

DCP COMPLIANCE TABLE

**TORRENS TITLE SUBDIVISION (TWO
INTO TWENTY-FOUR LOTS) OVER TWO
STAGES**

**256 LENNOXTON ROAD, VACY, NSW, 2421
(LOT 8, DP 739338 & LOT 94 DP 788016)**

PREPARED FOR PJE MANAGEMENT Pty Ltd

PP Ref: **J001069**

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Section	Requirement	Proposed	Complies
Part A – Administration			
	This Part relates to development application requirements.	The proposed development application will be submitted to Council consistent with those requirements.	Yes
Part B – Exempt and Complying Development			
	This Part relates to exempt and complying development.	The proposed development does not meet the development standards for complying development.	N/A
Part C – General			
C5 – Bushfire			
C.5	Under the new provisions, applications for development on bushfire prone land must be accompanied by a Bush Fire Assessment Report demonstrating compliance with the aims and objectives of Planning for Bushfire Protection 2006, as well as the specific performance criteria for the land use proposed. Section 4.14 of the EP&A Act prevents Council from granting approval for any development in a bushfire prone area unless the proposal complies with Planning for Bushfire Protection 2006 or the Commissioner of the NSW Rural Fire Service (RFS) has been consulted on any non-compliance.	The proposed lots will have shared access to Lennoxton Road. A bushfire report which demonstrates compliance with the aims and objectives of PBP 2019 has been prepared to support the proposal and is provided as Appendix 6 .	Yes

Section	Requirement	Proposed	Complies
	Section 100B of the Rural Fires Act 1997 requires that the Commissioner of the RFS issue a Bush Fire Safety Authority (BSA) for residential, rural residential or rural subdivision and special fire protection purpose developments on bushfire prone land.		
C8 – Managing Our Floodplains			
8.3 What are the criteria for determining applications?	<p>The procedure to determine what controls apply to proposed development involves identifying:</p> <ul style="list-style-type: none"> a) the land use category of the development (Schedule 1); b) what part of the floodplain the land is located within (Section 3.5) and; c) then apply the controls outlined in Section 3.6. 	<p>The relevant controls for the proposed development based on the land use category and floodplain are detailed within Table 3 of the Flood Assessment Report provided as Appendix 9.</p> <p>As mentioned in the Statement of Environmental Effects, it is acknowledged that future development of Lots 201, 202, 203 and 215 is possible with further assessment and design</p>	Yes
8.7 Are there special requirements for fencing?	<p>8.7.3 Prescriptive Controls –</p> <p>Fencing within the floodway will not be permissible except for security/permeable/safety fences of a type approved by Council.</p> <p>(a) An applicant will need to demonstrate that the fence would create no impediment to the flow of floodwaters. Appropriate fences may include:-</p> <ul style="list-style-type: none"> 1) An open collapsible hinged fence structure or pool type fence; 	No fencing is proposed as part of the subdivision.	N/A

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	<p>2) A fence type and siting criteria as prescribed by Council.</p> <p>(b) Other forms of fencing will be considered by Council on merit.</p>		
8.8 What information is required with an application to address this policy?	<p>When assessing proposals for development or other activities within the area to which this Policy applies, Council will take into consideration the following specific matters:</p> <p>(a) The proposal does not have a significant detrimental impact on:</p> <ul style="list-style-type: none"> i. Water quality ii. Native bushland vegetation iii. Riparian vegetation iv. Estuaries, wetlands, lakes or other water bodies v. Aquatic and terrestrial ecosystems vi. Indigenous flora and fauna vii. Fluvial geomorphology <p>(b) The proposal will not constrain the orderly and efficient utilisation of the waterways for multiple purposes.</p> <p>(c) The proposal does not adversely impact upon the recreational, ecological, aesthetic or utilitarian use of the waterways corridors, and where possible, provides for their enhancement.</p> <p>(d) Development pursued to mitigate the potential impact of flooding (eg. House raising)</p>	<p>The watercourse crossings proposed as part of the subdivision have been designed to have a minimal impact on the flow of water through the site – see Appendix 8.</p> <p>No structures are proposed as part of the subject subdivision.</p>	Yes

Section	Requirement	Proposed	Complies
	<p>is undertaken in a manner in which minimises the impact upon the amenity and character of the locality</p> <p>(e) Proposals for house raising must provide appropriate documentation including a report from a suitably qualified engineer to demonstrate the raised structure will not be at risk of failure from the forces of floodwaters and the provision of details such as landscaping and architectural enhancements which ensure that the resultant structure will not result in significant adverse impacts upon the amenity and character of an area. The report should address the criteria noted in the guideline ABCB "Construction of Buildings in Flood Hazard Areas 2012"</p>		
C16 – Biodiversity			
No vegetation is proposed to be removed to accommodate the proposed subdivision and no land identified on the BV map will be disturbed. However, as the proposed subdivision will create more than 5 additional lots, an ecological assessment which addresses the potential ecological impacts of the proposed subdivision has been prepared. This report is provided as Appendix 7 .			Yes
C23 – Onsite Sewage Management			
23.3.1 Unsewered Allotments to be Provided with an	Development consent will not be granted by Council unless adequate arrangements have been made for the disposal and management of sewage.	<p>The subject site is not serviced by reticulated sewer infrastructure.</p> <p>Regarding the disposal and management of sewage for any future development, the proposed</p>	Yes

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Onsite Sewage Management System	Developments without access to the reticulated sewer of the local water and sewer authority must demonstrate that the proposal for the disposal and management of sewage is adequate and sustainable and how it satisfactorily addresses the Dungog Shire On-site Sewage Management Policy. The Policy incorporates technical tools including the Development Assessment Framework (DAF) and Technical Manual for On-site Sewage Management Systems.	size of the allotments is considered to be sufficient to afford a minimum 4000m ² of usable land for effluent dispersal. The usable land area requires a reduction in the buffer distances to surface water features identified within Table 6 – 8 of the 'Dungog Council Onsite Sewage DAF 2015'. As such, a Cumulative Impact Assessment has been undertaken as part of the On-Site Wastewater Management Report provided as Appendix 11 . The report concludes that wastewater can be appropriately managed on site with the implementation of the recommendations made.	
Part D – Site Specific			
D3 – Vacy Local Area Plan			
3.5 Planning Area A5	<p>In relation to Lot 94 DP 788016 and Lot 8 DP 739338 (the subject site), the Vacy LAP specifies the following:</p> <p>Council recently approved an 11 lot subdivision plan for these two parcels of land. The subdivision plan creates 7 lots with access off Lennoxton Road and 4 large irregular shaped lots with battle-axe driveway access from Lennoxton Road. (Note: This pattern of subdivision would not be permitted under the provisions of this LAP). No further subdivision of these 11 lots is permissible. Should this</p>	Given that Lot 94 and Lot 8 still remain in place, it is apparent that the approved 11 lot subdivision referenced in the LAP did not proceed. The proposal is therefore required to take into account the access constraints by avoiding direct driveway or right of access to Lennoxton Road. The proposed subdivision includes two internal access roads that provide access to each proposed lot. This therefore prevents the need for direct driveway or right of carriageway access to Lennoxton Road which satisfies this requirement.	Yes

Section	Requirement	Proposed	Complies
	development not proceed, any future subdivision proposal will need to take into account the access constraints along Lennoxton Road, with any new lots created not to direct driveway or right of way access to Lennoxton Road. A properly formed access road will need to be provided to access this area.		