



PORT MACQUARIE-HASTINGS  
COUNCIL



# Development Assessment Panel

## Business Paper

date of meeting: Thursday 17 February 2022

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**

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### **1.0 OBJECTIVES**

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

### **2.0 KEY FUNCTIONS**

- To review development application reports and conditions. The focus of the Panel's review is to be on those issues raised in submissions received following exhibition of development applications;
- To determine development applications where there are 3 or more unique submissions or where an application is outside of staff delegations;
- To refer development applications to Council for determination where necessary;
- To provide a forum for objectors and applicants to make submissions on applications before the Development Assessment Panel (DAP);
- To maintain transparency in the determination of development applications.

#### **Delegated Authority of Panel**

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

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

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

### **3.0 MEMBERSHIP**

#### **3.1 Voting Members**

- Three (3) independent external members will be selected for each scheduled DAP meeting from an appointed pool of members. One of the independent external

members to be the Chairperson. Independent members will be rostered onto meeting on a rotational basis where possible.

- Group Manager Development Assessment (alternate - Director Development and Environment or Development Assessment Planning Coordinator).

The independent external members shall have expertise in one or more of the following areas:

planning, architecture, heritage, the environment, urban design, economics, traffic and transport, law, engineering, government and public administration.

### **3.2 Non-Voting Members**

Not applicable.

### **3.3 Obligations of members**

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

### **3.4 Member Tenure**

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

### **3.5 Appointment of members**

- A pool of independent external members (including the Chair) shall be appointed by the Chief Executive Officer following an external Expression of Interest process. Previous Panel members are eligible to be reappointed on the Panel following this expression of interest process.
- Independent members will be rostered on to Panel meetings on a rotational basis where possible to suit Panel member availability and Panel operational needs.
- Staff members on the Panel shall be appointed by the Chief Executive Officer.

## **4.0 TIMETABLE OF MEETINGS**

- The Development Assessment Panel will generally meet on the 1st and 3rd

- Thursday each month at 2.00pm at the Port Macquarie offices of Council.
- Special Meetings of the Panel may be convened by the Director Development and Environment with three (3) days' notice.

## **5.0 MEETING PRACTICES**

### **5.1 Meeting Format**

- At all meetings of the Panel the Chairperson shall occupy the Chair and preside. The Chair will be responsible for keeping of order at meetings.
- Meetings shall be open to the public.
- The Panel will hear from an applicant and objectors or their representatives. Speakers are required to register to speak by close of business on the day prior to the Panel meeting.
- The Panel shall have the discretion to ask the applicant and objectors questions relating to the proposal and their submission. There is no 'right of reply' for an objector or applicant.
- Where there are a large number of persons making submissions with common interests, the Panel shall have the discretion to hear a representative of those persons rather than multiple persons with the same interest.
- Council assessment staff will be available at Panel meetings to provide technical assessment advice and assistance to the Panel.
- Where considered necessary, the Panel will conduct site inspections prior to the meeting.

### **5.2 Decision Making**

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

### **5.3 Quorum**

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

### **5.4 Chairperson and Deputy Chairperson**

Independent Chair (alternate - independent member).

### **5.5 Secretariat**

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



Minutes shall be similar to the format for Ordinary Council Meetings.

## **5.6 Recording of decisions**

Minutes will be limited to the recording of decisions only and how each member votes for each item before the Panel.

## **6.0 CONVENING OF “OUTCOME SPECIFIC” WORKING GROUPS**

Not applicable.

## **7.0 CONFIDENTIALITY AND CONFLICT OF INTEREST**

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

## **8.0 LOBBYING**

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

## **9.0 CONDUCT AT MEETINGS**

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

## Development Assessment Panel

### ATTENDANCE REGISTER

Member	02/09/21	01/10/21	21/10/21	18/11/21	16/12/21	03/02/22
David Crofts	✓	✓	✓	✓	✓	✓
Michael Mason	✓			✓	✓	✓
Chris Gee	✓	✓	✓	✓		✓
Tony McNamara		✓	✓		✓	
Dan Croft (Group Manager Development Services) Grant Burge (acting)		✓	✓	✓	✓	✓
Patrick Galbraith-Robertson (Development Planning Coordinator)	✓	✓	✓	✓		✓

**Key:** ✓ = Present

A = Absent With Apology

X = Absent Without Apology

### Meeting Dates for 2022

20/01/2022	Function Room	2.00pm
3/02/2022	Function Room	2.00pm
17/02/2022	Function Room	2.00pm
3/03/2022	Function Room	2.00pm
17/03/2022	Function Room	2.00pm
7/04/2022	Function Room	2.00pm
21/04/2022	Function Room	2.00pm
5/05/2022	Function Room	2.00pm
19/05/2022	Function Room	2.00pm
2/06/2022	Function Room	2.00pm
16/06/2022	Function Room	2.00pm
7/07/2022	Function Room	2.00pm
21/07/2022	Function Room	2.00pm
4/08/2022	Function Room	2.00pm
18/08/2022	Function Room	2.00pm
1/09/2022	Function Room	2.00pm
15/09/2022	Function Room	2.00pm
6/10/2022	Function Room	2.00pm
20/10/2022	Function Room	2.00pm
3/11/2022	Function Room	2.00pm
17/11/2022	Function Room	2.00pm
1/12/2022	Function Room	2.00pm
15/12/2022	Function Room	2.00pm

# Development Assessment Panel Meeting

Thursday 17 February 2022

## Items of Business

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

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"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."

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**Item: 02****Subject: APOLOGIES**

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**RECOMMENDATION**

That the apologies received be accepted.

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

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**RECOMMENDATION**

That the Minutes of the Development Assessment Panel Meeting held on 3 February 2022 be confirmed.

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**PRESENT**

**Members:**

David Crofts (Independent Chair)  
Chris Gee (Independent Member)  
Michael Mason (Independent Member)  
Group Manager Development Services (Dan Croft)

**Other Attendees:**

Mayor Peta Pinson  
Deputy Mayor Adam Roberts  
Pat Galbraith-Robertson (Development Assessment Planning Coordinator)  
Grant Burge (Development Engineering Coordinator)  
Ben Roberts (Development Assessment Planner)

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The meeting opened at 2:00pm.

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**01 ACKNOWLEDGEMENT OF COUNTRY**

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The Acknowledgement of Country was delivered.

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**02 APOLOGIES**

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Nil.

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**03 CONFIRMATION OF MINUTES**

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**CONSENSUS:**

That the Minutes of the Development Assessment Panel Meeting held on 16 December 2021 be confirmed.

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#### **04 DISCLOSURES OF INTEREST**

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There were no disclosures of interest presented.

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#### **05 DA2021 - 315.1 RESIDENTIAL FLAT BUILDING INCLUDING CLAUSE 4.6 VARIATION TO CLAUSE 4.3 (HEIGHT OF BUILDINGS) OF THE PORT MACQUARIE-HASTINGS LOCAL ENVIRONMENTAL PLAN 2011 AND STRATA SUBDIVISION AT LOT 5 DP 18374, NO 27 PACIFIC DRIVE, PORT MACQUARIE**

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Speakers:

Lisa Intemann (opposing the application)  
Krissa Wilkinson (opposing the application)  
Wayne Ellis (applicant)

CONSENSUS:

That DA2021 - 315.1 for a residential flat building including clause 4.6 variation to clause 4.3 (height of buildings) of the Port Macquarie-Hastings Local Environmental Plan 2011 and strata subdivision at Lot 5, DP 18374, No. 27 Pacific Drive, Port Macquarie, be determined by granting consent subject to the recommended conditions.

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#### **06 GENERAL BUSINESS**

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Nil.

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The meeting closed at 2:45am.

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Item: 04  
Subject: DISCLOSURES OF INTEREST

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**RECOMMENDATION**

That Disclosures of Interest be presented

**DISCLOSURE OF INTEREST DECLARATION**

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

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

## SPECIAL DISCLOSURE OF PECUNIARY INTEREST DECLARATION

*This form must be completed using block letters or typed.*

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

<b>By</b> <i>[insert full name of councillor]</i>	
<b>In the matter of</b> <i>[insert name of environmental planning instrument]</i>	
<b>Which is to be considered at a meeting of the</b> <i>[insert name of meeting]</i>	
<b>Held on</b> <i>[insert date of meeting]</i>	
<b>PECUNIARY INTEREST</b>	
Address of the affected principal place of residence of the councillor or an associated person, company or body <i>(the <b>identified land</b>)</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.
<b>MATTER GIVING RISE TO PECUNIARY INTEREST<sup>1</sup></b>	
Nature of land that is subject to a change in zone/planning control by proposed LEP <i>(the <b>subject land</b><sup>2</sup>)</i> <i>[Tick or cross one box]</i>	<input type="checkbox"/> The identified land. <input type="checkbox"/> Land that adjoins or is adjacent to or is in proximity to the identified land.
Current zone/planning control <i>[Insert name of current planning instrument and identify relevant zone/planning control applying to the subject land]</i>	
Proposed change of zone/planning control <i>[Insert name of proposed LEP and identify proposed change of zone/planning control applying to the subject land]</i>	
Effect of proposed change of zone/planning control on councillor or associated person <i>[Tick or cross one box]</i>	<input type="checkbox"/> Appreciable financial gain. <input type="checkbox"/> Appreciable financial loss.

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

**Councillor's Signature:** ..... **Date:** .....

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

Last Updated: 3 June 2019

**Important Information**

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

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

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

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

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

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

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<sup>1</sup> 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.

<sup>2</sup> 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

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Item: 05

Subject: DA2021 - 889.1 DWELLING-HOUSE INCLUDING CLAUSE 4.6  
OBJECTION TO CLAUSE 4.3 (HEIGHT OF BUILDINGS) OF THE  
PORT MACQUARIE-HASTINGS LOCAL ENVIRONMENTAL PLAN  
2011 AT LOT 814 DP 1268080, NO 10 GRANTON RIDGE, PORT  
MACQUARIE

Report Author: Building Surveyor, Kate Kennedy

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Applicant:	Ernest Materyn & Alison Bonney c/ - Collins W Collins
Owner:	Ernest Materyn & Alison Bonney
Estimated Cost:	\$650,000.00
Parcel no:	70156

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#### Alignment with Delivery Program

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

#### RECOMMENDATION

That DA2021 - 889.1 for a dwelling-house including a Clause 4.6 objection to Clause 4.3 (height of buildings) of the Port Macquarie-Hastings Local Environmental Plan 2011 at Lot 814, DP 1268080, No. 10 Granton Ridge, PORT MACQUARIE, be determined by granting consent subject to the recommended conditions.

#### Executive Summary

This report considers a development application for a dwelling-house and associated structures 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, five (5) submissions were received.

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

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

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

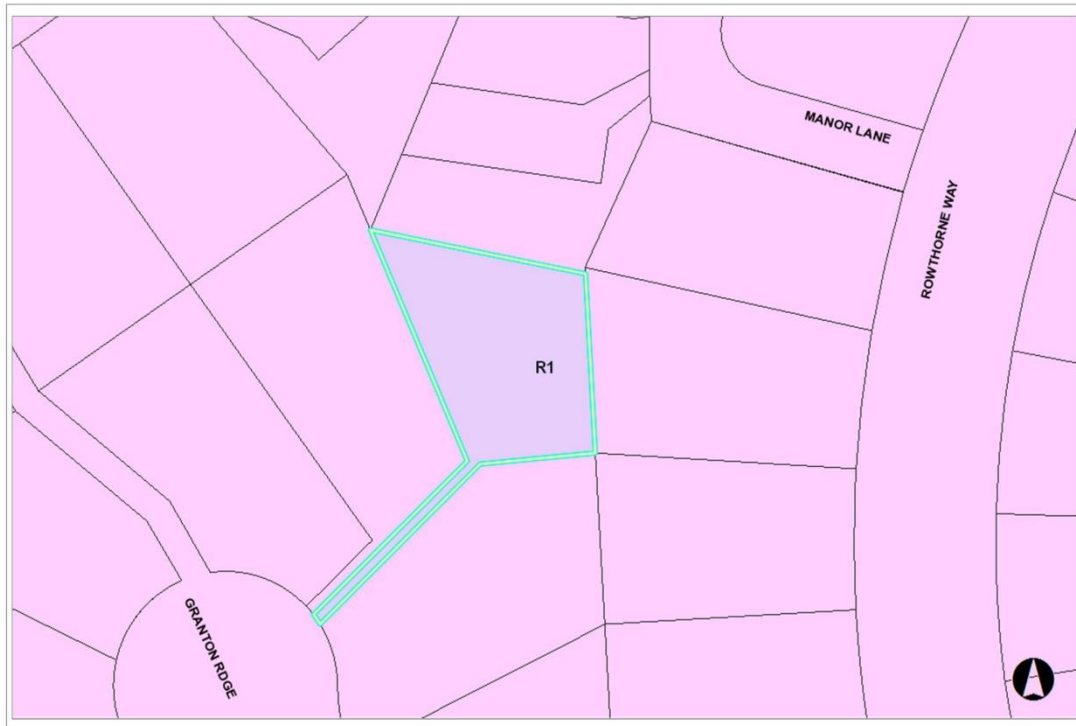
The reason for the application being referred to Council's Development Assessment Panel (DAP) is because three (3) or more objections to the proposal have been received and the application includes a Clause 4.6 exception to a development standard under the Port Macquarie-Hastings Local Environmental Plan 2011. A copy of the DAP Charter outlining the delegations and functions of the DAP is available on Council's website.

## **1. BACKGROUND**

### **Existing Sites Features and Surrounding Development**

The site has an area of 647.90m<sup>2</sup>.

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



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





## 2. DESCRIPTION OF DEVELOPMENT

Key aspects of the proposal include the following:

- Construction of a two (2) storey dwelling located centrally within the site
- Construction of retaining walls and landscaping features
- Construction of a driveway

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

### Application Chronology

- 06/10/2021 - Application submitted
- 13/10/2021 - Application accepted
- 21/10/2021 - Application assigned
- 21/10/2021 - Referral to Essential Energy
- 25/10/2021 - Internal referral to Waste Water
- 28/10/2021 - One (1) submission received
- 01/11/2021 - Additional Information Requested
- 01/11/2021 - Applicant request to put application on hold to allow submission of modified plans
- 01/11/2021 - Two (2) additional submissions received
- 02/11/2021 - One (1) additional submission received
- 08/11/2021 - Initial Neighbour Notification period completed
- 08/11/2021 - One (1) additional submission received
- 11/11/2021 - Essential Energy Referral Response received
- 29/11/2021 - Amended plans and engineering received
- 01/12/2021 - Re-notification letters sent with additional property included

- 19/12/2021 - Re-notification period completed
- 23/12/2021 - Waste Water response received
- 23/12/2021 - Additional Information requested in response to Waste Water comments
- 02/02/2022 - Amended plans received to address Water & Sewer Request
- 07/02/2022 - Minor amendment to report

### **3. STATUTORY ASSESSMENT**

#### **Section 4.15(1) Matters for Consideration**

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

**(a) The provisions (where applicable) of:**

–

**(i) Any Environmental Planning Instrument**

#### **State Environmental Planning Policy (Koala Habitat Protection) 2021**

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

Clause 12 (other land - no KPOM and less than 1 hectare) - Having considered the SEPP, the application and on completion of a site inspection, Council is not prevented from granting consent in this case for the following reasons:

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

#### **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.

#### **State Environmental Planning Policy (Infrastructure) 2007**

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

- (a) the penetration of ground within 2m of an underground electricity power line or an electricity distribution pole or within 10m of any part of an electricity tower,
- (b) development carried out:
  - (i) within or immediately adjacent to an easement for electricity purposes (whether or not the electricity infrastructure exists), or
  - (ii) immediately adjacent to an electricity substation, or



- (iii) within 5m of an exposed overhead electricity power line,
- (c) installation of a swimming pool any part of which is:
  - (i) within 30m of a structure supporting an overhead electricity transmission line, measured horizontally from the top of the pool to the bottom of the structure at ground level, or
  - (ii) within 5m of an overhead electricity power line, measured vertically upwards from the top of the pool.

Essential Energy have no specific concerns regarding the development, but have provided some general advice. The advice received from Essential Energy has been forwarded the Applicant for consideration.

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

### 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 and/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.*
- Clause 2.3(2) - The proposal is consistent with the zone objectives as it contributes to the range of housing options in the locality.
- Clause 4.3 - The maximum overall height of the building above ground level (existing) is 9.24m which does not comply with the standard height limit of 8.5m applying to the site. This represents a variation of 8.7%. A Clause 4.6 assessment is provided below, which concludes that the proposed variation is minor in nature and consistent with other dwellings observed in the locality and is a reflection of the sloping topography of the area.
- Clause 4.4 - The floor space ratio of the proposal is calculated to be 0.32:1, which complies with the maximum 0.65:1 floor space ratio applying to the site.
- Clause 4.6 - Exceptions to development standards. This clause establishes a degree of flexibility for certain development standards in certain circumstances which have demonstrated that a better planning outcome will occur from that flexibility. In this regard, the proposal seeks a variation to the building height standard. Assistance on the approach to variation to this standard is also taken from NSW Land and Environment Court and NSW Court of Appeal decisions in:

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

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

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

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

The applicant has provided justification for the Clause 4.6 variation to the building height standard (Refer to **Attachment 3**) as summarised below:

- The variation is minor in nature, only occurring for a portion of the upper floor roof.
- The extent of the height exceedance does not extend the full length of the roof.
- The dwelling maintains a compliant side setback of 3.923m to the southern side boundary to assist in reducing visual perceptions of building bulk and scale from neighbouring properties.
- The proposed height variation will not adversely impact on the solar access for adjoining dwellings.
- The height variation will not apply to the balcony or to any windows of the dwelling and will therefore not result in privacy impacts to adjoining dwellings
- The private open spaces of adjoining lots are sited to the north and east and would not have views impacted by the proposed dwelling
- Given the sloping nature of the site, the building height variation would not have any greater impact on the views of adjoining dwellings than a compliant building height given that the dwellings are primarily orientated to the West.
- The dwelling will be located on a battle-axe lot and shielded from the street frontage by existing dwellings.
- The walls of the dwelling are stepped back from the property boundary and are articulated and as such the visual impact of the proposed roofline is considered minor in nature.
- The proposed dwelling is consistent with the existing bulk, scale and building heights of other dwellings in the area. The proposed dwelling also steps with the slope of the site and is consistent with the character and streetscape of the area.
- There are no items of heritage conservation within the areas
- The variation supports a roof design that is consistent with the character of the area and provides an opportunity to construct a quality, visually appealing dwelling.
- Considering the above the proposal will achieve the objectives of the Port Macquarie-Hastings LEP Development Standard Clause 4.3.
- As discussed above, the height and location of the proposed encroachment will have minimal impacts with regard to view sharing, solar access, overshadowing and residential privacy due to the side and rear setbacks of the subject section of roof.

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

- (a) The consent authority is satisfied that:*

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

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

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

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

Considering the application and above justification for the Clause 4.6 variation to the building height standards, the proposed dwelling has been assessed to have limited additional impact on the environment and neighbouring properties. The request demonstrates that there are sufficient environmental planning grounds for the variation considering the sloping topography of the site and building heights observed within the locality.

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

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

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

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

Comments:

- The proposed dwelling is similar in height, bulk and scale to other dwellings in the area and maintains an FSR below the numerical control and commensurate with other dwellings in the locality.

- Other dwellings to the North of the site having approved similar height variations ranging between 6.7% and 9.4% that are sited on similar topography being directly adjacent to the subject site.
- The area of encroachment is partially located over an unenclosed balcony on the upper storey which further reduces the appearance of bulk.
- The design includes the use of multiple cladding materials providing further visual articulation to the façade. The articulation through the eastern and southern elevations assists in reducing the appearance of bulk when viewed from adjoining lots.
- The ceiling heights are not excessive with the upper storey ceiling height being 02.44m.

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

Comments:

- Shadow diagrams demonstrate adjoining properties will not be adversely overshadowed for greater than three hours on the 21st June.
- Given the topography of the site and orientation of adjoining dwellings there will be no significant view sharing or overshadowing impacts.
- Following initial assessment, the applicant has provided amended plans detailing reduced eave widths along the balcony and a lowered balcony floor level through the area where the variation occurs to assist in reducing potential impacts.
- As detailed at the submissions section of this report the applicant will be conditioned to require a privacy screen running along the eastern elevation of the balcony to address a neighbour submission and maintain the privacy of the dwellings sited to the east of the proposed dwelling.
- There will be negligible public domain impact.
- The proposal will not result in the disruption of any significant views. No submissions were received regarding concern for loss of views in the locality.

*(c) To minimise the adverse impact of development on heritage conservation areas and heritage items*

Comments:

The site does not contain any known heritage items or sites of significance.

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

Comments:

- The site is located within an established subdivision which maintains similar zoning and numerical height controls.
- The site is not located within an area where development provides a transition in built form or land use intensity.
- The public benefit of the standard is not compromised or eroded.

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

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

*(b) The concurrence of the Secretary has been obtained*

Comments:

- As per Planning Circular PS 20-002, Council can assume the Director-General's Concurrence for variations to the height of buildings. As the variation is less than 10%, the application can be determined by a delegate of Council including the DAP. The decision must be reported to Council for their information, a public register of variations maintained, and details of the proposal included in quarterly reporting to the Department of Planning, Industry and Environment.

Having consideration to the above and the document prepared by the NSW Government - Varying Development Standards: A Guide 2011, it is agreed that the applicant has satisfactorily demonstrated that compliance with the height standards is unreasonable/unnecessary to strictly comply with height requirements considering the site and circumstances of the case and the variation using Clause 4.6 be supported.

- 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.

**(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**

<b>DCP 2013: Part B - General Provisions - B2: Environmental Management</b>			
<b>DCP Objective</b>	<b>Development Provisions</b>	<b>Proposed</b>	<b>Complies</b>
3	a) Development must comply with Council's Developments, Public Place & Events - Waste Minimisation and Management Policy.	Satisfactory arrangements can be put in place for storage and collection of waste. Standard condition recommended for construction waste management.	Yes



Cut and Fill Regrading			
4	a) Development shall not exceed a maximum cut of 1.0m and fill of 1.0m measured vertically above the ground level (existing) at a distance of 1.0m outside the perimeter of the external walls of the building (This does not apply to buildings where such cut and fill is fully retained within or by the external walls of the building).	<1.00m change in levels outside building	Yes
5	a) A certified practicing structural engineer must certify any retaining wall greater than 1.0m.	Noted. Condition of consent will be added for the construction of the retaining wall and added to the PCA agreement.	Yes
	b) Where a combination of a fence and a wall is proposed to be greater than 1.2m high: <ul style="list-style-type: none"> <li>– be a maximum combined height of 1.8m above existing property boundary level;</li> <li>– be constructed up to the front boundary for a maximum length of 6.0m or 30% of the street frontage, whichever is less;</li> <li>– the fence component has openings which make it not less than 25% transparent; and</li> <li>– provide a 3m x 3m splay for corner sites, and</li> <li>– provide a 900mm x 900mm splay for vehicle driveway entrances.</li> </ul>	Existing fences to be retained.  1.80m high fence proposed to the north boundary	Yes

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

18	a) APZs are to be located outside of environmental protection zones and wholly provided within private land. Note perimeter roads provided as part of a residential subdivision are classified as being part of the	APZs to be located wholly on private land and the site is to be maintained as an IPA in accordance with the Bushfire Report prepared by Krisann Johnson - S & K Johnson Constructions, dated 22 July 2021	Yes
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	subdivision and not a separate permissible land use within environment protection zones.		
<b>Flooding</b>			
19	a) Development must comply with Council's Floodplain Management Plan and Flood Policies.	The site is not mapped as being Flood Prone Land	n/a

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

DCP Objective	Development Provisions	Proposed	Complies
<b>Parking Provision</b>			
24	a) Off-street Parking is provided in accordance with Table 3: - 1 parking space per each dwelling for dwelling-house.	Double garage proposed.	Yes
<b>Parking Layout</b>			
28	c) Parking spaces shall generally be behind the building line but may be located between the building line and the street when: <ul style="list-style-type: none"> <li>- it is stacked parking in the driveway; or</li> <li>- it can be demonstrated that improvements to the open space provided will result; and</li> <li>- 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.</li> </ul>	Garage will be sited 2.73m behind the building line of the dwelling. Note battle-axe lot.	Yes
	d) Parking design and layout is provided in accordance with AS/NZS 2890.1 - Parking facilities - Off-street car parking.	Parking and driveway is capable of complying with AS2890.1.	Yes
34	a) All parking and manoeuvring spaces must be designed to avoid concentrations of water runoff on the surface.	Limited additional driveway area proposed. Stormwater management can be addressed through section 68 approval permit process.	Yes



	b) Council will not permit the discharge of stormwater directly into kerbing and guttering or table drains for any development other than that of a minor nature.	Stormwater to discharge into nominated stormwater junction for the site.	Yes
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**DCP 2013: Part B - General Provisions - B5: Social Impact Assessment and Crime Prevention**

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

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

DCP Objective	Development Provisions	Proposed	Complies
<b>Front Setbacks</b>			
44	<p>a) Dwellings may incorporate an articulation zone to a street frontage at no less than 3m from property boundary. The following building elements are permitted within the articulation zone:</p> <ul style="list-style-type: none"> <li>- an entry feature or portico;</li> </ul>	No items in the articulation zone	n/a

	<ul style="list-style-type: none"> <li>- a balcony, deck, patio, pergola, terrace or verandah;</li> <li>- a window box treatment;</li> <li>- a bay window or similar feature;</li> <li>- an awning or other feature over a window;</li> <li>- a sun shading feature.</li> </ul> <p>b) These building elements should not extend above the eave gutter line, other than a pitched roof to an entry feature or portico that has the same pitch as the roof on the dwelling house.</p>		
	<p>c) The primary road front setback shall be:            Classified road = any frontage 6.0m            Primary frontage = 4.5m            Secondary frontage = 3.0m            Ancillary Lane = 2.0m            Large lot residential and rural zones = 10.0m</p>	<p>Battle axe allotment</p> <p>Setback to access handle 4.726m</p>	Yes
45	<p>a) A garage, carport or car parking space should:</p> <ul style="list-style-type: none"> <li>- be at least 1m behind the building line, where the dwelling(s) has a setback from a front boundary of 4.5m or more, or</li> <li>- be at least 5.5m from a front boundary, where the dwelling(s) has a setback of less than 4.5m.</li> </ul>	Garage is setback 02.73m from the front building line of the dwelling.	Yes
	b) The total width of the garage/carport openings should not be more than 6m and not more than 50 per cent of the width of the building.	Garage opening is 5.00m and <50% of the width of the building frontage	Yes
	c) Driveway crossovers are no greater than 5.0m in width.	Existing driveway crossover from the access handle to be retained.	Yes
	d) Where a dual occupancy or attached dwelling is proposed on a corner lot a garage and driveway is provided on each road frontage.	No dual occupancy is proposed as part of this application	n/a

Side and Rear Setbacks			
46	a) A minimum rear boundary setback of 4m is to be provided to dwellings (including verandahs, patios and decks).	Rear boundary setback between 02.85m and 03.88m leading to a variation to the numerical controls of 1.00m to the rear eastern boundary.  The variation to the rear boundary setback requirements is discussed further at the end of this table.	No
	b) A minimum rear boundary setback of 900mm applies to sheds and swimming pools subject to achieving minimum required private open space area.	No sheds or swimming pools proposed as part of this application	n/a
	c) Council may consider varying rear setback requirements where it is demonstrated that the private open space could achieve better solar access between the building and the side setback. In that instance, one side setback should be a minimum 4m in width (for an equivalent length of rear boundary, behind building line) and the rear setback may be reduced to 900mm.	This variation is discussed further at the end of this table.	No
47	a) Ground floors (being <1m above existing ground level) should be setback a minimum of 900mm from side boundaries.	The ground floor is setback between 2.026m and 3.923m from the side boundaries.	Yes
	b) First floors and above (including single storey with floor level >1m) should be setback a minimum of 3m from the side boundary, or reduced down to 900mm where it can be demonstrated that the adjoining property's primary living rooms and principal private open space areas are not adversely overshadowed for more than	The first floor setbacks to side boundaries are between 3.923m and 4.981m.	Yes

	3hrs between 9am - 3pm on 21 June.		
	c) First floors and above should have building walls that step in and out at least every 12m by a minimum of 500mm articulation. Where first floors and above are setback >3m, wall articulation is not required.	<p>The first floor is well articulated with the longest section of wall being 7.145m in length.</p> <p>Steps in wall of at least 1.87m are provided.</p> <p>Elevated ground floor northern wall is 12.71m but is &gt;3.00m to the side boundary. The northern elevation will be shielded to adjoining lots by the addition of the articulated covered alfresco area facing the northern boundary and reducing the appearance of bulk when viewed from adjoining sites.</p>	Yes
<b>Private Open Space</b>			
48.	<p>a) All dwellings should have a minimum area of private open space of 35m<sup>2</sup>, which includes a principal private open space area with:</p> <ul style="list-style-type: none"> <li>- a minimum dimension of 4m x 4m, and</li> <li>- a maximum grade of 5% for minimum 4m x 4m of the total open space requirement, and</li> <li>- direct accessibility from a ground floor living area and orientated to maximise use.</li> </ul>	<p>&gt;35m<sup>2</sup> of POS available to the northern side of the proposed dwelling that is directly accessed from the ground floor living areas.</p> <p>The noted POS and Alfresco area are &gt;4.00m x 4.00m and will be located with a gradient &lt;5% due to the inclusion of the retaining walls to the north and north west of the dwelling.</p>	Yes
	b) Private open space may include clothes drying areas and garbage storage.	Noted	Yes
<b>Public Domain and Fencing</b>			
49	a) Front fences built forward of the building line for the primary road frontage should be detailed on the development application plans.	All fencing has been detailed on the plan set.	Yes
	b) Solid Front fences up to 1.2m high should be:	Not Applicable. No front fencing proposed as part of this application	n/a

	<ul style="list-style-type: none"> <li>- Setback 1.0m from the front boundary, and</li> <li>- Suitably landscaped to reduce visual impact, and</li> <li>- Provide a 3m x 3m splay for corner sites.</li> </ul>		
	<p>b) Front fences proposed to be more than 1.2m high should be a maximum of 1.8m in height, above existing front property boundary level, and either:</p> <ul style="list-style-type: none"> <li>- Include landscaped recesses having minimum dimensions of 1.8m long x 900mm deep which occupy no less than 50% of the total length of the fence, or</li> <li>- be erected up to the front boundary for a maximum length of 6.0m or 50% of the street frontage,</li> </ul>	<p>Not Applicable. No front fencing proposed as part of this application as site is a battle axe allotment and boundary fencing already in place on multiple boundaries.</p> <p>Existing boundary fencing to be retained. A small section of fencing will be included between the dwelling and the site boundary forward of the dwelling.</p>	Yes
	c) have openings which make it not less than 25% transparent (no individual opening more than 30mm wide);	Not Applicable. No front fencing proposed as part of this application	n/a
	d) provide a 3m x 3m splay for corner sites, and	Not Applicable. No front fencing proposed as part of this application	n/a
	e) provide a 900mm x 900mm splay for vehicle driveway entrances.	Not Applicable. No front fencing proposed as part of this application	n/a
50	a) For tennis courts or other similar areas, chain wire fences should be black or dark green plastic coated mesh.	No tennis courts proposed as part of this application	n/a
	b) Solid fences enclosing these facilities should not be permitted over 1.8m.	No tennis courts proposed as part of this application	n/a
<b>Bulk and Scale</b>			
51	a) Direct views between indoor living rooms and principal private open space of adjacent dwellings, including proposed dwellings approved on adjoining lots, including possible dwellings on future lots, should be	Living areas of the dwelling will be located on the ground floor. The ground floor will be separated from adjoining sites by existing and proposed boundary fencing. The principal	Yes

	<p>obscured or screened where:</p> <ul style="list-style-type: none"> <li>Ground and first floor (and above) indoor living room windows are within a 9m radius.</li> <li>Direct views between principal private open space areas where within a 12m radius.</li> <li>Direct views between indoor living rooms of dwellings into the principal area of private open space of other dwellings within a 12m radius.</li> </ul>	<p>private open space of the dwelling will be located below the private open space (POS) of the adjoining lot to the west and be separated by existing boundary fencing. The POS of the subject dwelling will again be separated from the northern boundary by a proposed 1.80m high boundary fence and greater than 09.00m from the lower properties to the east of the site.</p>	
	<p>b) A balcony, deck, patio, pergola, terrace or verandah should have a privacy screen where there are direct views of:</p> <ul style="list-style-type: none"> <li>Indoor living room windows of adjacent dwellings, including proposed dwellings approved on adjoining lots within 9m radius; or</li> <li>Principal areas of private open space of adjacent dwellings, including proposed dwellings approved on adjoining lots within a 12m radius.</li> </ul>	<p>The upper floor balcony of the dwelling that is accessed from the master bedroom will be greater than 09.00m to the adjoining dwelling located to the south and the lower dwellings located to the east.</p> <p>The balcony will additionally be separated from the dwelling on the allotment to the south by existing boundary fencing and established vegetation as shown in the images taken on the site.</p>	Yes
	<p>c) Privacy protection is not required for:</p> <ul style="list-style-type: none"> <li>Any Indoor living room windows with a sill height of greater than 1.5m above the finished floor level of that room or where fixed non-openable translucent glass is installed to the same height.</li> </ul>	<p>Additional privacy protection is considered to not be required for the ground floor living areas.</p>	N/A
	<p>d) Direct views described above may be reduced or obscured by one of the following measures (details to be submitted with the development application):</p> <ul style="list-style-type: none"> <li>1.8m high fence or wall between ground-floor</li> </ul>	<p>1.80m boundary fence is proposed to the northern boundary and existing boundary fencing is located along the remaining boundaries.</p>	Yes



	<p>level windows or between a dwelling and principal private open space</p> <ul style="list-style-type: none"> <li>– Screening of minimum 1.7m height, that has 25% openings (max), with no individual opening more than 30mm wide, is permanently fixed and is made of durable materials.</li> <li>– A window, the whole of which has translucent glass and is not able to be opened.</li> </ul>		
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The proposal seeks to vary the Development Provision relating to the rear setback of the dwelling.

The relevant objectives are:

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

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

- The application has provided justification for the variation detailing that the proposal will not overshadow the adjoining sites for greater than 3.00 hours on the winter solstice between 9am and 3pm. Additionally, the reduced rear setback will provide for greater solar access to the private open space of the dwelling to the north-eastern facing aspect.
- Clause 46(c), of the Port Macquarie Hastings Development Control Plan (DCP) gives consideration to reducing the rear setback where it can be demonstrated that the private open space could achieve better solar access between the building and the side setback. The applicant has provided a side boundary setback of 3.923m to the southern boundary and 05.189m to the western boundary. Though the proposal does not achieve strict compliance with clause 46 (c) of the DCP as it requires a 4.00m setback for the equivalent wall length, the proposal demonstrates that it will achieve greater solar access to the proposed private open space located to the north west of the dwelling.
- The proposed variation to the rear boundary allows for the siting of the private open space to the north west of the dwelling where there is a level and usable area of yard that provides for a functional space for the use of the occupants.
- The increased setback of the dwelling relative to the southern and western boundaries will assist in retaining the natural light and ventilation between dwellings.
- The reduced setback to the rear boundary, allowing the private open space to be sited to the north west will retain the privacy to adjoining sites private open space



as it will be located in an area of cut and separated by proposed 01.80m high fencing.

- The proposed variation will not have an adverse effect on the amenity of adjoining sites or the streetscape of the locality, achieves the objectives of the clause and is recommended for approval.

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

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

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

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

Nil

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

**Context and Setting**

The proposal will not have any significant adverse impacts on existing adjoining properties or the public domain.

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

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

The proposal does not have significant adverse lighting impacts.

There are no significant adverse privacy impacts.

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

**Access, Traffic and Transport**

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

**Water Supply Connection**

Service available – details required with Section 68 application.

An appropriate standard condition is recommended in this regard.

**Sewer Connection**

The proposed works are to be clear of the existing sewer junction and main traversing the site. The required distance off the junction is to be determined in relation to the depth.

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

**Stormwater**

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

**Other Utilities**

Telecommunication and electricity services are available to the site.

**Heritage**

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

**Other land resources**

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

**Water cycle**

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

**Soils**

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

**Air and microclimate**

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

**Flora and fauna**

Construction of the proposed development will not require any removal/clearing of any native vegetation and therefore does not trigger the biodiversity offsets scheme.  
Part 7 of the Biodiversity Conservation Act 2016 is considered to be satisfied.

**Waste**

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

**Energy**

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

**Noise and vibration**

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

**Bushfire**

The site is identified as being bushfire prone.

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

An assessment of bushfire risk having regard to section 4.3.5 of Planning for Bushfire Protection 2019 including vegetation classification and slope concludes that a Bushfire Attack Level of LOW shall be required. Though no specific construction requirements the site should be managed as an Inner Protection Area.

The Asset Protection Zone (APZ) is proposed within the property as shown the plans submitted.

Management of bushfire risk is acceptable subject to the recommendations of the report prepared by Krisann Johnson - S & K Johnson Constructions, dated 22<sup>nd</sup> July 2021 being implemented and APZ being maintained.

**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. Adequate casual surveillance is available.

**Social impacts in the locality**

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

**Economic impact in the locality**

The proposal is not considered to have any significant adverse economic impacts on the locality. A likely positive impact is that the development will maintain employment

in the construction industry, which will lead to flow impacts such as expenditure in the area.

**Site design and internal design**

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

**Construction**

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

**Cumulative Impacts**

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

**(c) The suitability of the site for the development**

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

Site constraints of bushfire have been adequately addressed.

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

Five (5) written submissions were received following public exhibition of the application. Copies of the written submissions have been provided separately to members of the DAP.

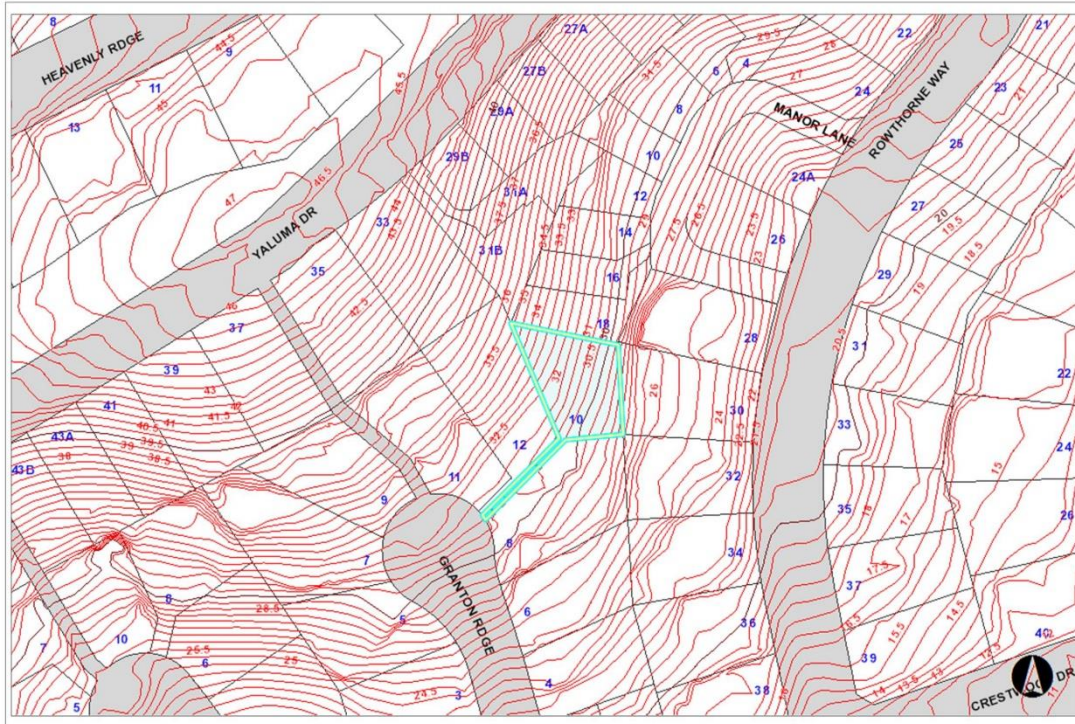
Key issues raised in the submissions received and comments are provided as follows:

Submission Issue/Summary	Planning Comment/Response
<p>Privacy concerns regarding upper storey balcony adjoining the master bedroom</p>	<p>The proposed balcony is accessed from the master bedroom and located on the southern elevation of the dwelling.</p> <p>The proposed balcony is 1.84m wide and extends 6.18m along the southern elevation at a distance of approximately 5.00m from the southern boundary. As seen in the below imagery taken from the south western corner of the site there is established vegetation and boundary fencing adjacent to the balcony providing a degree of privacy to the adjoining lot to the south and some of the sites located on Rowthorne Way.</p> <p>The balcony will be sited 7.00m from the rear eastern boundary of the site. Given the balcony will be within 12m of the private open space of the dwelling, a privacy screen is considered reasonable to require with a height of 1.5m along the eastern portion of the balcony is recommended and has been included in the draft conditions of consent included with this report.</p> <p>As demonstrated in the contour mapping below this table, the site slopes from the top north western corner of the lot down to the lower south eastern corner. Given the nature of the site, a degree of overlooking is to be expected.</p> 
<p>Insufficient street parking on Granton Ridge to cater for another residential property</p>	<p>Street parking for Granton Ridge was considered at the time of subdivision. The residential lot is existing.</p> <p>Clause 41 of the DCP details car</p>



Submission Issue/Summary	Planning Comment/Response
	<p>parking requirements of one (1) space per dwelling for residential accommodation</p> <p>The proposed dwelling includes a double garage with parking for two (2) vehicles. Additionally, there is also sufficient space at the southern side of the dwelling or within the hardstand/turning area forward of the dwelling should overflow parking be required.</p>
<p>Tradespersons, their vehicles and equipment affecting vehicular and pedestrian traffic in Granton Ridge and surrounding properties.</p>	<p>It is acknowledged that construction works may impact in the short term.</p>
<p>Insufficient parking on the site and street to cater for visitors which may cause guests of the property to park on adjoining private land and Granton Ridge.</p>	<p>Clause 41 of the DCP details car parking requirements of one (1) space per dwelling for residential accommodation</p> <p>The proposed dwelling includes a double garage with parking for two (2) vehicles. Additionally, there is also sufficient space at the southern side of the dwelling or within the hardstand/turning area forward of the dwelling should overflow parking be required.</p> <p>Vehicles parking on adjoining private land is a civil matter and outside the scope of this development assessment.</p>
<p>Concerns that there is a potential for damage to the private access way to the site from Granton Ridge by heavy equipment and trade vehicles used for construction and excavation and the responsibility for rectifying any damages.</p> <p>Concerns regarding the potential for damage to private property for connecting the subject dwelling to essential services</p>	<p>The proposal will need to be constructed in accordance with Australian Standards and any closures or occupancies of the council road reserve are subject to separate application under the <i>Roads Act 1993</i>.</p> <p>All works are to be undertaken by appropriately qualified tradespeople relevant to the subject service.</p> <p>It is anticipated that services would be connected via the narrow strip of the lot running adjacent to the private land and easement for access.</p> <p>Any works undertaken on the adjoining private land between the easement for access and the subject site, would</p>

Submission Issue/Summary	Planning Comment/Response
	require the consent of the property owners. Such works would be a civil matter to be negotiated between the parties. The subject application does not propose access to adjoining properties private land.
Overlooking of adjoining properties from windows in bedroom 3	<p>The proposed window in the western elevation of bedroom three (3) on the upper storey, is a high set highlight window. The window of bedroom three (3) in the northern elevation maintains setbacks to the northern and western boundaries of between 7.00m - 10.00m, increasing towards the northwest of the site with the northern boundary being the closest at 7.00m.</p> <p>Additionally, the windows are located within a bedroom which are generally infrequently used unlike the living areas which are located on the ground floor of the dwelling.</p>
Concern regarding potential reflection from the solar panels to adjoining properties	<p>The solar panels are exempt development as per the requirements of State Environmental Planning Policy (Infrastructure) 2007.</p> <p>The solar panel system is to be installed in accordance with the manufacturer's specification.</p>
Office size may permit a home business to operate at the premises increasing vehicles parked on Granton Ridge	There is no proposal for the office space to be used as a home business. Further, a home business may be permissible without development consent where it meets the requirements of SEPP (Exempt and Complying Development Codes) 2008. Where it does not meet these requirements development consent will be required.
Concerns that no traffic management plan has been submitted	Given the small scale residential nature of the proposal there is no requirement for a Traffic Management Plan to be submitted with the application.



#### (e) The Public Interest

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

#### Ecologically Sustainable Development and Precautionary Principle

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

The four principles of ecologically sustainable development are:

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

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

#### Climate change

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

#### 4. DEVELOPMENT CONTRIBUTIONS APPLICABLE

Development contributions are not applicable.









**5. CONCLUSION AND STATEMENT OF REASON**

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

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

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

**Attachments**

- 1   DA2021 - 889.1 Recommended Conditions
- 2   DA2021 - 889.1 Plans
- 3   DA2021 - 889.1 Statement of Environmental Effects including clause 4.6

**PROPOSED CONDITIONS - 2011****NOTE: THESE ARE DRAFT ONLY****DA NO: 2021/889****DATE: 4/02/2022****PRESCRIBED CONDITIONS**

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

**A – GENERAL MATTERS**

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

Plan / Supporting Document	Reference	Prepared by	Date
Cover/Title Page	Job No: J4588 Issue: L	Collins W Collins Pty Ltd	01.02.22
Site Plan	Sheet: 1 of 12 Issue: L	Collins W Collins Pty Ltd	01.02.22
S68 Plan	Sheet: 2 of 12 Issue: L	Collins W Collins Pty Ltd	01.02.22
Ground Floor Plan	Sheet: 3 of 12 Issue: L	Collins W Collins Pty Ltd	01.02.22
First Floor Plan	Sheet: 4 of 12 Issue: L	Collins W Collins Pty Ltd	01.02.22
Subfloor & Roof Plan	Sheet: 5 of 12 Issue: L	Collins W Collins Pty Ltd	01.02.22
Elevations	Sheet: 6 of 12 Issue: L	Collins W Collins Pty Ltd	01.02.22
Sections	Sheet: 7 of 12 Issue: L	Collins W Collins Pty Ltd	01.02.22
Glazing Schedule	Sheet: 8 of 12 Issue: L	Collins W Collins Pty Ltd	01.02.22
Shadow Diagrams	Sheet: 9 of 12 Issue: L	Collins W Collins Pty Ltd	01.02.22
Building Specifications & Construction Notes	Sheet: 10 of 12 Issue: L	Collins W Collins Pty Ltd	01.02.22
Work Safety Notes	Sheet: 11 of 12 Issue: L	Collins W Collins Pty Ltd	01.02.22
Legends	Sheet: 12 of 12 Issue: L	Collins W Collins Pty Ltd	01.02.22
BASIX Certificate	No.1227462S_02	Collins W Collins Pty Ltd	Thursday 02 December 2021
Statement of	Ref: J4588	Collins W Collins Pty	December

Environmental Effects		Ltd	2021
Bushfire Attack Level Certificate	Unreferenced	Krisann Johnson - S & K Johnson Constructions Pty Ltd	22 <sup>nd</sup> July 2021

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

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

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

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

- (3) (A008) Any necessary alterations to, or relocations of, public utility services to be carried out at no cost to council and in accordance with the requirements of the relevant authority including the provision of easements over existing and proposed public infrastructure.
- (4) (A009) The development site is to be managed for the entirety of work in the following manner:
1. Erosion and sediment controls are to be implemented to prevent sediment from leaving the site. The controls are to be maintained until the development is complete and the site stabilised with permanent vegetation;
  2. Appropriate dust control measures;
  3. Building equipment and materials shall be contained wholly within the site unless approval to use the road reserve has been obtained. Where work adjoins the public domain, fencing is to be in place so as to prevent public access to the site;
  4. Building waste is to be managed via appropriate receptacles into separate waste streams;
  5. Toilet facilities are to be provided on the work site at the rate of one toilet for every 20 persons or part of 20 persons employed at the site.
  6. Building work being limited to the following hours, unless otherwise permitted by Council;
    - Monday to Saturday from 7.00am to 6.00pm
    - No work to be carried out on Sunday or public holidays

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

#### **B – PRIOR TO ISSUE OF A CONSTRUCTION CERTIFICATE**

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

- Easements
  - Water main
  - Proposed water meter location
- (2) (B006) An application pursuant to Section 138 of the Roads Act, 1993 to carry out works required by the Development Consent on or within public road is to be submitted to and obtained from Port Macquarie-Hastings Council prior to release of the Construction Certificate.
- Such works include, but not be limited to:
- i. Footway and gutter crossing
  - ii. Functional vehicular access
- (3) (B046) The building shall be designed and constructed so as to comply with the Bushfire Attack Level (BAL) LOW requirements of Australian Standard 3959 and the specifications and requirements of Planning for Bush Fire Protection. Details shall be submitted to the Principal Certifying Authority with the application for Construction Certificate demonstrating compliance with this requirement.
- Please note: Compliance with the requirements of the current Planning for Bush Fire Protection Guidelines to prevail in the extent of any inconsistency with the Building Code of Australia.
- (4) (B039) Detailed drawings and specifications prepared by a professional engineer for all retaining walls supporting:
- i. earthworks that are more than 600mm above or below ground level (existing); or
  - ii. located within 1m of the property boundaries; or
  - iii. earthworks that are more than 1m above or below ground level (existing) in any other location; are to be submitted to the Principal Certifying Authority with the application for Construction Certificate.

**C – PRIOR TO ANY WORK COMMENCING ON SITE**

- (1) (C013) Where a sewer manhole and/or 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.
- (2) A peg out survey must be undertaken by a registered land surveyor prior to any footings and/or slab being poured. Such survey shall set out the boundaries of the site and the actual location of the proposed buildings in accordance with the stamped approved plans.

**D – DURING WORK**

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

**E – PRIOR TO OCCUPATION OR THE ISSUE OF OCCUPATION CERTIFICATE**

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

- (2) (E058) Written confirmation being provided to the Principal Certifying Authority (PCA) from any properly qualified person (eg the builder), stating that all commitments made as part of the BASIX Certificate have been completed in accordance with the certificate.
- (3) (E034) Prior to occupation or the issuing of the Occupation Certificate provision to the Principal Certifying Authority of documentation from Port Macquarie-Hastings Council being the local roads authority certifying that all matters required by the approval issued pursuant to Section 138 of the Roads Act have been satisfactorily completed.
- (4) (E051) Prior to occupation or the issuing of any Occupation Certificate a section 68 Certificate of Completion shall be obtained from Port Macquarie-Hastings Council.
- (5) Certification that the construction of footings and piers adjacent to the sewer lines 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 Council with the application for the Section 307 - Certificate of Compliance/Occupation Certificate.
- (6) (E057) A Certificate of Compliance under the provisions of Section 307 of the Water Management Act must be obtained prior to the issue of any occupation or subdivision certificate.
- (7) (E065) The applicant will be required to submit prior to occupation and the issue of the Occupation Certificate, certification by a Registered Surveyor that the dwelling has been constructed to the levels to AHD as detailed on the approved plans referenced in this consent.
- (8) Prior to the issue of the Occupation Certificate a privacy screen is to be erected along the entirety of the eastern elevation of the upper floor balcony. The privacy screen is to be a minimum height of 01.50m, that has 25% openings (max), with no individual opening more than 30mm wide that is permanently fixed and is made of durable materials.

**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.

**CONDITIONS APPLYING TO JETTIES AND BOAT RAMPS**

nil

CURRENT REVISION + NOTES

Date:	Description:	Issue:	Drawn:
01.02.22	FENCE CHANGES	L	BI



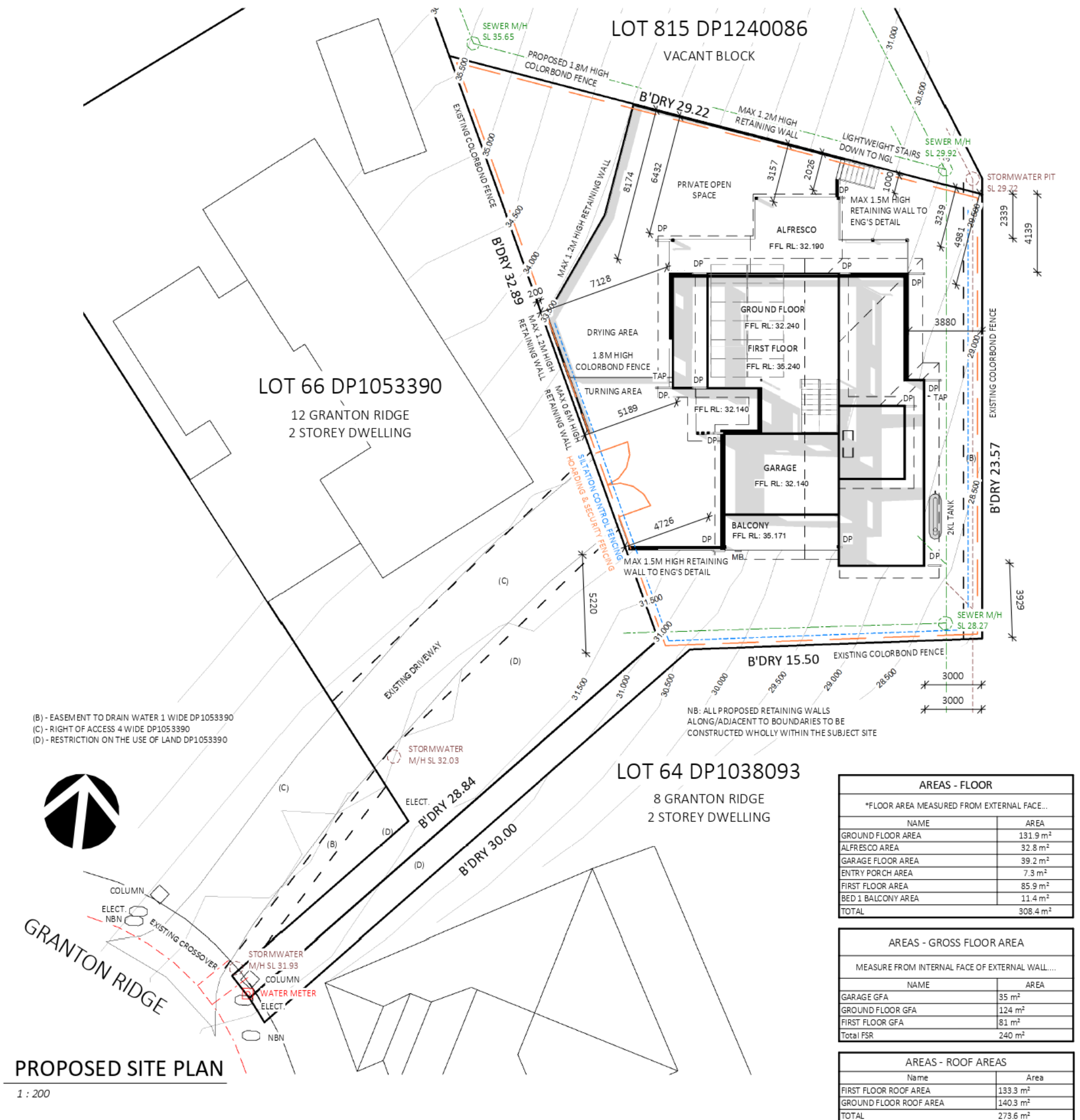
# NEW DWELLING

CLIENT: MATERYN / BONNEY  
STATUS: NEW DWELLING  
LOT No: 814    DP No: 1268080  
STREET: 10 GRANTON RIDGE, PORT MACQUARIE  
CWC JOB #: J4588

## CONTENTS

SHEET #	SHEET NAME
0	TITLE
1	SITE PLAN
2	S68 PLAN
3	GROUND FLOOR PLAN
4	FIRST FLOOR PLAN
5	SUBFLOOR & ROOF PLAN
6	ELEVATIONS
7	SECTIONS
8	GLAZING SCHEDULE
9	SHADOW DIAGRAMS
10	BUILDING SPECIFICATIONS & CONSTRUCTION NOTES
11	WORK SAFETY NOTES
12	LEGENDS





## SITE INFORMATION &amp; LEGEND

SITE AREA: = 648.1m<sup>2</sup>  
GROSS FLOOR AREA (GFA) = 206m<sup>2</sup>  
FSR (as per LEP) = 0.32:1  
APPROX HARDSTAND AREA = 360m<sup>2</sup>  
APPROX LAWN AND GARDEN AREA = 290m<sup>2</sup>

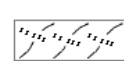
**STORMWATER NOTE:**  
STORMWATER/RAINWATER OVERFLOW  
TO LEGAL POINT OF DISCHARGE

## GENERAL PLAN SET NOTES:

CHECK ALL DIMENSIONS ON SITE. THIS DRAWING IS TO BE READ IN CONJUNCTION WITH ALL RELEVANT CONTRACTS, SPECIFICATIONS, REPORTS, DRAWINGS, LEGENDS, NATIONAL CONSTRUCTION CODE, AUS & NZ STANDARDS, ENGINEERING & COUNCIL APPROVALS

## BASIX NOTES:

PLEASE REFER TO THE "SUMMARY OF BASIX" ON SHEET 2 FOR FURTHER INFORMATION. PLEASE REFER TO THE BASIX CERTIFICATES FOR EXACT DETAILS.



ALL LEVELS WERE COMPLETED BY COASTAL SURVEY SOLUTIONS AND ARE TO AHD. ALL LEVELS, CONTOURS & SERVICES TO BE CONFIRMED BY BUILDER / SURVEYOR PRIOR TO START OF CONSTRUCTION.



PLEASE REFER TO BUSHFIRE REPORT BY S & K JOHNSON CONSTRUCTIONS PTY LTD (KRISANN JOHNSON). ALL WORKS TO BE CONSTRUCTED IN ACCORDANCE TO AS 3959-2018



CATCHMENT OF ROOF AREA TO BE DIRECTED TO TANK (TO BE USED AS A GUID ONLY) = 160m<sup>2</sup>



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PROJECT: NEW DWELLING

STATUS: NEW DWELLING

LOT No: 814 DP No: 1268080

STREET: 10 GRANTON RIDGE, PORT MACQUARIE

CLIENT: MATERYN / BONNEY

SHEET: 1 OF 12

SITE PLAN

SCALE: As Shown

SHEET SIZE: A3

START DATE: 09.01.21

DWG No: J4588

DRAWING REVISION + NOTES

Date:	Revision Description:	Issue:	Drawn:
19.01.21	INITIAL ISSUE	A	JC
03.12.21	PMHC RFI	J	BI
18.01.22	SERVICES RFI	K	BI
01.02.22	FENCE CHANGES	L	BI

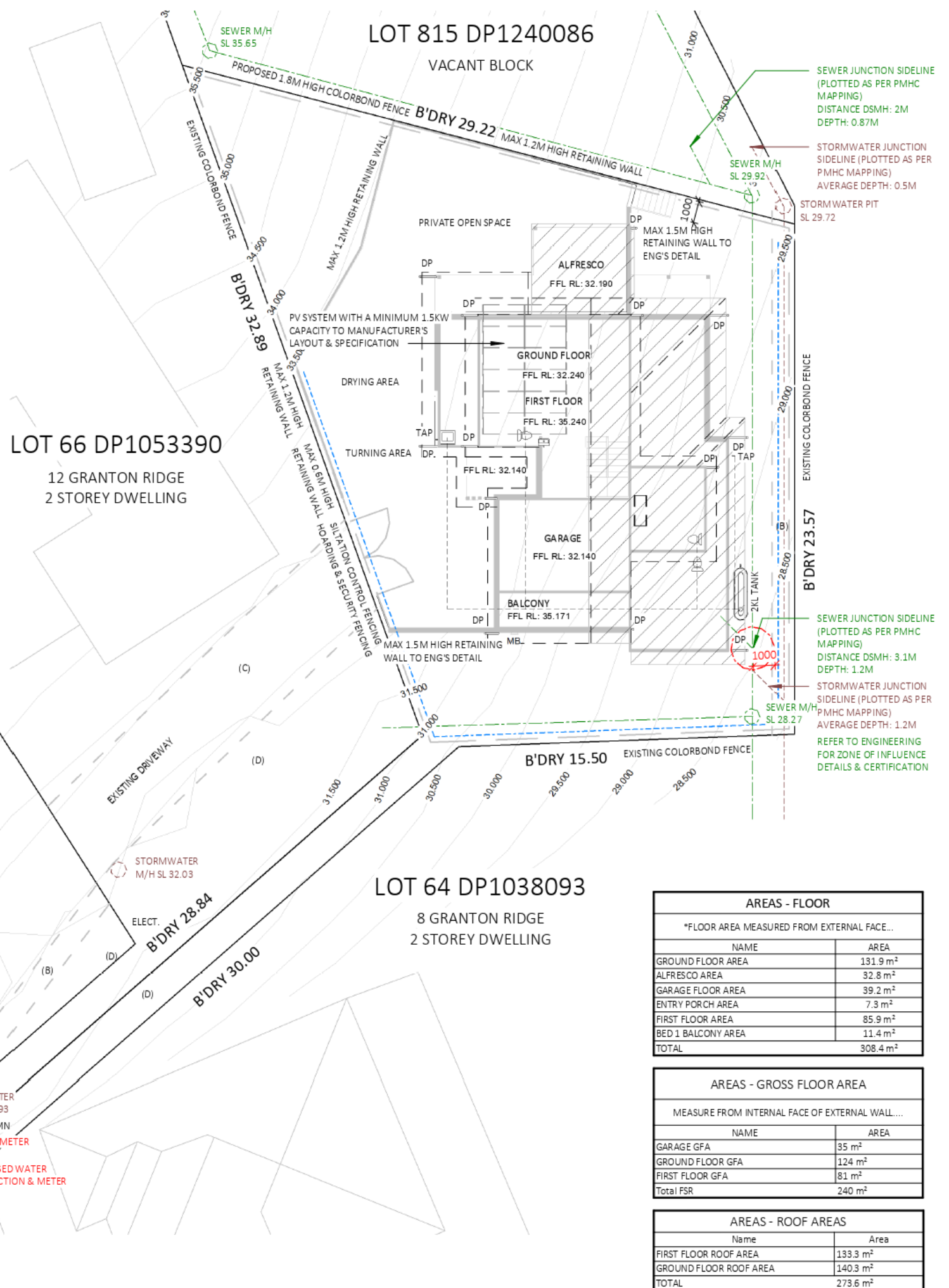
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Summary of BASIX Commitments (refer to Certificate for exact details)	
Thermal Comfort Commitments	
External Wall	Brick Veneer   Insulation: R2.86 (or R3.40 including construction) Framed   Insulation: R3.0 (or R3.40 including construction)
Internal Wall	(applicable for walls shared with garage) – plasterboard, no additional insulation requirements
Floors	Suspended floor above enclosed subfloor – framed, R1.10 (or 1.8 including construction) Above habitable rooms or mezzanine – framed, no additional insulation requirements Suspended floor above garage – framed, no additional insulation requirements
Ceiling & Roof	Flat ceiling / pitched roof Ceiling: R3.95 (up) Roof: foil backed blanket (55mm), unventilated, medium (solar absorptance 0.475-0.70)
Glazing	Refer to Glazing Schedule. Shading as per plans
Water Commitments	
Showerheads:	4* (>6 but <=7.5 L/min)
Basin Taps:	4* Kitchen Taps: 4*
Individual Water Tank:	2,000L Individual Roof Collection: 160m <sup>2</sup>
Rainwater Connection:	All toilets in the development Cold water supply to washing machine At least 1 external tap
Energy Commitments	
HWS:	Solar (electric boosted) STCs 31 – 35
Cooling:	Ceiling Fan in at least 1 bedroom   1-phase air-conditioning in at least 1 living room and 1 bedroom (EER 3.0 – 3.5)
Heating:	1-phase air-conditioning in at least 1 living room and 1 bedroom (EER 3.0 – 3.5)
Ventilation:	Bathroom & Kitchen – individual fan ducted to facade or roof, manual switch on/off control Laundry – no mechanical ventilation
Artificial Lighting:	The following rooms are to be primarily lit by fluorescent or LED dedicated fittings: All Bedrooms/Study   All Living/Dining Rooms   The Kitchen   All Hallways   The Laundry   All Bathrooms/Toilets
Clothesline:	Fixed outdoor clothesline to be installed
Alternative Energy:	A photovoltaic system with the capacity to generate at least 1.5 peak kW is to be installed and connected to the development's electrical system



## SITE INFORMATION &amp; LEGEND

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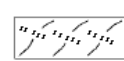
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PROJECT: NEW DWELLING

STATUS: NEW DWELLING

LOT No: 814 DP No: 1268080

STREET: 10 GRANTON RIDGE, PORT MACQUARIE

CLIENT: MATERYN / BONNEY

SHEET: 2 OF 12

S68 PLAN

SCALE: As Shown

SHEET SIZE: A3

START DATE: 09.01.21

DWG No: J4588

DRAWING REVISION + NOTES

Date:	Revision Description:	Issue:	Drawn:
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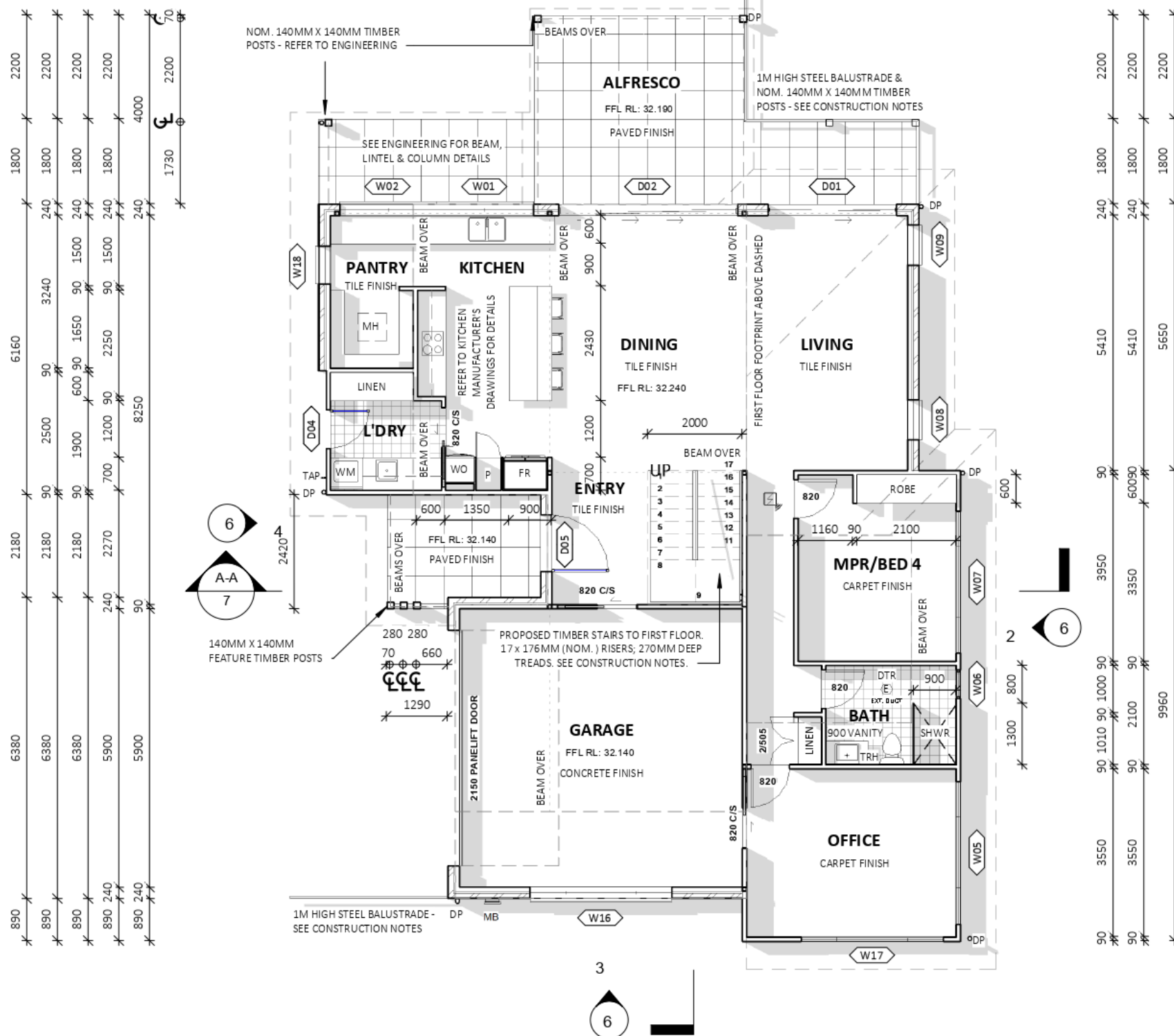
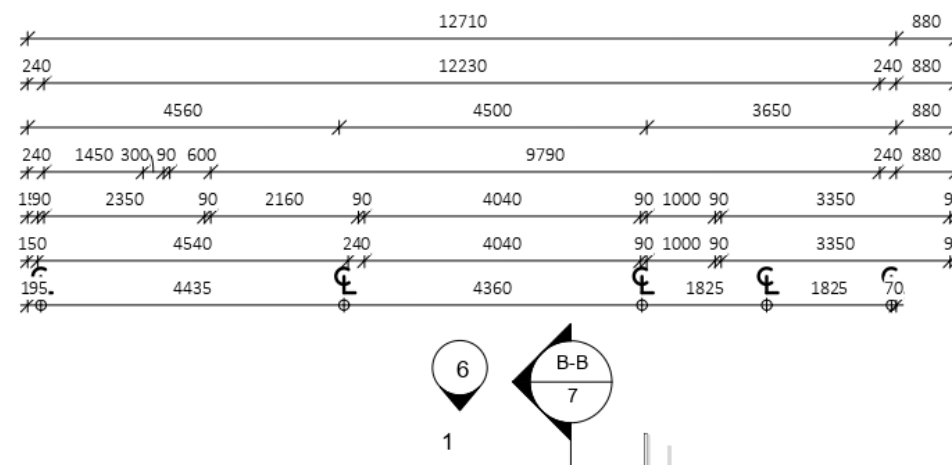
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AREAS - GROSS FLOOR AREA	
MEASURE FROM INTERNAL FACE OF EXTERNAL WALL...	
NAME	AREA
GARAGE GFA	35 m <sup>2</sup>
GROUND FLOOR GFA	124 m <sup>2</sup>
FIRST FLOOR GFA	81 m <sup>2</sup>
Total FSR	240 m <sup>2</sup>



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1 : 100

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

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		<table border="1"> <tr> <td>STATUS: NEW DWELLING</td> <td rowspan="4">SHEET: 3 OF 12</td> </tr> <tr> <td>LOT No: 814 DP No: 1268080</td> </tr> <tr> <td colspan="2">STREET: 10 GRANTON RIDGE, PORT MACQUARIE</td> </tr> <tr> <td colspan="2">CLIENT: MATERYN / BONNEY</td> </tr> </table>		STATUS: NEW DWELLING	SHEET: 3 OF 12	LOT No: 814 DP No: 1268080	STREET: 10 GRANTON RIDGE, PORT MACQUARIE		CLIENT: MATERYN / BONNEY		SCALE:	As Shown	19.01.21	INITIAL ISSUE	A	JC
				STATUS: NEW DWELLING		SHEET: 3 OF 12										
				LOT No: 814 DP No: 1268080												
				STREET: 10 GRANTON RIDGE, PORT MACQUARIE												
CLIENT: MATERYN / BONNEY																
SHEET SIZE:	A3	03.12.21	PMHC RFI	J	BI											
START DATE:	09.01.21	18.01.22	SERVICES RFI	K	BI											
DWG No:	J4588	01.02.22	FENCE CHANGES	L	BI											

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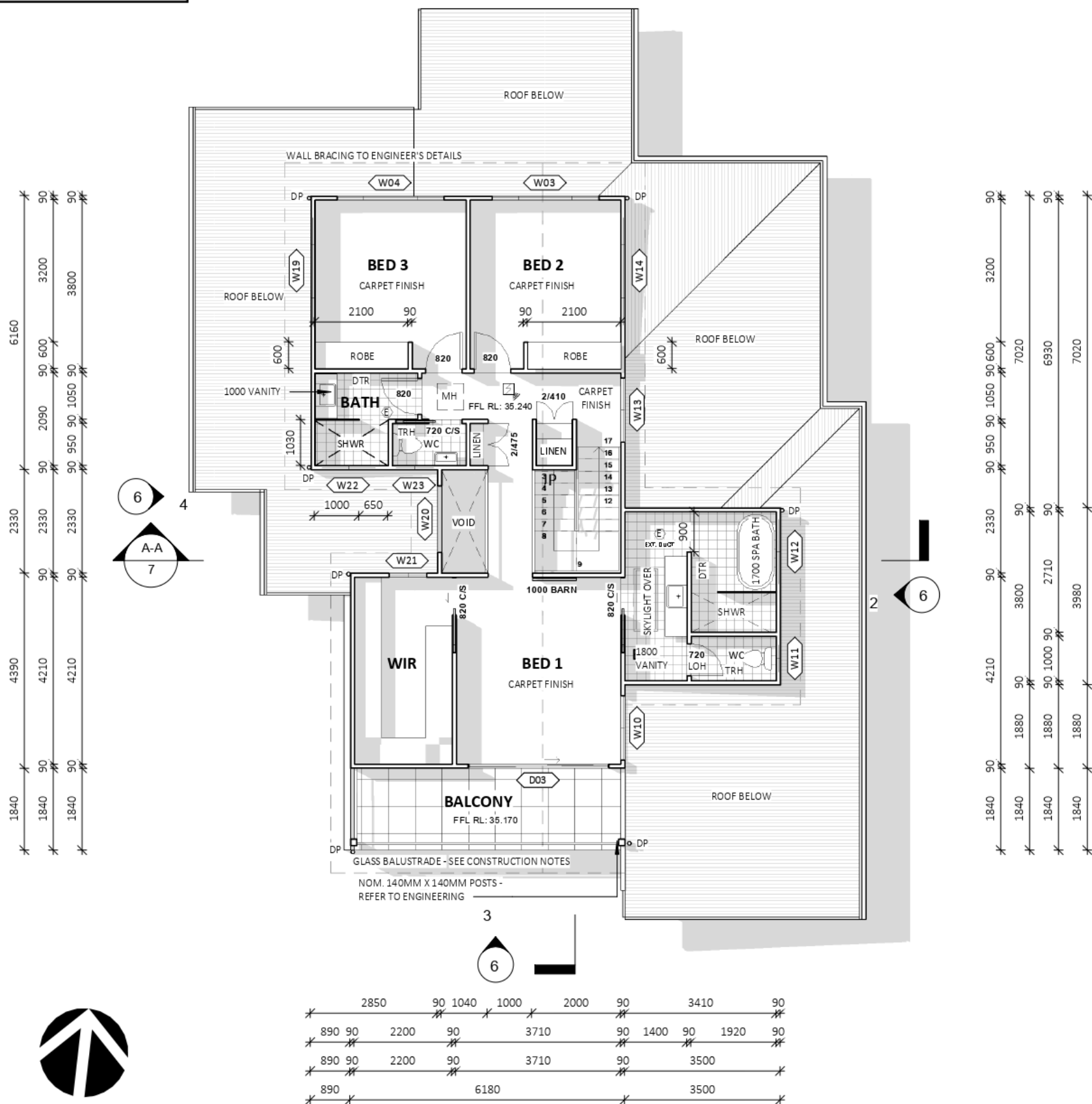
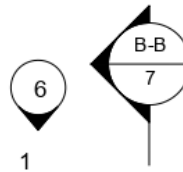
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AREAS - FLOOR	
* FLOOR AREA MEASURED FROM EXTERNAL FACE...	
NAME	AREA
GROUND FLOOR AREA	131.9 m <sup>2</sup>
ALFRESCO AREA	32.8 m <sup>2</sup>
GARAGE FLOOR AREA	39.2 m <sup>2</sup>
ENTRY PORCH AREA	7.3 m <sup>2</sup>
FIRST FLOOR AREA	85.9 m <sup>2</sup>
BED 1 BALCONY AREA	11.4 m <sup>2</sup>
TOTAL	308.4 m <sup>2</sup>

AREAS - GROSS FLOOR AREA	
MEASURE FROM INTERNAL FACE OF EXTERNAL WALL...	
NAME	AREA
GARAGE GFA	35 m <sup>2</sup>
GROUND FLOOR GFA	124 m <sup>2</sup>
FIRST FLOOR GFA	81 m <sup>2</sup>
Total FSR	240 m <sup>2</sup>

7070	3500
90 3400 90 3400 90 3500	
90 2100 90 1210 90 1210 90 2100 90 3500	
90 2310 90 4490 90 3500	
90 1650 90 1660 90 400 1000 90 820 90 1000 90 3500	



## PROPOSED FIRST FLOOR PLAN

1 : 100

### GENERAL NOTES:

CHECK ALL DIMENSIONS ON SITE. THIS DRAWING IS TO BE READ IN CONJUNCTION WITH ALL RELEVANT CONTRACTS, SPECIFICATIONS, REPORTS, DRAWINGS, LEGENDS, NATIONAL CONSTRUCTION CODE, AUS & NZ STANDARDS, ENGINEERING & COUNCIL APPROVALS

### BUSHFIRE NOTES: BAL LOW

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PROJECT: NEW DWELLING	FIRST FLOOR PLAN	DRAWING REVISION + NOTES			
		Date:	Revision Description:	Issue:	Drawn:
STATUS: NEW DWELLING	SCALE: As Shown	19.01.21	INITIAL ISSUE	A	JC
LOT No: 814 DP No: 1268080	SHEET: 4 OF 12	03.12.21	PMHC RFI	J	BI
STREET: 10 GRANTON RIDGE, PORT MACQUARIE	START DATE: 09.01.21	18.01.22	SERVICES RFI	K	BI
CLIENT: MATERYN / BONNEY	DWG No: J4588	01.02.22	FENCE CHANGES	L	BI

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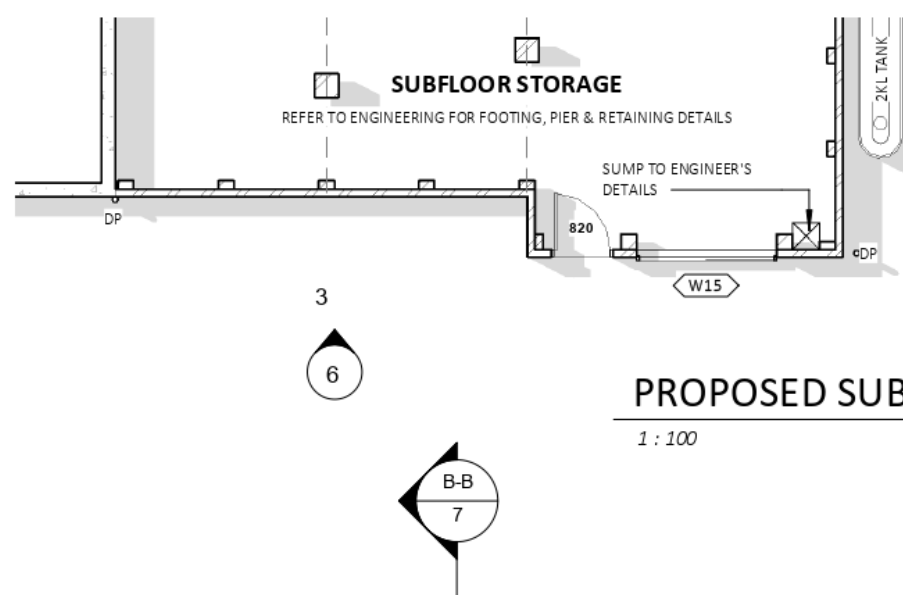
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AREAS - FLOOR	
* FLOOR AREA MEASURED FROM EXTERNAL FACE...	
NAME	AREA
GROUND FLOOR AREA	131.9 m <sup>2</sup>
ALFRESCO AREA	32.8 m <sup>2</sup>
GARAGE FLOOR AREA	39.2 m <sup>2</sup>
ENTRY PORCH AREA	7.3 m <sup>2</sup>
FIRST FLOOR AREA	85.9 m <sup>2</sup>
BED 1 BALCONY AREA	11.4 m <sup>2</sup>
TOTAL	308.4 m <sup>2</sup>

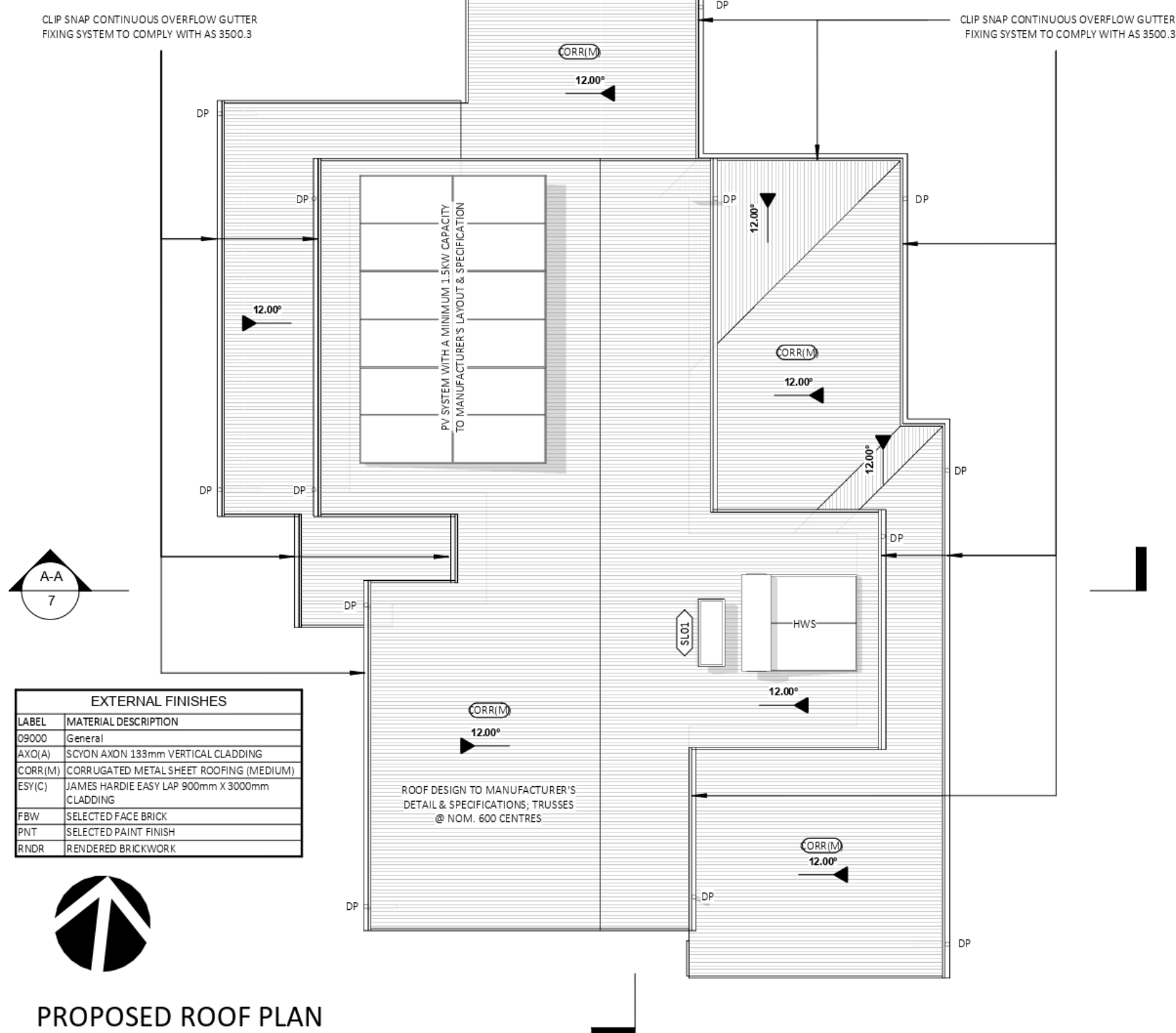
AREAS - GROSS FLOOR AREA	
MEASURE FROM INTERNAL FACE OF EXTERNAL WALL...	
NAME	AREA
GARAGE GFA	35 m <sup>2</sup>
GROUND FLOOR GFA	124 m <sup>2</sup>
FIRST FLOOR GFA	81 m <sup>2</sup>
Total FSR	240 m <sup>2</sup>

AREAS - ROOF AREAS	
Name	Area
FIRST FLOOR ROOF AREA	133.3 m <sup>2</sup>
GROUND FLOOR ROOF AREA	140.3 m <sup>2</sup>
TOTAL	273.6 m <sup>2</sup>



PROPOSED SUBFLOOR PLAN

1 : 100



PROPOSED ROOF PLAN

1 : 100

## GENERAL NOTES:

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STATUS: NEW DWELLING		SCALE: As Shown		Date:	Revision Description:	Issue:	Drawn:
LOT No: 814 DP No: 1268080		SHEET: 5 OF 12		19.01.21	INITIAL ISSUE	A	JC
STREET: 10 GRANTON RIDGE, PORT MACQUARIE		SHEET SIZE: A3		03.12.21	PMHC RFI	J	BI
CLIENT: MATERYN / BONNEY		START DATE: 09.01.21		18.01.22	SERVICES RFI	K	BI
		DWG No: J4588		01.02.22	FENCE CHANGES	L	BI

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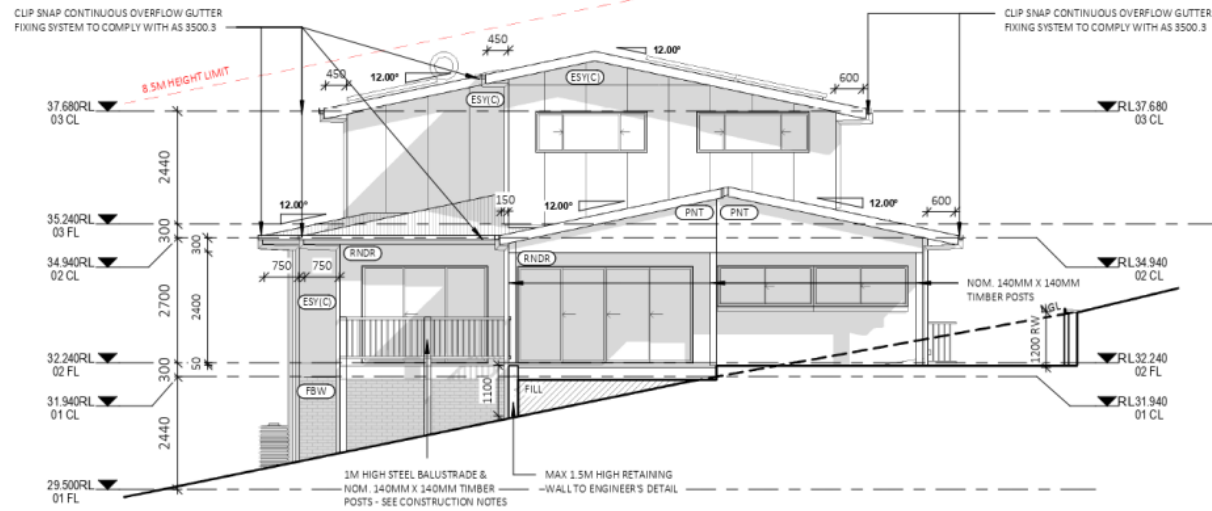
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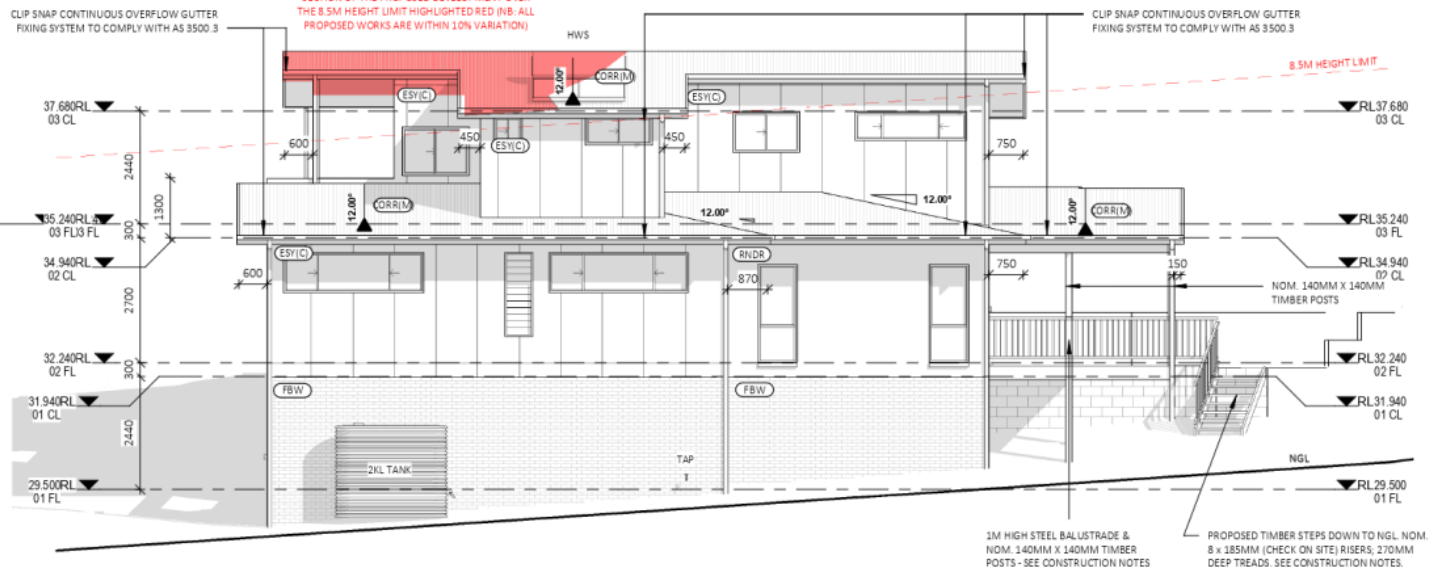


EXTERNAL FINISHES	
LABEL	MATERIAL DESCRIPTION
09000	General
AXO(A)	SCYON AXON 133mm VERTICAL CLADDING
CORR(M)	CORRUGATED METAL SHEET ROOFING (MEDIUM)
ESY(C)	JAMES HARDIE EASY LAP 900mm X 3000mm CLADDING
FBW	SELECTED FACE BRICK
PNT	SELECTED PAINT FINISH
RNDR	RENDERED BRICKWORK



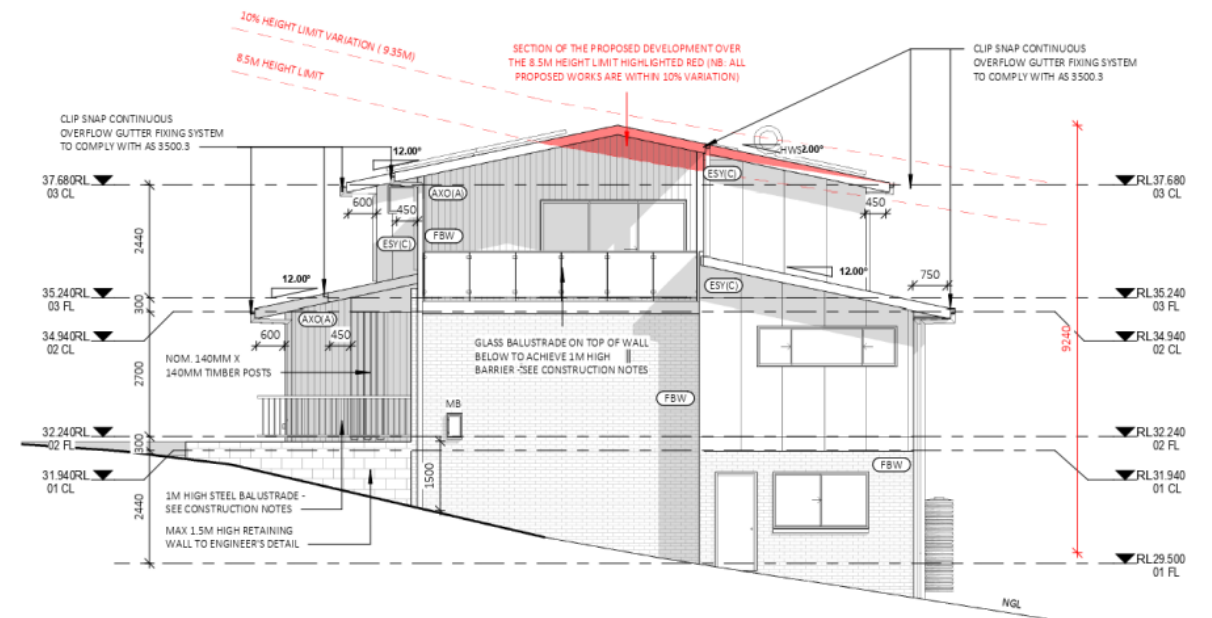
1. NORTH ELEVATION

1 : 100



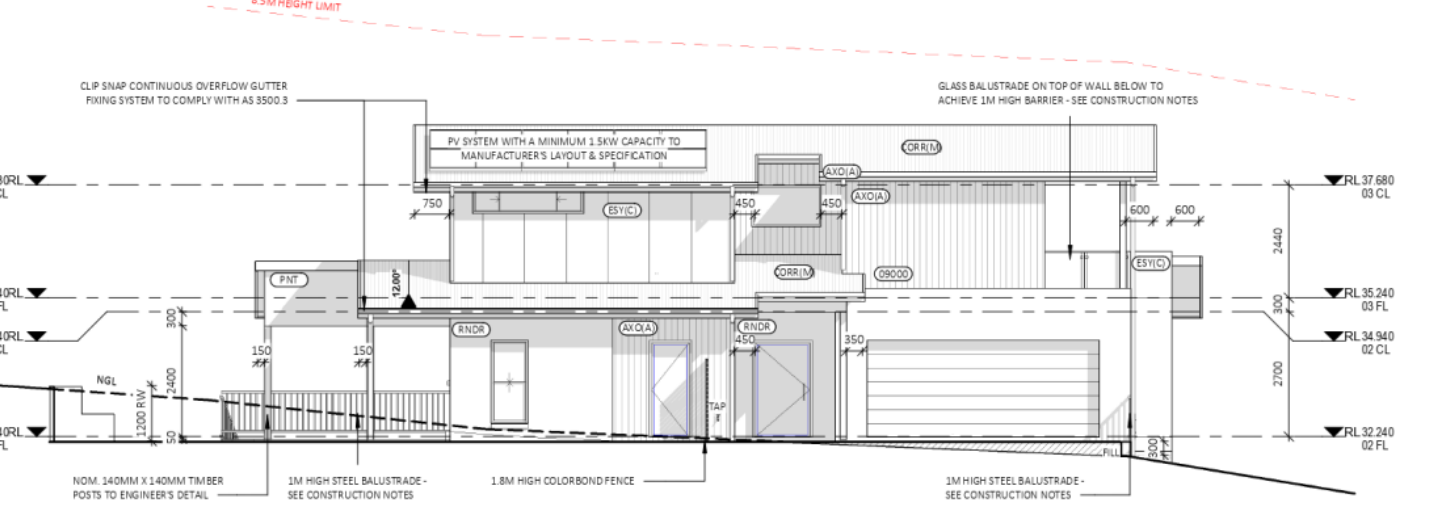
2. EAST ELEVATION

1 : 100



3. SOUTH ELEVATION


1 : 100



4. WEST ELEVATION

1 : 100

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Building Designers

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**PROJECT: NEW DWELLING**

<b>STATUS: NEW DWELLING</b>	<b>SHEET: 6 OF 12</b>
<b>LOT No: 814 DP No: 1268080</b>	
<b>STREET: 10 GRANTON RIDGE, PORT MACQUARIE</b>	
<b>CLIENT: MATERYN / BONNEY</b>	

**ELEVATIONS**

<b>SCALE: 1 : 100</b>
<b>SHEET SIZE: A2</b>
<b>START DATE: 09.01.21</b>
<b>DWG No: J4588</b>

**DRAWING REVISIONS + NOTES**

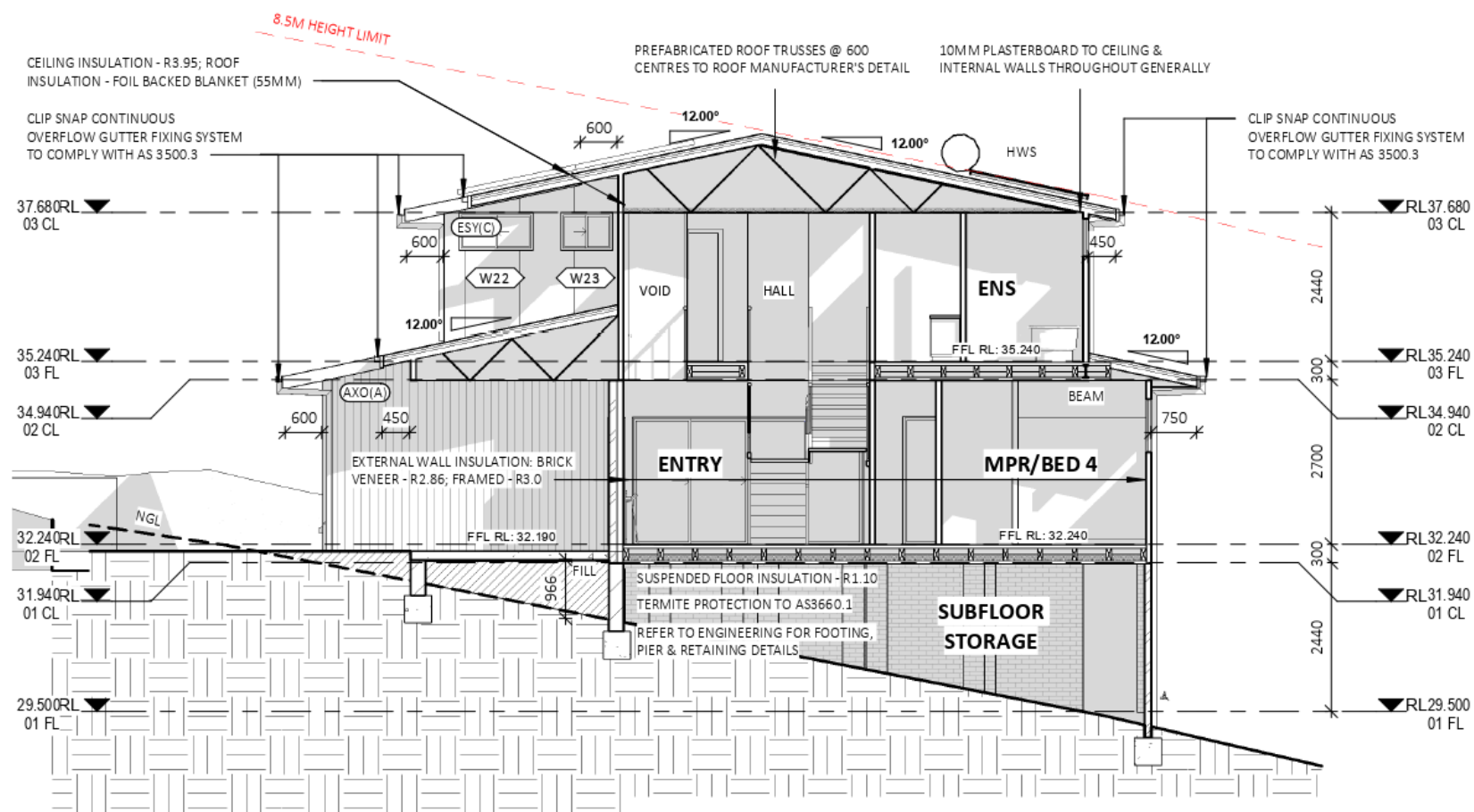
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19.01.21	INITIAL ISSUE	A	JC
03.12.21	PMHCRPI	J	BI
18.01.22	SERVICES RFI	K	BI
01.02.22	FENCE CHANGES	L	BI

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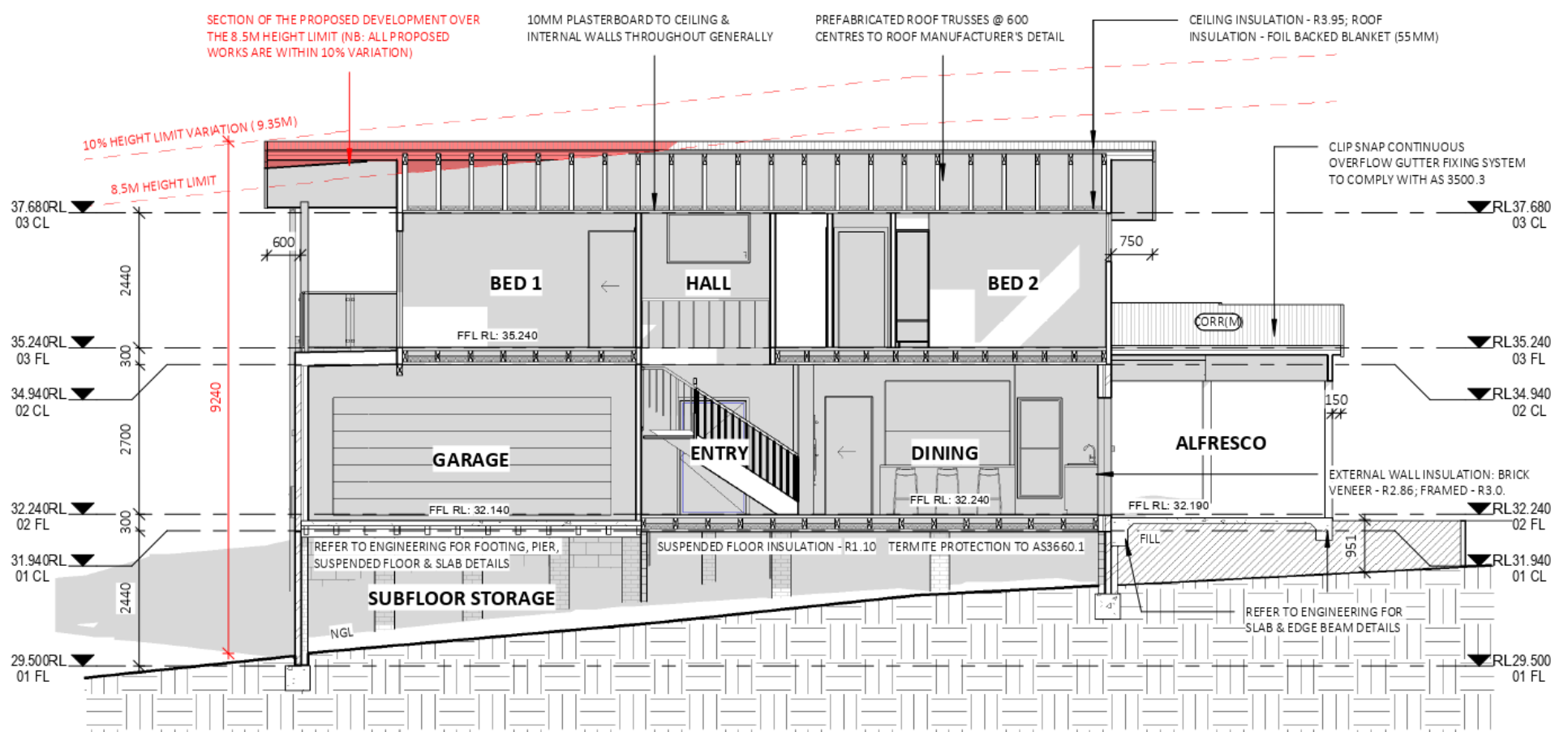
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## SECTION A-A

1 : 100



## SECTION B-B

1 : 100

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PROJECT: NEW DWELLING

STATUS: NEW DWELLING

LOT No: 814 DP No: 1268080

STREET: 10 GRANTON RIDGE, PORT MACQUARIE

CLIENT: MATERYN / BONNEY

SHEET: 7 OF 12

SECTIONS

SCALE: As Shown

SHEET SIZE: A3

START DATE: 09.01.21

DWG No: J4588

DRAWING REVISION + NOTES

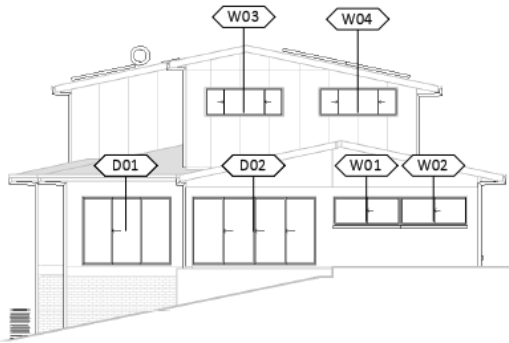
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03.12.21	PMHC RFI	J	BI
18.01.22	SERVICES RFI	K	BI
01.02.22	FENCE CHANGES	L	BI

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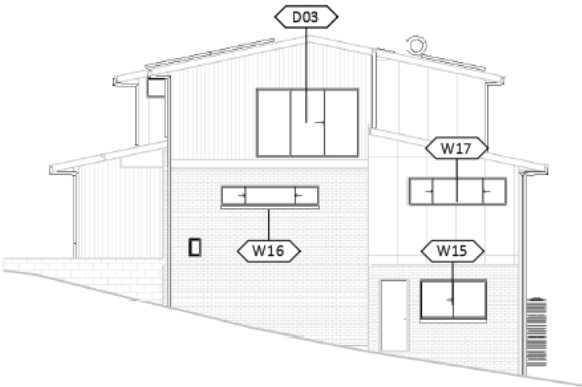
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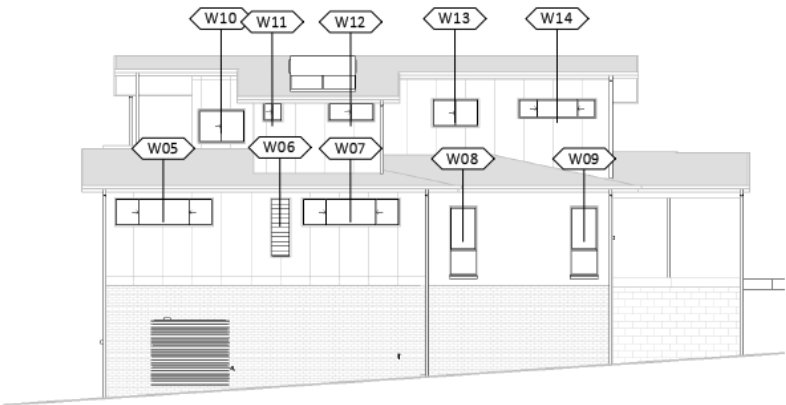
1. NORTH FACE GLAZING

1 : 200



3. SOUTH FACE GLAZING

1 : 200



2. EAST FACE GLAZING

1 : 200



4. WEST FACE GLAZING


1 : 200

WINDOW GLAZING SCHEDULE							
NUMBER	LEVEL	ROOM	HEIGHT	WIDTH	TYPE	CONSTRUCTION	GLAZING
SL01	03 CL		1400	550	FIXED VELUX SKYLIGHT	ALUMINIUM	STANDARD
W01	02 FL	KITCHEN	875	2050	SLIDING	ALUMINIUM	LOW-E
W02	02 FL	PANTRY	875	2050	SLIDING	ALUMINIUM	LOW-E
W03	03 FL	BED 2	875	2410	SLIDING	ALUMINIUM	STANDARD
W04	03 FL	BED 3	875	2410	SLIDING	ALUMINIUM	STANDARD
W05	02 FL	OFFICE	875	3010	SLIDING	ALUMINIUM	STANDARD
W06	02 FL	BATH	1810	610	LOUVRE	ALUMINIUM	STANDARD
W07	02 FL	MPR/BED 4	875	3010	SLIDING	ALUMINIUM	STANDARD
W08	02 FL	LIVING	2112	850	AWNING	ALUMINIUM	LOW-E
W09	02 FL	LIVING	2112	850	AWNING	ALUMINIUM	LOW-E
W10	03 FL	BED 1	1045	1450	SLIDING	ALUMINIUM	LOW-E
W11	03 FL	WC	620	610	SLIDING	ALUMINIUM	STANDARD
W12	03 FL	ENS	620	1450	SLIDING	ALUMINIUM	STANDARD
W13	03 FL	HALL	875	1450	SLIDING	ALUMINIUM	STANDARD
W14	03 FL	BED 2	620	2410	SLIDING	ALUMINIUM	STANDARD
W15	01 FL	SUBFLOOR STORAGE	1215	2050	SLIDING	ALUMINIUM	STANDARD
W16	02 FL	GARAGE	620	3010	SLIDING	ALUMINIUM	STANDARD
W17	02 FL	OFFICE	875	3010	SLIDING	ALUMINIUM	STANDARD
W18	02 FL	PANTRY	1800	800	DOUBLE HUNG	ALUMINIUM	STANDARD
W19	03 FL	BED 3	620	2410	SLIDING	ALUMINIUM	STANDARD
W20	03 FL	VOID	900	1500	FIXED	ALUMINIUM	STANDARD
W21	03 FL	WIR	875	850	SLIDING	ALUMINIUM	STANDARD
W22	03 FL	SHWR	620	1210	SLIDING	ALUMINIUM	STANDARD
W23	03 FL	WC	620	850	SLIDING	ALUMINIUM	STANDARD

DOOR GLAZING SCHEDULE							
NUMBER	LEVEL	ROOM	HEIGHT	WIDTH	TYPE	CONSTRUCTION	GLAZING
D01	02 FL	LIVING	2112	2725	SLIDING DOOR	ALUMINIUM	LOW-E
D02	02 FL	DINING	2112	3800	STACKING	ALUMINIUM	LOW-E
D03	03 FL	BED 1	2112	3175	SLIDING DOOR	ALUMINIUM	LOW-E
D04	02 FL	L'DRY	2050	820	HINGED	ALUMINIUM	STANDARD
D05	02 FL	ENTRY	2050	1200	HINGED	ALUMINIUM	STANDARD

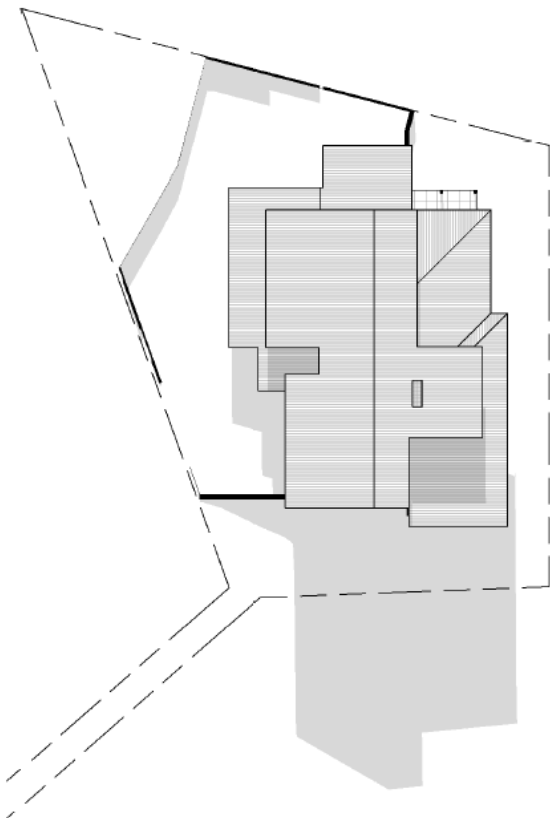
DOORS & WINDOWS SPECIFIED USE NFRC UW & SHGCW VALUES.  
DOORS & WINDOWS MUST BE INSTALLED ON SITE AS SPECIFIED OR EQUIVALENT (REFER TO BASIX CERTIFICATE FOR DETAILS).  
STANDARD GLAZING: SINGLE CLEAR GLAZING WITH STANDARD ALUMINIUM FRAMES THROUGHOUT UNLESS OTHERWISE NOTED.  
WEATHER STRIPPING TO BE INSTALLED THROUGHOUT.  
PLEASE NOTE: ALL GLAZING IN BATHROOMS, ENSUITES, SPA ROOMS OR THE LIKE TO COMPLY WITH PART 3.6.4.5 OF THE BCA  
AS 4055 : WIND LOADS FOR HOUSING  
AS 1288 : GLASS IN BUILDING - SELECTION & INSTALLATION  
AS 2047 : WINDOWS & EXTERNAL DOORS IN BUILDING  
AS 1170-Part 2: WIND ACTIONS  
AS 3959 : CONSTRUCTION OF BUILDINGS IN BUSHFIRE PRONE AREAS  
THE STANDARDS REFERRED ABOVE ARE THE VERSION ADOPTED  
BY BCA AT THE TIME THE RELEVANT CONSTRUCTION CERTIFICATE OR COMPLYING DEVELOPMENT CERTIFICATE APPLICATION IS MADE.

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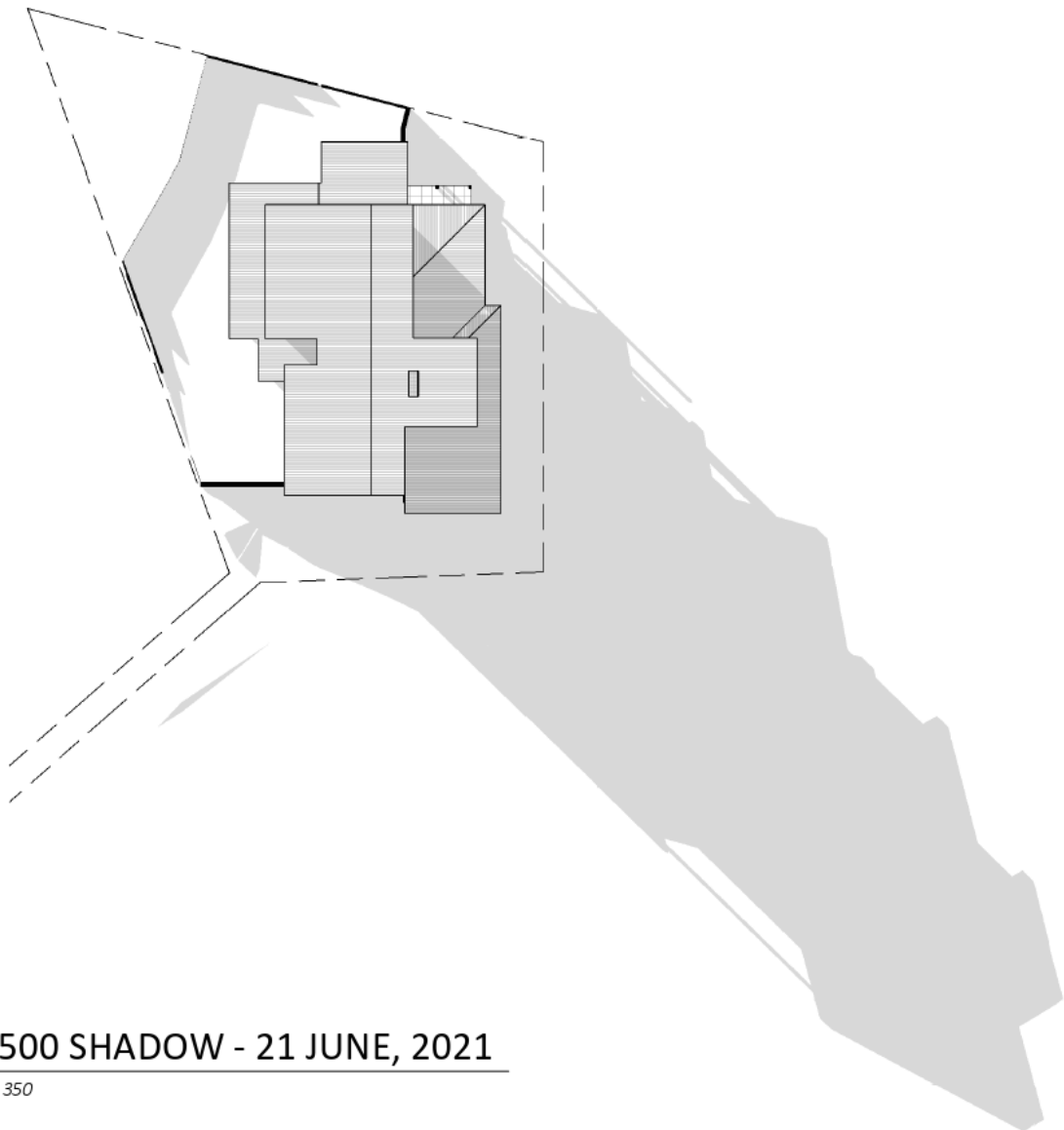
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		STATUS: NEW DWELLING		SHEET: 8 OF 12	SCALE:	1 : 200	Date:	Revision:	Issue:	Drawn:
		LOT No: 814 DP No: 1268080			SHEET SIZE:	A3	19.01.21	INITIAL ISSUE	A	JC
		STREET: 10 GRANTON RIDGE, PORT MACQUARIE			START DATE:	09.01.21	03.12.21	PMHC RFI	J	BI
		CLIENT: MATERYN / BONNEY			DWG No:	J4588	18.01.22	SERVICES RFI	K	BI
							01.02.22	FENCE CHANGES	L	BI
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0900 SHADOW - 21 JUNE, 2021  
1 : 350



1200 SHADOW - 21 JUNE, 2021  
1 : 350



1500 SHADOW - 21 JUNE, 2021  
1 : 350

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LOT No: 814 DP No: 1268080		SHEET: 9 OF 12		SHEET SIZE: A3		19.01.21	INITIAL ISSUE	A	JC
STREET: 10 GRANTON RIDGE, PORT MACQUARIE				START DATE: 09.01.21		03.12.21	PMHC RFI	J	BI
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THESE NOTES MUST BE READ AND UNDERSTOOD BY ALL INVOLVED IN THE PROJECT. THIS INCLUDES (but is not limited to):  
*OWNER, BUILDER, SUB-CONTRACTORS, CONSULTANTS, RENOVATORS, OPERATORS, MAINTENORS, DEMOLISHERS.*

REVISED DECEMBER 2019

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

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

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

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

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

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

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

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

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

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

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

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

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

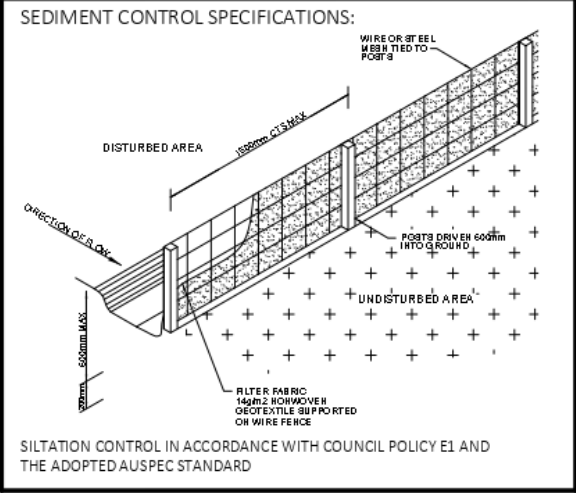
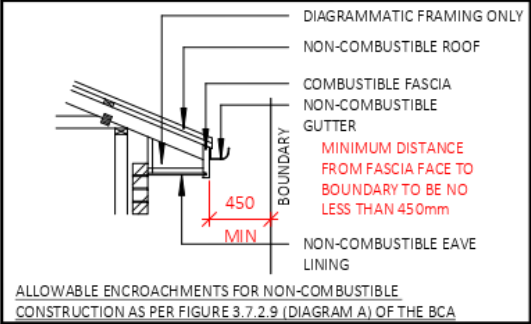
**ANCILLARY PROVISIONS & ADDITIONAL CONSTRUCTION REQUIREMENTS**  
3.10.1 - Swimming Pools  
Swimming Pool Access – to be designed and installed in accordance with the Swimming Pools Act 1992, Swimming Pool Regulation 2018 and AS 1926 Parts 1 and 2.  
Swimming Pool Water recirculation Systems – is to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

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

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

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

**CONSTRUCTION NOTES:**  
**STAIRS, HANDRAILS & BALUSTRADE NOTES:**  
STAIRS TO COMPLY WITH SECTION D2.13, D2.14, D2.15 & TABLE D2.14 SLIP RESISTANCE CLASSIFICATION TABLE IN ACCORDANCE WITH AS4586.  
HANDRAIL HEIGHTS TO BE NO LESS THAN 1000mm FROM PROPOSED FINISHED FL. BALUSTRADE & HANDRAIL TO BE IN ACCORDANCE WITH D2.16 & D2.17 OF THE BCA  
  
**WIND CATEGORY TO BE CONFIRMED PRIOR TO START OF CONSTRUCTION. IF N2 OR HIGHER, ENGAGED PIERS TO BRICKWORK AREA'S ARE TO COMPLY WITH AS 4773.1-2010 & AS 4773 2-2010**



PROJECT: NEW DWELLING			BUILDING SPECIFICATIONS & CONSTRUCTION NOTES		DRAWING REVISION + NOTES			
LOT No: 814	DP No: 1268080	SHEET: 10 OF 12	SCALE:	As indicated	Date:	Revision Description:	Issue:	Drawn:
STREET No: 10			SHEET SIZE:	A3	19.01.21	INITIAL ISSUE	A	JC
STREET NAME: 10 GRANTON RIDGE, PORT MACQUARIE			START DATE:	09.01.21	03.12.21	PMHC RFI	J	BI
CLIENT: MATERYN / BONNEY			DWG No:	J4588	18.01.22	SERVICES RFI	K	BI
					01.02.22	FENCE CHANGES	L	BI

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

1. FALLS, SLIPS, TRIPS  
A) WORKING AT HEIGHTS  
DURING CONSTRUCTION  
Wherever possible, components for this building should be prefabricated off-site or at ground level to minimise the risk of workers falling more than two metres. However, construction of this building will require workers to be working at heights where a fall in excess of two metres is possible and injury is likely to result from such a fall. The builder should provide a suitable barrier wherever a person is required to work in a situation where falling more than two metres is a possibility.  
DURING OPERATION OR MAINTENANCE  
For houses or other low-rise buildings where scaffolding is appropriate: Cleaning and maintenance of windows, walls, roof or other components of this building will require persons to be situated where a fall from a height in excess of two metres is possible. Where this type of activity is required, scaffolding, ladders or trestles should be used in accordance with relevant codes of practice, regulations or legislation. For buildings where scaffold, ladders, trestles are not appropriate: Cleaning and maintenance of windows, walls, roof or other components of this building will require persons to be situated where a fall from a height in excess of two metres is possible. Where this type of activity is required, scaffolding, fall barriers or Personal Protective Equipment (PPE) should be used in accordance with relevant codes of practice, regulations or legislation.  
B) SLIPPERY OR UNEVEN SURFACES  
FLOOR FINISHES Specified  
If finishes have been specified by designer, these have been selected to minimise the risk of floors and paved areas becoming slippery when wet or when walked on with wet shoes/feet. Any changes to the specified finish should be made in consultation with the designer or, if this is not practical, surfaces with an equivalent or better slip resistance should be chosen.  
FLOOR FINISHES By Owner  
If designer has not been involved in the selection of surface finishes, the owner is responsible for the selection of surface finishes in the pedestrian trafficable areas of this building. Surfaces should be selected in accordance with AS HB 197:1999 and AS/NZ 4586:2004.  
STEPS, LOOSE OBJECTS AND UNEVEN SURFACES  
Due to design restrictions for this building, steps and/or ramps are included in the building which may be a hazard to workers carrying objects or otherwise occupied. Steps should be clearly marked with both visual and tactile warning during construction, maintenance, demolition and at all times when the building operates as a workplace. Building owners and occupiers should monitor the pedestrian access ways and in particular access to areas where maintenance is routinely carried out to ensure that surfaces have not moved or cracked so that they become uneven and present a trip hazard. Spills, loose material, stray objects or any other matter that may cause a slip or trip hazard should be cleaned or removed from access ways. Contractors should be required to maintain a tidy work site during construction, maintenance or demolition to reduce the risk of trips and falls in the workplace. Materials for construction or maintenance should be stored in designated areas away from access ways and work areas.  
2. FALLING OBJECTS  
LOOSE MATERIALS OR SMALL OBJECTS  
Construction, maintenance or demolition work on or around this building is likely to involve persons working above ground level or above floor levels. Where this occurs one or more of the following measures should be taken to avoid objects falling from the area where the work is being carried out onto persons below.  
1. Prevent or restrict access to areas below where the work is being carried out.  
2. Provide toeboards to scaffolding or work platforms.  
3. Provide protective structure below the work area.  
4. Ensure that all persons below the work area have Personal Protective Equipment (PPE).  
BUILDING COMPONENTS  
During construction, renovation or demolition of this building, parts of the structure including fabricated steelwork, heavy panels and many other components will remain standing prior to or after supporting parts are in place. Contractors should ensure that temporary bracing or other required support is in place at all times when collapse which may injure persons in the area is a possibility.  
Mechanical lifting of materials and components during construction, maintenance or demolition presents a risk of falling objects. Contractors should ensure that appropriate lifting devices are used, that loads are properly secured and that access to areas below the load is prevented or restricted.  
3. TRAFFIC MANAGEMENT  
For building on a major road, narrow road or steeply sloping road: Parking of vehicles or loading/unloading of vehicles on this roadway may cause a traffic hazard. During construction, maintenance or demolition of this building designated parking for workers and loading areas should be provided. Trained traffic management personnel should be responsible for the supervision of these areas. For building where on-site loading/unloading is restricted: Construction of this building will require loading and unloading of materials on the roadway. Deliveries should be well planned to avoid congestion of loading areas and trained traffic management personnel should be used to supervise loading/unloading areas. For all buildings: Busy construction and demolition sites present a risk of collision where deliveries and other traffic are moving within the site. A traffic management plan supervised by trained traffic management personnel should be adopted for the work site.  
4. SERVICES  
GENERAL  
Rupture of services during excavation or other activity creates a variety of risks including release of hazardous material. Existing services are located on or around this site. Where known, these are identified on the plans but the exact location and extent of services may vary from that indicated. Services should be located using an appropriate service (such as Dial Before You Dig), appropriate excavation practice should be used and, where necessary, specialist contractors should be used. Locations with underground power: Underground power lines MAY be located in or around this site. All underground power lines must be disconnected or carefully located and adequate warning signs used prior to any construction, maintenance or demolition commencing. Locations with overhead power lines: Overhead power lines MAY be near or on this site. These pose a risk of electrocution if struck or approached by lifting devices or other plant and persons working above ground level. Where there is a danger of this occurring, power lines should be, where practical, disconnected or relocated. Where this is not practical adequate warning in the form of bright coloured tape or signage should be used or a protective barrier provided.  
5. MANUAL TASKS  
Components within this design with a mass in excess of 25kg should be lifted by two or more workers or by mechanical lifting device. Where this is not practical, suppliers or fabricators should be required to limit the component mass

All material packaging, building and maintenance components should clearly show the total mass of packages and where practical all items should be stored on site in a way which minimises bending before lifting. Advice should be provided on safe lifting methods in all areas where lifting may occur. Construction, maintenance and demolition of this building will require the use of portable tools and equipment. These should be fully maintained in accordance with manufacturer's specifications and not used where faulty or (in the case of electrical equipment) not carrying a current electrical safety tag. All safety guards or devices should be regularly checked and Personal Protective Equipment should be used in accordance with manufacturer's specification.  
6. HAZARDOUS SUBSTANCES  
ASBESTOS  
For alterations to a building constructed prior to 1990: If this existing building was constructed prior to: asbestos 1990 - it therefore may contain asbestos 1986 - it therefore is likely to contain either in cladding material or in fire retardant insulation material. In either case, the builder should check and, if necessary, take appropriate action before demolishing, cutting, sanding, drilling or otherwise disturbing the existing structure.  
POWDERED MATERIALS  
Many materials used in the construction of this building can cause harm if inhaled in powdered form. Persons working on or in the building during construction, operational maintenance or demolition should ensure good ventilation and wear Personal Protective Equipment including protection against inhalation while using powdered material or when sanding, drilling, cutting or otherwise disturbing or creating powdered material.  
TREATED TIMBER  
The design of this building may include provision for the inclusion of treated timber within the structure. Dust or fumes from this material can be harmful. Persons working on or in the building during construction, operational maintenance or demolition should ensure good ventilation and wear Personal Protective Equipment including protection against inhalation of harmful material when sanding, drilling, cutting or using treated timber in any way that may cause harmful material to be released. Do not burn treated timber.  
VOLATILE ORGANIC COMPOUNDS  
Many types of glue, solvents, spray packs, paints, varnishes and some cleaning materials and disinfectants have dangerous emissions. Areas where these are used should be kept well ventilated while the material is being used and for a period after installation. Personal Protective Equipment may also be required. The manufacturer's recommendations for use must be carefully considered at all times.  
SYNTHETIC MINERAL FIBRE  
Fibreglass, rockwool, ceramic and other material used for thermal or sound insulation may contain synthetic mineral fibre which may be harmful if inhaled or if it comes in contact with the skin, eyes or other sensitive parts or the body. Personal Protective Equipment including protection against inhalation of harmful material should be used when installing, removing or working near bulk insulation material.  
TIMBER FLOORS  
This building may contain timber floors which have an applied finish. Areas where finishes are applied should be kept well ventilated during sanding and application and for a period after installation. Personal Protective Equipment may also be required. The manufacturer's recommendations for use must be carefully considered at all times.  
7. CONFINED SPACES  
EXCAVATION  
Construction of this building and some maintenance on the building will require excavation and installation of items within excavations. Where practical, installation should be carried out using methods which do not require workers to enter the excavation. Where this is not practical, adequate support for the excavated area should be provided to prevent collapse. Warning signs and barriers to prevent accidental or unauthorised access to all excavations should be provided.  
ENCLOSED SPACES  
For buildings with enclosed spaces where maintenance or other access may be required: Enclosed spaces within this building may present a risk to persons entering for construction, maintenance or any other purpose. The design documentation calls for warning signs and barriers to unauthorised access. These should be maintained throughout the life of the building. Where workers are required to enter enclosed spaces, air testing equipment and Personal Protective Equipment should be provided.  
SMALL SPACES  
For buildings with small spaces where maintenance or other access may be required: Some small spaces within this building will require access by construction or maintenance workers. The design documentation calls for warning signs and barriers to unauthorised access. These should be maintained throughout the life of the building. Where workers are required to enter small spaces they should be scheduled so that access is for short periods. Manual lifting and other manual activity should be restricted in small spaces.  
8. PUBLIC ACCESS  
Public access to construction and demolition sites and to areas under maintenance causes risk to workers and public. Warning signs and secure barriers to unauthorised access should be provided. Where electrical installations, excavations, plant or loose materials are present they should be secured when not fully supervised.  
9. OPERATIONAL USE OF BUILDING  
RESIDENTIAL BUILDINGS  
This building has been designed as a residential building. If it, at a later date, it is used or intended to be used as a workplace, the provisions of the Work Health and Safety Act 2011 or subsequent replacement Act should be applied to the new use.  
10. OTHER HIGH RISK ACTIVITY  
Code All electrical work should be carried out in accordance with of Practice: Managing Electrical Risks at the Workplace, AS/NZ and all licensing requirements. 3012 All work using Plant should be carried out in accordance with Code of Practice: Managing Risks of Plant at the Workplace. Code of All work should be carried out in accordance with Practice: Managing Noise and Preventing Hearing Loss at Work. Due to the history of serious incidents it is recommended that particular care be exercised when undertaking work involving steel construction and concrete placement. All the above applies.  
EXCAVATIONS  
1. Excavations  
The part of the site to be covered by the proposed building or buildings and an area at least 1000mm wide around that part of the site or to boundaries of the site, whichever is the lesser, shall be cleared or graded as indicated on the site works plan.

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

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

 <div>89A lord street (PO Box 5667), Port Macquarie nsw 2444   Shop 17 Centrepoint Arcade, Taree NSW 2430</div>	PROJECT: NEW DWELLING		WORK SAFETY NOTES		DRAWING REVISION + NOTES					
	LOT No: 814 DP No: 1268080				Date:		Revision Description:		Issue:	Drawn:
	STREET No: 10		SHEET: 11 OF 12		SCALE: 1 : 100		19.01.21 INITIAL ISSUE		A	JC
	STREET NAME: 10 GRANTON RIDGE, PORT MACQUARIE		SHEET SIZE: A3		03.12.21 PMHC RFI		J		BI	
	CLIENT: MATERYN / BONNEY		START DATE: 09.01.21		18.01.22 SERVICES RFI		K		BI	
			DWG No: J4588		01.02.22 FENCE CHANGES		L		BI	
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GENERIC | TYPICAL KEY, LEGEND AND ABBREVIATIONS FOR COLLINS W COLLINS ARCHITECTURAL PLANS

THESE NOTES MUST BE READ AND UNDERSTOOD BY ALL INVOLVED IN THE PROJECT. THIS INCLUDES (but is not limited to): OWNER, BUILDER, SUB-CONTRACTORS, CONSULTANTS, RENOVATORS, OPERATORS, MAINTENORS, DEMOLISHERS. PLEASE USE THIS IN CONJUNCTION WITH ALL DRAWING SHEETS AND VIEWS CONTAINED FORTHWITH IN THIS PLAN SET.

REVISED JANUARY 2021

SYMBOLS AND LINES

SITE PLAN | 568 S138 PLAN

	LOT BOUNDARY
	SEWER LINE
	STORM WATER LINE
	WATER CONNECTION LINE
	DOWNPIPE TO WATER TANK
	DOWNPIPE FROM TANK TO APPLIANCE
	SILTATION CONTROL FENCING
	SITE HOARDING FENCING
	BATTER EXTREMITIES LINE
	EASEMENT BOUNDARY
	OVERHEAD POWER LINES

	FALL OF BATTER SLOPE
	DRIVEWAY SURFACE
	GARDEN TAP
	WATER METER / ALTERNATE WATER METER
	SANDBAG
	TEMPORARY HOARDING GATES
	STREET TREE / SITE TREE
	LIGHT POLE
	POWER POLE

	ELECTRICAL CUBICLE / PIT
	NBN PIT
	TELECOMMUNICATIONS PIT
	TO BE DEMOLISHED / REMOVED
	DEMOLITION LINE

FLOOR PLANS / SECTIONS (INCL SETOUT, ROOF, DETAIL CALL OUTS)

	OVERHEAD ITEM
	DEMOLITION LINE
	UPPER FLOOR OUTLINE
	ROOF OUTLINE OVER
	RAKED CEILING LINE
	BEAM LINE
	SQUARE SET OPENING
	TERMITE PROTECTION: TO AS 3660.1
	NATURAL GROUND LINE (EXCAVATED)
	COLUMN (MATERIAL AS PER SCHEDULE OR PLAN)
	MASONRY PIER (SIZE AS PER SCHEDULE OR PLAN)
	ENGAGED PIERS: TO COMPLY WITH AS 4773.1-2010 & AS 4773.2-2010
	INSULATION BATTING
	TO BE DEMOLISHED / REMOVED
	EARTH / SOIL

	FILL (TO ENGINEERS DETAIL)
	WET AREA TILED FLOOR SURFACE
	COMMON / OUTDOOR TILED FLOOR SURFACE
	BROOM FINISH CONCRETE FLOOR SURFACE
	MASONRY WALL
	CONCRETE
	TIMBER/METAL STUD FRAMED WALL
	CONCRETE BLOCK WALL
	MASONRY VENEER WALL
	METAL SHEET ROOFING
	KLIP LOK (OR SIMILAR) METAL SHEET ROOFING
	TILED ROOF
	WAFFLE POD (TO ENGINEERS DETAIL)
	TACTILE GROUND SURFACE INDICATORS: TO AS 1428.4.1-2009
	STAIRS INCLUDING DIRECTION OF TRAVEL (UP)
	RAMP INCLUDING DIRECTION OF TRAVEL (UP)

	GARDEN TAP
	RAINWATER DOWN PIPE: TO AS 2500
	SMOKE ALARMS: TO AS 3786 AND SECTION 7.3 OF THE MCC BCA VOL 2. ALL ALARMS/DETECTORS ARE TO BE INTERCONNECTED. SO THAT ON ONE PLAN IS INDICATED THE INSTALLATION TO BE AS PER STANDARDS ABOVE, AND MANUFACTURERS SPECIFICATIONS
	MECHANICAL VENTILATION: MECHANICAL VENTILATION EXTERNALLY BUOYED TO NOC3.8.7.3 & 3.8.7.4
	SLIDING DOOR UNIT OPENING DIRECTION
	SLIDING WINDOW OPENING DIRECTION
	AWNING/CASEMENT WINDOW OPENING DIRECTION
	HINGED DOOR OPENING DIRECTION
	GAS BOTTLES
	ELECTRICAL METER BOX
	GAS INSTANTANEOUS HOT WATER SERVICE
	HOT WATER TANK
	SOLAR HOT WATER SERVICE
	COOKTOP
	SINK TYPICAL

GENERAL SYMBOLS AND ARCHITECTURAL SYMBOLS

	NORTH
	WINDOW TAG (DA/CC)
	DOOR TAG (DA/CC)

	TYPICAL SECTION MARKER
	TYPICAL ELEVATION MARKER
	TYPICAL CALL OUT MARKER
	VIEW TAG AND SCALE

RENOVATION / DEMOLITION SYMBOLS

	TO BE DEMOLISHED OR REMOVED
	EXISTING ITEM / ELEMENT (FLOOR/WALLS/WINDOWS ETC)
	PROPOSED NEW ITEM / ELEMENT

	TO BE DEMOLISHED OR REMOVED
	EXISTING AREA / FACADE / ROOM

MULTI STOREY SITE PLAN SYMBOLS / LEGEND

	LOWEST FLOOR (GROUND TYPICAL)
	MIDDLE FLOOR
	UPPER FLOOR

GENERAL ABBREVIATIONS

ARI	AVERAGE RECURRENCE INDEX	F	FIXED GLASS / PANEL	PB	PLASTER BOARD
AHD	AUSTRALIAN HEIGHT DATUM	FG	FIXED GLASS WINDOW	RET. WALL	RETAINING WALL
CLT	CROSS LAMINATED TIMBER	GLT	GLUE LAMINATED TIMBER	RC	REINFORCED CONCRETE
COL	COLUMN	GTAP	GARDEN TAP	PV	PHOTO VOLTAIC
COW	COST OF WORKS	GPO	GENERAL POWER OUTLET	RL	REDUCED LEVEL
DCP	DEVELOPMENT CONTROL PLAN	GRG	GARAGE	SB	SUB ELECTRICAL METER BOX
DEG.	DEGREES	HWS	HOT WATER SERVICE	SL	SURFACE LEVEL
DGPO	DOUBLE GENERAL POWER OUTLET	LEP	LOCAL ENVIRONMENT PLAN	SW	STORM WATER
DH	DOUBLE HUNG WINDOW	LOH	LIFT OFF HINGE	TRH	TOILET ROLL HOLDER
DP	RAINWATER DOWN PIPE	LVL	LAMINATED VENEER LUMBER	T.O.K	TOP OF KERB
DTR	DOUBLE TOWEL RAIL	MECH.	MECHANICAL	T.O.W	TOP OF WALL
HWS	HOT WATER SERVICE	MB	ELECTRICAL METER BOX	WC	WATER CLOSET
FC	FIBRE CEMENT	MR	MOISTURE RESISTANT	1650B	BATH SIZING
F.S.L	FINISHED SURFACE LEVEL	MH	MAN HOLE	900V	VANITY SIZING
		NGL	NATURAL GROUND LINE	820	INTERIOR DOOR SIZING

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Building Designers

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PROJECT: NEW DWELLING		LEGENDS		DRAWING REVISION + NOTES					
STATUS: NEW DWELLING		SHEET: 12 OF 12		Date:		Revision Description:		Issue:	Drawn:
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BUILDING DESIGNERS | INNOVATIVE | AFFORDABLE | INDIVIDUAL



## STATEMENT OF ENVIRONMENTAL EFFECTS

Date December 2021

CWC Ref J4588

Lot 814 DP 1268080 No 10 Granton Ridge, Port Macquarie



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J4588\_Statement of Environmental Effects

CWC Reference – J4588  
December 2021

## Statement of Environmental Effects

### Proposed New Dwelling with Attached Garage including Clause 4.6 Variation to Clause 4.3 (Height of Buildings) at 10 Granton Ridge, Port Macquarie

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## 1.0 Introduction

Collins W Collins Pty Ltd has been engaged to prepare a development application for a proposed new dwelling at 10 Granton Ridge, Port Macquarie. This Statement of Environmental Effects is to accompany the plans and specifications, and forms part of the application.

## 2.0 Property Details

Lot	814	Section No	-	DP No	1268080
Street No	10	Street Name	Granton Ridge		
Suburb	Port Macquarie			Post Code	2444



Figure 1: Aerial View, image from Six Maps (sourced: September 2021)

### 2.1 Site Characteristics

The subject site has an area of 648.1m<sup>2</sup> with Granton Ridge to the south-west via a battle-axe access handle. There is an approximate 7.5m fall across the site from north-west to south-east.

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The neighbouring properties comprise of single detached residential developments, with residential zoned vacant land to the north.

The subject site is identified as not being bushfire prone.

## 2.2 Existing and Proposed Services

### Water

Council's records indicate that there is an existing water main at Granton Ridge to the south-west of the site. It is proposed to install a 20mm water meter to the south-west of the battle-axe access handle to connect to the proposed dwelling.

### Sewer

Council's records indicate that there is an existing sewer main running through the lot. It is proposed to utilise the existing connection for the proposal.

### Stormwater

Council's records indicate that there is an existing stormwater junction to the south east corner of the lot. It is proposed to utilise this connection for the proposal.

### Telecommunication and Electricity

There are telecommunication and electricity connections available via the street.

## 3.0 Proposal Overview

The proposal is for the construction of a new two-storey dwelling with an attached double garage.

To the ground floor, the proposed dwelling consists of kitchen/dining/living area, pantry, laundry, multi-purpose room/bedroom, office, covered alfresco and attached double garage. To the first floor, the dwelling comprises three bedrooms, two bathrooms, walk-in-robe and balcony.

Access to the proposed dwelling would be via an existing Right of Carriageway burdening Lots 67 and 99 of DP 1053390 to the west and benefitting Lot 99 of DP 1053390 and Lot 814 of DP 1268080 (the subject lot).

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Due to the topography of the site, the proposal includes cut and fill to the north and west. Retaining walls to a maximum of 1.5m high are proposed to the north, west, north-west and south, constructed to engineer's details and specifications.

The proposal includes 1.8m high fencing to the northern boundary, with existing boundary fencing to the east, south and west not modified by the proposal.

## 4.0 General Information

<b><u>Site Suitability</u></b>	
Will the development:	
• Affect any neighbouring residences by overshadowing or loss of privacy?	No
• Result in the loss or reduction of views?	No
• Impact on any item of heritage or cultural significance?	No
• Result in land use conflict or incompatibility with neighbouring premises?	No
• Be out of character with the surrounding areas?	No
• Be visually prominent with the existing landscape/streetscape?	No
• Require excavation or filling in excess of 1 metre?	Yes
• Require the erection or display of any advertising signage?	No
Will the proposal:	
• Result in any form of air pollution (smoke, dust, odour)?	No
• Have the potential to cause any form of water pollution?	No
• Emit noise levels that could affect neighbouring properties?	No
• Be considered potentially hazardous or offensive (refer SEPP 33 for definitions)?	No
• Affect native or aquatic habitat?	No
• Have an impact on a threatened species or habitat?	No
• Involve the removal of any trees?	No
<b><u>Access, Traffic &amp; Utilities</u></b>	
• Are electricity and telecommunications services available to the site?	Yes
• Is lawful and practical access available to the site?	Yes
• Will the development increase local traffic movements and volumes?	No
• Are appropriate manoeuvring, unloading and loading facilities available on site?	N/A

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<b><u>Social &amp; Economic Impacts</u></b>	
• Will the proposal have any social or economic impacts in the area?	No
• Have you conducted any community consultation?	No
• Have you considered Council's Social Impact Assessment Policy?	No
<b><u>Waste Disposal</u></b>	
Provide details of waste management, including reuse and recycling: Individual bins to be collected via Council's Contractors	Yes
How and where will the wastes be stored: Within the private open space	
• Does the proposed use generate any special wastes?	No
• Will the use generate trade wastes (ie greasy or medical wastes)?	N/A

## 5.0 Port Macquarie-Hastings Local Environment Plan 2011

### Land Zoning

The subject site is zoned R1 – General Residential. The objectives of this zoning are as follows:

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

The proposed dwelling house is a permissible land use and provides a housing type that will meet the needs of a community segment. In this regard, the proposal is consistent with the R1 zone objectives.

### Minimum Lot Size

The minimum lot size specified on the Lot Size Map is 450m<sup>2</sup>. The proposal does not affect the existing lot size of 648.1m<sup>2</sup>.

### Height of Building

The maximum height of building specified on the Height of Building Map is 8.5m. As set out in section 5.1, the proposal seeks a Clause 4.6 variation to the height limit, with a proposed maximum ridge height of 9.24m above existing ground level.

### Floor Space Ratio

The floor space ratio specified on the Floor Space Ratio Map is 0.65:1.



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The proposal has a floor space ratio of 0.32:1, calculated in accordance with the LEP definition, which is compliant with LEP provisions.

#### Other

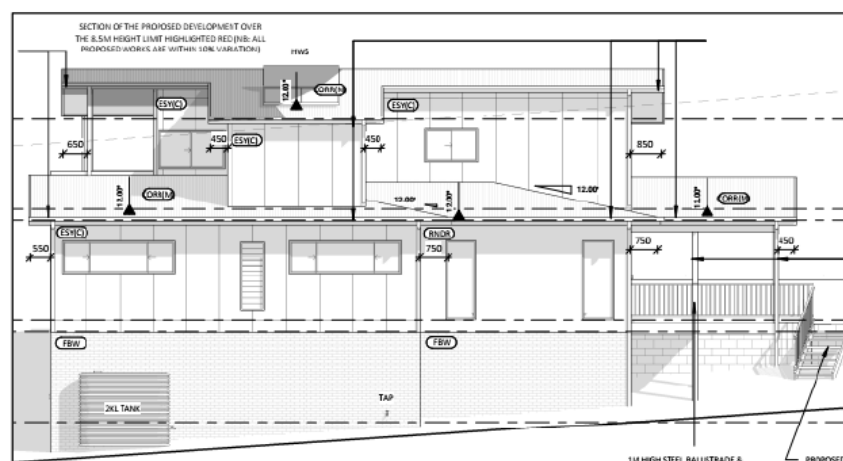
The subject site is not mapped as having Acid Sulphate Soils, affected by Flood or within a Koala Habitat area.

### 5.1 Clause 4.6 Variation – Height Limit

The proposal seeks to vary the Port Macquarie-Hastings LEP Development Standard Clause 4.3 (Height of Buildings). The objectives of this clause are as follows:

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

The proposal incorporates a maximum height of 9.24m above natural ground level. As demonstrated by the excerpt below, the section of dwelling encroaching the height limit applies to part of the upper floor roof. This section of dwelling encroaching the height limit is considered to be relatively minor in nature, with the proposal exceeding the permissible 8.5m height limit for buildings in this locality by 740mm, equating to a 8.7% variation.



**Figure 2:** Section of dwelling greater than 8.5m above natural around level

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The extent of the height exceedance does not extend for the full length of the roof, but rather is positioned to the south of the dwelling. The dwelling is setback a minimum of 3.923m from the southern side boundary, which will assist in reducing visual perceptions of building bulk and scale from neighbouring properties. The southern side setback is compliant with Port Macquarie Hastings DCP 2013 Clause 47 and the proposed height variation will not adversely impact on solar access for adjoining dwellings.

Therefore, in line with objective a) of the development standard objectives, the proposal is consistent with the character of the locality, with the height, bulk and scale of the proposed dwelling with height variation being compatible with neighbouring dwellings and streetscapes.

The height variation does not apply to the balcony or to any windows of the dwellings and will therefore not result in privacy impacts to adjoining lots. It is noted that private open space areas of existing neighbouring dwellings of Granton Ridge are primarily oriented towards to the north and east and would therefore not have views impacted by the proposed dwelling.

The neighbouring dwellings of Rowthorne Way are primarily orientated west, towards the rear of the site. Due to the uphill slope of the land from these dwellings it is considered the small area of dwelling that exceeds the 8.5m height will not adversely impact on the views of neighbouring dwellings Rowthorne Way any more than a complaint building height. The proposed dwelling would also be located away from the street on a battle-axe lot and would be generally screened from the street by existing dwellings. The proposal is therefore considered to be consistent with objective b) of the development standard objectives.

It is considered the small section of dwelling that exceeds 8.5m in height will not adversely impact on the visual bulk and scale of the dwelling as the first floor walls are stepped back from the property boundary and are articulated, and as such the visual impact of the proposed roofline is considered to be minor in nature. Having regard to the topography of the area, dwellings in this locality are designed to step with the slope of the land. In this regard, the proposed dwelling design is consistent with the character and streetscapes of the area, with the existing bulk, scale and building heights being similar to the proposed within the locality.

It is noted that there are no items of heritage conservation within this area, and therefore the proposed variation in height is not inconsistent with objective c) of the Development Standard Objectives.

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It is therefore considered that the proposal, despite the non-compliance with the building height, is consistent with the objectives of the Port Macquarie-Hastings LEP Development Standard Clause 4.3.

As per Clause 4.6 of the Port Macquarie-Hastings LEP, variations to development standards are permissible in certain circumstances. The objectives of Clause 4.6 are as follows:

- a) to provide an appropriate degree of flexibility in applying certain development standards to particular development,*
- b) to achieve better outcomes for and from development by allowing flexibility in particular circumstances.*

In this instance, a compliant building height will not have any lesser impact on neighbouring properties. As discussed above, the height and location of the proposed encroachment will have minimal impacts with regard to view sharing, solar access, overshadowing and residential privacy due to the side and rear setbacks of the subject section of roof.

Based on the information provided above, the proposed variation to the building height has little to no impact on neighbouring properties and would have no impact on the Granton Ridge streetscape.

The variation in the height of the proposed dwelling supports a roof design that is consistent with the character of the area and provides an opportunity to construct a quality, visually appealing dwelling. Considering the topography of the site, the variation to the building height supports an efficient building design which minimises earthworks. It is therefore considered that the objectives of the development standards are achieved, with the design of the dwelling being consistent with dwellings in this locality.

## **6.0 State Environmental Planning Policy**

### **6.1 Building Sustainability Index: BASIX 2004**

A BASIX Certificate has been submitted demonstrating that the proposed development will comply with the requirements of the SEPP.

### **6.2 Coastal Management**

The subject site is not mapped as being a Littoral Rainforest or Coastal Wetlands and is not within the proximity area for Littoral Rainforests or Coastal Wetlands.

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## 7.0 Development Control Plan

### 7.1 Port Macquarie-Hastings Development Control Plan 2013

	DCP Requirements	Proposal	Complies Yes/No
<b>Cut and Fill Regrading</b>	Max cut of 1.0m and fill of 1.0m at a distance of 1.0m outside external walls  OR Cut/fill is fully retained within or by the external walls of the building	Cut and fill to less than 1.0m	Yes
<b>Retaining Walls</b>	Greater than 1.0m – engineer must certify  Combined front fence and retaining wall height greater than 1.2m high:	Retaining walls to max 1.5m high, to engineer's details  No front fencing proposed	Yes  N/A
<b>Front Setback</b>	Articulation Zone ( <i>applicable to primary frontage</i> ): 3.0m  4.5m min to primary frontage	N/A  4.726m to western boundary	N/A  Yes
<b>Garage, Carport or Car Parking Space</b>	1.0m behind dwelling line where dwelling is set back 4.5m or more  5.5m from front boundary where dwelling has less than 4.5m front setback  6.0m max door width and 50% max of the building width  5.0m max crossover width	2.730m behind building line  N/A  5m = 25.5% of building width  Existing Right of Carriageway	Yes  N/A  Yes  Existing
<b>Rear Setback</b>	4.0m to any part of building  900mm to sheds and swimming pools	2.85m  N/A	No  N/A
<b>Side Setback</b>	Ground Floors: 900mm  First Floors & Above: 3.0m  12m max unarticulated wall length to first floors and above where walls setback less than 3m	N: 2.026m S: 3.923m  N: 4.981m S: 3.923m  N: 12.71m – wall setback more than 3m	Yes Yes  Yes Yes  Yes

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<b>Open Space</b>	35m <sup>2</sup>	Provided in rear yard	Yes
	Principal private open space area with:		
	4m x 4m min dimension	Alfresco with 4m x 4.5m	Yes
	5% maximum grade for min 4m x 4m area	Yes	Yes
	Accessible from internal living areas	Accessible from dining and living areas	Yes
<b>Solid Front Fences</b>	1.2m max height	No front fencing proposed	N/A
<b>Front Fences higher than 1.2m</b>	1.8m max height	No front fencing proposed	N/A
<b>Bulk and Scale</b>	Ground & First Floor (and above) living room windows within a 9m radius of living room windows of adjacent dwellings are screened or obscured	Bedroom and bathroom windows only proposed on the upper level   1.8m high boundary fencing between ground floor and neighbours	Yes
	Ground & First Floor (and above) living room windows within a 12m radius of principal private open space of adjacent dwellings are screened or obscured	Existing and proposed 1.8m fencing screens neighbouring private open space	Yes
	Direct views between principal private open spaces within a 12m radius are screened or obscured	No direct views between principle private open spaces	N/A
	Privacy screen to deck where there are direct views of indoor living room windows within a 9m radius, or to principal private open spaces within a 12m radius	No direct views from ground floor   first floor deck provides adequate separation	N/A
<b>Tree Management</b>	Prescribed vegetation is any tree identified in Table 1 or is a mangrove or cycad and is 3m or higher; trunk diameter of 100mm measured at 1.0m above ground level; or a hollow bearing tree	N/A – no trees to be removed	N/A

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<b>Tree Management – Private Land</b>	An application for the removal of a tree listed in Table 1 (Koala Food Trees) must be accompanied by an Arborist's report stating that the tree is dangerous or dying or has a history of branch fall or diseased etc. The requirement for an arborist report will be determined on merit by Council's development assessment.	N/A – no trees to be removed	N/A
<b>Driveway Grades</b>	Driveway crossing max grade of 5% (1 in 20).	Existing RoC	Existing
	Transitional grades min of 2m long.	Able to comply	Existing
<b>Car Parking</b>	1 space per dwelling	2 garage spaces provided	Yes
<b>Ancillary Development</b>	Height of outbuilding 4.8m max	No outbuildings proposed	N/A

## 7.2 Non-Compliances

We provide the following in relation to the non-complying issues identified in the table above:

**Issue:** Rear setback less than 4.0m

### DCP 2013 Clause 46 Objectives

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

The proposal includes a rear setback, to the east of the dwelling, between 2.85m and 3.88m. This is not consistent with the provisions of the DCP which states a minimum rear setback of 4m is to be provided.

Due to the topography of the land, the proposal would not overshadow neighbouring properties to the south east for more than 3 hours between 9am-3pm on 21 June. It is considered a similar dwelling with compliant rear setbacks would not impact neighbours any less than the proposal. The neighbouring properties would receive uninterrupted solar access between 9am and 12 noon.



Collins W Collins Pty Ltd  
*J4588\_Statement of Environmental Effects*

CWC Reference – J4588  
December 2021

The proposal would allow for natural light and ventilation between dwellings as the provided setback and topography of the land would allow for morning and midday solar access to neighbouring properties.

The proposal would allow for an increased setback to the north to provide superior solar access to the private open space of the dwelling, including an alfresco with a north-eastern facing aspect.

## 8.0 Conclusion

The above assessment has been completed and the proposed new dwelling with attached garage complies with:

- the State Environmental Planning Instruments;
- Port Macquarie-Hastings Local Environmental Plan 2011; and
- Port Macquarie-Hastings Development Control Plan 2013.

The proposal will not adversely impact on the natural or built environment.

The proposal will benefit the community, both socially and economically.

The proposal is suitable for the site.

This Statement of Environmental Effects is submitted to Port Macquarie-Hastings Council for review.

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Item: 06

Subject: DA2021 - 1092.1 ANCILLARY BUILDING - SHED AT LOT 32 DP  
1239206, NO 6 OXBOW CIRCUIT KING CREEK

Report Author: Development Assessment Building Surveyor, Warren  
Wisemantel

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Applicant:	B T Holmes
Owner:	B T & A E Holmes
Estimated Cost:	\$20,000
Parcel no:	67380

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#### Alignment with Delivery Program

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

#### RECOMMENDATION

That DA2021 - 1092 for an Ancillary Building - detached shed with awning at Lot 32, DP 1239206, No. 6 Oxbow Circuit, King Creek, be determined by granting consent subject to the recommended conditions.

#### Executive Summary

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

The application was required to be placed on exhibition, however three (3) submissions were received.

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

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

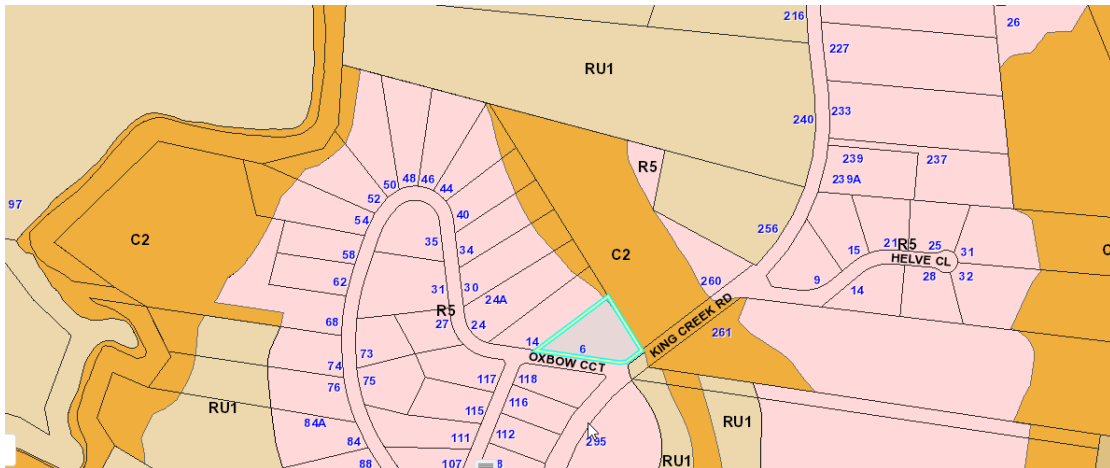
The reason for the application being referred to Council's Development Assessment Panel (DAP) is because three (3) or more objections to the proposal have been received. A copy of the DAP Charter outlining the delegations and functions of the DAP is available on Council's website.

## 1. BACKGROUND

### Existing Sites Features and Surrounding Development

The site comprises an existing two (2) storey dwelling, existing ancillary buildings comprising a barn style detached shed, inground swimming pool, pergola, kid's playground area, lawns and vegetable gardens in the Oxbow Circuit King Creek Estate. The site has an area of 7095m<sup>2</sup> and is surrounded by other similar developments.

The majority of the site is zoned R5 Large Lot Residential with a small portion of land to the rear zoned C2 Environmental Conservation in accordance with the Port Macquarie-Hastings Local Environmental Plan 2011, as shown in the following zoning plan:



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



## 2. DESCRIPTION OF DEVELOPMENT

Key aspects of the proposal include the following:

- To construct a steel framed colorbond shed with awning attached to the western side.

Refer to **Attachment 2** at the end of this report for plans of the proposed development. **Attachment 3** are photographs of the proposed site area.

### **Application Chronology**

- 30 November 2021 - Application formally lodged.
- 8 December 2021 - Referred to Essential Energy.
- 6 January 2022 - First submission received.
- 7 January 2022 - Second submission received.
- 9 January 2022 - Third submission received.
- 10 January 2022 - Comments received from Essential Energy and forwarded to applicant.
- 11 January 2022 - Site Inspection carried out.
- 12 January 2022 - Proposal discussed with applicant and advised three (3) submissions have been received.
- 19 January 2022 - Proposal further discussed with applicant and requested an updated site plan be provided with setbacks from front boundary and western boundary for the shed and attached awning.
- 1 February 2022 - Second site inspection carried out.
- 2 February 2022 - Updated site plan received indicating setbacks from boundaries.
- 2 February 2022 - Supporting information from applicant advising primary use of proposed shed.
- 2 February 2022 - Photograph of proposed shed site from applicant received indicating existing landscaping on western boundary.

## **3. STATUTORY ASSESSMENT**

### **Section 4.15(1) Matters for Consideration**

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

#### **(a) The provisions (where applicable) of:**

##### **(i) Any Environmental Planning Instrument**

#### **State Environmental Planning Policy (Koala Habitat Protection) 2021**

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

Clause 10 - The site falls within the King Creek Koala Management Plan. Having considered the requirements of the KPOM, the development is consistent with the KPOM for the following reasons:

1. No vegetation is being removed from the subject site.
2. Existing fencing on-site is conducive to koala movement.
3. Site inspection's failed to detect any evidence of koalas on the subject site, hence the King Creek KPM's as non-Koala habitat is verified.

**State Environmental Planning Policy No. 55 - Remediation of Land**

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

**State Environmental Planning Policy (Coastal Management) 2018**

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

The site is partly located within a mapped coastal environment area.

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

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

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 large lot residential purposes.

**State Environmental Planning Policy (Infrastructure) 2007**

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

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



- (i) within 30m of a structure supporting an overhead electricity transmission line, measured horizontally from the top of the pool to the bottom of the structure at ground level, or
- (ii) within 5m of an overhead electricity power line, measured vertically upwards from the top of the pool.

Essential Energy have no specific concerns regarding the development, but have provided some general advice. The advice received from Essential Energy has been forwarded the Applicant for consideration.

### **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 R5 Large Lot Residential.
- Clause 2.3(1) and the R5 zone landuse table - The dwelling and/or ancillary structure to a dwelling is a permissible landuse with consent.

The objectives of the R5 zone are as follows:

- *To provide residential housing in a rural setting while preserving, and minimising impacts on, environmentally sensitive locations and scenic quality.*
- *To ensure that large lot residential lots do not hinder the proper and orderly development of urban areas in the future.*
- *To ensure that development in the area does not unreasonably increase the demand for public services or public facilities.*
- *To minimise conflict between land uses within this zone and land uses within adjoining zones.*
- Clause 2.3(2) - The proposal is consistent with the zone objectives as it is ancillary development to an existing established dwelling.
- Clause 4.3 - There is no maximum building height for the site. Note further comments later addressing Development Control Plan 2013.
- Clause 4.4 - There is no maximum floor space ratio for the site.
- Clause 5.10 - Heritage. The site does not contain or adjoin any known heritage items or sites of significance.
- Clause 5.21 - The site is land which is considered to be within a “flood planning area” (refer to *NSW Government Floodplain Development Manual 2005*). In this regard, the following comments are provided which incorporate consideration of the objectives of Clause 5.21, Council’s Flood Policy 2018, the NSW Government’s *Considering Flooding in Land Use Planning Guideline 2021* and the NSW Government’s *Floodplain Development Manual (2005)*:
  - The proposal is sufficiently compatible with the flood function and behaviour on the land;
  - The proposal will not result in any significant adverse effects on flood behaviour that would result in detrimental increases in the potential flood affectation of other development or properties;
  - The proposal will not result in any adverse effects on the safe occupation and efficient evacuation of people along existing evacuation routes for the surrounding area;
  - The proposal incorporates sufficient measures to minimise and manage the flood risk to life and property associated with the use of land;

- The proposal is not likely to significantly adversely affect the environment or cause avoidable erosion, siltation, destruction of riparian vegetation or a reduction in the stability of river banks or watercourses;
- The proposal is not likely to result in unsustainable social and economic costs to the community as a consequence of flooding;
- The proposal will not result in any identifiable adverse impacts to flood behaviour as a result of projected climate change;
- The intended design and scale of the buildings of the proposal is sufficiently compatible with the flooding risk on the property;
- No internal specialist advice has been received from Council's Flood Officer as the proposed building is located clear of the portion of land to the rear which is flood effected.
- Clause 7.13 - Satisfactory arrangements are in place for provision of essential services including water supply, electricity supply, sewer infrastructure, stormwater drainage and suitable road access to service the development.

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

No draft instruments apply to the site.

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

**Port Macquarie-Hastings Development Control Plan 2013**

<b>DCP 2013: Part B - General Provisions - B2: Environmental Management</b>			
<b>DCP Objective</b>	<b>Development Provisions</b>	<b>Proposed</b>	<b>Complies</b>
3	a) Development must comply with Council's Developments, Public Place & Events - Waste Minimisation and Management Policy.	Satisfactory arrangements can be put in place for storage and collection of waste already in place for the existing established dwelling. Standard condition recommended for construction waste management.	Yes
<b>Cut and Fill Regrading</b>			
4	a) Development shall not exceed a maximum cut of 1.0m and fill of 1.0m measured vertically above the ground level (existing) at a distance of 1.0m outside the perimeter of the external walls of the building (This does not apply to buildings where such cut and fill is fully retained within or by the external walls of the building).	Application is DA only. No cut and fill earthworks proposed as the portion of land where the shed is to be located is relatively flat. Should earthworks be required it is anticipated this will fall under the Exempt Development guidelines as outlined in the State Environmental Planning Policy (SEPP) Exempt and Complying Development Codes 2008.	Yes



5	a) A certified practicing structural engineer must certify any retaining wall greater than 1.0m.	No retaining walls proposed	N/A
	b) Where a combination of a fence and a wall is proposed to be greater than 1.2m high: <ul style="list-style-type: none"> <li>– be a maximum combined height of 1.8m above existing property boundary level;</li> <li>– be constructed up to the front boundary for a maximum length of 6.0m or 30% of the street frontage, whichever is less;</li> <li>– the fence component has openings which make it not less than 25% transparent; and</li> <li>– provide a 3m x 3m splay for corner sites, and</li> <li>– provide a 900mm x 900mm splay for vehicle driveway entrances.</li> </ul>	No retaining walls or fence proposed	N/A

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

18	a) APZs are to be located outside of environmental protection zones and wholly provided within private land. Note perimeter roads provided as part of a residential subdivision are classified as being part of the subdivision and not a separate permissible land use within environment protection zones.	APZ provided on site. Proposed shed and awning located approximately 16m from the existing dwelling onsite.	Yes
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**Flooding**

19	a) Development must comply with Council's Floodplain Management Plan and Flood Policies.	Proposed shed to be located on a portion of land well clear of the flood effected land to the rear of the lot.	Yes
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<b>DCP 2013: Part B- General Provisions- B4: Transport, Traffic Management, Access and Car Parking</b>			
<b>DCP Objective</b>	<b>Development Provisions</b>	<b>Proposed</b>	<b>Complies</b>
<b>Parking Provision</b>			
24	a) Off-street Parking is provided in accordance with Table 3: - 1 parking space per each dwelling for dwelling-house.	Existing off street parking onsite.	Yes
<b>Parking Layout</b>			
28	c) Parking spaces shall generally be behind the building line but may be located between the building line and the street when: <ul style="list-style-type: none"> <li>- it is stacked parking in the driveway; or</li> <li>- it can be demonstrated that improvements to the open space provided will result; and</li> <li>- 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.</li> <li>-</li> </ul>	Existing off street parking onsite.	Yes
	d) Parking design and layout is provided in accordance with AS/NZS 2890.1 - Parking facilities - Off-street car parking.	Existing off street parking onsite.	Yes
34	a) All parking and manoeuvring spaces must be designed to avoid concentrations of water runoff on the surface.	Existing off street parking onsite.	Yes
	b) Council will not permit the discharge of stormwater directly into kerbing and guttering or table drains for any development other than that of a minor nature.	Stormwater from the proposed shed is to be connected to the existing stormwater system on-site. All stormwater is disposed to a rubble drain at the rear of the lot.	Yes

<b>DCP 2013: Part B - General Provisions - B5: Social Impact Assessment and Crime Prevention</b>			
<b>DCP Objective</b>	<b>Development Provisions</b>	<b>Proposed</b>	<b>Complies</b>
<b>Crime Prevention</b>			
43	a) The development addresses the generic principles of crime prevention: <ul style="list-style-type: none"> <li>- Casual surveillance and sightlines;</li> <li>- Land use mix and activity generators;</li> <li>- Definition of use and ownership;</li> <li>- Basic exterior building design;</li> <li>- Lighting;</li> <li>- Way-finding; and</li> <li>- Predictable routes and entrapment locations;</li> <li>- as described in the Crime Prevention Through Environmental Design (CPTED) principles.</li> <li>-</li> </ul>	No concealment or entrapment areas proposed. Adequate casual surveillance available.	Yes

<b>DCP 2013: Part C - Development Specific Provisions - C1: Low Density Residential Development</b>			
<b>DCP Objective</b>	<b>Development Provisions</b>	<b>Proposed</b>	<b>Complies</b>
<b>Front Setbacks</b>			
44	a) Dwellings may incorporate an articulation zone to a street frontage at no less than 3m from property boundary. The following building elements are permitted within the articulation zone: <ul style="list-style-type: none"> <li>- an entry feature or portico;</li> <li>- a balcony, deck, patio, pergola, terrace or verandah;</li> <li>- a window box treatment;</li> <li>- a bay window or similar feature;</li> </ul>	Existing dwelling onsite with a setback of 10m from front boundary  Proposed shed has a front setback of 13.550m	Yes  Yes

	<ul style="list-style-type: none"> <li>- an awning or other feature over a window;</li> <li>- a sun shading feature.</li> </ul> <p>b) These building elements should not extend above the eave gutter line, other than a pitched roof to an entry feature or portico that has the same pitch as the roof on the dwelling house.</p>		
	<p>c) The primary road front setback shall be: Classified road = any frontage 6.0m Primary frontage = 4.5m Secondary frontage = 3.0m Ancillary Lane = 2.0m Large lot residential and rural zones = 10.0m</p>	13.550m front setback proposed	Yes
45	<p>a) A garage, carport or car parking space should:</p> <ul style="list-style-type: none"> <li>- be at least 1m behind the building line, where the dwelling(s) has a setback from a front boundary of 4.5m or more, or</li> <li>- be at least 5.5m from a front boundary, where the dwelling(s) has a setback of less than 4.5m.</li> </ul>	The proposed shed with awning has a front setback of 13.550m and is setback from the front of the existing dwelling onsite	Yes
	<p>b) The total width of the garage/carport openings should not be more than 6m and not more than 50 per cent of the width of the building.</p>	Total width of shed opening is 5.5m and attached awning is 3.5m. Total width being 9m wide	Yes
	<p>c) Driveway crossovers are no greater than 5.0m in width.</p>	Driveway crossover proposed 3.5m wide subject to separate approval under S138 application	Yes
	<p>d) Where a dual occupancy or attached dwelling is proposed on a corner lot a garage and driveway is</p>	No dual occupancy proposed	N/A

	provided on each road frontage.		
<b>Side and Rear Setbacks</b>			
46	a) A minimum rear boundary setback of 4m is to be provided to dwellings (including verandahs, patios and decks).	Rear setback greater than 60m for proposed shed	Yes
	b) A minimum rear boundary setback of 900mm applies to sheds and swimming pools subject to achieving minimum required private open space area.	Rear setback greater than 60m for proposed shed	Yes
	c) Council may consider varying rear setback requirements where it is demonstrated that the private open space could achieve better solar access between the building and the side setback. In that instance, one side setback should be a minimum 4m in width (for an equivalent length of rear boundary, behind building line) and the rear setback may be reduced to 900mm.		N/A
47	a) Ground floors (being <1m above existing ground level) should be setback a minimum of 900mm from side boundaries.	Proposed shed has a minimum side setback of 900mm to the west, whilst the attached awning has a minimum side setback of 3.0m to the west	Yes
	b) First floors and above (including single storey with floor level >1m) should be setback a minimum of 3m from the side boundary, or reduced down to 900mm where it can be demonstrated that the adjoining property's primary living rooms and principal private open space areas are not adversely overshadowed for more than	Proposed shed is single storey with a floor level < 1m.	N/A

	3hrs between 9am - 3pm on 21 June.		
	c) First floors and above should have building walls that step in and out at least every 12m by a minimum of 500mm articulation. Where first floors and above are setback >3m, wall articulation is not required.	Proposed shed is 9m long by 9m wide incorporating the attached awning. The western wall of the shed/awning structure is articulated with the awning only being 4.5m long	Yes
<b>Private Open Space</b>			
48.	a) All dwellings should have a minimum area of private open space of 35m <sup>2</sup> , which includes a principal private open space area with: <ul style="list-style-type: none"> <li>- a minimum dimension of 4m x 4m, and</li> <li>- a maximum grade of 5% for minimum 4m x 4m of the total open space requirement, and</li> <li>- direct accessibility from a ground floor living area and orientated to maximise use.</li> <li>-</li> </ul>	Existing open space on-site	Yes
	b) Private open space may include clothes drying areas and garbage storage.	Existing open space on-site	Yes
<b>Public Domain and Fencing</b>			
49	a) Front fences built forward of the building line for the primary road frontage should be detailed on the development application plans.	No front fence proposed	N/A
	b) Solid Front fences up to 1.2m high should be: <ul style="list-style-type: none"> <li>- Setback 1.0m from the front boundary, and</li> <li>- Suitably landscaped to reduce visual impact, and</li> <li>- Provide a 3m x 3m splay for corner sites.</li> <li>-</li> </ul>	No front fence proposed	N/A
	b) Front fences proposed to be more than 1.2m high	No front fence proposed	N/A

	<p>should be a maximum of 1.8m in height, above existing front property boundary level, and either:</p> <ul style="list-style-type: none"> <li>– Include landscaped recesses having minimum dimensions of 1.8m long x 900mm deep which occupy no less than 50% of the total length of the fence, or</li> <li>– be erected up to the front boundary for a maximum length of 6.0m or 50% of the street frontage,</li> </ul>		
	c) have openings which make it not less than 25% transparent (no individual opening more than 30mm wide);		N/A
	d) provide a 3m x 3m splay for corner sites, and		N/A
	e) provide a 900mm x 900mm splay for vehicle driveway entrances.		
50	a) For tennis courts or other similar areas, chain wire fences should be black or dark green plastic coated mesh.		N/A
	b) Solid fences enclosing these facilities should not be permitted over 1.8m.		N/A
<b>Bulk and Scale</b>			
51	<p>a) Direct views between indoor living rooms and principal private open space of adjacent dwellings, including proposed dwellings approved on adjoining lots, including possible dwellings on future lots, should be obscured or screened where:</p> <ul style="list-style-type: none"> <li>– Ground and first floor (and above) indoor living room windows are within a 9m radius.</li> </ul>	<p>Detached shed and attached awning proposed. No upper floor living room windows overlooking neighbouring windows within 9m.</p> <p>The dwelling on the adjoining lot nearest to the proposed shed is located 10m from the property boundary where the shed is to be constructed. The portion of this dwelling</p>	<p>Yes</p> <p>Yes</p>



	<ul style="list-style-type: none"> <li>- Direct views between principal private open space areas where within a 12m radius.</li> <li>- Direct views between indoor living rooms of dwellings into the principal area of private open space of other dwellings within a 12m radius.</li> <li>-</li> </ul>	nearest to the proposed shed constitutes a triple garage. The outdoor entertaining area of the adjacent dwelling has uninterrupted views to the north, east and west.	
	<p>b) A balcony, deck, patio, pergola, terrace or verandah should have a privacy screen where there are direct views of:</p> <ul style="list-style-type: none"> <li>- Indoor living room windows of adjacent dwellings, including proposed dwellings approved on adjoining lots within 9m radius; or</li> <li>- Principal areas of private open space of adjacent dwellings, including proposed dwellings approved on adjoining lots within a 12m radius.</li> <li>-</li> </ul>	Detached shed with attached awning proposed	N/A
	<p>c) Privacy protection is not required for:</p> <ul style="list-style-type: none"> <li>- Any Indoor living room windows with a sill height of greater than 1.5m above the finished floor level of that room or where fixed non-openable translucent glass is installed to the same height.</li> <li>-</li> </ul>	Detached shed with attached awning proposed	N/A
	<p>d) Direct views described above may be reduced or obscured by one of the following measures (details to be submitted with the development application):</p> <ul style="list-style-type: none"> <li>- 1.8m high fence or wall between ground-floor level windows or between a dwelling and principal private open space</li> </ul>	<p>Detached shed with attached awning proposed.</p> <p>The property owner has installed landscaping creating a hedge adjacent to where the shed is proposed, for both privacy and to soften the appearance of the proposed shed from both</p>	Yes

	<ul style="list-style-type: none"> <li>- Screening of minimum 1.7m height, that has 25% openings (max), with no individual opening more than 30mm wide, is permanently fixed and is made of durable materials.</li> <li>- A window, the whole of which has translucent glass and is not able to be opened.</li> <li>-</li> </ul>	Oxbow Circuit and adjacent properties.	
<b>Roof Terraces</b>			
52	<p>a) Direct views between roof terraces and indoor living room windows or principal areas of private open space of adjacent dwellings should be screened where:</p> <ul style="list-style-type: none"> <li>- Ground and first floor (and above) indoor living room windows are within a 9m radius of the trafficable area of the roof terrace;</li> </ul> <p>Direct views between roof terraces principal areas of private open space within a 12m radius of the trafficable area of the roof terrace.</p>	Detached shed with attached awning proposed	N/A
	<p>b) Screening should only be considered where:</p> <ul style="list-style-type: none"> <li>- the height of the screen does not exceed the maximum building height; and</li> <li>- the screening contributes to the building form, and</li> <li>- the screening is integrated into the design of the roof; and</li> <li>- is constructed and designed with materials complementary to the building.</li> <li>-</li> </ul>		N/A
	c) Lighting installations on roof terraces should be:		N/A

	<ul style="list-style-type: none"> <li>– contained within the roof terrace area and located at a low level, and</li> <li>– appropriately shaded and fixed in a non-adjustable manner so that light is projected downwards onto the floor surface of the terrace.</li> <li>– designed in compliance with Australian Standards AS4282 - <i>Control of obtrusive effects of outdoor lighting.</i></li> <li>–</li> </ul>		
<b>Ancillary Development</b>			
56	<p>a) For ancillary development in R1 General Residential, R2 Low Density Residential, R3 Medium Density Residential, R4 High Density Residential, R5 Large Lot Residential and RU5 Village zones:</p> <ul style="list-style-type: none"> <li>– The height of an outbuilding or the alterations and additions to an existing outbuilding on a lot should not be more than 4.8m above ground level (existing).</li> <li>–</li> <li>–</li> <li>– The building should be single storey construction with a maximum roof pitch of 24 degrees.</li> <li>– The maximum area of the building should be 60m<sup>2</sup> for lots less than 900m<sup>2</sup> and maximum of 100m<sup>2</sup> for larger lots.</li> <li>–</li> <li>– Ancillary development that is a garage, or an outbuilding, or a rainwater tank should not be located in front of the main building line with</li> </ul>	<p>The maximum overall height of the building above ground level (existing) is 5.135m.</p> <p>The height exceeds the required 4.8m building height applying to the site by 0.335mm which is considered a minimal height variation. The proposed 5.135m ridge height presents a minor variation to the height control and will not detract from the existing Oxbow Circuit estate.</p> <p>Shed is single storey and has a roof pitch of 11 degrees. The awning proposed a slope of 5 degrees.</p> <p>The existing lot is greater than 900m<sup>2</sup> (7089.78m<sup>2</sup>). The shed and awning has a combined area of 81m<sup>2</sup>.</p> <p>The proposed shed is not located forward of the main building line.</p>	<p><b>No*</b></p> <p>Yes</p> <p>Yes</p> <p>Yes</p>

	the exception of swimming pools. –		
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The proposal seeks to vary Development Provision 56: Ancillary Development relating to building height.

The relevant objectives are:

- To facilitate and sustain certain development as ancillary development.
- Have regard to the desired scale, bulk and height of existing residential development as well as streetscape in the locality.

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

- The maximum overall height of the building above ground level (existing) is 5.135m.
- The height exceeds the required 4.8m building height applying to the site by 0.335m which is considered a minimal height variation.
- The proposed 5.135m ridge height presents a minor variation to the height control and will not detract from the existing Oxbow Circuit estate.

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

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

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

Nil

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

### Context and Setting

The proposal will not have any significant adverse impacts on existing adjoining properties or the public domain.

The proposal is considered to be sufficiently compatible with other rural-residential development in the locality and adequately addresses planning controls (as justified) for the area.

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

The proposal does not have significant adverse lighting impacts.

There are no significant adverse privacy impacts.

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

**Access, Traffic and Transport**

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

**Water Supply Connection**

Service available.

**Sewer Connection**

The proposed works are to be clear of the existing OSSM and disposal area on-site.

**Stormwater**

Service available - details required with Section 68 application.

An appropriate standard condition is recommended in this regard.

**Other Utilities**

Telecommunication and electricity services are available to the site.

**Heritage**

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

**Other land resources**

The site is within an established large lot residential estate 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.

**Noise and vibration**

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



**Bushfire**

The site is identified as being bushfire prone.

The shed is located greater than 6m from the existing dwelling onsite and that of the nearest neighbour. The property is surrounded by managed land and therefore no bushfire assessment or bushfire construction methods are 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. Adequate casual surveillance is available.

**Social impacts in the locality**

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

**Economic impact in the locality**

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

**Site design and internal design**

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

**Construction**

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

**Cumulative impacts**

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

**(c) The suitability of the site for the development**



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


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


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

Three (3) written submissions were received following lodgement 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
<b>Objector No.1</b>	
<b>Neighbouring residences will be affected by overshadowing</b>	<p>The proposed building and existing buildings on subject lot run in a north/south orientation.</p> <p>Three (3) hours of sunlight is available between 9am and 3pm on June 21 (winter solace), to at least 50% of habitable rooms, private open space of each development and the required open space of adjoining developments. The objectors dwelling is located 10m from the property boundary where the shed is to be constructed and a triple garage is the nearest part to the proposed shed.</p>
<b>Will result in reduction of views</b>	<p>The objectors dwelling is located 10m from the property boundary where the shed is to be constructed and a triple garage is the nearest part to the proposed shed. The outdoor entertaining area of the objectors dwelling has uninterrupted views to the north, east and west.</p>
<b>Will be out of character with the surrounding area</b> 	<p>There are several sheds of a similar size and height to what is proposed within the Oxbow Circuit subdivision.</p>
<b>Will be visually prominent within the existing landscape/streetscape</b> 	<p>The applicant has already planted attractive screening landscaping along the western boundary and front of the southern boundary to soften the impact of the proposed shed. This landscaping has been a long term plan by the property owner for a vision to develop his land, whilst still maintaining the rural residential lifestyle of the Oxbow Circuit streetscape and general amenity of the area. The existing landscaping is also</p>

Submission Issue/Summary	Planning Comment/Response
	acting as a screen to alleviate and block out the view of the shipping container on the objectors property within close proximity of the property boundary.
<p><b>The potential noise emission levels from trucks/excavators will affect our, and neighbouring properties</b></p> 	<p>The applicant and property owner has confirmed in writing to Council that the sole purpose for the proposed shed is to garage his caravan which currently sits under a shade sail situated on the eastern side of a shed that already exists onsite. The property owner/applicant has clarified the use of the shed as being used to protect his families assets and will not be used to run any sort of commercial business.</p>
<p><b>The height of the shed reflects a size needed for industrial purposes/running a business from. (Prohibited under R5 Large Lot Residential Regulation)</b></p>	<p>The height of the proposed shed is 5.135m. This exceeds the recommended 4.8m height under the Port Macquarie Hastings Council DCP by 0.335m. Other sheds in the Oxbow Circuit already constructed are similar in height and area and the 0.335m is considered minimal. The overall height of the shed is regarded as appropriate for a lot size of 7095m<sup>2</sup> in a large lot residential estate. The applicant has confirmed in writing that no business will be operating out of the shed and its sole purpose is to garage the family caravan.</p>
<p><b>Other Concerns</b></p>	
<p><b>4.6m open awning area (lean to) is positioned on our side. Neighbour has advised that he plans to park his Land Cruiser under the lean to which has a loud modified exhaust. This would be backed out early each morning, waking our young children whose bedrooms are adjacent</b></p>	<p>Council does not regulate what vehicle/s individuals have ownership of.</p> <p>Property owners are entitled to enter and leave their place of residence at dates and times convenient to the individual. The bedrooms of the adjoining dwelling being adjacent to the shed is incorrect, as a triple garage is the nearest point of the objectors dwelling to where the proposed shed is to be constructed.</p>
<p><b>A large 3 bay shed, with visible business signage attached, already exists on this site, with a driveway and crossover</b></p>	<p>Prior formal approval has been granted by Port Macquarie Hastings Council for both shed and driveway crossover. Business signage attached to the existing shed, whilst not a distraction, is visible from King Creek Road and has been displayed for over 2 years now with no concerns. The</p>

Submission Issue/Summary	Planning Comment/Response
	signage states "Port Precision Plumbing" with a contact number. The sign does not detract from the general amenity of the Oxbow Circuit or King Creek area in general as it is positioned under the gutter line on the eastern façade of the existing shed onsite.
<b>Plumbing/Excavation/Concreting business being run from the residence</b>	Property owner has confirmed in writing the proposed shed is to house the family caravan.
<b>– Trucks &amp; excavators stored on property</b>	Property owners are entitled to store vehicles on their property. The storage of existing vehicles on the site is not a development consideration.
<b>– Area near our boundary fence line and street frontage being used as a dumping zone for business materials</b>	No materials or foreign objects were identified during site visits as being stored on the nature reserve/street frontage outside the subject property. Any materials on site were stored inside the subject property boundary.
<b>Concreting mesh dumped on council strip near our boundary fence line</b>	No reinforcement mesh was observed during site visits on the council nature reserve/street frontage. Materials on site were within the subject property boundaries.
<b>– Overgrown grass growing through the boundary fence, obstructing vision of oncoming traffic when leaving driveway</b>	Land in question is not obstructing vision.
<b>– Tripping hazard for young children</b>	No trip hazard outside property boundary.
<b>– Streetscape has been ruined</b> 	The proposed shed will be unlikely to adversely detract from the general amenity of the area particularly given the front setback proposed.
<b>Left over building/job materials strewn all over the property</b>	Property owners are entitled to store items on their own property.
<b>A more appropriate location for the proposed shed would be on the low side of the property where it does not directly impact neighbours, and can be accessed via one of the other existing crossovers</b>	The property is part flood affected and the reason for the sheds proposed location. Other factors which limit the location of the shed are the approved OSSM disposal area is located on the low side of the property. The second driveway width and location is considered to be acceptable given the property width and will be subject to a formal S138 application being lodged



Submission Issue/Summary	Planning Comment/Response
	under the Roads Act.
<b>Objector No. 2</b>	
<b>Additional crossover request</b>	The second driveway width and location is considered to be acceptable given the property width and will be subject to a formal S138 application being lodged under the Roads Act.
<b>Location of proposed additional shed</b>	The property is flood effected and the reason for the proposed shed location. Other factors which limit the location of the shed are the approved OSSM disposal area which is located on the low side of the property.
<b>Will this shed and crossover be used for industrial/business purposes</b>	The applicant/property owner has confirmed that the sole purpose for the proposed shed is to garage his caravan which is currently stored under a shade sail attached to an existing shed on the eastern side of the property. The property owner/applicant has clarified the use of the shed as being used to protect his families assets and will not be used for commercial/industrial/ business purposes.
<b>Objector No. 3</b>	
<b>Neighbouring residences will be affected by overshadowing</b>	<p>The proposed and existing buildings on subject lot run in a north/south orientation.</p> <p>Three (3) hours of sunlight is available between 9am and 3pm on June 21 (winter solace), to at least 50% of habitable rooms, private open space of each development and the required open space of adjoining developments. The objectors dwelling is located across the road from the property where the shed is to be constructed.</p>
<b>Will result in reduction of property values for surrounding neighbours, due to high noise levels, traffic congestion and loss of surrounding views</b>	Council has no control over property values, nor are they a matter for consideration with the assessment of a development application. The proposed shed is not anticipated to result in any additional vehicular traffic, high noise levels, traffic congestion nor loss of surrounding views. Further without taking accurate readings, noise and traffic levels are very subjective to an individual's own viewpoint. No surrounding views will be lost from the objector's property and view sharing is



Submission Issue/Summary	Planning Comment/Response
	still available to both north and east directions off their rear entertaining area.
<b>Will be visually prominent within the existing landscape/streetscape</b>	The applicant has already planted attractive landscaping along the western boundary to soften the impact of the proposed shed. This landscaping has been a long term plan by the property owner for a vision to develop his land, whilst still maintaining the rural residential lifestyle of the Oxbow Circuit streetscape and general amenity of the area.
<b>The potential noise emission levels from trucks/excavators will affect our, and neighbouring properties</b>	The applicant/property owner has confirmed that the proposed use of the shed is to garage his caravan which currently sits under a shade sail situated on the eastern side of the property. The use of the shed will not be for any sort of commercial or business occupation.
<b>The height of the shed reflects a size needed for industrial purposes/running a business from. (Prohibited under R5 Large Lot Residential Regulation)</b>	The height of the proposed shed is 5.135m. This exceeds the recommended 4.8m height under the Port Macquarie Hastings Council DCP by 0.335mm. Other sheds within Oxbow Circuit are of similar height and area, and the 0.335mm is considered a minor variation appropriate for the large lot size. The applicant has confirmed that no business will be operating out of the shed and is for caravan storage only.
<b>Main two (2) storey dwelling already looks into backyard and blocks a large portion of view</b>	The existing dwelling is not a consideration as part of this assessment.
<b>4.6m open awning area (lean to) is positioned on our side. Neighbour has advised that he plans to park his Land Cruiser under the lean to which has a loud modified exhaust.</b>	Council has no control over what vehicles individuals have ownership of. The objectors dwelling is located with bedroom in question being 6.6m to the objector's boundary and approximately 40m to the proposed shed location. This distance is deemed satisfactory for an allotment in a large lot residential estate.
<b>A large 3 bay shed, with visible business signage attached, already exists on this site, with a driveway and crossover</b>	Prior formal approval has been granted by Port Macquarie Hastings Council for both shed and driveway crossover. Business signage attached to the existing shed, whilst not a distraction, is visible from King Creek Road and has been displayed for over

Submission Issue/Summary	Planning Comment/Response
	2 years now with no concerns. The signage simply states "Port Precision Plumbing" with a contact number. The sign does not detract from the general amenity of the Oxbow Circuit or King Creek area in general as it is positioned under the gutter line on the eastern façade of the existing shed onsite.
<b>Plumbing/Excavation/Concreting business being run from the residence</b>	Property owner has confirmed in writing the sole purpose of the proposed shed is to house the family caravan.
<b>Trucks &amp; excavators stored on property</b>	Property owners are entitled to store vehicles on their property
<b>Area near neighbouring property boundary fence line fence line and street frontage being used as a dumping zone for business materials</b>	No materials or foreign objects stored on nature reserve/street frontage outside subject property. Any materials that are laying around are stored inside subject property boundary.
<b>Concreting mesh dumped on council strip near neighbours boundary fence line</b>	No reinforcement mesh on council nature reserve/street frontage. Any materials that are laying around are stored inside subject property boundary.
<b>Overgrown grass growing through the boundary fence, obstructing vision of oncoming traffic when leaving our driveway</b>	Land in question is not obstructing vision.
<b>Tripping Hazard for young children</b>	No trip hazard outside property boundary.
<b>Streetscape has been ruined</b>	The proposed shed will be unlikely to adversely detract from the general amenity of the area particularly given the front setback proposed.
<b>A more appropriate location for the proposed shed would be behind the rear building line of the existing residence, or on the low side of the property where it does not directly impact neighbours, and can be accessed via one of the other existing crossovers (as opposed to next to main intersection within the Estate).</b>	The property is part flood affected. This is the reason the shed is to be located in the proposed location. Other factors which limit the property owners location is the approved OSSM disposal area is located on the low side of the property. Other structures along with a swimming pool already occupy the available land immediately behind the existing dwelling. The second driveway width and location is considered to be acceptable given the property width and will be subject to a formal S138 application being lodged under the Roads Act.
<b>Occupation of existing shed for habitable purposes</b>	Objector may wish to pursue this matter with Council's Regulatory Compliance Section regarding any

Submission Issue/Summary	Planning Comment/Response
	claimed person/s residing in the existing shed. No one appeared to be residing in the shed at the time of site inspection.

### (e) The Public Interest

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

## Ecologically Sustainable Development and Precautionary Principle

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

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

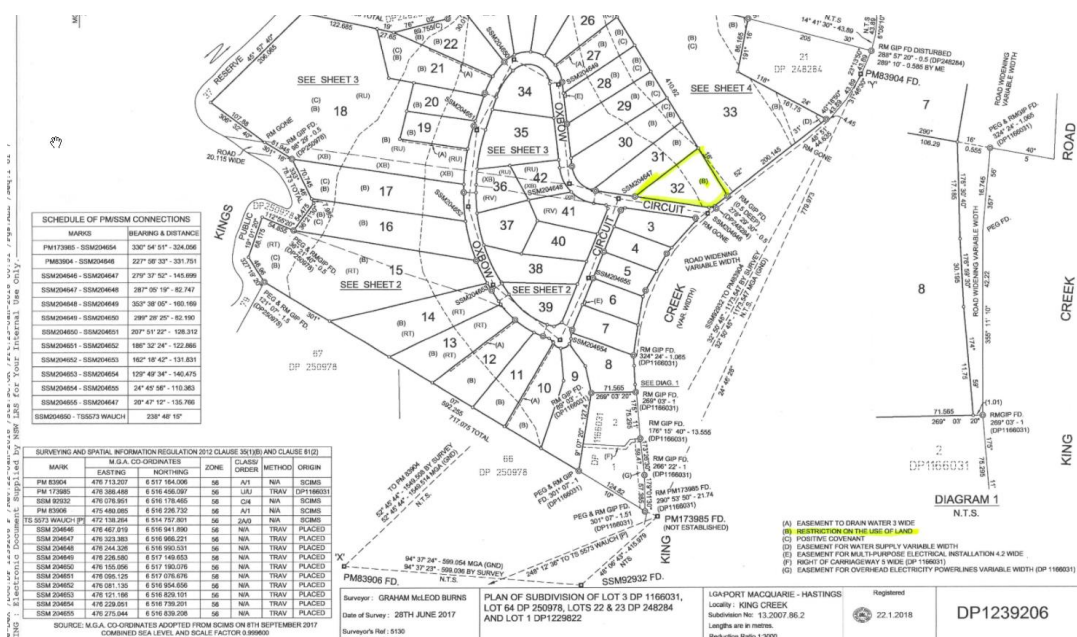
The principles of ESD require that a balance needs to be struck between the man-made development and the need to retain the natural vegetation. Based on the assessment provided in the report and with recommended conditions of consent, it is considered an appropriate balance has been struck.

## Climate change

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

## Other Matters

## Deposited Plan &amp; S88B Instrument





Plan: **DP1239206**

Subdivision of Lot 3 DP1166031, Lot 64 DP250978, Lots 22 and 23 DP248284 and Lot 1 DP1229822 and covered by Port Macquarie-Hastings Council's Subdivision Certificate No 13.2007.86.2

Full name and address of the owner of the land

Narran River Pty Limited ACN 612 643 115  
c/- Clinch Long Woodbridge PO Box 1614 Queen Victoria Building NSW 1230

#### PART 1

Number of item shown in the intention panel on the plan	Identity of easement or restriction to be created and referred to in the plan	Burdened Lot(s) Or parcel(s)	Benefited lot(s) roads(s) bodies or prescribed authorities
1	Easement to Drain Water 3 wide	10, 12, 18, 21, 27	Port Macquarie Hastings Council
2	Restriction on the use of land	3 to 41 inclusive	Each other Lot of Lots 3 to 41 inclusive
3	Restriction on the use of land	10 to 23 inclusive, and 25 to 33 inclusive	Port Macquarie Hastings Council
4	Restriction on the use of land	3 to 8 inclusive, and 32	Port Macquarie Hastings Council
5	Positive Covenant	15, 16, 17, 18, 21, 22, 23, 33 and 26 to 31 inclusive	Port Macquarie Hastings Council
6	Positive Covenant	35, 37	Port Macquarie Hastings Council

No more than one separate garage or outbuilding shall be constructed on the lot burdened and no garage or outbuilding shall be constructed having a floor area of more than 160 square metres nor be constructed at a point closer to the street than the rear line of the main dwelling and the maximum roof height of any such garage or outbuilding shall not exceed 4.5 metres from the natural ground level unless the garage or outbuilding forms part of the architectural design of the main dwelling and is positioned no further than 20 metres from the main dwelling in which case the roof height restriction of 4.5 metres on such separate garage or outbuilding shall be permitted.

#### Suspension of covenants, agreements and instruments

**Clause 1.9A of the Port Macquarie Hastings Council Local Environmental Plan 2011** allows council to override any restrictions on the land.

A number of restrictions exist on the subject property. In this particular case it is deemed appropriate that council override the restriction on the subject property that no shed be constructed at a point closer to the street, than the rear line of the main dwelling and the maximum roof height, of any garage or outbuilding shall not exceed 4.5m, unless the building is positioned no further than 20m from the main dwelling.

In this case the shed is within 20m of the main dwelling. The exemption council is providing is for the shed to be constructed forward of the rear line of the dwelling. The shed is still setback from the front line of the dwelling and is 13.550m from the front boundary which is deemed appropriate on land in a large lot residential subdivision.

#### 4. DEVELOPMENT CONTRIBUTIONS APPLICABLE

##### Section 7.11 Contributions

- The proposed development will comprise a new detached shed with an awning to the side and does not involve the creation of any additional residential component. As a result, s7.11 contributions do not apply.

##### Section 7.12 Contributions

- The proposed development will comprise a new detached shed with an awning to the side does not contain any commercial/industrial component. As a result, s7.12 contributions do not apply.

**Section 64 Water and Sewer Contributions**

- The proposed development will comprise a new detached shed with an awning to the side and does not propose any additional residential component. As a result, s64 water supply and/or sewerage developer charges do not apply.




**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 submissions being received have been considered in the assessment of the application. Where relevant, conditions have been recommended to manage the impacts attributed to these issues.

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

**Attachments**

1.  DA2021 - 1092.1 Recommended Conditions
2.  DA2021 - 1092.1 Plans
3.  DA2021 - 1092.1 Photographs



**LIST OF PROPOSED CONDITIONS - 2011****NOTE: THESE ARE DRAFT ONLY****DA NO: 2021/1092****DATE: 3/02/2022****PRESCRIBED CONDITIONS**

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

**A – GENERAL MATTERS**

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

Plan / Supporting Document	Reference	Prepared by	Date
Site Plan	6 Oxbow Circuit King Creek	Coral Homes	26/9/2018
Shed Plans	6 Oxbow Circuit King Creek	Best Sheds	20/7/2021
Statement of Environmental Effects	6 Oxbow Circuit King Creek	Benjamin Holmes	24/11/2021

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

- (2) (A002) No work shall commence until a Construction Certificate has been issued and the applicant has notified Council of:
- the appointment of a Principal Certifying Authority and
  - the date on which work will commence.
- Such notice shall include details of the Principal Certifying Authority and must be submitted to Council at least two (2) days before work commences.
- (3) (A009) The development site is to be managed for the entirety of work in the following manner:
- Erosion and sediment controls are to be implemented to prevent sediment from leaving the site. The controls are to be maintained until the development is complete and the site stabilised with permanent vegetation;
  - Appropriate dust control measures;
  - Building equipment and materials shall be contained wholly within the site unless approval to use the road reserve has been obtained;
  - Building waste is to be managed via appropriate receptacles into separate waste streams;

5. 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:

- Stormwater drainage termination point
- Easements
- Water main

(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
- Functional vehicular access

#### **C – PRIOR TO ANY WORK COMMENCING ON SITE**

Nil

#### **D – DURING CONSTRUCTION**

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

#### **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) (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.

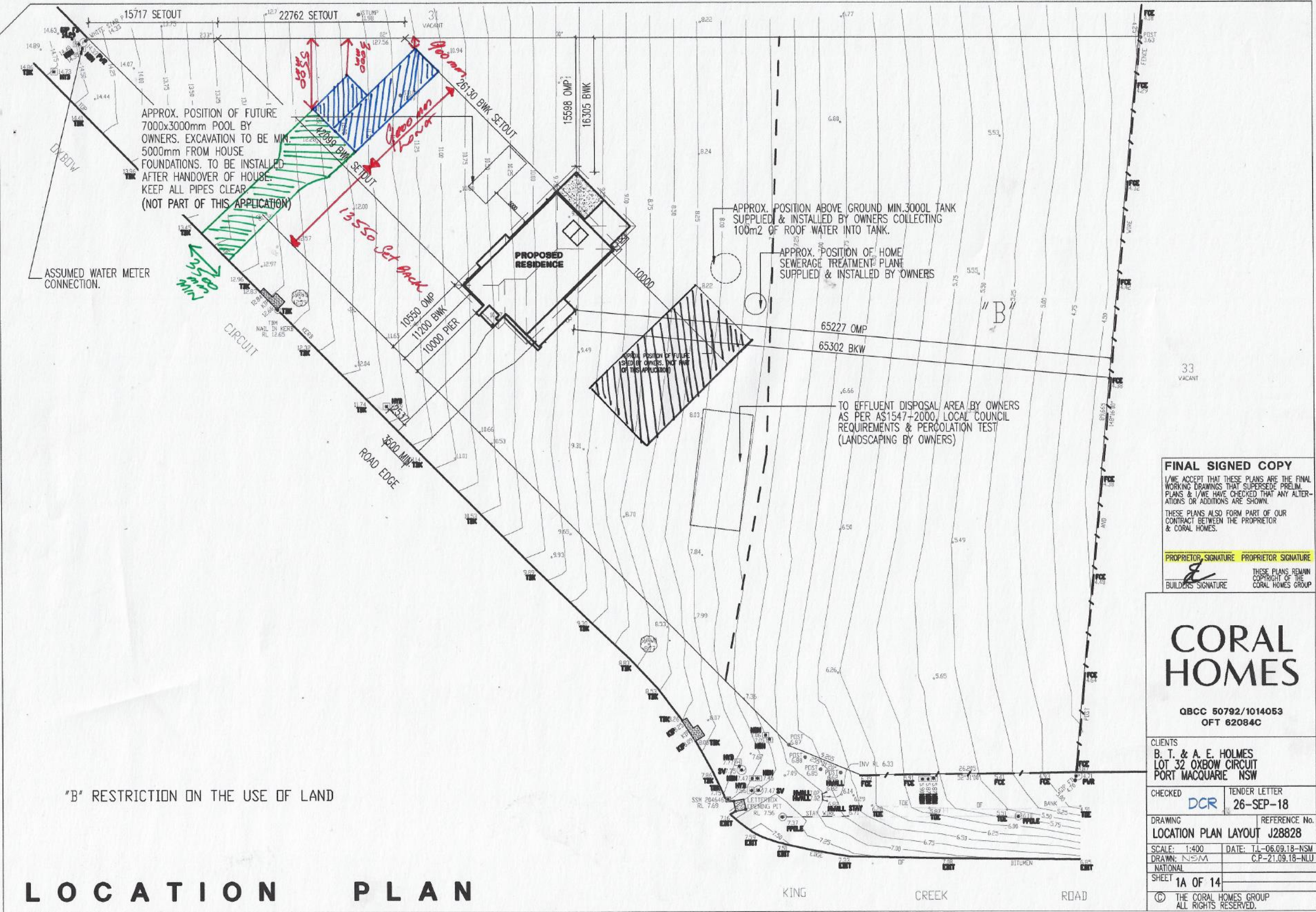
#### **F – OCCUPATION OF THE SITE**

- (1) (F002) The shed is not to be used for commercial, industrial or habitable purposes.

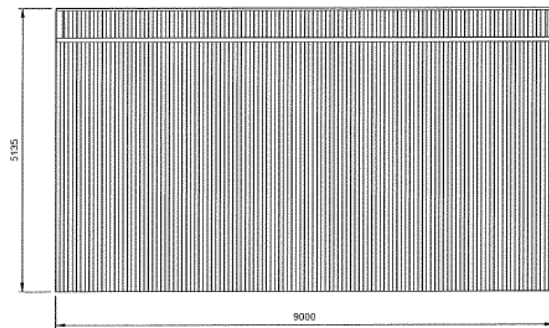
#### **CONDITIONS APPLYING TO JETTIES AND BOAT RAMPS**

nil

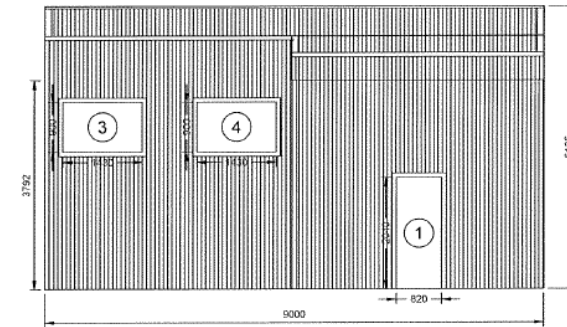






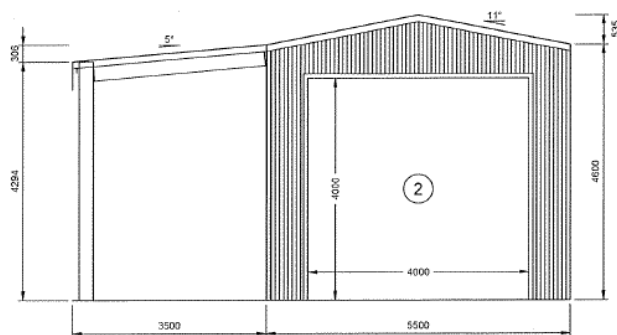


1 RIGHT ELEVATION  
2 SCALE: 1:75



2 LEFT ELEVATION  
2 SCALE: 1:75

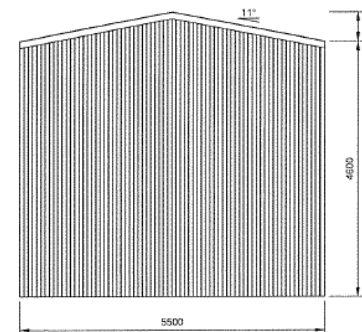
 151 Smeaton Grange Road, Smeaton Grange, NSW, 2567 Phone: 02 4648 7777 Fax: 02 4648 7700 Email: sales@bestsheds.com.au	 <b>CIVIL &amp; STRUCTURAL ENGINEERS</b> COMMERCIAL - INDUSTRIAL - RESIDENTIAL - FORENSIC - STEEL DETAILING <b>CAMILO PINEDA MORENO</b> Best INSAUT RPDing RPDG 1992 TOP PERSONA (VIC) Signature:  Date: 20.07.2021	Customer Name: Ben Holmes Site Address: 6 Oxbow Cir King Creek, NSW, 2446	DATE: 20-07-2021 JOB NO. 0913727512 SHEET 2 of 9
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2 FRONT ELEVATION  
3

SCALE: 1:75

FRAME #1



1 REAR ELEVATION  
3

SCALE: 1:75

FRAME #3

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Smeaton Grange, NSW, 2567  
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Fax: 02 4648 7700  
Email: sales@bestsheds.com.au

**EMERALD**  
DESIGN & CONSTRUCTION

**CIVIL & STRUCTURAL ENGINEERS**  
COMMERCIAL - INDUSTRIAL - RESIDENTIAL - FORENSIC - STEEL DETAILING  
**CAMILO PINEDA MORENO**  
Semi-Member RPEQ  
RPEQ 10542 TSP REG0274 (VIC)

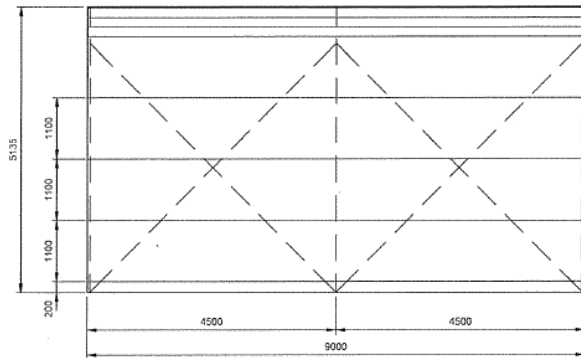
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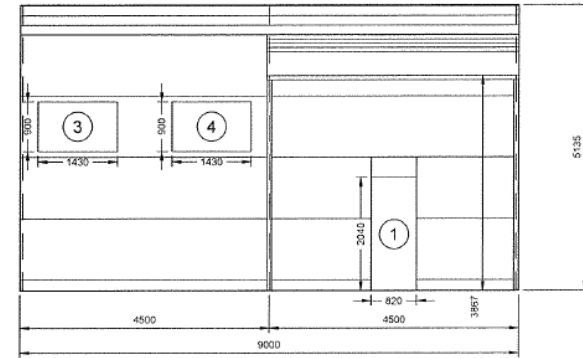
Customer Name: Ben Holmes  
Site Address: 6 Oxbow Cir  
King Creek,  
NSW, 2446

DATE: 20-07-2021  
JOB NO. 0813727512  
SHEET 3 of 9





1 RIGHT ELEVATION  
4 SCALE: 1:75



2 LEFT ELEVATION  
4 SCALE: 1:75

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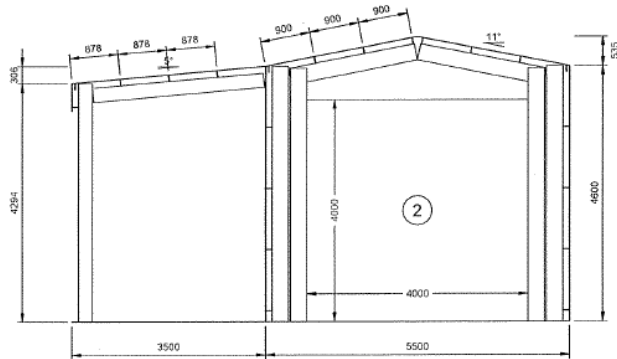
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COMMERCIAL - INDUSTRIAL - RESIDENTIAL - FORENSIC - STEEL DETAILING  
**CAMILO PINEDA MORENO**  
Semi-REDAUX RPEng  
RPEng 15552 TBP PCB23976 (2162)

Signature: 

Date: 20.07.2021

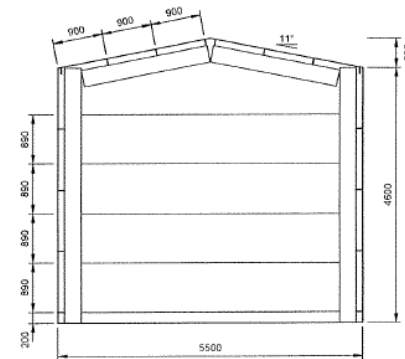
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JOB NO. 0813727512  
SHEET 4 of 9



2 FRONT ELEVATION  
5 SCALE: 1:75

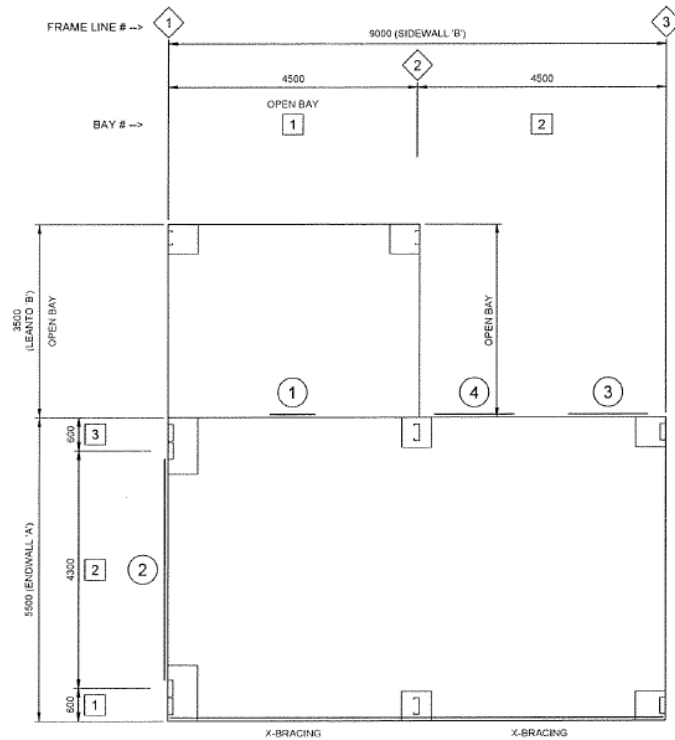
FRAME #1



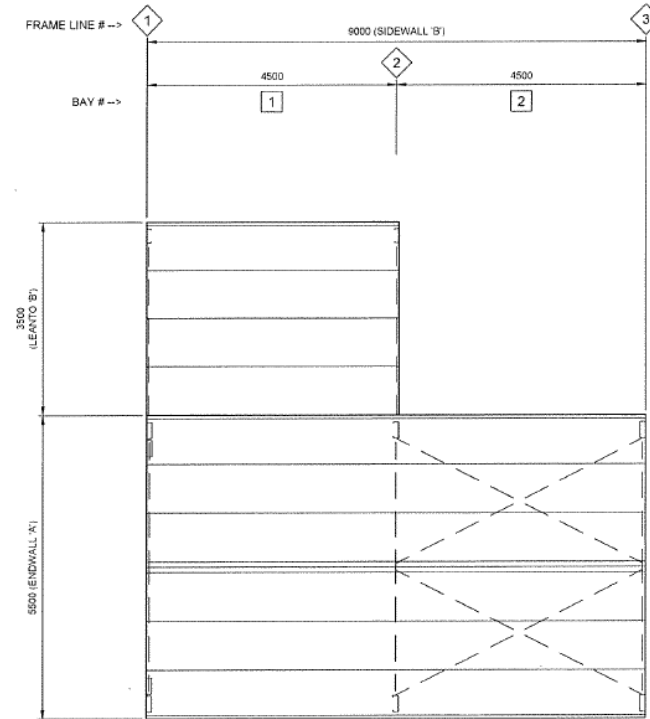
1 REAR ELEVATION  
5 SCALE: 1:75

FRAME #3

 151 Smeaton Grange Road, Smeaton Grange, NSW, 2567 Phone: 02 4648 7777 Fax: 02 4648 7700 Email: sales@bestsheds.com.au	 <b>CIVIL &amp; STRUCTURAL ENGINEERS</b> COMMERCIAL - INDUSTRIAL - RESIDENTIAL - FORENSIC - STEEL DETAILING <b>CAMILO PINEDA MORENO</b> Ben Pineda MP Eng MPES 15162 TWP P2031716 (NSW) Signature:  Date: 20.07.2021	Customer Name: Ben Holmes Site Address: 6 Oxbow Cir King Creek, NSW, 2446	DATE: 20-07-2021 JOB NO: 0813727512 SHEET: 5 of 9
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1 FLOOR PLAN  
6 SCALE: 1:75



2 ROOF FRAMING PLAN  
6 SCALE: 1:75

 <p>151 Smeaton Grange Road, Smeaton Grange, NSW, 2567 Phone: 02 4648 7777 Fax: 02 4648 7700 Email: sales@bestsheds.com.au</p>	<p><b>CIVIL &amp; STRUCTURAL ENGINEERS</b> COMMERCIAL - INDUSTRIAL - RESIDENTIAL - FORENSIC - STEEL DETAILING <b>CAMILO PINEDA MORENO</b> Emerald Signature:  Date: 20.07.2021</p>	<p>Customer Name: Ben Holmes Site Address: 6 Oxbow Cir King Creek, NSW, 2446</p>	<p>DATE 20-07-2021 JOB NO. 08137275-12 SHEET 6 of 9</p>
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Printed on 02/02/2022  
Compiled by \$username

\$Title

\$Subtitle

1:2,000 @A3

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