

The General Manager  
MidCoast Council  
PO Box 482  
Taree NSW 2430

Dear Sir,

**SUBJECT: STATEMENT OF ENVIRONMENTAL EFFECTS**  
**PROJECT: PROPOSED RESIDENTIAL UNIT DEVELOPMENT, 363 DIAMOND BEACH ROAD, DIAMOND BEACH, LOT 12 SP 104390**

## 1. Introduction

This Statement of Environmental Effects applies to a proposed construction of three residential units 363 Diamond Beach Road, Diamond Beach, being Lot 12 SP 104390. Lot 12 has a total area of 358 sq.m. The property on which the proposed development is to be located is shown in **Figure 1**.

### Figure 1 - Site Location

N ^ - Source: Midcoast Council Online Mapping



## STATEMENT OF ENVIRONMENTAL EFFECTS

3 Residential Units

363 Diamond Beach Road, Diamond Beach

This SEE provides an assessment of the impacts of the proposed residential development. The land is zoned SP3 Tourist under the provisions of Greater Taree Local Environmental Plan 2010 and the proposed development, being residential units ancillary to the existing tourist accommodation, is permissible with Council consent.

The relevant objectives of the SP3 zone are:

- To provide for a variety of tourist-oriented development and related uses.
- To facilitate and encourage tourist-based development so as to increase the economic base within the City of Greater Taree.
- To provide employment opportunities in the tourism sector as part of a balanced growth strategy for the City.
- To facilitate the provision of limited permanent accommodation to improve off-season viability of tourist-based development.

It is submitted that the proposed development is wholly consistent with the above-mentioned objective 4 of the SP3 zone.

An assessment against the principal development standards and local provisions of LEP 2010 is provided below.

### ***Clause 4.3 Height of buildings max limit of 8.5m high***

- The units are double storey and height is below 8.5m.

### ***Clause 4.4 Floor space Ratio max 0.6:1***

- There is no increase in FSR for the site.

### ***Clause 5.1 Heritage Conservation***

- The subject site has no items of environmental heritage.

### ***Clause 7.1 Acid sulphate soils***

- The subject site is identified as having Class 5 acid sulphate soils. The proposed development will not impact on ASS.

### ***Clause 7.2 Flood Planning***

- The site is not identified as being subject to local flooding.

### ***Clause 7.11 Essential Services***

- The site is connected to essential services including suitable road access, reticulated water, sewerage and power.

## STATEMENT OF ENVIRONMENTAL EFFECTS

3 Residential Units  
363 Diamond Beach Road, Diamond Beach

The decision making process for the proposed development falls under Part 4 of the Environmental Planning and Assessment Act 1979 (EP&A Act). The Council, in deciding whether consent should be granted, must examine and take into account relevant matters for consideration. This report is intended to assist in this decision making process and to provide information that satisfies the requirements of Section 4.15 of the EP&A Act.

The proposed development is not integrated development.

## 2. Site History

The subject premises is an existing part of the Seashells Tourist Resort that has operated for many years on the site. The premises was the former restaurant for the resort.

In 2017 Midcoast Council approved the change of use of the premises from a restaurant to tourist accommodation (272/2017/DA attached).

Then in 2019 Midcoast Council approved the premises for permanent occupation (460/2018/DA attached).

## 3. The Proposed Development

The proposal is to build three residential units within the existing two storey structure being Lot 12 in SP 104390.

The proposed development is depicted in the plans prepared by CollinwCollins dated 22.11.23 2020 that are included with the Development Application.

The development would require 4 car parking spaces which currently exist on the site.

## 4. Development Control Plan 2010 Assessment

Part H of Council's Development Control Plan 2010 outlines the requirements for residential development in the Taree area. Part H states:

*The Greater Taree LGA features a range of residential zones which permit a variety of residential accommodation types and densities within existing urban areas and future release areas. This chapter establishes the objectives, principles and controls which will guide the design of residential development in the LGA.*

The objectives of Part H are as follows:

- *Encourage a variety and choice of housing types and sizes in localities;*
- *Ensure new housing integrates with the surrounding scale and character of the locality;*
- *Ensure that the impact of new housing on the amenity of surrounding properties is minimised.*

## STATEMENT OF ENVIRONMENTAL EFFECTS

3 Residential Units

363 Diamond Beach Road, Diamond Beach

The proposed development is wholly consistent with the objectives of Part H of DCP 2010.

An assessment against the other provisions of Part H2 is provided below.

**H2.1 Site coverage** – max 65% - proposed development plus existing dwelling less than 65%.

**H2.3 Building Height** – max 8.5m - proposed development height is less than 8.5m.

**H2.7 Acoustic & Visual Privacy-** The proposal is double storey and with the main living areas of both dwellings have been located on the upper level. The privacy and noise levels between neighbours will be acceptable.

**H2.8 Views-** No substantial loss of views is evident.

**H2.9 Safety, security & entrances-** All dwellings will have their entrances facing the common area to provide security and privacy to the front doors. All dwellings have windows facing the driveway to allow surveillance of approaching traffic. External security lighting will be provided to entrances to all dwellings.

**H2.10 Fencing** – all boundary fences will remain.

**H3.4 Lot Size** -Not applicable.

**H3.4 Setbacks.** - All setbacks comply.

**H3.4 Car Parking & Driveways** -There is adequate parking on site for the proposed units.

**H.3.4 Private Open Space** –

*The useable private open space per ground level dwelling should not total less than 35m<sup>2</sup>, where:*

- *The minimum dimension in any direction is 4m.*
- *The open space contains an area not less than 16m<sup>2</sup> with a minimum dimension of 4m and is directly accessible from the living room of the dwelling.*

The open space areas are shown on the Development Plans. There is adequate open space area on the site to cater for future residents.

**H3.4 Storage** –.

Storage of 6m<sup>2</sup> is required and provided in the kitchen area as shown on the Development Plans.

1 June 2017

Ref: 272/2017/DA  
MidCoast Council - **Taree Branch**  
Enquiries: Lisa Proctor

PDA Planning  
PO Box 468  
TAREE NSW 2430

## Notice of Determination Development Application

Issued under the Environmental Planning and Assessment Act 1979  
Sections 80, 80A & 81(1)(a)

Development Consent No: 272/2017/DA

Property Address: Lot 18 DP 576415  
363 Diamond Beach Road Diamond Beach NSW 2430

Description: tourist and visitor accommodation

Determination: **Approved Subject to Conditions**

Determination Date: 1 June 2017

Consent to lapse on: 1 June 2022 (if physical commencement has not occurred)

Statutory Instrument: Greater Taree Local Environmental Plan 2010

Other Approvals: NSW Rural Fires Act 1997

## General Requirements

*The following conditions of consent are general conditions applying to the development.*

1. The development is to be carried out in accordance with the details submitted with application 272/2017/DA and the stamped plans (as amended by the following conditions).
2. All building works must be carried out in accordance with the provisions of the Building Code of Australia.
3. The development is to be undertaken in accordance with Bush Fire Safety Authority D17/1347 issued subject to the following conditions:
  - i) At the commencement of the development and in perpetuity the land between the tourist accommodation building and the eastern property boundary shall be managed as an inner protection area (IPA) as outlined within Section 4.1.3 and Appendix 5 of "Planning for Bushfire Protection 2006" and the NSW Rural Fire Service's document "Standards for Asset Protection Zones".
  - ii) Water and gas are to comply with Section 4.1.3 of "Planning for Bush Fire Protection 2006".
  - iii) Any alteration to the electricity supply network required to service the new development shall comply with Section 4.1.3 of "Planning for Bush Fire Protection 2006".
  - iv) Landscaping of the site is to comply with the principles of Appendix 5 of "Planning for Bush Fire Protection 2006".
  - v) Arrangements for emergency and evacuation are to comply with Section 4.2.7 of "Planning for Bush Fire Protection 2006", including the preparation of an emergency / evacuation plan consistent with the NSW RFS document titled "A guide to developing a bush fire emergency management and evacuation plan". A copy of the plan shall be provided to the consent authority and the local Bush Fire Management Committee prior to occupation of the development.
4. The development must be undertaken in accordance with the recommendations provided in the BCA Capability Report (Boyce Built Environment Consulting, April 2017) lodged with the development application.

## Prior to Issue of the Occupation Certificate

*The following conditions of consent shall be complied with prior to the issue of an Occupation Certificate.*

5. The building shall be completed in accordance with the relevant provisions and requirements of the Building Code of Australia.
6. An application for an Occupation Certificate must be submitted to and approved by the Principal Certifying Authority prior to occupation of the building.
7. The Registered Proprietor of Lot 18 DP 576415 is to obtain registration of positive covenants pursuant to the provisions of Section 88e of the Conveyancing Act 1919 to the following effect and these instruments are to be recorded in the Register kept under the Real Property Act 1900.

- i. The Registered Proprietor shall take all necessary, adequate and sufficient steps to demolish or remove any building and its associated infrastructure located on the land, if the coastline continues to recede and advice is received from Council that the dwelling is at imminent risk of collapse.
  - ii. The Registered Proprietor shall promptly carry out all actions that are identified or required by the Risk Management Plan Incorporated into Development Consent 272/2017/DA.
  - iii. In addition to any powers vested in Council pursuant to statute, that Council:
    - a) for the purpose of ensuring observance of any covenant above, may, by its employees, agents, contractors or persons authorised by it or its General Manager, enter upon the land after giving notice to the registered proprietor or its authorised officer or representative and view the condition of the land and anything upon it;
    - b) where the covenant is breached, the Council may do such things including the carrying out work or demolition by its employees, agents, contractors or persons authorised by it or its General Manager as may be reasonably necessary to remedy the breach;
    - c) may recover from the registered proprietor in a court of competent jurisdiction, any expense reasonable incurred by it in exercising any power authorised by a) and b) above.
8. Parking areas, access lanes and vehicle movement areas are to be constructed, drained and concreted, bitumen sealed or alternatively constructed to a similar standard surface (but not gravel) with the parking spaces clearly identified.

### **Ongoing Operations**

*The following conditions of consent shall be complied with through out the operational life of the development.*

9. The approved tourist and visitor accommodation shall be occupied for no continuous period greater than 6 weeks by any one occupant.

### **Advisory Note**

- a. Separate approval may be required by Mid Coast Water (MCW) where the development may have an affect on Mid Coast Water's Sewer and water infrastructure. To determine any requirements please contact MCW on 1300 133 455.

### **Reasons for Conditions**

- a. The conditions have been imposed in order to safeguard the present and likely future amenity of the locality and to ensure a satisfactory standard of development.

### **Are you dissatisfied with conditions of consent?**



[midcoast.nsw.gov.au](http://midcoast.nsw.gov.au)

If you are unhappy with conditions of consent discuss your concerns with the officer who dealt with your application. You may submit an application to Council to modify the consent under Section 96 of the Environmental Planning & Assessment Act, 1979. You will need to provide reasons why the conditions should be changed or deleted. You may lodge a Section 96 application at any time after the notice of determination. If you are not happy with Council's decision on your request for modification, then you may appeal to the Land & Environment Council within six (6) months of the notification by Council.

### **Right of Review**

You may request Council to review its decision under Section 82A of the Environmental Planning and Assessment Act, 1979. Such a request must be in writing together with payment of the appropriate fee and made within six (6) months of the date of the determination, or if there is an appeal to the Land and Environment Court, up to the time when the court hands down its decision. In reviewing its decision Council is able to consider alterations to the above plans, provided that the Development Application remains substantially the same as the one for which the consent was originally sought, and the changes are publicly notified.

**NOTE:** This clause does not relate to integrated development, designated development, complying development or applications determined by the Joint Regional Planning Panel or applications previously considered under Section 82A of the Environmental Planning and Assessment Act 1979.

### **Right of Appeal**

If you are dissatisfied with this decision, Section 97 of the *Environmental Planning and Assessment Act 1979* gives you the right to appeal to the Land and Environment Court within six (6) months after the date on which you receive this notice.

Section 97 of the Environmental Planning and Assessment Act 1979 does not apply to the determination of a development application for State significant development or local designated development that has been the subject of a Commission of Inquiry.



**Lisa Proctor**  
**Town Planner**

Dated: 1 June 2017



## MidCoastCouncil

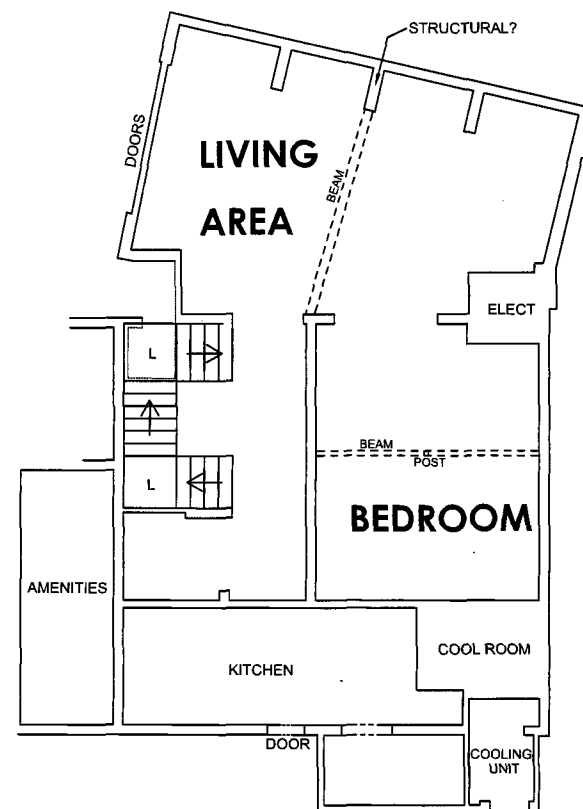
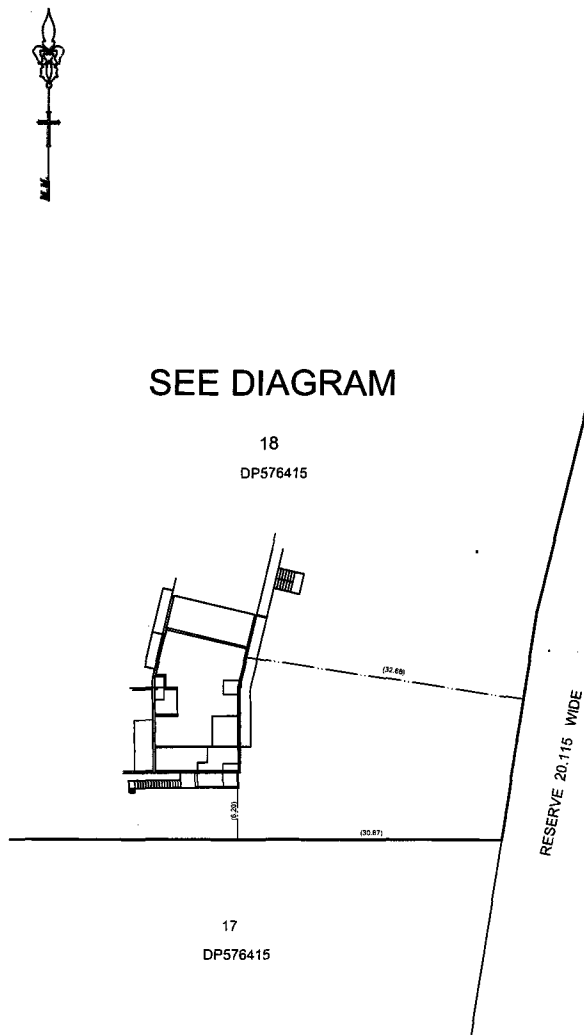
Development Consent No:  
272/2017/DA

**DIAGRAM**

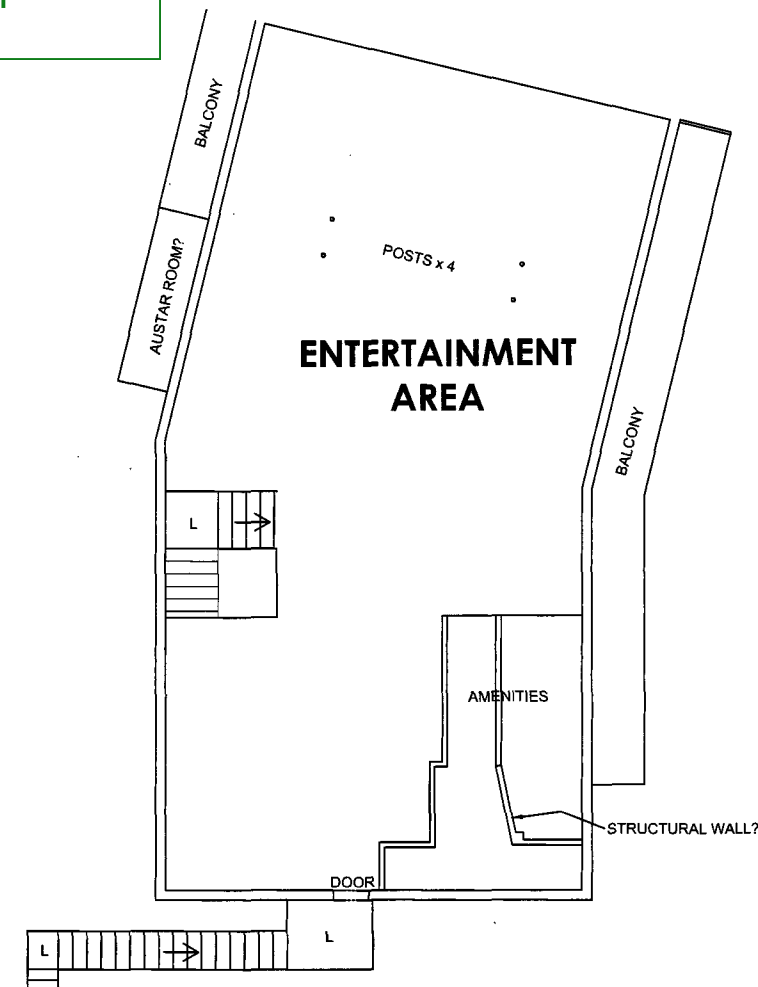
Approval Date: 11 June 2017

Lisa Proctor

1. RELATIONSHIP OF IMPROVEMENTS TO BOUNDARIES IS DIAGRAMMATIC ONLY. WHERE OFFSETS ARE CRITICAL THEY SHOULD BE CONFIRMED BY FURTHER SURVEY.
2. SERVICES SHOWN THEREON HAVE BEEN DETERMINED FROM VISUAL EVIDENCE ONLY. PRIOR TO ANY DEMOLITION, EXCAVATION OR CONSTRUCTION ON THE SITE THE RELEVANT AUTHORITY SHOULD BE CONTACTED TO ESTABLISH DETAILED LOCATION AND DEPTH.
3. THE INFORMATION IS ONLY TO BE USED AT A SCALE ACCURACY OF 1:100
4. THIS DRAWING REMAINS THE PROPERTY OF LIBBURY, SUMMERS & WHITEMAN AND IS SUBJECT TO DESIGN COPYRIGHT LAWS.



GROUND LEVEL



LEVEL 1

NOTE: A STRUCTURAL ENGINEER SHOULD BE CONSULTED TO DETERMINE STRUCTURAL WALLS AND BEAMS



**Figure 1**  
Conversion of  
Restaurant to Tourist  
Unit

FILE REFERENCE:  
P00096\_Figure 1

DATE:  
14 November 2016

PREPARED BY: PDA Planning

DATUM:		PROJECT  <b>SEASHELLS BEACH RESORT DIAMOND BEACH ROAD DIAMOND BEACH</b>  <small>Liability limited by a scheme approved under Professional Standards legislation</small>	<b>LS.W</b> <b>LIDBURY, SUMMERS &amp; WHITEMAN</b> <b>CONSULTING SURVEYORS, PLANNERS &amp; ENGINEERS</b> INCORPORATING DEGOTARDI, SMITH & PARTNERS (FORSTER)  1st FLOOR, 3 WHARF ST. FORSTER 2428 (02) 65547988 FAX (02) 65549378 PO BOX 510 FORSTER NSW 2428 EMAIL <a href="mailto:consult@lswsurveyors.com.au">consult@lswsurveyors.com.au</a>	SCALES:	COUNCIL:	SHEET No.
HORIZONTAL:	VERTICAL:			HORIZONTAL:	GREATER	1 OF 1
MARKS ADOPTED:	B.M. ADOPTED:			1: 500 @ A2	TAREE	
NOTE: IT IS THE RESPONSIBILITY OF THE USER OF THIS PLAN TO ESTABLISH THE EXISTENCE OF ALL PUBLIC UTILITIES PRIOR TO COMMENCEMENT OF WORKS.	DRAWN: DRAWING No. 6619BuildingPlan.dwg			VERTICAL:	DATE: 10/03/16	FILE No. 6619

26 February 2019

Ref: 460/2018/DA  
Enquiries: Arnna Fotheringham

Abalrest Pty Ltd  
C/- PO Box 468  
TAREE NSW 2430

## NOTICE OF DETERMINATION

Issued under the Environmental Planning and Assessment Act 1979  
Sections 4.18(1)

<b>Development Application No:</b>	<b>460/2018/DA</b>
<b>Development:</b>	Subdivision – Community Title – 4 Lots, Strata Title – 13 Lots & permanent occupancy (Staged)
<b>Property Address:</b>	Lot 18 DP 576415 363 Diamond Beach Road Diamond Beach NSW 2430
<b>Determination:</b>	<b>Approved Subject to Conditions</b>
<b>Determination Date:</b>	26 February 2019
<b>Consent to Operate From:</b>	26 February 2019
<b>Consent to lapse on:</b>	26 February 2024 (if physical commencement has not occurred)
<b>Statutory Instrument:</b>	Greater Taree Local Environmental Plan 2010
<b>Other Approvals:</b>	Nil

## These conditions apply to all stages of the development (Stages 1 – 3)

### General Requirements

*The following conditions of consent are general conditions applying to the development.*

#### 1. Development in accordance with approved plans

The development must be implemented in accordance with the plans and supporting documents set out in the following table except where modified by any conditions of this consent.

Plan type/Supporting Document	Plan No. & version	Prepared by	Dated
Plan of Access way for Subdivision of Lot 18 DP 576415	Access Way Plan	Steven Peter Whiteman	-
Plan of Subdivision of Lot 18 DP 576415	Detail Plan Sheet 2 of 3	Steven Peter Whiteman	-
Community Property Plan	Community Property Plan Sheet 3 of 3	Steven Peter Whiteman	-
Plan of Subdivision of Lot 3 DP	Location Plan Sheet 1 of 3	Steven Peter Whiteman	-
Plan of Subdivision of Lot 3 DP	First Floor Plan Sheet 2 of 3	Steven Peter Whiteman	-
Plan of Subdivision of Lot 3 DP	Ground Floor Plan Sheet 3 of 3	Steven Peter Whiteman	-

The approved plans and supporting documents endorsed with the Council stamp and authorised signature must be kept on site at all times while work is being undertaken.

**Reason:** Information and to ensure compliance.

#### 2. Staging of development

The proposed development is to be carried out in the following stages:

Stage 1 – Community subdivision – 4 Lots

Stage 2 – Strata subdivision – 13 Lots (of proposed Lot 3) being:

- Lot 1 – Timeshare units (27)
- Lots 2 – 11 – Private units (10)
- Lot 12
- Lot 13 – Manager's residence

Stage 3 – Permanent Occupancy of Lots 2 – 11 (10 private units) & Lot 12

**Reason:** Information and to ensure compliance.

### Prior to the issue of the Subdivision Certificate

*The following conditions of consent must be complied with prior to the issue of the Subdivision Certificate.*

#### 3. Plan of subdivision

An application for a subdivision certificate must be made on the approved form and must be accompanied by the subdivision certificate fees, in accordance with Council's adopted schedule of fees and charges. Three (3) copies of the plan of subdivision must be submitted with the application for a subdivision certificate.

**Reason:** To ensure adequate identification of boundaries and the location of structures.

#### 4. Bushfire requirements

Compliance with the conditions of the Bushfire Safety Authority issued by the NSW Rural Fire Service dated 8 August 2018 as follows:

- a. The development proposal is to comply with the subdivision layout identified on the drawing prepared by Steven Peter Whiteman titled 'Plan of Subdivision of Lot 18 DP 576415', referenced 6619 and dated 22 July, 2016.
- b. At the issue of subdivision certificate and in perpetuity the entire property of proposed Lot 3 shall be managed as an inner protection area (IPA) as outlined within section 4.1.3 and Appendix 5 of 'Planning for Bush Fire Protection 2006' and the NSW Rural Fire Service's document 'Standards for asset protection zones'.

**Reason:** To ensure compliance with legislative requirements.

### These conditions apply to Stage 1 of the development Community Title – 4 Lots

### Prior to the issue of the Subdivision Certificate

*The following conditions of consent must be complied with prior to the issue of the Subdivision Certificate.*

#### 5. Community Management Plan

A community management plan shall be prepared for the development. The plan shall be submitted to Council for approval prior to issue of the subdivision certificate.

**Reason:** To ensure appropriate management for the subdivision.

#### 6. Vegetation Enhancement

A weed control program shall be implemented within the Environmental Conservation Zone to the satisfaction of Council's Environmental Officer.

**Reason:** To enhance the environmental conservation values on the site.



## **7. Fencing of the Environmental Conservation Area**

Prior to the commencement of physical works the applicant is to erect a permanent rural type fence along the perimeter of the Environmental Conservation Area where it adjoins the tourism zone to prevent encroachment. No plant or machinery, or the storage of materials, is permitted within this area.

**Reason:** To protect the environmental conservation values of the site.

## **8. Stormwater**

All stormwater from existing buildings and impervious areas within proposed community Lot 3 is to be managed within the boundary of the lot. All stormwater from the road access and impervious areas within proposed community Lot 1 is to be managed within the boundary of the lot.

A stormwater management plan, detailing the method of stormwater disposal from the site, must be submitted and approved by Council. An approval is to be obtained under Section 68 of the *Local Government Act 1993* to carry out stormwater drainage work.

**Reason:** To ensure adequate provision is made for stormwater drainage from the site in a proper manner that protects adjoining properties.

## **These conditions apply to Stage 2 of the development Strata subdivision – 13 Lots**

### **General Requirements**

*The following conditions of consent are general conditions applying to the development.*

## **9. Compliance with National Construction Code Series- Building Code of Australia**

All building work must be carried out in accordance with the requirements of the *National Construction Code Series - Building Code of Australia* as in force on the date the application for the relevant construction certificate or complying development certificate was made.

**Reason:** Prescribed condition under the *Environmental Planning & Assessment Regulation 2000*.

### **Prior to the commencement of works**

*The following conditions of consent must be complied with prior to the commencement of works.*

## **10. Construction certificate required**

Prior to the commencement of any building or subdivision construction work (including excavation), a construction certificate must be issued by a certifying authority.

Enquiries regarding the issue of a construction certificate can be made to Council's Customer Service Centre on 6591 7222.

**Reason:** Statutory requirement under the *Environmental Planning and Assessment Act 1979*.



## **11. Notification of commencement and appointment of principal certifying authority**

Prior to the commencement of any building or subdivision construction work (including excavation), the person having the benefit of the development consent must appoint a principal certifying authority and give at least two (2) days notice to Council, in writing, of the persons intention to commence construction work.

**Reason:** Statutory requirement under the *Environmental Planning and Assessment Act 1979*.

### **Prior to the issue of an Occupation Certificate**

*The following conditions of consent must be complied with prior to the issue of an occupation certificate.*

## **12. National Construction Code Series – Building Code of Australia (BCA)**

The existing units within proposed Strata Lots 2 – 11 and Lot 12 must comply with the following:

- a. All separating walls between the single storey units be extended and taken up to the underside of the existing roof finish with construction that achieves a FRL of 60/60/60. This is to include the boxed eaves within the buildings.
- b. The installation of a smoke alarm system in accordance with the Clause 3.7.2.3 of the BCA in all units that are part of the proposed development.
- c. The upgrading of existing window and door openings in the building subject to the application, to achieve compliance with AS 3959-2009 for BAL 12.5 location.
- d. The provision of adequate clothes washing facilities comprising of at lease on washtub and space in the same room for a washing machine.
- e. The provision of a hand rail to small stairways in the Block A single storey units.
- f. Remedial works to the stairways in the 2 storey units to ensure they comply with the numerical requirements of figure 3.9.2.1 of the BCA.
- g. All existing openable windows to the first floor bedrooms are to be retrofitted with a protection device in accordance with Clause 3.9.2.1 5 of the BCA in order to limit the risk of a person (particularly a young child) falling through an openable window.

**Reason:** To ensure compliance with statutory requirements.

## **13. National Construction Code Series – Building Code of Australia (BCA) Compliance**

Certification from a suitably qualified person must be submitted to Council for the following:

- a. Installation of smoke alarm system in accordance with Clause 3.7.2.3 of the BCA.
- b. Upgrading of existing window and door openings in accordance with AS3959-2009.
- c. The provision of hand rails to stairways in the Block A single storey units.
- d. Remedial works to the stairways in the 2 storey units to ensure compliance of Figure 3.9.2.1 of the BCA.
- e. All existing openable windows to the first floor bedrooms are to comply with Clause 3.9.2.5 of the BCA.

**Reason:** To ensure compliance with statutory requirements.



#### 14. Works to be completed

The building must not be occupied or used until a final occupation certificate has been issued in respect of the building or part.

**Reason:** To ensure compliance with the development consent and statutory requirements.

#### Prior to the issue of the Subdivision Certificate

*The following conditions of consent must be complied with prior to the issue of the Subdivision Certificate.*

#### 15. Compliance

A Subdivision Certificate will not be issued until all conditions relating to stage 2 have been satisfied and a final occupation certificate issued.

**Reason:** To ensure compliance with development consent.

#### These conditions apply to Stage 3 of the development Permanent occupancy – Lots 2 – 11 (10 units) & Lot 12

#### 16. S94 contributions

The applicant is to make a contribution to Council in accordance with section 94 of the *Environmental Planning and Assessment Act 1979* in accordance with the *Greater Taree Section 94 Contributions Plan 2016*.

##### Hallidays Point – 11 contributions payable - \$79,687.30

Local facilities	\$5,026.67
Greater Taree facilities	\$2,217.63
<b>Total contribution</b>	<b>\$7,244.30 per unit</b>

Contribution Plans may be inspected on Council's website [www.midcoast.nsw.gov.au](http://www.midcoast.nsw.gov.au).

##### Indexing

- The contribution rate in "*Greater Taree Section 94 Contributions Plan 2016*" will be adjusted annually in accordance with quarterly movements in the Consumer Price Index (All Groups Index) for Sydney as published by the Australian Bureau of Statistics.
- If the contribution rate is adjusted between the date on which this consent is granted and payment of the contribution, then the total figure payable in this condition will be indexed and calculated according to the then current contribution rate.

**Please contact Council's Customer Service staff to confirm the amount payable, prior to payment.**

**Reason:** Statutory requirement to be paid towards the provision or improvement of facilities and services.



## Reasons for Approval

The development is considered appropriate and compliant with the relevant aims and objectives contained in the Greater Taree Local Environmental Plan 2010 and Greater Taree Development Control Plan 2010.

## Community Consultation

No submissions were received.

## Are you dissatisfied with the determination?

If you are unhappy with conditions of consent discuss your concerns with the officer who dealt with your application. You may also apply for a:

### Modification of Consent

You may submit an application to Council to modify the consent under Section 4.55 of the Environmental Planning & Assessment Act, 1979. You will need to provide reasons why the conditions should be changed or deleted. You may lodge a Section 4.55 application at any time after the notice of determination. If you are not happy with Council's decision on your request for modification, then you may appeal to the NSW Land & Environment Council within six (6) months of the notification by Council.

### Review of Determination

You may request Council to review its decision under Section 8.2 of the Environmental Planning and Assessment Act, 1979. Such a request must be in writing together with payment of the appropriate fee and made within six (6) months of the date of the determination, or if there is an appeal to the Land and Environment Court, up to the time when the court hands down its decision. In reviewing its decision Council is able to consider alterations to the above plans, provided that the Development Application remains substantially the same as the one for which the consent was originally sought, and the changes are publicly notified.

**NOTE:** This clause does not relate to Designated Development, Complying Development or applications previously considered under Section 8.2 of the Environmental Planning and Assessment Act 1979.

### Land and Environment Court Appeal

If you are dissatisfied with this decision, Section 8.7 of the *Environmental Planning and Assessment Act 1979* gives you the right to appeal to the Land and Environment Court within six (6) months after the date on which you receive this notice.



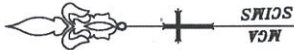
**Arinna Fotheringham**  
Development Planner







Development Consent No:  
4602018DA  
Approval Date: 26  
February 2019  
Anna Fetheringham



# ACCESSWAY PLAN

R.R 1:1000

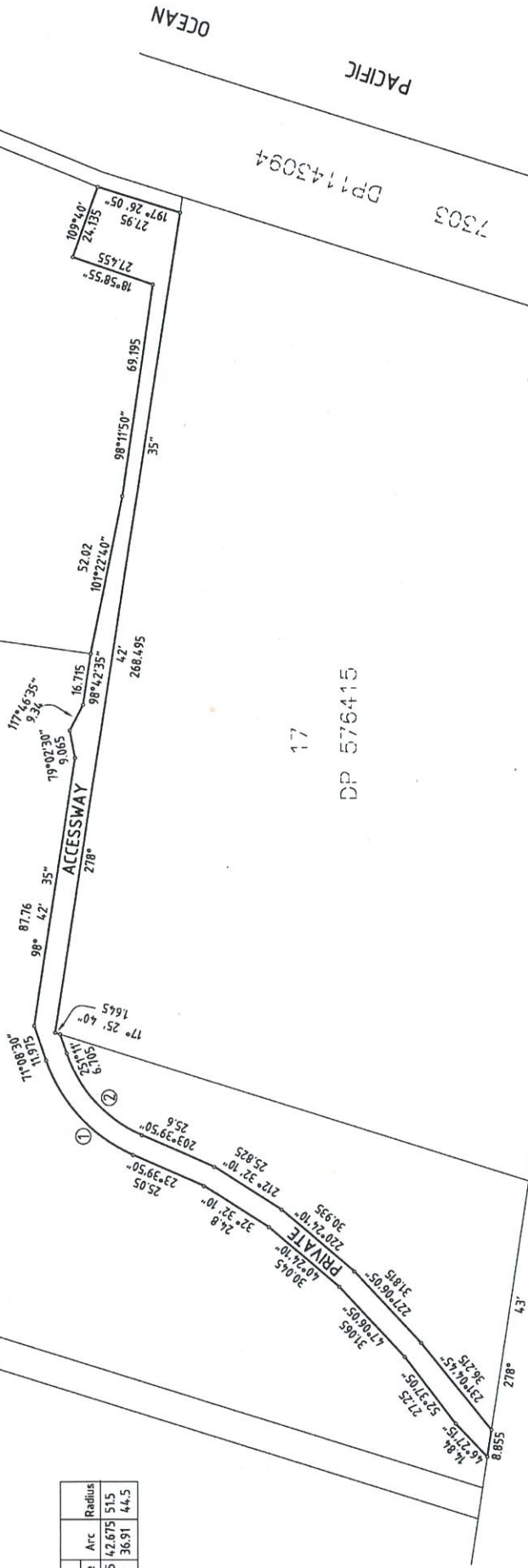
32

DP 1098858

2  
DP 856418

2

3



Line	Chord		Arc	Radius
	Bearing	Distance		
1	47°24'10"	4.1465	42.675	51.5
2	227°25'25"	35.86	36.91	44.5

17

DP 576415

7303

DP1143094

SOUTH

PACIFIC

OCEAN

DIAMOND

BEACH

ROAD

17

DP 1048635

14

DP 576414

PLAN OF ACCESSWAY FOR  
SUBDIVISION OF LOT 18 DP576415

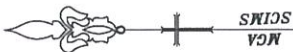
DP

NOTE REGARDING ACCESSWAYS

This plan illustrates, "Open-and-Private Access Way(s), which are Association Property and are not public roads within the meaning of the Roads Act 1993.

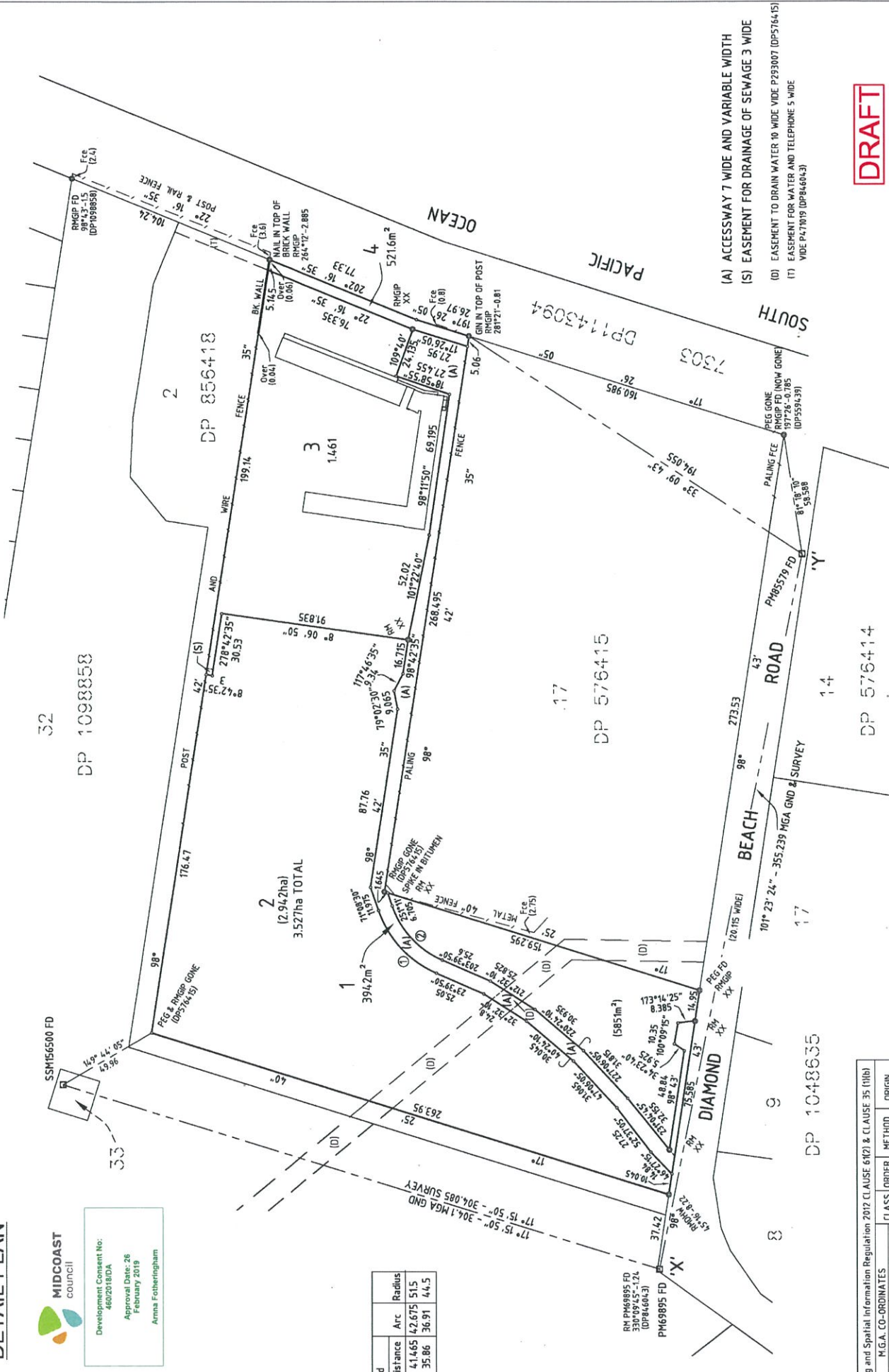
**DRAFT**

DETAIL PLAN



Development Consent No:  
4602318DA  
Approval Date: 26  
February 2019  
Anna Fotheringham

Line	Bearing	Distance	Arc	Radius
1	47°24'10"	41.465	42.675	51.5
2	227°25'25"	35.86	36.91	44.5



Surveying and Spatial Information Regulation 2012 CLAUSE 6(2) & CLAUSE 35 (1)(b)					
MARK	M.G.A. CO-ORDINATES	CLASS	ORDER	METHOD	ORIGIN
PH69895	EASTING 4564.36, NORTHING 615557.73	B	2	SCIMS	SCIMS
PH69579	EASTING 456785.09, NORTHING 61555807.49	C	4	SCIMS	SCIMS
SSM156500	EASTING 456527.12, NORTHING 61555807.49	C	4	SCIMS	SCIMS
SOURCE: SCIMS, DATE 13th May 2016					
ZONE 56					
COMBINED SCALE FACTOR 0.999622					

**SURVEYOR**  
Name: Steven Peter Whiteman  
Date:  
Reference: 6619

**PLAN OF SUBDIVISION OF**  
LOT 18 DP578415  
L.G.A.: MID-COAST  
Locality: DIAMOND BEACH  
Reduction Ratio: 1:1250  
Lengths are in metres

**REGISTERED**  
DP

**DRAFT**

- (A) ACCESSWAY 7 WIDE AND VARIABLE WIDTH
- (S) EASEMENT FOR DRAINAGE OF SEWAGE 3 WIDE
- (D) EASEMENT TO DRAIN WATER 10 WIDE WIDE P293007 (DP576415)
- (T) EASEMENT FOR WATER AND TELEPHONE 5 WIDE WIDE P47019 (DP846043)

COMMUNITY PROPERTY PLAN



MIDCOAST  
council

Development Consent No:  
4602018DA  
Approval Date: 26  
February 2019  
Anna Fotheringham



Line	Bearing	Distance	Arc	Radius
1	47°24'10"	41.165	42.675	51.5
2	227°25'25"	35.86	36.91	44.5

(A) ACCESSWAY 7 WIDE AND VARIABLE WIDTH

(D) EASEMENT TO DRAIN WATER 10 WIDE VIDE DP576415

SURVEYOR  
Name: Steven Peter Whiteman  
Date:  
Reference: 6619

PLAN OF SUBDIVISION OF  
LOT 18 DP576415

L.G.A.: MID-COAST  
Locality: DIAMOND BEACH  
Reduction Ratio: 1: 1000  
Lengths are in metres

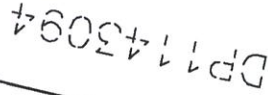
REGISTERED

DP



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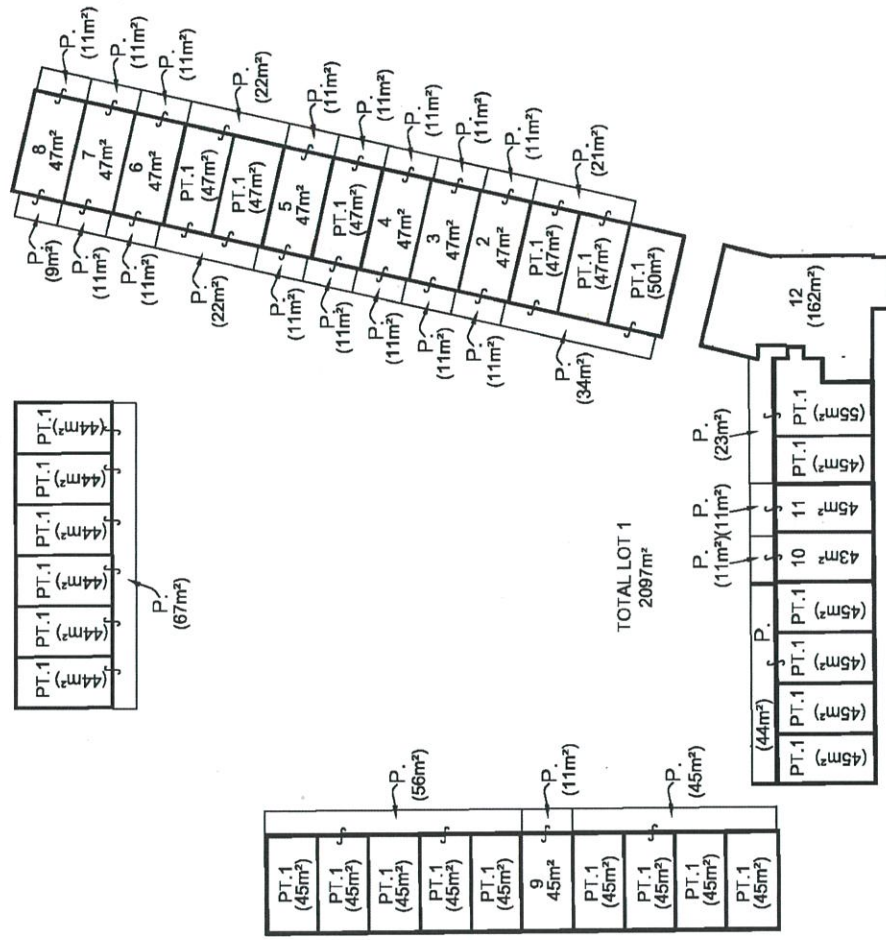
7303

**DRAFT**

# LOCATION PLAN

**NOTE:** P. DENOTES PATIO  
B. DENOTES BALCONY  
G.S. DENOTES GARDEN SPACE.  
C.P. DENOTES COMMON PROPERTY

RS



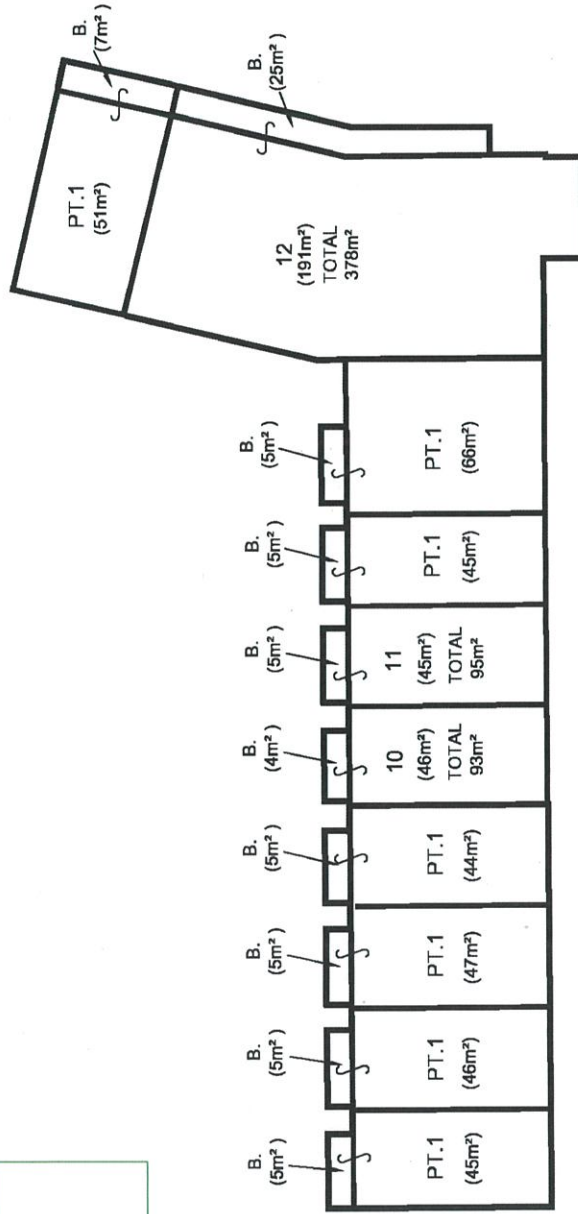
## GROUND FLOOR PLAN

**DRAFT**

<p><b>SURVEYOR</b>  Name: Steven Peter Whiteman  Date :  Reference: 6619S</p>	<p>PLAN OF SUBDIVISION OF LOT 3 DP</p>	<p>LGA: MID-COAST  Locality : DIAMOND BEACH  Reduction Ratio: 1: 500  Lengths are in metres</p>	<p>REGISTERED</p>	<p>SP</p>
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Development Consent No:  
460/2018/DA  
Approval Date: 26  
February 2019  
Arma Fotheringham



## FIRST FLOOR PLAN

NOTE: B. DENOTES BALCONY. THE STRATUM OF THE BALCONIES IS LIMITED FROM THEIR UPPER TIMBER SURFACE TO THE UNDERSIDE OF THE EAVE IMMEDIATELY ABOVE AND HORIZONTAL PROJECTION THEREOF WHERE NOT COVERED.

AREAS SHOWN ARE FOR THE PURPOSES OF THE STRATA SCHEMES ACT ONLY AND ARE APPROXIMATE.

**DRAFT**

<p><b>SURVEYOR</b> Name: Steven Peter Whiteman Date : Reference: 6619S</p>	<p>PLAN OF SUBDIVISION OF LOT 3 DP</p>	<p>LGA: MID-COAST Locality : DIAMOND BEACH Reduction Ratio: 1: 250 Lengths are in metres</p>	<p>REGISTERED</p>	<p>SP</p>
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