is operational and the water quality of the pool is maintained.

(xiii) enclosed Colourbond aluminium security fencing predominately surrounds the site to a height of 1.8m. The front boundary fence has plantings to the road side to ascetically soften. Adjoining open space areas fencing will consist of tubulars aluminium security fencing of vertical bars and a flat top.

5.3 Managing Visitors

The manager is to ensure the following:

(i) visitors may stay for no longer than six (6) weeks unless otherwise agreed by the Manager;

(ii) all visitors, including children must be accompanied by a resident of the Lifestyle Resort whilst they are within the common areas and facilities of the Lifestyle Resort; and

(iii) visitors (including children) cannot ride bicycles, roller blades, skateboards or the like within the common areas of the Lifestyle Resort.

These protocols will be communicated to residents via a Noticeboard at the Clubhouse, Residents' introductory

Welcome Information Package.

5.4 Unauthorised Activities on the Premises

The Management Policy on unauthorised activities on the premises is prominently display at the entrance and in the reception area of the Lifestyle Resort. Any residents of the Lifestyle Resort of the Lifestyle Resort found involved in any unauthorised activity will be subject to the provisions under the applicable Residential Site Agreement.

5.5 Control of Anti-Social Behaviour

Prevention of anti-social behaviour is the first course of action. Visitors are personally asked to restrain their behaviour. In the event of continuing anti-social behaviour, the Police will be called immediately.

In the event of an incident occurring within the Lifestyle Resort all personnel are instructed never to escalate the situation, but to wait at all times for the Police.

5.6 Maintenance and Repairs

Staff and any contract cleaning personnel will report to the Manager on any property damage and/or obvious signs of wear and tear. The Manager is to undertake a quarterly evaluation of the Lifestyle Resort for maintenance, repairs, and replacement purposes of common facilities which include:-

(i) All paint finishes – any paint used will be of a wash and wear product standard;

(ii) Tiling – tiling to be provided in bathrooms, toilets and around hand washbasins, staff tea and coffee making areas. Any chipped or broken tiles will be replaced;

(iii) Floor coverings – all floor coverings will be kept clean and replaced when worn;

(iv) Furniture and fittings – these items will be repaired and replaced within communal areas and facilities as required;

(v) Evidence of anti-social behaviour and vandalism (i.e. graffiti, broken glass) to be removed within 24 hours;

(vi) Broken fixtures and fittings such as lights to be repaired / replaced within 12 hours; and

(vii) All gardens and landscaped areas are to be maintained on a regular basis.

Maintenance of all individual dwellings and dwelling sites are the responsibility of the residents of the Lifestyle Resort, with the exception of overall infrastructure including water, sewer and electricity and the like.

The manager is responsible for identifying, investigating and organising repair of any damage to the common infrastructure such as drainage swales, private roads and pathways throughout the Lifestyle Resort, in addition to the common recreational areas and facilities.

5.7 Emergency Procedures

All personnel are trained in emergency procedures as part of ongoing personnel training including familiarity with fire exits and position of fire extinguishers throughout the Lifestyle Resort facilities. In the event of fire or other emergency requiring evacuation of the communal facilities or the Lifestyle Resort, the manager and/or the Lifestyle Resort staff will implement fire evacuation procedures. All persons will be removed from the Lifestyle Resort facilities immediately. The Manager or the Lifestyle Resort staff will report the fire immediately to the appropriate service via the pre-coded number in the telephone.

A first aid kit and instructions on CPR are to be maintained in a readily accessible location on the premises.

5.8 Garbage Collection

Lifestyle Resort management is to make arrangements for a private contractor to collect all domestic waste from each individual dwelling site and the waste enclosure at the Clubhouse. An approved private waste contractor will then transport all waste material to Council's local landfill.

Lifestyle Resort management will be responsible for the regular cleaning and maintenance of the waste enclosure at the Clubhouse to avoid odour issues.

5.9 Community Bus

Management is to provide a community bus for the transportation of residents of the Lifestyle Resort. The community bus will be available for regular trips to Lake Cathie and Port Macquarie shopping facilities or other excursions as required by residents of the Lifestyle Resort.

The community bus is to be maintained and serviced on a regular basis by management.

The timetable or notice of outings in the Community Bus is to be displayed on the Noticeboard.

5.10 Caravan Storage

The Manager is to oversee the caravan storage area and manage bookings to ensure that it is not overcrowded and that easy access to caravans is available when required by residents of the Lifestyle Resort.

5.11 Workshop

The Manager is to oversee the usage of the workshop by staff.

5.12 Entry Gates

Entry gates are provided to the entrances to / from the Lifestyle Resort and operation and maintenance are the on-going responsibility of management.

Vehicle entrance will be via a sliding gate or boom gate with access by use of a numbered keypad, number plate recognition or similar.

An outdoor pedestrian gate accompanies the main vehicle gate along with additional pedestrian gates located within the perimeter of the site. Pedestrian access will be via a gate with entry via use of a numbered keypad and intercom.

Residents of the Lifestyle Resort are to be informed if the gates are to be out of action and if this period extends overnight, then alternate measures should be implemented to ensure access is restricted to the Lifestyle Resort to ensure safety for residents.

Access number code to be provided to Lifestyle Resort residents' as part of the Welcome Information Pack along with emergency services when installed and if changed. Residents will be informed of malfunctioning gates via a notice at the Clubhouse, and the implementation of alternative access controls.

The front vehicular access gate to the site is to be left open during the day, to facilitate site access by visitors, service providers and the like and to ensure a welcoming entrance to the site is provided. Alternatively, the entry provides details of how visitors can easily access the site via an intercom.

5.13 Drainage Swales

The drainage swales are to be inspected regularly and kept free of weeds by management. A yearly inspection by a qualified Engineer is required to ensure the drainage system is operating correctly. Upon identification of a

drainage issue, the Manager is to contact a qualified Engineer to review the problem and advise of the required works to be undertaken to ensure the drainage swales function as designed.

The drainage swales extend onto public reserve and reciprocal rights of access for maintenance is to be provided between Port Macquarie Hastings Council and the landowner prior to operation.

5.14 Internal Roads, Car Parking & Pathways

The internal roads, car parking and pathways network are to be maintained to a high standard with any damage identified and rectified quickly to ensure access is not restricted by residents of the Lifestyle Resort and to avoid any potential for injury to persons or damage.

Visitors spaces & disabled spaces to be clearly signposted as per legislative requirements.

5.15 Clubhouse

The Manager is responsible for the day to day operation of the Clubhouse and other communal facilities such as the swimming pool and tennis courts, including arrangement of bookings by residents, visiting doctors, hairdressers and the like, social activities and the operation of the café.

The Clubhouse is to contain space for booking and use by medical professionals or other relevant service providers.

5.16 Landscaping of Common Areas

Management is responsible for the maintenance of the landscaping throughout the communal areas of the Lifestyle Resort and along the boundaries to ensure a high quality appearance is achieved and screening provided to/from adjoining properties.

5.17 Asset Protection Zones

A Bushfire Assessment Report has been prepared for the Lifestyle Resort and approval will be granted by the NSW Rural Fire Service as part of the development consent for the Lifestyle Resort. The report and conditions imposed by the RFS forms the basis for providing an assessment of the bushfire protection requirements for the Lifestyle Resort, including the provision of Asset Protection Zones (APZ), accessibility and water supply. The primary purpose of an APZ is to ensure that a progressive reduction of bushfire fuels occurs between the bushfire hazard and any habitable structures within the development.

Fuel management within the nominated APZ should be maintained with regular maintenance of the landscaped areas, managed lawns in accordance with an Inner Protection Area.

Management will be responsible for ensuring that all required maintenance is undertaken in accordance with the relevant guidelines.

Works are to include:-

(i) raking or manual removal of fine fuels – ground fuels such as fallen leaves, twigs (less than 6 mm in diameter) and bark should be removed on a regular basis. This is fuel that burns quickly and increases the intensity of a fire. Fine fuels are to be removed by hand or with tools such as rakes, hoes and shovels;

(ii) mowing or grazing of grass – grass is to be kept short and, where possible, green;

(iii) the removal or pruning of trees, shrubs and understorey – the control of existing vegetation involves both selective fuel reduction (removal, thinning and pruning) and the retention of vegetation;

(iv) the pruning or removal of trees so as not to have a continuous tree canopy leading from the hazard to the asset. Separate tree crowns by two to five metres. A canopy should not overhang within two to five

metres of a dwelling; and

(v) ensuring that native trees and shrubs be retained as clumps or islands and maintain a covering of no more than 20% of the area.

6. ON-GOING OPERATION

This Plan provides a medium-term strategy for the management and improvement of the Lifestyle Resort. This Plan of Management is to be reviewed and audited on a yearly basis to ensure the content continues to be relevant and consistent with policy and community expectation.

6.1 Plan of Management Review / Audit

Management is to undertake an annual audit and review of its PoM which will be carried out by Executive Management to ensure the content remains relevant.

6.2 Document Control

A copy of the updated Plan of Management is to be provided to all residents of the Lifestyle Resort.

Issue	Date of Plan
Draft (DA Submission)	22/10/2019
Initial	
Rev A	
Rev B	
Rev C	

LandDynamics
AUSTRALIA

SOCIAL IMPACT ASSESSMENT (SIA)

DEVELOPMENT APPLICATION (DA)

Proposed Manufactured Housing Estate (MHE)

Lot 138 DP 1248149

Corner Forest Parkway & Ocean Drive, Lake Cathie

On behalf of

GemLife

October 2019

Prepared for:

GemLife

Prepared By:

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	Name	Date
Prepared By	Donna Clarke	22/10/2019
Checked By	Graham Burns	22/10/2019

Disclaimer

This report was prepared in accordance with the scope of works set out in correspondence between the client and Land Dynamics Australia. To the best of Land Dynamics Australia's knowledge, the report presented herein accurately reflects the Client's intentions when the report was printed. However, it is recognised that conditions of approval at time of consent, post development application modification of the proposals design, and the influence of unanticipated future events may modify the outcomes described in this report.

Land Dynamics Australia used information and documentation provided by external persons, companies and authority. Whilst checks were completed by Land Dynamics Australia to ensure that this information and/or documentation was accurate, it has been taken on good faith and has not been independently verified. It is therefore advised that all information and conclusions presented in this report apply to the subject land at the time of assessment, and the subject proposal only.

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1. EXECUTIVE SUMMARY

1.1 Background

Land Dynamics was engaged by GemLife to prepare a Social Impact Assessment (SIA) to support and inform a Development Application for a Manufactured Housing Estate, in the locality of Lake Cathie in the Port Macquarie Hastings Local Government Area (LGA). The purpose of the Assessment is to assess the social impacts which may result from the construction and operation of a Manufactured Home Estate (known as a Lifestyle Resort) at Lot 138 DP 1248149, Corner Forest Parkway and Ocean Drive, Lake Cathie.

The key issues identified during the community consultation and the recommended mitigations are summarised in Sections 8.2 and 10 and primarily relate to traffic, increased density, impact on services and infrastructure, need for another MHE in close proximity, emergency access, devaluation of property, streetscape and tree retention and crime.

This SIA is to be read in conjunction with the Statement of Environmental Effects and appendices prepared for the Development Application.

1.2 Purpose

The purpose of this SIA is to assess the potential social impacts (positive, negative and neutral) resulting from the proposal on the exiting population and incoming residents, and mitigation measures that should be applied to enhance or address these.

A SIA is required to predict and address the social impacts of the development or land use change, be it positive or negative. This report represents a SIA in accordance with the requirements of Council's Social Impact Assessment Policy 2009 and the provisions of Section 4.15 of the Environmental Planning and Assessment Act 1979.

This SIA provides an in-depth analysis of social impacts for the proposal and where any significant impacts are likely to occur. Effective engagement has been undertaken with those individuals and groups potentially affected, and addresses the impacts identified. Consultation with the community, comprised adjoining residents was essential to understand the impacts, both positive and negative, of the future land use / development in order to prepare this SIA.

This report provides the following information:

- Identification of the scope of the assessment, including description of the site and surrounding area;
- Community /Social Profile;
- Formulation and examination of social impacts;
- Description of the overall net community benefit;
- Community engagement;
- Monitoring and review methodology.

The preparation of this SIA was undertaken in consultation with officers from Port Macquarie - Hastings Council.

This report should be read in conjunction with the Statement of Environmental Effects and accompanying Appendices.

1.3 The Proposal

The proposal is for the establishment of a private Lifestyle Resort for active over 50's in a landscape setting, being a manufactured housing estate (known as a Lifestyle Resort) on part Lot 138 DP 1248149 Corner Forest Parkway & Ocean Drive, Lake Cathie. The proposal is shown in Figure 1 and described in detail in Section 4.

1.4 Subject Site

The subject land may be described as Lot 138 DP 1248149, Corner Forest Parkway and Ocean Drive, Lake Cathie.

The site is part of the approved residential estate known as Elanora, which is currently under construction. The eastern portion of the approved subdivision contains approx. 50 dwellings and the proposed MHE will occupy the western portion, with the exception of the large lots on the corner of Forest Parkway and Ocean Drive. Details of the previous subdivision is contained in the Statement of Environmental Effects.

2. INTRODUCTION

2.1 What is an SIA?

Social Impact Assessment (SIA) is a method for predicting and assessing the social consequences of a proposed action or initiative on affected groups of people and on their way of life, life chances, health, culture and capacity to sustain thee. This SIA has been completed in accordance with requirements of the Section 4.15 of the Environmental Planning and Assessment Act, 1979 and Council's Social Impact Policy.

SIA is a method for predicting and assessing the consequences of a proposed action or initiative before a decision is made, to assist in providing better outcomes from decisions. A SIA may give rise to recommendations for mitigation if the proposed change proceed.

2.2 Assessment Methodology

This study has been undertaken using the following methodology.

- Site visit and photos and review of the proposal
- Documentation review of the local, regional and state planning policy and strategy
- Demographic analysis
- Review of community consultation
- Analysis of the social impacts
- Impact assessment
- Conclusion

Table 1 below represents the key steps and tasks which have been undertaken as part of this SIA.

Stage	Key Steps
1	▪ Site and locality assessment. This included a site visit and inspection of the surrounding area, to assess the local context, identify potential impact receptors and understand the scale of the proposed change to the locality. ▪ Review of the proposed development.
2	▪ Documentation review – review of documents relating to the proposed development including technical reports and various policy. ▪ Infrastructure audit – review of other relevant nearby facilities and land uses.

	▪ Demographic analysis – identification of the current and future population community profiles.
3	▪ Description and analysis of how key stakeholders are likely to be affected. ▪ A review of the community consultation that was undertaken to determine the community values and concerns.
4	▪ Assessment of the impacts. ▪ Identification of the significance and likelihood of impacts.
5	▪ Identification of appropriate management and mitigation measures to inform the future development.

Table 1: Key Steps & Tasks - SIA

3. REGIONAL AND LOCAL CONTEXT

3.1 Site Context

The subject land may be described as part Lot 138 DP 1248149, Corner Forest Parkway and Ocean Drive, Lake Cathie. The total site has an area of approximately 12.74ha and has already been approved for residential subdivision. The site has two street frontages being Forest Parkway and Ocean Drive. The proposed development will occur on 8.8 ha only, with the south-western corner which is zoned E4 to remain for large lot residential as approved.

The overall site is located on the southern edge of the village of Lake Cathie, approx. 3km south-east of the township of Lake Cathie. The site is well appointed to the coastal villages of Lake Cathie and Bonny Hills, as well as the main centre of Port Macquarie. The overall site is shown in the locality map and aerial photograph below, as shown in the figures below, along with Deposited Plan.

Figure 1 – Locality Plan, Overall Site highlighted (source: www.sixmaps.nsw.gov.au)

To the east of the site is the early stages of the residential subdivision and further to the east is Ocean Club Resort which is an approved MHE. The site is in the developing area of Lake Cathie with new subdivisions underway. To the north is existing large lot residential and to the west is rural land. To the south is Lake Cathie Primary School.

The Site Analysis Plan below identifies the portion of the subject site which is to be developed for the MHE, as well as the surrounding development and approvals.

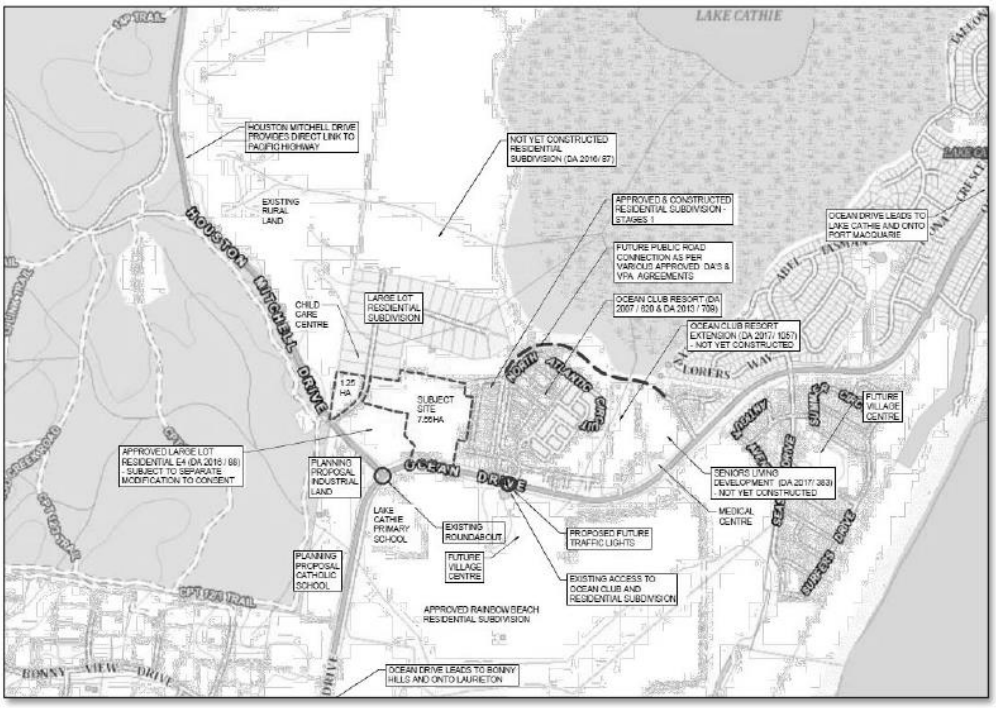


Figure 2 – Subject Development Area – Site Analysis Plan

3.2 Surrounding Character

Lake Cathie is a suburb of the town of Port Macquarie, on the Mid North Coast of NSW. It is part of the Port Macquarie Hastings local government area. Port Macquarie is a large town which provide for a range of services and facilities to the residents of both Lake Cathie and the surrounding locality including commercial and retail services. Lake Cathie has a public school, early learning centre, Australia Post, Woolworths supermarket, medical centre, service station, bottle shop, tavern, variety shops and cafés with access to Port Macquarie via Ocean Drive.

The site is located within the Area 14 Release Area, with a number of residential subdivisions approved and in various stages of construction to the north, south and east. Figure 2 above provides an indication of the surrounding land uses.

The site adjoins the earlier stages of the subdivision to the east and beyond is Ocean Club Resort. To the south of the site is a primary school and an area which is approved for residential and also zoned for retail and commercial uses. To the north are large lot residential dwellings along Forest Parkway and a public reserve for the majority of the northern boundary. To the west is rural land and Houston Mitchell Drive which connects the area to the Pacific Highway.

The proposed lifestyle resort is compatible with the surrounding residential uses, which are a mix of residential allotments, large lot residential and Ocean Club Resort. The area of Lake Cathie is undergoing a significant transformation with the new estates such as Catarina introducing a new form of housing into the area, with higher densities and a main street.

The intent behind the proposed MHE, relates primarily to the market desire for dwellings with smaller backyards and less maintenance which assists with the active retiree portion of the market.

Existing Vehicular Access

The site has road frontage to Forest Parkway, Houston Mitchell Drive and Ocean Drive. Access is permitted to Forest Parkway, however is restricted to Houston Mitchell Drive and Ocean Drive via the existing intersections only. RMS will not allow any new access points.

The approved subdivision over the subject site and adjoining land to the east has access via both Forest Parkway and the intersection with Ocean Drive via Baltic Street.

Public Transport

The site is services by Busways Route 334K along Ocean Drive. A stop in proximity of the site is at Surfside Resort and Bonny View Drive, as shown below by blue circles. The route map and current timetables are detailed below.

Figure 3 - Busways Route 334K Map (source: https://transportnsw.info/routes/details/private-bus-services/334K/06334-K)

334K Port Macquarie to Kendall via Laurieton

Valid from: 01 Jan 2019

Creation date: 14 Oct 2019
NOTE: Information is correct on date of download.

Monday to Friday									
Day Restrictions						S	H		
Settlement City Shopping Centre, Port Macquarie	05:58	08:26	10:24	12:24	14:24	15:24	15:24	16:24	17:24
Hayward St after Horton St, Port Macquarie	06:04	08:35	10:33	12:33	14:33	15:33	15:33	16:33	17:33
Port Macquarie Private Hospital, Lake Rd, Port Macquarie	06:07	08:38	10:36	12:36	14:36	15:41	15:36	16:36	17:36
Lord St at Hill St, Port Macquarie	06:10	08:41	10:40	12:40	14:40	15:45	15:40	16:40	17:40
Kennedy Dr after Allunga Av, Port Macquarie	06:13	08:44	10:43	12:43	14:43	15:48	15:43	16:43	17:43
Livingstone Rd before Wiruna Rd, Port Macquarie	06:17	08:48	10:47	12:47	14:47	15:52	15:48	16:48	17:48
Light House Plaza, Emerald Dr, Port Macquarie	06:22	08:53	10:52	12:52	14:52	15:57	15:54	16:54	17:54
Ocean Dr opp Lake Cathie Village Centre, Lake Cathie	06:29	09:01	11:00	13:00	15:00	16:06	16:02	17:02	18:02
Ocean Dr opp Graham St, Bonny Hills	06:36	09:09	11:08	13:08	15:08	16:15	16:10	17:10	18:10
The Parade opp North Haven Bowling Club, North Haven	06:44	09:18	11:17	13:17	15:17	16:25	16:19	17:19	18:19
Bold St before Tunis St, Laurieton	06:51	09:25	11:25	13:25	15:25	16:34	16:27	17:27	18:27
Ocean Dr at Captain Cook Bicentennial Dr, West Haven	06:54	09:28	11:28	13:28	15:28	16:38	16:30	17:30	18:30
Lakewood Shopping Centre, Sirius Dr, Lakewood	06:57	09:32	11:32	13:32	15:32	16:42	16:34	17:34	18:34
River St before Railway St, Kendall	–	09:42	–	–	–	–	–	17:44	–
Comboyne St opp Kendall War Memorial, Kendall	07:07	09:43	11:43	13:43	15:43	16:53	16:45	17:45	18:45

Saturday				
Settlement City Shopping Centre, Port Macquarie	10:24	12:24	15:24	17:24
Hayward St after Horton St, Port Macquarie	10:33	12:33	15:33	17:33
Port Macquarie Private Hospital, Lake Rd, Port Macquarie	10:36	12:36	15:36	17:36
Lord St at Hill St, Port Macquarie	10:40	12:40	15:40	17:40
Kennedy Dr after Allunga Av, Port Macquarie	10:43	12:43	15:43	17:43
Livingstone Rd before Wiruna Rd, Port Macquarie	10:47	12:47	15:47	17:47
Light House Plaza, Emerald Dr, Port Macquarie	10:52	12:52	15:52	17:52
Ocean Dr opp Lake Cathie Village Centre, Lake Cathie	11:00	13:00	16:00	18:00
Ocean Dr opp Graham St, Bonny Hills	11:08	13:08	16:08	18:08
The Parade opp North Haven Bowling Club, North Haven	11:17	13:17	16:17	18:17
Bold St before Tunis St, Laurieton	11:25	13:25	16:25	18:25
Ocean Dr at Captain Cook Bicentennial Dr, West Haven	11:28	13:28	16:28	18:28
Lakewood Shopping Centre, Sirius Dr, Lakewood	11:32	13:32	16:32	18:32
Comboyne St opp Kendall War Memorial, Kendall	11:43	13:43	16:43	18:43

334K Port Macquarie to Kendall via Laurieton

Sunday & Public Holidays			
Settlement City Shopping Centre, Port Macquarie	11:21	-	17:21
Hayward St after Horton St, Port Macquarie	11:27	-	17:27
Port Macquarie Private Hospital, Lake Rd, Port Macquarie	11:30	-	17:30
Lord St at Hill St, Port Macquarie	11:34	-	17:34
Kennedy Dr after Allunga Av, Port Macquarie	11:37	-	17:37
Livingstone Rd before Wiruna Rd, Port Macquarie	11:41	-	17:41
Light House Plaza, Emerald Dr, Port Macquarie	11:46	-	17:46
Ocean Dr opp Lake Cathie Village Centre, Lake Cathie	11:53	-	17:53
Ocean Dr opp Graham St, Bonny Hills	12:00	-	18:00
The Parade opp North Haven Bowling Club, North Haven	12:08	-	18:08
Bold St before Tunis St, Laurieton	12:15	13:52	18:15
Ocean Dr at Captain Cook Bicentennial Dr, West Haven	12:17	13:54	18:17
Lakewood Shopping Centre, Sirius Dr, Lakewood	12:21	13:58	18:21
Comboyne St opp Kendall War Memorial, Kendall	12:32	14:09	18:32

334K Kendall to Port Macquarie via Laurieton

Monday to Friday	♿	♿	♿			♿	♿		
Day Restrictions		S	H						
Comboyne St opp Kendall War Memorial, Kendall	06:29	07:11	07:21	08:55	09:55	11:55	13:55	15:45	16:57
River St opp Railway St, Kendall	–	–	–	–	–	–	13:57	15:47	–
Lakewood Shopping Centre, Sirius Dr, Lakewood	06:37	07:19	07:29	09:03	10:03	12:03	14:03	15:57	17:05
Ocean Dr at The Gateway, West Haven	06:42	07:24	07:34	09:08	10:08	12:08	14:08	16:03	17:10
Bold St before Tunis St, Laurieton	06:47	07:29	07:39	09:13	10:13	12:13	14:13	16:08	17:15
North Haven Bowling Club, The Parade, North Haven	06:53	07:35	07:45	09:19	10:19	12:19	14:19	16:14	17:21
Ocean Dr at Graham St, Bonny Hills	07:02	07:46	07:56	09:28	10:28	12:28	14:28	16:23	17:30
Lake Cathie Village Centre, Ocean Dr, Lake Cathie	07:10	07:57	08:07	09:36	10:36	12:36	14:36	16:36	17:38
Light House Plaza, Emerald Dr, Port Macquarie	07:20	08:09	08:19	09:46	10:46	12:46	14:46	16:48	17:48
Livingstone Rd after Portsea Pl, Port Macquarie	07:22	08:12	08:22	09:49	10:49	12:49	14:49	16:51	17:50
Kennedy Dr before Allunga Av	07:25	08:16	08:26	09:53	10:53	12:53	14:53	16:55	17:53
Lord St before Hill St, Port Macquarie	07:28	08:19	08:29	09:56	10:56	12:56	14:56	16:58	17:56
Lake Rd opp Port Macquarie Private Hospital, Port Macquarie	–	08:22	08:32	09:58	10:58	12:58	14:58	17:00	17:58
Hayward St at Keena La, Port Macquarie	–	08:39	08:42	10:07	11:07	13:07	15:07	17:07	18:07
Settlement City Shopping Centre, Port Macquarie	07:38	08:50	08:50	10:15	11:15	13:15	15:15	17:15	18:15
Hayward St after Horton St, Port Macquarie	07:42	-	-	-	-	-	-	-	-

Monday to Friday	♿	♿
Comboyne St opp Kendall War Memorial, Kendall	17:47	18:47
River St opp Railway St, Kendall	–	18:49
Lakewood Shopping Centre, Sirius Dr, Lakewood	17:54	18:54
Ocean Dr at The Gateway, West Haven	17:58	18:58
Bold St before Tunis St, Laurieton	Q18:02	Q19:02

Saturday			♿	♿	♿	♿
Comboyne St opp Kendall War Memorial, Kendall	06:55	08:55	11:55	13:55	16:45	18:45
River St opp Railway St, Kendall	–	–	–	13:57	–	–
Lakewood Shopping Centre, Sirius Dr, Lakewood	07:03	09:03	12:03	14:03	16:53	18:53
Ocean Dr at The Gateway, West Haven	07:08	09:08	12:08	14:08	16:58	18:58
Bold St before Tunis St, Laurieton	07:13	09:13	12:13	14:13	Q17:03	Q19:03
North Haven Bowling Club, The Parade, North Haven	07:19	09:19	12:19	14:19	-	-
Ocean Dr at Graham St, Bonny Hills	07:28	09:28	12:28	14:28	-	-
Lake Cathie Village Centre, Ocean Dr, Lake Cathie	07:36	09:36	12:36	14:36	-	-
Light House Plaza, Emerald Dr, Port Macquarie	07:46	09:46	12:46	14:46	-	-
Livingstone Rd after Portsea Pl, Port Macquarie	07:49	09:49	12:49	14:49	-	-
Kennedy Dr before Allunga Av	07:53	09:53	12:53	14:53	-	-
Lord St before Hill St, Port Macquarie	07:56	09:56	12:56	14:56	-	-
Lake Rd opp Port Macquarie Private Hospital, Port Macquarie	07:58	09:58	12:58	14:58	-	-
Hayward St at Keena La, Port Macquarie	08:07	10:07	13:07	15:07	-	-
Settlement City Shopping Centre, Port Macquarie	08:15	10:15	13:15	15:15	-	-

334K Kendall to Port Macquarie via Laurieton

Sunday & Public Holidays	♿	♿	♿
Comboyne St opp Kendall War Memorial, Kendall	08:12	12:34	14:12
River St opp Railway St, Kendall	–	–	14:14
Lakewood Shopping Centre, Sirius Dr, Lakewood	08:19	12:41	14:19
Ocean Dr at The Gateway, West Haven	08:23	12:45	14:23
Bold St before Tunis St, Laurieton	08:27	Q12:49	14:27
North Haven Bowling Club, The Parade, North Haven	08:32	-	14:32
Ocean Dr at Graham St, Bonny Hills	08:40	-	14:40
Lake Cathie Village Centre, Ocean Dr, Lake Cathie	08:48	-	14:48
Light House Plaza, Emerald Dr, Port Macquarie	08:58	-	14:58
Livingstone Rd after Portsea Pl, Port Macquarie	09:01	-	15:01
Kennedy Dr before Allunga Av	09:05	-	15:05
Lord St before Hill St, Port Macquarie	09:08	-	15:08
Lake Rd opp Port Macquarie Private Hospital, Port Macquarie	09:10	-	15:10
Hayward St at Keena La, Port Macquarie	09:17	-	15:17
Settlement City Shopping Centre, Port Macquarie	09:25	-	15:25

Figure 4 - Busways Route 334K Timetable (source: https://transportnsw.info/routes/details/private-bus-services/334K/06334-K)

4. PROPOSED DEVELOPMENT

4.1 Development

The proposed development involves the establishment of a Lifestyle Resort incorporating approximately 159 dwellings and community facilities.

Figure 5 – Proposed Site Plan

The proposal specifically involves:

- 159 Manufactured Housing sites under a private title arrangement, to be constructed in stages. Consent is being sought for the MHE sites, with a range of dwelling types that would fit the sites. Separate approval under S.68 of the Local Government Act would then be sought for the dwellings and tenure is secure under the Residential (Land Lease) Communities Act 2013.
- On-site manager's residence at the entry to the development. The building is 2 storeys in height and contains the residence on the first floor and a double garage, reception, offices and meeting rooms on the ground floor.
- Clubhouse centrally located which is 2 storeys in height and includes on the ground floor a large hall, consultation rooms, kitchen, amenities, storage areas, gymnasium, lounge areas, stage area, bar, ten pin bowling alley and connects to an indoor swimming pool and adjoining tennis court. The first floor includes a cinema, gaming lounge, bar, golf simulator, library, craft room, multi-purpose room, lounge areas and lawn bowling green.
- Road network within the Lifestyle Resort connecting into the existing public road access from Forest Parkway. The roads within the Lifestyle Resort are in private ownership with access on title over the private roads. A secondary emergency access road from the proposed development is proposed which will connect with the public road infrastructure within Stage 1 of the residential subdivision to the east.

- A resort shuttle bus service is proposed for residents to take them off site and on outings and an intra-resort shuttle buggy provides access within the Lifestyle Resort.
- Series of open space and landscaping links with pathways throughout the development. Wide green corridors have been created throughout the site, and particular along the southern and eastern boundaries, to allow for tree retention, pedestrian connectivity and landscaped drainage swales and basins.
- 35 visitor car parking spaces (including 3 disabled) are proposed throughout the development and at the entry to the site adjacent to the entrance.
- A secure gated entry is to be provided near the community facilities and Manager's residence to enable visitors to access the site and car parking safely prior to gaining access into the Lifestyle Resort community.
- Fencing to the boundaries of the development and individual dwelling sites.
- RV and caravan parking, which is screened with landscaping.

There is no restriction of age or other requirements, however it will be ideally suited to people who want to downsize or like to travel and have the security of their dwelling being looked after whilst they are away.

It is proposed to undertake the development in a number of stages which commences from Forest Parkway and the western portion of the site. The Clubhouse will be included in Stage 1 so that residents in Stage 1 have access to community facilities from the beginning of the development.

4.2 Dwelling Size

The 159 dwellings will offer diversity to potential buyers. A number of dwelling designs will be available for consideration by purchasers. The dwellings will be either two or three bedrooms with living, dining, bathroom, laundry and parking facilities for each one. Dwelling site sizes are an average of 294m² in size.

4.3 Resident's Demographic Profile

The development has been designed to meet the needs of all residents. Due to the size of the sites and design of the homes, the extensive facilities and secure gated environment it is anticipated that the majority of residents will be active over 50s and those down-sizing from a large home. No sub-letting of dwellings will be permitted. It is anticipated that each dwelling will have a maximum of two residents based on the demographics of the target purchasers and recent Census data.

4.4 Total Population Size

The proposed development comprises approximately 159 dwellings. There will be a mixture of single people and couples living in each dwelling. It is unlikely that every dwelling would be occupied by two people. The ideals of a gated community are well suited to single people as it provides inherent security and peace of mind.

The Caravan Industry Association of Australia and the Residential Land Lease Alliance (RLLA) have officially released 'Long Term Residents in Caravan Parks and Manufactured Housing Estates: A Census 2016 Social Trends Report'.

The report shows that more than 70,000 Australians lived in MHEs and Caravan Parks, and that this living arrangement is a vital aspect of affordable housing from both the supply and demand side.

The research demonstrated that 37% of residents in MHE's live alone and 41% are two people. The 2016 census data indicates an average of 1.6 persons per MHE site. This data highlights the important social benefits of living in land-lease communities, which are increasingly providing facilities to encourage interactions between residents.

Assessment

Using the findings of this research conducted by these peak industry bodies, the proposed development has the potential to house an average of 254.4 people, based on the Census data rate of 1.6 persons per MHE site.

4.5 Accessibility of Development

The proposed development will incorporate disabled car parking and all communal facilities will be accessible. Further, given the topography of the site, most dwellings will be accessible. People with disabilities will be able to access the community facilities of the Resort with dignity and equality.

4.6 Common Areas and Shared Facilities

The proposal includes community facilities which will include:

- Large Clubhouse
- Gymnasium
- Indoor pool and spa
- Commercial-grade kitchen
- Bar and coffee lounge
- BBQ pavilion
- Arts and crafts studio
- Resort shuttle bus
- Intra-resort shuttle buggy
- Spaces available for hairdresser and beautician
- Golf simulator
- Ten pin bowling alley
- Tennis court
- Bowling green
- Wifi in club with hearing loop
- Residents' workshop
- Grand ballroom
- Caravan and boat storage
- Gated entry with license plate recognition or similar
- Health clinic rooms
- Cinema
- Library
- Music room
- Boardroom
- Games and entertainment room
- Theatrical stage and dressing rooms

These facilities offer the future homeowners the privilege of resort facilities and will be used for both formal and informal gatherings of the residents. Residents will also be able to invite their friends and family to utilise the facilities with them when visiting.

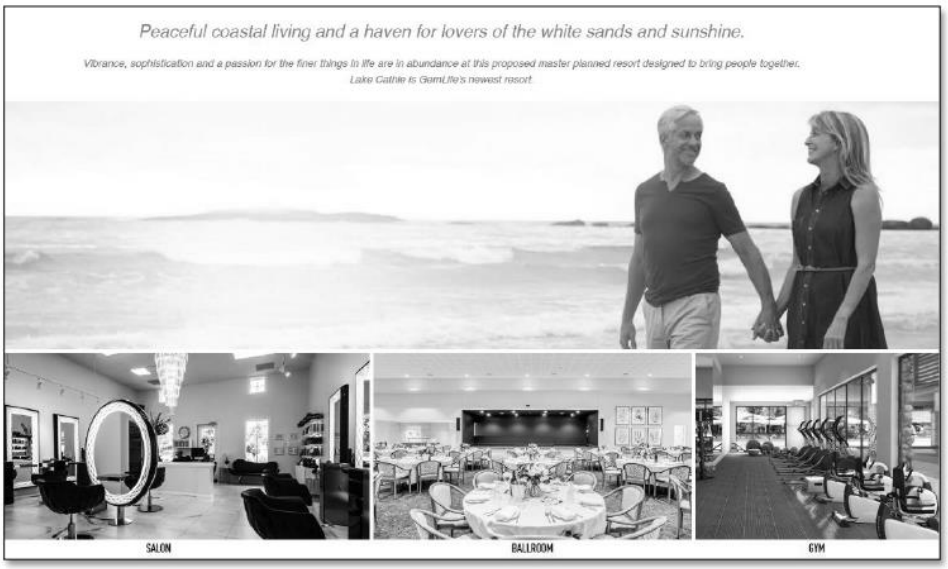


Figure 6 – Indicative Montages of Community Facilities

Assessment

These common areas and shared facilities will play a vital role in supporting residents physically and emotionally.

4.7 Need for the MHE

Relying on the information contained in NSW Family and Community Services 'Housing Market Snapshot – Mid North Coast Region' there is a need for the MHE. The following information supports the need:

- Between the 2015 to 2016 population growth rate of the Mid North Coast region has increase 1.4% compared to overall NSW at 1.6%;
- Census 2016 states percentage of people aged between 18-64 years is 54.3% and 24.6% are aged 65+. Compared to NSW 18-64 years is 16.3%.
- Almost all of the LGAs within the Mid North Coast area have a higher proportion of residents aged over 50;
- The DPE forecast strong increases in couple and lone persons households to 2031 within the region;
- According to the 2011 Census, the majority of dwelling in the Mid North Coast region have three or more bedrooms.
- The Mid North Coast region compared to the rest of NSW has a poor match of household types and lack of choice;
- 2011 compared to 2016 saw a similar increase of semi-detached & flat/apartment number of dwellings compared to separate house numbers.
- Total Value of Buildings within the region over a five year period (from 2013 to 2018) has increased from $380 to $716. With the median sale price of an Attached Dwelling increasing 18% compared to Houses increasing 14%.

Assessment

There is a greater demand for alternative living arrangements and diversity of housing stock. The proposed development accommodates the growing demand for reasonably priced housing which offer social activities and

lifestyle amenities. The proposed development responds well to the findings of NSW Family and Community Services' 'Housing Market Snapshot – Mid North Coast Region'.

The proposed development is designed to accommodate residents choosing a certain lifestyle and social activities. Benefits can include an easily maintained home, in a private and secure environment with people of a similar life stage.

The proposed Lifestyle Resort will provide alternative (reasonably priced) housing stock for people who wish to downsize from their existing home or relocate to Lake Cathie.

The popularity of the nearby Ocean Club Resort, as well as Laurieton Lifestyle Resort demonstrates a popularity for this high quality form of housing in the area. Laurieton Lifestyle Resort is nearly last stages of development and Ocean Club is well advanced.

5. STRATEGIC POLICY CONTEXT

This section provides a summary of the key policy documents and guidelines relevant to the Subject Site and the proposed development. Many of the policy findings and directions are of key interest to this study and have been considered in the impact assessment outlined in Section 8 below.

5.1 Environmental Planning & Assessment Act, 1979

The Environmental Planning & Assessment Act, 1979 and Environmental Planning & Assessment Regulation 2000 establishes the framework for the assessment and approval of development in NSW. The proposal represents 'local development' under the EP&A Act which requires development consent.

5.2 Regulations

Local Government (Manufactured Home Estates, Caravan Parks, Camping Grounds and Moveable Dwellings) Regulation 2005 govern Manufactured Home Estates. The site is a Manufactured Housing Estate for the purposes of the Regulations. In order to satisfy the Regulations, the following has been incorporated into the proposal:

- Community facilities and services are reasonably accessible to occupants locally in Lake Cathie and in nearby Port Macquarie and Laurieton. The proposed resort bus will provide an alternate mode of transport for residents other than the private car.
- Communal facilities are proposed within the Lifestyle Resort which are reserved for recreation or other communal activities, including a Clubhouse, bowling green, swimming pool, tennis court and large areas of open space.
- Visitor parking is proposed throughout the Lifestyle Resort, including disabled spaces.
- Future dwellings to be designed to comply with the Regulations with respect to fire and structural adequacy, waterproofing and the provision of light and ventilation.
- Dwelling sites are all above the minimum of 130m². In this instance, the sites are substantially larger than allowed under the Regulations, generally being 294m² in size.

Refer to Statement of Environmental Effects for detailed assessment against the Regulations.

5.3 Strategies

Urban Growth Management Strategy

Within the previous UGMS 2010-2031, and the latest adopted UGMS 2017-2036, the site is identified within the urban growth area boundaries and as undeveloped urban land, as it has a consent in place and is zoned for residential purposes, but not yet developed.

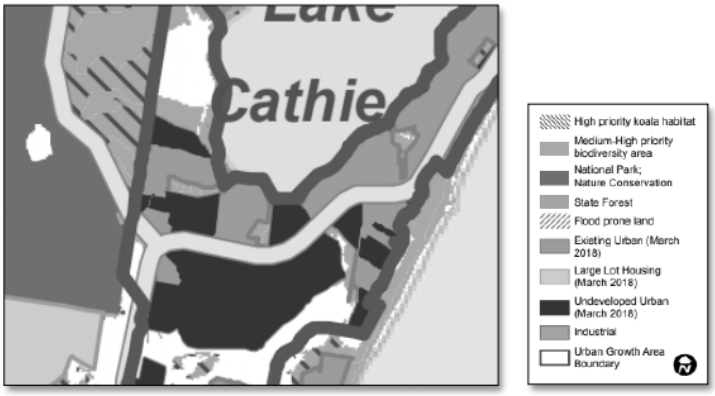


Figure 7 -. Source: UGMS 2017-2036 Map Page 8 (source: www.pmhc.nsw.gov.au)

5.4 State Environmental Planning Policies

The Planning Proposal considers the relevant State Environmental Planning Policies including:

- SEPP No. 44 – Koala Habitat Protection
- SEPP (Coastal Management) 2018
- SEPP No. 21 - Caravan Parks
- SEPP No. 36 - Manufactured Home Estates
- SEPP (Infrastructure) 2007

The Development Application has been prepared in accordance with these policies and is addressed extensively in the Statement of Environmental Effects.

5.5 Local Government

Port Macquarie Hastings Local Environmental Plan 2011

The Development Application addresses the existing zoning and associated controls under Port Macquarie Hasting LEP 2011, which has the broad function of controlling development throughout the region and provides details on which land uses are permissible and prohibited within each zone. The LEP makes provision for a range of dwelling types and lifestyles in a number of zones, within the urban areas of the towns and villages and Manufactured Housing Estates are a permissible land use on the site.

Port Macquarie Hastings Development Control Plan 2013

The role of the Port Macquarie Hastings DCP 2010 is to identify Council's expectations for the future growth/ Although the DCP is not a statutory environmental planning instrument it must be taken into consideration during the assessment process.

Council recognises that every new development impact on and changes the existing environment and so each development proposal must demonstrate a positive contribution, either directly or indirectly, to the objectives and intended outcomes of the Plan.

Development Control Plan 2013 requires the preparation of a SIA for subdivisions of greater than 50 lots / dwellings. Council's Social Impact Policy 2009 sets out that a full SIA is required, which is to be prepared in accord with that Policy.

6. COMMUNITY PROFILE

This section provides an overview of the socio-economic characteristics of the study area to better understand the underlying and emerging social needs of the community and potential social impacts of the proposed development.

6.1 Study Area

The traditional owners of the land are the Birpai Aboriginal people.

The study area is located in statistical area Port Macquarie Hastings Local Government Area.

6.2 Demographics of Lake Cathie

Information obtained from the Australian Bureau of Statistics (ABS) has been accessed to identify demographics trends from 2011 to 2016 in Lake Cathie (Census State Suburb) (code SSC12243). These trends are detailed as follows and the comments refer to not only trends shown from ABS figures but from investigations of the author.

Details	2011	2016	Comments
Population	2,998	3,494	Lake Cathie's population has increased by 496.
Male Population	1,483	1,701	Male population has increased by 218.
Female population	1,515	1,793	Female population has increased by 279.
Medium Age	43	50	Slight increase in the medium age.
Families	879	1,043	The number of families residing in Lake Cathie has increased by 164 within four years.
All Private dwellings	1,353	1,568	215
Medium Weekly Rent	$260	$330	The medium weekly rent has increased by $70. The increase is substantially lower than that of NSW who has experienced considerably higher than the Australian medium rent of $335.
Average motor Vehicle per dwelling	1.7	1.9	
Age –			
0-4 years	6.4	4.3	From these percentages there are indications of decrease in family aged parents (35-44 years) and possibly their children aged between 5 -14 years. However, from the age of 50 + there is an increase.
5-9 years	6.6	6.4	
10-14 years	8.8	6.3	
15-19 years	5.8	6.0	
20-24 years	3.0	3.3	
25-29 years	2.9	2.3	
30-34 years	3.8	3.7	
35-39 years	6.0	4.3	
40-44 years	8.5	5.9	
45-49 years	6.9	7.5	
50-54 years	6.8	6.7	
55-59 years	6.8	7.2	
60-64 years	7.8	7.8	
65-69 years	6.9	10.1	
70-74 years	5.3	9.0	
75-79 years	3.1	5.2	

Details	2011	2016	Comments
80-84 years	2.8	2.3	
85 years and over	1.7	1.8	

Table 2: Summary of Demographics trends from 2011 to 2016 in Lake Cathie

In 2016, the most common ancestries in Lake Cathie were English 33.6%, Australian 33.1%, Irish 9.5%, Scottish 8.6% and German 3.0%, with 86.8% of people born in Australia. The most common other countries of birth were England 4.0%, New Zealand 1.2%, Scotland 0.5%, Germany 0.4% and Philippines 0.3%.

Of the families in Lake Cathie, 34.5% were couple families with children, 52.3% were couple families without children and 12.8% were one parent families.

Of private dwellings in Lake Cathie, 86.1% were occupied and 13.9% were unoccupied. Of occupied private dwellings 90.0% were separate houses, 4.9% were semi-detached, row or terrace houses, townhouses etc, 4.5% were flat or apartments and 0.0% were other dwellings with 1.8% having 1 bedroom, 20.7% had 2 bedrooms and 34.0% had 3 bedrooms. The average number of bedrooms per occupied private dwelling was 3.3. The average household size was 2.5 people.

34.7% of occupied private dwellings had one registered motor vehicle in Lake Cathie or parked at their address, 41.3% had two registered motor vehicles and 17.4% had three or more registered motor vehicles.

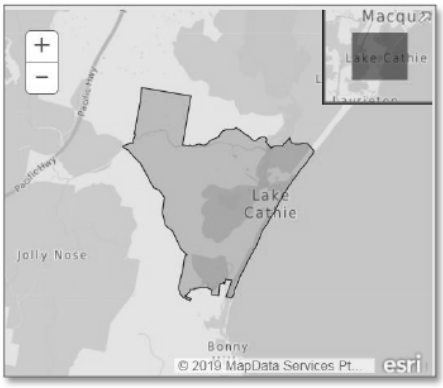


Figure 8 - ABS State Suburb of Lake Cathie

6.3 Population Projections

NSW Planning and Environment's 2016 to 2036 NSW Population and Household Projections forecasts population increase for the Port Macquarie Hastings region to be approximately 15,050 people. The DPE is predicting a solid increase in residents over 65; this age group has the largest increase of people, being 11,300. These strong increases involve a high number of couple household being 3,500 people, and lone persons households of 3,050 people.

Assessment

The Port Macquarie Hastings LGA and Lake Cathie area has experienced and is expected to continue to experience growth in population. To ensure this growth, it is important to accommodate the future needs. The proposed development of a Lifestyle Resort in Lake Cathie will contribute to the required future housing stock for people wanting to move to the area.

6.4 Socio-Economic Index

The SEIFA index of Advantage and Disadvantage has "*been constructed so that relatively disadvantaged areas have low index values while relatively advantaged areas have high values*".

The Index of Relative Socio-economic Advantage and Disadvantage (IRSAD) summarises information about the economic and social conditions of people and households within an area, including both relative advantage and disadvantage measures. The IRSAD is derived from attributes such as low income, low educational attainment, high unemployment, jobs in relatively unskilled occupations and variables that broadly reflect disadvantage rather than measure specific aspects of disadvantage (e.g. Indigenous and Separated/Divorced). At the advantage end of the scale, households with high incomes, high education levels, large dwellings, high numbers of motor vehicles, spare bedrooms and professional occupations contribute to a higher score.

High scores on the Index of Relative Socio-Economic Advantage/Disadvantage occur when the area has many families with large houses, high incomes, low unemployment rates and professional occupations. Low scores on the index occur when the area has many low-income families and people with little training and in unskilled occupations, as well as children in households with jobless parents. Unlike the index of disadvantage, a high score on this index indicates both a lack of disadvantage and a high level of advantage, based on these attributes.

Assessment

Using the ABS' Social-Economic Index for Areas (SEIFA) Index or Relative Socio-economic Advantage and Disadvantage (IRSEAD) found that Lake Cathies is in the 4th decile. This means that comparative to the rest of Australia, the area is located at the lower end of the scale from 1 to 10. From these figures Lake Cathie is classified as being more disadvantaged than average.

The SEIFA IRSEAD for the Port Macquarie Hastings Local Government Area (LGA) allocates the suburb in the 9th decile. A high score indicates a relative lack of disadvantage and greater advantage in general.

From the information contained above it is noted that Lake Cathie is considered to be a disadvantaged suburb while the overall Local Government area has a greater advantage. Given the fact the Lake Cathie area is considered to be a disadvantaged suburb the provision of less expensive housing is required.

However, it must be acknowledged that the area of Lake Cathie is changing as developed in accordance with the Area 14 planning. More older people are wanting to move into the area and it is expected that this Index will alter over the coming years due to the new estates under development, in particular in the south-east portion of Lake Cathie, including Catarina and St Vincent's Foundation land. With this change will bring more affluence into the new estates and increase the wider need for affordable housing in the area.

It is proposed the manufactured homes will have no entry or exit fees, no stamp duty, and owners can retain the capital grown all while having affordable luxury homes. This in turn provides the purchaser with financial certainty as they plan for retirement.

6.5 Current Services & Facilities

An assessment of current services and facilities located within the Port Macquarie Hastings/Lake Cathie area has been undertaken. The proposed development has access to a variety of commercial, professional and educational services and facilities. The majority of the main services are located at Port Macquarie or to a lesser extent Laurieton.

The following community services and facilities can be found within proximity to the subject site:

- Port Macquarie Base Hospital;
- Port Macquarie Community Health
- Lake Cathie Medical Centre

- Hastings Macleay Community Transport
- Mid North Coast Local Health District - Aged Care Services
- Community Programs – Medical Centres Hastings
- Port Macquarie Taxis Cabs
- Busways Port Macquarie
- Lake Cathie Bowling Club
- Lake Cathie Community Centre

7. OVERVIEW OF SOCIAL IMPACT

7.1 Population Change

As detailed in this Report the proposed development is expected to create housing for approximately 254.4 residents.

Lake Cathie could be classified as a seaside/village community with a population of 3,494. It is located within the Port Macquarie Hastings LGA which has a population of 79,650 (2016 Census).

According to the ABS Census in 2011 45.7% (34,350) of the population of Port Macquarie Hastings was 50 years and older. This figure increased to 41,800 additional people (47.6%) in 2016. This increase in older people indicates a change of age demographics for the LGA.

Throughout Australia proportionately more people aged 50 years and over live in small towns than major cities.

The upgrades to Ocean Drive, Houston Mitchell Drive and the Pacific Highway have presented the Lake Cathie area with new opportunities. The improved travel safety and reduced travel times makes the Lake Cathie area more accessible and more attractive to those looking for a both a sea and tree change.

Prospective residents of the MHE are expected to be existing Port Macquarie residents and others coming from further afield wishing to downsize from their family homes.

The Area 14 planning and Part 3A approvals for subdivision are now being developed and Lake Cathie is expanding.

Under this scenario it is expected that Lake Cathie's population will increase.

7.2 Residents Safety

A number of measures will be implemented to promote a safe environment for residents within the Lifestyle Resort. These measures include:

- A draft Plan of Management (POM) has been prepared. The POM outlines procedures and policies to assist in promoting a safe environment. The procedures and policies include: handling a dispute between residents; dealing with aggression; and relationship with neighbours and the local community and crime; and
- Gated community, entry via numberplate recognition, swipe card, remote device, pin code pad or similar.
- Early warning procedures for hazards such as fire or flood.
- Emergency access provided to the east.

Assessment

A Resident Information Pack will be distributed to all new residents. The Information Pack will include details of safe practices, emergency numbers and residents will be encouraged to report suspected danger or any suspicious activity to the onsite manager who will take appropriate action. The onsite manager will be available to all residents to assist in dispute resolution between residents.

While measures can be implemented to promote a safe environment for residents, residents must also be responsible in ensuring they act in a responsible and safe manner at all times.

7.3 Road and Pedestrian Safety

A Traffic Report has been prepared by Street Wise Road and will be submitted to Council with the Development Application. From preliminary discussions with the Traffic Engineer the MHE can be accommodated in the existing road network and Forest Parkway, Houston Mitchell Drive and Ocean Drive has ample capacity.

Assessment

The proposed development is not expected to negatively impact local residents. There will be some impact on Forest Parkway residents. While the proposed development may have a negative impact on these residents the effects of the impact are reduced as a result of the expected age and lifestyle for MHE residents. The Lifestyle Resort's community bus will also reduce traffic movements to and from the subject site.

The development is proposed to be staged to gradually increase the traffic in the area. In this time period, Council may wish to implement upgrades identified in the Area 13 traffic planning. Further, the proposed MHE has a reduced traffic impact that the approved residential subdivision on the site.

7.4 Impact on Local Housing Market

The predominance of medium to low income households within the Lake Cathie area indicates the demand for reasonably priced housing in the area is likely to be strong. The proportion of households which own their home outright has slightly increased between 2011 and 2016, with decreases in the proportion of households purchasing their homes in Lake Cathie within this timeframe.

According to the ABS tenure of owned outright dwellings has increased from 42.0% to 48.8% between 2011 and 2106 Census years. Mortgaged tenure has declined during this period from 31.8% to 29.6% and Rented tenure has also declined from 23.6% to 19.0%.

Assessment

There is a genuine need for "reasonably priced" housing within the Lake Cathie area and therefore not expected to affect the current housing market. The MHE is expected to accommodate single persons and couples.

This development is expected to increase the population living in Lake Cathie. The more people in the area will increase retail and economic demand and the flow on effect expected to contribute to Lake Cathie / Port Macquarie Hastings and real estate values.

The proposed development is providing diversity of housing stock for the Lake Cathie area. The proposed development is not expected to decrease housing prices within the area. The Site Analysis Plan (Figure 2) demonstrates that there is currently a mix of housing choices and forms in Lake Cathie and this proposal embraces this diversity.

7.5 Integration within the Estate

The nature of the development will encourage social cohesion amongst residents of the Lifestyle Resort. The provision of recreation areas will encourage positive social interaction between residents.

Group activities are expected to be operated within the Lifestyle Resort. The provision of community facilities will provide an opportunity for integration of residents.

Assessment

Integration between residents within the Lifestyle Resort is expected to be positive and enhanced by an onsite manager. Group activities for the residents will engage occupants and therefore create an internal community.

7.6 Social Behaviour

All residents will be adults and accordingly will be expected to behave in an acceptable manner. The social behaviour of residents will be monitored by the rules and conditions outlined in the Plan of Management (POM).

All residents will be asked to read and sign the House Rules contained within their Information Pack. This will ensure all residents are aware of what is expected of them and their guests.

General rules/policies of the POM includes:

- Abusive language, bullying, anti-social behaviour will not be tolerated;
- Illegal activities will be reported to police immediately;
- Respect others property and privacy; and
- Quiet hours, meaning no disruptive music, large groups in common areas, loud voices, etc, being after 11.00 pm.

A Draft Plan of Management has been prepared as part of the DA submission to address these issues.

Assessment

The policies outlined in the Plan of Management promotes/ensures positive social behaviour of residents.

7.7 Crime Prevention Through Environmental Design

The proposed development has been planned and designed around the principals of Crime Prevention Through Environmental Design (CPTED). The proposal ensures that principles of Crime Prevention Through Environmental Design is incorporated into the design with living zones facing the street, driveway and common open space to provide passive surveillance, building articulation to inhibit hiding or enclosed spaces and landscaping to provide an attractive streetscape without compromising safety and security. The pedestrian linkages are wide in their design to ensure a feeling of openness and safety for the residents. Refer to Statement of Environmental Effects.

7.8 Port Macquarie Hastings LGA Crime Statistics

Recorded crime data for the Port Macquarie Hastings LGA for the period Apr 2018 - Mar 2019 is identified in Table 3 below. The table also details the five year trend and average annual percent change (Apr 2014-Mar 2019) of reported crime for the Port Macquarie Hastings LGA.

Offence type	Apr 2018 - Mar 2019	5 year trend & average annual % change (Apr 2014-Mar 2019)
Murder *	1	No Change
Domestic violence related assault	281	Stable
Non-domestic violence related assault	250	Down 8.7%
Assault Police	22	Stable
Sexual assault	68	Stable

Offence type	Apr 2018 - Mar 2019	5 year trend & average annual % change (Apr 2014-Mar 2019)
Indecent assault, act of indecency & other sexual offences	109	Stable
Abduction and kidnapping	1	No Change
Robbery without a weapon	12	No Change
Robbery with a firearm	2	No Change
Robbery with a weapon not a firearm	6	No Change
Blackmail and extortion	0	No Change
Intimidation, stalking and harassment	400	Stable
Other offences against the person	4	No Change
Break and enter dwelling	216	Stable
Break and enter non-dwelling	152	Up 8.4%
Receiving or handling stolen goods	71	Up 24.0%
Motor vehicle theft	133	Up 11.2%
Steal from motor vehicle	290	Stable
Steal from retail store	145	Up 5.5%
Steal from dwelling	191	Stable
Steal from person	15	No Change
Fraud	479	Up 16.0%
Other theft	311	Down 11.5%
Arson	72	Stable
Malicious damage to property	550	Stable
Possession and/or use of cocaine	7	No Change
Possession and/or use of narcotics	2	No Change
Possession and/or use of cannabis	208	Stable
Possession and/or use of amphetamines	80	Up 39.7%
Possession and/or use of ecstasy	35	No Change
Possession and/or use of other drugs	29	Stable
Dealing, trafficking in narcotics	1	No Change
Dealing, trafficking in cannabis	7	No Change
Dealing, trafficking in amphetamines	10	No Change
Dealing, trafficking in ecstasy	5	No Change
Cultivating cannabis	24	Stable
Manufacture drug	1	No Change
Other drug offences	40	Stable
Prohibited and regulated weapons offences	140	Up 11.1%
Trespass	116	Up 8.4%
Offensive conduct	65	Stable

Offence type	Apr 2018 - Mar 2019	5 year trend & average annual % change (Apr 2014-Mar 2019)
Offensive language	30	Down 16.6%
Criminal intent	19	No Change
Liquor offences	127	Stable
Pornography offences	5	No Change
Escape custody	4	No Change
Breach Apprehended Violence Order	231	Stable
Breach bail conditions	384	Up 20.9%
Fail to appear	1	No Change
Resist or hinder officer	75	Stable
Other offences against justice procedures	3	No Change
Transport regulatory offences	2	No Change
Other offences	87	Stable

Table 3 - Incidence of Reported Crime for Port Macquarie Hastings

Assessment

Results summarised in Table 3 detail that the proposed development site in not an area that experiences high incidents of crime. This may be because the subject site is at present a large lot rural property surrounded by a low density residential area and is not within a high pedestrian or traffic thoroughfare.

Malicious damage to property, Fraud and Intimidation, stalking and harassment were the main crimes which have occurred within Port Macquarie for the period Apr 2018 - Mar 2019. While the highest increase over the five year period is Possession and/or use of amphetamines, up by 38.7% yet 80 cases were reported; additionally Receiving or handling stolen goods, was also high with an increase of 27% and 71 case reported.

No recorded crime data was available for the suburb of Lake Cathie, only Local Government areas or regions like Mid North Coast.

8. COMMUNITY ENGAGEMENT

The Applicant has completed community engagement which they have response to in the Development Application. The objective was to gather feedback from the community and other affected stakeholders to inform the development of its new proposal.

A number of community consultation methods were conducted by Land Dynamics Australia. Two methods were employed, these being:

- Print Communication (hard copy survey)
- Electronic Engagement (survey via Survey Monkey)

A copy of the print communication information is included at Attachment A. The information included a cover letter requesting community feedback on the proposed development, preliminary design, location and a survey.

The community was notified of the survey via:

- Letterbox drop to local residential adjacent to the site (23 August 2019)
- Online Survey

- Email to two residents who requested a link to the survey and extension of time

8.1 Community Survey & Distribution

The original approval for the site DA 2016/88 included a subdivision of 151 lots. Approx. 50 lots have now been released in the eastern portion and 17 will be retained in the E4 zoned land on the corner. As part of the survey letterbox drop, this area was canvassed and only where there was an opportunity for a letterbox or front door, was a survey left. Adjoining residents in Forest Parkway were also included.

Six resident surveys were distributed to residences within proximity to the subject site.

The Community Survey was delivered on Friday 23 August 2019, providing two weeks for completion (responses required 7 September 2019) to adjoining land owners.

As part of the consultation, contact was made by one of the residents to the north, who requested an extension of time until Monday 16 September 2019 to enable the survey to be distributed to other people who live in this eastern portion under construction. This extension was granted.

The survey asked opinion questions relevant to the proposed development. The questions being:

1. What is your initial response to the proposed Manufactured Housing Estate? For example, are there additional features that should be incorporated into the current proposal?

2. Do you perceive there is a shortage of self-care accommodation options for over 50's in the area?

Please circle - Strongly Agree / Not Sure / Strongly Disagree

3. Is the site a good location for a Lifestyle Village due to its proximity to Port Macquarie and the Pacific Highway?

Please circle - Strongly Agree / Not Sure / Strongly Disagree

4. A number of measures will be implemented to prevent crime and anti-social behaviour from the residents of the Lifestyle Resort, including a Plan of Management and on-site Manager. Residents will sign an agreement to abide by these rules and policies. Do you think there will be an increase in crime in the area should the development proceed?

Please circle - Yes or No

5. Do you feel that the Lifestyle Resort will impact on the present services and facilities available in the area? If yes, please state what services and if it will be a positive impact?

6. The proposed entrance is to be from Forest Parkway. There should be few traffic issues arising from the proposed development. Do you agree?

Please circle - Yes or No

7. Do you perceive any issues which may arise from the proposed development of a Lifestyle Village in the local area and in what way it will impact on you and the local community and do you support the development?

8. How best can the proponent and future residents engage with and actively support the existing Lake Cathie community including existing groups and organisations?

9. Would you like to be involved in ongoing discussion regarding the proposal? If Yes, please confirm your preferred contact details (Name, Address, Email or Phone).

A total of Seventeen (17) responses were received to the survey.

8.2 Community Survey Responses

Below is a collation of the comments received to the survey questions. All personal details have been excluded such as name and contact details.

Question	Answer	SurveyMonkey/Email
1. What is your initial response to the proposed Manufactured Housing Estate? For example, are there additional features that should be incorporated into the current proposal?		
	We do not support more high density housing as we already live next to Ocean Club, if anything the blocks should be increased in size to reduce the impact on environment and infrastructure.	Email
	Surprise, limited to zero consultation to residents in Forest Parkway and adjoining streets, one access road in and out, fire hazard, no parkland on final proposal, proposal changed since initial rejection from Council, information provided unclear as to location of facilities, backs onto R2 zoning with no staggering of infrastructure. Increase workload on health and emergency services.	Survey Monkey
	Very much against the proposal. Elanora should be retained as a residential estate only.	Survey Monkey
	Doesn't fit with existing residential developments. Too high density, no indication on accessing land on cnr Forest Parkway & Houston Mitchell Drive.	Email
	Concern, high density hazard in a quiet rural area that impacts traffic, environment with the potential of increased social hazards with link to know transport infrastructure. Not supported.	Email
	We oppose high density housing in this area. Doesn't conform with existing estate in forest parkway an insult to property holders in Cowarra Estate	Email
	Why 2 Lifestyle Resorts in one small vicinity. If there is to be residential development keep it to the absolute minimum. Ingress/egress must be from Ocean Drive not in/out of small local street.	Email
	Surprise by lack of consultation. Larger land blacks to promote garden setting and to avoid an unsightly housing appearance.	Email
	As Ocean Club Resort already caters to this demographic and has room for expansion this is a particularly inappropriate use of land. High density housing requires much better access to shops, resources, medical etc.	Email
	Oh no. It's too compact for the area. It needs to be spread out to fit the location.	Email
	Not happy. Will not suit the area	Email
	My house backs directly onto this yet I have a fire zoning in place, how can you have this density housing with the fire restrictions/zoning.	Email
	Access directly from estate to Ocean Drive and not through Forest Parkway, footpaths and cycling track to Lake Cathie shops/Bonny Hills	Email
	Yes – it should be fenced with attractive street appeal to not downgrade the surrounding housing.	Email
	Do not proceed. Wrong type of development for the area. Lowering of house prices, quality of life in estate.	Email
	We are not happy as this will devalue our homes	Email
	Not happy with the lack of consultation leading up to this date	Email
	It is of concern that all traffic will be directed to Forest Parkway. there is not enough green space/no public green space will the treed area on the corner of Mitchell Houston Drive be retained?	Email
2. Do you perceive there is a shortage of self-care accommodation options for over 50's in the area?		
	Without seeing some scientific data and real comparative figures this is difficult to answer.	Email
	Strongly disagree	Survey Monkey
	Strongly disagree	Survey Monkey

	Strongly disagree	Email
	Strongly disagree	Email
	Strongly disagree	Email
	Strongly disagree	Email
	Strongly disagree	Email
	Strongly disagree	Email
	Strongly disagree	Email
	Strongly disagree	Email
	Strongly disagree	Email
	Strongly disagree	Email
	Strongly disagree	Email
	Strongly disagree	Email
	Strongly disagree	Email
	Strongly disagree	Email
	Strongly disagree	Email
3. Is the site a good location for a Lifestyle Village due to its proximity to Port Macquarie and the Pacific Highway?		
	We strongly disagree with the placement of another lifestyle village within a kilometre of the existing one.	Email
	Strongly disagree	Survey Monkey
	Strongly disagree	Survey Monkey
	Strongly disagree	Email
	Strongly disagree. No transport infrastructure, not in line with healthy town initiative.	Email
	Strongly disagree	Email
	Strongly disagree	Email
	Strongly disagree	Email
	Strongly disagree	Email
	Strongly disagree	Email
	Strongly disagree	Email
	Strongly disagree	Email
	Strongly disagree	Email
	Strongly disagree. Very little transport to access Port	Email
	Strongly disagree. Poor choice no public transport, no foot paths bad choice.	Email
	Strongly disagree	Email
	Strongly disagree	Email
	Strongly disagree. Not interaction with rest of community. Shouldn't be located so close to 1 acre lots. Out of character	Email
4. A few measures will be implemented to prevent crime and anti-social behaviour from the residents of the Lifestyle Resort, including a Plan of Management and on-site Manager. Residents will sign an agreement to abide by these rules and policies. Do you think there will be an increase in crime in the area should the development proceed?		
	Ridiculous question , no scientific basis although statistically the increase in population numbers are likely to increase a range of undesirable and restrictive social outcomes based purely on the increase in numbers.	Email
	Yes	Survey Monkey
	Yes	Survey Monkey

	Yes. Evidence and history shows high density creates social & crime issues.	Email
	Yes. Evidence is clear that high density increases crime.	Email
	Yes	Email
	Yes	Email
	Yes	Email
	Yes. Obviously this is something that the developer has flagged as a potential issue.	Email
	Yes. As demonstrated by Ocean Club Resort	Email
	Yes	Email
	Yes	Email
	Yes	Email
	Yes. Low income housing always attracts undesirable behaviour.	Email
	Yes. Crime always comes with these developments	Email
	Yes	Email
	Yes	Email
	No	Email
5. Do you feel that the Lifestyle Resort will impact on the present services and facilities available in the area? If yes, please state what services and if it will be a positive impact?		
	We feel there will be a negative impact on services and also strongly think there will be undue stress and demand on infrastructure, particularly roads, beaches and recreational facilities.	Email
	this will impact on traffic management, potential risk to local child care participants, police ambulance services impacted, increased Huston Mitchell Drive traffic and access to highway	Survey Monkey
	Negative impact on travel and transport in the area particularly. The Lifestyle Resort will add nothing in the way of other greatly needed services and facilities to the area (such as shops and food outlets).	Survey Monkey
	Yes, see no positive outcome to community increased traffic, fire, egress. Biodiversity, environment, infrastructure capacities.	Email
	Yes, especially emergency services NSW police & Ambulance & Fire traffic impact as one entrance and exist.	Email
	Doctors services & overcrowding of everything from roads to over population. Will ruin our area full stop.	Email
	Detrimental impact on Roads, Road Safety, infrastructure – Electricity, Water Supply, Medical/Dental Services, Ambulance, Noise & Dust Pollution.	Email
	Yes. Negative impact on already existing Ocean Club Resort and established residents in Cowarra Park Estate, sewerage facilities, internet services, medical facilities, traffic on Ocean Drive and Houston Mitchell Drive, and increased rubbish finding its way via storm water into already distressed Lake Cathie.	Email
	The current rapid growth in population in Lake Cathie is already stretching the current services and facilities and there appears to be no confirmed plans to encourage investment in upgrading services to cater for this.	Email
	The present services and facilities are already approaching their limit. Try getting in and out of Woolworths car park most days or the Lake Cathie Medical Centre car park.	Email
	Yes. Medical services and traffic	Email
	With average 2 cars per house 159 x 2 = 318 cars, this will mean street parking which will impact the preschool any PM, Boats, Caravans & Trailers.	Email
	Yes, we have no water in the catchment low water pressure in the street	Email
	Insufficient shopping, transport facilities. Inadequate utilities e.g. Power and low water pressure and poor NBN throughout data rates.	Email

	Yes. Power, water, NBN, extra road traffic, insufficient shopping no foot paths	Email
	It takes at least a week to get into medical centre extra people and extra traffic from all developments there is only Ocean Drive to get into Port Macquarie – not good.	Email
	Yes	Email
	Yes – traffic. Village lifestyle will be negatively impacted as no ability for nearby residents to access the land for walks etc. When a normal resident estate was planned it would have opened up the area for walking and public space.	Email
6. The proposed entrance is to be from Forest Parkway. There should be few traffic issues arising from the proposed development. Do you agree?		
	The original roadway from Forest Parkway was to link up with the Whiting Way development, the current proposal reduces traffic flow and options but also reduces options for the future.	Email
	Yes	Survey Monkey
	No	Survey Monkey
	No	Email
	No	Email
	No. Loaded question that is an insult. Of course it will impact.	Email
	No	Email
	Yes. The intersection of Forest Parkway and Houston Mitchell Drive is already dangerous.	Email
	No	Email
	Unsure	Email
	No	Email
	No. There will be many see above.	Email
	Yes. This will impact preschool and evacuation from fires.	Email
	No. The access is directly opposite a child care facility	Email
	No. Extra traffic and child care traffic	Email
	No	Email
	No	Email
	No. It will have a major impact on Forest Parkway and Springhill Place.	Email
7. Do you perceive any issues which may arise from the proposed development of a Lifestyle Village in the local area and in what way it will impact on you and the local community and do you support the development?		
	Some of our objections include the traffic and impact on commutes to and from work, increased accident risk, along with demand on infrastructures such as parking and recreational facilities particularly at popular beach sites.	Email
	It will affect local Forrest Parkway and surrounding houses in Springhill Road with potential noise, street lighting will effect current atmosphere, potential to increase crime	Survey Monkey
	Traffic will be greatly – and negatively – affected for residents trying to get out of the area from Forest Parkway and Springhill Place; not to mention future residents of the Northern Development residential area proposed under the original Elanora plans.	Survey Monkey
	Significant impacts on amenities, traffic, concern on residual land on corner. No, don't support development too close to existing facility significant impacts on environment & liveability.	Email
	Yes – impacts economic value of surrounding homes, increase health related issues due to social, fire evacuation concerns, environmental concerns, not what was agreed in 2011.	Email
	I do not support. Traffic issues, noise issues, over population of a small area. I don't conform.	Email
	We do not support the development because of over increased population in one area which will effect safety of children at a pre-school and Public School close by, in addition to overstretching the various infrastructures.	Email

	An increase in people and cars on already overloaded roads and service facilities. Wildlife will suffer from loss of habitat and food (especially kangaroos and wallabies). Overloading the medical Centre which is already overworked. No we do not support the development.	Email
	We don't support this development due to serious concerns regard the introduction of potentially 300 new residents in an area that has no services to support it. Access and traffic concerns only one access road out in a bushfire prone area.	Email
	When people are squeezed together there will always be conflicts as demonstrated by the many police visits and AVO's at Ocean Club Resort. I do not support the development as it stands.	Email
	No we don't support the development you have already changed our area from rural a1 to residential	Email
	We are in high fire risk area, how will we evacuate in emergency? No I don't support this.	Email
	This is overcrowding high density estate, place directly on top of acreage housing, this will decrease house prices.	Email
	The low standard of housing will detract from surrounding home values.	Email
	Yes, loss of property prices, loss of life style, quality of people in proposed estate, increase crime.	Email
	No we don't support development there will be extra traffic and delays for all local businesses.	Email
	I do not support the development as it will decrease the saleable price of our property.	Email
	Do not support. Will reduce our public amenity as we will not be able to walk through the area. Does not provide any public green space. Will congest traffic.	Email
8. How best can the proponent and future residents engage with and actively support the existing Lake Cathie community including existing groups and organizations?		
	The logical step/s should include getting Council and government to complete 2 lane roads to and from the major towns particularly leading in and out of Port Macquarie, before any more large development takes place.	Email
	Engage with the Lake Cathie progress association, and undertake comprehensive consultation, review previous resident concerns raised in 2011.	Survey Monkey
	No comment.	Survey Monkey
	Poor question, community of Lake Cathie doesn't support another over 55 lifestyle.	Email
	Elanora Estate residents were sold land and no consulted on this – I will escalate to media, local government and state government.	Email
	Not my concern – this is a question not relevant.	Email
	Stupid question – there are no guarantees the proponent and future residents wish to support existing groups and organizations in Lake Cathie.	Email
	By not choosing to live in the proposed lifestyle village development. It will be difficult to integrate into a community which is not welcoming the proposed amendment to the development. We would like to see young families settle into the area adjacent to Lake Cathie Primary School.	Email
	You would have to ask potential residents that question.	Email
	You would have to ask the future residents.	Email
	Not relevant.	Email
	Do proper planning with consulting existing owners and council, rather than sneak it through.	Email
	Give more notice, build something that fits with the surroundings. Just drop letters in mail boxes so we know what's going on.	Email
	Develop with council greater bus access and prevent unnecessary deforestation – green the villages.	Email
	Cancel proposed development.	Email

	No Way.	Email
	No answer.	Email
	Open the gates. Charge traffic access.	Email
9. Would you like to be involved in ongoing discussion regarding the proposal? If Yes, please confirm your preferred contact details (Name, Address, Email or Phone).		
	Yes (details provided).	Email
	As per question 8.	Survey Monkey
	No Comment (details provided).	Survey Monkey
	Yes (details provided).	Email
	Yes (details provided).	Email
	Yes (details provided).	Email
	Not if this is the best survey questions you can implement	Email
	Yes (details provided).	Email
	Yes (details provided).	Email
	No Comment (details provided).	Email
	Yes (details provided).	Email
	No Comment (details provided).	Email
	No Comment (details provided).	Email
	No Comment (details provided).	Email
	No Comment (details provided).	Email
	No Comment (details provided).	Email
	No Comment (details provided).	Email
	Yes (details provided).	Email

Table 4 – Responses to Community Survey

Below is a summary of the addresses of the 17 survey responses:

	Address		Address
1	21 Whiting Way	10	Unknown
2	22 Springhill Place	11	2 Springhill Place
3	29 Forest Parkway	12	43 Forest Parkway
4	22 Forest Parkway	13	47 Forest Parkway
5	Unknown	14	Unknown
6	41 Forest Parkway	15	18 Springhill Place
7	11 Springhill Place	16	Springhill Place
8	7 Springhill Place	17	Unknown
9	34 Springhill Place		

Table 5 – Address of Respondents to Community Survey

The main concerns regarding the proposed development were as follows. A comment has been provided with respect to the main issues.

Issue	Comment
High density, Overpopulation.	The change from the approved 151 residential lots in Elanora to 51 residential lots and 159 MHE sites is only a marginal increase density or population generation as a

	Manufactured Housing Estate is not directly comparable with a residential subdivision given the low occupancy rate (likely 1-2 people per dwelling based on 2016 Census data). Below is a comparison based on Population data for the subject portion of the site against the original approval is as follows: ▪ 83 residential lots (based on average census rata of 2.6 people per household) – **215.8 people** ▪ 159 MHE sites (based on average census rata of 1.6 people per household) – **254.4 people** Based on the above calculations, the population of the MHE will increase by 38.6 people over an area of 8.8ha. Further, a site within an MHE is restricted to a single dwelling and due to their size, is limited generally to 2 or 3 bedrooms, unlike a residential lot which can contain multiple dwellings and often 4 bedrooms. Therefore, there is potential for the population with a residential subdivision to increase significantly, unlike an MHE, by the provision of Dual Occupancies or Multi-Unit Housing, which is occurring already in Elanora. Note: 83 lots were approved under DA 2016/88 over the subject area proposed to be an MHE.
A second MHE in close proximity is not needed.	A review of the area surrounding the site demonstrates that there is a variety of land uses and housing types. There is a strong market demand for MHE developments and given that local existing MHE's are near completion or substantially advanced in their stages, it is prudent to commence planning for this highly sought after housing. Further, having regard to the southern side of Ocean Drive and the number of residential allotments being developed currently in that area, this housing form for a varying sector is supported.
Want families on residential lots near the school.	The site is not easily accessible by walking to the primary school on the southern side of Ocean Drive, which will increase reliance on the car. The presence of a main road severs Lake Cathie into a northern and southern section in this area. Pedestrians cannot currently, but will be able to in the future, walk to the intersection of Baltic Street which is proposed to be upgraded to an intersection in the future. This is still an indirect route and not encouraged. The southern side of Ocean Drive has a number of approvals in place for residential lots, with the largest being St Vincent's Foundation land adjacent to the school which contains approx. 700 lots. This will bring families into the area in close proximity to the existing school, with safe pedestrian access.
Lack of consultation.	This initial voluntary consultation with the community is in the early stages and does not replace the required community consultation that Council formally undertakes in accordance with the Environmental Planning & Assessment Act, 1979, once a Development Application is lodged.
Fire / emergency access.	An emergency access through to South Atlantic Drive has been added to allow a second access point in the case of emergencies.
Devalue of properties.	Having regard to the value of buildings data, there has been a considerable increase over the 5 year period of 2013 to 2018. This is a trend which is expected to continue. There has been an increase in the median property price in Lake Cathie from $400,000 in 2011 to $600,000 in 2019. Having regard to Ocean Club being introduced into the area and opening in 2013, there is no evidence from these figures that an MHE will devalue property prices.
Streetscape, need good landscaping.	The proposed site plan has incorporated landscaped setbacks to all boundaries, which will be landscaped in accordance with the Landscape Plan submitted with the DA. This will provide an open landscaped streetscape, rather than fences as per the current residential approval.
Wants tree retention of Corner of Forest Parkway and	The area indicated does not form part of the MHE site and will remain large environmental living lots as per the current consent. Some tree removal has been granted under the

Houston Mitchell Dr / Ocean Dr.	current approval, however vegetation will be retained in that area.
Impact on already overloaded services and infrastructure.	All services and infrastructure are readily capable of being extended to the site and upgraded where necessary. The existing road network can withstand the additional traffic generation and proposed development does not warrant the upgrade of any intersections. Under the Area 14 planning, Council may choose to undertake further intersection upgrades when upgrading Ocean Drive, which is separate to this development. The subdivisions on the southern side of Ocean Drive contain additional business land and it is our understanding that it will include new services including a supermarket.
Increased undesirable outcome including crime.	There is no evidence to support this claim. The purpose of the Plan of Management for the Lifestyle Resort is to outline operational and day to day use and management and set out a range of policies and procedures to ensure the MHE is appropriately well-managed and promotes the safe and efficient operation of the development. The Plan of Management will ensure Management and Residents both play a part in controlling any anti-social behaviour. The fencing and gates will also assist with crime.

Table 6 – Summary & Comment to Issues Raised in Community Survey

9. IMPACT ANALYSIS

This Chapter details the potential social and economic impacts of the proposed development and mitigation measures designed to minimise negative impacts and maximise positive impacts. This is based on the analysis from the previous chapters.

A number of potential positive and negative social impacts have been identified in this SIA.

Many impacts will be staged due to the likely staging of the development.

9.1 Key Social Impacts

Positive Social Impacts

1. Provision of much needed 'reasonably priced' housing in the Lake Cathie area;
2. Development site is within proximity to current and proposed commercial, recreation and community services;
3. Increased economic and social benefits to local businesses;
4. Enrichment of the local community by supporting a diversity of population;
5. Provision of housing stock diversity in Lake Cathie; and
6. Plan of Management promotes/ensures positive social behaviour of residents.

Negative Social Impacts

1. Impacts on existing social cohesion of the existing community;
2. Increased concentration of people in proximity to each other and other local residents;
3. Increased traffic and impact on road safety in local area;
4. Impacts from two MHE developments in close proximity; and
5. Impact on the existing character/identity of the local area.

10. MANAGING IMPACTS

This SIA aims to analyse and manage the intended and unintended social consequences, both positive and negative, of the proposed development.

Section 9.1 Key Social Impacts of this SIA details a number of positive and negative impacts that may result from the construction of the proposed MHE. While a number of these issues have been addressed in detail throughout this report, especially the positive impacts, the following management measures are suggested to be adopted to address the negative impacts as outlined in Section 9.1:

1. Impacts on existing social cohesion of the existing community

Social cohesion is defined as the willingness of a member of a society to cooperate with each other in order to survive and prosper. The applicants proposing to construct the MHE are committed to the ideals of social cohesion. The proposed development does not propose to create a negative impact on the existing social cohesion of the existing community but wishes to contribute to it.

Residents will be encouraged, to assimilate into both the Resort and general community in a positive way. As part of the Resident Information Pack issued to residents, local community facilities, sporting groups, and community groups should be listed. Additionally, local community events should be distributed/advertised to residents.

The following is recommended:

- That external activities be organised giving residents the opportunity to participate with the members of the broader Lake Cathie and Port Macquarie communities.
- That the MHE Management or Residents Committee organise events which local Lake Cathie residents are invited to attend.
- That the MHE's residents be encouraged to participate in the activities of community groups outside of the Resort.
- Local community events should be advertised to all residents. A Noticeboard should be placed within the Lifestyle Resort.
- The increased concentration of people in proximity to each other and other local residents will not be an issue if rules and policies are adhered to.
- Residents will be encouraged to seek the advice/support of the on-site Manager should there be an issue of conflict. The on-site Manager will investigate all concerns.
- If local residents have any issue with the MHE residents or its facilities they are encouraged to raise the issue with the on-site manager. All complaints will be investigated by the on-site Manager.
- Local residents are encouraged to welcome new MHE residents to their area as they would any other new resident.
- The POM incorporates mechanisms for resolving external disputes.
- Distribute Resident Information Pack issued to residents.
- Pedestrian connections be provided from the Lifestyle Resort to the adjoining areas.
- The community bus, which is owned by the Lifestyle Resort, be utilised for trips to existing and future local facilities.

2. Increased concentration of people in close proximity to each other and other local residents.

The proposed MHE will provide approximately 159 dwellings in a landscaped setting with average lot sizes being being 294m² in size. Each dwelling allows the resident to have their own space as well as access to communal areas. This provides residents with options to suit their individual circumstances and allows residents to have a sense of belonging.

The design of the Lifestyle Resort is to have regard to crime prevention through safety measures, landscaping to avoid areas of entrapment, lighting, on-site Manager and use of technology on vehicular and pedestrian gates.

The following is recommended:

- The increased concentration of people in proximity to each other and other local residents will not be an issue if rules and policies are adhered to.
- Residents will be encouraged to seek the advice/support of the on-site Manager should there be an internal conflict. The on-site Manager will investigate all concerns.
- If local residents have any issue with the MHE residents or its facilities they are encouraged to raise the issue with the on-site Manager. All complaints will be investigated by the on-site Manager.
- Residents will be expected to adopt a behaviour which will be outlined in the POM.
- The landscaped areas are to be maintained to ensure planting is established and given the best opportunity for screening.
- Low scale security lighting provides at entrances and throughout the Lifestyle Resort.

3. Increased traffic and impact on road safety in local area.

The issues of traffic and general road safety in the local area has been raised as a negative impact during the community survey process. The community survey of local residents has identified the issue of traffic as a concern with the proposed development.

The change of form of residential development for a standard residential lot to an MHE will significantly reduce the traffic impacts for the area due to the lower population per site, the demographics of the residents and the community bus service offered by the resort.

The following is recommended:

- The community bus, which is owned by the Lifestyle Resort, will reduce car dependency.
- Regular use of the Community Bus should be encouraged.
- A number of formal and informal activities will be facilitated within the MHE, reducing the need for residents to leave the subject site.
- The Traffic Report identifies that MHE traffic counts are lower than typical residential developments.

4. Impacts from two MHE developments in close proximity &

5. Impact on the existing character/identity of the local area.

The community survey of local residents has identified that there is a perceived negative impact from two MHE developments being in close proximity, with Ocean Club Resort located approx. 130m to the east and the associated change in character. The Site Analysis in Figure 2 clearly identifies a wide variety of land uses and housing types in the vicinity of the site. These varying uses provide diversity to the area and allow for varying sectors of the community to be accommodated and benefit from the desirable location of Lake Cathie.

The issue of competition is not a social planning consideration and is market driven.

The following is recommended:

- Development of a Landscape Plan for the Lifestyle Resort, with plantings which encourage screening along boundaries within setback areas with reduce the visibility of the Lifestyle Resort from adjoining residences and the public road.
- Provide a Noticeboard within Reception or Clubhouse to alert residents to local events and activities and of the Community Bus schedule to encourage interaction with all of the community.

11. EXISTING SERVICES & INFRASTRUCTURE CAPACITY

The capacity of existing services, facilities and infrastructure to meet the needs of new residents is important to any development. Supply/demand, capacity, access and equity issues have also been investigated and examined. The following information is a summary of these investigations.

11.1 Parking - Onsite

The proposed development will provide both residential and visitor parking. Each dwelling will have a minimum of one carparking space and visitor carparking is provided within the Lifestyle Resort, including disabled parking. Refer to plans submitted with the Development Application for further details of parking arrangements. Further, an area is provided adjacent to the reception to accommodate visitors upon first arrival to the site.

Assessment

The provision of both resident and visitor parking will ensure that parking will not create a negative impact on the development or surrounding residents.

11.2 Traffic Movements

A Traffic Report has been prepared by Street Wise and accompanies the DA submission.

Assessment

The legal address for the subject site is Corner Forest Parkway and Ocean Drive. Once developed, residents from Forest Parkway and surrounding streets could be negatively impacted upon by increased traffic movements. To ensure that residents are not negatively impacted upon, the recommendations of the traffic assessment should be adopted.

The number of intersections in the locality are not altered by this proposal and works identified for Area 14 remain unchanged. Further intersection upgrades may occur over the coming years by Council as a result of the RoadNet report prepared for Area 14, or as part of the planned Ocean Drive upgrades.

It is important to acknowledge that the traffic generation of an MHE dwelling is considerably less than a standard residential lot.

11.3 Community Services & Facilities

The following existing services are within proximity (distances have been measured from subject site to destination by road) to the subject site:

- Lake Cathie Medical Centre - approximately 2km from subject site.
- Supermarket and Fuel – approximately 3.5km from the subject site.
- Lake Cathie Community Centre & Hall – approximately 3.5km from the subject site.

- Lake Cathie Public School - approximately 0.5km from the subject site.
- Cowarra Park Pre-school (23 Forest Parkway) – approximately 70m from the site.

Assessment

The subject site is ideally located to ensure residents have easy access to existing services and facilities.

The proposed development is to be located on the fringe of an established large lot residential and rural area. The provision of infrastructure encourages the areas capacity for growth.

There is also two new planned business centres on the southern side of Ocean Drive, one within the St Vincent Foundations large residential subdivision immediately to the south and the other within the Catarina Estate. Both will service the wider Lake Cathie area, in particular Area 14. The land is zoned to allow for these businesses.

Lake Cathie Public School is located on the southern side of Ocean Drive. The school is not easily accessible for pedestrians from the site due to the intersection at Ocean Drive and Houston Mitchell Drive being a round-a-bout rather than signals.

12. NET BENEFIT TO COMMUNITY

Net Benefit is defined as "*having an overall positive impact on relevant communities*".

This SIA has identified a number of areas in which the proposed development has an overall positive impact on the Lake Cathie area. These include, but are not limited to:

1. Provision of much needed 'reasonably price' housing in the Lake Cathie/Port Macquarie Hastings area;
2. Diversity of housing stock;
3. Development site is within proximity to community services & facilities (existing and proposed);
4. Increased economic and social benefits to local businesses; and
5. Enrichment of the local community by supporting a diversity of population.

13. MITIGATION OF IMPACTS

Overall, the negative impacts of the proposed development can be successfully managed with the implementation of the below mitigation measures such that it is anticipated that the proposed development would have an overall socio-economic benefit. This is based on the criteria and methodology identified above.

- Finalisation of a Plan of Management prior to operation of the Lifestyle Resort & copy to all residents as part of a welcome pack.
- Development of a Landscape Plan for the Lifestyle Resort, with plantings which encourage screening along boundaries within setback areas.
- Distribute 6 monthly newsletter update to surrounding residents to be informed of the progress of the development's construction so they are informed throughout construction.
- The front vehicular access gate / boom gate or similar to the site be set back to allow access to the reception at all times to facilitate site access by visitors, service providers and the like and to ensure a welcoming entrance to the site is provided.
- A Community Bus is to be provided for residents of the Lifestyle Resort and regularly utilised.
- The Clubhouse is to contain space for booking and use by medical professionals or other relevant service providers.

- Provide a Noticeboard within Reception or Clubhouse to alert residents to local events and activities and of the Community Bus schedule.
- The entrance to the Lifestyle Resort will be provided with low glare security lighting after dark and the overall site will contain low glare lighting to increase security and reduce opportunities for crime.

14. REFERENCE MATERIAL AND DATA

The socio economic data used in this report has been extracted from the ABS database and includes the most recently released ABS data issued 2011 & 2016.

Other reference documents include:

- "Urban Growth Management Strategy 2017 -2036", Port Macquarie.
- "Social Impact Assessment guidelines" dated September 2017, Department of Planning & Environment.
- "Social Impact Assessment Policy" dated 25 February 2009, Port Macquarie Hastings Council.
- Australian Bureau of Statistics Census data 2016.
- NSW Planning and Environment's 2016 to 2036 NSW Population and Household Projections.

15. CONCLUSION

This Social Impact Assessment has been prepared to address relevant social planning issues for the proposed development. The proposed development is deemed appropriate as:

- It is unlikely that the proposed development will result in any significant increase of crime activity but could potentially contribute towards the greater security and crime prevention in the area.
- While measures can be implemented to promote a safe environment for residents, residents must also be responsible in ensuring they act in a responsible and safe manner at all times.
- Delivery of housing supply and choice providing for a varied population and addressing the genuine need for 'reasonably priced' housing within Lake Cathie.
- The proposed development is not expected to decrease housing prices within the area.
- Integration between residents within the Lifestyle Resort is expected to be positive.
- The proposed development will create a positive economic effect on the local community.
- The Plan of Management will promote and ensures positive social behaviour of residents.
- The proposed development will have access to water, sewer, electricity, internet and telephone services.
- Local commercial businesses have the capacity to service the proposed development and expand due to the development of Area 14.
- Diversity of housing stock will be achieved through the proposed development.
- The development site is within proximity to existing and future commercial, community, public transport recreation and environmental areas, including a large parcel of public open space to the north.
- Enrichment of the local community by supporting a diversity of population.

It is concluded that negative impacts associated with the proposed development can be mitigated as part of the development application design and assessment process, as well as through appropriate ongoing site management and as part of a refinement of certain aspects of the site design.

The popularity of the nearby Ocean Club Resort, as well as Laurieton Lifestyle Resort demonstrates a popularity for this high quality form of housing in the area. Laurieton Lifestyle Resort is nearly last stages of development and Ocean Club is well advanced, which demonstrates there is a clear need for planning of new similar developments.

There is currently a mix of housing choices and forms in Lake Cathie and this proposal embraces this diversity.

The following mitigation measures are recommended to reduce the potential negative impacts and maximise the potential benefits of the proposed development:

- Finalisation of a Plan of Management prior to operation of the Lifestyle Resort & copy to all residents as part of a welcome pack.
- Development of a Landscape Plan for the Lifestyle Resort, with plantings which encourage screening along boundaries within setback areas.
- Distribute 6 monthly newsletter update to surrounding residents to be informed of the progress of the development's construction so they are informed throughout construction.
- The front vehicular access gate / boom gate or similar to the site be set back to allow access to the reception at all times to facilitate site access by visitors, service providers and the like and to ensure a welcoming entrance to the site is provided.
- Provide a pedestrian connection for the residents of the Lifestyle Resort to the residential subdivision to the east.
- A Community Bus is to be provided for residents of the Lifestyle Resort and regularly utilised.
- The Clubhouse is to contain space for booking and use by medical professionals or other relevant service providers.
- Provide a Noticeboard within Reception or Clubhouse to alert residents to local events and activities and of the Community Bus schedule.
- The entrance to the Lifestyle Resort will be provided with low glare security lighting after dark and the overall site will contain low glare lighting to increase security and reduce opportunities for crime.

Overall, the negative impacts of the proposed development can be successfully managed with the implementation of the above mitigation measures.

ATTACHMENTS

A. Community Feedback Request

ATTACHMENT A

COMMUNITY FEEDBACK REQUEST

Proposed Lifestyle Resort

Land Dynamics have been engaged to prepare a Social Impact Assessment for a proposed Manufactured Housing Estate at Lot 138 DP 1248149, Corner Forest Parkway & Ocean Drive, Lake Cathie, as shown below. This survey has been prepared on behalf of the proponent an Australian owned company that has significant experience in Luxury Lifestyle Resort projects.

As a resident living in close proximity to the site, your views and opinions are important, and you are encouraged to participate. Results and comments from this survey will form part of a Social Impact Assessment to be submitted to Port Macquarie Hastings Council.

A feedback survey form is attached for you to return to Land Dynamics by post or alternatively you may prefer to email us or complete the online survey.

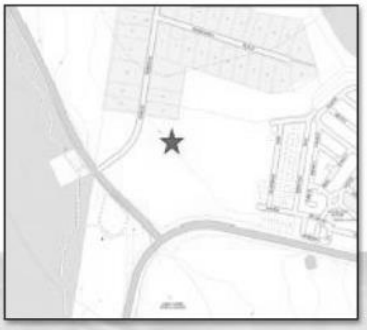
1. Via Survey Monkey:	2. Email/scan your Survey to:	3. Mail your Survey to :
https://www.surveymonkey.com/r/3CGRWBS	PM@ldynamics.com.au	Land Dynamics *PO Box 2459, Port Macquarie NSW 2444*

Responses are required by Friday 7 September 2019

Proposed Development

The proposed development involves the establishment of a private Lifestyle Resort for active over 50's and may include the following features:

- The Resort has approximately 159 dwelling sites.
- Entrance from Forest Parkway and a private network of roads.
- Resort style facilities available for residents may include a large community clubhouse, gymnasium, sauna, pool and spa, hairdressing salon, golf simulator, ten pin bowling alley, tennis court, bowling green, cinema, library, BBQ pavilion, residents' workshop, music room, games and entertainment room, grand ballroom, bar and coffee lounge, dog off-leash area, and caravan and boat storage.
- Resort shuttle bus service for residents to take them off site and on outings and an intra-resort shuttle buggy.
- Extensive areas of open space, pathway links and landscaping.



LandDynamics AUSTRALIA **COMPLETE YOUR SURVEY BY 7 SEPTEMBER 2019**

SURVEY QUESTIONS

1. What is your initial response to the proposed Manufactured Housing Estate? For example, are there additional features that should be incorporated into the current proposal?

_____

_____

2. Do you perceive there is a shortage of self-care accommodation options for over 50's in the area?

Please circle Strongly Agree Not Sure Strongly Disagree

3. Is the site a good location for a Lifestyle Village due to its proximity to Port Macquarie and the Pacific Highway?

Please circle Strongly Agree Not Sure Strongly Disagree

4. A number of measures will be implemented to prevent crime and anti-social behaviour from the residents of the Lifestyle Resort, including a Plan of Management and on-site Manager. Residents will sign an agreement to abide by these rules and policies. Do you think there will be an increase in crime in the area should the development proceed?

Please circle Yes or No

5. Do you feel that the Lifestyle Resort will impact on the present services and facilities available in the area? If yes, please state what services and if it will be a positive impact?

_____

_____

6. The proposed entrance is to be from Forest Parkway. There should be few traffic issues arising from the proposed development. Do you agree?

Please circle Yes or No

7. Do you perceive any issues which may arise from the proposed development of a Lifestyle Village in the local area and in what way it will impact on you and the local community and do you support the development?

_____

_____

8. How best can the proponent and future residents engage with and actively support the existing Lake Cathie community including existing groups and organisations?

_____

_____

9. Would you like to be involved in ongoing discussion regarding the proposal? If Yes, please confirm your preferred contact details (Name, Address, Email or Phone).

_____

_____

Thank you for taking the time to complete this survey

LandDynamics AUSTRALIA **COMPLETE YOUR SURVEY BY 7 SEPTEMBER 2019**

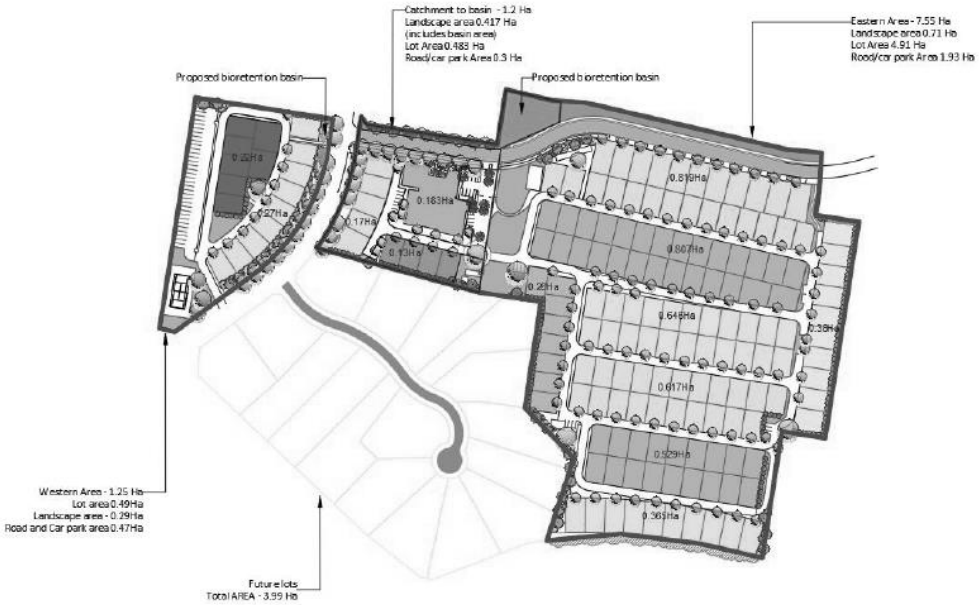
LandDynamics AUSTRALIA

Stormwater Management Plan for Proposed Manufactured Housing Estate

Lot 146 DP1256576

Houston Mitchell Drive and Forest Parkway

Lake Cathie



28 May 2020

Issue B

Land Dynamics Australia (ABN 63 137 881 942)
Box 2459/77 Lord Street, Port Macquarie - NSW – 2444
Ph: 02 6583 2677 – recepon@ldynamics.com.au
www.ldynamics.com.au

1.0 Executive Summary

Land Dynamics has been engaged to prepare a Stormwater Management Plan (SMP) for proposed development of a Manufactured Housing Estate (MHE) on Lot 159 DP1256576 Corner of Ocean Drive, Houston Mitchell Drive and Forest Parkway, Lake Cathie.

The proposed development intended for the site involves construction of a 159 site MHE, together with a clubhouse and appropriate roads and infrastructure to service the development.

This report demonstrates the development will be constructed and operated generally in accordance with the principle requirements of Port Macquarie-Hastings Council's current Auspec edition compared to that of previously approved lot layout and stormwater quality treatment measures (King & Campbell DA-2016/88).

This document investigated two main areas:

- Stormwater quantity
- Stormwater Quality

A hydraulic analysis was undertaken to assess the impact of increased rainfall runoff generated from the post-developed scenario. A Drains modelling assessment demonstrates that the proposed development has negligible or no impact to the adjoining properties.

Stormwater quality assessment was further undertaken to evaluate proposed treatment train.

The proposed treatment train consists of rainwater tanks, a bioretention system and a grass swale to treat pollutants generated from the developed site.

Analysis undertaken demonstrates that the stormwater quality measures undertaken for the development has a non-worsening effect of the pollutant loads from the site compared to that of approved DA-2016/88.

2.0 Location

Please refer below to Figure 2.1 for a locality plan of the site. The property is located at Lot 146 DP1256576 Corner of Ocean Drive, Houston Mitchell Drive and Forest Parkway, Lake Cathie.

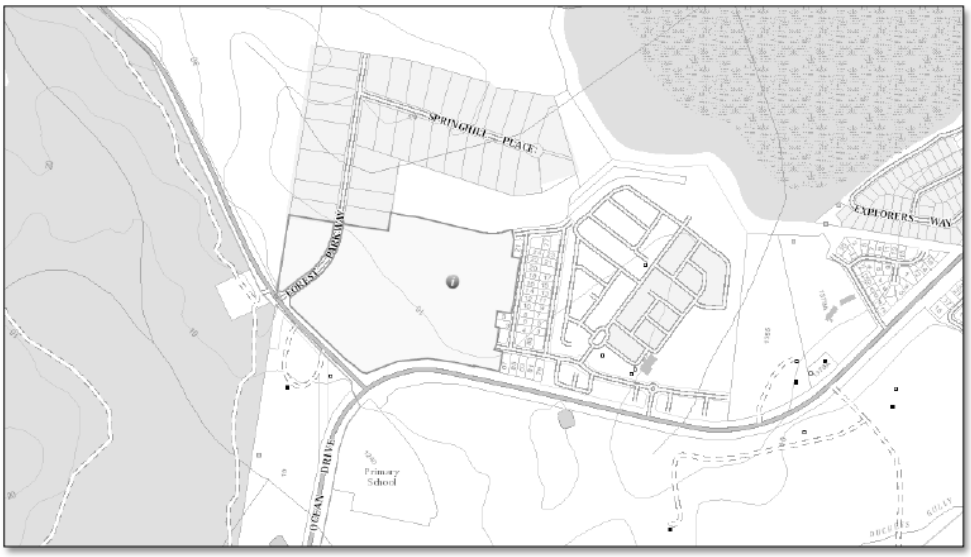


Figure 2.1 – Locality Plan (Source: www.sixmaps.nsw.gov.au)

3.0 Methodology

The following methodology was adopted for the stormwater quantity and quality assessment.

- Analysis of proposed MHE lot layout and the approved residential lot layout (DA-2016/88) to determine additional impervious areas due to the MHE proposal.
- Hydrological modelling using DRAINS software.
- MUSIC model analysis for the proposed and approved lot layout to compare the pollutant loads.

4.0 Stormwater Quantity Assessment

Section 4.0 of the report details the analysis undertaken for the stormwater quantity assessment.

4.1 Catchment Analysis

4.1.1 Approved Lot Layout (DA-2016/88)

The approved residential subdivision lot layout under DA-2016/88 is shown in Figure 4.1 below.

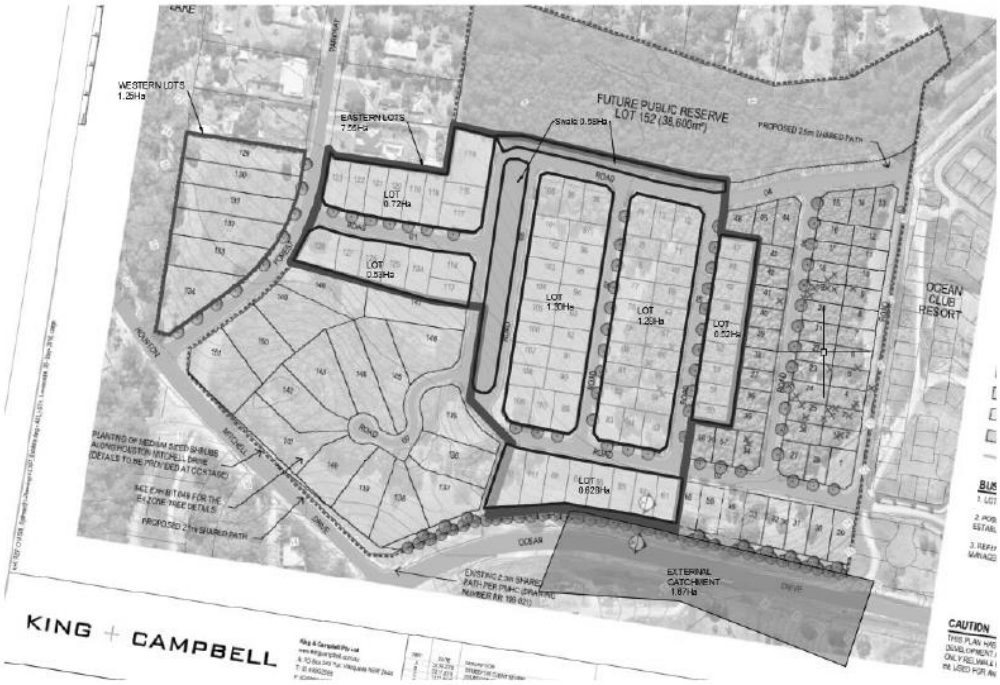


Figure 4.1 – Approved Lot Layout (DA-2016/88)

4.1.2 Proposed MHE Lot Layout

Proposed MHE lot layout includes modification to the site layout and incorporates a club house, car parks and landscaped areas. Refer to Figure 4.2 below for the proposed site.

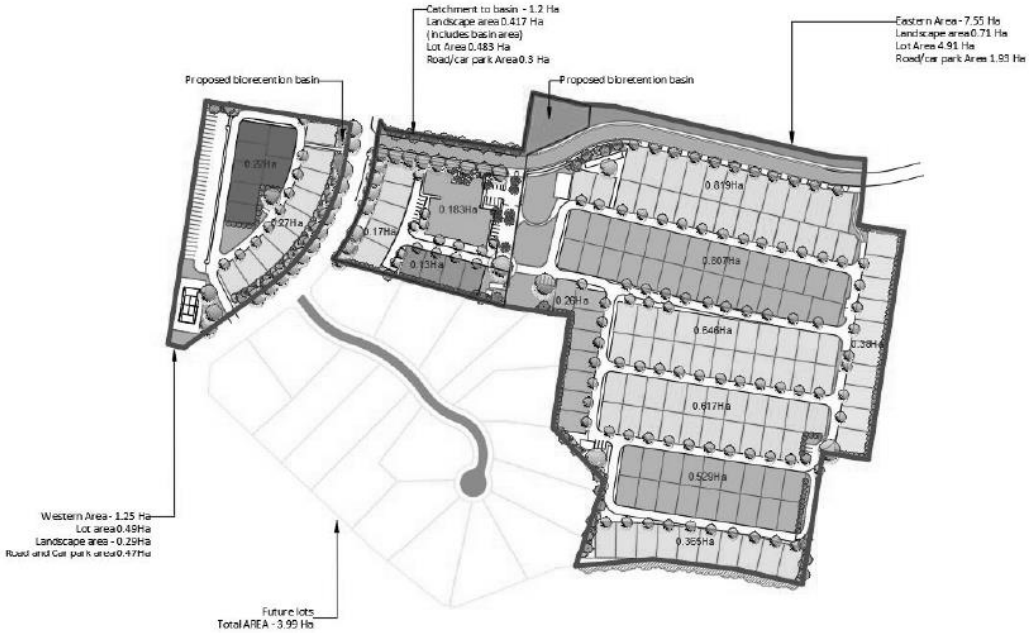


Figure 4.2: Proposed MHE Layout

Refer to Tables 4.1 and 4.2 for catchment analysis of the approved and proposed lot layouts respectively.

Table 4.1: Approved Lot Layout (DA-2016/88) Catchment Analysis

Approved Layout - DA-2016/88 (King and Campbell)					
Eastern Area					
TYPE	Total Area(ha)	% Impervious	% Pervious	Area Impervious (ha)	Area Pervious (ha)
Lots	4.978	60.00%	40.00%	2.9868	1.9912
Road	1.992	80.00%	20.00%	1.5936	0.3984
Landscape/Swale	0.58	10.00%	90.00%	0.058	0.522
Upstream Catchment	1.67	40.00%	60.00%	0.668	1.002
TOTAL				**5.3064**	**3.9136**
Western Area					
TYPE	Total Area(ha)	% Impervious	% Pervious	Area Impervious (ha)	Area Pervious (ha)
Lots	1.25	60.00%	40.00%	0.75	0.5

Table 4.2: Proposed MHE Lot Layout Catchment Analysis

Proposed MHE Lot Layout - Eastern Area					
TYPE	**Total Area(ha)**	**%Impervious**	**%Pervious**	**Area Impervious (ha)**	**Area Pervious (ha)**
Lots	4.91	75.00%	25.00%	3.6825	1.2275
Road and Car Park	1.93	90.00%	10.00%	1.737	0.193
Landscape Area	0.71	10.00%	90.00%	0.071	0.639
Upstream Catchment	1.67	40.00%	60.00%	0.668	1.002
Total				6.8265	2.3935
Western Area					
TYPE	**Total Area(ha)**	**%Impervious**	**%Pervious**	**Area Impervious (ha)**	**Area Pervious (ha)**
Lots	0.49	75.00%	25.00%	0.3675	0.1225
Road & Car park	0.47	90.00%	10.00%	0.423	0.047
Landscape	0.29	10.00%	90.00%	0.029	0.261
Total	1.25			0.8195	0.4305

The analysis shows there is an increase of approximately 1.59ha impervious area which equates to the increased runoff of approximately 0.56m^3/s for the 1%ARI discharge which equates to approximately 7% additional site discharge.

This is considered only a minor increase; however, Stormwater quality and quantity measures have been incorporated to manage and treat stormwater runoff to bring back in line with current approved DA-2016/88.

4.2 DRAINS Assessment

A DRAINS model was prepared to compare the flows between the approved lot layout and the MHE site. Please refer Table 4.3 for flow increase summary from the MHE site. The results in Table 4.3 shows the flow increase from the MHE site to be negligible when compared to the overall flows from the site unlikely to create any negative flood impacts for the downstream properties.

Table 4.3: Peak Flow Summary

EASTERN AREA			
SUB_CATCHMENT	**20% AEP**	5%AEP	1% AEP
	m^3/sec	**m^3/sec**	**m^3/sec**
Existing K&C Layout	2.79	4.33	6.2
MHE Layout - without detention	3.49	4.94	6.73
WESTERN AREA			
SUB_CATCHMENT	**20% AEP**	5%AEP	1% AEP
	m^3/sec	**m^3/sec**	**m^3/sec**
Existing K&C Layout	0.471	0.743	1.08
MHE Layout - without detention	0.583	0.817	1.11

Refer Figure 4.3 for the DRAINS layout with 20%, 5% and 1% AEP peak flows.

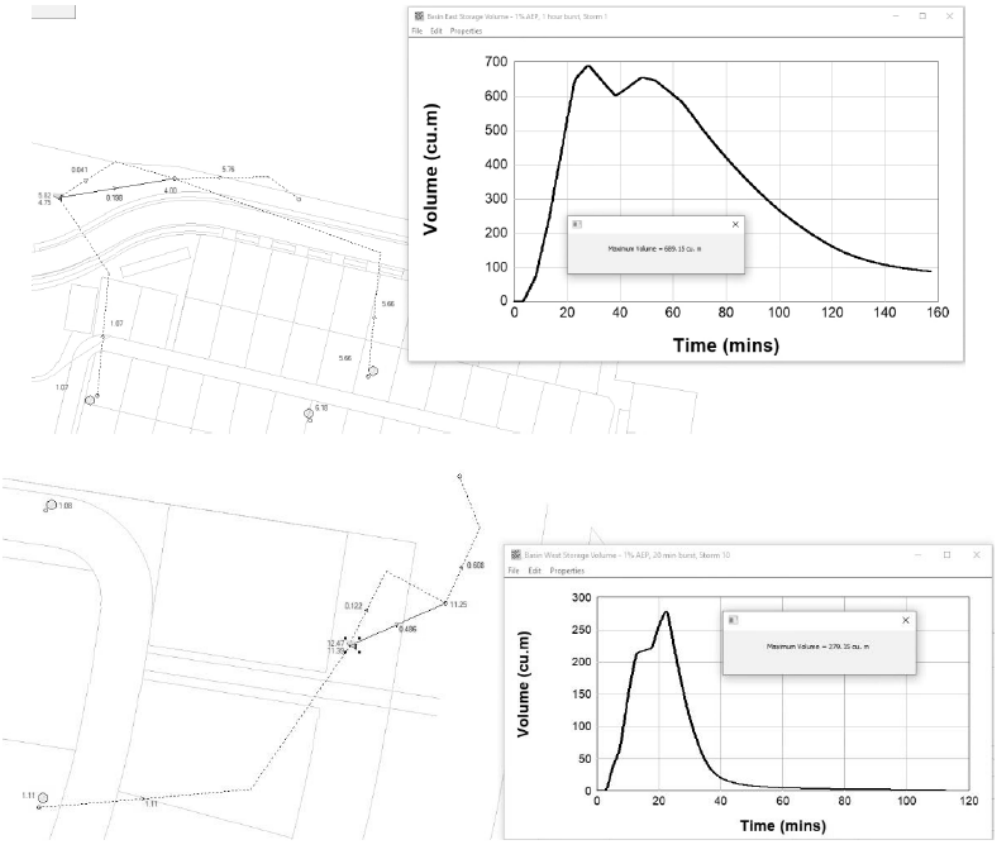


Figure 4.3: DRAINS Diagram

As can be seen, the increased runoff of approximately 0.56m^3/s for the 1%ARI discharge which equates to approximately 7% additional site discharge. This is considered only a minor increase; however, measure have been incorporated to treat stormwater runoff to bring back in line with current approved DA-2016/88.

Eastern Catchment:

A proposed detention basin has been modelled for the eastern catchment, that will detain flows to that of approved DA-2016/88. The conceptual location of this proposed basins is shown on Figure 4.2 – Proposed MHE Layout above

Please refer to figure 4.4 below that shows the basin summary, demonstrating reduction to less than previously approved discharges.

Western Catchment:

For the western catchment, a detention basin has been modelled to reduce post developed flows to that of approved DA-2016/88. The conceptual location of this proposed basins is shown on Figure 4.2 – Proposed MHE Layout above.

Please refer to figure 4.4 below that shows the detention summary as a result of RWT's, demonstrating reduction to less than previously approved discharges.

EASTERN AREA			
SUB_CATCHMENT	**20% AEP**	5%AEP	1% AEP
	m^3/sec	**m^3/sec**	**m^3/sec**
Existing K&C Layout	2.79	4.33	6.2
MHE Layout - without detention	3.49	4.94	6.73
MHE Layout – with Basin detention	**2.97**	**4.23**	**5.76**
WESTERN AREA			
SUB_CATCHMENT	**20% AEP**	5%AEP	1% AEP
	m^3/sec	**m^3/sec**	**m^3/sec**
Existing K&C Layout	0.471	0.743	1.08
MHE Layout - without detention	0.583	0.817	1.11
MHE Layout - with Basin detention	**0.311**	**0.406**	**0.608**

DETENTION BASIN DETAILS					
Name	**Max WL**	**MaxVol**	**Max Q**	**Max Q**	**Max Q**
			Total	**Low Level**	**High Level**
Basin East	5.82	689.2	5.76	0.198	0.041
Basin West	12.62	279.15	0.608	0.486	0.122

Figure 4.4: Detention Basin summary

5.0 Stormwater Quality

Modelling of the site was undertaken using the 'Model for Urban Stormwater Improvement Conceptualization (MUSIC). The development was modelled to assess each of the eastern and western catchments separately so as each precinct obtained its own individual compliance. An appropriate type of land use was applied to all surface types within the development catchments.

5.1 Treatment Methodology

The discharge from the proposed MHE development is treated by a combination of a bioretention basin, swales and Rainwater tanks (RWT's) that will be constructed as part of the MHE Development

5.2 Proposed Stormwater Treatment Devices

- East Catchment:
  - Proposed swale
- West Catchment
  - Bioretention basin and RWT's

5.2.1 Treatment Properties

As part of approved DA-2016/88 an approved grass swale is to be provided. This swale was proposed with a 2.5m base for treatment purposes.

As part of this proposal, a bioretention swale is proposed that will have a base of 5.5m which will assist in reduction of stormwater pollutants to the required properties.

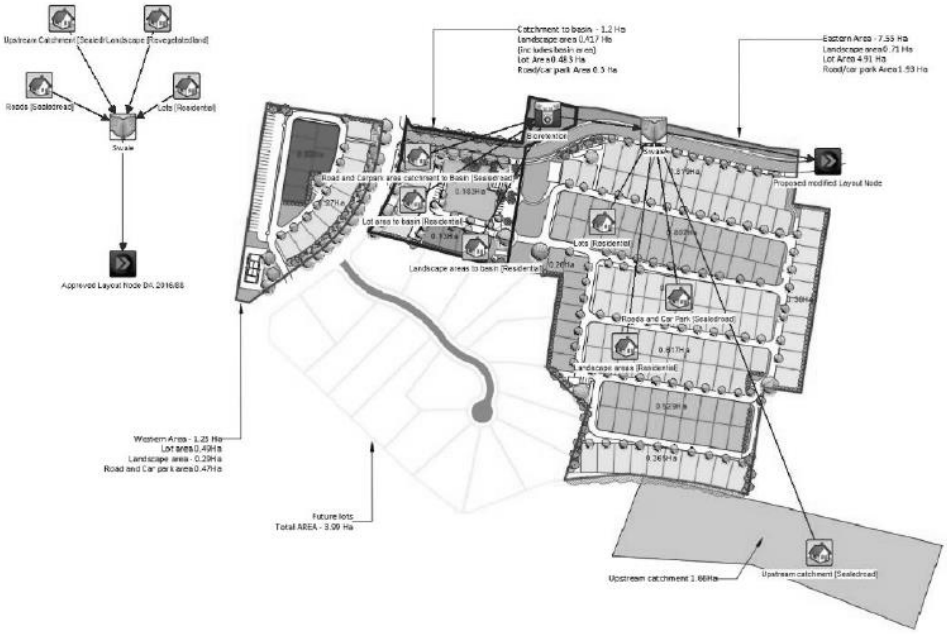
This swale is located along the northern boundary of the eastern precinct in the same location to that of approved DA-2016/88

Calculated Swale Properties (MUSIC node)	
Manning's N	0.062
Batter Slope	1:03
Velocity (m/s)	1.15
Hazard	1.15
Cross sectional Area (m2)	8.5
Swale Capacity (m3/s)	9.79

5.3 MUSIC Layout and Results

Refer Figure 5.1 for the approved and MHE layouts modelled in MUSIC. The results for the MUSIC analysis are detailed in Table 5.3.

Eastern Catchment:



Western Catchment:

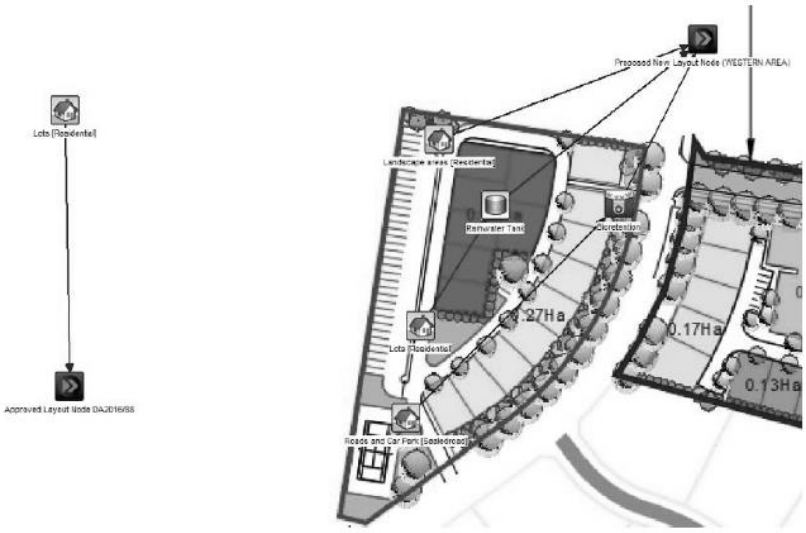


Figure 5.1: MUSIC Model Layouts

Table 5.3: Mean Annual Loads Comparison of the Approved (DA 2016/88) and Proposed MHE Layouts

Eastern Catchment:

Treatment Train Effectiveness - Proposed modified Layout Node

	Sources		Residual Load		% Reduction	
	Pre	Post	Pre	Post	Pre	Post
Flow (ML/yr)	105	122	105	106	0	13.1
Total Suspended Solids (kg/yr)	26200	28600	2200	1660	91.6	94.2
Total Phosphorus (kg/yr)	41.9	48.9	15.1	14.2	64	71
Total Nitrogen (kg/yr)	242	267	197	175	18.6	34.5
Gross Pollutants (kg/yr)	2120	2540	0	0	100	100

Include Pre-Development

Western Catchment:

Treatment Train Effectiveness - Proposed New Layout Node (WESTERN AREA)

	Sources		Residual Load		% Reduction	
	Pre	Post	Pre	Post	Pre	Post
Flow (ML/yr)	16	16.4	16	16	0	2.44
Total Suspended Solids (kg/yr)	2740	4010	2740	611	0	84.8
Total Phosphorus (kg/yr)	4.42	7.13	4.42	2.72	0	61.9
Total Nitrogen (kg/yr)	32.9	38.8	32.9	25.1	0	35.3
Gross Pollutants (kg/yr)	341	326	341	19.8	0	93.9

Include Pre-Development

As shown in Table 5.3 above the MUSIC results demonstrate that treatment of stormwater within the MHE site for both eastern and western catchments by way of bioretention basins, swales and rainwater tanks treats stormwater runoff to that of approved DA-2016/88.

6.0 Conclusion and Recommendations

As can be seen, the increase runoff of approximately 0.56m3/s for the 1% ARI discharge which equates to approximately 7% additional site discharge.

This is considered only a minor increase; however, the provision of detention basins on both the eastern and western MHE precincts to treat stormwater runoff will reduce runoff to that of the current approved DA-2016/88.

The MUSIC results demonstrate a minor increase in mean annual loads as a result of the MHE development.

This has been addressed by the introduction of a biorenteion basin and swale on the eastern precinct together with a bioretention basin and rainwater tanks on the western MHE precincts to reduce pollutants to that of the current approved DA-2016/88.

Michael J. Summers
(Director/Civil Engineer)
Land Dynamics Australia

Appendix 1 – Drains Results

DRAINS results prepared from Version 2020.033								
PIT / NODE DETAILS				Version 8				
Name	Max HGL	Max Pond	Max Surface	Max Pond	Min	Overflow	Constraint	
		HGL	Flow Arriving	Volume	Freeboard	(cu.m/s)		
			(cu.m/s)	(cu.m)	(m)			
N EAST OUTLET	4		6.499					
N WEST OUTLET	11.25		0.424					
SUB-CATCHMENT DETAILS								
Name	Max	Due to Storm						
	Flow							
	(cu.m/s)							
C MHE EAST PROPOSED	1.069	1% AEP, 5 min burst, Storm 1						

C MHE WEST PROPOSED	1.113	1% AEP, 5 min burst, Storm 1						
C 16/88 EAST DA2016	6.183	1% AEP, 5 min burst, Storm 1						
C 16/88 WEST DA2016	1.083	1% AEP, 5 min burst, Storm 1						
Cat2327854	5.657	1% AEP, 5 min burst, Storm 1						
PIPE DETAILS								
Name	Max Q	Max V	Max U/S	Max D/S	Due to Storm			
	(cu.m/s)	(m/s)	HGL (m)	HGL (m)				
Pipe 1	0.198	4.92	4.919	4.347	1% AEP, 1 hour burst, Storm 1			
Pipe B	0.486	2.28	11.866	11.246	1% AEP, 20 min burst, Storm 4			
CHANNEL DETAILS								
Name	Max Q	Max V			Due to Storm			
	(cu.m/s)	(m/s)						
OVERFL								

OW ROUTE DETAILS								
Name	Max Q U/S	Max Q D/S	Safe Q	Max D	Max DxV	Max Width	Max V	Due to Storm
OF A	1.069	1.069	0.611	0.065	0.12	13.14	1.87	1% AEP, 5 min burst, Storm 1
OF B	1.113	1.113	0.288	0.093	0.11	16.01	1.12	1% AEP, 5 min burst, Storm 1
OF BASIN WEST	0.041	0.041	1.754	0.065	0.03	2.6	0.49	1% AEP, 1 hour burst, Storm 1
OF EAST WITH DET	5.758	5.758	1.754	0.585	1.57	4	2.69	1% AEP, 5 min burst, Storm 1
OF WEST BASIN	0.122	0.122	1.939	0.086	0.07	3.46	0.82	1% AEP, 20 min burst, Storm 10
OF2545553	0.608	0.608	1.939	0.155	0.22	4	1.45	1% AEP, 20 min burst, Storm 10
OF2544447	5.657	5.657	0.611	0.14	0.43	20.42	3.06	1% AEP, 5 min burst, Storm 1

DETENTION BASIN DETAILS					
Name	Max WL	MaxVol	Max Q	Max Q	Max Q
			Total	Low Level	High Level
Basin East	5.82	689.2	0.239	0.198	0.041
Basin West	12.47	279.1	0.608	0.486	0.122

Traffic Noise Impact Assessment

Lot 34 DP 803801, Corner Houston Mitchell Drive and Ocean Drive, Lake Cathie

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This report has been prepared by SLR Consulting Australia Pty Ltd with all reasonable skill, care and diligence, and taking account of the timescale and resources allocated to it by agreement with the Client. Information reported herein is based on the interpretation of data collected, which has been accepted in good faith as being accurate and valid.

This report is for the exclusive use of King & Campbell Pty Ltd. No warranties or guarantees are expressed or should be inferred by any third parties. This report may not be relied upon by other parties without written consent from SLR.

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DOCUMENT CONTROL

Reference	Status	Date	Prepared	Checked	Authorised
630.11297	Revision 0	4 November 2015	Tristan Robertson	Nathan Archer	Nathan Archer
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Appendix A Acoustic Terminology
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1 INTRODUCTION

SLR Consulting Australia Pty Ltd (SLR) has been commissioned by King & Campbell Pty Ltd to conduct a road traffic noise impact assessment (RTNIA) for the proposed subdivision of Lot 34 DP 803801, Corner Houston Mitchell Drive and Ocean Drive, Lake Cathie, NSW.

The purpose of this assessment was to determine the impact of road traffic noise from Ocean Drive and Houston Mitchell Drive on the proposed subdivision (Project Site) and to identify and recommend ameliorative measures to mitigate noise impacts.

This RTNIA has been prepared with reference to the NSW Environmental Protection Authority (EPA) Road Noise Policy (RNP).

In addition, reference has also been made to relevant Australian Standards (AS 2107-2000 and AS 3671-1989), Department of Planning (DoP), SEPP (Infrastructure) 2007, the Port Macquarie Hastings Council (PMHC) *Hastings Urban Growth Strategy* (HUGS) and PMHC *Development Control Plan (DCP) 2011 Part 5*, 2011.

1.1 Acoustic Terminology

The following report uses specialist acoustic terminology. An explanation of common terms is provided in **Appendix A**.

2 SITE DETAILS

The Project Site is within the Rainbow Beach, (also known as 'Area 14' or the Lake Cathie Bonny Hills Growth Area) located between the existing villages of Lake Cathie and Bonny Hills. Noise from Ocean Drive and Houston Mitchell Drive has the potential to impact the Project Site.

Ocean Drive is a two lane arterial road that bounds the Project Site southern boundary. It is the primary arterial road connecting the coastal town centres of Bonny Hills, Laurieton and Lake Cathie to the regional centre of Port Macquarie.

Houston Mitchell Drive is a dual carriageway that bounds the Project Site western boundary. It is the key connector road to the Pacific Highway for the local centres of Bonny Hills, Laurieton and Lake Cathie.

Figure 1 provides a plan showing the location of the Project Site within the broader Area 14 urban areas. **Figure 2** provides details of the Concept Plan of the Project Site.

Figure 1 Project Locality

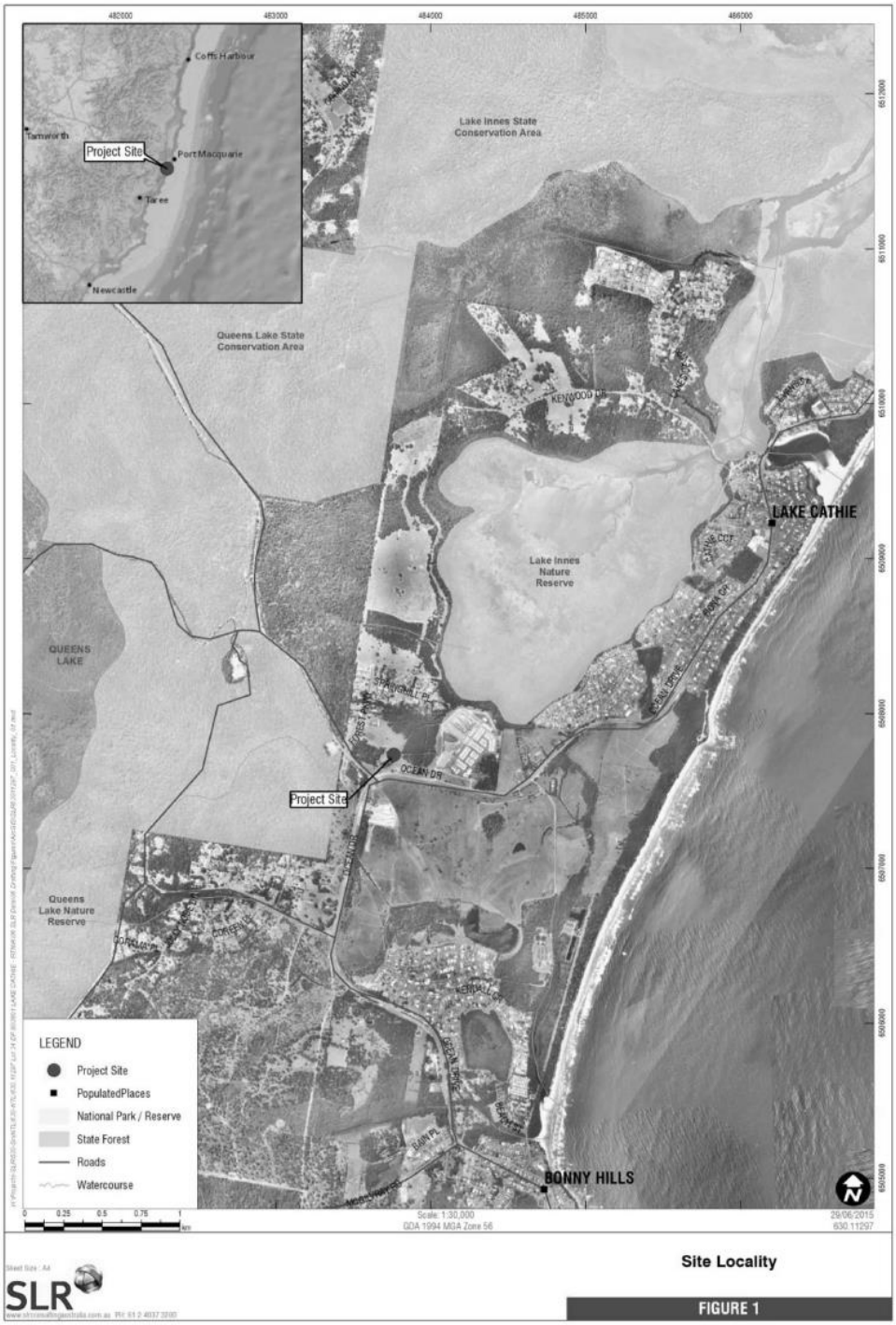
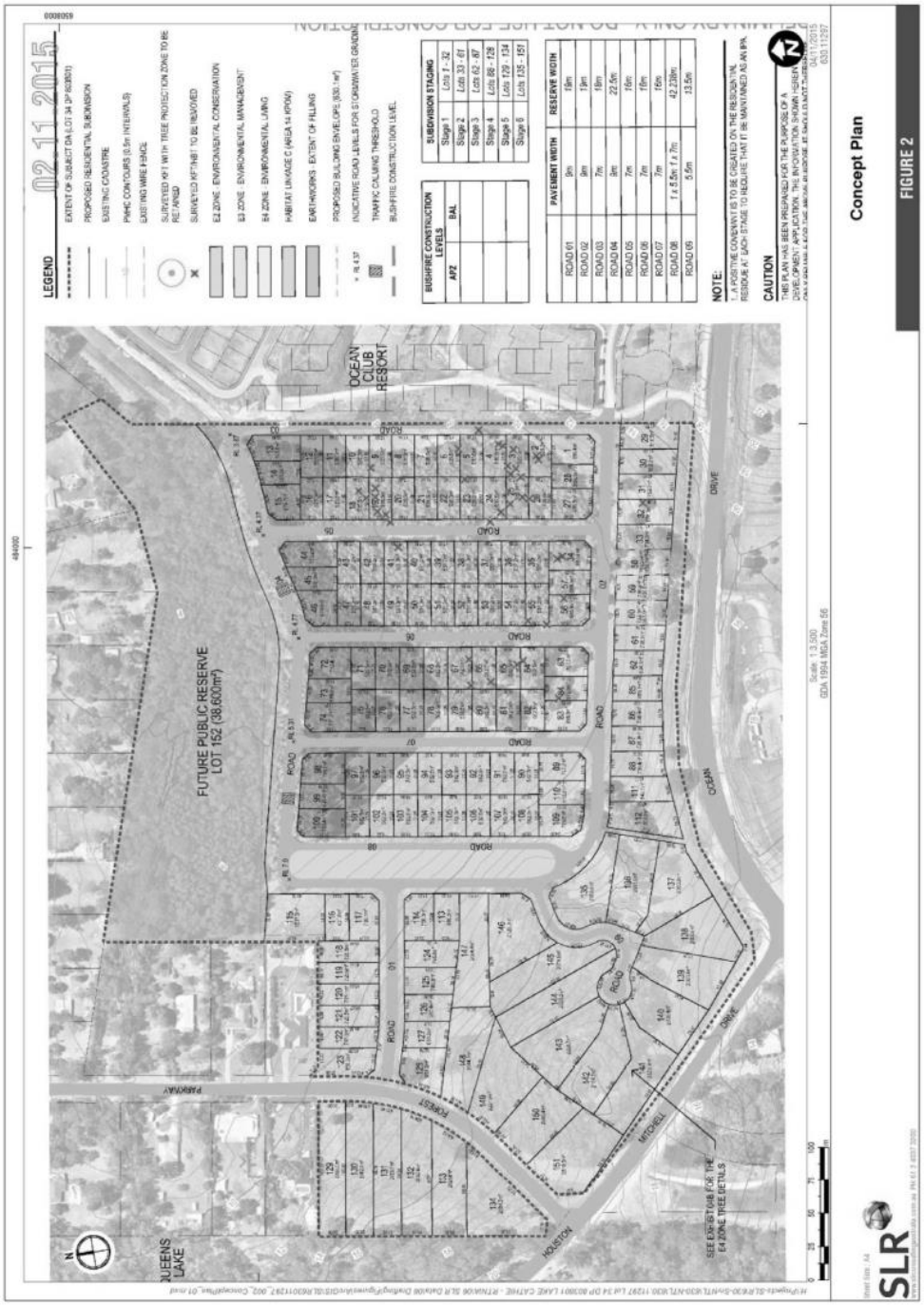


Figure 2 Concept Plan



3 ROAD TRAFFIC NOISE IMPACT ASSESSMENT PROCEDURES

3.1 Road Noise Policy

The Environment Protection Authority's (EPA's) NSW Road Noise Policy (RNP, March 2011) provides noise criteria for proposed residential developments adjacent to major roads. With relevance to the proposed subdivision it states that "*Land use developers must meet internal noise goals in the Infrastructure SEPP (Department of Planning NSW 2007) for sensitive developments near busy roads.*"

The Department of Planning (DoP) SEPP (Infrastructure) 2007 outlines provisions to ensure noise sensitive developments located near major roadways are not adversely affected by road traffic noise.

The policy applies to (and is mandatory for) developments located near major roadways where the annual average daily traffic (AADT) volume exceeds 40,000 vehicles and the relevant consent authority considers that the roadway is likely to cause adverse noise impacts.

Residential developments adjacent to roadways which meet these criteria must demonstrate that appropriate ameliorative measures have been applied to ensure the following internal noise level criteria are met.

- L_{Aeq} noise level not exceeding 35 dBA between 10 pm and 7 am, in any bedroom within the development.
- L_{Aeq} noise level not exceeding 40 dBA between 10 pm and 7 am, in any other room within the development (excluding garage, kitchen, bathroom or hallway).

Although the major roads in the vicinity of the Project Site do not experience 40,000 vehicles per day, these criteria have been utilised for the purpose of assessing potential road traffic noise impacts as they are consistent with the relevant acceptable internal noise levels provided in Australian Standard AS2107:2000 *Acoustic – Recommended design sound levels and reverberation times for building interiors*, SEPP Guidelines and the internal noise guidelines for residential receivers provided in the NSW Department of Planning *Development Near Rail Corridors and Busy Roads – Interim Guideline* (December 2008) (refer to **Table 1**).

Table 1 Noise Criteria – Residential Buildings

Type of Occupancy	Noise Level	Applicable Time Period
Sleeping areas (bedroom)	35 dBA	Night 10 pm to 7 am
Other habitable rooms (excl. garages, kitchens, bathrooms & hallways)	40 dBA	At any time. (Day 7 am to 10 pm , Night 10 pm to 7 am)

Note: Airborne Noise is calculated as LAeq(9hour)(10 pm to 7 am) and LAeq(15hour)(7 am to 10 pm).

Furthermore, Australian Standard AS3671:1989 *Acoustics – Road traffic noise intrusion – Building siting and construction* provides guidelines for determining the type of building construction necessary to achieve acceptable internal noise levels. **Table 2** summarises the recommended building construction categories outlined in AS3671:1989.

Table 2 Definition of Construction Categories – AS3671:1989

Category Type	Definition	Approximate Traffic Noise Reduction
Category 1	Standard construction; openings, including open windows and doors may comprise up to 10% of the exposed facade.	Up to 10 dBA
Category 2	Standard construction, except for light-weight elements such as fibrous cement or metal cladding or all-glass facades. Windows, doors and other openings must be closed.	> 10 dBA ≤ 25 dBA
Category 3	Special construction. Windows, doors and other openings must be closed.	> 25 dBA ≤ 35 dBA
Category 4	Specialist acoustic advice should be sought.	> 35 dBA

Furthermore, PMHC has confirmed that it would not be considered reasonable to take action to reduce predicted noise levels through the adoption of noise barriers and/or architectural treatments, if predicted road traffic noise goals are no more than 3 dB above the relevant noise goal.

4 ROAD TRAFFIC NOISE MODELLING

SLR has extensive knowledge of the existing acoustic environment and has previously produced road traffic noise impact assessments across the Area 14 urban growth area. SLR has drawn upon this knowledge to produce a noise model representative of existing and likely future road traffic noise levels across the Project Site.

4.1 Methodology and Assumptions

Road traffic noise predictions were carried out using the UK Department of Transport, *Calculation of Road Traffic Noise* (CoRTN 1988) algorithms incorporated in the SoundPLAN (Version 7.3) noise modelling software. The modelling allows for traffic volume and mix, type of road surface, vehicle speed, road gradient, reflections off building surfaces, ground absorption and shielding from ground topography and physical barriers.

The algorithm output of CoRTN (fundamentally an L_{A10} predictor) has been modified to calculate the relevant L_{Aeq} road traffic noise emission descriptors, as required.

All reported noise levels are “facade-corrected”. The predicted noise levels have been adjusted upwards to include a notional 2.5 dBA reflection within the noise model computation.

The predicted levels are for receiver points 1.5 m and 4.5m above the external ground level representative of single_storey and two-storey dwellings respectively. A hypothetical two-storey dwelling has been modelled on each proposed lot and the proposed noise walls as shown in **Figure 3** have been assumed.

In the original UK version of the CoRTN algorithms, all traffic noise “sources” are located 0.5 m above the pavement. This approach is appropriate as a “standard” calculation method and yields reasonable consistency from project to project. The predicted noise levels are considered reasonably accurate for roadway conditions having a clear line of sight from receivers to the traffic.

Where noise barriers (including the edges of cuttings) are present however, the CoRTN barrier reduction algorithm would tend to over-predict the reductions for truck engine and exhaust noise components, which have effective source heights above pavement considerably greater than 0.5 m.

For this project therefore, the SoundPLAN traffic noise source “strings” have been modified to incorporate four (4) effective noise sources (and heights) in each carriageway. These comprise a “cars” source with height of 0.5 m above pavement and three (3) truck sources at three (3) separate heights representing truck tyres (0.5 m), truck engines (1.5 m) and truck exhausts (3.5 m).

The truck sources have relative sound power emission levels (compared to total truck sound power) of -5.4 dBA, -2.4 dBA and -8.5 dBA for tyres, engines and exhausts, respectively. These modifications ensure that the noise predictions (particularly in the presence of noise barriers) address the significance of the elevated heights of noise emission from truck engines and exhausts.

Topographic information for the study area was supplied by King & Campbell. The noise model used this information together with road traffic volume information.

As a worst case scenario for the proposed subdivision Year 2029 traffic volume information has been utilised in the noise model.

Road traffic volume information was adopted from the Bitzios Consulting Pty Ltd document for the PMHC titled: "*Area 14 Paramics Modelling Report*" dated June 2009. The Annual Average Daily Traffic (AADT) data was used to project 2029 road traffic volume information for Ocean Drive based on predicted growth trends. The AADT does not provide details on traffic composition, SLR has been advised by King & Campbell that as Area 14 becomes more uniformly urbanised it will become less suitable for heavy vehicle traffic. Therefore, heavy vehicle composition of 4% has been assumed for 2029.

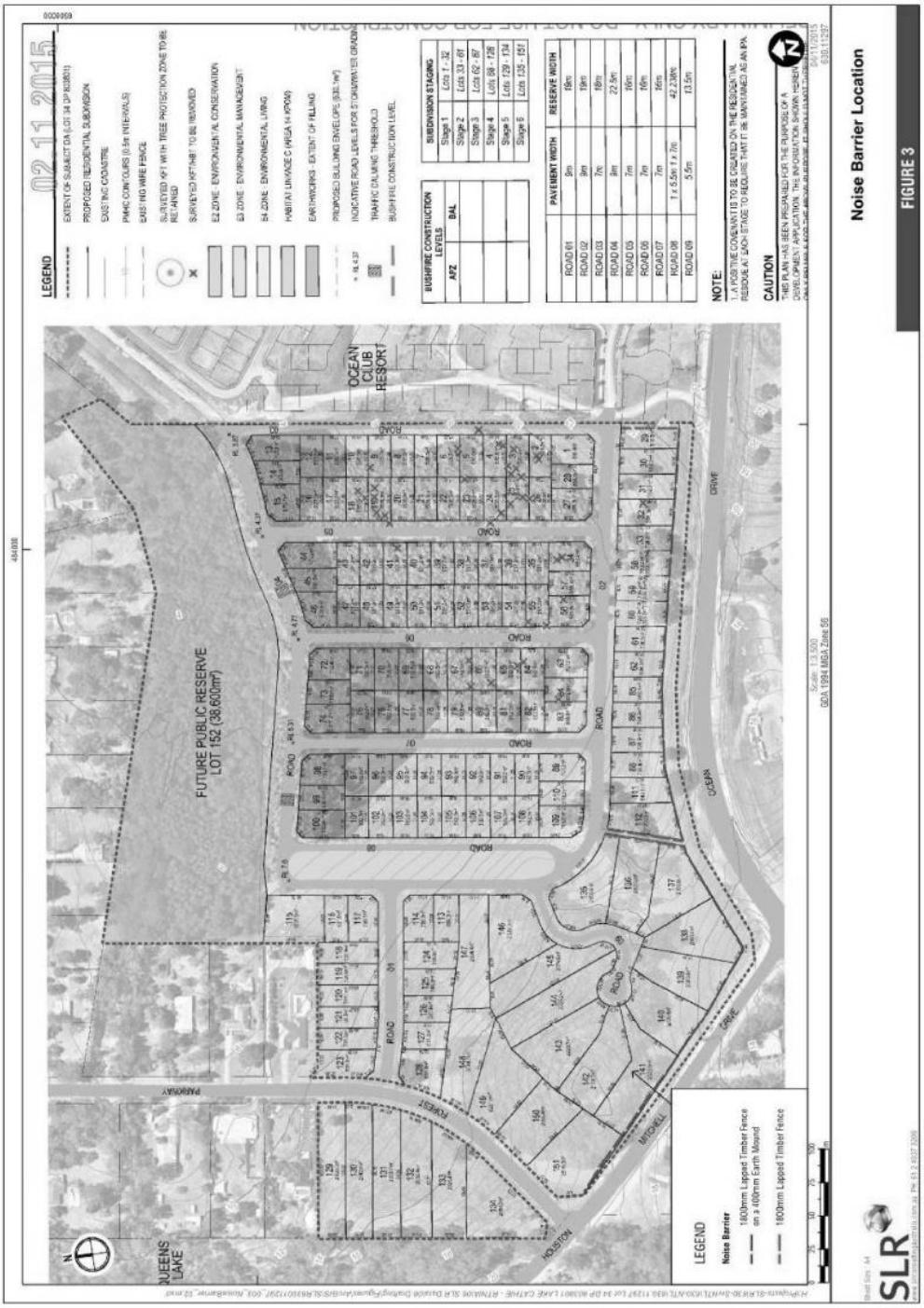
Details of parameters utilised in the noise model are provided in **Table 3**.

Table 3 Road Traffic Volumes Utilised in Noise Model

Description		Average Daily Vehicle Count (Both Directions)		Percentage of Heavy Vehicles	
Year	**Road Traffic Source**	**Daytime (7 am-10 pm)**	**Night-Time (10 pm-7 am)**	**Daytime (7 am-10 pm)**	**Night-Time (10 pm-7 am)**
2029	Ocean Drive	10323	675	4%	4%
2029	Houston Mitchell Drive	3263	375	4%	4%

It is also relevant to note that a road surface correction of minus 3 dB has been applied to the 2029 noise prediction as the current road surface fronting the Project Site has been replaced by 40mm asphalt concrete.

Figure 3 Noise Barriers Assumed in Noise Model



5 ROAD TRAFFIC NOISE PREDICTIONS

5.1 Road Traffic Noise Prediction Results

Noise level predictions are presented as noise contour plots for day and night-time periods for Scenario 2029. The noise contour plots are contained in the following appendices:

- **Appendix B1** - Daytime 2029 – 1.5m above ground (single-storey dwelling).
- **Appendix B2** - Daytime 2029 – 4.5m above ground (two- storey dwelling).
- **Appendix B3** - Night-time 2029 – 1.5m above ground (single-storey dwelling).
- **Appendix B4** - Night-time 2029 – 4.5m above ground (two-storey dwelling).

The noise contour predictions are *external* noise levels and have been adjusted (increased) by 2.5 dBA to reflect façade noise levels.

The noise reduction required to meet relevant internal noise goals and the associated construction categories has been determined. The results of this analysis are provided in **Table 4**.

Table 4 Traffic Noise Reduction Required to Achieve Recommended Internal Noise Goals

Type of Occupancy	Required Noise Reduction	Affected Area	Architectural Treatment
Single-Storey and Two-Storey			
Living Areas	25 dBA – 35 dBA	Where daytime noise is predicted greater than 65 dBA – no affected lots	Construction Category 3
	10 dBA - 25 dBA	Where daytime noise is predicted between 50 dBA and 65 dBA	Construction Category 2
	Up to 10 dBA	Where daytime noise is predicted less than 50 dBA	Construction Category 1 (standard construction)
Sleeping Areas (night-time only)	25 dBA – 35 dBA	Where night-time noise is predicted greater than 60 dBA – no affected lots	Construction Category 3
	10 dBA - 25 dBA	Where night-time noise is predicted between 45 dBA and 60 dBA	Construction Category 2
	Up to 10 dBA	Where night-time noise is predicted less than 45 dBA	Construction Category 1 (standard construction)

All lots within the investigation area require Construction Category 1 or 2.

Appendix C provides additional details of the standard construction for each category of noise control treatment.

6 RECOMENDATIONS

In all instances where windows are required to be closed (ie Construction Category 2) to achieve internal noise levels, alternative means of achieving the requirement for "comfort ventilation" will need to be considered to enable openings in the external facade (i.e. windows and doors) to remain fully closed during noisy periods. However, this does not prevent the property owner from opening windows and doors during quieter periods.

Generally, to reduce internal noise levels for future residential dwellings, design and construction suggestions include, but are not limited to, the following:

- Locate dwellings on each allotment as far as possible from the noise source.
- Minimise the size and number of windows facing the noise source.
- Locate noise insensitive areas such as the kitchen, storage areas and laundry toward the noise source.
- Use construction techniques that focus on sealing gaps around windows, doors, ceiling spaces, etc.
- Use thick glass or double glazing.
- Use solid core doors and appropriate door seals.

7 CONCLUSION

SLR has completed a road traffic noise impact assessment for proposed residential subdivision to be located at Lot 34 DP 803801, Corner Houston Mitchell Drive and Ocean Drive, Lake Cathie.

Assessment of the impact of road traffic noise on the proposed residential subdivision was carried out using a SoundPLAN environmental acoustic model of the site.

Results from the SoundPLAN model have been utilised in determining mitigation measures and construction types suitable for the proposed development.

Provided the recommendations in this report are implemented, it is expected that this development will be able to satisfy the relevant internal noise criteria requirements.

8 REFERENCES

- Area 14 Paramics Modelling Report, Bitzios Consulting Pty Ltd, June 2009.
- AS2107:2000 Acoustic – Recommended design sound levels and reverberation times for building interiors, Australian standards, 2000.
- AS3671:1989 Acoustics – Road traffic noise intrusion – Building siting and construction, Australian Standard, 1989.
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- Urban Growth Management Strategy, Port Macquarie Hastings Council, 14 December 2010.
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- 30-1939R1 Traffic Noise Impact Assessment Stage 1B - Area 14 Milland P/L & Seawide P/L Properties, SLR Consulting Pty Ltd, 5 July 2010.
- 630.11162R1D1 Traffic Noise Impact Assessment – Rainbow Beach, Bonny Hills (draft), SLR Consulting Pty Ltd, 2 April 2015.
- 630.01939.00100R1 Traffic Noise Impact Assessment – Ocean Club Resort – Phase 6, SLR Consulting Pty Ltd, 17 April 2015.

Appendix A

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1 Sound Level or Noise Level

The terms "sound" and "noise" are almost interchangeable, except that in common usage "noise" is often used to refer to unwanted sound.

Sound (or noise) consists of minute fluctuations in atmospheric pressure capable of evoking the sense of hearing. The human ear responds to changes in sound pressure over a very wide range. The loudest sound pressure to which the human ear responds is ten million times greater than the softest. The decibel (abbreviated as dB) scale reduces this ratio to a more manageable size by the use of logarithms.

The symbols SPL, L or L_P are commonly used to represent Sound Pressure Level. The symbol L_A represents A-weighted Sound Pressure Level. The standard reference unit for Sound Pressure Levels expressed in decibels is 2E-5 Pa.

2 "A" Weighted Sound Pressure Level

The overall level of a sound is usually expressed in terms of dBA, which is measured using a sound level meter with an "A-weighting" filter. This is an electronic filter having a frequency response corresponding approximately to that of human hearing.

People's hearing is most sensitive to sounds at mid frequencies (500 Hz to 4000 Hz), and less sensitive at lower and higher frequencies. Thus, the level of a sound in dBA is a good measure of the loudness of that sound. Different sources having the same dBA level generally sound about equally loud.

A change of 1 dBA or 2 dBA in the level of a sound is difficult for most people to detect, whilst a 3 dBA to 5 dBA change corresponds to a small but noticeable change in loudness. A 10 dBA change corresponds to an approximate doubling or halving in loudness. The table below lists examples of typical noise levels

Sound Pressure Level (dBA)	Typical Source	Subjective Evaluation
130	Threshold of pain	Intolerable
120 110	Heavy rock concert Grinding on steel	Extremely noisy
100 90	Loud car horn at 3 m Construction site with pneumatic hammering	Very noisy
80 70	Kerbside of busy street Loud radio or television	Loud
60 50	Department store General Office	Moderate to quiet
40 30	Inside private office Inside bedroom	Quiet to very quiet
20	Unoccupied recording studio	Almost silent

Other weightings (eg B, C and D) are less commonly used than A-weighting. Sound Levels measured without any weighting are referred to as "linear", and the units are expressed as dB(lin) or dB.

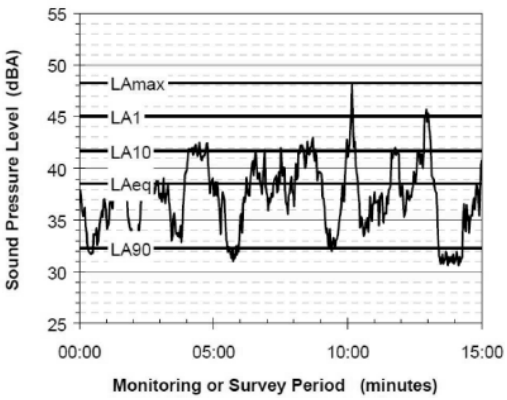
3 Sound Power Level

The Sound Power of a source is the rate at which it emits acoustic energy. As with Sound Pressure Levels, Sound Power Levels are expressed in decibel units (dB or dBA), but may be identified by the symbols SWL or LW, or by the reference unit 1E-12 W.
The relationship between Sound Power and Sound Pressure may be likened to an electric radiator, which is characterised by a power rating, but has an effect on the surrounding environment that can be measured in terms of a different parameter, temperature.

4 Statistical Noise Levels

Sounds that vary in level over time, such as road traffic noise and most community noise, are commonly described in terms of the statistical exceedance levels L_{AN}, where L_{AN} is the A-weighted sound pressure level exceeded for N% of a given measurement period. For example, the L_{A1} is the noise level exceeded for 1% of the time, L_{A10} the noise exceeded for 10% of the time, and so on.

The following figure presents a hypothetical 15 minute noise survey, illustrating various common statistical indices of interest.



Of particular relevance, are:

L_{A1} The noise level exceeded for 1% of the 15 minute interval.

L_{A10} The noise level exceed for 10% of the 15 minute interval. This is commonly referred to as the average maximum noise level.

L_{A90} The noise level exceeded for 90% of the sample period. This noise level is described as the average minimum background sound level (in the absence of the source under consideration), or simply the background level.

L_{Aeq} The A-weighted equivalent noise level (basically the average noise level). It is defined as the steady sound level that contains the same amount of acoustical energy as the corresponding time-varying sound.

When dealing with numerous days of statistical noise data, it is sometimes necessary to define the typical noise levels at a given monitoring location for a particular time of day. A standardised method is available for determining these representative levels.

This method produces a level representing the "repeatable minimum" L_{A90} noise level over the daytime and night-time measurement periods, as required by the EPA. In addition the method produces mean or "average" levels representative of the other descriptors (L_{Aeq}, L_{A10}, etc).

5 Tonality

Tonal noise contains one or more prominent tones (ie distinct frequency components), and is normally regarded as more offensive than "broad band" noise.

6 Impulsiveness

An impulsive noise is characterised by one or more short sharp peaks in the time domain, such as occurs during hammering.

Appendix A

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7 Frequency Analysis

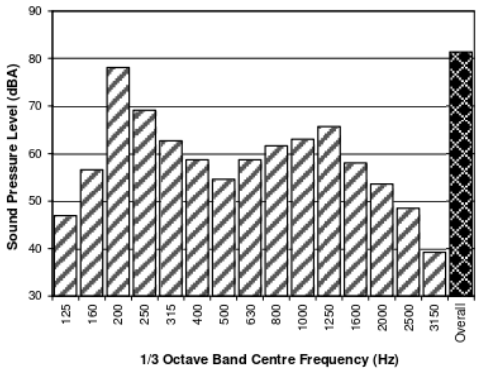
Frequency analysis is the process used to examine the tones (or frequency components) which make up the overall noise or vibration signal. This analysis was traditionally carried out using analogue electronic filters, but is now normally carried out using Fast Fourier Transform (FFT) analysers.

The units for frequency are Hertz (Hz), which represent the number of cycles per second.

Frequency analysis can be in:

- Octave bands (where the centre frequency and width of each band is double the previous band)
- 1/3 octave bands (3 bands in each octave band)
- Narrow band (where the spectrum is divided into 400 or more bands of equal width)

The following figure shows a 1/3 octave band frequency analysis where the noise is dominated by the 200 Hz band. Note that the indicated level of each individual band is less than the overall level, which is the logarithmic sum of the bands.



8 Vibration

Vibration may be defined as cyclic or transient motion. This motion can be measured in terms of its displacement, velocity or acceleration. Most assessments of human response to vibration or the risk of damage to buildings use measurements of vibration velocity. These may be expressed in terms of "peak" velocity or "rms" velocity.

The former is the maximum instantaneous velocity, without any averaging, and is sometimes referred to as "peak particle velocity", or PPV. The latter incorporates "root mean squared" averaging over some defined time period.

Vibration measurements may be carried out in a single axis or alternatively as triaxial measurements. Where triaxial measurements are used, the axes are commonly designated vertical, longitudinal (aligned toward the source) and transverse.

The common units for velocity are millimetres per second (mm/s). As with noise, decibel units can also be used, in which case the reference level should always be stated. A vibration level V, expressed in mm/s can be converted to decibels by the formula 20 log (V/V_o), where V_o is the reference level (1E-6 mm/s). Care is required in this regard, as other reference levels are used by some organizations.

9 Human Perception of Vibration

People are able to "feel" vibration at levels lower than those required to cause even superficial damage to the most susceptible classes of building (even though they may not be disturbed by the motion). An individual's perception of motion or response to vibration depends very strongly on previous experience and expectations, and on other connotations associated with the perceived source of the vibration. For example, the vibration that a person responds to as "normal" in a car, bus or train is considerably higher than what is perceived as "normal" in a shop, office or dwelling.

10 Over-Pressure

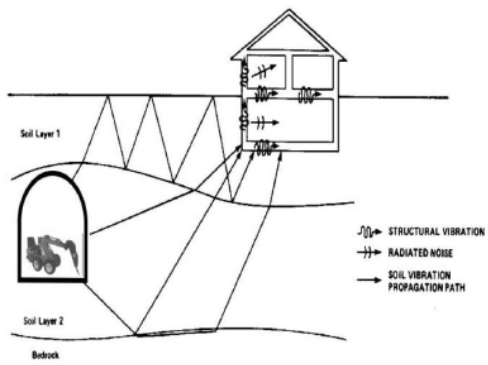
The term "over-pressure" is used to describe the air pressure pulse emitted during blasting or similar events. The peak level of an event is normally measured using a microphone in the same manner as linear noise (ie unweighted), at frequencies both in and below the audible range.

11 Regenerated Noise

Noise that propagates through a structure as vibration and is radiated by vibrating wall and floor surfaces is termed "regenerated noise", "structure-borne noise", or sometimes "ground-borne noise". Regenerated noise originates as vibration and propagates between the source and receiver through the ground and/or building structural elements, rather than through the air.

Typical sources of regenerated noise include tunnelling works, underground railways, excavation plant (eg rockbreakers), and building services plant (eg fans, compressors and generators).

The following figure presents the various paths by which vibration and regenerated noise may be transmitted between a source and receiver for construction activities occurring within a tunnel.



The term "regenerated noise" is also used to describe other types of noise that are emitted from the primary source as a different form of energy. One example would be a fan with a silencer, where the fan is the energy source and primary noise source. The silencer may effectively reduce the fan noise, but some additional noise may be created by the aerodynamic effect of the silencer in the airstream. This "secondary" noise may be referred to as regenerated noise.

484000
6608000
LEGEND
Site Boundary
Road Widening
Building Layout
Contours
Noise Barrier
1800mm Lapped Timber Fence on a 400mm Earth Mound
1800mm Lapped Timber Fence
Day LAeq (15 hour) dBA
1.5m Above Ground Level
< 50 dBA - Construction Category 1
≥ 50 d BA - Construction Category 2
≥ 65 dBA - Construction Category 3
0 25 50 75 100 m
Scale: 1:3,500
GDA 1994 MGA Zone 56
29/06/2015
630.11297
Day LAeq (15 hour) dBA
1.5m Above Ground Level
APPENDIX B1
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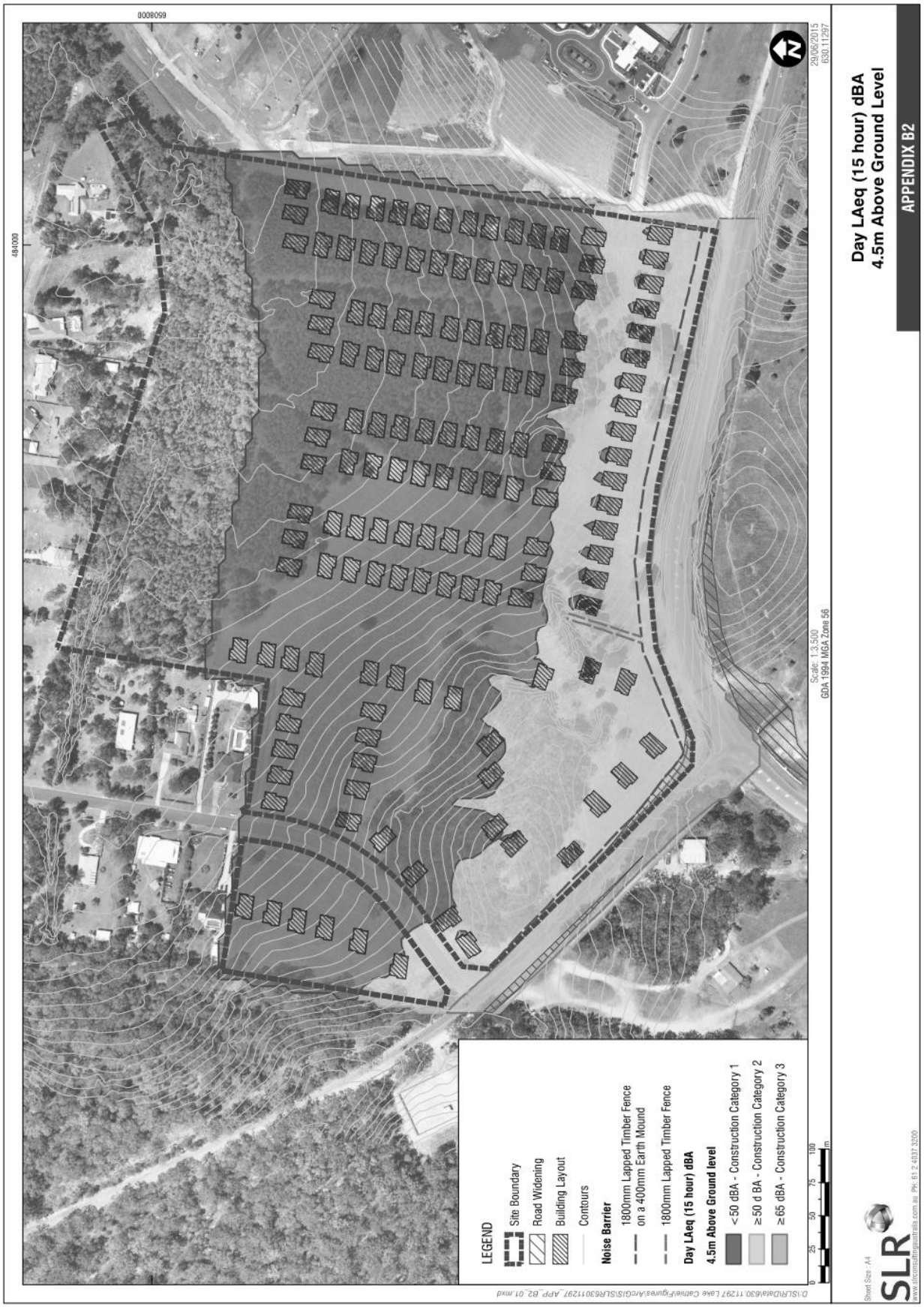
484000
6608000
LEGEND
Site Boundary
Road Widening
Building Layout
Contours
Noise Barrier
1800mm Lapped Timber Fence on a 400mm Earth Mound
1800mm Lapped Timber Fence
Day LAeq (15 hour) dBA
4.5m Above Ground level
< 50 dBA - Construction Category 1
≥ 50 d BA - Construction Category 2
≥ 65 dBA - Construction Category 3
0 25 50 75 100 m
Scale: 1:3,500
GDA 1994 MGA Zone 56
29/06/2015
630.11297
Day LAeq (15 hour) dBA
4.5m Above Ground Level
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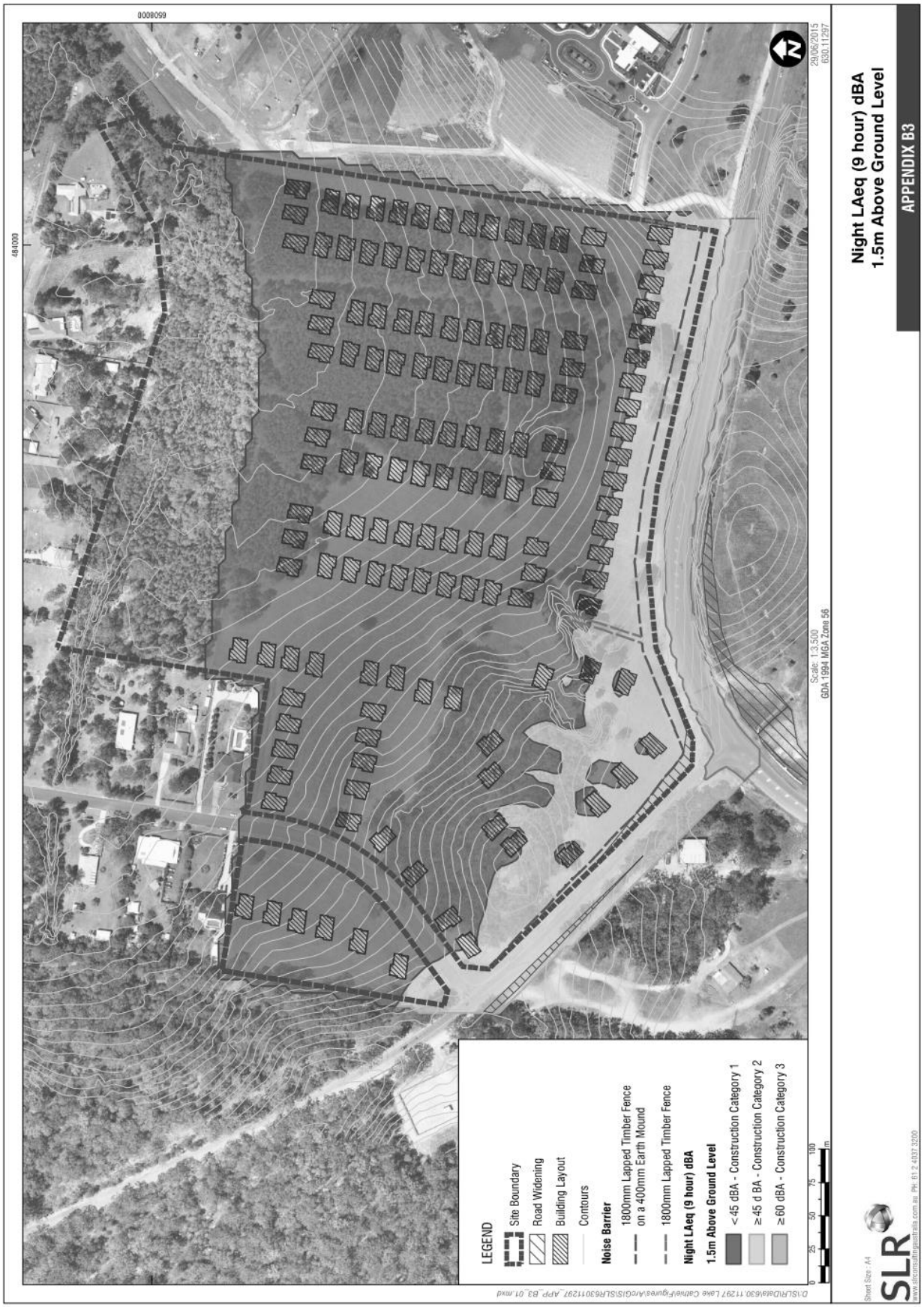
484000
6608000
LEGEND
Site Boundary
Road Widening
Building Layout
Contours
Noise Barrier
1800mm Lapped Timber Fence on a 400mm Earth Mound
1800mm Lapped Timber Fence
Night LAeq (9 hour) dBA
1.5m Above Ground Level
< 45 dBA - Construction Category 1
≥ 45 d BA - Construction Category 2
≥ 60 dBA - Construction Category 3
0 25 50 75 100 m
Scale: 1:3,500
GDA 1994 MGA Zone 56
29/06/2015
630.11297
Night LAeq (9 hour) dBA
1.5m Above Ground Level
APPENDIX B3
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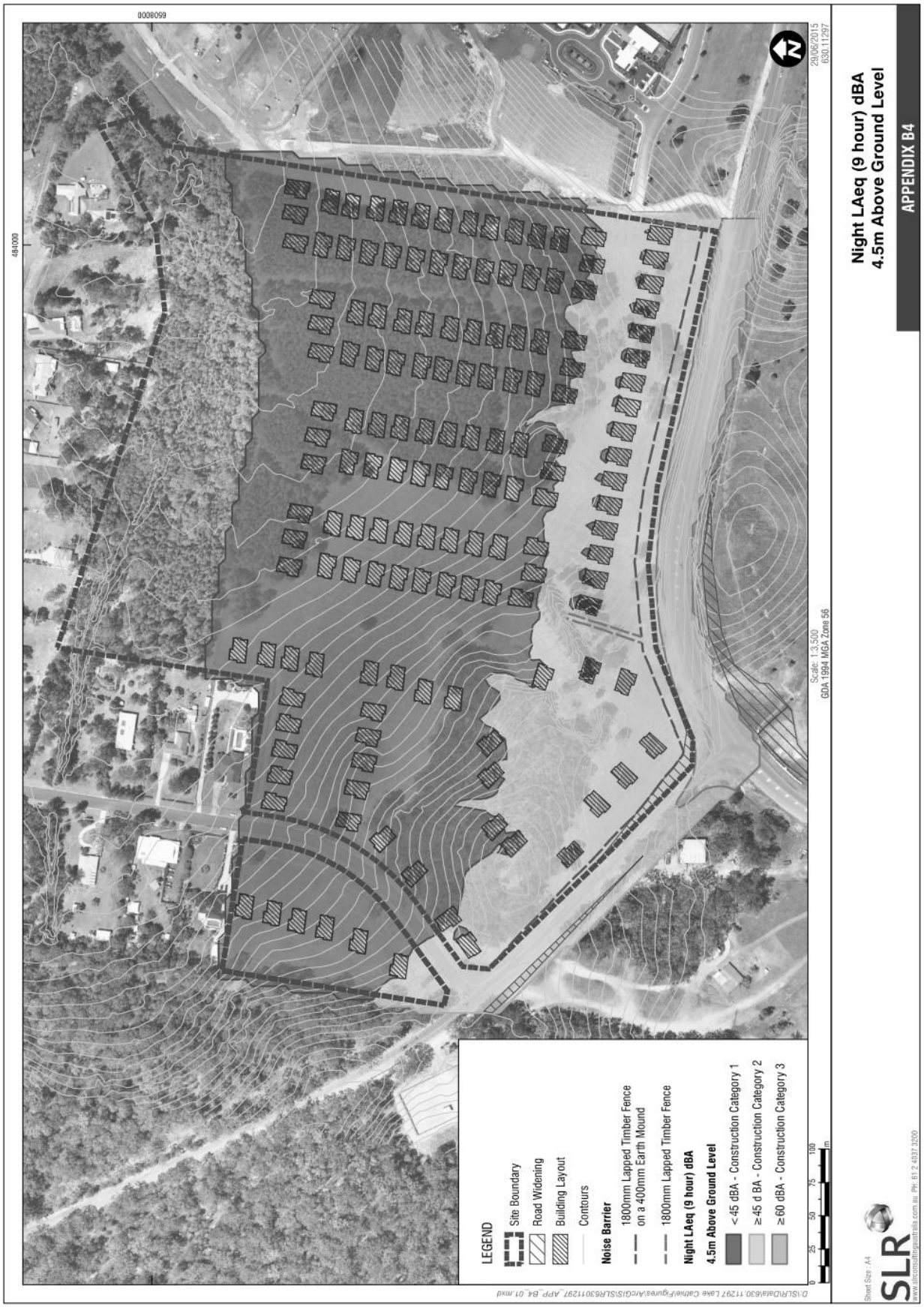
484000
6608000
LEGEND
Site Boundary
Road Widening
Building Layout
Contours
Noise Barrier
1800mm Lapped Timber Fence on a 400mm Earth Mound
1800mm Lapped Timber Fence
Night LAeq (9 hour) dBA
4.5m Above Ground Level
< 45 dBA - Construction Category 1
≥ 45 d BA - Construction Category 2
≥ 60 dBA - Construction Category 3
0 25 50 75 100 m
Scale: 1:3,500
GDA 1994 MGA Zone 56
29/06/2015
630.11297
Night LAeq (9 hour) dBA
4.5m Above Ground Level
APPENDIX B4
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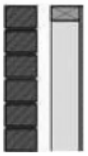
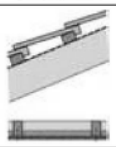
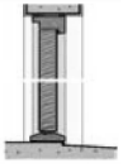
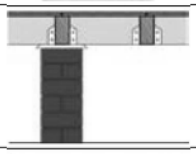
Appendix C

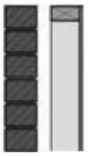
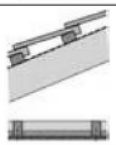
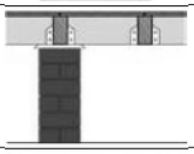
Acoustic Performance of Building Elements The acoustic performances assumed of each building element in deriving the Standard Constructions for each category of noise control treatment presented in the preceding Table, are presented below in terms of Weighted Sound Reduction Index (Rw) values, which can be used to find alternatives to the standard constructions presented in this Appendix:

Category of Noise Control Treatment	R_w of Building Elements (minimum assumed)				
	Windows/Sliding Doors	Frontage Facade	Roof	Entry Door	Floor
Category 1	24	38	40	28	29
Category 2	27	45	43	30	29
Category 3	32	52	48	33	50
Category 4	35	55	52	33	50
Category 5	43	55	55	40	50

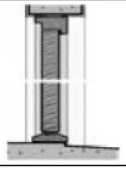
Appendix C

Category No.	Building Element	Standard Construction	Sample
1	Windows/Sliding Doors	Openable with minimum 4mm monolithic glass and standard weather seals	
	Frontage Facade	**Timber Frame or Cladding:** 6mm fibre cement sheeting or weatherboards or plank cladding externally, 90mm deep timber stud or 92mm metal stud, 13mm standard plasterboard internally	
		Brick Veneer: 110mm brick, 90mm timber stud or 92mm metal stud, minimum 50mm clearance between masonry and stud frame, 10mm standard plasterboard internally	
		Double Brick Cavity: 2 leaves of 110mm brickwork separated by 50mm gap	
	Roof	Pitched concrete or terracotta tile or metal sheet roof with sarking, 10mm plasterboard ceiling fixed to ceiling joists, R1.5 insulation batts in roof cavity.	
	Entry Door	35mm solid core timber door fitted with full perimeter acoustic seals	
	Floor	1 layer of 19mm structural floor boards, timber joist on piers	
		Concrete slab floor on ground	

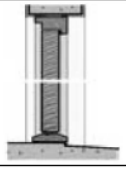
Appendix C

Category No.	Building Element	Standard Construction	Sample
2	Windows/Sliding Doors	Openable with minimum 6mm monolithic glass and full perimeter acoustic seals	
	Frontage Facade	**Timber Frame or Cladding Construction:** 6mm fibre cement sheeting or weatherboards or plank cladding externally, 90mm deep timber stud or 92mm metal stud, 13mm standard plasterboard internally with R2 insulation in wall cavity.	
		Brick Veneer Construction: 110mm brick, 90mm timber stud frame or 92mm metal stud, minimum 50mm clearance between masonry and stud frame, 10mm standard plasterboard internally.	
		Double Brick Cavity Construction: 2 leaves of 110mm brickwork separated by 50mm gap	
	Roof	Pitched concrete or terracotta tile or metal sheet roof with sarking, 10mm plasterboard ceiling fixed to ceiling joists, R2 insulation batts in roof cavity.	
	Entry Door	40mm solid core timber door fitted with full perimeter acoustic seals	
	Floor	1 layer of 19mm structural floor boards, timber joist on piers	
		Concrete slab floor on ground	

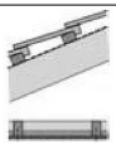
Appendix C

Category No.	Building Element	Standard Construction	Sample
3	Windows/Sliding Doors	Openable with minimum 6.38mm laminated glass and full perimeter acoustic seals	
	Frontage Facade	**Brick Veneer Construction:** 110mm brick, 90mm timber stud or 92mm metal stud, minimum 50mm clearance between masonry and stud frame, 10mm standard plasterboard internally.	
		Double Brick Cavity Construction: 2 leaves of 110mm brickwork separated by 50mm gap	
	Roof	Pitched concrete or terracotta tile or sheet metal roof with sarking, 1 layer of 13mm sound-rated plasterboard fixed to ceiling joists, R2 insulation batts in roof cavity.	
	Entry Door	45mm solid core timber door fitted with full perimeter acoustic seals	
	Floor	Concrete slab floor on ground	

Appendix C

Category No.	Building Element	Standard Construction	Sample
4	Windows/Sliding Doors	Openable with minimum 10.38mm laminated glass and full perimeter acoustic seals	
	Frontage Facade	**Brick Veneer Construction:** 110mm brick, 90mm timber stud or 92mm metal stud, minimum 50mm clearance between masonry and stud frame, R2 insulation batts in wall cavity, 10mm standard plasterboard internally.	
		Double Brick Cavity Construction: 2 leaves of 110mm brickwork separated by 50mm gap	
	Roof	Pitched concrete or terracotta tile or sheet metal roof with sarking, 2 layers of 10mm sound-rated plasterboard fixed to ceiling joists, R2 insulation batts in roof cavity.	
	Entry Door	45mm solid core timber door fitted with full perimeter acoustic seals	
	Floor	Concrete slab floor on ground	

Appendix C

Category No.	Building Element	Standard Construction	Sample
5	Windows/Sliding Doors	Openable Double Glazing with separate panes: 5mm monolithic glass, 100mm air gap, 5mm monolithic glass with full perimeter acoustic seals.	
	Frontage Facade	**Double Brick Cavity Construction:** 2 leaves of 110mm brickwork separated by 50mm gap with cement render to the external face of the wall and cement render or 13mm plasterboard direct fixed to internal faces of the wall.	
	Roof	Pitched concrete or terracotta tile or sheet metal roof with sarking, 2 layers of 10mm sound-rated plasterboard fixed to ceiling joist using resilient mounts, R2 insulation batts in roof cavity	
	Entry Door	Special high performance acoustic door required - Consult an Acoustic Engineer	Door to acoustic consultant's specifications
	Floor	Concrete slab floor on ground	

Proposed Manufactured Housing Estate

Traffic Impact Assessment

LOT 138 DP 1248149 Cnr Ocean Drive & Forest Parkway, Lake Cathie

for

LandDynamics
AUSTRALIA

3 March 2020

Traffic Impact Assessment Details

Edition / Revision No.	1	2	3
Document Status	Internal Review	DRAFT for Client Comment	FINAL
Prepared By	Craig Nethery Director	Craig Nethery Director	Craig Nethery Director
Reviewed By	Andy Davis Director	Andy Davis Director	Andy Davis Director
Date	2 March 2020	2 March 2020	3 March 2020
Issued To	Andy Davis, Director	Donna Clarke, Town Planner Land Dynamics Australia	Donna Clarke, Town Planner Land Dynamics Australia

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1. INTRODUCTION

1.1 General

StreetWise Road Safety and Traffic Services have been engaged by Land Dynamics Australia Pty Ltd to prepare a Revised Traffic Impact Assessment (TIA) for a proposed Manufactured Housing Estate (MHE) development located on the corner of Ocean Drive and Forest Parkway, Lake Cathie. The land is identified as Lot 138 DP 1248149.

This revised TIA is provided in response to the inclusion of an extension of a public collector road (extension of Solomon Drive) in accordance with Port Macquarie Hastings Council's DCP Planning requirement for the area.

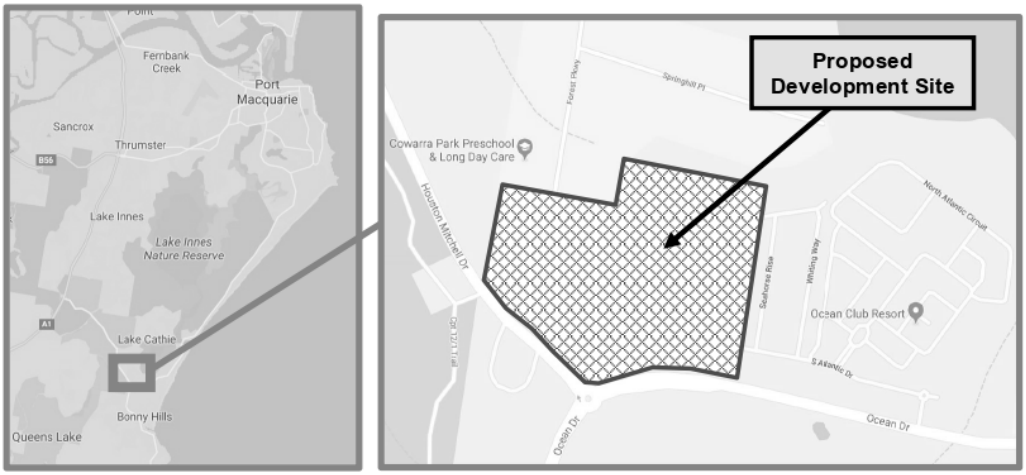


Figure 1.1 – LOCALITY SKETCH

1.2 Description of Project

The proposed development will consist of a 166 site manufactured housing estate. The proposal specifically involves:

- *Manufactured Housing Estate*
  - Manufactured housing sites under a private title arrangement, to be constructed in stages.
  - Road network within the MHE connecting to the existing road network with access from Forest Parkway.
  - Facilities for the residents of the MHE are likely to include a Clubhouse, swimming pool, bowling green, tennis court, men's shed, maintenance shed and caravan storage area.
  - A series of parks and landscaping will be incorporated into the development providing links with pathways throughout the site.
  - Visitor car parking spaces.
  - An extension of Solomon Drive will be provided from its eastern extension at "Ocean Club Resort" through to Forest Parkway.

2. LOCAL ROAD NETWORK

The proposed development site is located on the northeastern corner of the intersection of Ocean Drive, Houston Mitchell Drive and Forest Parkway.

2.1.1 Ocean Drive

Ocean Drive is the main north /south local arterial road connection between Port Macquarie and the Camden Haven via Lake Cathie and Bonny Hills.

In the vicinity of the site, Ocean Drive has a single travel lane in each direction with 2.0m sealed shoulders on each edge of the formation as a minimum.

The posted speed limit of Ocean Road is 70km/h in this location. There is a special 40km/h School Speed Zone operating during school hours servicing the Lake Cathie Public School which is located on the eastern side of the intersection of Ocean Drive and Houston Mitchell Drive.

It shall be noted this development falls within the Port Macquarie Hastings Council's development area known as Area 14. As a result of this it is expected Ocean Drive in this location will be upgraded to two lanes in each direction into the future dependent on development growth.

2.1.2 Houston Mitchell Drive

Houston Mitchell Drive is an arterial road providing east / west connection between the Lake Cathie / Bonny Hills area and the Pacific Motorway.

Houston Mitchell Drive in the vicinity of the development site provides for a travel lane in each direction along with sealed 1.50m wide shoulders on each side as a minimum.

The posted speed limit of Houston Mitchell Drive is currently 80km/h.

2.1.3 Forest Parkway

Forest Parkway is considered to be a local residential access road servicing 32 rural residential properties this location.

The road formation width of Forest Parkway is generally 10.0m with standard kerb and gutter along each edge of the formation. Informal grassed footpath / verges are provided along both sides of the road formation.

The posted speed limit of Forest Parkway is 50km/h urban default.

2.1.4 Intersection of Ocean Drive & Houston Mitchell Drive

The intersection of Ocean Drive and Houston Mitchell Drive is currently controlled by a large two lane circulating roundabout. From the north (Ocean Drive), a through and left turn lane along with a dedicated right turn lane are provided. From the south, (Ocean Drive) a through and left turn lane and a through and right turn lane are provided. In Houston Mitchell Drive from the west, a dedicated left turn and a through lane (ultimately service the public school) and a right turn lane are provided.

There are two lane exit lanes provided north and south of the roundabout in Ocean Drive with them merging into single lanes approximately 100m each side of the roundabout.

Sight Distance through and around the roundabout generally conforms to the standards for safe intersection sight distance.

2.1.5 Intersection of Houston Mitchell Drive & Forest Parkway

The intersection of Houston Mitchell Drive and Forest Parkway is currently configured as a Type BAR / BAL "T" intersection.

A sealed shoulder is provided along the westbound travel lane while a 2.0m wide cycle lane is provided along the eastbound edge of formation between Forest Parkway and Ocean Drive in Houston Mitchell Drive.

Sight Distance at the intersection generally conforms to the standards for safe intersection sight distance. However, there is some vegetation on the western side of the intersection that is starting to impact intersection sight distance and will more than likely have a greater impact into the future if not lopped / trimmed.

3. EXISTING TRAFFIC VOLUMES

To aid in the completion of the assessment, StreetWise Road Safety and Traffic Services have completed a manual intersection count on 26 September 2019 to determine the AM and PM peak traffic periods at the intersection of Houston Mitchell Drive and Forest Parkway:-

Figure 3.10 provides a summary of the AM and PM peak period traffic flows for the intersection of Houston Mitchell Drive and Forest Parkway. The counts indicated the AM Peak to be between 7.30am and 8.30am with the PM Peak being between 3.00pm and 4.00pm.

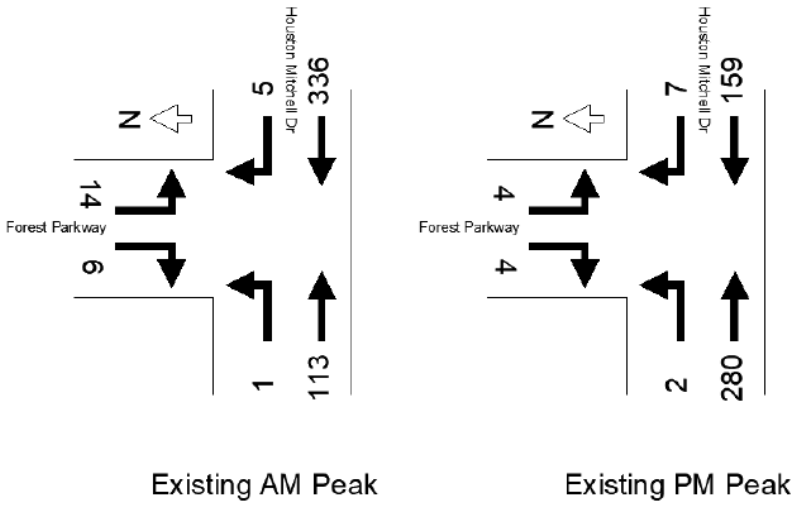


Figure 3.10 – EXISTING AM & PM PEAK PERIOD TRAFFIC FLOWS

Based on the existing peak period traffic volumes, an assessment for the warrant of an intersection treatment is provided in Figure 3.11.

In accordance with Figure 2.26c of the Austroads Guide to Traffic Management, Part 6 –Intersections, Interchanges and Crossings the following assessment is provided.

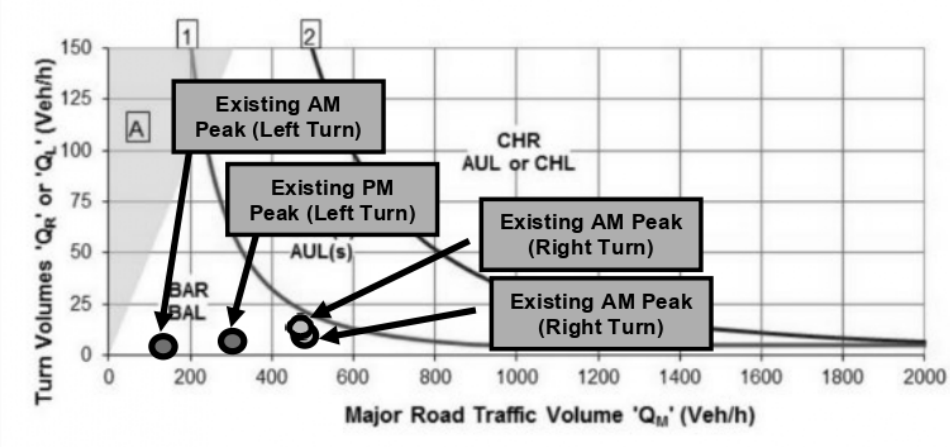


Figure 3.11 – WARRANTS FOR TURN TREATMENTS FOR THE MAJOR ROAD AT UNSIGNALISED INTERSECTIONS (AM & PM PEAK AT HOUSTON MITCHELL DR & FOREST PARKWAY INTERSECTION)

The above assessment indicates the existing intersection configuration is consistent with the Austroads warrants for a BAR/BAL intersection treatment.

4. FUTURE TRAFFIC ASSESSMENT

4.1 Development Traffic Generation

As outlined in section 1.2 of this assessment the following proposed land uses will be part of this development:-

- Manufactured Housing Estate (166 sites / dwellings).

It shall be noted Port Macquarie Hastings Council has provided approval for a 151 lot residential subdivision on this site. Currently there has been 51 lots developed and 17 still to be, with this development proposal to cover the residue part of the site.

4.1.1 References for Traffic Generation

The primary reference documents used to determine the traffic flow generated by the developments are the "RMS Guide to Traffic Generating Developments" and PMHC Development Control Plan 2013.

4.1.2 RMS Guidelines

The RMS Guidelines do not prescribe traffic generation rates for this type of land use.

4.1.3 Port Macquarie Hastings Council Guidelines

Port Macquarie Hastings Council (PMHC) does not prescribe traffic generation rates.

4.1.4 Assessment of like Land Use

Given neither the RMS or Port Macquarie Hastings Council provide traffic generation rates for this type of land use an assessment of a like land use was completed to provide a traffic generation rate to be used in this assessment.

A full day observation count was completed Thursday 28th June 2017 for the Ocean Club Resort, Lake Cathie to determine a traffic generation rate to be used which is more consistent for traffic movements in this area.

It was found that the Ocean Club Resort, at the time had 155 dwellings occupied generating a daily traffic generation rate of 3.6 trips per dwelling / day with a calculated weekday average peak hour traffic generation rate of 0.37 trips / dwelling.

4.1.5 Traffic Generation Rates to be Adopted for this Assessment

Based on the above information the following assumptions have been made for the determination of future traffic generation per land use as proposed by this development.

- Manufactured Housing Estate
  - 3.6 weekday trips per dwelling
  - 0.37 weekday peak hour trips per dwelling

4.2 Proposed Traffic Generation – For this Proposal

Table 4.20 provides a summary of the future traffic generation is provided for the MHE development.

Land Use	No. of Lots	Daily Trip Rate	Peak Hour Trip Rate	Daily Trip Generation	Peak Hour Trip Generation
MHE Site	166	3.6	0.37	598	62
Total Development Trip Generation				598	62

Table 4.20 – SUMMARY OF FUTURE TRAFFIC GENERATION- FOR THE SITE

4.3 Proposed Traffic Generation – Remainder of Forest Parkway

In order to give a true indication of the impacts future traffic volumes will have on the on the intersection of Houston Mitchell Drive and Forest Parkway an assessment of the possible future development yields in the area will need to be assessed.

Table 4.30 provides a summary of the future traffic generation is provided for the remainder of the Forest Parkway development.

Land Use	No. of Lots	Daily Trip Rate	Peak Hour Trip Rate	Daily Trip Generation	Peak Hour Trip Generation
Residential (end of Forest Parkway)	70	7.4	0.75	518	53

Rural Residential (DA 2016/87)	17	7.4	0.75	126	13
Total Development Trip Generation				644	66

Table 4.30 – SUMMARY OF FUTURE TRAFFIC GENERATION- REMAINDER OF FOREST PARKWAY DEVELOPMENT

4.4 Approved Traffic Generation – Elanora Estate

The site already has approval for a 151 lot residential subdivision of which 51 lots (Elanora Estate Stage 1) have already been developed and 17 are yet to be constructed on the corner of Ocean Drive and Forest Parkway.

This development will need to be taken into account when assessing the revised impacts on the road network for the new development proposal. Given the revised development proposal will not provide vehicular connection to Forest Parkway this assessment will determine there will be a lesser impact on the road network for the revised development proposal.

Table 4.40 provides a summary of the future traffic generation is provided for the remainder of the approved Forest Parkway development.

Land Use	No. of Lots	Daily Trip Rate	Peak Hour Trip Rate	Daily Trip Generation	Peak Hour Trip Generation
Overall Elanora Residential Development (Including 17 lot rural / res)	151	7.4	0.75	1117	113
Elanora Estate Stage 1 (already developed)	51	7.4	0.75	377	38
Offset Trip Generation				740	75

Table 4.40 – SUMMARY OF FUTURE TRAFFIC GENERATION- APPROVED ELANORA ESTATE

4.5 Proposed Traffic Assignment

For the purposes of this assessment the following traffic assignment assumptions have been made.

- AM Peak 50%, PM Peak 50% (based on existing volumes)
- 80% out of the site, 20% into the site for the AM peak.
- 20% out of the site, 80% into the site for the PM peak.
- Stage 1 Elanora Estate, 100% to Baltic Street.
- Manufactured Housing Estate (This site), 100% to Forest Parkway
- Approved Rural Residential, 100% to Forest Parkway
- Approved Subdivision (end of Forest Parkway), 100% to Forest Parkway
- Approved Elanora Residential Subdivision – Residual Lots (100), 100% to Forest Parkway.
- Ocean Club Resort, 100% to Baltic Street.

As summarised above both the Elanora Stage 1 (51 lots) and the Ocean Club Resort will not access Forest Parkway. Therefore, there will be no further assessment of the impacts of these locations.

4.6 Proposed Traffic Distribution

For the purposes of this assessment the following traffic distribution assumptions have been made.

Houston Mitchell Drive & Forest Parkway Intersection

- 65% towards Ocean Drive, and
- 35% towards the Pacific Highway.

These assumptions are based on the existing peak period traffic volumes. For the new intersection proposed for the extension of Solomon Drive to Forest Parkway the following traffic distribution assumptions have been made.

Forest Parkway & Solomon Drive Extension Intersection

- 90% towards Ocean Drive, and
- 10% north in forest Parkway.

4.7 Traffic Growth

Based on Port Macquarie Hastings Council's Community Profile website the 2018 population growth figures for the Lake Cathie / Bonny Hills area will be approximately + 2.50% to the year 2036.

For the purposes of this assessment 2.50% will be used as the traffic growth to the through traffic movements on Houston Mitchell Drive, allowing for traffic influences outside the area.

4.8 Proposed Traffic Generation Summary

The following is provided as a summary of the proposed traffic generation for the area.

Land Use	No. of Lots	Daily Trip Rate	Peak Hour Trip Rate	Daily Trip Generation	Peak Hour Trip Generation
MHE Site	166	3.6	0.37	598	62
Rural Residential	17	7.4	0.75	126	13
Residential (end of Forest Parkway) (DA 2016/87)	70	7.4	0.75	518	53
Total Development Trip Generation				1242	128

Table 4.80 – SUMMARY OF FUTURE TRAFFIC GENERATION FOR FOREST PARKWAY

4.9 Road Capacity

Currently Forest Parkway is catering for approximately 26 peak hour trips in both directions. Houston Mitchell Drive is catering for approximately 479 peak hour trips in both directions or an Annual Average Daily Traffic (AADT) of 260 and 4790 respectively.

In accordance with Port Macquarie Hastings Council's version of the AUSPEC-1 D01-Geometric Road Design – Table D1.5 Forest Parkway is classified as being an Access Place (upto 300 vehicles a day) and Houston Mitchell Drive as a Collector Road (upto 6000 vehicles a day).

At full development in the area Forest Parkway will cater for approximately 89 peak hour trips (890 per day) in both directions and Houston Mitchell Drive approximately 650 peak hour trips (6500 per day). As a result of the development in the area Forest Parkway will be reclassified to a Local Street and Houston Mitchell Drive to a Distributor Road.

It shall be noted in accordance with the Austroads Guide to Traffic Management the lane capacity for an urban road can be up to 900 vehicles per hour or 9000 vehicles per day (Table 4.90 below).

Type of lane	One-way mid-block capacity (pc/hr)
Median or inner lane	
• Divided road	1000
• Undivided road	900
Middle lane (of a 3-lane carriageway)	
• Divided road	900
• Undivided road	1000
Kerb lane	
• Adjacent to parking lane	900
• Occasional parked vehicles	600
• Clearway conditions	900

Source: Table 5.1 of Austroads Guide to Traffic Management Part 3

Table 4.90 - AUSTROADS LANE CAPACITY

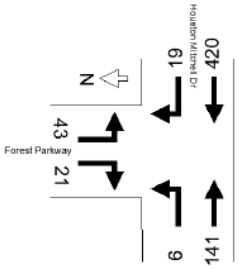
For the purposes of this assessment the lane capacities prescribed by the Austroads Guide as they are the most current data for when considering road capacities.

Therefore, given this there is no requirement for this development to upgrade Forest Parkway as the 45 peak hour trips in one direction is significantly less than the 900 per hour prescribed by Austroads.

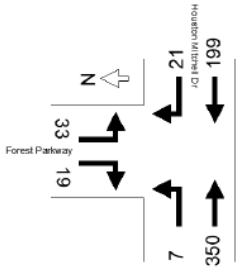
5. FUTURE INTERSECTION REQUIREMENTS

5.1 Houston Mitchell Drive & Forest Parkway

The following assessment is based on the preceding Traffic Generation, Traffic Growth Distribution and Traffic Assignment calculations. Figure 5.10 indicates what the predicted traffic volumes in relation to the MHE development, remainder of Forest Parkway development and 10 years traffic growth as this will be the trigger for any intersection upgrade in the first instance.



AM Peak Hour (plus Full Development - 10yrs & Traffic Growth on Houston Mitchell Dr through traffic)



PM Peak Hour (plus Full Development - 10yrs & Traffic Growth on Houston Mitchell Dr through traffic)

Figure 5.10 – FUTURE AM & PM PEAK PERIOD TRAFFIC FLOWS (MHE DEVELOPMENT, REMAINDER OF FOREST PARKWAY DEVELOPMENT & 10 YRS TRAFFIC GROWTH ON HOUSTON MITCHELL DRIVE THROUGH MOVEMENTS)

The extension of the northern part of the collector road to Forest Parkway will a provide minimal increase to the proposed traffic volumes (up to 5%) on this section of Solomon Drive over that generated by the proposed MHE given the disconnection the Ocean Club Resort has created (no access to the northern section of Solomon Drive). Therefore, the proposed traffic generation for the MHE is considered to be conservative enough it will cater for any increase in traffic flows east of the Ocean Club Resort.

5.1.1 SIDRA Modelling Intersection Assessment

SIDRA software modelling has been completed for the intersection of Houston Mitchell Drive and Forest Parkway to determine the Level of Service (LoS) of the existing intersection configuration.

The following inputs were used in the setup of the model: -

- Posted speed limits, Houston Mitchell Drive = 80km/h, and Forest Parkway = 50km/h;
- SIDRA default values used unless noted otherwise.
- GAP acceptance for sign-controlled intersections adopted from Appendix E of RMS Traffic Modelling Guidelines v1.0 (2013), and are summarised in the table below:

Movement	Gap Acceptance (s)	Follow Up Headway (s)
Right turn from Major Rd	4.0	2.0
Left Turn from Minor Rd	4.5	2.5
Right Turn from Minor Rd	5.5	3.5

Table 5.10 – GAP Acceptance for Controlled Intersections

Assumptions

- HV % of 5% on all legs;
- SIDRA default values for Peak Flow Factor (95%) and Peak Period (30 minutes per hour); and
- Model Type = New South Wales.

Table 5.11 provides a summary of the AM and PM Peak SIDRA modelling results for the existing intersection with future development traffic generation and traffic growth of 10 years into the future.

	Intersection		Worst Movement (Right Out)	
	2029 (AM)	2029 (PM)	2029 (AM)	2029 (PM)
Average Delay (sec)	1.0	1.1	7.9	7.9
LOS	A	A	A	A
95% Percentile Queue	<10m	<10m	<10m	<10m
Degree of Saturation	0.244	0.199	0.046	0.042

Table 5.11 – SIDRA Modelling Summary for AM and PM Peak Periods (Including Bunnings Redevelopment)

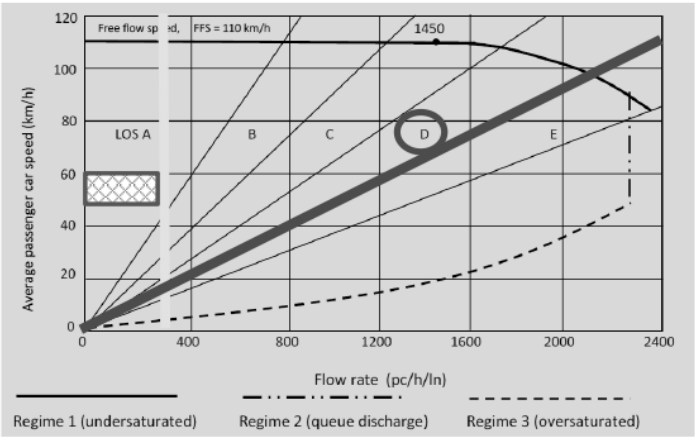
LoS of 'A' i.e. "*Level of Service A - A condition of free flow in which individual drivers are virtually unaffected by the presence of others in the traffic stream. Freedom to select desired speeds and to manoeuvre within the traffic stream is extremely high, and the general level of comfort and convenience provided is excellent.*"

In accordance with Figure 3.1 of the Austroads Guide to Traffic Management, Part 3 –Traffic Studies & Analysis the following assessment is provided for the existing Level of Service (LoS) for each road.

The assessment will based on the peak period traffic flows derived previously in this report. Based on this the PM Peak flows will be used as they are the worst case for peak period flows.

- Houston Mitchell Drive one way flows are 50% of 629 (two way flows) – 315 peak hour one way flow, and

Figure 5.10 below provides a summary of the completed assessment for roadway capacity LoS.



Source: Adapted from Exhibits 11-1, 11-2 and 11-6 in HCM 2010.

Figure 5.10 – SUMMARY OF LEVEL OF SERVICE ASSESSMENT (INTERSECTION OF HOUSTON MITCHELL DRIVE & FOREST PARKWAY)

Based on the assessment above it indicates the future Level of Service for Houston Mitchell Drive in the vicinity of the intersection is LoS A. This is well under the trigger of LoS D for consideration of an upgrade to the roadway. This also coincides with the Sidra Modelling predictions.

Based on the future peak period traffic volumes, an assessment for the warrant of an intersection treatment is provided in Figure 5.11.

In accordance with Figure 2.26c of the Austroads Guide to Traffic Management, Part 6 –Intersections, Interchanges and Crossings the following assessment is provided.

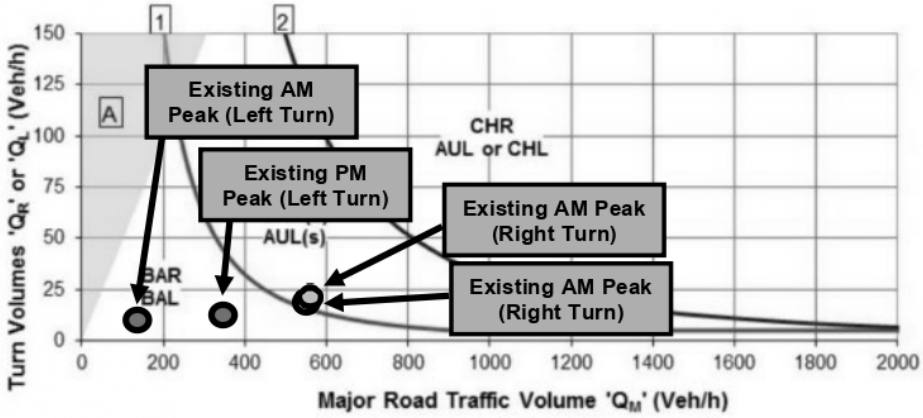


Figure 5.11 – WARRANTS FOR TURN TREATMENTS FOR THE MAJOR ROAD AT UNSIGNALISED INTERSECTIONS (FUTURE AM & PM PEAKS AT HOUSTON MITCHELL DR & FOREST PARKWAY INTERSECTION)

The above assessment indicates the existing intersection configuration will need to be upgraded to a Type CHR(s) layout treatment. However, if you were just considering this development alone there would not be any requirement to upgrade the intersection. The same can be said if only the 70 lot residential subdivision at the end of Forest Parkway was being assessed only.

Figure 5.12 Provides an indicative indication of the upgraded intersection layout required as part of the development. Based on this layout some shoulder widening may be required on the southern side of the intersection. Further detailed investigation will need to be undertaken to determine this requirement.

Figure 5.12 – INDICATIVE CHR(s) INTERSECTION LAYOUT FOR THE INTERSECTION OF HOUSTON MITCHELL DRIVE & FOREST WAY

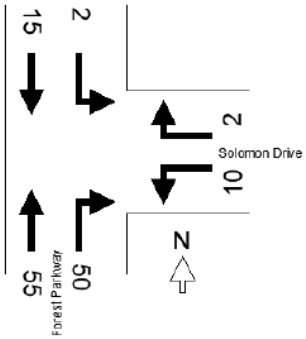
It shall be noted the upgrading of the intersection of Houston Mitchell Drive and Forest Parkway is not solely triggered by the Manufactured Housing Estate. Nor is it a requirement of the 70 lot subdivision at the end of Forest Parkway or the 17 lot rural residential development, but the three developments as a collective.

5.2 Forest Parkway & Solomon Drive (New Extension)

As part of the MHE development it will be providing an extension of Solomon Drive from the northeastern corner of the site to Forest Parkway. The new intersection will be located approximately 215m from the Houston Mitchell Drive intersection and 115m from the western portion proposed driveway access.

As stated in Section 5.1 of this report the extension of the northern part of the collector road to Forest Parkway will a provide minimal increase to the proposed traffic volumes (up to 5%) on this section of Solomon Drive over that generated by the proposed MHE given the disconnection the Ocean Club Resort has created (no access to the northern section of Solomon Drive).

Figure 5.20 indicates what the predicted traffic volumes in relation to the MHE development and the remainder of Forest Parkway development plus 10 years traffic growth will be to determine the intersection treatment to be provided at this location.



PM Peak Hour (plus Full Development)

Figure 5.20 – FUTURE PM PEAK PERIOD TRAFFIC FLOWS (MHE DEVELOPMENT & REMAINDER OF FOREST PARKWAY) AT FOREST PARKWAY & SOLOMON DRIVE (EXTENSION) INTERSECTION

Based on the future peak period traffic volumes, an assessment for the warrant of an intersection treatment is provided in Figure 5.21.
In accordance with Figure 2.26c of the Austroads Guide to Traffic Management, Part 6 –Intersections, Interchanges and Crossings the following assessment is provided.

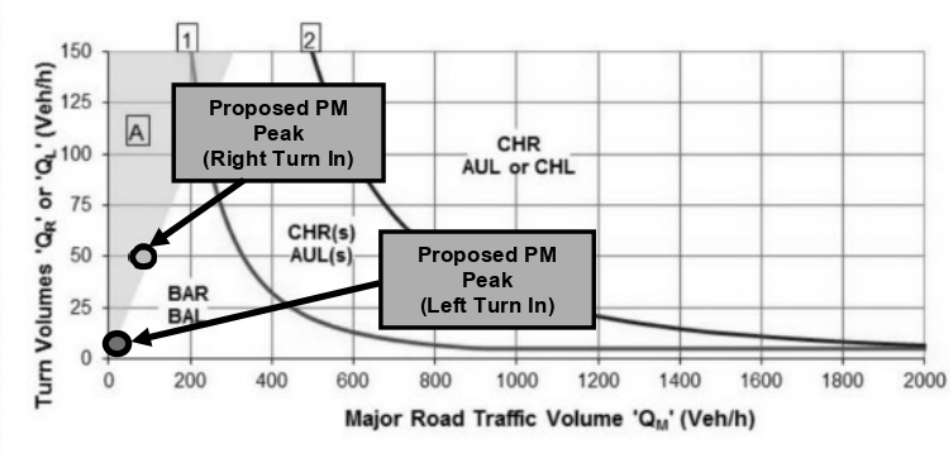


Figure 5.11 – WARRANTS FOR TURN TREATMENTS FOR THE MAJOR ROAD AT UNSIGNALISED INTERSECTIONS (FUTURE PM PEAK AT FOREST PARKWAY & SOLOMON DRIVE (EXTENSION) INTERSECTION)

The above assessment indicates the proposed intersection configuration will need to be a Type BAR / BAL layout treatment.

6. CARPARKING ASSESSMENT

6.1 Geometric Carpark Design Assessment

This development will be providing adequate resident parking for each dwelling proposed. The development will also be providing a number of visitor parking spaces over and above the minimum requirements of the Local Government (Manufactured Home Estates, Caravan Parks, Camping Grounds and Moveable Dwellings) Regulation 2005 in relation to visitor parking provisions.

The design of the carparking layout is specified in the 'Australian/New Zealand Standard, Parking Facilities Part 1; Off Street Carparking (AS/NZS 2890.1) of 2004 and Australian/New Zealand Standard, Parking Facilities Part 6: Off street parking for People with Disabilities of 2009.

6.2 Carparking Classification

Part 1 of AS2890 classifies this development as a Class 1A off-street car parking facility requiring a category 1 driveway for the development on the western side of Forest Parkway. Table 6.20 provides a comparison on the requirements of AS/NZS 2890.1 and AS/NZS 2890.6 applicable to the car parking proposal to be provided for the development.

Design Component	AS / NZS 2890.1 & AS / NZS 2890.6 Requirement	Proposed	Conformance with Standard
Parking Space	5.4m x 2.4m car space Additional 300mm when adjacent a wall or kerb	5.4m x 2.4m car space	YES
	5.4m x 2.4m plus 5.4m x 2.4m shared zone disabled	5.4m x 2.4m plus 5.4m x 2.6m shared zone disabled	YES
Aisle Width	5.8m min	5.80m	YES
Blind Aisle	1.0m	As required	YES
Driveway Width	***Western Side*** Category 1 d/w = 3m – 5.5m	***Western Side*** 5m wide with no median separation	YES
Driveway Location	***Western Side*** Not located within 6m of a intersection (Figure 3.1)	***Houston Mitchell Dr*** Approx. 60m	YES
		New Rural / Res Intersection Approx. 45m	YES

Table 6.20 – SUMMARY OF AUSTRALIAN STANDARD GEOMETRIC DESIGN REQUIREMENTS

Table 6.20 shows this development proposal generally adheres to the above Australian Standard Requirements. There are non-conformances with regard to the Aisle width and Driveway width which will be detailed further in this assessment.

Sight distance at the western access point will be adequate given the relatively flat vertical alignment and straight horizontal alignment.

The footpath crossing / driveway design for the western portion driveway access will need to comply with Port Macquarie Hastings Council's standard drawings ASD 201 and ASD 208.

7. ROAD NETWORK PLANNING

As previously stated this development is part of Port Macquarie Hastings Council's development area known as Area 14. Planning of the road network requires that a local road hierarchy be provided that services the needs of this development area.

In accordance with Council's Development Control Plan (DCP) 2013 the following road structure / hierarchy is provided for the area for future planning.

7.1 Current Future Collector Road Planning

The DCP provides for future road hierarchy planning in the area of the proposed MHE development. Parts of the local road network have already been implemented with the construction commenced for Solomon Drive to the east of the site and South Atlantic Drive to the southeast of the site being collector roads and some local access roads connecting to these collector roads. See Figure 7.10 for an indication of the Transport and Movement (road hierarchy) planning.

As part of this planning it is intended to upgrade the Ocean Drive corridor as future development dictates. Again part of this planning has already been implemented with the:

- Large roundabout at the intersection of Ocean Drive & Houston Mitchell Drive (to be upgraded to traffic signals into the future),
- A Channelised intersection at Ocean Drive & Baltic Street (to be upgraded to traffic signals into the future),
- A Channelised intersection at Ocean Drive & Solomon Drive (to be upgraded to traffic signals into the future), and
- A Channelised intersection at Ocean Drive, Abel Tasman Drive & Seaside Drive (to be upgraded to traffic signals into the future).

Figure 7.11 provides indicative future planning for the Ocean Drive corridor.

FIGURE 7.10 – EXTRACT FROM PMHC DCP 2013 – TRANSPORT & MOVEMENT (ROAD HIERACHY)

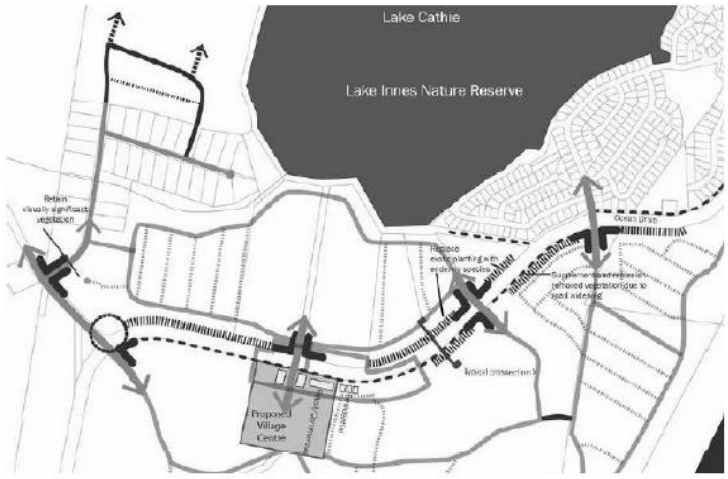


Figure 7.11 – EXTRACT FROM PMHC DCP 2013 – OCEAN DRIVE CORRIDOR

7.2 Proposed Future Collector Road Planning (MHE Site)

It is proposed to develop a Manufactured Housing Estate on the current vacant land located on the northeast corner of the intersection of Ocean Drive and Houston Mitchell Drive. The development will change the amenity of the locality from a future planned low to medium density residential area to a location for the MHE with 17 residential lots remaining under the current consent.

It is proposed the MHE proposal will develop 166 sites (including the Manager's residence) on the site. As part of the MHE proposal the northern part (Solomon Drive) will be connected to the existing section east of the site and continued through to Forest Parkway. Connection for the Seahorse Rise and Whiting Way area to Ocean Drive will be via Baltic Street to the east of the site.

As provided in Council's DCP the original local collector road looped around the area via Solomon Drive and South Atlantic Drive. It is noted with the approval of the Ocean Club Resort this requirement is somewhat reduced to have the collector road loop in place as the resort no vehicular connection to and from the site to Solomon Drive removing any east west connection.

However, as part of the consultations with Council staff the proposed MHE development is seeking to modify this requirement by only providing the Solomon Drive.

Vehicular connection with the site to Ocean Drive via South Atlantic Drive and Baltic Street can still be maintained into the future.

8. PEDESTRIAN & CYCLIST ACCESS PLANNING

8.1 Current Future Pedestrian & Cyclist Access Planning

The current area planning for pedestrian and cyclist access is as follows:-

- Shared pathway along the northern edge of Solomon Drive to Forest Parkway, (In accordance with DCP 2013)
- Formal concrete pedestrian paths along each side of Solomon Drive to Forest Parkway, (Approved Development Application)
- Formal concrete pedestrian paths along each side of South Atlantic Drive, between Solomon Drive and Ocean Club Resort, then, only on the northern side of the formation. (Approved Development Application)

See Figure 8.10 for indicative Port Macquarie Hastings Council DCP planning for Pedestrian Movement in the area.

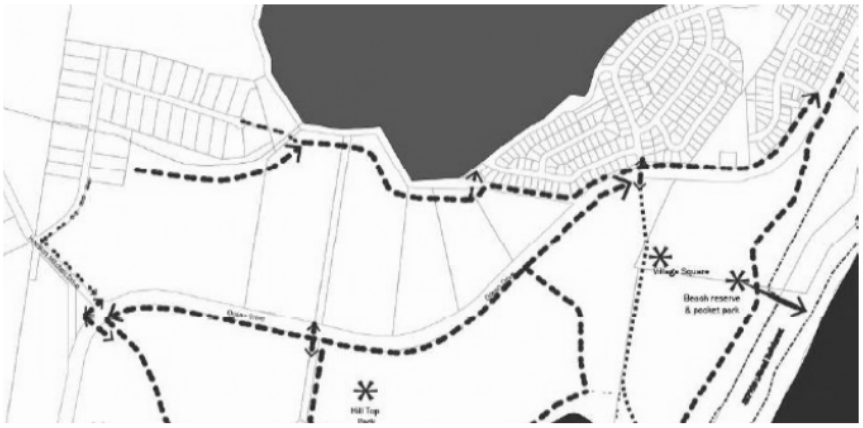


Figure 8.10 – EXTRACT FROM PMHC DCP 2013 – PEDESTRIAN MOVEMENT

8.2 Proposed Future Pedestrian & Cyclist Access Planning (MHE Site)

As part of the MHE development it is not planned to change the intent of the DCP greatly. The development will provide an external pedestrian and cyclist connections via the extension of Solomon Drive and back to South Atlantic Drive for the benefit of its residents.

It is planned the shared path will be continued along the extension of Solomon Drive to Forest Parkway where a pedestrian refuge crossing will be provided for connection to the western portion of the MHE development.

See Appendix A for the indicative future Pedestrian / Cycleway Network.

Providing connection to Houston Mitchell and Ocean Drive is not a safe desire line. The construction of the roundabout at the intersection of Ocean Drive and Houston Mitchell Drive, it will not provide for connection to the Rainbow Beach area and the Lake Cathie Public School.

As noted the intersection of Ocean Drive and Baltic Street will be upgraded to include traffic signals into the future. This upgrade will provide safe crossing points for pedestrians to access the Rainbow Beach area and the Lake Cathie Public School.

9. PUBLIC TRANSPORT PLANNING

9.1 Current Future Public Transport Planning

Port Macquarie Hastings Council's current design and planning policies for the provision of public transport in residential developments is to locate a bus bay every 400m along what is known as a "Local Collector" road.

As Solomon Drive and South Atlantic Drive are the recognised local collector roads in this location bus bays (indented) are to be provided.

9.2 Proposed Future Public Transport Planning

As outlined in section 7.2 of this TIA it is proposed to extend the northern part of the local collector road as part of the MHE development. The MHE will be providing its

own bus service, and therefore, there will be no requirement to include a public transport component for the development.

For public transport access external to the MHE it is proposed vehicles will utilise the already constructed local collector road network from Solomon Drive and South Atlantic Drive.

The Ocean Drive and Baltic Street intersection is planned to be upgraded to traffic signals into the future. With this upgrade bus bays could be incorporated into the design where it will provide a safe pedestrian connection to the residential area.

10. SUMMARY OF ASSESSMENT

StreetWise Road Safety and Traffic Services have been engaged by Land Dynamics Australia Pty Ltd to prepare a Traffic Impact Assessment (TIA) for a proposed Manufactured Housing Estate (MHE) development located on the corner of Ocean Drive and Forest Parkway, Lake Cathie. The land is identified as Lot 138 DP 1248149.

The MHE will provide 166 sites / dwellings plus ancillary components such as, a clubhouse, swimming pool, bowling green, tennis court. The development is providing a number of visitor on site parking over and above the minimum requirements.

Council's DCP requires the original local collector road to be provided as a loop around the area via Solomon Drive and South Atlantic Drive. As agreed in discussions with Council staff this development is seeking to vary this requirement where it will only provide the Solomon drive extension to Forest Parkway. The intersection to be provided at Froest Parkway will be minimum treatment BAR / BAL treatment in accordance with the Austroads Guidelines.

The access driveway on the western side of Forest Parkway is proposed to be 5m wide with no median separation at a location in keeping with the Australian Standard requirements in relation to setback from a public road intersection. The western portion access driveway conforms with AS2890.1 – Off Street Parking as provided for assessment. Sight distance at the access location will be adequate given the relatively flat vertical alignment and straight horizontal alignment.

An assessment of the intersection of Houston Mitchell Drive and Forest Parkway was completed to determine the impacts the development would have on the intersection. The existing intersection layout conforms to a Type BAR/BAL treatment in accordance with the Austroads Guide to Traffic Management guidelines. Sight Distance at the intersection generally conforms to the standards for safe intersection sight distance. However, there is some vegetation on the western side of the intersection that is starting to impact intersection sight distance and will more than likely have a greater impact into the future if not lopped / trimmed.

The development will generate 62 peak hour trips at full development. While other proposed developments in the area will generate a total of 66 peak hour trips at full development.

As a result of these developments the intersection of Houston Mitchell Drive and Forest Parkway will require to be upgraded to a Type CHR(s) intersection layout. To achieve this some shoulder widening may be required along the southern side of the intersection. Further detailed survey and design will determine the extent of the widening required to be untaken.

It shall be noted the MHE development in itself is not requiring the intersection to be upgraded but development in the area as a whole requires this upgrade to be undertaken. The development is considered to be part of the overall wider development planning for Area 14. Therefore this upgrade could be considered to be minor in nature given the area wide road network upgrades required.
As part of this TIA assessment for this development an assessment of the roadway capacity for Houston Mitchell Drive and Forest Parkway was completed. Currently Forest Parkway is catering for approximately 26 peak hour trips in both directions. Houston Mitchell Drive is catering for approximately 479 peak hour trips in both directions or an Annual Average Daily Traffic (AADT) of 260 and 4790 respectively.

In accordance with Port Macquarie Hastings Council's version of the AUSPEC-1 D01-Geometric Road Design – Table D1.5 Forest Parkway is classified as being an Access Place (up to 300 vehicles a day) and Houston Mitchell Drive as a Collector Road (up to 6000 vehicles a day).

At full development in the area Forest Parkway will cater for approximately 92 peak hour trips (920 per day) in both directions and Houston Mitchell Drive approximately 655 peak hour trips (6550 per day). As a result of the development in the area Forest Parkway will be reclassified to a Local Street and Houston Mitchell Drive to a Distributor Road.

However, the Austroads Guide to Traffic Management (2017) states the lane capacity for an urban road can be up to 900 vehicles per hour or 9000 vehicles per day in one direction. Given the Austroads guide is the most up to date information there is no requirement to reclassify these roads and therefore require them to be upgraded given their capacities are well under that of the Austroads maximum.

This assessment has determined the changes to the original PMHC DCP Planning will have a minimal impact on the surrounding local road network. This includes:-

- Revised Collector Road network,
- Revised Pedestrian & Cycleway Access, and
- Revised Access to & provision of Public Transport requirements.

11. RECOMMENDATIONS

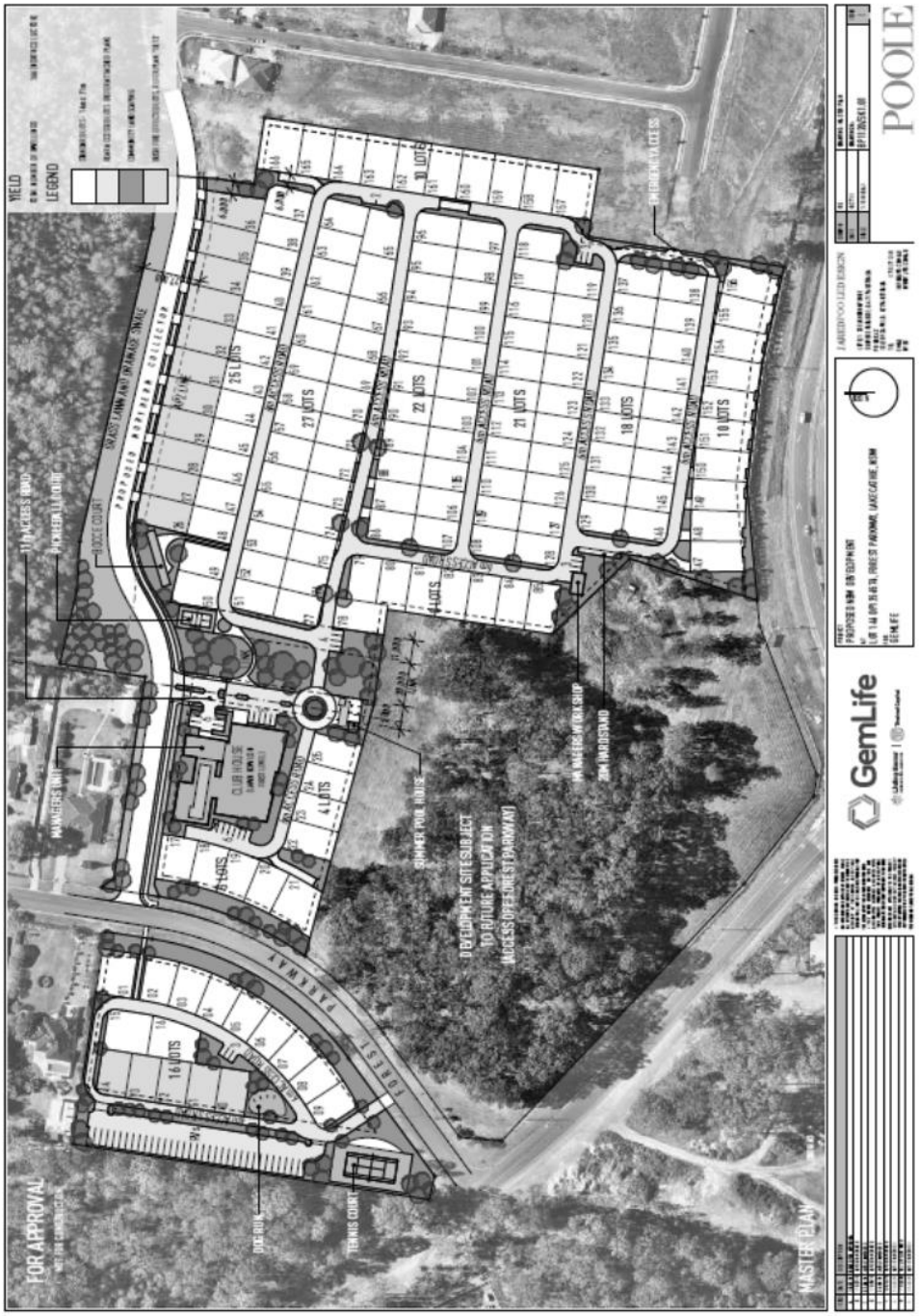
- This assessment has determined that Forest Parkway and the local road network has the capacity (Austroads Guidelines) to cater for the future traffic volumes generated by the proposed development, with regard to safety, efficiency and with minimal impacts.

- This development seeks to vary Council's DCP requirement for the provision of a Collector Road loop in the area. This development will provide an extension of Solomon Drive to Forest Parkway. There are no traffic grounds created by this development that states both the collector road connections need to be provided.

- Development in the area will require the intersection of Houston Mitchell Drive and Forest Parkway to be upgraded from a Type BAR/BAL to a CHR(s) taking into account the increased turn movements at the intersection. However, this development is considered to be part of the overall wider development planning for Area 14. Therefore this upgrade could be considered to be minor in nature given the area wide road network upgrades required.

- All internal roadways, parking spaces, etc are to be provided in accordance with Local Government (Manufactured Home Estates, Caravan Parks, Camping Grounds and Moveable Dwellings) Regulation 2005 for the number of spaces to be provided and AS2890.1 – Off Street Parking for the design carparking layout to be provided.

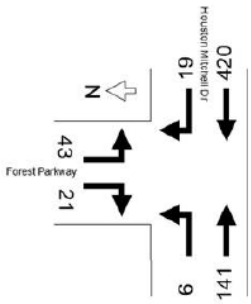
APPENDIX A
DEVELOPMENT PROPOSAL


FOR APPROVAL
MASTER PLAN
POOLE
GemLife
FOREST PARKWAY
CLUB HOUSE
MANAGERS UNIT
DOG RUN
TENNIS COURT
SUMMER POOL HOUSE
MANAGERS WORKSHOP
20M HARDSTAND
D BYELOPMENT SITE SUBJECT TO FUTURE APPLICATION (ACCESS OFF FOREST PARKWAY)
25 LOTS
27 LOTS
22 LOTS
21 LOTS
18 LOTS
10 LOTS
16 LOTS
4 LOTS
8 LOTS
10 LOTS
YIELD
LEGEND

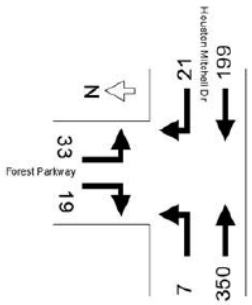
APPENDIX B
SIDRA MODELLING

Inputs

- Posted speed limits, all legs 80km/h
- SIDRA default values used unless noted otherwise.
- Intersection volumes as per email 15 October 2019, copied below;



AM Peak Hour (plus Full Development - 10yrs & Traffic Growth on Houston Mitchell Dr through traffic)



PM Peak Hour (plus Full Development - 10yrs & Traffic Growth on Houston Mitchell Dr through traffic)

Assumptions and/or modifications to Sidra model defaults

- HV of 5% on all legs;
- SIDRA default values for Peak Flow Factor (95%) and Peak Period (30 minutes per hour); and
- Model Type = New South Wales.
- GAP acceptance for sign-controlled intersections adopted from Appendix E of RMS Traffic Modelling Guidelines v1.0 (2013), and are summarised in the table below:

Movement	Gap Acceptance (s)	Follow Up Headway (s)
Right turn from Major Rd	4.0	2.0
Left Turn from Minor Rd	4.5	2.5
Right Turn from Minor Rd	5.5	3.5

SIDRA Model Output Summary

Detailed outputs are appended, however a summary of outputs is in the table below. The outputs are direct from SIDRA Intersection.

Table 1 - SIDRA output Summary SANCROX ROAD & BUSHLANDS DRIVE INTERSECTION (Seagull)

	Intersection		Worst Movement (Right Out)	
	2030 AM	2030 PM	2030 AM	2030 PM
Average Delay	1.0s	1.1s	7.9s	7.9s
LOS	A	A	A	A
95% percentile queue	<10m	<10m	<10m	<10m
Degree of Saturation	0.244	0.199	0.046	0.042

Discussion:

Both the AM and PM peak hours with full development and 10 years of background growth operate with all movements at Level of Service A, with negligible delays.

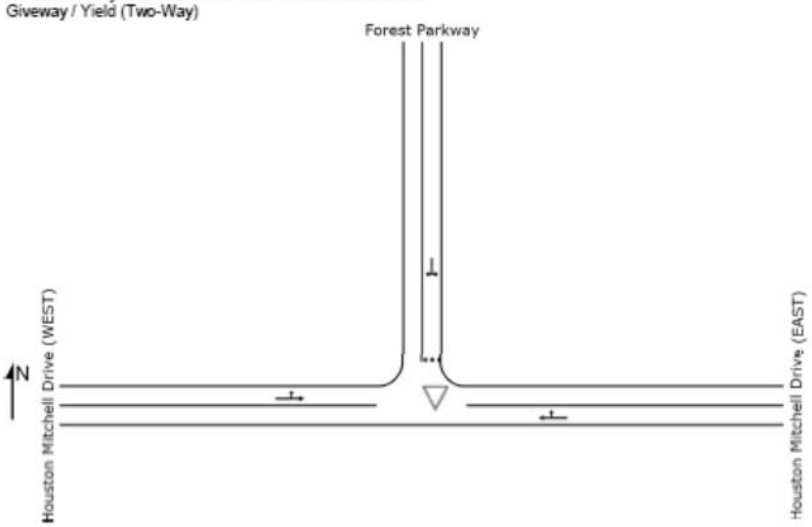
FOREST PARKWAY & HOUSTON MITCHELL DRIVE: SIDRA MODEL OUTPUTS & REPORT (Rev 01).

Appendix A – SIDRA OUTPUTS

SITE LAYOUT

Site: Forest Parkway & Houston Mitchell Drive 2030 AM with dev

Forest Parkway & Houston Mitchell Drive 2030 AM with dev
Giveway / Yield (Two-Way)



BRETTSTRAFFIC ENGINEERING

FOREST PARKWAY & HOUSTON MITCHELL DRIVE: SIDRA MODEL OUTPUTS & REPORT (Rev 01).

2030 AM Model outputs

MOVEMENT SUMMARY

Site: Forest Parkway & Houston Mitchell Drive 2030 AM with dev

Forest Parkway & Houston Mitchell Drive 2030 AM with dev
Giveway / Yield (Two-Way)

Movement Performance - Vehicles

Mov ID	ODMov	Demand Flows Total	HV	Deg. Satn	Average Delay	Level of Service	95% Back of Queue Vehicles	Distance	Prop. Queued	Effective Stop Rate	Average Speed
		veh/h	%	v/c	sec		veh	m		per veh	km/h
East: Houston Mitchell Drive (EAST)											
5	T1	442	5.0	0.244	0.0	LOS A	0.1	1.1	0.03	0.03	79.2
6	R2	20	5.0	0.244	7.2	LOS A	0.1	1.1	0.03	0.03	71.1
Approach		462	5.0	0.244	0.3	NA	0.1	1.1	0.03	0.03	78.8
North: Forest Parkway											
7	L2	45	5.0	0.046	7.4	LOS A	0.2	1.2	0.22	0.62	62.9
9	R2	22	5.0	0.046	7.9	LOS A	0.2	1.2	0.22	0.62	62.4
Approach		67	5.0	0.046	7.6	LOS A	0.2	1.2	0.22	0.62	62.7
West: Houston Mitchell Drive (WEST)											
10	L2	6	5.0	0.082	7.0	LOS A	0.0	0.0	0.00	0.03	72.0
11	T1	148	5.0	0.082	0.0	LOS A	0.0	0.0	0.00	0.03	79.5
Approach		155	5.0	0.082	0.3	NA	0.0	0.0	0.00	0.03	79.1
All Vehicles		684	5.0	0.244	1.0	NA	0.2	1.2	0.04	0.09	76.9

Level of Service (LOS) Method: Delay (RTA NSW).
Vehicle movement LOS values are based on average delay per movement
Minor Road Approach LOS values are based on average delay for all vehicle movements.
NA: Intersection LOS and Major Road Approach LOS values are Not Applicable for two-way sign control since the average delay is not a good LOS measure due to zero delays associated with major road movements.
SIDRA Standard Delay Model is used. Control Delay includes Geometric Delay.
Gap-Acceptance Capacity: SIDRA Standard (Akçelik M3D).
HV (%) values are calculated for All Movement Classes of All Heavy Vehicle Model Designation.

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BRETTSTRAFFIC ENGINEERING

FOREST PARKWAY & HOUSTON MITCHELL DRIVE: SIDRA MODEL OUTPUTS & REPORT (Rev 01).

2030 PM Model outputs

MOVEMENT SUMMARY

Site: Forest Parkway & Houston Mitchell Drive 2030 PM with dev

Forest Parkway & Houston Mitchell Drive 2030 PM with dev
Giveway / Yield (Two-Way)

Movement Performance - Vehicles

Mov ID	OD Mov	Demand Flows Total	HV	Deg. Satn	Average Delay	Level of Service	95% Back of Queue Vehicles	Distance	Prop. Queued	Effective Stop Rate	Average Speed
		veh/h	%	v/c	sec		veh	m		per veh	km/h
East: Houston Mitchell Drive (EAST)											
5	T1	209	5.0	0.125	0.2	LOS A	0.2	1.3	0.11	0.06	78.0
6	R2	22	5.0	0.125	7.9	LOS A	0.2	1.3	0.11	0.06	70.2
Approach		232	5.0	0.125	0.9	NA	0.2	1.3	0.11	0.06	77.2
North: Forest Parkway											
7	L2	35	5.0	0.042	8.1	LOS A	0.1	1.1	0.37	0.66	62.2
9	R2	20	5.0	0.042	7.9	LOS A	0.1	1.1	0.37	0.66	61.7
Approach		55	5.0	0.042	8.0	LOS A	0.1	1.1	0.37	0.66	62.1
West: Houston Mitchell Drive (WEST)											
10	L2	7	5.0	0.199	7.1	LOS A	0.0	0.0	0.00	0.01	72.2
11	T1	368	5.0	0.199	0.0	LOS A	0.0	0.0	0.00	0.01	79.7
Approach		376	5.0	0.199	0.2	NA	0.0	0.0	0.00	0.01	79.5
All Vehicles		662	5.0	0.199	1.1	NA	0.2	1.3	0.07	0.08	76.9

Level of Service (LOS) Method: Delay (RTA NSW).
Vehicle movement LOS values are based on average delay per movement
Minor Road Approach LOS values are based on average delay for all vehicle movements.
NA: Intersection LOS and Major Road Approach LOS values are Not Applicable for two-way sign control since the average delay is not a good LOS measure due to zero delays associated with major road movements.
SIDRA Standard Delay Model is used. Control Delay Includes Geometric Delay.
Gap-Acceptance Capacity: SIDRA Standard (Akçelik M3D).
HV (%) values are calculated for All Movement Classes of All Heavy Vehicle Model Designation.

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Re: Proposed Manufactured Housing Estate,
Ancillary Buildings and Associated Infrastructure
(DA2019-780.01)

MEMORANDUM OF OPINION

Mr Graham Burns
Director
Land Dynamics Australia
77 Lord Street
Port Macquarie NSW 2444

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Re: Proposed Manufactured Housing Estate, Ancillary Buildings and Associated Infrastructure (DA2019-780.01)

MEMORANDUM OF OPINION

INTRODUCTION

1. I am instructed by Graham Burns of Land Dynamics Australia (**LDA**) who, I am instructed, acts for the proponent for the proposed Manufacturing Housing Estate (**Proposed Development**) on land identified as Lot 146 in DP 1256576 and located on South Atlantic Drive, Lake Cathie (**Site**). On 24 October 2019, a development application (DA2019-780.01) for the Proposed Development (**Development Application**) was lodged with the Port Macquarie-Hastings Council (**Council**).

2. At its meeting on 22 July 2020, the Council's Development Assessment Panel (**Panel**) deferred its consideration of the Development Application until legal advice is obtained in relation to two specific issues (item 10 of the minutes of meeting).

3. You have asked for my opinion in relation to the two specific issues identified by the Panel, which are:

   (a) Issue 1: The consistency of the Development Application with the 'Sydmart' Voluntary Planning Agreement applying to the Site (**VPA**).

   (b) Issue 2: The relationship of the Development Application with the staged subdivision development consent (DA2016-88 (as amended)) for the Site (**Subdivision Consent**) and whether consent for the Development Application will compromise the Subdivision Consent.

4. To assist with the preparation of this opinion, I have been provided with and/or considered the following documents:

   (a) The minutes from the Panel's meeting on 22 July 2020.

   (b) The VPA dated 23 December 2011 between the Council and Sydmart Pty Ltd (**Sydmart**).

   (c) An explanation prepared by LDA in relation to Issue 1.

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(d) The Subdivision Consent, as modified by Modification 7, dated 20 April 2020.

(e) A staging plan prepared by LDA titled "Revised Subdivision Staging Layout For s96" (LDA Job No 5158, Drawing No 0002, Rev J) (**Staging Plan**).

(f) The draft conditions of consent for the Development Application (**Draft Conditions**).

EXECUTIVE SUMMARY

5. For the reasons outlined below, it is my opinion that:

(a) Issue 1: The Development Application is consistent with the VPA and no "Future Road Links" are required as part of the Proposed Development because it does not involve residential development on the "Future Residential Area".

(b) Issue 2: It is possible for multiple developments to apply to the same land, however where development has been completed under one consent it may be impossible to implement the development under another consent. In order to avoid this outcome, the Subdivision Consent should be surrendered to the extent that it overlaps with any consent for the Development Application.

OPINION

Issue 1

6. Section 4.15(1)(iiia) of the *Environmental Planning and Assessment Act 1979* (NSW) (**EPA Act**) provides that, in determining a development application, a consent authority is to take into consideration a number of matters (to the extent that they are relevant) including any planning agreement entered into under section 7.4 of the EPA Act.

7. On 23 December 2011, the Council and Sydmart entered into the VPA pursuant to the then section 93F (now section 7.4) of the EPA Act. At that time, Sydmart was the owner of the "Land" (defined as "Part Lot 33 and Lot 34 DP 803801") and the Council proposed the preparation of the *Port Macquarie-Hastings (Area 14 Stage 1A) Local Environmental Plan 2010*. For the purposes of this advice, I have assumed that the "Land" to which the

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VPA applies is or includes the Site and, therefore, the VPA is a relevant matter which the Council must take into account when determining the Development Application.

8. The VPA obliges Sydmart to make "Development Contributions" in accordance with the VPA in connection with the carrying out of the "Development". The expressions in inverted commas in the previous sentence are defined in clause 1.1 of the VPA as follows:

> **Development** means development of the Land for urban purposes the subject of a Development Consent granted after the LEP takes effect.
>
> **Development Contributions** means a monetary contribution, the dedication of land free of cost, the carrying out of a work, or the provision of any other material public benefit, or any combination of them, to be used for, or applied towards, a public service.

9. The VPA adopts the same meaning of the expression "Development Consent" as contained in the EPA Act.

10. The VPA binds successors in title to the Site by virtue of clause 36 of the VPA which requires the registration of the VPA on title, subject to the obtaining of the agreement of the persons specified in the then section 93H(1) (now section 7.6(1)) of the EPA Act. For the purposes of this opinion, I have assumed that the VPA has been registered and, therefore, successors in title are legally bound by the VPA under section 7.6(3) of the EPA Act. References to Sydmart hereafter in this opinion include successors in title.

11. The obligations relating to the provision of development contributions are dealt with in the VPA as follows:

    (a) Part 2 – Monetary Development Contributions.

    (b) Part 3 – Construction of Works and Development of Land.

    (c) Part 4 – Dedication, Establishment and Management of Environmental Management Land.

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12. Relevantly, for present purposes, clauses 13 and 14 of the VPA provide as follows:

> **13 Construction of Future Road Links**
>
> 13.1 The Landowner is to construct the Future Road Links if the Future Residential Area is rezoned to permit residential development.
>
> 13.2 The Future Road Links are to be completed to the reasonable satisfaction of the Council before the issue of an Occupation Certificate for any residential development in the Future Residential Area.
>
> **14 Dedication of Future Road Links**
>
> 14.1 The Landowner is to dedicate the land on which the Future Road Links are to be constructed to the Council free of cost before the issuing of any Occupation Certificate for any residential development in the Future Residential Area.

13. The effect of clauses 13 and 14 is to oblige Sydmart to complete the "Future Road Links" (to the satisfaction of the Council) and dedicate the land on which the "Future Road Links" are constructed to the Council free of cost prior to the issue of any "Occupation Certificate" for any residential development in the "Future Residential Area". The obligation to construct the "Future Road Links" is only enlivened if the "Future Residential Area" is rezoned to permit residential development under clause 13.1 of the VPA.

14. The expressions "Future Residential Area" and "Future Road Links" are defined in clause 1.1 of the VPA as follows:

> **Future Residential Area** means the land identified as such on Plan No. 02.
>
> **Future Road Links** means the land identified as such on Plan No. 02.

15. The term "Plan" is defined as "the series of plans contained in Appendix 1". Having regard to the definition of "Plan", I understand the reference to "Plan No. 02" in the definitions of "Future Residential Area" and "Future Road Links" is the plan identified as "Plan 02" in Appendix 1 to the VPA.

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16. Plan 02 identifies a large area to the north of the Site as "Future Residential Area" and two "Future Road Links" which will connect the "Future Residential Area" to urban development to the south. No "Future Road Links" are shown on the Site in Plan 02.

17. I am not aware if the "Future Residential Area" has been rezoned to permit residential development so as to enliven the obligation in clause 13.1 of the VPA. Even if such rezoning has occurred, it is my opinion that the clauses 13.2 and 14.1 of the VPA do not affect or relate to the Proposed Development because it does not involve any residential development in the "Future Residential Area". Any condition of consent relating to the obligations with respect to the "Future Link Roads" under the VPA should only be considered in connection with a development application for residential development on the "Future Residential Area".

18. In conclusion, it is my opinion that the Proposed Development is consistent with the VPA because the obligations under clauses 13.2 and 14.1 with respect to the completion of the "Future Road Links" and the dedication of such land are not relevant to the Proposed Development – that is, the clauses do not operate so as to require completion of the "Future Road Links", and the dedication of that land, prior to the issue of any "Occupation Certificate" for residential development on the Site.

Issue 2

19. The following general principles relating to the nature of development consents are relevant to Issue 2:

    (a) A development consent runs with the land and is not personal to the applicant.[1]

    (b) Multiple development consents may apply to the same land.[2]

    (c) Where multiple development consents apply to the same land, all consents may operate unless the implementation of one consent is not practically possible due to development carried out under another consent.[3]

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[1] *Ryde Municipal Council v The Royal Ryde Homes* (1970) 19 LGRA 321 at 324; *Auburn Municipal Council v Szabo* (1971) 67 LGRA 427 at 433–434 (***Szabo***).
[2] *Progress and Securities Pty Ltd v North Sydney Municipal Council* (1988) 66 LGRA 236; *Waverley Council v Hairis Architects* (2002) 123 LGERA 100 at [29].
[3] *Pilkington v Secretary of State for the Environment* [1974] 1 All ER 283.

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20. I understand that:

    (a) The Subdivision Consent permits the staged residential subdivision of the Site.

    (b) The Development Application relates to part of the Site comprising Stages 2C, 3, 4, 5, 6 and 7 of the Subdivision Consent as shown on the Staging Plan.

    (c) The proponent only intends to implement Stages 1, 2A and 2B of the Subdivision Consent.

    (d) The Council has proposed the following condition B009 in the Draft Conditions (**Draft Condition B009**):

    > The applicant shall surrender Stages 2C, 3, 4, 5 & 7 the consent relating to DA No. 2016.88.05 (as amended) for a Residential Subdivision at Forest Parkway by submitting an application for "Surrender of a Consent" to Council in accordance with the Environmental Planning and Assessment Regulation 2000, prior to the release of the Construction Certificate.

    (e) Draft Condition B009 needs to be amended to include the surrender of Stage 6 of the Subdivision Consent.

21. If consent is granted for the Development Application (**Potential Consent**), two development consents will apply to the Site – that is, the Subdivision Consent and the Potential Consent. In those circumstances, both consents could not practically be implemented on the part of the Site comprising Stages 2C, 3, 4, 5, 6 and 7 of the Subdivision Consent (**Overlapping Consent Land**).

22. To overcome this, the Council proposes to impose a condition requiring the surrender of the Subdivision Consent to the extent to that it overlaps with the Potential Consent – that is, the Overlapping Consent Land.

23. In my opinion, the Council has the power to impose Draft Condition B009 under sections 4.17(1)(b) and 4.17(5) of the EPA Act and any such surrender must be effected in accordance with the requirements of clauses 97(1) and 97(2) of the *Environmental Planning and Assessment Act 2000* (NSW) (**EPA Regulation**).

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24. Alternatively, it is also possible for the Subdivision Consent to be voluntarily surrendered in respect of the Overlapping Consent Land under section 4.63 of the EPA Act. The requirements of clauses 97(3) and 97(4) of the EPA Act would need to be satisfied.

25. In my opinion, to avoid practical difficulties and legal complexities which may arise from the operation of two competing consents in respect of the Overlapping Consent Land, it would be preferable to surrender the Subdivision Consent in respect of that Land if the Council grants the Potential Consent.

Angela Pearman
Martin Place Chambers

29 July 2020

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