



PORT MACQUARIE-HASTINGS
COUNCIL



Development Assessment Panel

Business Paper

date of meeting: Wednesday 24 June 2020

location: Via Skype

time: 2:00pm

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

Development Assessment Panel

CHARTER

1.0 OBJECTIVES

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

2.0 KEY FUNCTIONS

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

Delegated Authority of Panel

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

- Determine development applications under Part 4 of the Environmental Planning and Assessment Act 1979 having regard to the relevant environmental planning instruments, development control plans and Council policies.
- Vary, modify or release restrictions as to use and/or covenants created by Section 88B instruments under the Conveyancing Act 1919 in relation to development applications for subdivisions being considered by the panel.
- Determine Koala Plans of Management under State Environmental Planning Policy 44 - Koala Habitat Protection associated with development applications being considered by the Panel.

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

3.0 MEMBERSHIP

3.1 Voting Members

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

be the Chairperson.

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

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

3.2 Non-Voting Members

- Not applicable

3.3 Obligations of members

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

3.4 Member Tenure

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

3.5 Appointment of members

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

4.0 TIMETABLE OF MEETINGS

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

5.0 MEETING PRACTICES

5.1 Meeting Format

- At all Meetings of the Panel the Chairperson shall occupy the Chair and preside. The Chair will be responsible for keeping of order at meetings.
- Meetings shall be open to the public.
- The Panel will hear from applicants and objectors or their representatives.
- Where considered necessary, the Panel will conduct site inspections which will be open to the public.

5.2 Decision Making

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

5.3 Quorum

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

5.4 Chairperson and Deputy Chairperson

- Independent Chair (alternate, second independent member)

5.5 Secretariat

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

5.6 Recording of decisions

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

6.0 CONVENING OF “OUTCOME SPECIFIC” WORKING GROUPS

Not applicable.

7.0 CONFIDENTIALITY AND CONFLICT OF INTEREST

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

8.0 LOBBYING

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

Development Assessment Panel

ATTENDANCE REGISTER

Member	11/03/20	25/03/20	08/04/20	06/05/20	27/05/20	10/06/20
Paul Drake	✓	✓	✓	✓	✓	✓
Robert Hussey	✓		✓			
David Crofts (alternate member)		✓		✓	✓	✓
Dan Croft (Group Manager Development Assessment) (alternates) - Development Assessment Planner	✓	✓	✓	✓	✓	✓

Key: ✓ = Present

A = Absent With Apology

X = Absent Without Apology

Meeting Dates for 2020

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

Development Assessment Panel Meeting

Wednesday 24 June 2020

Items of Business

Item	Subject	Page
01	Acknowledgement of Country	<u>8</u>
02	Apologies.....	<u>8</u>
03	Confirmation of Minutes	<u>8</u>
04	Disclosures of Interest.....	<u>13</u>
05	DA2020 - 369.1 - Dwelling, Secondary Dwelling, Shed and Swimming Pool at Lot 30 DP 1239206, No. 24 Oxbow Circuit King Creek	<u>17</u>
06	DA2020 - 340.1 Alterations and Additions to Dwelling at Lot 417 DP 208523, No 5 Cunning Street, Port Macquarie	<u>50</u>
07	DA2020 - 101.1 Shop Top Housing and Alterations and Additions to Commercial Building, at Lot 1 DP 1041388 No. 36 High Street Wauchope.	<u>77</u>
08	DA2020 - 38.1 Multi Dwelling Housing and Combination of Torrens and Strata Title Subdivision at Lot 350 DP 1241368 Pountney Avenue, Thrumster	<u>184</u>
09	General Business	

Item: 01**Subject: ACKNOWLEDGEMENT OF COUNTRY**

"I acknowledge that we are gathered on Birpai Land. I pay respect to the Birpai Elders both past and present. I also extend that respect to all other Aboriginal and Torres Strait Islander people present."

Item: 02**Subject: APOLOGIES**

RECOMMENDATION

That the apologies received be accepted.

Item: 03**Subject: CONFIRMATION OF PREVIOUS MINUTES**

RECOMMENDATION

That the Minutes of the Development Assessment Panel Meeting held on 10 June 2020 be confirmed.

PRESENT

Members:

Paul Drake
David Crofts
Dan Croft

Other Attendees:

Grant Burge
Pat Galbraith-Robertson
Ben Roberts
Fiona Tierney
Ross Frazier
Ben Roberts
Steven Ford

The meeting opened at 2:00pm.

01 ACKNOWLEDGEMENT OF COUNTRY

The Acknowledgement of Country was delivered.

02 APOLOGIES

Nil.

03 CONFIRMATION OF MINUTES

CONSENSUS:

That the Minutes of the Development Assessment Panel Meeting held on 27 May 2020 be confirmed.

04 DISCLOSURES OF INTEREST

There were no disclosures of interest presented.

05 DA2020 - 118.1 DWELLING AND SECONDARY DWELLING - LOT 12 DP 285493, NO 17 BIRRAMAL DRIVE, DUNBOGAN

Speakers:

Sue Dorrington (opposing the application)

Kate Hayes (applicant)

CONSENSUS:

That DA 2020 - 118.1 for a dwelling and secondary dwelling at Lot 12 DP 285493, No. 17 Birramal Drive, Dunbogan be determined by granting consent subject to the recommended conditions.

06 DA2020 - 120.1 DWELLING-HOUSE AND TWO(2) LOT STRATA SUBDIVISION AT LOT 15 DP 1228922, WILLOW DENE AVENUE BEECHWOOD

Speakers:

Karen Wynn (opposing the application)

Peter Auld (applicant)

CONSENSUS:

That DA 2020 - 120.1 for a Dwelling-House and Two (2) Lot Strata Subdivision at Lot 15, DP 1228922, Willow Dene Avenue, Beechwood, be determined by granting consent subject to the recommended conditions.

07 DA2020 - 65.1 STAGED MULTI DWELLING HOUSING INCLUDING CLAUSE 4.6 VARIATION TO CLAUSE 4.3 (HEIGHT OF BUILDINGS) OF PORT MACQUARIE-HASTINGS LOCAL ENVIRONMENTAL PLAN 2011 AND COMMUNITY TITLE SUBDIVISION AT LOT 2 DP 1188545, PACIFIC DRIVE, PORT MACQUARIE

Speakers:

Donna Clarke (applicant)

Graham Burns (applicant)

CONSENSUS:

That DA2020 - 65.1 for Staged Multi Dwelling Housing including a Clause 4.6 Variation to Clause 4.3 (Height of Buildings) of Port Macquarie-Hastings Local Environmental Plan 2011 and Community Title Subdivision at Lot 2, DP 1188545, Pacific Drive, Port Macquarie, be determined by granting consent subject to the recommended conditions.

08 DA2019 - 552.1 STAGED 136 SITE MANUFACTURED HOME ESTATE AT LOT 10 DP 1250178 NO.11 RESORT RD, KEW

Speakers:

Jason Koenig (opposing the application)

John Maloney (opposing the application)

Adam Crampton (applicant)

Sarah Garrett (applicant)

CONSENSUS:

That DA 2019 - 552.1 for a Staged 136 Site Manufactured Housing Estate at Lot 10, DP 1250178, No. 11 Resort Road, Kew, be determined by granting consent subject to the recommended conditions and as amended below:

- Delete condition E(25)
- Additional condition in Section F of the consent to read:
'Certification from a suitably qualified and practicing professional clearly certifying that the construction of the first row of manufactured homes facing Ocean Drive on Lot 1 through to Lot 13 and Lot 136 have been constructed in full accordance with the recommendations made in the Spectrum Acoustics Noise Impact Assessment Report, shall be submitted to Council with the individual Section 68 application for installation of a manufactured home. The certificate of completion issued by Council in accordance with Section 69 will not be issued on Lots 1 through 13 and Lot 136 without certification of construction in full accordance with the recommendations made in the Spectrum Acoustics Noise Impact Assessment Report.'
- Additional condition in Section B of the consent to read:
'Prior to the issue of a Construction Certificate an amended landscaping plan is to be provided for the 10m buffer strip at the frontage of the property with Ocean

Drive. The plan is to achieve a greater planting density and improved visual buffer, whilst still complying with bushfire asset protection zone requirements. The plan is to be submitted to and approved by Council prior to release of a construction certificate.'

09 GENERAL BUSINESS

Nil.

The meeting closed at 4:32pm.

Item: 04
Subject: DISCLOSURES OF INTEREST

RECOMMENDATION

That Disclosures of Interest be presented

DISCLOSURE OF INTEREST DECLARATION

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

(Refer to next page and the Code of Conduct)

Pecuniary Interest

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

Non-Pecuniary

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

Managing non-pecuniary conflicts of interest

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

SPECIAL DISCLOSURE OF PECUNIARY INTEREST DECLARATION

This form must be completed using block letters or typed.

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

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

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

Councillor's Signature: **Date:**

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

Last Updated: 3 June 2019

Important Information

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

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

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

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

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

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

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

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

Item: 05

Subject: DA2020 - 369.1 - DWELLING, SECONDARY DWELLING, SHED AND SWIMMING POOL AT LOT 30 DP 1239206, NO. 24 OXBOW CIRCUIT KING CREEK

Report Author: Development Assessment Planner, Robert Slater

Applicant: J Shelly
Owner: K Burgess
Estimated Cost: \$570,000
Parcel no: 67378

Alignment with Delivery Program

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

RECOMMENDATION

That DA 2020 - 369.1 for a Staged Dwelling, Secondary Dwelling, Shed and Swimming Pool at Lot 30, DP 1239206, No. 24 Oxbow Circuit, King Creek, be determined by granting consent subject to the recommended conditions.

Executive Summary

This report considers a development application for a staged dwelling, secondary dwelling, shed 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 proposal has been amended during the assessment of the application following neighbour notification with the primary changes relating to re-siting the secondary dwelling and garage/shed including increasing the western side setback to 3m.

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

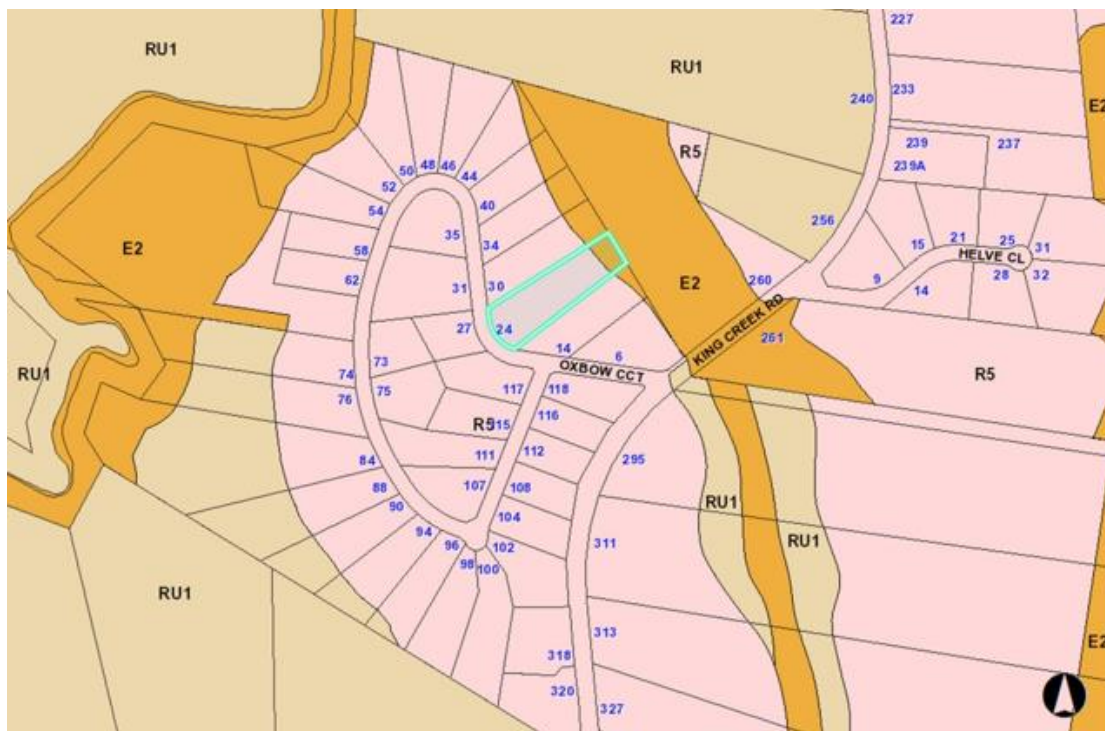
This report recommends that the development application be approved subject to the attached conditions (**Attachment 1**).

1. BACKGROUND

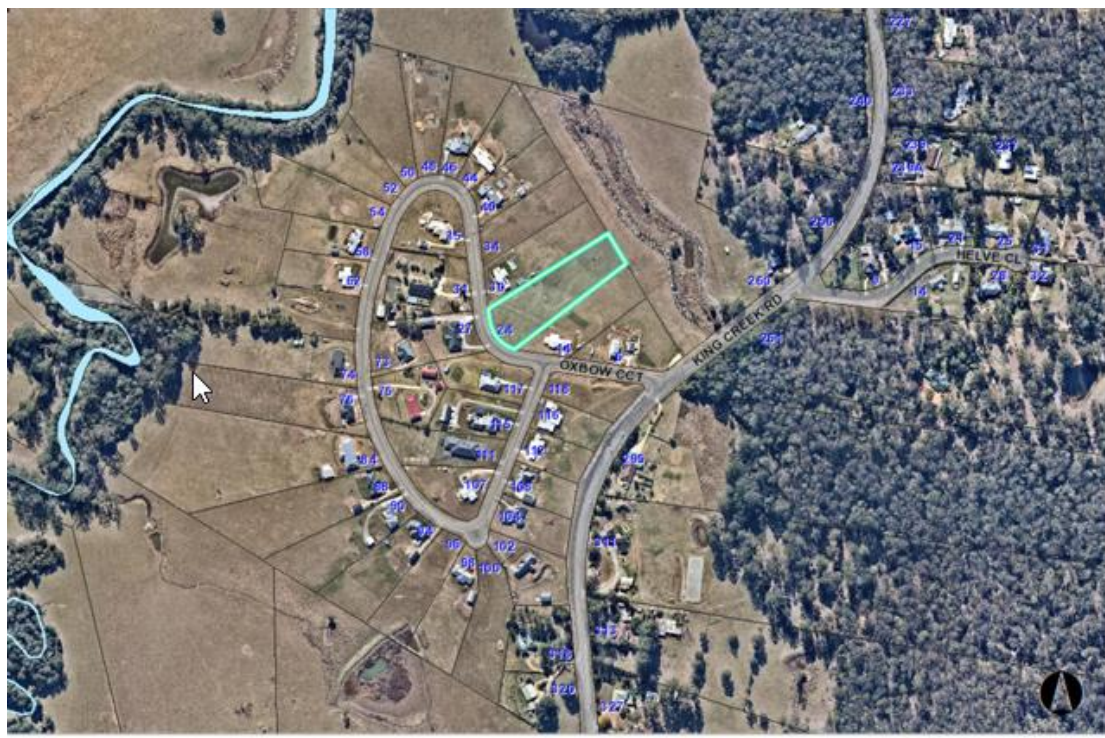
Existing Sites Features and Surrounding Development

The site has an area of 10,000m² or 1 Hectare.

The site is zoned R5 Large Lot 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:

- Dwelling & Swimming pool
- Shed and Secondary dwelling
- land reforming works
- Stage 1: Shed and Secondary Dwelling
- Stage 2: Primary Dwelling and Swimming Pool

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

Application Chronology

- 11 May 2020 - Application lodged
- 18 May 2020 - Development notified
- 25 May 2020 - Additional Information request
- 2 June 2020 - Amended Plans received

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

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

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

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

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

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

State Environmental Planning Policy (Koala Habitat Protection) 2019

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

Clause 9 - The site is identified on the Koala Development Application Map but not under a Koala Plan of Management however and the site is greater than 1 hectare. The application has demonstrated that no habitat will be removed or modified therefore no further investigations are required in line with the Guidelines for this SEPP.

State Environmental Planning Policy No. 55 – Remediation of Land

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

State Environmental Planning Policy (Coastal Management) 2018

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

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

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

State Environmental Planning Policy (Affordable Rental Housing) 2009

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

Clause 22(2) - The development would not result in there being a dwelling other than the primary dwelling and the secondary dwelling.

Clause 22(3) - The proposed secondary dwelling would not have a floor area exceeding 60m² and the combined floor area of the primary and secondary dwelling would not exceed the maximum permitted under the Port Macquarie-Hastings Local Environmental Plan 2011 (see comments below under LEP).

Clause 22(4) - It is noted that consent cannot be refused on the grounds of site area or parking.

Clause 24 - It is noted that the consent authority must not consent to a development application that would result in any subdivision of a lot on which development for the purposes of a secondary dwelling has been carried out.

The requirements of this SEPP are therefore satisfied.

(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:**

<i>DCP 2013: Dwellings, Dual occupancies, Dwelling houses, Multi dwelling houses & Ancillary development</i>			
	Requirements	Proposed	Complies
3.2.2.1	Ancillary development: <ul style="list-style-type: none">• 4.8m max. height	Water tank is appropriately located	Yes

DCP 2013: Dwellings, Dual occupancies, Dwelling houses, Multi dwelling houses & Ancillary development			
	Requirements	Proposed	Complies
	<ul style="list-style-type: none"> Single storey 60m² max. area 100m² for lots >900m² 24 degree max. roof pitch Not located in front setback 	The shed/workshop is compliant with the DCP's numerical standards.	
3.2.2.2	Front setbacks: <ul style="list-style-type: none"> Min. 10.0m Large Lot Residential (R5) 	Front building line setback to the primary dwelling is specified at 14.110m from the front boundary which is compliant with the 10.0m minimum front setback requirement for large lot residential development. Front building line setback to the secondary dwelling component is specified at 52.57m from the front boundary and is therefore compliant with the 10.0m minimum front setback requirements	Yes
3.2.2.3	Garage 5.5m min. and 1m behind front façade. Garage door recessed behind building line or eaves/overhangs provided	Garage door setback as specified is approximately 18.0m. The garage door setback satisfies the planning controls and the housing estate restrictions to user. Garage door recessed.	Yes
	6m max. width of garage door/s and 50% max. width of building	Width of garage door under the main roof of the primary dwelling is not specified, however the proposed width of the garage door appears to be standard for double garages and therefore satisfies the maximum width requirements	Yes
	Driveway crossover 1/3 max. of site frontage and max. 5.0m width. Site frontage 53.17m	It is proposed to have two driveway crossovers to facilitate access to the primary dwelling and the workshop & secondary dwelling.	Yes

DCP 2013: Dwellings, Dual occupancies, Dwelling houses, Multi dwelling houses & Ancillary development			
	Requirements	Proposed	Complies
		The width of the crossovers are not specified, and are unable to be scaled off the plan. However, despite the lack of detail in relation to the driveway crossover widths, the proposed development satisfactorily addresses the intent of the objective and development provisions and is in keeping similar dual crossovers situated within the precinct.	
3.2.2.4	4m min. rear setback. Variation subject to site analysis and provision of private open space	The development site is burdened by a no build area marked "B" & "C" on the deposited plan (DP) situated approx. 76.5m from the rear boundary. There are no specified encroachments into the areas marked "B" & "C" on the DP therefore the minimum rear setback requirement are satisfied.	Yes
3.2.2.5	Side setbacks: <ul style="list-style-type: none"> Ground floor = min. 0.9m 	<p><u>Primary Dwelling:</u> Specified minimum 5.45m setback to the southern boundary (closet) is compliant with the side boundary setback requirements.</p> <p><u>Shed & Secondary dwelling</u> Specified minimum 3.0m setback to north western boundary is compliant with the side boundary setback requirements.</p> <p>However, several submissions have been received by Council in relation to the siting of the proposed structure, which are addressed in the</p>	Yes

DCP 2013: Dwellings, Dual occupancies, Dwelling houses, Multi dwelling houses & Ancillary development			
	Requirements	Proposed	Complies
	<ul style="list-style-type: none"> First floors & above = min. 3m setback or where it can be demonstrated that overshadowing not adverse = 0.9m min. Building wall set in and out every 12m by 0.5m 	<p>appropriate section in this report.</p> <p>Single storey development - slab on ground construction.</p> <p><u>Primary dwelling:</u> The building wall articulation is compliant and/or satisfactory to address the objective intent of the development provision.</p> <p><u>Shed & Secondary dwelling:</u> The specified wall length of the shed & secondary dwelling is 9.610m & 8.0m respectively, resulting in an unarticulated wall 17.7m in length.</p> <p>To reduce the perceived bulk and scale impacts of the unarticulated wall length adjacent to the north western boundary a 3.0m side boundary setback is proposed.</p> <p>Additionally, it is specified that landscaping is to be provided between the wall and the north western boundary.</p> <p>The proposed 3.0m side boundary setback in combination with the provision of suitable landscaping the building wall articulation is satisfactory to address the objective intent of the development provision.</p>	<p>N/A</p> <p>Yes</p> <p>Yes</p>
3.2.2.6	35m ² min. private open space area including a useable 4x4m min. area which has 5% max.	Both the primary and secondary dwelling each contain > 35m ² open	Yes

DCP 2013: Dwellings, Dual occupancies, Dwelling houses, Multi dwelling houses & Ancillary development			
	Requirements	Proposed	Complies
	grade	space in one area including a useable 4m x 4m area.	
3.2.2.7	Front fences: <ul style="list-style-type: none"> • If solid 1.2m max height and front setback 1.0m with landscaping • 3x3m min. splay for corner sites • Fences >1.2m to be 1.8m max. height for 50% or 6.0m max. length of street frontage with 25% openings • 0.9x0.9m splays adjoining driveway entrances 	No front fences specified. The design of any future proposed front fence must be of a design that is considered to meet the fencing provisions and objectives of DCP 2013.	N/A
3.2.2.10	Privacy: <ul style="list-style-type: none"> • Direct views between living areas of adjacent dwellings screened when within 9m radius of any part of window of adjacent dwelling and within 12m of private open space areas of adjacent dwellings. i.e. 1.8m fence or privacy screening which has 25% max. openings and is permanently fixed • Privacy screen required if floor level > 1m height, window side/rear setback (other than bedroom) is less than 3m and sill height less than 1.5m • Privacy screens provided to balconies/verandahs etc. which have <3m side/rear setback and floor level height >1m 	No direct views between living areas of adjacent dwellings screened when within 9m radius of any part of window of adjacent dwelling and within 12m of private open space areas of adjacent dwellings The proposed development is not expected to adversely impact the adjoining properties existing levels of privacy enjoyed to their living and or POS areas. Design measures have been incorporated into the development: Minimising windows on elevations adjacent to side boundaries, where the potential exists for overlooking into living areas or POS of the adjoining property. The siting of the proposed secondary dwelling and the internal layout design to minimise overlooking into living areas or POS of the	Yes

DCP 2013: Dwellings, Dual occupancies, Dwelling houses, Multi dwelling houses & Ancillary development			
	Requirements	Proposed	Complies
		<p>adjoining property is satisfactory.</p> <p>It is proposed that the windows in western wall of the secondary dwelling are to face directly opposite the wall of the existing shed on the neighbouring property.</p> <p>No privacy screens are recommended, however the applicant has specified screens to the windows albeit that the windows will face directly towards the wall of the neighbouring shed structure. The privacy requirements are satisfied.</p>	
DCP 2013: General Provisions			
	Requirements	Proposed	Complies
2.7.2.2	Design addresses generic principles of Crime Prevention Through Environmental Design guideline	No concealment or entrapment areas proposed. Adequate casual surveillance available.	Yes
2.3.3.1	Cut and fill 1.0m max. 1m outside the perimeter of the external building walls	<p><u>Primary Dwelling:</u> It is specified that an approximate site cut and fill of 1.9m is required to prepare a level building pad for the house slab.</p> <p>The kerb height (Datum) is approximately 17.00 AHD. The ridge height 3550mm above kerb height. The FFL of the dwelling is 1233mm below the natural ground surface at the front of the dwelling.</p> <p>No pad levels are specified. Therefore, the indicated site levels are considered to be indicative only. Therefore,</p>	No*

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

	Requirements	Proposed	Complies
		<p>a condition is recommended.</p> <p><u>Shed & Secondary dwelling:</u></p> <p>To construct a level pad for the shed and secondary dwelling as specified.</p> <p>As specified, the kerb height (Datum) is approximately 17.00 AHD and the FFL of the workshop is 11.50 AHD.</p> <p>To accommodate the site cut the applicant proposes to bench the site with 900mm drops forming a series of 6.0m (minimum) wide terraces.</p> <p>The ridge height of the shed and secondary dwelling structure is specified to be at 4.5m above the FFL (16.00 AHD). The specified ridge height will be comparable to the ridge height on the existing shed on the neighbouring property.</p>	
2.3.3.2	1m max. height retaining walls along road frontage	No retaining walls are specified along the road frontage.	N/A
	Any retaining wall >1.0 in height to be certified by structure engineer	No retaining walls are proposed. A 1:2 batter is specified to stabilise the areas of cut and fill. A condition is recommended requiring that all site earthworks including terraces and batters be stabilised with vegetation.	Yes
	Combination of retaining wall and front fence height max 1.8m, max length 6.0m or 30% of frontage, fence component 25% transparent, and splay at corners and adjacent to	No retaining wall and front fence combination is proposed.	N/A

DCP 2013: Dwellings, Dual occupancies, Dwelling houses, Multi dwelling houses & Ancillary development			
	Requirements	Proposed	Complies
	driveway		
2.4.3	Bushfire risk, Acid sulphate soils, Flooding, Contamination, Airspace protection, Noise and Stormwater	Refer to main body of report.	
2.5.3.2	New accesses not permitted from arterial or distributor roads	No new access proposed to arterial or distribution road.	N/A
	Driveway crossing/s minimal in number and width including maximising street parking	Two driveway crossings are specified of minimal width, which will have minimal impact on the existing streetscape in the immediate vicinity. Off street and on street parking is satisfactory.	Yes
2.5.3.3	Parking in accordance with Table 2.5.1. 1 space per single dwelling (behind building line). Parking for secondary dwelling optional.	1 or capacity for more than 1 parking space behind the building line has been provided for.	Yes
2.5.3.11	Section 94 contributions	Refer to main body of report.	
2.5.3.12 and 2.5.3.13	Landscaping of parking areas	No specific landscaping requirements recommended.	N/A
2.5.3.14	Sealed driveway surfaces unless justified	Concrete and gravel driveways are specified to the primary dwelling, shed & secondary dwelling respectively and are considered fit for purpose. A condition is recommended.	Yes
2.5.3.15 and 2.5.3.16	Driveway grades first 6m or 'parking area' shall be 5% grade with transitions of 2m length	1:6 driveway grade is specified to primary dwelling. Gravel driveway grade not specified, however is capable of satisfying Council standard driveway crossover requirements. Condition recommended for section 138 Roads Act permit.	Yes
2.5.3.17	Parking areas to be designed to avoid concentrations of water runoff on the surface.	Development is for a dwelling, shed and secondary dwelling with standard driveway.	Yes

DCP 2013: Dwellings, Dual occupancies, Dwelling houses, Multi dwelling houses & Ancillary development			
	Requirements	Proposed	Complies
		Stormwater drainage is capable of being managed as part of plumbing construction.	

The proposal seeks to vary development provision 2.3.3.1 which ensures that the design of any building or structure integrates with the topography of the land and to minimise the extent of site disturbance caused by excessive cut and fill to the site to ensure there is no damage or instability to adjoining properties caused by excavation or filling.

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

Note: This does not apply to buildings where such cut and fill is fully retained within or by the external walls of the building.

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

- The site is 10,000m² or 1 Hectare in area and falls approximately 8.5m over 105.68m to the area marked (B) on the Deposited Plan. This represents an approximate 1:12 slope or 8.3% gradient
- Land reforming works are necessary to construct the level building pads for the proposed dwelling and the workshop/secondary dwelling to proceed with the proposed development.
- The applicant proposes to bench the site with 900mm drops (cuts) forming a series of 6.0m (minimum) wide terraces to achieve the specified FFL (11.50AHD) of the work shop and secondary dwelling.
- To construct the level building pad for the dwelling a site cut and fill of 1.9m is proposed with a 1:2 batter.
- The development site is zoned R5 Large Residential, the proposed boundary setbacks of 3.0m to the north western boundary and 5.45m minimum to the south eastern boundary will ensure that there is no damage or instability to the adjoining properties.
- The proposed development is not expected to alter the existing subdivision drainage patterns and therefore the impact on adjoining properties is expected to be minimal.
- Given the specified boundary setbacks the impact of proposed development on the privacy of neighbouring dwellings and open space will be minimal.
- The existing topography of the site which remains largely unaltered outside of the "no build area" in conjunction with adequate boundary setbacks ensures that adequate stormwater drainage is provided around the perimeter of buildings and that overflow paths are provided and existing ones are maintained.

- It is anticipated that the site cut and fill will have minimal adverse impacts on the adjoining properties privacy and will integrate the proposed built design into the landscape of the site.

(a)

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

(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

None prescribed.

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

Context and setting

The proposal is for dwelling, swimming pool, shed/secondary dwelling.

The development site is located at Lot 30 DP 1239206, 24 Oxbow Circuit King Creek. The building has its frontage to Oxbow Circuit.

The site is 10,000m² or 1 Hectare in area and falls approximately 8.5m over 105.68m to the area marked (B) on the Deposited Plan. This represents an approximate 1:12 slope or 8.3% gradient

The site is burdened by several restrictions and positive covenants as specified on the deposited plan (DP) such as a no build areas marked "B" & "C" on the DP which is located approximately 105.68m from development site front boundary. The proposed development does not encroach into this restricted area.

A recent site inspection revealed that currently, situated on the site is a shipping container and a marque structure. There was no evidence to hand indicating that the existing structures were occupied.

The proposed primary dwelling has a specified front boundary setback of 14.110m and a minimum side boundary setback of 5.450m adjacent to the north eastern boundary.

The proposed shed/secondary dwelling has a specified 52.57m setback to the front boundary and located approximately 16.305m from the rear of the primary dwelling with a side boundary setback 3.0m.

The floor area of the shed/secondary as specified is 96m² and 59m² resulting gross floor area of 159.3m². The ridge and wall heights as specified are 4.5m and 3.9m respectively.

To accommodate the site cut the applicant proposes to bench the site with 900mm drops forming a series of 6.0m (minimum) wide terraces.

The ridge height of the shed and secondary dwelling structure is specified to be at 4.5m above the FFL (16.00 AHD). The specified ridge height will be comparable to the ridge height on the existing shed on the neighbouring property.

Additionally, during the assessment of the application, the applicant has increased the side boundary setback to 3.0m off the north western boundary to permit landscaping between the structure and the boundary reducing the bulk and scale impacts on the adjoining property.

The proposal is not expected 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 rural 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.

The proposal does not prevent adjoining property from receiving 3 hours of sunlight to private open space and primary living areas on 21 June.

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

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.

The location of the two driveways proposed is acceptable.

Water supply connection

Service available – details required with S.68 application.

Sewer connection

Service not available – ossm system details required with S.68 application.

Stormwater

Stormwater drainage is proposed to be direct to water tanks and overflow as surface drainage towards the rear of the site which is acceptable – details required with S.68 application.

Other utilities

Telecommunication and electricity services are available to the site.

Heritage

This site does not contain or adjoin any known heritage item or site of significance. The site is considered to be disturbed land.

Other land resources

The site is within an established rural residential 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 land and the vegetation type is category 3.

The Applicant has submitted a bushfire report as a self-assessment.

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 are likely.

Construction

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

Cumulative Impacts

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

(c) The suitability of the site for the development

The proposal will fit into the locality and the site attributes are conducive to the proposed development. Site constraints of bushfire have been adequately addressed and appropriate conditions of consent recommended.

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

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

Three (3) written submissions and a supplementary submission 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
<u>31 Oxbow Circuit</u> The proposed development does not comply with the general intent of the 88B Instrument, with particular regard Restriction No.2 (e), (f), (g), and (i).	It is acknowledged that Narran River Pty Limited is the person or authority empowered to release, vary or modify the restrictions numbered two (2) referred to in the DP, and referenced in the submission. However, PMHC LEP 2011 clause 1.9A <u>Suspension of covenants, agreements and instruments</u> : states that (1) For the purpose of enabling development on land in any zone to be carried out in accordance with this Plan

Submission Issue/Summary	Planning Comment/Response
<p>The location and orientation of the proposed dwelling does not have regard for the dwelling siting precedents in the Ridgeview Estate.</p>	<p>or with a consent granted under the Act, any agreement, covenant or other similar instrument that restricts the carrying out of that development does not apply to the extent necessary to serve that purpose.</p> <p>The proposed development is permissible in the zone with consent irrespective of any instruments.</p> <p>Dwelling siting precedents in the Ridgeview Estate are not assessable under the provisions of DCP. The siting of the proposed dwelling is compliant with numerical setback standards in the DCP.</p>
<p>The proposed location of the shed and secondary dwelling is unreasonable due to side boundary setbacks and being sited too close to the street frontage of Oxbow Circuit.</p>	<p>The proposed shed/secondary dwelling is sited 52.57 from the front boundary and is located 16.305m from the rear of the primary dwelling and setback 3.0m off the north western boundary as specified on the plans.</p>
<p>The size of the shed/secondary dwelling (160m²) does not accord with floor area restrictions in the 88B.</p>	<p>The floor area of the shed/secondary dwelling is 96m² and 59m² respectively which is equivalent to a gross floor area of 159.3m² which is permissible in the zone with consent.</p>
<p><u>30 Oxbow Circuit</u> The side boundary setback to the wall of the shed/secondary dwelling appears to be only 1m and is unacceptable.</p>	<p>The side boundary setback to the shed/secondary dwelling wall is 3.0m and is acceptable in the context and is supported by Developer of the Estate.</p>
<p>The secondary dwelling has three (3) windows that look directly into our immediate back outdoor living areas resulting in a loss of visual and acoustic privacy and is unacceptable.</p>	<p>It is specified that the windows are to be fitted with privacy screens. It is also noted that the windows are to face directly opposite the wall of the existing shed on the neighbouring property. The applicant demonstrated that the position of the windows will result in a loss of visual and acoustic privacy.</p>
<p>There is no reference to the BASIX requirements in relation to the primary and secondary dwelling.</p>	<p>A BASIX certificate has been submitted confirming that the proposed development has met the required energy and water targets.</p>
<p>The open carport structure will result in a loss of visual and acoustic privacy,</p>	<p>The open carport structure has been deleted from the application, no further comment is required.</p>

Submission Issue/Summary	Planning Comment/Response
<p>including the impact of car headlights at night time shining into our backyard, outdoor and indoor living areas.</p> <p>Substantial excavation and subsequent retaining walls would be required due to the site slope.</p> <p>The height of the shed/secondary dwelling and carport are not specified on the DA plans.</p> <p>There is no reference in the plans regarding sewerage and waste water application.</p> <p>The siting of the shed/secondary dwelling will impact on the streetscape due its bulk and scale and is sited forward of our dwelling thus being visually prominent.</p> <p>The owner has indicated that he and his family will live in the 2-bedroom granny flat whilst building the proposed house on site. This would not be consistent with zone objections and incompatible with neighbouring premises.</p> <p>This granny flat also provides the owner the opportunity to rent to tenants and/or provide short term stays (e.g. Airbnb holiday let). This is not acceptable.</p> <p>As the plans do not show any topographic detail and to fully appreciate the impact this structure poses, is it possible for a council officer to inspect the site.</p>	<p>No retaining walls are proposed. The issue of land reforming works has been addressed previously in the report no further comment is provided.</p> <p>The specified ridge and wall heights are 4.5m and 3.9m respectively.</p> <p>An appropriate level of detail has been provided on the DA indicating the approximate location of the proposed Biocycle waste water treatment system.</p> <p>The amended site plan specifies that the proposed shed/secondary dwelling is located 52.57m from the front boundary. The long section specifies that the kerb height (Datum) is at 17.00AHD and the FFL of the proposed development is at 11.50AHD with the approximate ridge height of 4.5m above FFL (16.00AHD) at or just below road level, minimising any visual impact on the streetscape.</p> <p>To minimise potential visual impacts of the proposed development an increased side boundary setback of 3.0. has been specified which will allow for suitable landscaping.</p> <p>The proposal is permissible in the zone with consent. However, the applicant's intentions/use of the secondary dwelling is not a matter for consideration under the DCP. A condition is recommended.</p> <p>Refer to the comments above.</p> <p>A site inspection was carried out on the 26/05/2020. The site is 10,000m² or 1 Hectare in area. The land falls 8.5m (front to rear) over a distance of approximately 105.60m to the area marked "(B)" on the DP. This is</p>

Submission Issue/Summary	Planning Comment/Response
<p>The "Ridgeview Estate" is a newly established large lot residential area. One of the reasons residents in this estate chose to live here is because of the space between neighbours that these larger wide lots provide. The homes and ancillary buildings that are now established in this estate have been built with this in mind.</p> <p><u>Supplementary Submission in Support of Initial Submission</u></p> <p>I refer to the "Instrument 88b - Setting out Terms or Easements and Restrictions on the use of land and positive covenants intended to be created pursuant to section 88B of the Conveyancing Act, 1919" (Executed by Narran River Pty Ltd, Port Macquarie Hastings Council, & Essential Energy 13th December 2017).</p> <p>The proposed secondary dwelling, carport and shed exceeds the maximum floor area and is not placed behind the rear line of the main building.</p> <p>The secondary dwelling, carport and shed as proposed in the lodged Development Application is simply not acceptable in accordance with the Instrument 88b, and for the reasons previously submitted.</p> <p>The placement and visual prominence of this structure is not acceptable. In order that an ancillary structure this size could be considered, it would need to be placed around 20 metres further towards the rear of the lot and 6 metres in from the boundary. (Note: a dwelling cannot be constructed in the area designated "B" or "C" on the plan).</p> <p><u>27 Oxbow Circuit</u></p> <p>As the measurements on the D.A are scarce, it is not possible to fully grasp</p>	<p>equivalent to an approximate 1:12 slope or 8.3% gradient</p> <p>The bulk and scale of the proposed development is compatible with the surrounding built environment. The site is cleared and located within an area zoned for residential purposes.</p> <p>Refer to previous comments made in relation to the S88B instrument.</p> <p>Refer to previous comments in relation to building heights and setbacks.</p> <p>Refer to previous comments in relation to permissibility and context and setting.</p> <p>Refer to previous comments in relation to building heights and setbacks.</p> <p>Refer to previous comments in relation to building heights and setbacks.</p>

Submission Issue/Summary	Planning Comment/Response
<p>the location and dimensions of the shed. It does however appear to be very close to the neighbour's fence line</p> <p>The shed would be around 4.2m high to the gutter (no details) with no detail on a retaining wall, one would assume the shed will be built up on natural ground which would make the top gable height at North East end of shed around 6-7m above natural ground. This would be devastating to the outlook.</p> <p>Ideally, the shed and the house needs to be further down the hill to match all of the other beautiful homes in our estate. Alternatively, the shed could or run east-west.</p> <p>Is there a maximum or minimum requirement for the owners to live in the proposed shed?</p> <p>Another concern of this development is the disregard for safety and upkeep. Myself and two other neighbours have been mowing the front section of lot 30, as the grass was over 1.2m high making the approach over the crest very dangerous.</p> <p>The estimated construction costs are inadequate.</p> <p>The plans as submitted lack detailed measurements.</p>	<p>Refer to previous comments in relation to building heights and setbacks.</p> <p>The proposed development is permissible in the zone with consent and is considered to be compatible with the rural residential locality.</p> <p>Council may consider an application for a temporary accommodation. Any such application would be accessed on merit.</p> <p>Not an issue for consideration under the Act.</p> <p>Not a matter for consideration under the provisions of the DCP. Estimated construction costs considered to be satisfactory.</p> <p>Amended plans are considered adequate for assessment of the Development application.</p>

(e) The Public Interest

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

4. DEVELOPMENT CONTRIBUTIONS APPLICABLE**(b)**

Development contributions will not be required under S7.11.

The proposed secondary dwelling has a floor area not exceeding 60m² and is exempt from Section 7.11 contributions. If a separate water meter is proposed Section 64 contributions for water will be required. A standard condition is recommended in this regard.

5. CONCLUSION AND STATEMENT OF REASON

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

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

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

Attachments

- 1 [↓](#). DA2020 - 369.1 Recommended Conditions
- 2 [↓](#). DA2020 - 369.1 Plans

**FOR USE BY PLANNERS/SURVEYORS TO PREPARE LIST OF
PROPOSED CONDITIONS - 2011****NOTE: THESE ARE DRAFT ONLY****DA NO: 2020/369****DATE: 15/06/2020****PRESCRIBED CONDITIONS**

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

A – GENERAL MATTERS

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

Plan / Supporting Document	Reference	Prepared by	Date
Building Plans	JB200120 Rev 1	JK Civil Design	01/06/2020
Site Plan	JB200120 Rev 1	JK Civil Design	01/06/2020
Basix Certificate	1100501S	Building Energy Advisory	07/05/2020
Bushfire Report	JB200120	Jayson Shelly	10/06/2020
SoEE	JB200120	Jayson Shelly	05/05/2020

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

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

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

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

- (3) (A009) The development site is to be managed for the entirety of work in the following manner:
1. Erosion and sediment controls are to be implemented to prevent sediment from leaving the site. The controls are to be maintained until the development is complete and the site stabilised with permanent vegetation;
 2. Appropriate dust control measures;

3. Building equipment and materials shall be contained wholly within the site unless approval to use the road reserve has been obtained. Where work adjoins the public domain, fencing is to be in place so as to prevent public access to the site;
4. Building waste is to be managed via an appropriate 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) The owner/applicant is responsible for complying with any covenants/restrictions to users, which may be applicable to the land where the proposed building work is to be undertaken.
- (5) The secondary dwelling and shed is permitted to be constructed as first stage. Stage 2 with construction of the primary dwelling is to occur within 12 months of the secondary dwelling being completed.
- (6) (A044)The secondary dwelling shall be provided with a water service from the same meter as the principal dwelling. Any additional water service will incur contributions for augmentation of the town water supply headworks in accordance with the provisions of the relevant Section 64 Development Servicing Plan.

B – PRIOR TO ISSUE OF A CONSTRUCTION CERTIFICATE

- (1) (B001) Prior to release of the Construction Certificate, approval pursuant to Section 68 of the Local Government Act, 1993 to carry out water supply, stormwater and sewerage works is to be obtained from Port Macquarie-Hastings Council. The following is to be clearly illustrated on the site plan to accompany the application for Section 68 approval:
 - Stormwater drainage termination point
 - Easements
 - Water main
 - Proposed water meter location
 - OSSM System
- (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 buildings 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) Development proposing land reforming works that 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/s is required to submit design details.

The design details shall include: drainage design, engineering details (if appropriate), stabilisation details, visual aspects and the amenity of adjoining land. Details shall be submitted to the Principal Certifying Authority with the application for Construction Certificate demonstrating compliance with this requirement.

C – PRIOR TO ANY WORK COMMENCING ON SITE

nil

D – DURING WORK

- (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.

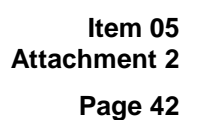
E – PRIOR TO OCCUPATION OR THE ISSUE OF OCCUPATION CERTIFICATE

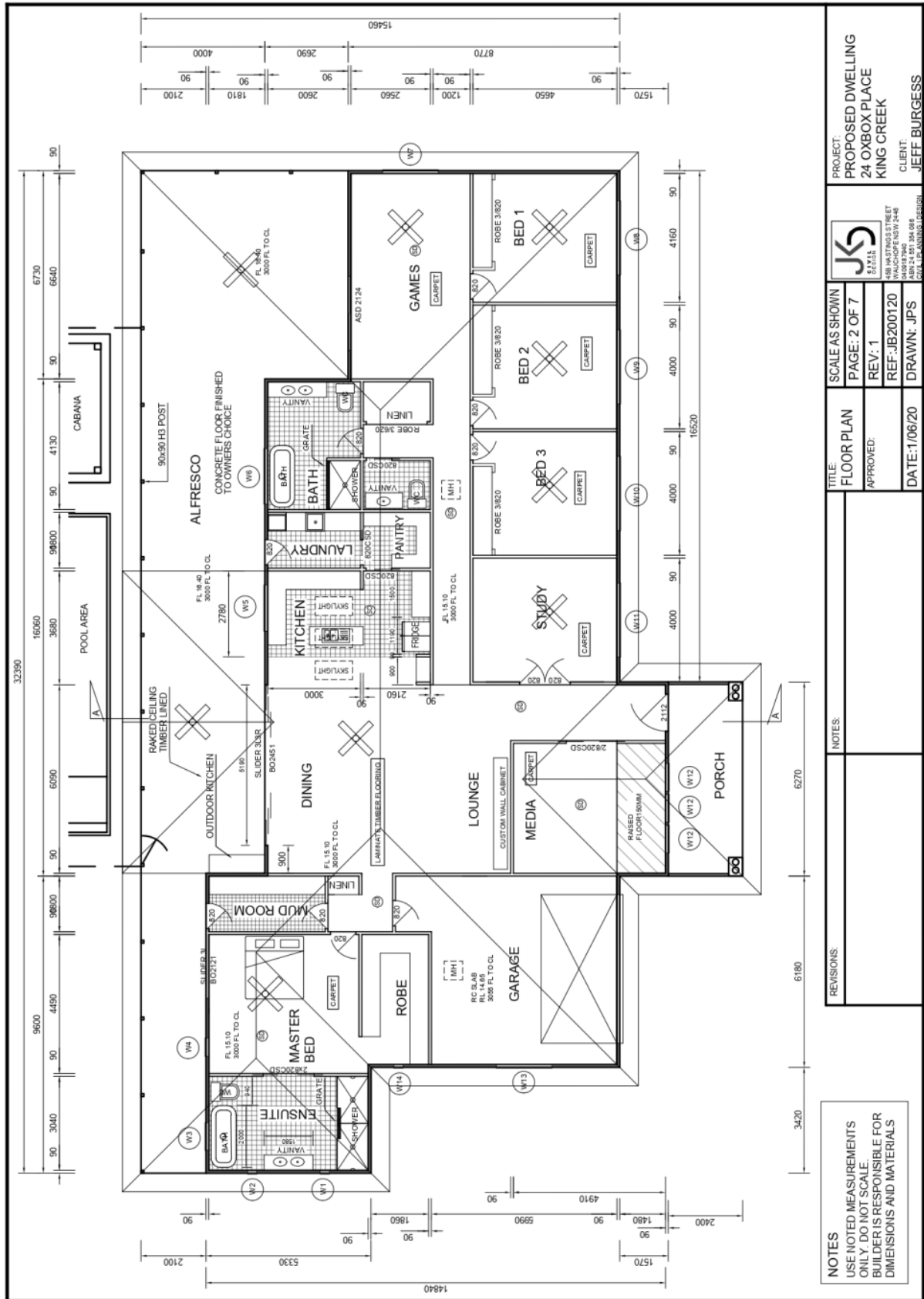
- (1) (E001) The premises shall not be occupied or used in whole or in part until an Occupation Certificate has been issued by the Principal Certifying Authority.
- (2) (E058) Written confirmation being provided to the Principal Certifying Authority (PCA) from any properly qualified person (e.g. the 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.

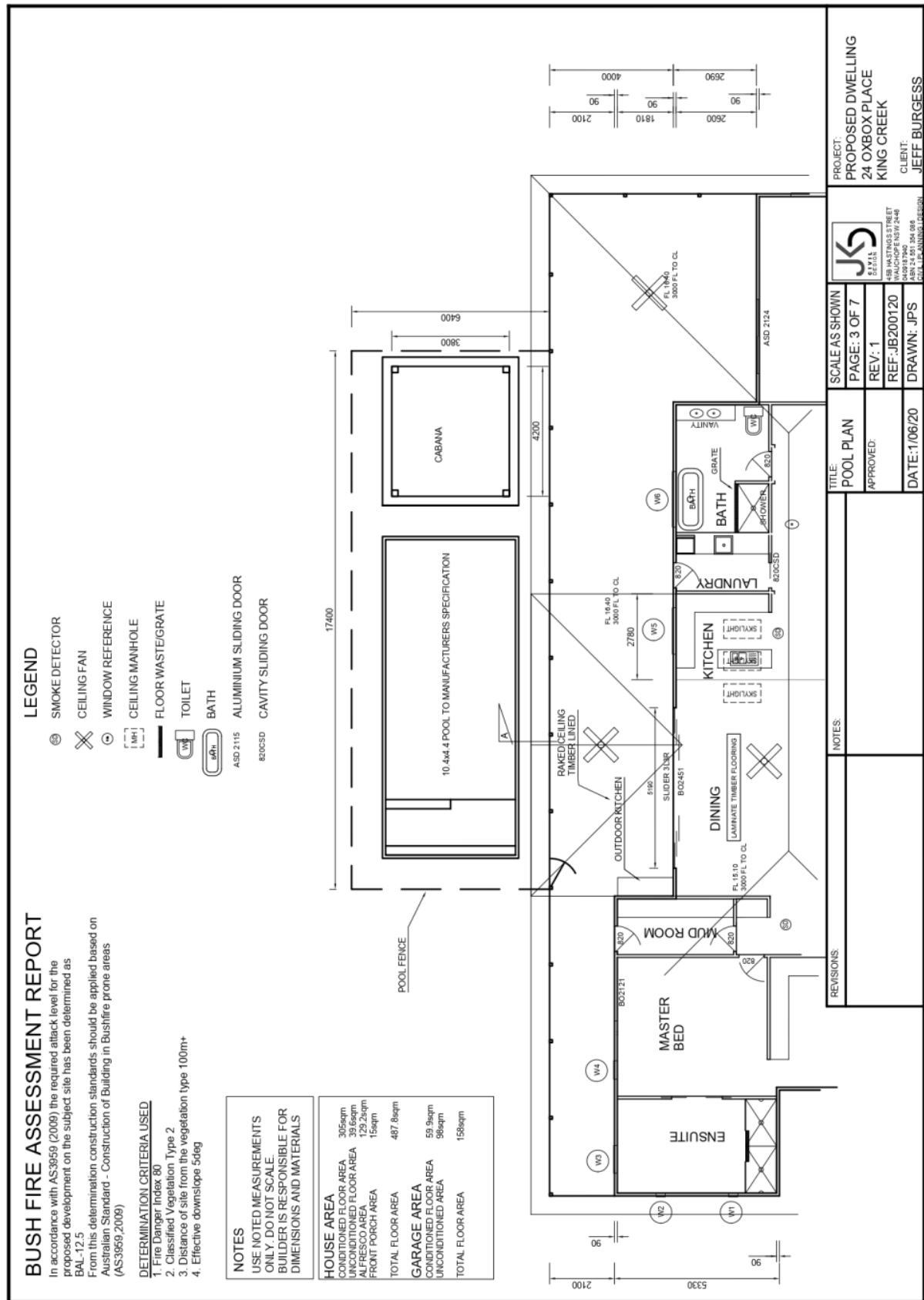
- (5) (E020) The provision of a suitable sign containing the details required by the current Swimming Pools Act and Regulations.
- (6) (E021) Pool(s) to be fenced in accordance with the Swimming Pools Act, 1992.

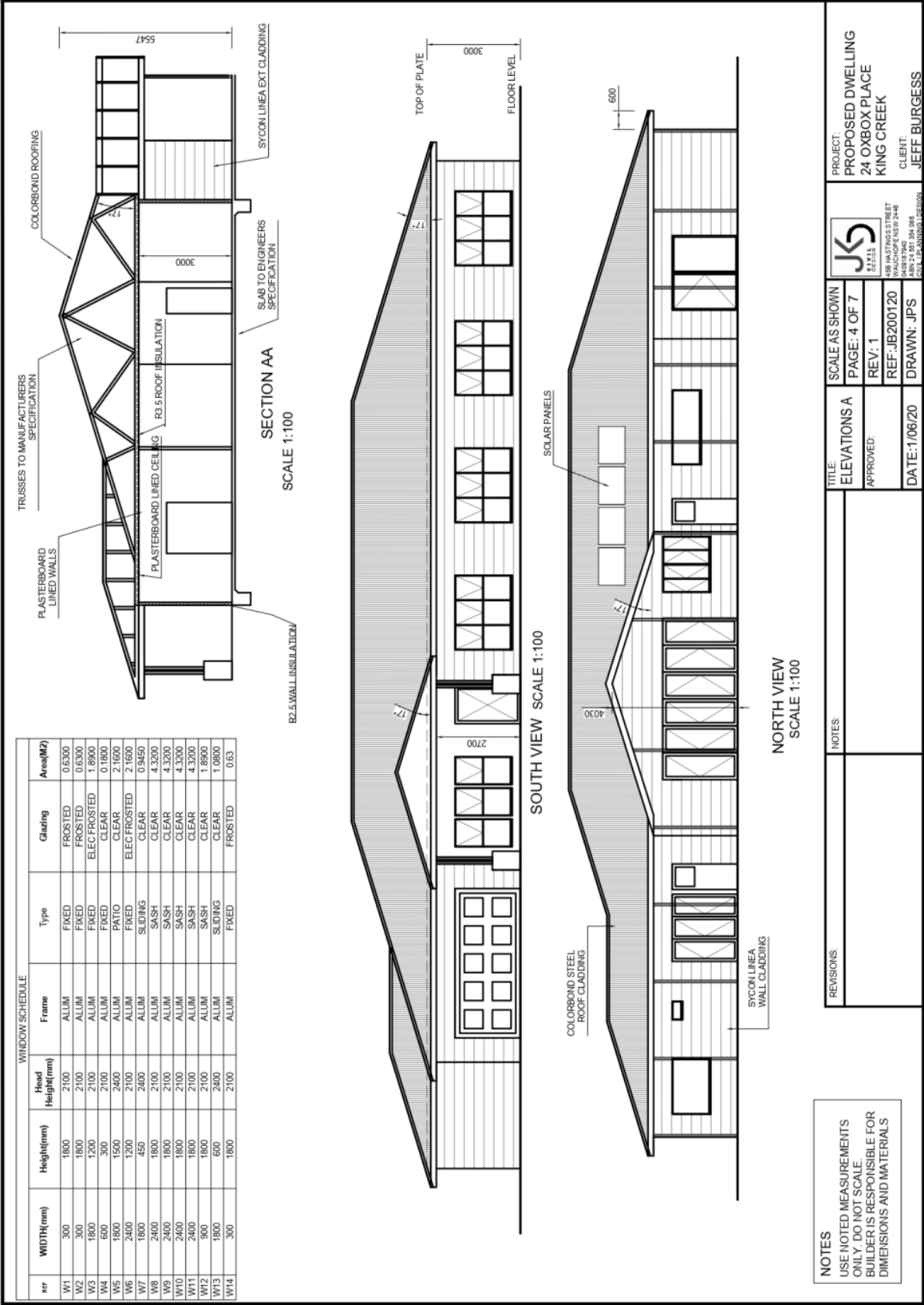
F – OCCUPATION OF THE SITE

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









BASIX CERTIFICATE SUMMARY

Water Commitments	
Landscape	100sqm of indigenous or low water use species
Fixtures	Showerheads minimum 3 star
	Toilets flushing system 4 star
	Kitchen taps 5 star
	Hand basins 5 star
Alternative water	Rainwater tank 60000litr
	Collection area 562sqm
Rainwater use	Outdoor tap & pool
Swimming Pool	Toilets & clothes washer 33000litr
Energy Commitments	
Hot water	Solar electric boosted
Cooling system	Ceiling fans
Heating system	Ducted air conditioning
Ventilation	Bathroom, kitchen, laundry
Natural lighting	Windows and skylights
Swimming pool	Solar heating only
Alternative energy	Photovoltaic system
Thermal Comfort Commitments	4Kw connected internally
Assessor details	
Assessors certificate number	
Floor construction	Concrete slab on ground

POOL CABANA

WEST VIEW SCALE 1:100

EAST VIEW SCALE 1:100

SOUTH VIEW SCALE 1:100

NORTH VIEW SCALE 1:100

NOTES

USE NOTED MEASUREMENTS ONLY DO NOT SCALE BUILDER IS RESPONSIBLE FOR DIMENSIONS AND MATERIALS

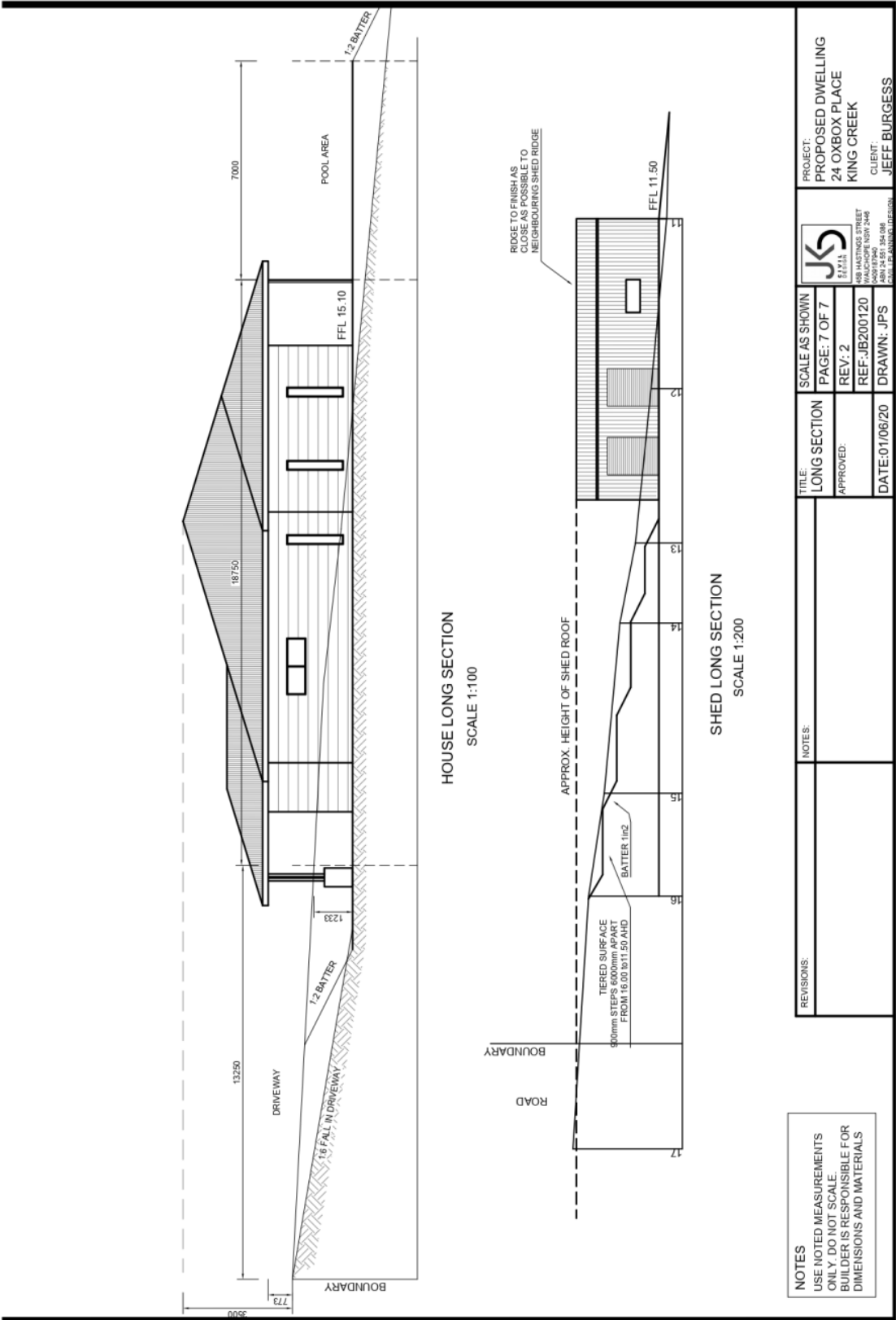
TITLE ELEVATIONS B

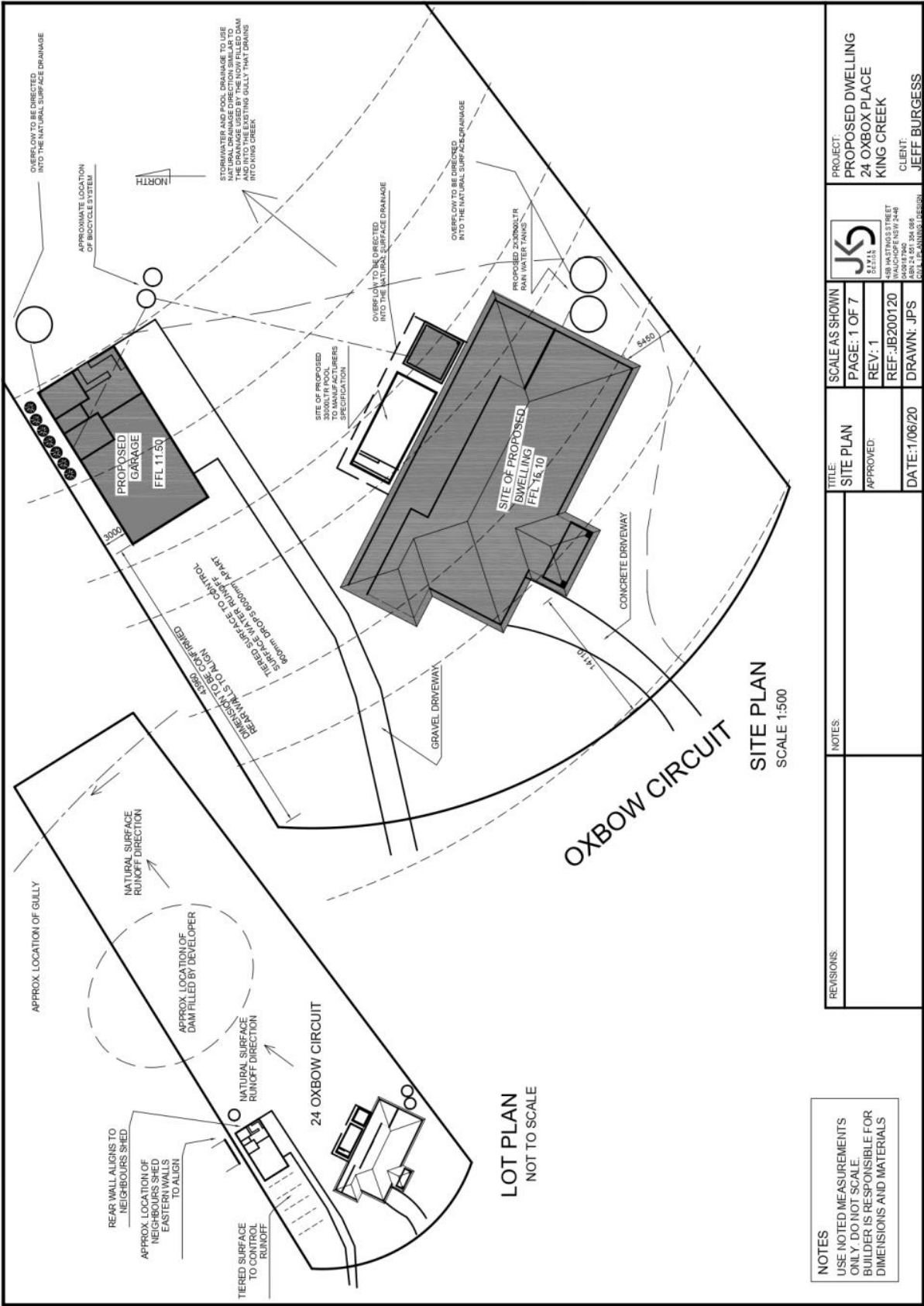
SCALE AS SHOWN PAGE: 5 OF 7

APPROVED REV: 1 REF: JB200120 DRAWN: JPS DATE: 1/06/20

PROJECT: PROPOSED DWELLING 24 OXBOX PLACE KING CREEK CLIENT: JEFF BURGESS







Item: 06

Subject: DA2020 - 340.1 ALTERATIONS AND ADDITIONS TO DWELLING AT LOT 417 DP 208523, NO 5 CUNNING STREET, PORT MACQUARIE

Report Author: Development Assessment Planner, Robert Slater

Applicant: S K Morrison & S M Morrison

Owner: S K Morrison & S M Morrison

Estimated Cost: \$200,000

Parcel no: 5471

Alignment with Delivery Program

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

RECOMMENDATION

That DA2020 - 340.1 for Alterations and Additions to Dwelling at Lot 417, DP 208523, No. 5 Cunning Street, Port Macquarie, be determined by granting consent subject to the recommended conditions.

Executive Summary

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

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

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

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

1. BACKGROUND

Existing Sites Features and Surrounding Development

The site has an area of 681.6m².

The site is zoned R1 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:

- First floor addition
- Double garage

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

Application Chronology

- 5 May 2020 - Lodgement date
- 8 May 2020 - Application notified
- 27 May 2020 - Shadow Diagrams received

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

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

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

State Environmental Planning Policy (Koala Habitat Protection) 2019

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

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

The SEPP does not prevent the granting of consent on the land being less than 1 hectare in area. 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 (Coastal Management) 2018

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

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

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

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 dwelling or ancillary structure to a dwelling is a permissible landuse with consent.

The objectives of the R1 zone are as follows:

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

1.

- 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. The proposal contributes to the range of housing options in the locality.

2.

- Clause 4.3 - The maximum overall height of the building above ground level (existing) is 6.5m, which complies with the standard height limit of 8.5m applying to the site.

3.

- Clause 4.4 - The floor space ratio of the proposal is 0.29:1 which complies with the maximum 0.65:1 floor space ratio applying to the site.

4.

- Clause 5.10 Heritage - The site does not contain or adjoin any known heritage items or sites of significance.

5.

- 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: Dwellings, Dual occupancies, Dwelling houses, Multi dwelling houses & Ancillary development			
	Requirements	Proposed	Complies
	Front setback (Residential not R5 zone): <ul style="list-style-type: none"> • Min. 4.5m local road • 	Front building line setback is specified at 9.179m to the SE corner of the garage and upper floor addition respectively. The proposed front setback is compliant with the minimum 4.5m front setback requirements.	Yes
3.2.2.3	Garage 5.5m min. and 1m behind front façade.	Garage door setback as specified is 8.165m and is	Yes

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

	Requirements	Proposed	Complies
	Garage door recessed behind building line or eaves/overhangs provided	therefore compliant with the minimum front setback requirements.	
	6m max. width of garage doors and 50% max. width of building	It is proposed to install two 2124 panel lift doors having a combined specified width of 4.25m, which is compliant with the maximum width requirements. The total width of the garage doors (37%) is less than the maximum 50% proportional building width.	Yes
	Driveway crossover 1/3 max. of site frontage and max. 5.0m width	Driveway crossing width is specified as 5.0m, which is equivalent to 33% of the site frontage.	Yes
3.2.2.4	4m min. rear setback. Variation subject to site analysis and provision of private open space	There is no change to the existing or specified rear setback of 10.0m as a result of the proposed development and therefore the rear setback is compliant with the requirements.	Yes
3.2.2.5	Side setbacks: Ground floor = min. 0.9m First floors & above = min. 3m setback or where it can be demonstrated that overshadowing not adverse = 0.9m min.	The specified side setbacks of 1.92m (E) and 1.27m (W) are compliant with the minimum setback requirement of 0.9m. The specified side boundary setback of the (SE) first floor wall is 2.037m, which represents an encroachment of 963mm and therefore non-compliant with the minimum 3.0m setback requirement. In support of the reduced first floor wall side boundary setback the applicant has submitted a shadow diagram that demonstrates the adjoining property's primary living areas and primary open space areas are not adversely overshadowed for more than 3hrs between 9am - 3pm on 21 June. The specified wall length of	Yes

DCP 2013: Dwellings, Dual occupancies, Dwelling houses, Multi dwelling houses & Ancillary development			
	Requirements	Proposed	Complies
	Building wall set in and out every 12m by 0.5m	the proposed garage and first floor addition is 7.5m. In combination with the existing dwelling the building wall articulation is satisfactory to address the objective intent of the development provision.	Yes
3.2.2.6	35m ² min. private open space area including a useable 4x4m min. area which has 5% max. grade	<p>The dwelling contains >35m² open space in one area including a useable 4m x 4m space.</p> <p>The proposed development does not reduce the existing POS area which is in excess of the requirements.</p>	Yes
3.2.2.10	<p>Privacy:</p> <ul style="list-style-type: none"> • Direct views between living areas of adjacent dwellings screened when within 9m radius of any part of window of adjacent dwelling and within 12m of private open space areas of adjacent dwellings. i.e. 1.8m fence or privacy screening which has 25% max. openings and is permanently fixed • Privacy screen required if floor level > 1m height, window side/rear setback (other than bedroom) is less than 3m and sill height less than 1.5m • Privacy screens provided to balconies/verandahs etc. which have <3m side/rear setback and floor level height >1m 	<p>The proposed development is not expected to adversely impact on existing levels of visual and acoustic privacy to the neighbouring property's' primary living spaces and POS areas.</p> <p>Design measures have been incorporated into the development:</p> <p>Minimising windows on elevations adjacent to side boundaries, where the potential exists for overlooking into living areas or POS of the adjoining property.</p> <p>High sill windows 1.5m above internal FL where the potential exists for overlooking into living areas or POS of the adjoining property.</p> <p>Attention to the siting of the proposed development and the internal layout design to minimise overlooking into living areas or POS of the adjoin property.</p> <p>The existing 1.8m high boundary fences.</p> <p>No privacy screens are</p>	Yes

DCP 2013: Dwellings, Dual occupancies, Dwelling houses, Multi dwelling houses & Ancillary development			
	Requirements	Proposed	Complies
		recommended.	
DCP 2013: General Provisions			
	Requirements	Proposed	Complies
2.7.2.2	Design addresses generic principles of Crime Prevention Through Environmental Design guideline	No concealment or entrapment areas proposed. Adequate casual surveillance available.	Yes
2.3.3.1	Cut and fill 1.0m max. 1m outside the perimeter of the external building walls	Cut and fill <1.0m change 1m outside the perimeter of the external building walls.	Yes
2.4.3	Bushfire risk, Acid sulphate soils, Flooding, Contamination, Airspace protection, Noise and Stormwater	Refer to main body of report.	
2.5.3.2	New accesses not permitted from arterial or distributor roads	No new access proposed to arterial or distribution road.	N/A
	Driveway crossing/s minimal in number and width including maximising street parking	Driveway crossing minimal in width including maximising street parking	Yes
2.5.3.3	Parking in accordance with Table 2.5.1. 1 space per single dwelling (behind building line)	1 or capacity for more than 1 parking space behind the building line has been provided for.	Yes
2.5.3.11	Section 94 contributions	Refer to main body of report.	
2.5.3.12 and 2.5.3.13	Landscaping of parking areas	Single dwelling only with 1 domestic driveway. No specific landscaping requirements recommended.	N/A
2.5.3.14	Sealed driveway surfaces unless justified	Sealed driveway proposed	Yes
2.5.3.15 and 2.5.3.16	Driveway grades first 6m or 'parking area' shall be 5% grade with transitions of 2m length	Driveway grades capable of satisfying Council standard driveway crossover requirements. Condition recommended for section 138 Roads Act permit	Yes
2.5.3.17	Parking areas to be designed to avoid concentrations of water runoff on the surface.	Single dwelling only with 1 domestic driveway. Stormwater drainage is capable of being managed as part of plumbing construction.	Yes

Chapter 3.2 Low Density Residential Development

3.2.2.5 Objective

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

Relevant Development Provision

The first floors and above should be setback minimum of 3m from the side boundary.

Note: However the minimum 3.0m setback requirement can be reduced down to 900mm where it can be demonstrated that the adjoining property primary living areas and primary private open space areas should not be adversely overshadowed for more than 3hrs between 9am-3pm on 21 June.

The Applicant seeks to vary the Development Provision by encroaching into the 3.0m first floor side boundary setback as set out below:

1 st Floor Building Element	Proposed Setback (minimum)	Encroachment
1. Bed 1 & ensuite	2.037m	963mm

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

- The encroaching external wall has a total length of 8.21m and is located on the eastern elevation of the proposed first floor addition. The wall has two openings (W5) 0621 and (W4) 0618 that are associated with a bedroom and ensuite respectively. The proposed design gives due consideration to ensuring an appropriate standard of residential privacy is achieved and maintained.
- To determine the extent of the overshadowing impacts the applicant has submitted computer generated shadow diagrams programmed for the 2020 winter solstice. The generated shadow lengths were then overlayed over aerial photographs. The resultant diagrams demonstrate that the adjoining property is capable of receiving 3 hours of sunlight on the 21st June to the primary living spaces and POS areas.

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

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

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

(iv) Any matters prescribed by the Regulations

No regulations relating to the site are 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 is for dwelling additions and alterations to an existing brick veneer dwelling and the addition of a double garage. Currently there is no all-weather vehicle parking available. Currently the owners park their vehicles on the front lawn.
- The development site is located in Cunning Street Port Macquarie. The building has its main frontage to Cunning Street and has a total site coverage of 35%.
- The site is 727.2m² in area and is subject to 6.0m fall across the lot sloping from the rear (NW cnr) towards the front (SE cnr) of the site, which is equivalent to a site grade of 11.11% or 1:9 slope.
- The proposed double garage has a specified front setback of 8.165m.
- The development site adjoins an existing villa development which comprises three (3) dwellings with courtyards (POS) situated adjacent to the development sites eastern boundary.
- 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.
- The shadow diagrams as submitted (**Attachment 3**) to Council demonstrate that the proposal does not prevent adjoining property from receiving 3 hours of sunlight to private open space and primary living areas on 21 June. The shadow diagram depicts the shadow reaching the bottom of the western facing wall at 1pm June 21.
- The bulk, scale and size of the proposed development is compatible with the surrounding built environment and located within an area zoned for residential purposes.

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 S.68 application.

Sewer connection

Service available – details required with S.68 application.

Stormwater

Service available – details required with S.68 application.

Other utilities

Telecommunication and electricity services are available to the site.

Heritage

This site does not contain or adjoin any known heritage item or site of significance. 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 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 not identified as being bushfire prone and therefore no further investigation or comment is required.

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.

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 and appropriate conditions of consent recommended.

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

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

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

Submission Issue/Summary	Planning Comment/Response
The overshadowing would affect the natural light of the western facing windows to the kitchen, dining, laundry, bathroom and bedroom of 1/7 Cuning Street reducing natural light and heating from the sun.	In responding to the overshadowing issue raised in the submission the applicant has submitted a computer generated a shadow diagram programmed for the 2020 winter solstice (Attachment 3). The generated shadow lengths were then overlayed over aerial photographs of the subject properties.
This is assumption is supported by the accompanying shadow diagrams.	The resulting shadow lengths on the diagram appear to indicate the shadow reaching the toe of the adjoining property's western facing wall at 1pm June 21, indicating that the western facing wall and the related windows would receive 3 hours of sunlight, while the POS area would receive 3 hours of sunlight on 21 June.

Submission Issue/Summary	Planning Comment/Response
	<p>It is worth noting the attached aerial photograph by Nearmap taken at 3.01PM Sunday 5th April 2020, does indicate that the adjoining property immediately to the east of the proposed development is subjected to overshadowing due the existing trees adjoining the boundary and to a lesser extent the existing 1.8m high boundary fence.</p> <p>It may be conceivable if both parties are in agreement to reduce the height of the existing trees via lopping and or removal may improve the solar access to the courtyard area of the property immediately to the east of the proposed development.</p> <p>While it is acknowledged that overshadowing of the private open area of the adjoining neighbour's courtyard will occur, the applicant has demonstrated that the proposed development will allow for a minimum of 3 hours' sunlight on June 21.</p> <p>Therefore, based on the above assessment, the reduced setback to the first floor wall is considered acceptable and the relevant objectives have been satisfied. Cumulatively, the variations do not amount to any adverse impact or a significance that would justify refusal of the application.</p>

(e) The Public Interest

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

4. DEVELOPMENT CONTRIBUTIONS APPLICABLE

6.

- Development contributions will not be required under S7.11. The proposed development does not involve the creation of an additional residential component.

5. CONCLUSION AND STATEMENT OF REASON

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

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

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

approved, subject to the recommended conditions of consent provided in the attachment section of this report.

Attachments

- 1 [↓](#). DA2020 - 340.1 Recommended Conditions
- 2 [↓](#). DA2020 - 340.1 Plans
- 3 [↓](#). DA2020 - 340.1 Shadow Diagrams

**FOR USE BY PLANNERS/SURVEYORS TO PREPARE LIST OF
PROPOSED CONDITIONS - 2011****NOTE: THESE ARE DRAFT ONLY****DA NO: 2020/340****DATE: 15/06/2020****PRESCRIBED CONDITIONS**

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

A – GENERAL MATTERS

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

Plan / Supporting Document	Reference	Prepared by	Date
Building Plans and Specifications	1166RAM	Draftworx Designs	05/05/2020
Basix Certificate	A375283	Craig Maltman	05/05/2020
SoEE	1166RAM	Craig Maltman	20/04/2020
Shadow Diagrams	1166RAM	Craig Maltman	27/05/2020

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

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

- 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.

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
- (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

C – PRIOR TO ANY WORK COMMENCING ON SITE

nil

D – DURING WORK

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

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

E – PRIOR TO OCCUPATION OR THE ISSUE OF OCCUPATION CERTIFICATE

- (1) (E001) The premises shall not be occupied or used in whole or in part until an Occupation Certificate has been issued by the Principal Certifying Authority.
- (2) (E058) Written confirmation being provided to the Principal Certifying Authority (PCA) from any properly qualified person (e.g. the builder), stating that all

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

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

F – OCCUPATION OF THE SITE

- (1) (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.

DRAFT

SCOTT AND SAMANTHA MORRISON

LOT: 417

DP: 208523

5


CUNNING ST, PORT MACQUARIE, NSW

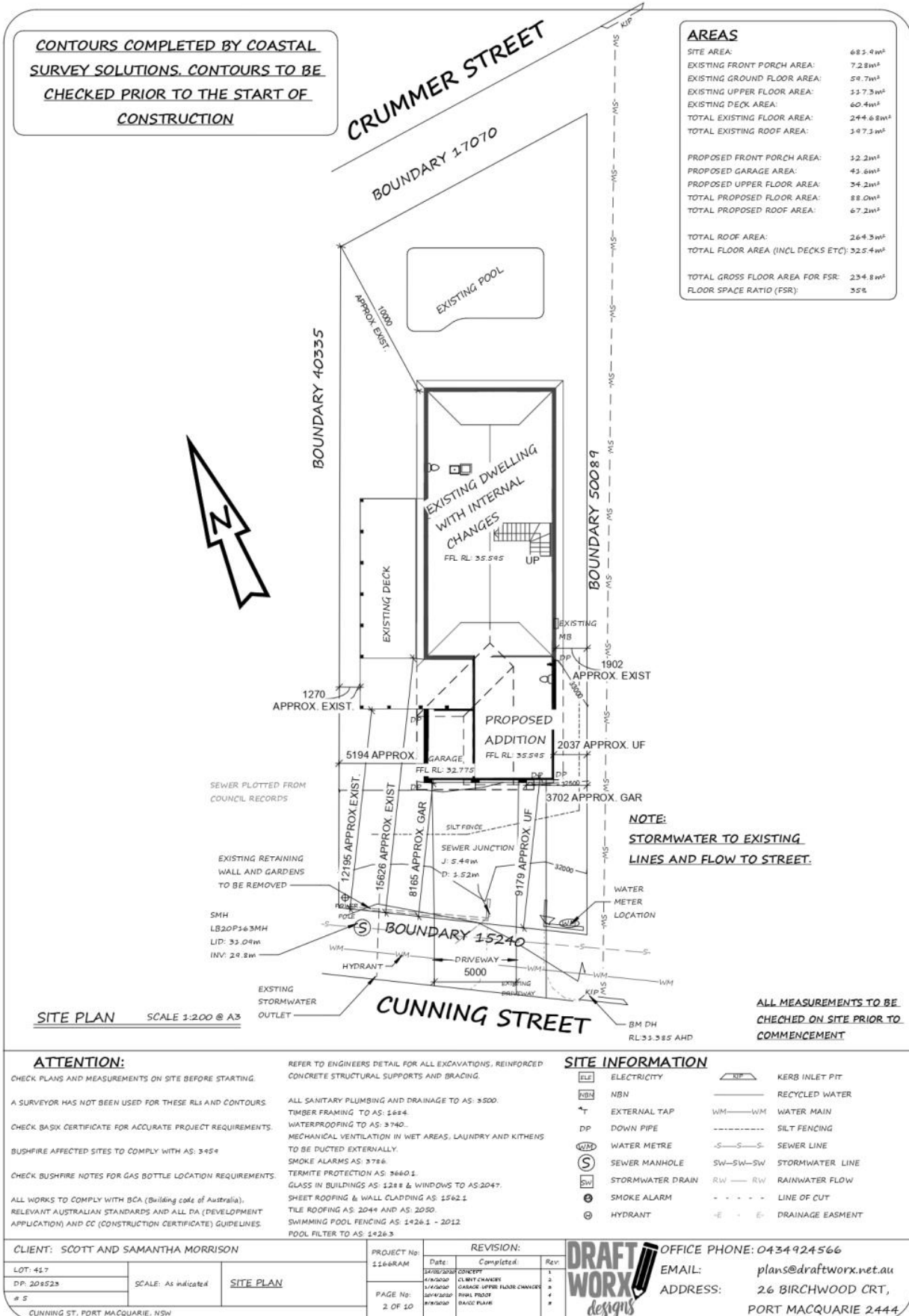


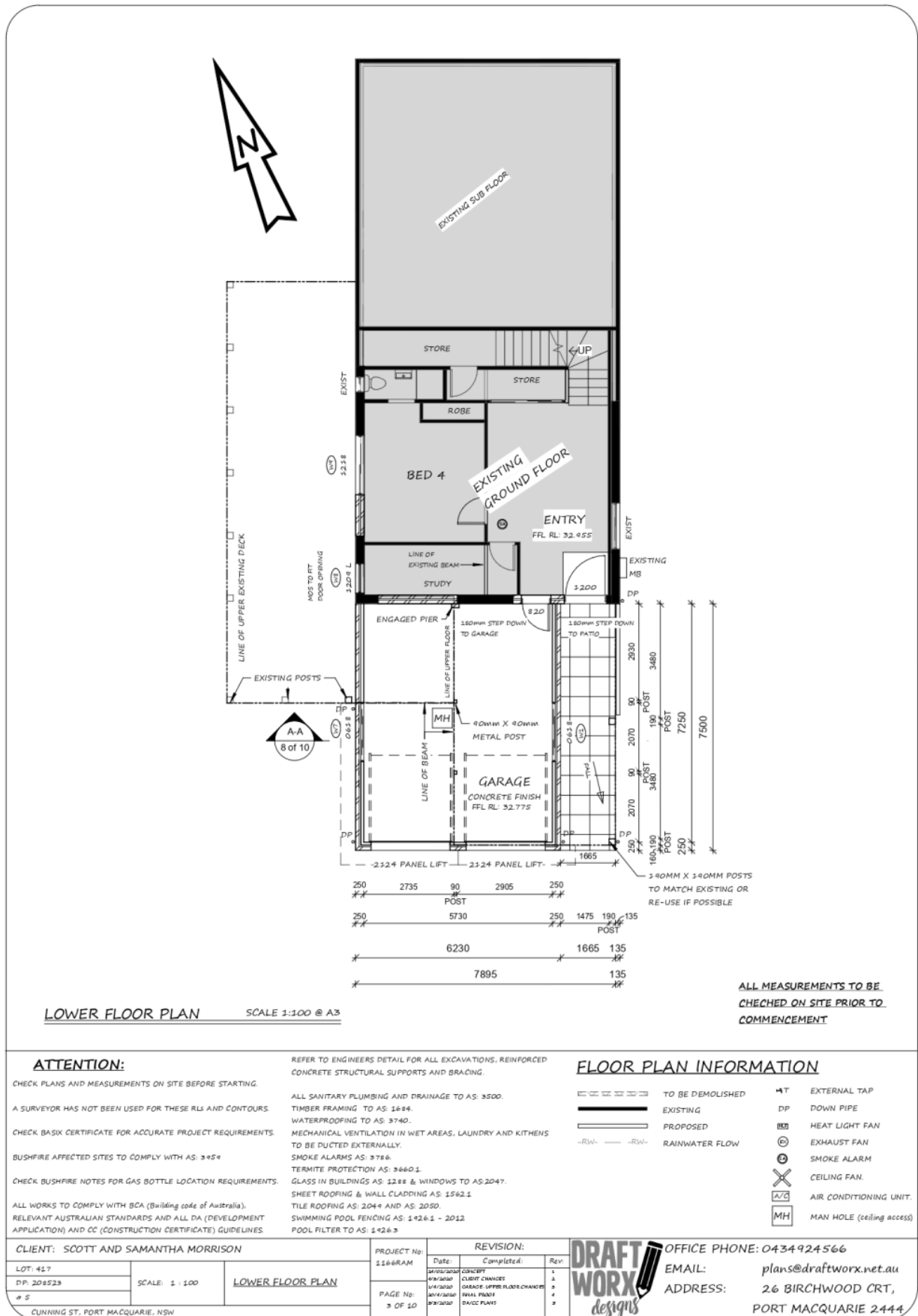
DRAFTWORX

designs

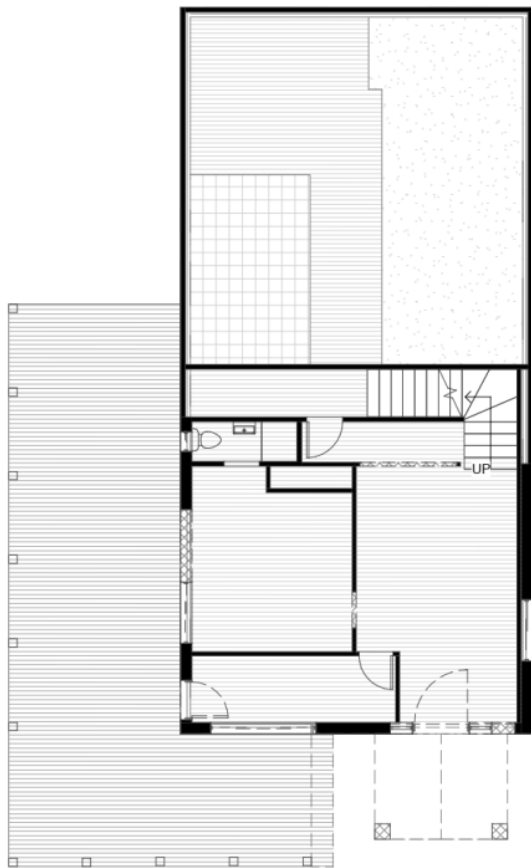
Creating your dreams, one line at a time.

CLIENT: SCOTT AND SAMANTHA MORRISON			PROJECT No:	REVISION:				OFFICE PHONE: 02 65854057
LOT: 417	SCALE: NOT TO SCALE	COVER PAGE	\$166RAM	Date:	Completed:	Rev:		
DP: 208523				16/05/2020	CONCEPT	1		
# 5				1/6/2020	CLIENT CHANGES	2		
			PAGE No:	1/6/2020	GARAGE UPPER FLOOR CHANGES	3		
			1 OF 10	16/11/2020	FINAL PRICES	4		EMAIL: plans@draftworx.net.au
				16/11/2020	DA/DC PLANS	5		ADDRESS: 26 BIRCHWOOD CRT, PORT MACQUARIE, 2444.
CUNNING ST, PORT MACQUARIE, NSW								

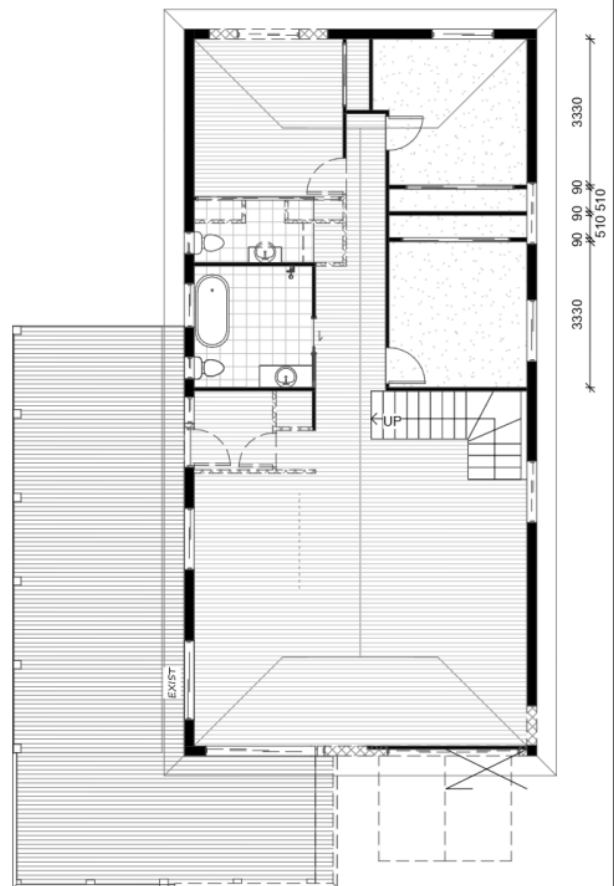






LOWER DEMO FLOOR PLAN SCALE 1:100 @ A3

ITEMS IN RED TO BE REMOVED

UPPER DEMO FLOOR PLAN SCALE 1:100 @ A3ALL MEASUREMENTS TO BE
CHECKED ON SITE PRIOR TO
COMMENCEMENT

CLIENT: SCOTT AND SAMANTHA MORRISON

LOT: 417

DP: 208523

5

SCALE: 1:100

DEMO PLAN

CUNNING ST, PORT MACQUARIE, NSW

PROJECT No:
1166RAMPAGE No:
5 OF 10

REVISION:

Date:

Completed:

Rev:

DRAFT
WORX
designs

OFFICE PHONE: 0434924566

EMAIL: plans@draftworx.net.au

ADDRESS: 26 BIRCHWOOD CRT,
PORT MACQUARIE 2444

WHS REGULATIONS 2011

SERVICES

GENERAL
REPTURE 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 PLAN 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. UNDERGROUND AND
OVERHEAD POWER LINES MAY BE LOCATED IN AND
AROUND THIS SITE. THESE POSE A RISK OF
ELECTROCUTION IF STRUCK, WHERE POSSIBLE AND
PRACTICAL, ADEQUATE WARNING IN THE FORM OF
BRIGHT COLOURED TAPE OR SIGNAGE SHOULD BE
USED OR A PROTECTIVE BARRIER PROVIDED.

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.

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.

TRAFFIC MANAGEMENT

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.

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.

FALL, SLIPS, TRIPS

WORKING AT HEIGHTS

DURING CONSTRUCTION

WHEREVER POSSIBLE, COMPONENTS FOR THIS BUILDING
SHOULD 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 OR 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 PERSONNEL
PROTECTIVE EQUIPMENT (PPE) SHOULD BE USED IN
ACCORDANCE WITH RELEVANT CODES OF PRACTICE,
REGULATIONS OR LEGISLATION.

STEPS, LOOSE OBJECTS AND UNEVEN SURFACES

IF FINISHES HAVE BEEN SPECIFIED BY DESIGNER, THESE
HAVE BEEN SELECTED TO MINIMISE THE RISK OF FLOORS
AND PAVED SURFACES 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 USED.

FLOOR FINISHES BY OWNER

IF THE 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 147:1444 AND AS/NZ
4516:2004.

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
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 OCCUPYERS SHOULD
MONITOR THE PEDESTRIAN ACCESS WAYS AND IN
PARTICULAR ACCESS 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 WORKSITE 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.

CONFINED SPACES

EXCAVATION

CONSTRUCTION OF THIS BUILDING AND SOME
MAINTENANCE ON THIS BUILDING WILL REQUIRE
EXCAVATIONS 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 SHOULD BE MAINTAINED
THROUGHOUT THE LIFE OF THE BUILDING. WHERE
WORKERS ARE REQUIRED TO ENTER ENCLOSED SPACES,
AIR TESTING EQUIPMENT AND PERSONAL PROTECTIVE
EQUIPMENT (PPE) 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.

OTHER HIGH RISK ACTIVITY

ALL ELECTRICAL WORK SHOULD BE CARRIED OUT IN
ACCORDANCE WITH THE CODE OF PRACTICE
MANAGING ELECTRICAL RISKS AT THE WORKPLACE,
AS/NZ 3012 AND ALL LICENSING REQUIREMENTS. ALL
WORK USING PLANT SHOULD BE CARRIED OUT IN
ACCORDANCE WITH CODE OF PRACTICE, MANAGING
RISKS OF PLANT AT THE WORKPLACE. ALL WORK
SHOULD BE CARRIED OUT 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 HIGH WORK INVOLVING
STEEL CONSTRUCTION AND CONCRETE PLACEMENT.
ALL THE ABOVE APPLIES.

MANUAL TASKS

COMPONENTS WITHIN THIS DESIGN WITH A MASS IN
EXCESS OF 25kg SHOULD BE LIFTED BY TWO OR MORE
WORKERS ON A MECHANICAL DEVICE. WHERE THIS IS
NOT PRACTICAL, SUPPLIERS ON 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 THE MANUFACTURERS
SPECIFICATIONS AND NOT USED WHERE FAULTY OR (IN
THE CASE OF ELECTRICAL EQUIPMENT) NOT CARRYING
A CURRENT SAFETY TAG. ALL SAFETY GUARDS OR
DEVICES SHOULD BE REGULARLY CHECKED AND
PERSONAL PROTECTIVE EQUIPMENT (PPE) SHOULD BE
USED IN ACCORDANCE WITH MANUFACTURERS
SPECIFICATION.

OPERATIONAL USE OF BUILDING

THIS BUILDING HAS BEEN DESIGNED AS RESIDENTIAL
BUILDING. IF IT, AT A LATER DATE, 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.

HAZARDOUS SUBSTANCES

ASBESTOS

FOR ALTERATIONS TO A BUILDING CONSTRUCTED PRIOR TO
1410, IF THIS EXISTING BUILDING WAS CONSTRUCTED
PRIOR TO 1410-IT THEREFORE MAY CONTAIN ASBESTOS.
1418-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 (PPE)
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 THE
PROVISION FOR THE INCLUSION OF TREATED TIMBER
WITHIN THE STRUCTURE. DUST OR FUMES FROM OR IN
THE BUILDING DURING CONSTRUCTION, OPERATIONAL
MAINTENANCE OR DEMOLITION SHOULD ENSURE GOOD
VENTILATION AND WEAR PERSONAL PROTECTIVE
EQUIPMENT (PPE) 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 GLUES, 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 (PPE) MAY ALSO BE REQUIRED. THE
MANUFACTURERS 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 PART OF THE BODY. PERSONAL
PROTECTIVE EQUIPMENT (PPE) 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 (PPE) MAY ALSO BE
REQUIRED. THE MANUFACTURERS RECOMMENDATIONS FOR
USE MUST BE CONSIDERED AT ALL TIMES.

THESE NOTES MUST BE READ AND UNDERSTOOD BY ALL INVOLVED IN THE PROJECT, THIS INCLUDES (but not excluded to),
OWNER, BUILDER, SUB-CONTRACTORS, CONSULTANTS, RENOVATORS, MAINTENANCE WORKERS AND DEMOLISHERS

CLIENT: SCOTT AND SAMANTHA MORRISON

LOT: 417

DP: 201523

5

SCALE: 1 : 100

WHS

CUNNING ST, PORT MACQUARIE, NSW

PROJECT No: 1166RAM

DATE: 01/01/2020

DATE: 01/01/2020

DATE: 01/01/2020

DATE: 01/01/2020

DATE: 01/01/2020

DATE: 01/01/2020

DATE: 01/01/2020

DATE: 01/01/2020

DATE: 01/01/2020

DATE: 01/01/2020

DATE: 01/01/2020

DATE: 01/01/2020

DATE: 01/01/2020

DATE: 01/01/2020

DATE: 01/01/2020

DATE: 01/01/2020

DATE: 01/01/2020

REVISION:

DATE: 01/01/2020

DATE: 01/01/2020

DATE: 01/01/2020

DATE: 01/01/2020

DATE: 01/01/2020

DATE: 01/01/2020

DATE: 01/01/2020

DATE: 01/01/2020

DATE: 01/01/2020

DATE: 01/01/2020

DATE: 01/01/2020

DATE: 01/01/2020

DATE: 01/01/2020

DATE: 01/01/2020

DATE: 01/01/2020

DATE: 01/01/2020

DATE: 01/01/2020

DATE: 01/01/2020

DATE: 01/01/2020

DATE: 01/01/2020

DATE: 01/01/2020

DATE: 01/01/2020

DATE: 01/01/2020

DATE: 01/01/2020

DATE: 01/01/2020

DATE: 01/01/2020

DATE: 01/01/2020

DATE: 01/01/2020

DATE: 01/01/2020

DATE: 01/01/2020

DATE: 01/01/2020

DATE: 01/01/2020

DATE: 01/01/2020

DATE: 01/01/2020

DATE: 01/01/2020

DATE: 01/01/2020

DATE: 01/01/2020

DATE: 01/01/2020

DATE: 01/01/2020

DATE: 01/01/2020

DATE: 01/01/2020

DATE: 01/01/2020

DATE: 01/01/2020

DATE: 01/01/2020

DATE: 01/01/2020

DATE: 01/01/2020

DATE: 01/01/2020

DATE: 01/01/2020

DATE: 01/01/2020

DATE: 01/01/2020

DATE: 01/01/2020

DATE: 01/01/2020

DATE: 01/01/2020

DATE: 01/01/2020

DATE: 01/01/2020

DATE: 01/01/2020

DATE: 01/01/2020

DATE: 01/01/2020

DATE: 01/01/2020

DATE: 01/01/2020

DATE: 01/01/2020

DATE: 01/01/2020

DATE: 01/01/2020

DATE: 01/01/2020

DATE: 01/01/2020

DATE: 01/01/2020

DATE: 01/01/2020

DATE: 01/01/2020

DATE: 01/01/2020

DATE: 01/01/2020

DATE: 01/01/2020

DATE: 01/01/2020

DATE: 01/01/2020

DATE: 01/01/2020

DATE: 01/01/2020

DATE: 01/01/2020

DATE: 01/01/2020

DATE: 01/01/2020

DATE: 01/01/2020

DATE: 01/01/2020

DATE: 01/01/2020

DATE: 01/01/2020

DATE: 01/01/2020

DATE: 01/01/2020

DATE: 01/01/2020

DATE: 01/01/2020

DATE: 01/01/2020

DATE: 01/01/2020

DATE: 01/01/2020

DATE: 01/01/2020

DATE: 01/01/2020

DATE: 01/01/2020

DATE: 01/01/2020

DATE: 01/01/2020

DATE: 01/01/2020

DATE: 01/01/2020

DATE: 01/01/2020

DATE: 01/01/2020

DATE: 01/01/2020

DATE: 01/01/2020

DATE: 01/01/2020

DATE: 01/01/2020

DATE: 01/01/2020

DATE: 01/01/2020

DATE: 01/01/2020

DATE: 01/01/2020

DATE: 01/01/2020

DATE: 01/01/2020

DATE: 01/01/2020

DATE: 01/01/2020

DATE: 01/01/2020

DATE: 01/01/2020

DATE: 01/01/2020

DATE: 01/01/2020

DATE: 01/01/2020

DATE: 01/01/2020

DATE: 01/01/2020

DATE: 01/01/2020

DATE: 01/01/2020

DATE: 01/01/2020

DATE: 01/01/2020

DATE: 01/01/2020

DATE: 01/01/2020

DATE: 01/01/2020

DATE: 01/01/2020

DATE: 01/01/2020

DATE: 01/01/2020

DATE: 01/01/2020

DATE: 01/01/2020

DATE: 01/01/2020

DATE: 01/01/2020

ATTENTION:

CHECK PLANS AND MEASUREMENTS ON SITE BEFORE STARTING.

A SURVEYOR HAS NOT BEEN USED FOR THESE RLs AND CONTOURS.

CHECK TASK CERTIFICATE FOR ACCURATE PROJECT REQUIREMENTS.

BUSHFIRE AFFECTED SITES TO COMPLY WITH AS 3454.

CHECK BUSHFIRE NOTES FOR GAS BOTTLE LOCATION REQUIREMENTS.

ALL WORKS TO COMPLY WITH BCA (Building Code of Australia), RELEVANT AUSTRALIAN STANDARDS AND ALL DA (DEVELOPMENT APPLICATION) AND CC (CONSTRUCTION CERTIFICATE) GUIDELINES. REFER TO ENGINEER DETAIL FOR ALL EXCAVATIONS, REINFORCED CONCRETE STRUCTURAL SUPPORTS AND BRACING.

ALL SANITARY PLUMBING AND DRAINAGE TO AS 3500.

TIMBER FRAMING TO AS 1644.

WATERPROOFING TO AS 3740.

MECHANICAL VENTILATION IN WET AREAS, LAUNDRY AND KITCHENS TO BE DUCTED EXTERNALLY.

SMOKE ALARMS AS 3724.

TERMITE PROTECTION AS 3660.1.

GLASS IN BUILDINGS AS 1288 & WINDOWS TO AS 2047.

SHEET ROOFING & WALL CLADDING AS 1562.1.

TILE ROOFING AS 2044 AND AS 2050.

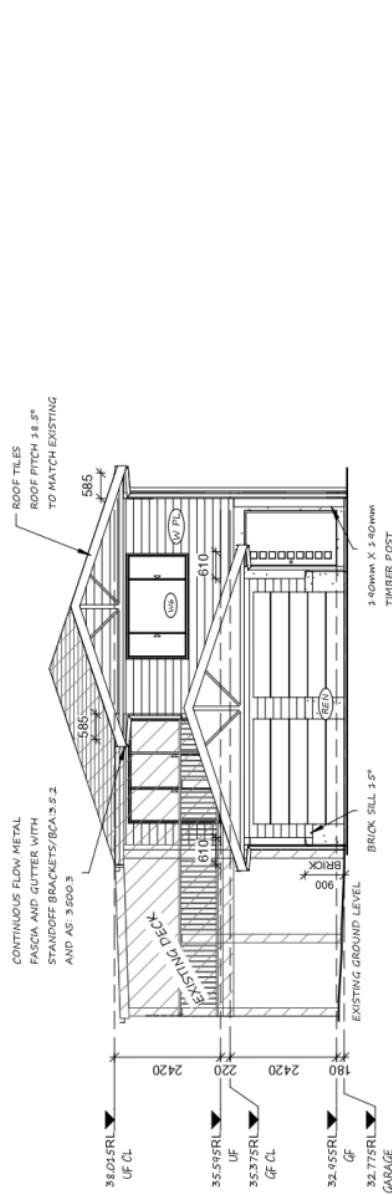
SWIMMING POOL FENCING AS 1424.1 - 2012.

POOL FILTER TO AS 1424.3.

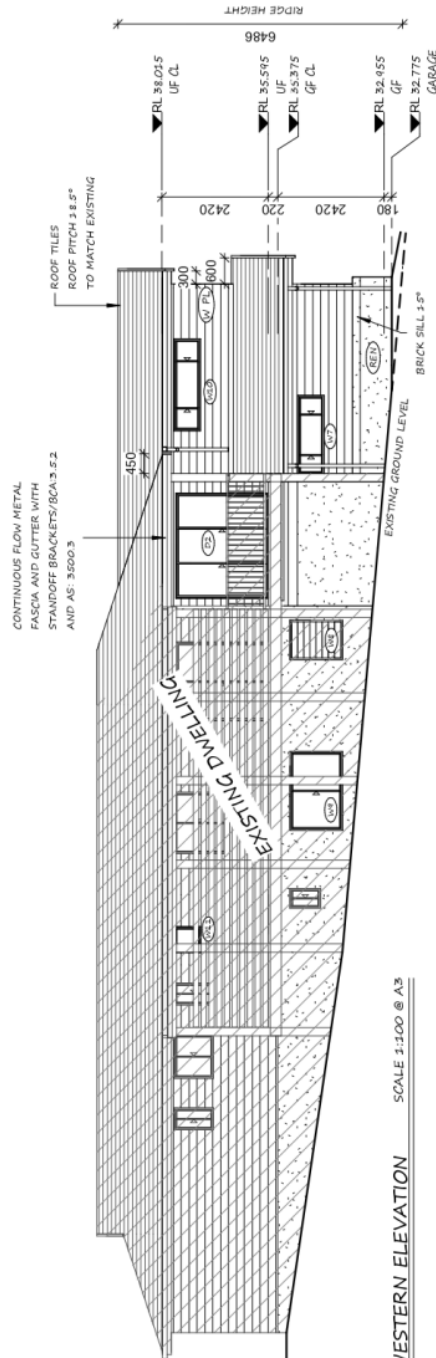
MATERIALS LEGEND:

- (FB) FACE BRICKWORK
- (BW) FACE BLOCKWORK
- (REB) RENDERED BRICKWORK
- (RFP) RENDERED FOAM PANEL
- (W PL) WEATHERTEX PRIMELOK
- (WGG 150) WEATHERTEX WEATHERGROOVE 150
- (WGG 300) WEATHERTEX WEATHERGROOVE 300
- (CB) COLORBOND SHEETING
- (LW) LINEA WALL CLADDING
- (AXD) AXON WALL CLADDING
- (STR) STRIA WALL CLADDING

ALL MEASUREMENTS TO BE CHECKED ON SITE PRIOR TO COMMENCEMENT



SOUTHERN ELEVATION SCALE 1:100 @ A3



WESTERN ELEVATION SCALE 1:100 @ A3

CLIENT: SCOTT AND SAMANTHA MORRISON		PROJECT No: 11-66804M		OFFICE PHONE: 0434924566	
LOT: 41.7	SCALE: 1 : 100	ELEVATIONS SW		EMAIL: plans@draftworx.net.au	
DIP: 208.523		PAGE No: 6 OF 10		ADDRESS: 26 BIRCHWOOD CRT, PORT MACQUARIE 2444	
# 5				<div><div>DRAFT</div><div>WORX</div><div>designs</div></div>	
CUNNING ST. PORT MACQUARIE, NSW		REVISION:			
		Date:	Completed:	Rev:	
		20/06/2020	CONCEPT	1	
		20/06/2020	DEVELOPMENT	2	
		20/06/2020	CONCEPT	3	
		20/06/2020	DEVELOPMENT	4	

ATTENTION:

CHECK PLANS AND MEASUREMENTS ON SITE BEFORE STARTING.

A SURVEYOR HAS NOT BEEN USED FOR THESE RLs AND CONTOURS.

CHECK BASIC CERTIFICATE FOR ACCURATE PROJECT REQUIREMENTS.

BUSHFIRE AFFECTED SITES TO COMPLY WITH AS 3454.

CHECK BUSHFIRE NOTES FOR GAS BOTTLE LOCATION REQUIREMENTS.

ALL WORKS TO COMPLY WITH BCA (Building Code of Australia), RELEVANT AUSTRALIAN STANDARDS AND ALL DA (DEVELOPMENT APPLICATION) AND CC (CONSTRUCTION CERTIFICATE) GUIDELINES.

REFER TO ENGINEERS DETAIL FOR ALL EXCAVATIONS, REINFORCED CONCRETE STRUCTURAL SUPPORTS AND BRACING.

ALL SANITARY PLUMBING AND DRAINAGE TO AS 3600.

TIMBER FRAMING TO AS 1684.

WATERPROOFING TO AS 3740.

MECHANICAL VENTILATION IN WET AREAS, LAUNDRY AND KITCHENS TO BE DUCTED EXTERNALLY.

SMOKE ALARMS AS 3786.

TERMITES PROTECTION AS 3660.1.

GLASS IN BUILDINGS AS 1288 & WINDOWS TO AS 2047.

SHEET ROOFING & WALL CLADDING AS 1592.1.

TILE ROOFING AS 2044 AND AS 2050.

SWIMMING POOL FENCING AS 1426.1 - 2012.

POOL FILTER TO AS 1426.3.

MATERIALS LEGEND:

(BR) FACE BRICKWORK

(BN) FACE BLOCKWORK

(REN) RENDERED BRICKWORK

(RFP) RENDERED FOAM PANEL

(WP) WEATHERTEX PRIMELOK

(WGT) WEATHERTEX WEATHERGROOVE 150

(WGT) WEATHERTEX WEATHERGROOVE 300

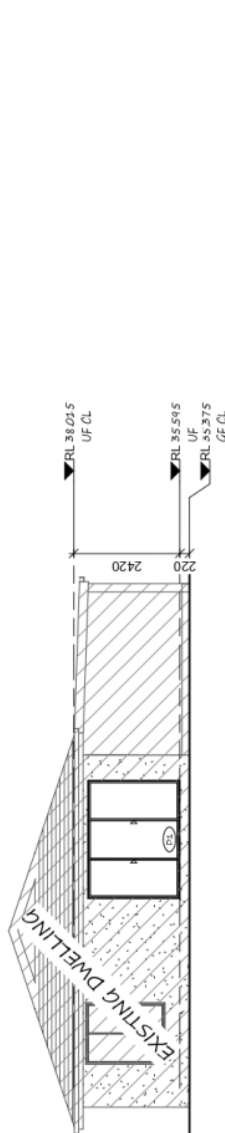
(CS) COLORBOND SHEETING

(LW) LINEA WALL CLADDING

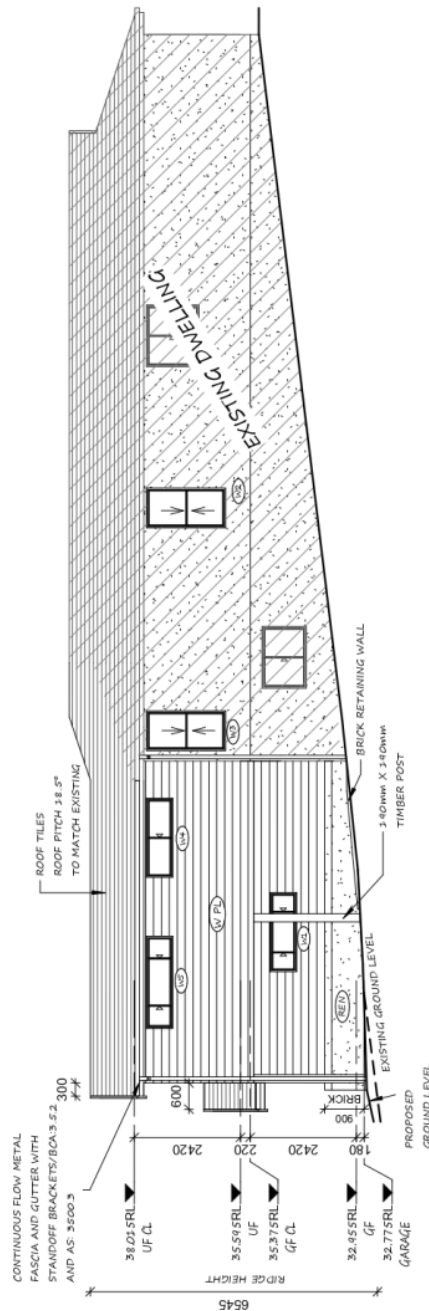
(AXD) AXON WALL CLADDING

(STR) STRIA WALL CLADDING

ALL MEASUREMENTS TO BE CHECKED ON SITE PRIOR TO COMMENCEMENT

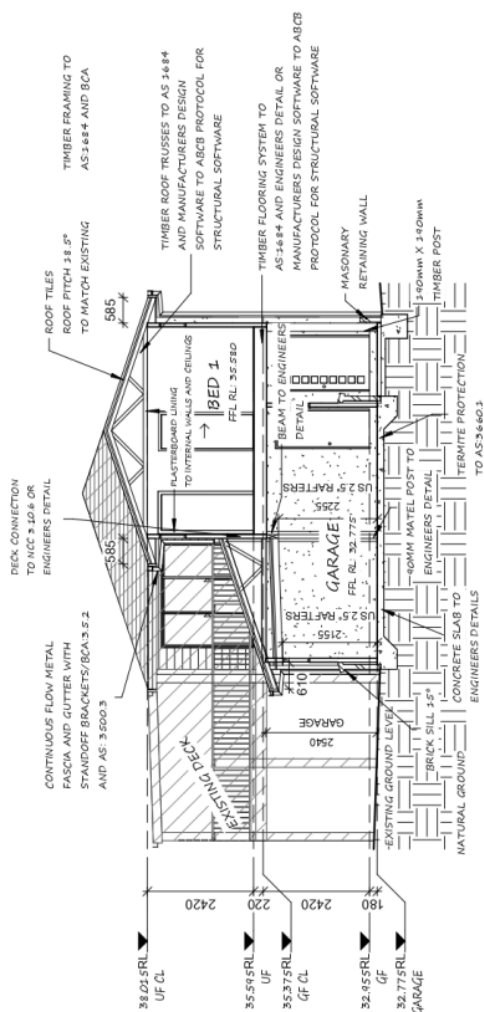


NORTHERN ELEVATION SCALE 1:100 @ A3



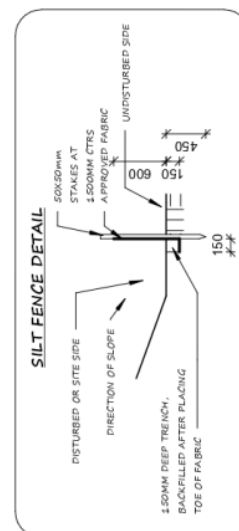
EASTERN ELEVATION SCALE 1:100 @ A3

CLIENT: SCOTT AND SAMANTHA MORRISON		PROJECT No: 1144804M		OFFICE PHONE: 0434924566	
LOT: 41.7		SCALE: 1:100		EMAIL: plans@draftworx.net.au	
DIP: 209 523		ELEVATIONS NE		ADDRESS: 26 BIRCHWOOD CRT,	
# 5		PAGE No: 7 of 10		PORT MACQUARIE 2444	
CUNNING ST, PORT MACQUARIE, NSW		REVISION:		DRAFT WORX designs	
		Date: 24/06/2020		Completed: 1	
		Drawn by: SCOTT MORRISON		Revised: 1	
		Checked by: SCOTT MORRISON		Revised: 1	
		Approved by: SCOTT MORRISON		Revised: 1	
		Final Check: SCOTT MORRISON		Revised: 1	



SECTION A - A
SCALE 1:100 @ A3

SCALE 1:100 @ A3

[illegible]

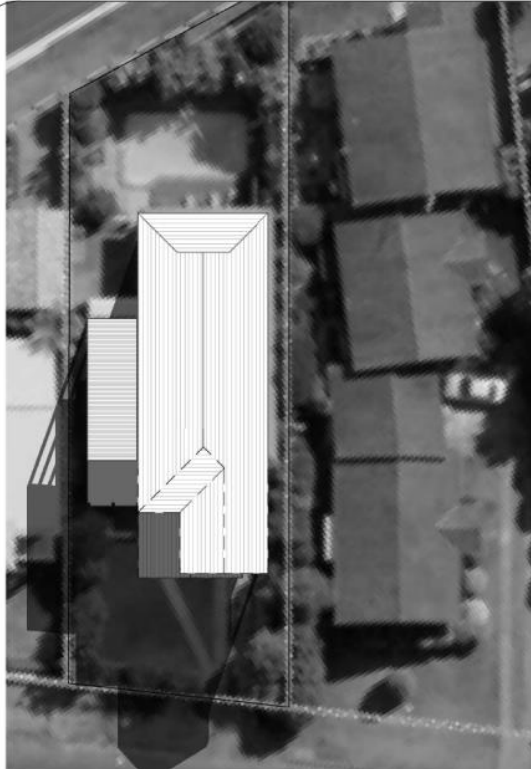
ALL MEASUREMENTS TO BE
CHECKED ON SITE PRIOR TO
COMMENCEMENT

NE: 0434924566
plans@draftworx.net.au
26 BIRCHWOOD CRT,
PORT MACQUARIE 2444



**DRAFT
WORX** designs

CLIENT: SCOTT AND SAMANTHA MORRISON		PROJECT No: 111669-AM		REVISION:	
LOT: 417		DATE: 02/02/2016	CONCEPT	REV:	
PDF: 208.023	SCALE: As indicated	DATE: 02/02/2016	CONCEPT	1	
# 5		DATE: 02/02/2016	CONCEPT	2	
SECTION AND WINDOW		DATE: 02/02/2016		CONCEPT	3
SCHEDULE		DATE: 02/02/2016		CONCEPT	4
CUNNING ST. FORT MACQUEEN, NEW		DATE: 02/02/2016		CONCEPT	5



SHADOW DIAGRAM SCALE 1:300 @ A3
WINTER SOLSTICE 9AM



SHADOW DIAGRAM SCALE 1:300 @ A3
WINTER SOLSTICE 12PM



SHADOW DIAGRAM SCALE 1:300 @ A3
WINTER SOLSTICE 3PM



SHADOW DIAGRAM SCALE 1:300 @ A3
WINTER SOLSTICE 5PM

CLIENT: SCOTT AND SAMANTHA MORRISON

LOT: 417

DP: 208523

5

SCALE: 1:300

SHADOW DIAGRAMS

CUNNING ST, PORT MACQUARIE, NSW

PROJECT No:
1166RAM

PAGE No:
11 OF

REVISION:

Date:	Completed:	Rev:
24/05/2020	CLIENT	1
4/6/2020	CLIENT CHANGES	2
1/7/2020	GARAGE UPPER FLOOR CHANGES	3
20/6/2020	FINAL PRINT	4
8/6/2020	DAWG PLANE	5

DRAFT
WORX
designs

OFFICE PHONE: 0434924566

EMAIL: plans@draftworx.net.au

ADDRESS: 26 BIRCHWOOD CRT,
PORT MACQUARIE 2444

Item: 07

Subject: DA2020 - 101.1 SHOP TOP HOUSING AND ALTERATIONS AND ADDITIONS TO COMMERCIAL BUILDING, AT LOT 1 DP 1041388 NO. 36 HIGH STREET WAUCHOPE.

Report Author: Development Assessment Planner, Steven Ford

Applicant:	MKD Architects
Owner:	Ideal IF Pty Ltd
Estimated Cost:	\$954,593
Parcel no:	8926

Alignment with Delivery Program

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

RECOMMENDATION

That DA 2020.101.1 for Shop Top Housing and Alterations and Additions to Commercial Building at Lot 1, DP 1041388, No. 36 High Street, Wauchope, be determined by granting consent subject to the recommended conditions.

Executive Summary

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

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

The proposal has been amended during the assessment of the application. Changes have been made to provide 4 off street car parking spaces and decrease the gross floor area of the existing commercial buildings.

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

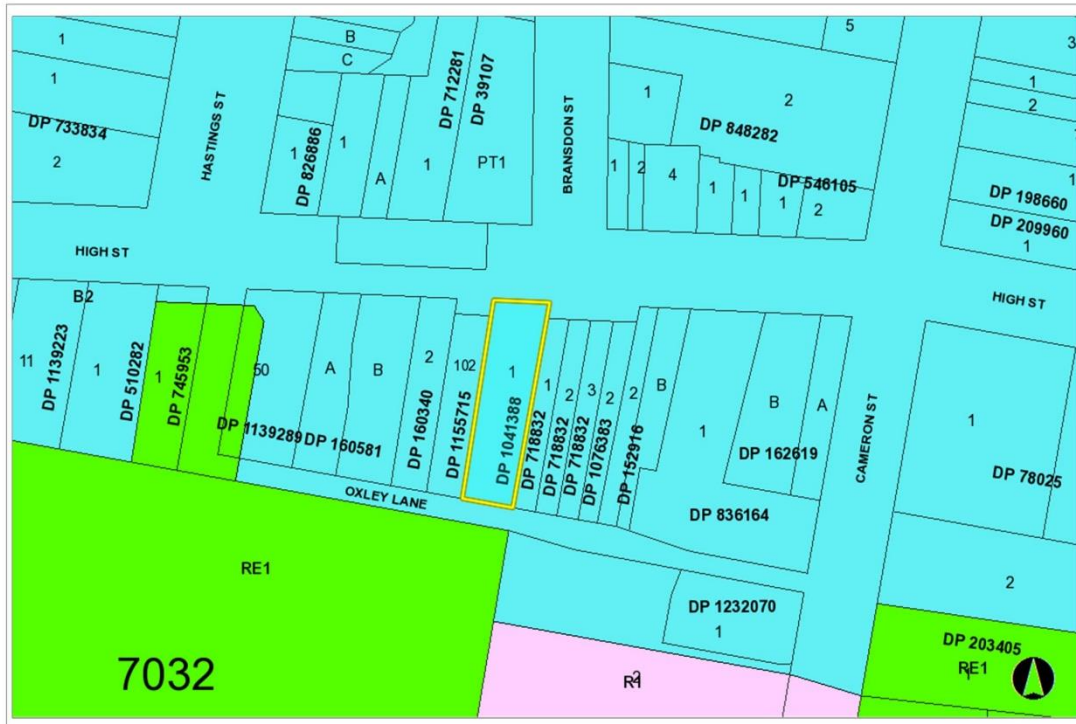
This report recommends that the development application be approved subject to the attached conditions (**Attachment 1**).

1. BACKGROUND

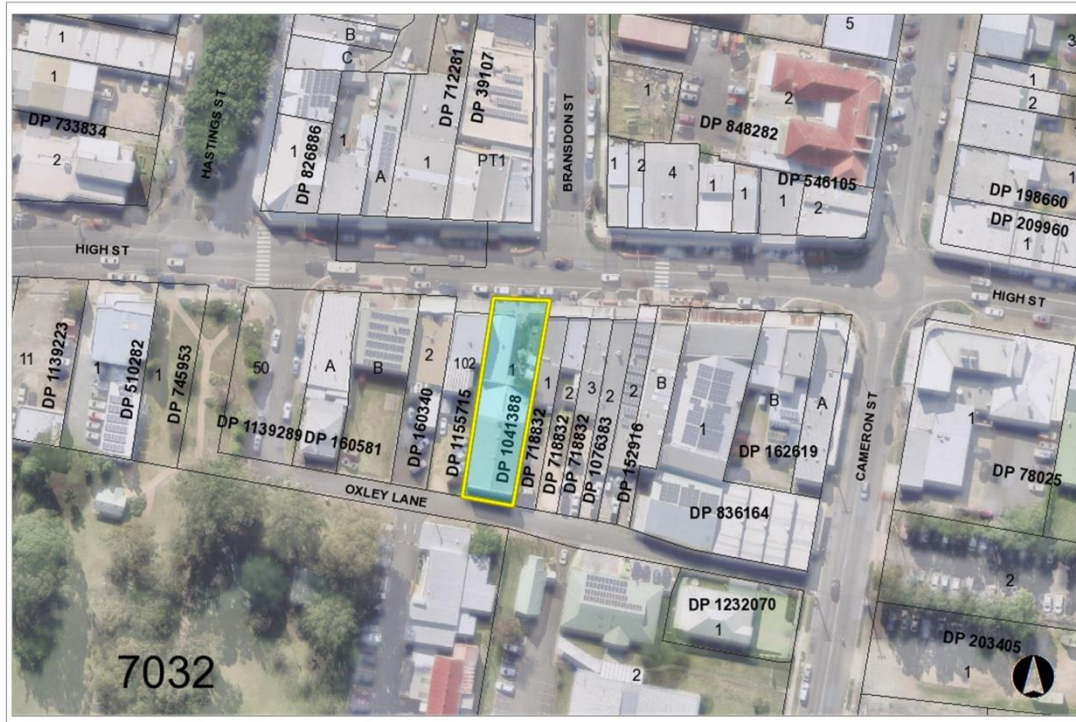
Existing Sites Features and Surrounding Development

The site has an area of 770m².

The site is zoned B2 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:

- Creation of an additional floor to create Shop Top Housing, consisting four single bedroom apartments.
- Alterations and Additions to existing commercial building to provide access and storage to the first floor and rear lane car parking.
- No off-street car parking provided for the existing commercial buildings.

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

Application Chronology

- 14 February 2020 - Application Lodged
- 26 February to 11 March 2020 - Public Notification, one submission received.
- 24 March 2020 - Additional information response received
- 3 April 2020 - Amended plans received
- 16 April 2020 - Confirmation of waste collection received

3. STATUTORY ASSESSMENT

Section 4.15(1) Matters for Consideration

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

(a) The provisions (where applicable) of:

(i) Any Environmental Planning Instrument**State Environmental Planning Policy No. 55 – Remediation of Land**

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

State Environmental Planning Policy No. 64 – Advertising and Signage

The proposed development does not include advertising signage in the form of business/building identification and/or general advertising.

State Environmental Planning Policy (Coastal Management) 2018

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

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

A BASIX certificate (number 1070952M) 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 101 refers to development with frontage to a classified road. In this case, the development does not create any additional crossovers onto the classified road or substantial increase in traffic. Therefore, no adverse impact on the road network will occur.

In terms of noise impacts, the dwellings will provide screening and/or separation to the classified road. It also appears that AADT numbers range is less than 6,000 vehicles per day in that area of High Street based on RMS data. Using the *Development Near Rail Corridors and Busy Roads* document as a guide, the assessment has directly quantified the existing ambient environment with respect to road and CBD noise emissions via direct measurement. Noise measurements identified that standard glazing would be suitable for attenuating noise levels for each façade of residential Unit 4. For the north facing residential units (Unit 1-3), it is noted that there are no bedrooms with glazing that is exposed to the local road network. However, for the living rooms with glazing to the northern façade, it is recommended Category 2 glazing (as a minimum) be used to satisfy internal noise criteria.

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

Based on the above, the proposed development addresses relevant clauses in the SEPP and will not to create any significant adverse conflict in terms of traffic or noise.

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 - The proposed development for Shop Top Housing and Alterations and Additions to Commercial Building is a permissible landuse with consent.

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 a safe public environment.

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

- the proposal is a permissible landuse;

- 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 9.1 m which complies with the standard height limit of 11.5 m applying to the site.
- Clause 4.4 - The floor space ratio of the proposal is 0.88:1.0 which complies with the maximum 1.5:1 floor space ratio applying to the site.
- Clause 5.10 - Heritage - The site does not contain or adjoin any known heritage items or sites of significance.
- Clause 7.9 - Development subject to acoustic controls
- Clause 7.13 - Satisfactory arrangements are in place for provision of essential services including water supply, electricity supply, sewer infrastructure, stormwater drainage and suitable road access to service the development. Provision of electricity will be subject to obtaining satisfactory arrangements certification prior to the issue of an Occupation Certificate as recommended by a condition of consent.

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

No draft instruments apply to the site.

(iii) Any Development Control Plan in force

Port Macquarie-Hastings Development Control Plan 2013

<i>DCP 2013: Residential Flat Development, Tourist and Visitor Accommodation and Mixed Use Development</i>			
DCP Objective	Development Provisions	Proposed	Complies
3.3.2.2 1	Dwellings not at ground level have balconies with minimum area 8m ² and minimum dimension 2m.	Dwellings/units are located on level 1. All units achieve the development provisions of this clause, as follows; Unit 1 - 8.8m ² Unit 2 - 8.5m ²	Yes

		Unit 3 - 9m ² Unit 4 - 10.8m ²	
3.3.2.2 8	Development complies with AS/NZS2107:2000 <i>Acoustic – Recommended design sound levels and reverberation times for building interiors for residential development.</i>	An acoustic report by Muller Acoustic Consulting Pty Ltd was submitted with this application and concluded that suitable acoustic levels were achievable. Condition recommended confirming this requirement. Units 1-3 require Category 2 Unit 4 - no special requirements	Yes
3.3.2.3 0	Direct views between living room windows to be screened where: <ul style="list-style-type: none"> • Ground floor windows are within 9m of windows in an adjoining dwelling. • Other floors are within a 12m radius. • Living room windows are within 12m radius of the principal area of private open space of other dwellings. 	Adjacent uses are commercial. The first floor addition has orientated primary living areas and open space towards the front and rear boundary, being High Street and Oxley Lane. The primary façade has been provided with both fixed and moveable privacy screening for added privacy, which achieves the objectives of this clause. No additional privacy screening required.	Yes
	Balconies, decks, etc. screened if <3m from boundary and floor area >3m ² and floor level >1m above ground level.	Adequate privacy screening have been included into façade design, achieving the design provisions of this clause.	Yes
3.3.2.3 3	Developments located close to open space, recreation, entertainment and employment.	The site is located in the Wauchope Town Centre, within close proximity to retail, recreation, public open space, etc.	Yes
3.3.2.4 0	Minimum 1 balcony per apartment.	Minimum requirements complied with.	Yes
	Main balcony accessible from living area.	All balconies are directly accessible from primary living areas.	Yes
	Balconies take advantage of favourable climatic conditions.	Units 1 to 3 are primarily north facing and due to site restrictions Unit 4's balcony/deck is south facing. It should be noted that it is not possible for all balconies to be north facing in such proposals.	Yes
	Balconies and	Partially solid balustrade.	Yes

	balustrades balance privacy and views.		
3.3.2.4 2	Secure open air clothes drying facilities that are: <ul style="list-style-type: none"> easily accessible, screened from public domain and communal spaces, located with high degree of solar access. 	Opportunity for open air clothes drying on balconies and screened from public areas.	Yes
3.3.2.4 4	Public and private space clearly defined.	Yes	Yes
	Entrances: <ul style="list-style-type: none"> oriented to public street, provide direct and well lit access between car parks, lift lobbies and unit entrances, optimise security by grouping clusters (max. 8) around a common lobby 	The main pedestrian entrance is visible from High Street and provides access to the commercial and residential tenancies via an open foyer. In addition, pedestrian access from the rear car park has been provided to the open foyer. The pedestrian access from the rear car park is lockable and capable of being well lit for security purposes.	Yes
	Surveillance facilitated by: <ul style="list-style-type: none"> views over public space from living areas, casual views of common internal areas, provision of windows and balconies, separate entries to ground level apartments. 	Opportunity for casual surveillance available with views to both High Street and Oxley Lane.	Yes
	Concealment avoided by: <ul style="list-style-type: none"> preventing dark or blind alcoves, providing lighting in all common areas, providing graded car parking illumination (greater at entrances). 	The carpark is visible from Oxley Lane and adequate security lighting can be provided and surveillance can be retrofitted. The residential entrance can be managed adequately by key access.	Yes
	Access to all parts of the building to be controlled.	Yes	Yes
3.3.2.4 5	Accessible storage provided for tenants in basement car park or garages.	No permanent storage space available within the at grade uncovered car park.	No, but acceptable given the parking constraints

			on the site.
	One bike stowage space per dwelling provided.	Adequate storage space available within the unit for a bike.	Acceptable

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. Housing opportunities in the CBD may improve natural surveillance within the locality and openings will overlook public areas/laneways adjoining the site.	Yes
2.4.3	Bushfire risk, Acid sulphate soils, Flooding, Contamination, Airspace protection, Noise and Stormwater	Refer to main body of report.	
2.5.3.2	New accesses not permitted from arterial or distributor roads. Existing accesses rationalised or removed where practical	The proposal has direct frontage to High Street Wauchope, which is part of the Oxley Highway. However, no new accesses are proposed impacting the Oxley Highway.	N/A
2.5.3.3	Off-street parking in accordance with Table 2.5.1: <p>Retail/Office/Café, etc - 1 per 30 m² GLFA or 1.5 spaces per office (min), whichever is the greater</p> <p>1 space = single dwelling (behind building line) and dual occupancy</p> <p>Residential Flat – 1 per 1 or 2 bed dwelling or 1.5 per 3-4 bed dwelling + 1 visitor/4 dwellings</p>	Existing building has 446m ² of gross lettable floor area and an open space courtyard accessible to the public. As these areas are existing, the existing site has a car parking credit of approximately 15 spaces (446m ² /30m ²). <p>The site currently has no off street car parking; relying on the nearby time-limited parking and pedestrian traffic.</p> <p>During the assessment period, amended plans were provided which</p>	No, But Acceptable considering that the main off street car parking demand is from the existing commercial space.

		<p>proposes part demolition of the existing building and provides 4 parking spaces to the rear of the site on Oxley Lane. This was to provide 1 space per proposed dwelling.</p> <p>The proposal now includes, decreasing the existing commercial floor area from 446m² to 339m² GLA, and 4x1 bedroom dwellings.</p> <p>Therefore, additional parking requirements are: 4x 1bd dwellings: 4 Visitor : 1 Commercial (339m²) (rounded): 12 Total Required: 17 spaces</p> <p>The total overall parking demand of the development is therefore 17 spaces.</p> <p>With considering the existing developments car parking credit of 15 spaces, only 2 calculated additional spaces are required for the proposed development.</p> <p>The proposal has provided 4 physical off-street parking space, as well as, a decrease in off-street car parking demand of the commercial components. 1 visitor parking space has not been provided but it is considered acceptable to apply the parking credit to address this 1 parking space.</p> <p>See comments below</p>	
2.5.3.11	Section 94 contributions	Refer to main body of report.	

Assessment Checklist for DCP 2011 – Mixed Use Development: (Note: An assessment against the Residential, Tourist and Visitor Accommodation and Ancillary Development section for any residential component of any mixed use development is required).

Requirements	Proposed	Complies
Mixed use Development: <ul style="list-style-type: none"> For the purpose of mixed use development, 'place' is defined as being on the same lot or within those lots that are the subject of a single development application for 'mixed use development'. 	One level of commercial with one storey residential above.	Yes
<ul style="list-style-type: none"> Mixed use developments are located in areas close to key business, commercial and employment centres with good public transport accessibility. 	Located in the Wauchope town centre, close to key employment areas, businesses and public transport.	Yes
<ul style="list-style-type: none"> The development must be designed so that loading bays, garbage collection areas and noise and odour generating aspects of buildings are located away from residential areas. Vehicular circulation systems are legible and differentiate between commercial service requirements, such as loading docks, and residential access. Residential entries are located directly from the public street and clearly demarcated from entries to commercial premises. Security entries are to be provided to all entrances into private areas, including car parks and internal courtyards. Where possible acoustic separation between loud commercial uses (such as cafés and restaurants) and residential uses is achieved by utilising an intermediate quiet-use barrier, such as offices. Plant is located on the roof or visually and acoustically isolated from the residential uses. 	<p>Bin storage has been provided in an accessible location and capable of being serviced by private contractor. Waste service letter provided by JR Richards & Sons.</p> <p>No vehicular circulation impacts identifiable.</p> <p>Residential parking directly accessible from Oxley Lane.</p> <p>All entries are capable of being controlled and secured via access keys and lighting.</p> <p>Acoustic report prepared by Muller Acoustic Consulting Pty Ltd recommends that the proposal is capable of complying subject to recommendations.</p> <p>Plant equipment is not visible from the street.</p>	Yes

The proposal seeks to vary development provision 2.5.3.3 relating to visitor parking by not providing the required one physical off street visitor car parking space.

The relevant objectives are:

- Adequate provision is made for off-street parking commensurate with volume and turnover of traffic likely to be generated by the development.
- To ensure no adverse impacts on traffic and road function.

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

- The site is located in the Wauchope Town Centre
- The site is located within close proximity public transport, community facilities, shop and employment.
- There is adequate pedestrian access and connections to adjoining commercial businesses, retail, restaurants and entertainment.
- Much trade/visitation of the proposal can be assumed as multi-purpose trips where clients can be undertaking a number of tasks in the one trip to the CBD
- There is short-term and medium-term on-street parking opportunities during business hours available near the site to accommodate the parking needs of clients/visitors.
- The proposal does not reduce the amount of street parking in High Street or restricts parking to adjoining properties.
- The existing site provides no off street car parking and is completely reliant on public car parking for the existing commercial use.
- Four (4) physical off street car parking space have been provided for the proposed four (4) dwellings.

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

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

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

(iv) Any matters prescribed by the Regulations

Demolition of buildings AS 2601 – Clause 92

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

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

Context and setting

- The site has a general northern street frontage orientation to High Street.
- The proposal is located in the Wauchope town centre and has direct frontage to High Street and Oxley Lane.
- The proposal will not have any significant adverse impacts to existing adjoining properties and satisfactorily addresses the public domain.
- The proposal is considered to be consistent with other residential development in the locality and adequately addresses planning controls for the area.
- 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. Adequate building separation and tenancy is proposed/existing.
- There are no significant adverse overshadowing impacts. The proposal does not prevent adjoining properties from receiving 3 hours of sunlight to private open space and primary living areas on 21 June between the hours of 9am and 3pm.

Roads

The site has road frontage to High Street (Oxley Highway) and Oxley Lane, Wauchope.

Adjacent to the site, High Street is a sealed public road under the care and control of Council. High Street is a RMS Classified road with a varying road formation width of 12.0 to 15.0m within a road reserve of 20.0m. SA kerb is used predominantly in the street, however there is a section of SE kerb and gutter along the immediate frontage of the site. There is a paved footpath across the full frontage of the site and designated street parking within the road reserve.

At the rear of the site, Oxley Lane is a sealed public road under the care and control of Council. High Street is a Local Street with a road formation width of 6.0m within a road reserve of 7.0m. SA kerb is present on the southern side of the street, while SE kerb and gutter is used along the northern side.

Traffic and transport

The site is currently approved for commercial use and the addition in traffic associated with the development is unlikely to have any adverse impacts to the existing road network within the immediate locality.

Site frontage and access

Vehicle access to the site is proposed through one access driveway to Oxley Lane at the rear of the property. Provision has been made for to allow for 4 x parking spaces to accommodate the residential apartments, while still allowing commercial access to the Printing business via a central driveway. Customer parking shall remain unchanged, with the parking spaces available in High Street. All accesses shall comply with Council AUSPEC and Australian Standards, and conditions have been imposed to reflect these requirements.

High Street (Oxley Highway) 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 works on this road. Details shall be provided as part of a Roads Act (Section 138) application to Council.

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

- The re-instatement of SA type kerb and gutter along the full road frontage of High Street
- Full-width concrete footpath paving along the full frontage of High Street

Parking and manoeuvring

A total of 4 parking spaces have been provided on-site. Parking and driveway widths on site are capable of complying with relevant Australian Standards (AS 2890) and conditions have been imposed to reflect these requirements.

Water supply connection

Council records indicate that the development site has an existing 20mm metered water service. Each proposed unit shall be individually metered for water. The meters shall be at the road frontage of the property or internally with a master meter at the road frontage. Details are to be shown on the engineering plans.

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

Sewer connection

Council records indicate that the development site is connected to sewer via a junction to the existing sewer main outside the southern boundary of the development site. The proposed development can discharge all sewage to this junction.

There are no Sewer Section issues besides S68 and contributions if applicable.

Stormwater

The site naturally grades towards the street frontage and is currently serviced via an existing a direct connection to the public piped drainage system.

The legal point of discharge for the proposed development is defined as a direct connection to Council's stormwater pit/pipeline within High Street.

Stormwater from the proposed development is planned to be disposed via a direct connection to Council's piped stormwater network, which is consistent with the above requirements.

A detailed site stormwater management plan will be required to be submitted for assessment with the S.68 application and prior to the issue of a CC.

In accordance with Councils AUSPEC requirements, the following must be incorporated into the stormwater drainage plan:

- On site stormwater detention facilities

1.

Other utilities

Telecommunication and electricity services are available to the site.

Heritage

Following a site inspection (and a search of Council/AHIMS records), no known items of Aboriginal or European heritage significance exist on the property. No adverse impacts anticipated.

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

Other land resources

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

Water cycle

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

Soils

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

Air and microclimate

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

Flora and fauna

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. Bin storage has been provided in an accessible location and capable of being serviced by private contractor. Waste service letter provided by JR Richards & Sons.

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 or Section J of the Building Code of Australia. No adverse impacts anticipated.

Noise and vibration

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

A noise report prepared by Muller Acoustic Consulting has been submitted for the proposed development. Noise measurements identified that standard glazing would be suitable for attenuating noise levels for each façade of residential Unit 4. For the north facing residential units (Unit 1-3), it is noted that there are no bedrooms with glazing that is exposed to the local road network. However, for the living rooms with glazing to the northern façade, it is recommended Category 2 glazing (as a minimum) be used to satisfy internal noise criteria. A condition requiring confirmation of the report recommendation to be provided prior to construction.

Bushfire

The site is not identified as being bushfire prone.

Safety, security and crime prevention

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

surveillance within the locality and openings from each dwelling overlook common and private areas.

Social impacts in the locality

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

Economic impact in the locality

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

Site design and internal design

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

Construction

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

Cumulative impacts

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

(c) The suitability of the site for the development

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

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

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

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

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

Submission Issue/Summary	Planning Comment/Response
<p>Non provision of car parking on site.</p> <p>Compounding issue adding an additional 4 car parking space shortfall to the town centre is not in the best interest of the existing Wauchope Businesses.</p>	<p>During the assessment, amended plans have been provided providing adequate off street car parking for the residential dwellings component of this application.</p> <p>Based on the development provisions of the development control plan 2013, 4 off street parking spaces being proposed, the decreased in gross commercial floor area and the existing car parking credit. There are not enough grounds to refuse the application on this basis.</p> <p>See discussion and justification earlier in this report.</p>

(e) The Public Interest

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

4. DEVELOPMENT CONTRIBUTIONS 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.
2.
- A copy of the contributions estimate is included as **Attachment 3**.

5. CONCLUSION AND STATEMENT OF REASON

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

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

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

Attachments

1. [DA2020 - 101.1 Recommended Conditions](#)
2. [DA2020 - 101.1 Plans](#)
3. [DA2020 - 101.1 Contributions Estimate](#)

AGENDA

DEVELOPMENT ASSESSMENT PANEL 24/06/2020

4. DA2020 - 101.1 SOEE

**FOR USE BY PLANNERS/SURVEYORS TO PREPARE LIST OF
PROPOSED CONDITIONS - 2011****NOTE: THESE ARE DRAFT ONLY****DA NO: 2020/101****DATE: 15/06/2020****PRESCRIBED CONDITIONS**

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

A – GENERAL MATTERS

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

Plan / Supporting Document	Reference	Prepared by	Date
Architectural Plans	18833 (Revision B)	MKD Architects	April 2020
BASIX Certificate	1070952M	Outsource Ideas P/L	4 February 2020
Acoustic Report	MAC191031-01RP1	Müller Acoustic Consulting	13 February 2020
Statement of Environmental Effects	M200025	Planning Ingenuity Pty Ltd	11 February 2020

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

- (2) (A002) No building or subdivision work shall commence until a Construction Certificate or Subdivision Works Certificate has been issued and the applicant has notified Council of:
- 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) (A008) Any necessary alterations to, or relocations of, public utility services to be carried out at no cost to council and in accordance with the requirements of the relevant authority including the provision of easements over existing and proposed public infrastructure.
- (4) (A009) The development site is to be managed for the entirety of work in the following manner:

1. Erosion and sediment controls are to be implemented to prevent sediment from leaving the site. The controls are to be maintained until the development is complete and the site stabilised with permanent vegetation;
2. Appropriate dust control measures;
3. Building equipment and materials shall be contained wholly within the site unless approval to use the road reserve has been obtained. Where work adjoins the public domain, fencing is to be in place so as to prevent public access to the site;
4. Building waste is to be managed via appropriate receptacles into separate waste streams;
5. Toilet facilities are to be provided on the work site at the rate of one toilet for every 20 persons or part of 20 persons employed at the site.
6. Building work being limited to the following hours, unless otherwise permitted by Council;
 - Monday to Saturday from 7.00am to 6.00pm
 - No work to be carried out on Sunday or public holidaysThe builder to be responsible to instruct and control his sub-contractors regarding the hours of work.
- (5) (A011) The design and construction of all public infrastructure works shall be in accordance with Council's adopted AUSPEC Specifications.
- (6) (A012) This consent does not provide for staging of the development. Any staging will require a separate consent or an amendment to this consent.
- (7) (A014) This approval does not provide any indemnity to the owner or applicant under the Disability Discrimination Act 1992 with respect to the provision of access and facilities for people with disabilities.
- (8) (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.
- (9) (A030) The restoration of any vehicle access rendered redundant by the development, to standard kerb and footpath formation at no cost to Council, in accordance with Council's current AUSPEC Specifications and Standards. All works must be approved by Council pursuant to Section 138 of the Roads Act.
- (10) (A033) The applicant shall provide security to the Council for the payment of the cost of the following:
 - a. making good any damage caused to any property of the Council as a consequence of doing anything to which the consent relates,
 - b. completing any public work (such as road work, kerbing and guttering, footway construction, utility services, stormwater drainage and environmental controls) required in connection with the consent,
 - c. remedying any defects in any such public work that arise within twelve (12) months after the work is completed.

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

The security is to be for such reasonable amount as is determined by the consent authority, being an amount that is 10% of the contracted works for Torrens Title subdivision development/the estimated cost plus 30% for

building development of public works or \$5000, whichever is the greater of carrying out the development by way of:

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

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

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. Public parking areas including;
 - a. Driveways and access aisles;
 - b. Parking bays
 - c. Delivery vehicle service bays & turning areas in accordance with AS2890.
 2. Water supply plans shall include hydraulic plans for internal water supply services and associated works in accordance with AS 3500, Plumbing Code of Australia and Port Macquarie-Hastings Council Policies.
 3. Stormwater systems.
 4. 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
 5. Detailed driveway profile in accordance with Australian Standard 2890, AUSPEC D1, and ASDASD 202, Port Macquarie-Hastings Council current version.

6. Provision of a full width concrete footpath across the full road frontage of the property.
- (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) (B010) Payment to Council, prior to the issue of the Construction Certificate of the Section 7.11 contributions set out in the "Notice of Payment – Developer Charges" schedule attached to this consent unless deferral of payment of contributions has been approved by Council. The contributions are levied, pursuant to the Environmental Planning and Assessment Act 1979 as amended, and in accordance with the provisions of the following plans:
- Port Macquarie-Hastings Administration Building Contributions Plan 2007
 - Hastings S94 Administration Levy Contributions Plan
 - Port Macquarie-Hastings Open Space Contributions Plan 2018
 - Hastings S94 Major Roads Contributions Plan
 - Port Macquarie-Hastings Community Cultural and Emergency Services Contributions Plan 2005

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

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

- (5) (B011) As part of Notice of Requirements by Port Macquarie-Hastings Council as the Water Authority under Section 306 of the Water Management Act 2000, the payment of a cash contribution, prior to the issue of a Construction Certificate, of the Section 64 contributions, as set out in the "Notice of Payment – Developer Charges" schedule attached to this consent unless deferral of payment of contributions has been approved by Council. The contributions are levied in accordance with the provisions of the relevant Section 64 Development Servicing Plan towards the following:
- augmentation of the town water supply headworks
 - augmentation of the town sewerage system headworks

- (6) (B024) Submission to Council of an application for water meter hire, which is to be referred to the Water Supply section so that a quotation for the installation can be prepared and paid for prior to the issue of a Construction Certificate. This application is also to include an application for the disconnection of any existing service not required.
- (7) (B038) Footings and/or concrete slabs of buildings adjacent to sewer lines or stormwater easements are to be designed so that no loads are imposed on the infrastructure. Detailed drawings and specifications prepared by a practising chartered professional civil and/or structural engineer are to be submitted to the Principal Certifying Authority with the application for the Construction Certificate. Certification that the construction of footings and piers has been carried out in accordance with the approved drawings and specifications shall be provided by a practising chartered professional civil and/or structural engineer to the Principal Certifying Authority with the application for the Section 307 - Certificate of Compliance/Occupation Certificate.
- (8) (B041) Prior to the issue of the Construction Certificate a dilapidation report shall be prepared by a suitably qualified person for buildings on adjoining properties. Such report shall be furnished to the Principal Certifying Authority.
- (9) (B045) A schedule of existing and proposed fire safety measures is to be submitted to the Principal Certifying Authority with the application for the Construction Certificate.
- (10) (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 drainage system. specifically all site stormwater discharge from the proposed development is to be directed to the existing kerb inlet pit at the High Street frontage of the site, unless otherwise agreed by Council.
- In this regard, Council's piped drainage system must be extended by an appropriately sized pipeline (minimum 375mm diameter) to the frontage of the site, where a kerb inlet pit (minimum 2.4m lintel) must be installed, to allow direct piped connection from the development site into the public drainage system.
- The pipeline must be designed to have the capacity to convey flows that would be collected at that section of street as generated by a 20 year Average Recurrence Interval storm event.
- (11) (B053) The design of the carpark and accesses is to be in accordance with Australian Standard 2890 (including AS 2890.1, AS 2890.2 and AS 2890.6). Certification of the design by a suitably qualified consultant is to be provided to the Principal Certifying Authority prior to release of the Construction Certificate.
- (12) (B195) Council records indicate that the development site has an existing 20mm metered water service. Each proposed unit shall be individually metered for water. The meters shall be at the road frontage of the property or internally with a master meter at the road frontage. Details are to shown on the engineering plans.

- (13) (B196) Before the release of the Construction Certificate, to the certifying authorities satisfaction, design details are to be demonstrated in accordance with the recommendations of the Noise Assessment prepared by Mullar Acoustic Consulting Pty Ltd, Ref: MAC191031-01RP1, dated 13 February 2020.

C – PRIOR TO ANY WORK COMMENCING ON SITE

- (1) (C001) A minimum of one (1) week's notice in writing of the intention to commence works on public land is required to be given to Council together with the name of the principal contractor and any major sub-contractors engaged to carry out works. Works shall only be carried out by a contractor accredited with Council.
- (2) (C004) Prior to works commencing an application being made to electricity and telecommunications providers
- (3) (C013) Where a sewer manhole and Vertical Inspection Shaft exists within a property, access to the manhole/VIS shall be made available at all times. Before during and after construction, the sewer manhole/VIS must not be buried, damaged or act as a stormwater collection pit. No structures, including retaining walls, shall be erected within 1.0 metre of the sewer manhole or located so as to prevent access to the manhole.

D – DURING WORK

- (1) (D001) Development works on public property or works to be accepted by Council as an infrastructure asset are not to proceed past the following hold points without inspection and approval by Council. Notice of required inspection must be given 24 hours prior to inspection, by contacting Council's Customer Service Centre on (02) 6581 8111. You must quote your Construction Certificate number and property description to ensure your inspection is confirmed:
- a. when trenches are open, stormwater/water/sewer pipes and conduits jointed and prior to backfilling;
 - b. before pouring of kerb and gutter;
 - c. prior to the pouring of concrete for sewerage works and/or works on public property;
 - d. during construction of sewer infrastructure;
 - e. during construction of water infrastructure;
- All works at each hold point shall be certified as compliant in accordance with the requirements of AUSPEC Specifications for Provision of Public Infrastructure and any other Council approval, prior to proceeding to the next hold point.
- (2) (D006) A copy of the current stamped approved construction plans must be kept on site for the duration of site works and be made available upon request to either the Principal Certifying Authority or an officer of the Council.
- (3) (D029) The demolition of any existing structure shall be carried out in accordance with Australian Standard AS 2601: *The Demolition of Structures*. No demolition materials shall be burnt or buried on site. The person responsible for the demolition works shall ensure that all vehicles leaving the site carrying demolition materials have their loads covered and do not track soil or waste materials onto the road. Should the demolition works obstruct or inconvenience pedestrian or vehicular traffic on an adjoining public road or reserve, separate application shall be made to Council to enclose the public place with a hoarding fence.

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

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

[Safely disposing of asbestos waste from your home](#)

[Fibro & Asbestos - A Renovator and Homeowner's Guide](#)

[Asbestos Awareness](#)

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) (E010) Driveways, access aisles and parking areas shall be provided with an approved surface. Such a surface shall be on a suitable pavement, constructed and maintained in accordance with Council's Development, Design and Construction Manuals (as amended).
- (3) (E030) Vehicle ramps, driveways, turning circles and parking spaces being paved, sealed and line marked prior to occupation or the issue of the Occupation Certificate or commencement of the approved land use.
- (4) (E034) Prior to occupation or the issuing of the Final Occupation Certificate provision to the Principal Certifying Authority of documentation from Port Macquarie-Hastings Council being the local roads authority certifying that all matters required by the approval issued pursuant to Section 138 of the Roads Act have been satisfactorily completed.
- (5) (E036) Certification by a suitably qualified consultant is to be submitted to the Principal Certifying Authority (PCA) confirming that the car park and internal accesses have been constructed in accordance with Port Macquarie-Hastings Development Control Plan 2013 and Australian Standard 2890 (including AS 2890.1, AS 2890.2 and AS 2890.6) prior to occupation or issue of the Occupation Certificate.
- (6) (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.
- (7) (E049) A final Dilapidation Report including a photographic survey must be submitted after the completion of works. A copy of this Dilapidation Report together with the accompanying photographs must be given to the property owners referred to in condition **B041**. A copy must be submitted to Council and the Principal Certifying Authority prior to the issue of an Occupation Certificate.

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

- (8) (E051) Prior to occupation or the issuing of any Occupation Certificate a section 68 Certificate of Completion shall be obtained from Port Macquarie-Hastings Council.
- (9) (E053) All works 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.
- (10) (E056) A Certificate of Compliance under the provisions of Section 307 of the *Water Management Act* must be obtained prior to the issue of any occupation certificate.
- (11) (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.
- (12) (E062) Prior to occupation or the issue of any Occupation Certificate, evidence must be provided to the Principal Certifying Authority that satisfactory arrangements are in place for collection of general waste (rubbish), recycling and food and garden organics from the premises by a private waste contractor. All wastes are to be collected as separate waste streams.

F – OCCUPATION OF THE SITE

- (1) (F001) On site car parking in accordance with the approved plans to be provided in an unrestricted manner at all times to the occupants of the approved Units 1 to 4. A total of 4 spaces are to be provided onsite.
- (2) (F004) The dwellings are approved for permanent residential use and not for short term tourist and visitor accommodation.
- (3) (F009) All new and existing essential fire safety measures shall be maintained in working condition at all times.
- (4) (F010) Within each 12 months after completion of the building, the owner of the building must cause Council to be given an annual fire safety statement in accordance with Clause 177 of the Environmental Planning and Assessment Regulation 2000 for each measure listed in the schedule. The statement must only be in the form specified by clause 181 of the Regulation. A copy of the statement is to be given to the Commissioner of the New South Wales Fire Brigade and a copy is to be prominently displayed in the building.
- (5) (F011) Each required fire-isolated exit shall have displayed in a conspicuous position adjacent to each access doorway, a notice in accordance with the Environmental Planning and Assessment Regulation 2000.
- (6) (F036) Any exterior lighting on the site shall be designed and installed so as not to cause a nuisance or adverse impact on the amenity of the surrounding area by light overspill. The lighting shall be the minimum level of illumination necessary for safe operation and must be designed, installed and used in accordance with AS 4282 control of the obtrusive effects of outdoor lighting. No flashing, moving or intermittent lighting is permitted on the site.

36 HIGH STREET, WAUCHOPE, NSW 2446
DEVELOPMENT APPLICATION - ALTERATIONS AND ADDITIONS TO EXISTING BUILDING

PROJECT NO: 18833
CLIENT: IDEAL PROPERTY
DATE: JAN 2020

DA - DRAWING LIST

SHEET DETAILS		CURRENT REVISION
DDA-1.00 - COVER & NOTES		
DA-1.01 - DRAWING LIST & COMPLIANCE MATRIX		B (APRIL 2020)
DA-1.02 - BASIC COMMENTS		A (JAN 2020)
DDA-2.00 - SITE ANALYSIS		
DA-2.01 - SITE LOCATION PLAN		A (JAN 2020)
DA-2.02 - SITE CONTEXT		A (JAN 2020)
DA-2.03 - PARKING PLAN		A (JAN 2020)
DA-2.04 - EXISTING CONDITIONS		A (JAN 2020)
DA-2.05 - EXISTING GROUND LEVEL PLAN		A (JAN 2020)
DA-2.06 - EXISTING ROOF PLAN		A (JAN 2020)
DA-2.07 - DEMOLITION WORKS		B (APRIL 2020)
DA-2.08 - SITE MANAGEMENT PLAN		A (JAN 2020)
DA-2.09 - BUILDING FOOTPRINT & STREETScape		B (APRIL 2020)
DDA-3.00 - GENERAL ARRANGEMENT PLANS		
DA-3.01 - GA PLANS - GROUND FLOOR AND LEVEL 01		B (APRIL 2020)
DA-3.02 - GA PLANS - ROOF PLAN		B (APRIL 2020)
DA-3.03 - DETAILED GA PLAN - GROUND FLOOR		B (APRIL 2020)
DA-3.04 - DETAILED GA PLAN - LEVEL 01 PLAN		A (JAN 2020)
DA-3.05 - DETAILED GA PLAN - ROOF PLAN		A (JAN 2020)
DDA-4.00 - GENERAL ARRANGEMENT ELEVATIONS		
DA-4.01 - NORTH ELEVATION		A (JAN 2020)
DA-4.02 - SOUTH ELEVATION		B (APRIL 2020)
DA-4.03 - EAST ELEVATION		A (JAN 2020)
DA-4.04 - WEST ELEVATION		A (JAN 2020)
DDA-5.00 - GENERAL ARRANGEMENT SECTIONS		
DA-5.01 - GA SECTIONS - SECTION 01		A (JAN 2020)
DA-5.02 - GA SECTIONS - SECTION 02		B (APRIL 2020)
DDA-6.00 - PHOTO MONTAGE		
DA-6.01 - PHOTO MONTAGE		A (JAN 2020)
DDA-7.00 - BUILDING CALCULATIONS		
DA-7.01 - GECA CALCULATION		B (APRIL 2020)

COMPLIANCE MATRIX

[illegible]

mkdarchitects
PHOTOGRAPH BY MICHAEL GOODMAN
 Project Address: 36 HIGH STREET / WAUCHOPE
 Project Number: 180333
 Client: Project Status: IDEAL PROPERTY
 Drawing Name: **DRAWING LIST & COMPLIANCE MATRIX**
 Drawing Scale: @ A3: NIS
 Drawing Number: **DA-1.01**
 Revision: **B (APRIL 2020)**

[illegible]

90) Please check:		Yes or almost yes	Some or occasional	Often
90) Please check:	1) The machine used is certified to standards in force for all types of work which are carried out in the company	✓	✓	✓
	2) The machine used is certified to standards in force for all types of work which are carried out in the company	✓	✓	✓
	3) The machine used is certified to standards in force for all types of work which are carried out in the company	✓	✓	✓
	4) The machine used is certified to standards in force for all types of work which are carried out in the company	✓	✓	✓
	5) The machine used is certified to standards in force for all types of work which are carried out in the company	✓	✓	✓

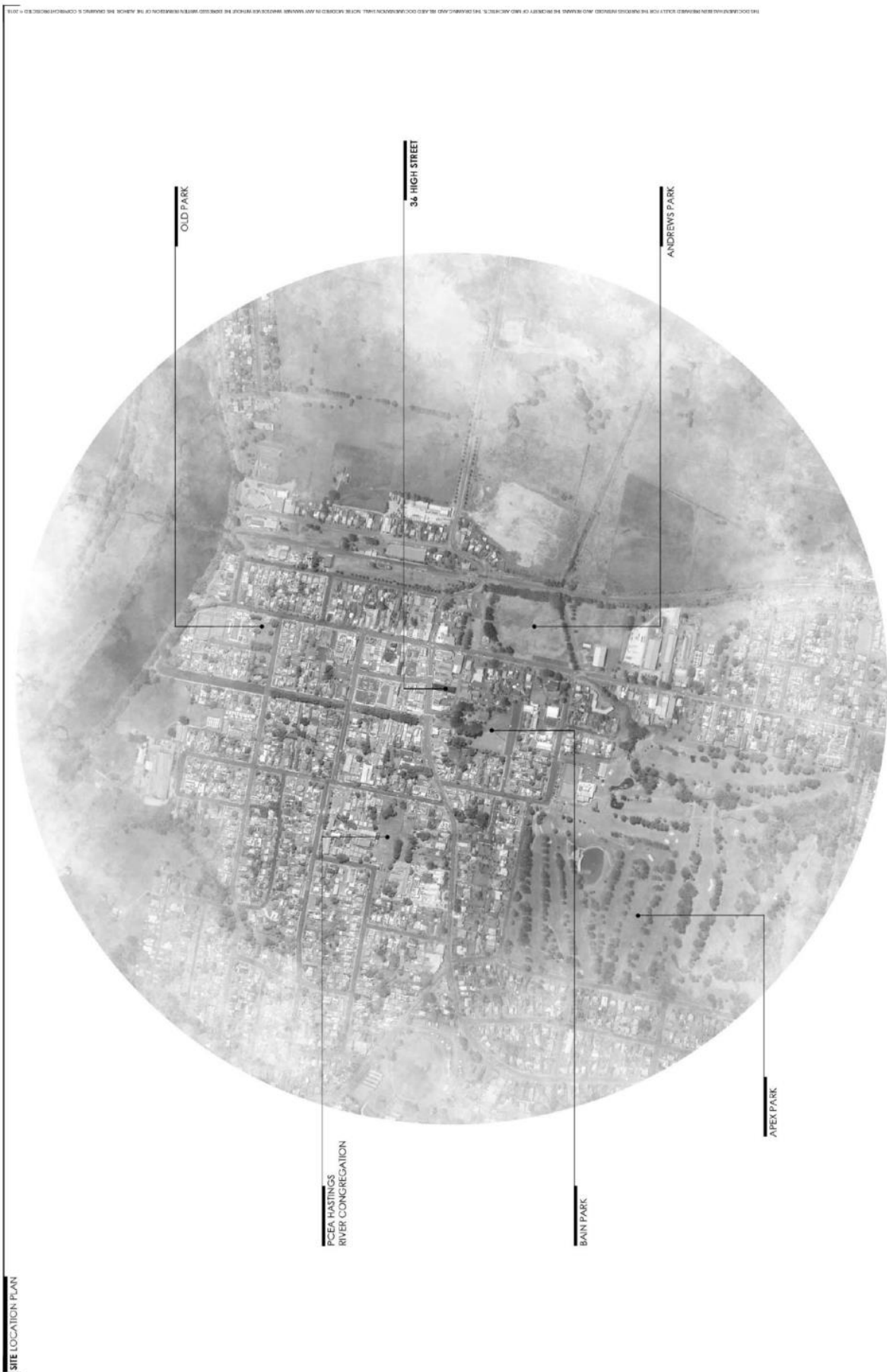
[illegible][illegible][illegible]

Full Name	Date of Birth		Place of Birth		Date of Admission		Place of Admission		Date of Discharge		Place of Discharge	
	Day	Month	Day	Month	Day	Month	Day	Month	Day	Month	Day	Month
1												
2												
3												
4												
5												
6												
7												
8												
9												
10												
11												
12												
13												
14												
15												
16												
17												
18												
19												
20												
21												
22												
23												
24												
25												
26												
27												
28												
29												
30												
31												
32												
33												
34												
35												
36												
37												
38												
39												
40												
41												
42												
43												
44												
45												
46												
47												
48												
49												
50												
51												
52												
53												
54												
55												
56												

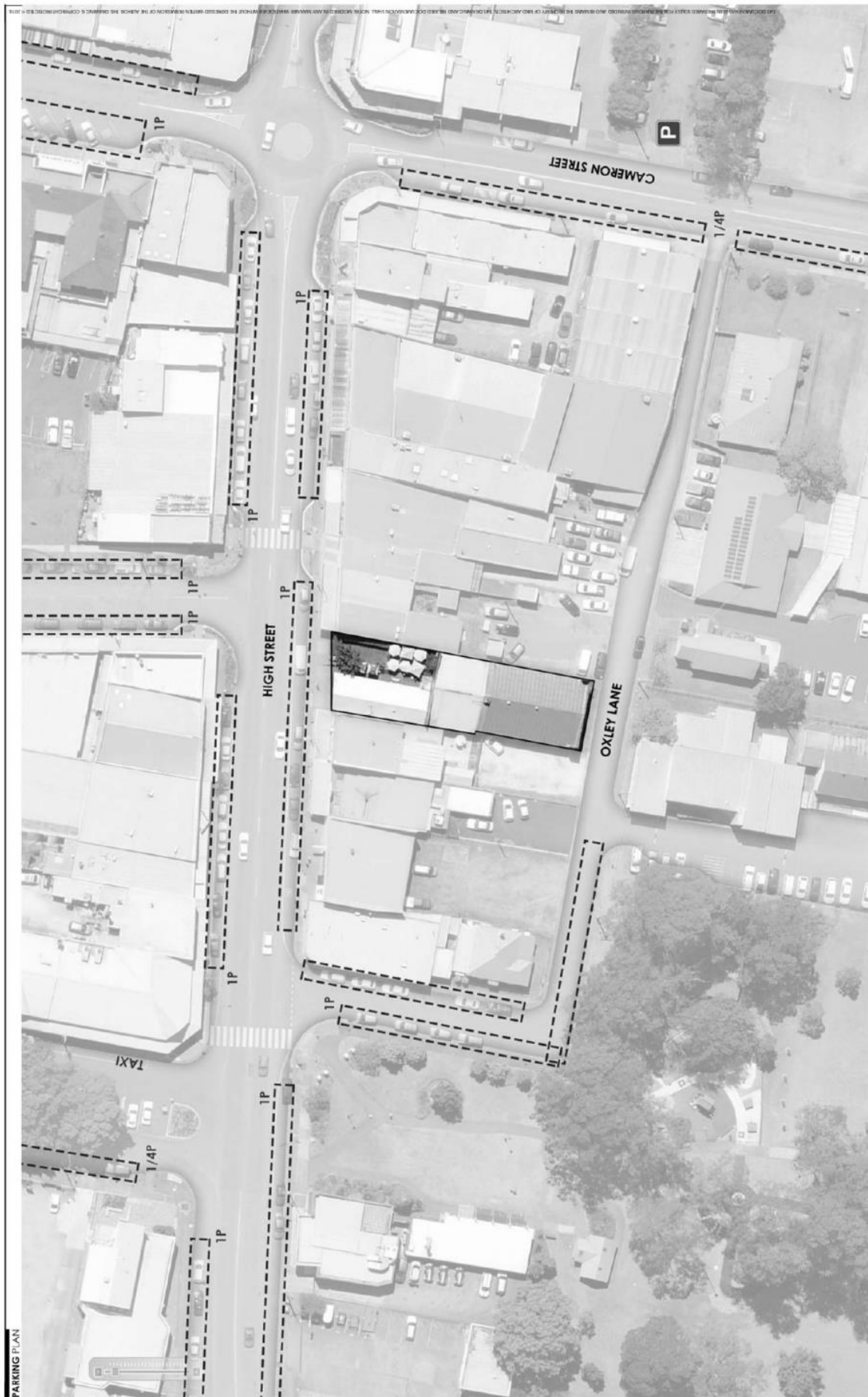
[illegible]

NO CHANGES

4. Commitments for common areas and central system facilities for the development (non-building specific)







Drawing Number:
DA-2.03
Revised: A (JAN 2020)

Drawing Name:
PARKING PLAN
Drawing Scale: @ A3: NTS

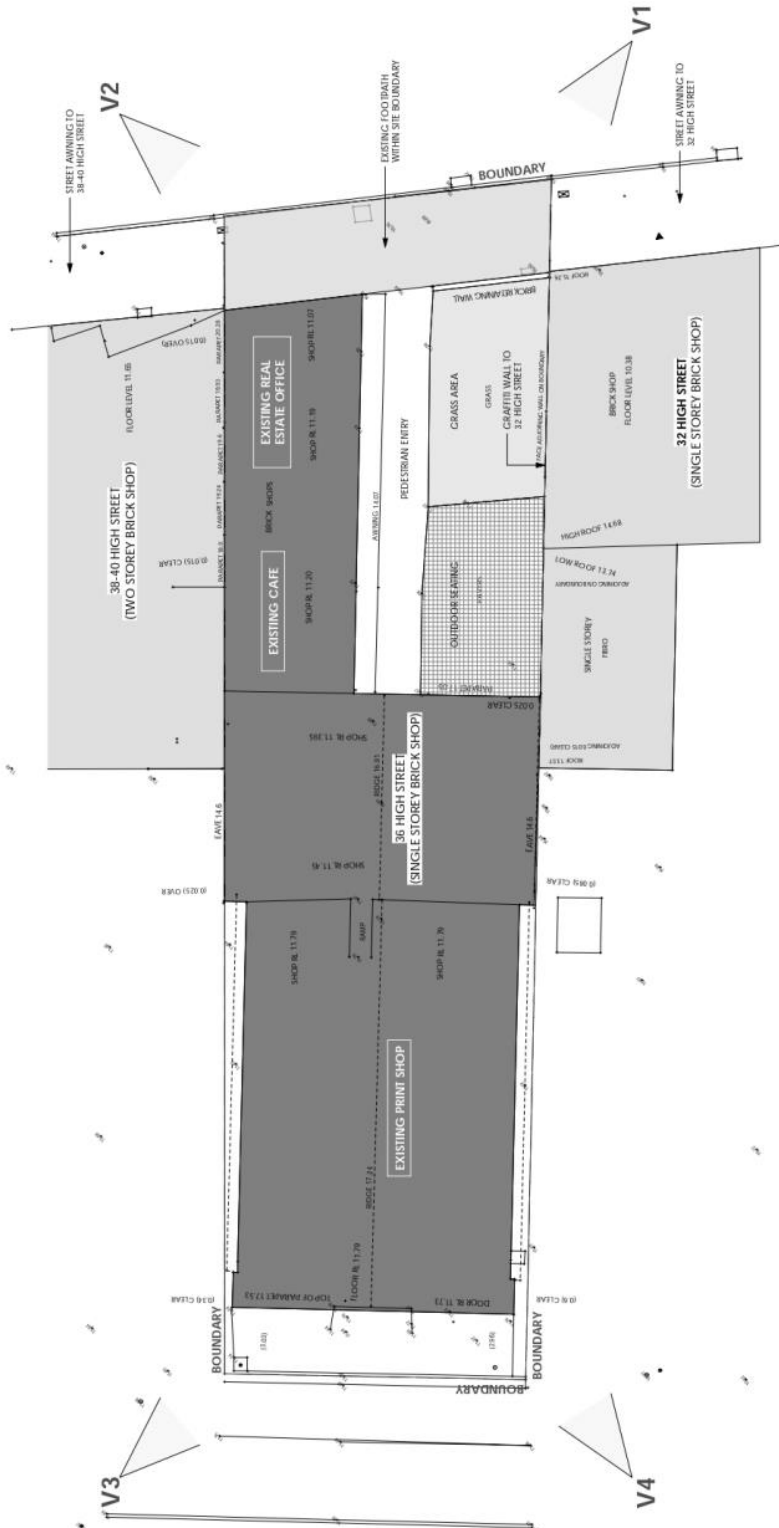
Project Number:
18833
Project Status:
DA

Project Address:
36 HIGH STREET / WAUCHOPE
Client:
IDEAL PROPERTY

ION STREET PARKING

mkdarchitects
REGISTERED ARCHITECTS (NSW) 1988

THIS DOCUMENT IS A PRELIMINARY DESIGN AND SHOULD NOT BE USED FOR ANY OTHER PURPOSES. THE DESIGN AND ANY OTHER INFORMATION SHOWN HEREIN IS NOT TO BE USED FOR ANY OTHER PURPOSES. THE DESIGN AND ANY OTHER INFORMATION SHOWN HEREIN IS NOT TO BE USED FOR ANY OTHER PURPOSES. THE DESIGN AND ANY OTHER INFORMATION SHOWN HEREIN IS NOT TO BE USED FOR ANY OTHER PURPOSES.



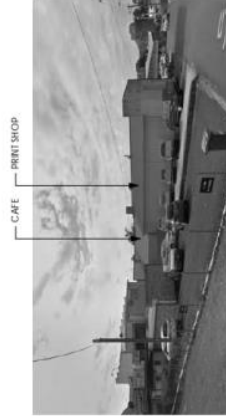
NO CHANGES



V1- NORTH-EAST CORNER



V2- NORTH-WEST CORNER



V3- SOUTH-WEST CORNER



V4- SOUTH-EAST CORNER

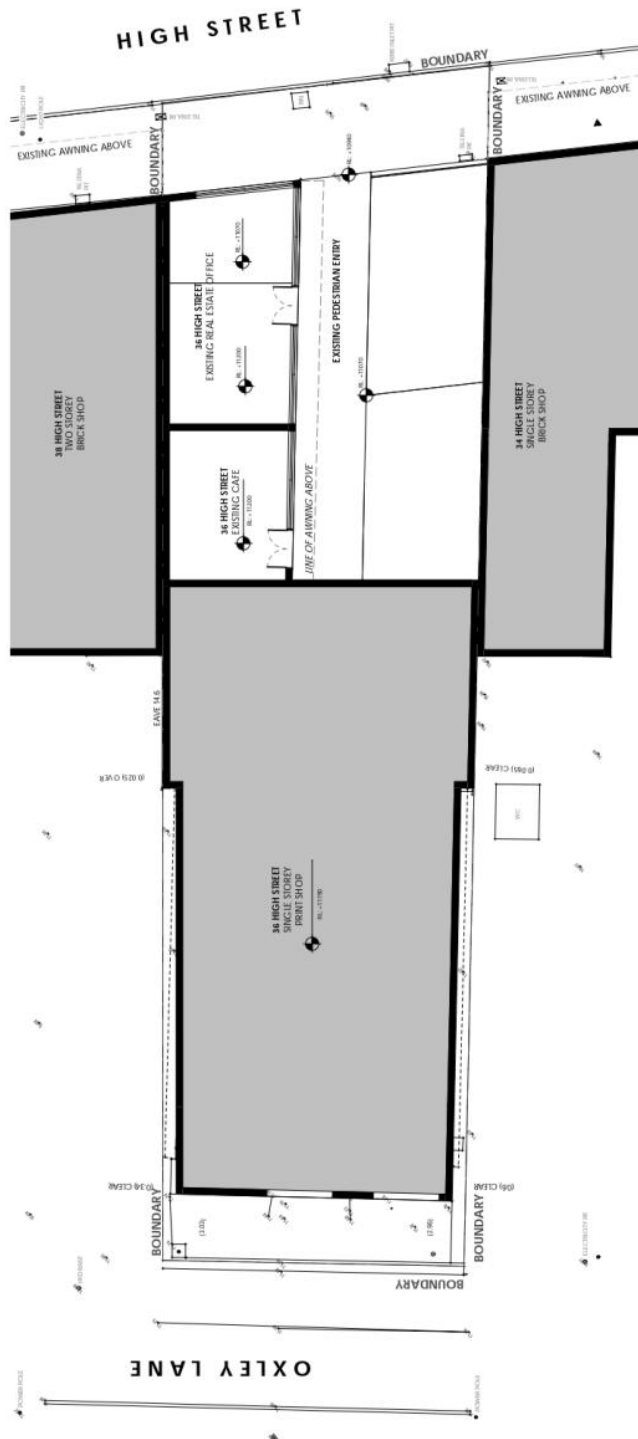
mkdarchitects
mkdarchitects.com.au

Project Address:
36 HIGH STREET / WAUCHOPE
Client:
IDEAL PROPERTY

Project Number:
18833
Project Status:
DA

EXISTING CONDITIONS
Drawing Scale of A3: 1:200

Drawing Number:
DA-2.04
Revision: **A (JAN 2020)**



Drawing Number: **DA-2.05**
Revision: **A (JAN 2020)**

Drawing Name: **EXISTING GROUND LEVEL PLAN**
Drawing Scale @ A3: 1 : 200

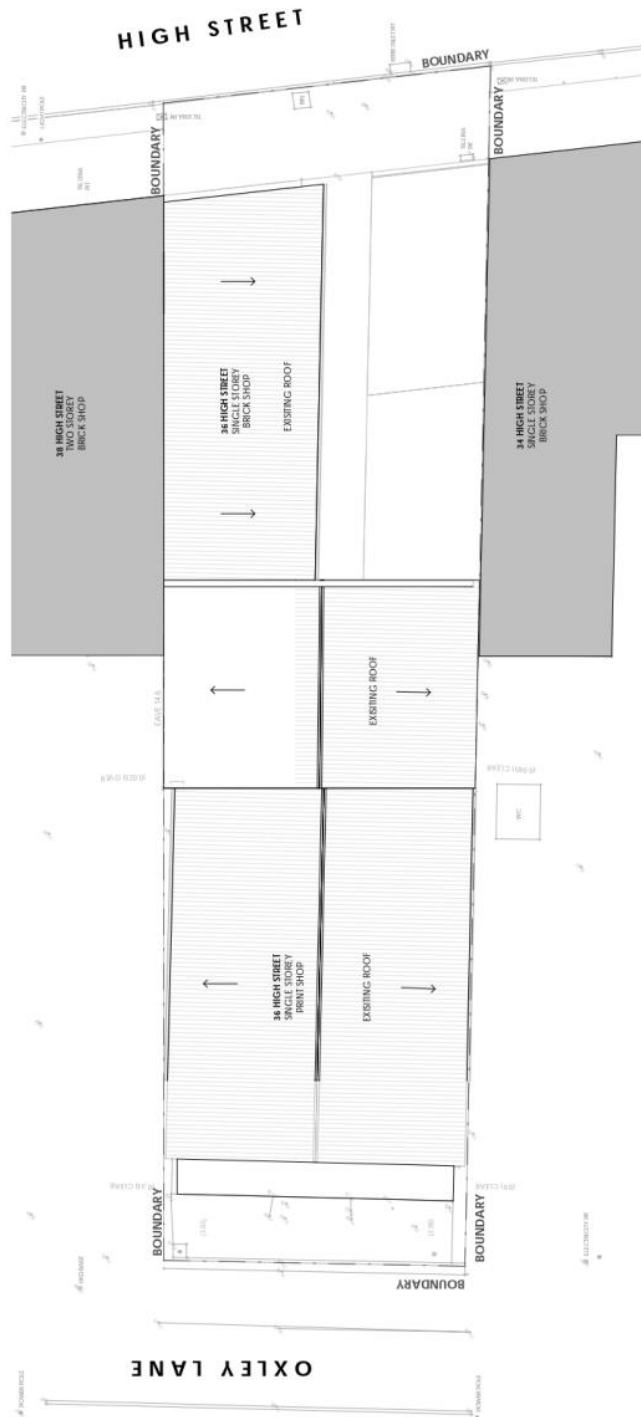
Project Number:
18833

Project Status:
DA

Project Address:
36 HIGH STREET / WAUCHOPE
Client:
IDEAL PROPERTY

mkd architects
michael-mcdonnell.com.au
Renowned Architect: Call 1 434 7008

THIS DOCUMENT HAS BEEN PREPARED BY MKD ARCHITECTS FOR THE PURPOSES OF THE DEVELOPMENT ASSESSMENT PANEL. THE INFORMATION AND DATA CONTAINED HEREIN ARE THE PROPERTY OF MKD ARCHITECTS. THE INFORMATION AND DATA CONTAINED HEREIN ARE NOT TO BE USED FOR ANY OTHER PURPOSES WITHOUT THE WRITTEN CONSENT OF MKD ARCHITECTS. THE INFORMATION AND DATA CONTAINED HEREIN ARE NOT TO BE USED FOR ANY OTHER PURPOSES WITHOUT THE WRITTEN CONSENT OF MKD ARCHITECTS.



NO CHANGES

Drawing Number:
DA-2.06
Revised: **A (JAN 2020)**

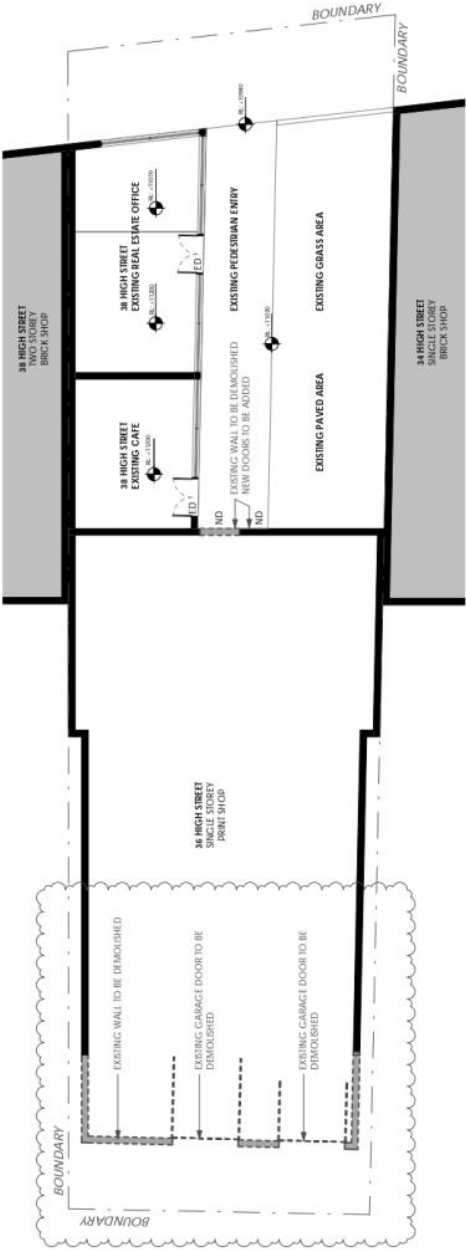
Drawing Name:
EXISTING ROOF PLAN
Drawing Scale of AS: **1:200**

Project Number:
18833
Project Status:
DA

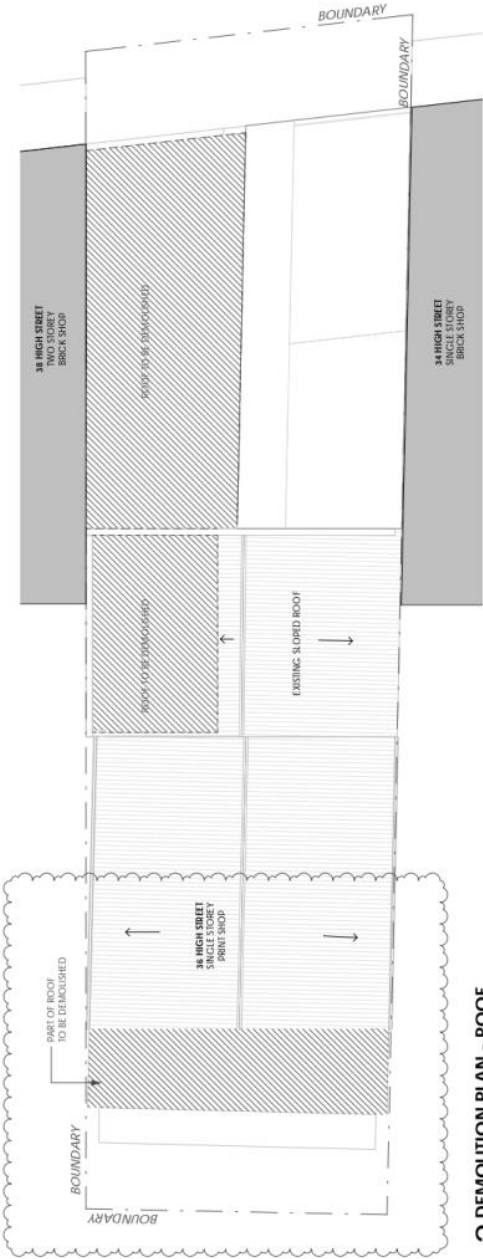
Project Address:
36 HIGH STREET / WAUCHOPE
Client:
IDEAL PROPERTY

mkdarchitects
MKD ARCHITECTS PTY LTD
18833 HIGH STREET, WAUCHOPE VIC 3208

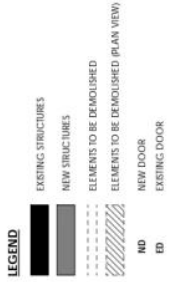
THIS DOCUMENT HAS BEEN PREPARED BY THE ARCHITECT FOR THE PURPOSES OF THE DEVELOPMENT ASSESSMENT PANEL. THE ARCHITECT HAS NOT BEEN ADVISED OF ANY OTHER PURPOSES FOR WHICH THIS DOCUMENT MAY BE USED. THE ARCHITECT HAS NOT BEEN ADVISED OF ANY OTHER PURPOSES FOR WHICH THIS DOCUMENT MAY BE USED. THE ARCHITECT HAS NOT BEEN ADVISED OF ANY OTHER PURPOSES FOR WHICH THIS DOCUMENT MAY BE USED.



1 DEMOLITION PLAN - GROUND FLOOR
1:1, 200



2 DEMOLITION PLAN - ROOF
1:1, 200



mkdarchitects
Registered Architects 12414498

Project Address: 36 HIGH STREET / WAUCHOPE
Client: IDEAL PROPERTY

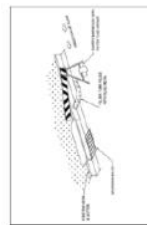
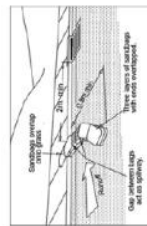
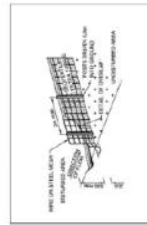
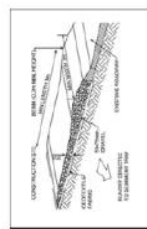
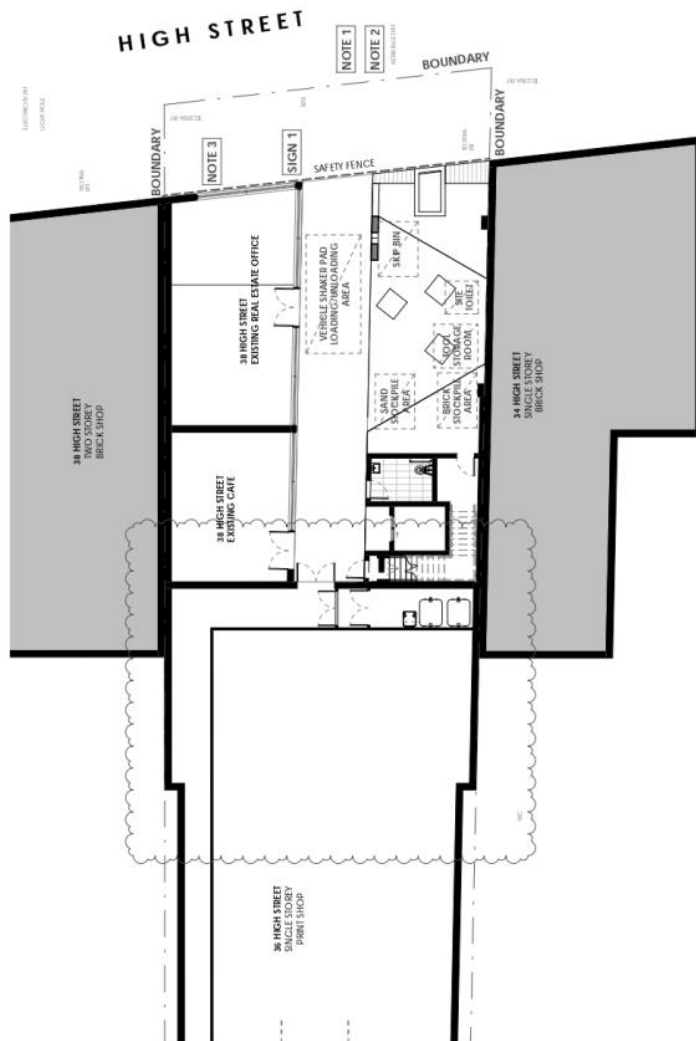
Project Number: 18833
Project Status: DA

Drawing Name: DEMOLITION WORKS
Drawing Scale: AS NOTED

Drawing Number: DA-2.07
Revision: B (APRIL 2020)

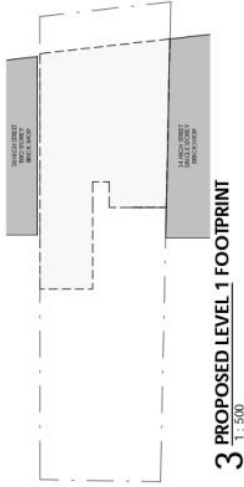
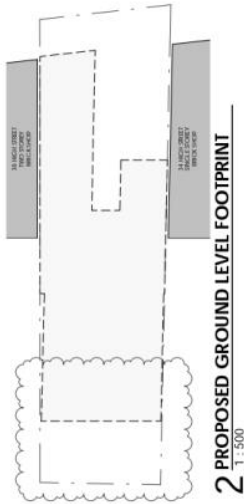
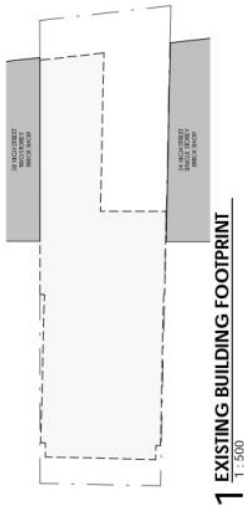
SIGN 1 UNAUTHORIZED ENTRY TO SITE PROHIBITED
1.8m HIGH SAFETY FENCE WITH DUST PROOF FABRIC

mkdarchitects
marchitects.com.au



1 SITE MANAGEMENT PLAN
1 : 200

THIS DOCUMENT AND ANY INFORMATION CONTAINED HEREIN IS UNCLASSIFIED EXCEPT WHERE SHOWN OTHERWISE. THE INFORMATION AND ANY OTHER INFORMATION CONTAINED HEREIN IS UNCLASSIFIED EXCEPT WHERE SHOWN OTHERWISE. THE INFORMATION AND ANY OTHER INFORMATION CONTAINED HEREIN IS UNCLASSIFIED EXCEPT WHERE SHOWN OTHERWISE.



NO CHANGES

PROPOSED STREETSCAPE

mkdarchitects
REGISTERED ARCHITECTS (NSW) 1983

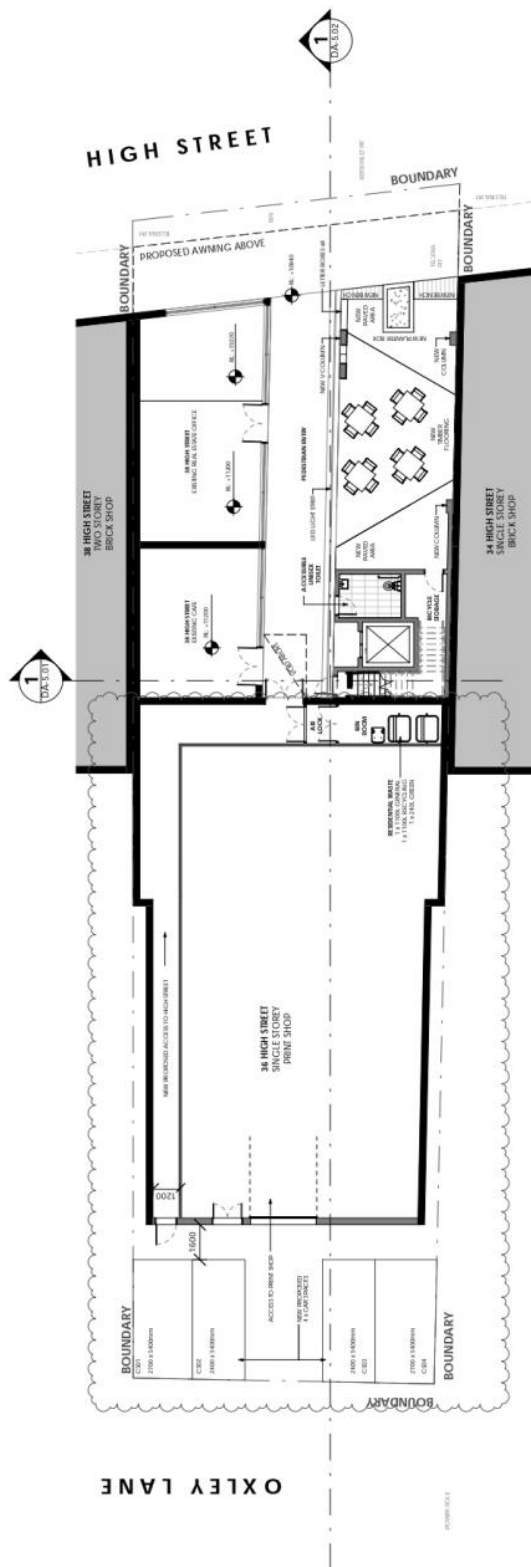
Project Address:
36 HIGH STREET / WAUCHOPE
Client:
IDEAL PROPERTY

Project Number:
18833
Project Status:
DA

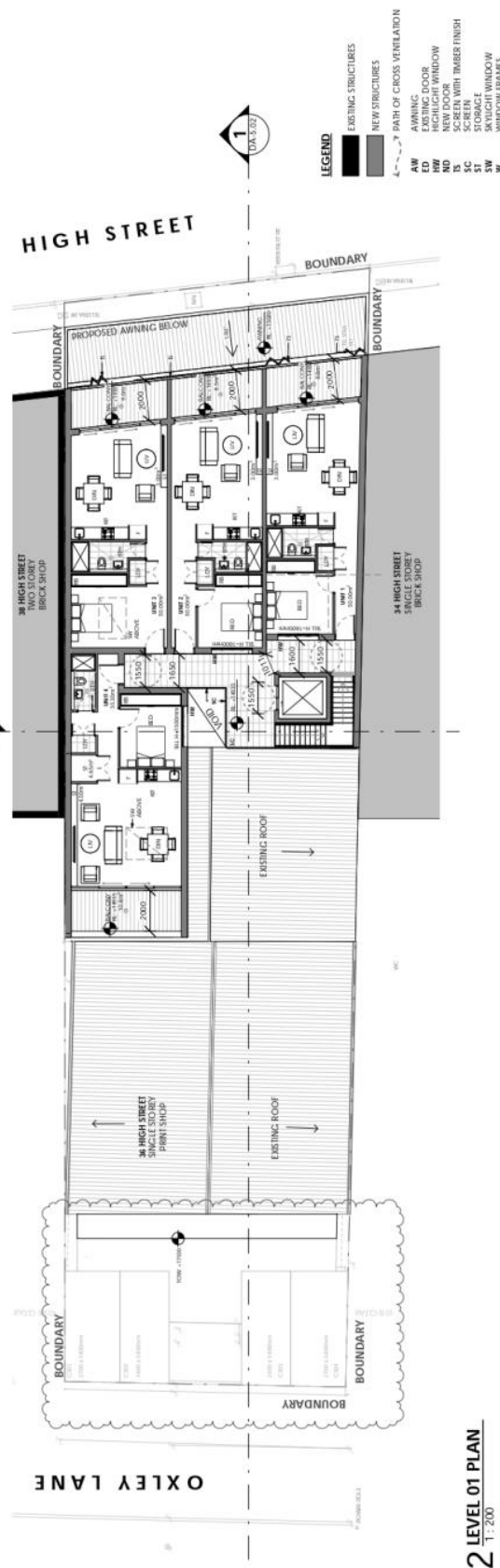
 Drawing Name:
BUILDING FOOTPRINT & STREETSCAPE
Drawing Scale: AS NOTED

Drawing Number:
DA-2.09
Revision: **B** (APRIL 2020)

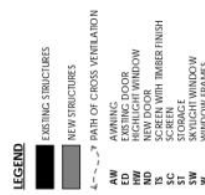
THIS DOCUMENT IS THE PROPERTY OF MKD ARCHITECTS. THE INFORMATION AND ANY PHOTOGRAPHS OR DRAWINGS HEREIN ARE NOT TO BE REPRODUCED OR TRANSMITTED IN ANY FORM OR BY ANY MEANS, ELECTRONIC OR MECHANICAL, WITHOUT THE WRITTEN PERMISSION OF MKD ARCHITECTS. THE INFORMATION AND ANY PHOTOGRAPHS OR DRAWINGS HEREIN ARE NOT TO BE REPRODUCED OR TRANSMITTED IN ANY FORM OR BY ANY MEANS, ELECTRONIC OR MECHANICAL, WITHOUT THE WRITTEN PERMISSION OF MKD ARCHITECTS. THE INFORMATION AND ANY PHOTOGRAPHS OR DRAWINGS HEREIN ARE NOT TO BE REPRODUCED OR TRANSMITTED IN ANY FORM OR BY ANY MEANS, ELECTRONIC OR MECHANICAL, WITHOUT THE WRITTEN PERMISSION OF MKD ARCHITECTS.



1 GROUND LEVEL PLAN
1:200



2 LEVEL 01 PLAN
1:200



Drawing Name:
GA PLANS - GROUND FLOOR AND LEVEL 01
Drawing Scale: **AS NOTED**

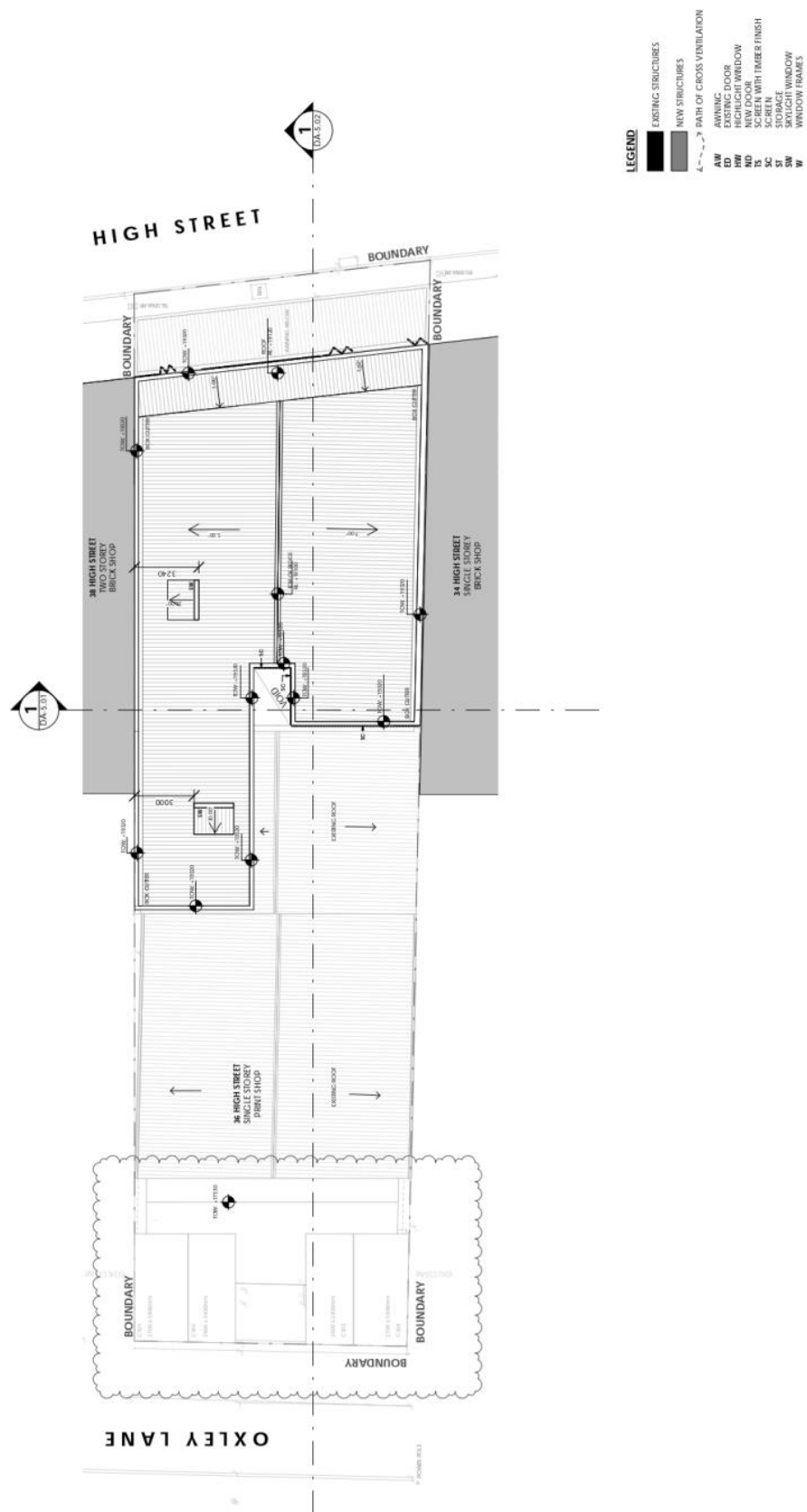
Project Number:
18833
Project Suburb:
DA

Project Address:
36 HIGH STREET / WAUCHOPE
Client:
IDEAL PROPERTY

mkdarchitects
MKD ARCHITECTS PTY LTD
18833

Drawing Number:
DA-3.01
Revision: **B (APRIL 2020)**

THIS DOCUMENT HAS BEEN REPRODUCED EXACTLY AS RECEIVED FROM THE PERSON OR ORGANIZATION ORIGINATING IT. THE POINTS OF VIEW OR OPINIONS STATED HEREIN ARE NOT NECESSARILY THOSE OF THE AGENCY. THIS DOCUMENT IS THE PROPERTY OF THE AGENCY AND IS LOANED TO YOU; IT AND ITS CONTENTS ARE NOT TO BE DISTRIBUTED OUTSIDE YOUR AGENCY.



Drawing Number:
DA-3.02
Revision: **B** (APRIL 2020)

Drawing Name: **GA PLANS - ROOF PLAN**
Drawing Scale @ A3: AS NOTED

Project Number:
18833

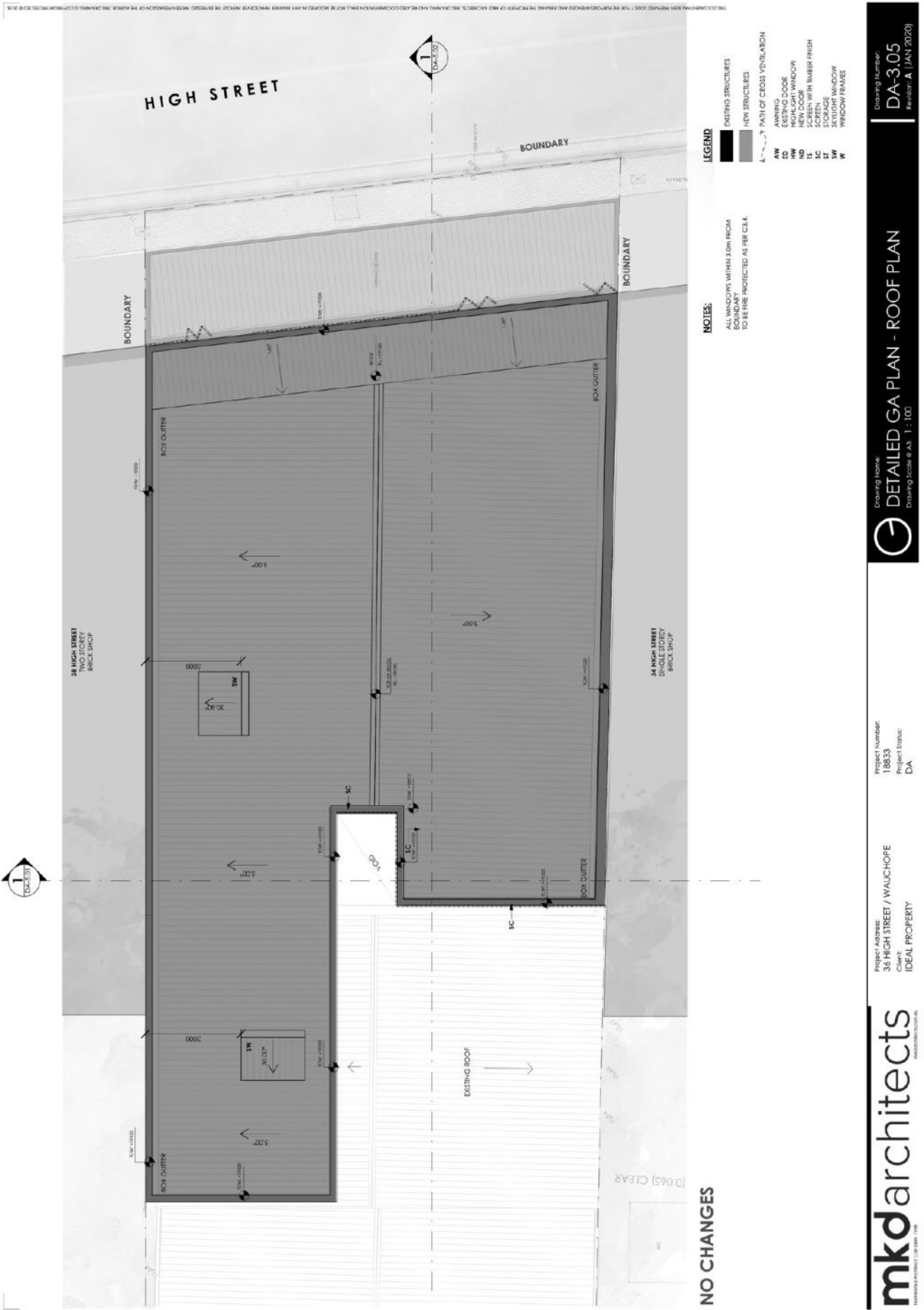
Project Status:
DA

Project Address:
36 HIGH STREET / WAUCHOPE
Client:
IDEAL PROPERTY

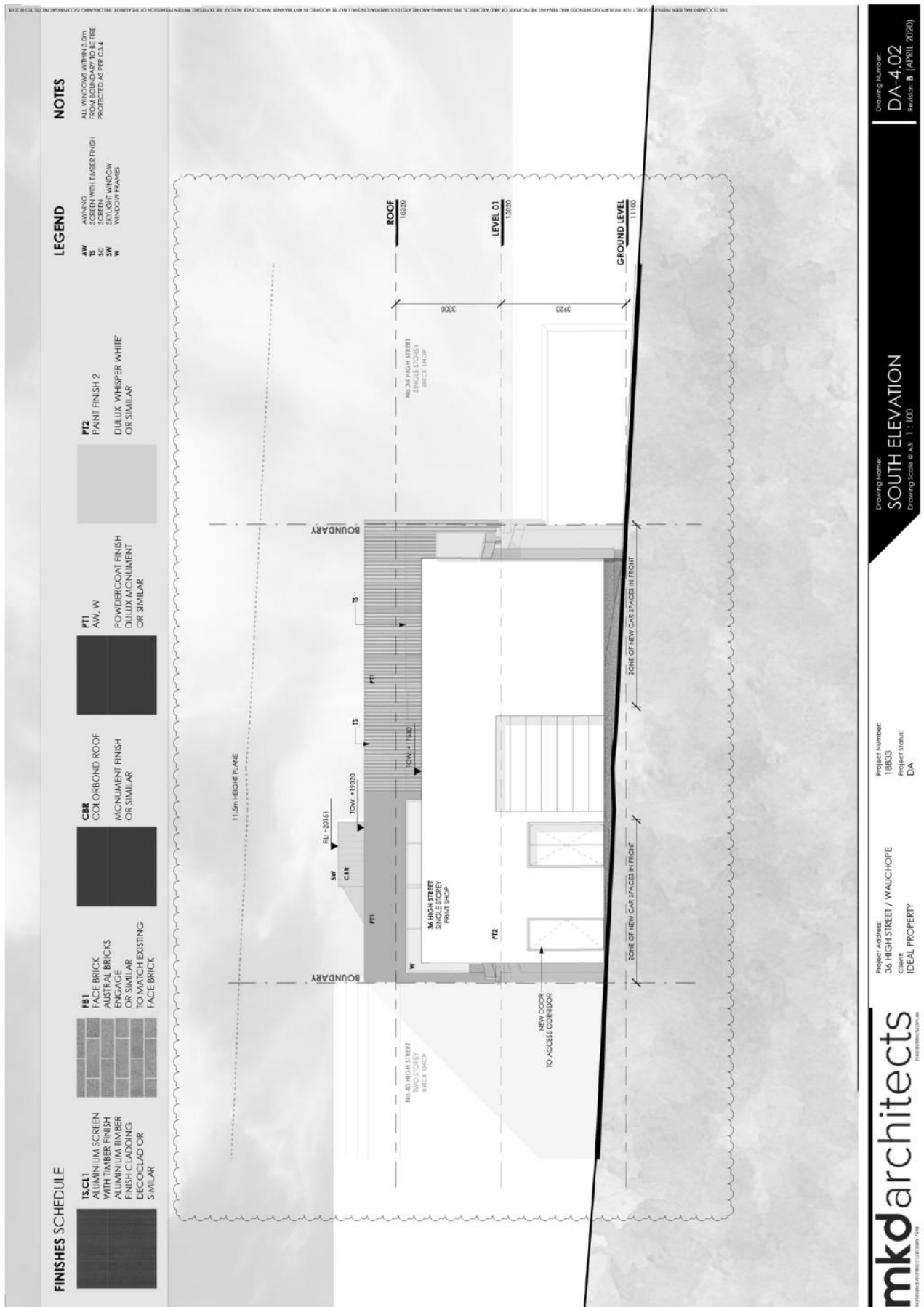
mkd architects
 Registered Architect: Call 5 444 7008
 mkd@mkd.com.au







[illegible]



[illegible]







NO CHANGES

mkdarchitects
REGISTERED ARCHITECTS & PLANNERS

Project Address:
36 HIGH STREET / WAUCHOPE
Client: IDEAL PROPERTY

Project Number:
18833
Project Status:
DA

Drawing Name:
PHOTOMONTAGE
Drawing Scale: A3 NIS

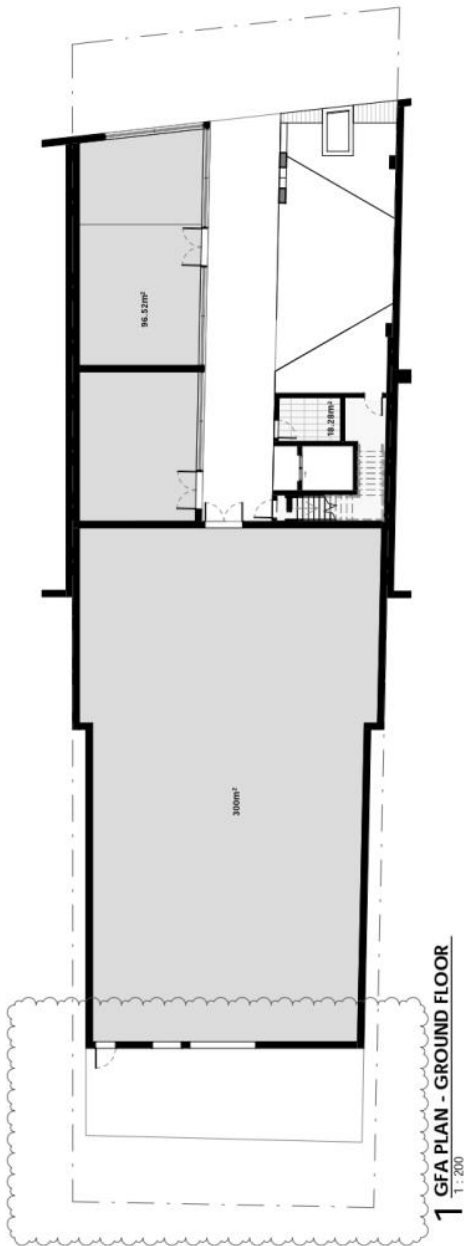
Drawing Number:
DA-6.01
Revision: A (JAN 2020)

THIS DOCUMENT HAS BEEN PREPARED BY MKD ARCHITECTS FOR THE PURPOSES OF THE DEVELOPMENT ASSESSMENT PANEL. THE INFORMATION AND DATA CONTAINED HEREIN IS FOR INFORMATIONAL PURPOSES ONLY AND DOES NOT CONSTITUTE A PROFESSIONAL DESIGN. MKD ARCHITECTS DOES NOT WARRANT THE ACCURACY OF THE INFORMATION AND DATA CONTAINED HEREIN. THE INFORMATION AND DATA CONTAINED HEREIN IS FOR INFORMATIONAL PURPOSES ONLY AND DOES NOT CONSTITUTE A PROFESSIONAL DESIGN. MKD ARCHITECTS DOES NOT WARRANT THE ACCURACY OF THE INFORMATION AND DATA CONTAINED HEREIN.

GFA CALCULATION	
EXISTING CONDITIONS	
SITE AREA	769.96m ²
FSR	1.5:1
PERMISSIBLE GFA	1154.94m ²
PROPOSED GFA	
EXISTING GFA ON GL	350.00m ²
PRINT SHOP	96.52m ²
OFFICE	18.28m ²
NEW PROPOSED GFA ON GL	18.28m ²
REDUCED EXISTING GL GFA	107.18m ²
TOTAL GFA ON GL	414.86m²
NEW PROPOSED GFA ON L1	216.35m ²
TOTAL PROPOSED GFA	631.15m²
PROPOSED FSR	0.88:1

LEGEND

	EXISTING GFA
	NEW GFA





mkdarchitects
Registered Architects (S.A.) Ltd. 1988

Project Address:
36 HIGH STREET / WAUCHOPE
Client:
IDEAL PROPERTY

Project Number:
18833
Project Status:
DA

Drawing Name:
GFA CALCULATION
Drawing Scale of A3: AS NOTED

Drawing Number:
DA-7.01
Revision B (APRIL 2020)

Developer Charges - Estimate

Applicants Name: MKD Architects
 Property Address: 36 High Street Wauchope
 Lot & Dp: Lot(s):1,DP(s):1041388
 Development: Shop Top Housing and Alterations and Additions to Commercial Building



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

Levy Area	Units	Cost	Estimate
1 Water Supply	1.37	\$10,322.00 Per ET	\$14,141.10
2 Sewerage Scheme Wauchope	1.77	\$3,916.00 Per ET	\$6,931.30
3 Since 1.7.04 - Major Roads - Wauchope - Per ET	2	\$7,231.00 Per ET	\$14,462.00
4 Since 31.7.18 - Open Space - Wauchope - Per ET	2	\$5,304.00 Per ET	\$10,608.00
5 Commenced 3 April 2006 - Com, Cul and Em Services CP - Wauchope	2	\$4,795.00 Per ET	\$9,590.00
6 Com 1.3.07 - Administration Building - All areas	2	\$921.00 Per ET	\$1,842.00
7 N/A			
8 N/A			
9 N/A			
10 N/A			
11 N/A			
12 N/A			
13 N/A			
14 N/A			
15 Admin General Levy - Applicable to Consents approved after 11/2/03	2.2% S94 Contribution		\$803.00
16			
17			
18			
Total Amount of Estimate (Not for Payment Purposes)			\$58,377.40

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

DATE OF ESTIMATE: 16-Jun-2020

Estimate Prepared By Steven Ford

This is an ESTIMATE ONLY - NOT for Payment Purposes

MKD Architects, 36 High Street Wauchope, 16-Jun-2020.xls

PORT MACQUARIE-HASTINGS COUNCIL



STATEMENT OF ENVIRONMENTAL EFFECTS

Alterations and additions to an existing commercial building including an additional first floor containing four residential apartments

36 High Street, Wauchope

Prepared for: MKD Architects

REF: M200025

DATE: 11 February 2020



Contents

1. INTRODUCTION	1
2. SITE ANALYSIS AND CONTEXT	2
2.1 The Site	2
2.2 Connectivity and Access to Public Transport.....	4
2.3 Surrounding Development	4
3. BACKGROUND.....	1
3.1 PRE-DA MEETING	1
4. DESCRIPTION OF THE PROPOSAL	4
4.1 Proposed shoptop housing	4
4.2 Landscaping.....	5
4.3 Waste management.....	5
5. ENVIRONMENTAL PLANNING ASSESSMENT	6
5.1 Preamble	6
5.2 Statutory and policy compliance	6
5.2.1 SEPP No.55 – Remediation of Land.....	6
5.2.2 SEPP No. 65 – Design Quality of Residential Flat Buildings	7
5.2.3 SEPP Building Sustainability Index: BASIX 2004	7
5.2.4 SEPP (Infrastructure) 2007	7
5.2.5 Port Macquarie-Hastings Local Environmental Plan 2011.....	8
5.2.6 Port Macquarie-Hastings Development Control Plan 2013.....	8
5.3 Impacts on Natural & Built Environment	9
5.3.1 Topography & Scenic Impacts	9
5.3.2 Micro-climate Impacts.....	9
5.3.3 Water & Air Quality Impacts.....	9
5.3.4 Flora & Fauna Impacts	9
5.3.5 External Appearance & Design.....	9
5.3.6 Solar Access.....	10
5.3.7 Views	11
5.3.8 Aural & Visual Privacy	11
5.4 Economic & Social Impacts	11
5.4.1 Crime Prevention through Environmental Design	11
5.5 The Suitability of the Site	13

5.5.1 Access to Services	13
5.5.2 Parking and Access	13
5.5.3 Hazards	14
5.6 The Public Interest	14
6. CONCLUSION	15

FIGURES

Figure 1 - Aerial image of the subject site	2
Figure 2 – Site viewed from High Street	3
Figure 3 – Site viewed from Oxley Lane	4
Figure 4 – Subject site and neighbouring dwellings viewed from High Street	5
Figure 5 – No. 34 High Street from Oxley Lane	5
Figure 6 – No. 38 High Street from Oxley Lane	5
Figure 7 – Development on the opposite the site on High Street	5
Figure 8 – Wauchope Community Art Centre and Bain Park opposite the subject site to the south	6

TABLES

Table 1 Design response to issues raised by Council	1
Table 2 Project Data	5
Table 3 Section 4.15 Matters for Consideration	6
Table 4 CPTED Principles	11

ANNEXURES

Annexure A. Port Macquarie-Hastings Local Environmental Plan 2011 – Compliance Table	16
Annexure B. Port Macquarie-Hastings Development Control Plan 2011 & 2013 – Compliance Table	20

©This document and the research reported in it remains the property of Planning Ingenuity Pty Ltd and are protected by copyright. Apart from fair dealings for the purposes of private study, research or review, as permitted under the Copyright Act 1968, no part of the document may be reproduced, by any process, without the written permission of the author. All inquiries in this regard are to be directed to the Managing Director, Planning Ingenuity Pty Ltd.

1. Introduction

This Statement of Environmental Effects has been prepared for the applicant of the proposed development. The report is to accompany a development application to Port Macquarie-Hastings Council seeking consent for *'Alterations and additions to an existing commercial building including an additional first floor containing four residential apartments'* at No. 36 High Street, Wauchope.

The existing premises on site currently contains a single storey commercial premises containing three tenancies. The proposed development will seek to significantly enhance the existing building on site through alterations and additions and the provision of an additional first floor containing four residential dwellings. On ground level, the proposal will provide additional services and storage in addition to lift and stair accessibility to the first floor. The proposed development will not provide any parking as is discussed in this Statement.

This Statement demonstrates that the development meets the objectives for development in the B2 Local Centre zone, and relevant development standards under the Port Macquarie-Hastings Local Environmental Plan 2011 (PMHLEP 2011) and the building controls of the Port Macquarie-Hastings Development Control Plan 2011 and 2013 (PMHDCP 2011 & 2013).

The proposed alterations and additions are compatible with the current and desired future character and setting of the locality. Importantly, the proposal significantly improves the existing building on site and appropriately relates to the character of development in the Wauchope locality. The proposal achieves the requirements and objectives associated with relevant planning controls.

The purpose of this Statement is to address the planning issues associated with the development proposal and specifically to assess the likely impact of the development on the environment in accordance with the requirements of S4.15 of the *Environmental Planning & Assessment Act, 1979* (EP&A Act).

This Statement has been divided into six sections. The remaining sections include a locality and site analysis; a background summary; a description of the proposal; an environmental planning assessment; and a conclusion.

2. Site Analysis and Context

2.1 THE SITE

The subject site is known as No. 36 High Street, Wauchope and has a legal description of Lot 1 in DP 1041388. The site is located on the southern side of High Street as shown in **Figure 1**.



Figure 1 - Aerial image of the subject site

The site is rectangular in shape with a northern primary street frontage to High Street of 15.025m and southern rear lane frontage to Oxley Lane of 13.735m. The site has an eastern side boundary of 54.78m and western side boundary of 43.42m, with a total area of 769.96m². The site gently falls from Oxley Lane to High Street by 0.8m across the length of the site.

It is noted that the site boundary extends beyond the footprint of the existing building. All construction works in this application will be situated behind the existing building façade, excluding the proposed awning as is required in the Wauchope Town Centre.

Existing on the site is a one storey commercial building containing three tenancies. Two tenancies are located along the western boundary within the front (northern) portion of the site accessed from High Street, with an additional tenancy occupying the rear half of the site accessed from High Street and Oxley Lane. The front portion of the site also contains a landscaped area and paved seating area. No on-site parking is currently provided for the existing development. It is noted that High Street is a classified road.

Images of the subject site are provided in **Figures 2 to 3** below.



Figure 2 – Site viewed from High Street



Figure 3 – Site viewed from Oxley Lane

2.2 CONNECTIVITY AND ACCESS TO PUBLIC TRANSPORT

The site is located within the Wauchope Town Centre and is within walking distance to two bus services located on High Street and Cameron Street. The site is also within walking distance (650m) to Wauchope Railway Station. These public transport options provide connectivity to the surrounding areas.

2.3 SURROUNDING DEVELOPMENT

The site is located in a B2 Local Centre which contains a number of mixed use development. The area is characterised by a mix of one and two storey commercial and retail buildings, some of which contain residential dwellings on the first floor.

The site is situated within the Wauchope Town Centre and is within close proximity to numerous commercial, retail, community, educational and health facilities.

To the east of the site is No. 34 High Street, which contains a single storey commercial building sharing a party wall with the subject site and provides parking at the rear accessed from Oxley Lane (Figure 4 and 5).

Development to the west, No. 38 High Street, comprises of a two storey commercial premises which shares a party wall with existing development on the subject site. This site also contains hardstand parking spaces at the rear as accessed from Oxley Lane (Figure 4 and 6).

To the north of the site on the opposite side of High Street are a number of attached one and two storey commercial developments (Figure 8).

To the south of the site and on the opposite side of Oxley Lane is the Wauchope Community Arts Hall and Bain Park. It is noted that Bain Park is recognised as a heritage item (I100) under the PMHLEP 2011 (Figure 9).



Figure 4 – Subject site and neighbouring dwellings viewed from High Street



Figure 5 – No. 34 High Street from Oxley Lane



Figure 6 – No. 38 High Street from Oxley Lane



Figure 7 – Development on the opposite the site on High Street



Figure 8 – Wauchope Community Art Centre and Bain Park opposite the subject site to the south

3. Background

3.1 PRE-DA MEETING

On 3 December 2019, a Pre-DA meeting was held with Port Macquarie-Hastings Council to discuss the proposed development which seeks consent for alterations and additions to an existing commercial building including an additional first floor containing four residential dwellings. On 10 December 2019 notes on the Pre-DA meeting were provided. The table below outlines Council's comments and design responses proposed with this Development Application.

Table 1 Design response to issues raised by Council		
Key Issue	Council comment	Design response
PLANNING	1) The site is zoned B2 Local Centre under Port Macquarie-Hastings Local	The proposed shop-top housing is permissible with consent within the B2 Local Centre zone.
	2) In accordance with clause 4.3 of LEP 2011 a maximum building height of 11.5 m applies to the land.	The proposed development has a maximum building height of 9.1m.
	3) In accordance with clause 4.4 of LEP 2011, a maximum Floor Space Ratio (FSR) of 1.5:1 applies to the land. Application to include details of proposed FSR.	The proposed development has a maximum gross floor area (GFA) of 681.15m ² and FSR of 0.88:1.
	4) Application to address general provisions and relevant specific provisions of Development Control Plan (DCP) 2013. Any variations to be adequately justified against the relevant objectives.	This development addresses the PMHDCP 2013 within Annexure B of this Statement.
	5) Details and calculations of required off-street parking to serve the development consistent with the parking rates identified in DCP 2013. Parking credits are recognised for approved development in the event the existing buildings and available parking does not apply with today's standards. All new development is required to provide parking in accordance with the DCP. There is the potential to offset any parking shortfall through the payment of developer contributions under Council contributions plan for car parking. It was noted at the meeting that there has been recent examples where Council has not accepted the payment of contributions in lieu of providing parking on site where there is a significant shortfall in parking. Any proposal relying on contributions in lieu of parking will require sound justification. Concern is raised that no parking is proposed for the residential units.	<p>The existing building on site currently contains no on-site parking. Given the proposal will not alter the footprint of the ground floor building, there is no capability to provide on-site parking. As such, this application is submitted with a variation to the provision of car parking, where the site is located in an area serviced by public transport and is within close proximity to a number of commercial, retail and educational facilities. The development has also been provided with a number of bicycle parking spaces to serve the proposed residential units.</p> <p>This application has been submitted with a Traffic Report prepared by Varga Traffic Planning which addresses this non-compliance.</p>

Table 1 Design response to issues raised by Council

	6) The site is located adjacent to a heritage item listed in Schedule 5 of LEP 2011 - Bain Park at Oxley Lane and Avondale Street. Provisions of clause 5.10 of LEP 2011 to be addressed.	Clause 5.10 of the PMHLEP 2011 addressed in this Statement within Annexure A.
	7) Details of proposed waste management and collection arrangements.	The proposed development has provided a bin room to accommodate eight bins. These will be moved to kerbside for collection along High Street.
	8) A detailed analysis of overshadowing impacts (i.e. shadow diagrams).	The submitted architectural plans provide shadow diagrams as required. The overshadowing impact of the proposal is discussed in Section 5.3.6 of this Statement.
	9) A detailed analysis of view sharing and privacy impacts.	View sharing and privacy impacts of the proposed development are provided in 5.3.7 and 5.3.8 of this Statement.
	10) Development contributions will apply. An estimate may be obtained from Council's Development Contribution team, contact Council's Contributions Section.	Noted.
	11) Demonstrate the existing uses of the building, including existing open courtyard.	This application has been submitted with existing and proposed architectural plans which indicate the existing and proposed uses of the development.
	12) Other considerations include; a) Safety, security and crime prevention. b) Noise impacts from road and CBD activity. c) Fire safety and evacuation - Building Code of Australia assessment required with the development application.	Crime prevention through design analysis provided in this Statement. An Acoustic Report prepared by <i>Muller Acoustic Consulting Pty Ltd</i> is submitted with this application. BCA Report prepared by <i>Design Right Consulting</i> is submitted with this application.
WATER	1) Council records indicate that the development site has an existing 20mm metered water service. Final water service sizing will need to be determined by a hydraulic consultant to suit the domestic and commercial components of the development, as well as fire service and backflow protection requirements in accordance with AS3500.	Noted. This is to be completed at Construction Certificate stage.
	2) Each unit will be required to be individually metered for water.	Noted. Compliance to be achieved.
	3) The commercial component will need to be separately metered from the residential component.	Noted. Compliance to be achieved.
STORM WATER	1) A stormwater management plan must be prepared in accordance with the requirements of AUSPEC D5 and D7 and the requirements of relevant Australian Standards,	This application is submitted with Stormwater Plans prepared by <i>Australian Consulting Engineers</i> .

Table 1 Design response to issues raised by Council

	<i>demonstrating how all stormwater and surface water discharging from the proposed development site, buildings and works will be conveyed to the legal point of discharge by underground pipe drains to the satisfaction of Council.</i>	
ENGINEERING	<i>1) Works within the road reserve and/or on Council owned assets will require a refundable bond equal to 130% of the cost of the works (to be held during construction until acceptance of the works).</i>	Noted.
OTHER	<i>1) Please make reference to these pre-lodgement comments within the DA submission/planning report.</i>	Noted.
	<i>2) Any comments in this Pre-Lodgement advice are based on the information provided. The comments do not predicate the outcome of a full assessment of any forthcoming development application regarding this proposal. Any subsequent change to legislation may also affect the accuracy of this advice.</i>	Noted.

4. Description of the proposal

4.1 PROPOSED SHOPTOP HOUSING

The proposed development involves alterations and additions to the existing commercial building. The existing single storey structure is proposed to be predominately retained, including additional services and amenities within the front open space. The proposed works will also include an additional first floor containing four residential units each with their own private open space. The development will also include an awning over the existing pathway as is consistent with the neighbouring properties.

The proposal will significantly improve the quality of the existing structure on site through the proposed works. The design of the first floor addition will enhance the built form and improve the relationship to the character of the surrounding area. The proposed development will not provide any parking on-site as is existing.

The proposal is detailed on the submitted plans prepared by *MKD Architects* and described below:

Ground Level

The proposed development will provide a number of services and amenities on the ground floor to improve the quality for the existing commercial tenants and future residents of the first floor addition. It is noted that the existing commercial tenancies on the western (side) boundary and to the rear of the site will be predominantly unchanged in this proposal.

At the sites primary building façade fronting High Street, the proposal will provide a new bench and planter box along the eastern portion of the site, improving the articulation of the primary façade. Beyond this point, the existing landscaped area will be replaced with hard paved area which is appropriate within the zone.

At the sites centre, the proposed development will provide secure lift and stair accessibility to the first floor, and will include an accessible toilet and bicycle storage. The proposal will also provide a bin room with an airlock within the existing commercial premises at the sites rear, as accessed from the existing pedestrian entry. This space will be designed in order to minimise the emission of odours and impact to the sites tenancies.

First Floor

The application proposes an additional first floor which will include 4 residential apartments, comprising 1 x studio and 3 x 1 bedroom apartments. All apartments will contain an open plan living arrangement, bathroom, laundry and bedroom. A private open space is provided for each residential unit as accessed from the primary living areas.

This additional level will be directly accessed via the lift and stairs and will contain an open lobby area. It is noted that this floor area will be built over the existing grass and outdoor seating area on the ground level and will be supported by columns.

Table 1 outlines the primary calculations of the existing and proposed development.

Table 2 Project Data		
Site Area	769.96m ²	
	Existing	Proposed
Gross Floor Area		
Ground Floor	446.52m ²	464.8m ²
L1	-	216.35m ²
Total	446.52m ²	681.15m ²
Floor Space Ratio	0.58 : 1	0.88 : 1
Height	6m	9.1m

4.2 LANDSCAPING

The proposed development will remove the existing grass area located within the northern portion of the site and will provide a bench and planter box fronting High Street. The site is located within a B2 Local Centre zone in which landscaped areas and vegetation are not required within the zone. The existing landscaping is atypical and is not consistent with the building frontages in the locality.

Accordingly, this application will rationalise the existing landscaped area fronting High Street through the provision of a planter box, bench seating and paving. This will ensure compatibility with the neighbouring properties, provide improved natural surveillance and result in a more active street frontage as required within the B2 Zone.

A Landscape Plan prepared by *Taylor Brammer Landscape Architects* is submitted with this application.

4.3 WASTE MANAGEMENT

The proposal incorporates a new waste storage area with an airlock located within the existing commercial tenancy at the centre of the site. This will accommodate the appropriate number of bins to services the existing commercial tenancies and proposed residential apartments. It is noted that the waste is to be moved to kerbside for collection from High Street.

A Waste Management Plan has been submitted with the application detailing the nature and volumes of waste as a result of the demolition and construction phases as well as the intended disposal and recycling of those materials.

5. Environmental Planning Assessment

5.1 PREAMBLE

This section of the Statement provides a planning assessment of the proposed development covering all relevant heads of consideration under Section 4.15 of the EP&A Act, 1979.

5.2 STATUTORY AND POLICY COMPLIANCE

The relevant matters for consideration under Section 4.15(1)(a) of the EP&A Act, 1979, are identified in the following Table:

Table 3 Section 4.15 Matters for Consideration				
EP & A Act, 1979.	Matters for Consideration	OK	See Comments	N/A
S.4.15(1)(a)(i)	SEPP No. 55 – Remediation of Land	✓	✓	
"	SEPP No. 65 – Design Quality of Residential Apartment Buildings (Amendment No. 3)	✓		✓
"	SEPP (BASIX) 2004	✓	✓	
"	SEPP (Infrastructure) 2007	✓	✓	
"	Port Macquarie-Hastings LEP 2011	✓	✓	
S.4.15(1)(a)(iii)	Port Macquarie-Hastings DCP 2013	✓	✓	
	Any other prescribed matter:			
S.4.15(1)(a)(iv)	<ul style="list-style-type: none"> AS 2601-1991: Demolition of structures. 	✓	✓	

The matters identified in the above Table as requiring specific comment are discussed below. The primary statutory documents that relate to the subject site and the proposed development is the Port-Macquarie Hastings Local Environmental Plan 2011 (PMHLEP 2011).

The primary non-statutory document relating to the subject site and proposed development are Port-Macquarie Hastings Development Control Plan (DCP) 2013. The relevant provisions of these documents and other relevant planning controls are summarised below and the proposal's compliance with them assessed.

5.2.1 SEPP No.55 – Remediation of Land

This State Environmental Planning Policy (SEPP) was gazetted on 28 August 1989 and applies to the whole State. It introduces planning controls for the remediation of contaminated land and requires an investigation to be made if land contamination is suspected.

The site has been used for commercial tenancies for a considerable period of time, and there is no reason to suspect that it is contaminated. Additionally, the proposal will not involve any excavation which will impact the proposed

residential apartments. There is no reason to suspect that it is contaminated and therefore the requirements of SEPP No. 55 are therefore satisfied.

5.2.2 SEPP No. 65 – Design Quality of Residential Flat Buildings

SEPP No.65 – *Design Quality of Residential Flat Buildings* was gazetted on 26 July 2002 and applies to the assessment of development applications for residential flat developments of three or more storeys in height and containing at least (4) dwellings. Amendment 3 to the SEPP commenced on 17 July 2015 and it introduced various changes to the SEPP including the introduction of the *Apartment Design Guide* to replace the *Residential Flat Design Code*.

SEPP 65 does not apply to this proposal as it is limited to two storeys despite containing four residential dwellings. As such, this application does not require any further assessment under this SEPP.

5.2.3 SEPP Building Sustainability Index: BASIX 2004

SEPP (Building Sustainability Index: BASIX) 2004 commenced on 1 July 2004 and applies to the proposed development.

In accordance with the provisions of the SEPP, a BASIX Certificate is submitted with the application and confirms that the proposal (once operational) will comply with the water, thermal comfort and energy efficiency requirements of the policy.

5.2.4 SEPP (Infrastructure) 2007

State Environmental Planning Policy (Infrastructure) 2007 is applicable to the subject site as it adjoins a classified road. The following aspects of SEPP (Infrastructure) 2007 are relevant to the proposed development (overleaf):

Table 4 SEPP (Infrastructure) 2007

Clause	Proposal
Clause 101	
(2) The consent authority must not grant consent to development on land that has a frontage to a classified road unless it is satisfied that:	No vehicular access is proposed for this application.
(a) where practicable, vehicular access to the land is provided by a road other than the classified road, and	High Street will continue to operate as existing and will not be affected by the proposed alterations and additions.
(b) the safety, efficiency and ongoing operation of the classified road will not be adversely affected by the development as a result of:	
(i) the design of the vehicular access to the land, or	No proposed vehicular access.
(ii) the emission of smoke or dust from the development, or	Required management practices to be undertaken during construction works.

Table 4 SEPP (Infrastructure) 2007

(iii) the nature, volume or frequency of vehicles using the classified road to gain access to the land, and	No additional vehicles proposed to access subject site.
(c) the development is of a type that is not sensitive to traffic noise or vehicle emissions, or is appropriately located and designed, or includes measures, to ameliorate potential traffic noise or vehicle emissions within the site of the development arising from the adjacent classified road.	<p>An Acoustic Report prepared by <i>Muller Acoustic Consulting</i> has been submitted separately with this application. It is noted that the proposed residential units have been designed with balconies to act as a buffer to the internal habitable spaces.</p> <p>The acoustic report found that subject to recommendations, the proposed residential apartments will comply with the requirements of Clause 101.</p>

Clause 102

(3) If the development is for the purposes of residential accommodation, the consent authority must not grant consent to the development unless it is satisfied that appropriate measures will be taken to ensure that the following LAeq levels are not exceeded:	An Acoustic Report has been submitted with this application which provides appropriate measures to be taken to ensure acoustic privacy is maintained.
(a) in any bedroom in the residential accommodation—35 dB(A) at any time between 10 pm and 7 am,	
(b) anywhere else in the residential accommodation (other than a garage, kitchen, bathroom or hallway)—40 dB(A) at any time.	

In light of the above, the proposal satisfies the relevant provisions of SEPP (Infrastructure) 2007.

5.2.5 Port Macquarie-Hastings Local Environmental Plan 2011

Port Macquarie-Hastings LEP 2011 (PMHLEP 2011) applies to the subject site. Under the LEP, the subject site is within Zone B2 – Local Centre and, amongst other things, shop top housing is identified as permissible with consent in the zone.

A response to the requirements of PMHLEP 2011 is provided in Annexure A.

5.2.6 Port Macquarie-Hastings Development Control Plan 2013

Port Macquarie-Hastings DCP 2011 & 2013 (PMHDCP 2011 & 2013) applies to the subject site. The provisions of the DCP that apply to the proposal are contained in Annexure B along with an assessment of the performance of the proposal with those controls. As detailed at Annexure D, the proposed development has been designed to comply with the relevant DCP controls.

5.3 IMPACTS ON NATURAL & BUILT ENVIRONMENT

5.3.1 Topography & Scenic Impacts

The site is located on the southern side of High Street with a topography which is suitable for the proposed development. The proposal will result in minor excavation to accommodate the additional elements proposed at ground level and the piers to accommodate the first floor development. This will not adversely impact the natural topography on the subject site or neighbouring properties.

In terms of scenic impacts, the proposed development significantly improves the quality of the existing building on-site. The additional level will provide an architectural design which will improve the character of the locality and will not result in any adverse impacts to the surrounding properties.

As such, the proposal will not generate any adverse topographical or scenic impacts.

5.3.2 Micro-climate Impacts

The proposed development will have no significant impact on the micro-climate of the locality.

5.3.3 Water & Air Quality Impacts

During construction, appropriate sediment and erosion controls will be installed and maintained to prevent migration of sediment from the site. Once constructed, roof and surface water from the development will be captured for retention or reuse where possible and discharged to the existing constructed system. The proposal is unlikely to have any notable impact on water quality.

In terms of air quality, the site will be managed during construction to mitigate potential for dust generation. During operation, the proposed residential component is not anticipated to generate any unusual odour or fumes. The proposal is unlikely to have any notable impact on air quality.

5.3.4 Flora & Fauna Impacts

The subject site does not contain any significant trees within the landscaped area fronting High Street. It is noted that landscaped area and vegetation are uncommon within the B2 Local Centre zone given the building typology and lot pattern. As such, the proposed development will remove the existing landscaping and rationalise the front portion of the site through the provision of bench seating, planter boxes and paving.

Accordingly, the proposed development is considered to have no adverse impact to flora and fauna in the locality.

5.3.5 External Appearance & Design

The proposed application will significantly improve the quality and character of the building on site through the provision of an additional level as is consistent with the locality. The first floor has been designed a contemporary addition which occupies the front portion of the site and will overhang the existing hard paved and grass areas on ground level.

The ground floor will be provided with additional services which will improve the useability of the site. All residential units on level one have been designed to maximise solar access and ventilation as far as practicable to living areas and private open spaces, with open plan living arrangements to ensure flexibility of use.

The proposed first floor has been designed with a contemporary external appearance which will overhang the ground floor area. Given the proposed overhang, the first floor has been designed with vertical timber elements, glazing and balconies fronting the public domain, as to provide visual interest and casual surveillance to High Street. The

proposal will also provide a parapet roof design and awning as is consistent with High Street. The proposed planter box and seating area located at ground level will provide an alteration to the external appearance which will compliment the first floor addition, without proposing any significant changes to the existing ground floor structures.

The modulation of the façade has been enhanced through the utilisation of materials, including timber finished aluminium, assorted render, glazing and face brickwork to match the existing. The proposed parapet roof design will also utilise Colorbond roof sheeting as is common in the locality.

Accordingly, the proposed development is considered to significantly improve the existing architectural design and quality of the existing building on site, and is therefore acceptable in this regard.

5.3.6 Solar Access

Shadow diagrams of the existing and proposed development on site have been prepared and are submitted with the development application for 21 June. The plans show the existing and additional shadow cast by the proposed alterations and additions.

In terms of overshadowing and solar access to the subject site and neighbouring properties, Chapter 3.3 the DCP requires as follows:

- a) Sunlight to the principal area of ground-level private open space of adjacent properties should not be reduced to less than 3 hours between 9.00am and 3.00pm on June 22. Where existing overshadowing by buildings and fences is greater than this, sunlight should not be reduced by more than 20%.*
- b) Buildings should not reduce the sunlight available to the windows of living areas that face north in existing adjacent dwellings to less than the above specification.*

The proposed development will result in a minor increase to the overshadowing of neighbouring properties. Given the building typology includes nil side setbacks, overshadowing is considered to be unavoidable. Notwithstanding, the site orientation results in a minor increase to Nos. 38-40 High Street from 9am-12pm, after which the neighbouring property will receive three hours of solar access. Similarly, No. 32 High Street will be impacted from 12pm-3pm, however receives 3 hours during the morning period. It is noted that the proposed rear setback mitigates the increase of shadows to the neighbouring sites, as the predominant bulk of shadow cast is by the existing building. Additionally, sunlight to the northern facades of the neighbouring sites will be retained in this proposal.

With regards to the solar access of the proposed development, three of four residential units (75%) have orientated primary living areas and open spaces to the north. These spaces will achieve greater than 3 hours of solar access between 9am and 3pm on 21 June. Given the site orientation, narrow allotment and building typology of the locality (nil setbacks), the location of Unit 4 is limited to the southern façade. Although this unit will not receive direct solar access, it contains a skylight orientated north in order to maximise solar gain as far as practicable. Additionally, this unit has been designed with an open plan arrangement and length of 5m in order to maximise light infiltration throughout the primary living areas.

With regards to solar access to bedrooms, site constraints limit the size and location openings. Accordingly, the first floor lobby space has been designed with a void and open southern façade. This will allow solar infiltration into the southern facing bedrooms of Unit 1, 2 and 4. These rooms have been provided with 1.8m sill heights to ensure visual privacy, whilst permitting solar gain and cross ventilation to the unit. Unit 3 incorporates a northern facing skylight over the bedroom in order to capture solar gain and allow ventilation. The floor plan arrangement of the proposed studio apartment for Unit 3 will permit solar infiltration throughout the dwelling given its open nature.

Therefore, with regards to the above it is considered that solar access and overshadowing is considered acceptable.

5.3.7 Views

There are currently no significant primary or secondary views enjoyed across the site. Accordingly the proposed development is unlikely to result in any loss of aspect or views enjoyed by surrounding properties.

5.3.8 Aural & Visual Privacy

The proposed development has been designed to minimise as far as practicable the likelihood of any adverse overlooking or invasion of aural privacy of neighbouring properties.

The first floor addition has orientated the primary living areas and private open space of the development towards the front and rear boundary, being High Street and Oxley Lane respectively. At the primary building façade, the proposed balconies are separated via blade walls and will contain moveable louvres as to protect the aural and visual privacy of the units from the surrounding area.

To the rear, Unit 4 has been designed with solid walls on the eastern and western elevations in order to mitigate potential overlooking from future developments on neighbouring properties. Given the considerable setback to the rear boundary and current provision of on-site parking to the neighbouring properties, overlooking is minimised. Further, in the event of redevelopment of the neighbouring properties, it is considered that any first floor residential or commercial building will be built to side boundaries and will thus mitigate privacy concerns.

In regards to aural privacy, the proposed first floor is considered to have no additional aural concerns over what would ordinarily be approved in a B2 Local Centre zone. As mentioned, all balconies and internal living spaces have been orientated to High Street and Oxley Lane.

As such, the proposal is considered acceptable in terms of aural and visual privacy impacts on adjoining development and the amenity of future residents.

5.4 ECONOMIC & SOCIAL IMPACTS

The proposed development will result in an increase in the available housing stock in the locality through the orderly and economic development of the site. The proposal will also result in a significant improvement to the existing building and amenities on-site. The provision of residential units within the locality will provide undoubted social benefits for the locality. The subject site enjoys good access to established commercial services, community facilities and public transport.

The proposed development will utilise existing infrastructure including electricity, sewer, water and telecommunication services.

Undertaking the demolition and construction works will have some short-term positive economic impacts through employment generation, both direct employment and multiplier effects. Accordingly, it is considered that the proposed development is likely to have only positive social and economic impacts in the locality.

5.4.1 Crime Prevention through Environmental Design

Part B of the Department of Urban Affairs and Planning's (now Department of Planning and Environment) Crime Prevention and the Assessment of Development Applications: Guidelines under Section 4.15 of the Environmental Planning and Assessment Act 1979 identify four Crime Prevention through Environmental Design (CPTED) principles (Table 2). Each of the principles seeks to reduce opportunities for crime and have been used to inform the NSW Police Safer by Design Guidelines for Crime Prevention. The principles and response is provided in the table below:

Table 5 CPTED Principles

Table 5 CPTED Principles

Principle	Response
Access Control	<p>The proposal will retain the existing open entry, however will rationalise this space in order to improve the flow of pedestrian and active frontage to High Street. This space will be designed in order to permit better visual access from the commercial premises and the public domain.</p> <p>The proposal will provide a clear definition between the residential access lift and stairs, existing commercial tenants and open space seating area which will serve the existing café. Given the improved landscaping of this space, views will be significantly improved. It is noted that the proposed bench seating at the front of the site is a design measure which provides a barrier to site access. The revision of the landscaped area will considerably improve natural sight lines for this development.</p> <p>The proposal will be appropriately lit, with wayfinding signage and security measures in place as required.</p>
Surveillance	<p>As mentioned above, the redesigned open entrance will significantly improve natural surveillance across the site. The rationalisation of this space will permit better sight lines from the commercial developments through the site onto the public domain, and from the public domain onto the site. Views to the secured residential lift and stairs is transparent and is not obscured.</p> <p>The first floor has been designed with balcony spaces and primary living areas fronting High Street. This will provide natural surveillance to the Town Centre for greater periods of time, including times prior to and after closing hours. To the rear, the single proposed dwelling (although setback) will provide an increase to natural surveillance.</p>
Territorial reinforcement	<p>The revised ground floor entrance provides a clear distinction between the commercial, open entry space and residential apartments. The proposed seating area and planter box at the primary façade fronting High Street provides a barrier which will deter unrestricted access excluding users of the commercial premises. This will ensure that access is limited and controlled.</p> <p>If required, the open space seating area fronting the site can include signage to alert the public of restricted usage. Additionally, appropriate security measures will be incorporated as required. Entry to the residential lift and staircase will be controlled by key card access or the like.</p>
Space management/maintenance	<p>The proposal will be managed by the building managers which will include maintenance of landscaping, removal of graffiti, waste removal and collection, installation and operation of lighting and security measures and general building upkeep.</p> <p>Given the residential component, maintenance of the existing building will be improved in order to ensure that the site maintained appropriate to the increase of site density.</p>

In accordance with the above, it is considered that the subject development performs well in terms of achieving the safer by design guidelines for crime prevention. The development is deemed to be either safe or safe subject to the implementation of the following recommendations:

- The main residential access to the first floor is to be controlled with access being restricted by an intercom, key, code or card lock system;

- The entry from High Street is to be illuminated during the evening to a level that allows clear lines of sight from the street frontage;
- A security alarm is to be linked to the residential entry and commercial entry to be activated in the event of forced entry;
- The street number of the subject building is to be readily identifiable from High Street;
- All painted surfaces on the external parts of the ground floor level are to be treated with a graffiti resistant coating; and
- Building management is to be responsible for the maintenance of common property including landscaping and removal of any graffiti.

5.5 THE SUITABILITY OF THE SITE

5.5.1 Access to Services

The site is located within an established urban area with good access to services and public transport. As the site is within an established urban area, electricity, sewer, telephone, and water services are readily available to the subject site.

5.5.2 Parking and Access

The existing development does not contain the provision of any on-site parking for the existing commercial premises. Given the proposed development will retain the footprint of the ground level, no additional on-site parking is able to be provided for the proposed residential units.

Chapter 2.5 *Transport, Traffic Management, Access and Car Parking* requires 1 residential space per 1 or 2 bedroom dwelling and 1 visitor space per 4 dwellings. This generates a total requirement of 5 spaces, which will not be achieved by this proposal. It is noted that no on-site parking is currently provided for the commercial tenancies, and has been excluded from the proposed parking generation. This shortfall is considered acceptable as discussed below and in the Traffic Report prepared by *Varga Traffic Planning*.

The subject site is located within the Wauchope Town Centre and is within close proximity to numerous retail, commercial, educational and community facilities, in addition to public open spaces. The B2 Local Centre zoning encourages the *maximisation of public transport patronage and encourages walking and cycling*. Despite non-compliance with the DCP requirement, the sites central location encourages the usage of these alternate transport options.

The provision of studio and 1 bedroom apartments encourages a specific demographic of occupants who will rely on public and active transport as opposed to car ownership. The site is located within 650m walking distance to Wauchope Railway Station which provides access Sydney, Brisbane and the surrounding areas. Further, the site is within 200m walking distance to bus stops located along High Street and Cameron Street. The 335W bus service provides connectivity from Wauchope to Port Macquarie throughout the week and will suitably serve increase distance travel if required. Further, the provision of bicycle storage at ground level will also encourage active transport to employment, recreation and community facilities. The Traffic Report stipulates the following;

In summary, the subject site is ideally placed to eliminate the need for private car ownership and usage, and to encourage alternate forms of transport such as public transport, cycling and walking. It is therefore reasonable to conclude that the proposed development will not have any unacceptable implications in terms of off-street parking.

Accordingly, given the central location of the site, size of the proposed units and opportunity for active and public transport, the shortfall in parking is considered to be acceptable.

5.5.3 Hazards

The site is not in an area recognised by Council as being subject to landslip, flooding, bushfire or any other particular hazards. The proposed development is not likely to increase the likelihood of such hazards occurring and is considered appropriate in this instance.

5.6 THE PUBLIC INTEREST

The proposed development has been designed to relate to the existing building on site and is compatible with the existing and future character of the locality. The proposal has no significant adverse impacts on the natural environment in terms of hydrology and drainage or vegetation removal. The development will provide 4 high quality apartments on a centrally located site. The proposed development aligns with the existing character on site and significantly improves the quality of the existing building.

The proposal has been designed to minimise as far as practicable any adverse effects on existing and future neighbouring properties. The proposal is consistent with the applicable LEP and DCP provisions except where identified and justified in this Statement. Where a numeric compliance cannot be achieved, the proposal has been demonstrated to achieve the objectives underpinning those controls. Accordingly, the proposed development is considered to be in public interest.

6. Conclusion

The proposed development has been assessed in light of Section 4.15 of the Environmental Planning & Assessment Act, 1979, State Environmental Planning Policies and Council's planning instruments.

The proposal is permissible with Council's consent within the zone and meets the relevant requirements of the Port Macquarie-Hastings LEP 2011, and complies with the applicable built form objectives of Council's DCP. That is, the massing arrangement adopted aligns with that existing on-site and envisaged by the PMHLEP.

The siting of the proposed addition is consistent with the existing building on site, with considerable improvements to the design, external appearance and landscaping to be improve the building as consistent with the desired future character of the locality. The proposal is not likely to result in any unreasonable loss of privacy to adjoining or nearby residents and will offer high levels of amenity for future occupants.

The completed development will have no unreasonable impact on solar access to adjoining residential properties, nor will the proposal change the topography, micro-climate, air or water quality of the locality.

Undertaking the construction works will have some short-term positive economic impacts through employment generation, both direct employment and multiplier effects.

Accordingly, in the circumstances of the case, the proposal is considered to be in the public interest and worthy of Council's support.



ANNEXURE A

Port Macquarie-Hastings Local Environmental Plan
2011 –
Compliance Table



PORT MACQUARIE-HASTINGS LEP 2011 COMPLIANCE TABLE			
Clause / Control	Requirement	Proposal	Complies?
2.3 Zone Objectives & Land Use Table	<p>B2 – Local Centre Zone Objectives</p> <ul style="list-style-type: none"> 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 a safe public environment. <p>Shop Top Housing is permissible with consent from Council.</p>	<p>The proposed development is entirely consistent with the relevant zone objectives in that the shop top housing development will retain the existing commercial tenancies on the ground floor and provide an additional first floor containing four residential dwellings.</p> <p>The proposal will provide dwellings within the local centre zone and will encourage employment opportunities in accessible locations, whilst encouraging the utilisation of public and active (walking and cycling) transport. The proposed development will also considerably improve the streetscape character of the existing building.</p> <p>The proposal is best described as shop top housing and is permissible with consent from Council.</p>	Yes
4.3 Height of buildings	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 – 18 metres.	The maximum height of the building is 9.15m.	Yes
4.4 Floor space ratio	The FSR of a building on any land is not to exceed the maximum FSR shown for the land on the FSR Map – 1.5:1.	The proposed development will provide an FSR of 0.88:1 (681.15m ²).	Yes
5.10 Heritage	<p>(2) Requirement for consent Development consent is required for any of the following—</p> <p>(a) demolishing or moving any of the following or altering the exterior of any of the following (including, in the case of a building, making changes to its detail, fabric, finish or appearance)—</p> <ul style="list-style-type: none"> (i) a heritage item, (ii) an Aboriginal object, (iii) a building, work, relic or tree within a heritage conservation area, <p>(b) altering a heritage item that is a building by making structural</p>	<p>The proposed development is not recognized as a heritage item or within a heritage conservation area, however is located within the vicinity of Bain Park (1100).</p> <p>The proposed development has been designed with a considerable 21.85m setback on the first floor to the rear boundary fronting Oxley Lane. Given the significant visual and physical separation proposed to Bain Park, the proposed development will not create any adverse impact</p>	Yes

Statement of environmental effects
REF: M200025 17

Planning Ingenuity Pty Ltd

PORT MACQUARIE-HASTINGS LEP 2011 COMPLIANCE TABLE

	<p>changes to its interior or by making changes to anything inside the item that is specified in Schedule 5 in relation to the item,</p> <p>(c) disturbing or excavating an archaeological site while knowing, or having reasonable cause to suspect, that the disturbance or excavation will or is likely to result in a relic being discovered, exposed, moved, damaged or destroyed,</p> <p>(d) disturbing or excavating an Aboriginal place of heritage significance,</p> <p>(e) erecting a building on land—</p> <p>(i) on which a heritage item is located or that is within a heritage conservation area, or</p> <p>(ii) on which an Aboriginal object is located or that is within an Aboriginal place of heritage significance,</p> <p>(f) subdividing land—</p> <p>(i) on which a heritage item is located or that is within a heritage conservation area, or</p> <p>(ii) on which an Aboriginal object is located or that is within an Aboriginal place of heritage significance.</p> <p>(5) Heritage assessment</p> <p>The consent authority may, before granting consent to any development—</p> <p>(a) on land on which a heritage item is located, or</p> <p>(b) on land that is within a heritage conservation area, or</p> <p>(c) on land that is within the vicinity of land referred to in paragraph (a) or (b),</p> <p>require a heritage management document to be prepared that assesses the extent to which the carrying out of the proposed development would affect the heritage significance of the heritage item or heritage conservation area concerned.</p>	<p>to the character or amenity of the heritage item.</p> <p>Further, the proposed first floor addition has been designed with materials and architectural elements which are considered to be an improvement over the existing building on site. It is noted that the ground level commercial premises facing Oxley Lane will be unchanged in this proposal.</p> <p>As such, given the minimal impact to the streetscape viewed from the rear lane, the proposed development is considered to appropriately satisfy the requirements of Clause 5.10(2).</p> <p>As mentioned above, the proposed development will have no physical, visual or amenity impact on the heritage item recognized as Bain Park. Accordingly, the proposal is considered to be acceptable with regards to Clause 5.10(5).</p>	<p>Yes</p>
6.2 Earthworks	<p>(3) Before granting development consent for earthworks (or for development involving ancillary earthworks), the consent authority</p>	<p>The proposed development will require minor excavation which is considered to have minimal impact to the topography of the subject site</p>	<p>Yes</p>

PORT MACQUARIE-HASTINGS LEP 2011 COMPLIANCE TABLE

	<p>must consider the following matters:</p> <p>(a) the likely disruption of, or any detrimental effect on, drainage patterns and soil stability in the locality of the development,</p> <p>(b) the effect of the development on the likely future use or redevelopment of the land,</p> <p>(c) the quality of the fill or the soil to be excavated, or both,</p> <p>(d) the effect of the development on the existing and likely amenity of adjoining properties,</p> <p>(e) the source of any fill material and the destination of any excavated material,</p> <p>(f) the likelihood of disturbing relics,</p> <p>(g) the proximity to, and potential for adverse impacts on, any waterway, drinking water catchment or environmentally sensitive area,</p> <p>(h) any appropriate measures proposed to avoid, minimise or mitigate the impacts of the development.</p>	and neighbouring dwellings.
--	--	-----------------------------



ANNEXURE B

Port Macquarie-Hastings Development Control Plan
2011 & 2013 –
Compliance Table



Port Macquarie-Hastings DCP 2011 Compliance Table			
Clause / Control	Requirement	Proposal	Complies?
Wauchope Town Centre			
Town Centre Precinct			
Development Provisions	DP2.1 New development should retain the scale of the main street edge	The proposed development will retain the ground floor built form with improvements proposed to the existing landscaped area. The proposed first floor has been designed with a nil setback which aligns with the neighbouring properties and character of the B2 Local Centre.	Yes
	DP2.2 Shop fronts and the architectural profile of buildings should respond in width to the predominant narrow lot frontage.	The proposal will retain the existing ground floor shop front and provide an improved open space area which will improve visibility and aesthetic quality. This responds to the proposed first floor overhang and awning.	Yes
	DP2.3 Shop fronts should be predominantly glass for cafes/restaurants and encouraged to open fully to the street	No change to existing shop fronts.	Yes
	DP2.4 Building facades, including colour pallets, should respond in a positive manner to the existing historical, cultural and high quality built form within Wauchope.	The proposal will incorporate balconies to the front façade with vertical timber elements. The proposal will also retain the existing face brick work and glazing and is compatible with the neighbouring buildings.	Yes
	DP2.5 At the street level, building facades, excluding restaurants, cafes and the like, should present a coordinated edge. Second and third level windows should complement the building style above the ground floor retail use with facades terminating by either articulated parapets or over-sailing pitched roofs.	The proposal will retain the existing ground floor with improvements to the open space area. The first floor addition above will utilise a parapet design with balconies from the residential fronting the public domain. The proposed vertical elements will also provide articulation and visual interest.	Yes
	DP2.6 All buildings should have continuous, coordinated design and depth of awnings, which respond to the towns architectural qualities and provide shelter for pedestrians and street users. Awnings may be	The proposal provides an awning which is consistent with the neighbouring buildings along High Street.	Yes

Port Macquarie-Hastings DCP 2011 Compliance Table			
	1-2 storey verandas with posts for upper balconies where practical. DP2.7 Verandah posts are encouraged to be reinstated where possible. Post positions should be buffered from the carriageway to provide for pedestrian and vehicle safety. DP2.8 The use of weatherboards or masonry materials is encouraged.	Not applicable. Face brickwork and render will be utilised as is common along the streetscape.	N/A Yes

Port Macquarie-Hastings DCP 2013 Compliance Table			
Clause / Control	Requirement	Proposal	Complies?
PART 2 – GENERAL PROVISIONS			
2.3 Environmental Management			
Cut and Fill	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)	The proposed development will not involve any significant excavation or fill and will not adversely impact the topography of the site. Minimal excavation is proposed for the footings and landscaping.	Yes
	a) The maximum height of a retaining wall along all road frontages is 1.0m. b) Any retaining wall greater than 1.0m must be certified by a certified practising structural engineer. c) 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 have 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. 	No retaining walls proposed to road frontage. Proposed front seating will be a height of 0.7m. Not applicable. Not applicable.	Yes N/A N/A

Port Macquarie-Hastings DCP 2013 Compliance Table			
Chapter 2.4 - Hazards Management			
Stormwater	a) All stormwater infrastructure is designed in accordance with the Council's Auspec Design	This application has been submitted with Stormwater Plans.	Yes
Chapter 2.5 – Transport, Traffic Management, Access and Car Parking			
Road Hierarchy	<p>a) New direct accesses from a development to arterial and distributor roads is not permitted. Routes should differ in alignment and design standard according to the volume and type of traffic they are intended to carry, the desirable traffic speed, and other factors.</p> <p>b) Existing direct accesses from a development to arterial and distributor roads are rationalised or removed where practical.</p> <p>c) Vehicle driveway crossings are minimal in number and width (while being adequate for the nature of the development), and positioned:</p> <ul style="list-style-type: none"> • to avoid driveways near intersections and road bends, and • to minimise streetscapes dominated by driveways and garage doors, and • to maximise on-street parking. 	<p>Not applicable.</p> <p>Not applicable.</p> <p>No vehicle access proposed.</p>	<p>N/A</p> <p>N/A</p> <p>N/A</p>
Parking Provision	<p>a) Off-street Parking is provided in accordance with Table 2.5-1, located at the end of this Chapter.</p> <p>b) Where a proposed development does not fall within any of the listed definitions, the provision of on-site parking shall be supported by a parking demand study.</p> <p>c) Where a proposed development falls within more than one category Council will require the total parking provision for each category.</p> <p>Council may consider a reduced level of parking where it is supported by a parking demand study that assesses the peak parking demands for the overall development and completed by a suitably qualified and experienced person.</p>	<p>The proposed development does not provide any parking spaces as discussed in Section 5.5.2 of this Statement. A Traffic Report prepared by <i>Varga Traffic Planning</i> is submitted with this application.</p> <p>Not applicable.</p> <p>Noted.</p>	<p>Yes</p> <p>N/A</p> <p>-</p>

Port Macquarie-Hastings DCP 2013 Compliance Table

	RFB – 1 space per 1 or 2 bedroom unit + 1 visitor space per 4 units Commercial / Retail – 1 per 30m ² or 1.5 spaces per office Supplies – 1 per 70m ² display		
	a) A development proposal to alter, enlarge, convert or redevelop an existing building, whether or not demolition is involved, shall provide the total number of parking spaces calculated from the schedule for the proposed use, subject to a credit for any existing deficiency, including any contributions previously accepted in lieu of parking provision.	The proposed development has been designed to retain the existing building structures on the ground floor and provide an additional level with residential dwellings. Given no on-site parking is currently provided, the proposed development has been designed with dwelling sizes (studio and 1 bedroom) which will more closely align with occupants who will utilise public and active transport (walking and cycling).	Yes
	<p>a) On street parking, for the purposes of car parking calculations, will not be included unless it can be demonstrated that:</p> <ul style="list-style-type: none"> • there is adequate on street space to accommodate peak and acute parking demands of the area; • parking can be provided without compromising road safety or garbage collection accessibility; • parking can be provided without jeopardising road function; and • that streetscape improvement works, such as landscaped bays and street trees are provided to contribute to the streetscape. <p>b) Council may allow on street visitor parking for dual occupancies where it is demonstrated that:</p> <ul style="list-style-type: none"> • there is sufficient space on street to accommodate the car spaces; • the street is a cul-de-sac (but not at the turning head) or one with low traffic volumes; • where there is no other major parking generating development in the immediate area; and • where on street parking will not compromise road safety; and • parking can be provided without jeopardising road function. <p>a) On street parking will not be permitted unless it can be</p>	The proposed development will not rely on on-street parking given the sites location within the Local Centre. Surrounding streets are subject to time limitations, and therefore the proposed development encourages the use of public and active transport	On merit
		Not applicable.	N/A

Port Macquarie-Hastings DCP 2013 Compliance Table

Parking Layout	<p>demonstrated that:</p> <ul style="list-style-type: none"> • parking does not detract from the streetscape; and • that streetscape improvement works, such as landscaped bays and street trees are provided. <p>a) Visitor and customer parking shall be located so that it is easily accessible from the street.</p> <p>b) Internal signage (including pavement markings) should assist customers and visitors to find parking and circulate efficiently and safely through a car park.</p> <p>c) Parking spaces shall generally be behind the building line but may be located between the building line and the street when:</p> <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. <p>d) Parking design and layout is provided in accordance with AS/NZS 2890.1 - Parking facilities - Off-street car parking and AS/NZS 2890.2 - Parking facilities - Off-street commercial vehicle facilities.</p> <p>e) Stack or tandem parking spaces will not be included in assessment of parking provision except where:</p> <ul style="list-style-type: none"> • the spaces are surplus to that required; • in motor showrooms; • for home business; • for exhibition homes; • in car repair stations; • staff parking spaces are separately identified and delineated; • it is visitor parking in a Torrens titled dual occupancy directly in front of the garage with a minimum depth of 5.5m. 	<p>The proposed development does not provide any on-site parking. This is discussed in Section 5.5.2 of this Statement</p>	N/A

Port Macquarie-Hastings DCP 2013 Compliance Table			
	<p>a) Parking is provided in accordance with AS/NZS 2890.1 - Parking facilities - Off-street car parking and AS/NZS 2890.2 - Parking facilities - Off-street commercial vehicle facilities and AS 1428 - Design for access and mobility.</p> <p>b) Additional spaces may be required where Council considers the development will generate a higher volume of aged or disabled traffic.</p>	The proposed development does not provide any on-site parking. This is discussed in Section 5.5.2 of this Statement	N/A
	<p>a) Bicycle and motorcycle parking shall be considered for all developments.</p> <p>b) Bicycle parking areas shall be designed generally in accordance with the principles of AS2890.3 - Parking facilities - Bicycle parking facilities.</p> <p>c) Motorcycle parking areas shall be 1.2m (wide) x 2.5m (long).</p>	<p>The proposed development has been provided with bicycle storage as accessed from High Street.</p> <p>Bicycle parking will comply with the Australian Standards.</p>	Yes
		The proposed development will not provide any motorcycle parking given the limited availability of space at ground level.	Yes
Section 94 Contributions	<p>a) Section 94 of the Environmental Planning and Assessment Act 1979 permits Council, at its discretion, to accept a monetary contribution in lieu of on-site parking where it is considered impractical or undesirable to provide parking facilities on the site of the proposed development</p> <p>Generally, contributions will not be accepted for the total amount of parking to be provided and will only be accepted in the commercial areas of Port Macquarie, Gordon Street, Laureton, North Haven and Wauchope, as identified in Council's Contribution Plan 1993, as amended.</p> <p>Contribution rates are indexed (CPI) each quarter with variations in the contribution rate for each area. Applicants are advised to consult Council's staff at the time of preparing the DA application shall a contribution for parking be proposed.</p>	Noted.	-0
Loading Bays	<p>a) Off street commercial vehicles facilities are provided in accordance with AS/NZS 2890.2 - Parking facilities - Off-street commercial vehicle facilities.</p>	Existing commercial tenancies will utilise on-street parking for loading and unloading as is existing. The proposed residential units will not generate the need for additional loading.	Yes

Port Macquarie-Hastings DCP 2013 Compliance Table			
	e) Commercial development having a floor space less than 500m ² need not provide a loading bay.	Existing commercial facility has an area of 446.52m ² and does not require a loading bay.	Yes
Traffic Generating Development	Traffic Generating Development as defined under SEPP (Infrastructure) 2007 is referred to Roads and Maritime Services. (Refer to Clause 104 and Schedule 3 of the SEPP.)	Not applicable.	N/A
Chapter 2.6 – Tree Management			
Tree Management – Private Land	<p>a) Pruning must be undertaken in accordance with Australian Standard AS 4373 – Pruning of Amenity Trees.</p> <p>b) An application for the removal of a tree listed in Table 2.6-1 must be accompanied by an Arborist's report stating that the tree:</p> <ul style="list-style-type: none"> • is dangerous; or • is dying and remedial pruning would not improve the deteriorated condition of the tree; or • has a history of branch fall (documented or photographic evidence to be provided); or • is structurally unsound or; • diseased. 	<p>This application will not involve the removal of any significant trees. The site is located within a B2 Local Centre in which no landscaped area is provided on site.</p> <p>This application will remove the existing landscaped area and improve the existing buildings relationship with neighbouring properties.</p>	N/A
Chapter 2.7 Social Impact Assessment and Crime Prevention			
Crime Prevention	<p>a) The development addresses the generic principles of crime prevention:</p> <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; 	See Section 5.4.1 of this Statement.	Yes

Port Macquarie-Hastings DCP 2013 Compliance Table			
	as described in the Crime Prevention Through Environmental Design (CPTED) principles.		
Chapter 3.3 Residential Flat Development, Tourist and Visitor Accommodation, Mixed Use Development			
Site Design and Analysis	<p>a) A site analysis plan is required for all development and should illustrate:</p> <ul style="list-style-type: none"> • microclimate including the movement of the sun and prevailing winds; • 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; • 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; • pedestrian and vehicle access; • views to and from the site; • overshadowing by neighbouring structures; and • any other notable features or characteristics of the site. 	A site analysis plan prepared by MKD Architects is submitted with this application.	Yes
Site Layout	<p>a) All applications are to include a site plan which annotates the manner in which site attributes and constraints have been considered, as follows:</p> <ul style="list-style-type: none"> • appropriateness of built form and landscape in relation to the site context, topography and urban character; • building arrangement and relationship to streets and open space; • access ways within and beyond the site; • location, function and opportunities for casual surveillance of open 	A Site Plan prepared by MKD Architects is submitted with this application.	Yes

Port Macquarie-Hastings DCP 2013 Compliance Table

Streetscape and Front Setback	space; <ul style="list-style-type: none"> ongoing site management considerations (i.e. garbage, mail collection, stormwater etc); location of existing and proposed stormwater and sewer pipes; private open space and security; parking arrangements and reduced dominance of driveways; heritage and conservation opportunities and constraints (where relevant); energy efficiency in building design and siting; solar access to subject development and adjoining residences 		
	<p>a) In an established street, the primary setback should be within 20% of the average setback of the adjoining buildings or 2m for secondary frontages.</p> <p>b) Where there is no adjoining development a minimum setback of 3.0m is required from all street frontages.</p> <p>a) Balconies and other building extrusions may encroach up to 600mm into the required front setback.</p> <p>b) Buildings should generally be aligned to the street boundary.</p> <p>c) Primary openings on all developments are aligned to the street boundary or to the rear of the site.</p>	<p>The proposal will not alter the existing setback at ground level. The first floor addition will provide a nil setback which is compatible with the B2 zone.</p> <p>Not applicable.</p> <p>The proposed balconies have a nil setback as is consistent with the building typology within the B2 zone.</p> <p>Proposed alterations and additions to be constructed to boundary.</p> <p>Proposed development will provide balcony openings to the primary street frontage and rear boundary (on the first floor).</p>	<p>Yes</p> <p>N/A</p> <p>Yes</p> <p>Yes</p> <p>Yes</p>
Side and Rear Setbacks	<p>a) The following setbacks (Refer Figure 3.3-1) apply to all sites, except where the side boundary is a secondary street frontage:</p> <ul style="list-style-type: none"> Buildings should be set back a minimum of 1.5m from side boundaries, for a maximum of 75% of the building depth. Windows in side walls should be set back 3m from side boundaries. Where the site is adjacent to an existing strata-titled building, buildings should be set back a minimum of 3m from side boundaries. <p>b) Side walls adjacent to existing strata-titled buildings should be articulated and modulated to respond to the existing buildings.</p> <p>c) A minimum rear setback of 6.0m from the building and sub</p>	<p>Not applicable. Building within B2 zone to be built to side boundaries.</p> <p>No windows in side boundaries proposed.</p> <p>Not applicable.</p> <p>Not applicable.</p> <p>The first floor is setback considerably from the rear boundary</p>	<p>N/A</p> <p>N/A</p> <p>N/A</p> <p>N/A</p> <p>Yes</p>

Port Macquarie-Hastings DCP 2013 Compliance Table			
	basements is required.	(21.85m) and is consistent with neighbouring properties.	
	a) Where sites adjacent to open space are to be developed the edge of the open space should be defined with a public road and buildings address the open space.	The proposed development is within proximity to Bain Park. The proposed first floor additions are setback considerably and will have no impact to the heritage item.	Yes
Building Depth and Deep Soil Zones	a) Deep soils zones should extend for the width of the site and should have a minimum depth of 6.0m.	Not applicable within the B2 Local Centre.	N/A
	a) Deep soil zones should accommodate existing advanced trees, and allow for advanced tree planting.	Not applicable in the B2 Local Centre.	N/A
	a) Deep soil zones should be integrated into the stormwater management measures for the development and the site	Not applicable.	N/A
Energy Conservation and Solar Access	a) Sunlight to the principal area of ground-level private open space of adjacent properties should not be reduced to less than 3 hours between 9.00am and 3.00pm on June 22. Where existing overshadowing by buildings and fences is greater than this, sunlight should not be reduced by more than 20%.	The subject site is situated next to commercial properties. Notwithstanding, given redevelopment, the neighbouring properties will receive three hours of solar access on June 22 due to site orientation.	Yes
	b) Buildings should not reduce the sunlight available to the windows of living areas that face north in existing adjacent dwellings to less than the above specification.	Northern façade of neighbouring properties will not be impacted by the proposed development.	Yes
	a) Apartments are to provide an internal clothes drying space to discourage the use of mechanical clothes drying. b) Ceiling fans are to be provided in preference to air conditioning. (Except in instances where mechanical ventilation is required because of noise, pollution or where natural adequate ventilation cannot be achieved.) c) Solar hot water systems (or equivalent technology) should be	Proposal will provide balcony space for clothes drying. This space is screened by a solid balustrade. Noted. Proposal to comply with BASIX Certificate. Proposal to comply with BASIX Certificate.	Yes Yes Yes

Port Macquarie-Hastings DCP 2013 Compliance Table			
	provided. d) Photovoltaic arrays should be installed where practical.	Proposal to comply with BASIX Certificate.	Yes
Landscaping	a) Plans for the design and planting of open space areas should be submitted with the development application and include: b) A minimum of 35% of the development site should comprise soft landscaping with a minimum width of 3m. c) Existing vegetation and proposed general planting and landscape treatment (including species, irrigation and maintenance systems). d) Design details of hard landscaping elements and major earth cuts, fills and any mounding. e) Location and design of any communal recreational facilities, including methods of protecting the privacy of nearby dwellings, where applicable. f) Species which will not obscure doors, windows and major paths, unless used to assist visual privacy of residents. g) Street trees in accordance with Council's Indigenous Street and Open Space Planting List.	Landscape Plan prepared by <i>Taylor Brammer Landscape Architects</i> submitted with application. The site is located within a B2 zone and does not require any landscaping to be provided. Existing landscaped area will be rationalised to better reflect the B2 zoning. Noted.	Yes
	a) The landscape plan should demonstrate how trees and vegetation contribute to the energy efficiency of the building. b) The landscape plan should minimise impact of winter shading on neighbouring properties.	Not proposed.	N/A
	a) Street trees are to be provided along the full frontage/s of the site in accordance with Council's Indigenous Street and Open Space Planting List.	Not proposed.	N/A
	a) All dwellings at ground floor level are encouraged to have a total minimum area of 35m ² in one area with minimum dimension of 4m x 4m: • have a maximum grade of 5%; and • be directly accessible from a ground floor living area. b) Private open space may include clothes drying and garbage storage	Not proposed.	N/A
		Minimal vegetation proposed. Noted.	N/A
		Not applicable.	N/A
		No ground floor dwellings proposed.	N/A
		Balcony spaces include clothes drying and are screened by a solid	Yes

Port Macquarie-Hastings DCP 2013 Compliance Table			
	<p>areas.</p> <p>c) The private open space provisions may be reduced where it can be demonstrated that open space for the development is concentrated on communal facilities for use by holiday-makers e.g. such as swimming pools, spas, cabanas, tennis courts.</p> <p>a) Dwellings located on or above the first floor are to have balconies with a minimum clear, unobstructed area and width according to apartment type as follows:</p> <ul style="list-style-type: none"> • Studio - 4m² • 1 bedroom - 8m², minimum 2m wide • 2 bedroom - 10m², minimum 2m wide • 3 bedroom - 12m², minimum 2.4m wide <p>a) Communal open space and private open spaces are separated by landscaping, fencing or some other means that indicates the change between public and private realm.</p>	<p>balustrade. Required private open space provided.</p> <p>All units contain a minimum balcony area of 8.5m² and dimension of 2m wide.</p> <p>Balcony spaces located on the first floor only accessed by residents.</p> <p>The proposed development orientates living areas and balconies to the street to minimise overlooking concerns. An Acoustic Report is submitted with this application which ensures no impact to acoustic privacy. Proposal provides openings to the rear and front boundary.</p> <p>Proposed units have been designed to minimise noise transmission across sensitive rooms. This application is submitted with an Acoustic Report. Rooms and uses back onto each other appropriately to minimise noise transmission.</p> <p>Acoustic Report submitted with this application.</p>	<p>N/A</p> <p>Yes</p> <p>Yes</p> <p>Yes</p> <p>Yes</p> <p>Yes</p> <p>Yes</p> <p>Yes</p>
Amenity	<p>a) Buildings are designed so that:</p> <ul style="list-style-type: none"> • busy noisy areas within the apartment face the street; and • quiet areas face the rear or side of the lot • bedrooms have line of sight separation of minimum 3m from parking areas, streets and shared driveways. <p>b) Openings of adjacent dwellings should be separated by a distance of at least 6m.</p> <p>a) Buildings are designed so that the noise transition between apartments is minimised.</p> <p>b) Uses are to be coupled internally and between apartments i.e. noisy internal and noisy external spaces should be placed together. Refer to Figure 3.3-5.</p> <p>a) Development complies with AS/NZS2107:2000 Acoustic</p>		

Port Macquarie-Hastings DCP 2013 Compliance Table			
	Recommended design sound levels and reverberation times for building interiors for residential development.		
	<p>a) Any residential development affected by noise generated by intermittent activities and events from key public spaces should demonstrate how permanent residents will be made aware of these impacts. Note: Key public spaces include, but are not limited to, the Port Macquarie Town Green, Westport Park, Oxley Oval, Bain Park, Observatory Park, Town Beach Park and other beach reserves.</p>	As above.	Yes
Visual Privacy	<p>a) Direct views between living area windows of adjacent dwellings should be screened where:</p> <ul style="list-style-type: none"> • ground and first floor windows are within a 9m radius from any part of the window of the adjacent dwelling; • other floor windows are within a 12m radius; • direct views from living rooms of dwellings into the principle area of private open space of other dwellings should be screened or obscured where they are within a 12m radius. <p>b) 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 open space; • Screening that has 25% openings (max), is permanently fixed and is made of durable materials. <p>Note: Living area includes lounge room, dining room or kitchen but does not include a bedroom, bathroom or utility room.</p> <p>c) A window in a dwelling(s) should have a privacy screen if:</p> <ul style="list-style-type: none"> • It is a window in a habitable room, other than a bedroom, that has a floor level of more than 1m above ground level (existing), and • The wall in which the window is located has a setback of less than 3 metres from a side or rear boundary, and • The window has a sill height of less than 1.5m. 	<p>The proposed residential dwellings on the first floor have been designed with balcony spaces and habitable rooms facing the front and rear boundary. All balcony spaces have utilised blade walls in order to minimise overlooking to the neighbouring properties on side boundaries in the case of their redevelopment. Balconies have also been provided with privacy screens.</p> <p>As mentioned, blade walls have been provided to balconies in order to mitigate overlooking concerns.</p> <p>Windows for bedrooms located opposing the lobby spaces have been provided with 1.8m sill heights.</p>	<p>Yes</p> <p>Yes</p> <p>Yes</p>

Port Macquarie-Hastings DCP 2013 Compliance Table

	<p>d) A balcony, deck, patio, pergola, terrace or veranda should have a privacy screen if it:</p> <ul style="list-style-type: none"> • Has a setback of less than 3m from a side or rear boundary, and • Has a floor area more than 3m², and • Has a floor level more than 1 metre above ground level (existing). 	The proposed balconies are orientated to the front and rear boundary. These balconies include privacy screens which will ensure visual privacy is maintained.	Yes
Accessibility	<p>a) Developments should be designed in accordance with Australian Standard AS1428.</p> <p>a) Barrier free access to at least 20% of dwellings in the development is provided.</p>	Compliance to be achieved.	Yes
Social dimensions and housing affordability	<p>a) Developments should be located close to areas of open space, recreation and entertainment facilities and employment areas.</p> <p>b) Where the Local Environmental Plan permits a floor space ratio greater than 1:1 a ratio of not less than 1:1 should be achieved.</p>	<p>Noted.</p> <p>Subject site is located within close proximity to Bain Park.</p> <p>The proposed development will provide a FSR of 0.88:1. Although an FSR of 1:1 is not provided, the proposal is considered to be a significant improvement of the existing building on site and meets the objectives of the B2 Local Centre zone. The development will provide four residential units within an accessible area with improvements to the streetscape proposed, and minimal impacts to the amenity of neighbour buildings and the Heritage Item.</p>	<p>-</p> <p>Yes</p> <p>On merit</p>
	<p>a) A variety of apartment types including studio, 1, 2, 3 and 3+ bedroom apartments are provided within the development.</p> <p>b) Studios and 1 bedroom apartments are not to exceed 20% of the total number of apartments within the development.</p> <p>c) A mix of 1 and 3 bedroom apartments are provided on the ground level to cater for improved accessibility for disabled, elderly people or families with children.</p>	<p>The proposal provides a number studio and 1 bedroom apartments. Given no on-site parking is provided as is existing, the proposal has been designed to accommodate occupants who will rely on public and active transport as opposed to car ownership. This resultantly reduces the size of apartments to studio and 1 bedroom apartments. As above.</p> <p>Not applicable.</p>	<p>On merit</p> <p>On merit</p> <p>N/A</p>
	<p>a) Developments should consider the principles of the Council's</p>	The proposal will provide for smaller residential units within the local	Yes

Port Macquarie-Hastings DCP 2013 Compliance Table			
	Affordable Housing Strategy in any application for a residential flat building.	centre which is considered to improve affordability.	
Aesthetics Roof Form	a) Lift over-runs and service plants should be integrated within roof structures.	The proposed parapet roof is compatible with the locality. The lift overrun is centrally located and will not be visible from the public domain.	Yes
	b) Outdoor recreation areas on flat roofs should be landscaped and incorporate shade structures and wind screens to encourage use.	Not applicable. Proposal is situated within close proximity to public open space.	N/A
	c) Outdoor roof areas should be oriented to the street.	Not applicable.	N/A
	d) Roof design should generate an interesting skyline and be visually interesting when viewed from adjoining developments.	Not applicable.	N/A
Façade Composition and Articulation	a) Façade composition should: • be designed with a balance of horizontal and vertical elements; • respond to environmental and energy needs, such as sun shading, light shelves and bay windows; • incorporate wind mitigation; • reflect the uses within the buildings. • include a combination of the following design elements: • defined base, middle and top levels; • a mixture of window types; • variation in floor height (particularly at lower levels); • balustrade detail that reflects the type and location of the balcony; • setting back the top levels of the building; • street level features that reinforce the human scale; and • balconies, awnings and recesses that create shadowing.	The proposed development has been designed with a series of elements including balconies, glazing, vertical timber elements and landscaped works at the ground level in order to articulate the façade and provide visual interest. The proposed development will be compatible with the two storey buildings in the B2 zone.	Yes
	a) The building elements, materials and colours should be consistent or complementary to those elements, materials and colours existing in the street.	The proposal will improve the open ground floor level through landscaped works and will provide a high quality contemporary addition which sets a positive precedent for future development.	Yes
Entries and Corridors	a) Entrances should be clearly identifiable from street level.	The proposal will include timber finished aluminium and neutral rendered colours which will match the character of the streetscape.	Yes
		The proposal will revise the existing open walkway accessed from High Street. The revised landscaped works will rationalise this area	Yes

Statement of environmental effects
REF: M200025

36

Planning Ingenuity Pty Ltd

Port Macquarie-Hastings DCP 2013 Compliance Table

	<p>b) Entries should provide a clear line of transition between the public street, the shared private circulation spaces and the residential apartments.</p> <p>c) Entries should provide clear line of sight between one circulation space and the next.</p> <p>d) Entries should avoid ambiguous and publically accessible small spaces in entry areas.</p> <p>e) Entries should be sheltered and well lit.</p> <p>f) Entries and circulation spaces should be sized appropriately to encourage adequate area for the movement of furniture.</p> <p>g) Lobby widths should be a minimum of 2.5m wide and 3.0m high.</p> <p>h) Lobby lengths should be minimised and avoid tight corners.</p> <p>i) Longer lobbies should be articulated by:</p> <ul style="list-style-type: none"> • changing the direction or width of a corridor; • using a series of foyer areas; • providing windows along or at the end of corridor. 	<p>and ensure clear identification.</p> <p>The open entry will be separated from the proposed residential areas via appropriate security measures.</p> <p>The singular open walkway will provide access to both residential and commercial uses.</p> <p>The open walkway is utilised to access the commercial properties and residential properties. This area will be rationalised as indicated in the landscape plan.</p> <p>Entry will be sheltered by the proposed awning and overhanging first floor.</p> <p>The open entry is considerable in size. Lift access is provided to the upper floor which will permit ease of movement.</p> <p>Open entrance is 3m in width and 3.9m in height.</p> <p>The open entrance lobby provides a clear sight line in accordance with the rationalise landscaping.</p> <p>Not applicable.</p>	<p>Yes</p> <p>Yes</p> <p>Yes</p> <p>Yes</p> <p>Yes</p> <p>Yes</p> <p>Yes</p> <p>N/A</p>
Balconies	<p>a) A minimum of one balcony (including enclosed balcony or terrace) is to be provided per apartment.</p> <p>b) The main balcony is to be directly accessible from the living area.</p> <p>c) The balconies should be designed to take advantage of favourable climatic conditions.</p> <p>d) Balconies and balustrades should be designed to balance views out of the building while affording adequate privacy to the residents of the apartment.</p>	<p>One balcony per apartment is proposed.</p> <p>Proposed apartments access from living areas.</p> <p>3 of 4 balconies are orientated north. One balcony is proposed to the south given the site restrictions and limitations.</p> <p>Proposed balconies will utilise solid balustrades to ensure privacy.</p> <p>Large sliding door openings are provided to living areas to encourage ventilation and solar access.</p>	<p>Yes</p> <p>Yes</p> <p>Yes</p> <p>Yes</p>
	<p>a) Balconies should include sunscreens, pergolas, shutters and operable walls.</p> <p>b) Balconies should be recessed to provide shadowing to the facade of</p>	<p>Balcony includes a sliding door opening.</p> <p>Balconies are recessed and articulated with vertical timber cladding.</p>	<p>Yes</p> <p>Yes</p>

Port Macquarie-Hastings DCP 2013 Compliance Table			
	<p>the building to create visual interest and articulation.</p> <p>c) Solid balustrades are discouraged but may be considered where it is demonstrated that outlook and privacy is achieved and that there is sufficient articulation or visual interest in the building facade to accommodate the solid element.</p> <p>d) Air conditioning units are not visible from the street.</p>	<p>The proposal will provide solid balustrades in order to ensure visual and aural privacy given the sites location. The proposed balconies have been articulated through vertical timber elements to create visual interest.</p> <p>Not proposed.</p>	<p>Yes</p> <p>N/A</p>
Laundries and Drying Facilities	<p>a) Secure open air clothes drying facilities that:</p> <ul style="list-style-type: none"> • are easily accessible; • are screened from the public domain and communal open spaces; and • have a high degree of solar access. 	<p>Clothes drying provided on the balcony which will be screen by solid balustrade to ensure visual aesthetics are maintained.</p>	<p>Yes</p>
Mailboxes	<p>a) mailboxes should be integrated into building design and sighted to ensure accessibility and security.</p>	<p>Mail boxes for proposed residential units provided at primary building façade.</p>	<p>Yes</p>
Safety and Security	<p>a) Developments should establish a hierarchy of space and clearly define the transition from public through to private space.</p>	<p>The open entrance walkway is overlooked by commercial premises and will be well-lit and landscaped. Access to the residential levels will be secured as required.</p>	<p>Yes</p>
	<p>b) Entrances should:</p> <ul style="list-style-type: none"> • be orientated towards the public street and encourage visibility between entrances, foyers and the street. • provide direct and well-lit access between car parks and dwellings, between car parks and lift lobbies, and to all unit entrances. • optimise security by grouping clusters to a maximum of eight, around a common lobby. 	<p>The proposal will retain the open entrance, however will significantly improve this space via planter boxes, seating and lighting design.</p> <p>Not applicable.</p>	<p>Yes</p> <p>N/A</p>
	<p>c) Surveillance is to be facilitated by:</p> <ul style="list-style-type: none"> • views over public open spaces from living areas where possible. • casual views of common internal areas, such as lobbies and foyers, hallways, recreation areas, and car parks. • the provisions of windows and balconies. • separate entries to ground level apartments 	<p>Four units provided for first floor lobby. Three commercial at ground as existing.</p>	<p>Yes</p>
		<p>Proposal provides balconies to front and rear boundaries. Internal lobby area secured as required.</p> <p>Balconies and windows provided throughout building.</p> <p>Not applicable.</p>	<p>Yes</p> <p>Yes</p> <p>Yes</p> <p>N/A</p>

Port Macquarie-Hastings DCP 2013 Compliance Table

	<p>d) Concealment should be avoided by:</p> <ul style="list-style-type: none"> preventing blind or dark alcoves which might conceal intruders particularly near lifts and stairwells, at the entrance and within indoor car parks, along corridors and walkways. providing appropriate levels of illumination for all common areas. providing graded car park illumination, with the lighting of entrances higher than the minimum acceptable standard. <p>e) Access to all parts of the building (including, apartments, different floors, balconies, common areas) is to be controlled.</p>	<p>The revised ground floor will contain an open layout to ensure sightlines and will be well-lit as to avoid dark alcoves.</p> <p>Open entrance to be appropriate lit.</p> <p>All area with public access to be lit</p> <p>Security measures to be imposed.</p>	<p>Yes</p> <p>Yes</p> <p>Yes</p> <p>Yes</p>
Site Storage	<p>a) Accessible storage facilities provided as part of the basement or garage area should be secure and only accessible to the unit tenant.</p> <p>b) One dedicated bike storage space should be provided per dwelling as part of the basement, garage area or dwelling area.</p>	<p>Storage provided within apartments given no parking spaces are provided.</p> <p>Secure bike storage provided at ground level.</p>	<p>Yes</p> <p>Yes</p>
Waste Management	<p>a) In developments not exceeding six dwellings, individual waste management facilities may be permitted. A designated area should be provided to store waste and recycling bins that:</p> <ul style="list-style-type: none"> is not visible from the street; is easily accessible to dwelling occupants; does not immediately adjoin private or communal open space, windows or clothes drying areas; is to be a hard-stand areas; and have direct access to the street and close to a tap and hose facility for cleaning and maintenance; and <p>b) Communal bulk waste facilities are required in the following circumstances:</p> <ul style="list-style-type: none"> Where the number of dwellings in a development exceeds six; or Where the number of bins would not fit on the street frontage; or Where the topography and/or distance to street collection point 	<p>Four residential dwellings and three existing commercial premises will be provided with a bin storage area accessed via the open entrance. This space will be hidden from the public domain and will incorporate an air lock and ventilation to ensure odours and fumes are controlled. This space will incorporate relevant cleaning facilities and will be maintained by building management.</p> <p>Communal bulk waste is not required given the lower number of apartments and low waste generated by the existing commercial tenancies.</p>	<p>Yes</p> <p>Yes</p>

Port Macquarie-Hastings DCP 2013 Compliance Table

	<p>makes access difficult for individual dwelling occupants; or</p> <ul style="list-style-type: none"> Where such arrangements suit the collection service provider. <p>c) Communal bulk waste facilities should be stored in a designated area that is physically and visually integrated into the development at ground or sub-basement level that:</p> <ul style="list-style-type: none"> is not visible from the street; is easily accessible to dwelling occupants; can be serviced by collection vehicles; has water and drainage facilities for cleaning and maintenance; and does not immediately adjoin private or communal open space, windows or clothes drying areas; and be maintained to be free of pests. <p>d) Where waste facilities cannot be collected at the street, evidence that the site can be serviced by a waste collection service may be provided.</p>	Not applicable.	N/A
Utilities	<p>a) Compatible public utility services are to be co-ordinated in common trenching in order to minimise excavations for underground services.</p> <p>b) Above ground utility infrastructure such as substations, inspection cabinets are to be integrated into the design of the building or complementary to the building design in terms of colour, materials and design.</p> <p>c) The site and the individual dwellings are to be numbered for easy identification by visitors and emergency personnel.</p> <p>d) Common aerials and satellite dishes, with signal amplifiers are provided as appropriate.</p>	<p>Existing utilities will be used for the proposed development.</p> <p>Noted.</p> <p>Noted.</p> <p>Noted.</p>	<p>Yes</p> <p>-</p> <p>-</p> <p>-</p>
Chapter 3.4 Business and Commercial Development			
Setbacks	a) A zero metre or consistent setback to ground floor is preferred in all business zone developments.	The proposed ground floor setback is unchanged in this application.	N/A
	a) Where a zero setback cannot be achieved, such as where parking can only be provided between the building and the street, a minimum	No change to ground floor. Proposed first floor provided with nil setback as is consistent with the neighbouring properties and B2	N/A

Port Macquarie-Hastings DCP 2013 Compliance Table

	<p>3.0m pedestrian setback is provided between the edge of the car park and the building.</p> <p>The 3.0m pedestrian setback:</p> <ul style="list-style-type: none"> • is open and accessible for pedestrians for its entire length and width; • is clear of columns (other than awning posts where provided) and other obstructions; • has a pavement matching the gradient of the adjoining footpath and connects pedestrian areas on neighbouring sites; and • connects without any lip or step to adjoining footpaths or abutting pedestrian areas on neighbouring sites. <p>b) Where steps, escalators, ramps or lifts are set back, a further 1.2m should be provided to maximise pedestrian flow and safety and allow for adequate waiting space.</p> <p>c) Any automatic teller machine:</p> <ul style="list-style-type: none"> • is set back 1.5m in addition to the building line; • is well illuminated at all times. 	<p>zone.</p> <p>Not applicable.</p> <p>Site access unchanged in this application.</p> <p>Not applicable.</p>	<p>N/A</p> <p>N/A</p> <p>N/A</p>
Roof Form	<p>a) Variations in roof form including the use of skillions, gables and hips are to be provided in the development.</p> <p>b) Variations in roof materials should be used.</p> <p>c) Parapets and flat roofs should be avoided.</p> <p>d) In an established street, roof form and materials should be consistent or complementary to those developments in that street</p> <p>e) Lift over-runs and service plant should be concealed within roof structures.</p> <p>f) All roof plant should be represented on plans and elevations.</p> <p>g) Outdoor recreation areas on flat roofs should be landscaped and incorporate shade structures and wind screens to encourage use.</p> <p>h) Roof design should generate an interesting skyline and be visually interesting when viewed from adjoining developments.</p>	<p>The proposal will provide a parapet roof as is consistent with the locality.</p> <p>Roof to be Colorbond metal.</p> <p>Proposed parapet is consistent with the locality and B2 zone.</p> <p>The proposed development provides a contemporary first floor addition which is compatible with the built form of the locality. This includes the nil front setback and parapet roof.</p> <p>Lift overrun located at centre of site.</p>	<p>Yes</p> <p>Yes</p> <p>Yes</p> <p>Yes</p> <p>Yes</p>
Building Facades,	<p>a) Colours, construction materials and finishes should respond in a</p>	<p>As discussed in this Statement, the proposed development will</p>	<p>Yes</p>

Statement of environmental effects
REF: M200025

41

Planning Ingenuity Pty Ltd

Port Macquarie-Hastings DCP 2013 Compliance Table			
Materials and Finishes	positive manner to the existing built form, character and architectural qualities of the street	considerably improve the existing character of the building through the first floor provision and improved open space at ground level.	
	<p>a) Shopfront widths are to be between 15m and 20m. Widths up to a maximum of 30metres may be considered where the building achieves superior built design and streetscape outcomes.</p> <p>b) The maximum length of any similar facade treatment is 22m.</p> <p>c) Side and rear facades are to be treated with equivalent materials and finishes to the front facade.</p> <p>d) Building facades should be designed to reflect the orientation of the site incorporating environmental control devices, e.g. sun shades, ventilation vents, overhangs, building recesses, eaves, as an integrated design feature of the building.</p> <p>e) An articulation zone of between 1.8m - 4.0m is provided for the front facade of all floors containing residential and tourist uses.</p>	<p>No change proposed.</p> <p>Not applicable.</p> <p>Built to side boundaries. Not applicable.</p> <p>The proposal has been designed with a nil first floor setback and has incorporated an awning as required within the Wauchope Town Centre.</p> <p>The first floor has been designed with recessed balconies (2m in width) and vertical timber elements which will articulate the width of the first floor facade.</p>	<p>N/A</p> <p>N/A</p> <p>N/A</p> <p>Yes</p> <p>Yes</p>
	<p>a) Any security grilles should be provided inside the building, behind glazing and designed to ensure transparency to the interior.</p>	Noted.	Yes
	<p>a) Infill development or alterations should respect the form, scale and massing of existing traditional buildings.</p> <p>b) Where traditional frontages and facades set the architectural theme for parts of a Centre, infill buildings or alterations respect and reflect the architectural qualities and traditional materials of those buildings, but do not necessarily imitate historical architectural styles.</p>	<p>The proposed first floor addition is consistent with buildings in the Wauchope Town Centre.</p> <p>Buildings in the locality contain nil setbacks as has been proposed for the subject application. Materiality will be contemporary however is compatible with the neighbouring properties. The neutral colour palette ensures streetscape character is maintained.</p>	<p>Yes</p> <p>Yes</p>
Active Frontages	<p>a) Ground floor levels should not be used for residential purposes in zones B1 Neighbourhood Centre, B2 Local Centre, B3 Commercial core and B4 Mixed use.</p>	The ground floor commercial premises will be unchanged. The proposal has provided a revised open space fronting High Street which will provide an improved active frontage.	Yes
	<p>a) Active frontages should consist of one or more of the following:</p> <ul style="list-style-type: none"> • A shop front. • Commercial and residential lobbies. • Café or restaurant if accompanied by an entry from the street. 	Existing commercial tenant and open space retained for seating purposes of commercial property.	Yes

Port Macquarie-Hastings DCP 2013 Compliance Table

	<ul style="list-style-type: none"> Public building if accompanied by an entry from the street. A minimum of 50% of the ground floor level front facade should be clear glazed. Active ground floor uses are to be accessible and at the same level as the footpath. Restaurants, cafés and the like should provide openable shop fronts to the footpath but should not encroach into footpath. Colonnade structures should not be used unless it is demonstrated that the design would not restrict visibility into the shop or commercial premise or limit natural daylight along footpaths and do not create opportunities for concealment. 	<p>Unchanged from existing.</p> <p>No change proposed.</p> <p>Not applicable.</p> <p>Not applicable. Proposed columns supporting first floor are setback from the street and will not impact visibility and functionality.</p>	<p>N/A</p> <p>N/A</p> <p>N/A</p> <p>N/A</p>
Arcades	<p>Arcades are to:</p> <ul style="list-style-type: none"> House active uses (e.g. shop, commercial, public building and residential lobbies, cafés or restaurants). Be obvious and direct through-ways for pedestrians. Have a minimum width of 3m clear of all obstructions. Provide public access from at least 7am-9pm daily. Where practical, have access to natural light for part of their length and at openings at each end. Where air-conditioned, have clear glazed entry doors at least 50% of the entrance. Have signage at the entry indicating public accessibility and to where the arcade leads. Have clear sight lines and no opportunities for concealment. <p>b) Where arcades or internalised shopping malls are proposed, those shops at the entrance should have direct pedestrian access to the street.</p> <p>c) Non slip pavements are provided throughout arcades.</p>	<p>Not applicable.</p> <p>It is noted that the proposed open entrance is maintained as existing however will be improved through landscape design and lighting.</p>	N/A
Awnings	<p>a) Continuous shelter from the weather is to be provided for the full extent of the active street frontage.</p>	<p>Awning provided as required for Wauchope Town Centre.</p>	Yes

Port Macquarie-Hastings DCP 2013 Compliance Table

	a) Awnings should be horizontal or near horizontal (maximum pitch of 10%).	As above.	Yes
	b) Awnings should be consistent with the existing streetscape or be between 3.2m and 4.2m from the finished front property boundary level at the building edge to the underside of the awning.	Proposed awning is 3m in width as is consistent with the neighbouring properties.	Yes
	c) A minimum awning width of 2.5m is required unless this cannot be achieved because of narrow pavements and street tree planting, traffic signals, traffic signage or utility poles.	The proposed awning is 3m in width.	Yes
	d) New awnings should be set back at least 1.0m from the kerb line.	Consistent with Wauchope Town Centre.	Yes
	e) Awnings along sloping streets should step down in horizontal steps (a maximum of 700mm per step) to follow the slope of the street.	Site does not contain a significant cross fall.	N/A
	f) All contiguous awnings should be of consistent height and depth and of complementary design and materials.	Proposed awning is designed and finished as required within the B2 Zone.	Yes
	g) Awnings and/or canopies should be provided elsewhere to define public entrances to buildings, including residential flat buildings.	Noted.	-
	h) Awning should wrap around street corners and contribute to the articulation and focal design of corner buildings.	Not applicable.	N/A
	i) Materials should encourage high quality design and amenity in the public domain.	High quality materials utilised.	Yes
	j) New awning fascias should be coordinated with adjacent awning fascias where they exist. In all other instances fascias are to be solid, flat and between 300mm and 700mm in height.	Awning to match neighbouring properties to east and west.	Yes
Landscaping	a) Skylights may be provided in the awning for a maximum depth of 1/3 of the total awning depth.	Not applicable.	N/A
	b) Under awning lighting should comply with AS/NZS1158 - Lighting for roads and public spaces.	Noted.	-
	a) Awnings are designed and constructed to encourage pavement dining in areas identified for pavement dining, along the foreshore and in piazzas.	Noted.	-
	a) A landscape plan should be submitted with the development	Landscape Plan prepared <i>Taylor Brammer Landscape Architects</i> .	Yes

Port Macquarie-Hastings DCP 2013 Compliance Table

<p>application and include:</p> <ul style="list-style-type: none"> Existing vegetation; and Existing vegetation proposed to be removed; and Proposed general planting and landscape treatment; and Design details of hard landscaping elements and major earth cuts, fills and any mounding; and Street trees; and Existing and proposed street furniture including proposed signage. <p>b) Vegetation is provided on top of podium levels, on tops of car parks, and on balconies and verandahs fronting the street below podium level.</p>	<p>Not applicable.</p>	N/A
	<p>a) Fencing for security or privacy should not be erected between the building line and the front boundary of a site.</p>	N/A
	<p>a) Where fences are erected, landscaping of an appropriate height and scale should be provided to screen the fence and achieve an attractive appearance to the development when viewed from the street or other public place.</p>	N/A
	<p>a) Street furniture, including seats, bollards, grates, grills, screens and fences, bicycle racks, flag poles, banners, litter bins, telephone booths and drinking fountains are coordinated with other elements of the streetscape.</p>	Yes
Waste Management	<p>a) Any ramps are to be integrated into the overall building and landscape design.</p>	N/A
	<p>b) The development complies with AS1428 - Design for Access and Mobility.</p>	Yes
	<p>a) A waste management plan for the construction and/or occupation of the development is provided that:</p> <ul style="list-style-type: none"> Recycles and reuses demolished materials where possible; Integrates waste management processes into all stages of the 	A Waste Management Plan is submitted with this application.

Statement of environmental effects
REF: M200025

45

Planning Ingenuity Pty Ltd

Port Macquarie-Hastings DCP 2013 Compliance Table			
	<p>project;</p> <ul style="list-style-type: none"> • Specifies building materials that can be reused and recycled at the end of their life; • Uses standard components and sizes to reduce waste and facilitate update in the future. 		
	<p>a) Separate storage bins for collection for organic waste and recyclable waste are provided in the development.</p>	<p>A separate waste storage area is provided via an airlock within the existing commercial tenancy. Waste will be collected by the current contractor.</p>	Yes
	<p>a) Bulk waste facilities should be stored in a designated area that is physically and visually integrated into the development at ground or sub-basement level that</p> <ul style="list-style-type: none"> • is not visible from the street or public domain; • is easily accessible to businesses; • may be serviced by collection vehicles; • has water and drainage facilities for cleaning and maintenance; and • does not immediately adjoin onsite employee recreation area; and • be maintained to be free of pests. <p>b) Cardboard compactors are provided for large retail and commercial developments.</p> <p>c) Where waste facilities cannot be collected at the street, evidence that the site can be serviced by a waste collection service should be provided.</p>	<p>Given the limited size of the proposal, a bulky waste storage area is not considered to be required.</p>	N/A
		Not applicable.	N/A
		Waste collected by current contractor.	N/A
Vehicular Access Location and Design	<p>a) No direct vehicular access to at grade or basement car parking from the active street frontage should be permitted in B1 zones.</p> <p>b) The number of vehicular crossovers should be kept to a minimum and appropriate sight lines provided to encourage safe integration of pedestrian and vehicular movement.</p> <p>c) Any car park ramps are located largely within the building footprint.</p> <p>d) Underground car parks should be designed to enable all vehicles to access and egress in a forward direction.</p>	<p>No parking on-site is proposed as part of this application as is existing. This is discussed in Section 5.5.2 of this Statement.</p>	N/A

Port Macquarie-Hastings DCP 2013 Compliance Table

Pedestrian and Access	Entries	<p>e) Vehicular entrances to underground car parks are to be:</p> <ul style="list-style-type: none"> • Located on minor streets; • Have a maximum crossover of 6.0m; • Should be signed and lit appropriately; • Should be designed so that exiting vehicles have clear sight of pedestrians and cyclists. <p>f) At-grade / surface car parking areas adjacent to streets should be generally avoided or at least adequately softened by appropriate landscaping.</p> <p>g) All stairs and elevators in the parking structure are clearly visible.</p>			Yes
		a) The development complies with AS1428 - Design for Access and Mobility.	Access Report submitted with this application.		Yes
		a) Pedestrian and vehicle movement areas are separated to minimise conflict.	No vehicular access provided. Pedestrian access is provided as is existing.		Yes
		b) Changes in pavement material, levels, lining or tactile treatments are used to distinguish changes between vehicle and pedestrian access ways.	Proposed pedestrian entrance will be refurbished and improve access.		Yes
		c) Parking areas are adequately illuminated (naturally and/or artificially) during the time period the centre is open.	Not applicable.		N/A
		d) Signage is provided at the entries to the development detailing the services available within the centre and where they are located.	Wayfinding signage will be utilised on-site as required.		Yes
		e) Signage to key public spaces accessible from the centre such as car parks, food courts should be provided within the centre.	Not applicable.		N/A
		f) Signage to key facilities such as rest rooms, Centre Management, baby change rooms should be provided within the centre.	Signage for accessible toilet and residential entrance will be utilised.		Yes
		g) Secure and convenient parking/storing for bicycles is provided close to the entrance of the development and with good surveillance.	Bicycle parking is proposed for the development and will be in a secure space accessed via the open entrance.		Yes
		a) Secure and convenient parking/storing for bicycles is provided close to the entrance of the development and with good surveillance.	Bicycle parking is in a secure place and is accessed via the open entrance.		Yes



Statement of environmental effects
REF: M200025 48



Planning Ingenuity Pty Ltd



Item: 08

Subject: DA2020 - 38.1 MULTI DWELLING HOUSING AND COMBINATION OF
TORRENS AND STRATA TITLE SUBDIVISION AT LOT 350 DP
1241368 POUNTNEY AVENUE, THRUMSTER

Report Author: Development Assessment Planner, Chris Gardiner

Applicant:	Crescent Projects Pty Ltd
Owner:	Kykardi Investments Pty Ltd
Estimated Cost:	\$700,000
Parcel no:	68413

Alignment with Delivery Program

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

RECOMMENDATION

That DA2020 - 38.1 for Multi Dwelling Housing and a Combination of Torrens and Strata Subdivision at Lot 350, DP 1241368, Pountney Avenue, Thrumster, be determined by granting consent subject to the recommended conditions.

Executive Summary

This report considers a development application for multi dwelling housing and a combination of Torren and strata 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 on two occasions, one (1) submission was received.

The proposal has been amended during the course of the assessment, including changes to the layout and reduction in the number of units from four (4) to three (3).

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

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

1. BACKGROUND

Existing Sites Features and Surrounding Development

The site has an area of 855.2m².

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



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



2. DESCRIPTION OF DEVELOPMENT

Key aspects of the proposal include the following:

- Construction of multi dwelling housing comprising 2 x 2 bedroom units and 1 x 3 bedroom unit;
- 2 lot Torrens title subdivision; and
- Strata subdivision of the resulting dual occupancy on proposed Lot 3501.

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

Application Chronology

- 28 January 2020 - Application lodged.
- 7 February 2020 to 20 February 2020 - Neighbour notification.
- 24 April 2020 - Additional information requested from Applicant.
- 8 May 2020 - Additional information and amended plans submitted.
- 22 May 2020 to 4 June 2020 - Amended proposal re-notified.

3. STATUTORY ASSESSMENT

Section 4.15(1) Matters for Consideration

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

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

State Environmental Planning Policy (Koala Habitat Protection) 2019

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

Clause 8 - The site isn't identified on the Koala Development Application Map but is identified under the Area 13 Koala Plan of Management. The site is less than 1 hectare in area. The application has also demonstrated that no habitat will be removed or modified. The proposal does not contravene applicable requirements of the KPOM. 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 (Building Sustainability Index: BASIX) 2004

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

Port Macquarie-Hastings Local Environmental Plan 2011

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

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

The objectives of the R1 zone are as follows:

- To provide for the housing needs of the community.
 - To provide for a variety of housing types and densities.
 - To enable other land uses that provide facilities or services to meet the day to day needs of residents.
- Clause 2.3(2) - The proposal is consistent with the zone objectives having regard to the following:
 - The proposal is a permissible landuse;
 - The development would provide for a variety of housing types and densities in the locality and contribute to meeting the housing needs of the community.
 - Clause 4.1(4) - The minimum subdivision lot size does not apply to the registration of a strata plan of subdivision.
 - Clause 4.1A - The minimum lot sizes do not apply to the Torrens Title lots as the development involves subdivision into two or more lots and construction of dwellings on each lot.
 - Clause 5.10 – Heritage - The site does not contain or adjoin any known heritage items or sites of significance.
 - Clause 7.13 - Satisfactory arrangements are in place for provision of essential services including water supply, electricity supply, sewer infrastructure,

stormwater drainage and suitable road access to service the development. Provision of electricity will be subject to obtaining satisfactory arrangements certification prior to the issue of a Subdivision Certificate as recommended by a condition of consent.

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

No draft instruments apply to the site.

(iii) **Any Development Control Plan in force**

Port Macquarie-Hastings Development Control Plan 2013

DCP 2013: Dwellings, Dual occupancies, Dwelling houses, Multi dwelling houses & Ancillary development			
	Requirements	Proposed	Complies
3.2.2.1	Ancillary development: <ul style="list-style-type: none"> • 4.8m max. height • Single storey • 60m² max. area • 100m² for lots >900m² • 24 degree max. roof pitch • Not located in front setback 	No ancillary development proposed.	N/A
3.2.2.2	Articulation zone: <ul style="list-style-type: none"> • Min. 3m front setback • An entry feature or portico • A balcony, deck, patio, pergola, terrace or verandah • A window box treatment • A bay window or similar feature • An awning or other feature over a window • A sun shading feature 	No elements within the articulation zone.	N/A
	Front setback (Residential not R5 zone): <ul style="list-style-type: none"> • Min. 6.0m classified road • Min. 4.5m local road or within 20% of adjoining dwelling if on corner lot • Min. 3.0m secondary road • Min. 2.0m Laneway 	Front building line setback requirements are complied with. Minimum 5.04m setback to Cohen Way and minimum 4.03m setback to Pountney Avenue.	Yes
3.2.2.3	Garage 5.5m min. and 1m behind front façade. Garage door recessed behind building line or eaves/overhangs provided	Garage door setback requirements are complied with.	Yes
	6m max. width of garage door/s and 50% max. width of building	Width of garage door requirements are complied with.	Yes
	Driveway crossover 1/3 max. of site frontage and max. 5.0m width	Driveway crossing width requirements	Yes

DCP 2013: Dwellings, Dual occupancies, Dwelling houses, Multi dwelling houses & Ancillary development			
	Requirements	Proposed	Complies
		are complied with.	
3.2.2.4	4m min. rear setback. Variation subject to site analysis and provision of private open space	The site is a corner lot and doesn't have a rear boundary.	N/A
3.2.2.5	Side setbacks: <ul style="list-style-type: none"> Ground floor = min. 0.9m First floors & above = min. 3m setback or where it can be demonstrated that overshadowing not adverse = 0.9m min. Building wall set in and out every 12m by 0.5m 	The minimum side setback requirements are complied with. The wall articulation is compliant and satisfies the objectives of the development provision.	Yes
3.2.2.6	35m ² min. private open space area including a useable 4x4m min. area which has 5% max. grade	Each occupancy contains 35m ² open space in one area including a useable 4m x 4m area.	Yes
3.2.2.7	Front fences: <ul style="list-style-type: none"> If solid 1.2m max height and front setback 1.0m with landscaping 3x3m min. splay for corner sites Fences >1.2m to be 1.8m max. height for 50% or 6.0m max. length of street frontage with 25% openings 0.9x0.9m splays adjoining driveway entrances 	The proposed front fence design is considered to meet the fencing provisions and objectives of DCP 2013.	Yes
3.2.2.8	Front fences and walls to have complimentary materials to context No chain wire, solid timber, masonry or solid steel front fences	Fencing materials acceptable.	Yes
3.2.2.10	Privacy: <ul style="list-style-type: none"> Direct views between living areas of adjacent dwellings screened when within 9m radius of any part of window of adjacent dwelling and within 12m of private open space areas of adjacent dwellings. ie. 1.8m fence or privacy screening which has 25% max. openings and is permanently fixed Privacy screen required if floor level > 1m height, window side/rear setback (other than bedroom) is less than 3m and sill height less than 1.5m 	The development will not compromise privacy in the area due to a combination of building design and fencing.	Yes

DCP 2013: Dwellings, Dual occupancies, Dwelling houses, Multi dwelling houses & Ancillary development			
	Requirements	Proposed	Complies
	<ul style="list-style-type: none"> Privacy screens provided to balconies/verandahs etc which have <3m side/rear setback and floor level height >1m 		
3.2.2.11	Roof terraces	N/A	
3.2.2.13 onwards	Jetties and boat ramps	N/A	

DCP 2013: General Provisions			
	Requirements	Proposed	Complies
2.7.2.2	Design addresses generic principles of Crime Prevention Through Environmental Design guideline	No concealment or entrapment areas proposed. Adequate casual surveillance available.	Yes
2.3.3.1	Cut and fill 1.0m max. 1m outside the perimeter of the external building walls	Cut and fill <1.0m change 1m outside the perimeter of the external building walls	Yes
2.3.3.2	1m max. height retaining walls along road frontage	None proposed	N/A
	Any retaining wall >1.0 in height to be certified by structure engineer	No retaining wall likely >1m.	Yes
	Combination of retaining wall and front fence height max 1.8m, max length 6.0m or 30% of frontage, fence component 25% transparent, and splay at corners and adjacent to driveway	The submitted plans show the front fence of Unit 2 having a combined height with the retaining wall exceeding 1.8m. A condition has been recommended requiring this to be amended on the Construction Certificate plans.	Yes
2.3.3.8	Removal of hollow bearing trees	No trees proposed to be removed	N/A
2.6.3.1	Tree removal (3m or higher with 100mm diameter trunk at 1m above ground level and 3m from external wall of existing dwelling)	No trees proposed to be removed	N/A
2.4.3	Bushfire risk, Acid sulphate soils, Flooding, Contamination, Airspace protection, Noise and Stormwater	Refer to main body of report.	
2.5.3.2	New accesses not permitted from arterial or distributor roads	No new access proposed to arterial or distributor road.	N/A
	Driveway crossing/s minimal in	Driveway crossings	Yes

DCP 2013: General Provisions			
	Requirements	Proposed	Complies
	number and width including maximising street parking	are minimal in width including maximising street parking.	
2.5.3.3	Parking in accordance with Table 2.5.1. <u>Multi dwelling</u> 1 space per 1 & 2 bedroom occupancies 1.5 spaces per 3+ bedroom occupancies 0.25 spaces per occupancy for visitor parking.	Proposal involves 2 x 2 bedroom units, and 1 x 3-bedroom unit. Therefore, 2 x 1 space + 1 x 1.5 space + 3 x 0.25 visitor spaces = 4.25 (5) spaces required. The development proposes a single garage for each 2-bedroom unit, and a double garage for the 3-bedroom unit. Visitor parking is available as stacked parking in the driveway of each unit (additional 4 spaces).	Yes
2.5.3.11	Developer contributions	Contributions apply - refer to ET calc and NOP.	Yes
2.5.3.12 and 2.5.3.13	Landscaping of parking areas	Suitable landscaping proposed around driveway/parking locations.	Yes
2.5.3.14	Sealed driveway surfaces unless justified	Sealed driveway areas proposed.	Yes
2.5.3.15 and 2.5.3.16	Driveway grades first 6m or 'parking area' shall be 5% grade with transitions of 2m length	Driveway grades capable of satisfying Council standard driveway crossover requirements. Condition recommended for section 138 Roads Act permit	Yes
2.5.3.17	Parking areas to be designed to avoid concentrations of water runoff on the surface.	Stormwater drainage is capable of being managed as part of plumbing construction.	Yes

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

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

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

(iv) Any matters prescribed by the Regulations

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

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

Context and setting

- The proposal will be unlikely to have any adverse impacts to existing adjoining properties and satisfactorily addresses the public domain.
- The proposal is considered to be compatible with other residential development in the locality and adequately addresses planning controls for the area.
- There are no adverse impacts on existing view sharing.
- There are no adverse overshadowing impacts. The proposal does not prevent adjoining properties from receiving 3 hours of sunlight to private open space and primary living areas on 21 June.

Roads

The site has road frontage to Pountney Avenue and Cohen Way. Adjacent to the site, both roads are sealed public roads under the care and control of Council.

Traffic and transport

The addition in traffic associated with the development is unlikely to have any adverse impacts to the existing road network within the immediate locality.

Site frontage and access

Vehicle access to the site is proposed via two individual driveways, with one driveway located on each road frontage. Access shall comply with Council AUSPEC and Australian Standards, and conditions have been recommended to reflect these requirements.

Parking and manoeuvring

Parking and driveway widths on site can comply with relevant Australian Standards (AS 2890) and conditions have been recommended to reflect these requirements.

Water supply connection

Each proposed dwelling will need to be separately metered for water. Meters may be either located at the road frontage or internally with a master meter at the boundary. Each Torrens title lot will also require a separate metered water service. All design and works shall be in accordance with Council's adopted AUSPEC Specifications.

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

Detailed plans will be required to be submitted for assessment with the Section 68 application, as recommended in the conditions.

Sewer connection

Proposed Lot 3501 shall drain all sewage to the existing sewer junction unless otherwise agreed by PMHC's Water and Sewer Planning Manager. Proposed Lot 3502 will require a separate connection to the sewer main in the Cohen Way frontage. All design and works shall be in accordance with Council's adopted AUSPEC Specifications.

Detailed plans will be required to be submitted for assessment with the Section 68 application, as recommended in the conditions.

Stormwater

The site naturally grades towards the street frontage in the north-east corner of the site and is currently serviced via a direct connection to the public piped drainage system.

Proposed Lot 3501 can drain to the existing stormwater junction, and proposed Lot 3502 shall require a new junction to the existing piped drainage in Cohen Way.

A detailed site stormwater management plan will be required to be submitted for assessment with the S.68 application and prior to the issue of a CC.

Other utilities

Telecommunication and electricity services are available to the site. 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. The site has sufficient frontage for kerbside collection of waste and recyclables for the 3 units proposed. 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

A Traffic Noise Assessment was carried out by SLR Consulting (dated 13 October 2014) as part of DA2014 - 801, for the subdivision which created the lot. The approved assessment determined that for the subject site Category 1 (normal) construction will achieve satisfactory internal noise levels. Therefore, no specific construction requirements apply to the development.

Standard condition recommended restricting construction activities to standard hours.

Bushfire

The site is not identified as being bushfire prone. However, the Section 88B instrument requires future building to be constructed to the BAL indicated in the approved Bushfire Assessment for DA2014 - 801. The approved bushfire assessment indicates no construction requirement for the subject site (see extract below).

**Safety, security and crime prevention**

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

Social impacts in the locality

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

Economic impact in the locality

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

Site design and internal design

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

Construction

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

Cumulative impacts

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

(c) The suitability of the site for the development

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

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

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

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

Submission Issue/Summary	Planning Comment/Response
The development has insufficient off-street parking. The proposed units are 2 bedroom and likely to have multiple vehicles.	The proposal has been amended to reduce the number of units from 4 to 3, and the off-street parking provision has been improved with a double garage provided for the 3-bedroom unit. The proposal complies with the minimum requirements of the DCP for off-street parking for residents and visitors.
The shared driveway to Unit 2 & 3 has no effective noise barrier or separation distance from the dwelling on the adjoining property. The driveway will cause dogs to bark and potentially affect the safety of children playing in the back yard of neighbouring property.	The proposal has been amended to remove the shared driveway along the western boundary. Unit 3 is now proposed to have a standard driveway access from the street.
Other corner lots in the locality have been	The subject site is substantially larger

Submission Issue/Summary	Planning Comment/Response
developed with only two dwellings. Four dwellings is an over-development of the site.	than most other corner lots in the estate that have been developed for dual occupancy. The scale of the development is considered to be appropriate for the site.
The development should be redesigned to have a single central driveway and no driveways adjoining property boundaries.	The proposal has been redesigned to remove the proposed driveway along the side boundary.

(e) The Public Interest

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

4. DEVELOPMENT CONTRIBUTIONS APPLICABLE

- Development contributions will be required towards augmentation of town water supply and sewerage system head works under Section 64 of the Local Government Act 1993.
- Development contributions will be required in accordance with Section 7.11 of the Environmental Planning and Assessment Act 1979 towards roads, open space, community cultural services, emergency services and administration buildings.
- A copy of the contributions estimate is included as **Attachment 3**.

5. CONCLUSION AND STATEMENT OF REASON

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

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

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

Attachments

1. [DA2020 - 38.1 Recommended Conditions](#)
2. [DA2020 - 38.1 Plans](#)
3. [DA2020 - 38.1 Contributions Estimate](#)

**FOR USE BY PLANNERS/SURVEYORS TO PREPARE LIST OF
PROPOSED CONDITIONS - 2011****NOTE: THESE ARE DRAFT ONLY****DA NO: 2020/38****DATE: 14/06/2020****PRESCRIBED CONDITIONS**

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

A – GENERAL MATTERS

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

Plan / Supporting Document	Reference	Prepared by	Date
Plans	2985-HH OO, 01-1, 02-1, 02-2, 03-1, 03-2, 03-3, 06, 01-3	Hotondo Homes	15 June 2020
BASIX Certificate	1072571M	Dennis Partners	15 June 2020

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

- (2) (A002) No building or subdivision work shall commence until a Construction Certificate or Subdivision Works Certificate has been issued and the applicant has notified Council of:
- 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) (A003) The proponent shall submit an application for a Subdivision Certificate for Council certification with all relevant documentation.
- (4) (A005) This consent allows the strata-subdivision of the units, subject to the submission of an application for a Strata Certificate.
- (5) (A008) Any necessary alterations to, or relocations of, public utility services to be carried out at no cost to council and in accordance with the requirements of the relevant authority including the provision of easements over existing and proposed public infrastructure.
- (6) (A009) The development site is to be managed for the entirety of work in the following manner:

1. Erosion and sediment controls are to be implemented to prevent sediment from leaving the site. The controls are to be maintained until the development is complete and the site stabilised with permanent vegetation;
2. Appropriate dust control measures;
3. Building equipment and materials shall be contained wholly within the site unless approval to use the road reserve has been obtained. Where work adjoins the public domain, fencing is to be in place so as to prevent public access to the site;
4. Building waste is to be managed via an appropriate receptacle;
5. Toilet facilities are to be provided on the work site at the rate of one toilet for every 20 persons or part of 20 persons employed at the site.
6. Building work being limited to the following hours, unless otherwise permitted by Council;
 - Monday to Saturday from 7.00am to 6.00pm
 - No work to be carried out on Sunday or public holidaysThe builder to be responsible to instruct and control his sub-contractors regarding the hours of work.
- (7) (A011) The design and construction of all public infrastructure works shall be in accordance with Council's adopted AUSPEC Specifications.
- (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) (A072) The street tree impacted by the driveway shall be removed and reinstated to a position agreed to by Port Macquarie-Hastings Council. The

position of the relocated tree shall be clearly shown on the plans accompanying the section 138 application. The relocated tree shall be cared for and maintained for a period of at least 12 months. If relocation is unsuccessful a new tree of the same species and size shall be planted in a suitable location in front of the property.

- (10) This consent permits the carrying out the development in stages in any order in regards to construction of individual dwellings and/or subdivision of the Torrens title lots.

Unless specified, the conditions of this consent will apply to all stages, with any decision on any discrepancy with conditions and associated staging resting with Council.

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

- (1) (B001) Prior to release of the Construction Certificate, approval pursuant to Section 68 of the Local Government Act, 1993 to carry out water supply, stormwater and sewerage works is to be obtained from Port Macquarie-Hastings Council. The following is to be clearly illustrated on the site plan to accompany the application for Section 68 approval:
- Position and depth of the sewer (including junction)
 - Stormwater drainage termination point
 - Easements
 - Water main
 - Proposed water meter location
- (2) (B006) An application pursuant to Section 138 of the Roads Act, 1993 to carry out works required by the Development Consent on or within public road is to be submitted to and obtained from Port Macquarie-Hastings Council prior to release of the Construction Certificate.
- Such works include, but not be limited to:
- Civil works
 - Traffic management
 - Work zone areas
 - Footway and gutter crossing
 - Functional vehicular access
- (3) (B003) Submission to the Principal Certifying Authority prior to the issue of a Construction Certificate or Subdivision Works Certificate detailed design plans for the following works associated with the developments. Public infrastructure works shall be constructed in accordance with Port Macquarie-Hastings Council's current AUSPEC specifications and design plans are to be accompanied by AUSPEC DQS:
1. Sewerage reticulation.
 2. Water supply plans shall include hydraulic plans for internal water supply services and associated works in accordance with AS 3500, Plumbing Code of Australia and Port Macquarie-Hastings Council Policies.
 3. Stormwater systems.
- (4) (B010) Payment to Council, prior to the issue of the Construction or Subdivision Certificate (whichever occurs first) of the Section 7.11 contributions set out in the "Notice of Payment – Developer Charges" schedule attached to this consent unless deferral of payment of contributions has been approved by Council. The contributions are levied, pursuant to the

Environmental Planning and Assessment Act 1979 as amended, and in accordance with the provisions of the following plans:

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

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

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

- (5) (B011) As part of Notice of Requirements by Port Macquarie-Hastings Council as the Water Authority under Section 306 of the Water Management Act 2000, the payment of a cash contribution, prior to the issue of a Construction or Subdivision Certificate (whichever occurs first), of the Section 64 contributions, as set out in the "Notice of Payment – Developer Charges" schedule attached to this consent unless deferral of payment of contributions has been approved by Council. The contributions are levied in accordance with the provisions of the relevant Section 64 Development Servicing Plan towards the following:

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

- (6) (B016) Provision to each Torrens title 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 approval pursuant to Section 68 of the Local Government Act.

- (7) (B024) Submission to Council of an application for water meter hire, which is to be referred to the Water Supply section so that a quotation for the installation can be prepared and paid for prior to the issue of a Construction Certificate. This application is also to include an application for the disconnection of any existing service not required.
- (8) (B037) The finished floor level of the building shall be at least 1050mm above the soffit of Council's sewer main. Details indicating compliance with this are to be submitted to the Principal Certifying Authority with the application for Construction Certificate.

- (9) (B038) Any 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.
- (10) (B071) Prior to the issue of any Construction Certificate, the provision of water and sewer services to the land are to be approved by the relevant Water Authority and relevant payments received.
- (11) (B072) A stormwater drainage design is to be submitted and approved by Council prior to the issue of a Construction Certificate. The design must be prepared in accordance with Council's AUSPEC Specifications and the requirements of Relevant Australian Standards and make provision for the following:
 - a) All allotments must be provided with a direct point of connection to the public piped drainage system. Kerb outlets are not permitted.
 - b) The design shall incorporate on-site stormwater detention facilities to limit site stormwater discharge to pre development flow rates for all storm events up to and including the 100 year ARI event unless it can be demonstrated that the impervious area is within design allowances of the public detention basin. Note that pre development discharge shall be calculated assuming that the site is a 'greenfield' development site as per AUSPEC requirements.
 - c) An inspection opening or stormwater pit must be installed inside the property, adjacent to the boundary, for all stormwater outlets.
- (12) (B195) Prior to the issue of a Construction Certificate, amended plans shall be submitted to the Principal Certifying Authority demonstrating that the combined height of the front fencing and any retaining walls does not exceed 1.8m.

C – PRIOR TO ANY WORK COMMENCING ON SITE

- (1) (C004) Prior to works commencing an application being made to the electricity and telecommunications service providers. Services are required to be underground.
- (2) (C013) Where a sewer manhole and/or Vertical Inspection Shaft (VIS) exists within a property, access to the manhole/VIS shall be made available at all times. Before during and after construction, the sewer manhole/VIS must not be buried, damaged or act as a stormwater collection pit. No structures, including retaining walls, shall be erected within 1.0 metre of the sewer manhole or located so as to prevent access to the manhole.

D – DURING WORK

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

- b. prior to the pouring of concrete for sewerage works and/or works on public property;
- c. during construction of sewer infrastructure.

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

- (2) (D006) A copy of the current stamped approved construction plans must be kept on site for the duration of site works and be made available upon request to either the Principal Certifying Authority or an officer of the Council.
- (3) (D003) The site is in an area known to contain rock that may contain naturally occurring asbestos (NOA). Should potential NOA be located on site notification shall be provided to Council and Workcover prior to works proceeding. No work shall recommence until a NOA management plan has been approved by Council or Workcover.

E – PRIOR TO OCCUPATION OR THE ISSUE OF OCCUPATION CERTIFICATE / SUBDIVISION CERTIFICATE

- (1) (E001) The premises shall not be occupied or used in whole or in part until an Occupation Certificate has been issued by the Principal Certifying Authority.
- (2) (E051) Prior to occupation or the issuing of any Occupation Certificate a section 68 Certificate of Completion shall be obtained from Port Macquarie-Hastings Council.
- (3) (E034) Prior to occupation or the issuing of the Occupation Certificate provision to the Principal Certifying Authority of documentation from Port Macquarie-Hastings Council being the local roads authority certifying that all matters required by the approval issued pursuant to Section 138 of the Roads Act have been satisfactorily completed.
- (4) (E053) All works relating to public infrastructure shall be certified by a practicing Civil Engineer or Registered Surveyor as compliant with the requirements of AUSPEC prior to issue of Occupation/Subdivision Certificate or release of the security bond, whichever is to occur first.
- (5) (E058) Written confirmation being provided to the Principal Certifying Authority (PCA) from any properly qualified person (eg the builder), stating that all commitments made as part of the BASIX Certificate have been completed in accordance with the certificate.
- (6) (E061) Landscaped areas being completed prior to occupation or issue of the Certificate.
- (7) (E056) A Certificate of Compliance under the provisions of Section 307 of the Water Management Act must be obtained prior to the issue of any Occupation or Subdivision Certificate. The application for the certificate is to include an acceptable Work-As-Executed plan for water and sewer mains and services from a Professional Engineer or Registered Surveyor.
- (8) (E068) Prior to the issue of a Subdivision or Occupation Certificate (whichever occurs first), evidence to the satisfaction of the Certifying Authority from the electricity and telecommunications providers that satisfactory services arrangements have been made to the lots or dwellings (including street lighting and fibre optic cabling where required).
- (9) (E195) The subdivision certificate shall not be issued until such time that the dwellings associated with this development are substantially commenced (as determined by Council) or where a 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

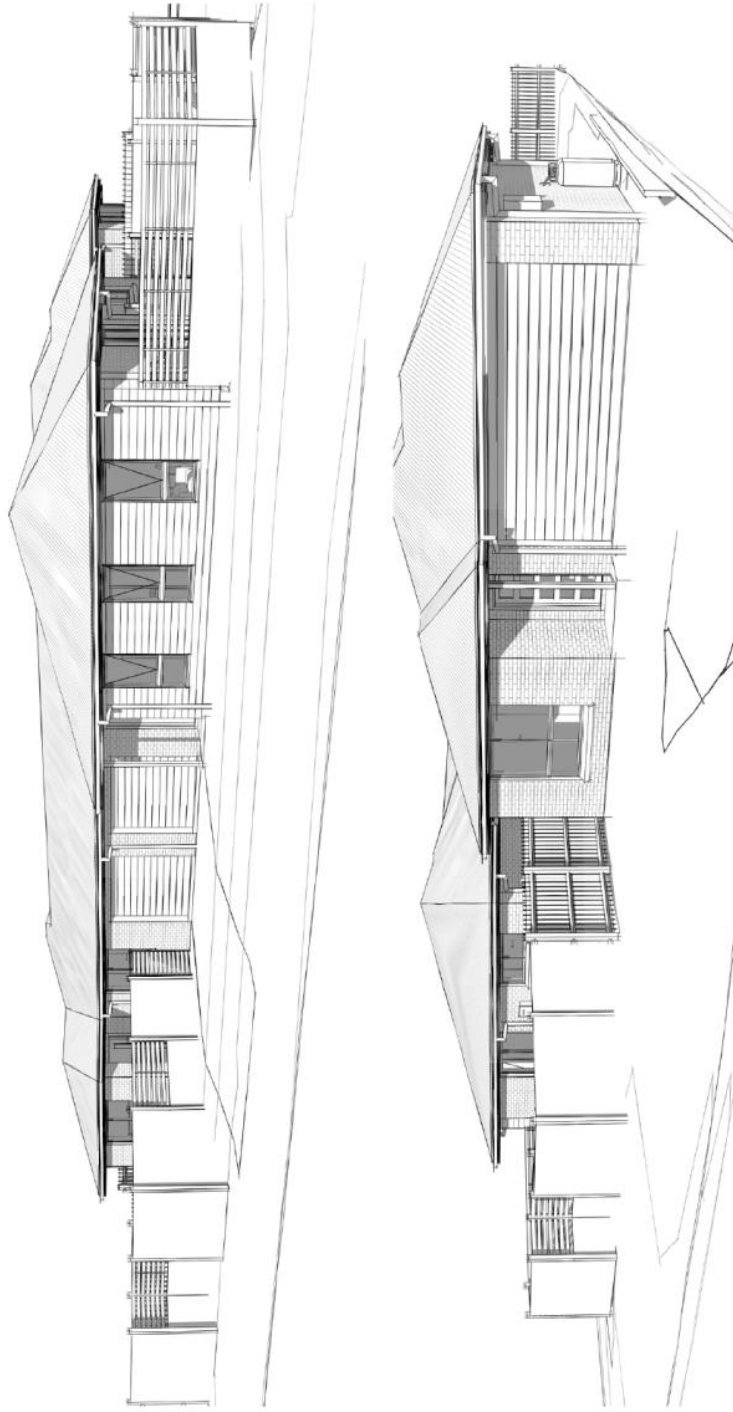
- (1) (F004) The dwellings are approved for permanent residential use and not for short term tourist and visitor accommodation.
- (2) (F035) The consent only permits the use of each unit as a single dwelling only and does not permit the adaption or use of any building so as to create an additional occupancy.

DRAFT



PROPOSED UNITS FOR:
LOGAN

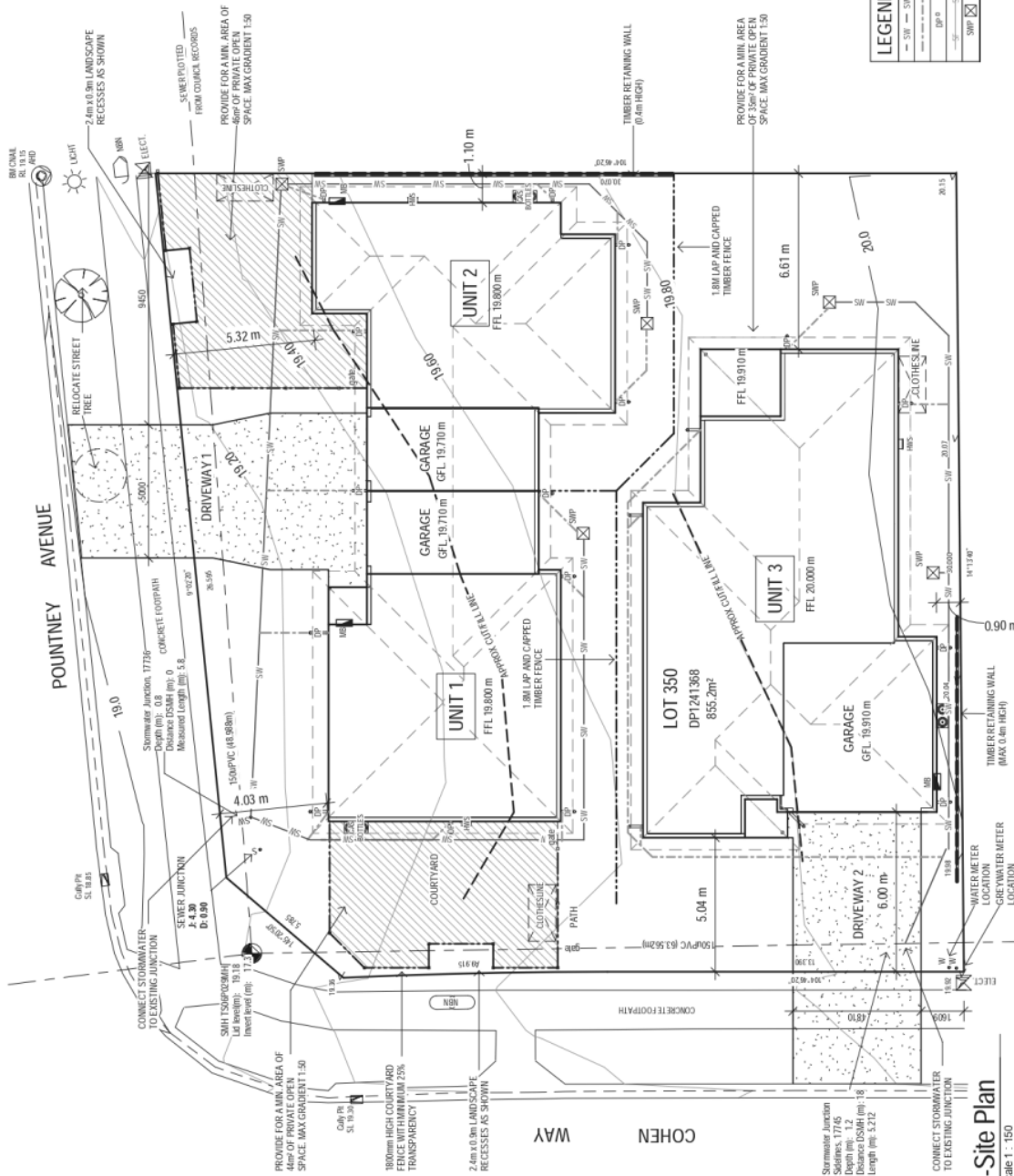
LOT 350 DP1241368
COHEN WAY
THRUMSTER, NSW, 2444



Sheet Number	Sheet Name
--------------	------------

00	COVER SHEET
01-1	SITE AND CIVIL PLAN
01-2	DRIVEWAY DETAILS
01-3	SUBDIVISION PLAN
02-1	UNIT 1,2 FLOOR PLANS
02-2	UNIT 3 FLOOR PLAN
03-1	ELEVATIONS
03-2	ELEVATIONS
03-3	SECTIONS
04	SLAB LAYOUT
05	PERSPECTIVES
06	ELECTRICAL
08-1	WET AREA DETAILS
09-1	KITCHEN DETAILS

 73 Belgrave Street, Kempsey NSW 2351 www.dennispartners.com.au		 AUSTRALIA'S LEADING NETWORK OF PROFESSIONAL BUILDERS <small>THIS COMPANY IS A MEMBER OF THE AUSTRALIAN BUILDING INDUSTRY ASSOCIATION (ABIA) AND IS A MEMBER OF THE AUSTRALIAN BUILDING INDUSTRY ASSOCIATION (ABIA) AND IS A MEMBER OF THE AUSTRALIAN BUILDING INDUSTRY ASSOCIATION (ABIA)</small>		PROPOSED DEVELOPMENT FOR LOGAN AT LOT 350 DP1241368 COHEN WAY THRUMSTER, NSW, 2444		BASIS CERT. No. SCALE DATE DRAWN T.J.W.		15-06-2020 T.J.W.	
		CLIENT DATE BUILDER DATE		CUSTOM UNITS COVER SHEET		CHECKED JOB No. 2985-HH		DWG No. 00	




Site Area		
Name	Area	Percentage Of Area Used

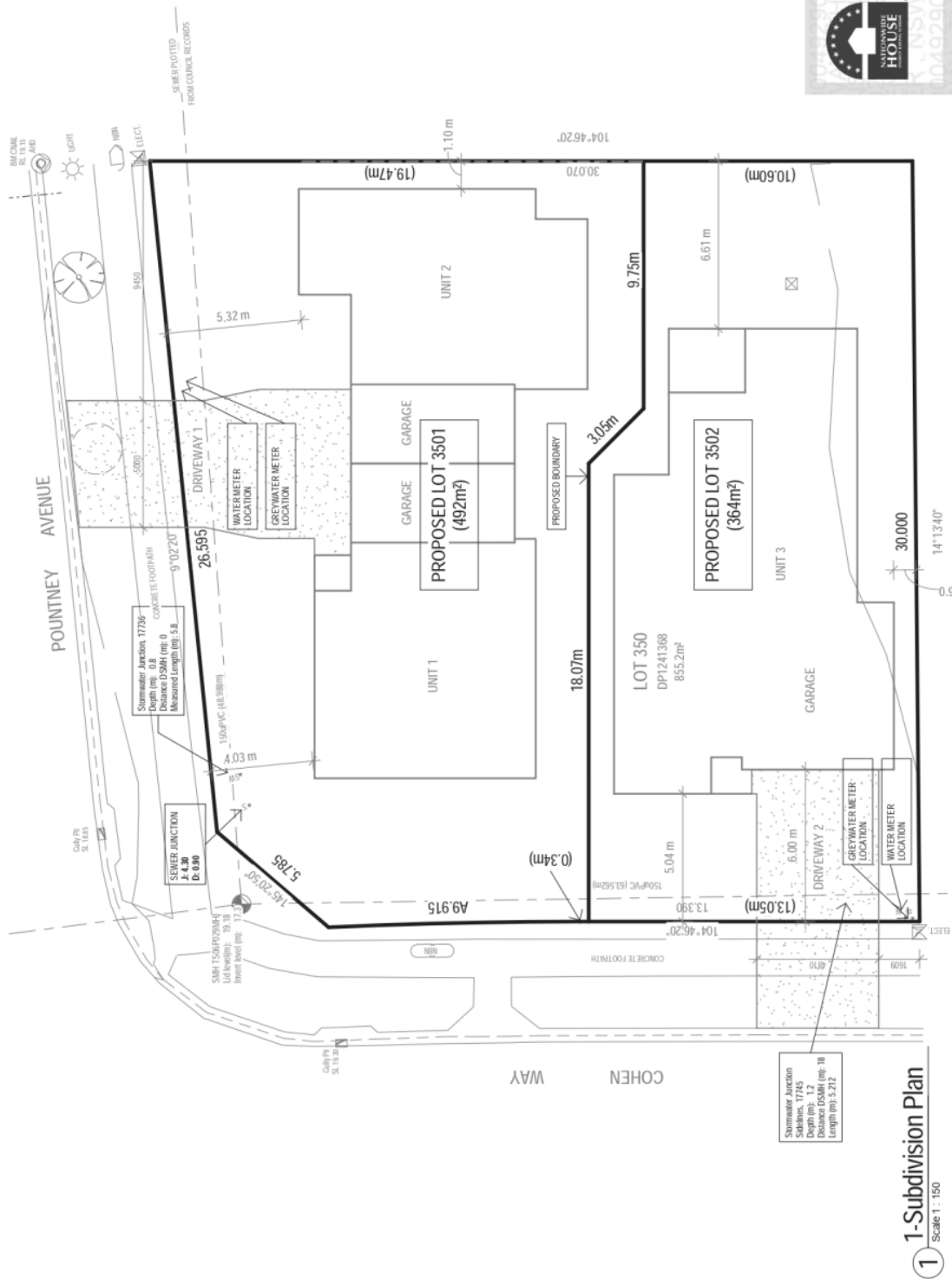
Site Remaining	422.02 m ²	86.8%
Driveway 2	27.13 m ²	5.6%
Driveway 1	37.14 m ²	7.6%
Grand total	486.30 m ²	100.0%
Crossover 1	21.28 m ²	
Crossover 2	22.15 m ²	
Grand total	43.43 m ²	

AREAS	
U1 Garage	20.00 m ²
Unit 1	79.72 m ²
	99.72 m ²
U3 Garage	37.03 m ²
Unit 3	132.00 m ²
	169.03 m ²
U2 Garage	20.25 m ²
Unit 2	78.07 m ²
	98.32 m ²
Grand total:	367.07 m ²
U1 & U2 ROOF	237 m ²
U3 ROOF	196 m ²

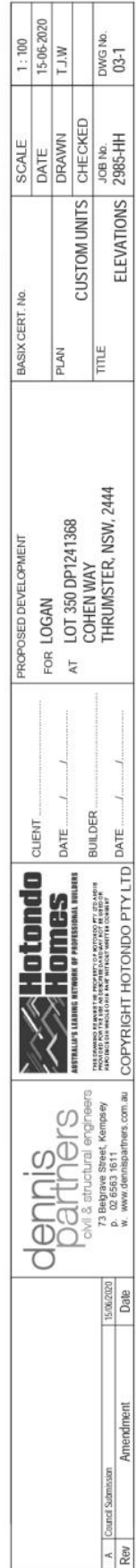
LEGEND	
-- SW --	SW
--- SWS ---	SWS
--- SWSA ---	SWSA
DP e	
SE	SE
CARD	
ALFABETICO DI CIPROBARIATO DI RIT.	

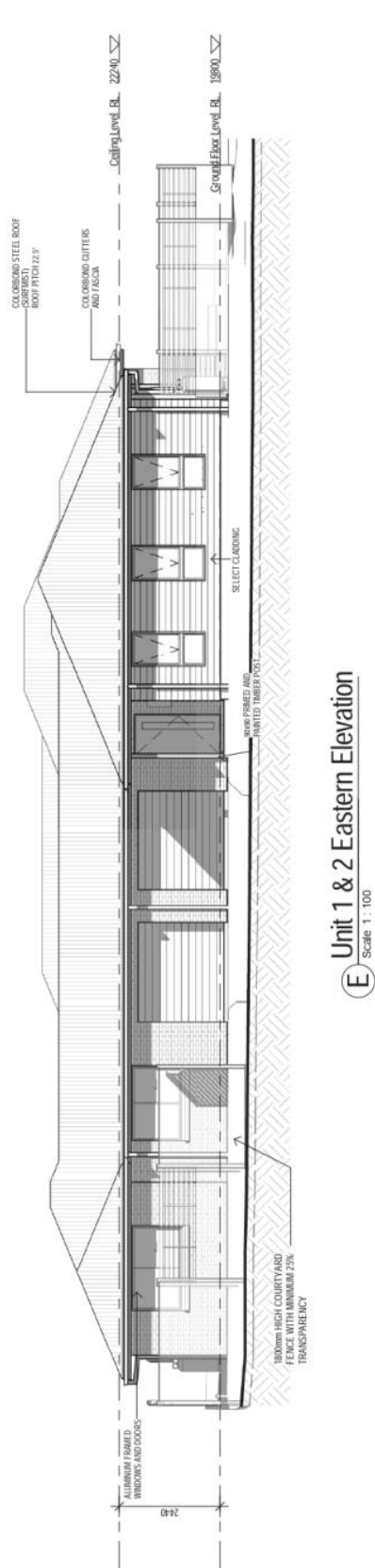
A	Cover Submission	15/06/2020	LOCATION	 dennis partners civil & structural engineers 733 Bagnave Street, Kempsey p. 02 6593 1611 w. www.dennispartners.com.au	 Hotondo Homes AUSTRALIA'S LEADING NETWORK OF PROFESSIONAL BUILDERS 702 HANCOCK ROAD, SUITE 10, BENTLEY, VIC 3207 PH: 03 9497 0000 WWW.HOTONDOHOMES.COM.AU	CLIENT DATE / / BUILDER DATE / /	PROPOSED DEVELOPMENT FOR LOGAN AT LOT 350 DP1241368 COHEN WAY THURMISTER, NSW, 2444	BASIX CERT. No. PLAN TITLE SITE AND CIVIL PLAN	SCALE DATE DRAWN CHECKED JOB No. 2985-HH	As indicated 15-06-2020 T.J.W. DWG No. 01-1
	Rev	Amendment								

[illegible]

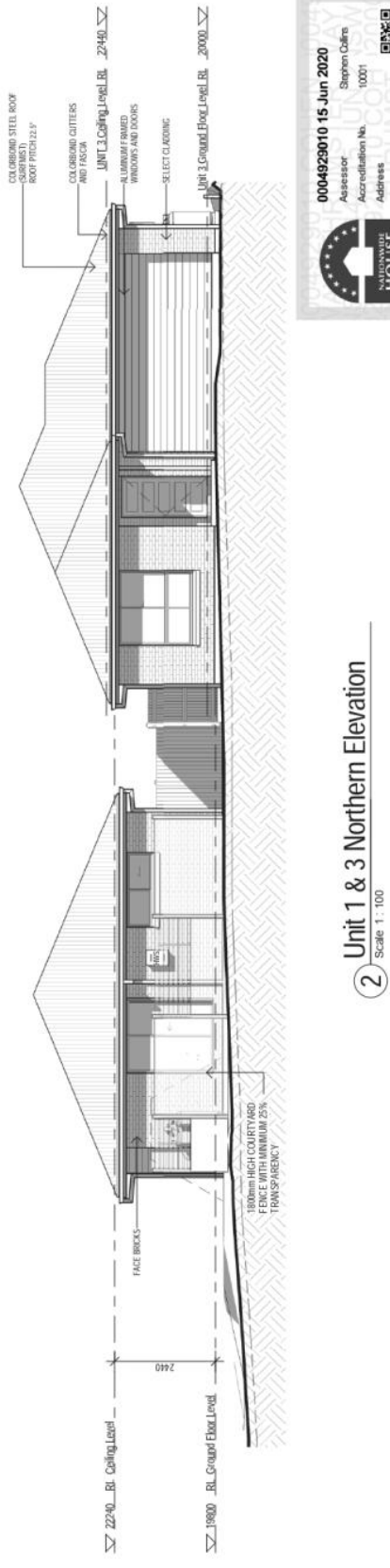


BASIX CERT. No.		SCALE		DATE	
PLAN		1 : 150		15-06-2020	
CUSTOM UNITS		DRAWN		T.J.W	
TITLE		CHECKED		JOB No.	
SUBDIVISION PLAN		2985-HH		DWG No.	
FOR LOGAN		AT LOT 350 DP1241368		THRUMSTER, NSW, 2444	
CLIENT		DATE		BUILDER	
Hotondo Homes		DATE		DATE	
dennis partners		DATE		DATE	
Civil & structural engineers		DATE		DATE	
73 Belgrave Street, Kempsey		DATE		DATE	
P. 02 6550 1611		DATE		DATE	
W. www.dennispartners.com.au		DATE		DATE	
Copyright Hotondo Pty Ltd		Date		Date	
Rev		Amendment		Date	
A		Council Submission		15/06/2020	





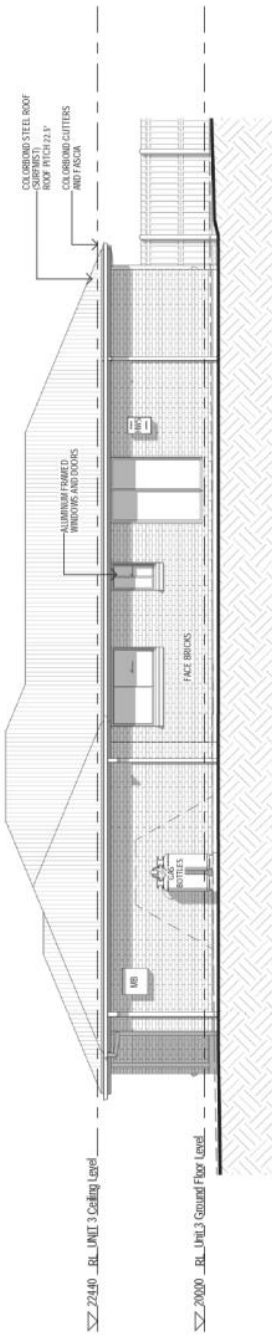
Unit 1 & 2 Eastern Elevation
Scale 1:100



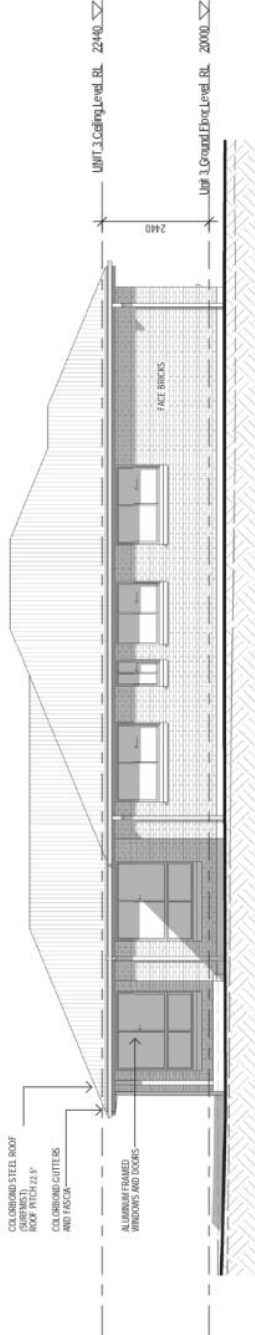
Unit 1 & 3 Northern Elevation
Scale 1:100

0004929010 15 Jun 2020
Assessor: Stephen Collins
Accreditation No: 10001
Address: Cohen Way, THURMSTER, NSW, 2444
hotondo.com.au

<div><div><div>Rev</div><div>A</div><div>Ground Submission</div></div><div>Amendment</div><div>Date</div><div>15/06/2020</div></div>	dennis partners Civil & structural engineers 73 Beagrie Street, Kempsey Ph: 08 655 16111 W: www.dennispartners.com.au		Hotondo Homes AUSTRALIA'S LEADING NETWORK OF PROFESSIONAL BUILDERS THIS COMPANY IS AN AFFILIATE OF HOTONDO PTY LTD HOTONDO PTY LTD IS A COMPANY OF THE HOTONDO GROUP HOTONDO GROUP IS A COMPANY OF THE HOTONDO GROUP		CLIENT FOR LOGAN AT LOT 350 DP1241368 COHEN WAY THURMSTER, NSW, 2444		BASIX CERT. No.	SCALE 1:100
	PROPOSED DEVELOPMENT		PLAN		DATE 15-06-2020		DRAWN T.J.W	
	TITLE		CUSTOM UNITS		CHECKED		JOB No.	
	ELEVATIONS		2985-HH		DWG No.		03-2	



Unit 3 Western Elevation
Scale 1:100

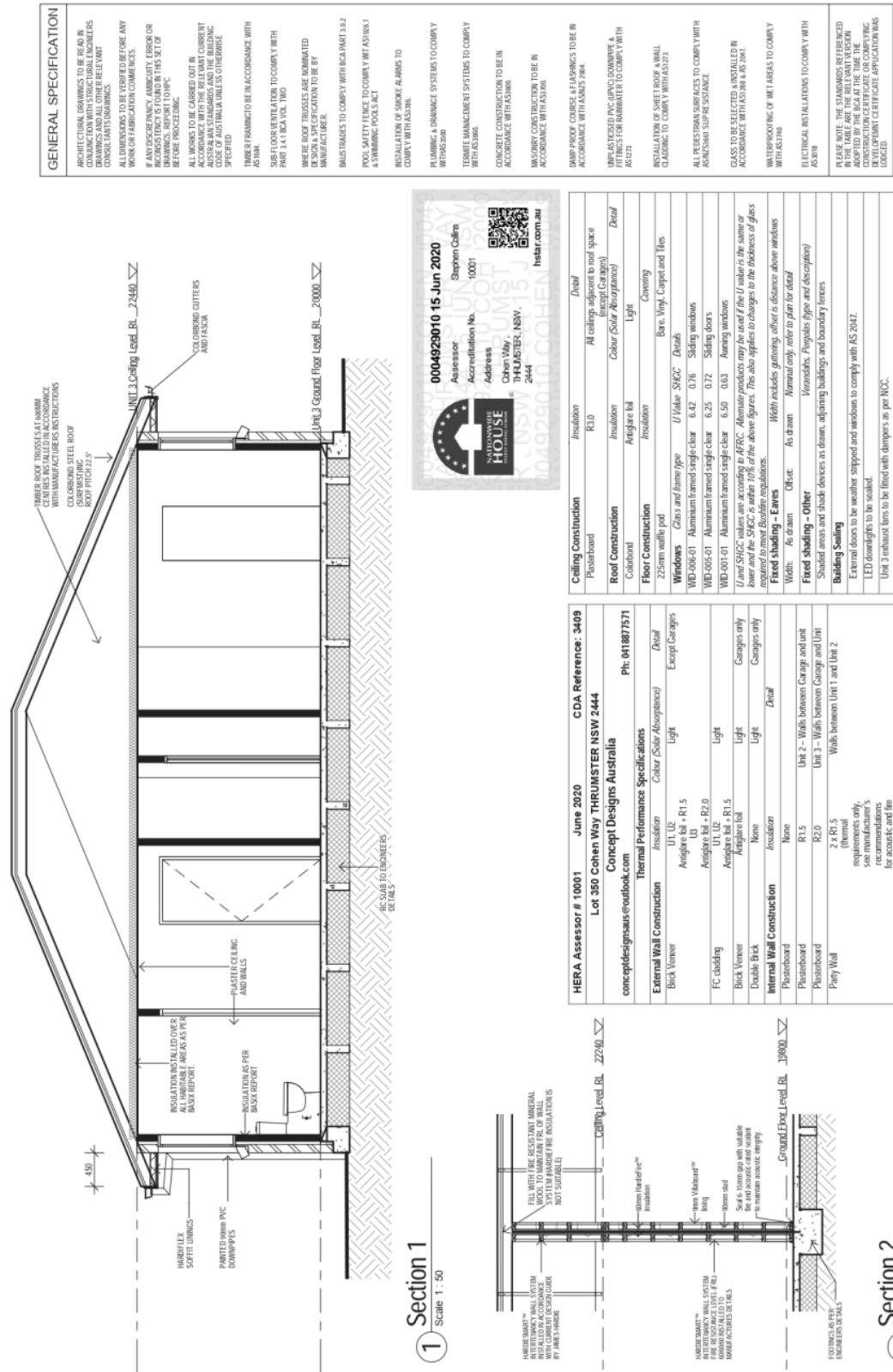


Unit 3 Eastern Elevation
Scale 1:100

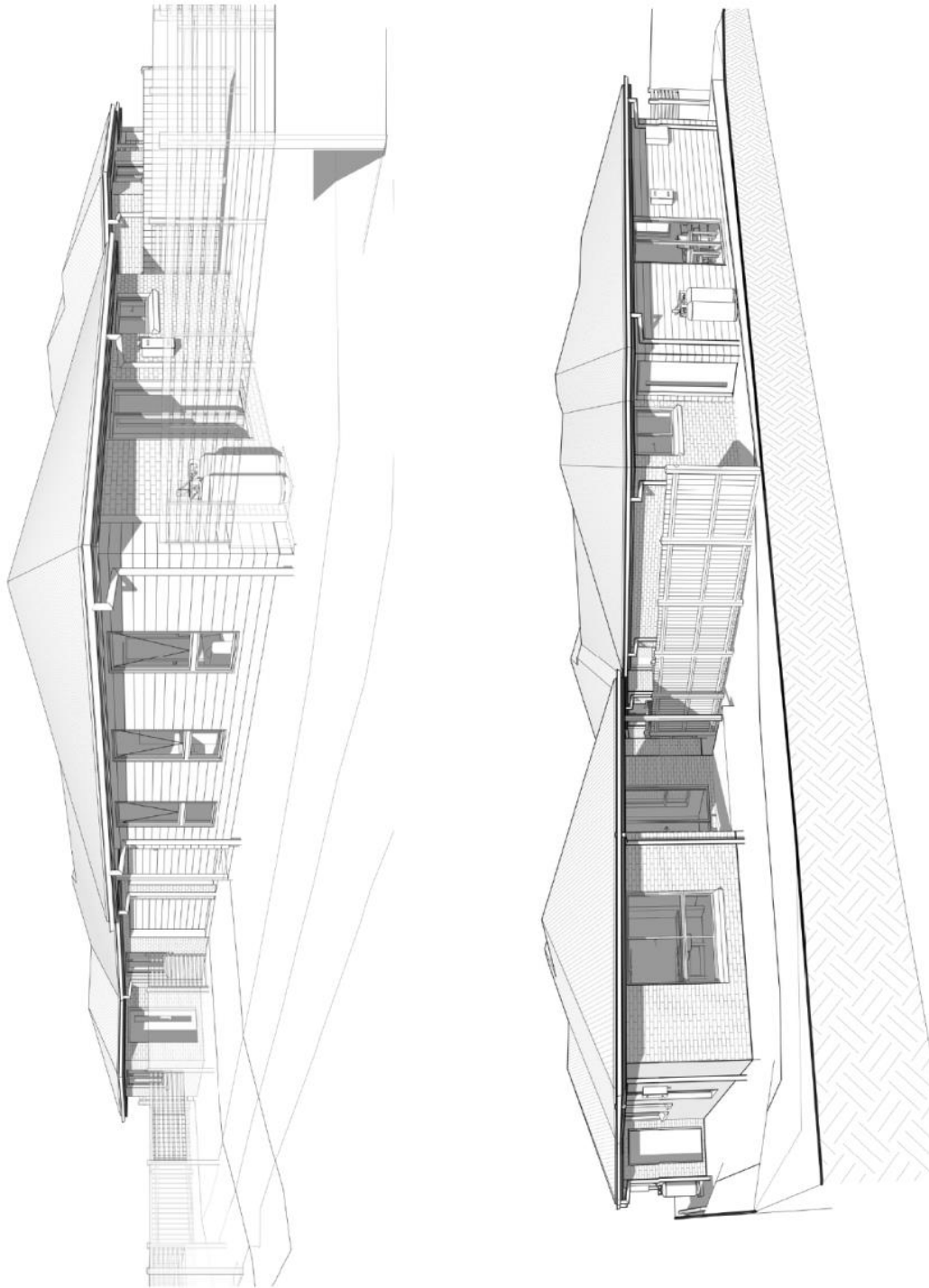


BASIX CERT. No.		SCALE		DATE		1:100	
PLAN		DRAWN		T.J.W		15-06-2020	
TITLE		CHECKED		JOB No.		DWG No.	
ELEVATIONS		2985-HH		2985-HH		03-3	

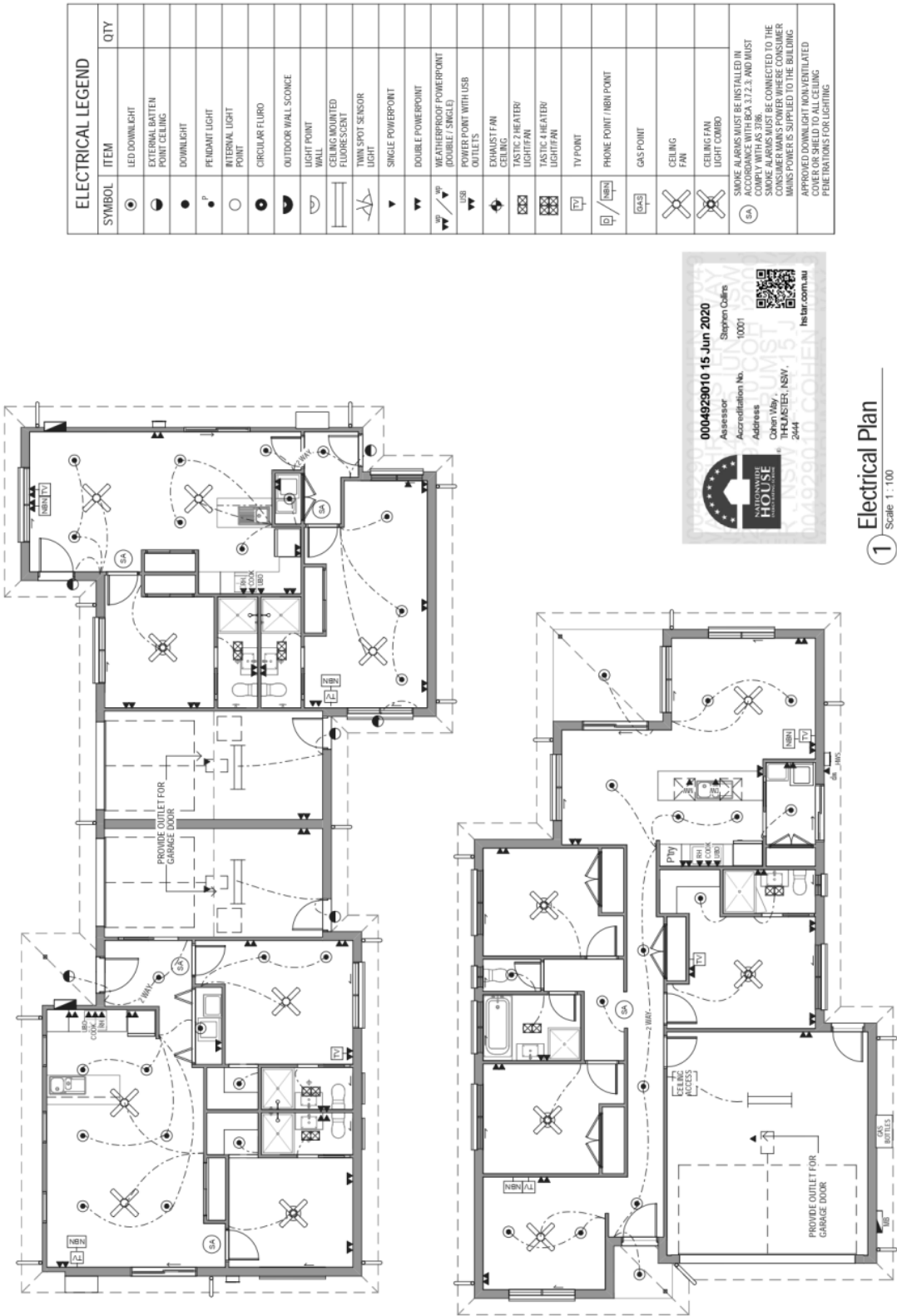
PROPOSED DEVELOPMENT		FOR LOGAN		AT LOT 350 DP1241368		COHEN WAY		THRUMSTER, NSW, 2444	
CLIENT		DATE		BUILDER		DATE		COPYRIGHT HOTONDO PTY LTD	
Hotondo Homes		AUSTRALIA'S LEADING NETWORK OF PROFESSIONAL BUILDERS		THIS COMPANY IS NOT A PRODUCT OF HOTONDO PTY LTD AND IS NOT A PRODUCT OF HOTONDO PTY LTD AND IS NOT A PRODUCT OF HOTONDO PTY LTD		dennis partners		Civil & structural engineers	
73 Beagrie Street, Kempsey		P. 08 655 1611		W. www.dennispartners.com.au		15/06/2020		Date	
A. Ground Submission		Amendment		Rev					

1 Section 1
Scale 1: 502 Section 2
Scale 1: 50

A Council Submission		15/06/2020	Date
Rev		Amendment	
dennis partners civil & structural engineers 73 Belgrave Street, Kempsey Ph: 06 6550 1611 W: www.dennispartners.com.au		Hotondo Homes AUSTRALIA'S LEADING NETWORK OF PROFESSIONAL BUILDERS THIS COMPANY IS A MEMBER OF THE HOTONDO PTY LTD GROUP HOTONDO PTY LTD IS A COMPANY THAT PROVIDES A RANGE OF SERVICES TO THE BUILDING INDUSTRY FOR MORE INFORMATION AND CONTACT THE HOTONDO GROUP	
CLIENT		PROPOSED DEVELOPMENT	
DATE		FOR LOGAN	
BUILDER		AT LOT 350 DP1241368	
DATE		COHEN WAY	
		THURMISTER, NSW, 2444	
BASIS CERT. No.		CUSTOM UNITS	
PLAN		SECTIONS	
TITLE		JOB No.	
		2985-HH	
		DWG No.	
		04	
SCALE		1: 50	
DATE		15-06-2020	
DRAWN		T.J.W	
CHECKED			



A. Council Submission	Amendment	Date	15/06/2020	dennis partners civil & structural engineers 73 Beagrie Street, Kempsey NSW 2351 P. 06 655 1611 W. www.dennispartners.com.au	Hotondo Homes AUSTRALIA'S LEADING NETWORK OF PROFESSIONAL BUILDERS THIS COMPANY REPRESENTS THE PROJECTS OF HOTONDO PTY LTD AND IS NOT A SUBSIDIARY OF HOTONDO PTY LTD. HOTONDO PTY LTD IS A COMPANY THAT PROVIDES DESIGN AND BUILD SERVICES TO THE BUILDING INDUSTRY.	CLIENT DATE BUILDER DATE	PROPOSED DEVELOPMENT FOR LOGAN AT LOT 350 DP1241368 COHEN WAY THURMSTER, NSW, 2444	BASIS CERT. No. PLAN TITLE	SCALE DATE DRAWN CHECKED JOB No. 2985-HH	15-06-2020 T.J.W.	DWG No. 06
										CUSTOM UNITS PERSPECTIVES	



BASIX CERT. No.		SCALE	1:100
PLAN		DATE	15-06-2020
TITLE		DRAWN	T.J.W
CUSTOM UNITS		CHECKED	
ELECTRICAL		JOB No.	DWG No.
		2985-HH	07

Developer Charges - Estimate

Applicants Name: Crescent Projects Pty Ltd
 Property Address: Pountney Avenue, Thrumster
 Lot & Dp: Lot(s):350,DP(s):1241368
 Development: Multi Dwelling Housing and Subdivision



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

Levy Area	Units	Cost	Estimate
1 Water Supply	1	\$10,322.00 Per ET	\$10,322.00
2 Sewerage Scheme Port Macquarie	1.5	\$3,916.00 Per ET	\$5,874.00
3 Since 13.6.14 - Local Roads - Thrumster - Area 13	1.24	\$13,953.00 Per ET	\$17,301.70
4 Since 31.7.18 - Open Space - Thrumster - Per ET	1.24	\$6,749.00 Per ET	\$8,368.70
5 Commenced 3 April 2006 - Com, Cul and Em Services CP - Sanrox Thrumster	1.24	\$5,284.00 Per ET	\$6,552.10
6 Com 1.3.07 - Administration Building - All areas	1.24	\$921.00 Per ET	\$1,142.00
7 Commenced 3 April 2006 - Com, Cul and Em Services CP - Bushfire	1.24	\$511.00 Per ET	\$633.60
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		\$747.90
16			
17			
18			
Total Amount of Estimate (Not for Payment Purposes)			\$50,942.00

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

DATE OF ESTIMATE: 15-Jun-2020

Estimate Prepared By Chris Gardiner

This is an ESTIMATE ONLY - NOT for Payment Purposes

int Projects Pty Ltd, Pountney Avenue, Thrumster, 15-Jun-2020.xls

PORT MACQUARIE-HASTINGS COUNCIL