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Lot 13 DP 1317967
5 Crestview Avenue
OLD BAR



PLEASE NOTE: The above drawing is an artist impression and is intended for illustrative purposes only.

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Authorised by: Michelle Love

Signed: 

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Executive Summary

The proposal relates to the development of an existing, vacant, residential parcel of land, for the purposes of an attached dual occupancy and strata subdivision. The proposal is compliant with the development standards for this locality, and is consistent with Council's DCP.

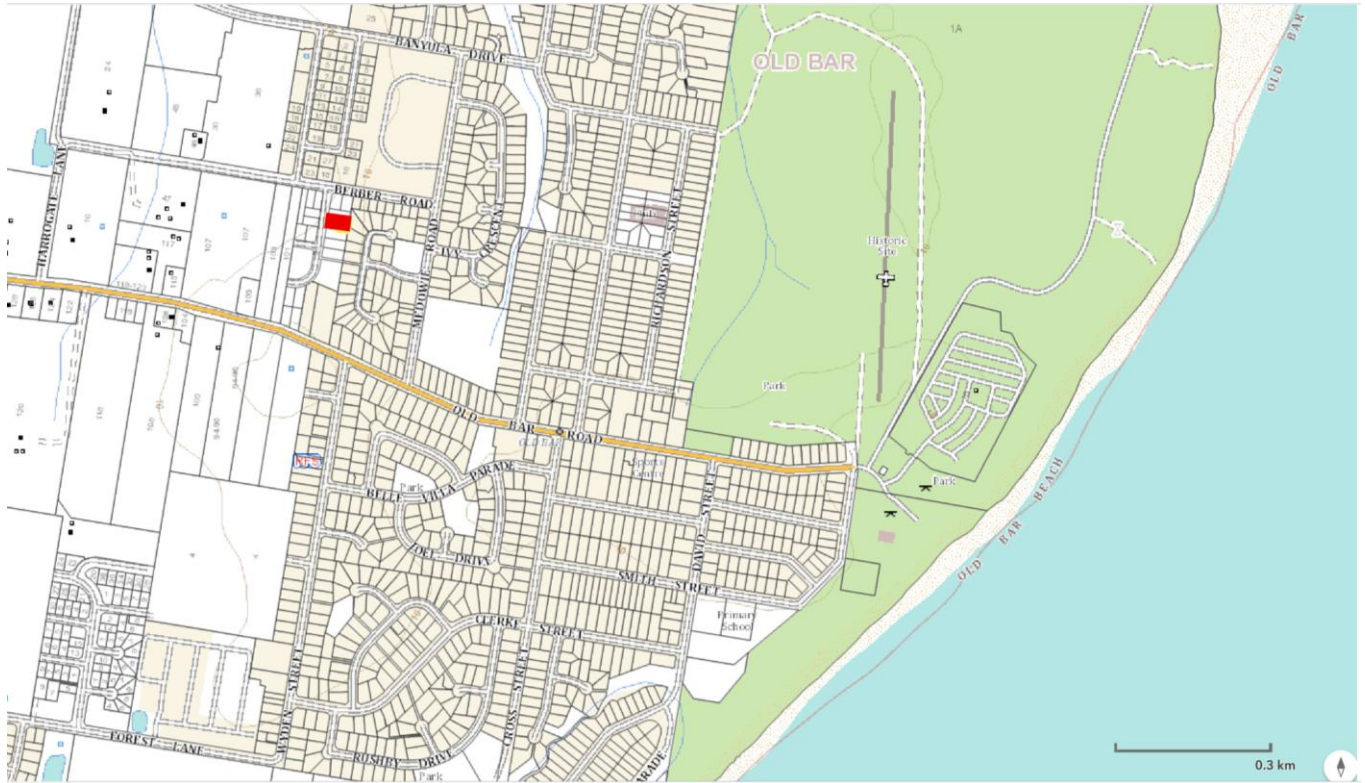
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1. Subject Land & Locality

The subject land may be identified as Lot 13 DP 1317967, being 5 Crestview Avenue, Old Bar. The land has an area of 756.9m². The land is located within a new residential estate, which adjoins well established residential areas. The locality of the Subject Land is shown in the following figure.

Figure 1: Locality of Subject Land (land shown shaded red (Source: Planning Portal))



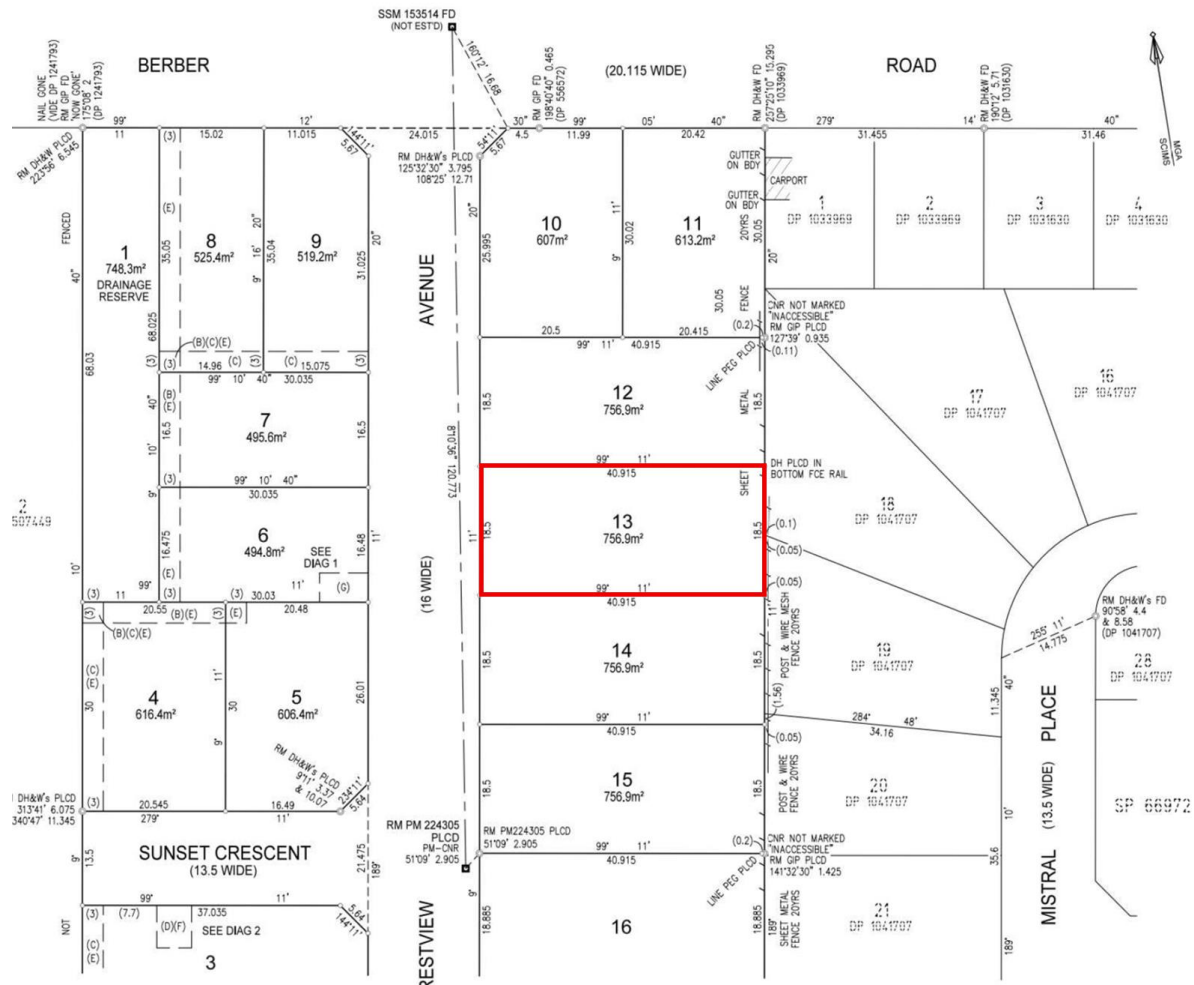
The land is reasonably level which will provide for ease of construction. This new estate has been completed in regards to all roads, kerb & gutter, footpaths connecting to existing residential areas, and overhead street lights and landscaping within the road reserve, and the deposited plan / property titles issued, with works on some lots commencing.

Figure 2: Real Estate image showing the approved estate located on vacant land and an approximate location of the Subject Land is noted on the image



The land is currently vacant. There are no easements identified on the land as shown on the following extract from the deposited plan.

Figure 3: Extract from Deposited Plan. Subject Land outlined in red



The Subject Land includes a number of trees located along the rear boundary. These trees are to be retained, as shown on the following site plan. The rear boundary fence is not located accurately on the property boundary, as shown on the deposited plan survey details. The corners of the Subject Land are marked via survey pegs, and thus it is easy to determine on site, the trees that are contained within the boundaries of Lot 13.

Figure 4: Site Photo looking from Crestview Avenue (from east to west)



3. Statutory Provisions

The Environmental Planning and Assessment Act and Regulation requires development applications to be accompanied by a number of documents and information. The following sections consider the relevant legislation.

a) State Environmental Planning Policies

i. SEPP (Resilience and Hazards) 2021

The subject land is NOT within areas mapped under the provisions of this SEPP as a wetland or littoral rainforest area. The subject land is NOT within areas mapped as land within proximity to a coastal wetland or littoral rainforest. The subject land is NOT mapped as being within an area identified as Coastal Environment and Coastal Use Area, as shown below.

Figure 6: SEPP mapping extract –The location of the subject land is outlined in yellow



Thus, no further assessment of the Resilience and Hazards SEPP is required.

ii. SEPP (Biodiversity & Conservation) 2021

The provisions of Chapter 4 of this SEPP relate to Koala Habitat Protection. It is noted that the subject land is less than one hectare in area and does not contain any koala habitat.

iii. SEPP (BASIX) 2004

BASIX Certificates for both dwellings form part of this development application. The dwellings will be constructed to comply with the BASIX requirements as shown on the Certificates. Council's standard conditions will be applied to ensure the development is constructed in accordance with the BASIX certificate requirements.

iv. SEPP (Transport & Infrastructure) 2021

This SEPP refers to development within proximity to electrical infrastructure. There are no overhead powerlines in this new estate. It is noted that the street light infrastructure is not located on this side of Crestview Avenue. Therefore, the development of the site will not impact on any electrical infrastructure.

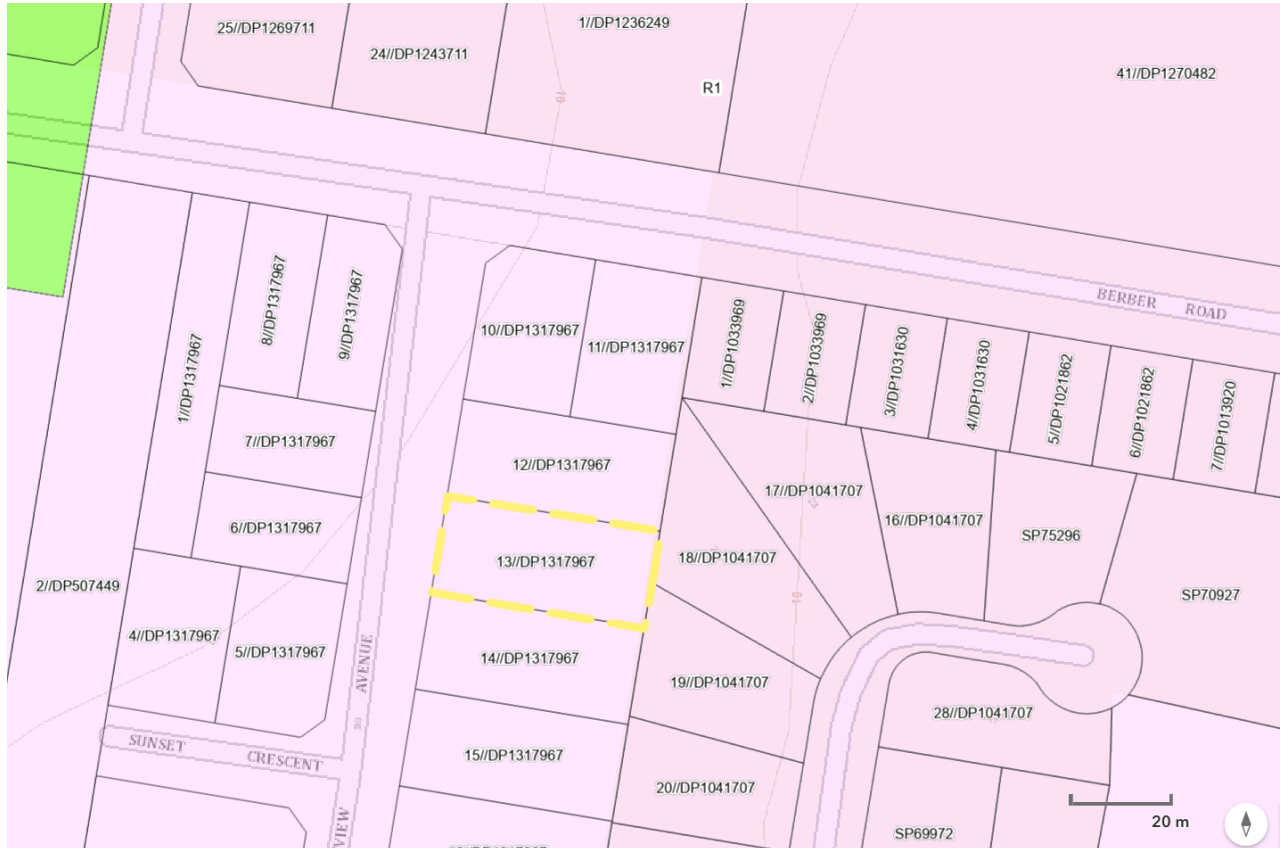
The development proposal is not traffic generating development and is not accessed from a major road.

Therefore no further assessment of this SEPP is required.

b) Local Environmental Plan

The subject land is zoned R1 – General Residential under the provisions of the Greater Taree Local Environmental Plan 2010, as shown in the following planning portal extract:

Figure 7: Land Zoning - Planning Portal extract – Subject Land shown dashed yellow line



The proposal is for an attached dual occupancy and subdivision. This is permissible with consent within the R1 – General Residential zone.

Clause 2.3 – Zone objectives

The objectives of the R1 zone are as follows:

Zone R1 General Residential

1 Objectives of zone

- 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 proposal will provide for a variety of housing needs for the community and improves housing provision in the locality. The proposal is consistent with the zone objectives.

Clause 4.1 – Subdivision of Land

The LEP requires consent for subdivision of land, and specifies the minimum lot size for subdivision of land, as per the Lot Size map, except for Strata or Community Title subdivisions.

The Subject Land is in a locality with a minimum lot size of 450m² as per the Lot Size map. The land area exceeds this minimum lot size. This proposal only relates to strata subdivision and therefore the minimum lot size provisions do not apply to the proposed strata development.

Clause 4.3 – Height of Buildings

The LEP identifies a maximum permitted height of buildings of 8.5m height above existing ground level. The proposal is single storey only and is less than the permitted height. The proposal is compliant with this development standard.

Clause 4.4 – Floor space ratio

The LEP identifies a maximum floor space ratio of 0.6:1 for the subject land. The proposed floor space ratio is less than 0.31:1 and is therefore less than the permitted maximum floor space ratio. The proposal is compliant with this development standard.

Clause 4.6 – Development Standards

The proposal will not vary any development standards.

Clause 5.10 – Heritage conservation

The LEP mapping does not identify any items of European heritage on the subject land. A search of the Aboriginal heritage register did not identify any known areas or artefacts of Aboriginal heritage on the subject land.

Clause 7.1 – Acid Sulphate Soils

The LEP mapping does not identify any area of the subject land as containing potential acid sulphate soil.

Figure 8: Acid Sulphate Soil Map Extract - Subject Land shown by red outline & potential acid sulphate soils shaded yellow in the below map



Clause 7.3 – Earthworks

The Subject Land is already very level, and therefore only very minor earthworks are required for the dual occupancy. No retaining walls are required or proposed. The earthworks required for the proposed dwellings is considered minor and reasonable for the proposal.

Clause 7.11 – Essential services

The reticulated services in this locality include water, sewer and stormwater. The proposed dwellings will be connected to these reticulated services.

The location of all services is shown on the plan set.

It is considered that the existing reticulated systems have capacity to service the proposed dwellings, with the connections as shown on the design detail.

Having regard to the above consideration of the relevant provisions of the Greater Taree Local Environmental Plan 2010, it is considered that the proposal is consistent with the provisions of the Local Environmental Plan.

c) Development Control Plan 2010

The relevant provisions of DCP 2010 are considered in the following table.

DCP 2010			
DCP Objective	Performance Criteria	Proposed	Compliance
D3.1 – Cut & Fill	Maximum cut or fill: 1m	No retaining walls required or proposed	N/A
H1 – Residential Development			
H2.1 - Site Coverage	Maximum site coverage: 65%	Site coverage proposed is 31.3%	Yes
H2.2 – Building Setbacks	Zero Lot Lines	Not applicable	N/A
H2.3 – Building Heights	Lowest floor level not greater than 1m above natural ground levels at any point.	No floor levels greater than 1m above natural ground level	Yes
	Where building height is mapped as 8m or 8.5m, development shall contain not more than 2 storey	Single storey only	Yes
H2.4 – Carparking and Access	Garages & driveways do not dominate street façade, minimise hardstand; accessible onsite parking; driveways to be at least 3m wide.	Garages setback from street frontage to reduce impact on streetscape. Driveway crossovers are 3m each in width. Hardstand areas minimised	Yes

DCP 2010			
DCP Objective	Performance Criteria	Proposed	Compliance
H2.5 Private Open Space	Each dwelling to have quality, useable, private open space. Direct connection to living zones. No steeper than 1:10 gradient; Sunlight to reach at least 50% of the POS; Some north facing area; Adequate screening;	Covered alfresco areas have been provided for both dwellings. Both dwellings have good solar access to outdoor living areas, and the 12.68m setback to the rear property boundary provides for a substantial outdoor living area with good morning and afternoon sunlight to rear yard areas.	Yes
H2.6 – Solar access & overshadowing	Shadow diagrams required for 2 storeys or greater; Maximise northern or eastern sunlight. Minimum 3hrs sunlight to proposed and adjoining dwellings, or where this cannot be achieved, design to maximise solar access.	Single storey only, therefore shadow diagrams not required. The outdoor areas will receive good solar access, including eastern and northern sunlight.	Yes
H2.7 Acoustic & visual privacy	Minimise overlooking of windows / balcony areas; limit potential noise transmission to the living and sleeping areas; shared walls to be constructed in accordance with BCA noise / insulation requirements; visual privacy via landscaping where possible;	Common wall will meet BCA separation requirements; bedroom areas are well separated; visual privacy has been provided via fencing.	Yes
H2.8 Views	Any potential view loss to be considered	The proposed dwellings are single storey and well below the permitted height limit. The building bulk is also significantly less than permitted. The proposal is within reasonable expectations. No potential view loss expected to arise from the proposal, and particularly noting the level topography of this locality.	Yes

DCP 2010			
DCP Objective	Performance Criteria	Proposed	Compliance
H2.9 Safety, Security and entrances	Buildings designed to face street including overlooking; Front entrance easily identifiable; pedestrian entry; provide for casual surveillance; lighting; individual dwellings identifiable.	Each dwelling has good street presentation to Crestview Avenue; front entrances are readily identifiable, separate and visible; casual surveillance of the street frontage and public areas is provided for. Each dwelling is readily identifiable as an individual property.	Yes
H2. 10 Front Fencing	No taller than 900mm if solid or 1.5m if at least 50% transparent; not exceed 10m in length without articulation or visual interest; side and rear fences are maximum of 1.8m height	No front fencing proposed. Rear and side fencing no higher than 1.8m	N/A Yes

DCP 2010			
DCP Objective	Performance Criteria	Proposed	Compliance
H3 – Controls for Specific Forms of Residential Accommodation			
H3.3 Dual occupancies	Lot size: 750m ²	Lot size is 756.9m ²	Yes
	Primary front setback: 5m Secondary setback: 3m	Primary front setback is 7.5m to dwelling.	Yes
	Side & rear setbacks: 900mm for single storey	Rear setback is a minimum of 12.685m	Yes
	Onsite carparking: 1 space for each 1 or 2 bedroom dwelling; 2 spaces for each 3 or more bedroom dwelling	Each dwelling has a single enclosed garage with parking in front of the garages via front the setback.	Yes
	Garages & carports not more than 50% of site frontage with habitable room fronting the street (variation permitted);	Garages are not greater than 50% of site frontage	Yes
	Dual occupancies on corner lots to have maximum one driveway to each frontage;	Not a corner lot.	N/A
	Private open space: 80m ² for each dwelling; including level 4m x 6m area; access from internal living area; may be provided in front of dwelling;	POS is greater than 80m ² per dwelling. 4m x 6m achieved via each alfresco area and adjoining outdoor living space.	Yes

Thus, the proposal is consistent with the relevant DCP provisions and objectives.

d) Integrated Development

The subject land is not within an area identified as bushfire prone, nor other criteria which would trigger the provisions of integrated development.

e) Any Planning Agreement

There are no planning agreements existing or proposed for this development.

f) Any matters prescribed by the Regulations

No relevant matters.

g) Context & Setting

The proposed residential development is consistent with the locality, both in regards to the existing residential estates, and the development of this new residential area.

h) Access, Transport & Traffic

The onsite parking is compliant with Council's requirements. The garages are setback a minimum of 8.5m which exceeds the minimum required setback of 5.5m, and thus provide for offstreet visitor parking. The width of the driveway crossovers is limited to 3m each, and thus the design is compliant with Council's design requirements. The local traffic network has capacity to cater for the proposal.

i) Natural Hazards

The land is not mapped as floodprone. The land is not within an area subject to coastal processes. The land is not mapped as being within an area classified as bushfire prone.

j) Waste

Waste disposal from the domestic occupation of the dwellings will be undertaken via Council's kerbside collection system. There is adequate street frontage for the location of garbage bins for each dwelling on bin collection days.

k) Water Supply & Sewer Connection

The reticulated water and sewer connections have been shown on the application plan set. The proposed dwellings will be connected to the reticulated services as discussed earlier in this report.

l) Stormwater / Water

The stormwater network is shown on the plan set, and the proposed dwellings will be connected to the existing integrated street network.

m) Noise & Vibration

The construction works will be limited as per Council's standard conditions relating to hours of operation for building works. This is to minimize impact on existing residences for the short period of time when construction occurs. Residential occupation of the proposed dwellings will not adversely impact on the neighbourhood.

4. Public Interest

The proposal will provide for additional housing in a well serviced locality. It is in the public interest to utilize available, and unconstrained residential land.

5. Conclusion

The proposal is consistent with Council's development standards and the design guidelines set out in DCP 2010. The proposed development is permissible with consent, and it is considered that the proposal should be approved.