



Development Assessment Panel

Business Paper

date of meeting: 1 July 2021

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

time: 2:00pm

Development Assessment Panel

CHARTER

1.0 OBJECTIVES

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

2.0 KEY FUNCTIONS

- To review development application reports and conditions. The focus of the Panel's review is to be on those issues raised in submissions received following exhibition of development applications;
- To determine development applications where there are 3 or more unique submissions or where an application is 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

- Three (3) independent external members will be selected for each scheduled DAP meeting from an appointed pool of members. One of the independent external members to be the Chairperson. Independent members will be rostered onto meeting on a rotational basis where possible.
- Group Manager Development Assessment (alternate - Director Development and Environment or Development Assessment Planning Coordinator).

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.

3.4 Member Tenure

The independent external members will be appointed for the term of Four (4) years or until such time as an expression of interest process to source Panel members is completed for the proceeding four (4) year term.

3.5 Appointment of members

- A pool of independent external members (including the Chair) shall be appointed by the Chief Executive Officer following an external Expression of Interest process. Previous Panel members are eligible to be reappointed on the Panel following this expression of interest process.

- Independent members will be rostered on to Panel meetings on a rotational basis where possible to suit Panel member availability and Panel operational needs.
- Staff members on the Panel shall be appointed by the Chief Executive Officer.

4.0 TIMETABLE OF MEETINGS

- The Development Assessment Panel will generally meet on the 1st and 3rd Thursday each month at 2.00pm at the Port Macquarie offices of Council.
- Special Meetings of the Panel may be convened by the Director Development and Environment 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 an applicant and objectors or their representatives. Speakers are required to register to speak by close of business on the day prior to the Panel meeting.
- The Panel shall have the discretion to ask the applicant and objectors questions relating to the proposal and their submission. There is no 'right of reply' for an objector or applicant.
- Where there are a large number of persons making submissions with common interests, the Panel shall have the discretion to hear a representative of those persons rather than multiple persons with the same interest.
- Council assessment staff will be available at Panel meetings to provide technical assessment advice and assistance to the Panel.
- Where considered necessary, the Panel will conduct site inspections prior to the meeting.

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

Three (3) members must be present at a meeting to form a quorum.

5.4 Chairperson and Deputy Chairperson

Independent Chair (alternate - independent member).

5.5 Secretariat

- The Director Development and 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 be limited to the recording of decisions only 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 interest at the start of each meeting or before discussion of a relevant item or topic. Details of any conflicts of interest are to 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.

9.0 CONDUCT AT MEETINGS

All parties in attendance at a DAP meeting shall conduct themselves respectfully ie. not disrupt the conduct of the meeting, not interject, act courteously and with compassion and empathy and sensitivity and will not insult, denigrate or make defamatory or personal reflections on or impute improper motives to the DAP, Council staff or other members of the public.

Development Assessment Panel

ATTENDANCE REGISTER

| Member | 18/03/21 | 15/04/21 | 17/06/21 | | | |
|-----------------------------------------------------|----------|----------|----------|--|--|--|
| David Crofts | ✓ | ✓ | ✓ | | | |
| Michael Mason | ✓ | ✓ | ✓ | | | |
| Chris Gee | | ✓ | | | | |
| Tony McNamara | ✓ | | ✓ | | | |
| Dan Croft (Group Manager Development Assessment) | ✓ | ✓ | ✓ | | | |

Key: ✓ = Present

A = Absent With Apology

X = Absent Without Apology

Meeting Dates for 2021

| | | |
|------------|----------------|--------|
| 21/01/2021 | Function Room | 2:00pm |
| 11/02/2021 | Committee Room | 2:00pm |
| 25/02/2021 | Committee Room | 2:00pm |
| 18/03/2021 | Committee Room | 2:00pm |
| 1/04/2021 | Function Room | 2:00pm |
| 15/04/2021 | Function Room | 2:00pm |
| 6/05/2021 | Function Room | 2:00pm |
| 20/05/2021 | Committee Room | 2:00pm |
| 3/06/2021 | Function Room | 2:00pm |
| 17/06/2021 | Function Room | 2:00pm |
| 1/07/2021 | Function Room | 2:00pm |
| 15/07/2021 | Function Room | 2:00pm |
| 19/08/2021 | Function Room | 2:00pm |
| 2/09/2021 | Function Room | 2:00pm |
| 16/09/2021 | Function Room | 2:00pm |
| 7/10/2021 | Function Room | 2:00pm |
| 21/10/2021 | Function Room | 2:00pm |
| 4/11/2021 | Committee Room | 2:00pm |
| 18/11/2021 | Committee Room | 2:00pm |
| 2/12/2021 | Function Room | 2:00pm |
| 16/12/2021 | Function Room | 2:00pm |

Development Assessment Panel Meeting

1 July 2021

Items of Business

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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 17 June 2021 be confirmed.

PRESENT

Members:

David Crofts (Independent Chair)
Michael Mason (Independent Member)
Tony McNamara (Independent Member)
Group Manager Development Assessment (Dan Croft)

Other Attendees:

Development Engineering Coordinator (Grant Burge)
Development Assessment Planner (Ben Roberts)

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 15 April 2021 be confirmed.

04 DISCLOSURES OF INTEREST

There were no disclosures of interest presented.

**05 DA2020 - 1100.1 DEMOLITION OF DWELLING AND CONSTRUCTION OF
DUAL OCCUPANCY WITH TORRENS TITLE SUBDIVISION AND JETTY AT
LOT 47 DP 246284, NO 29 FRANCIS STREET, PORT MACQUARIE**

Malcolm McNeil (opposing the application)
Barry Mackay (opposing the application)
Michelle Love (applicant)

CONSENSUS:

That because of the apparent dominance of the two double garages on the streetscape, DA2020 - 1100 for demolition of dwelling and construction of dual occupancy with Torrens title subdivision and jetty at Lot 47, DP 246284, No. 29 Francis Street, Port Macquarie, be deferred to provide the applicant an opportunity to amend the plans to address the Panel's concerns and reduce streetscape impacts.

06 GENERAL BUSINESS

Nil.

The meeting closed at 3:05pm.

Item: 04
Subject: DISCLOSURES OF INTEREST

RECOMMENDATION

That Disclosures of Interest be presented.

DISCLOSURE OF INTEREST DECLARATION

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

(Refer to next page and the Code of Conduct)

Pecuniary Interest

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

Non-Pecuniary

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

Managing non-pecuniary conflicts of interest

- 5.6 Where you have a non-pecuniary conflict of interest in a matter for the purposes of clause 5.2, you must disclose the relevant private interest you have in relation to the matter fully and in writing as soon as practicable after becoming aware of the non-pecuniary conflict of interest and on each occasion on which the non-pecuniary conflict of interest arises in relation to the matter. In the case of members of council staff other than the Chief Executive Officer, such a disclosure is to be made to the staff member's manager. In the case of the Chief Executive Officer, 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 Chief Executive Officer, 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 Chief Executive Officer, the decision on which option should be taken to manage a non-pecuniary conflict of interest must be made in consultation with and at the direction of the mayor.
- 5.13 Despite clause 5.10(b), a councillor who has a significant non-pecuniary conflict of interest in a matter, may participate in a decision to delegate consideration of the matter in question to another body or person.
- 5.14 Council committee members are not required to declare and manage a non-pecuniary conflict of interest in accordance with the requirements of this Part where it arises from an interest they have as a person chosen to represent the community, or as a member of a non-profit organisation or other community or special interest group, if they have been appointed to represent the organisation or group on the council committee.

SPECIAL DISCLOSURE OF PECUNIARY INTEREST DECLARATION

This form must be completed using block letters or typed.

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

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

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

Councillor's Signature: **Date:**

This form is to be retained by the council's Chief Executive Officer and included in full in the minutes of the meeting

Last Updated: 3 June 2019

Important Information

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

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

Clause 4.3 of the Model Code of Conduct states that you will have a pecuniary interest in a matter because of the pecuniary interest of your spouse or your de facto partner or your relative or because your business partner or employer has a pecuniary interest. You will also have a pecuniary interest in a matter because you, your nominee, your business partner or your employer is a member of a company or other body that has a pecuniary interest in the matter.

"Relative" is defined by clause 4.4 of the Model Code of Conduct as meaning your, your spouse's or your de facto partner's parent, grandparent, brother, sister, uncle, aunt, nephew, niece, lineal descendant or adopted child and the spouse or de facto partner of any of those persons.

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

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

¹ Clause 4.1 of the Model Code of Conduct provides that a pecuniary interest is an interest that a person has in a matter because of a reasonable likelihood or expectation of appreciable financial gain or loss to the person. A person does not have a pecuniary interest in a matter if the interest is so remote or insignificant that it could not reasonably be regarded as likely to influence any decision the person might make in relation to the matter, or if the interest is of a kind specified in clause 4.6 of the Model Code of Conduct.

² A pecuniary interest may arise by way of a change of permissible use of land adjoining, adjacent to or in proximity to land in which a councillor or a person, company or body referred to in clause 4.3 of the Model Code of Conduct has a proprietary interest

Item: 05

Subject: DA2019 - 614.1 HOME BUSINESS AT LOT 5 DP 20579, NO.13 SWIFT STREET, PORT MACQUARIE

Report Author: Development Assessment Planner, Fiona Tierney

| | |
|-----------------|---------------------|
| Applicant: | M K & T A Cockshutt |
| Owner: | M K & T A Cockshutt |
| Estimated Cost: | N/A |
| Parcel no: | 22895 |

Alignment with Delivery Program

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

RECOMMENDATION

That DA2019 - 614 for a Home Business at Lot 5, DP 20579, No. 13 Swift Street, Port Macquarie, be determined by granting consent subject to the recommended conditions.

Executive Summary

This report considers a development application for continuation of a Home Business 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, 5 submissions were received.

It should be noted that the application processing time has been protracted due to COVID restrictions and working through various options for reducing the scale of the operations of development. Amendments have been made reducing client numbers and removing the cycle class component of the home business.

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**).

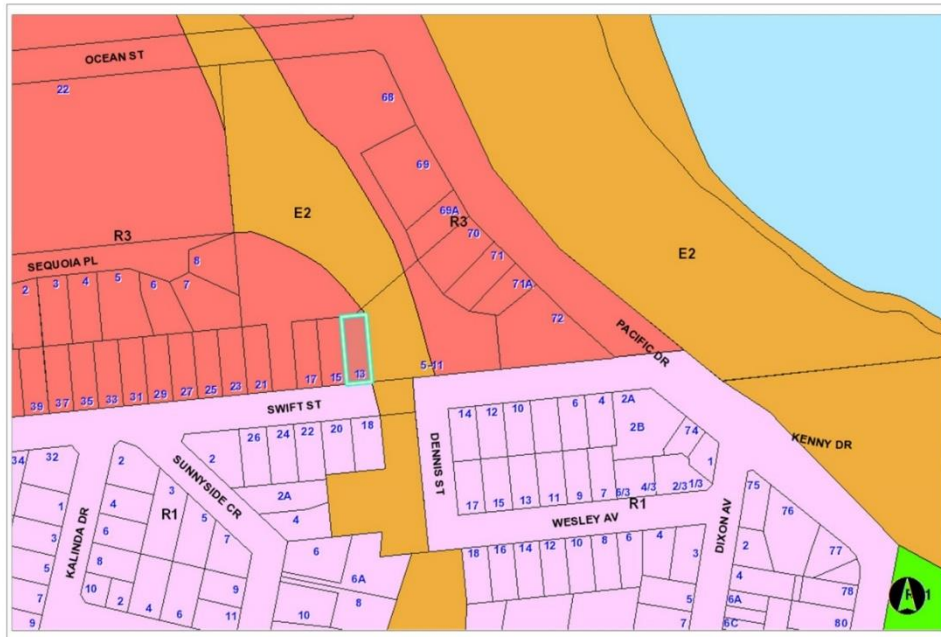
The reason for the application being referred to Council's Development Assessment Panel (DAP) is because more than three (3) objections to the proposal have been received. A copy of the DAP Charter outlining the delegations and functions of the DAP is available on Council's website.

1. BACKGROUND

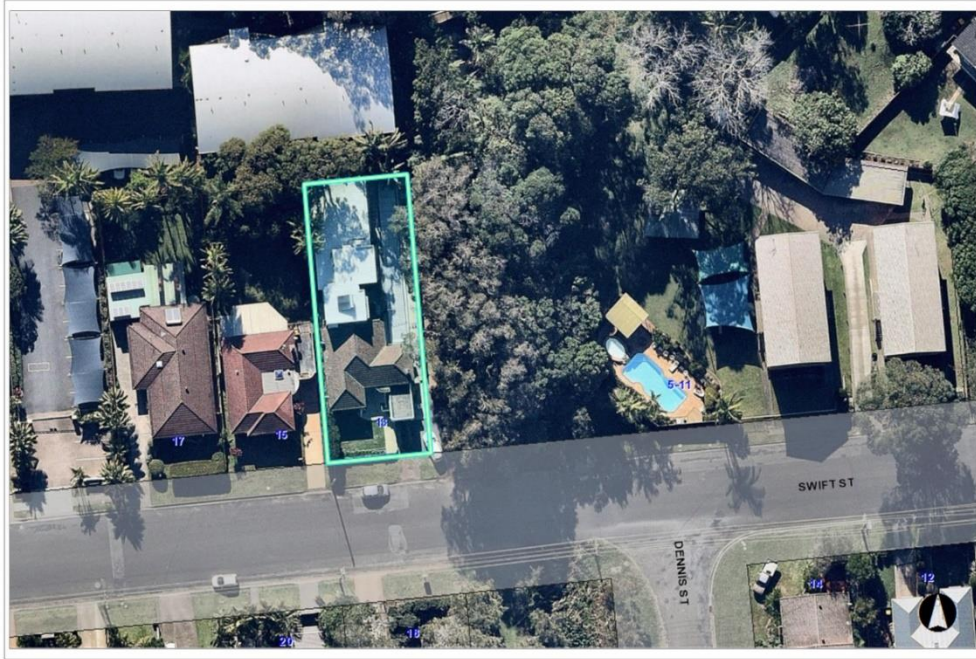
Existing Sites Features and Surrounding Development

The site has an area of 613.4m².

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



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



2. DESCRIPTION OF DEVELOPMENT

Background prior to subject DA:

- DA2014 - 260 - Approved additions to the existing dwelling and construction of a swimming pool.
- DA2016 - 276 - Approved home business for a twelve (12) month period.
- DA2017 - 605 - Requested continuance of home business for 5 years with further changes allowing swimming lessons and cycle and strength training. Hours of operation 9am-6pm Monday to Friday. Request for maximum of eight (8) people per class thirty (30) hours of lessons. Consent granted to allow continuation for a further two (2) years until 13 September 2019, Six (6) clients per class and twenty (20) hours of lessons.

Key aspects of the proposal include the following:

- DA2019 - 614 (Subject DA) Requested continuation of DA 2017 - 605. Negotiations on possible solutions of concerns from neighbours. Application extended through COVID and focus of business model has now changed to mainly older NDIS clients and no back-to-back general swimming lessons. Smaller numbers (generally 1-2 and occasional larger classes: 4 clients generally and up to 4 classes of up to maximum 6 clients), no cycle/training proposed. Consent condition recommended.

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

Application Chronology

- 11 February 2015 - DA2014 -260.1 Application for dwelling additions and swimming pool approved.
- 22 June 2017- DA2016 - 276.1 Home business approved by DAP for 12 months.

- 13 September 2019 - DA2017 - 605.1 Continuation of Home business 2 years.
- 23 August 2019 - DA2019 - 614.1 Subject Application lodged.
- 2 to 16 September 2019 - Neighbour notification.
- Late 2019 to early 2021 (including COVID) additional information requested and negotiation solutions with Applicant.
- 2020 - Cessation of normal business routine due to COVID.
- April 2021 - Amendment to proposal submitted requesting removal of cycle training and reduced client numbers. Neighbours contacted via email to seek feedback on experience and impacts being experienced.

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) 2020

There is no Koala Plan of Management on the site. Additionally, the site is less than 1 hectare (including any adjoining land under same ownership) and therefore the provisions of SEPP do not apply.

The application has also demonstrated that no habitat will be removed or modified therefore no further investigations are required.

State Environmental Planning Policy No. 55 – Remediation of Land

Following an inspection of the site and a search of Council records, the subject land is not identified as being potentially contaminated and is suitable for the intended use.

State Environmental Planning Policy No. 64 – Advertising and Signage

No signage proposed.

State Environmental Planning Policy (Coastal Management) 2018

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

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

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

Having regard to clause 11, proximity to coastal wetlands of this SEPP, the proposed development is not considered likely to result in any of the following:

- (a) identifiable adverse impacts on the biophysical, hydrological and ecological integrity of the nearby littoral rainforest/coastal wetland; and
- (b) identifiable impacts to water flows to the nearby littoral rainforest/coastal wetland.

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

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

Port Macquarie-Hastings Local Environmental Plan 2011

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

- Clause 2.2 - The subject site is zoned R3 Medium Density Residential.
- Clause 2.3(1) and the R3 zone landuse table - The proposed development for a continued use of home business (swim training) is a permissible landuse with consent.

The objectives of the R3 zone are as follows:

- To provide for the housing needs of the community within a medium density residential environment.
- To provide a variety of housing types within a medium density residential environment.
- To enable other land uses that provide facilities or services to meet the day to day needs of residents.
- Clause 2.3(2) - The proposal is consistent with the zone objectives having regard to the following:
 - the proposal is a permissible landuse;
 - the proposal will provide services to meet the needs of residents.
- Clause 5.4 - The home business does not exceed 60m² of floor area.
- Clause 5.9 - No listed trees in DCP 2013 are proposed to be removed.
- Clause 5.10 – The site does not contain or adjoin any known heritage items or sites of significance.
- Clause 7.13 - No changes proposed to existing services required.

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

No draft instruments apply to the site.

(iii) Any Development Control Plan in force

Port Macquarie-Hastings Development Control Plan 2013

| DCP 2013: General Provisions | | | |
|-------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------|
| DCP Objective | Development Provisions | Proposed | Complies |
| 2.7.2.2 | Design addresses generic principles of Crime Prevention Through Environmental Design guideline: <ul style="list-style-type: none"> • Casual surveillance and sightlines • Land use mix and activity generators • Definition of use and ownership • Lighting • Way finding • Predictable routes and entrapment locations | The proposed development will be unlikely to create any concealment/entrapment areas or crime spots that would result in any identifiable loss of safety or reduction of security in the immediate area. The additional people utilising the site will help provide additional surveillance of the area. | Yes |
| 2.4.3 | Bushfire risk, Acid sulphate soils, Flooding, Contamination, Airspace protection, Noise and Stormwater | Refer to main body of report. | |
| 2.5.3.3 | Off-street parking in accordance with Table 2.5.1 Dwelling requirements + 1 for visitors + 1 per 2 employees | Based on the possibility of one non-resident employee at various times, the site is required to have 3 spaces. The site contains a single garage and driveway capable of holding 3 vehicles. In addition, the site is located adjoining a reserve and where parking demand is low and can be used for overflow informal parking. Any spill over of parking is unlikely to create adverse impacts. | Yes |
| 2.5.3.14 | Sealed driveway surfaces unless justified | Existing gravel driveway and overflow parking area driveway. Suitable low density use of site. | Yes |

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

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

(iv) Any matters prescribed by the Regulations

Nil

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

Surrounding the site is a mixture of single dwellings, unit development and tourist accommodation. The proposal is unlikely to have any adverse impact on existing adjoining properties and satisfactorily addresses the public domain.

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

The proposal does not have significant adverse lighting impacts.

There are no significant adverse privacy impacts. Adequate building separation exists and controls on hours of operation and noise are proposed.

Traffic and transport

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

Water supply connection

Existing.

Sewer connection

Existing.

Stormwater

Existing.

Other utilities

Telecommunication and electricity services are available to the site.

Heritage

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

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.

Air and microclimate

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

Flora and fauna

The proposed 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.

Noise and vibration

The proposal has been operating in a number of levels of intensity over the 5 years since the construction of the pool and commencement of the lessons on site.

Council has received a number of complaints from adjoining neighbours in relation to noise and activity at the site. The complaints were in relation to pool pumps at night, clients yelling during classes, water splashing and training occurring outside approved hours. Whilst most issues have been resolved over time and conditions of consent controls, an issue of the barking dogs has persisted and will be considered further separate to the development application process.

Post exhibition and following receipt of submissions, further contact has also been made with neighbours that have provided submissions to seek further feedback which has been taken into consideration in this assessment.

In particular, it should be noted that the applicant has also amended the proposal to change their business model to remove the indoor cycling component and reducing class sizes in general to cater for NDIS clients. This has resulted in less noise and traffic to the site due to students being older, picked up from the local area and majority of the class sized of 1-2 students and possibly with a sibling. A negotiated limit of 4 students is permitted generally and one class per day may have up to 6. It is recommended a total of 6 classes per day is allowable to a maximum capped hour limit of 20 hours per week. No weekend classes are permitted. The amended operations are considered acceptable.

It is also noted that the development adjoins a large property that is approved for both permanent and for tourist accommodation. The property also contains a number of communal pools. Given the tourist aspect, it would be reasonable to assume that there would be noise from children/guests using the pools form within that complex.

Based on the above, it is considered that the current consent conditions will result in minimal adverse noise impacts. It is noted that there have been ongoing issues at the site and restrictions on hours of operation and numbers should be maintained. Reduction in numbers and removal of cycle class component should also result in lower anticipated impacts that are consistent with the largely residential nature of the area.

Bushfire

The site is identified as being bushfire prone but use is continuing and no specific hazards identified in relation to the use of the site for a home business.

Safety, security and crime prevention

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

Social impacts in the locality

Given the nature of the proposed development and its location the proposal is 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.

Site design and internal design

The proposed development satisfactorily responds to the site attributes and will fit into the locality.

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. The fact that the site adjoins a drainage line and has additional on street parking opportunities, helps minimise impacts on neighbours and improve the suitability of the site. The modification to the intensity and removal of a number of components further enhances the suitability of the use.

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

Five (5) 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 |
|-------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Whilst swim school is acceptable and compliant, noise from barking dogs is creating disruption. | There is a view amongst the concerned neighbours that the changes experienced during COVID resulted in a resolution of most issues raised. The reduction in class sizes and purpose have resulted in a relief from back-to-back lessons and squad training. An issue of the barking dogs has persisted and will be considered further separate to the development application process. Conditions of consent are proposed to limit numbers and activities at the site. |
| Smell from dogs using area around pool. | The applicant has made a concerted effort to ensure no issue is created. |
| Noise from school - location of buildings results in focus of noise like an amphitheatre. | Applicant has advised that increased soft/noise absorbing surfaces will be used around the pool area and significant reduction in numbers and squad training has reduced noise. Neighbours have agreed that issues have largely been resolved. An issue of the barking dogs has persisted and will be considered further separate to the development application process. |
| Non-compliance with student number restrictions - 10 students at once. | Client numbers have been permanently reduced and conditions of consent will be imposed. |
| Operation of business on weekends. | Applicant advises no lessons will occur on weekends. Private use may occur. |

(e) The Public Interest

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

(f) 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 manmade development and the environmental impacts. Based on the assessment provided in the report and with recommended conditions of consent, it is considered an appropriate balance has been struck.

(g) Climate change

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

change.

4. DEVELOPMENT CONTRIBUTIONS APPLICABLE

Development contributions will not be required under S64/S7.11 for the following reasons: Not applicable to compliant sized home business.



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 - 614.1 Recommended Conditions
- 2.  DA2019 - 614.1 Plan

**FOR USE BY PLANNERS/SURVEYORS TO PREPARE LIST OF
PROPOSED CONDITIONS - 2011****NOTE: THESE ARE DRAFT ONLY****DA NO: 2019/614****DATE: 1/07/2021****PRESCRIBED CONDITIONS**

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

A – GENERAL MATTERS

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

| Plan / Supporting Document | Reference | Prepared by | Date |
|------------------------------------|------------------------------------------------------------------|--------------------------|------------------------------------|
| Statement of Environmental Effects | | Melinda & Todd Cockshutt | 23/8/2019 and as updated 28/5/2021 |
| Plans | Project 1332 Drawing A01/4, A02/3, A03/1, A04/2, A05/2 and A06/3 | Wayne Ellis Architects | 14/1/2015, 3/4/2014 & 10/11/2014 |

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

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

B – PRIOR TO ISSUE OF A CONSTRUCTION CERTIFICATE

nil

C – PRIOR TO ANY WORK COMMENCING ON SITE

nil

D – DURING WORK

nil

E – PRIOR TO OCCUPATION OR THE ISSUE OF OCCUPATION CERTIFICATE

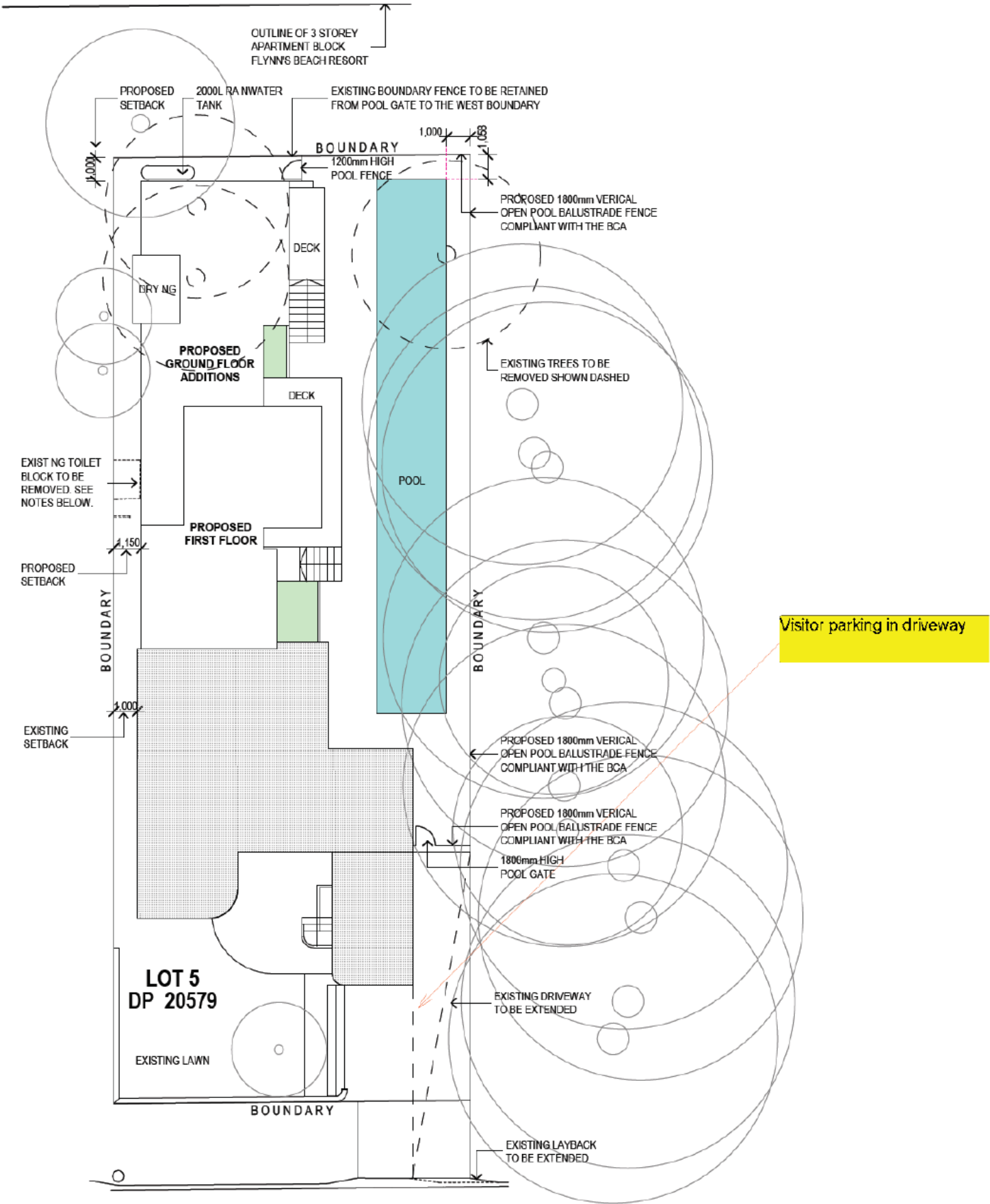
nil

F – OCCUPATION OF THE SITE

- (1) (F025) Hours of operation of the development are restricted to the following:
- 9am to 6pm – Mondays to Fridays
No work is to be carried out on weekends and Public Holidays
- (2) (F195) The home business is allowed one (1) non-resident employee onsite at any one time.
- (3) (F196) No music is to be played during the swimming lessons.
- (4) (F198) No amplified equipment is to be utilised to project coaching instructions.
- (5) (F199) Pumps associated with the pool are not to start until allowable hours under the Protection of the Environment Operations Act 1997.
- (6) (F200) On site car parking is to be provided for use by both staff and patrons of the development. A minimum of three (3) spaces (in addition to the single garage) are required onsite as part of this consent. The vehicle spaces and driveway widths must comply with the dimensions specified in the Port Macquarie Hastings Development Control Plan 2013 or any relevant Australian Standard adopted by Council.
- (7) Stacked parking spaces are to be used by the owner and additional employee only, unless they are not onsite or do not drive a vehicle to the site. In such circumstances, the stacked spaces can be used by visitors with the operator of the home business ensuring management of the spaces.
- (8) (F201) The home business can only compromise a maximum of four (4) clients per lesson/class. In addition, 4 classes per week may have a maximum of six (6) clients per lesson/class. There is to be no more than 6 lessons per day with no overlapping of lessons/classes. To ensure no overlapping, lessons/classes are to be separated by a 15-minute gap.
- (9) (F202) The home business is restricted to twenty (20) hours of lessons onsite per week with a log book to be kept by the operator and made available to Council staff upon request. The twenty (20) hour restriction does not apply to lessons or coaching conducted via the internet (ie. visitors/patrons not onsite) and occurring within the approved hours of operation.



DA ISSUE 14/01/2015



| | | | |
|-----|----------|-------------------------------------------------------------------------|----|
| 4 | 14.01.15 | FENCE AMENDMENT | PS |
| 3 | 05.12.14 | AMENDMENTS NOTES/AREAS | PS |
| 2 | 10.11.14 | AMEND. TO DECKS + RUMFUS, EAST BOUNDARY FENCE + DELETION OF GARAGE EXT. | PS |
| 1 | 03.04.14 | DA ISSUE ONLY | PS |
| No. | Date | Description | By |

Amendments

- Notes**
1. Check all dimensions on site before commencing any part of the works
 2. Report all discrepancies to architect for decision before proceeding
 3. Work to figured dimensions. Do not scale drawings
 4. This drawing to be read in conjunction with all other relevant specifications and drawings
 5. This drawing is copyright and must not be retained, reproduced or used wholly or in part without authority from the architects
 6. The scale of this drawing may be affected by enlargement or reduction during transmission

wayne ellis architect

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Client: T. & M. COCKSHUTT
Project: COCKSHUTT ADDITIONS
13 SWIFT STREET
PORT MACQUARIE

Drawing: SITE PLAN

Proj. No 1332
Dwg No. A01/4

Drawn PS
Scale 1:100, 1:1, 1:200 @ A3
Comp. Ref. 1332 DA REVISED - COCKSHUTT ADD

SWIFT STREET

NOTES:
STORMWATER TO CONNECT TO EXISTING. DOCUMENTATION TO BE READ IN CONJUNCTION WITH ARBORIST REPORT.
DEMOLITION OF EXISTING TOILET BLOCK TO BOTH 13 SWIFT STREET & NEIGHBOUR - UPON DEMOLITION, SEWERAGE/WATER CONNECTIONS TO BE CAPPED OFF UNDERGROUND AT LEVEL THAT IS REQUIRED BY PMHC. THE SITE TO BE RESTORED TO THE SAME CONDITION OF SURROUNDING YARD. THE FENCE TO BE RESTORED TO MATCH THE EXISTING FENCE.

SITE PLAN
Scale @ A3 Sheet 1:200

| AREA SCHEDULE | |
|--------------------------------------------------------------------------|--------------------------------|
| SITE AREA | 616.51m ² |
| EXISTING DWELLING AREA | 116.91m ² |
| PROPOSED ADDITIONS AREA | 141.08m ² |
| TOTAL EXISTING + PROPOSED FSR (FSR ALLOWABLE 1:1) | 259.99m ² 1:0.42 |
| NOTE: ADDITIONS BELOW THE 1 IN 100 YR FLOOD LEVEL (AHD) 17.050 | |
| | 39.98m ² |

Item: 06

Subject: DA2021 - 325.1 SECONDARY DWELLING AT LOT 6 DP 229523, NO 131 KENNEDY DRIVE, PORT MACQUARIE

Report Author: Building Surveyor, Kate Kennedy

| | |
|-----------------|--------------------------------------------------------------|
| Applicant: | Robert and Antonia C Zavone C/- Collins W Collins Pty Ltd |
| Owner: | Mr Robert Zavone & Mrs Antonia C Zavone |
| Estimated Cost: | \$120,000.00 |
| Parcel no: | 6/-/DP229523 |

Alignment with Delivery Program

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

RECOMMENDATION

That DA 2021 - 325.1 for a Secondary Dwelling at Lot 6, DP 229523, No. 131 Kennedy Drive, Port Macquarie, be determined by granting consent subject to the recommended conditions.

Executive Summary

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

Following exhibition of the application, four (4) submissions were received.

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

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

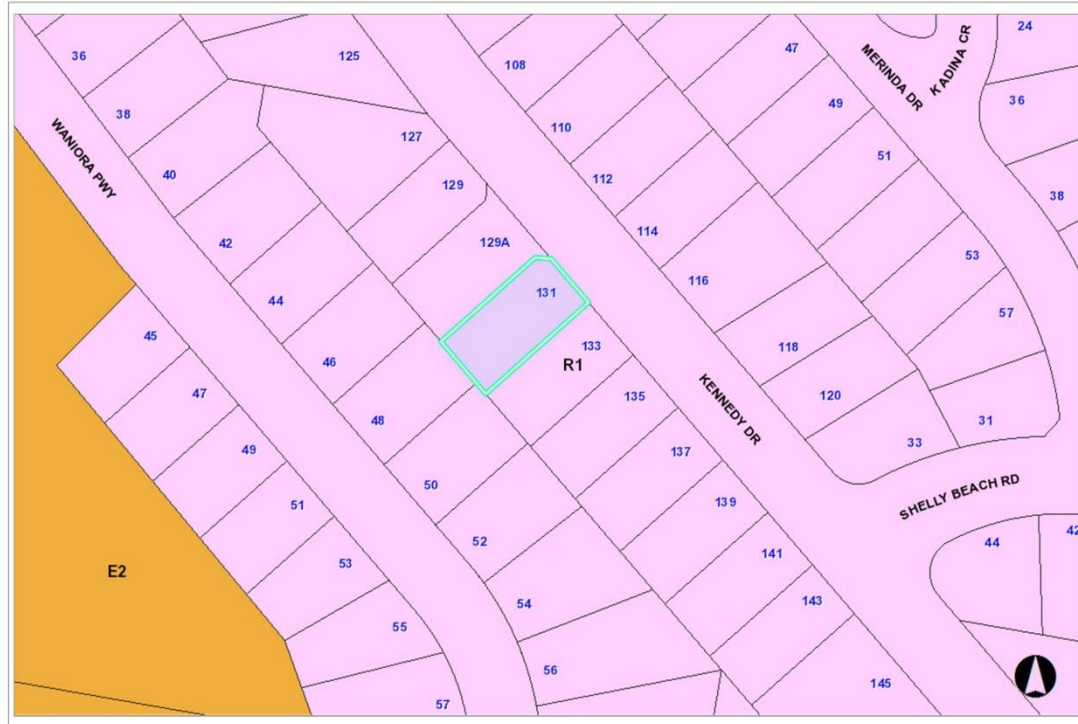
The reason for the application being referred to Council's Development Assessment Panel (DAP) is because three (3) or more objections to the proposal have been received. A copy of the DAP Charter outlining the delegations and functions of the DAP is available on Council's website.

1. BACKGROUND

Existing Sites Features and Surrounding Development

The site has an area of 663.9m².

The site is zoned R1 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 secondary dwelling in the rear yard of the site
- Construction of a driveway and carport for the use of the secondary dwelling

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

Application Chronology

- 27/04/2021 - Application received
- 04/05/2021 - Application accepted
- 04/05/2021 - Application allocated to officer for assessment
- 04/05/2021 - Referral to essential energy completed
- 04/05/2021 - Internal referral to engineering and contributions completed
- 04/05/2021 - Notification letters sent
- 07/05/2021 - Notification commenced
- 17/05/2021 - Submission 1 received
- 20/05/2021 - Notification closure date
- 20/05/2021 - Submissions 2, 3 and 4 received
- 21/05/2021 - Essential Energy referral response received
- 26/05/2021 - Email to applicant summarising submissions
- 07/06/2021 - Applicant response to submissions received including amended plans

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) 2020

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

Clause 7 - The property is less than 1ha in size and there is no Koala Plan of Management in place. No further consideration of the SEPP is required.

Clause 8 - As per Circular B35, Clause 1.5, it is the intent of the Policy that investigations for potential and core koala habitat be limited to those areas in which it is proposed to disturb habitat. In this case, the application has demonstrated that no habitat will be removed or disturbed. Therefore, the site is not considered to be potential habitat and further consideration of the SEPP is not required.

Clause 9 - As the site is not considered to be core habitat, further consideration of the SEPP is not required.

State Environmental Planning Policy No. 55 - Remediation of Land

Following an inspection of the site and a search of Council records, the subject land is not identified as being potentially contaminated and is suitable for the intended use.

State Environmental Planning Policy (Coastal Management) 2018

Clause 7, this SEPP prevails over the Port Macquarie-Hastings LEP 2011 in the event of any inconsistency.

Having regard to clause 11 (proximity to coastal wetlands or littoral rainforest) of this SEPP, the proposed development is not considered likely to result in any of the following:

- (a) identifiable adverse impacts on the biophysical, hydrological and ecological integrity of the nearby littoral rainforest/coastal wetland; and
- (b) identifiable impacts to water flows to the nearby littoral rainforest/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 impact on marine vegetation, native vegetation and fauna and their habitats, undeveloped headlands and rock platforms;
- d) any adverse impact on Aboriginal cultural heritage, practices and places;
- e) any adverse impacts on the cultural and built environment heritage;
- f) any adverse impacts the use of the surf zone;

- g) any adverse impact on the visual amenity and scenic qualities of the coast, including coastal headlands;
- h) overshadowing, wind funnelling and the loss of views from public places to foreshores; and
- i) any adverse impacts on existing public open space and safe access to and along the foreshore, beach, headland or rock platform for members of the public, including persons with a disability.

Clause 15 - The proposal is not likely to cause increased risk of coastal hazards on that land or other land.

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

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

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

State Environmental Planning Policy (Infrastructure) 2007

Clause 45 - Development in proximity to electricity infrastructure - referral to Essential Energy has been completed having regard for any of the following:

- (a) the penetration of ground within 2m of an underground electricity power line or an electricity distribution pole or within 10m of any part of an electricity tower,
- (b) development carried out:
 - (i) within or immediately adjacent to an easement for electricity purposes (whether or not the electricity infrastructure exists), or
 - (ii) immediately adjacent to an electricity substation, or
 - (iii) within 5m of an exposed overhead electricity power line,
- (c) installation of a swimming pool any part of which is:
 - (i) within 30m of a structure supporting an overhead electricity transmission line, measured horizontally from the top of the pool to the bottom of the structure at ground level, or
 - (ii) within 5m of an overhead electricity power line, measured vertically upwards from the top of the pool.

Advice received from Essential Energy has been provided to the Applicant for consideration.

Clause 101 refers to development with frontage to a classified road. In this case, the development does not have frontage to a classified road.

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 (Affordable Rental Housing) 2009

Clause 20 - The site is in a prescribed zone and secondary dwellings are permissible with consent pursuant to the SEPP.

Port Macquarie-Hastings Local Environmental Plan 2011

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

- Clause 2.2 - The subject site is zoned R1 General Residential.
- Clause 2.3(1) and the R1 zone landuse table - The secondary dwelling is a permissible landuse with consent.

The objectives of the R1 zone are as follows:

- *To provide for the housing needs of the community.*
- *To provide for a variety of housing types and densities.*
- *To enable other land uses that provide facilities or services to meet the day to day needs of residents.*
- Clause 2.3(2) - The proposal is consistent with the zone objectives as it is a permissible landuse and consistent with the established residential locality.
- Clause 2.7 - The demolition requires consent as it does not fit within the provisions of SEPP (Exempt and Complying) 2008.
- Clause 4.3 - The maximum overall height of the building above ground level (existing) is 04.67 m which complies with the standard height limit of 08.50 m applying to the site.
- Clause 4.4 - The floor space ratio of the proposal is 0.29:1.0 which complies with the maximum 0.65:1.0 floor space ratio applying to the site.
- Clause 4.6 - Exceptions to development standards.
- Clause 5.4 - Controls relating to B&Bs, home business, industrial retail, farm stay, kiosks, neighbourhood shops, secondary dwellings etc. proposal complies. The secondary dwelling will be less than 60.00m² which is the greater of the two amounts when considering Clause 5.4, 9 (b).
- Clause 5.10 - The site does not contain or adjoin any known heritage items or sites of significance.
- Clause 7.1 - The site is not mapped as potentially containing acid sulfate soils.
- Clause 7.3 - The site is not 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).
- Clause 7.5 - Koala Habitat - does not apply to land that is shown as "Koala Habitat area" on the Koala Habitat Map. Plan of Management/ mapped koala habitat - check compliance with KPOM. Note: Also applies to subdivisions.
- Clause 7.6 - Applies to land that is shown as Coastal Erosion Risk on the Coastal Erosion Map (Lake Cathie/Town Beach). In this instance the site is not mapped as being within a Coastal Erosion Risk Area.
- Clause 7.9 - Development subject to acoustic controls. The site is not mapped as being subject to acoustic controls.
- 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.

(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: Part B - General Provisions - B2: Environmental Management | | | |
|-----------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------|
| DCP Objective | Development Provisions | Proposed | Complies |
| 3 | a) Development must comply with Council's Developments, Public Place & Events - Waste Minimisation and Management Policy. | Satisfactory arrangements can be put in place for storage and collection of waste. Standard condition recommended for construction waste management. | Yes |
| Cut and Fill Regrading | | | |
| 4 | a) Development shall not exceed a maximum cut of 1.0m and fill of 1.0m measured vertically above the ground level (existing) at a distance of 1.0m outside the perimeter of the external walls of the building (This does not apply to buildings where such cut and fill is fully retained within or by the external walls of the building). | Proposed cut is 00.70m and will comply | yes |
| 5 | a) A certified practicing structural engineer must certify any retaining wall greater than 1.0m. | Retaining walls are proposed to be <01.00m and will not require certification by a practising structural engineer. | n/a |
| | b) Where a combination of a fence and a wall is proposed to be greater than 1.2m high: <ul style="list-style-type: none"> – be a maximum combined height of 1.8m above existing property boundary level; – be constructed up to the front boundary for a maximum length of 6.0m or 30% of the street frontage, whichever is less; – the fence component has openings which make it not less than 25% transparent; and – provide a 3m x 3m splay for corner sites, and | Only a small section of fence is proposed between the rear of the existing dwelling and the front of the proposed secondary dwelling. The fence is proposed to be 01.80m maximum height as detailed on the north western elevation on the elevations plan, referenced J4698, sheet 4 of 11, revision G, dated 19/1/21, prepared by Collins W Collins. | yes |

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| | – provide a 900mm x 900mm splay for vehicle driveway entrances. | | |
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DCP 2013: Part B - General Provision - B3: Hazards Management**Bushfire Hazard Management**

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| 18 | a) APZs are to be located outside of environmental protection zones and wholly provided within private land. Note perimeter roads provided as part of a residential subdivision are classified as being part of the subdivision and not a separate permissible land use within environment protection zones. | APZ to be located wholly within private property | yes |
|----|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------|-----|

Flooding

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|----|------------------------------------------------------------------------------------------|--------------------------------------------------|-----|
| 19 | a) Development must comply with Council's Floodplain Management Plan and Flood Policies. | The site is not mapped as being flood prone land | n/a |
|----|------------------------------------------------------------------------------------------|--------------------------------------------------|-----|

DCP 2013: Part B- General Provisions- B4: Transport, Traffic Management, Access and Car Parking

| DCP Objective | Development Provisions | Proposed | Complies |
|---------------|------------------------|----------|----------|
|---------------|------------------------|----------|----------|

Road Hierarchy - Existing road infrastructure - Not applicable.

Parking Provision

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|----|--------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------|-----|
| 24 | a) Off-street Parking is provided in accordance with Table 3: - 1 parking space per each dwelling for dwelling-house. | The proposal includes one parking space for the secondary dwelling and a garage and carport for the primary dwelling | yes |
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Parking Layout

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| 28 | c) Parking spaces shall generally be behind the building line but may be located between the building line and the street when: <ul style="list-style-type: none"> – it is stacked parking in the driveway; or – it can be demonstrated that improvements to the open space provided will result; and | Parking space is located behind the existing dwelling | yes |
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| | <ul style="list-style-type: none"> the spaces are screened (densely landscaped or similar) from the street by a landscaping with a minimum width of 3.0m for the entire length of the parking area. | | |
| | d) Parking design and layout is provided in accordance with AS/NZS 2890.1 - Parking facilities - Off-street car parking. | Carport is 03.41m x 07.00m | yes |
| 34 | a) All parking and manoeuvring spaces must be designed to avoid concentrations of water runoff on the surface. | Water run off can be monitored throughout construction. | Yes |
| | b) Council will not permit the discharge of stormwater directly into kerbing and guttering or table drains for any development other than that of a minor nature. | Stormwater to discharge into nominated stormwater junction for the site. | Yes |

DCP 2013: Part B - General Provisions - B5: Social Impact Assessment and Crime Prevention

| DCP Objective | Development Provisions | Proposed | Complies |
|-------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------|----------|
| Crime Prevention | | | |
| 43 | a) The development addresses the generic principles of crime prevention: <ul style="list-style-type: none"> Casual surveillance and sightlines; Land use mix and activity generators; Definition of use and ownership; Basic exterior building design; Lighting; Way-finding; and Predictable routes and entrapment locations; as described in the Crime Prevention Through Environmental Design (CPTED) principles. | No concealment or entrapment areas proposed. Adequate casual surveillance available. | Yes |

| DCP 2013: Part C - Development Specific Provisions - C1: Low Density Residential Development | | | |
|-----------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------|-----------------|
| DCP Objective | Development Provisions | Proposed | Complies |
| Front Setbacks | | | |
| 44 | <p>a) Dwellings may incorporate an articulation zone to a street frontage at no less than 3m from property boundary. The following building elements are permitted within the articulation zone:</p> <ul style="list-style-type: none"> – 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. <p>b) These building elements should not extend above the eave gutter line, other than a pitched roof to an entry feature or portico that has the same pitch as the roof on the dwelling house.</p> | The proposal is sited behind the building line of the dwelling | yes |
| | <p>c) The primary road front setback shall be: Classified road = any frontage 6.0m Primary frontage = 4.5m Secondary frontage = 3.0m Ancillary Lane = 2.0m Large lot residential and rural zones = 10.0m</p> | Located behind the existing dwelling. >26.00m from the front boundary. | yes |
| 45 | <p>a) A garage, carport or car parking space should:</p> <ul style="list-style-type: none"> – be at least 1m behind the building line, where the dwelling(s) has a setback from a front boundary of 4.5m or more, or – be at least 5.5m from a front boundary, where the dwelling(s) has a | Carport >01.00m behind the building line of the dwelling | yes |

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| | setback of less than 4.5m. | | |
| | b) The total width of the garage/carport openings should not be more than 6m and not more than 50 per cent of the width of the building. | Carport opening is 03.41m | yes |
| | c) Driveway crossovers are no greater than 5.0m in width. | Crossover less than 05.00m | yes |
| | d) Where a dual occupancy or attached dwelling is proposed on a corner lot a garage and driveway is provided on each road frontage. | No dual occupancy or attached dwelling proposed | n/a |
| Side and Rear Setbacks | | | |
| 46 | a) A minimum rear boundary setback of 4m is to be provided to dwellings (including verandahs, patios and decks). | Proposal calls for a rear setback of 01.44m. The proposal will meet the objectives of the clause and is addressed in more detail at the end of this checklist. | no |
| | b) A minimum rear boundary setback of 900mm applies to sheds and swimming pools subject to achieving minimum required private open space area. | No ancillary structures proposed | n/a |
| | c) Council may consider varying rear setback requirements where it is demonstrated that the private open space could achieve better solar access between the building and the side setback. In that instance, one side setback should be a minimum 4m in width (for an equivalent length of rear boundary, behind building line) and the rear setback may be reduced to 900mm. | Applicant has demonstrated that the proposal will meet these requirements. This will be addressed further at the end of this checklist | yes |
| 47 | a) Ground floors (being <1m above existing ground level) should be setback a minimum of 900mm from side boundaries. | Ground floor >01.00m for a small portion of the dwelling. The setback is >00.90m to the side boundaries. (01.38m and 01.44m proposed) | yes |

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| | b) First floors and above (including single storey with floor level >1m) should be setback a minimum of 3m from the side boundary, or reduced down to 900mm where it can be demonstrated that the adjoining property's primary living rooms and principal private open space areas are not adversely overshadowed for more than 3hrs between 9am - 3pm on 21 June. | The side of the secondary dwelling that is marginally over the 01.00m in height is proposed at being 04.25m from the adjoining side boundary. | yes |
| | c) First floors and above should have building walls that step in and out at least every 12m by a minimum of 500mm articulation. Where first floors and above are setback >3m, wall articulation is not required. | No first floor proposed | n/a |
| Private Open Space | | | |
| 48. | a) All dwellings should have a minimum area of private open space of 35m ² , which includes a principal private open space area with: <ul style="list-style-type: none"> - a minimum dimension of 4m x 4m, and - a maximum grade of 5% for minimum 4m x 4m of the total open space requirement, and - direct accessibility from a ground floor living area and orientated to maximise use. | POS of secondary dwelling is 44.00m ² . One area is proposed to be 32.00m ² and the other area adjacent to the carport is 12.00m ² . POS from living area is >04.00m x 04.00m and has a grade of less than 5%. | yes |
| | b) Private open space may include clothes drying areas and garbage storage. | The smaller POS contains clothes drying area | yes |
| Public Domain and Fencing | | | |
| 49 | a) Front fences built forward of the building line for the primary road frontage should be detailed on the development application plans. | No new front fencing is proposed | n/a |
| | b) Solid Front fences up to 1.2m high should be: | Fencing between dwellings will comply | yes |

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| | <ul style="list-style-type: none"> - Setback 1.0m from the front boundary, and - Suitably landscaped to reduce visual impact, and - Provide a 3m x 3m splay for corner sites. | | |
| | b) Front fences proposed to be more than 1.2m high should be a maximum of 1.8m in height, above existing front property boundary level, and either: <ul style="list-style-type: none"> - Include landscaped recesses having minimum dimensions of 1.8m long x 900mm deep which occupy no less than 50% of the total length of the fence, or - be erected up to the front boundary for a maximum length of 6.0m or 50% of the street frontage, | No new front fencing is proposed | n/a |
| | c) have openings which make it not less than 25% transparent (no individual opening more than 30mm wide); | No new front fencing is proposed | n/a |
| | d) provide a 3m x 3m splay for corner sites, and | No new front fencing is proposed | n/a |
| | e) provide a 900mm x 900mm splay for vehicle driveway entrances. | No new front fencing is proposed | n/a |
| 50 | a) For tennis courts or other similar areas, chain wire fences should be black or dark green plastic coated mesh. | No tennis court fencing proposed | n/a |
| | b) Solid fences enclosing these facilities should not be permitted over 1.8m. | Fencing is proposed to be 01.80m high solid fencing | yes |
| Bulk and Scale | | | |
| 51 | a) Direct views between indoor living rooms and principal private open space of adjacent dwellings, including proposed dwellings approved on adjoining lots, including possible dwellings on future lots, should be | Single storey construction, no privacy impacts expected. Existing and proposed 01.80m high boundary and internal fence. Applicant has also changed the windows located in the rear elevation to obscured | yes |

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|--|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----|
| | <p>obscured or screened where:</p> <ul style="list-style-type: none"> Ground and first floor (and above) indoor living room windows are within a 9m radius. Direct views between principal private open space areas where within a 12m radius. Direct views between indoor living rooms of dwellings into the principal area of private open space of other dwellings within a 12m radius. | <p>glass. This section is detailed further at the end of this checklist.</p> | |
| | <p>b) A balcony, deck, patio, pergola, terrace or verandah should have a privacy screen where there are direct views of:</p> <ul style="list-style-type: none"> Indoor living room windows of adjacent dwellings, including proposed dwellings approved on adjoining lots within 9m radius; or Principal areas of private open space of adjacent dwellings, including proposed dwellings approved on adjoining lots within a 12m radius. | <p>Single storey construction, no privacy impacts expected. Existing and proposed 01.80m high boundary and internal fence.</p> | yes |
| | <p>c) Privacy protection is not required for:</p> <ul style="list-style-type: none"> Any Indoor living room windows with a sill height of greater than 1.5m above the finished floor level of that room or where fixed non-openable translucent glass is installed to the same height. | <p>Rear windows on the southwest elevation will have sill height greater than 01.50m and will be separated by boundary fencing. Window located in the southeast elevation is partially shielded by boundary fencing, rainwater tank and is a window to a bedroom. Windows to the living area is sited 06.25m from the north western boundary.</p> | yes |
| | <p>d) Direct views described above may be reduced or obscured by one of the following measures (details to be submitted with the development application):</p> | <p>Existing boundary fencing is to remain. New 01.80m high fencing to be installed between the proposed secondary dwelling and the existing dwelling.</p> | yes |

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|----------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--|--|
| | <ul style="list-style-type: none"> - 1.8m high fence or wall between ground-floor level windows or between a dwelling and principal private open space - Screening of minimum 1.7m height, that has 25% openings (max), with no individual opening more than 30mm wide, is permanently fixed and is made of durable materials. - A window, the whole of which has translucent glass and is not able to be opened. | | |
| Roof Terraces - N/A | | | |
| Water Recreation Structure (Boat Launching Ramp, Jetty and Mooring) - N/A | | | |
| Ancillary Development - N/A | | | |

The proposal seeks to vary Development Provision relating to rear boundary setbacks. The proposal involves a rear boundary setback of 01.44m. The minimum rear setback for the structure is 04.00m.

The relevant objectives are:

- To ensure no adverse overshadowing or privacy impacts to neighbouring properties.
- To allow adequate natural light and ventilation between dwellings/buildings and to private open space areas.
- To provide useable yard areas and open space.

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

- Clause 46(c), of the Port Macquarie Hastings Development Control Plan (DCP) gives consideration to reducing the rear setback where it can be demonstrated that the private open space could achieve better solar access between the building and the side setback. In order to achieve the recommendations of this clause the applicant has provided a side setback of 04.025m to the northern boundary. The applicant proposes a rear setback of 01.44m with an eave projection into this setback of 00.45m. Though the proposal does not achieve strict compliance with the DCP as it requires an equivalent length of the structure to be setback 04.00m, the proposal does include a larger setback than the 00.90m permissible under this clause should the dimensions of the secondary dwelling be increased through the north western elevation.

- The structure has been designed to be sited with a frontage to the side boundary to the north. The windows facing the side boundary have an increased sill height and the deck includes a 01.80m high privacy screen towards the rear boundary (western side of the deck). The window to the southern side of the dwelling will be shielded by existing boundary fencing.
- The design allows for a usable private open space between the secondary dwelling and the side boundary. Due to the nature of the site the proposal cannot achieve strict compliance with the clause without compromising the private open space of the primary dwelling.
- The applicant has provided justification in the SOEE and response to submissions. The justification adequately addresses how the proposal will achieve the objectives of the clause. Clarification is further provided in the amended plans and email response to the submissions received through the notification process.
- The proposed while not in strict compliance with the numerical controls, will not have an adverse effect on the streetscape of the locality, the amenity of the adjoining sites and is recommended for approval.

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

Nil

Demolition of buildings AS 2601 - Clause 92

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

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

Context and setting

The proposal will not have any significant adverse impacts on 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.

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.

Access, traffic and transport

The proposal will not have any significant adverse impacts in terms access, transport and traffic. The existing road network will satisfactorily cater for any increase in traffic generation as a result of the development.

Water supply connection

Service available – details required with Section 68 application.
An appropriate standard condition is recommended in this regard.

Sewer connection

The proposed works are clear (>600mm) of the existing sewer junction and main traversing the site.

Service available - details required with Section 68 application.
An appropriate standard condition is recommended in this regard.

Stormwater

Service available - details required with Section 68 application.
An appropriate standard condition is recommended in this regard.

Other utilities

Telecommunication and electricity services are available to the site.

Heritage

This site does not contain or adjoin any known heritage item or site of significance. The site is 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 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 of the proposed development will not result in any significant adverse impacts on the existing air quality or result in any pollution. Standard precautionary site management condition recommended.

Bushfire

The site is identified as being bushfire prone.

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

An assessment of bushfire risk having regard to section 4.3.5 of Planning for Bushfire Protection 2006 including vegetation classification and slope concludes that a Bushfire Attack Level 12.5 shall be required.

Management of bushfire risk is acceptable subject to BAL construction levels being implemented and APZ being maintained. An appropriate condition is recommended.



Safety, security and crime prevention

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

Social impacts in the locality

Given the nature of the proposed development and its location the proposal is 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 effects on the streetscape of the locality or the amenity of adjoining sites. The proposal will not 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 is in keeping with the locality and the site attributes are conducive to the proposed secondary dwelling.

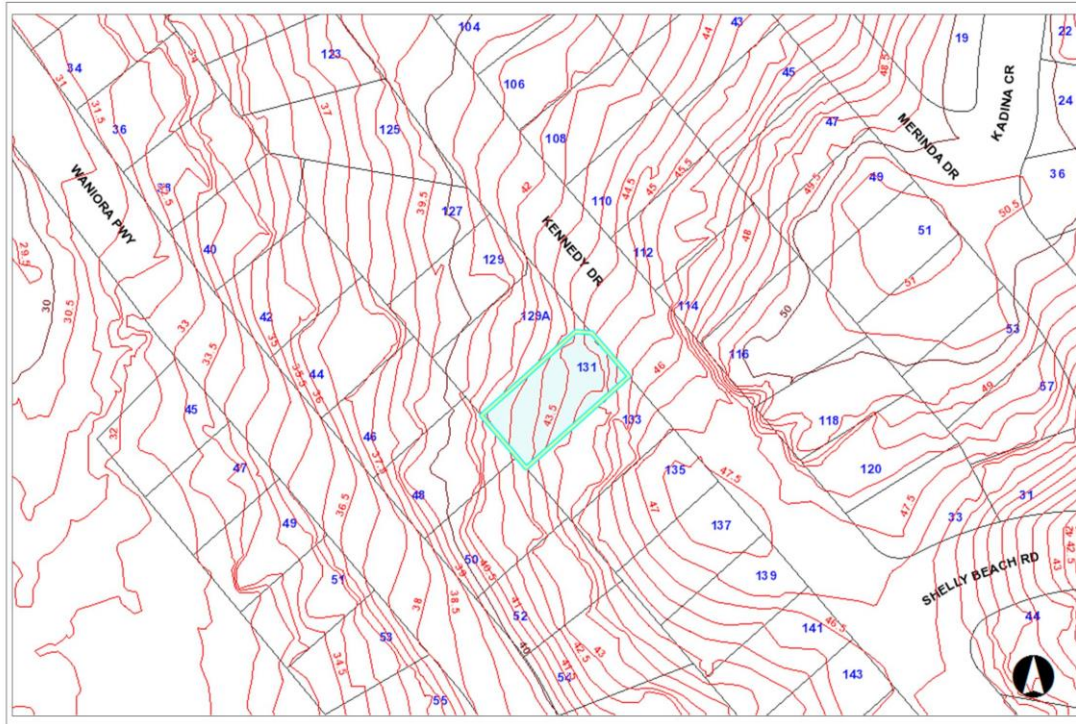
(d) Any submissions made in accordance with this Act or the Regulations

Four (4) 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 |
|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <p>Privacy concerns relating to the location of the secondary dwelling and deck relative to the site boundaries.</p> <p>Overlooking from the windows and deck along the south western elevation.</p> | <p>The applicant has included a privacy screen on top of the retaining wall on rear south western and side north western boundaries to be a total height 01.80m to address the concerns raised through the submission process.</p> <p>In addition to the screening, the applicant has included a 01.80m high privacy screen along the south western side of the deck, 01.40m high sill height to the window for the living area and bedroom and obscured glass in the kitchen.</p> <p>As demonstrated in the contour mapping, the site slopes to the rear north western corner. Given the sloping nature of the site, the secondary dwelling will be located below the dwelling to the south east, and the inclusion of the retaining wall to the rear will prevent the overlooking of the dwellings located below the site.</p> |
| <p>Concerns regarding noise and disturbance coming from an additional dwelling on the site.</p> | <p>The proposed screening on both the deck and boundary walls, will form a degree of acoustic buffer. The granny flat is located in the existing private open space of the primary dwelling which would normally produce noise. The addition of the secondary dwelling will not substantially increase the noise transmission to adjoining sites to that which already exists.</p> |
| <p>Concerns that there is not enough greenspace for the site.</p> | <p>The private open space proposed, is consistent with the numerical controls of the DCP. The proposed floor space ratio (FSR) of the site will be 00.29:1 which is compliant with the maximum FSR of 00.65:1.</p> <p>When viewed from the street frontage the only additional site coverage will be for the inclusion of a section of driveway running adjacent to the existing driveway. The driveway decreases in width as it approaches the front boundary. The remaining greenspace through the front setback will remain unchanged and the streetscape of the locality will not be</p> |

| Submission Issue/Summary | Planning Comment/Response |
|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| | adversely effected. |
| Concerns that the size of the dwelling is consistent in size with the main dwelling, rather than a secondary dwelling size. Also, concerns that a secondary dwelling will be out of character with the locality. | <p>As demonstrated in the applicant's response, the floor area of the proposed granny flat is 59.60m² and the primary dwellings floor area is 110.00m² (granny flat being 54% of the size of the primary dwelling).</p> <p>The secondary dwelling will not affect the streetscape of the locality, is single storey and modest in design in regard to floor area. The inclusion of additional residential accommodation on the site is consistent with other development in the area.</p> |
| Concerns regarding the noise, light and fume coming from additional vehicles on the site. Concerns regarding the noise and light coming from the deck of the secondary dwelling. | <p>The proposal will allow for one (1) additional vehicle to be located on the site. The addition of screening on top of the boundary walls will assist in screening the headlights of the vehicle. The proposal also proposes to remove one of the existing parking spaces.</p> <p>As detailed above, the amended plans include screening on both the deck and the boundary walls which will assist in shielding adjoining sites from light and noise pollution coming from the use of the deck.</p> |
| Concern that the driveway will encroach on the neighbouring allotment. | The provided plans are consistent with the deposited plan, and the location of the proposed driveway is wholly within the subject site. |
| Concern regarding the existing carport encroaching on to the neighbouring allotment. | The applicant has advised that the existing carport is to be removed as part of the application. |

**(e) The Public Interest**

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

(f) 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.

(g) Climate change

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

4. DEVELOPMENT CONTRIBUTIONS APPLICABLE

Development contributions will not be required under S64/S7.11 for the following reasons:

- The floor area of the granny flat is less than 60m² and is exempt from contribution fees in accordance with Clause 2.5

5. CONCLUSION AND STATEMENT OF REASON



The application has been assessed in accordance with Section 4.15 of the Environmental Planning and Assessment Act 1979.

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

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

Attachments

1   DA2021 - 325.1 Recommended Conditions

2   DA2021 - 325.1 Plans

**DRAFT SCHEDULE OF CONDITIONS**

The conditions of consent referred to in the Notice of Determination for DA No 2021/325 are as follows:

PRESCRIBED CONDITIONS

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

A – GENERAL MATTERS

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

| Plan / Supporting Document | Reference | Prepared by | Date |
|----------------------------|---------------------------|---------------------------|--------|
| Cover Sheet | Not Provided | Collins w Collins Pty Ltd | 3/6/21 |
| Site Plan | Sheet: 1 of 11 Rev: J | Collins w Collins Pty Ltd | 3/6/21 |
| S68 & S138 Plan | Sheet: 2 of 11 Rev: J | Collins w Collins Pty Ltd | 3/6/21 |
| Proposed Floor Plan | Sheet: 3 of 11 Rev: J | Collins w Collins Pty Ltd | 3/6/21 |
| Elevations | Sheet: 4 of 11 Rev: J | Collins w Collins Pty Ltd | 3/6/21 |
| Sections | Sheet: 5 of 11 Rev: J | Collins w Collins Pty Ltd | 3/6/21 |
| Glazing | Sheet: 6 of 11 Rev: J | Collins w Collins Pty Ltd | 3/6/21 |
| Roof Plan | Sheet: 7 of 11 Rev: J | Collins w Collins Pty Ltd | 3/6/21 |
| Set Out Plan | Sheet: 8 of 11 Rev: J | Collins w Collins Pty Ltd | 3/6/21 |
| Shadows | Sheet: 9 of 11 Rev: J | Collins w Collins Pty Ltd | 3/6/21 |
| Building Specifications | Sheet: 10 of 11 Rev: J | Collins w Collins Pty Ltd | 3/6/21 |

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Port Macquarie-Hastings Council
Development Consent - Development Application 010.2021.00000325.001
Secondary Dwelling

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| | | | |
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| Work Safety Notes | Sheet: 11 of 11 Rev: J | Collins w Collins Pty Ltd | 3/6/21 |
| BASIX Certificate | 1193013S | Collins w Collins Pty Ltd | 20 April 2021 |
| Bushfire Attack Level Certificate | Not Provided | S & K Johnson Constructions Pty Ltd | 13 April 2021 |
| Statement of Environmental Effects | J4698 | Collins w Collins Pty Ltd | April 2021 |

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

- (2) (A002) No work shall commence until a Construction Certificate has been issued and the applicant has notified Council of:
- the appointment of a Principal Certifying Authority and
 - the date on which work will commence.
- Such notice shall include details of the Principal Certifying Authority and must be submitted to Council at least two (2) days before work commences.
- (3) (A009) The development site is to be managed for the entirety of work in the following manner:
- 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;
 - Appropriate dust control measures;
 - 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;
 - Building waste is to be managed via appropriate receptacles into separate waste streams;
 - 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.
 - 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.
- (4) (A044) The secondary dwelling shall be provided with a water service from the same meter as the principal dwelling. Any additional water service will incur contributions for augmentation of the town water supply headworks in

accordance with the provisions of the relevant Section 64 Development Servicing Plan.

B - PRIOR TO ISSUE OF CONSTRUCTION CERTIFICATE

- (1) (B001) Prior to release of the Construction Certificate, approval pursuant to Section 68 of the Local Government Act, 1993 to carry out water supply, stormwater and sewerage works is to be obtained from Port Macquarie-Hastings Council. The following is to be clearly illustrated on the site plan to accompany the application for Section 68 approval:
 - Position and depth of the sewer (including junction)
 - Stormwater drainage termination point
 - Easements
 - Water main
 - Proposed water meter location
- (2) (B006) An application pursuant to Section 138 of the Roads Act, 1993 to carry out works required by the Development Consent on or within public road is to be submitted to and obtained from Port Macquarie-Hastings Council prior to release of the Construction Certificate.
Such works include, but not be limited to:
 - i. Footway and gutter crossing
 - ii. Functional vehicular access
- (3) (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 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.
- (4) (B039) Detailed drawings and specifications prepared by a professional engineer for all retaining walls supporting:
 - i. earthworks that are more than 600mm above or below ground level (existing); or
 - ii. located within 1m of the property boundaries; or
 - iii. earthworks that are more than 1m above or below ground level (existing) in any other location;are to be submitted to the Principal Certifying Authority with the application for Construction Certificate.

C – PRIOR TO ANY WORK COMMENCING ON SITE

Nil

Port Macquarie-Hastings Council
Development Consent - Development Application 010.2021.00000325.001
Secondary Dwelling

Page 4 of 5

D – DURING CONSTRUCTION

- (1) (D003) The Port Macquarie-Hastings area is known to contain rock that may contain naturally occurring asbestos (NOA). Should potential NOA be located on site notification shall be provided to Council and Workcover prior to works proceeding. No work shall recommence until a NOA management plan has been approved by Council or Workcover.
- (2) A peg out survey must be undertaken by a registered land surveyor prior to any footings and/or slab being poured. Such survey shall set out the boundaries of the site and the actual location of the proposed buildings in accordance with the stamped approved plans.

E – PRIOR TO OCCUPATION OR THE ISSUE OF OCCUPATION CERTIFICATE

- (1) (E001) The premises shall not be occupied or used in whole or in part until an Occupation Certificate has been issued by the Principal Certifying Authority.
- (2) (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.
- (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) (E051) Prior to occupation or the issuing of any Occupation Certificate a section 68 Certificate of Completion shall be obtained from Port Macquarie-Hastings Council.
- (5) Prior to occupation or the issuing of any Occupation Certificate the privacy screens as detailed on the approved plan set shall be installed.

F – OCCUPATION OF THE SITE

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

The reason for this decision is that 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 interest and will not result in significant adverse social, environmental or economic impacts. The conditions referred to in this schedule are imposed in conformity with the relevant provisions of the Environmental Planning and Assessment Act and Regulations, the Local Government Act and Regulations, The Building Code of Australia and with Council's Policies and Development Control Plan or any other ancillary Act or Regulation in force at the time of the date of determination. The conditions are aimed at protecting the natural environment, preserving our heritage and providing a functional, safe and healthy built environment.

Rights of Appeal

If you are dissatisfied with this decision:

Port Macquarie-Hastings Council
Development Consent - Development Application 010.2021.00000325.001
Secondary Dwelling

Page 5 of 5

1. A request for a review of the determination may be made to Council, under the provisions of Section 8.3 of the Environmental Planning and Assessment Act 1979.
2. Section 8.7 of the Environmental Planning and Assessment Act 1979 gives you the right of appeal to the Land and Environment Court.

Yours sincerely

DRAFT

CURRENT REVISION + NOTES

Date: 3/6/21
Description: SCREENINGIssue: J
Drawn: JC

DETACHED GRANNY FLAT

LOT No: 6

DP No: 229523

STREET No: 131

STREET NAME: KENNEDY DRIVE, PORT MACQUARIE

CWC JOB #: J4698

CONTENTS

SHEET # SHEET NAME

- | | |
|----|-------------------------|
| 1 | SITE PLAN |
| 2 | S68 & S138 PLAN |
| 3 | PROPOSED FLOOR PLAN |
| 4 | ELEVATIONS |
| 5 | SECTIONS |
| 6 | GLAZING |
| 7 | ROOF PLAN |
| 8 | SET OUT PLAN |
| 9 | SHADOWS |
| 10 | BUILDING SPECIFICATIONS |
| 11 | WORK SAFETY NOTES |



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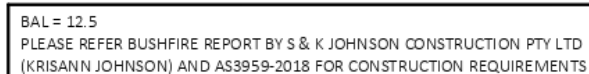


SITE PLAN SCALE 1:200

NOTE: CONTOURS AND SPOT LEVELS ARE INDICATIVE ONLY AND FINAL SITE LEVELS COMPLETED BY A REGISTERED SURVEYOR IS RECOMMENDED BEFORE START OF CONSTRUCTION.

STORMWATER/RAINWATER OVERFLOW TO RAINWATER TANK, STORMWATER
RETENTION AREA AND EXISTING CONNECTIONS ON LOT

| | |
|-----------------------------------------------|------------------------|
| SITE AREA: | = 663.8 m ² |
| EXISTING DWELLING FLOOR AREA (APPROX): | = 110 m ² |
| EXISTING FLOOR SPACE RATIO (APPROX): | = 17% m ² |
| PROPOSED GRANNY FLAT FLOOR AREA: | = 59.6 m ² |
| HABITABLE AREA (including garages): | = 190.5 m ² |
| PROPOSED FSR (as per LEP): | = 29% |
| BUSHFIRE AFFECTED: | YES |
| APPROX 484m ² HARDSTAND AREA | |
| APPROX 180m ² LAWN AND GARDEN AREA | |



PLEASE REFER TO THE "SUMMARY OF BASIX COMMITMENTS" ON PAGE 2 FOR FURTHER INFORMATION. PLEASE REFER TO THE BASIX AND CERTIFICATE FOR EXACT DETAILS.

ALL LEVELS WERE COMPLETED BY B.R. DEVELOPMENT CONSULTING AND ARE TO AHD. ALL LEVELS AND CONTOURS TO BE CONFIRMED BY BUILDER / SURVEYOR PRIOR TO START OF CONSTRUCTION.

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



| | | | |
|--------------------------------------------|--|---------------|----------------|
| PROJECT: DETACHED GRANNY FLAT | | | |
| LOT No: 6 | | DP No: 229523 | SHEET: 1 OF 11 |
| STREET No: 131 | | | |
| STREET NAME: KENNEDY DRIVE, PORT MACQUARIE | | | |
| CLIENT: ZAVONE | | | |

SITE PLAN

| | |
|-------------|--------------|
| SCALE: | As indicated |
| SHEET SIZE: | A3 |
| START DATE: | 19/1/21 |
| DWG No: | J4698 |

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| DRAWING REVISION + NOTES |
|--------------------------|

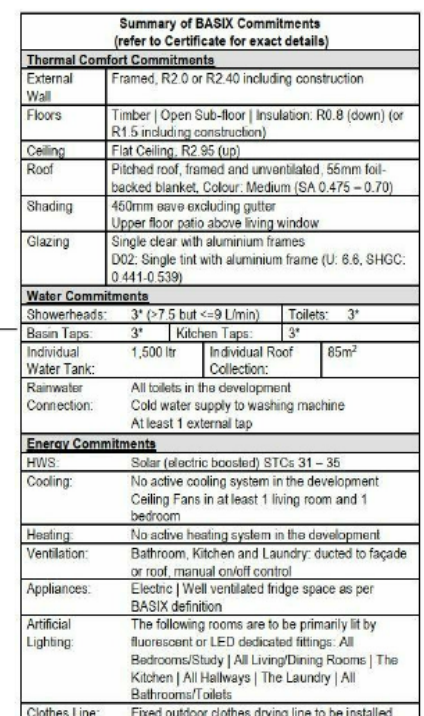
| Date: | Revision Description: | Issue: | Drawn: |
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| 22/04/21 | DECK AMENDED TO SIDE SETBACK | G | JS |
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SECTION 138 & 68 PLAN SCALE 1:200


STORMWATER/RAINWATER OVERFLOW TO RAINWATER TANK, STORMWATER RETENTION AREA AND CHARGED TO KERB IN ACCORDANCE WITH AS3500 & NCC. REFER TO ENGINEERS DETAILS FOR FURTHER INFORMATION


 SEWER LINE

GTAP  GARDEN TAP LOCATION

DP° DOWN PIPE LOCATION

 CATCHMENT OF ROOF AREA TO BE DIRECTED TO TANK (TO BE USED AS GUIDE ONLY) 85m²

 PROPOSED TANK LOCATION 1500 LTRS TOTAL

 PATH OF WATER FLOW FROM D/PIPES TO TANK
(TO BE USED AS A GUIDE ONLY)

----- WATER FLOW FROM TANK TO APPLIANCES
(TO BE USED AS A GUIDE ONLY)

LAWN & GARDEN AREA TO BE 38m² (GRANNY FLAT ONLY)
(AS PER BASIX CERTIFICATE TO BE USED AS A GUIDE ONLY)

BAL = 12.5
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(KRISANN JOHNSON) AND AS3959-2018 FOR CONSTRUCTION REQUIREMENTS

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PROJECT: DETACHED GRANNY FLAT

| | |
|------------------------------|---------------------|
| LOT No: 6 DP No: 229523 | SHEET: 2 OF 11 |
| STREET No: 131 | |

STREET NAME: KENNEDY DRIVE, PORT MACQUARIE

CLIENT: ZAVONE

S68 & S138 PLAN

| | |
|--------|--------------|
| SCALE: | As indicated |
|--------|--------------|

| | |
|-------------|----|
| SHEET SIZE: | A3 |
|-------------|----|

| | |
|-------------|---------|
| START DATE: | 19/1/21 |
|-------------|---------|

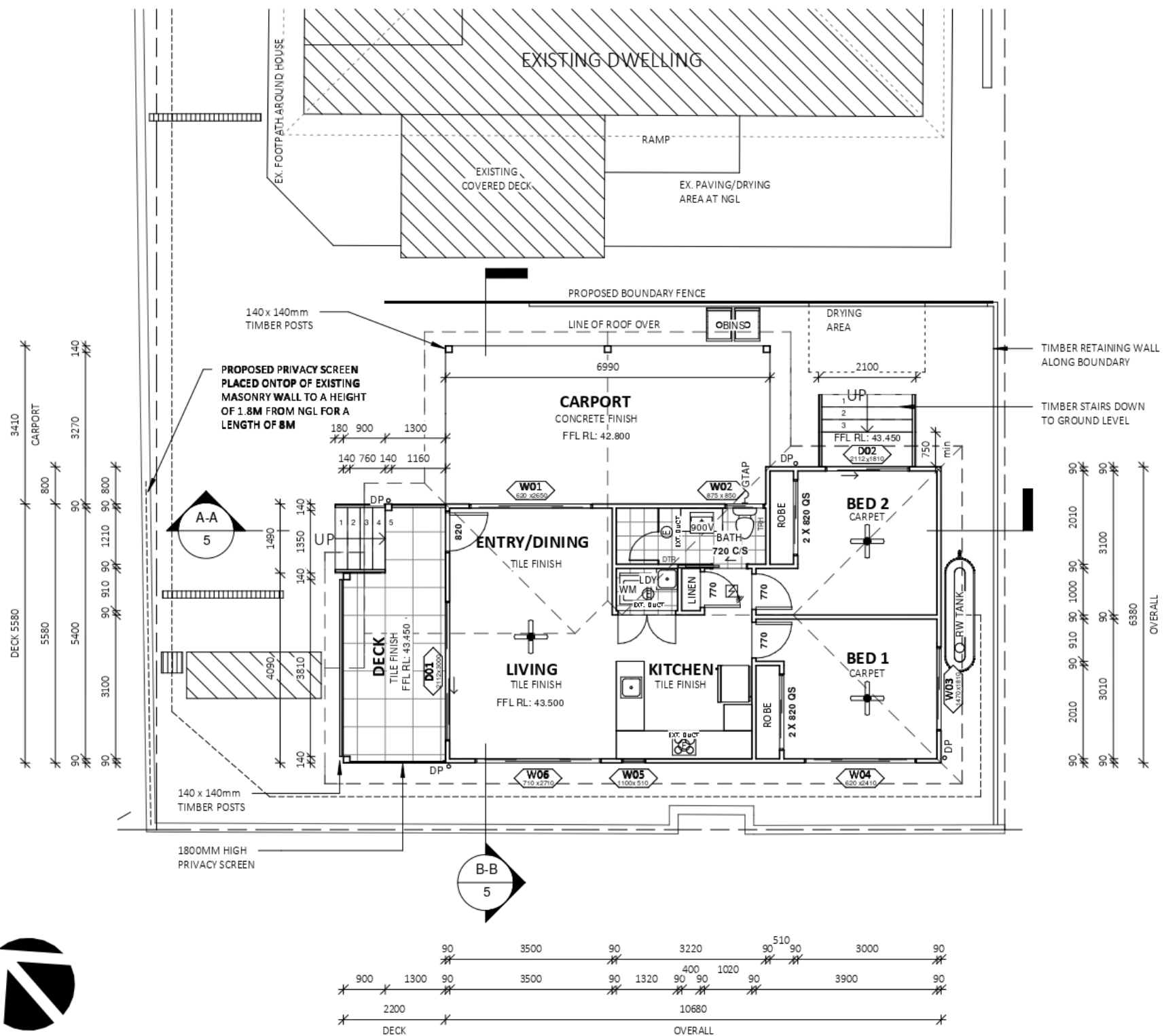
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| DRAWING REVISION + NOTES |
|--------------------------|

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| 3/6/21 | SCREENING | J | JC |

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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

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| AREAS - FLOOR SPACE RATIO | |
|--------------------------------------------------------------------------------------------|---------------------|
| MEASURE FROM INTERNAL FACE OF EXTERNAL WALL. GRANNY FLAT FLOOR AREA AS PER LEP DEFINITION. | |
| NAME | AREA |
| FSR AREA | 59.6 m ² |
| Total FSR | 59.6 m ² |

| AREAS - FLOOR | |
|-----------------------------------------------------------------------------------|---------------------|
| *FLOOR AREA MEASURED FROM EXTERNAL FACE *UPPER FLOOR AREAS EXCLUDE STAIRS & VOIDS | |
| NAME | AREA |
| FLOOR AREA | 62.6 m ² |
| PATIO AREA | 10.9 m ² |
| CARPORT AREA | 23.8 m ² |
| TOTAL | 97.3 m ² |

LEGEND

| | |
|--|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| | 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 |
| | DOWN PIPE LOCATION TO AS 3500 |
| | MECHANICAL VENTILATION EXTERNALLY DUCTED TO NCC 3.8.7.3 & 3.8.7.4 |
| | GARDEN TAP LOCATION |
| | LIFT OFF HINGE |
| | 820mm DOOR |
| | ACCESS MAN HOLE |
| | DOUBLE TOWEL RAIL |
| | TOILET ROLL HOLDER |
| | CEILING FAN WITH LIGHT |

CONSTRUCTION NOTES:

STAIRS, HANDRAILS & BALUSTRADE NOTES:
STAIRS TO COMPLY WITH SECTION 3.9.1.2, 3.9.1.3 & SECTION 3.9.1.5 & 3.9.1.4 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 3.9.2.6.

WINDOWS - WHERE THE FLOOR LEVEL IS 4m OR MORE ABOVE THE SURFACE BENEATH, WINDOWS ARE TO COMPLY WITH VOL 2 BCA PART 3.9.2.7. BARRIER WITH A HEIGHT OF NOT LESS THAN 865mm ABOVE FLOOR IS REQUIRED TO AN OPENABLE WINDOW TO COMPLY WITH VOL 2 BCA PART 3.9.2.6 (c) & 3.9.2.7 (b)
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

BAL = 12.5
PLEASE REFER BUSHFIRE REPORT BY S & K JOHNSON CONSTRUCTION PTY LTD (KRISANN JOHNSON) AND AS3959-2018 FOR CONSTRUCTION REQUIREMENTS

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PROJECT: DETACHED GRANNY FLAT

LOT No: 6 DP No: 229523 SHEET: 3 OF 11

STREET No: 131

STREET NAME: KENNEDY DRIVE, PORT MACQUARIE

CLIENT: ZAVONE

PROPOSED FLOOR PLAN

SCALE: 1 : 100

SHEET SIZE: A3

START DATE: 19/1/21

DWG No: J4698

DRAWING REVISION + NOTES

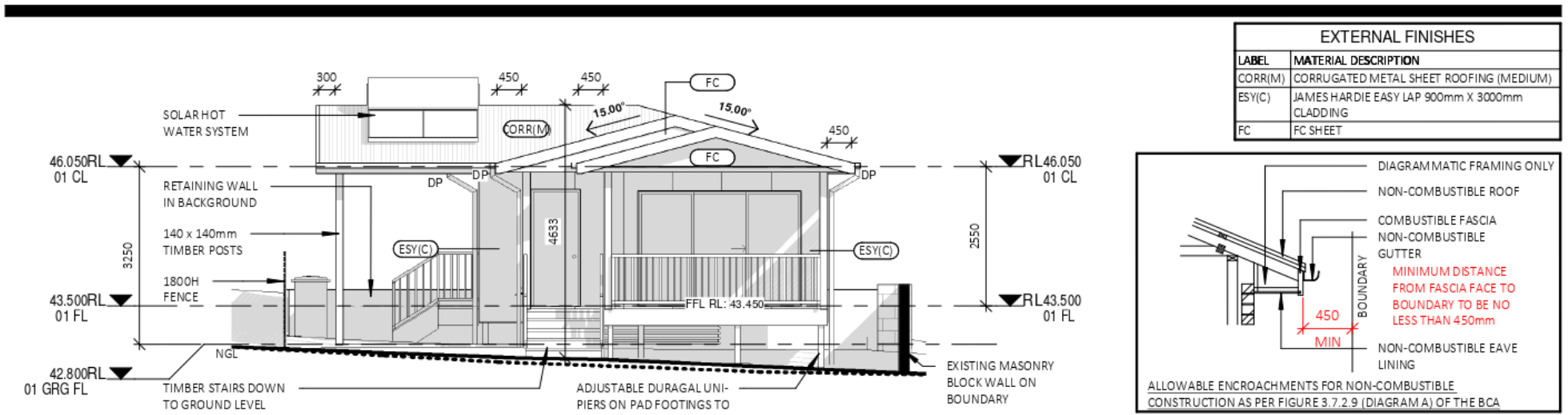
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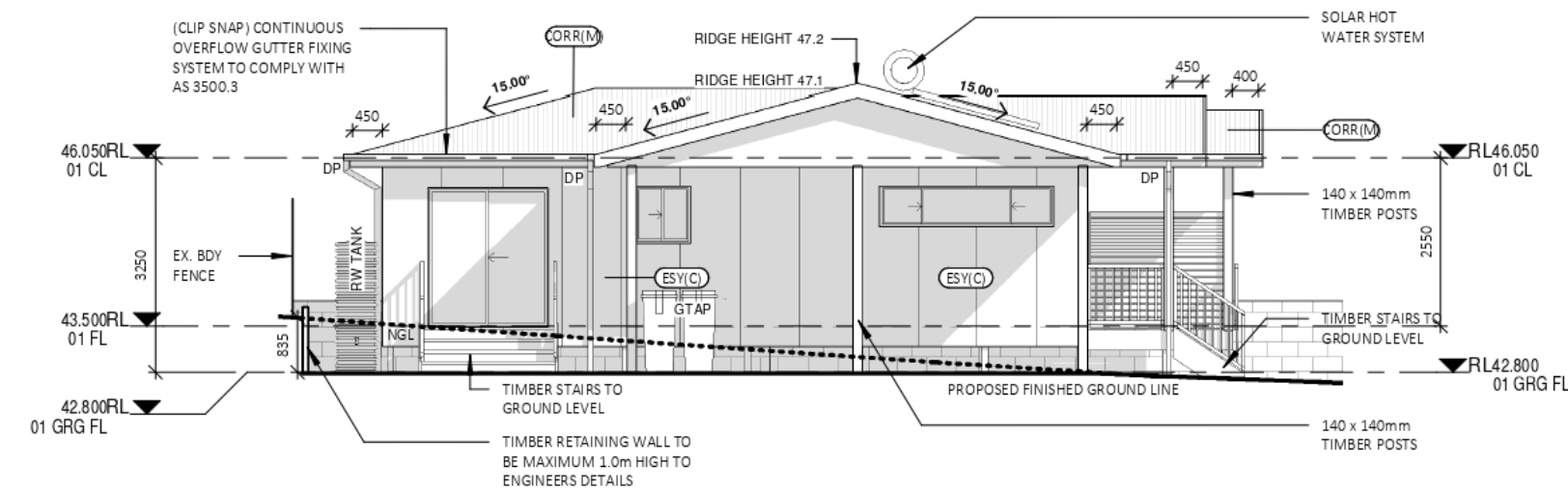
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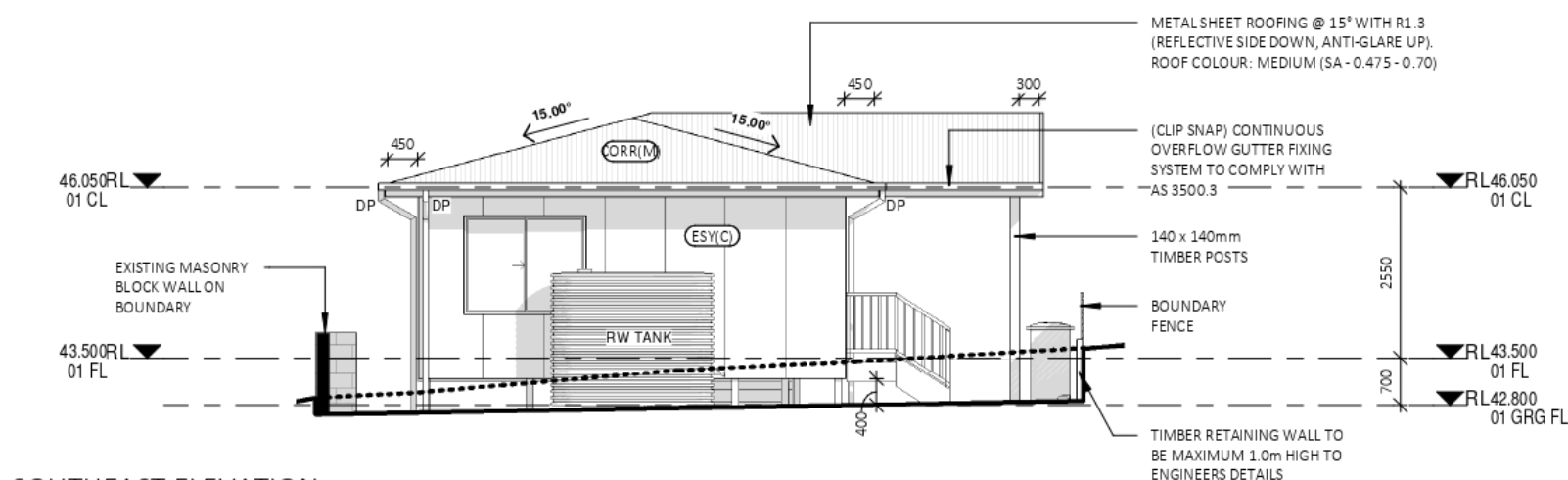
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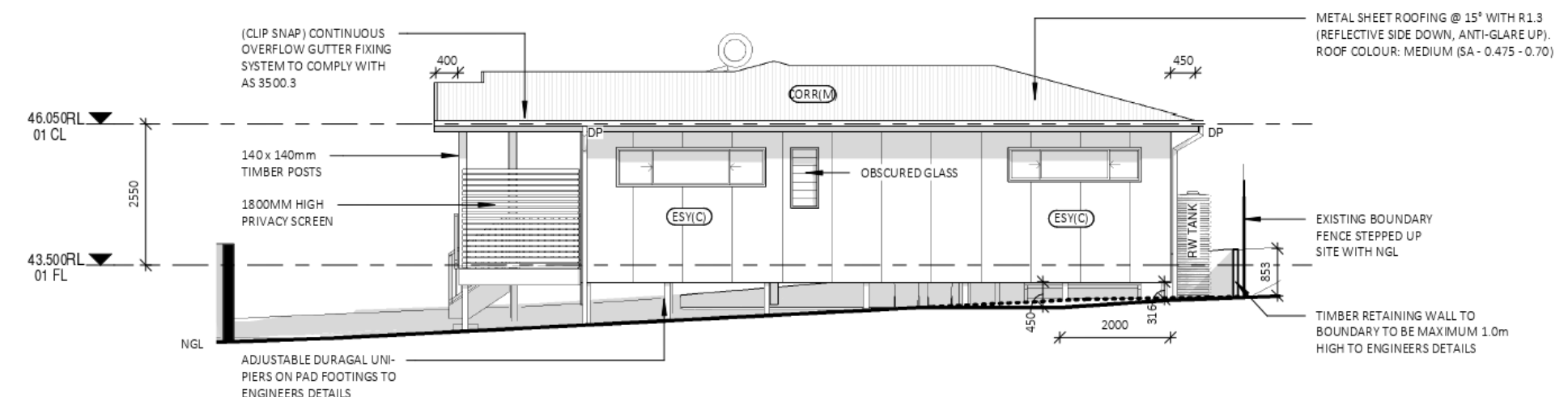
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NORTHEAST ELEVATION SCALE 1:100



SOUTHEAST ELEVATION SCALE 1:100



SOUTHWEST ELEVATION SCALE 1:100

CONSTRUCTION NOTES:**STAIRS, HANDRAILS & BALUSTRADE NOTES:**

STAIRS TO COMPLY WITH SECTION D2.13, D2.14, D2.15 & TABLE D2.14 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 D2.16 & D2.17 OF THE BCA

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

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PROJECT: DETACHED GRANNY FLAT

LOT No: 6 DP No: 229523

STREET No: 131

STREET NAME: KENNEDY DRIVE, PORT MACQUARIE

CLIENT: ZAVONE

SHEET: 4 OF 11

ELEVATIONS

SCALE: As indicated

SHEET SIZE: A3

START DATE: 19/1/21

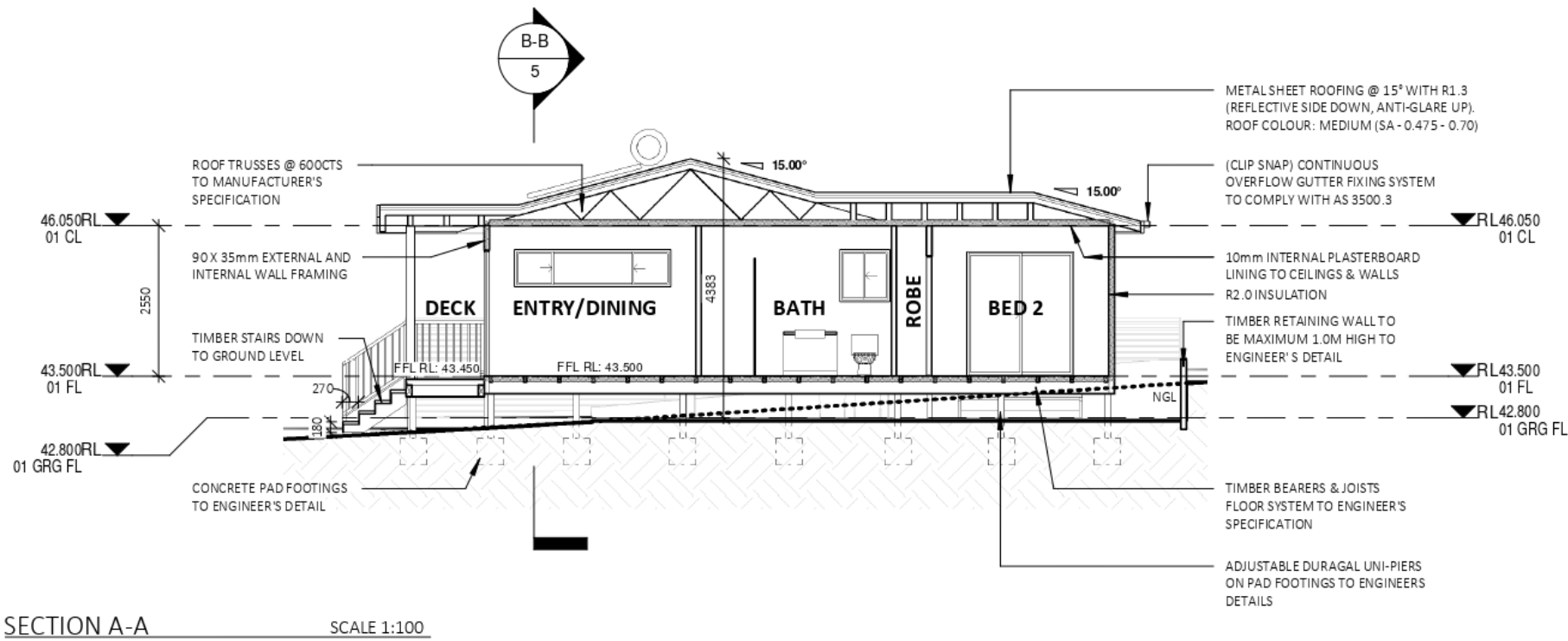
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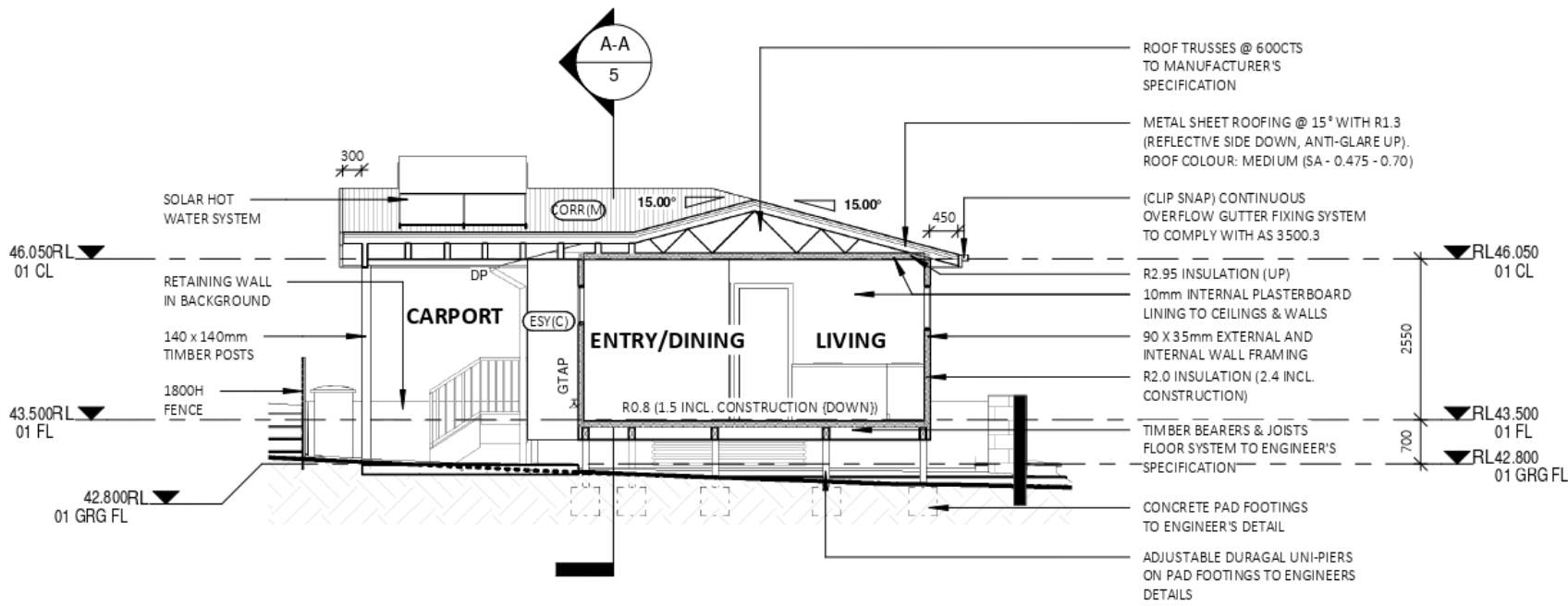
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SECTION A-A SCALE 1:100



SECTION B-B SCALE 1:100

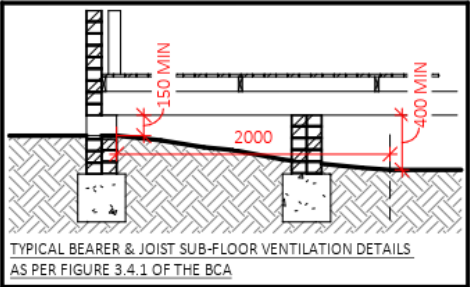
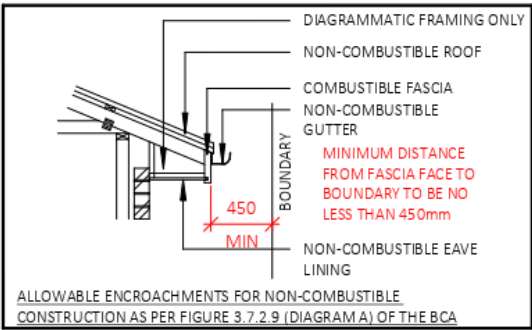
| EXTERNAL FINISHES | |
|-------------------|-----------------------------------------------|
| LABEL | MATERIAL DESCRIPTION |
| CORR(M) | CORRUGATED METAL SHEET ROOFING (MEDIUM) |
| ESY(C) | JAMES HARDIE EASY LAP 900mm X 3000mm CLADDING |
| FC | FC SHEET |

CONSTRUCTION NOTES:

STAIRS, HANDRAILS & BALUSTRADE NOTES:
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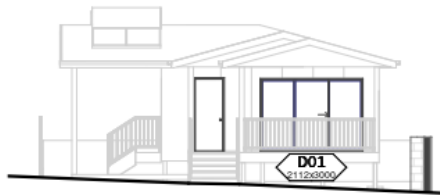
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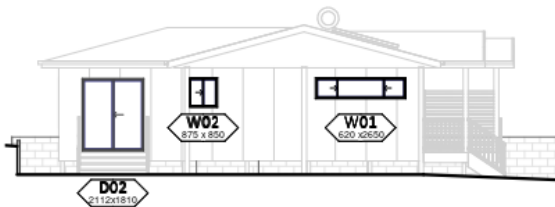
| PROJECT: DETACHED GRANNY FLAT | SECTIONS | DRAWING REVISION + NOTES | | | |
|--------------------------------------------|---------------------|--------------------------|------------------------------|--------|--------|
| | | Date: | Revision Description: | Issue: | Drawn: |
| LOT No: 6 DP No: 229523 SHEET: 5 OF 11 | SCALE: As indicated | 19/1/21 | INITIAL ISSUE | A | JC |
| STREET No: 131 | SHEET SIZE: A3 | 20/04/21 | BASIX SPEC ADDED | F | JS |
| STREET NAME: KENNEDY DRIVE, PORT MACQUARIE | START DATE: 19/1/21 | 22/04/21 | DECK AMENDED TO SIDE SETBACK | G | JS |
| CLIENT: ZAVONE | DWG No: J4698 | 3/6/21 | SCREENING | J | JC |

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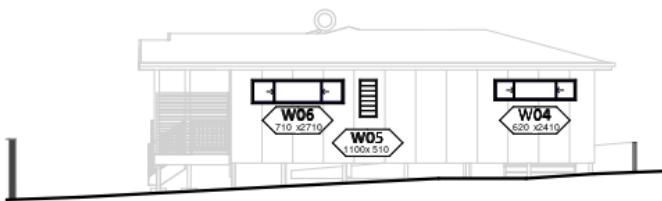
NORTHWEST FACE GLAZING
SCALE 1:200



NORTHEAST FACE GLAZING
SCALE 1:200



SOUTHEAST FACE GLAZING
SCALE 1:200



SOUTHWEST FACE GLAZING
SCALE 1:200

WINDOW GLAZING SCHEDULE

| NUMBER | LEVEL | ROOM | HEIGHT | WIDTH | TYPE | CONSTRUCTION | GLAZING |
|--------|-------|--------------|--------|-------|---------|---------------|----------------|
| W01 | 01 FL | ENTRY/DINING | 620 | 2650 | SLIDING | STD ALUMINIUM | SGL CLEAR STD |
| W02 | 01 FL | BATH | 875 | 850 | SLIDING | STD ALUMINIUM | SGL CLEAR STD |
| W03 | 01 FL | BED 1 | 1470 | 1810 | SLIDING | STD ALUMINIUM | SGL CLEAR STD |
| W04 | 01 FL | BED 1 | 620 | 2410 | SLIDING | STD ALUMINIUM | SGL CLEAR STD |
| W05 | 01 FL | KITCHEN | 1100 | 510 | LOUVRE | STD ALUMINIUM | SGL OPAQUE STD |
| W06 | 01 FL | LIVING | 710 | 2710 | SLIDING | STD ALUMINIUM | SGL CLEAR STD |

DOOR GLAZING SCHEDULE

| NUMBER | LEVEL | ROOM | HEIGHT | WIDTH | TYPE | CONSTRUCTION | GLAZING |
|--------|-------|--------|--------|-------|--------------|---------------|--------------------------------------------|
| D01 | 01 FL | LIVING | 2112 | 3000 | SLIDING DOOR | STD ALUMINIUM | SGL CLEAR STD |
| D02 | 01 FL | BED 2 | 2112 | 1810 | SLIDING DOOR | STD ALUMINIUM | SGL TINT (U-Value: 6.6, SHGC: 0.441-0.539) |

| Summary of BASIX Commitments (refer to Certificate for exact details) | | | |
|--------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------|------------------|
| Thermal Comfort Commitments | | | |
| External Wall | Framed, R2.0 or R2.40 including construction | | |
| Floors | Timber Open Sub-floor Insulation: R0.8 (down) (or R1.5 including construction) | | |
| Ceiling | Flat Ceiling, R2.95 (up) | | |
| Roof | Pitched roof, framed and unventilated, 55mm foil-backed blanket, Colour: Medium (SA 0.475 – 0.70) | | |
| Shading | 450mm eave excluding gutter Upper floor patio above living window | | |
| Glazing | Single clear with aluminium frames D02: Single tint with aluminium frame (U: 6.6, SHGC: 0.441-0.539) | | |
| Water Commitments | | | |
| Showerheads: | 3* (>7.5 but <=9 L/min) | Toilets: | 3* |
| Basin Taps: | 3* | Kitchen Taps: | 3* |
| Individual Water Tank: | 1,500 ltr | Individual Roof Collection: | 85m ² |
| Rainwater Connection: | All toilets in the development Cold water supply to washing machine At least 1 external tap | | |
| Energy Commitments | | | |
| HWS: | Solar (electric boosted) STCs 31 – 35 | | |
| Cooling: | No active cooling system in the development Ceiling Fans in at least 1 living room and 1 bedroom | | |
| Heating: | No active heating system in the development | | |
| Ventilation: | Bathroom, Kitchen and Laundry: ducted to façade or roof, manual on/off control | | |
| Appliances: | Electric Well ventilated fridge space as per BASIX definition | | |
| Artificial Lighting: | The following rooms are to be primarily lit by fluorescent or LED dedicated fittings: All Bedrooms/Study All Living/Dining Rooms The Kitchen All Hallways The Laundry All Bathrooms/Toilets | | |
| Clothes Line: | Fixed outdoor clothes drying line to be installed | | |

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
(EXCEPT D02, REFER BELOW)

D02 (BEDROOM 2 DOOR): SINGLE **TINTED** GLAZING WITH STANDARD ALUMINIUM FRAME (U-VALUE: 6.6, SHGC: 0.441 - 0.539)

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

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.

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BAL = 12.5
PLEASE REFER BUSHFIRE REPORT BY S & K JOHNSON CONSTRUCTION PTY LTD (KRISANN JOHNSON) AND AS3959-2018 FOR CONSTRUCTION REQUIREMENTS

PLEASE REFER TO THE "SUMMARY OF BASIX COMMITMENTS" ON PAGE 2 FOR FURTHER INFORMATION. PLEASE REFER TO THE BASIX AND CERTIFICATE FOR EXACT DETAILS.

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

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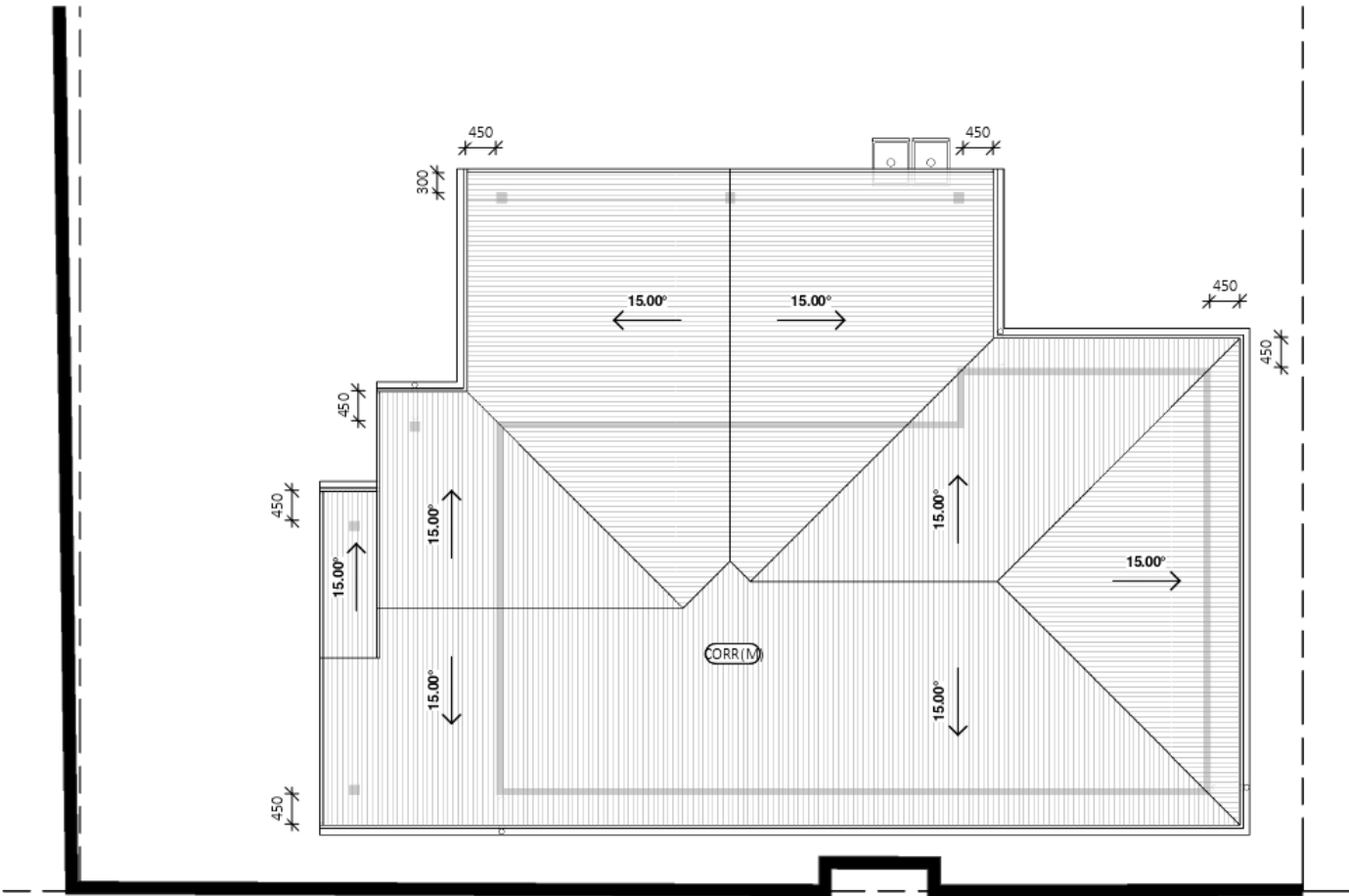
PROJECT: DETACHED GRANNY FLAT

| | | |
|--------------------------------------------|---------------|----------------|
| LOT No: 6 | DP No: 229523 | SHEET: 6 OF 11 |
| STREET No: 131 | | |
| STREET NAME: KENNEDY DRIVE, PORT MACQUARIE | | |
| CLIENT: ZAVONE | | |

| GLAZING | |
|-------------|--------------|
| SCALE: | As indicated |
| SHEET SIZE: | A3 |
| START DATE: | 19/1/21 |
| DWG No: | J4698 |

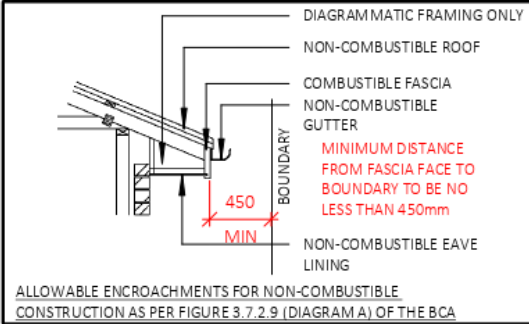
| DRAWING REVISION + NOTES | | | |
|--------------------------|------------------------------|--------|--------|
| Date: | Revision Description: | Issue: | Drawn: |
| 19/1/21 | INITIAL ISSUE | A | JC |
| 20/04/21 | BASIX SPEC ADDED | F | JS |
| 22/04/21 | DECK AMENDED TO SIDE SETBACK | G | JS |
| 3/6/21 | SCREENING | J | JC |

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ROOF PLAN SCALE 1:100

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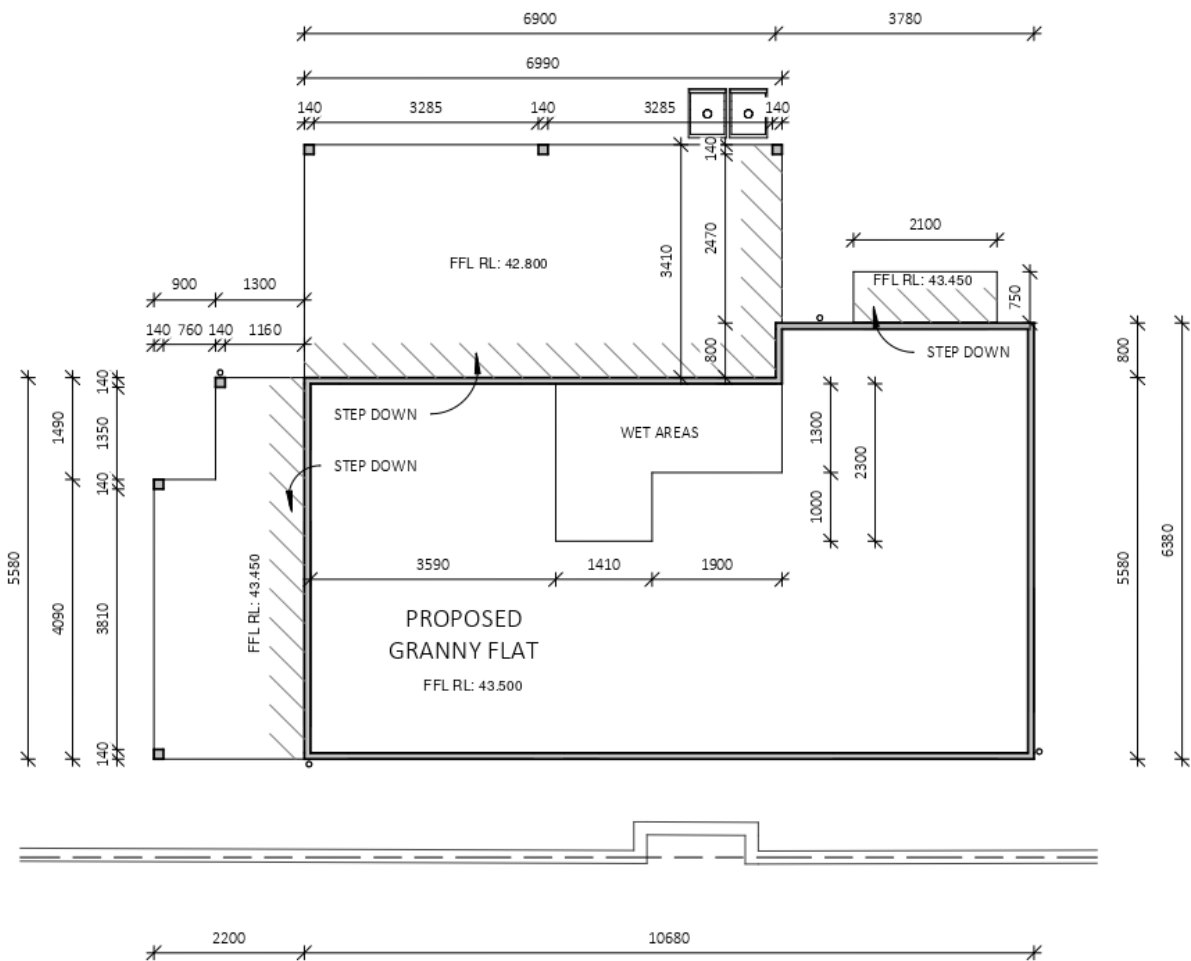
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| PROJECT:DETACHED GRANNY FLAT | | | ROOF PLAN | | DRAWING REVISION + NOTES | | | |
|---------------------------------------------------|--|---------------------|-----------------|--------------|--------------------------|------------------------------|----------------------------|--------|
| LOT No: 6 DP No: 229523 | | SHEET: 7 OF 11 | | | Date: | Revision Description: | Issue: | Drawn: |
| STREET No: 131 | | | SCALE: | As indicated | 19/1/21 | INITIAL ISSUE | A | JC |
| STREET NAME: KENNEDY DRIVE, PORT MACQUARIE | | | SHEET SIZE: | A3 | 20/04/21 | BASIX SPEC ADDED | F | JS |
| | | | START DATE: | 19/1/21 | 22/04/21 | DECK AMENDED TO SIDE SETBACK | G | JS |
| CLIENT: ZAVONE | | DWG No: | J4698 | 3/6/21 | SCREENING | J | JC | |
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SET OUT PLAN SCALE 1:100

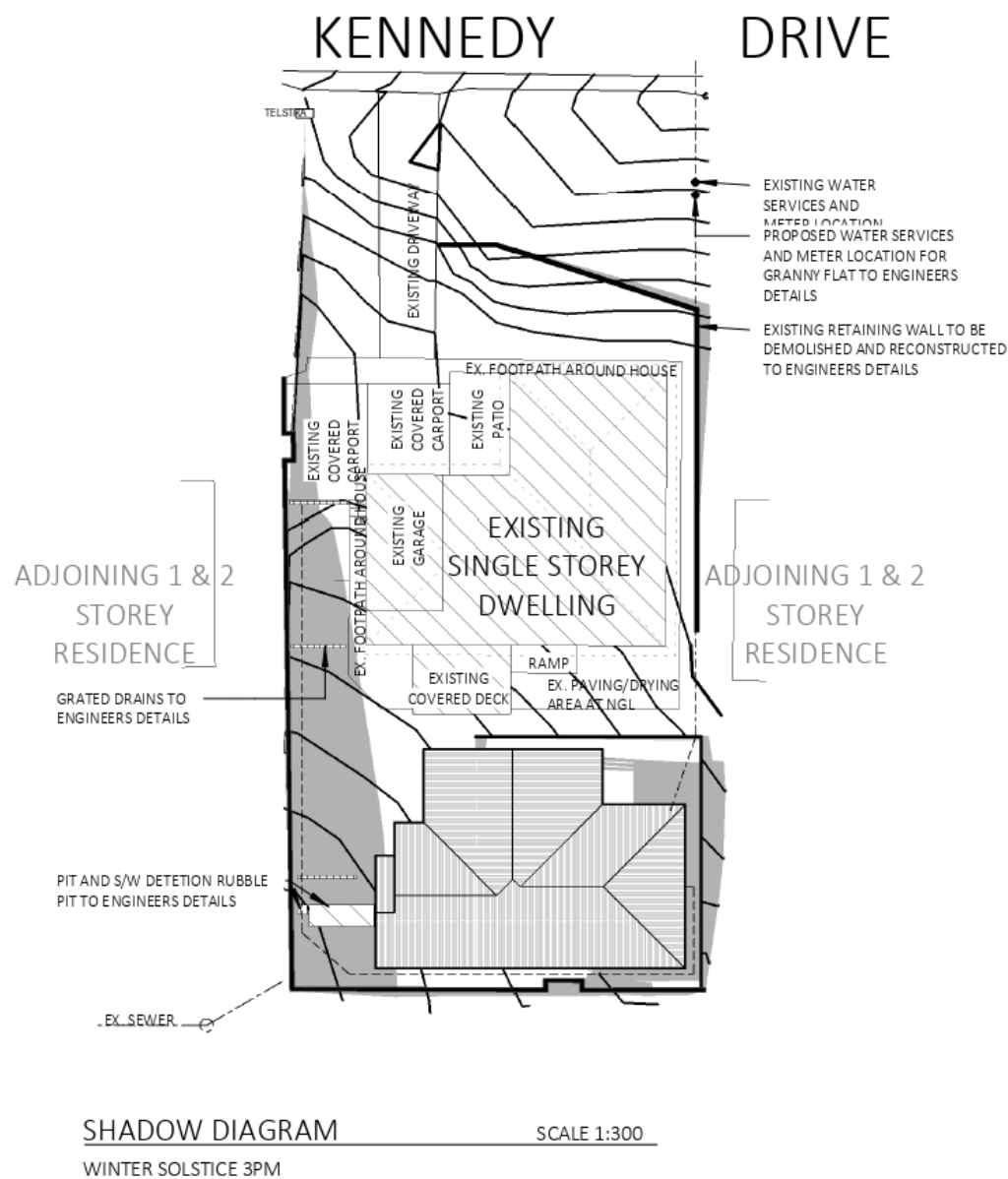
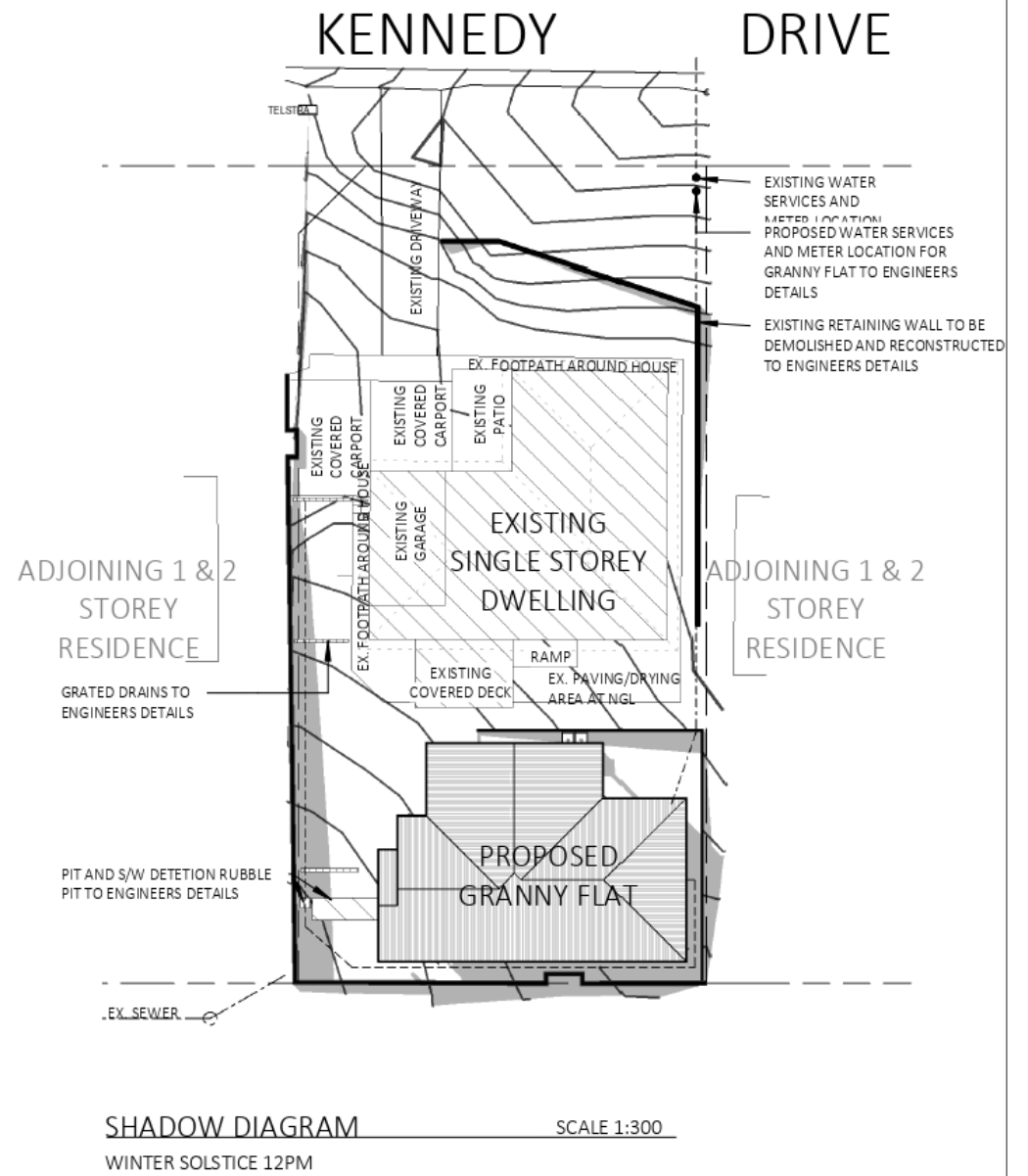
CHECK ALL DIMENSIONS ON SITE. THIS DRAWING IS TO BE READ IN CONJUNCTION WITH ALL RELEVANT CONTRACTS, SPECIFICATIONS, REPORTS, DRAWINGS, ENGINEERING & COUNCIL APPROVALS




| | | |
|--------------------------------------------|---------------|----------------|
| PROJECT: DETACHED GRANNY FLAT | | |
| LOT No: 6 | DP No: 229523 | SHEET: 8 OF 11 |
| STREET No: 131 | | |
| STREET NAME: KENNEDY DRIVE, PORT MACQUARIE | | |
| CLIENT: ZAVONE | | |

| | |
|--------------|---------|
| SET OUT PLAN | |
| SCALE: | 1 : 100 |
| SHEET SIZE: | A3 |
| START DATE: | 19/1/21 |
| DWG No: | J4698 |

| DRAWING REVISION + NOTES | | | |
|--------------------------|------------------------------|--------|--------|
| Date: | Revision Description: | Issue: | Drawn: |
| 19/1/21 | INITIAL ISSUE | A | JC |
| 20/04/21 | BASIX SPEC ADDED | F | JS |
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| 3/6/21 | SCREENING | J | JC |



| | | | | | | | | | | | | | |
|------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------|--|-------------|---------|--------------------------|------------------------------|-----------------------|-----------------|--------|-----------------|--|---------------------------|--|
|  collinswcollins PTY LTD Building Designers | PROJECT: DETACHED GRANNY FLAT | | SHADOWS | | DRAWING REVISION + NOTES | | | | | | | | |
| | LOT No: 6 DP No: 229523 | | | | SHEET: 9 OF 11 | Date: | Revision Description: | Issue: | Drawn: | | | | |
| | STREET No: 131 | | SCALE: | 1 : 300 | | 19/1/21 | INITIAL ISSUE | A | JC | | | | |
| | STREET NAME: KENNEDY DRIVE, PORT MACQUARIE | | SHEET SIZE: | A3 | 20/04/21 | BASIX SPEC ADDED | F | JS | | | | | |
| | | | START DATE: | 19/1/21 | 22/04/21 | DECK AMENDED TO SIDE SETBACK | G | JS | | | | | |
| | CLIENT: ZAVONE | | DWG No: | J4698 | 3/6/21 | SCREENING | J | JC | | | | | |
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THESE NOTES MUST BE READ AND UNDERSTOOD BY ALL INVOLVED IN THE PROJECT. THIS INCLUDES (but is not limited to):
OWNER, BUILDER, SUB-CONTRACTORS, CONSULTANTS, RENOVATORS, OPERATORS, MAINTENORS, DEMOLISHERS.

REVISED DECEMBER 2019

BUILDING SPECIFICATIONS FOR CLASS 1 AND 10 BUILDINGS
All works to be completed in accordance with the current version of the National Construction Code Series, including Building Code of Australia (BCA), Volume 2 and the Plumbing Code of Australia (PCA), Volume 3 as applicable.
All Australian Standards listed are the versions that have been adopted by the relevant version of the National Construction Code Series at the time of Construction Certificate or Complying Development Certificate Application.

STRUCTURAL PROVISIONS
Structural Design Manuals – is satisfied by complying with:
a) 3.0.3, 3.0.4, 3.0.5 of the BCA; or
b) the relevant provisions of other Parts of Section 3 of the Housing Provisions of the BCA relating to structural elements; or
c) any combination thereof.
3.0.5 - Structural Software – Must comply with the Australian Building Codes Board (ABCB) Protocol for Structural Software and Part 3.4.0.2 of the BCA.

SITE PREPARATION
Earthworks - Earthworks are to be undertaken in accordance with Part 3.1.1 of the BCA.
Earth Retaining structures (ie. retaining walls & batter) to be in accordance with AS4678.
Drainage – Stormwater drainage is to be undertaken in accordance with AS/NZS 3500.3, or, the Acceptable Construction Practice as detailed in Part 3.1.3 of the BCA.
Termite Risk Management – Where a primary building element is considered susceptible to termite attack the building shall be protected in accordance with the following:
a) AS 3600.1, and
b) A durable notice is permanently fixed to the building in a prominent location, such as in a meter box or the like, including the details listed in Part 3.1.4.4 of the BCA.
c) The Acceptable Construction Practice as detailed in accordance with Part 3.1.4 of the BCA.

FOOTINGS AND SLABS
The footing or slab is to be constructed in accordance with AS 2870, except that for the purposes of Clause 5.3.3.1 of AS 2870, a damp-proofing membrane is required to be provided, or, the Acceptable Construction Practice detailed in Part 3.2 of the BCA
Piled footings are to be designed in accordance with AS 2159.

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

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

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

a) AS 3700; or
b) AS 4773 Parts 1 and 2
Weatherproofing of Masonry
This Part applies to an external wall (including the junction between the wall and any window or door) of a Class 1 Building.
This Part does not apply to any Class 10 building except where its construction contributes to the weatherproofing of the Class 1 building.
The weatherproofing of masonry is to be carried out in accordance with;
a) AS 3700; except as provided for by Part 3.3.2.0 (a), or
b) AS 4773 Part2 1 and 2

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

ROOF AND WALL CLADDING
Roof Cladding – is to comply with the Acceptable Construction Practice of Part 3.5.1 of the BCA, or, one of the following:
a) Roofing tiles: Part 3.5.1 BCA - AS2050.
b) Metal Roof Cladding: Part 3.5.1 BCA - AS1562.1.
c) Plastic sheet roofing: AS/NZS 4256 Parts 1, 2, 3 and 5; and AS/NZS 1562.3.
Gutters and Downpipes – are to be designed and constructed in accordance with the Acceptable Construction Practice of Part 3.5.3 of the BCA, or, AS/NZS 3500.3 – Stormwater drainage.
Timber & Composite Wall Cladding – to be designed and constructed in accordance with Acceptable Construction Practice of Part 3.5.4 of the BCA.
Autoclaved Aerated Concrete to AS5146.1
Metal wall cladding to be designed and constructed in accordance with AS 1562.1.

GLAZING
Glazing – to be designed and constructed in accordance with the Acceptable Construction Practice of Part 3.6.1 of the BCA, or, one of the following manuals as applicable under Part 3.6.0 BCA
a) AS 2047.
b) AS 1288.

FIRE SAFETY
Fire Hazard properties of materials to comply with Part 3.7.1 of the BCA.
Fire Separation of external walls to comply with Part 3.7.2 of the BCA.
Fire Separation of separating walls & floors to comply with Part 3.7.3 of the BCA.
Fire Separation of garage top dwelling to comply with Part NSW 1.1 of the BCA.
Smoke Alarms & Evacuation lighting to comply Part 3.7.5 of the BCA.

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

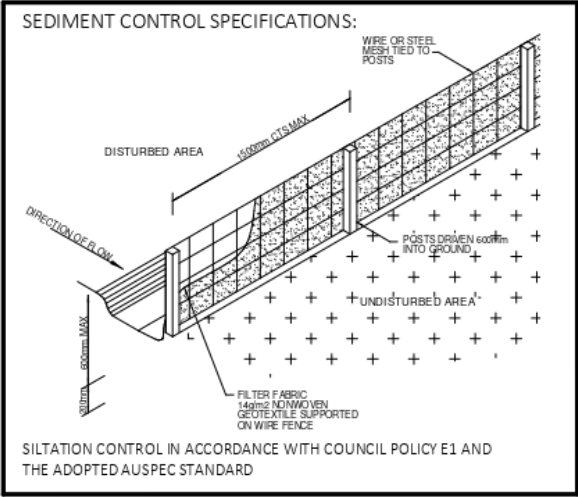
Alpine Areas – to be constructed in accordance with the Acceptable Construction Practice of Part 3.10.4 of the BCA if located in an alpine area.


HEALTH AND AMENITY
Wet Areas and External Waterproofing – building elements in wet areas within a building must:
a) Be water proof or water resistant in accordance with Table 3.8.1.1 of the BCA; and
b) Comply with AS 3740.
c) External areas to comply with AS4654.1 & AS4654.2
Room Heights – are to be constructed in accordance with the Acceptable Construction Practice of Part 3.8.2 of the BCA.
Facilities – are to be constructed in accordance with Acceptable Practice of Part 3.8.3 of the BCA.
Light – is to be provided in accordance with the Acceptable Construction Practice of Part 3.8.4 of the BCA.
Ventilation – is to be provided in accordance with the Acceptable Construction Practice of Part 3.8.5 of the BCA.
Sound Insulation – (only applies to a separating wall between two or more class 1 buildings) is to be provided in accordance with the Acceptable Construction Practice of Part 3.8.6 of the BCA.
Condensation Management to be provided in accordance with ACP Part 3.8.7 BCA.

SAFE MOVEMENT AND ACCESS
Stair Construction – to be constructed and installed in accordance with the Acceptable Construction Practice of Part 3.9.1 of the BCA.
Barriers and Handrails – to be constructed and installed in accordance with the Acceptable Construction Practice of Part 3.9.2 of the BCA.
Protection of openable windows to Part 3.9.2 of the BCA.

ANCILLARY PROVISIONS & ADDITIONAL CONSTRUCTION REQUIREMENTS
3.10.1 - Swimming Pools
Swimming Pool Access – to be designed and installed in accordance with the Swimming Pools Act 1992, Swimming Pool Regulation 2018 and AS 1926 Parts 1 and 2.
Swimming Pool Water recirculation Systems – is to be designed and constructed in accordance with AS1926.3.
High Wind Areas – Applies to a region that is subject to design wind speeds more than N3 or C1 (see table 1.1.1 of the BCA). To be constructed in accordance with one or more of the relevant manuals of Part 3.10.1 of the BCA
3.10.2 - Earthquake Areas subject to "seismic activity" to be constructed in accordance with Part 3.10.3 BCA.
3.10.3 - Flood Hazard Areas – applies to areas on a site (weather or not mapped) encompassing the land lower than the flood hazard level (as defined by the BCA) which has been determined by the appropriate authority (statutory authority), are to be constructed in accordance with the ABCB Standard for Construction of Buildings in Flood Hazard Areas.
3.10.4 - Construction "Alpine Areas" in accordance with Part 3.10.4.
3.10.5 - Construction in Bushfire Prone Areas in accordance with Part 3.10.5.
3.10.6 - Attachment of Decks & Balconies to external walls of buildings to be in accordance with the acceptable construction practice of Part 3.10.6 of the BCA, or alternatively be engineer designed in accordance with Part 3.0 of the BCA.
3.10.7 - Boilers, Pressure Vessels, Heating Appliances, Fire Places, Chimneys & Flues to be in accordance with Part 3.10.7 of the BCA.

ENERGY EFFICIENCY
Energy Efficiency – to comply with the measures contained in the relevant BASIX certificate, and the requirements of NSW parts 3.12.1, 3.12.3 & 3.12.5 of the BCA.



| | | | | | | | | | | | |
|----------------------------------------------------------------------------------------------------------------------|--------------------------------------------|---------------|-------------------------|--|--------------------------|-----------------|------------------------------|--|---------------------------|--------|--|
|  PTY LTD Building Designers | PROJECT: DETACHED GRANNY FLAT | | BUILDING SPECIFICATIONS | | DRAWING REVISION + NOTES | | | | | | |
| | LOT No: 6 DP No: 229523 | | | | Date: | | Revision Description: | | Issue: | Drawn: | |
| | STREET No: 131 | | SHEET: 10 OF 11 | | 19/1/21 | | INITIAL ISSUE | | A | JC | |
| | STREET NAME: KENNEDY DRIVE, PORT MACQUARIE | | SCALE: As indicated | | 20/04/21 | | BASIX SPEC ADDED | | F | JS | |
| | CLIENT: ZAVONE | | SHEET SIZE: A3 | | 22/04/21 | | DECK AMENDED TO SIDE SETBACK | | G | JS | |
| | | | START DATE: 19/1/21 | | 3/6/21 | | SCREENING | | J | JC | |
| | | DWG No: J4698 | | | | | | | | | |
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1. FALLS, SLIPS, TRIPS
A) WORKING AT HEIGHTS DURING CONSTRUCTION
Wherever possible, components for this building should be prefabricated off-site or at ground level to minimise the risk of workers falling more than two metres. However, construction of this building will require workers to be working at heights where a fall in excess of two metres is possible and injury is likely to result from such a fall. The builder should provide a suitable barrier wherever a person is required to work in a situation where falling more than two metres is a possibility.

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

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

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

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

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

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

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

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

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

5. MANUAL TASKS
Components within this design with a mass in excess of 25kg should be lifted by two or more workers or by mechanical lifting device. Where this is not practical, suppliers or fabricators should be required to limit the component mass

All material packaging, building and maintenance components should clearly show the total mass of packages and where practical all items should be stored on site in a way which minimises bending before lifting. Advice should be provided on safe lifting methods in all areas where lifting may occur. Construction, maintenance and demolition of this building will require the use of portable tools and equipment. These should be fully maintained in accordance with manufacturer's specifications and not used where faulty or (in the case of electrical equipment) not carrying a current electrical safety tag. All safety guards or devices should be regularly checked and Personal Protective Equipment should be used in accordance with manufacturer's specification.

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

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

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

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

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

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

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

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

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

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

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


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

EXCAVATIONS
1. Excavations
The part of the site to be covered by the proposed building or buildings and an area at least 1000mm wide around that part of the site or to boundaries of the site, whichever is the lesser, shall be cleared or graded as indicated on the site works plan.

Topsoil shall be cut to a depth sufficient to remove all vegetation. Excavations for all footings shall be in accordance with the Engineer's Recommendations or the BCA requirements.

FOUNDATIONS AND FOOTINGS
1. Underfloor Fill
Underfloor fill shall be in accordance with the BCA.
2. Termite Risk Management
Termite treatment shall be carried out in accordance with the BCA.
3. Vapour Barrier
The vapour barrier installed under slab-on-ground construction shall be 0.2mm nominal thickness, high impact resistance polyethylene film installed in accordance with the BCA.
4. Reinforcement
Reinforcement shall conform and be placed in accordance with the Engineer's Recommendation and the BCA. Support to all reinforcement shall be used to correctly position and avoid any undue displacement of reinforcement during the concrete pour.
5. Concrete
Structural shall not be less than Grade N20 except otherwise approved by the engineer and in accordance with the BCA.
6. Curing
All concrete slabs shall be cured in accordance with AS 3600.
7. Footings and Slabs on Ground
Concrete slabs and footings shall not be poured until approval to pour concrete is given by the engineer or the Local Authority.
8. Sub-Floor Ventilation
Where required, adequate cross ventilation will be provided to the space under suspended ground floor. Construction is to meet the requirements of the BCA. No section of the under floor area wall to be constructed in such manner that will hold pockets of still air.
9. Sub-Floor Access
If required, access will be provided under suspended floors in position where indicated on plan.
EFFLUENT DISPOSAL/DRAINAGE
1. Storm Water Drainage
Stormwater drainage shall be carried out in accordance with the BCA. The Builder will allow for the supplying and laying of stormwater drains where shown on the site plan.
TIMBER FRAMING
1. Generally
All timber framework sizes, spans, spacing, notching, checking and fixing to all floor, wall and roof structure shall comply with the BCA or AS 1684. Alternative structural framing shall be to structural engineer's details and certification. The work shall be carried out in a proper and trades personal like manner and shall be in accordance with recognised and accepted building practices.
2. Roof Trusses
Where roof truss construction is used, trusses shall be designed in accordance with AS 1720 and fabricated in a properly equipped factory and erected, fixed and braced in accordance with the fabricator's written instructions.
3. Bracing
Bracing units shall be determined and installed in accordance with AS 1684 as appropriate for the design wind velocity for the site. Bracing shall be evenly distributed throughout the building.
4. Flooring
Floor joists will be covered with strip or sheet flooring as shown on plan with particular regard to ground clearance and installation in wet areas as required by the BCA. Thickness of the flooring is to be appropriate for the floor joist spacing. Strip and sheet flooring shall be installed in accordance with AS 1684. When listed in Schedule of Works, floors shall be sanded to provide an even surface and shall be left clean throughout.
5. Timber Posts
Posts supporting the carports, verandas and porches shall be timber suitable for external use, or as otherwise specified, supported on galvanised or treated metal post shoes, unless otherwise specified. Posts shall be bolted to all adjoining beams as required by AS 1684 for the wind speed classification assessed for the site.
6. Corrosion Protection
All metal brackets, facing plates and other associated fixings used in structural timber joints and bracing must have appropriate corrosion protection.
STEEL FRAMING
1. Generally
Steel floor, wall or roof framing shall be installed in accordance with the manufacturer's recommendations and the BCA.
ROOFING
All roof cladding is to comply with the relevant structural performance and weathering requirements of the BCA and be installed as per the manufacturer's recommendations.
1. Tiled Roofing
The Builder will cover the roof of the dwelling with approved tiles as selected. The tiles are to be fixed (as required for appropriate design and wind speed) to battens of sizes appropriate to the spacing of rafters/trusses in accordance with the manufacturer's recommendations. The Builder will cover hips and ridges with capping and all necessary accessories including starters and apex caps. Capping and verge tiles are to be well bedded and neatly pointed. Roofing adjacent to valleys should be fixed so as to minimise water penetration as far as practicable. As roof tiles are made of natural products slight variation in colour is acceptable.
2. Metal Roofing
The Builder will provide and install a metal roof together with accessories all in accordance with the manufacturer's recommendations. Except where design prohibits, sheets shall be in single lengths from fascia to ridge. Fixing sheets shall be strictly in accordance with the manufacturer's recommendation as required for the appropriate design and wind speed. Incompatible materials shall not be used for flashings, fasteners or downpipes.
3. Gutters and Downpipes
Gutters and downpipes shall be manufactured and installed in accordance with the BCA. Gutters and downpipes are to be compatible with other materials used.
4. Sarking
Sarking under roof coverings must comply with and be fixed in accordance with manufacturer's recommendations.
5. Sealants
Appropriate sealants shall be used where necessary and in accordance with manufacturer's recommendations.
6. Flashing
Flashings shall comply with, and be installed in accordance with the BCA.

MASONRY
1. Damp Proof Courses
All damp proof courses shall comply with the BCA and Clause 1.0.10. The damp proof membrane shall be visible in the external face of the masonry member in which it is placed and shall not be bridged by any applied coatings, render or the like.
2. Cavity Ventilation
Open vertical joints (weepholes) must be created in the course immediately above any DPC or flashing at centres not exceeding 1.2m and must be in accordance with the BCA.
3. Mortar and Joining
Mortar shall comply with the BCA. Joint tolerances shall be in accordance with AS 3700.
4. Lintels
Lintels used to support brickwork opening in walls must be suitable for the purpose as required by the BCA. The Builder will provide one lintel to each wall leaf. The Builder will provide corrosion protection in accordance with the BCA Part 3.4.4 as appropriate for the site environment and location of the lintels in the structure.
5. Cleaning
The Builder will clean all exposed brickwork with an approved cleaning system. Care should be taken not to damage brickwork or joints and other fittings.
CLADDING AND LININGS
1. External Cladding
Sheet materials or other external cladding shall be fixed in accordance with the manufacturer's recommendations and any applicable special details. Where required in open verandas, porches and eave soffits, materials indicated on the plans shall be installed.
2. Internal Wall and Ceilings Linings
The Builder will provide gypsum plasterboards or other selected materials to walls and ceilings. Plasterboard sheets are to have recessed edges and will be a minimum of 10mm thick. Internal angles in walls from floor to ceiling are to be set. Suitable cornice moulds shall be fixed at the junction of all walls and ceilings or the joint set as required. The lining of wet area and walls shall be constructed in accordance with the BCA. Wet area lining is to be fixed in accordance with the manufacturer's recommendations. The ceiling access hole shall be of similar material to the adjacent ceiling.
3. Waterproofing
All internal wet area and balconies over internal habitable rooms are to be waterproof in accordance with the BCA.
JOINERY
1. General
All joinery work (metal and timber) shall be manufactured and installed according to accepted building practices.
2. Door Frames
External door frames shall be a minimum of 32mm thick solid rebated 12mm deep to receive doors. Internal jamb linings shall be a minimum of 18mm thick fit with 12mm thick door stops. Metal door frames shall be installed where indicated on drawings in accordance with the manufacturer's recommendations.
3. Doors and Doorsets
All internal and external timber door and door sets shall be installed in accordance with accepted building practices. Unless listed otherwise in the Schedule of Works, doors and door sets shall be manufactured in accordance with AS 2688 and AS 2689.
4. Window and Sliding Doors
Sliding and other timber windows and doors shall be manufactured and installed in accordance with AS 2047. Sliding and other aluminium windows and the doors shall be installed in accordance with manufacturer's recommendations and AS 2047. All glazing shall comply with the BCA and any commitments outlined in the relevant BASIX Certificate.
5. Stairs, Balustrades and other Barriers
The Builder will provide stairs or ramps to any change in levels, and balustrades or barriers to at least one side of ramps, landings and balconies as per the BCA.
SERVICES
1. Plumbing
All plumbing shall comply with the requirements of the relevant supply authority and AS 3500. The work is to be carried out by a licensed plumber. Fittings, as listed in the Schedule of Works, shall be supplied and installed to manufacturer's recommendations. Fittings, hot water system and any rainwater harvesting facilities shall be appropriate to satisfy any commitment outlined in the relevant BASIX Certificate.
2. Electrical
The Builder will provide all labour and materials necessary for the proper installation of the electricity service by a licensed electrician in accordance with AS/NZS 3000 and the requirements of the relevant supply authority. Unless otherwise specified, the electrical service shall be 240 volt, single phase supply.
3. Gas
All installation (including LPG) shall be carried out in accordance with the rules and requirements of the relevant supply authority.
4. Smoke Detectors
The Builder will provide and install smoke alarms manufactured in accordance with AS 3786 AS specified or as indicated on the plans and in accordance with the BCA.
5. Thermal Insulation
Where thermal insulation is used in the building fabric or services, such as air conditioning ducting or hot water systems, it shall be installed in accordance with manufacturer's recommendations to achieve the R-Values required by the BCA or as outlined in the relevant BASIX Certificate.
TILING
1. Materials
Cement mortar and other adhesives shall comply with AS 3958.1 or tile manufacturer's recommendation.
2. Installation
Installation of tiles shall be in accordance with AS 3958.1, manufacturer's recommendations or accepted building practices. Where practicable, spacing between tiles should be even and regular. The Builder will provide expansion joints where necessary. All vertical and horizontal joints between walls and fixtures e.g. bench top, bath, etc. and wall/floor junctions to be filled with flexible mould resistant sealant. All joints in the body of tiled surfaces shall be neatly filled with appropriate grout material as specified by the tile manufacturer or accepted building practice. As tiles are made of natural products a slight variation in colour is acceptable.

| | | | | | | | | | | |
|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------|--|-------------------|--|--------------------------|---------|---------------------------|------------------------------|--------|--------|
|  <div>89A lord street (PO Box 5667), Port Macquarie nsw 2444 Shop 17 Centrepont Arcade, Taree NSW 2430</div> | PROJECT: DETACHED GRANNY FLAT | | WORK SAFETY NOTES | | DRAWING REVISION + NOTES | | | | | |
| | LOT No: 6 DP No: 229523 | | | | SHEET: 11 OF 11 | | Date: | Revision Description: | Issue: | Drawn: |
| | STREET No: 131 | | | | SCALE: | 1 : 100 | 19/1/21 | INITIAL ISSUE | A | JC |
| | STREET NAME: KENNEDY DRIVE, PORT MACQUARIE | | | | SHEET SIZE: | A3 | 20/04/21 | BASIX SPEC ADDED | F | JS |
| | | | | | START DATE: | 19/1/21 | 22/04/21 | DECK AMENDED TO SIDE SETBACK | G | JS |
| | CLIENT: ZAVONE | | | | DWG No: | J4698 | 3/6/21 | SCREENING | J | JC |
| T: 02 6583 4411 | | | | | F: 02 6583 9820 | | WWW.COLINSWCOLLINS.COM.AU | | | |

Item: 07

Subject: DA2021 - 202.1 FOR 2 LOT TORRENS TITLE SUBDIVISION AT LOT 114 DP 258304, NO. 10 JUNGARRA CRESCENT, BONNY HILLS

Report Author: Development Assessment Planner, Fiona Tierney

| | |
|-----------------|---------------------------|
| Applicant: | Krige Investments Pty Ltd |
| Owner: | Krige Investments Pty Ltd |
| Estimated Cost: | \$5000 |
| Parcel no: | 10486 |

Alignment with Delivery Program

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

RECOMMENDATION

That DA2021 - 202.1 for a 2 lot Torrens title subdivision at Lot 114, DP 258304, No. 10 Jungarra Crescent, Bonny Hills, 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 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, 5 submissions were received.

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

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

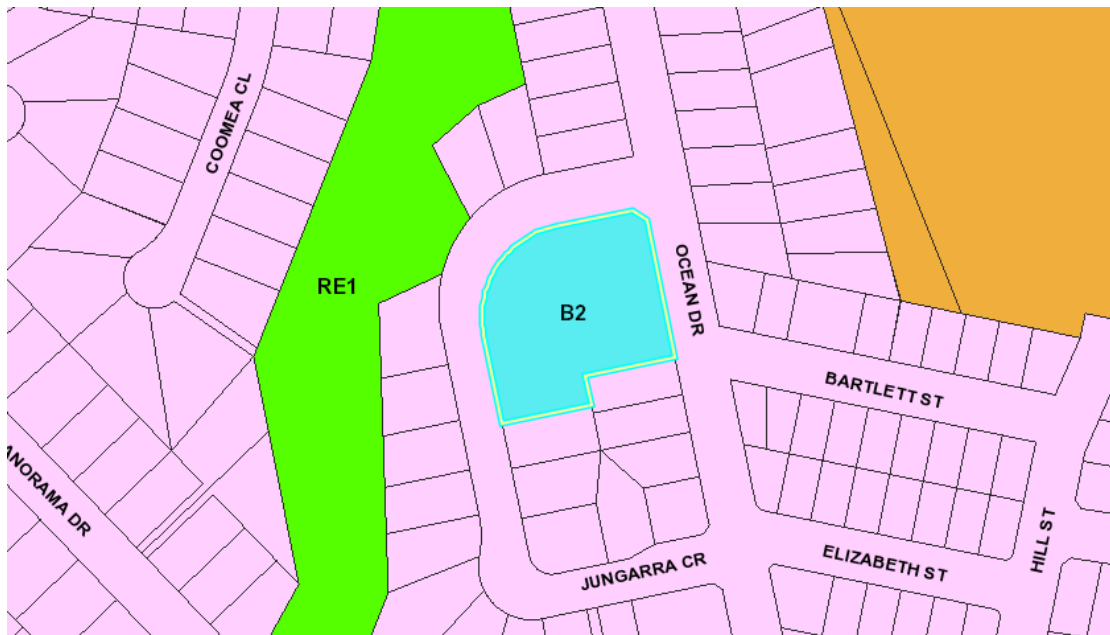
The reason for the application being referred to Council's Development Assessment Panel (DAP) is because three (3) or more objections to the proposal have been received. A copy of the DAP Charter outlining the delegations and functions of the DAP is available on Council's website.

1. BACKGROUND

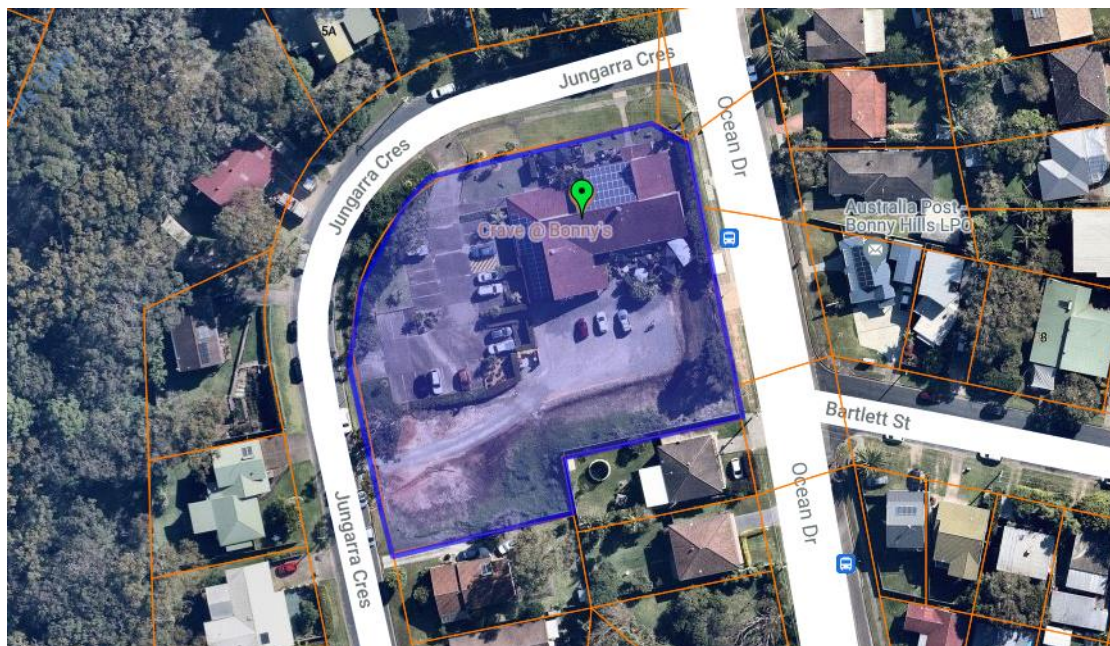
Existing Sites Features and Surrounding Development

The site has an area of 4604m².

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



The 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:

- Subdivision of an existing lot into 2.
- An existing neighbourhood shopping centre will remain and a vacant portion subdivided to create a new developable site.

Refer to **(Attachment 2)** for plans of the proposed development and **(Attachment 3)** for the Statement of Environmental Effects.

Application Chronology

- 29 March 2021 - Application lodged.
- 13 April to 26 April 2021 - Public exhibition via neighbour notification.
- 3 June 2021 - Confirmation from applicant regarding current uses and parking.

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) 2020

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

Clause 7 - The site is not under a Koala Plan of Management and the land has an area less than 1 hectare including adjoining land in the same ownership. No further consideration of this policy is necessary.

State Environmental Planning Policy No. 55 – Remediation of Land

Following an inspection of the site and a search of Council records, the subject land is not identified as being potentially contaminated and is suitable for the intended use.

State Environmental Planning Policy (Coastal Management) 2018

The site is located within a coastal use area.

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

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

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

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 business and residential purposes.

State Environmental Planning Policy (Infrastructure) 2007

Clause 45 - Development in proximity to electricity infrastructure - referral to Essential Energy required for any of the following:

- (a) the penetration of ground within 2m of an underground electricity power line or an electricity distribution pole or within 10m of any part of an electricity tower,
- (b) development carried out:
 - (i) within or immediately adjacent to an easement for electricity purposes (whether or not the electricity infrastructure exists), or
 - (ii) immediately adjacent to an electricity substation, or
 - (iii) within 5m of an exposed overhead electricity power line,
- (c) installation of a swimming pool any part of which is:
 - (i) within 30m of a structure supporting an overhead electricity transmission line, measured horizontally from the top of the pool to the bottom of the structure at ground level, or
 - (ii) within 5m of an overhead electricity power line, measured vertically upwards from the top of the pool

The site inspection revealed underground power within proximity to the site however, the exact location of the underground lines is unknown. The application was referred to Essential Energy for comment having regard to the new driveway works proposed. Essential Energy raised no safety concerns from the proposed development.

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 B2 Local Centre.
- Clause 2.3(1) and the B2 zone landuse table - 2 lot subdivision is a permissible landuse with consent.
- Clause 2.3(2) - The objectives of the B2 zone are as follows:
 - *To provide a range of retail, business, entertainment and community uses that serve the needs of people who live in, work in and visit the local area.*
 - *To encourage employment opportunities in accessible locations.*
 - *To maximise public transport patronage and encourage walking and cycling.*
 - *To ensure that new developments make a positive contribution to the streetscape and contribute to the streetscape and contribute to a safe public environment.*
- The proposal is consistent with the zone objectives as the subdivision is a permissible landuse and consistent with the established neighbourhood shop locality. The proposed lot size (lot 2 in particular) is 1996m² is considered to be of a sufficient size to accommodate a range of permissible land-uses in the B2 zone.
- Clause 2.6 - The proposed development for a subdivision is permissible with consent.
- Clause 4.1 - The lot sizes within the proposed subdivision are proposed lot 1 = 2608m² and proposed lot 2 = 1996m². There is no minimum lot size applying to the site.
- Clause 5.10 – The site does not contain or adjoin any known heritage items or sites of significance.
- Clause 7.13 - Satisfactory arrangements are in place for provision of essential services including water supply, electricity supply, sewer infrastructure, stormwater drainage and suitable road access to service the development.

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

No draft instruments apply.

(iii) Any Development Control Plan in force**Port Macquarie-Hastings Development Control Plan 2013**

| DCP 2013: PART C - Development Specific Provisions - C5: Subdivision | | | |
|-----------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------|-----------------|
| DCP Objective | Development Provisions | Proposed | Complies |
| Site Analysis | | | |
| 139 | a) A site analysis is required for all development and should illustrate: <ul style="list-style-type: none"> – microclimate including the movement of the sun and prevailing winds; | Draft subdivision plan sufficient. | Yes |

| | | | |
|---------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------|-----|
| | <ul style="list-style-type: none"> – lot dimensions; – north point; – existing contours and levels to AHD; – flood affected areas; – overland flow patterns, drainage and services; – any contaminated soils or filled areas, or areas of unstable land; – easements and/or connections for drainage and utility services; – identification of any existing trees and other significant vegetation; – any existing buildings and other structures, including their setback distances; – heritage and archaeological features; – fences, boundaries and easements; – existing and proposed road network, including connectivity and access for all adjoining land parcels; – pedestrian and vehicle access; – views to and from the site; – overshadowing by neighbouring structures; and – any other notable features or characteristics of the site. | | |
| Urban Structure and Lot Layout | | | |
| 140 | <p>a) Any residential allotments created by Torrens title subdivision should satisfy the following standards:</p> <ul style="list-style-type: none"> – A minimum width of 15 metres when measured at a distance of 5.5 metres from the front property boundary; – A minimum width of 7 metres measured when side boundaries are extended to the kerb line; A minimum depth of 25 metres; – For lots where the average slope of the development site is equal to, or exceeds 16%, indicative road and driveway | Not a residential allotment. | N/A |

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|-----------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------|-----|
| | grades are required demonstrating satisfactory access. | | |
| 141 | a) Battle-axe allotments are discouraged in greenfield development. | N/A | N/A |
| | b) Council may consider permitting Torrens Title battle-axe allotments for "infill" development where it is demonstrated that: <ul style="list-style-type: none"> – A Torrens Title lot, that is not a battle-axe lot, cannot be achieved; and – the number of crossovers do not reduce the amenity of the street or on street parking; and – the impact of noise, dust and headlights on the land owners adjoining the driveway is addressed by the construction of an acoustic fence for the full length of the driveway; and – addresses privacy between the rear lot and the rear open space of the front lot by the provision of adequate screening, larger lot size and setbacks; and – extends utilities to the end of the axe handle; and – There is sufficient space for garbage collection on the frontage. | N/A | N/A |
| 142 | a) The subdivision of land with slopes exceeding 25% is generally discouraged. | Slope <25% for the majority of the site where possible development can occur and the lot size is 1996m ² and is commercial. | Yes |
| Infrastructure - Stormwater Management | | | |
| 151 | <ul style="list-style-type: none"> – a) An application for subdivision should be accompanied by a Stormwater Management Strategy prepared by a certified practicing engineer and in accordance with Council's adopted AUS- | Stormwater capable of being managed. Appropriate conditions applied required a stormwater management plan | Yes |

| | | | |
|-----------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------|-----|
| | SPEC design specification documents. | prior to subdivision works certificate. | |
| 152 | a) All Council owned stormwater infrastructure is designed in accordance with the Council's AUS-SPEC Design Specification Documents. | Capable of compliance. Suitable consent conditions applied. | Yes |
| Infrastructure - Water Supply | | | |
| | – b) For all applicable subdivisions, provision is to be made to provide a separate metered water connection to Council's main for each lot. All work will need to comply with the requirements of Council's adopted AUS-SPEC Design and Construction Guidelines and Policies. Details to be provided on a hydraulic plan submitted to Council. | Capable of compliance. Suitable consent conditions applied. | Yes |
| Infrastructure - Reclaimed Water | | | |
| 154 | – a) A reclaimed water supply should be constructed in accordance with Council's strategy for the provision of reclaimed water supply. | Not available. | N/A |
| Infrastructure - Sewerage | | | |
| | – b) For all applicable subdivisions, provision is to be made to provide a separate sewer junction and connection to Council's main for each lot. All work will need to comply with the requirements of Council's adopted AUS-SPEC Design and Construction Guidelines and Policies. Details to be provided on an Engineering plan submitted to Council. | Capable of compliance. Suitable consent conditions applied. | Yes |

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

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

- (iv) **Any matters prescribed by the Regulations**

Nil

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

Context and setting

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

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

Access, transport and traffic

The proposal will be unlikely to have any adverse impacts in terms access, transport and traffic. The existing road network will satisfactorily cater for any increase in traffic generation as a result of the development. Any future development of proposed lot 2 will be capable of addressing traffic impacts given the likely access arrangements connecting to Jungarra Crescent.

Site frontage and access

Vehicle access to the commercial site is remain unchanged, with access via the two existing driveways on Jungarra Crescent. Both of these driveways consist of 6.5m wide, heavy duty crossovers, which allow vehicles to enter/exit the site safely. with (Further discussion regarding proposed accesses to include: customer/staff/service driveways). Future accesses shall comply with Council AUSPEC and Australian Standards, and conditions have been imposed to reflect these requirements.

Ocean Drive is a Roads and Maritime Services (RMS) classified road and will require concurrence and/or a Works Authorisation Deed (WAD) from the RMS prior to any works on this road. Details shall be provided as part of a Roads Act (Section 138) application to Council if required.

Parking and manoeuvring

There is an existing sealed (concrete) and line-marked carpark, consisting of a total of 25 parking spaces (including 1 disabled space) provided on-site within proposed lot 1. There are currently two parking signs located in Jungarra Crescent (one at each entrance), directing customers and other users of the site, towards the existing car-parking area.

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

Water supply connection

Council records indicate that the development site has an existing 25mm metered water service from the 100mm AC water main on the same side of Jungarra Crescent. Each proposed lot requires a separate water service. The minimum water

service size for commercial developments is 25mm. Appropriate conditions recommended.

Sewer connection

Council records indicate that the development site is connected to Sewer via junction from the sewer main that runs inside the northern property boundary. In addition, Council records indicate that there are a number of junctions from the main that runs along the western property boundary. Each proposed lot requires a separate connection to Council's sewer system. Appropriate conditions recommended.

Stormwater

Service available – details required with S.68 application. Appropriate conditions recommended.

Other Utilities

Telecommunication and electricity services are available to the site.

Heritage

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

Other land resources

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

Water cycle

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

Soils

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

Air and microclimate

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

Flora and fauna

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

Waste

No adverse impacts anticipated.

Energy

No adverse impacts anticipated.

Noise and vibration

No adverse impacts anticipated.

Bushfire

The site is identified as being bushfire prone however no residential subdivision is proposed.

Safety, security and crime prevention

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

Social impacts in the locality

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

Economic impact in the locality

No adverse impacts. Likely positive impacts can be attributed to the construction of the development and associated flow on effects (ie maintained employment and increased 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.

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

Five (5) 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 |
|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Availability of parking for existing shopping centre. Insufficient car parking for existing shops. Vacant site often used by parents picking up children from bus and Rural Fire Service volunteers. | An inspection of the site indicates there may be some non-compliance issues with current development consents on the site. Council's compliance team have been requested to investigate approvals at the site and in particular seating provided external to the commercial components. It is expected this will resolve a significant component of parking issues. Review of previous consents indicate that sufficient parking was provided for the proposals applied for. The vacant area is not required to satisfy parking demand and is not designated for public parking. |
| Traffic congestion. | At the site inspection it was noted that the area has become a busy neighbourhood centre. Some revision of limiting parking on the northern side of the road at the entry to Jungarra Crescent could be considered as well as the Rural Fire Service considering management of volunteer parking. The review of the compliance matters on site will also assist in reduction of traffic movements in and around the centre. |
| Safety concerns, cars parking in street blocking lines of sight and speeds too high. | From the site inspection it was noted that the area has become a busy neighbourhood centre. Some revision of limiting parking on the northern side of the road at the entry to Jungarra Crescent could be considered as well as the Rural Fire Service considering management of volunteer parking separate to this DA process. The review of the compliance matters on site will also assist in reduction of traffic movements in and around the centre. |

(e) The Public Interest

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

(f) 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 manmade development and the environmental impacts. Based on the assessment provided in the report and with recommended conditions of consent, it is considered an appropriate balance has been struck.

(g) Climate change

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

4. DEVELOPMENT CONTRIBUTIONS APPLICABLE

Not applicable at this stage in this Business zone. Contributions will be required when site is ultimately developed.



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.  DA2021 - 202.1 Recommended Conditions
2.  DA2021 - 202.1 Plans

**FOR USE BY PLANNERS/SURVEYORS TO PREPARE LIST OF
PROPOSED CONDITIONS - 2011****NOTE: THESE ARE DRAFT ONLY****DA NO: 2021/202****DATE: 18/06/2021****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 |
|----------------------------|-----------|-----------------|---------------|
| SOEE | | King & Campbell | March 2021 |
| Draft Subdivision | 5784S | King & Campbell | February 2021 |

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

- (2) (A002) No building or subdivision work shall commence until a Construction Certificate or Subdivision Works Certificate has been issued and the applicant has notified Council of:
- the appointment of a Principal Certifying Authority; and
 - the date on which work will commence.
- Such notice shall include details of the Principal Certifying Authority and must be submitted to Council at least two (2) days before work commences.
- (3) (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:
- 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;
 - Appropriate dust control measures;
 - 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) (A032) The developer is responsible for any costs relating to minor alterations and extensions to ensure satisfactory transitions of existing roads, drainage and Council services for the purposes of the development.
- (8) (A033) The applicant shall provide security to the Council for the payment of the cost of the following:
 - a. making good any damage caused to any property of the Council as a consequence of doing anything to which the consent relates,
 - b. completing any public work (such as road work, kerbing and guttering, footway construction, utility services, stormwater drainage and environmental controls) required in connection with the consent,
 - c. remedying any defects in any such public work that arise within twelve (12) months after the work is completed.

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

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

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

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

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

B – PRIOR TO ISSUE OF A CONSTRUCTION CERTIFICATE

- (1) (B001) Prior to release of the Construction Certificate, approval pursuant to Section 68 of the Local Government Act, 1993 to carry out water supply, stormwater and sewerage works is to be obtained from Port Macquarie-Hastings Council. The following is to be clearly illustrated on the site plan to accompany the application for Section 68 approval:
- Position and depth of the sewer (including junction)
 - Stormwater drainage termination point
 - Easements
 - Water main
 - Proposed water meter location
- (2) (B003) Submission to the Principal Certifying Authority prior to the issue of a Subdivision Works Certificate or Construction Certificate detailed design plans for the following works associated with the developments. Public infrastructure works shall be constructed in accordance with Port Macquarie-Hastings Council's current AUSPEC specifications and design plans are to be accompanied by AUSPEC DQS:
1. Sewerage reticulation.
 2. Water supply reticulation.
 3. Stormwater systems.
 4. Erosion & Sedimentation controls.
 5. 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
- (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) (B011) Prior to the issue of Construction or Subdivision Certificate (whichever occurs first), a Compliance Certificate under Section 307 of the Water Management Act 2000 must be obtained from the Water Authority.
- Note1: Port Macquarie-Hastings Council is defined as a Water Supply Authority under section 64 of the Local Government Act 1993. As part of the Notice of Requirements of the Water Authority under

Section 306 of the Water Management Act 2000, the payment of a cash contribution is required, 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 and included as part of this consent unless deferral of payment of contributions has been approved by Council. The contributions are levied in accordance with either the provisions of the relevant Section 64 Development Servicing Plan or a Planning Agreement.

Note 2: A Section 307 Compliance Certificate issued by the Water Authority at the construction certificate stage only relates to the payment of contributions in accordance with the Development Servicing Plan or a Planning Agreement. A further Compliance Certificate may be required for other water management works prior to occupation or the issue of an Occupation or Subdivision Certificate relating to the development.

Note 3: The Water Authority will accept payment of the equivalent amount of contributions under Section 608 of the Local Government Act 1993.

- (5) (B016) Provision to each lot of a separate sewer line to Council's main. All work will need to comply with the requirements of Council's adopted AUSPEC Design and Construction Guidelines and Policies. Any abandoned sewer junctions are to be capped off at Council's sewer main 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.
- (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) (B072) A stormwater drainage design is to be submitted and approved by Council prior to the issue of a Subdivision Works Certificate or Construction Certificate. The design must be prepared in accordance with Council's AUSPEC Specifications, Australian Rainfall and Runoff 2019, the requirements of Relevant Australian Standards and shall make provision for the following:
- a) The legal point of discharge for the proposed development is defined as Council's piped system.
 - b) The design is to be generally in accordance with the stormwater drainage concept plan. All allotments must be provided with a direct point of connection to the public piped drainage system. Kerb outlets are not permitted.
 - c) An inspection opening or stormwater pit must be installed inside the property, adjacent to the boundary, for all stormwater outlets.
 - d) The design shall provide details of any components of the existing stormwater drainage system servicing the site that are to be retained.
- (8) (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.

- (9) (B071) Prior to the issue of any Construction Certificate, the provision of water and sewer services to the land are to be approved by the relevant Water Authority and relevant payments received.
- (10) (B195) Council records indicate that the development site has an existing 25mm metered water service from the 100mm AC water main on the same side of Jungarra Crescent. Each proposed lot requires a separate water service. The minimum water service size for commercial developments is 25mm.
- (11) (B196) Council records indicate that the development site is connected to Sewer via junction from the sewer main that runs inside the northern property boundary. In addition, Council records indicate that there are a number of junctions from the main that runs along the western property boundary. Each proposed lot requires a separate connection to Council's sewer system.

C – PRIOR TO ANY WORK COMMENCING ON SITE

- (1) (C001) A minimum of one (1) weeks' notice in writing of the intention to commence works on public land is required to be given to Council together with the name of the principal contractor and any major sub-contractors engaged to carry out works. Works shall only be carried out by a contractor accredited with Council.
- (2) (C013) Where a sewer manhole and 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.
- (3) (C195) Prior to works commencing an application being made to electricity and telecommunications authorities.

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;
 - d. 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.

E – PRIOR TO OCCUPATION OR THE ISSUE OF SUBDIVISION CERTIFICATE

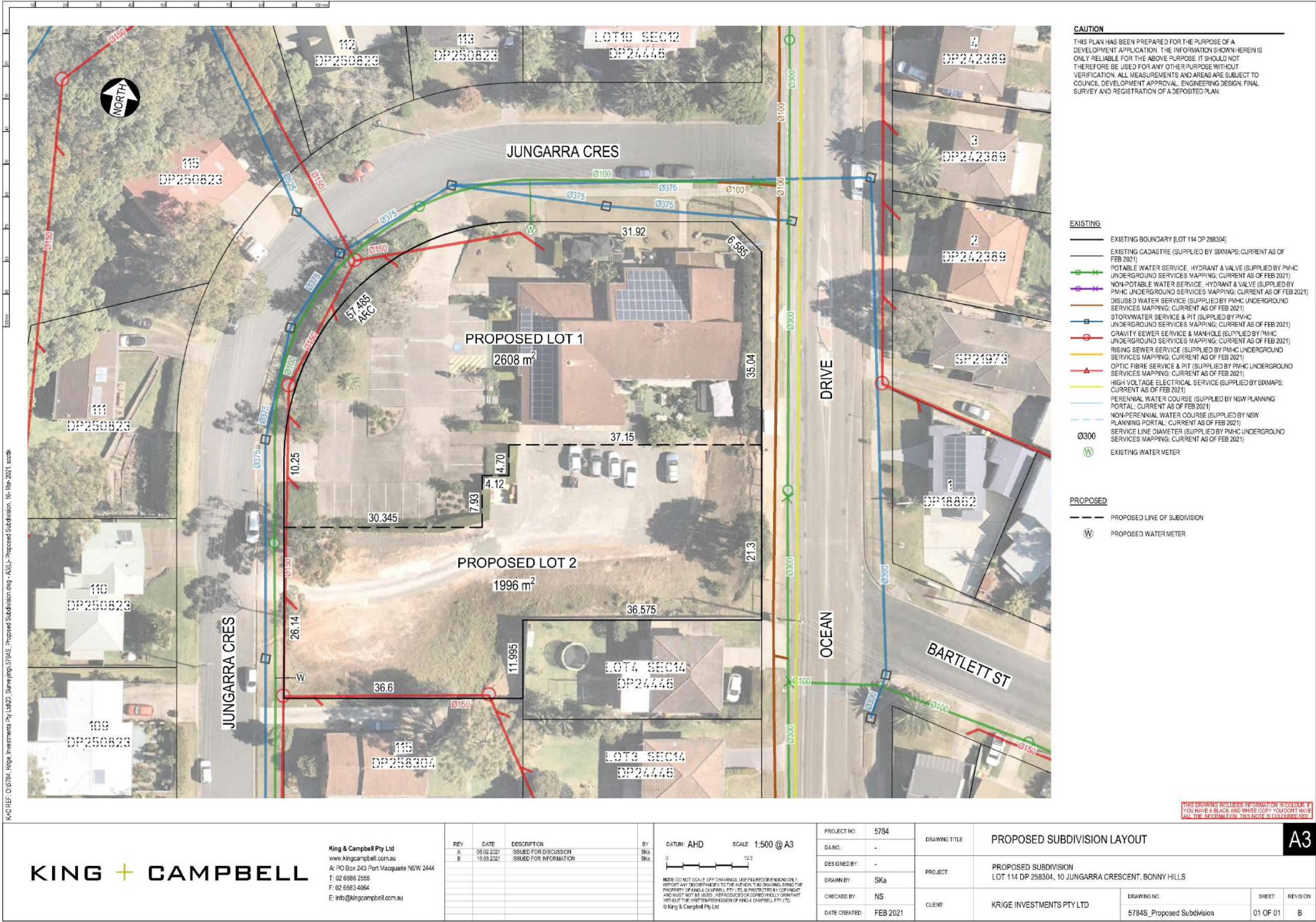
- (1) (E005) Prior to the release of any bond securities held by Council for infrastructure works associated with developments, a formal written application is to be submitted to Council specifying detail of works and bond amount.
- (2) (E030) Vehicle ramps, driveways, turning circles and parking spaces being paved, sealed and line marked prior to occupation or the issue of the Occupation Certificate or commencement of the approved land use.
- (3) (E034) Prior to occupation or the issuing of the Subdivision Certificate provision to the Principal Certifying Authority of documentation from Port Macquarie-Hastings Council being the local roads authority certifying that all matters required by the approval issued pursuant to Section 138 of the Roads Act have been satisfactorily completed.
- (4) (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.
- (5) (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.
- (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) (E056) A Certificate of Compliance under the provisions of Section 307 of the *Water Management Act* must be obtained prior to the issue of any occupation or subdivision certificate.
- (8) (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
- (9) (E072) Lodgement of a security deposit with Council upon practical completion of the subdivision works.
- (10) (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.

- (11) (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.
- (12) (E195) An 88b restriction limiting access to Ocean Drive is to be noted on title. Details of the proposed restriction are to be provided to Council for approval prior to release of the subdivision certificate and lodged with the Land Titles Office.

F – OCCUPATION OF THE SITE

nil



Item: 08**Subject: DA2021 - 243.1 DWELLING AND SWIMMING POOL INCLUDING
CLAUSE 4.6 VARIATION TO CLAUSE 4.3 (HEIGHT OF BUILDINGS)
OF THE PORT MACQUARIE-HASTINGS LOCAL ENVIRONMENTAL
PLAN 2011 AT LOT 2 DP 1242804, 47 VENDUL CRESCENT, PORT
MACQUARIE****Report Author: Development Assessment Planner, Clint Tink**

| | |
|------------------------|--------------------------------|
| Applicant: | P Boxhall |
| Owner: | G T & G M Buttigieg |
| Estimated Cost: | \$701,730.00 |
| Parcel no: | 67766 |

Alignment with Delivery Program

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

RECOMMENDATION

That DA 2021 - 243.1 for a dwelling and swimming pool including a Clause 4.6 variation to Clause 4.3 (Height of Buildings) of the Port Macquarie-Hastings Local Environmental Plan 2011 at Lot 2, DP 1242804, No. 47 Vendul Crescent, Port Macquarie, be determined by granting consent subject to the recommended conditions.

Executive Summary

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

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

The application includes a Clause 4.6 variation to Clause 4.3 (Height of Buildings) of the Port Macquarie-Hastings Local Environmental Plan 2011. The variation to the standard is less than 10% and the application is able to be determined by the Development Assessment Panel.

The site is considered suitable for the 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 in a significant adverse social, environmental or economic impact.

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

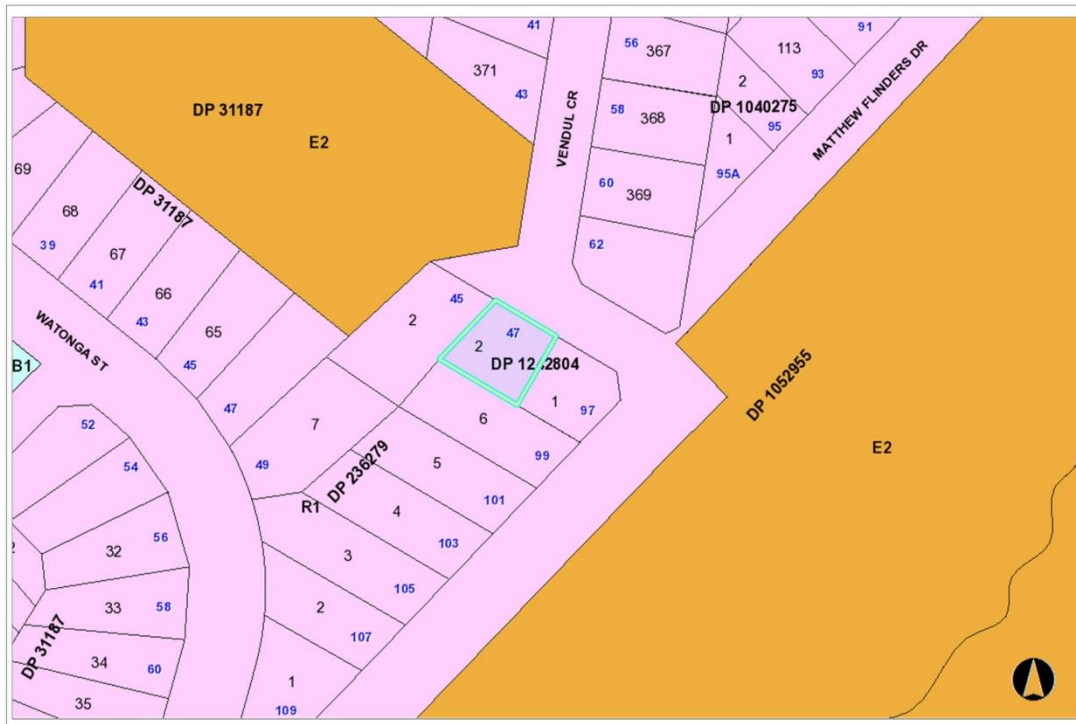
The reason for the application being referred to Council's Development Assessment Panel (DAP) is because three (3) or more submissions to the proposal have been received. A copy of the DAP Charter outlining the delegations and functions of the DAP is available on Council's website.

1. BACKGROUND

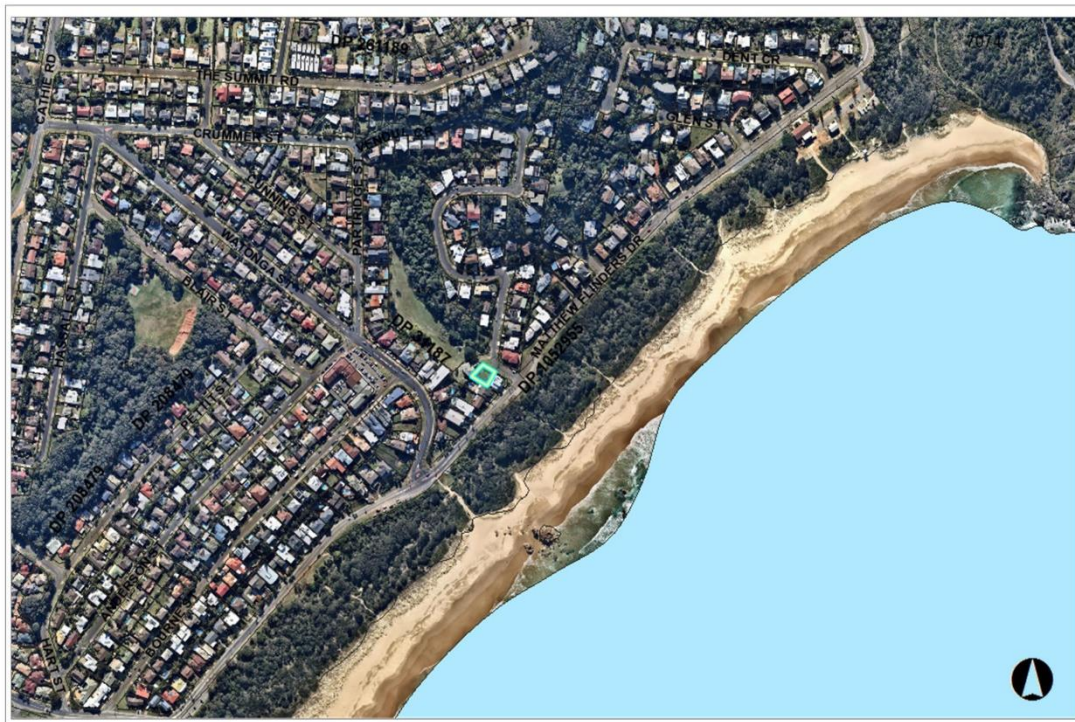
Existing Sites Features and Surrounding Development

The site has an area of 450.5m².

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 photographs:



2. DESCRIPTION OF DEVELOPMENT

Key aspects of the proposal include the following:

- Construction of a single dwelling that will contain two and a half storeys above the existing ground level. In particular, there is a basement level containing the

garage space, a gym area and cinema room, which will be partially excavated into the ground.

- A swimming pool is proposed to the west of the dwelling.
- A Clause 4.6 variation is proposed to Clause 4.3 (Height of Buildings) of Port Macquarie-Hastings Local Environmental Plan 2011. The height limit for the area is 8.5m and part of the dwelling is 8.89m, exceeding the standard by 0.39m. This results in a variation of 4.5%.

Whilst a 4.5% variation is proposed, it is noted that the variation only applies to a small portion of the building.

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

Application Chronology

- 30/3/2021 - Development Application lodged with Council.
- 16-29/4/2021 - Notification period.
- 16/4/2021 - Council staff requested additional information on the rear setback, bushfire assessment and potential overshadowing.
- 22-29/4/2021 - Discussions with the owner and their consultant on the bushfire assessment.
- 28/4/2021 - Essential Energy comments received and provided to the applicant.
- 29/4/2021 - Application referred to the Local NSW Rural Fire Service for comment.
- 6/5/2021 - Applicant responded to the additional information request from 16/4/2021.
- 6-7/5/2021 - Owner requested copies of submissions, which were provided in a redacted state.
- 12/5/2021 - NSW Rural Fire Service provided comments and conditions supporting the application on bushfire grounds.
- 13/5/2021 - NSW Rural Fire Service response was provided to the owner.
- 13-14/5/2021 - A response from the applicant to the submissions was received by Council. Council staff sought clarification on the response, which was provided on 14/5/2021.
- 17/5/2021 - Site inspection carried out.
- 18/5/2021 - Following the site inspection, Council staff requested further information on overshadowing and privacy aspects.
- 18-20/5/2021 - Applicant/owner acknowledged additional information request.
- 3/6/2021 - Applicant responded to additional information request from 18/5/2021.
- 4/6/2021 - Council staff requested further information on the response from 3/6/2021.
- 7/6/2021 - Applicant provided further information on fencing/privacy.
- 7/6/2021 - Revised shadow diagram information was provided to the southern neighbour for their information.

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) 2021

Clause 6 - This SEPP applies to all non-rural zoned land within the Port Macquarie-Hastings Local Government Area.

Clause 11 - The property is less than 1ha in size and does not have a Koala Plan of Management (KPOM) in place. As a result, Clause 11 does not apply.

Clause 12 - Having considered the SEPP, Council is not prevented from granting consent in this case for the following reasons:

1. The property is not subject to a KPOM.
2. The property is cleared and not considered to be core koala habitat.

State Environmental Planning Policy (Primary Production and Rural Development) 2019

Division 4 - Having considered the provisions of Division 4 (clause 29-31), the proposed development will create no adverse impact on any oyster aquaculture development or priority oyster aquaculture 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 (Coastal Management) 2018

Having regard to clause 11 (proximity to littoral rainforest) of this SEPP, the proposed development is not considered likely to result in any of the following:

- (a) Identifiable adverse impacts on the biophysical, hydrological and ecological integrity of the nearby littoral rainforest; and
- (b) Identifiable impacts to water flows to the nearby littoral rainforest.

In particular, the application is for a single dwelling only on an existing cleared lot with access to suitable stormwater management.

The site is also identified as being located within the coastal use area and coastal environment area.

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

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

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

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

State Environmental Planning Policy (Infrastructure) 2007

Clause 45 - Referral to Essential Energy is required for any of the following:

- (a) the penetration of ground within 2m of an underground electricity power line or an electricity distribution pole or within 10m of any part of an electricity tower,
- (b) development carried out:
 - (i) within or immediately adjacent to an easement for electricity purposes (whether or not the electricity infrastructure exists), or
 - (ii) immediately adjacent to an electricity substation, or
 - (iii) within 5m of an exposed overhead electricity power line,
- (c) installation of a swimming pool any part of which is:
 - (i) within 30m of a structure supporting an overhead electricity transmission line, measured horizontally from the top of the pool to the bottom of the structure at ground level, or
 - (ii) within 5m of an overhead electricity power line, measured vertically upwards from the top of the pool.

A referral to Essential Energy was carried out with no objection received. Standard advice about Dial before you Dig was provided, which was forwarded to the applicant.

Port Macquarie-Hastings Local Environmental Plan 2011

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

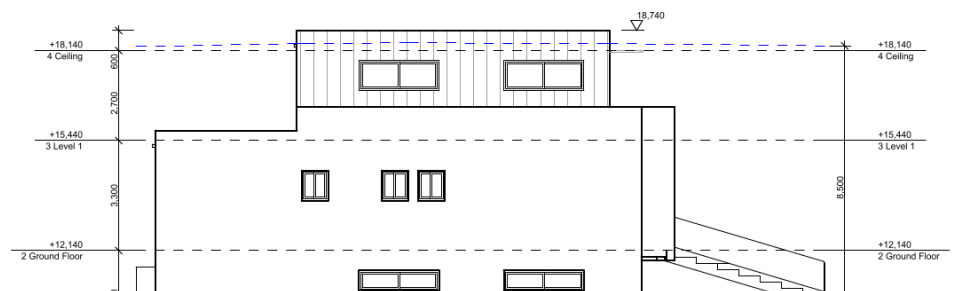
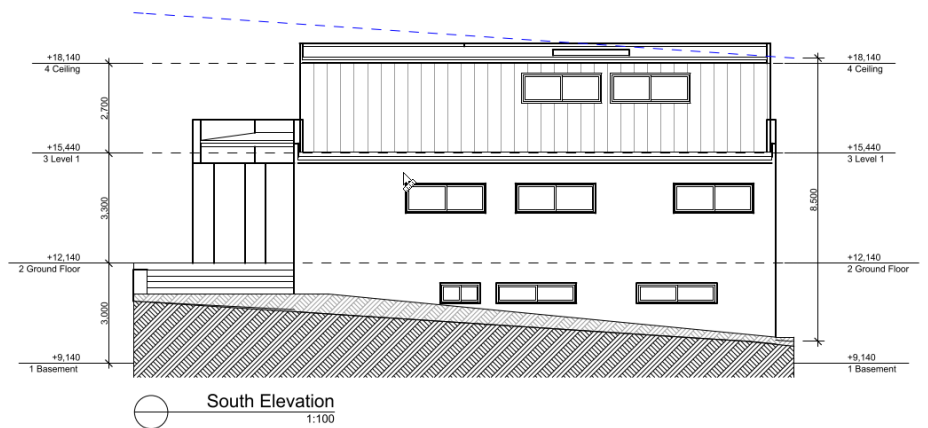
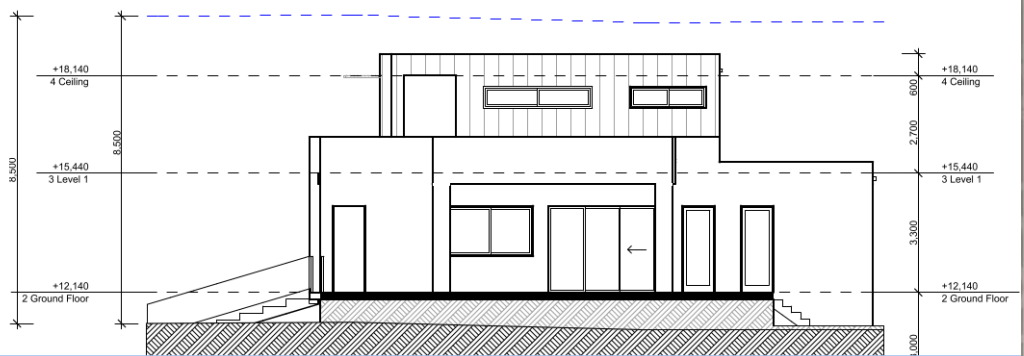
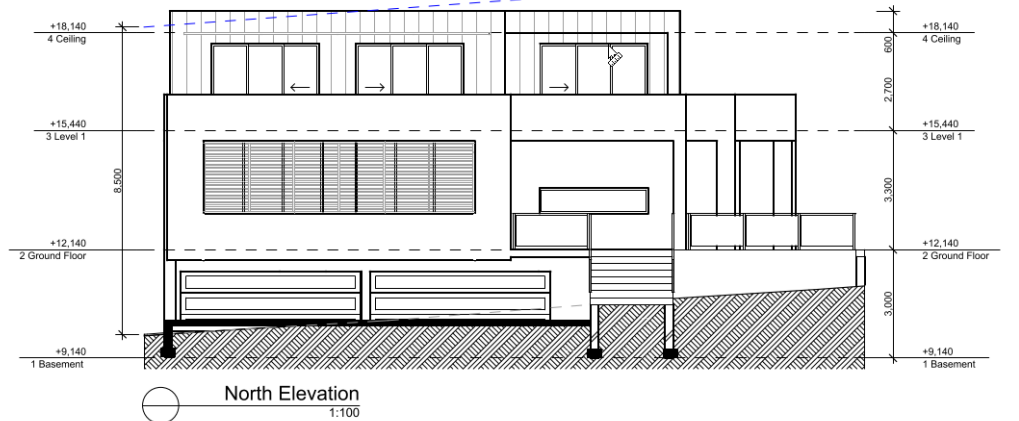
- Clause 2.2 - The subject site is zoned R1 General Residential.
- Clause 2.3(1) and the R1 zone landuse table - A dwelling is a permissible landuse with consent.

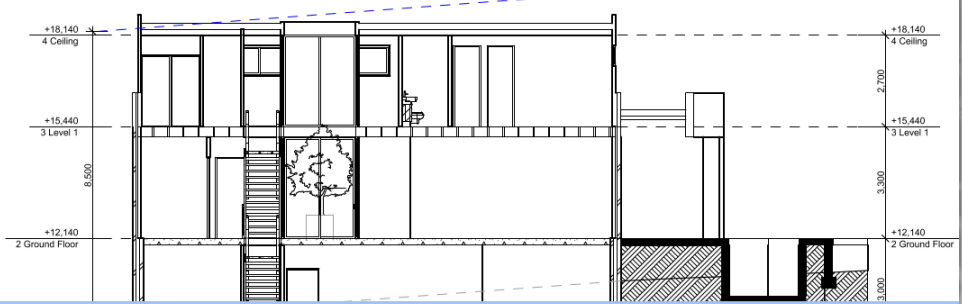
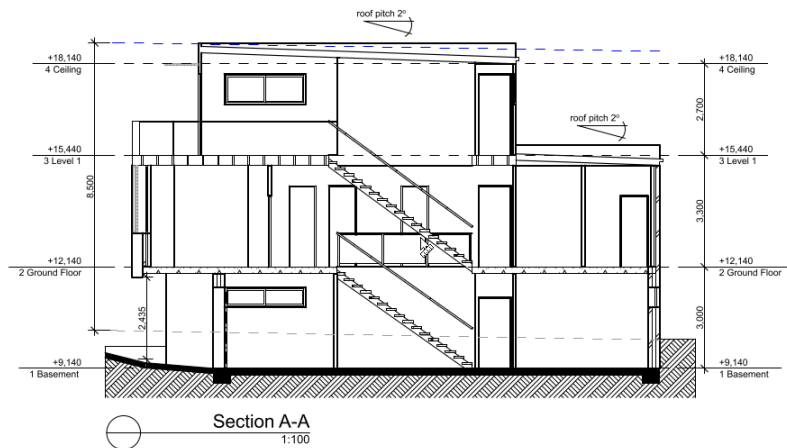
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The objectives of the R1 zone are as follows:

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

-
- Clause 2.3(2) - The proposal is consistent with the zone objectives having regard to the following:
 - The proposal is a permissible landuse;
 - The development will contribute to the variety of housing types and densities to meet the housing needs of the community.
-
- Clause 4.3 - This clause establishes the maximum “height of a building” (or building height) that a building may be built to on any parcel of land. The term “building height (or height of building)” is defined in the LEP to mean “*the vertical distance between ground level (existing) and the highest point of the building, including plant and lift overruns, but excluding communication devices, antennae, satellite dishes, masts, flagpoles, chimneys, flues and the like*”. The term “ground level (existing)” is also defined in the LEP to mean “*the existing level of a site at any point*”.
 -
 - The building height limit for the site is identified on the Height of Buildings Map as being 8.5m. The proposed development is 8.89m, which exceeds the height by 0.39m. This represents a variation of 4.5%. Refer to images below, which demonstrate the sections of the building that exceed the height limit. It is noted that the variation only occurs to a relatively small section of the eastern edge of the top floor, where the existing slope of the land drops away slightly.
 -





-
-
- In considering the height variation, compliance with the following objectives of Clause 4.3 of the LEP must be considered:
 - (a) *to ensure that buildings are compatible with the height, bulk and scale of the existing and desired future character of the locality,*
 - (b) *to minimise visual impact, disruption of views, loss of privacy and loss of solar access to existing development,*
 - (c) *to minimise the adverse impact of development on heritage conservation areas and heritage items,*
 - (d) *to nominate heights that will provide a transition in built form and land use intensity within the area covered by this Plan.*

-
- In this case, the variation is compliant with the Clause 4.3 objectives for the following reasons:
 1. The dwelling presents as a two and half storey building, which is consistent with other dwellings in the area and normally what is allowed via an 8.5m height limit. The bulk of the dwelling has also been reduced by stepping in the top floor.
 2. The variation is minor (ie 4.5%) and only applies to a small section of the eastern edge of the top floor. The majority of the built form of the dwelling is well below the height limit.
 3. The dwelling and height variation do not create any adverse visual impact, view loss, impact on privacy or loss of solar access. In particular, the area is defined by residential development of a similar scale, there are no views to this lower section of Vendul Crescent, the design incorporates measures to deal with privacy (refer to comments on privacy in the DCP section of this report) and the applicant has provided diagrams confirming no adverse overshadowing.
 4. The site or area does not contain any heritage items.

5. The development does not compromise any transition elements of the height controls in the Local Environmental Plan.

- Clause 4.4 - The floor space ratio of the proposal is approximately 0.8:1.0, which complies with the maximum 1:1 floor space ratio applying to the site.
- Clause 4.6 - This clause establishes a degree of flexibility for certain development standards in certain circumstances, which have demonstrated that a better planning outcome will occur from that flexibility. In this regard, the proposal seeks a variation to the building height standard as identified under Clause 4.3 of this report. Assistance on the approach to a variation is taken from NSW Land and Environment Court and NSW Court of Appeal decisions in:
 1. *Wehbe v Pittwater Council (2007) NSW LEC 827 (Wehbe);*
 2. *Four2Five Pty Ltd v Ashfield Council (2015) NSWLEC 1009; and*
 3. *Al Maha Pty Ltd v Huajun Investments Pty Ltd (2018) NSWCA 245*

The assessment will now step through and address the requirements of Clause 4.6(3) and (4).

Clause 4.6(3) states the following:

4.6(3) Development consent must not be granted for development that contravenes a development standard unless the consent authority has considered a written request from the applicant that seeks to justify the contravention of the development standard by demonstrating:

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

Comments: In considering the above, the Applicant has submitted a request in writing (**Attachment 3**) to justify the contravention of the building height standard for the following reasons (as summarised):

1. Strict compliance would prove unreasonable in this case as the non-compliance with the building height standard will not have a significant impact from the street or surrounding properties.
2. The area of non-compliance is a result of the site's topography, which has a cross fall from west to east and falls away on the lower eastern side. We also note that the proposal comprises a flat roof to minimise the height encroachment.
3. The area of the non-compliance is unlikely to result in unreasonable amenity impact to surrounding properties and will not detract from the streetscape. The extent of variation is considered appropriate in this instance.
4. The proposal is consistent with other similar dwellings nearby to the site. Most notably, the site directly adjoins a three (3) storey dwelling located on the immediately adjoining eastern property at No.97 Matthew Flinders Drive and is nearby to other similar three storey dwellings to the west along Vendul Crescent.

Clause 4.6(4) states the following:

4.6(4) Development consent must not be granted for development that contravenes a development standard unless:

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

- ii. the proposed development will be in the public interest because it is consistent with the objectives of the particular standard and the objectives for development within the zone in which the development is proposed to be carried out, and*
- (b) the concurrence of the Secretary has been obtained.*

The above components of Clause 4.6(4) are repeated below with associated comments on compliance.

4.6(4)(a)(i) the applicant's written request has adequately addressed the matters required to be demonstrated by subclause (3)

Comments: It is noted that the applicant has submitted a written request to vary the height limit. This assessment report will now consider whether the request satisfies and adequately addresses the matters required by subclause 3.

In addressing Clause 4.6(3)(a), *Wehbe* established 'five methods' to test whether compliance with the standard was unreasonable or unnecessary as follows:

1. The objectives of the standard are achieved notwithstanding the noncompliance with the numerical standard and therefore compliance is unnecessary.
2. The underlying objective or purpose of the standard is not relevant to the development and therefore compliance is unnecessary.
3. The underlying object or purpose of the standard would be defeated or thwarted if compliance was required and therefore compliance is unreasonable.
4. The development standard has been virtually abandoned or destroyed by the Council's own actions in granting a consent to proposals departing from the standard and hence compliance is unreasonable and unnecessary.
5. The zoning of the particular land is unreasonable or inappropriate so that a development standard appropriate for that zoning is also unreasonable and unnecessary as it applies to the land.

Having regard to the 'five methods', any of which could support consideration of the variation, the following comment is provided:

1. The objectives of the height standard are achieved, notwithstanding the non-compliance with the numerical 8.5m height standard - refer to comments on Clause 4.3 above in this report. Therefore, compliance with the standard is unnecessary in this case.
2. Ensuring compliance for such a minor variation, to such a small section of the top floor and due to a sloping site; is considered unreasonable (ie the majority of the building complies with the standard). The applicant has also cut into the site and reduced the footprint of the top floor to limit the impact. Overall, strict compliance will not result in any significant improved outcome.

In addressing Clause 4.6(3)(b) and that there are sufficient environmental planning grounds to justify contravening the development standard, the following comments are provided:

1. The proposed development will meet the objectives of maximum building height - refer to comments on Clause 4.3 above in this report.
2. The building will not have any identifiable adverse impacts to adjoining properties.

3. The proposed variation will not result in a development, which is out of character with that envisioned for the immediate locality.
4. The bulk of the development is acceptable with the proposed FSR for the site being well below that allowed by the 1:1 ratio.

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

4.6(4)(a)(ii) the proposed development will be in the public interest because it is consistent with the objectives of the particular standard and the objectives for development within the zone in which the development is proposed to be carried out, and

Comments: Compliance with the zone and height control objectives are addressed earlier in this report. In summary, the development was considered to comply with the relevant zone and height objectives and therefore have no implications on public interest.

4.6(4)(b) the concurrence of the Secretary has been obtained.

Comments: As per the Planning Circular PS20-002, Council can assume the Director's Concurrence for variations to height. In addition, the variation is less than 10% and able to be determined by the Development Assessment Panel (DAP). If approved or refused by DAP, the decision must also be reported to Council for their information, a public register of variations maintained and quarterly reporting to the Department.

Having regard to the above requirements it is recommended that the height variation using clause 4.6 be supported.

- Clause 5.10 - The site does not contain or adjoin any known heritage items or sites of significance. The site is also disturbed from past residential activities.
- 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 are of relevance to the application.

(iii) Any Development Control Plan in force

Port Macquarie-Hastings Development Control Plan 2013:

| DCP 2013: Part B - General Provisions - B2: Environmental Management | | | |
|-----------------------------------------------------------------------------|-------------------------------|-----------------|-----------------|
| DCP Objective | Development Provisions | Proposed | Complies |

| | | | |
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| 3 | a) Development must comply with Council's Developments, Public Place & Events - Waste Minimisation and Management Policy. | Satisfactory arrangements can be put in place for storage and collection of waste. Standard condition recommended for construction waste management. | Yes |
| Cut and Fill Regrading | | | |
| 4 | a) Development shall not exceed a maximum cut of 1.0m and fill of 1.0m measured vertically above the ground level (existing) at a distance of 1.0m outside the perimeter of the external walls of the building (This does not apply to buildings where such cut and fill is fully retained within or by the external walls of the building). | Areas of cut to be retained by the external walls of the dwelling. | Yes |
| 5 | a) A certified practicing structural engineer must certify any retaining wall greater than 1.0m. | An Engineer will be required to certify the footing and retaining wall design, which will form part of the conditions of consent. | Yes |
| | b) Where a combination of a fence and a wall is proposed to be greater than 1.2m high: – be a maximum combined height of 1.8m above existing property boundary level; | No new retaining wall fence combinations proposed. | N/A |

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| | <ul style="list-style-type: none"> – be constructed up to the front boundary for a maximum length of 6.0m or 30% of the street frontage, whichever is less; – the fence component has openings which make it not less than 25% transparent; and – provide a 3m x 3m splay for corner sites, and – provide a 900mm x 900mm splay for vehicle driveway entrances. | | |
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DCP 2013: Part B - General Provision - B3: Hazards Management**Bushfire Hazard Management**

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| 18 | a) APZs are to be located outside of environmental protection zones and wholly provided within private land. Note perimeter roads provided as part of a residential subdivision are classified as being part of the subdivision and not a separate permissible land use within environment protection zones. | <p>APZs are located within the site.</p> <p>The application was referred to the NSW RFS who provided conditions, noting the use and management of the adjoining Council reserve.</p> | Yes |
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DCP 2013: Part B- General Provisions- B4: Transport, Traffic Management, Access and Car Parking

| DCP Objective | Development Provisions | Proposed | Complies |
|-----------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------|
| Parking Provision | | | |
| 24 | a) Off-street Parking is provided in accordance with Table 3: - 1 parking space per each dwelling for dwelling-house. | The dwelling contains a garage that accommodates in excess of one (1) parking space. | Yes |
| DCP 2013: Part B - General Provisions - B5: Social Impact Assessment and Crime Prevention | | | |
| DCP Objective | Development Provisions | Proposed | Complies |
| Crime Prevention | | | |
| 43 | a) The development addresses the generic principles of crime prevention: <ul style="list-style-type: none"> - Casual surveillance and sightlines; - Land use mix and activity generators; - Definition of use and ownership; - Basic exterior building design; - Lighting; - Way-finding; and - Predictable routes and entrapment locations; - as described in the Crime Prevention Through Environmental Design (CPTED) principles. | <p>The proposed development will be unlikely to create any adverse concealment/entrapment areas or crime spots that would result in any identifiable loss of safety or reduction of security in the immediate area. The development will also provide a level of natural surveillance within the locality.</p> <p>Lighting and CCTV can be installed retrospectively by the owner, should they wish to have further security in the future.</p> <p>.</p> | Yes |
| DCP 2013: Part C - Development Specific Provisions - C1: Low Density Residential Development | | | |

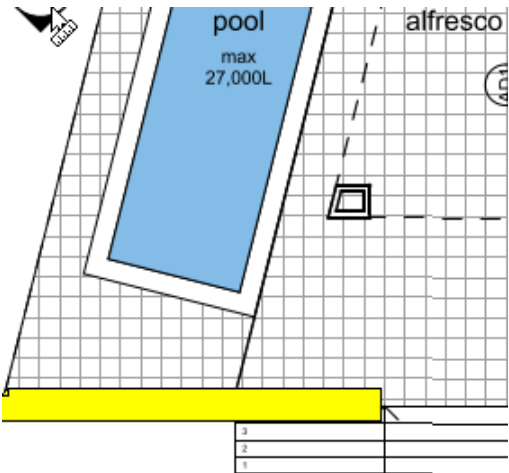
| DCP Objective | Development Provisions | Proposed | Complies |
|-----------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------|
| Front Setbacks | | | |
| 44 | <p>a) Dwellings may incorporate an articulation zone to a street frontage at no less than 3m from property boundary. The following building elements are permitted within the articulation zone:</p> <ul style="list-style-type: none"> - 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. <p>b) These building elements should not extend above the eave gutter line, other than a pitched roof to an entry feature or portico that has the same pitch as the roof on the dwelling house.</p> | <p>Articulation zones not utilised.</p> <p>It is noted that there is a set of stairs within the front setback. However, the DCP is silent on stairs within the front setback but they are noted as a common and acceptable element, especially on steeper blocks. In this case, landscaping will also be conditioned around the stairs to ensure the streetscape is not adversely impacted.</p> | N/A |
| | c) The primary road front setback shall be: | Dwelling is setback 4.5m. | Yes |

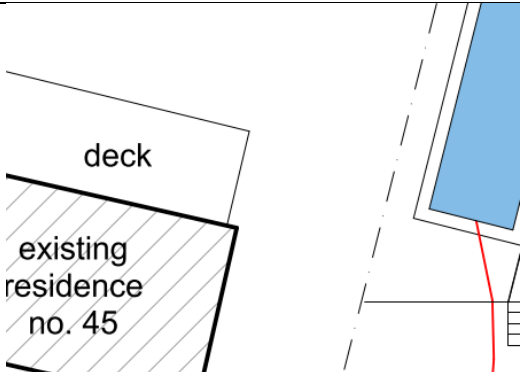
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| | Classified road = any frontage 6.0m Primary frontage = 4.5m Secondary frontage = 3.0m Ancillary Lane = 2.0m Large lot residential and rural zones = 10.0m | | |
| 45 | <p>a) A garage, carport or car parking space should:</p> <ul style="list-style-type: none"> – be at least 1m behind the building line, where the dwelling(s) has a setback from a front boundary of 4.5m or more, or —be at least 5.5m from a front boundary, where the dwelling(s) has a setback of less than 4.5m. | Garage is setback over 5.5m and at least 1m behind the building line. | Yes |
| | b) The total width of the garage/carport openings should not be more than 6m and not more than 50 per cent of the width of the building. | <p>The total width of the garage openings are approximately 10m, which exceeds the 6m requirement and occupies over 50% of the approximate 17m wide dwelling.</p> <p>However, the variation is considered acceptable in this case as the garage is partially excavated into the ground (ie not readily visible from the street) and occupies well below 50% of the overall front façade area. As a result, the garage does not dominate the design or create any adverse impact on the streetscape, street parking or functional vehicle access.</p> | No, but acceptable. |

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| | c) Driveway crossovers are no greater than 5.0m in width. | Driveway crossover is shown to be around 5.8m wide at the kerb. A condition will be imposed to reduce the driveway crossover to the compliant 5m at the kerb and no wider than the width of the garage doors at the boundary. Even though there is a substantial road reserve in front of the property, the above change will further reduce the extent of hardstand areas at the front of the property. | Yes |
| | d) Where a dual occupancy or attached dwelling is proposed on a corner lot a garage and driveway is provided on each road frontage. | Not a dual occupancy. | N/A |
| Side and Rear Setbacks | | | |
| 46 | a) A minimum rear boundary setback of 4m is to be provided to dwellings (including verandahs, patios and decks). | Refer to comments on 46(c) below. | Yes |
| | b) A minimum rear boundary setback of 900mm applies to sheds and swimming pools subject to achieving minimum required private open space area. | Pool is setback 900mm to the revised rear setback - see comment on 46(c). | Yes |
| | c) Council may consider varying rear setback requirements where it is demonstrated that the private open space could achieve better solar | In this case, the applicant has treated the western boundary as the rear setback. At 21.64m, the western boundary is not quite the same length as the 24.12m long southern boundary. However, the 21.64m is still substantial and results in only a minor 10% variation. At the same time, a private open space area is created with far better solar access and usability. | No, but acceptable. |

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| | <p>access between the building and the side setback. In that instance, one side setback should be a minimum 4m in width (for an equivalent length of rear boundary, behind building line) and the rear setback may be reduced to 900mm.</p> | <p>There are minor raised elements within the rear setback (ie decking to transition from the dwelling to and around the pool). However, these add more to the usability of the open space rather than creating obstructions to the use of the area or substantial built form encroachments.</p> <p>In support of the change to the rear setback location, the applicant provided diagrams, which illustrate that no adverse overshadowing will occur to neighbouring properties. The applicant is also open to privacy screening being conditioned on the raised deck areas (ie to ensure no adverse impact on privacy).</p> <p>Based on the above, the adjusted rear setback is considered to meet the objectives of the DCP by creating no adverse overshadowing or privacy impacts, retains natural light and ventilation between dwellings and provides a more useable open space.</p> | |
| 47 | <p>a) Ground floors (being <1m above existing ground level) should be setback a minimum of 900mm from side boundaries.</p> | <p>Ground floor areas are setback 900mm.</p> | Yes |
| | <p>b) First floors and above (including single storey with floor level >1m) should be setback a minimum of 3m from the side boundary, or reduced down to 900mm where it can be demonstrated that the adjoining property's primary living rooms and principal private</p> | <p>The raised ground floor area is setback less than 3m to the southern and eastern boundary. The first floor is also setback less than 3m to the eastern boundary. In lieu, a 900mm setback has been provided.</p> <p>Compliant with the DCP, the applicant has shown that the 900mm setback does not result in any adverse overshadowing of a neighbouring primary living area or principal private open space - refer to shadow diagrams contained within Attachment 2.</p> <p>It was noted that the upstairs deck area on the southern neighbouring property already had a privacy screen facing north, which resulted in such a space</p> | Yes |

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| | open space areas are not adversely overshadowed for more than 3hrs between 9am - 3pm on 21 June. | already being overshadowed (by the screen). | |
| | c) First floors and above should have building walls that step in and out at least every 12m by a minimum of 500mm articulation. Where first floors and above are setback >3m, wall articulation is not required. | The development contains suitable design elements such as change in materials, openings and articulation to suitably break up the bulk of the dwelling. | Yes |
| Private Open Space | | | |
| 48. | a) All dwellings should have a minimum area of private open space of 35m ² , which includes a principal private open space area with: <ul style="list-style-type: none"> - a minimum dimension of 4m x 4m, and - a maximum grade of 5% for minimum 4m x 4m of the total open space requirement, and - direct accessibility from a ground floor living area and orientated to maximise use. | The dwelling contains over 35m ² of private open space, including a 4m x 4m space directly accessible from a living area. | Yes |

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| | b) Private open space may include clothes drying areas and garbage storage. | Noted. | Yes |
| Public Domain and Fencing | | | |
| 49 | Front fences provisions. | No front fences proposed. | N/A |
| Bulk and Scale | | | |
| 51 | <p>a) Direct views between indoor living rooms and principal private open space of adjacent dwellings, including proposed dwellings approved on adjoining lots, including possible dwellings on future lots, should be obscured or screened where:</p> <ul style="list-style-type: none"> Ground and first floor (and above) indoor living room windows are within a 9m radius. Direct views between principal private open space areas where within a 12m radius. Direct views between indoor living rooms of dwellings into the principal area of private open space of | <p>The development will not compromise privacy in the area due to a combination of lack of windows on relevant boundaries, use of obscure windows, high sill windows, limiting living areas that face adjoining living areas/open space, compliant separation and use of screening/fencing.</p> <p>A privacy screen will also be required/conditioned along the southern edge of the raised deck to obscure views to the south (see below with the yellow section representing the location a screen is required).</p>  <p>It is also noted that whilst the living and deck area of the adjoining 45 Vendul Crescent does allow overlooking of the proposed pool area (see below), the majority of the outlook is towards the north/north east. Nonetheless, screening will also be provided to the western boundary to help obscure the view further.</p> | Yes |

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| | other dwellings within a 12m radius. |  | |
| | <p>b) A balcony, deck, patio, pergola, terrace or verandah should have a privacy screen where there are direct views of:</p> <ul style="list-style-type: none"> – Indoor living room windows of adjacent dwellings, including proposed dwellings approved on adjoining lots within 9m radius; or – Principal areas of private open space of adjacent dwellings, including proposed dwellings approved on adjoining lots within a 12m radius. | Refer to comment on 51(a). | Yes |
| | <p>c) Privacy protection is not required for:</p> <ul style="list-style-type: none"> – Any Indoor living room windows with a sill height of greater than 1.5m above the | Refer to comment on 51(a). | Yes |

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| | finished floor level of that room or where fixed non-openable translucent glass is installed to the same height. | | |
| | <p>d) Direct views described above may be reduced or obscured by one of the following measures (details to be submitted with the development application):</p> <ul style="list-style-type: none"> - 1.8m high fence or wall between ground-floor level windows or between a dwelling and principal private open space - Screening of minimum 1.7m height, that has 25% openings (max), with no individual opening more than 30mm wide, is permanently fixed and is made of durable materials. - A window, the whole of which has translucent glass and is | Refer to comment on 51(a). | Yes |

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| | not able to be opened. | | |
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(iia) Any planning agreement that has been entered into under section 7.4, or any draft planning agreement that a developer has offered to enter into under section 7.4

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

(iv) Any matters prescribed by the Regulations

None relevant.

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

Context and setting

The proposal will not have any significant adverse impacts on 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.

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.

Access, traffic and transport

The proposal will not have any significant adverse impacts in terms access, transport and traffic. The existing road network will satisfactorily cater for any increase in traffic generation as a result of the development.

Water supply connection

Service available – details required with Section 68 application. An appropriate standard condition is recommended.

Sewer connection

The proposed works are clear (>600mm) of the existing sewer junction and main traversing the site.

Service available - details required with Section 68 application. An appropriate standard condition is recommended.

Stormwater

Service available - details required with Section 68 application. An appropriate standard condition is recommended.

Other utilities

Telecommunication and electricity services are available to the site.

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 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 not located within a Biodiversity Values mapped area, is disturbed from past residential uses and will not require any removal/clearing of any native vegetation. As a result, the development does not trigger the biodiversity offsets scheme and 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 of the proposed development will not result in any significant adverse impacts on the existing air quality or result in any pollution. Standard precautionary site management condition recommended.

Bushfire

The site is identified as being bushfire prone.

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

An assessment of bushfire risk having regard to section 4.3.5 of Planning for Bushfire Protection 2006 including vegetation classification and slope concluded that a Bushfire Attack Level 12.5 shall be required.

As the assessment also made reference to the adjoining Council reserve, referral to the Local Rural Fire Service (RFS) was undertaken to ensure Council would not be burdened with any maintenance requirement. The NSW RFS subsequently reviewed the proposal and made recommendations, none of which burdened Council. The NSW RFS also reiterated the need for BAL 12.5 construction.

Based on the above, management of bushfire risk is acceptable subject to BAL construction levels being implemented and APZ being maintained. Appropriate conditions are recommended.

Safety, security and crime prevention

The proposed development will be unlikely to create any adverse concealment/entrapment areas or crime spots that would result in any identifiable loss of safety or reduction of security in the immediate area. The development will also provide a level of natural surveillance within the locality.

Lighting and CCTV can be installed retrospectively by the owner, should they wish to have further security in the future.

Social impacts in the locality

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

Economic impact in the locality

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

Site design and internal design

The proposed development design satisfactorily responds to the site attributes and will fit into the locality.

Construction

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

Cumulative Impacts

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

(c) The suitability of the site for the development

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

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

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

Three (3) written submissions 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 |
|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <p>The proposal does not comply with the height limit and should be amended to comply.</p> <p>Council has a recent example/precedent for compliance with the height limit at 97 Matthew Flinders Drive (neighbour). The dwelling on that property exceeded the height limit and was subsequently amended to comply.</p> <p>There is no valid case for a variation and suggest that ceiling heights be adjusted to ensure compliance.</p> | <p>The acceptability of the height variation is considered under the Port Macquarie-Hastings Local Environmental Plan 2011 section of this report, specifically Clauses 4.3 and 4.6.</p> <p>Whilst the application on the adjoining 97 Matthew Flinders Drive is noted, the subject proposal has been considered on merit and deemed acceptable. It is also considered that no precedent was established at 97 Matthew Flinders Drive.</p> <p>Whilst there is scope to amend ceiling heights, it is not considered reasonable to amend several floor levels/ceiling heights to ensure a minor section of the building is made compliant. Especially, when the current ceiling heights are not excessive and the variation occurs mainly from a change in topography onsite. The change to the floor levels would also not result in any noticeable improved outcome on where the variation is being sought (ie no adverse impacts are created from the variation).</p> |
| <p>Loss of privacy to adjoining dwellings.</p> | <p>Refer to comments on Clause 51 in the DCP 2013 section of this report, which addresses privacy.</p> |
| <p>Overshadowing impacts to adjoining dwellings.</p> | <p>Refer to comments on Clause 46 and 47 in the DCP 2013 section of this report, which considers overshadowing. In particular, the applicant has provided shadow diagrams that illustrate compliant overshadowing.</p> |
| <p>The presence/dominance of the dwelling in close proximity to boundaries. Expect a greater setback to above ground levels.</p> <p>Suggested that the dwelling be moved further away from boundaries.</p> | <p>Refer to comments on Clause 46 & 47 in the DCP 2013 section of this report, which considers setbacks.</p> <p>The setbacks and bulk of the building are considered acceptable with the development being substantially excavated into the site and the first floor being stepped in. The proposed FSR is also well below that allowed by the 1:1 ratio.</p> |

(e) The Public Interest

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

(f) 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.

(g) Climate change

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

4. DEVELOPMENT CONTRIBUTIONS APPLICABLE

As the development is for a single dwelling on an approved residential zoned lot, development contributions will not be required.




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.  DA2021 - 243.1 Recommended Conditions
2.  DA2021 - 243.1 Plans
3.  DA2021 - 243.1 Clause 4.6 Justification

**FOR USE BY PLANNERS/SURVEYORS TO PREPARE LIST OF
PROPOSED CONDITIONS - 2011****NOTE: THESE ARE DRAFT ONLY****DA NO: 2021/243****DATE: 21/06/2021****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 | 1922, A01-A07 & A11 & A14 | ATJ Architects | May 2021 (A02 March 2021) |
| Statement of Environmental Effects | | Unknown | Unknown |
| Clause 4.6 Variation | | Metro Planning Services | Unknown |
| Bushfire Hazard Assessment | | David Pensini | 19/3/2021 |
| BASIX Certificate | 1187301S | Thermal Environmental Engineering | 19/3/2021 |

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

- (2) (A002) No work shall commence until a Construction Certificate has been issued and the applicant has notified Council of:

- a) the appointment of a Principal Certifying Authority and
- b) the date on which work will commence.

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

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

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

2. Appropriate dust control measures;
3. Building equipment and materials shall be contained wholly within the site unless approval to use the road reserve has been obtained. Where work adjoins the public domain, fencing is to be in place so as to prevent public access to the site;
4. Building waste is to be managed via 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.

- (4) (A195) The development is to comply with the requirements of the NSW Rural Fire Service letter, Reference DA20210510001852-Original-1 dated 12 May 2021.

B - PRIOR TO ISSUE OF CONSTRUCTION CERTIFICATE

- (1) (B001) Prior to release of the Construction Certificate, approval pursuant to Section 68 of the Local Government Act, 1993 to carry out water supply, stormwater and sewerage works is to be obtained from Port Macquarie-Hastings Council. 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:

- i. Footway and gutter crossing
- ii. Functional vehicular access

- (3) (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 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.

- (4) (B195) Prior to release of the Construction Certificate, the plans are to be amended to show the following:

- a) A 5m wide driveway crossover at the kerb and no wider than the width of the garage doors at the front boundary.
- b) Dense landscaping screening either side of the front stairs using species that are allowed and able to grow to 1.5m in height.
- c) Any proposed clothes lines or water tanks being located behind the front building line or located underground.
- d) Privacy screening along the southern edge of the alfresco/pool area, excluding a 2m space to allow access up and down the rear stairs.
- e) Along the western boundary, for the section containing the raised pool area, either a 600mm addition is to be provided to the existing fence (ie height of the fence to be increased to 2.4m) or privacy screening within the property to achieve an equivalent height above existing ground level is to be provided.

Unless specified, the height of a privacy screen is to be 1.8m above the floor level of the relevant location/deck. The privacy screens are also to be compliant with the transparency design requirements for privacy screens as defined in State Environmental Planning Policy (Exempt and Complying Development Codes) 2008 and any Swimming Pool safety requirements.

- (5) (B196) A certificate from an approved practising chartered professional civil and/or structural engineer certifying the structural adequacy of the proposed footings and retained areas is to be submitted to the Principal Certifying Authority prior to the release of the Construction Certificate.

C – PRIOR TO ANY WORK COMMENCING ON SITE

Nil

D – DURING CONSTRUCTION

- (1) (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.
- (2) (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.
- (3) (D017) In accordance with the Swimming Pool Regulation a sign is to be erected and maintained that:
 - (a) Bears a notice containing the words “This swimming pool is not to be occupied or used”, and
 - (b) Is located in a prominent position in the immediate vicinity of that swimming pool, and
 - (c) Continues to be erected and maintained until an Occupation Certificate has been issued for the pool.
- (4) (D000) Any excess fill is to be disposed of at an approved location or taken to an approved waste management facility.

E – PRIOR TO OCCUPATION OR THE ISSUE OF OCCUPATION CERTIFICATE

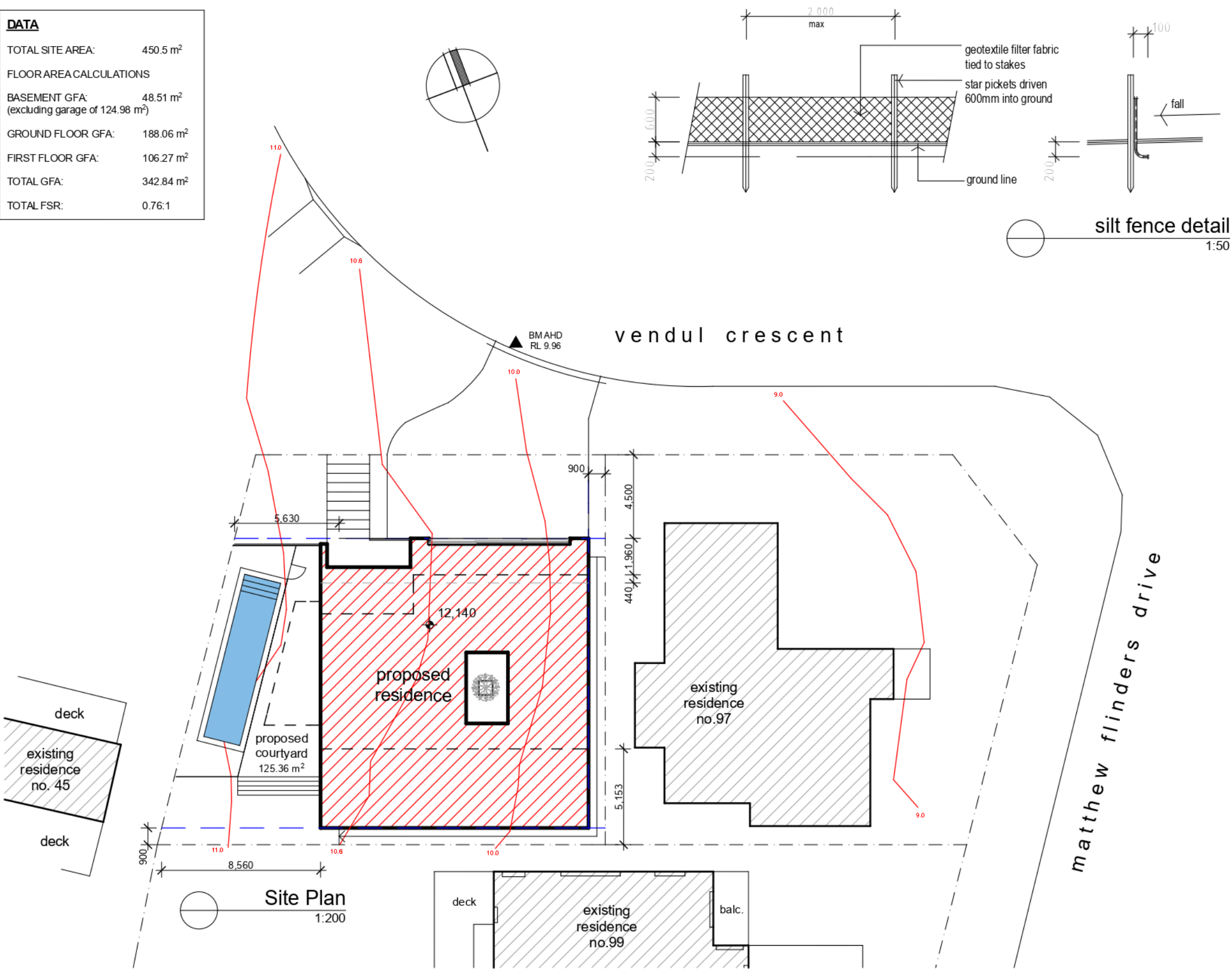
- (1) (E001) The premises shall not be occupied or used in whole or in part until an Occupation Certificate has been issued by the Principal Certifying Authority.

- (2) (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.
- (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) (E051) Prior to occupation or the issuing of any Occupation Certificate a section 68 Certificate of Completion shall be obtained from Port Macquarie-Hastings Council.
- (5) (E020) The provision of a suitable sign containing the details required by the current Swimming Pools Act and Regulations.
- (6) (E021) Pool(s) to be fenced in accordance with the Swimming Pools Act, 1992.
- (7) (E196) Prior to release of the Occupation Certificate or occupation (whichever occurs first), any fencing, landscaping and/or screening is to be completed onsite in accordance with the approved plans and maintained at all times.
- (8) (E015) Prior to release of the Occupation Certificate or occupation (whichever occurs first), written confirmation is to be provided to the Principal Certifying Authority (PCA) from any properly qualified person (eg the builder), stating that the dwelling complies with approved Bushfire Attack Level, as required by this consent.

F – OCCUPATION OF THE SITE

- (1) (F004) The dwelling is approved for permanent residential use and not for short term tourist and visitor accommodation.
- (2) (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.
- (3) (F035) The consent only permits the use of the building as a single dwelling and does not permit the adaption or use of the building so as to create a second occupancy.

| DATA | |
|-------------------------|----------------------------------------------------------------------|
| TOTAL SITE AREA: | 450.5 m ² |
| FLOOR AREA CALCULATIONS | |
| BASEMENT GFA: | 48.51 m ² (excluding garage of 124.98 m ²) |
| GROUND FLOOR GFA: | 188.06 m ² |
| FIRST FLOOR GFA: | 106.27 m ² |
| TOTAL GFA: | 342.84 m ² |
| TOTAL FSR: | 0.76:1 |



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- larger scale drawings and written dimensions take preference.
- do not scale from drawing.
- all dimensions to be checked on site before commencement of work.
- all discrepancies to be brought to the attention of the author.

Notes

| | | | |
|------------|--------------------------|----|--------|
| C | amend as req. by council | bL | may,21 |
| B | for DA | bL | mar,21 |
| A | issue to consultants | bL | oct,20 |
| issue | details | by | date |
| amendments | | | |

project
Proposed Dwelling

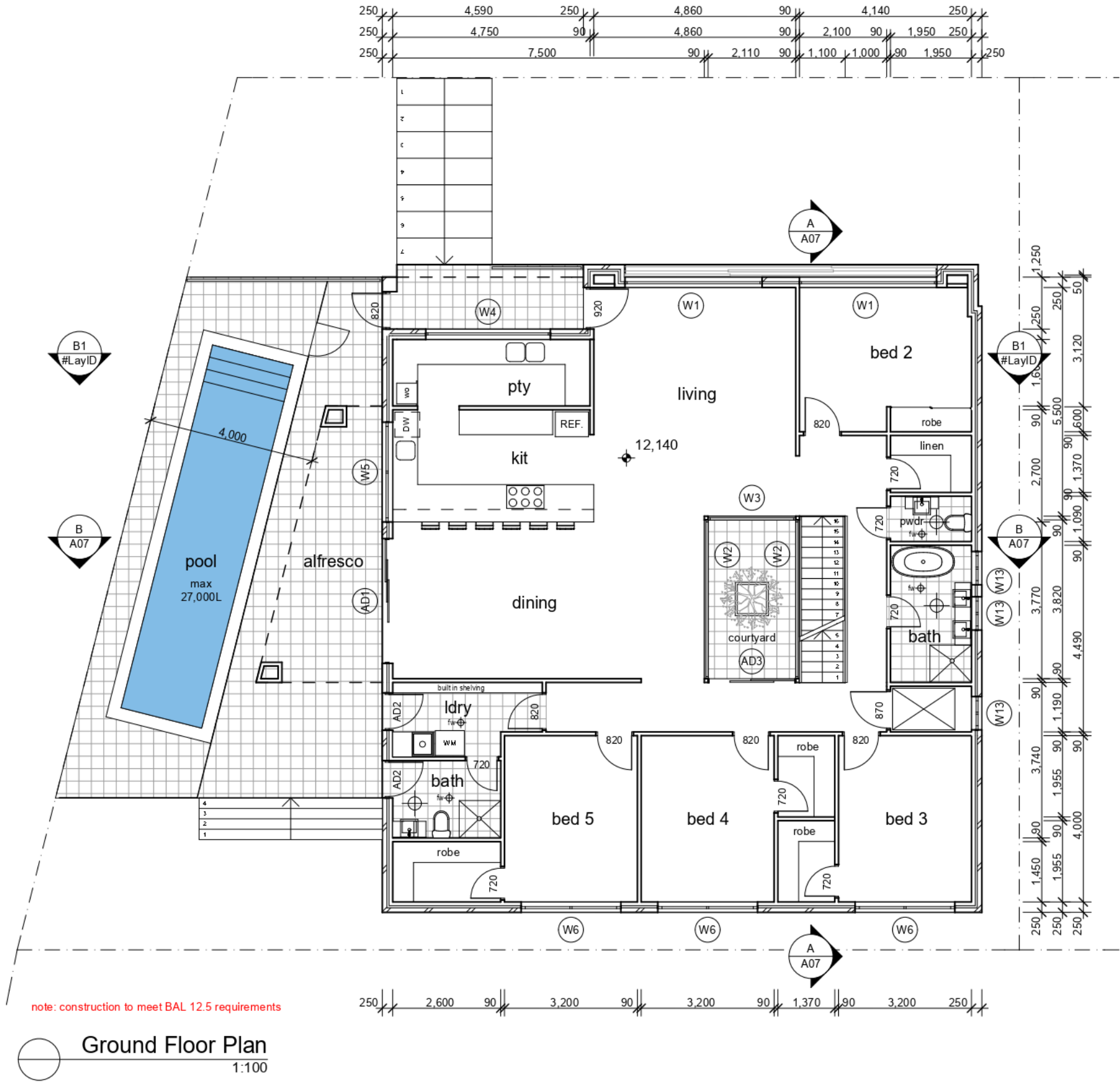
location
Lot 2 D.P. 1242804, 47 Vendul Crescent
PORT MACQUARIE

client
Mr & Mrs G Buttigieg

drawing title
Site Plan

| | | | |
|----------|---------|---------------|-------|
| date | checked | project arch. | drawn |
| 26.09.20 | bl | bl | bl |
| scale | no | issue | issue |
| as shown | 1922 | A01 | C |





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Notes

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| B | for DA | bL | mar,21 |
| A | issue to consultants | bL | oct,20 |
| issue | details | by | date |
| amendments | | | |

project
Proposed Dwelling

location
Lot 2 D.P. 1242804, 47 Vendul Crescent
PORT MACQUARIE

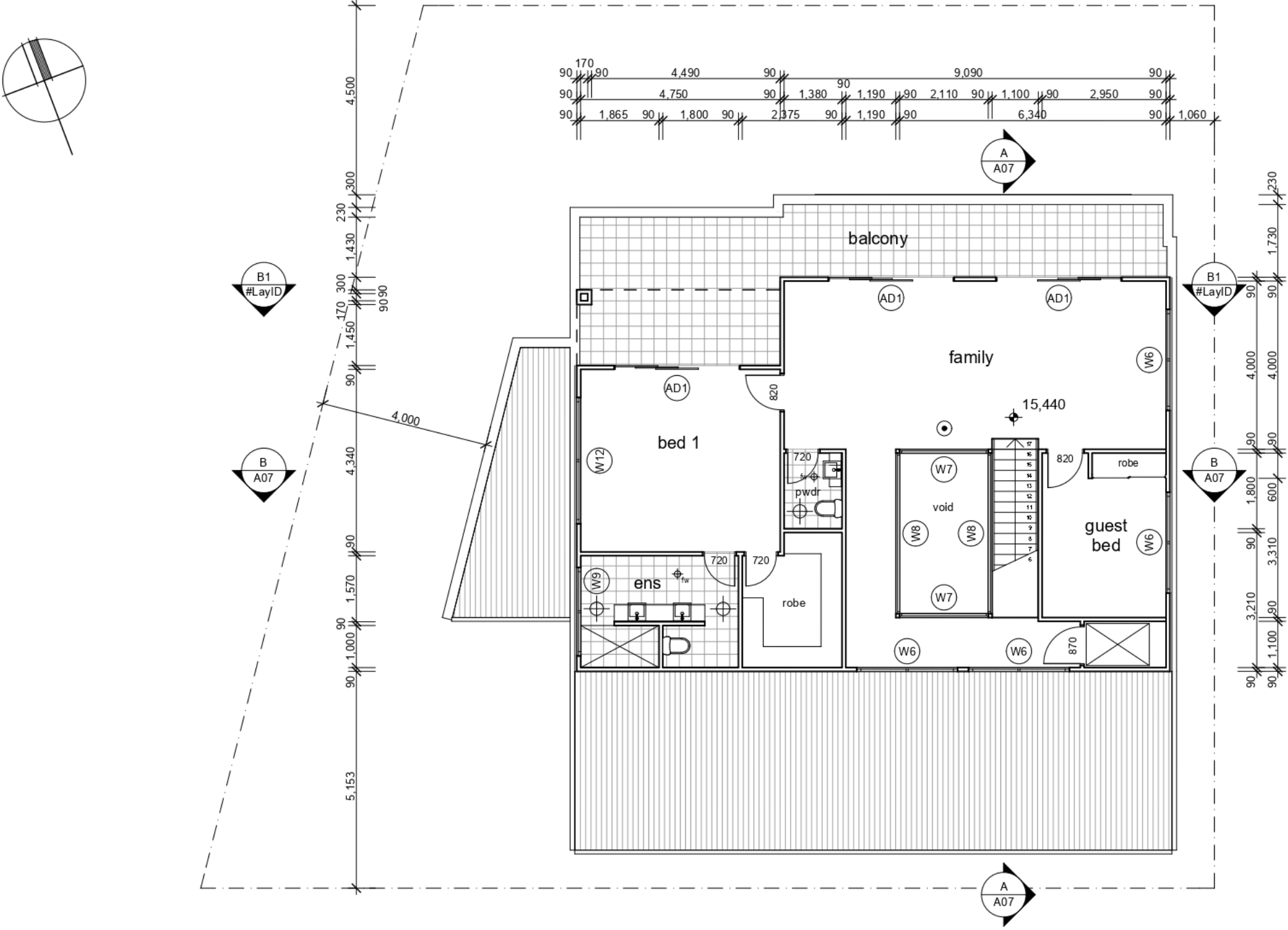
client
Mr & Mrs G Buttigieg

drawing title
Ground Floor Plan

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| date | checked | project arch. | drawn |
| 26.09.20 | | bl | bl |
| scale | no | 1922 | issue |
| as shown | | A03 | C |



ATJ Architects
0414 774 116
43 Hughes Avenue, Harrington Park NSW 2567



note: construction to meet BAL 12.5 requirements

Level 1 Floor Plan
1:100

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Notes

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| B | for DA | bL | mar,21 |
| A | issue to consultants | bL | oct,20 |
| issue | details | by | date |
| amendments | | | |

project
Proposed Dwelling

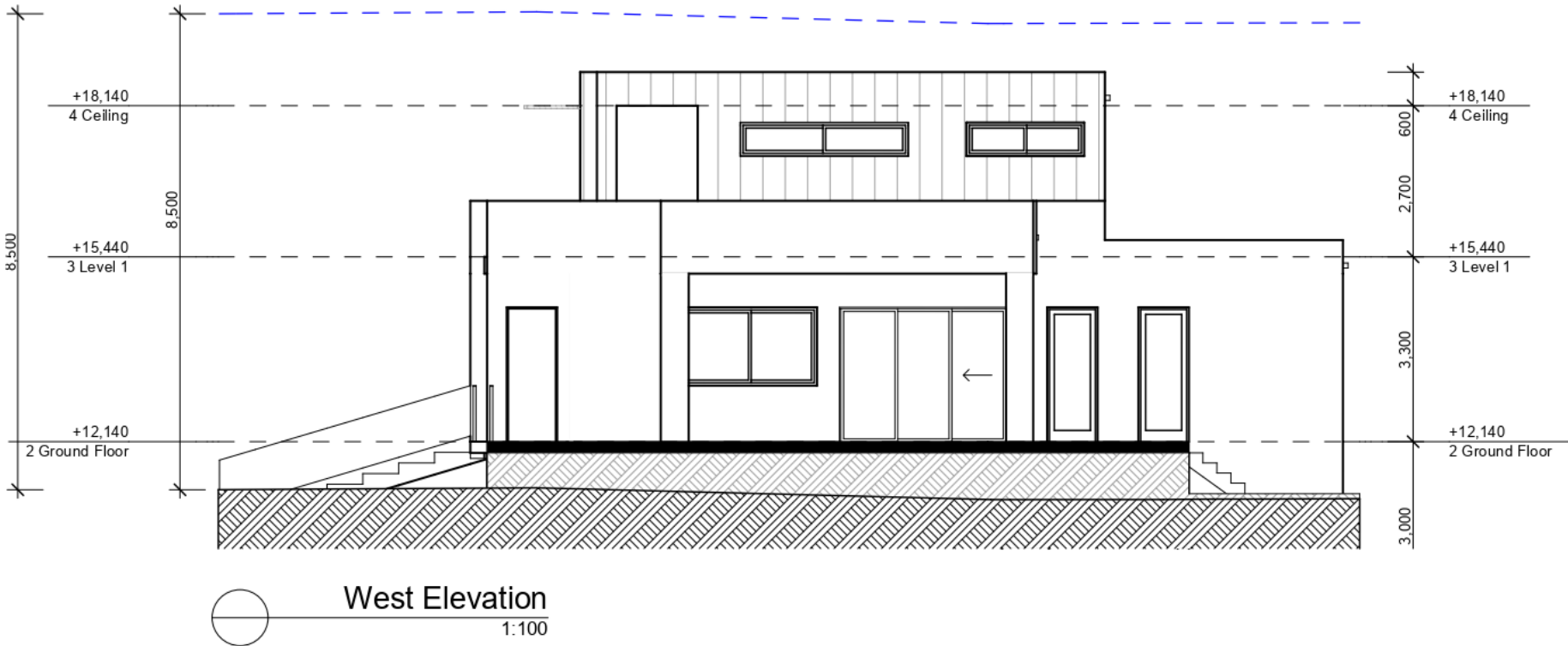
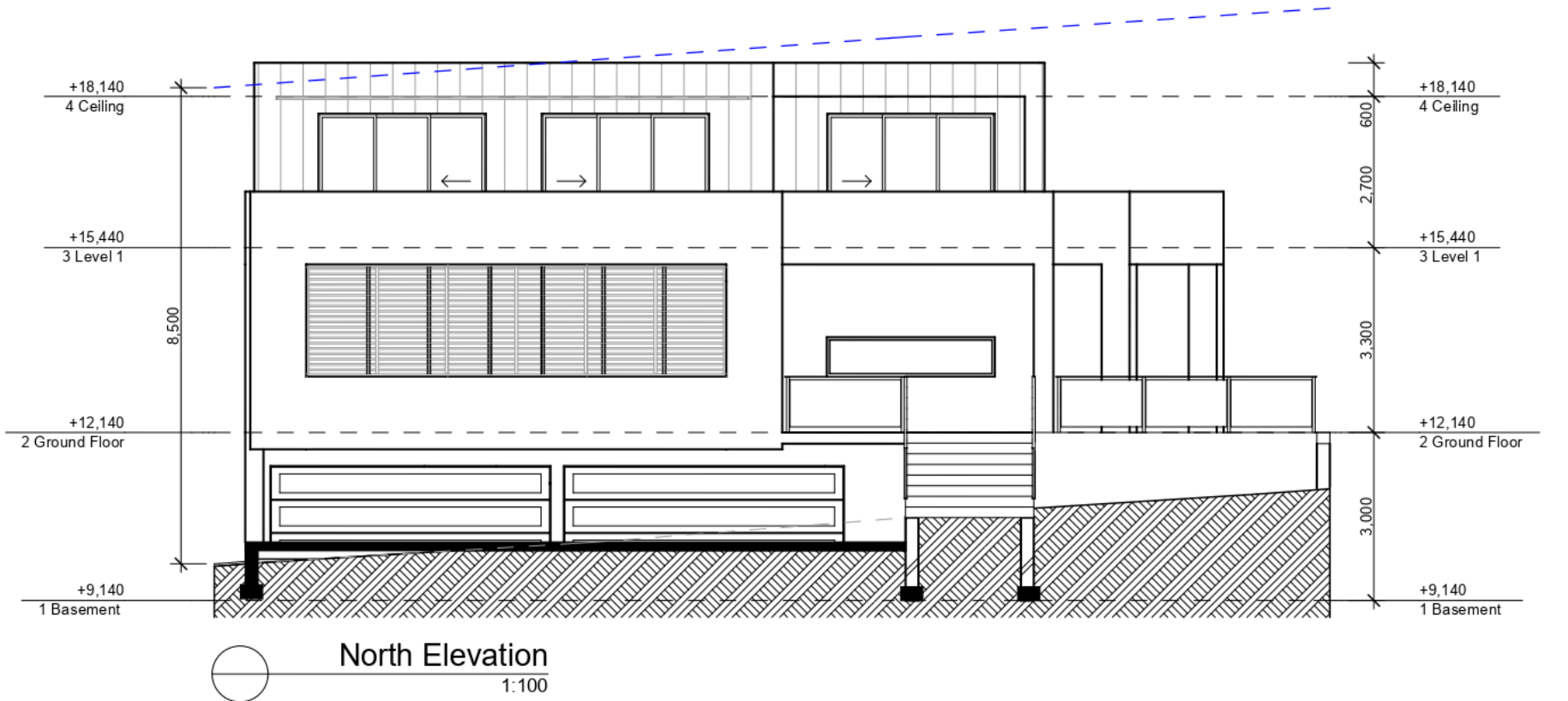
location
Lot 2 D.P. 1242804, 47 Vendul Crescent
PORT MACQUARIE

client
Mr & Mrs G Buttigieg

drawing title
First Floor & Basement Plan

| | | | |
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| date | checked | project arch. | drawn |
| 26.09.20 | | bl | bl |
| scale | no | | issue |
| as shown | 1922 | A04 | C |


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0414 774 116 atjarchitects@outlook.com
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| B | for DA | bL | mar,21 |
| A | issue to consultants | bL | oct,20 |
| issue | details | by | date |
| amendments | | | |

project
Proposed Dwelling

location
Lot 2 D.P. 1242804, 47 Vendul Crescent
PORT MACQUARIE

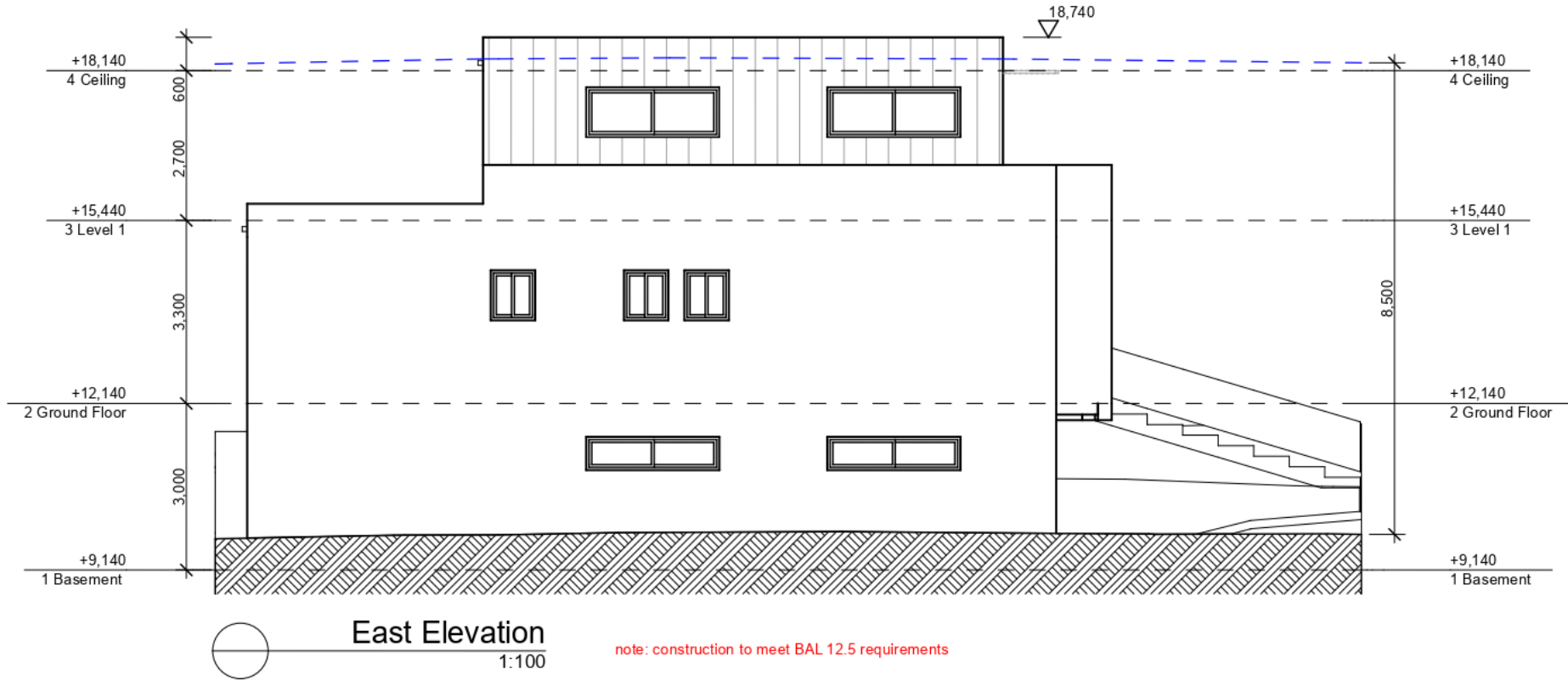
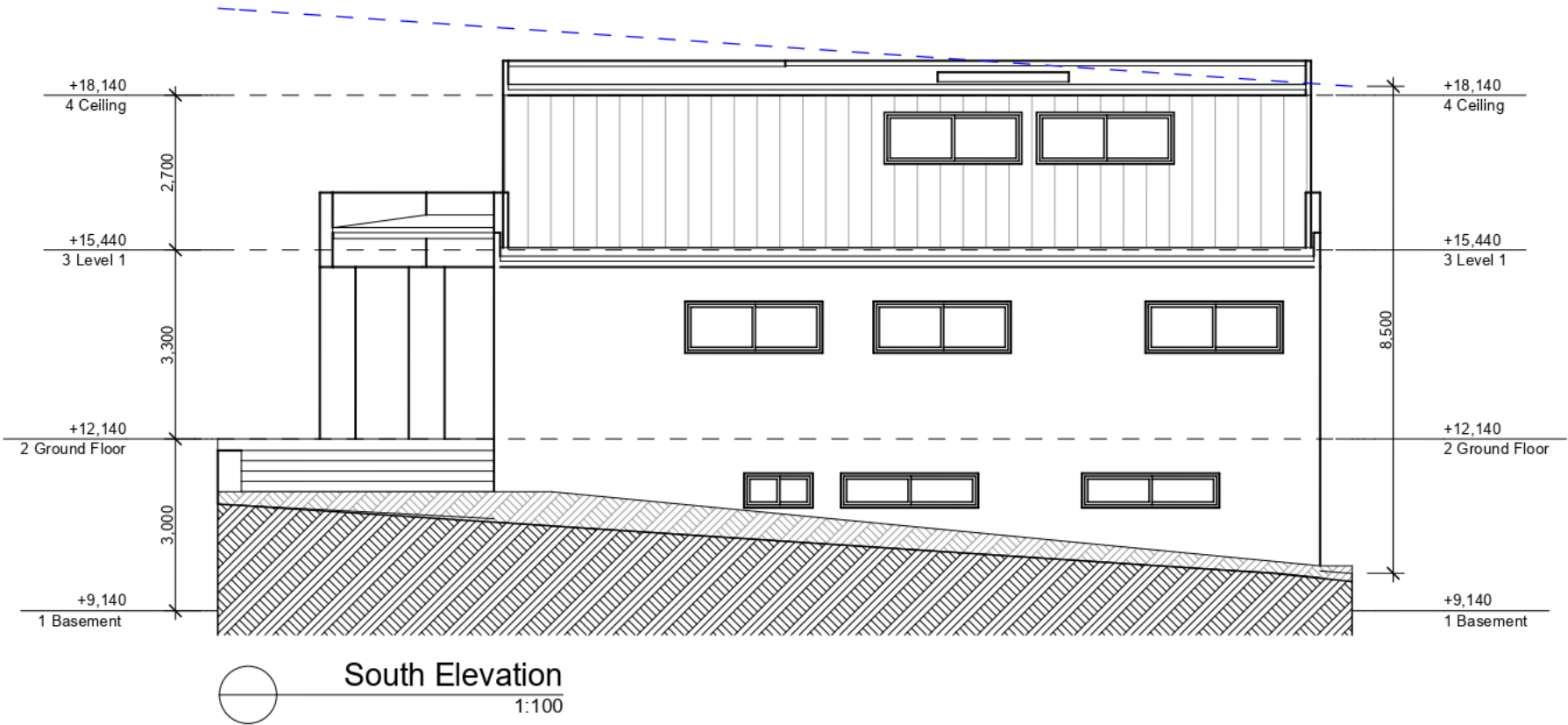
client
Mr & Mrs G Buttigieg

drawing title
Elevations

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| scale | no | issue | issue |
| as shown | 1922 | A05 | C |



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| B | for DA | bL | mar,21 |
| A | issue to consultants | bL | oct,20 |
| issue | details | by | date |
| amendments | | | |

project
Proposed Dwelling

location
Lot 2 D.P. 1242804, 47 Vendul Crescent
PORT MACQUARIE

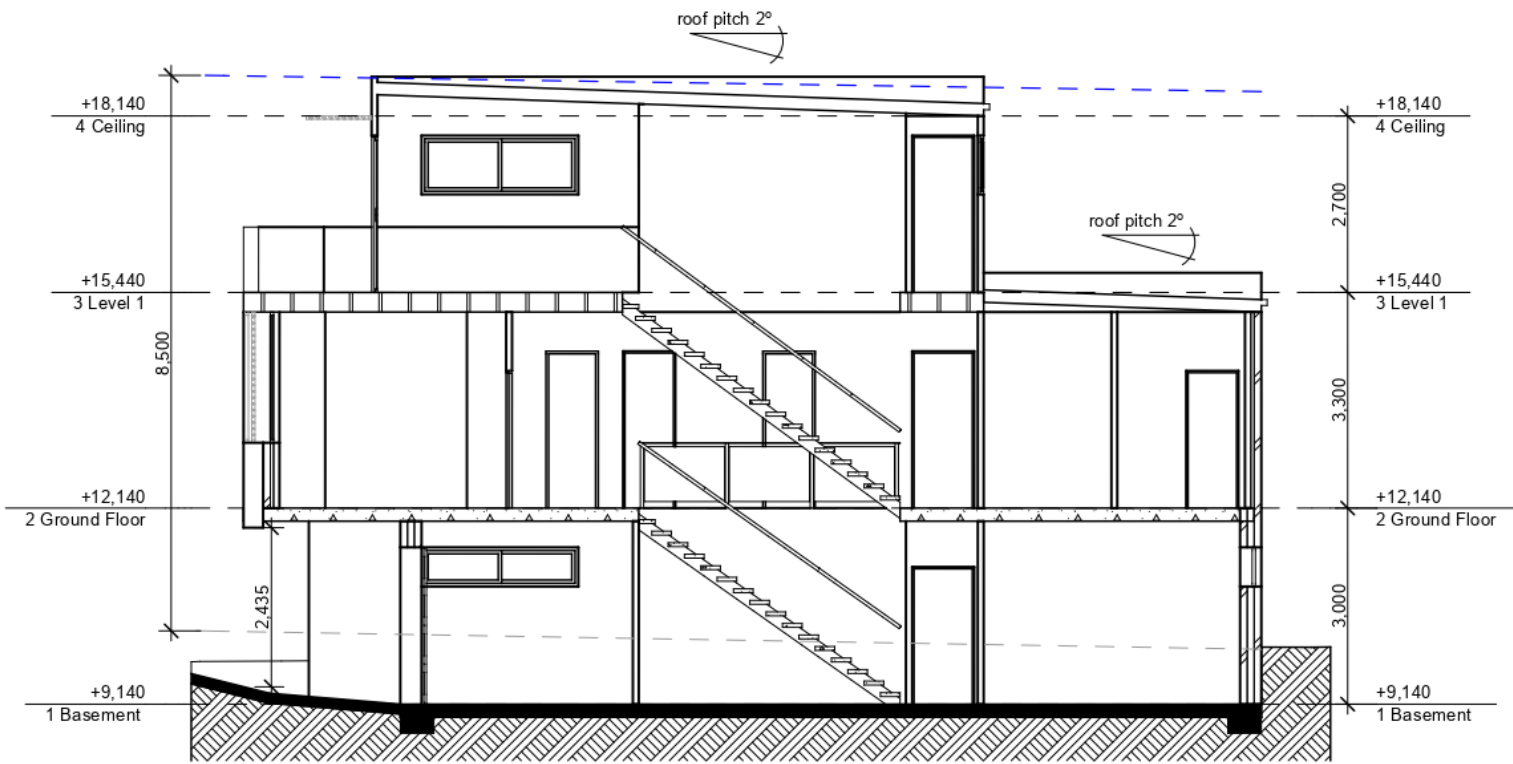
client
Mr & Mrs G Buttigieg

drawing title
Elevations

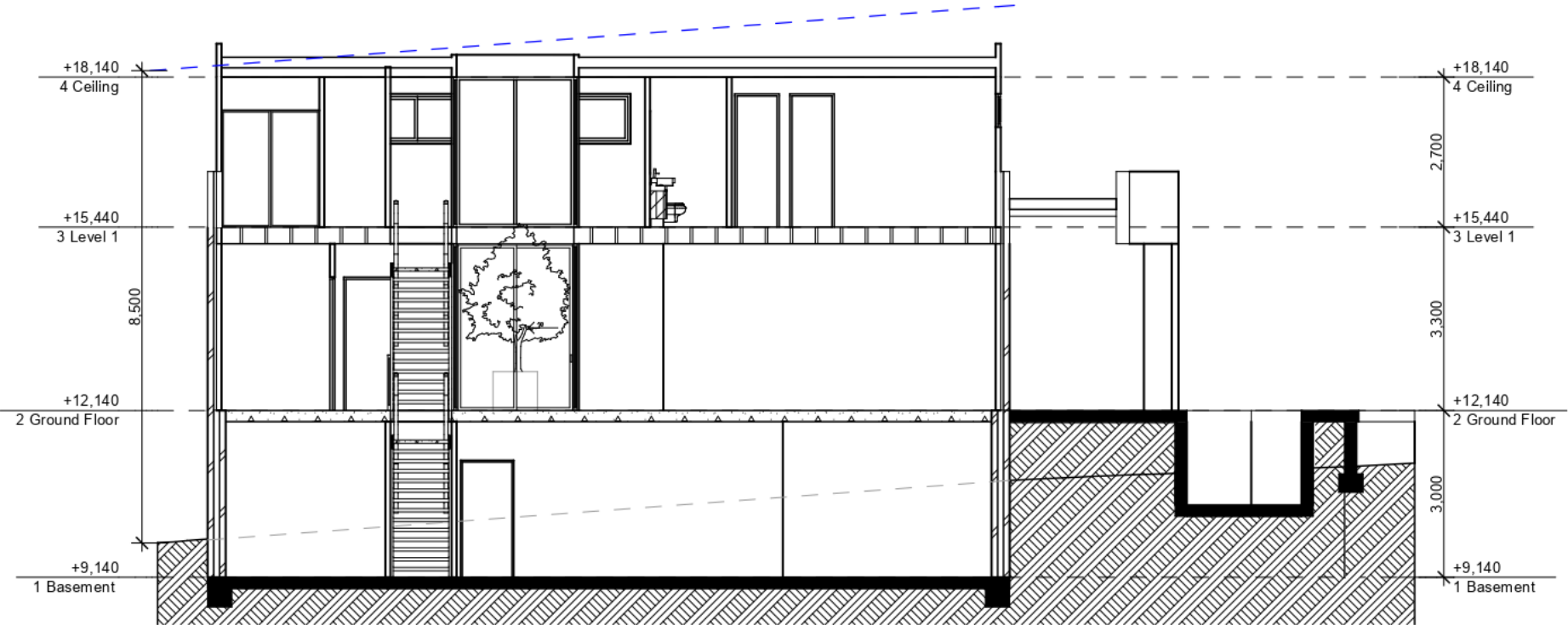
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| scale | no | issue | issue |
| as shown | 1922 | A06 | C |



ATJ Architects
0414 774 116
43 Hughes Avenue, Harrington Park NSW 2567



Section A-A
1:100



Section B-B
1:100

note: construction to meet BAL 12.5 requirements

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Notes

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| B | for DA | bL | mar,21 |
| A | issue to consultants | bL | oct,20 |
| issue | details | by | date |
| amendments | | | |

project
Proposed Dwelling

location
Lot 2 D.P. 1242804, 47 Vendul Crescent
PORT MACQUARIE

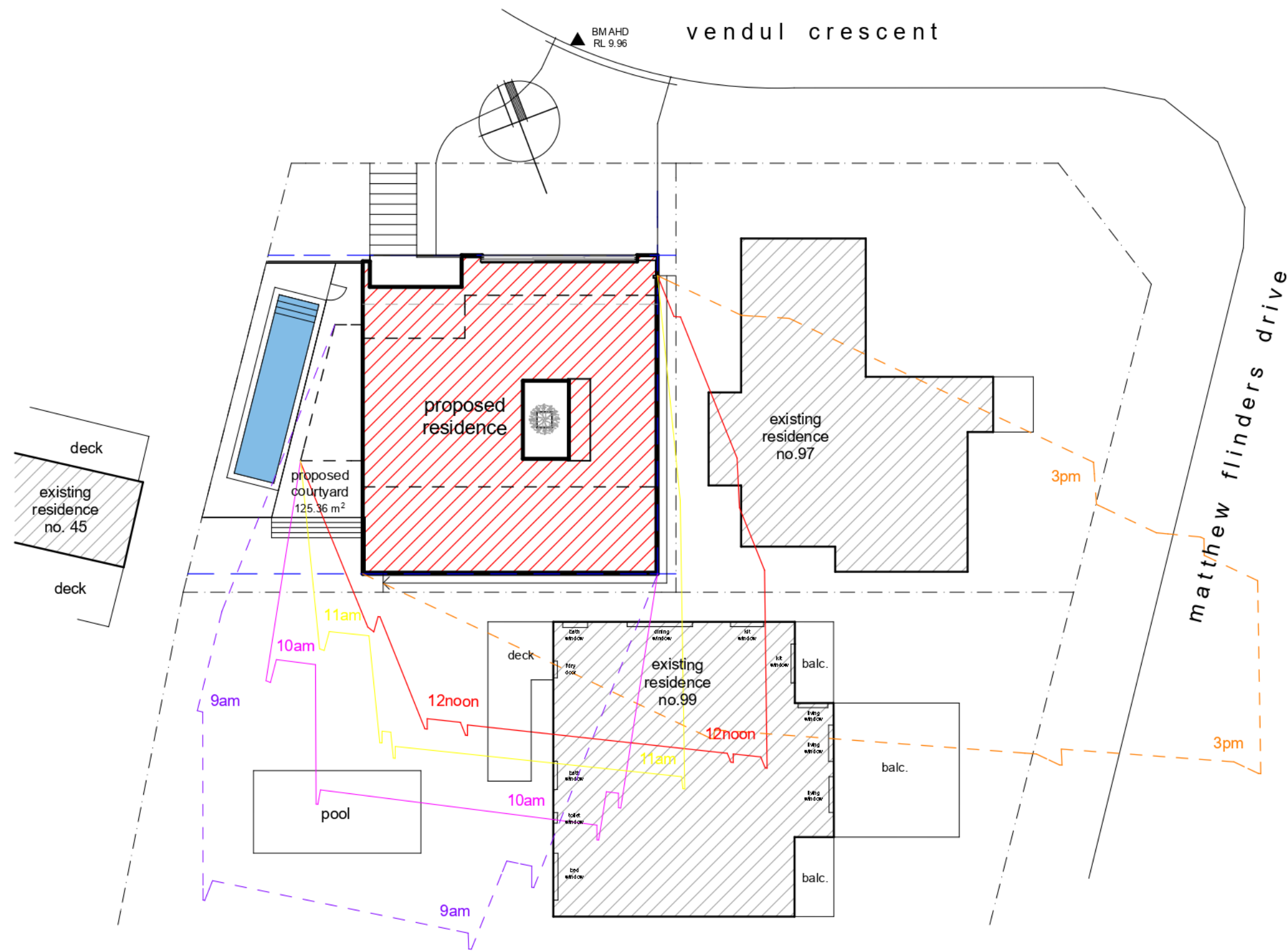
client
Mr & Mrs G Buttigieg

drawing title
Sections

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| date | checked | project arch. | drawn |
| 26.09.20 | | bl | bl |
| scale | no | | issue |
| as shown | 1922 | A07 | C |



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Shadow Diagram June 21
1:200

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| issue | details | by | date |
| amendments | | | |

project
Proposed Dwelling

location
Lot 2 D.P. 1242804, 47 Vendul Crescent
PORT MACQUARIE

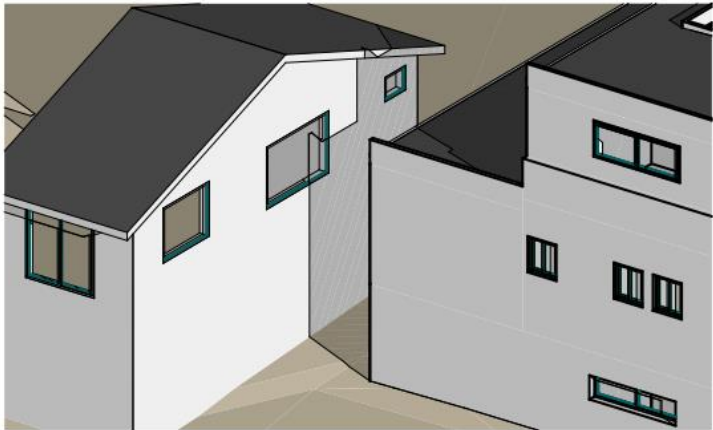
client
Mr & Mrs G Buttigieg

drawing title
Shadow Diagram June 21

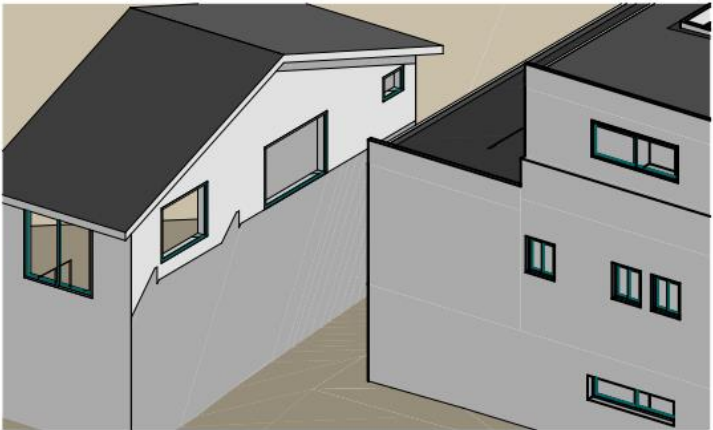
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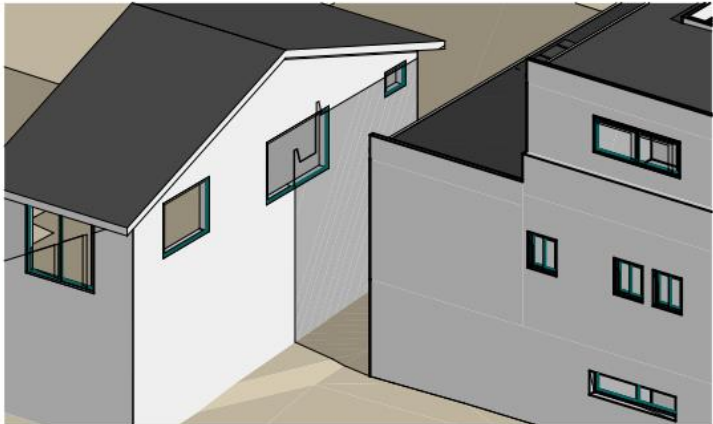
ATJ Architects
0414 774 116
43 Hughes Avenue, Harrington Park NSW 2567



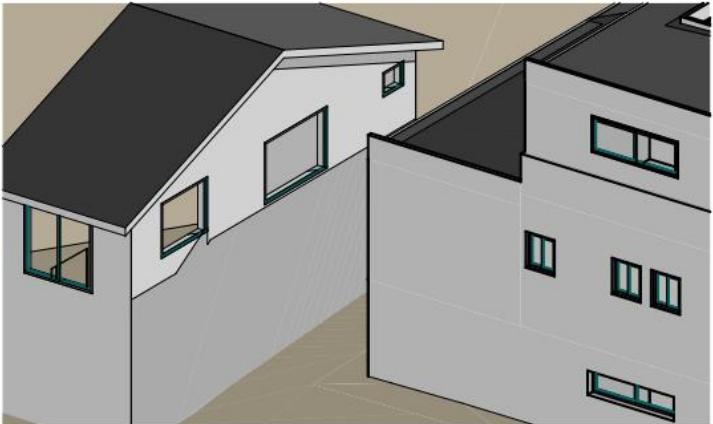
June 21 9am



June 21 1pm



June 21 10am



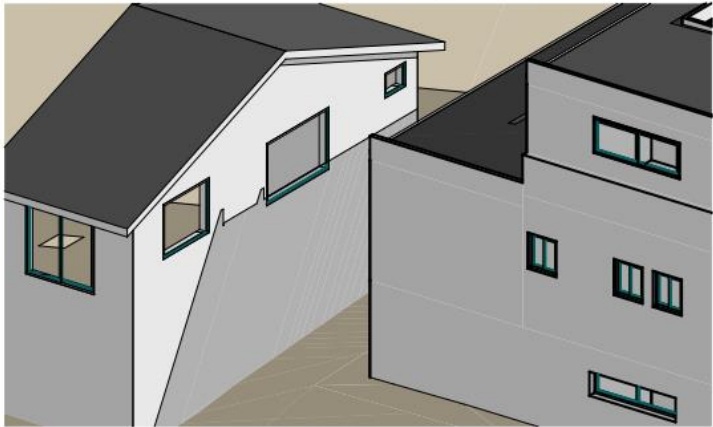
June 21 2pm



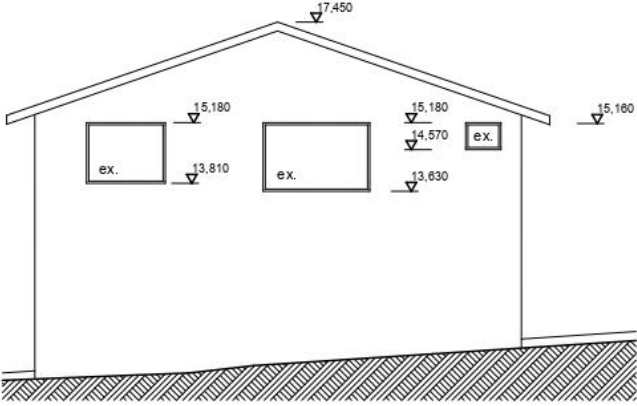
June 21 11am



June 21 3pm



June 21 12pm



Adjoining Window Heights
Window locations & RL's from survey 12181_DTM 28-05-2021

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Notes

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| B | for DA | bL | mar,21 |
| A | issue to consultants | bL | oct,20 |
| issue | details | by | date |
| amendments | | | |

project
Proposed Dwelling

location
Lot 2 D.P. 1242804, 47 Vendul Crescent
PORT MACQUARIE

client
Mr & Mrs G Buttigieg

drawing title
Shadow Diagram June 21

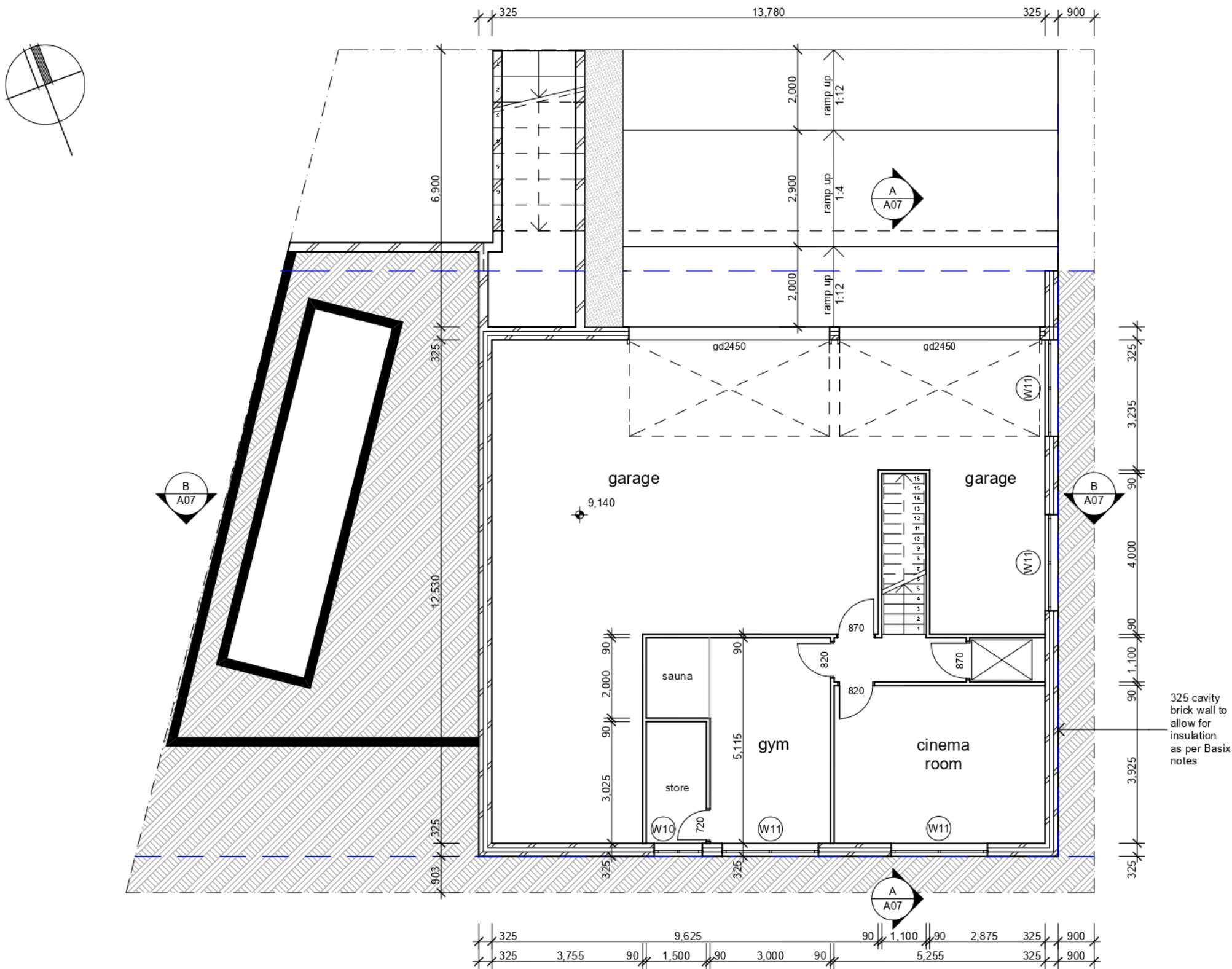
Elevations

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| date | checked | project arch. | drawn |
| 26.09.20 | | bl | bl |
| scale | no | 1922 | A14 |
| as shown | | | issue C |



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43 Hughes Avenue, Harrington Park NSW 2567



Basement Floor Plan
1:100

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- all discrepancies to be brought to the attention of the author.

Notes

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| B | for DA | bL | mar,21 |
| A | issue to consultants | bL | oct,20 |
| issue | details | by | date |
| amendments | | | |

project
Proposed Dwelling

location
Lot 2 D.P. 1242804, 47 Vendul Crescent
PORT MACQUARIE

client
Mr & Mrs G Buttigieg

drawing title
Basement Floor Plan

| | | | |
|-------------------|------------|---------------------|-------------|
| date 26.09.20 | checked | project arch. bL | drawn bL |
| scale as shown | no 1922 | A02 | issue B |





Section 4.6 Exception to Development Standard Request

Construction of three (3) storey dwelling

-No.47 Vendul Crescent, Port Macquarie (Lot 2 DP 1242804)

SECTION 4.6 – EXCEPTIONS TO DEVELOPMENT STANDARDS

Applicant: ATJ Architects

Site Address: No.47 Vendul Crescent, Port Macquarie (Lot 2 DP 1242804)

Proposal: Construction of new three (3) storey dwelling

Introduction

This request seeks a variation to Clause 4.3 of Port Macquarie-Hastings Local Environmental Plan 2011, which relates to a *'Height of Buildings'* development standard.

The submission has been prepared in support of a development application which proposes construction of a three (3) storey dwelling on a site described as No.47 Vendul Crescent, Port Macquarie. The proposed dwelling is of a flat roof design.

Clause 4.6 (Exceptions to Development Standards) of Port Macquarie-Hastings Local Environmental Plan 2011 is the mechanism available to applicants to seek a variation to a development standard. Clause 4.6 states the following:

"4.6 Exceptions to development standards"

- 1) *The objectives of this clause are:*
 - a. *To provide an appropriate degree of flexibility in applying certain development standards to particular development, and*
 - b. *To achieve better outcomes for and from development by allowing flexibility in particular circumstances.*
- 2) *Consent may, subject to this clause, be granted for development even though the development would contravene a development standard imposed by this or any other environmental planning instrument. However, this clause does not apply to a development standard that is expressly excluded from the operation of this clause.*
- 3) *Consent must not be granted for development that contravenes a development standard unless the consent authority has considered a written request from the applicant that seeks to justify the contravention of the development standard by demonstrating:*
 - a. *That compliance with the development standard is unreasonable or unnecessary in the circumstances of the case, and*
 - b. *That there are sufficient environmental planning grounds to justify contravening the development standard.*
- 4) *Consent must not be granted for development that contravenes a development standard unless:*
 - a. *The consent authority is satisfied that:*

- i. *The applicant's written request has adequately addressed the matters required to be demonstrated by subclause (3), and*
 - ii. *The proposed development will be in the public interest because it is consistent with the objectives of the particular standard and the objectives for development within the zone in which the development is proposed to be carried out, and*
 - b. *The concurrence of the Director – General has been obtained.*
- 5) *In deciding whether to grant concurrence, the Director – General must consider:*
 - a. *Whether contravention of the development standard raises any matter of significance for State or regional environmental planning, and*
 - b. *The public benefit of maintaining the development standard, and*
 - c. *Any other matters required to be taken into consideration by the Director-General before granting concurrence.*
- 6) *Consent must not be granted under this clause for a subdivision of land in Zone RU1 Primary Production, Zone RU2 Rural Landscape, Zone RU3 Forestry, Zone RU4 Rural Small Holdings, Zone RU6 Transition, Zone RU5 Large Lot Residential, Zone E2 Environmental Management or Zone E4 Environmental Living if:*
 - a. *Subdivision will result in 2 or more lots of less than the minimum area specified for such lots by a development standard, or*
 - b. *The subdivision will result in at least one lot that is less than 90% of the minimum area specified for such a lot by development standard.*
- 7) *After determining a development application made pursuant to this clause, the consent authority must keep a record of its assessment of the factors required to be addressed in the applicant's written request referred to in subclause (3).*
- 8) *This clause does not allow consent to be granted for development that would contravene any of the following:*
 - a. *A development standard for complying development,*
 - b. *A development standard that arises, under the regulations under the Act, in connection with a commitment set out in a BASIX certificate for a building to which State Environmental Planning Policy (Building Sustainability Index: BASIX) 2004 applies for the land on which such a building is situated,*
 - c. *Clause 5.4."*
 - ca. *Clause 6.4, 6.5, 6.6, 7.22, 7.23, 7.24, 7.25, 7.26, 7.27, 7.28, 7.29 or 7.30.*

Planning Instrument

The Environmental Planning Instrument to which this variation relates is the Port Macquarie-Hastings Local Environmental Plan 2011 (PMH LEP 2011), as amended.

The subject site is zoned R1 General Residential under the PMH LEP 2011.

Development Standard

The requirements of Clause 4.3-‘Height of Buildings’ is as follows:

4.3 Height of Buildings

(2) The height of a building on any land is not to exceed the maximum height shown for the land on the [Height of Buildings Map](#).

The site is mapped with a maximum building height of 8.5 metres under Clause 4.3 of PMHLEP 2011. The proposed dwelling has a maximum height of 8.89m and the height exceedance occurs along the eastern side of the dwelling. The proposed top RL of the side parapet wall is 18.740 and the corresponding spot level of the natural ground under is 9.850.

Justification for Variation of the Standard

Justification for the variation of the ‘height of buildings development standard contained under Clause 4.3 is established against the provisions of Clause 4.6, as follows:

- 1) The objectives of this clause are:**
 - a. To provide an appropriate degree of flexibility in applying certain development standards to particular development, and**
 - b. To achieve better outcomes for and from development by allowing flexibility in particular circumstances.**

This submission seeks an exception to a development standard.

The site is mapped with a maximum ‘height of buildings’ standard of 8.5 metres. The proposed dwelling has a maximum height of 8.89 metres which is 0.39m (4.5%) higher than the mapped height limit requirement of 8.5 metres. The exceedance occurs along the eastern side of the dwelling where the topography of the site slopes away. Refer Figure 1-3.

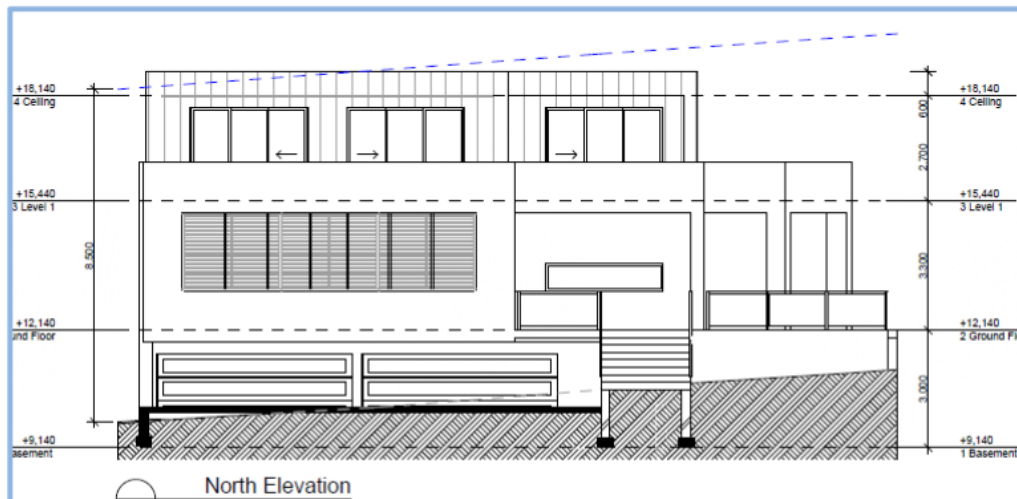


Figure 1-North elevation

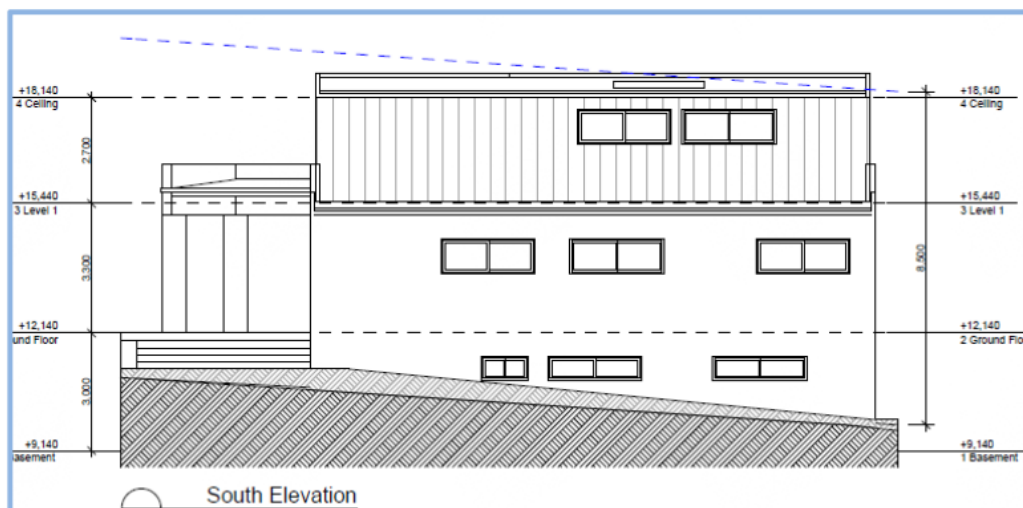


Figure 2-South elevation

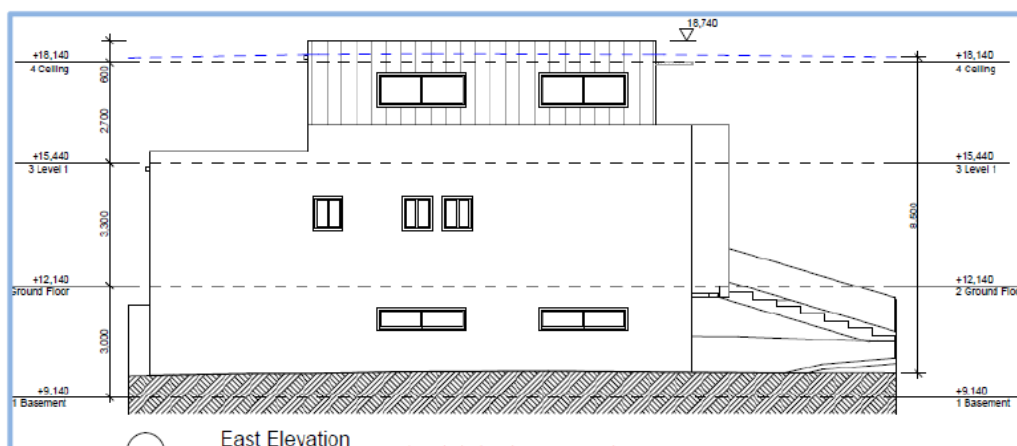


Figure 3-Eastern elevation

It is noted that the objectives of Clause 4.6 seek to recognise that in particular circumstances, strict application of development standards may be unreasonable or unnecessary. The clause provides a means by which a variation to the standard can be achieved.

Strict compliance would prove unreasonable in this case as the non-compliance with the building height standard will not have a significant impact from the street or surrounding properties.

The area of non-compliance is a result of the site's topography which has a cross fall from west to east and falls away on the lower eastern side. We also note that the proposal comprises a flat roof to minimise the height encroachment.

The area of the non-compliance is unlikely to result in unreasonable amenity impacts to surrounding properties and will not detract from the streetscape. Therefore, it is in our opinion, that the extent of variation is appropriate in this instance.

We note that the proposal is consistent with other similar dwellings nearby to the site. Most notably, the site directly adjoins a three (3) storey dwelling located on the immediately adjoining eastern property at No.97 Matthew Flinders Drive and is nearby to other similar three storey dwellings to the west along Vendul Crescent.



Photo 1-View of 97 Matthew Flinders Drive from Vendul Crescent



Photo 2-View of 97 Matthew Flinders Drive from Vendul Crescent



Photo 3-No.105 Matthew Flinders Drive



Photo 4-No. 43 Vendul Crescent

In our opinion, given the above-mentioned reasons, the proposal is not likely to result in significant impacts on the surrounding area and flexibility with the development standard is considered reasonable.

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

The exception is sought under subclause (2) to the mapped “Height of Buildings” requirement of 8.5 metres under Clause 4.3 of Port Macquarie-Hastings Local Environmental Plan 2011. Clause 4.3 is not excluded from the operation of this clause.

- 3) *Consent must not be granted for development that contravenes a development standard unless the consent authority has considered a written request from the applicant that seeks to justify the contravention of the development standard by demonstrating:*
- a. *That compliance with the development standard is unreasonable or unnecessary in the circumstances of the case, and*
 - b. *That there are sufficient environmental planning grounds to justify contravening the development standard.*

This submission forms the written request to Port Macquarie-Hastings Council which justifies the contravention of the development standard for a maximum height of building of 8.5m on the mapped site that the subject land falls within under Clause 4.3. Clause 4.6(3)(a) requires the applicant to provide justification that strict compliance with the mapped 'Height of Buildings' requirement is unnecessary and unreasonable in the particular circumstances of the case.

We have considered *Wehbe v Pittwater Council* (2007) NSWLEC 827, Preston CJ which established five potential tests for determining whether a development standard could be considered to be unreasonable or unnecessary. The Court's recent decision in *Four2Five Pty Limited v Ashfield Council* [2015] NSWLEC 90 has altered the way the five tests ought be applied, requiring justification beyond compliance with the objectives of the development standard and the zone. That is, more than one of those five grounds is now arguably required to be made out.

It is our opinion that the proposal satisfies a number of the five tests established in *Wehbe* and for that reason the development standard is unreasonable and unnecessary in this instance.

The relevant tests are considered below:

Test 1 - The objectives of the standard are achieved notwithstanding non-compliance with the standard

As indicated, this request seeks to vary the application of Clause 4.3 to the subject development. It is our opinion that the objectives of the height of buildings development standard are satisfied, notwithstanding the non-compliance. In considering the variation we have given consideration to the objectives of Clause 4.3.

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

The proposed three (3) storey dwelling is in keeping with the three storey dwelling on the directly eastern property located at No.95 Matthew Flinders Drive and other nearby properties.

The minor height exceedance of the dwelling is localised along the eastern side of the dwelling and is compatible with the bulk and scale of the immediately adjoining eastern dwelling at No. 95 Matthew Flinders Drive.

The proposal has a maximum non-compliance of 0.39m which is considered minimal. The minimal non-compliance is not considered out of character with the locality nor does it make the proposal inconsistent in regards to bulk and scale with other nearby three (3) storey dwellings.

Therefore, it is in our opinion that the minor height non-compliance is not likely to have an unreasonable impact on the neighbouring properties.

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

The proposal has been sensitively designed so that the upper 1st floor level is recessed on the eastern and western sides to minimise its bulk and scale and visual impact.

The proposal has been assessed in relation to view loss and will not adversely impact upon ocean views of adjoining properties.

The proposal has been designed to minimise visual and acoustic privacy impacts upon directly adjoining properties. In this regard the first floor family room is orientated to the north towards Vendel Crescent and the eastern side and southern rear facades comprise highlight windows to minimise overlooking opportunities.

In regard to solar access, the proposal is supported by overshadowing diagrams prepared by ATJ Architects which demonstrate that the proposal complies with Council's requirements of 3hrs of sunlight between 9am and 3pm to the living rooms and private open space of the adjoining southern and eastern properties.

On this basis, it has been concluded that the proposal meets the Council objectives in minimising amenity impacts upon adjoining properties.

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

The site does not contain a heritage item and is not located within the vicinity of any nearby heritage items or within a heritage conservation area. On this basis, the proposal will not adversely impact upon the heritage qualities.

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

The proposed dwelling is consistent in regard to its built form with other nearby three storey dwellings in the area and only encroaches marginally along the lower eastern side. On this basis, the proposal is generally in accordance with the mapped 8.5m height limit for the area.

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

In our opinion, the underlying purpose of the development standard is to present a building that is compatible with the height, context and character of the locality, whilst preserving the amenity of adjoining properties. The shadow diagrams submitted in support of the proposal indicate that there is minimal impact on the adjoining properties.

Accordingly, in our opinion the requirement to comply with the height of buildings development standard is unnecessary in this circumstance of the case, as the bulk, scale and massing is compatible with surrounding dwellings in the immediate area and envisaged future dwellings. On this basis, it will not result in any significant adverse amenity impacts on neighbouring properties.

Test 3 - The underlying object of purpose would be defeated or thwarted if compliance was required and therefore compliance is unreasonable;

The non-compliance with the development standard will not be inconsistent with any planning objectives for the locality. The proposed development is a permissible use in the R1 General Residential zone with consent and is also consistent with the objectives of the R1 General Residential zone which are stated, inter alia:

- *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.*

Based on the objectives of the zone, it is in our opinion that the underlying purpose of the development standard is to present a building that is of a low density character and compatible with the height, context and character of the neighbouring properties. As discussed in this report, the proposal has been designed to maintain the amenity and desired future character of the area. The contemporary residential development will contribute to the surrounding built form and in keeping with the two and three storey presentations to Vendul Crescent and Matthew Flinders Drive.

The dwelling has been carefully designed to accommodate the site's sloping topography and achieve a dwelling that presents with a height that is complementary to the streetscape. Therefore, it is considered unreasonable to adhere to strict compliance for this part of the building.

The development provides the subject site with a dwelling of high quality architectural design that will provide occupants with well-designed internal and external spaces in a desirable locality. The non-compliance with the height will not thwart the proposal's ability to meet the relevant zone objectives. Rather, it is considered that adhering to strict compliance would reduce the proposal from maximising the potential of the site and thus reduce the amenity of the dwelling. Strict compliance would not take into consideration the circumstances of the case, being the slope in topography and thus the numerical non-compliance. Accordingly, it is in our opinion that the non-compliance will not result in inconsistency with existing and future planning objectives for the locality.

On this basis, we consider that to apply the development standard would thwart the underlying standard.

Test 4 - The development standard has been virtually abandoned or destroyed by the Council's own actions in granting consents departing from the standard and hence compliance with the standard is unnecessary and unreasonable;

The standard has not been virtually abandoned or destroyed, and we are aware of other similar cases on sloping sites within Port Macquarie-Hastings Council LGA boundaries where the development standard has been varied.

It is recognised that each development application is assessed on its own merits and each site has different characteristics. However, it is a relevant consideration to understand if the Council has accepted breaches to the mapped '*height of buildings*' standard in the past and under what circumstances the breach was supported and if indeed there are any comparable principles to the subject development application.

It is considered that this submission provides sufficient environmental planning grounds to justify contravening the development standard.

In our opinion, the proposal satisfies the requirements of the 'unreasonable and unnecessary' tests established by the Court in *Wehbe*.

4) *Consent must not be granted for development that contravenes a development standard unless:*

a. *The consent authority is satisfied that:*

i. *The applicant's written request has adequately addressed the matters required to demonstrated by subclause (3), and*

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

Again, it is considered that this submission provides sufficient environmental planning grounds to justify contravening the development standard under subclause 3.

The applicant submits that the consent authority can and should be satisfied of each of these requirements for Clause 4.6(4), for all of the reasons set out in this request, and also having regard to the context of this particular site.

It is noted that there are a number of similar three (3) storey dwellings in the street which are of a consistent bulk and scale to the proposed dwelling. In particular, No. 97 Matthew Flinders Drive and other dwellings west along Vendul Crescent contain similar three storey dwellings. On this basis, the development maintains consistency with development currently in the streetscape and the existing and desired future character of the locality. The proposal provides Vendul Crescent with a contemporary building of high quality architectural design.

As indicated, it is in our opinion that the proposal is in the public interest. In accordance with Test 1 in *Wehbe* and Clause 4.6(4)(a)(ii) an assessment of the proposal against both the objectives of the standard and the zone is undertaken. The consideration of the objectives of the standard is set out in this submission and in our opinion, the proposal is consistent.

5) *In deciding whether to grant concurrence, the Director-General must consider:*

a. *Whether contravention of the development standard raises any matter of significance for State or regional environmental planning, and*

b. *The public benefit of maintaining the development standard, and*

c. *Any other matters required to be taken into consideration by the Director – General before granting concurrence.*

It is considered that the variation sought raises no matter of significance for State or regional environmental planning.

In our opinion, the proposal is appropriate for the locality and strict compliance would unnecessarily complicate orderly and economic development of the land in accordance with the intentions of the zoning and the objectives of the Environmental Planning and Assessment Act 1979.

For the reasons contained in this submission, in our opinion, there are sufficient environmental planning grounds to justify varying the development standard. It is considered that there is no benefit to the public or the community in maintaining the development standard.

- 6) Consent must not be granted under this clause for a subdivision of land in Zone RU1 Primary Production, Zone RU2 Rural Landscape, Zone RU3 Forestry, Zone RU4 Rural Small Holdings, Zone RU6 Transition, Zone R5 Large Lot Residential, Zone E2 Environmental Conservation, Zone E3 Environmental Management or Zone E4 Environmental Living if:**
- a. The subdivision will result in 2 or more lots of less than the minimum area specified for such lots by a development standard, or**
 - b. The subdivision will result in at least one lot that is less than 90% of the minimum area specified for such a lot by a development standard.**

Non-applicable. On this basis the variation sought is not contrary to subclause (6).

- 7) After determining a development application made pursuant to this clause, the consent authority must keep a record of its assessment of the factors required to be addressed in the applicant's written request referred to in subclause (3).**

Should the exception to the development standard sought under this submission be supported by Council, the Council must retain a record of the assessment of this submission.

- 8) This clause does not allow consent to be granted for development that would contravene any of the following:**
- a. A development standard for complying development,**
 - b. A development standard that arises, under the regulations under the Act, in connection with a commitment set out in a BASIX certificate for a building to which State Environmental Planning Policy (Building Sustainability Index: BASIX) 2004 applies or for the land on which such a building is situated,**
 - c. Clause 5.4. ca. Clause 6.4, 6.5, 6.6, 6.7, 7.22, 7.23, 7.24, 7.25, 7.26, 7.27, 7.28, 7.29, or 7.36."**

This proposed development is not complying development.

The proposal is supported by a BASIX Certificate.

The development is not affected by clauses 6.4, 6.4, 6.5, 6.6, 7.22, 7.23, 7.24, 7.25, 7.26, 7.27, 7.28, 7.29 or 7.30.

Item: 09

Subject: DA2021 - 306.1 DUAL OCCUPANCY AND STRATA SUBDIVISION AT LOT 170 DP 1229414 NO. 27 ALLPORT AVENUE THRUMSTER.

Report Author: Development Assessment Planner, Steven Ford

| | |
|-----------------|---------------------------------------|
| Applicant: | Ivision Corporate Investments Pty Ltd |
| Owner: | Ivision Corporate Investments Pty Ltd |
| Estimated Cost: | \$509,921 |
| Parcel no: | 66771 |

Alignment with Delivery Program

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

RECOMMENDATION

That DA 2021 - 306 for a Dual Occupancy and Strata Subdivision at Lot 170, DP 1229414, No. 27 Allport Avenue, Thrumster, be determined by granting consent subject to the recommended conditions.

Executive Summary

This report considers a development application for a Dual Occupancy and Strata Subdivision at the subject site and provides an assessment of the application in accordance with the Environmental Planning and Assessment Act 1979.

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

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

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

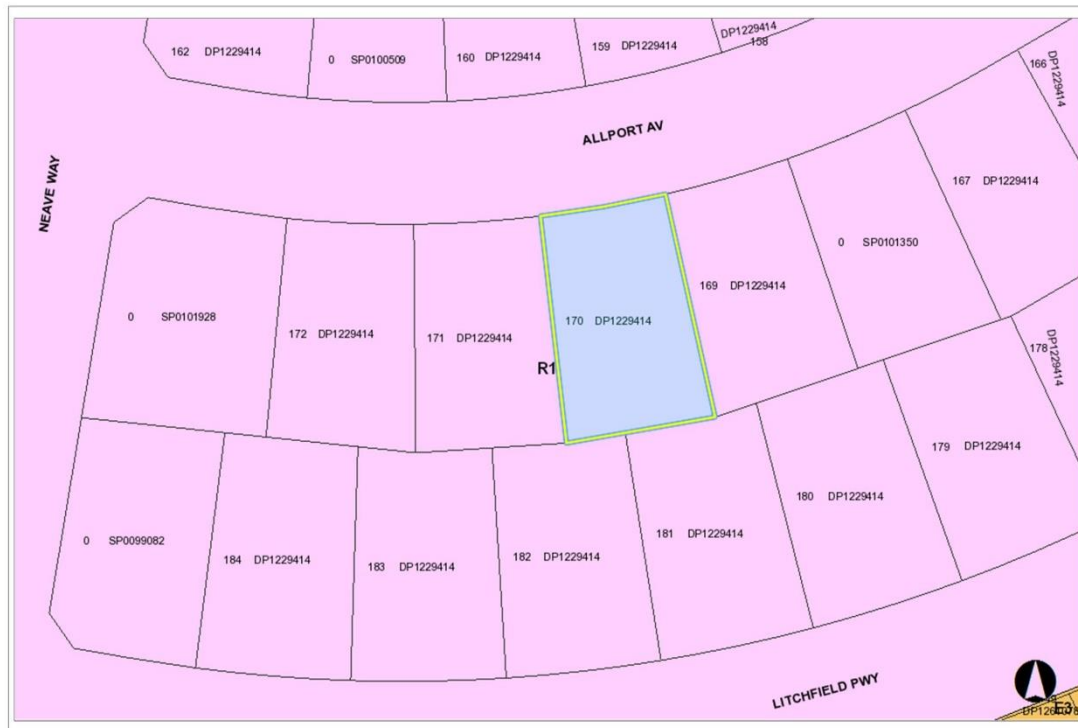
The reason for the application being referred to Council's Development Assessment Panel (DAP) is because three (3) or more objections to the proposal have been received. A copy of the DAP Charter outlining the delegations and functions of the DAP is available on Council's website.

1. BACKGROUND

Existing Sites Features and Surrounding Development

The site has an area of 554m².

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:

- 2x 3 bedroom Dual Occupancy and Strata Subdivision

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

Application Chronology

- 22 April 2021 - Application lodged
- 28 April to 11 May 2021 - Public exhibition via neighbour notification
- 25 May 2021 - Determination from NSW Rural Fire Service received.

3. STATUTORY ASSESSMENT**Section 4.15(1) Matters for Consideration**

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

(a) The provisions (where applicable) of:**(i) Any Environmental Planning Instrument****State Environmental Planning Policy (Koala Habitat Protection) 2021**

Clause 6 - This SEPP applies to all non-rural zoned land within the Port Macquarie-Hastings Local Government Area.

Clause 10 - The land is subject to the Area 13 (Thrumster) Koala Plan of Management, but is not identified as being potential or core koala habitat in that plan (see below).



The specific provisions relating to development in potential or core koala habitat areas are not applicable to the proposal, but it is considered to be consistent with the General Provisions in Part 3, as follows:

| Provision | Comment |
|--------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------|
| 3(C) Clearing of native vegetation | The proposal does not involve the clearing of any native vegetation and |
| 3(D) Protection of Koalas from undue disturbance | The proposal does not include any works within 25m of a tree that could contain a koala. Provision is not applicable. |
| 3(E) Swimming pools | The proposal does not include a swimming pool. |
| 3(F) Habitat Linkages and Buffers | No habitat linkages or buffers traverse the site. |
| 3(G) Habitat restoration | No habitat linkages or buffers traverse the site. Habitat restoration is not applicable. |
| 3(H) Koala Release Area | Not applicable. The koala release area is not associated with the subject site. |
| 3(I) Roads | No roads are proposed to cross a habitat linkage or buffer. |
| 3(J) Community Education | Noted, but not applicable to the proposal. |

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 (number 1188988S and 1189038S) has been submitted demonstrating that the proposal will comply with the requirements of the SEPP. It is recommended that a condition be imposed to ensure that the commitments are incorporated into the development and certified at Occupation Certificate stage.

State Environmental Planning Policy (Infrastructure) 2007

Clause 45 - Development in proximity to electricity infrastructure - referral to Essential Energy has been completed having regard for any of the following:

- (a) the penetration of ground within 2m of an underground electricity power line or an electricity distribution pole or within 10m of any part of an electricity tower,
- (b) development carried out:
 - (i) within or immediately adjacent to an easement for electricity purposes (whether or not the electricity infrastructure exists), or
 - (ii) immediately adjacent to an electricity substation, or
 - (iii) within 5m of an exposed overhead electricity power line,
- (c) installation of a swimming pool any part of which is:
 - (i) within 30m of a structure supporting an overhead electricity transmission line, measured horizontally from the top of the pool to the bottom of the structure at ground level, or
 - (ii) within 5m of an overhead electricity power line, measured vertically upwards from the top of the pool.

As the development has potential for driveways to excavate near underground electricity, a referral to Essential Energy was carried out. Essential Energy subsequently raised no objection.

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 dual occupancy 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 proposal is a permissible landuse;
 - The development will contribute to the variety 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 246.71m² to 308.08m². The minimum 450m² lot size for subdivision does not apply - refer to Clause 4.1A below.

- Clause 4.1A - The minimum lot sizes do not apply to the proposal as it is characterised dual occupancy development.
- Clause 4.3 & 4.4 - There are no height or FSR requirements applicable to the property. Nonetheless, the design, height and FSR are consistent with surrounding development.
- 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: Part B - General Provisions - B2: Environmental Management | | | |
|-----------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------|
| DCP Objective | Development Provisions | Proposed | Complies |
| 3 | a) Development must comply with Council's Developments, Public Place & Events - Waste Minimisation and Management Policy. | Satisfactory arrangements can be put in place for storage and collection of waste. Standard condition recommended for construction waste management. | Yes |
| Cut and Fill Regrading | | | |
| 4 | a) Development shall not exceed a maximum cut of 1.0m and fill of 1.0m measured vertically above the ground level (existing) at a distance of 1.0m outside the perimeter of the external walls of the building (This does not apply to buildings where such cut and fill is fully retained within or by the external walls of the building). | Minimal cut and fill is required for site preparation. Retaining walls are not proposed. | Yes |
| 5 | a) A certified practicing structural engineer must certify any retaining wall greater than 1.0m. | Retaining walls are not proposed. | NA |
| | b) Where a combination of a fence and a wall is proposed to be greater than 1.2m high: <ul style="list-style-type: none"> – be a maximum combined height of 1.8m above existing property boundary level; – be constructed up to the front boundary for a | Retaining wall and fence combinations are not proposed. | NA |

| | | | |
|--|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--|--|
| | <p>maximum length of 6.0m or 30% of the street frontage, whichever is less;</p> <ul style="list-style-type: none"> – the fence component has openings which make it not less than 25% transparent; and – provide a 3m x 3m splay for corner sites, and – provide a 900mm x 900mm splay for vehicle driveway entrances. | | |
|--|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--|--|

DCP 2013: Part B - General Provision - B3: Hazards Management**Bushfire Hazard Management**

| | | | |
|----|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------|----|
| 18 | a) APZs are to be located outside of environmental protection zones and wholly provided within private land. Note perimeter roads provided as part of a residential subdivision are classified as being part of the subdivision and not a separate permissible land use within environment protection zones. | There are no APZ's proposed in environmental protection zones. | NA |
|----|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------|----|

Flooding

| | | | |
|----|------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------|-----|
| 19 | a) Development must comply with Council's Floodplain Management Plan and Flood Policies. | The site is mapped as flood prone, however the mapping pre-dates the filling and subdivision of the land. Development will comply. | Yes |
|----|------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------|-----|

DCP 2013: Part B- General Provisions- B4: Transport, Traffic Management, Access and Car Parking

| DCP Objective | Development Provisions | Proposed | Complies |
|--------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------|----------|
| Parking Provision | | | |
| 24 | a) Off-street Parking is provided in accordance with Table 3. / 1 parking space per each dwelling for dwelling-houses/dual occupancies/semi-detached dwellings. | 2 off-street parking spaces provided. | Yes |

| Parking Layout | | | |
|----------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------|-----|
| 28 | c) Parking spaces shall generally be behind the building line but may be located between the building line and the street when: <ul style="list-style-type: none"> – it is stacked parking in the driveway; or – it can be demonstrated that improvements to the open space provided will result; and – the spaces are screened (densely landscaped or similar) from the street by a landscaping with a minimum width of 3.0m for the entire length of the parking area. | Parking spaces are provided within the garages. | Yes |
| | d) Parking design and layout is provided in accordance with AS/NZS 2890.1 - Parking facilities - Off-street car parking. | Garage dimensions are capable of complying. | Yes |
| 34 | a) All parking and manoeuvring spaces must be designed to avoid concentrations of water runoff on the surface. | Residential driveway only. No adverse impacts identifiable. | Yes |
| | b) Council will not permit the discharge of stormwater directly into kerbing and guttering or table drains for any development other than that of a minor nature. | Discharge to integrated stormwater system provided as part of the parent subdivision. | Yes |

DCP 2013: Part B - General Provisions - B5: Social Impact Assessment and Crime Prevention

| DCP Objective | Development Provisions | Proposed | Complies |
|-------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------|----------|
| Crime Prevention | | | |
| 43 | a) The development addresses the generic principles of crime prevention: <ul style="list-style-type: none"> – Casual surveillance and sightlines; – Land use mix and activity generators; – Definition of use and ownership; – Basic exterior building design; | No concealment or entrapment areas proposed. Adequate casual surveillance available. | Yes |

| | | | |
|--|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--|--|
| | <ul style="list-style-type: none"> - Lighting; - Way-finding; and - Predictable routes and entrapment locations; - as described in the Crime Prevention Through Environmental Design (CPTED) principles. | | |
|--|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--|--|

DCP 2013: Part C - Development Specific Provisions - C1: Low Density Residential Development

| DCP Objective | Development Provisions | Proposed | Complies |
|-----------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------|----------|
| Front Setbacks | | | |
| 44 | <p>a) Dwellings may incorporate an articulation zone to a street frontage at no less than 3m from property boundary. The following building elements are permitted within the articulation zone:</p> <ul style="list-style-type: none"> - 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. <p>b) These building elements should not extend above the eave gutter line, other than a pitched roof to an entry feature or portico that has the same pitch as the roof on the dwelling house.</p> | <p>Front Porch Posts area minimum 4.131m (Unit 1) and 3.75m (Unit 2).</p> <p>Porch roofline satisfactorily integrated into the roof design.</p> | Yes |
| | <p>c) The primary road front setback shall be: Classified road = any frontage 6.0m Primary frontage = 4.5m Secondary frontage = 3.0m Ancillary Lane = 2.0m Large lot residential and rural zones = 10.0m</p> | <p>Minimum front setback to primary frontage: Unit 1 - 4.985m Unit 2 - 4.5m</p> | Yes |
| 45 | <p>a) A garage, carport or car parking space should:</p> | <p>Both garages are located 1.145m behind the</p> | Yes |

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| | <ul style="list-style-type: none"> – be at least 1m behind the building line, where the dwelling(s) has a setback from a front boundary of 4.5m or more, or —be at least 5.5m from a front boundary, where the dwelling(s) has a setback of less than 4.5m. | building line and 5.692m from the front boundary. | |
| | b) The total width of the garage/carport openings should not be more than 6m and not more than 50 per cent of the width of the building. | The width of garage opening is 4.2m and does not exceed 50% of dwelling width for either dwelling. | Yes |
| | c) Driveway crossovers are no greater than 5.0m in width. | Maximum 5m wide shared driveway crossover proposed. | Yes |
| | d) Where a dual occupancy or attached dwelling is proposed on a corner lot a garage and driveway is provided on each road frontage. | NA | NA |
| Side and Rear Setbacks | | | |
| 46 | a) A minimum rear boundary setback of 4m is to be provided to dwellings (including verandahs, patios and decks). | Minimum rear setbacks: Unit 1 - 4.85m Unit 2 - 5.2m | Yes |
| | b) A minimum rear boundary setback of 900mm applies to sheds and swimming pools subject to achieving minimum required private open space area. | NA - No shed or pool proposed. | NA |
| | c) Council may consider varying rear setback requirements where it is demonstrated that the private open space could achieve better solar access between the building and the side setback. In that instance, one side setback should be a minimum 4m in width (for an equivalent length of rear boundary, behind building line) and the rear setback may be reduced to 900mm. | NA - no variation proposed | NA |

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| 47 | a) Ground floors (being <1m above existing ground level) should be setback a minimum of 900mm from side boundaries. | Unit 1 - 1.91m Unit 2 - 0.98m Proposed side setbacks satisfy this clause. | Yes |
| | b) First floors and above (including single storey with floor level >1m) should be setback a minimum of 3m from the side boundary, or reduced down to 900mm where it can be demonstrated that the adjoining property's primary living rooms and principal private open space areas are not adversely overshadowed for more than 3hrs between 9am - 3pm on 21 June. | NA - none proposed. | NA |
| | c) First floors and above should have building walls that step in and out at least every 12m by a minimum of 500mm articulation. Where first floors and above are setback >3m, wall articulation is not required. | NA - none proposed. | NA |
| Private Open Space | | | |
| 48. | a) All dwellings should have a minimum area of private open space of 35m ² , which includes a principal private open space area with: <ul style="list-style-type: none"> - a minimum dimension of 4m x 4m, and - a maximum grade of 5% for minimum 4m x 4m of the total open space requirement, and - direct accessibility from a ground floor living area and orientated to maximise use. | Unit 1 - 125m ² Unit 2 - 56m ² Both units have an area greater than 4m x 4m of useable area. | Yes |
| | b) Private open space may include clothes drying areas and garbage storage. | Drying areas noted on site plans. | Yes |
| Public Domain and Fencing | | | |
| 49 | a) Front fences built forward of the building line for the primary road frontage should be detailed on the | No front fence proposed. | NA |

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| | development application plans. | | |
| | b) Solid Front fences up to 1.2m high should be: <ul style="list-style-type: none"> – Setback 1.0m from the front boundary, and – Suitably landscaped to reduce visual impact, and – Provide a 3m x 3m splay for corner sites. | No F[front fence proposed | NA |
| | b) Front fences proposed to be more than 1.2m high should be a maximum of 1.8m in height, above existing front property boundary level, and either: <ul style="list-style-type: none"> – Include landscaped recesses having minimum dimensions of 1.8m long x 900mm deep which occupy no less than 50% of the total length of the fence, or – be erected up to the front boundary for a maximum length of 6.0m or 50% of the street frontage, | NA | NA |
| | c) have openings which make it not less than 25% transparent (no individual opening more than 30mm wide); | NA | NA |
| | d) provide a 3m x 3m splay for corner sites, and | NA | NA |
| | e) provide a 900mm x 900mm splay for vehicle driveway entrances. | NA | NA |
| Bulk and Scale | | | |
| 51 | a) Direct views between indoor living rooms and principal private open space of adjacent dwellings, including proposed dwellings approved on adjoining lots, including possible dwellings on future lots, should be obscured or screened where: <ul style="list-style-type: none"> – Ground and first floor (and above) indoor living | Direct views between dwellings and areas of private open space will be obscured by side boundary fencing. | Yes |

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| | <p>room windows are within a 9m radius.</p> <ul style="list-style-type: none"> – Direct views between principal private open space areas where within a 12m radius. – Direct views between indoor living rooms of dwellings into the principal area of private open space of other dwellings within a 12m radius. | | |
| | <p>b) A balcony, deck, patio, pergola, terrace or verandah should have a privacy screen where there are direct views of:</p> <ul style="list-style-type: none"> – Indoor living room windows of adjacent dwellings, including proposed dwellings approved on adjoining lots within 9m radius; or – Principal areas of private open space of adjacent dwellings, including proposed dwellings approved on adjoining lots within a 12m radius. | Direct views from alfresco patio areas will be obscured by side boundary fencing. | Yes |
| | <p>c) Privacy protection is not required for:</p> <ul style="list-style-type: none"> – Any Indoor living room windows with a sill height of greater than 1.5m above the finished floor level of that room or where fixed non-openable translucent glass is installed to the same height. | NA | NA |
| | <p>d) Direct views described above may be reduced or obscured by one of the following measures (details to be submitted with the development application):</p> <ul style="list-style-type: none"> – 1.8m high fence or wall between ground-floor level windows or between a dwelling and principal private open space | Direct views will be obscured by side boundary fencing. | Yes |

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| | <ul style="list-style-type: none"> - Screening of minimum 1.7m height, that has 25% openings (max), with no individual opening more than 30mm wide, is permanently fixed and is made of durable materials. - A window, the whole of which has translucent glass and is not able to be opened. | | |
| Ancillary Development | | | |
| 56 | <p>a) For ancillary development in R1 General Residential, R2 Low Density Residential, R3 Medium Density Residential, R4 High Density Residential, R5 Large Lot Residential and RU5 Village zones:</p> <ul style="list-style-type: none"> - The height of an outbuilding or the alterations and additions to an existing outbuilding on a lot should not be more than 4.8m above ground level (existing). - The building should be single storey construction with a maximum roof pitch of 24 degrees. - The maximum area of the building should be 60m² for lots less than 900m² and maximum of 100m² for larger lots. - Ancillary development that is a garage, or an outbuilding, or a rainwater tank should not be located in front of the main building line with the exception of swimming pools. | No ancillary development proposed. | NA |

(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 and this development application.

(iv) Any matters prescribed by the Regulations

Nil

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

The proposal will not have any significant adverse impacts on 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.

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.

Access, traffic and transport

The proposal will not have any significant adverse impacts in terms access, transport and traffic. The existing road network will satisfactorily cater for any increase in traffic generation as a result of the development.

Water

Council records indicate that the development site has an existing 20mm sealed water service from the 100 PVC water main and 100 PVC recycled water main on the opposite side of Allport Avenue. Each lot requires an individual metered water service. Plans to indicate if additional recycled water service to be installed.

Appropriate conditions are recommended in this regard.

Sewer

Council records indicate that the development site is connected to Sewer via junction to the existing sewer line that runs inside the western property boundary. Each lot to use existing junction.

Appropriate conditions are recommended in this regard.

Stormwater

Stormwater infrastructure exists within the area and is capable of servicing the development – details required with S.68 application. Unit 1 stormwater proposed to

connect to existing junction pit in north east corner of site. A new stormwater junction to be created at south western corner to serve Unit 2.

Appropriate conditions are recommended in this regard.

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.

Waste

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

Energy

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

Noise and vibration

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

Bushfire

The site is identified as being bushfire prone.

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

Safety, security and crime prevention

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

Social impacts in the locality

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

Economic impact in the locality

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

Site design and internal design

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

Construction

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

Cumulative impacts

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

(c) The suitability of the site for the development

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

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

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

Following exhibition of the application in accordance with DCP 2013, three submissions received. Key issues raised in the submissions received and comments are provided as follows:

| Submission Issue/Summary | Planning Comment/Response |
|---------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Density of development - 2x dual occupancy developments on consecutive lots. | <p>Lots 170 and 171 Allport Avenue are existing lots. There are two development applications being reviewed for a dual occupancy housing and strata subdivision on each lot.</p> <p>The site is zoned R1 General Residential. Within this zone both Dual Occupancy and multi-dwelling housing are permissible landuse. The objectives of this zone are particularly noted to encourage and allow for a variety of housing types and densities.</p> <p>With regards to the Sovereign Hills Land Sales Design Guidelines from March 2020, this is not an approved Council policy. With fairness, this is not a document Council can determine an application against. The document is more related to a civil matter between the original developer and property purchasers.</p> <p>Individually, both proposals meet the requirements of both the Port Macquarie Hastings Local Environment Plan 2011 and the Development Control Plan 2013. The individual proposals are not considered an overdevelopment of the site.</p> |
| Council must consider that over 25% of properties in one small street being dual occupancy is excessive | <p>With regards to the type of residential development, Council determines developments based on permissibility and not percentages of allowable development.</p> <p>The site is zoned R1 General Residential and within this zone Dual Occupancy development is permissible with consent. Refusal of this application based on the number of existing dual occupancies within the vicinity is not justifiable.</p> |
| Accumulative traffic congestion | <p>Council's Development Engineer has reviewed the proposal and advised that the immediate local road network will be suitable to cater for the increased demand. The accumulative traffic concerns raised are not the subject of this application and would need to be raised with Council's Rangers if residential continually block pedestrian paths.</p> <p>Refusal of the application on these grounds is not justified.</p> |
| Similar developments rely on street parking due to limited off-street parking and block pedestrian footpaths. | <p>As discussed earlier in this report, the individual dual occupancies comply with the Development Control Plan 2013 off-street car parking requirement of 1 parking space per each dwelling for dual occupancies/semi-detached</p> |

| Submission Issue/Summary | Planning Comment/Response |
|-----------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| | <p>dwelling. A total of 2 spaces per development.</p> <p>If the proposal was a multi-dwelling development consisting of 4 x 3 bedroom dwellings, the proposal would require 1.5 spaces per each 3 or 4 bedroom unit + 1 visitor's space per 4 units. This would equate to a total of 7 off-street car parking spaces required across the multi dwelling development.</p> <p>However, the assessment needs to be based on the merits of the individual application and the proposal satisfies the off-street parking requirements of the Development Control Plan 2013.</p> |
| Occupancy numbers and type of residents | <p>Both dwellings are considered 3 bedroom dwellings. This is based on all habitable rooms that are considered capable of being a bedroom. This is what has been used to calculate the off-street car parking requirements.</p> <p>For this type of development there are no mechanism to further consider potential maximum occupancy numbers of each dwelling, nor could refusal of this application be supported based on the occupancy numbers or type of residents.</p> |

(e) The Public Interest

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

(f) 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 manmade development and the environmental impacts. Based on the assessment provided in the report and with recommended conditions of consent, it is considered an appropriate balance has been struck.

(g) 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.
 - 1.
- 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 [!\[\]\(564903337f30b845a5f6979939a95fe6_img.jpg\) DA2021 - 306.1 Recommended Conditions](#)
- 2 [!\[\]\(6799d2cf9a6546bbe2fea4f3991acfa2_img.jpg\) DA2021 - 306.1 Plans](#)
- 3 [!\[\]\(de7c1d2bea2115f02a9062a37836c733_img.jpg\) DA2021 - 306.1 Development Contributions Estimate](#)

**FOR USE BY PLANNERS/SURVEYORS TO PREPARE LIST OF
PROPOSED CONDITIONS - 2011****NOTE: THESE ARE DRAFT ONLY****DA NO: 2021/306****DATE: 18/06/2021****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 | RT723 | Rob Tate Homes | 07.04.21 |
| BASIX Certificate | 1188988S and 1189038S | Collins W Collins | 31 March 2021 |
| Bush Fire Assessment | - | Krisann Johnson | 19 March 2021 |
| | | | |

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

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

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

- (3) (A005) This consent allows the strata-subdivision of the units, subject to the submission of an application for a Strata Certificate.
- (4) (A008) Any necessary alterations to, or relocations of, public utility services to be carried out at no cost to council and in accordance with the requirements of the relevant authority including the provision of easements over existing and proposed public infrastructure.
- (5) (A009) The development site is to be managed for the entirety of work in the following manner:
- Erosion and sediment controls are to be implemented to prevent sediment from leaving the site. The controls are to be maintained until the development is complete and the site stabilised with permanent vegetation;

2. Appropriate dust control measures;
3. Building equipment and materials shall be contained wholly within the site unless approval to use the road reserve has been obtained. Where work adjoins the public domain, fencing is to be in place so as to prevent public access to the site;
4. Building waste is to be managed via appropriate receptacles into separate waste streams;
5. Toilet facilities are to be provided on the work site at the rate of one toilet for every 20 persons or part of 20 persons employed at the site.
6. Building work being limited to the following hours, unless otherwise permitted by Council;
 - Monday to Saturday from 7.00am to 6.00pm
 - No work to be carried out on Sunday or public holidaysThe builder to be responsible to instruct and control his sub-contractors regarding the hours of work.
- (6) (A011) The design and construction of all public infrastructure works shall be in accordance with Council's adopted AUSPEC Specifications.
- (7) (A013) The general terms of approval from the following authorities, as referred to in section 93 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 DA20210430001731-Original-1 and dated 25 May 2021, 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 the estimated cost plus 30% for building development of public works or \$5000, whichever is the greater of carrying out the development by way of:

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

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

may pay the balance to the Chief Commissioner of State Revenue under the Unclaimed Money Act 1995.

B – PRIOR TO ISSUE OF A CONSTRUCTION CERTIFICATE 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. 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.
- (4) (B010) Payment to Council, prior to the issue of the Construction Certificate or Strata 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:
 - Hastings S94 Administration Building Contributions Plan
 - Hastings Administration Levy Contributions Plan
 - Community Cultural and Emergency Services Contributions Plan 2005
 - Hastings S94 Major Roads Contributions Plan
 - Port Macquarie-Hastings Open Space Contributions Plan 2018

- 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 Strata Certificate (whichever occurs first) of the Section 64 contributions, as set out in the "Notice of Payment – Developer Charges" schedule attached to this consent unless deferral of payment of contributions has been approved by Council. The contributions are levied in accordance with the provisions of the relevant Section 64 Development Servicing Plan towards the following:
- augmentation of the town water supply headworks
 - augmentation of the town sewerage system headworks
- (6) (B024) Submission to Council of an application for water meter hire, which is to be referred to the Water Supply section so that a quotation for the installation can be prepared and paid for prior to the issue of a Construction Certificate. This application is also to include an application for the disconnection of any existing service not required.
- (7) (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) (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 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.
- (10) (B195) Council records indicate that the development site has an existing 20mm sealed water service from the 100 PVC water main and 100 PVC recycled water main on the opposite side of Allport Avenue. Each lot requires an individual metered water service. Plans to indicate if additional recycled water service to be installed.

- (11) (B196) Council records indicate that the development site is connected to Sewer via junction to the existing sewer line that runs inside the western property boundary. Existing junction to be used for each lot.

C – PRIOR TO ANY WORK COMMENCING ON SITE

- (1) (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:
- when trenches are open, stormwater/water/sewer pipes and conduits jointed and prior to backfilling;
 - prior to the pouring of concrete for sewerage works and/or works on public property;
 - 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 OR STRATA CERTIFICATE

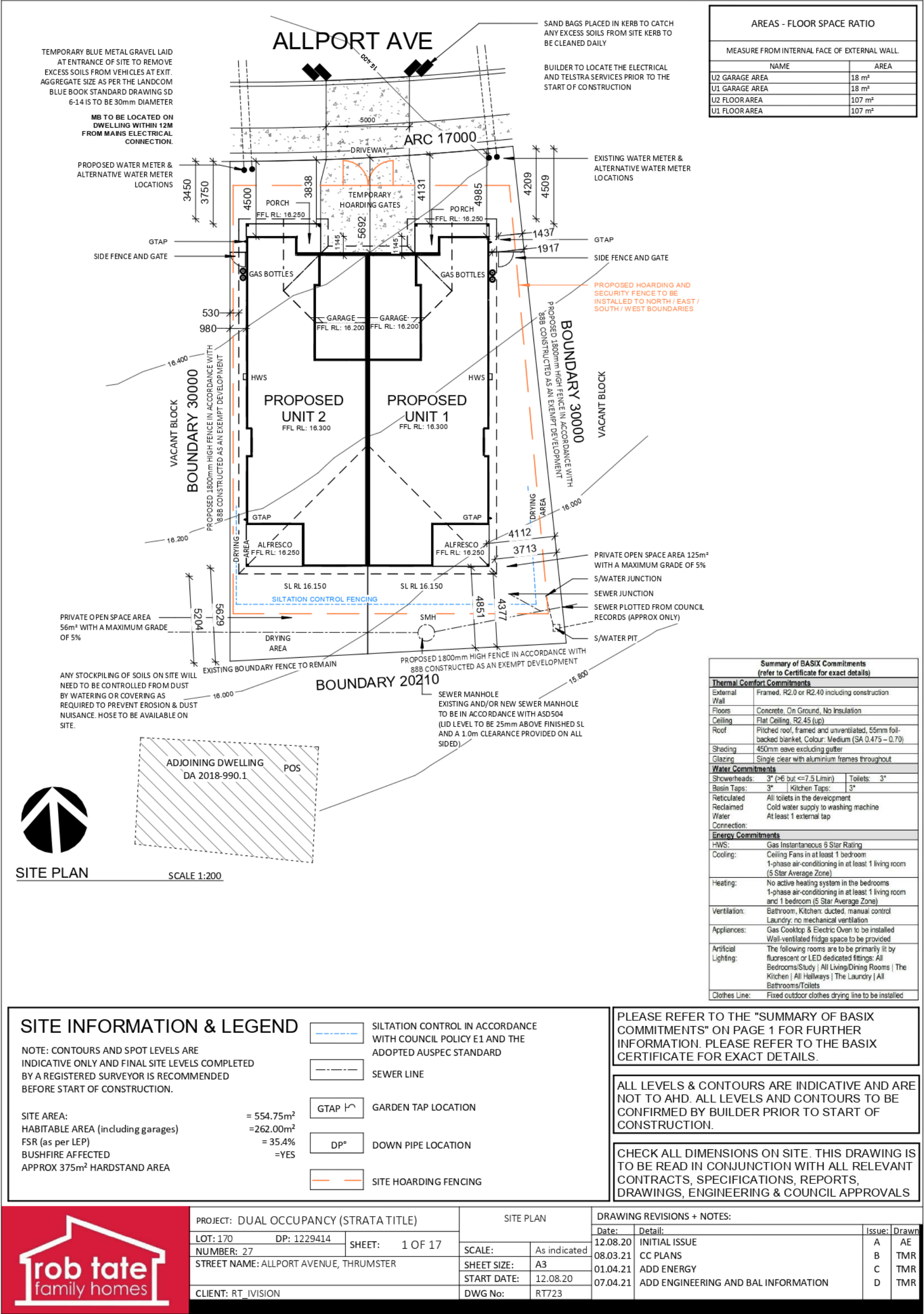
- (1) (E001) The premises shall not be occupied or used in whole or in part until an Occupation Certificate has been issued by the Principal Certifying Authority.
- (2) (E051) Prior to occupation or the issuing of any Occupation Certificate a section 68 Certificate of Completion shall be obtained from 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) (E058) Written confirmation being provided to the Principal Certifying Authority (PCA) from any properly qualified person (eg the builder), stating that all

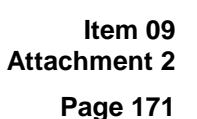
commitments made as part of the BASIX Certificate have been completed in accordance with the certificate.

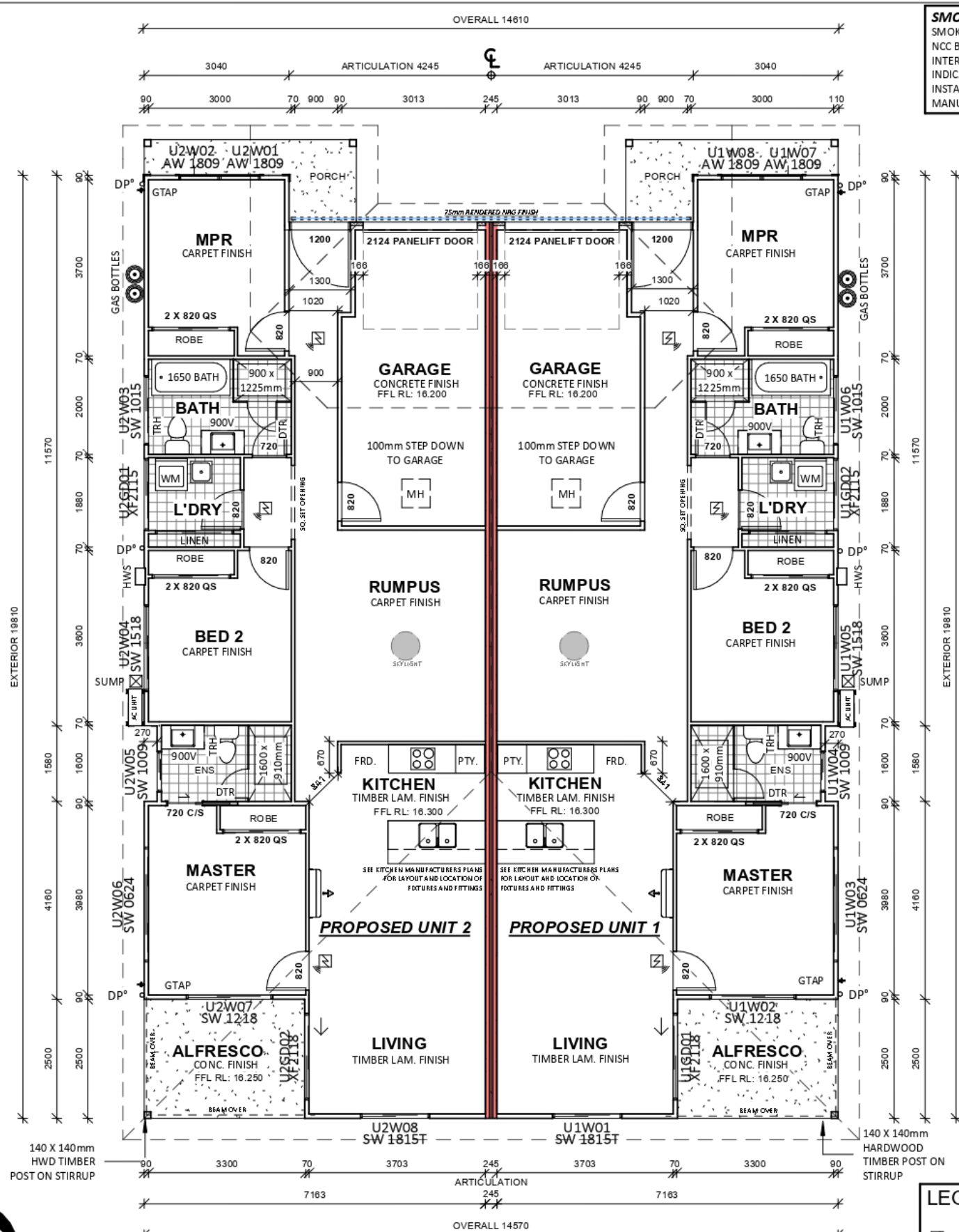
- (5) (E061) Landscaped areas being completed prior to occupation or issue of the Certificate.
- (6) (E056) A Certificate of Compliance under the provisions of Section 307 of the Water Management Act must be obtained prior to the issue of any occupation or subdivision certificate.
- (7) (E195) The strata certificate shall not be issued until such time that the dwellings associated with this development are substantially commenced (as determined by Council) or where a strata management statement, or restriction as to user, prohibits any dwelling on each lot other than the dwelling approved as part of this consent.

F – OCCUPATION OF THE SITE

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







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



FLOOR PLAN

SCALE 1:100

| AREAS - FLOOR UNIT 1 | |
|--------------------------------------------|----------------------|
| *FLOOR AREA MEASURED FROM EXTERNAL FACE... | |
| NAME | AREA |
| U1 FLOOR AREA | 111.0 m ² |
| U1 ALFRESCO AREA | 8.4 m ² |
| U1 GARAGE AREA | 20.3 m ² |
| U1 PORCH AREA | 4.7 m ² |
| TOTAL | 144.5 m ² |

| AREAS - FLOOR UNIT 2 | |
|--------------------------------------------|----------------------|
| *FLOOR AREA MEASURED FROM EXTERNAL FACE... | |
| NAME | AREA |
| U2 FLOOR AREA | 111.0 m ² |
| U2 ALFRESCO AREA | 8.4 m ² |
| U2 GARAGE AREA | 20.3 m ² |
| U2 PORCH AREA | 4.7 m ² |
| TOTAL | 144.5 m ² |

| AREAS - ROOF AREAS | |
|---------------------------------------|----------------------|
| *ROOF AREA MEASURED AS FOOTPRINT ONLY | |
| NAME | AREA |
| UNIT 1 ROOF AREA | 160.8 m ² |
| UNIT 2 ROOF AREA | 160.8 m ² |
| TOTAL ROOF AREA | 321.6 m ² |

COMMON WALL DETAILS:

- CSR 2405 (STD WALL TO STD WALL), CSR 2402 (WET AREA TO WET AREA), CSR 2404 (WET AREA TO STD AREA)
- 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.

LEGEND

- 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
- DP° DOWN PIPE LOCATION TO AS 3500
- ⊕ MECHANICAL VENTILATION TO NCC 3.8.7.3 & 3.8.7.4
- GT° GARDEN TAP LOCATION
- LOH LIFT OFF HINGE
- 1815 1800mm HIGH x 1500mm WIDE
- 820 820mm DOOR
- MH ACCESS MAN HOLE
- DTR DOUBLE TOWEL RAIL
- TRH TOILET ROLL HOLDER

ALL LEVELS & CONTOURS ARE INDICATIVE AND ARE NOT TO AHD. ALL LEVELS AND CONTOURS TO BE CONFIRMED BY BUILDER PRIOR TO START OF CONSTRUCTION.

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

PROJECT: DUAL OCCUPANCY (STRATA TITLE)

FLOOR PLAN

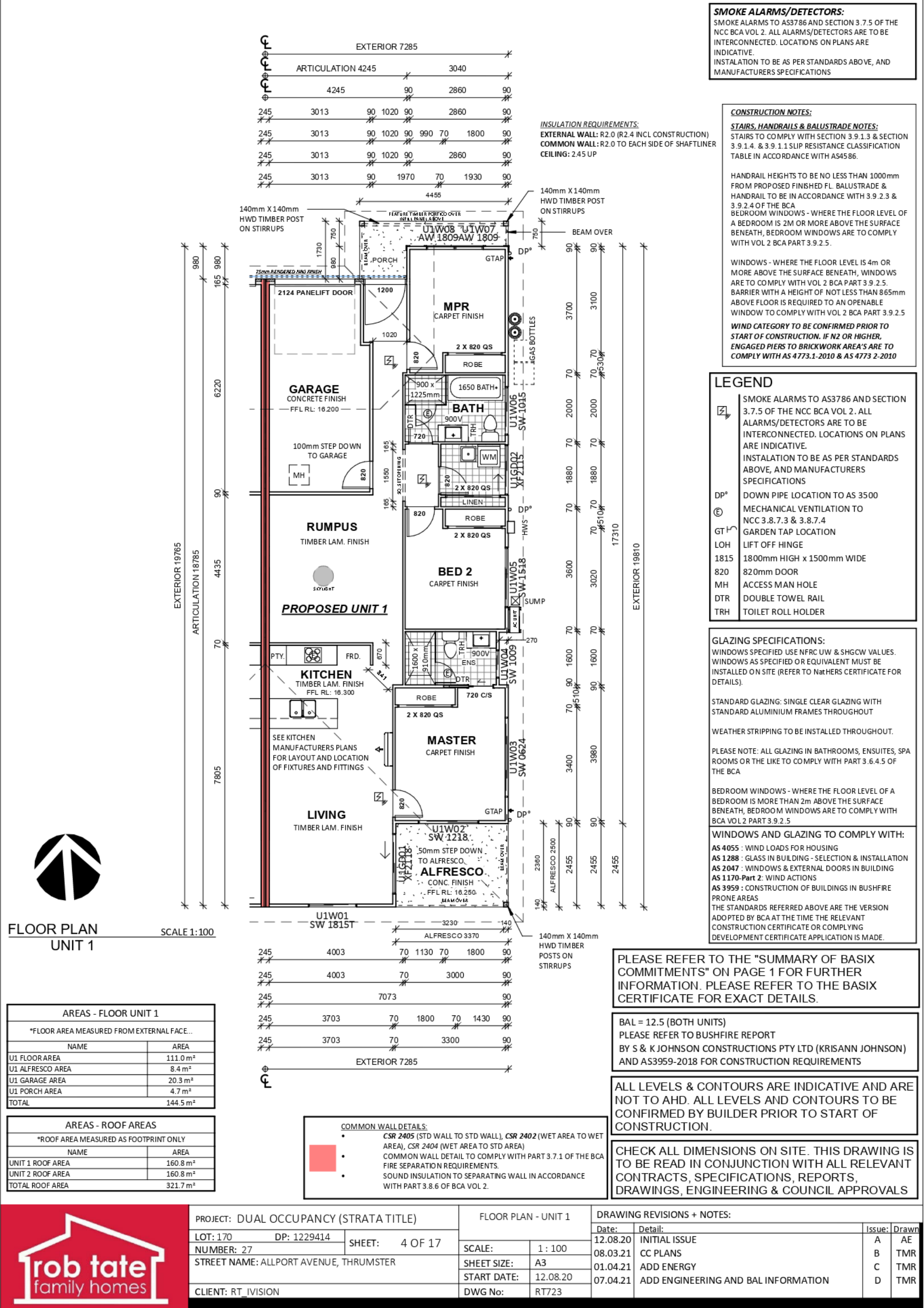
DRAWING REVISIONS + NOTES:

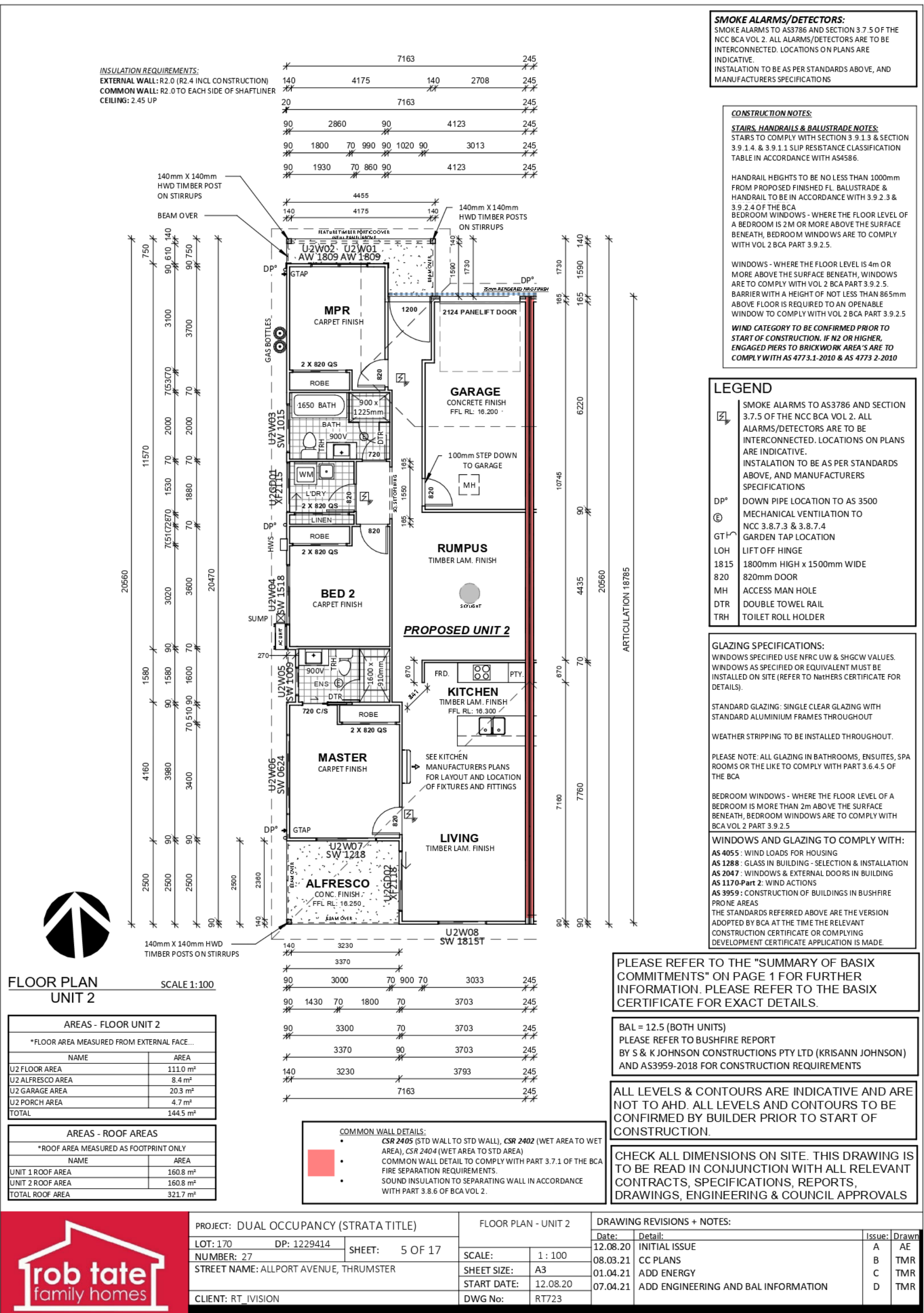
LOT: 170 DP: 1229414 SHEET: 3 OF 17
NUMBER: 27
STREET NAME: ALLPORT AVENUE, THURMSTER
CLIENT: RT DIVISION

SCALE: 1 : 100
SHEET SIZE: A3
START DATE: 12.08.20
DWG No: RT723

| Date: | Detail: | Issue: | Drawn: |
|----------|-------------------------------------|--------|--------|
| 12.08.20 | INITIAL ISSUE | A | AE |
| 08.03.21 | CC PLANS | B | TMR |
| 01.04.21 | ADD ENERGY | C | TMR |
| 07.04.21 | ADD ENGINEERING AND BAL INFORMATION | D | TMR |







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.

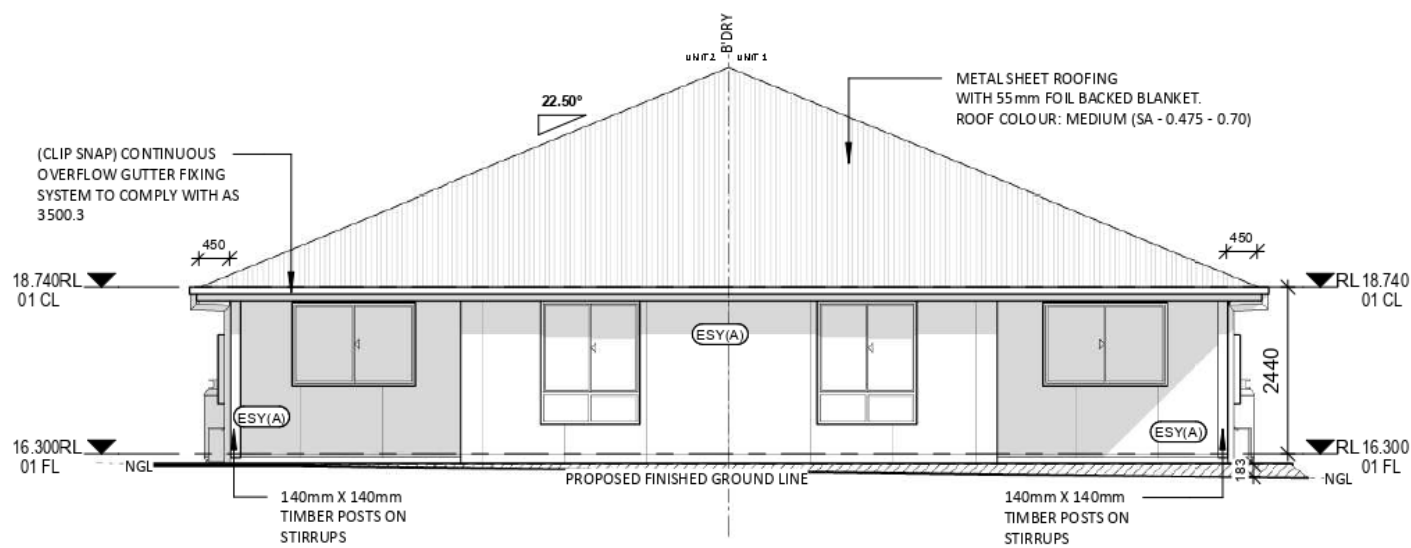
PLEASE NOTE: ALL GLAZING IN BATHROOMS, ENSUITES, SPA ROOMS OR THE LIKE TO COMPLY WITH PART 3.6.4.5 OF THE BCA

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

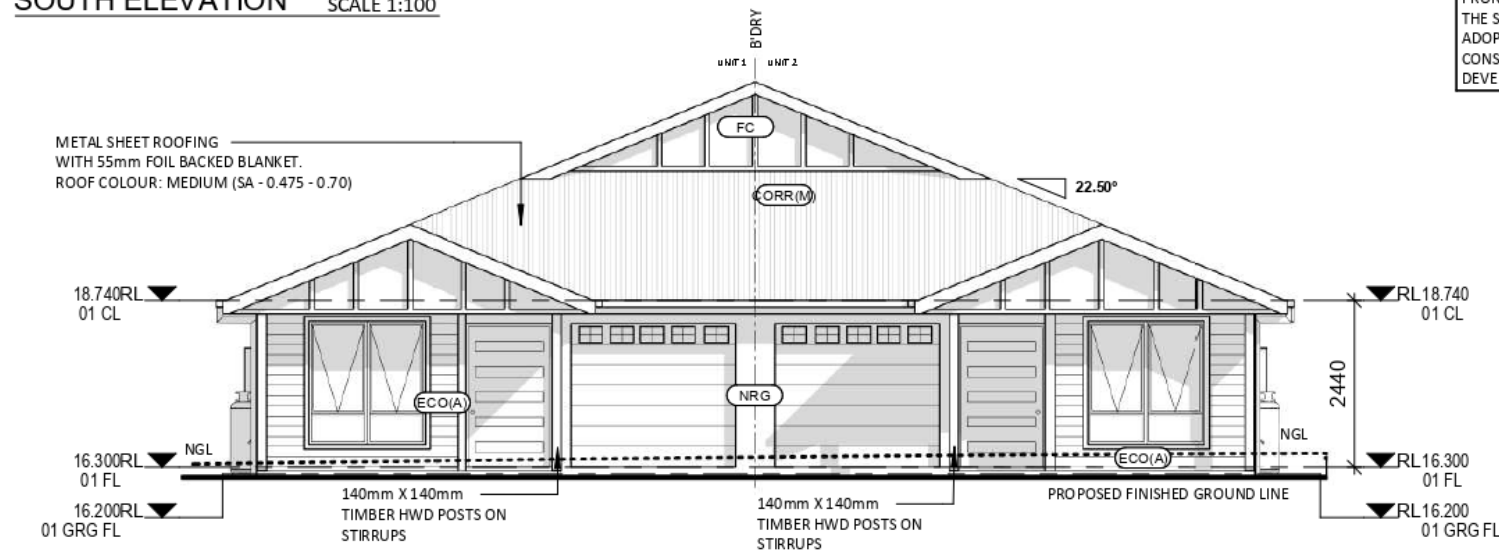
WINDOWS AND GLAZING TO COMPLY WITH:

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

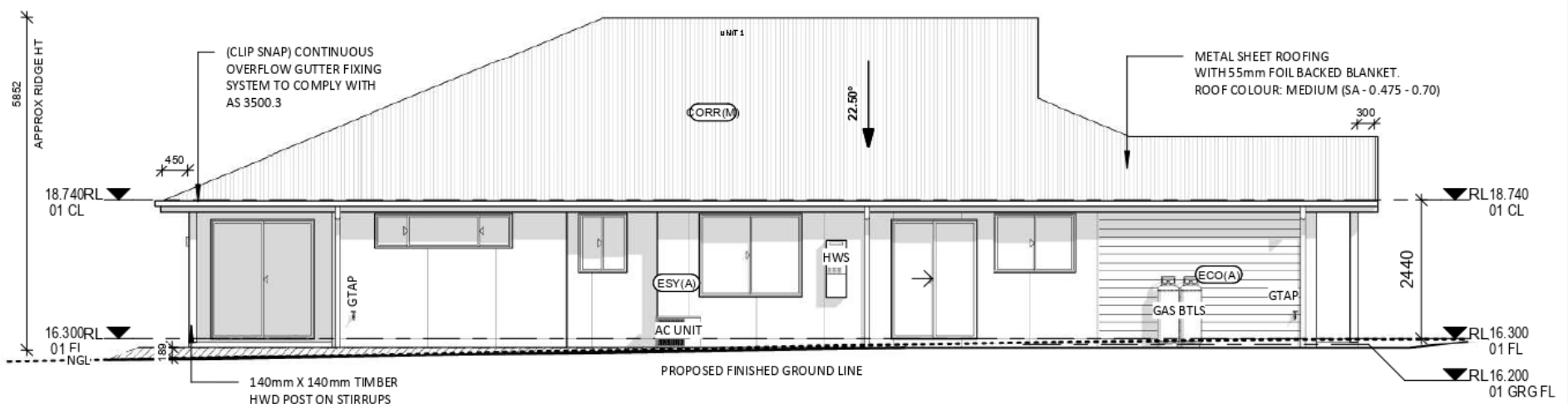
THE STANDARDS REFERRED ABOVE ARE THE VERSION ADOPTED BY BCA AT THE TIME THE RELEVANT CONSTRUCTION CERTIFICATE OR COMPLYING DEVELOPMENT CERTIFICATE APPLICATION IS MADE.



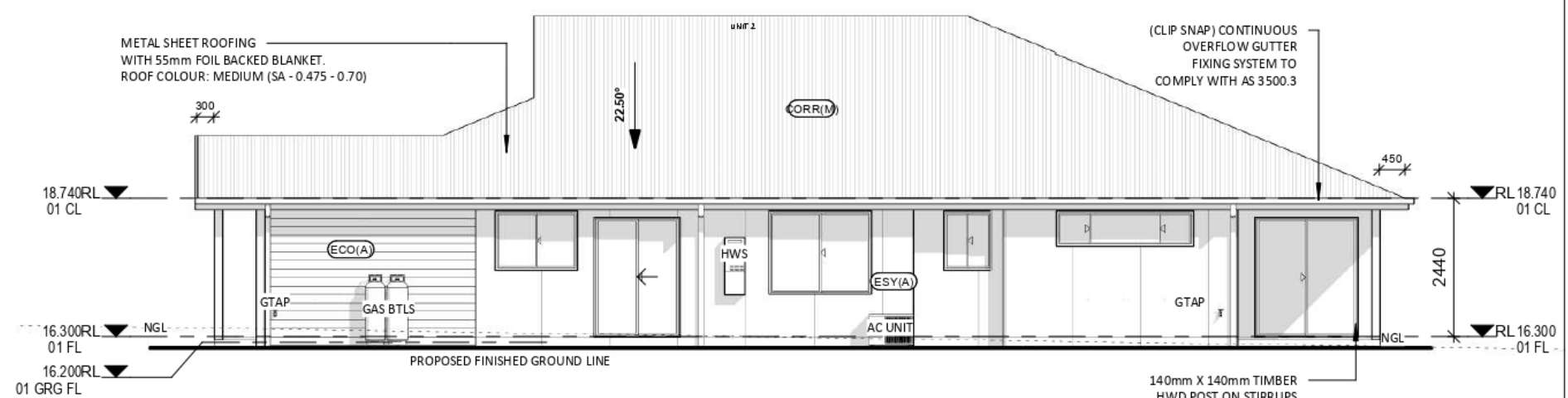
SOUTH ELEVATION SCALE 1:100



NORTH ELEVATION SCALE 1:100



EAST ELEVATION SCALE 1:100



WEST ELEVATION SCALE 1:100

| EXTERNAL FINISHES | |
|-------------------|------------------------------------------------|
| LABEL | MATERIAL DESCRIPTION |
| CORR(M) | CORRUGATED METAL SHEET ROOFING (MEDIUM) |
| ECO(A) | WEATHERTEX ECO GROOVE 150mm CLADDING |
| ESY(A) | JAMES HARDIE EASY LAP 1200mm X 2440mm CLADDING |
| FC | FC SHEET |
| HARD | JAMES HARDIE 'HARDIPLANK' CLADDING |
| NRG | RENDERED NRG FOAM PANEL (SEE CC NOTES) |

BAL = 12.5 (BOTH UNITS)
PLEASE REFER TO BUSHFIRE REPORT
BY S & K JOHNSON CONSTRUCTIONS PTY LTD (KRISANN JOHNSON)
AND AS3959-2018 FOR CONSTRUCTION REQUIREMENTS

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



PROJECT: DUAL OCCUPANCY (STRATA TITLE)

LOT: 170 DP: 1229414 SHEET: 6 OF 17

NUMBER: 27 STREET NAME: ALLPORT AVENUE, THURMSTER

CLIENT: RT DIVISION

ELEVATIONS

SCALE: 1 : 100

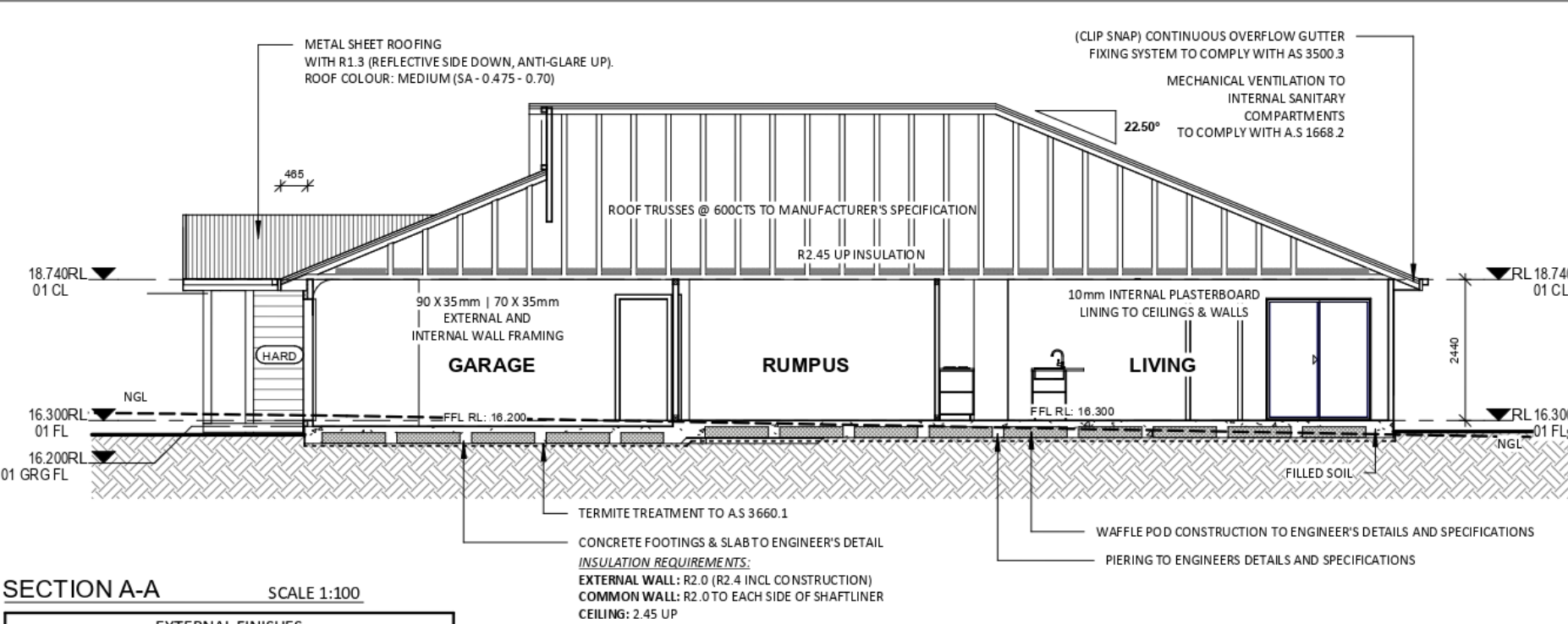
SHEET SIZE: A3

START DATE: 12.08.20

DWG No: RT723

DRAWING REVISIONS + NOTES:

| Date: | Detail: | Issue: | Drawn: |
|----------|-------------------------------------|--------|--------|
| 12.08.20 | INITIAL ISSUE | A | AE |
| 08.03.21 | CC PLANS | B | TMR |
| 01.04.21 | ADD ENERGY | C | TMR |
| 07.04.21 | ADD ENGINEERING AND BAL INFORMATION | D | TMR |

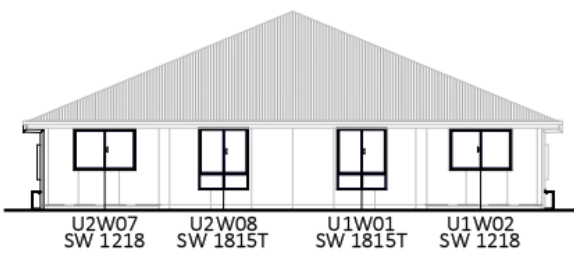


| PROJECT: DUAL OCCUPANCY (STRATA TITLE) | | | ELEVATION & SECTION | | DRAWING REVISIONS + NOTES: | | | | | |
|----------------------------------------|--|----------------|---------------------|--------------|----------------------------|-------------------------------------|--|--|--------|--------|
| LOT: 170 DP: 1229414 | | SHEET: 7 OF 17 | | | Date: | Detail: | | | Issue: | Drawn: |
| NUMBER: 27 | | | SCALE: | As indicated | 12.08.20 | INITIAL ISSUE | | | A | AE |
| STREET NAME: ALLPORT AVENUE, THURMSTER | | | SHEET SIZE: | A3 | 08.03.21 | CC PLANS | | | B | TMR |
| | | | START DATE: | 12.08.20 | 01.04.21 | ADD ENERGY | | | C | TMR |
| | | | DWG No: | RT723 | 07.04.21 | ADD ENGINEERING AND BAL INFORMATION | | | D | TMR |
| CLIENT: RT DIVISION | | | | | | | | | | |



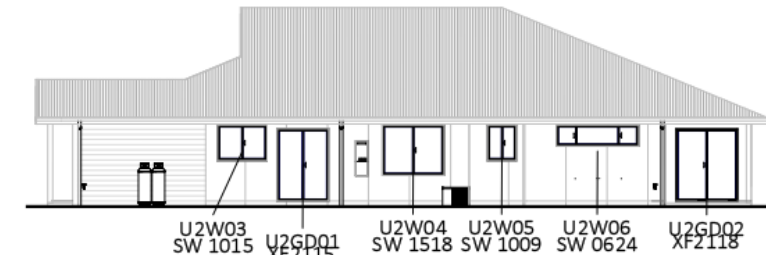
EAST FACE GLAZING

SCALE 1:200



SOUTH FACE GLAZING

SCALE 1:200



WEST FACE GLAZING

SCALE 1:200



NORTH FACE GLAZING

SCALE 1:200

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

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

WINDOW GLAZING SCHEDULE UNIT 1

| WINDOWS SPECIFIED USE NFRC UW & SHGCW VALUES. WINDOWS AS SPECIFIED OR EQUIVALENT MUST BE INSTALLED ON SITE (REFER TO ABSA CERTIFICATE FOR DETAILS). STANDARD GLAZING: SINGLE CLEAR GLAZING WITH STANDARD ALUMINIUM FRAMES THROUGHOUT. WEATHER STRIPPING TO BE INSTALLED THROUGHOUT. PLEASE NOTE: ALL GLAZING IN BATHROOMS, ENSUITES, SPA ROOMS OR THE LIKE TO COMPLY WITH PART 3.6.4.5 OF THE BCA BEDROOM WINDOWS - WHERE THE FLOOR LEVEL OF A BEDROOM IS MORE THAN 2m ABOVE THE SURFACE BENEATH, BEDROOM WINDOWS ARE TO COMPLY WITH BCA VOL 2 PART 3.9.2.5 | | | | 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. | | | |
|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------|----------|--------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------|---------------|-------------------|
| NUMBER | LEVEL | ROOM | HEIGHT | WIDTH | TYPE | CONSTRUCTION | GLAZING |
| U1W01 | 01 FL | LIVING | 1810 | 1450 | SLIDING | STD ALUMINIUM | SGL - CLEAR - STD |
| U1W02 | 01 FL | ALFRESCO | 1215 | 1810 | SLIDING | STD ALUMINIUM | SGL - CLEAR - STD |
| U1W03 | 01 FL | MASTER | 620 | 2410 | SLIDING | STD ALUMINIUM | SGL - CLEAR - STD |
| U1W04 | 01 FL | ENS | 1045 | 850 | SLIDING | STD ALUMINIUM | SGL - CLEAR - STD |
| U1W05 | 01 FL | BED 2 | 1470 | 1810 | SLIDING | STD ALUMINIUM | SGL - CLEAR - STD |
| U1W06 | 01 FL | BATH | 1045 | 1450 | SLIDING | STD ALUMINIUM | SGL - OBSC. - STD |
| U1W07 | 01 FL | MPR | 1810 | 850 | AWNING | STD ALUMINIUM | SGL - CLEAR - STD |
| U1W08 | 01 FL | MPR | 1810 | 850 | AWNING | STD ALUMINIUM | SGL - CLEAR - STD |

WINDOW GLAZING SCHEDULE UNIT 2

| NUMBER | LEVEL | ROOM | HEIGHT | WIDTH | TYPE | CONSTRUCTION | GLAZING |
|--------|-------|----------|--------|-------|---------|---------------|-------------------|
| U2W01 | 01 FL | MPR | 1810 | 850 | AWNING | STD ALUMINIUM | SGL - CLEAR - STD |
| U2W02 | 01 FL | MPR | 1810 | 850 | AWNING | STD ALUMINIUM | SGL - CLEAR - STD |
| U2W03 | 01 FL | BATH | 1045 | 1450 | SLIDING | STD ALUMINIUM | SGL - OBSC. - STD |
| U2W04 | 01 FL | BED 2 | 1470 | 1810 | SLIDING | STD ALUMINIUM | SGL - CLEAR - STD |
| U2W05 | 01 FL | ENS | 1045 | 850 | SLIDING | STD ALUMINIUM | SGL - CLEAR - STD |
| U2W06 | 01 FL | MASTER | 620 | 2410 | SLIDING | STD ALUMINIUM | SGL - CLEAR - STD |
| U2W07 | 01 FL | ALFRESCO | 1215 | 1810 | SLIDING | STD ALUMINIUM | SGL - CLEAR - STD |
| U2W08 | 01 FL | LIVING | 1810 | 1450 | SLIDING | STD ALUMINIUM | SGL - CLEAR - STD |

DOOR GLAZING SCHEDULE UNIT 1

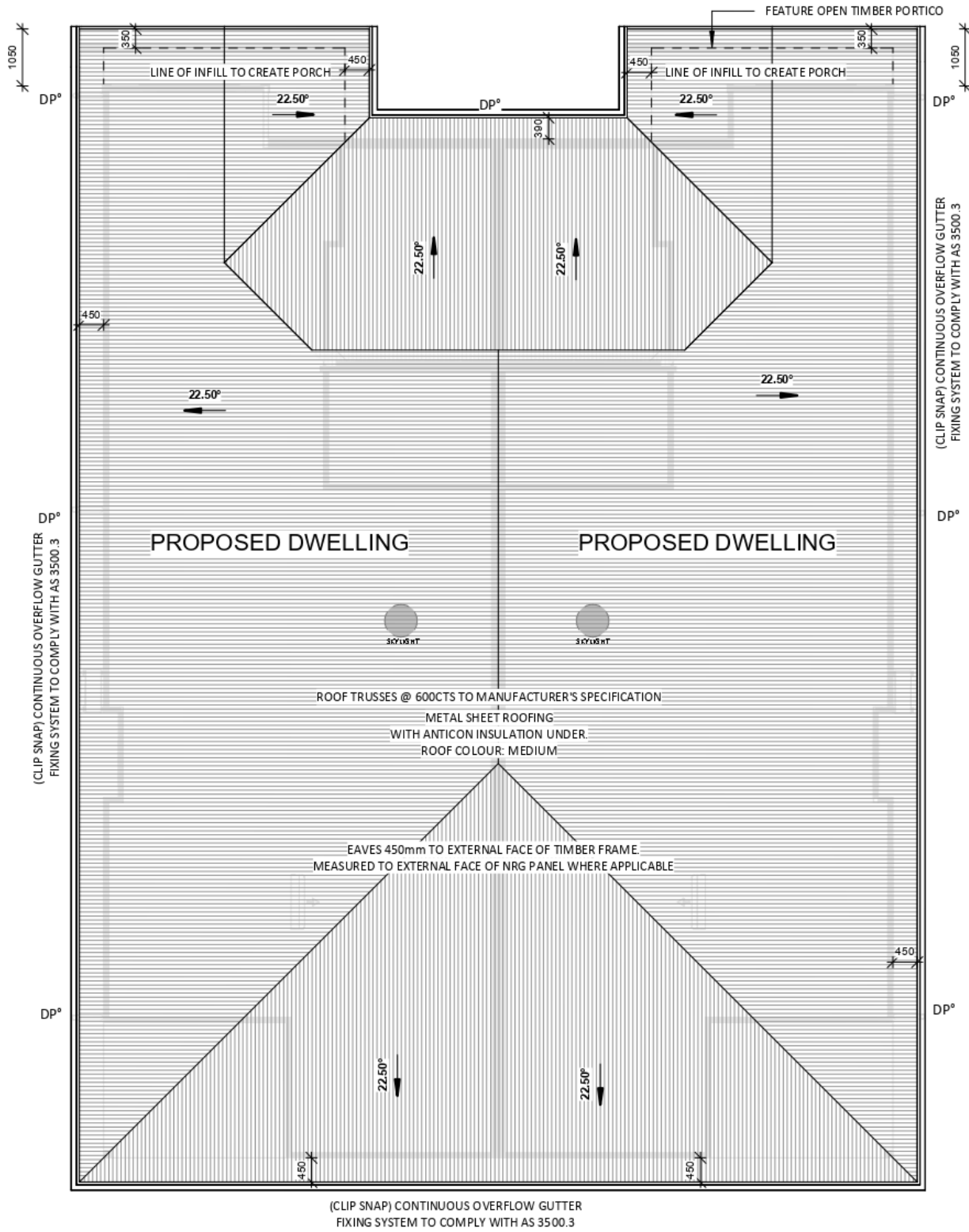
| DOORS SPECIFIED USE NFRC UW & SHGCW VALUES. DOORS AS SPECIFIED OR EQUIVALENT MUST BE INSTALLED ON SITE (REFER TO ABSA CERTIFICATE FOR DETAILS). STANDARD GLAZING: SINGLE CLEAR GLAZING WITH STANDARD ALUMINIUM FRAMES THROUGHOUT. WEATHER STRIPPING TO BE INSTALLED THROUGHOUT. PLEASE NOTE: ALL GLAZING IN BATHROOMS, ENSUITES, SPA ROOMS OR THE LIKE TO COMPLY WITH PART 3.6.4.5 OF THE BCA | | | | 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. | | | |
|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------|----------|--------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------|---------------|-------------------|
| NUMBER | LEVEL | ROOM | HEIGHT | WIDTH | TYPE | CONSTRUCTION | GLAZING |
| U1GD01 | 01 FL | ALFRESCO | 2112 | 1810 | SLIDING DOOR | STD ALUMINIUM | SGL - CLEAR - STD |
| U1GD02 | 01 FL | L'DRY | 2112 | 1510 | SLIDING DOOR | STD ALUMINIUM | SGL - CLEAR - STD |

DOOR GLAZING SCHEDULE UNIT 2

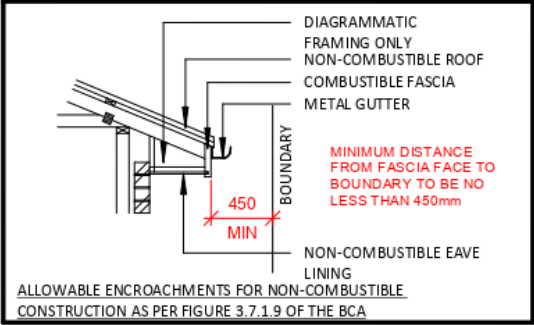
| NUMBER | LEVEL | ROOM | HEIGHT | WIDTH | TYPE | CONSTRUCTION | GLAZING |
|--------|-------|----------|--------|-------|--------------|---------------|-------------------|
| U2GD01 | 01 FL | L'DRY | 2112 | 1510 | SLIDING DOOR | STD ALUMINIUM | SGL - CLEAR - STD |
| U2GD02 | 01 FL | ALFRESCO | 2112 | 1810 | SLIDING DOOR | STD ALUMINIUM | SGL - CLEAR - STD |



| | | | | | | | | | | |
|----------------------------------------|--|----------------|---------|-------------|----------------------------|----------|-------------------------------------|--------|--------|-----|
| PROJECT: DUAL OCCUPANCY (STRATA TITLE) | | | GLAZING | | DRAWING REVISIONS + NOTES: | | | | | |
| LOT: 170 DP: 1229414 | | SHEET: 8 OF 17 | | | Date: | Detail: | | Issue: | Drawn: | |
| NUMBER: 27 | | | | SCALE: | As indicated | 12.08.20 | INITIAL ISSUE | | A | AE |
| STREET NAME: ALLPORT AVENUE, THURMSTER | | | | SHEET SIZE: | A3 | 08.03.21 | CC PLANS | | B | TMR |
| | | | | START DATE: | 12.08.20 | 01.04.21 | ADD ENERGY | | C | TMR |
| | | | | | | 07.04.21 | ADD ENGINEERING AND BAL INFORMATION | | D | TMR |
| CLIENT: RT_IVISION | | | DWG No: | RT723 | | | | | | |



ROOF PLAN SCALE 1:100



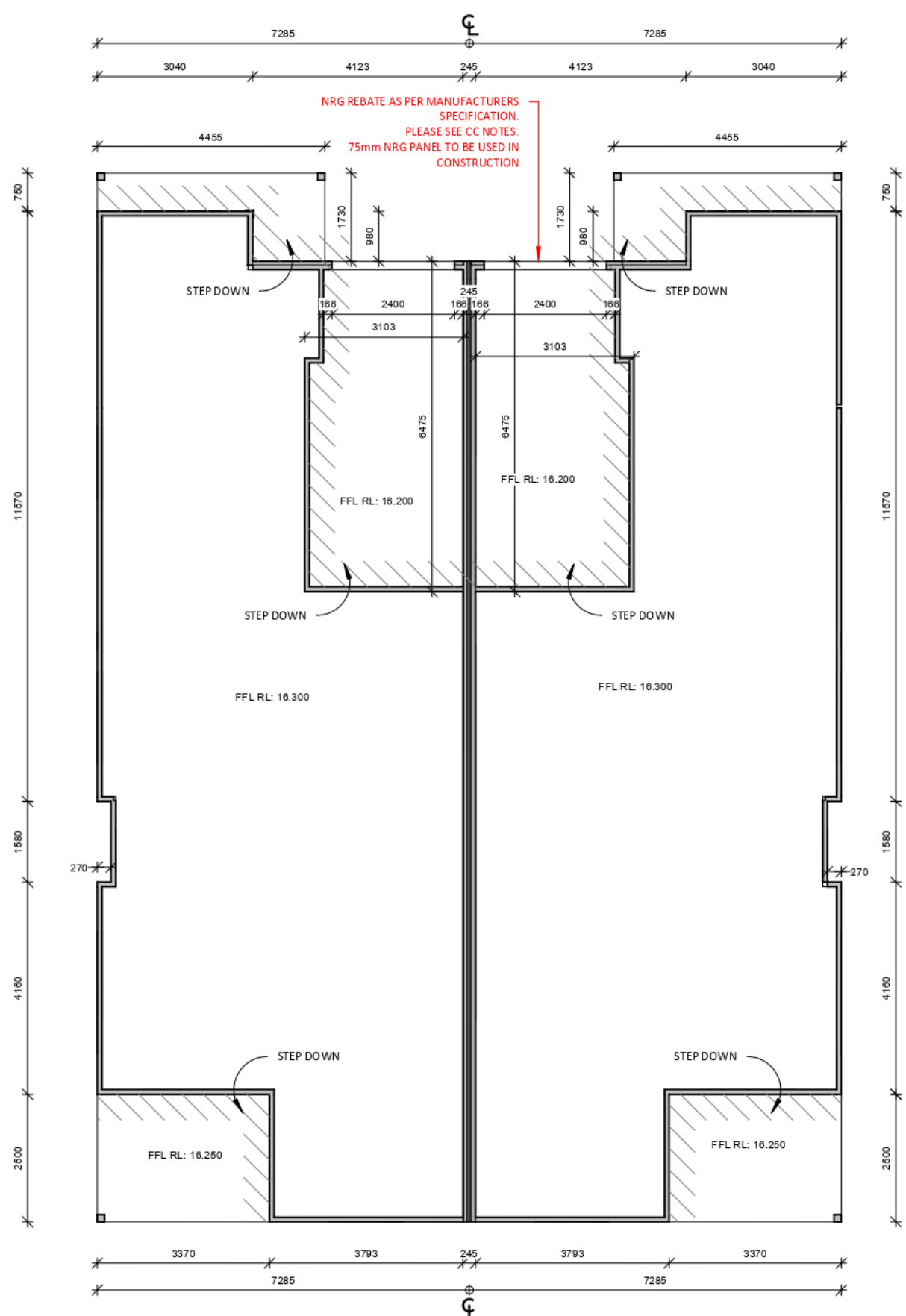
PLEASE REFER TO THE "SUMMARY OF BASIX COMMITMENTS" ON PAGE 1 FOR FURTHER INFORMATION. PLEASE REFER TO THE BASIX CERTIFICATE FOR EXACT DETAILS.

BAL = 12.5 (BOTH UNITS)
PLEASE REFER TO BUSHFIRE REPORT
BY S & K JOHNSON CONSTRUCTIONS PTY LTD (KRISANN JOHNSON)
AND AS3959-2018 FOR CONSTRUCTION REQUIREMENTS

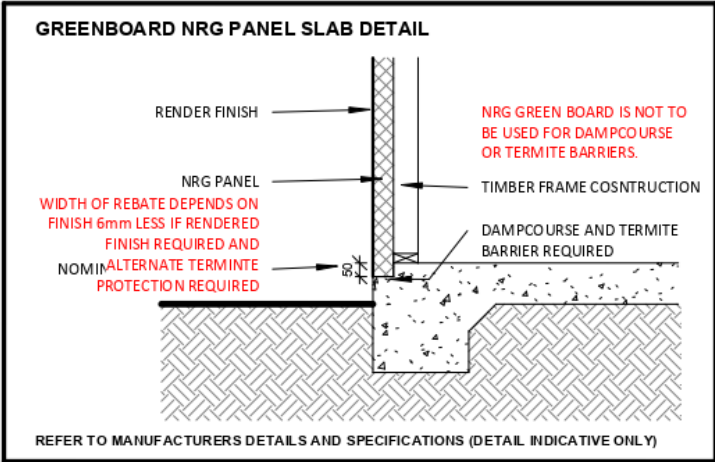
CHECK ALL DIMENSIONS ON SITE. THIS DRAWING IS TO BE READ IN CONJUNCTION WITH ALL RELEVANT CONTRACTS, SPECIFICATIONS, REPORTS, DRAWINGS, ENGINEERING & COUNCIL APPROVALS



| | | | | | | | | | |
|----------------------------------------|--|----------------|-------------|----------|----------------------------|---------------|-------------------------------------|---------|--------|
| PROJECT: DUAL OCCUPANCY (STRATA TITLE) | | | ROOF PLAN | | DRAWING REVISIONS + NOTES: | | | | |
| LOT: 170 DP: 1229414 | | SHEET: 9 OF 17 | | | SCALE: | As indicated | Date: | Detail: | Issue: |
| NUMBER: 27 | | | SHEET SIZE: | A3 | 12.08.20 | INITIAL ISSUE | A | AE | |
| STREET NAME: ALLPORT AVENUE, THURMSTER | | | START DATE: | 12.08.20 | 08.03.21 | CC PLANS | B | TMR | |
| | | | DWG No: | RT723 | 01.04.21 | ADD ENERGY | C | TMR | |
| CLIENT: RT_IVISION | | | | | | 07.04.21 | ADD ENGINEERING AND BAL INFORMATION | D | TMR |



SET OUT PLAN SCALE 1:100



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

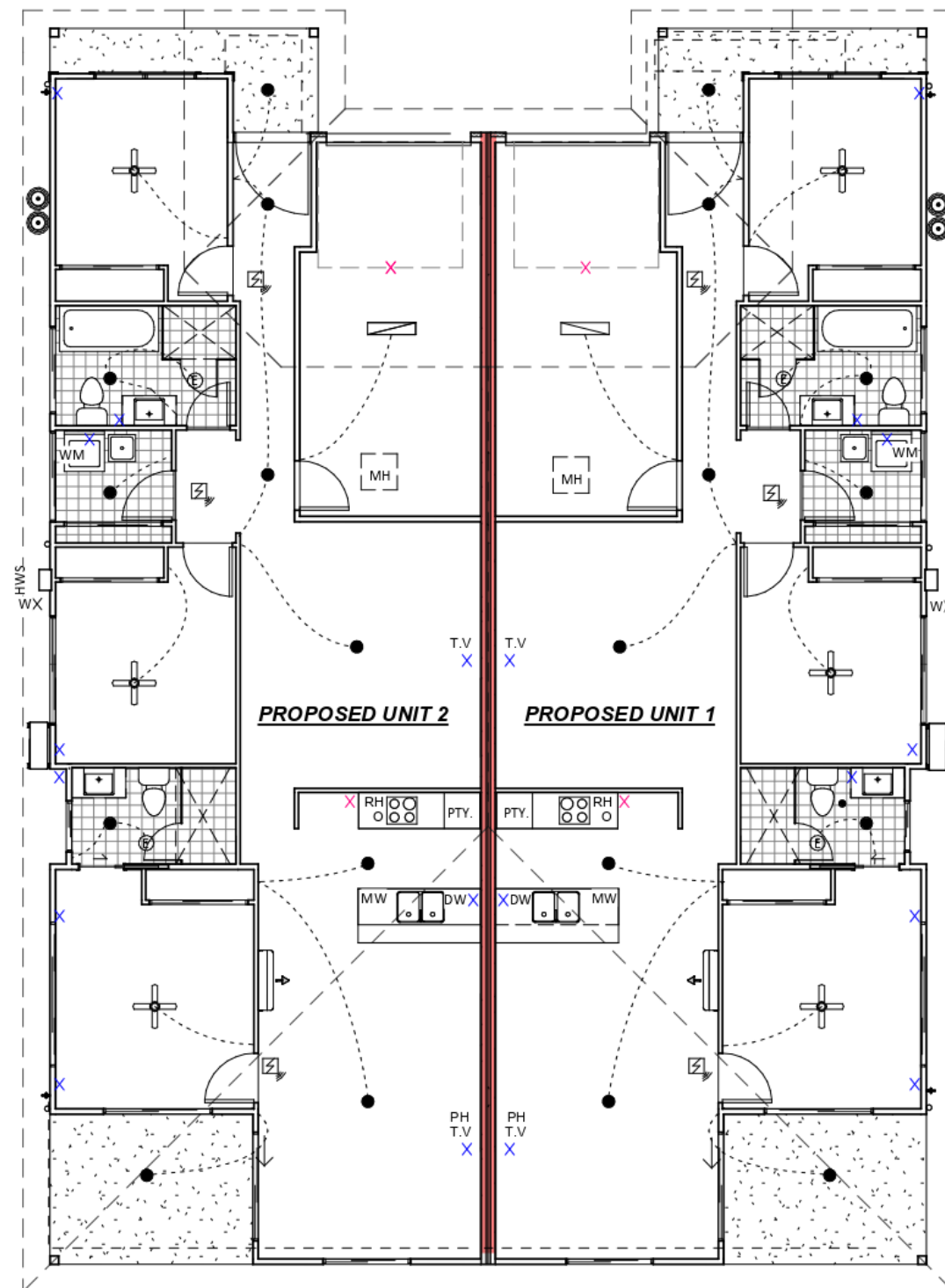
BAL = 12.5 (BOTH UNITS)
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BY S & K JOHNSON CONSTRUCTIONS PTY LTD (KRISANN JOHNSON)
AND AS3959-2018 FOR CONSTRUCTION REQUIREMENTS

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












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| | | | | | | | | | |
|----------------------------------------|--|-----------------|--------------|--------------|----------------------------|-------------------------------------|---------|---|--------|
| PROJECT: DUAL OCCUPANCY (STRATA TITLE) | | | SET OUT PLAN | | DRAWING REVISIONS + NOTES: | | | | |
| LOT: 170 DP: 1229414 | | SHEET: 10 OF 17 | | | Date: | | Detail: | | Issue: |
| NUMBER: 27 | | | SCALE: | As indicated | 12.08.20 | INITIAL ISSUE | | A | AE |
| STREET NAME: ALLPORT AVENUE, THURMSTER | | | SHEET SIZE: | A3 | 08.03.21 | CC PLANS | | B | TMR |
| | | | START DATE: | 12.08.20 | 01.04.21 | ADD ENERGY | | C | TMR |
| | | | | | 07.04.21 | ADD ENGINEERING AND BAL INFORMATION | | D | TMR |
| CLIENT: RT_IVISION | | DWG No: | RT723 | | | | | | |



ELECTRICAL LEGEND

- | | |
|---------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
|  | CEILING LIGHT POINT |
|  | |
|  | TRACK LIGHT |
|  | |
|  | TASTIC FAN LIGHT |
|  | FLURO LIGHT |
| | |
|  | SINGLE SPOT LIGHT |
|  | DOUBLE POWER OUTLET |
|  | SINGLE POWER OUTLET |
| WX | EXTERNAL SGPO |
| WXX | EXTERNAL DGPO |
| T.V | TELEVISION POINT |
| PH | PHONE POINT |
| RH | RANGE HOOD SGPO |
| MW | MICROWAVE SGPO |
| O | OVEN SGPO |
| DWX | DISHWASHER POWER POINT |
| | |
|  | SMOKE DETECTOR TO AS3786 & PART 3.7.5 NCC BCA VOL 2 |
|  | EXTERNAL WALL MOUNTED LIGHT FITTING |
|  | EXTERNAL WALL MOUNTED ADJUSTABLE SPOT LIGHT |
|  | INTERNAL WALL MOUNTED LIGHT FITTING |
|  | INTERNAL WALL MOUNTED ADJUSTABLE SPOT LIGHT |
|  | FLUORESCENT LIGHT WITH DIFFUSER |
|  | EXTERNAL UPLIGHT MOUNTED IN THE GROUND |
|  | CEILING MOUNTED ELECTRICAL FAN. |
|  | CEILING MOUNTED ELECTRICAL FAN WITH LIGHT. |
|  | SPLIT SYSTEM AIR CONDITIONING UNIT. INTERNAL UNIT TO BE MOUNTED ON WALL 2300mm TO TOP OF UNIT ABOVE FLOOR LEVEL. EXTERNAL CONDENSER UNIT TO BE MOUNTED ON CONCRETE SLAB AT GROUND LEVEL. CONNECTING PIPES AND WIRES TO BE CONCEALED IN WALL AND/OR CEILING WHERE ACCESSIBLE AND EXTERNALLY IN POWDER COATED ALUMINIUM FOLDED CASING WHERE VISIBLE. |



ELECTRICAL PLAN SCALE 1:100

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TO BE READ IN CONJUNCTION WITH ALL RELEVANT
CONTRACTS, SPECIFICATIONS, REPORTS,
DRAWINGS, ENGINEERING & COUNCIL APPROVALS

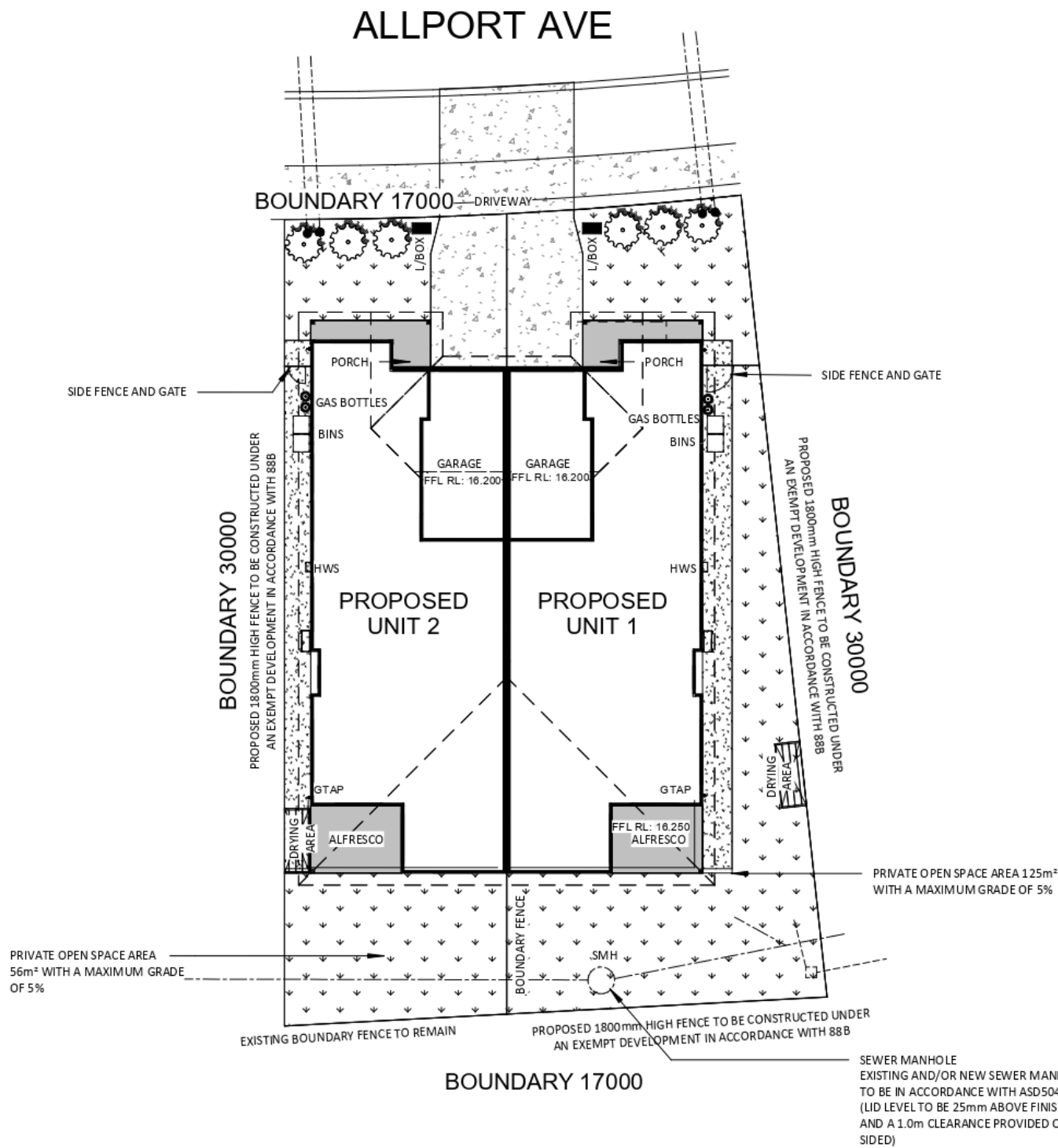
ELECTRICAL NOTES:

ELECTRICAL NOTES:
ELECTRICAL PLANS ARE INDICATIVE ONLY AND SHOW THE MINIMUM REQUIREMENTS.
CLIENTS TO CONFIRM THEIR REQUIREMENTS WITH BUILDER PRIOR TO SIGNING OF
CONTRACTS.

- BUILDERS TO CONFIRM ALL ELECTRICAL POINTS WITH ELECTRICIAN PRIOR TO START OF CONSTRUCTION.
- CEILING FANS TO BE INSTALLED CENTRALLY TO ALL CEILING TRUSSES IN THE LIVING, DINING AND KITCHEN AREAS.
- CEILING MOUNTED LIGHT FITTINGS TO BE MOUNTED CENTRALLY WITHIN ALL ROOMS UNLESS OTHERWISE DIMENSIONED.
- SMOKE ALARMS TO A53786 & PART 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, & MANUFACTURERS SPECIFICATIONS)**



| | | | | | | | | | | |
|----------------------------------------|--|----------------------------------------|-----------------|-------------|----------------------------|----------|-------------------------------------|--------|--------|-----|
| PROJECT: DUAL OCCUPANCY (STRATA TITLE) | | | ELECTRICAL PLAN | | DRAWING REVISIONS + NOTES: | | | | | |
| LOT: 170 DP: 1229414 | | SHEET: 11 OF 17 | | | Date: | Detail: | | Issue: | Drawn: | |
| NUMBER: 27 | | STREET NAME: ALLPORT AVENUE, THURMSTER | | SCALE: | 1 : 100 | 12.08.20 | INITIAL ISSUE | | A | AE |
| | | | | SHEET SIZE: | A3 | 08.03.21 | CC PLANS | | B | TMR |
| | | | | START DATE: | 12.08.20 | 01.04.21 | ADD ENERGY | | C | TMR |
| | | | | | | 07.04.21 | ADD ENGINEERING AND BAL INFORMATION | | D | TMR |
| CLIENT: RT DIVISION | | | DWG No: RT723 | | | | | | | |



INDICATIVE LANDSCAPE PLAN SCALE 1:200

BAL = 12.5 (BOTH UNITS)
PLEASE REFER TO BUSHFIRE REPORT
BY S & K JOHNSON CONSTRUCTIONS PTY LTD (KRISANN JOHNSON)
AND AS3959-2018 FOR CONSTRUCTION REQUIREMENTS

ALL LEVELS & CONTOURS ARE INDICATIVE AND ARE NOT TO AHD. ALL LEVELS AND CONTOURS TO BE CONFIRMED BY BUILDER PRIOR TO START OF CONSTRUCTION.

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

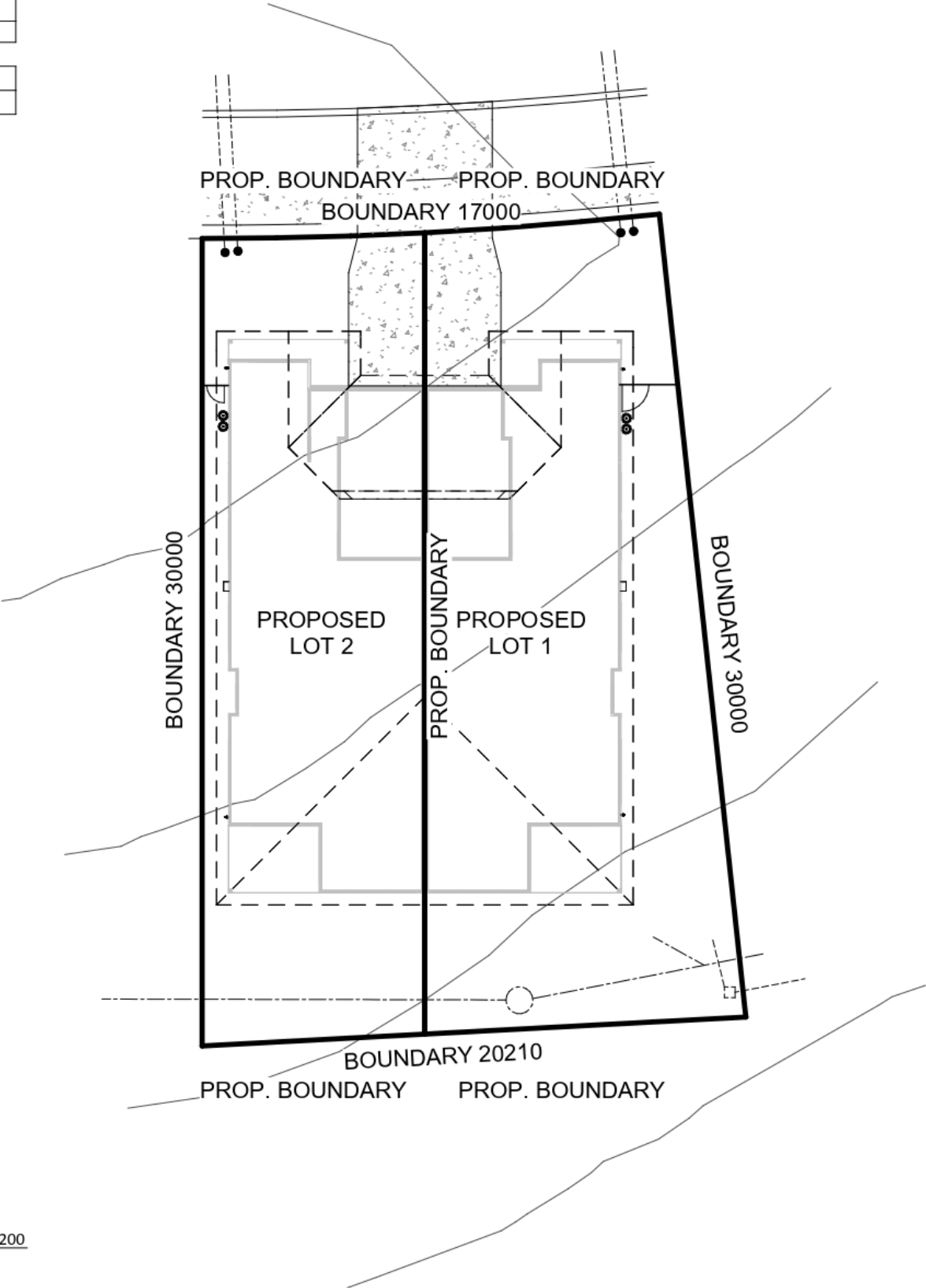
| LEGEND AND NOTES | | | |
|------------------|----------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------|
| | NEW WARM SEASON TURF GRASS THROUGHOUT | | EXISTING NEIGHBOURING VEGETATION TO BE PRESERVED AND PROTECTED THROUGHOUT |
| | HARD SURFACE - PATHS PATHS TO HAVE PERMEABLE SURFACE FINISH | | SMALL EVERGREEN NATIVE TREES |
| | HARD SURFACE - DRIVEWAY REFER BUILDING DESIGN FOR DETAILS | | FEATURE OR STATEMENT PLANTINGS |
| | HARD SURFACE - PATIOS REFER BUILDING DESIGN FOR DETAILS | | NEW SMALL / MEDIUM EVERGREEN SHRUBS |
| | | | NEW SMALL / MEDIUM EVERGREEN SOFT WOODED PERENNIALS |
| | | | NEW EVERGREEN PROSTRATE SHRUBS OR GROUND COVER PLANTINGS |
| | | <ul style="list-style-type: none">THIS PLAN IS NOT BE USED FOR CONSTRUCTIONTHIS 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 | |



| PROJECT: DUAL OCCUPANCY (STRATA TITLE) | | | INDICATIVE LANDSCAPE PLAN | | DRAWING REVISIONS + NOTES: | | | | |
|----------------------------------------|--|----------------------------------------|---------------------------|-------------|----------------------------|----------|-------------------------------------|--------|-----|
| LOT: 170 DP: 1229414 | | SHEET: 12 OF 17 | | | Date: | Detail: | Issue: | Drawn: | |
| NUMBER: 27 | | STREET NAME: ALLPORT AVENUE, THURMSTER | | SCALE: | As indicated | 12.08.20 | INITIAL ISSUE | A | AE |
| | | | | SHEET SIZE: | A3 | 08.03.21 | CC PLANS | B | TMR |
| | | | | START DATE: | 12.08.20 | 01.04.21 | ADD ENERGY | C | TMR |
| | | | | | | 07.04.21 | ADD ENGINEERING AND BAL INFORMATION | D | TMR |
| CLIENT: RT DIVISION | | | DWG No: | | RT723 | | | | |

| EXISTING LOT SCHEDULE | |
|-----------------------|-----------------------|
| Name | Area |
| EXISTING LOT | 554.80 m ² |
| TOTAL: 1 | 554.80 m ² |

| PROPOSED LOT SCHEDULE | |
|-----------------------|-----------------------|
| Name | Area |
| PROPOSED LOT 2 | 246.71 m ² |
| PROPOSED LOT 1 | 308.08 m ² |
| TOTAL: 2 | 554.80 m ² |



SUB DIVISION PLAN SCALE 1:200

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



| | | | | | | | | | | |
|----------------------------------------|--|-----------------|------------------------|--------------|----------------------------|-------------------------------------|--|--|--------|--------|
| PROJECT: DUAL OCCUPANCY (STRATA TITLE) | | | DRAFT SUBDIVISION PLAN | | DRAWING REVISIONS + NOTES: | | | | | |
| LOT: 170 DP: 1229414 | | SHEET: 13 OF 17 | | | Date: | 12.08.20 INITIAL ISSUE | | | Issue: | Drawn: |
| NUMBER: 27 | | | SCALE: | As indicated | 08.03.21 | CC PLANS | | | A | AE |
| STREET NAME: ALLPORT AVENUE, THURMSTER | | | SHEET SIZE: | A3 | 01.04.21 | ADD ENERGY | | | B | TMR |
| | | | START DATE: | 12.08.20 | 07.04.21 | ADD ENGINEERING AND BAL INFORMATION | | | C | TMR |
| | | | | | | | | | D | TMR |
| CLIENT: RT DIVISION | | | DWG No: | RT723 | | | | | | |

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

BUILDING SPECIFICATIONS FOR
CLASS 1 AND 10 BUILDINGS

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

SITE PREPARATION

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

FOOTINGS AND SLABS

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

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

MASONRY

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

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

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

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

FRAMING

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

ROOF AND WALL CLADDING

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

GLAZING

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

FIRE SAFETY

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

BUSHFIRE AREAS

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

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

HEALTH AND AMENITY

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

SAFE MOVEMENT AND ACCESS

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

ADDITIONAL CONSTRUCTION REQUIREMENTS

High Wind Areas – Applies to a region that is subject to design wind speeds more than N3 or C1 (see table 1.1.1 of the BCA). To be constructed in accordance with one or more of the relevant manuals of Part 3.10.1 of the BCA
Earthquake Areas – relates to areas subject to seismic activity. To be constructed in accordance with the Acceptable Construction Manuals listed in Part 3.11 of the BCA.
Flood Hazard Areas – applies to areas on a site (weather or not mapped) encompassing the land lower than the flood hazard level (as defined by the BCA) which has been determined by the appropriate authority (statutory authority), are to be constructed in accordance with the ABCB Standard for Construction of Buildings in Flood Hazard Areas.
Structural Design Manuals – is satisfied by complying with:
a) 3.11.2, 3.11.3 and 3.11.6 of the BCA; or
b) the relevant provisions of other Parts of Section 3 of the Housing Provisions of the BCA relating to structural elements; or
c) any combination thereof.

ENERGY EFFICIENCY

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

LPG GAS BOTTLE STORAGE

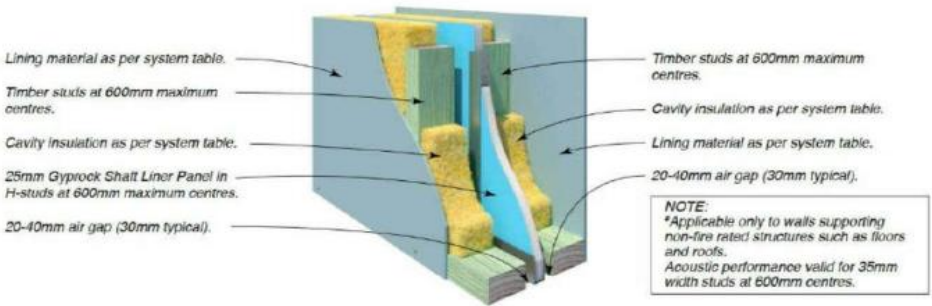
LPG Gas Bottle installation – to be designed and constructed in accordance with;

a) AS 1956.2014

Gas bottles must be clear of ignition sources by either 1.5m or 3.5 for exchange and tanker fill respectively. This includes electrical switches, circuit breaker boxes, power points, air conditioners, NBN boxes, compressors, pumps, lights, movement sensors, bug zappers and all other electrical gear, as well as flames like pilot lights and or BBQ's.

COMMON WALL DETAIL

| SYSTEM SPECIFICATION Refer to GYP513 Gyprock Party Wall Installation Guide for further information | | | ACOUSTIC OPINION: PKA Predictor V16 Discontinuous Construction | | |
|-------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------|-------------------------------------------------------------|-------------------------------------------------------------------|--------------------------------------------------|----|
| FRL Report/Opinion | SYSTEM N° | WALL LININGS | STUD DEPTH mm | 70 | 90 |
| | | | CAVITY INFILL (Both Sides) (Refer to TABLE B6) | R _w / R _w +C _{tr} | |
| ~60/60 60/60/60 ^a WF 45743 | CSR 2405  | BOTH SIDES • 1 x 10mm Gyprock Superchek Plasterboard. | (a) 75 Gold Batts 2.0 | 62/49 | |
| | | | (b) 90 Gold Batts 2.7 | 64/51 | |
| | | | (c) 88 Soundscreen 2.5 | 65/52 | |
| | | | (d) 110 GW Acoustigard 11kg | 64/51 | |
| | | | Typical Wall Thickness mm | 245 | |



| PROJECT: DUAL OCCUPANCY (STRATA TITLE) | | | BUILDING SPECIFICATIONS | | DRAWING REVISIONS + NOTES: | | | | |
|----------------------------------------|-------------|-----------------|-------------------------|----------|----------------------------|-------------------------------------|-------|---------|--------|
| LOT: 170 | DP: 1229414 | SHEET: 14 OF 17 | | | SCALE: | 1 : 100 | Date: | Detail: | Issue: |
| NUMBER: 27 | | | SHEET SIZE: | A3 | 12.08.20 | INITIAL ISSUE | A | AE | |
| STREET NAME: ALLPORT AVENUE, THURMSTER | | | START DATE: | 12.08.20 | 08.03.21 | CC PLANS | B | TMR | |
| CLIENT: RT IVISION | | | DWG No: | RT723 | 01.04.21 | ADD ENERGY | C | TMR | |
| | | | | | 07.04.21 | ADD ENGINEERING AND BAL INFORMATION | D | TMR | |



Installation Guide

This guide provides information on the correct procedures for the installation of NRG Greenboard™. The details are provided to assist carpenters/ installers and cover most common applications.

1 START

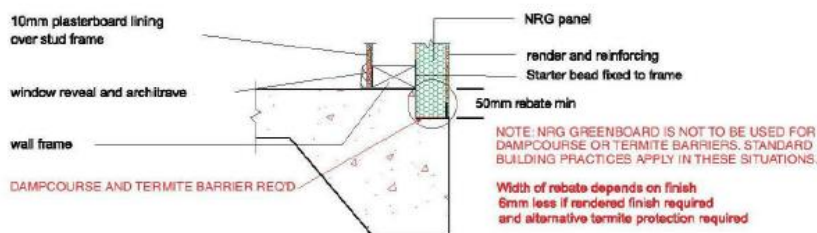
(A) Before commencing to fix NRG panels check that

- i. The frames are straight and plumb
- ii. All windows and flashing are correctly installed
- iii. Breathable sarking has been fitted
- iv. Solid back blocking where required

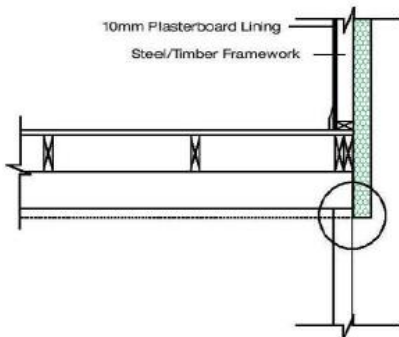
Consideration should be given to the installation of wall mounting accessories i.e. taps, electrical, fittings etc. It is important to allow for adequate back blocking for these items.

(B) POSITIONING OF STARTER BEAD:

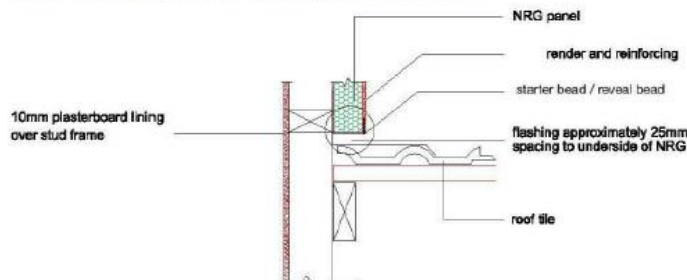
INTO A REBATE FOR SLAB DETAIL



INTO BEARER/ JOIST FOR TIMBER FLOOR DETAIL



INTO FLASHING FOR ROOF/ WALL DETAIL



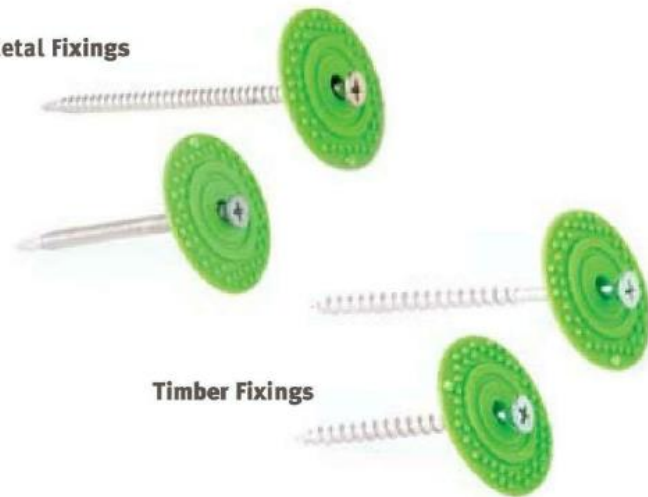
2 FIXING / CUTTING / BACK BLOCKING

(A) NRG panels can be layed horizontally or vertically depending on what suits the job.

- Position NRG panel into starter bead, check for level and fix into studs using NRG washers and screws.
- Standard fixings are 300c vertically and 450c horizontally (refer to fixing table).

| NRG Greenboard™ Minimum Stud & Fastener Spacing's | | | | |
|----------------------------------------------------|----|--------------------|-----------------------------------|-------------------------------------|
| Regions - Wind Category | | Stud Spacings (mm) | Fastener Spacings (mm-Vertically) | Number of Fasteners /m ² |
| Non Cyclonic | N1 | 450 | 300 | 12 |
| | N2 | 450 | 300 | 12 |
| | N3 | 450 | 300 | 12 |
| | N4 | 450 | 200 | 18 |
| | N5 | 450 | 150 | 24 |
| Cyclonic | C1 | 450 | 200 | 18 |
| | C2 | 450 | 150 | 24 |
| | C3 | 450 | 100 | 37 |
| * In accordance with AS1684 – 2006 / AS4005 – 1992 | | | | |

Metal Fixings



Timber Fixings

(B) Adjoining NRG panels are to be glued on both horizontal and vertical edges using recommended construction adhesive (i.e. NRG Greenboard Adhesive or Soudal Strong As Nails) or an expanda foam.

(C) Measure and cut NRG panels using a straight edge and a standard power saw with a masonry diamond blade.

(D) At external corners, NRG panels are overlapped the full thickness of the sheets and glued using recommended construction adhesive.

(E) Allow a 3mm gap between NRG panels and openings (door, windows) for sealing. It is recommended the straight edge of the sheet be fixed next to the openings for easier sealing.

BACK BLOCKING

(F) Where the NRG panel has a vertical join off a stud it is necessary to back-block as follow.

- i. Fixing stud material vertically (widest facing outwards) and securing between bottom plate and noggin. Alternately between noggin and top plate, making sure to glue both NRG panels and fix through each panel with screws and washers into back block at 300c.

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26/09/2018 10:00am



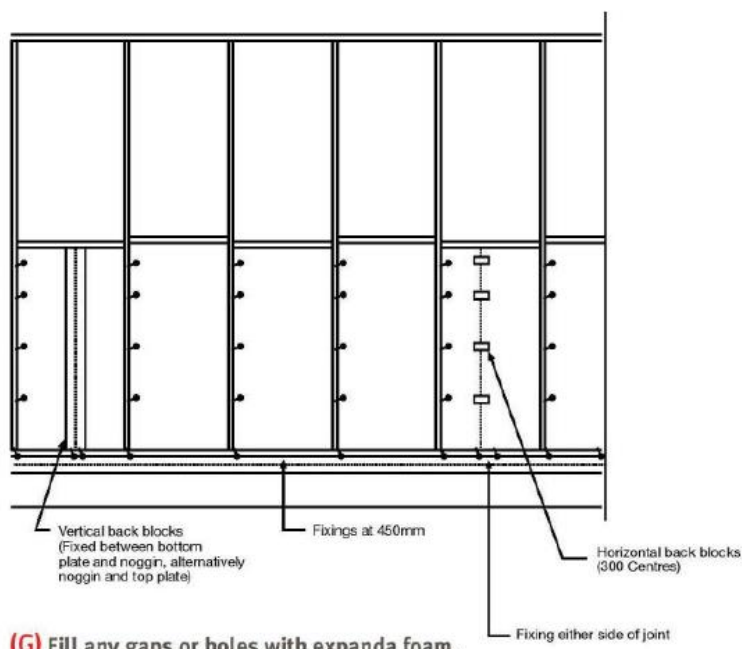
| | | |
|----------------------------------------|-------------|-----------------|
| PROJECT: DUAL OCCUPANCY (STRATA TITLE) | | |
| LOT: 170 | DP: 1229414 | SHEET: 15 OF 17 |
| NUMBER: 27 | | |
| STREET NAME: ALLPORT AVENUE, THURMSTER | | |
| CLIENT: RT_IVISION | | |

NRG SPECIFICATIONS 1

| | |
|-------------|----------|
| SCALE: | |
| SHEET SIZE: | A3 |
| START DATE: | 12.08.20 |
| DWG No: | RT723 |

DRAWING REVISIONS + NOTES:

| Date: | Detail: | Issue: | Drawn: |
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| 12.08.20 | INITIAL ISSUE | A | AE |
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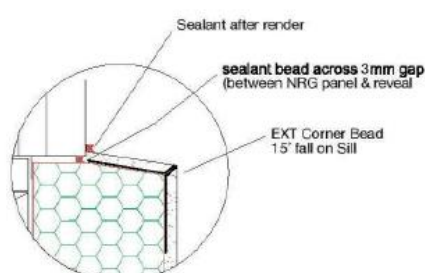
(G) Fill any gaps or holes with expanda foam.

3 BEADING & SEALING

At this point particular care needs to be exercised to ensure that the installation of all beading around windows and doors is completed correctly. This is not a gap filling exercise but an integral part of the total NRG Greenboard™ walling system.

(A) Rendered Reveals 60mm, 75mm, 100mm Greenboard™

- All sills, heads & jambs to be rendered.
- Using marking tape, accurately adhere to frame of joinery, 4mm from the edge creating a neat parallel margin.
- Using a Primer, and a clean rag, dampen cloth with Primer and quickly clean the window reveal, ready for sealant application.
- Cut a medium size end off the nozzle of the sealant. Apply a bead of sealant into the gap between the Greenboard™ and the taped window reveal. Using a coving tool, neatly create an internal cove finish.

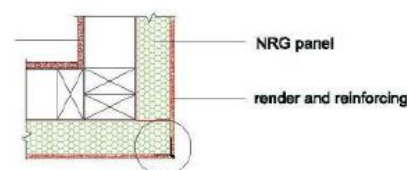


- Remove masking tape from joinery leaving a 100% water proof seal
- This procedure is repeated after rendering and prior to texture coating, to ensure double sealing around windows and doors

(B) External Beads

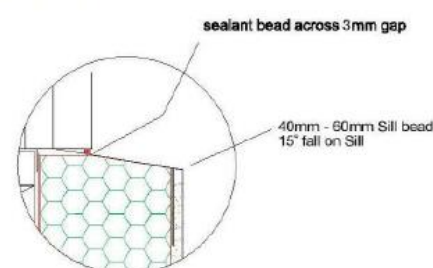
- External points of building, columns etc.
- All sill, head and jambs (60mm, 75mm, 100mm)
- Install external bead by applying a bead of Bostik No More Nailst o internal sides of the bead.

Then press firmly into position, check for plumb and straightness, scraping of excess glue, tacking into position until dry.



(c) 40mm Reveal Bead

- Allow a 3mm gap between Greenboard™ and opening
- Glue 40mm reveal bead into 3mm gap pressing firmly against the Greenboard™. Make sure there is sufficient glue to fix bead to Greenboard™
- Tape and prime reveal bead and opening reveal. Apply a bead of sealant into the gap between the reveal bead and opening reveal. Smear sealant with tool. Remove tape and Paint.

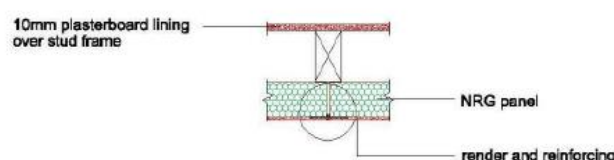


(d) Expansion Beading Joints

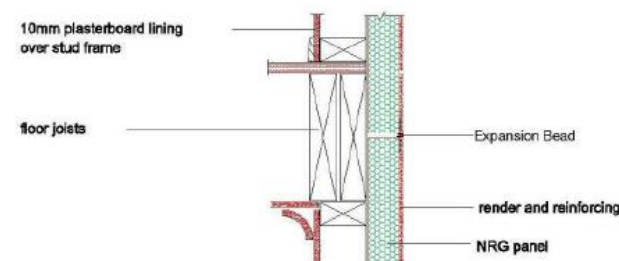
Expansion Joints allow movement within the building & avoid unsightly cracking.

- Vertical Expansion Beading Joints: Every 8 metres (above/ below window)

approximately 8 metres apart



- Horizontal Beading Expansion Joints: Located between floor levels



- Install 'Render Expansion Bead' between both Greenboard™ surfaces, applying a bead of No More Nails to both internal surfaces of bead. Press into position, scrape off excess glue, and tack fix until dry.

(Expansion Joints) Option 2

- Chalk line after render
- 10mm cut through render and into panel
- Tape either side of joint
- Seal
- Remove tape and Paint



Free Call 1800 674 001

FOR FURTHER INFORMATION CONTACT NRG HEAD OFFICE

Unit 2, 13-15 Octal Street Yatala Qld 4207

Phone: 07 3382 7742 Fax: 07 3382 7741

email. sales@nrggreenboard.com www.nrggreenboard.com

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26/09/2018 10:00am



PROJECT: DUAL OCCUPANCY (STRATA TITLE)

LOT: 170 DP: 1229414 SHEET: 16 OF 17

NUMBER: 27

STREET NAME: ALLPORT AVENUE, THURMSTER

CLIENT: RT_IVISION

NRG SPECIFICATIONS 2

SCALE:

SHEET SIZE:

START DATE: 12.08.20

DWG No: RT723

DRAWING REVISIONS + NOTES:

| Date: | Detail: | Issue: | Drawn: |
|----------|-------------------------------------|--------|--------|
| 12.08.20 | INITIAL ISSUE | A | AE |
| 08.03.21 | CC PLANS | B | TMR |
| 01.04.21 | ADD ENERGY | C | TMR |
| 07.04.21 | ADD ENGINEERING AND BAL INFORMATION | D | TMR |

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

1. FALLS, SLIPS, TRIPS

A) WORKING AT HEIGHTS
DURING CONSTRUCTION

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

DURING OPERATION OR MAINTENANCE

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

B) SLIPPERY OR UNEVEN SURFACES
FLOOR FINISHES Specified

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

FLOOR FINISHES By Owner

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

STEPS, LOOSE OBJECTS AND UNEVEN SURFACES

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

2. FALLING OBJECTS

LOOSE MATERIALS OR SMALL OBJECTS

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

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

BUILDING COMPONENTS

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

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

3. TRAFFIC MANAGEMENT

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

4. SERVICES

GENERAL

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

5. MANUAL TASKS

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

6. HAZARDOUS SUBSTANCES

ASBESTOS

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

POWDERED MATERIALS

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

TREATED TIMBER

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

VOLATILE ORGANIC COMPOUNDS

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

SYNTHETIC MINERAL FIBRE

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

TIMBER FLOORS

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

7. CONFINED SPACES

EXCAVATION

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

ENCLOSED SPACES

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

SMALL SPACES

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

8. PUBLIC ACCESS

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

9. OPERATIONAL USE OF BUILDING
RESIDENTIAL BUILDINGS

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

10. OTHER HIGH RISK ACTIVITY

Code All electrical work should be carried out in accordance with Code of Practice: Managing Electrical Risks at the Workplace, AS/NZ and all licensing requirements. 30.12 All work using Plant should be carried out in accordance with Code of Practice: Managing Risks of Plant at the Workplace. Code of All work should be carried out in accordance with Code of Practice: Managing Noise and Preventing Hearing Loss at Work. Due to the history of serious incidents it is recommended that particular care be exercised when undertaking work involving steel construction and concrete placement. All the above applies.

EXCAVATIONS

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

FOUNDATIONS AND FOOTINGS

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

EFFLUENT DISPOSAL/DRAINAGE

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

TIMBER FRAMING

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

STEEL FRAMING

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

ROOFING

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

MASONRY

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

CLADDING AND LININGS

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

JOINERY

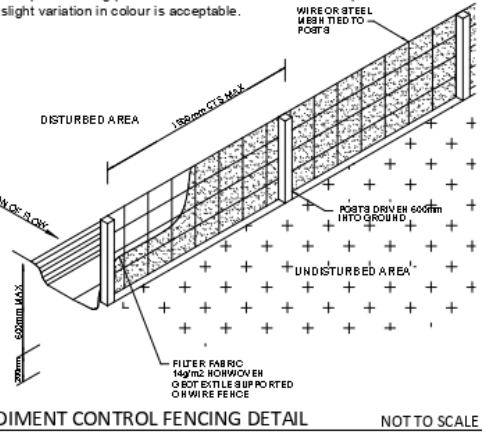
1. General All joinery work (metal and timber) shall be manufactured and installed according to accepted building practices. 2. Door Frames External door frames shall be a minimum of 32mm thick solid rebated 12mm deep to receive doors. Internal jamb linings shall be a minimum of 18mm thick fit with 12mm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

SERVICES

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

TILING

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



SEDIMENT CONTROL FENCING DETAIL NOT TO SCALE



| PROJECT: DUAL OCCUPANCY (STRATA TITLE) | | | WORK SAFETY NOTES | | DRAWING REVISIONS + NOTES: | | | | | |
|----------------------------------------|--|-----------------|-------------------|--------------|----------------------------|-------------------------------------|--|--------|-------|-----|
| LOT: 170 DP: 1229414 | | SHEET: 17 OF 17 | | | Date: | Detail: | | Issue: | Drawn | |
| NUMBER: 27 | | | SCALE: | As indicated | 12.08.20 | INITIAL ISSUE | | | A | AE |
| STREET NAME: ALLPORT AVENUE, THURMSTER | | | SHEET SIZE: | A3 | 08.03.21 | CC PLANS | | | B | TMR |
| | | | START DATE: | 12.08.20 | 01.04.21 | ADD ENERGY | | | C | TMR |
| CLIENT: RT DIVISION | | | DWG No: | RT723 | 07.04.21 | ADD ENGINEERING AND BAL INFORMATION | | | D | TMR |

Developer Charges - Estimate

Applicants Name: Invision Corporate Investments Pty Ltd
Property Address: 27 Allport Avenue Thrumster
Lot & Dp: Lot(s):170,DP(s):1229414
Development: DA 2021/306 - Dual Occupancy 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 | 0.6 | \$10,419.00 Per ET | \$6,251.40 |
| 2 Sewerage Scheme Port Macquarie | 1 | \$3,953.00 Per ET | \$3,953.00 |
| 3 Since 13.6.14 - Local Roads - Thrumster - Area 13 | 0.8 | \$14,084.00 Per ET | \$11,267.20 |
| 4 Since 31.7.18 - Open Space - Thrumster - Per ET | 0.8 | \$6,813.00 Per ET | \$5,450.40 |
| 5 Commenced 3 April 2006 - Com, Cul and Em Services CP - Sancrox Thrumster | 0.8 | \$5,333.00 Per ET | \$4,266.40 |
| 6 Com 1.3.07 - Administration Building - All areas | 0.8 | \$930.00 Per ET | \$744.00 |
| 7 Commenced 3 April 2006 - Com, Cul and Em Services CP - Bushfire | 0.8 | \$516.00 Per ET | \$412.80 |
| 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 | \$487.00 |
| 16 | | | |
| 17 | | | |
| 18 | | | |
| Total Amount of Estimate (Not for Payment Purposes) | | | \$32,832.20 |

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:

22-Jun-2021

Estimate Prepared By Steven Ford

This is an ESTIMATE ONLY - NOT for Payment Purposes

Corporate Investments Pty Ltd, 27 Allport Avenue Thrumster, 22-Jun-2021.xls

PORT MACQUARIE-HASTINGS COUNCIL

Item: 10

Subject: DA2021 - 349.1 DUAL OCCUPANCY AND STRATA SUBDIVISION AT LOT 171, DP 1229414, NO. 29 ALLPORT AVENUE, THRUMSTER

Report Author: Development Assessment Planner, Steven Ford

| | |
|-----------------|---------------------------------------|
| Applicant: | Ivision Corporate Investments Pty Ltd |
| Owner: | Ivision Corporate Investments Pty Ltd |
| Estimated Cost: | \$509,921 |
| Parcel no: | 66772 |

Alignment with Delivery Program

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

RECOMMENDATION

That DA 2021 - 349 for a Dual Occupancy and Strata Subdivision at Lot 171, DP 1229414, No. 29 Allport Avenue, Thrumster, be determined by granting consent subject to the recommended conditions.

Executive Summary

This report considers a development application for a Dual Occupancy and Strata Subdivision at the subject site and provides an assessment of the application in accordance with the Environmental Planning and Assessment Act 1979.

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

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

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

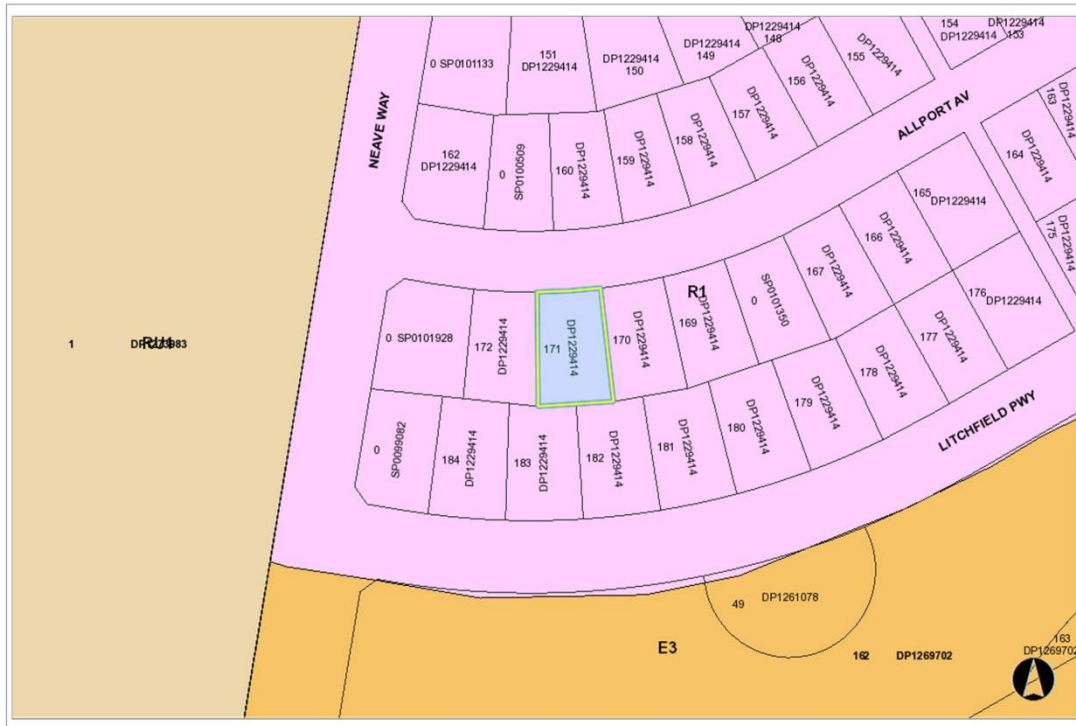
The reason for the application being referred to Council's Development Assessment Panel (DAP) is because three (3) or more objections to the proposal have been received. A copy of the DAP Charter outlining the delegations and functions of the DAP is available on Council's website.

1. BACKGROUND

Existing Sites Features and Surrounding Development

The site has an area of 554m².

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:

- 2x 3-bedroom Dual Occupancy and Strata Subdivision

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

Application Chronology

- 06 May 2021 - Application Lodged
- 12 May to 25 May 2021 - Public Exhibition via neighbour notification
- 12 May 2021 - Referral to 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) 2021

Clause 6 - This SEPP applies to all non-rural zoned land within the Port Macquarie-Hastings Local Government Area.

Clause 10 - The land is subject to the Area 13 (Thrumster) Koala Plan of Management, but is not identified as being potential or core koala habitat in that plan (see below).



The specific provisions relating to development in potential or core koala habitat areas are not applicable to the proposal, but it is considered to be consistent with the General Provisions in Part 3, as follows:

| Provision | Comment |
|--------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------|
| 3(C) Clearing of native vegetation | The proposal does not involve the clearing of any native vegetation and |
| 3(D) Protection of Koalas from undue disturbance | The proposal does not include any works within 25m of a tree that could contain a koala. Provision is not applicable. |
| 3(E) Swimming pools | The proposal does not include a swimming pool. |
| 3(F) Habitat Linkages and Buffers | No habitat linkages or buffers traverse the site. |
| 3(G) Habitat restoration | No habitat linkages or buffers traverse the site. Habitat restoration is not applicable. |
| 3(H) Koala Release Area | Not applicable. The koala release area is not associated with the subject site. |
| 3(I) Roads | No roads are proposed to cross a habitat linkage or buffer. |
| 3(J) Community Education | Noted, but not applicable to the proposal. |

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 (number 1192531S and 1192632S) has been submitted demonstrating that the proposal will comply with the requirements of the SEPP. It is recommended that a condition be imposed to ensure that the commitments are incorporated into the development and certified at Occupation Certificate stage.

State Environmental Planning Policy (Infrastructure) 2007

Clause 45 - Development in proximity to electricity infrastructure - referral to Essential Energy has been completed having regard for any of the following:

- (a) the penetration of ground within 2m of an underground electricity power line or an electricity distribution pole or within 10m of any part of an electricity tower,
- (b) development carried out:
 - (i) within or immediately adjacent to an easement for electricity purposes (whether or not the electricity infrastructure exists), or
 - (ii) immediately adjacent to an electricity substation, or
 - (iii) within 5m of an exposed overhead electricity power line,
- (c) installation of a swimming pool any part of which is:
 - (i) within 30m of a structure supporting an overhead electricity transmission line, measured horizontally from the top of the pool to the bottom of the structure at ground level, or

- (ii) within 5m of an overhead electricity power line, measured vertically upwards from the top of the pool.

As the development has potential for driveways to excavate near underground electricity, a referral to Essential Energy was carried out. Essential Energy subsequently raised no objections.

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 dual occupancy 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 proposal is a permissible landuse;
 - The development will contribute to the variety 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 262.2m² to 292.5m². The minimum 450m² lot size for subdivision does not apply - refer to Clause 4.1A below.
- Clause 4.1A - The minimum lot sizes do not apply to the proposal as it is characterised dual occupancy development.
- Clause 4.3 & 4.4 - There are no height or FSR requirements applicable to the property. Nonetheless, the design, height and FSR is consistent with surrounding development.
- 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: Part B - General Provisions - B2: Environmental Management | | | |
|-----------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------|--------------------------------------|-----------------|
| DCP Objective | Development Provisions | Proposed | Complies |
| 3 | a) Development must comply with Council's Developments, Public Place & Events - Waste Minimisation and Management Policy. | Satisfactory arrangements can be put | Yes |

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| | | in place for storage and collection of waste. Standard condition recommended for construction waste management. | |
| Cut and Fill Regrading | | | |
| 4 | a) Development shall not exceed a maximum cut of 1.0m and fill of 1.0m measured vertically above the ground level (existing) at a distance of 1.0m outside the perimeter of the external walls of the building (This does not apply to buildings where such cut and fill is fully retained within or by the external walls of the building). | Minimal cut and fill is required for site preparation. No retaining walls are proposed. | Yes |
| 5 | a) A certified practicing structural engineer must certify any retaining wall greater than 1.0m. | Retaining walls are not proposed. | NA |
| | b) Where a combination of a fence and a wall is proposed to be greater than 1.2m high: <ul style="list-style-type: none"> – be a maximum combined height of 1.8m above existing property boundary level; – be constructed up to the front boundary for a maximum length of 6.0m or 30% of the street frontage, whichever is less; – the fence component has openings which make it not less than 25% transparent; and – provide a 3m x 3m splay for corner sites, and – provide a 900mm x 900mm splay for vehicle driveway entrances. | Retaining wall and fence combinations are not proposed. | NA |

DCP 2013: Part B - General Provision - B3: Hazards Management**Bushfire Hazard Management**

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| 18 | a) APZs are to be located outside of environmental protection zones and wholly provided within private land. | There are no APZ's proposed in environmental protection zones. | NA |
|----|--------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------|----|

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| | Note perimeter roads provided as part of a residential subdivision are classified as being part of the subdivision and not a separate permissible land use within environment protection zones. | | |
| Flooding | | | |
| 19 | a) Development must comply with Council's Floodplain Management Plan and Flood Policies. | The site is mapped as flood prone, however the mapping pre-dates filling and subdivision of the land. Development will comply. | Yes |

DCP 2013: Part B- General Provisions- B4: Transport, Traffic Management, Access and Car Parking

| DCP Objective | Development Provisions | Proposed | Complies |
|--------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------|----------|
| Parking Provision | | | |
| 24 | a) Off-street Parking is provided in accordance with Table 3. 1 parking space per each dwelling for dwelling-houses/dual occupancies/semi-detached dwellings. | 2x 3 bedroom dwellings requires 2 off street car parking spaces. Total of 2 off-street parking spaces provided. | Yes |
| Parking Layout | | | |
| 28 | c) Parking spaces shall generally be behind the building line but may be located between the building line and the street when: <ul style="list-style-type: none"> – it is stacked parking in the driveway; or – it can be demonstrated that improvements to the open space provided will result; and – the spaces are screened (densely landscaped or similar) from the street by a landscaping with a minimum width of 3.0m for the entire length of the parking area. | Parking spaces are provided within the garages. | Yes |

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| | d) Parking design and layout is provided in accordance with AS/NZS 2890.1 - Parking facilities - Off-street car parking. | Garage dimensions are capable of complying. | Yes |
| 34 | a) All parking and manoeuvring spaces must be designed to avoid concentrations of water runoff on the surface. | Residential driveway only. No adverse impacts identifiable. | Yes |
| | b) Council will not permit the discharge of stormwater directly into kerbing and guttering or table drains for any development other than that of a minor nature. | Discharge to integrated stormwater system provided as part of the parent subdivision. | Yes |

DCP 2013: Part B - General Provisions - B5: Social Impact Assessment and Crime Prevention

| DCP Objective | Development Provisions | Proposed | Complies |
|-------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------|----------|
| Crime Prevention | | | |
| 43 | a) The development addresses the generic principles of crime prevention: <ul style="list-style-type: none"> - Casual surveillance and sightlines; - Land use mix and activity generators; - Definition of use and ownership; - Basic exterior building design; - Lighting; - Way-finding; and - Predictable routes and entrapment locations; - as described in the Crime Prevention Through Environmental Design (CPTED) principles. | No concealment or entrapment areas proposed. Adequate casual surveillance available. | Yes |

| DCP 2013: Part C - Development Specific Provisions - C1: Low Density Residential Development | | | |
|----------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------|----------|
| DCP Objective | Development Provisions | Proposed | Complies |
| Front Setbacks | | | |
| 44 | a) Dwellings may incorporate an articulation zone to a street frontage at no less than 3m from property boundary. The following building elements are permitted within the articulation zone: <ul style="list-style-type: none">– 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. b) These building elements should not extend above the eave gutter line, other than a pitched roof to an entry feature or portico that has the same pitch as the roof on the dwelling house. | Front Porch Posts area minimum 4.192m (Unit 1) and 3.767m (Unit 2). Porch roofline satisfactorily integrated into the roof design. | Yes |
| | c) The primary road front setback shall be: Classified road = any frontage 6.0m Primary frontage = 4.5m Secondary frontage = 3.0m Ancillary Lane = 2.0m Large lot residential and rural zones = 10.0m | Minimum front setback to primary frontage: Unit 1 - 4.942m Unit 2 - 4.517m | Yes |
| 45 | a) A garage, carport or car parking space should: <ul style="list-style-type: none">– be at least 1m behind the building line, where the dwelling(s) has a setback from a front boundary of 4.5m or more, or—be at least 5.5m from a front boundary, where the dwelling(s) has a | Both garages are located 1.130m behind the building line and 5.725m from the front boundary. | Yes |

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| | setback of less than 4.5m. | | |
| | b) The total width of the garage/carport openings should not be more than 6m and not more than 50 per cent of the width of the building. | The width of garage opening is 4.8m and does not exceed 50% of dwelling width for either dwelling. | Yes |
| | c) Driveway crossovers are no greater than 5.0m in width. | Maximum 5m wide shared driveway crossover proposed. | Yes |
| | d) Where a dual occupancy or attached dwelling is proposed on a corner lot a garage and driveway is provided on each road frontage. | NA | NA |
| Side and Rear Setbacks | | | |
| 46 | a) A minimum rear boundary setback of 4m is to be provided to dwellings (including verandahs, patios and decks). | Minimum rear setbacks: Unit 1 - 4.806m Unit 2 - 5.405m | Yes |
| | b) A minimum rear boundary setback of 900mm applies to sheds and swimming pools subject to achieving minimum required private open space area. | NA - No shed or pool proposed. | NA |
| | c) Council may consider varying rear setback requirements where it is demonstrated that the private open space could achieve better solar access between the building and the side setback. In that instance, one side setback should be a minimum 4m in width (for an equivalent length of rear boundary, behind building line) and the rear setback may be reduced to 900mm. | NA - no variation proposed | NA |
| 47 | a) Ground floors (being <1m above existing ground level) should be setback a minimum of 900mm from side boundaries. | Unit 1 - 1.48m to 3.594m Unit 2 - 1.5m Proposed side setbacks satisfy this clause. | Yes |
| | b) First floors and above (including single storey with floor level >1m) should be setback a minimum of 3m | NA - none proposed. | NA |

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| | from the side boundary, or reduced down to 900mm where it can be demonstrated that the adjoining property's primary living rooms and principal private open space areas are not adversely overshadowed for more than 3hrs between 9am - 3pm on 21 June. | | |
| | c) First floors and above should have building walls that step in and out at least every 12m by a minimum of 500mm articulation. Where first floors and above are setback >3m, wall articulation is not required. | NA - none proposed. | NA |
| Private Open Space | | | |
| 48. | a) All dwellings should have a minimum area of private open space of 35m ² , which includes a principal private open space area with: <ul style="list-style-type: none"> - a minimum dimension of 4m x 4m, and - a maximum grade of 5% for minimum 4m x 4m of the total open space requirement, and - direct accessibility from a ground floor living area and orientated to maximise use. | Unit 1 - 112m ² Unit 2 - 53m ² Both units have an area greater than 4m x 4m of useable area. | Yes |
| | b) Private open space may include clothes drying areas and garbage storage. | Drying areas noted on site plans. | Yes |
| Public Domain and Fencing | | | |
| 49 | a) Front fences built forward of the building line for the primary road frontage should be detailed on the development application plans. | No front fence proposed. | NA |
| | b) Solid Front fences up to 1.2m high should be: <ul style="list-style-type: none"> - Setback 1.0m from the front boundary, and - Suitably landscaped to reduce visual impact, and | No front fence proposed | NA |

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| | <ul style="list-style-type: none"> - Provide a 3m x 3m splay for corner sites. | | |
| | b) Front fences proposed to be more than 1.2m high should be a maximum of 1.8m in height, above existing front property boundary level, and either: <ul style="list-style-type: none"> - Include landscaped recesses having minimum dimensions of 1.8m long x 900mm deep which occupy no less than 50% of the total length of the fence, or - be erected up to the front boundary for a maximum length of 6.0m or 50% of the street frontage, | NA | NA |
| | c) have openings which make it not less than 25% transparent (no individual opening more than 30mm wide); | NA | NA |
| | d) provide a 3m x 3m splay for corner sites, and | NA | NA |
| | e) provide a 900mm x 900mm splay for vehicle driveway entrances. | NA | NA |
| Bulk and Scale | | | |
| 51 | a) Direct views between indoor living rooms and principal private open space of adjacent dwellings, including proposed dwellings approved on adjoining lots, including possible dwellings on future lots, should be obscured or screened where: <ul style="list-style-type: none"> - Ground and first floor (and above) indoor living room windows are within a 9m radius. - Direct views between principal private open space areas where within a 12m radius. - Direct views between indoor living rooms of dwellings into the principal area of private | Direct views between dwellings and areas of private open space will be obscured by side boundary fencing. | Yes |

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| | open space of other dwellings within a 12m radius. | | |
| | <p>b) A balcony, deck, patio, pergola, terrace or verandah should have a privacy screen where there are direct views of:</p> <ul style="list-style-type: none"> – Indoor living room windows of adjacent dwellings, including proposed dwellings approved on adjoining lots within 9m radius; or – Principal areas of private open space of adjacent dwellings, including proposed dwellings approved on adjoining lots within a 12m radius. | Direct views from alfresco patio areas will be obscured by side boundary fencing. | Yes |
| | <p>c) Privacy protection is not required for:</p> <ul style="list-style-type: none"> – Any Indoor living room windows with a sill height of greater than 1.5m above the finished floor level of that room or where fixed non-openable translucent glass is installed to the same height. | NA | NA |
| | <p>d) Direct views described above may be reduced or obscured by one of the following measures (details to be submitted with the development application):</p> <ul style="list-style-type: none"> – 1.8m high fence or wall between ground-floor level windows or between a dwelling and principal private open space – Screening of minimum 1.7m height, that has 25% openings (max), with no individual opening more than 30mm wide, is permanently fixed and is made of durable materials. – A window, the whole of which has translucent | Direct views will be obscured by side boundary fencing. | Yes |

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| | glass and is not able to be opened. | | |
| Ancillary Development | | | |
| 56 | <p>a) For ancillary development in R1 General Residential, R2 Low Density Residential, R3 Medium Density Residential, R4 High Density Residential, R5 Large Lot Residential and RU5 Village zones:</p> <ul style="list-style-type: none"> - The height of an outbuilding or the alterations and additions to an existing outbuilding on a lot should not be more than 4.8m above ground level (existing). - The building should be single storey construction with a maximum roof pitch of 24 degrees. - The maximum area of the building should be 60m² for lots less than 900m² and maximum of 100m² for larger lots. - Ancillary development that is a garage, or an outbuilding, or a rainwater tank should not be located in front of the main building line with the exception of swimming pools. | No ancillary development proposed. | NA |

(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 and this development application.

(iv) Any matters prescribed by the Regulations

Nil

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

Context and setting

The proposal will not have any significant adverse impacts on 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.

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.

Access, traffic and transport

The proposal will not have any significant adverse impacts in terms access, transport and traffic. The existing road network will satisfactorily cater for any increase in traffic generation as a result of the development.

Water

Council records indicate that the development site has an existing 20mm sealed water service from the 100 PVC water main and 100 PVC recycled water main on the opposite side of Allport Avenue. Each lot requires an individual metered water service. Plans to indicate if additional recycled water service to be installed.

Appropriate conditions are recommended in this regard.

Sewer

Council records indicate that the development site is connected to Sewer via junction to the existing sewer line that runs inside the western property boundary. Each lot to use existing junction.

Appropriate conditions are recommended in this regard.

Stormwater

Stormwater infrastructure exists within the area and is capable of servicing the development – details required with S.68 application. Unit 1 stormwater proposed to connect to existing junction pit in north east corner of site. A new stormwater junction to be created at south western corner to serve Unit 2.

Appropriate conditions are recommended in this regard.

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.

Waste

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

Energy

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

Noise and vibration

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

Bushfire

The site is identified as being bushfire prone.

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

Safety, security and crime prevention

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

Social impacts in the locality

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

Economic impact in the locality

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

Site design and internal design

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

Construction

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

Cumulative impacts

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

(c) The suitability of the site for the development

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

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

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

Following exhibition of the application in accordance with DCP 2013, three submissions received. Key issues raised in the submissions received and comments are provided as follows:

| Submission Issue/Summary | Planning Comment/Response |
|------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Density of development - 2x dual occupancy developments on consecutive lots. | <p>Lots 170 and 171 Allport Avenue are existing lots. There are two development applications being reviewed for a dual occupancy housing and strata subdivision on each lot.</p> <p>The site is zoned R1 General Residential. Within this zone both Dual Occupancy and multi-dwelling housing are permissible landuse. The objectives of this zone are particularly</p> |

| Submission Issue/Summary | Planning Comment/Response |
|---------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| | <p>noted to encourage and allow for a variety of housing types and densities.</p> <p>With regards to the Sovereign Hills Land Sales Design Guidelines from March 2020, this is not an approved Council policy. With fairness, this is not a document Council can determine an application against. The document is more related to a civil matter between the original developer and property purchasers.</p> <p>Individually, both proposals meet the requirements of both the Port Macquarie Hastings Local Environment Plan 2011 and the Development Control Plan 2013. The individual proposals are not considered an overdevelopment of the site.</p> |
| Council must consider that over 25% of properties in one small street being dual occupancy is excessive | <p>With regards to the type of residential development, Council determines developments based on permissibility and not percentages of allowable development.</p> <p>The site is zoned R1 General Residential and within this zone Dual Occupancy development is permissible with consent. Refusal of this application based on the number of existing dual occupancies within the vicinity is not justifiable.</p> |
| Accumulative traffic congestion | <p>Council's Development Engineer has reviewed the proposal and advised that the immediate local road network will be suitable to cater for the increased demand. The accumulative traffic concerns raised are not the subject of this application and would need to be with Council's Rangers if residential continually block pedestrian paths.</p> <p>Refusal of the application on these grounds is not justified.</p> |
| Similar developments rely on street parking due to limited off-street parking and block pedestrian footpaths. | <p>As discussed earlier in this report, the individual dual occupancies comply with the Development Control Plan 2013 off-street car parking requirement of 1 parking space per each dwelling for dual occupancies/semi-detached dwellings. A total of 2 spaces per development.</p> <p>If the proposal was a multi-dwelling development consisting of 4 x 3 bedroom dwellings, the proposal would require 1.5 spaces per each 3 or 4-bedroom unit + 1 visitor's space per 4 units. This would equate to a total of 7 off-street car parking spaces required across the multi dwelling development.</p> |

| Submission Issue/Summary | Planning Comment/Response |
|-----------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| | However, the assessment needs to be based on the merits of the individual application and the proposal satisfies the off-street parking requirements of the Development Control Plan 2013 for a 2x 3 bedroom Dual Occupancy. |
| Occupancy numbers and type of residents | Both dwellings are considered 3 bedroom dwellings. This is based on all habitable rooms that are considered capable of being a bedroom. This is what has been used to calculate the off-street car parking requirements. For this type of development there are no mechanism to further consider potential maximum occupancy numbers of each dwelling, nor could refusal of this application be supported based on the occupancy numbers or type of residents. |

(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 have any significant adverse impacts on the wider public interest.

(f) 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 manmade development and the environmental impacts. Based on the assessment provided in the report and with recommended conditions of consent, it is considered an appropriate balance has been struck.

(g) 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.
3.
- 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 [!\[\]\(8d139a66f540002704b5c70b7fe6cc7a_img.jpg\) DA2021 - 349.1 Recommended Conditions](#)
- 2 [!\[\]\(c209541a4bc5f45e44bd7791f9477320_img.jpg\) DA2021 - 349.1 Plans](#)
- 3 [!\[\]\(8fd54d112e752061b5361c5bdf346185_img.jpg\) DA2021 - 349.1 Development Contributions](#)

**FOR USE BY PLANNERS/SURVEYORS TO PREPARE LIST OF
PROPOSED CONDITIONS - 2011****NOTE: THESE ARE DRAFT ONLY****DA NO: 2021/349****DATE: 22/06/2021****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 | RT724 | Rob Tate Homes | 23.04.21 |
| BASIX Certificate | 1192531S and 1192632S | Collins W Collins | 08 April 2021 |
| Bush Fire Assessment | - | Krisann Johnson | 19 March 2021 |

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

- (2) (A002) No building or subdivision work shall commence until a Construction Certificate or Subdivision Works Certificate has been issued and the applicant has notified Council of:
- the appointment of a Principal Certifying Authority; and
 - the date on which work will commence.
- Such notice shall include details of the Principal Certifying Authority and must be submitted to Council at least two (2) days before work commences.
- (3) (A005) This consent allows the strata-subdivision of the units, subject to the submission of an application for a Strata Certificate.
- (4) (A008) Any necessary alterations to, or relocations of, public utility services to be carried out at no cost to council and in accordance with the requirements of the relevant authority including the provision of easements over existing and proposed public infrastructure.
- (5) (A009) The development site is to be managed for the entirety of work in the following manner:
- 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;
 - Appropriate dust control measures;

3. Building equipment and materials shall be contained wholly within the site unless approval to use the road reserve has been obtained. Where work adjoins the public domain, fencing is to be in place so as to prevent public access to the site;
4. Building waste is to be managed via appropriate receptacles into separate waste streams;
5. Toilet facilities are to be provided on the work site at the rate of one toilet for every 20 persons or part of 20 persons employed at the site.
6. Building work being limited to the following hours, unless otherwise permitted by Council;
 - Monday to Saturday from 7.00am to 6.00pm
 - No work to be carried out on Sunday or public holidaysThe builder to be responsible to instruct and control his sub-contractors regarding the hours of work.
- (6) (A011) The design and construction of all public infrastructure works shall be in accordance with Council's adopted AUSPEC Specifications.
- (7) (A013) The general terms of approval from the following authorities, as referred to in section 93 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 DA20210516001999-Original-1 and dated 22 June 2021, 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 the estimated cost plus 30% for building development of public works or \$5000, whichever is the greater of carrying out the development by way of:

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

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

B – PRIOR TO ISSUE OF A CONSTRUCTION CERTIFICATE 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. 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.
- (4) (B010) Payment to Council, prior to the issue of the Construction Certificate or Strata 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:
- Hastings S94 Administration Building Contributions Plan
 - Hastings Administration Levy Contributions Plan
 - Community Cultural and Emergency Services Contributions Plan 2005
 - Hastings S94 Major Roads Contributions Plan
 - Port Macquarie-Hastings Open Space Contributions Plan 2018
 - 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 Strata Certificate (whichever occurs first) of the Section 64 contributions, as set out in the "Notice of Payment – Developer Charges" schedule attached to this consent unless deferral of payment of contributions has been approved by Council. The contributions are levied in accordance with the provisions of the relevant Section 64 Development Servicing Plan towards the following:
- augmentation of the town water supply headworks
 - augmentation of the town sewerage system headworks
- (6) (B024) Submission to Council of an application for water meter hire, which is to be referred to the Water Supply section so that a quotation for the installation can be prepared and paid for prior to the issue of a Construction Certificate. This application is also to include an application for the disconnection of any existing service not required.
- (7) (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) (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 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.
- (10) (B195) Council records indicate that the development site has an existing 20mm sealed water service from the 100 PVC water main and 100 PVC recycled water main on the opposite side of Allport Avenue. Each lot requires an individual metered water service. Plans to indicate if additional recycled water service to be installed.

- (11) (B196) Council records indicate that the development site is connected to Sewer via junction to the existing sewer line that runs inside the western property boundary. Existing junction to be used for each lot.

C – PRIOR TO ANY WORK COMMENCING ON SITE

- (1) (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:
- when trenches are open, stormwater/water/sewer pipes and conduits jointed and prior to backfilling;
 - prior to the pouring of concrete for sewerage works and/or works on public property;
 - 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 OR STRATA CERTIFICATE

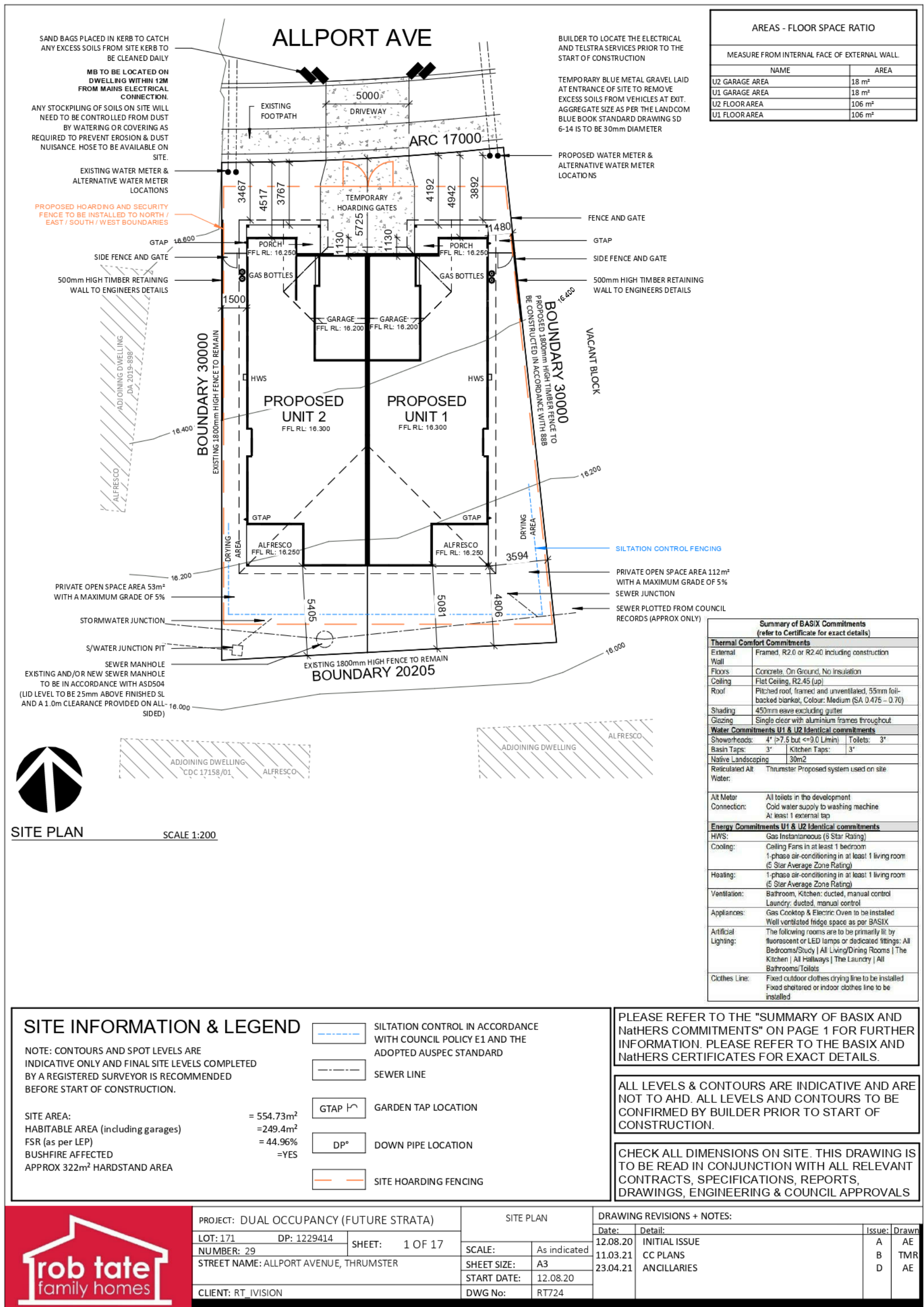
- (1) (E001) The premises shall not be occupied or used in whole or in part until an Occupation Certificate has been issued by the Principal Certifying Authority.
- (2) (E051) Prior to occupation or the issuing of any Occupation Certificate a section 68 Certificate of Completion shall be obtained from 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) (E058) Written confirmation being provided to the Principal Certifying Authority (PCA) from any properly qualified person (eg the builder), stating that all

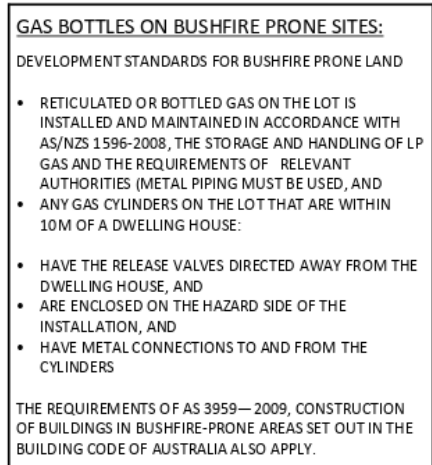
commitments made as part of the BASIX Certificate have been completed in accordance with the certificate.

- (5) (E061) Landscaped areas being completed prior to occupation or issue of the Certificate.
- (6) (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.
- (7) (E195) The strata certificate shall not be issued until such time that the dwellings associated with this development are substantially commenced (as determined by Council) or where a strata management statement, or restriction as to user, prohibits any dwelling on each lot other than the dwelling approved as part of this consent.

F – OCCUPATION OF THE SITE

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

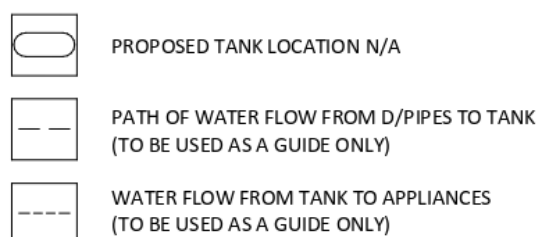
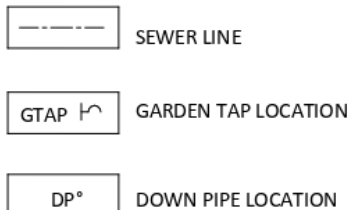




| DRIVEWAY DETAIL TO BE IN ACCORDANCE WITH ASD201 & ASD208 **TO ENGINEERS DETAILS | | |
|----------------------------------------------------------------------------------------------|-----------|----------------------------|
| KERB & GUTTER INVERT LEVEL | GARAGE FL | DISTANCE KERB TO GARAGE |
| 16.500m | 16.200m | 10.497m |

****ALTERNATE RETICULATED WATER USED ON THE LOT.
(THRUMPSTER PROPOSED)**

STORMWATER NOTE:
STORMWATER/RAINWATER OVERFLOW TO
JUNCTION SHOWN ON LOT



LAWN & GARDEN AREA TO BE U1: 132m² U2: 102m²
WITH 30m² TO BE NATIVE LANDSCAPING AS PER BASIX.
(AS PER BASIX CERTIFICATE TO BE USED AS A GUIDE ONLY)

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.

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

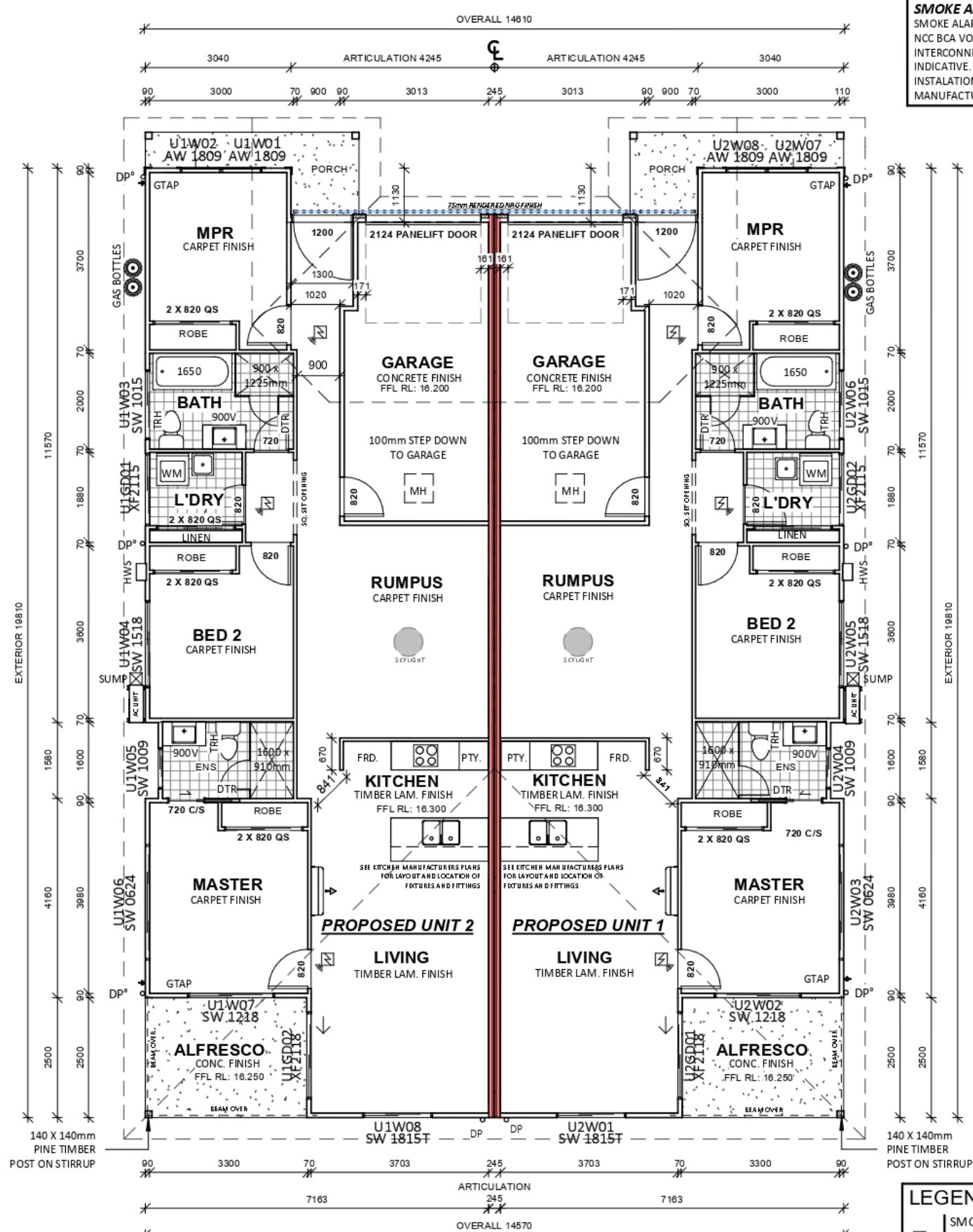
ALL LEVELS & CONTOURS ARE INDICATIVE AND ARE NOT TO AHD. ALL LEVELS AND CONTOURS TO BE CONFIRMED BY BUILDER PRIOR TO START OF CONSTRUCTION.

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



| | | | | | | | | | |
|-----------------------------------------|--|---------------------|-----------------|--------------|----------------------------|-----------------------|--|----------|-----------|
| PROJECT: DUAL OCCUPANCY (FUTURE STRATA) | | | S68 & S138 PLAN | | DRAWING REVISIONS + NOTES: | | | | |
| LOT: 171 DP: 1229414 | | SHEET: 2 OF 17 | | | Date: 12.08.20 | Detail: INITIAL ISSUE | | Issue: A | Drawn: AE |
| NUMBER: 29 | | | SCALE: | As indicated | 11.03.21 | CC PLANS | | B | TMR |
| STREET NAME: ALLPORT AVENUE, THURMSTER | | | SHEET SIZE: | A3 | 23.04.21 | ANCILLARIES | | D | AE |
| CLIENT: RT DIVISION | | | START DATE: | 12.08.20 | | | | | |
| | | | DWG No: | RT724 | | | | | |

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



FLOOR PLAN SCALE 1:100

| AREAS - FLOOR UNIT 1 | |
|--------------------------------------------|----------------------|
| *FLOOR AREA MEASURED FROM EXTERNAL FACE... | |
| NAME | AREA |
| U1 FLOOR AREA | 111.0 m ² |
| U1 ALFRESCO AREA | 8.4 m ² |
| U1 GARAGE AREA | 20.3 m ² |
| U1 PORCH AREA | 4.7 m ² |
| TOTAL | 144.5 m ² |

| AREAS - FLOOR UNIT 2 | |
|--------------------------------------------|----------------------|
| *FLOOR AREA MEASURED FROM EXTERNAL FACE... | |
| NAME | AREA |
| U2 FLOOR AREA | 111.0 m ² |
| U2 ALFRESCO AREA | 8.4 m ² |
| U2 GARAGE AREA | 20.3 m ² |
| U2 PORCH AREA | 4.7 m ² |
| TOTAL | 144.5 m ² |

| AREAS - ROOF AREAS | |
|---------------------------------------|----------------------|
| *ROOF AREA MEASURED AS FOOTPRINT ONLY | |
| NAME | AREA |
| ROOF AREA | 321.9 m ² |

COMMON WALL DETAILS:

- CSR 2405 (STD WALL TO STD WALL), CSR 2402 (WET AREA TO WET AREA), CSR 2404 (WET AREA TO STD AREA)
- COMMON WALL DETAIL TO COMPLY WITH PART 3.7.1 OF THE BCA FIRE SEPARATION REQUIREMENTS.
- SO UND INSULATION TO SEPARATING WALL IN ACCORDANCE WITH PART 3.8.6 OF BCA VOL 2.

LEGEND

- 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
- DP° DOWN PIPE LOCATION TO AS 3500
- MECHANICAL VENTILATION TO NCC 3.8.7.3 & 3.8.7.4
- GT° GARDEN TAP LOCATION
- LOH LIFT OFF HINGE
- 1815 1800mm HIGH x 1500mm WIDE
- 820 820mm DOOR
- MH ACCESS MAN HOLE
- DTR DOUBLE TOWEL RAIL
- TRH TOILET ROLL HOLDER

ALL LEVELS & CONTOURS ARE INDICATIVE AND ARE NOT TO AHD. ALL LEVELS AND CONTOURS TO BE CONFIRMED BY BUILDER PRIOR TO START OF CONSTRUCTION.

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



PROJECT: DUAL OCCUPANCY (FUTURE STRATA)

LOT: 171 DP: 1229414 SHEET: 3 OF 17

NUMBER: 29 STREET NAME: ALLPORT AVENUE, THURMSTER

CLIENT: RT DIVISION

FLOOR PLAN - OVERALL

SCALE: 1 : 100

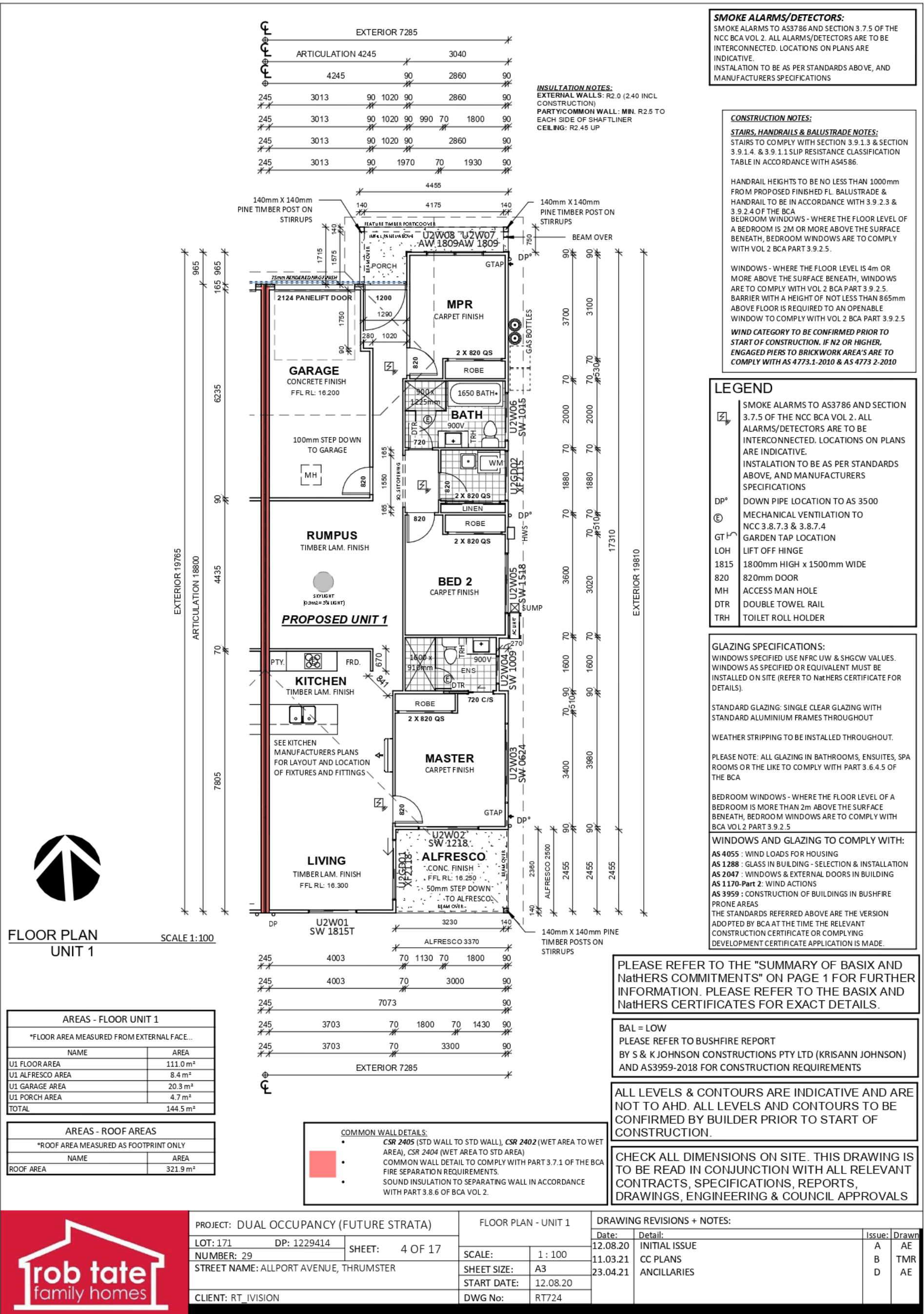
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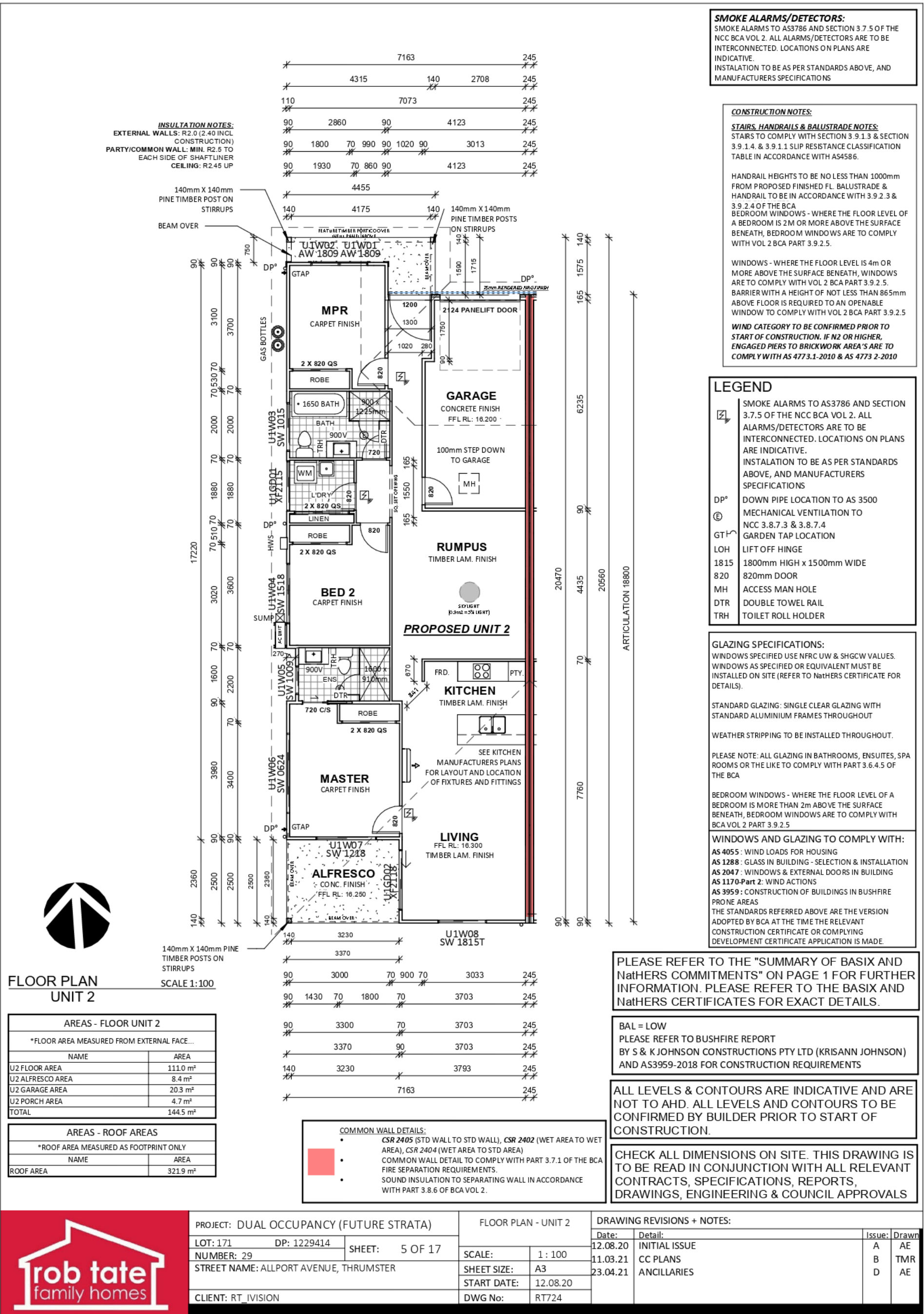
START DATE: 12.08.20

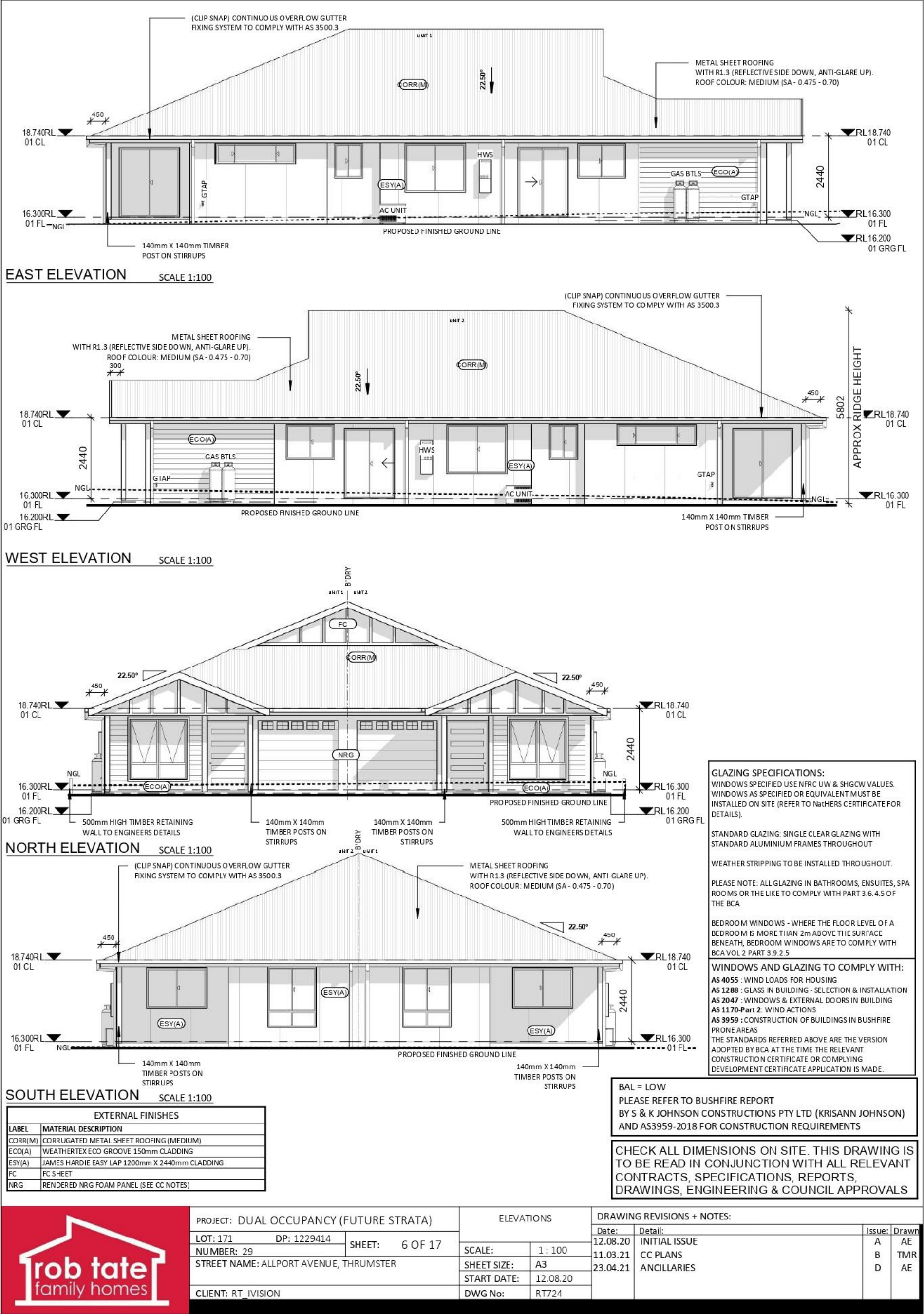
DWG No: RT724

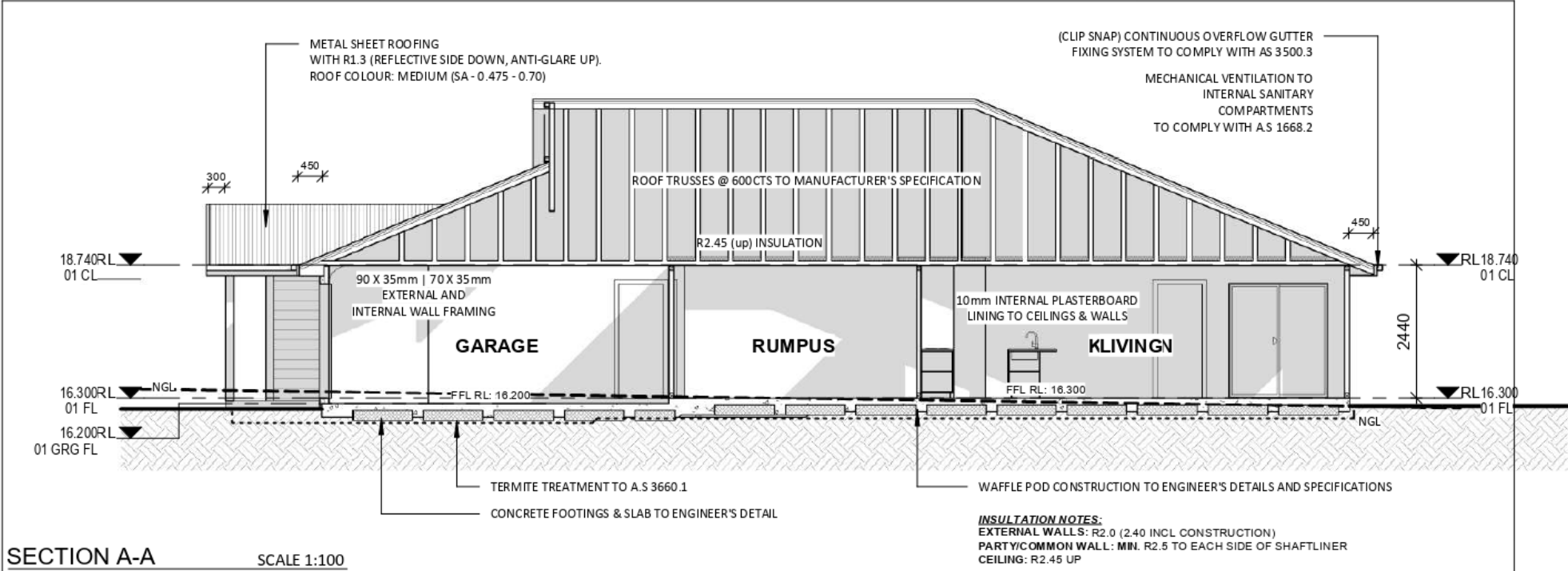
DRAWING REVISIONS + NOTES:

| Date: | Detail: | Issue: | Drawn: |
|----------|---------------|--------|--------|
| 12.08.20 | INITIAL ISSUE | A | AE |
| 11.03.21 | CC PLANS | B | TMR |
| 23.04.21 | ANCILLARIES | D | AE |



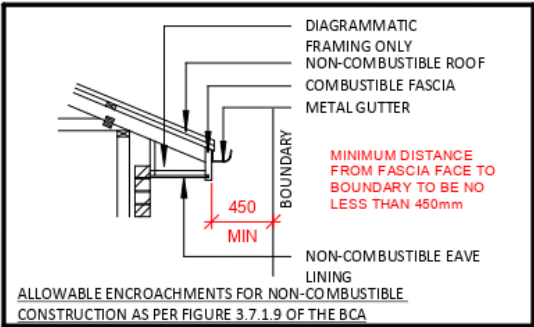






SECTION A-A SCALE 1:100

| EXTERNAL FINISHES | |
|-------------------|------------------------------------------------|
| LABEL | MATERIAL DESCRIPTION |
| CORR(M) | CORRUGATED METAL SHEET ROOFING (MEDIUM) |
| ECO(A) | WEATHERTEX ECO GROOVE 150mm CLADDING |
| ESY(A) | JAMES HARDIE EASY LAP 1200mm X 2440mm CLADDING |
| FC | FC SHEET |
| NRG | RENDERED NRG FOAM PANEL (SEE CC NOTES) |



'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

INSTALLED TO PROPRIETARY SPECIFICATIONS

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

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

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

WEATHERSTRIPPING 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.

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.

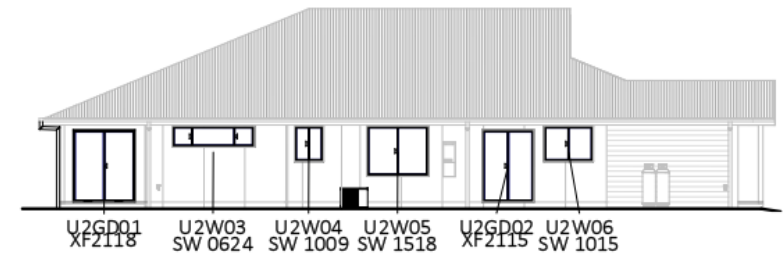
BAL = LOW
PLEASE REFER TO BUSHFIRE REPORT
BY S & K JOHNSON CONSTRUCTIONS PTY LTD (KRISANN JOHNSON)
AND AS3959-2018 FOR CONSTRUCTION REQUIREMENTS

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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



| PROJECT: DUAL OCCUPANCY (FUTURE STRATA) | | | SECTION | | DRAWING REVISIONS + NOTES: | | | | | |
|-----------------------------------------|--|----------------|-------------|--------------|----------------------------|---------------|--|--|--------|--------|
| LOT: 171 DP: 1229414 | | SHEET: 7 OF 17 | | | Date: | Detail: | | | Issue: | Drawn: |
| NUMBER: 29 | | | SCALE: | As indicated | 12.08.20 | INITIAL ISSUE | | | A | AE |
| STREET NAME: ALLPORT AVENUE, THURMSTER | | | SHEET SIZE: | A3 | 11.03.21 | CC PLANS | | | B | TMR |
| | | | START DATE: | 12.08.20 | 23.04.21 | ANCILLARIES | | | D | AE |
| CLIENT: RT DIVISION | | | DWG No: | RT724 | | | | | | |



EAST FACE GLAZING

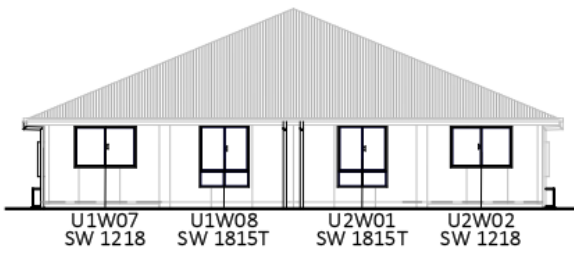
SCALE 1:200



WEST FACE GLAZING

SCALE 1:200

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.



SOUTH FACE GLAZING

SCALE 1:200



NORTH FACE GLAZING

SCALE 1:200

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

WINDOW GLAZING SCHEDULE UNIT 1

| WINDOWS SPECIFIED USE NFRC UW & SHGCW VALUES. WINDOWS AS SPECIFIED OR EQUIVALENT MUST BE INSTALLED ON SITE (REFER TO ABSA CERTIFICATE FOR DETAILS). STANDARD GLAZING: SINGLE CLEAR GLAZING WITH STANDARD ALUMINIUM FRAMES THROUGHOUT. WEATHER STRIPPING TO BE INSTALLED THROUGHOUT. PLEASE NOTE: ALL GLAZING IN BATHROOMS, ENSUITES, SPA ROOMS OR THE LIKE TO COMPLY WITH PART 3.6.4.5 OF THE BCA BEDROOM WINDOWS - WHERE THE FLOOR LEVEL OF A BEDROOM IS MORE THAN 2m ABOVE THE SURFACE BENEATH, BEDROOM WINDOWS ARE TO COMPLY WITH BCA VOL 2 PART 3.9.2.5 | | | | | 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. | | |
|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------|----------|--------|-------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------|-------------------|
| NUMBER | LEVEL | ROOM | HEIGHT | WIDTH | TYPE | CONSTRUCTION | GLAZING |
| U1W01 | 01 FL | MPR | 1810 | 850 | AWNING | STD ALUMINIUM | SGL - CLEAR - STD |
| U1W02 | 01 FL | MPR | 1810 | 850 | AWNING | STD ALUMINIUM | SGL - CLEAR - STD |
| U1W03 | 01 FL | BATH | 1045 | 1450 | SLIDING | STD ALUMINIUM | SGL - OBSC. - STD |
| U1W04 | 01 FL | BED 2 | 1470 | 1810 | SLIDING | STD ALUMINIUM | SGL - CLEAR - STD |
| U1W05 | 01 FL | ENS | 1045 | 850 | SLIDING | STD ALUMINIUM | SGL - CLEAR - STD |
| U1W06 | 01 FL | MASTER | 620 | 2410 | SLIDING | STD ALUMINIUM | SGL - CLEAR - STD |
| U1W07 | 01 FL | ALFRESCO | 1215 | 1810 | SLIDING | STD ALUMINIUM | SGL - CLEAR - STD |
| U1W08 | 01 FL | LIVING | 1810 | 1450 | SLIDING | STD ALUMINIUM | SGL - CLEAR - STD |

WINDOW GLAZING SCHEDULE UNIT 2

| NUMBER | LEVEL | ROOM | HEIGHT | WIDTH | TYPE | CONSTRUCTION | GLAZING |
|--------|-------|----------|--------|-------|---------|---------------|-------------------|
| U2W01 | 01 FL | KITCHEN | 1810 | 1450 | SLIDING | STD ALUMINIUM | SGL - CLEAR - STD |
| U2W02 | 01 FL | ALFRESCO | 1215 | 1810 | SLIDING | STD ALUMINIUM | SGL - CLEAR - STD |
| U2W03 | 01 FL | MASTER | 620 | 2410 | SLIDING | STD ALUMINIUM | SGL - CLEAR - STD |
| U2W04 | 01 FL | ENS | 1045 | 850 | SLIDING | STD ALUMINIUM | SGL - CLEAR - STD |
| U2W05 | 01 FL | BED 2 | 1470 | 1810 | SLIDING | STD ALUMINIUM | SGL - CLEAR - STD |
| U2W06 | 01 FL | BATH | 1045 | 1450 | SLIDING | STD ALUMINIUM | SGL - OBSC. - STD |
| U2W07 | 01 FL | PORCH | 1810 | 850 | AWNING | STD ALUMINIUM | SGL - CLEAR - STD |
| U2W08 | 01 FL | PORCH | 1810 | 850 | AWNING | STD ALUMINIUM | SGL - CLEAR - STD |

DOOR GLAZING SCHEDULE UNIT 1

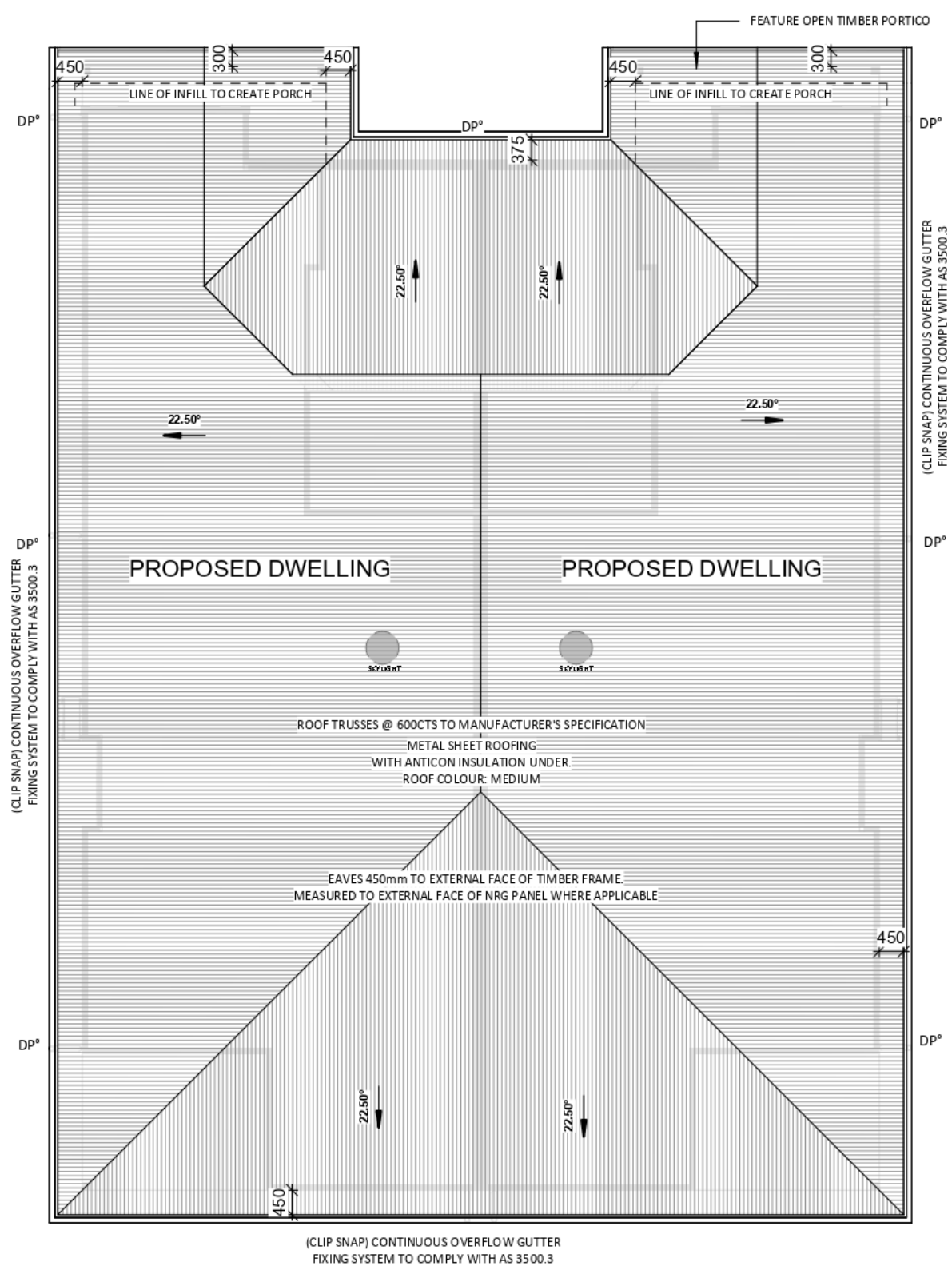
| DOORS SPECIFIED USE NFRC UW & SHGCW VALUES. DOORS AS SPECIFIED OR EQUIVALENT MUST BE INSTALLED ON SITE (REFER TO ABSA CERTIFICATE FOR DETAILS). STANDARD GLAZING: SINGLE CLEAR GLAZING WITH STANDARD ALUMINIUM FRAMES THROUGHOUT. WEATHER STRIPPING TO BE INSTALLED THROUGHOUT. PLEASE NOTE: ALL GLAZING IN BATHROOMS, ENSUITES, SPA ROOMS OR THE LIKE TO COMPLY WITH PART 3.6.4.5 OF THE BCA | | | | | 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. | | |
|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------|----------|--------|-------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------|-------------------|
| NUMBER | LEVEL | ROOM | HEIGHT | WIDTH | TYPE | CONSTRUCTION | GLAZING |
| U1GD01 | 01 FL | L'DRY | 2112 | 1510 | SLIDING DOOR | STD ALUMINIUM | SGL - CLEAR - STD |
| U1GD02 | 01 FL | ALFRESCO | 2112 | 1810 | SLIDING DOOR | STD ALUMINIUM | SGL - CLEAR - STD |

DOOR GLAZING SCHEDULE UNIT 2

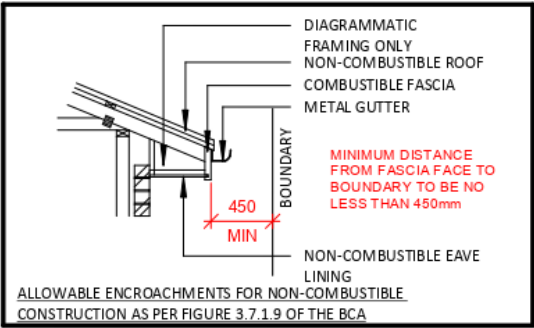
| NUMBER | LEVEL | ROOM | HEIGHT | WIDTH | TYPE | CONSTRUCTION | GLAZING |
|--------|-------|----------|--------|-------|--------------|---------------|-------------------|
| U2GD01 | 01 FL | ALFRESCO | 2112 | 1810 | SLIDING DOOR | STD ALUMINIUM | SGL - CLEAR - STD |
| U2GD02 | 01 FL | L'DRY | 2112 | 1510 | SLIDING DOOR | STD ALUMINIUM | SGL - CLEAR - STD |



| PROJECT: DUAL OCCUPANCY (FUTURE STRATA) | | | GLAZING | | DRAWING REVISIONS + NOTES: | | | | | |
|-----------------------------------------|--|-------------------|-------------|--------------|----------------------------|---------------|--|--|--------|-------|
| LOT: 171 DP: 1229414 | | SHEET: 8 OF 17 | | | Date: | Detail: | | | Issue: | Drawn |
| NUMBER: 29 | | | SCALE: | As indicated | 12.08.20 | INITIAL ISSUE | | | A | AE |
| STREET NAME: ALLPORT AVENUE, THURMSTER | | | SHEET SIZE: | A3 | 11.03.21 | CC PLANS | | | B | TMR |
| | | | START DATE: | 12.08.20 | 23.04.21 | ANCILLARIES | | | D | AE |
| CLIENT: RT_DIVISION | | | DWG No: | RT724 | | | | | | |



ROOF PLAN SCALE 1:100



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.

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

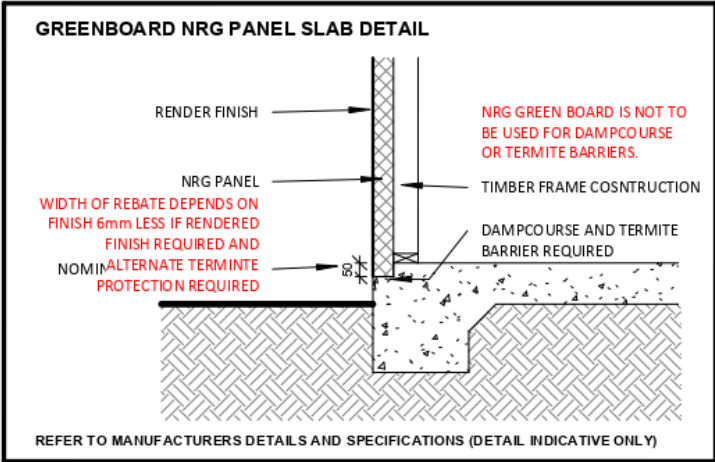
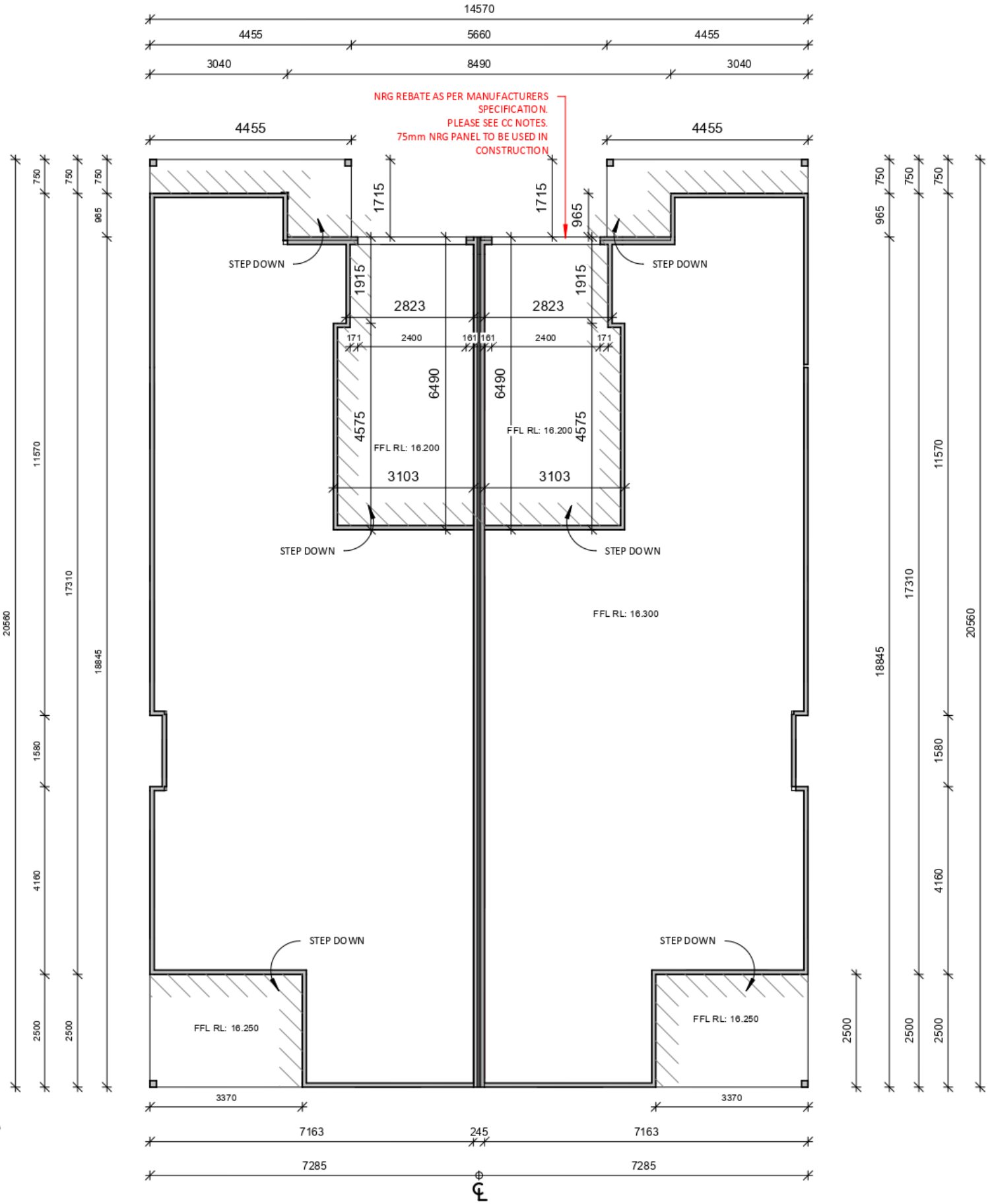
CHECK ALL DIMENSIONS ON SITE. THIS DRAWING IS TO BE READ IN CONJUNCTION WITH ALL RELEVANT CONTRACTS, SPECIFICATIONS, REPORTS, DRAWINGS, ENGINEERING & COUNCIL APPROVALS



| | | | | | | | | | |
|-----------------------------------------|--|----------------|--------------------|--------------|----------------------------|---------------|---------|---|--------|
| PROJECT: DUAL OCCUPANCY (FUTURE STRATA) | | | ROOF PLAN | | DRAWING REVISIONS + NOTES: | | | | |
| LOT: 171 DP: 1229414 | | SHEET: 9 OF 17 | | | Date: | | Detail: | | Issue: |
| NUMBER: 29 | | | SCALE: | As indicated | 12.08.20 | INITIAL ISSUE | | A | AE |
| STREET NAME: ALLPORT AVENUE, THURMSTER | | | SHEET SIZE: | A3 | 11.03.21 | CC PLANS | | B | TMR |
| | | | START DATE: | 12.08.20 | 23.04.21 | ANCILLARIES | | D | AE |
| | | | CLIENT: RT_IVISION | | | DWG No: | RT724 | | |



SET OUT PLAN SCALE 1:100



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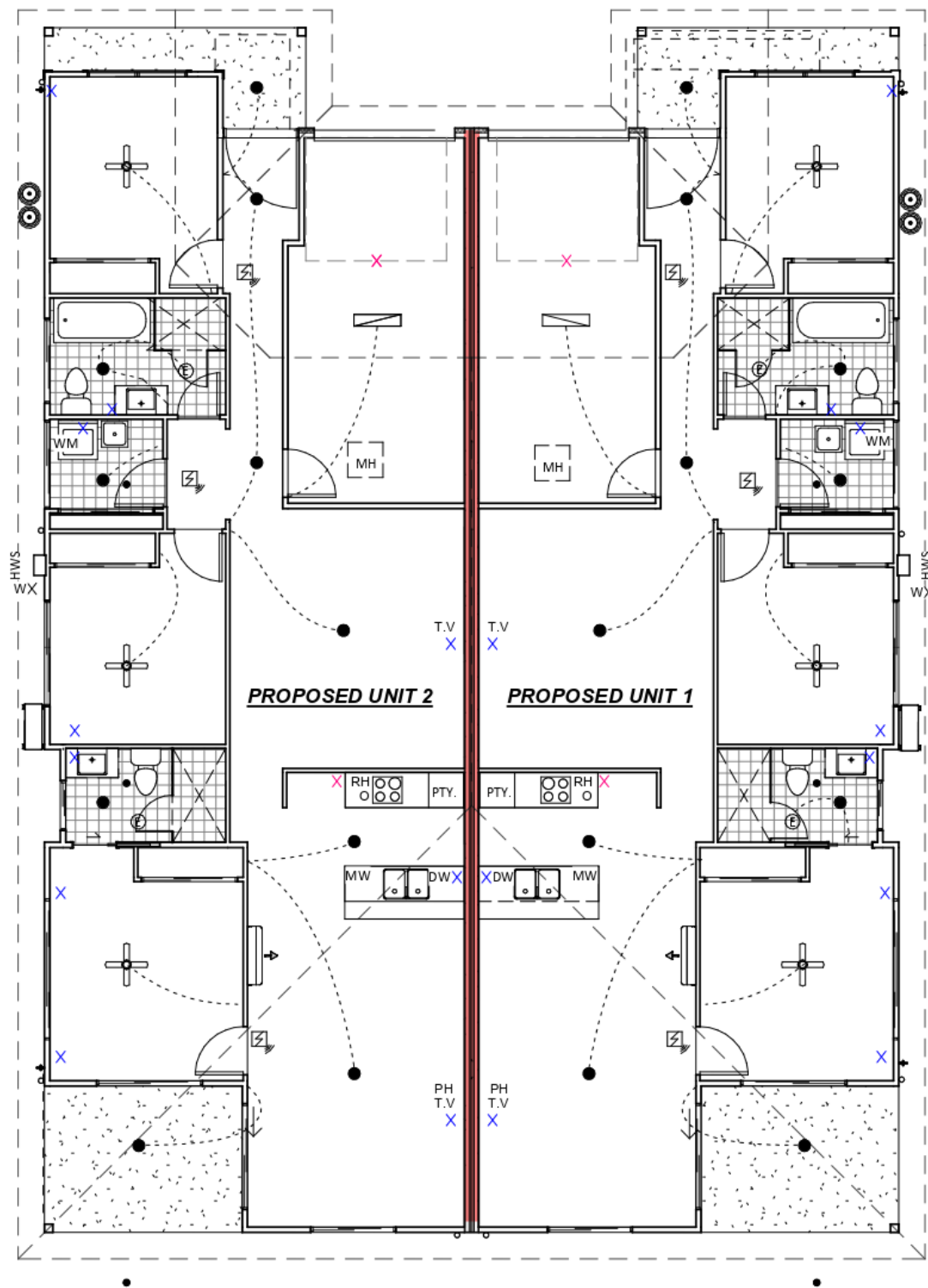
BAL = LOW
PLEASE REFER TO BUSHFIRE REPORT
BY S & K JOHNSON CONSTRUCTIONS PTY LTD (KRISANN JOHNSON)
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ALL LEVELS & CONTOURS ARE INDICATIVE AND ARE NOT TO AHD. ALL LEVELS AND CONTOURS TO BE CONFIRMED BY BUILDER PRIOR TO START OF CONSTRUCTION.

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



| | | | | | | | | | |
|-----------------------------------------|--|-----------------|--------------|--------------|----------------------------|---------------|---------|---|--------|
| PROJECT: DUAL OCCUPANCY (FUTURE STRATA) | | | SET OUT PLAN | | DRAWING REVISIONS + NOTES: | | | | |
| LOT: 171 DP: 1229414 | | SHEET: 10 OF 17 | | | Date: | | Detail: | | Issue: |
| NUMBER: 29 | | | SCALE: | As indicated | 12.08.20 | INITIAL ISSUE | | A | AE |
| STREET NAME: ALLPORT AVENUE, THURMSTER | | | SHEET SIZE: | A3 | 11.03.21 | CC PLANS | | B | TMR |
| | | | START DATE: | 12.08.20 | 23.04.21 | ANCILLARIES | | D | AE |
| CLIENT: RT_IVISION | | | DWG No: | RT724 | | | | | |



ELECTRICAL LEGEND

CEILING LIGHT POINT

TRACK LIGHT

TASTIC FAN LIGHT

FLURO LIGHT

SSL

SINGLE SPOT LIGHT

X

DOUBLE POWER OUTLET

X

SINGLE POWER OUTLET

WX

EXTERNAL SGPO

WXX

EXTERNAL DGPO

T.V

TELEVISION POINT

PH

PHONE POINT

RH

RANGE HOOD SGPO

MW

MICROWAVE SGPO

O

OVEN SGPO

DWX

DISHWASHER POWER POINT

SD

SMOKE DETECTOR TO AS3786 & PART 3.7.5 NCC BCA VOL 2

E

EXTERNAL WALL MOUNTED LIGHT FITTING

E

EXTERNAL WALL MOUNTED ADJUSTABLE SPOT LIGHT

I

INTERNAL WALL MOUNTED LIGHT FITTING

I

INTERNAL WALL MOUNTED ADJUSTABLE SPOT LIGHT

FL

FLUORESCENT LIGHT WITH DIFFUSER

GL

EXTERNAL UPLIGHT MOUNTED IN THE GROUND

C

CEILING MOUNTED ELECTRICAL FAN.

C

CEILING MOUNTED ELECTRICAL FAN WITH LIGHT.

A/C

SPLIT SYSTEM AIR CONDITIONING UNIT. INTERNAL UNIT TO BE MOUNTED ON WALL 2300mm TO TOP OF UNIT ABOVE FLOOR LEVEL. EXTERNAL CONDENSER UNIT TO BE MOUNTED ON CONCRETE SLAB AT GROUND LEVEL. CONNECTING PIPES AND WIRES TO BE CONCEALED IN WALL AND/OR CEILING WHERE ACCESSIBLE AND EXTERNALLY IN POWDERCOATED ALUMINIUM FOLDED CASING WHERE VISIBLE.



ELECTRICAL PLAN SCALE 1:100

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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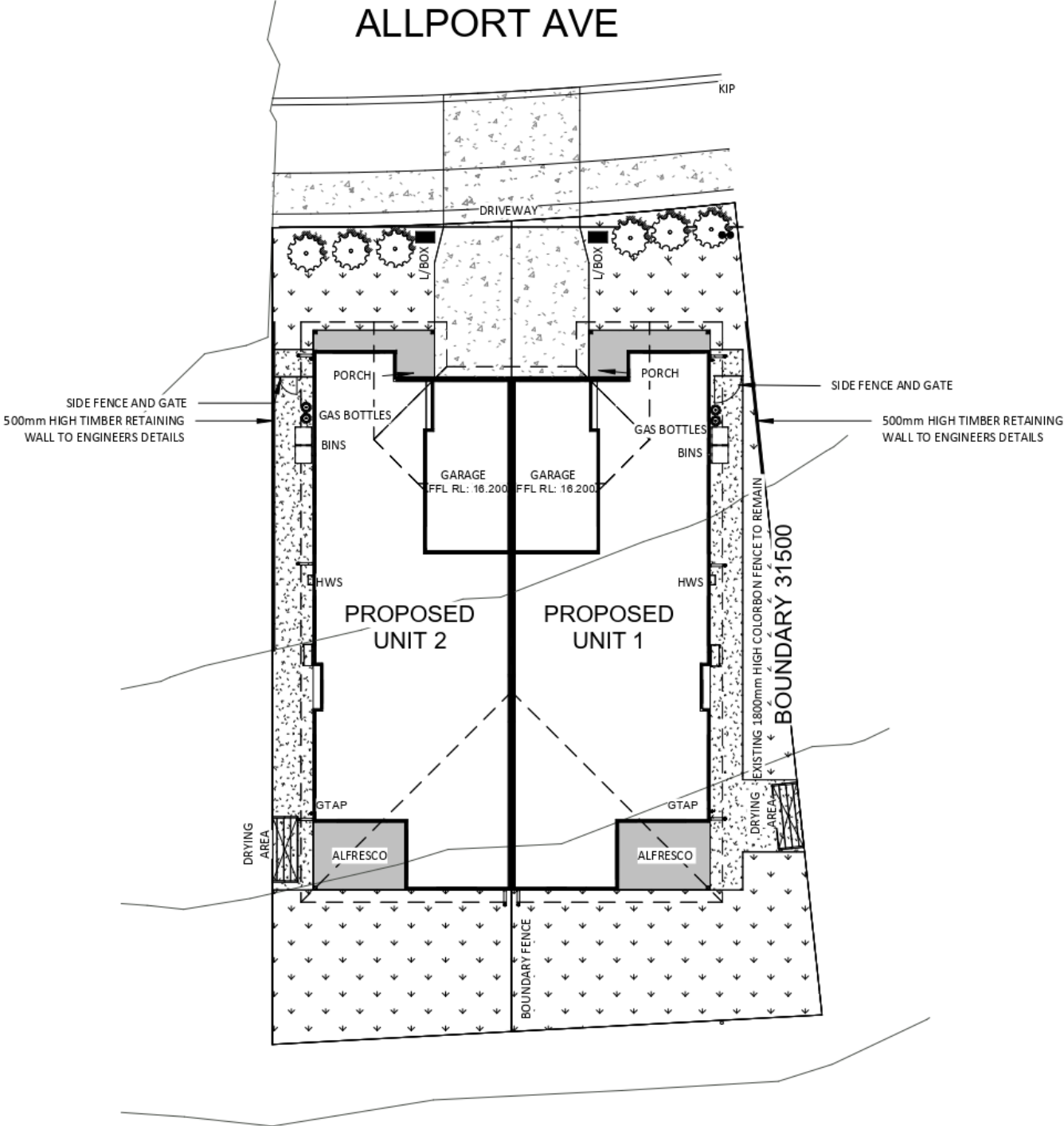
ELECTRICAL NOTES:

ELECTRICAL PLANS ARE INDICATIVE ONLY AND SHOW THE MINIMUM REQUIREMENTS. CLIENTS TO CONFIRM THEIR REQUIREMENTS WITH BUILDER PRIOR TO SIGNING OF CONTRACTS.

- BUILDERS TO CONFIRM ALL ELECTRICAL POINTS WITH ELECTRICIAN PRIOR TO START OF CONSTRUCTION.
- CEILING FANS TO BE INSTALLED CENTRALLY TO ALL CEILING TRUSSES IN THE LIVING, DINING AND KITCHEN AREAS.
- CEILING MOUNTED LIGHT FITTINGS TO BE MOUNTED CENTRALLY WITHIN ALL ROOMS UNLESS OTHERWISE DIMENSIONED.
- SMOKE ALARMS TO AS3786 & PART 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, & MANUFACTURERS SPECIFICATIONS)



| | | | | | | | | | | |
|-----------------------------------------|--|-----------------|--------------------|----------|----------------------------|---------------|--|--|--------|--------|
| PROJECT: DUAL OCCUPANCY (FUTURE STRATA) | | | ELECTRICAL PLAN | | DRAWING REVISIONS + NOTES: | | | | | |
| LOT: 171 DP: 1229414 | | SHEET: 11 OF 17 | | | Date: | Detail: | | | Issue: | Drawn: |
| NUMBER: 29 | | | SCALE: | 1 : 100 | 12.08.20 | INITIAL ISSUE | | | A | AE |
| STREET NAME: ALLPORT AVENUE, THURMSTER | | | SHEET SIZE: | A3 | 11.03.21 | CC PLANS | | | B | TMR |
| | | | START DATE: | 12.08.20 | 23.04.21 | ANCILLARIES | | | D | AE |
| | | | CLIENT: RT_IVISION | | DWG No: | RT724 | | | | |



INDICATIVE LANDSCAPE PLAN SCALE 1:200

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

ALL LEVELS & CONTOURS ARE INDICATIVE AND ARE NOT TO AHD. ALL LEVELS AND CONTOURS TO BE CONFIRMED BY BUILDER PRIOR TO START OF CONSTRUCTION.

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

LEGEND AND NOTES

NEW WARM SEASON TURF GRASS THROUGHOUT

DECORATIVE ROCKS (TO BUILDERS SELECTION)
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

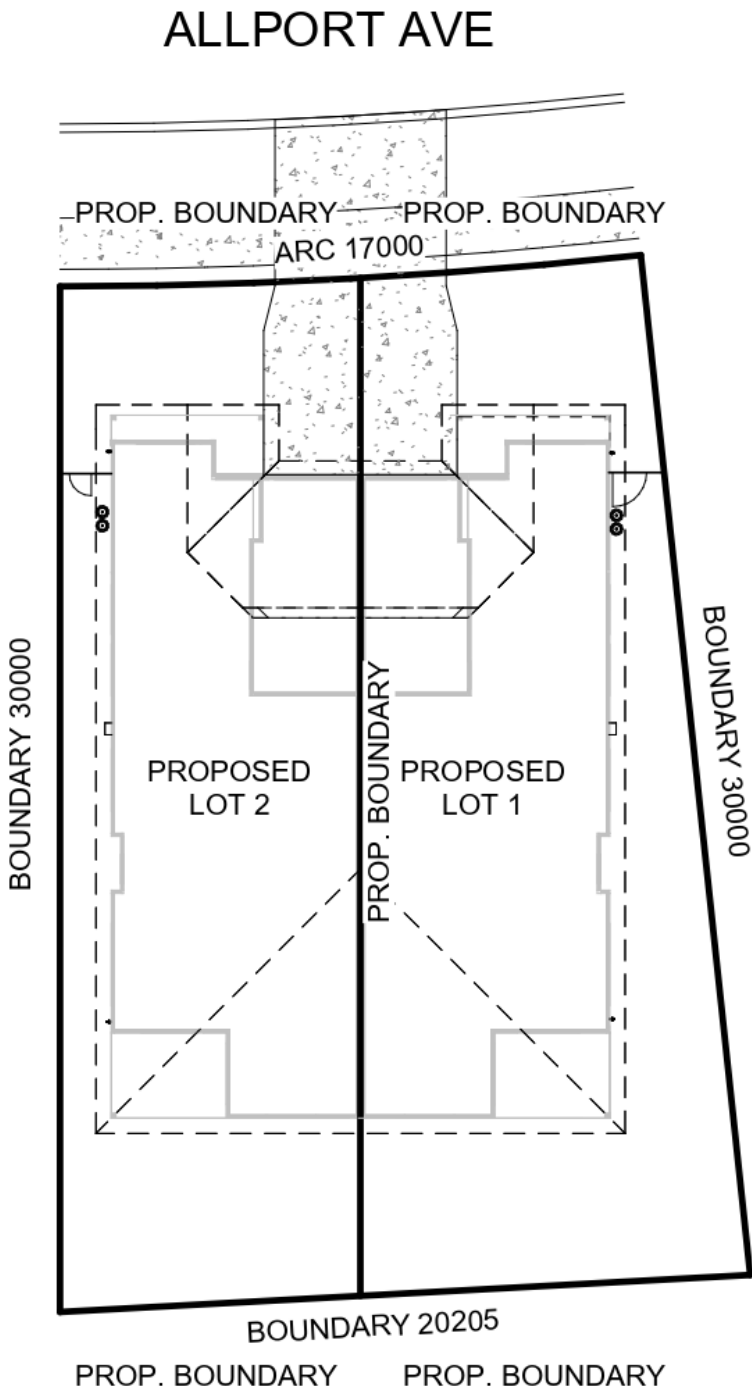
NEW EVERGREEN PROSTRATE SHRUBS OR GROUND COVER PLANTINGS

- 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




| PROJECT: DUAL OCCUPANCY (FUTURE STRATA) | | | INDICATIVE LANDSCAPE PLAN | | DRAWING REVISIONS + NOTES: | | | | |
|-----------------------------------------|--|-----------------|------------------------------|--------------|----------------------------|---------------|---------|---|--------|
| LOT: 171 DP: 1229414 | | SHEET: 12 OF 17 | | | Date: | | Detail: | | Issue: |
| NUMBER: 29 | | | SCALE: | As indicated | 12.08.20 | INITIAL ISSUE | | A | AE |
| STREET NAME: ALLPORT AVENUE, THURMSTER | | | SHEET SIZE: | A3 | 11.03.21 | CC PLANS | | B | TMR |
| | | | START DATE: | 12.08.20 | 23.04.21 | ANCILLARIES | | D | AE |
| CLIENT: RT_IVISION | | | DWG No: | RT724 | | | | | |

| EXISTING LOT SCHEDULE | |
|-----------------------|-----------------------|
| Name | Area |
| EXISTING LOT | 554.73 m ² |
| TOTAL: 1 | 554.73 m ² |
| PROPOSED LOT SCHEDULE | |
| Name | Area |
| PROPOSED LOT 2 | 262.20 m ² |
| PROPOSED LOT 1 | 292.50 m ² |
| TOTAL: 2 | 554.70 m ² |



SUB DIVISION PLAN SCALE 1:200

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

| | | | | | | | | | | | | | |
|-------------------------------------------------------------------------------------|-----------------------------------------|----------------------------------------|------------------------|---------|----------------------------|--|--------------|----------|---------------|--|--------|--------|----|
|  | PROJECT: DUAL OCCUPANCY (FUTURE STRATA) | | DRAFT SUBDIVISION PLAN | | DRAWING REVISIONS + NOTES: | | | | | | | | |
| | LOT: 171 | DP: 1229414 | | | SHEET: 13 OF 17 | | Date: | Detail: | | | Issue: | Drawn: | |
| | NUMBER: 29 | STREET NAME: ALLPORT AVENUE, THURMSTER | | SCALE: | | | As indicated | 12.08.20 | INITIAL ISSUE | | | A | AE |
| | SHEET SIZE: | | | A3 | | | 11.03.21 | CC PLANS | | | B | TMR | |
| | CLIENT: RT_DIVISION | | | DWG No: | | | RT724 | 23.04.21 | ANCILLARIES | | | D | AE |

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

BUILDING SPECIFICATIONS FOR
CLASS 1 AND 10 BUILDINGS

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

SITE PREPARATION

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

FOOTINGS AND SLABS

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

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

MASONRY

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

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

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

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

FRAMING

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

ROOF AND WALL CLADDING

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

GLAZING

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

FIRE SAFETY

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

BUSHFIRE AREAS

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

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

HEALTH AND AMENITY

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

SAFE MOVEMENT AND ACCESS

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

ADDITIONAL CONSTRUCTION REQUIREMENTS

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

STRUCTURAL DESIGN MANUALS

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

ENERGY EFFICIENCY

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

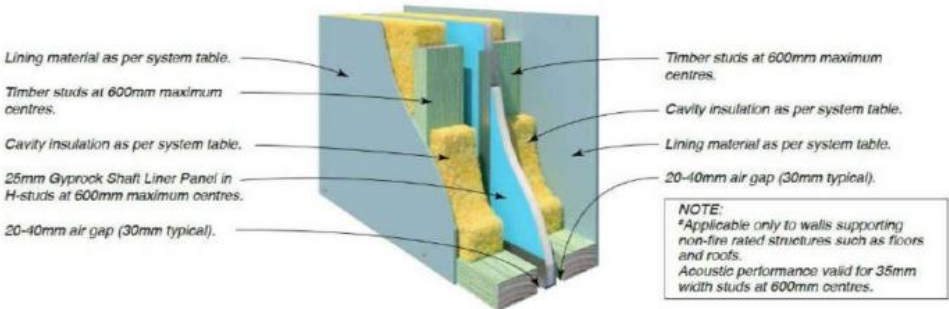
LPG GAS BOTTLE STORAGE

LPG Gas Bottle installation – to be designed and constructed in accordance with;

a) AS 1956.2014

Gas bottles must be clear of ignition sources by either 1.5m or 3.5 for exchange and tanker fill respectively. This includes electrical switches, circuit breaker boxes, power points, air conditioners, NBN boxes, compressors, pumps, lights, movement sensors, bug zappers and all other electrical gear, as well as flames like pilot lights and or BBQ's.

| SYSTEM SPECIFICATION | | | ACOUSTIC OPINION: PKA Predictor V16 | | | |
|-------------------------------------------------------------------------------|---------------------------------------------------------------------------------------|-------------------------------------------------------------|---------------------------------------------------|-------|--------------------------------------------------|--|
| Refer to GYP613 Gyprock Party Wall Installation Guide for further information | | | Discontinuous Construction | | | |
| FRL Report/Opinion | SYSTEM N° | WALL LININGS | STUD DEPTH mm | | 90 | |
| | | | CAVITY INFILL (Both Sides) (Refer to TABLE B3) | | R _w / R _w +C _{tr} | |
| - /60/60 60/60/60* WF 45743 |  | BOTH SIDES • 1 x 10mm Gyprock Superchek Plasterboard. | (a) 75 Gold Batts 2.0 | 62/49 | | |
| | | | (b) 90 Gold Batts 2.7 | 64/51 | | |
| | | | (c) 88 Soundscreen 2.5 | 65/52 | | |
| | | | (d) 110 GW Acoustigard 11kg | 64/51 | | |
| | | | Typical Wall Thickness mm | | 245 | |



| PROJECT: DUAL OCCUPANCY (FUTURE STRATA) | | | BUILDING SPECIFICATIONS | | DRAWING REVISIONS + NOTES: | | | | | |
|-----------------------------------------|--|-----------------|-------------------------|----------|----------------------------|---------------|---|--------|-------|-----|
| LOT: 171 DP: 1229414 | | SHEET: 14 OF 17 | | | Date: Detail: | | | Issue: | Drawn | |
| NUMBER: 29 | | | SCALE: | 1 : 100 | 12.08.20 | INITIAL ISSUE | A | | | AE |
| STREET NAME: ALLPORT AVENUE, THURMSTER | | | SHEET SIZE: | A3 | 11.03.21 | CC PLANS | B | | | TMR |
| | | | START DATE: | 12.08.20 | 23.04.21 | ANCILLARIES | D | | | AE |
| CLIENT: RT_IVISION | | | DWG No: | RT724 | | | | | | |



Installation Guide

This guide provides information on the correct procedures for the installation of NRG Greenboard™. The details are provided to assist carpenters/ installers and cover most common applications.

1 START

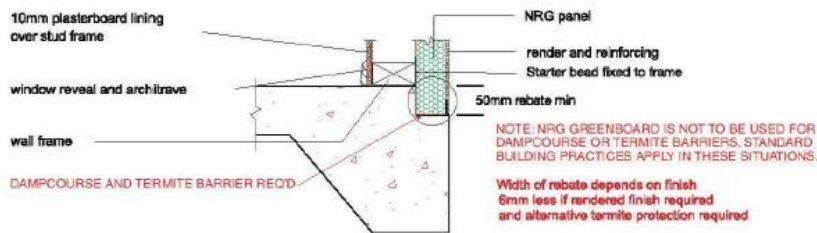
(A) Before commencing to fix NRG panels check that

- i. The frames are straight and plumb
- ii. All windows and flashing are correctly installed
- iii. Breathable sarking has been fitted
- iv. Solid back blocking where required

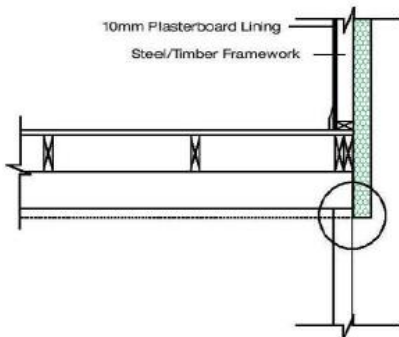
Consideration should be given to the installation of wall mounting accessories i.e. taps, electrical, fittings etc. It is important to allow for adequate back blocking for these items.

(B) POSITIONING OF STARTER BEAD:

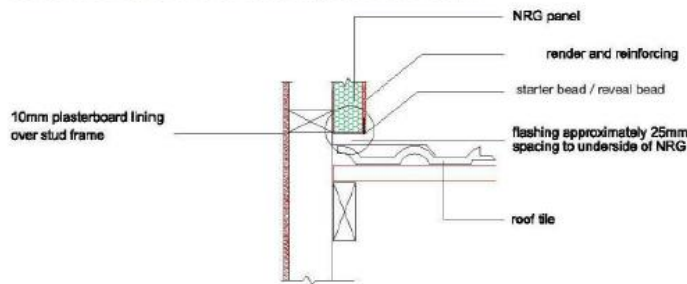
INTO A REBATE FOR SLAB DETAIL



INTO BEARER/ JOIST FOR TIMBER FLOOR DETAIL



INTO FLASHING FOR ROOF/ WALL DETAIL



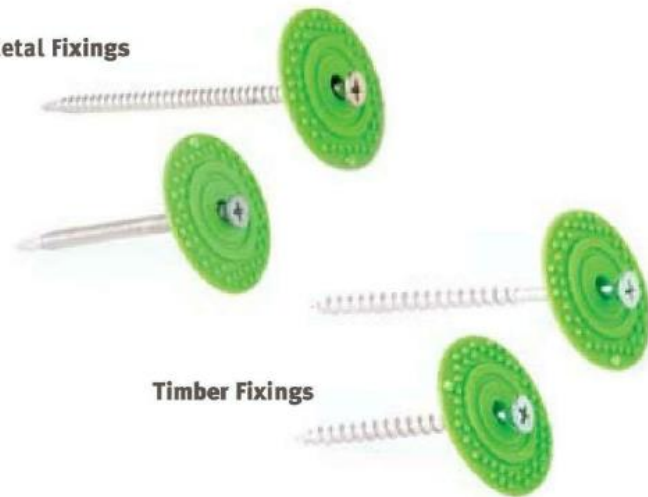
2 FIXING / CUTTING / BACK BLOCKING

(A) NRG panels can be layed horizontally or vertically depending on what suits the job.

- Position NRG panel into starter bead, check for level and fix into studs using NRG washers and screws.
- Standard fixings are 300c vertically and 450c horizontally (refer to fixing table).

| NRG Greenboard™ Minimum Stud & Fastener Spacing's | | | | |
|----------------------------------------------------|----|--------------------|-----------------------------------|-------------------------------------|
| Regions - Wind Category | | Stud Spacings (mm) | Fastener Spacings (mm-Vertically) | Number of Fasteners /m ² |
| Non Cyclonic | N1 | 450 | 300 | 12 |
| | N2 | 450 | 300 | 12 |
| | N3 | 450 | 300 | 12 |
| | N4 | 450 | 200 | 18 |
| | N5 | 450 | 150 | 24 |
| Cyclonic | C1 | 450 | 200 | 18 |
| | C2 | 450 | 150 | 24 |
| | C3 | 450 | 100 | 37 |
| * In accordance with AS1684 – 2006 / AS4005 – 1992 | | | | |

Metal Fixings



Timber Fixings

(B) Adjoining NRG panels are to be glued on both horizontal and vertical edges using recommended construction adhesive (i.e. NRG Greenboard Adhesive or Soudal Strong As Nails) or an expanda foam.

(C) Measure and cut NRG panels using a straight edge and a standard power saw with a masonry diamond blade.

(D) At external corners, NRG panels are overlapped the full thickness of the sheets and glued using recommended construction adhesive.

(E) Allow a 3mm gap between NRG panels and openings (door, windows) for sealing. It is recommended the straight edge of the sheet be fixed next to the openings for easier sealing.

BACK BLOCKING

(F) Where the NRG panel has a vertical join off a stud it is necessary to back-block as follow.

- i. Fixing stud material vertically (widest facing outwards) and securing between bottom plate and noggin. Alternately between noggin and top plate, making sure to glue both NRG panels and fix through each panel with screws and washers into back block at 300c.

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26/09/2018 10:00am



PROJECT: DUAL OCCUPANCY (FUTURE STRATA)

LOT: 171 DP: 1229414 SHEET: 15 OF 17

NUMBER: 29

STREET NAME: ALLPORT AVENUE, THURMSTER

CLIENT: RT_IVISION

NRG SPECIFICATIONS 1

SCALE:

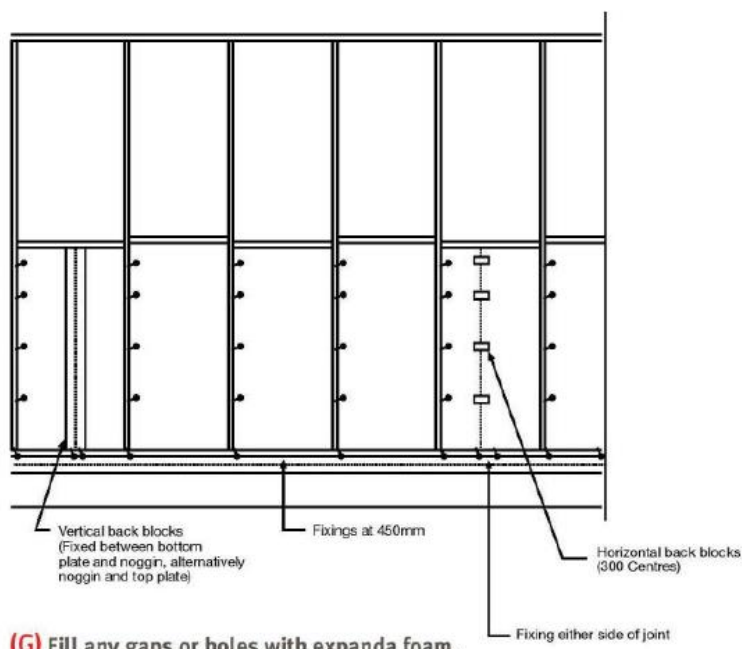
SHEET SIZE: A3

START DATE: 12.08.20

DWG No: RT724

DRAWING REVISIONS + NOTES:

| Date: | Detail: | Issue: | Drawn: |
|----------|---------------|--------|--------|
| 12.08.20 | INITIAL ISSUE | A | AE |
| 11.03.21 | CC PLANS | B | TMR |
| 23.04.21 | ANCILLARIES | D | AE |



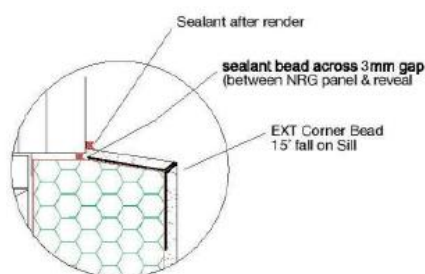
(G) Fill any gaps or holes with expanda foam.

3 BEADING & SEALING

At this point particular care needs to be exercised to ensure that the installation of all beading around windows and doors is completed correctly. This is not a gap filling exercise but an integral part of the total NRG Greenboard™ walling system.

(A) Rendered Reveals 60mm, 75mm, 100mm Greenboard™

- All sills, heads & jambs to be rendered.
- Using marking tape, accurately adhere to frame of joinery, 4mm from the edge creating a neat parallel margin.
- Using a Primer, and a clean rag, dampen cloth with Primer and quickly clean the window reveal, ready for sealant application.
- Cut a medium size end off the nozzle of the sealant. Apply a bead of sealant into the gap between the Greenboard™ and the taped window reveal. Using a coving tool, neatly create an internal cove finish.

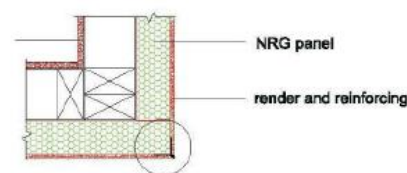


- Remove masking tape from joinery leaving a 100% water proof seal
- This procedure is repeated after rendering and prior to texture coating, to ensure double sealing around windows and doors

(B) External Beads

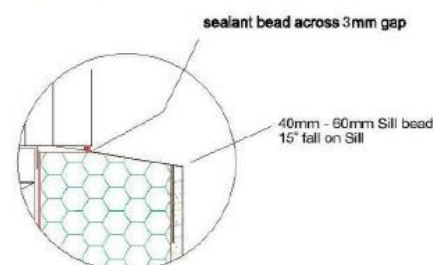
- External points of building, columns etc.
- All sill, head and jambs (60mm, 75mm, 100mm)
- Install external bead by applying a bead of Bostik No More Nailst o internal sides of the bead.

Then press firmly into position, check for plumb and straightness, scraping of excess glue, tacking into position until dry.



(c) 40mm Reveal Bead

- Allow a 3mm gap between Greenboard™ and opening
- Glue 40mm reveal bead into 3mm gap pressing firmly against the Greenboard™. Make sure there is sufficient glue to fix bead to Greenboard™
- Tape and prime reveal bead and opening reveal. Apply a bead of sealant into the gap between the reveal bead and opening reveal. Smear sealant with tool. Remove tape and Paint.

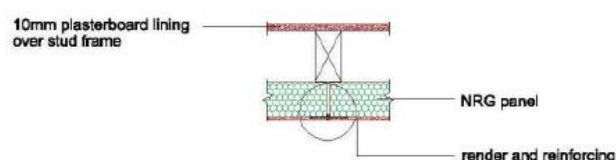


(d) Expansion Beading Joints

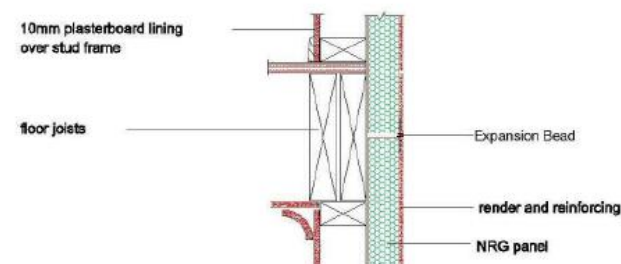
Expansion Joints allow movement within the building & avoid unsightly cracking.

- Vertical Expansion Beading Joints: Every 8 metres (above/ below window)

approximately 8 metres apart



- Horizontal Beading Expansion Joints: Located between floor levels



- Install 'Render Expansion Bead' between both Greenboard™ surfaces, applying a bead of No More Nails to both internal surfaces of bead. Press into position, scrape off excess glue, and tack fix until dry.

(Expansion Joints) Option 2

- Chalk line after render
- 10mm cut through render and into panel
- Tape either side of joint
- Seal
- Remove tape and Paint



Free Call 1800 674 001

FOR FURTHER INFORMATION CONTACT NRG HEAD OFFICE

Unit 2, 13-15 Octal Street Yatala Qld 4207

Phone: 07 3382 7742 Fax: 07 3382 7741

email. sales@nrggreenboard.com www.nrggreenboard.com

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26/09/2018 10:00am



PROJECT: DUAL OCCUPANCY (FUTURE STRATA)

LOT: 171 DP: 1229414 SHEET: 16 OF 17

NUMBER: 29

STREET NAME: ALLPORT AVENUE, THURMSTER

CLIENT: RT_IVISION

NRG SPECIFICATIONS 2

SCALE:

SHEET SIZE: A3

START DATE: 12.08.20

DWG No: RT724

DRAWING REVISIONS + NOTES:

| Date: | Detail: | Issue: | Drawn: |
|----------|---------------|--------|--------|
| 12.08.20 | INITIAL ISSUE | A | AE |
| 11.03.21 | CC PLANS | B | TMR |
| 23.04.21 | ANCILLARIES | D | AE |

Developer Charges - Estimate

Applicants Name: Invision Corporate Investments Pty Ltd
Property Address: 29 Allport Avenue Thrumster
Lot & Dp: Lot(s):171,DP(s):1229414
Development: DA 2021/349 - Dual Occupancy 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 | 0.6 | \$10,419.00 Per ET | \$6,251.40 |
| 2 Sewerage Scheme Port Macquarie | 1 | \$3,953.00 Per ET | \$3,953.00 |
| 3 Since 13.6.14 - Local Roads - Thrumster - Area 13 | 0.8 | \$14,084.00 Per ET | \$11,267.20 |
| 4 Since 31.7.18 - Open Space - Thrumster - Per ET | 0.8 | \$6,813.00 Per ET | \$5,450.40 |
| 5 Commenced 3 April 2006 - Com, Cul and Em Services CP - Sancroix Thrumster | 0.8 | \$5,333.00 Per ET | \$4,266.40 |
| 6 Com 1.3.07 - Administration Building - All areas | 0.8 | \$930.00 Per ET | \$744.00 |
| 7 Commenced 3 April 2006 - Com, Cul and Em Services CP - Bushfire | 0.8 | \$516.00 Per ET | \$412.80 |
| 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 | \$487.00 |
| 16 | | | |
| 17 | | | |
| 18 | | | |
| Total Amount of Estimate (Not for Payment Purposes) | | | \$32,832.20 |

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:

22-Jun-2021

Estimate Prepared By Steven Ford

This is an ESTIMATE ONLY - NOT for Payment Purposes

Corporate Investments Pty Ltd, 29 Allport Avenue Thrumster, 22-Jun-2021.xls

PORT MACQUARIE-HASTINGS COUNCIL