

(FUTURE) PUBLIC EXHIBITION DATES

(Start) to (Finish)

Planning Proposal under section 55 of the EP&A Act

Port Macquarie-Hastings LEP 2011 (Amendment No 41)

- *Proposed changes to the LEP,*
- *Development Application for subdivision, and*
- *Voluntary Planning Agreement*

Lot 7 DP 1142473 and No 40 Reading Street, Port Macquarie

Ccl ref: DD032.2016.00000003.001

DPI ref: PP_2016_PORTM_*

Date: 12/09/2016



Planning Proposal status (for this copy)

Stage	Version Date (blank until achieved)
Adopted by Council & referred to Dept of Planning (sec 56 (1))	12/09/2016
Gateway Panel determination (sec 56 (2))	
Revisions required: Yes / No . Completed	
Public Exhibition (where applicable) (sec 57)	
For Council review (sec 58 (1))	
Adopted by Council for final submission to Dept of Planning (sec 58 (2))	

Council reference: DD032.2016.00000003.001

(Amendment No will initially be blank) Port Macquarie-Hastings LEP 2011 (Amendment No 41)

Department of Planning & *
Environment reference:

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Adoption of the Planning Proposal

1. For initial Gateway determination

This Planning Proposal was endorsed on 12 September by the undersigned Council delegate:

Signed 

Name Peter Cameron

Position Group Manager Strategic Land Use Planning

2. For section 58 finalisation

This Planning Proposal was endorsed on by Port Macquarie-Hastings Council, or the undersigned Council delegate (delete one):

Signed _____

Name _____

Position _____

Exhibition information *(To be completed prior to Exhibition)*

Content

This exhibition contains the following related proposals:

- Proposed changes to the local planning controls applying to Lot 7 DP 1142473, Reading Street, Port Macquarie - refer to **Chapter 1**, which contains a description and evaluation of the proposed changes,
- Development Application for subdivision of Lot 7 and the adjoining No 40 Reading Street - refer to **Chapter 2**, and
- Proposed Voluntary Planning Agreement relating to the proposed dedication as public reserve of proposed Lot 5 in that subdivision - refer to **Chapter 3**.

An overview is provided in the description contained on pages 9 to 12.

The “Gateway Determination” from the NSW Department of Planning and Environment, relating to the proposed LEP changes, is in **Appendix A**. Other Appendices contain supporting assessments or documents.

Exhibition

The exhibition period is from **start** to **finish**, with the Planning Proposal available for inspection by any person at Council’s offices at Port Macquarie and on www.pmhclisting.com.au.

Submissions

Any person may make a written submission to Council up until the end of the exhibition period.

The submission should quote Council’s reference - DD032.2016.00000003.001, and be

emailed to council@pmhc.nsw.gov.au or posted to The General Manager,
or lodged through www.pmhclisting.com.au, Port Macquarie-Hastings Council,
PO Box 84,
PORT MACQUARIE NSW 2444.

Note that any submission may be made public.

Section 147 (5) of the *Environmental Planning and Assessment Act 1979* states in part:

“A person who makes a relevant public submission to a council in relation to a relevant planning application made to the council is required to disclose the following reportable political donations and gifts (if any) made by the person making the submission or any associate of that person within the period commencing 2 years before the submission is made and ending when the application is determined:

- (a) all reportable political donations made to any local councillor of that council,
- (b) all gifts made to any local councillor or employee of that council.”

If further information or forms are required, ask Council’s Customer Service staff.

Further information

Please contact Stephen Nicholson on phone 02 6581 8529.

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Acronyms, Glossary and References

APZ - Asset Protection Zone, in relation to bushfire protection, is a buffer zone between a bush fire hazard and buildings, which is managed progressively to minimise fuel loads and reduce potential radiant heat levels, flame, ember and smoke attack. Refer to *Planning for Bushfire Protection 2006*.

ASS - Acid sulfate soils, means naturally occurring sediments and soils containing iron sulfides (principally pyrite) and/or their precursors or oxidation products. The exposure of the sulfides to oxygen by drainage or excavation leads to the generation of sulfuric acid. **Actual acid sulfate soils** have already become acidic, which can leach into other soils or into waterways. Either way, they can damage ecosystems (eg fish kills after rain) or buried pipes or foundations. **Potential acid sulfate soils** are soils which contain iron sulfides or sulfidic material which have not been exposed to air and oxidised.

ASS can also mean the **Acid Sulfate Soils Map**, one of the map series of *LEP 2011*. This is relevant to clause 7.1, which has an objective of ensuring that development does not disturb, expose or drain acid sulfate soils and cause environmental damage. The Map is relevant to some provisions of the *Codes SEPP*.

BASIX - A suite of sustainable planning measures to make all residential dwelling types in NSW energy and water efficient. Key components are [SEPP \(Building Sustainability Index: BASIX\) 2004](#) and certification of compliance with the BASIX targets at different stages of building approval and construction.

[Coastal Design Guidelines 2003](#) are guidelines issued by the former Coastal Council, and which are referred to in Section 117 Ministerial Direction No 2.2.

Codes SEPP, or [State Environmental Planning Policy \(Exempt and Complying Development Codes\) 2008](#), contains State-wide provisions that identify certain types of development that can be carried out as **exempt development**, or with a simplified **complying development** approval process.

DP&E - the NSW **Department of Planning & Environment**, who have a significant role in under the EP&A Act, and who advise, and act under delegation for, the Minister of Planning.

EPBC Act - the Commonwealth [Environment Protection and Biodiversity Conservation Act 1999](#), the Australian Government's key piece of environmental legislation.

EEC - endangered ecological community, one of the categories of species and habitats subject to protections under the [Threatened Species Conservation Act 1995](#).

EP&A Act - the [Environmental Planning and Assessment Act 1979](#), the relevant NSW Act providing the framework for controlling planning and development within New South Wales. Refer also to **EP&A Reg** for supporting details.

EP&A Reg - the [Environmental Planning and Assessment Regulation 2000](#), which contains supporting details to the EP&A Act.

[Floodplain Development Manual 2005](#) - the supporting document to the NSW Flood Prone Land Policy. Relevant both to Section 117 Ministerial Direction No 4.3 and to assessment of development applications. To be read with a *Guideline on*

Development Controls on Low Flood Risk Areas supplement issued in January 2007.

FSR Map - the **Floor Space Ratio Map**, one of the map series of LEP 2011. Refer to **Chapter 1 Part 4 – Mapping**.

Gateway determination - the statement by the Minister, or his delegate, on the relevant steps and other requirements relating to the processing of a planning proposal - refer section 56 of the EP&A Act. The determination relevant to this planning proposal is contained in **Appendix A**.

[*A guide to preparing Local Environmental Plans*](#), DP&E August 2016 - provides guidance and information on the process for making local environmental plans under Part 3 of the EP&A Act.

[*A guide to preparing planning proposals*](#), DP&E August 2016 - provides guidance and information on the process for preparing planning proposals, in accordance with section 55 (3) of the EP&A Act.

[*Guidelines for Preparing Coastal Zone Management Plans*](#) is the current manual relating to the management of the coastline for the purposes of section 733 of the *Local Government Act 1993*, as referred to in Section 117 Ministerial Direction No 2.2.

LEP - a **Local Environmental Plan** under the EP&A Act, providing Council-level planning controls over development, subject to any overriding SEPP controls. It consists of written text (based on the *Standard Instrument (Local Environmental Plans) Order 2006*), and several map series, the most important of which is the Land Zoning Map.

A LEP is made or amended by the processing of a Planning Proposal (such as this) in accordance with Part 3 (particularly Division 4) of the EP&A Act.

The LEP for this Council area is [*Port Macquarie-Hastings Local Environmental Plan 2011*](#) (sometimes abbreviated to **LEP 2011**).

LSZ Map - the **Lot Size Map**, one of the map series of LEP 2011. Refer to **Chapter 1 Part 4 – Mapping**.

LZN Map - the **Land Zoning Map**, one of the map series of LEP 2011. This map identifies the Land Use Zone, which works with the Land Use Table within the LEP text to determine the permissibility of most development. Refer to **Chapter 1 Part 4 – Mapping**.

MNCRS - [*Mid North Coast Regional Strategy 2006-31*](#), guides local planning for the Councils of the Mid North Coast. A replacement [*Draft North Coast Regional Plan*](#) was placed on exhibition in March 2016.

[*NSW Coastal Policy: A Sustainable Future for the New South Wales Coast 1997*](#) is referred to in Section 117 Ministerial Direction No 2.2.

[*Planning for Bushfire Protection 2006*](#) is a publication from the NSW Rural Fire Service outlining the required bush fire protection measures for development applications located on land that has been designated as bush fire prone.

Planning Proposal - a document containing relevant background information about a proposed LEP or LEP amendment. The minimum requirements are set out in

printed guidelines from the DP&E, though can be subject to requirements of a Gateway determination.

This Planning Proposal incorporates the related Development Application DA2016-0053 and proposed Voluntary Planning Agreement - as it is appropriate they be exhibited, considered and determined together.

PMHC means Port Macquarie-Hastings Council.

Section 117 Ministerial Directions - these are directions issued by the Minister of Planning, and which specify State-wide requirements for planning proposals. If a proposal is inconsistent with a requirement of a Direction, then the Secretary of DP&E (or his delegate) may still permit the planning proposal to proceed if the inconsistency is justified in the particular circumstances. Assessment of this Proposal in relation to these Section 117 Ministerial Directions is in **Appendix C**.

SEPP - a **State Environmental Planning Policy**, made under Part 3 of the EPA& Act, and overruling LEPs where there is any inconsistency. Refer to the list of SEPPs relevant to this Council area on [Council's website](#). Assessment of this Proposal in relation to these SEPPs is in **Appendix B**.

Standard Instrument (Local Environmental Plans) Order 2006 - the specification of the mandatory and discretionary content of LEP text.

Standard Technical Requirements for Spatial Datasets and Maps, DP&E November 2015 - describes the technical specifications for LEP maps and the associated digital mapping data, particularly in relation to introduction of LEP mapping into the DP&E [Planning Portal](#).

TSCA - the **Threatened Species Conservation Act 1995**, the key piece of legislation relating to protecting species, populations and ecological communities threatened with extinction in NSW. Protection of threatened fish and marine vegetation comes under the *Fisheries Management Act 1994*.

Towards 2030 Community Strategic Plan, PMHC June 2011 - Council's community strategic plan, as required by section 402 of the [Local Government Act 1993](#).

UGMS - Council's **Urban Growth Management Strategy 2011-2031**, adopted in December 2010, and which sets the framework for major changes to the LEP and other actions to facilitate urban development within the Council area. It is related to Council's *Towards 2030 Community Strategic Plan*.

VPA - **Voluntary Planning Agreements** between Council and landowners under Division 6 of Part 4 of the EP&A Act. Through negotiation, they allow for flexibility in infrastructure provision or for other public purposes, which can be hard to achieve with fixed Council-wide requirements relating to infrastructure provision or funding or other implications of development. Refer to **Chapter 3** and **Appendix D**.

Planning Proposal

In summary, the proposal is:

- (a) to adjust the planning controls on Lot 7 Reading Street, Port Macquarie to enhance environmental outcomes by providing better habitat connectivity, and
- (b) a subdivision creating three residential lots (plus boundary adjustment) which are compatible with those environmental outcomes.

Figure 1 shows the proposed zoning and subdivision layout.

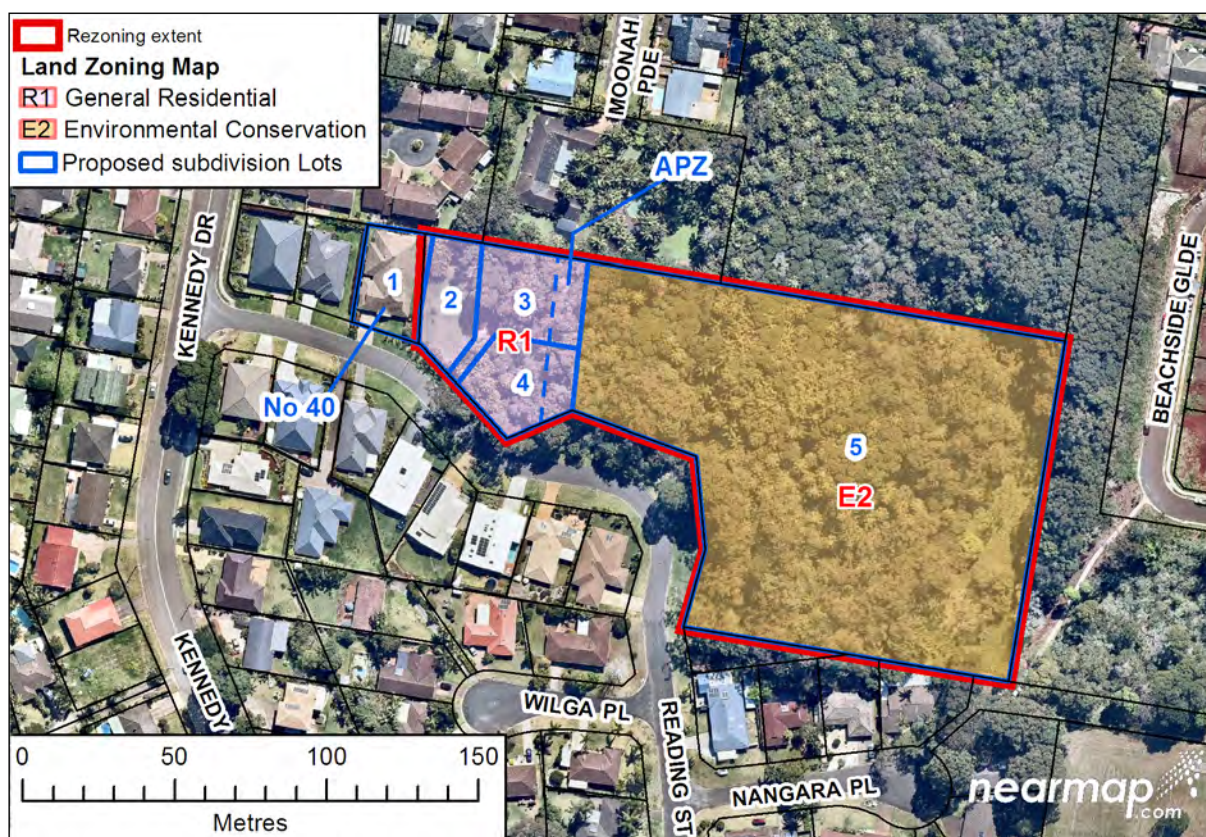


Figure 1 Proposed zoning and subdivision layout

The land is located in the Shelly Beach neighbourhood of Port Macquarie, as shown in Figure 2.

The measures required to achieve this, and as described in the balance of this Planning Proposal, comprise:

Chapter 1 - LEP Amendment

Amendments to Port Macquarie-Hastings Local Environmental Plan 2011 for Lot 7 DP 1142473, Reading Street, Port Macquarie, affecting:

- the Land Zoning Map
- the Lot Size Map and
- the Floor Space Ratio Map.

This is a combined application for rezoning and development consent for subdivision, and the amending LEP will also contain a special provision as detailed in Chapter 1.

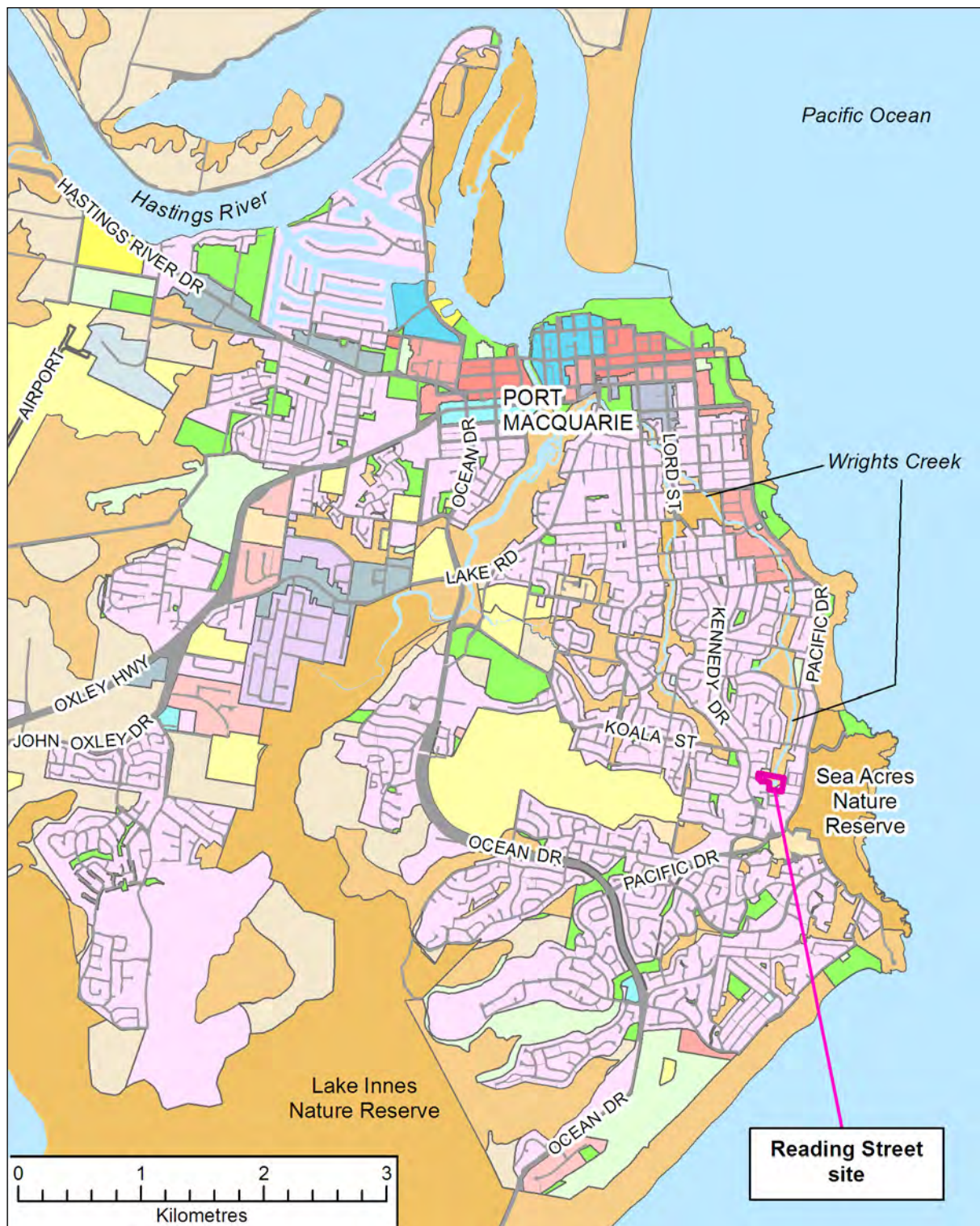


Figure 2 Location map

Chapter 2 - Development Application

The development application seeks consent for a subdivision of Lot 7 DP 1142473 and Lot 15 DP 1099742 (No 40) Reading Street, Port Macquarie involving:

- a boundary adjustment between Lots 7 and 15
- creation of three residential lots within Lot 7 and
- dedication of the balance (proposed Lot 5) of Lot 7 to Council as public reserve.

Chapter 3 - Voluntary Planning Agreement

The proposal includes dedication of around 1.5 hectares of land to Council. This cannot be required by conditions of consent, and to ensure this occurs at the appropriate time, a **Voluntary Planning Agreement** is also associated with this Planning Proposal.

More detailed mapping is included in **Chapter 1 LEP Amendment - Part 4 Mapping** and in **Chapter 2 Development Application**.

Background

Property Details	Lot 7 DP 1142473 and No 40, Lot 15 DP 1099742, Reading Street, Port Macquarie. Refer to Figure 2 for the location
Applicant Details	Ron Little
Land owners	Lot 7 - Ron and Adele Little Lot 15 - Natalie Xavier
Brief history	Lot 7 DP 1142473 is the residue of the staged subdivision of the northern section of Reading Street, Port Macquarie by Ron Little. It is on the upper reaches of Wrights Creek, and part of it is vulnerable to local flooding. When residential zoning was first applied to this portion of Port Macquarie in 1980, most of what is now Lot 7 was zoned 6(b) Private Recreation Proposed. The area zoned 6(b) is currently zoned E2 Environmental Conservation in <i>Port Macquarie-Hastings Local Environmental Plan 2011</i>. The western 20 m of Lot 7 provides a bushfire asset protection zone to Lot 15, and is cleared and zoned RU6 Transition. The south-eastern portion of Lot 7 has some flood-free land and is zoned R1 General Residential, though it does not have easy access to facilitate residential subdivision. To the north is the vegetated Wrights Creek corridor, and to the east is a vegetated linkage to Sea Acres Nature Reserve. The vegetation on the eastern portion of Lot 7 has additional ecological value through the provision of connectivity between these 2 areas, where at present there is land zoned R2 Low Density Residential. The proposal seeks to preserve the vegetation on Lot 7, other than on the western side, where three residential lots are proposed.

**Combined
application**

This is provided for under **Division 4B Instrument amendments and development applications of Part 3 Environmental Planning Instruments** of the *Environmental Planning and Assessment Act 1979*. This states in part:

Nothing in this Act prevents:

- (a) the making of a development application to a consent authority for consent to carry out development that may only be carried out if an environmental planning instrument applying to the land on which the development is proposed to be carried out is appropriately amended, or
- (b) the consideration by a consent authority of such a development application,

subject to this Division.

Review by State Government authorities will consider both simultaneously.

Division 4B also encourages the concurrent public exhibition of the proposed LEP amendments and the development application. While Council may make final determinations of the proposed LEP amendments and the Development Application following the exhibition, commencement of any development consent is deferred until the LEP amendment comes into force.

There has been some uncertainty over whether the determination of a development application is based on the planning controls in force on the date of lodgement of the application or the date of determination. While the most recent court judgement ruled in favour of the latter in the absence of any special planning provision, it is proposed to include a special provision to confirm this is the case.

Chapter 1 - LEP Amendment

This Chapter covers the description, justification and review of the proposed amendment to *Port Macquarie-Hastings Local Environmental Plan 2011*.

Part 1 - Objectives or Intended Outcomes

The intended outcomes are:

1. Retention and enhancement of the vegetation on the eastern portion of Lot 7, to protect the upper catchment of Wrights Creek, and to provide habitat connectivity between Wrights Creek and Sea Acres Nature Reserve. This vegetation will be dedicated to Council for its future protection and management.
2. In lieu of potential subdivision of the south-eastern corner of Lot 7 (which is currently zoned R1 General Residential), rezoning a small part on the western end of Lot 7 to allow for approval of a 3 residential lots plus residue lot subdivision.

Part 2 - Explanation of Provisions

The proposed LEP amendment involves amendments to the LEP Maps solely in relation to Lot 7 DP 1142473, Reading Street, Port Macquarie, as detailed in Part 4 of this Chapter. The Map Series affected are:

- Land Zoning Map
- Lot Size Map
- Floor Space Ratio Map.

There is some uncertainty over whether a determination can grant consent when the development was prohibited at the time the application was lodged. To remove any doubt, it is proposed to insert wording into the amending LEP to enable the determination to be based on the mapping changes made by the amending LEP. This wording may be to the effect of:

5 Provision about development applications made but not determined

If a development application has been made before the commencement of this Plan in relation to land to which this Plan applies and the application has not been finally determined before that commencement, the application must be determined on the basis that the amendments made under this Plan are in force.

Part 3 – Justification

A - Need for the planning proposal.

1. Is the planning proposal a result of any strategic study or report?

The proposal is consistent with the *Mid North Coast Regional Strategy 2006-31* or Council's *Urban Growth Management Strategy 2011-2031*, but is not a result of these strategies.

2. Is the planning proposal the best means of achieving the objectives or intended outcomes, or is there a better way?

The planning proposal is considered to be the best means of achieving the intended outcomes.

B - Relationship to strategic planning framework.

3. Is the planning proposal consistent with the objectives and actions of the applicable regional strategy (including any exhibited draft plans or strategies)?

This infill proposal is consistent with the objectives and actions of the *Mid North Coast Regional Strategy 2006-2031*, particularly those relating to Environment and Natural Resources and to Settlement and Housing. The proposal is also consistent with the objectives and actions of the exhibited Draft North Coast Regional Plan, March 2016.

The Mid North Coast Farmland Mapping Project is not relevant.

4. Is the planning proposal consistent with Council's Community Strategic Plan and Urban Growth Management Strategy 2010 – 2031?

The proposal is consistent with Council's Urban Growth Management Strategy 2011-2031, particularly the objectives relating to Natural Environment & Hazards and to Housing.

The planning proposal is consistent with Council's Community Strategic Plan.

5. Is the planning proposal consistent with applicable State Environmental Planning Policies?

Detailed assessment of consistency is contained in **Appendix B**. The only relevant SEPP is *SEPP No 71 - Coastal Protection*, as the land is within the 'coastal zone' as defined in the *Coastal Protection Act 1979*.

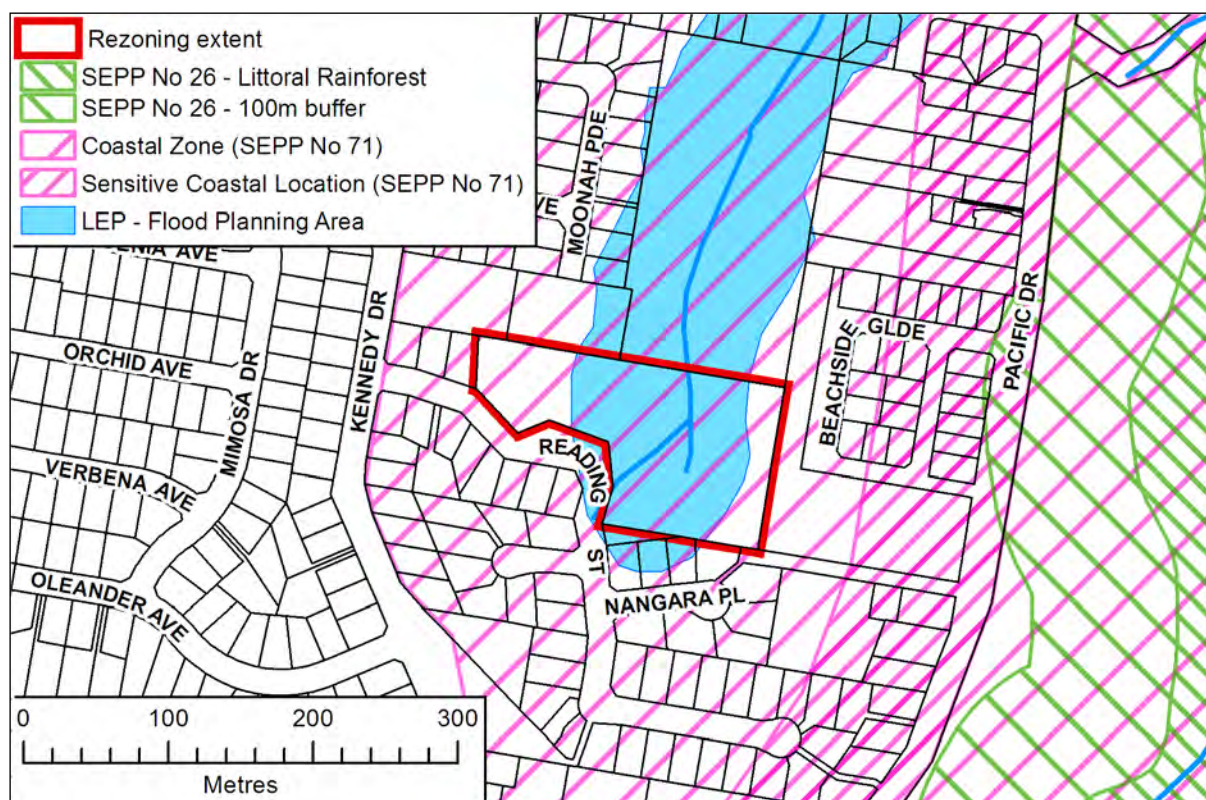


Figure 3 SEPPs and Flood Planning Area

Most of the SEPP is focused on coastal foreshores and the marine environment. The proposal is consistent with the relevant provisions of the SEPP.

Note that a new coastal management reforms will be replacing this SEPP, though the final details are not yet available.

The Ecological Assessment (refer **Appendix G**) includes details of an assessment under *SEPP No 44 - Koala Habitat Protection*, and concludes the site does not qualify as Core Koala Habitat. It is noted that the proposal enhances corridors for wildlife movement.

6. Is the planning proposal consistent with applicable Ministerial Directions (s.117 directions)?

Detailed assessment of consistency is contained in **Appendix C**. Relevant Ministerial Directions that the proposal is consistent with include:

- 1.5 Rural Lands
- 2.1 Environmental Protection Zones
- 2.2 Coastal Protection
- 3.1 Residential Zones
- 3.2 Caravan Parks and Manufactured Home Estates
- 4.3 Flood Prone Land
- 6.3 Site Specific Provisions.

The proposal is partially inconsistent at this stage with Direction 4.4 Planning for Bushfire Protection, in relation to the requirement that 'In the preparation of a planning proposal the relevant planning authority must consult with the Commissioner of the NSW Rural Fire Service following receipt of a gateway determination under section 56 of the Act'.

While at the time of issue of the Gateway Determination there is an inconsistency, this will be addressed prior to public exhibition.

C - Environmental, social and economic impact.

7. Is there any likelihood that critical habitat or threatened species, populations or ecological communities, or their habitats, will be adversely affected as a result of the proposal?

Full details are contained in the Ecological Assessment (refer **Appendix G**).

No critical habitat is affected.

Threatened flora species

A large population of Biconvex Paperbark (*Melaleuca biconvex*) was recorded over the central, eastern and western parts of the site in both the wet sclerophyll forest and swamp rainforest communities. The Biconvex Paperbark is also in the adjoining property to the north of the site, and occurs in many locations throughout Port Macquarie, and is likely to occur at other various locations in the Wrights Creek corridor where suitable habitat occurs.

Within the proposed development envelope and bushfire Asset Protection Zone [APZ] 52 plants/stems were counted, though only 6 trees with a trunk diameter over 20 cm at breast height were counted - the majority of the smaller stems are likely to be

suckers from the larger trees. There is negligible impact on the local populations of Biconvex Paperbark.

Endangered Ecological Communities

The site contains the following three vegetation communities that qualify as Endangered Ecological Communities under the *Threatened Species Conservation Act 1995* (NSW) and the *Commonwealth Environment Protection and Biodiversity Conservation Act 1999*:

- (a) *Lowland Rainforest on Floodplain in the NSW North Coast Bioregion* (NSW)
- (b) *Lowland Rainforest in the NSW North Coast and Sydney Basin Bioregions* (NSW)
- (c) *Lowland Rainforest of Subtropical Australia* (Commonwealth)

The extent of these is shown on **Figure 4**.

The proposed R1 General Residential zone and the proposed development lots do not contain any EEC, while the current R1 General Residential zone does. In this regard the proposal contains an improvement for the EECs.

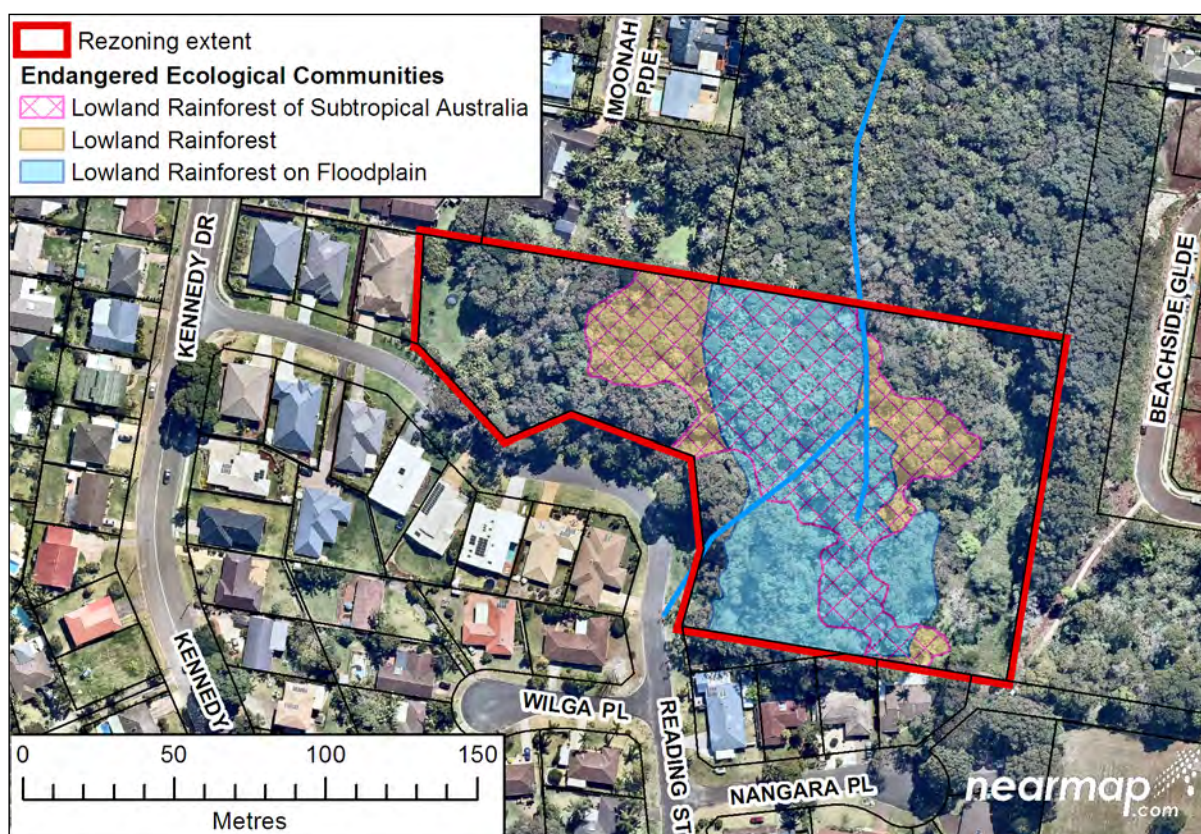


Figure 4 Endangered Ecological Communities (Source: Ecological Assessment, by Naturecall 2015)

Koalas

The site contains only one primary koala food tree species, which is less than 15% of the canopy trees on the site. This means the site is not Potential Koala Habitat under *SEPP No 44 - Koala Habitat Protection*, with no further assessment required. The site does provide secondary foraging habitat and a linkage.

No Koala scats were found on the site, although there is an anecdotal report of a koala on the site in the past.

Other threatened Fauna species

The site provides suitable habitat for some listed threatened species which have been recorded within 10 km of the site. None were observed on the site, and the site would comprise only part of their range. The proposal enhances the area, size, connectivity and long term protection of habitat.

8. Are there any other likely environmental effects as a result of the planning proposal and how are they proposed to be managed?

The proposal improves the connectivity of the habitat corridors linking Wrights Creek and Sea Acres Nature Reserve, through securing the land in public ownership in perpetuity and through improving its condition via long-term rehabilitation.

This is consistent with the Port Macquarie Regional Corridor which extends from Lake Cathie to the North Shore. (Refer to Section 4.4.2 of the Ecological Assessment in Appendix G.)

Some of the land currently zoned R1 General Residential is affected by the Flood Planning Area - refer to **Figure 3**. The LEP mapping changes will mean all the land proposed to be zoned R1 General Residential will be outside the Flood Planning Area.

9. How has the planning proposal adequately addressed any social and economic effects?

The proposal provides improved environmental outcomes and for creation of three residential lots. There are negligible social and economic effects.

D - State and Commonwealth interests.

10. Is there adequate public infrastructure for the planning proposal?

There is adequate public infrastructure to service the three additional residential lots within the urban area of Port Macquarie.

11. What are the views of State and Commonwealth public authorities consulted in accordance with the gateway determination?

The relevant public authorities are considered to be:

- Office of Environment and Heritage, in relation to environmental impacts
- Rural Fire Service, in relation to bush fire hazard management.

The views of these public authorities will be sought following receipt of the Gateway determination.

Part 4 – Mapping

A - Affected land

The land directly affected by the planning proposal is shown in **Figure 1**, on page 9.

The location of the relevant land is shown in **Figure 2**, on page 10.

B - Comparison of before and after

Following are map extracts showing the current mapping and proposed changes, illustrating what is shown and what is proposed to be shown in the legal maps.

The **Land Zoning Map** is the primary map, with the applicable zones being relevant to:

- Permissibility in the Land Use Table in Part 2 of the LEP text
- The application of other LEP clauses
- The application of some provisions in SEPPs such as the Codes SEPP and the Infrastructure SEPP.

The **Lot Size Map** defines the minimum lot size for subdivision, and for some zones the minimum lot size required for dwellings. Refer to LEP clauses 2.6 and 4.1 to 4.2C.

Dedication of proposed Lot 5 to a public authority is exempt development, which means it is irrelevant whether it meets the required minimum lot size.

The **Floor Space Ratio Map** sets maximum floor space ratios for some land. Refer to LEP clauses 4.4 and 4.5.

Other map series that apply to the land, though not proposed to be altered, are:

- **Flood Planning Map** - refer to LEP clauses 7.3 and 7.4. The extent of the Flood Planning Area is shown in **Figure 3** on page 14. In this location, the boundary of the area affected by the Probable Maximum Flood aligns with the Flood Planning Area, so clause 7.4 is not applicable.
- **Height of Buildings Map** - refer to LEP clause 4.3. The applicable maximum height is 8.5 metres.

Land Zoning Map

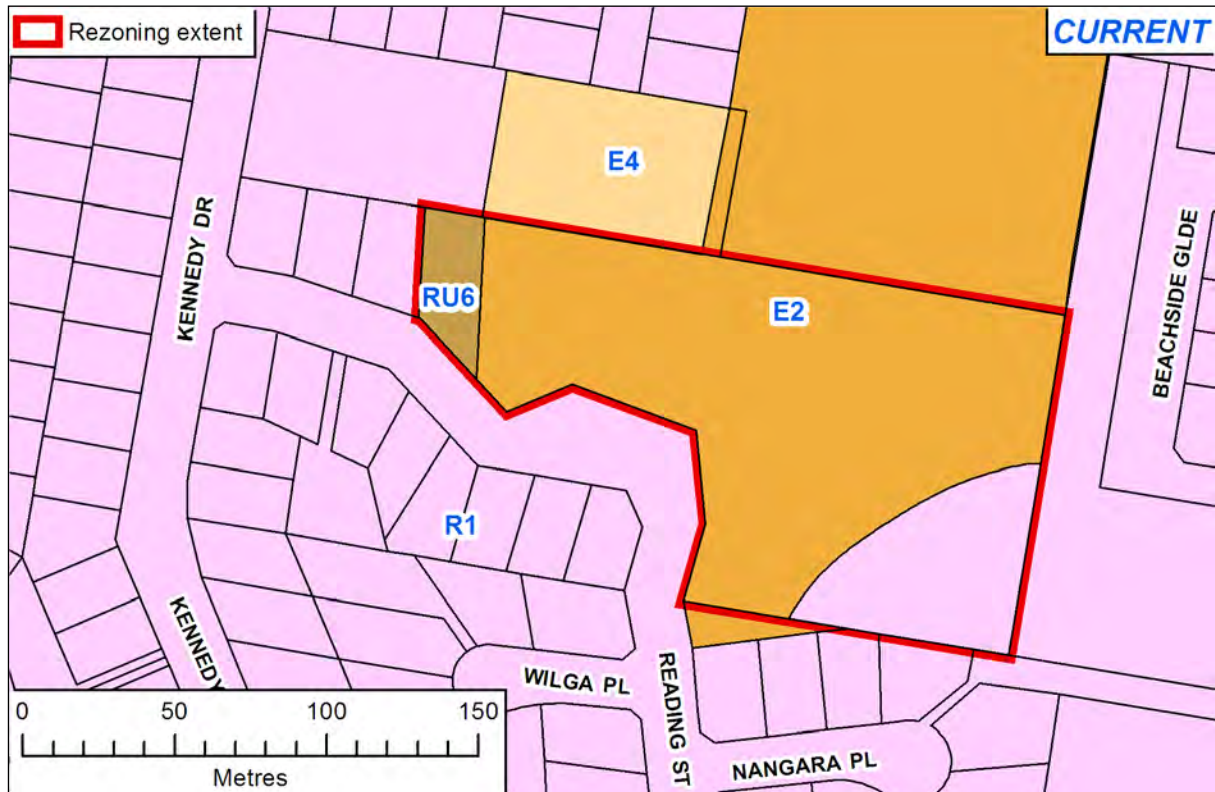


Figure 5 Land Zoning Map - Current

<u>Zone Codes</u>	E2	Environmental Conservation	R1	General Residential
	E4	Environmental Living	RU6	Transition

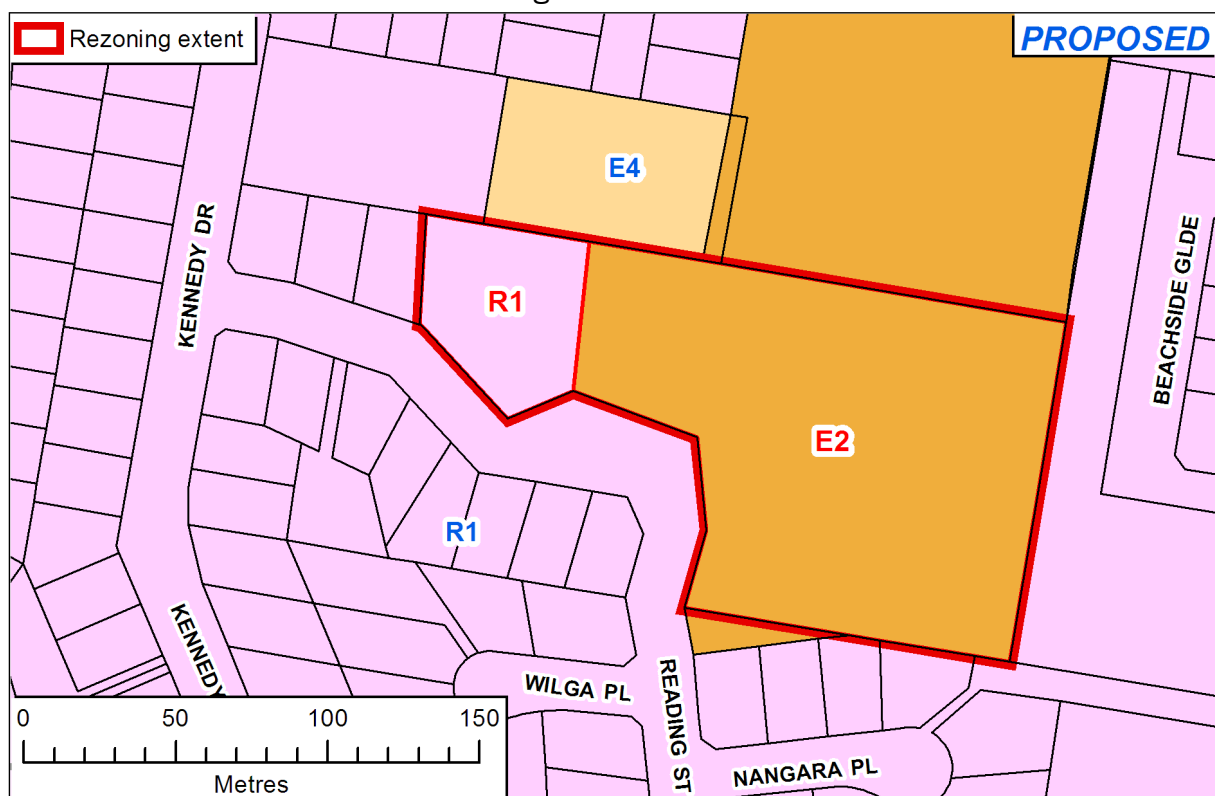


Figure 6 Land Zoning Map - Proposed

Lot Size Map

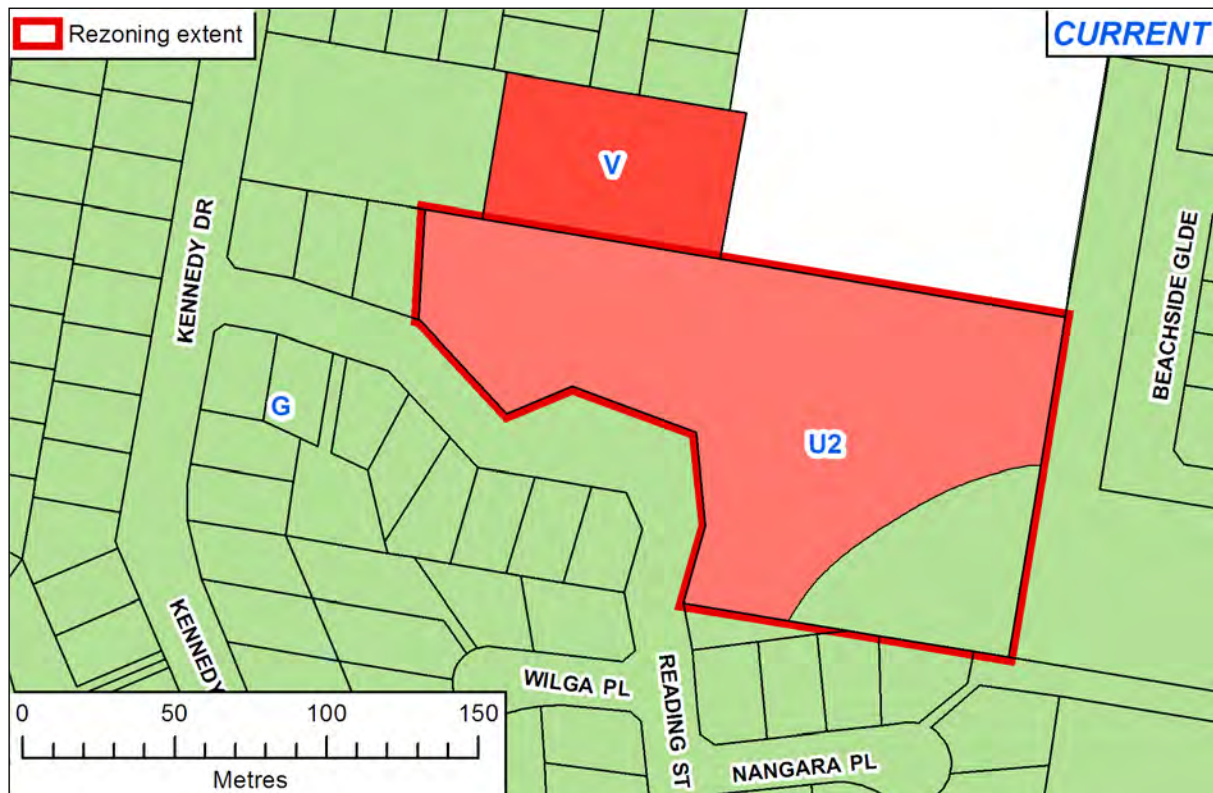


Figure 7 Lot Size Map - Current

Codes	G	450 m ²	V	2000 m ²
	U2	1800 m ²	Y3	1.5 ha

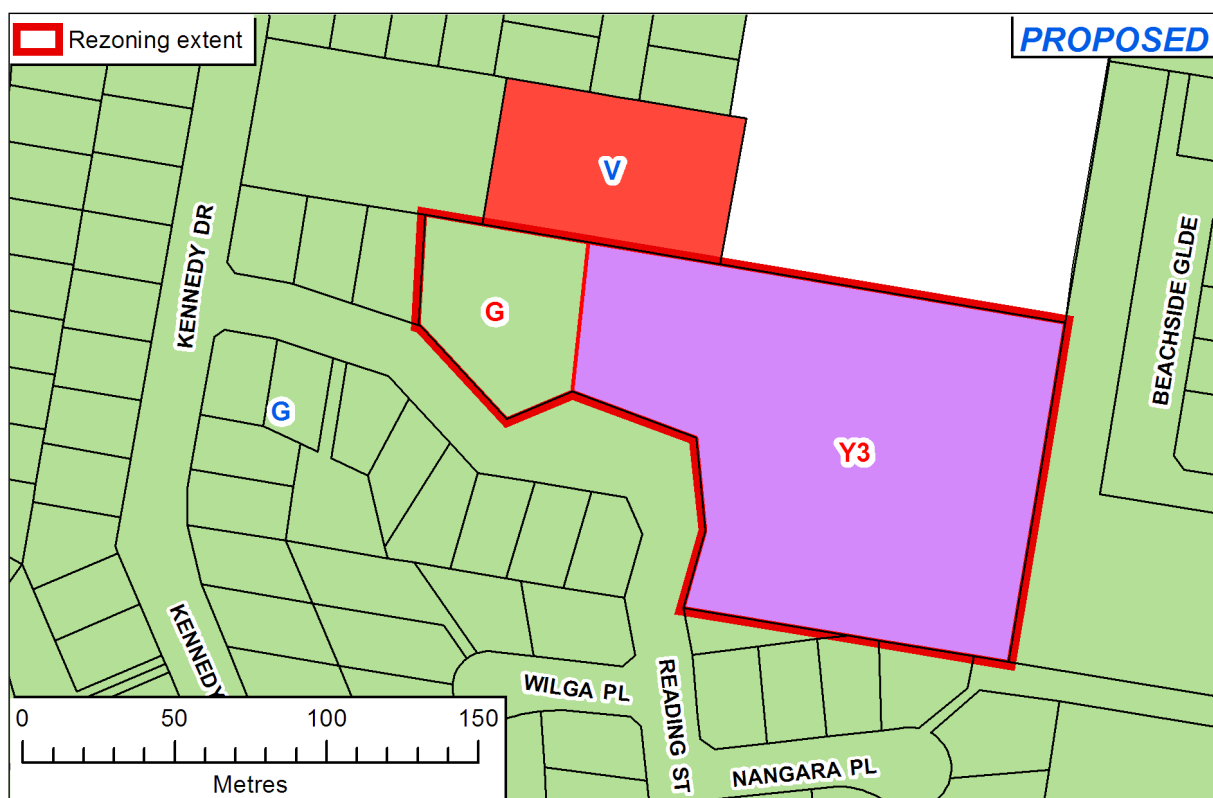


Figure 8 Lot Size Map - Proposed

Floor Space Ratio Map

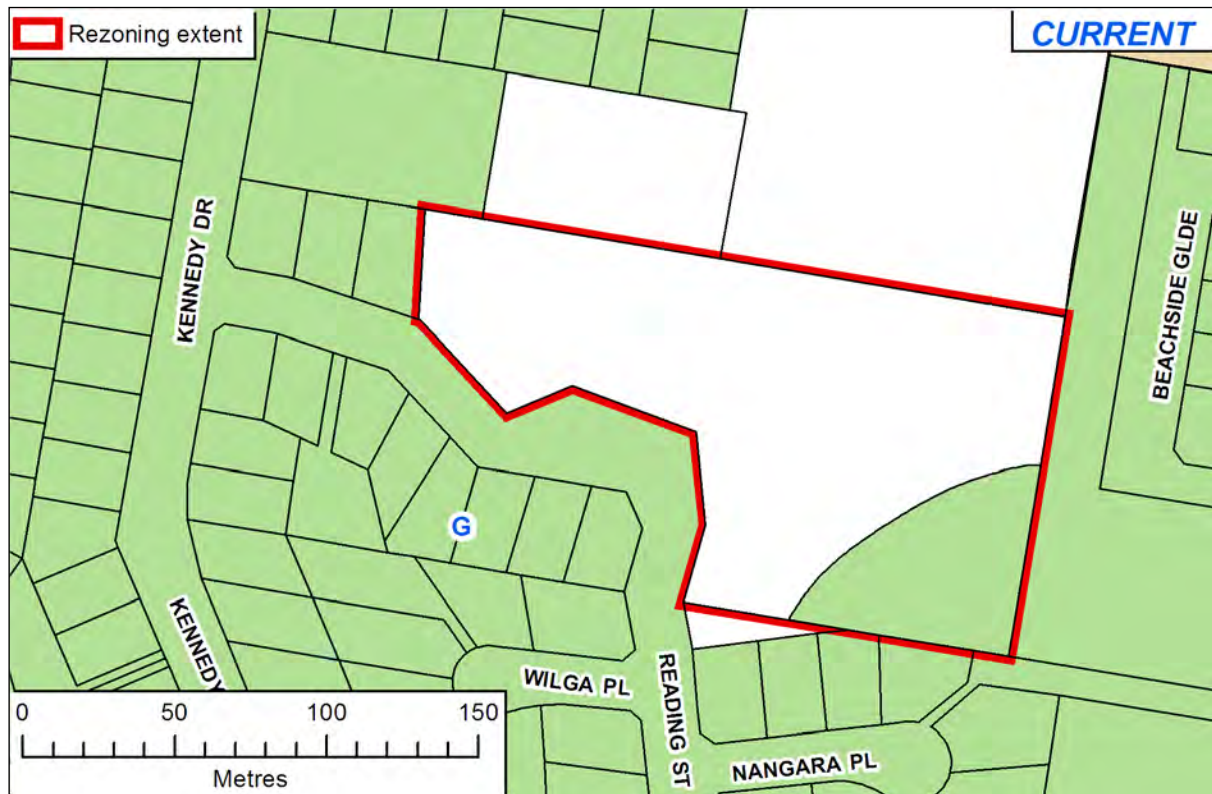


Figure 9 Floor Space Ratio Map - Current

Code G 0.65:1

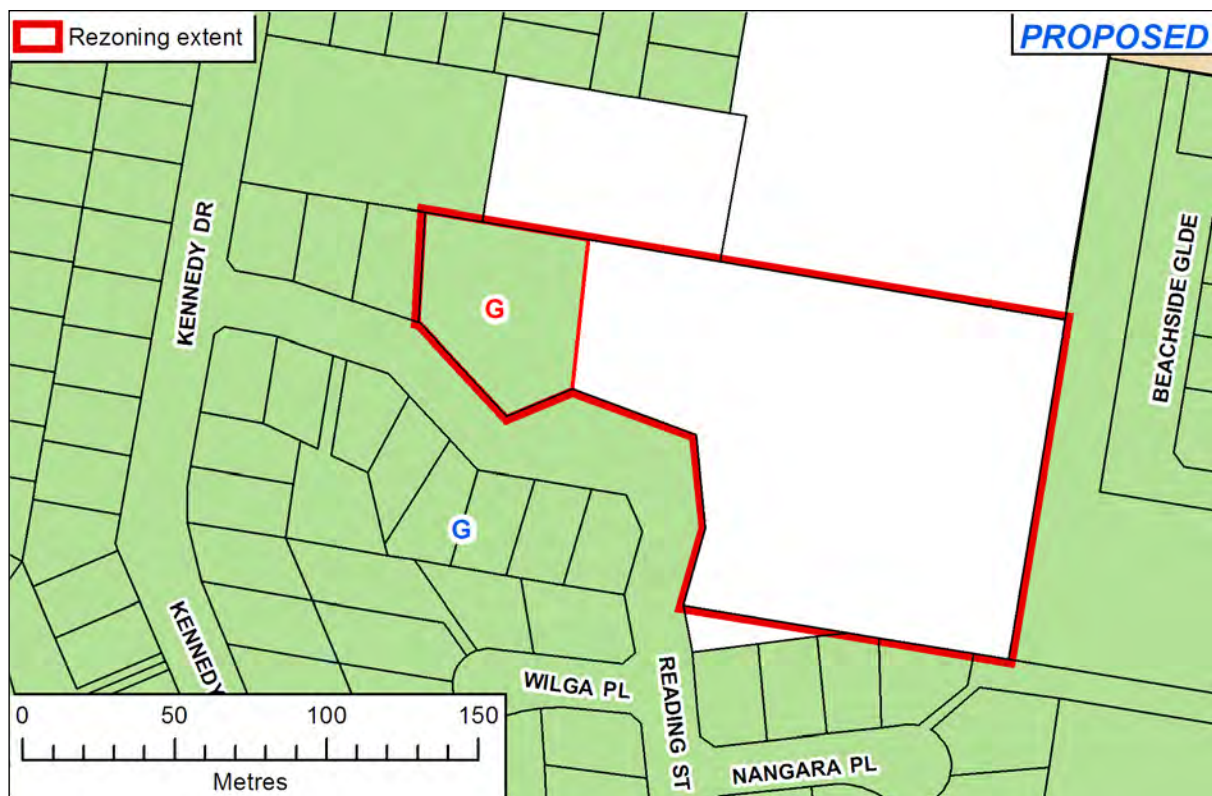


Figure 10 Floor Space Ratio Map - Proposed

C - Draft LEP maps

If the Planning Proposal is approved then the current relevant LEP map sheets will be replaced by the new map sheets incorporating the changes shown on the preceding pages.

The map sheets to be replaced are:

Map sheets	Map sheet identifier
Land Zoning Map LZN_013G	6380_COM_LZN_013G_020_20141208
Lot Size Map LSZ_013G	6380_COM_LSZ_013G_020_20160628
Floor Space Ratio Map FSR_013G	6380_COM_FSR_013G_020_20141209

These map sheets are at a scale of 1:20,000, and draft map sheets to replace them will be prepared closer to final approval. The maps on the preceding pages show the proposed changes more clearly.

Part 5 – Community Consultation

The proposal is considered to be a low impact proposal, as it:

- is consistent with the pattern of surrounding land use zones and/or land uses,
- is consistent with the strategic planning framework,
- presents no issues with regard to infrastructure servicing,
- is not a principal LEP, and
- does not reclassify public land.

However, there is a combined exhibition, including LEP amendment, Development Application, and a proposed Voluntary Planning Agreement, and the latter requires a 28 day public exhibition period, this is the minimum period that will be used.

Consultation in accordance with the Council's Public Consultation Policy is proposed for the site. The proposed consultation strategy in conjunction with the public exhibition for this proposal will be:

- Notification in a locally circulating newspaper.
- Notification on Council's website.
- Written notification to affected and adjoining landowners.

Part 6 – Project Timeline

This project timeline is based on anticipated dates and timeframes, though there can be unexpected delays. It is assumed that Council will have delegation to carry out certain plan-making functions. Delegation would be exercised by Council's General Manager or the Director of Development and Environmental Services.

Anticipated dates	2016						2017					
	J	A	S	O	N	D	J	F	M	A	M	J
Commencement (date of Gateway determination)			X									
Timeframe for the completion of required technical information			X									
Timeframe for government agency consultation (pre and post exhibition as required by Gateway determination)				X								
Commencement and completion dates for public exhibition period					X							
Dates for public hearing (if required)												
Timeframe for consideration of submissions						X						
Timeframe for the consideration of a proposal post exhibition												
Date of submission to the department to finalise the LEP							X					
Date Council will make the plan (if delegated)								X				
Date Council will forward to the department for notification.								X				

Chapter 2 - Development Application

This Chapter covers the description and review the Development Application.

Summary information from the Development Application form:

	Details
Application No	DA2016 - 53.1
Property details	Lot 15 DP 1099742 (No 40) and Lot 7 DP 1142473, Reading Street, Port Macquarie, NSW, 2444
Applicant	Ron Little
Existing use	Lot 15 - 1 residential building Lot 7 - vacant land
Proposed works	'Subdivision - 2 into 4 lots residential subdivision and public reserve' Includes associated earthworks
Integrated development?	Yes - requires a section 100B bush fire safety authority under the <i>Rural Fires Act 1997</i> .

The following pages contain:

- a reduced size copy of the Plan of a Subdivision
- a reduced size copy of a Services Compilation Plan

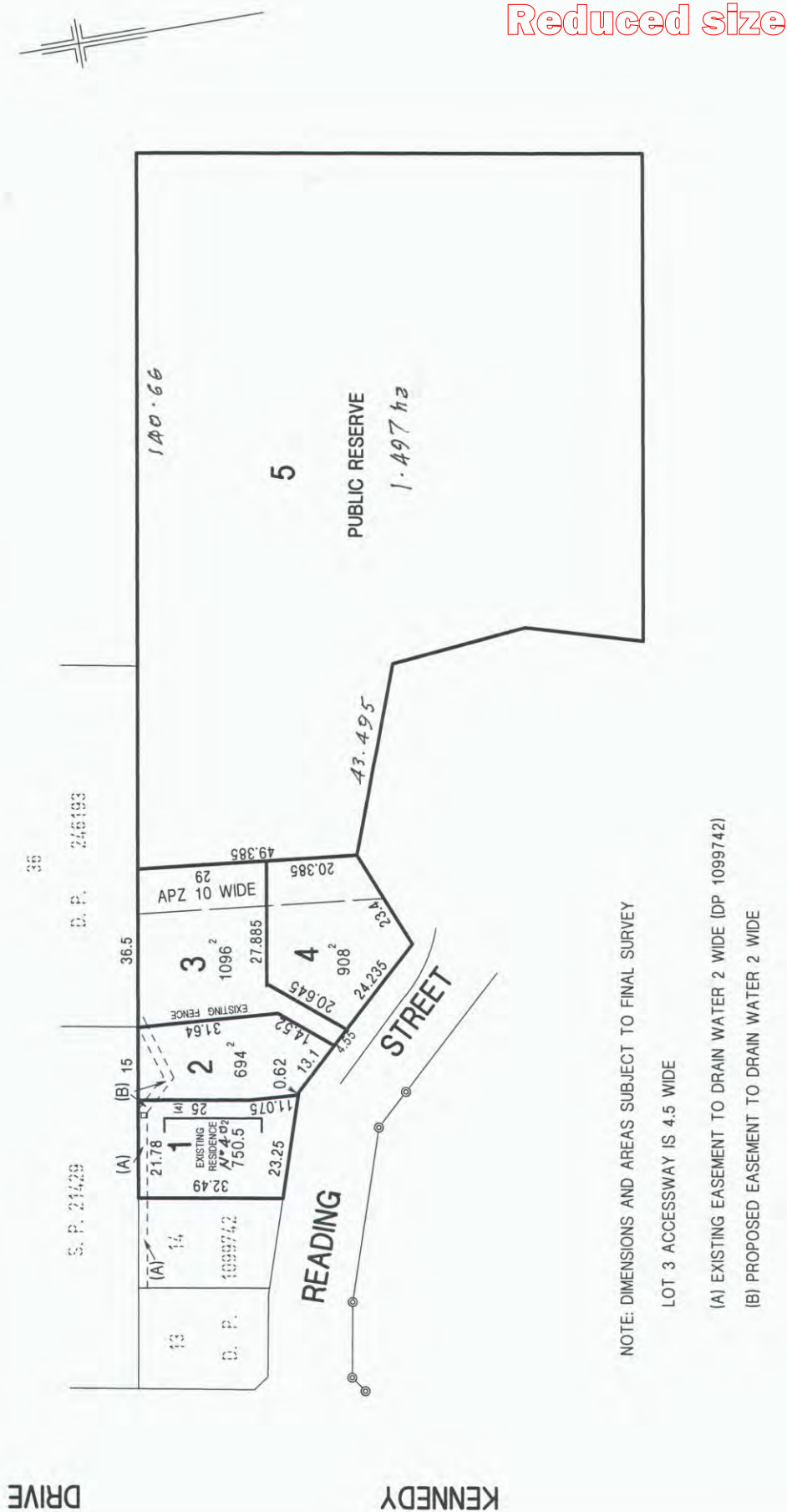
Supporting documentation is reproduced in the **Appendices**:

E Statement of Environmental Effects

F *Bush Fire Assessment, Subdivision Development, Lot 7 Reading St, Port Macquarie NSW*, by Krisann Johnson, April 2015

G *Statutory Ecological Assessment: Proposed Subdivision of Lot 7 DP 1142473, Reading Street, Port Macquarie*, by Naturecall Environmental, August 2015

Note that assessment of the application by Council will be done in conjunction with post-exhibition review of this combined application, and, under Section 72J of the *Environmental Planning and Assessment Act 1979*, may be assessed as if the LEP Amendment described in Chapter 1 is in force. However, issue of the Notice of Determination is deferred until the LEP Amendment has been approved and has commenced.



Client:

LITTLE

FRANK O'ROURKE, REGISTERED SURVEYOR
CONSULTING SURVEYORS

37 GRANDVIEW PARADE, PORT MACQUARIE. P.O. BOX 1387, PORT MACQUARIE. 2444.

Telephone: 02 65 822861

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E-mail: surveyor@midcoast.com.au

PLAN SHOWING

PLAN OF PROPOSED SUBDIVISION OF
LOT 15, D.P. 1099742 & LOT 7, D.P.
1142473 SITUATED IN READING STREET,
PORT MACQUARIE

JOB REF: 9830

DATE: JANUARY 2016

SCALE: 1 : 1000

DATUM: A.H.D.

Figure 11 Plan of Proposed Subdivision (reduced size)



Chapter 3 - Voluntary Planning Agreement

This Chapter covers the description and review the Voluntary Planning Agreement.

While there has been informal agreement that the environmentally significant part of the site will be dedicated to Council, there is no valid basis by which Council can impose this as a requirement of any development consent. The creation of 3 new residential lots does not provide grounds for such a requirement.

The *Environmental Planning and Assessment Act 1979* provides a mechanism outside the development consent process in Part 4 - Division 6 - **Subdivision 2 Planning Agreements**.

The relevant sections, and the supporting Regulations, outline the process and content of Planning Agreements.

A copy of the Voluntary Planning Agreement [VPA] associated with this rezoning and development application is contained in **Appendix D** [will be added prior to public exhibition].

The legal drafting can be difficult to understand, and the VPA includes an Explanatory Note in an Appendix. It states in part:

The objective of the Draft Planning Agreement is to require the Developer to dedicate to the Council the Environmental Dedication Land for the purpose of environmental conservation.

The draft VPA provides more details on this, particularly covering timing in relation to various development scenarios.

The procedures require that the VPA has been available for public inspection for at least 28 days prior to Council entering into the agreement. In addition this preferably should occur in conjunction with associated public notification for the related LEP amendment or development application.

Following the public exhibition of this Planning Proposal, a report will be submitted for Council's consideration and determination in relation to:

- the proposed LEP amendments,
- the development application,
- entering into the planning agreement, and
- the assessment of any submissions from the public exhibition.

Appendix A – Gateway Determination

A copy of the Gateway Determination for this Planning Proposal will be included in this Appendix after it is issued.

The Determination will identify processing requirements, such as:

- possible changes to this proposal,
- consultation with relevant public authorities,
- community consultation.

At the time of preparation of this version of the planning proposal there has been no Gateway Determination.

Appendix B – Consistency with applicable State Environmental Planning Policies

Listed below are the SEPPs that apply to land within the Port Macquarie-Hastings Local Government Area.

State Environmental Planning Policies	Consistency
14 Coastal Wetlands	Not relevant
15 Rural Landsharing Communities	Not relevant
21 Caravan Parks	Not relevant
26 Littoral Rainforests	Not relevant. Note the SEPP applies to land 140 m to the east - refer to Figure 3 on page 14.
30 Intensive Agriculture	Not relevant
32 Urban Consolidation (Redevelopment of Urban Land)	Not relevant
33 Hazardous and Offensive Development	Not relevant
36 Manufactured Home Estates	Not relevant
44 Koala Habitat Protection	Relevant. The Ecological Assessment Report (refer Appendix G) contains a Koala Habitat Assessment which concluded the site did not meet the criteria to be Potential Koala Habitat. Further action under the SEPP not required. Consistent.
50 Canal Estate Development	Not relevant
55 Remediation of Land	Not relevant
62 Sustainable Aquaculture	Not relevant
64 Advertising and Signage	Not relevant
65 Design Quality of Residential Flat Development	Not relevant
71 Coastal Protection (<i>c/l</i> 7-8)	Relevant - the land is within the 'coastal zone' as defined in the <i>Coastal Protection Act 1979</i> - refer to Figure 3 on page 14. 'Sensitive coastal land', as defined in the SEPP is located 65 m to the east of Lot 7, and 220 m east of any of the proposed residential lots. The requirements for a Master Plan do not apply. Most of the SEPP is focused on coastal foreshores and the marine environment. Detailed review of the relevant provisions of this SEPP is contained in the table following.
(Affordable Rental Housing) 2009	Not relevant
(Building Sustainability Index: BASIX) 2004	Not relevant
(Exempt and Complying Development Codes) 2008	Not relevant
(Housing for Seniors or People with a Disability) 2004	Not relevant
(Infrastructure) 2007	Not relevant
(Major Development) 2005	Not relevant
(Mining, Petroleum Production and Extraction Industries) 2007	Not relevant
(Rural Lands) 2008	Not relevant

State Environmental Planning Policies	Consistency
(State and Regional Development) 2011	Not relevant
(Temporary Structures) 2007	Not relevant

SEPP No 71 - Coastal Protection - relevant provisions	Comments
Clause 2 Aims of Policy	
(g) to protect and preserve native coastal vegetation,	This proposal provides for better outcomes for connectivity and ongoing conservation of the native coastal vegetation.
(j) to manage the coastal zone in accordance with the principles of ecologically sustainable development (within the meaning of section 6 (2) of the Protection of the Environment Administration Act 1991)	This proposal involves low impact residential development within the existing urban area of Port Macquarie.
(k) to ensure that the type, bulk, scale and size of development is appropriate for the location and protects and improves the natural scenic quality of the surrounding area,	The proposal, in conjunction with the continuing current LEP provisions, will lead to residential development which is compatible with existing adjoining development.
(l) to encourage a strategic approach to coastal management.	The proposal provides a strategic solution to enhanced environmental outcomes through relocation of a residential zoning on Lot 7.
Clause 8 Matters for consideration	
(d) the suitability of development given its type, location and design and its relationship with the surrounding area,	The proposal, in conjunction with the continuing LEP provisions, will lead to residential development which is compatible with existing adjoining development.
(i) existing wildlife corridors and the impact of development on these corridors,	The proposal will remove the risk of development in key linkage areas, and enhance protection of the existing wildlife corridor.
(o) only in cases in which a council prepares a draft local environmental plan that applies to land to which this Policy applies, the means to encourage compact towns and cities,	The proposal accommodates limited residential subdivision on part of the site where it will have minimal environmental impacts.
(p) only in cases in which a development application in relation to proposed development is determined: (i) the cumulative impacts of the proposed development on the environment, and (ii) measures to ensure that water and energy usage by the proposed development is efficient.	No cumulative impacts are envisaged. Future housing will be subject to BASIX assessment.
Part 4 Development control	Clause 13 is already covered by clause 5.3 (3) of LEP 2011. The other clauses focus more on direct coastal impacts. Effluent disposal and stormwater are subject to general standards in Council's consents.

Appendix C – Consistency with applicable Section 117 Ministerial Directions

Listed below are the Section 117 (2) Directions (including Objectives) that apply to land within the Port Macquarie-Hastings Local Government Area.

Copies of the full Directions are available on the Department of Planning & Environment website.

Section 117(2) Directions and Objectives	Consistency
1 Employment and Resources	
1.1 Business and Industrial Zones The objectives of this direction are to: (a) encourage employment growth in suitable locations, (b) protect employment land in business and industrial zones, and (c) support the viability of identified strategic centres.	Not relevant
1.2 Rural Zones The objective of this direction is to protect the agricultural production value of rural land.	Not relevant
1.3 Mining, Petroleum Production and Extractive Industries The objective of this direction is to ensure that the future extraction of State or regionally significant reserves of coal, other minerals, petroleum and extractive materials are not compromised by inappropriate development.	Not relevant
1.4 Oyster Aquaculture The objectives of this direction are: (a) to ensure that Priority Oyster Aquaculture Areas and oyster aquaculture outside such an area are adequately considered when preparing a planning proposal, (b) to protect Priority Oyster Aquaculture Areas and oyster aquaculture outside such an area from land uses that may result in adverse impacts on water quality and consequently, on the health of oysters and oyster consumers.	Not relevant
1.5 Rural Lands The objectives of this direction are to: (a) protect the agricultural production value of rural land, (b) facilitate the orderly and economic development of rural lands for rural and related purposes. When a planning proposal that will affect land within an existing or proposed rural or environment protection zone (including the alteration of any existing rural or environment protection zone boundary), the Direction requires: (3) A planning proposal to which clauses 3(a) or 3(b) apply must be consistent with the Rural Planning Principles listed in <i>State Environmental Planning Policy (Rural Lands) 2008</i>.	Relevant, as the proposal alters an existing environment protection zone boundary. The 8 Rural Planning Principles focus on protecting agricultural production and rural communities. The only relevant principles are: (e) the identification and protection of natural resources, having regard to maintaining biodiversity, the protection of native vegetation, the importance of water resources and avoiding constrained land, (h) ensuring consistency with any applicable regional strategy of the Department of Planning or any applicable local strategy endorsed by the Director-General. The proposal is consistent with both of these.

Section 117(2) Directions and Objectives	Consistency
2 Environment and Heritage	
2.1 Environmental Protection Zones The objective of this direction is to protect and conserve environmentally sensitive areas. The Direction requires: (4) A planning proposal must include provisions that facilitate the protection and conservation of environmentally sensitive areas. (5) A planning proposal that applies to land within an environment protection zone or land otherwise identified for environment protection purposes in a LEP must not reduce the environmental protection standards that apply to the land (including by modifying development standards that apply to the land).	For the areas zoned E2 Environmental Conservation the details of the change are discussed in more detail in Chapter 1 of this Planning Proposal. The area currently zoned E2 is 1.378 ha, and the proposed area is 1.497 ha. The proposal protects the environmentally sensitive area, and there is no reduction in environmental protection standards. The proposal is consistent.
2.2 Coastal Protection The objective of this direction is to implement the principles in the NSW Coastal Policy. The Direction states: A planning proposal must include provisions that give effect to and are consistent with:	The site is within the Coastal zone - refer to Figure 3 on page 14.
(a) the <i>NSW Coastal Policy: A Sustainable Future for the New South Wales Coast 1997</i>, and	The Policy has 143 Strategic Actions, primarily focussed on coastal and estuarine interfaces. The most relevant Actions are: 1.1.9 Local environmental plans will be prepared with appropriate zonings and other provisions for areas of recognised conservation value. 2.1.3 Physical and ecological processes and hazards will be considered when assessing development applications. This proposal is consistent.
(b) the <i>Coastal Design Guidelines 2003</i>, and	The Guidelines identify Port Macquarie as a Coastal City. The Five principles for coastal settlement structure are: 1. Defining the footprint and boundary of the settlement 2. Connecting open spaces 3. Protecting the natural edges 4. Reinforcing the street pattern 5. Appropriate buildings in a coastal context. This proposal is consistent with these principles.
(c) the manual relating to the management of the coastline for the purposes of section 733 of the <i>Local Government Act 1993</i>. [By Gazette Notice dated 19/07/2013 the current manual is <i>Guidelines for Preparing Coastal Zone Management Plans</i>, July 2013]	The guidelines are intended to provide guidance on the preparation of a Coastal Zone Management Plans, which are intended to address issues including: • managing risks to public safety and built assets • pressures on coastal ecosystems,

Section 117(2) Directions and Objectives	Consistency
	and community uses of the coastal zone. The community uses are focussed on the appropriate land uses adjoining the coastline or waterways, and particularly for land at risk of coastal processes. For this site within urban Port Macquarie, there are no points of concern. This proposal is consistent with the Guidelines.
2.3 Heritage Conservation The objective of this direction is to conserve items, areas, objects and places of environmental heritage significance and indigenous heritage significance.	Not relevant
2.4 Recreation Vehicle Areas The objective of this direction is to protect sensitive land or land with significant conservation values from adverse impacts from recreation vehicles.	Not relevant
3 Housing, Infrastructure and Urban Development	
3.1 Residential Zones The objectives of this direction are: (a) to encourage a variety and choice of housing types to provide for existing and future housing needs, (b) to make efficient use of existing infrastructure and services and ensure that new housing has appropriate access to infrastructure and services, and (c) to minimise the impact of residential development on the environment and resource lands. The direction applies as there is an alteration to an existing residential zone boundary, and requires: A planning proposal must include provisions that encourage the provision of housing that will: (a) broaden the choice of building types and locations available in the housing market, and (b) make more efficient use of existing infrastructure and services, and (c) reduce the consumption of land for housing and associated urban development on the urban fringe, and (d) be of good design. A planning proposal must, in relation to land to which this direction applies: (a) contain a requirement that residential development is not permitted until land is adequately serviced (or arrangements satisfactory to the council, or other appropriate authority, have been made to service it), and (b) not contain provisions which will reduce the permissible residential density of land.	While this is relevant, the proposal only applies to a small area of Residential zoned land, and it relies on the existing LEP provisions that generally address this Direction. This proposal is consistent.
3.2 Caravan Parks and Manufactured Home Estates The objectives of this direction are: (a) to provide for a variety of housing types, and (b) to provide opportunities for caravan parks and manufactured home estates.	Briefly the Direction requires that Councils retain provisions permitting caravan parks and identify suitable sites for manufactured home estates. As a planning proposal merely altering boundaries of zones etc, this proposal is consistent.

Section 117(2) Directions and Objectives	Consistency
3.3 Home Occupations The objective of this direction is to encourage the carrying out of low-impact small businesses in dwelling houses.	Not relevant
3.4 Integrating Land Use and Transport The objective of this direction is to ensure that urban structures, building forms, land use locations, development designs, subdivision and street layouts achieve the following planning objectives: (a) improving access to housing, jobs and services by walking, cycling and public transport, and (b) increasing the choice of available transport and reducing dependence on cars, and (c) reducing travel demand including the number of trips generated by development and the distances travelled, especially by car, and (d) supporting the efficient and viable operation of public transport services, and (e) providing for the efficient movement of freight.	Not relevant
3.5 Development Near Licensed Aerodromes The objectives of this direction are: (a) to ensure the effective and safe operation of aerodromes, and (b) to ensure that their operation is not compromised by development that constitutes an obstruction, hazard or potential hazard to aircraft flying in the vicinity, and (c) to ensure development for residential purposes or human occupation, if situated on land within the Australian Noise Exposure Forecast (ANEF) contours of between 20 and 25, incorporates appropriate mitigation measures so that the development is not adversely affected by aircraft noise.	Not relevant
3.6 Shooting Ranges The objectives are: (a) to maintain appropriate levels of public safety and amenity when rezoning land adjacent to an existing shooting range, (b) to reduce land use conflict arising between existing shooting ranges and rezoning of adjacent land, (c) to identify issues that must be addressed when giving consideration to rezoning land adjacent to an existing shooting range.	Not relevant
4 Hazard and Risk	
4.1 Acid Sulfate Soils The objective of this direction is to avoid significant adverse environmental impacts from the use of land that has a probability of containing acid sulfate soils.	Not relevant
4.2 Mine Subsidence and Unstable Land The objective of this direction is to prevent damage to life, property and the environment on land identified as unstable or potentially subject to mine subsidence.	Not relevant
4.3 Flood Prone Land The objectives of this direction are: (a) to ensure that development of flood prone land is consistent with the NSW Government's Flood Prone Land Policy and the principles of the <i>Floodplain Development Manual 2005</i> , and (b) to ensure that the provisions of an LEP on flood prone land is commensurate with flood hazard and includes consideration	Part of Lot 7 is identified as within the Flood Planning Area, including some of the land zoned R1 General Residential in the south-eastern portion of the Lot - refer to Figure 3 on page 14. The proposal will result in the entire portion within the Flood Planning Area being within the E2 Environmental

Section 117(2) Directions and Objectives	Consistency
of the potential flood impacts both on and off the subject land. The direction applies as the proposal alters a zone that affects flood prone land.	Conservation zone. The removal of the potential for housing within the Flood Planning Area is consistent with the Direction.
4.4 Planning for Bushfire Protection The objectives of this direction are: (a) to protect life, property and the environment from bush fire hazards, by discouraging the establishment of incompatible land uses in bush fire prone areas, and (b) to encourage sound management of bush fire prone areas. <i>Further details:</i> When this direction applies This direction applies when a relevant planning authority prepares a planning proposal that will affect, or is in proximity to land mapped as bushfire prone land.	Almost all of Lot 7 is identified as Category 2 Bushfire Prone - refer to Figure 13 on page 37. The portion currently zoned RU6 Transition is part Category 2 and part Buffer. The Development Application shows a 10 m wide Asset Protection Zone [APZ] on the eastern side of the proposed residential lots. The DA documentation includes a Bush Fire Assessment (refer to Appendix F), which concludes that 'The objectives for PBP 2006 have been met'.
What a relevant planning authority must do if this direction applies (4) In the preparation of a planning proposal the relevant planning authority must consult with the Commissioner of the NSW Rural Fire Service following receipt of a gateway determination under section 56 of the Act, and prior to undertaking community consultation in satisfaction of section 57 of the Act, and take into account any comments so made,	In terms of the requirements of the Direction: (4) This can only be done following issue of the Gateway Determination, and so is an inconsistency as at the time of issue of the determination.
(5) A planning proposal must: (a) have regard to <i>Planning for Bushfire Protection 2006</i>, (b) introduce controls that avoid placing inappropriate developments in hazardous areas, and (c) ensure that bushfire hazard reduction is not prohibited within the APZ.	(5) The requirements of paragraphs (a) and (b) have been complied with, as shown in the Bush Fire Assessment report in Appendix F. In relation to paragraph (c), clause 5.11 of LEP 2011 allow bushfire hazard reduction without consent where it is authorised by the <i>Rural Fires Act 1997</i>. No change is proposed.
(6) A planning proposal must, where development is proposed, comply with the following provisions, as appropriate: (a) provide an Asset Protection Zone (APZ) incorporating at a minimum: (i) an Inner Protection Area bounded by a perimeter road or reserve which circumscribes the hazard side of the land intended for development and has a building line consistent with the incorporation of an [APZ], within the property, and (ii) an Outer Protection Area managed for hazard reduction and located on the bushland side of the perimeter road, (b) for infill development (that is development within an already subdivided area), where an appropriate APZ cannot be achieved, provide for an appropriate performance standard, in consultation with the NSW Rural Fire Service. If the provisions of the planning proposal permit Special Fire Protection Purposes (as defined under section 100B of the <i>Rural Fires Act 1997</i>), the APZ provisions must be complied with, (c) contain provisions for two-way access roads which links to	(6) Compliance with the relevant requirements is assessed in the Bush Fire Assessment report (refer Appendix F).

Section 117(2) Directions and Objectives	Consistency
perimeter roads and/or to fire trail networks, (d) contain provisions for adequate water supply for firefighting purposes, (e) minimise the perimeter of the area of land interfacing the hazard which may be developed, (f) introduce controls on the placement of combustible materials in the Inner Protection Area.	
5 Regional Planning	
5.1 Implementation of Regional Strategies The objective of this direction is to give legal effect to the vision, land use strategy, policies, outcomes and actions contained in regional strategies.	Not relevant
5.4 Commercial & Retail Development along the Pacific Hwy, North Coast The objectives for managing commercial and retail development along the Pacific Highway are: (a) to protect the Pacific Highway's function, that is to operate as the North Coast's primary inter- and intra-regional road traffic route; (b) to prevent inappropriate development fronting the highway; (c) to protect public expenditure invested in the Pacific Highway; (d) to protect and improve highway safety and highway efficiency; (e) to provide for the food, vehicle service and rest needs of travellers on the highway; and (f) to reinforce the role of retail and commercial development in town centres, where they can best serve the populations of the towns.	Not relevant
5.10 Implementation of Regional Plans The objective of this direction is to give legal effect to the vision, land use strategy, goals, directions and actions contained in Regional Plans.	Not relevant
6 Local Plan Making	
6.1 Approval and Referral Requirements The objective of this direction is to ensure that LEP provisions encourage the efficient and appropriate assessment of development.	Not relevant
6.2 Reserving Land for Public Purposes The objectives of this direction are: (a) to facilitate the provision of public services and facilities by reserving land for public purposes, and (b) to facilitate the removal of reservations of land for public purposes where the land is no longer required for acquisition.	Not relevant
6.3 Site Specific Provisions The objective of this direction is to discourage unnecessarily restrictive site specific planning controls. A planning proposal that amends a LEP in order to permit a particular development proposal to be carried out must either: (a) allow that land use to be carried out in the zone the land is situated on, or (b) rezone the site to an existing zone already applying in the environmental planning instrument that allows that land use without imposing any development standards or requirements in addition to those already contained in that zone, or (c) allow that land use on the relevant land without imposing any	This Direction applies to this proposal, and it is consistent as it amends the LEP Map sheets for the site using existing map classifications.

Section 117(2) Directions and Objectives	Consistency
development standards or requirements in addition to those already contained in the principal environmental planning instrument being amended. Also, the planning proposal must not contain or refer to drawings that show details of the development proposal.	

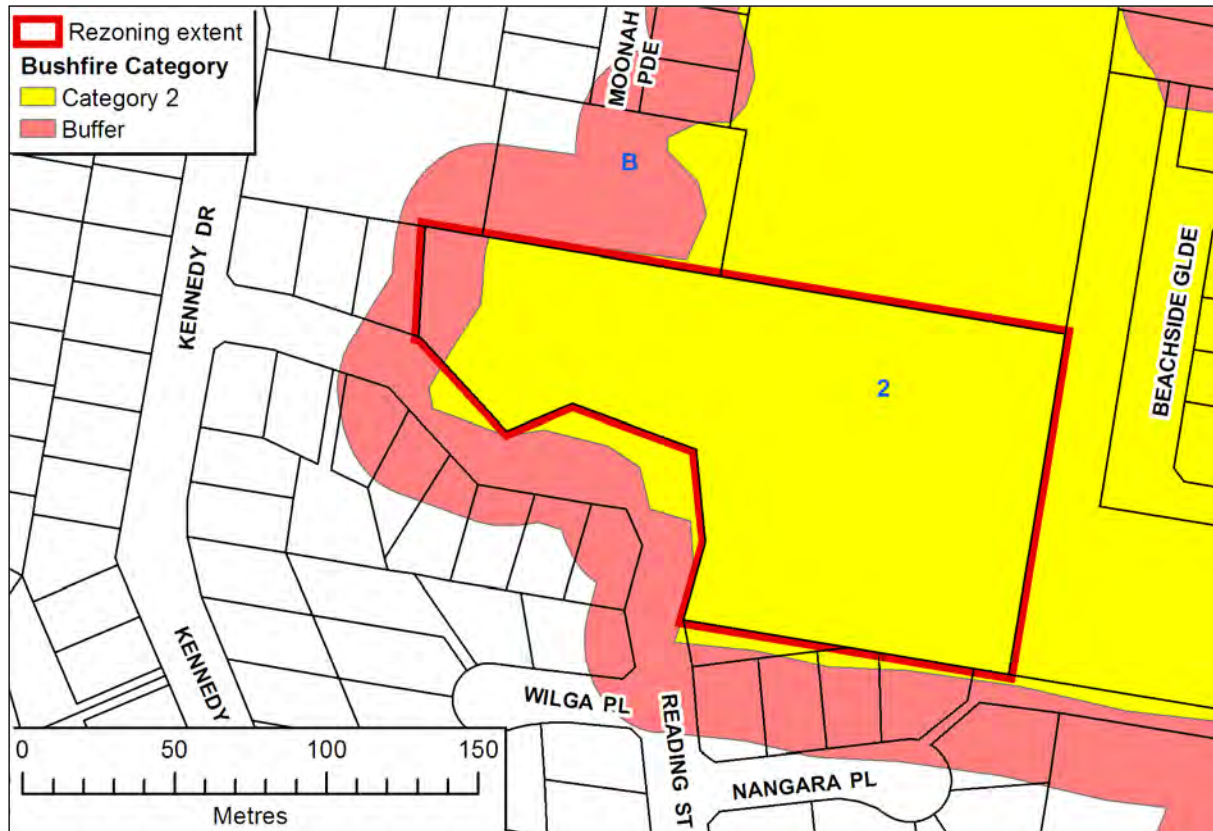


Figure 13 Bushfire prone land mapping

Appendix D – Voluntary Planning Agreement document

A copy of the VPA referred to in Chapter 3 will be on the following pages for the public exhibition.

It is not included at this stage.

Appendix E – Statement of Environmental Effects

The Statement of Environmental Effects submitted with the development application is on the following pages.

2016-53.1

STATEMENT OF ENVIRONMENTAL EFFECTS

This form is to be submitted for minor development applications only, such as new dwellings, alterations and additions and ancillary structures, change of use/first use of commercial and industrial premises. Other applications will require a comprehensive SOEE. Refer to SOEE Fact Sheet or Council's Duty Planner for assistance.

If you answer "yes" to any item in sections 4 to 8 you will need to detail the likely impact(s) and the proposed means of mitigating or reducing such impact(s). If insufficient space has been provided, attach additional sheet(s).

1. PROPERTY DETAILS

Lot No 7 Section No. 1142493 DP/SP No. 1099742 Street No. 40
 Street Name 15 REARVINA
 Suburb/Town PORT MACQUARIE Postcode 2445

2. PROPOSAL DESCRIPTION

Provide a description of the proposed development.

..... LOT SUBDIVISION

The following questions are to be completed for applications relating to home business/industry, shops, commercial and industrial premises.

Hours of operation? N/A

Client and staff numbers? "

Type, size and quantity of goods to be made, stored or transported?

..... N/A

Details of any deliveries (i.e. hours, frequency, type of vehicles)?

..... NA

Details of any retailing? NA

Comments:
.....
.....

3. PLANNING INFORMATION

What is the zoning of the subject land? RESIDENTIAL - RU 6 - E2

What is the current use of the land/building? RESIDENTIAL + VACANT

Is your proposal:

- permissible in the zone? Yes ☐ No ☐
- consistent with the zone objectives? Yes ☒ No ☐

Does your proposal comply with the relevant:

- development standards (i.e. FSR, heights) in the Local Environmental Plan? N/A Yes ☐ No ☐
- development control plan (e.g. setbacks, car parking)? N/A Yes ☐ No ☐

If you answered "no" to any of the above questions, a detailed justification is required. Additionally, you should discuss your proposal with the Duty Planner before lodging your development application.

4. SITE SUITABILITY

Will the development:

- affect any neighbouring residences by overshadowing or loss of privacy? Yes ☐ No ☒
- result in the loss or reduction of views? Yes ☐ No ☒
- impact on any item of heritage or cultural significance? Yes ☐ No ☒
- result in land use conflict or incompatibility with neighbouring premises? Yes ☐ No ☒
- be out of character with the surrounding area? Yes ☐ No ☒
- be visually prominent within the existing landscape/streetscape? Yes ☐ No ☒
- require excavation or filling in excess of 1 metre? Yes ☐ No ☒
- require the erection or display of any advertising signage? Yes ☐ No ☒

Comments:
.....
.....

5. ENVIRONMENTAL IMPACTS

Is the site affected by any of the following natural hazards?

Yes ☐ No ☒

If yes, please indicate which hazard.

Flooding ☐ Bushfire ☒ Acid sulfate soils ☐

(Note: Information on natural hazards available from Council.)

Will the proposal:

- result in any form of air pollution (smoke, dust, odour, etc)? Yes ☐ No ☒
- have the potential to cause any form of water pollution? Yes ☐ No ☒
- emit noise levels that could affect neighbouring properties? Yes ☐ No ☒
- be considered potentially hazardous or offensive (refer SEPP 33 for definitions)? Yes ☐ No ☒
- affect native or aquatic habitat? Yes ☐ No ☒
- have an impact on a threatened species or habitat? Yes ☐ No ☒
- involve the removal of any trees? (If yes, detail type and number below.) Yes ☐ No ☒

Comments:

.....

.....

6. ACCESS, TRAFFIC & UTILITIES

Are electricity and telecommunications services available to the site?

Yes ☒ No ☐

Does the site have access to town water?

Yes ☒ No ☐

Does the site have access to town sewerage?

Yes ☒ No ☐

If you answered no to the above, is a waste water report attached?

Yes ☐ No ☐

Provide details of on-site parking, including number of spaces. N/A

.....

Is lawful and practical access available to the site?

Yes ☒ No ☐

Will the development increase local traffic movements and volumes?

Yes ☒ No ☐

Are appropriate manoeuvring, unloading and loading facilities available on site?

Yes ☒ No ☐

(Note: Turning templates may be required for medium density, commercial and industrial.)

Provide details of proposed method of stormwater disposal (e.g. street, rubble drain, rainwater tank)

..... N/A

Comments:
.....
.....

7. SOCIAL & ECONOMIC IMPACTS (~~Not applicable to new dwellings, additions or like.~~)

Will the proposal have any social or economic impacts in the area? Yes ☐ No ☒

Have you conducted any community consultation (e.g. neighbours, Police)? Yes ☐ No ☒

Have you considered Council's Social Impact Assessment Policy? Yes ☐ No ☒

Comments:
.....
.....

8. WASTE DISPOSAL

Provide details of waste management, including reuse and recycling
..... *N/A*

How and where will the wastes be stored?
..... *N/A*

Does the proposed use generate any special wastes (e.g. medical, contaminated)? Yes ☐ No ☒

Will the use generate trade wastes (e.g. greasy or medical wastes)? Yes ☐ No ☒

Comments:
.....
.....

APPLICANT'S SIGNATURE

DATE

11-2-16

Appendix F – Bush Fire Assessment

A bush fire safety authority under Section 100B of the *Rural Fires Act 1997* is required for subdivision of bush fire prone land that could lawfully be used for residential purposes. This separate approval makes the proposal 'integrated development', with concurrent assessment by the Rural Fire Service. Any requirements of the Service will be incorporated into any development consent.

To assist in the assessment of the proposal, a Bush Fire Assessment has been included with the application. A copy is on the following pages.

Where an approved residential subdivision has a bush fire safety authority, clause 273 of the *Environmental Planning and Assessment Regulation 2000* can simplify the subsequent approval process for dwellings and ancillary buildings within that subdivision.

The Assessment incorrectly refers to a turning circle in Sections 2.2, 3.2 and 3.5 - this is not proposed as part of this development.

NOTE: In electronic form, the Bush Fire Assessment may be supplied as a separate electronic file.

2015

Bush Fire Assessment

Subdivision Development

Lot 7 Reading St
Port Macquarie NSW



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BPD-PD 18578 Certified Consultant

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Executive Summary

The following Bushfire Assessment has been carried out to inform the property owners, builders, Certifying Authority, NSW RFS and other stakeholders of the bushfire planning requirements associated with the residential land subdivision development at Lot 7 Reading St, Port Macquarie NSW.

The development was assessed under Section 100B of the Rural Fires Act 1997. The requirements listed in Clause 44 of the Rural Fires Regulation 2008 were addressed. A Bushfire Safety Authority will need to be issued before the development can be approved.

This report provides an assessment of the bushfire protection measures required for the development to guard against the potential impact of bushfires. Recommendations have been made in respect of APZ fuel management, construction standards, access and services.

This document assesses how the development will conform to the aims, objectives and performance criteria set out in Chapter 4 of PBP 2006.

The objectives for PBP 2006 have been met by:

- Exceeding the minimum 10 metre APZ requirement and not more than 29 kW/m² radiant heat for any future new dwellings on the proposed lots. This will provide for defensible space and avoid flame contact and excessive radiant heat.
- Recommending the establishment and maintenance of the Asset Protection Zones.
- Utilizing the existing public road network for safe access and egress for emergency services personnel and home owners
- Providing adequate service of water and locating electricity underground so as to not contribute to the risk of fire.

Disclaimer

The following report is made on the assessment undertaken by S & K Johnson Constructions Pty Ltd in April 2015.

The report recognizes the fact that no property and lives can be guaranteed to survive a bushfire attack. The report examines ways of reducing the risk of bushfire attack upon the proposed development.

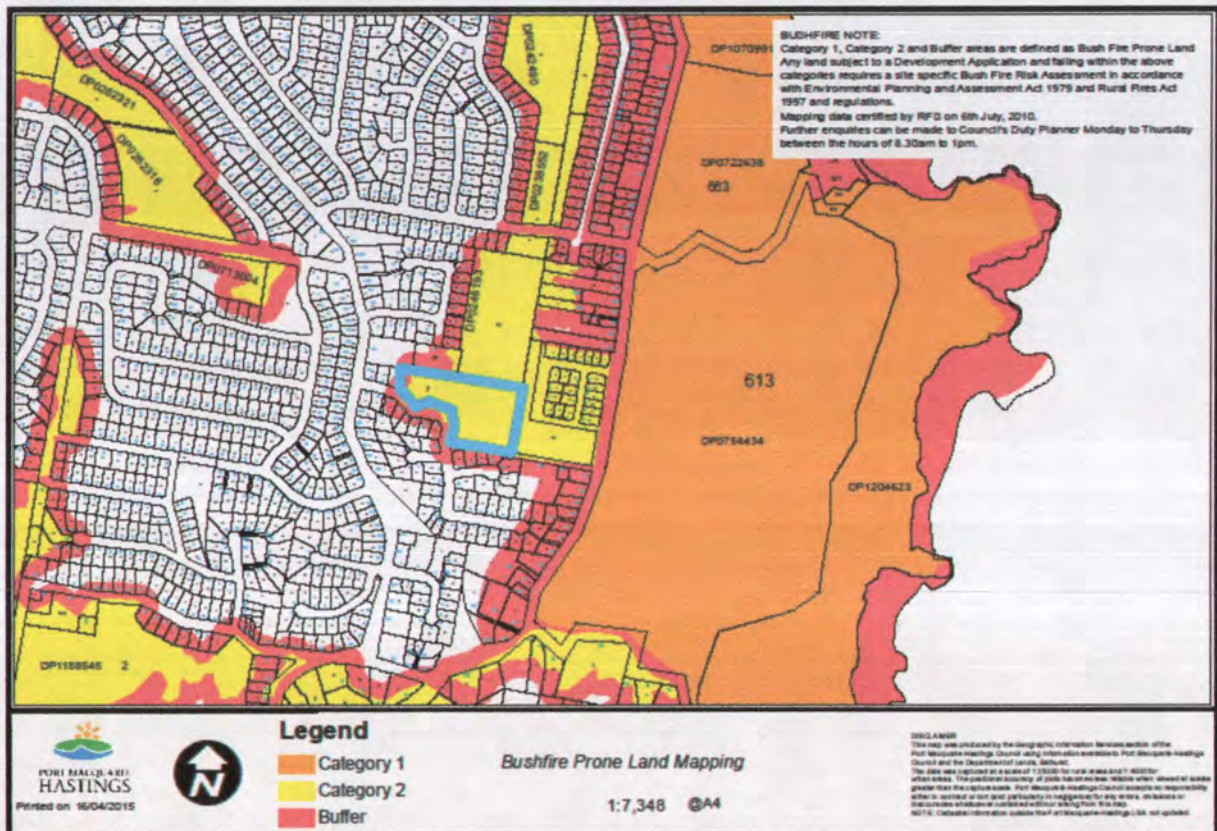
Whilst the assessors use their best endeavors to ensure that the information contained within this report is valid and comprehensive, the company makes no representations or warranties about its accuracy, reliability, completeness or suitability for any particular purpose and disclaims all responsibility and all liability (including without limitation, liability in negligence) for all expenses, losses, damages (including indirect or consequential damage) and costs which might be incurred as a result of the data being inaccurate or incomplete in any way and for any reason.

Section 1 Introduction

1.1 Introduction

This Bushfire Assessment Report has been prepared by *S & K Johnson Constructions Pty Ltd* on behalf of the owners of the property for a proposed residential subdivision.

The site is identified as **bushfire prone** by Port Macquarie Hastings Council using their *Bushfire Prone Land Map*. Site assessment confirms that this site is within 100 metres of significant vegetation deemed to be a bushfire hazard.



Subdivisions of bushfire prone land are classified as 'Integrated development'. They are covered by Section 91 of the EP&A Act 1979 and Section 100B of the Rural Fires Act 1997

Section 100B notes the need for approval by the NSW RFS and the issuance of a Bushfire Safety Authority before the development can be approved.

Clause 44 of the Rural Fires Regulation 2002 outlines the requirements to be submitted for the approval and issuance of a Bushfire Safety Authority. This assessment will cover these requirements for the proposed development.

In NSW, *Planning for Bushfire Protection 2006* (PBP 2006) sets out the aims, objectives and performance criteria required for development in bushfire prone areas. This proposed development will be assessed against these aims and objectives.

The purpose of this report is to:

- Identify the site
- Provide an assessment of the bushfire hazard
- Address the relevant requirements of Clause 44 of the Rural Fires Regulation 2002 and *Planning for Bushfire Protection 2006*
- Identify if the development complies with the aims and objectives of *Planning for Bushfire Protection 2006*
- Provide the relevant information for the New South Wales Rural Fire Service (NSW RFS) and Certifying Authority to make a determination for granting a Bushfire Safety Authority or development approval.

The objectives of this report are to:

- Ensure that the proposed development has sufficient bushfire protection measures in place to minimize the impact of bushfires, and
- Reduce the risk to property and the community from bushfire.

The references referred to during this assessment are:

- *Planning for Bushfire Protection 2006*
- *Building Code of Australia 2011*
- *AS 3959 – Building in Bushfire Prone Areas 2009*
- *Keith, D Ocean Shores to Desert Dunes 2004*
- *Overall Fuel Hazard Guide Forest Science Centre Victoria 2003*

1.2 Legislation

As noted earlier, this development will be assessed under Section 100B of the Rural Fires Act 1997. This section requires that the proposed development meet the aims and objectives of *Planning for Bushfire Protection 2006*. It also requires that a Bushfire Safety Authority be issued by the NSW RFS before development approval is granted.

Planning for Bushfire Protection 2006 notes specific objectives for subdivision developments. These are:

- Minimize perimeters of the subdivision exposed to the bushfire hazard
- Minimize bushland corridors that permit the passage of bushfire
- Provide for the siting of future dwellings away from ridge-tops and steep slopes
- Ensure that separation distances (APZ) between a bushfire hazard and future dwellings enable conformity with the deemed-to-satisfy requirements of the BCA
- Provide and locate, where the scale of development permits, open space as public refuge areas
- Ensure the on-going maintenance of asset protection zones
- Provide clear and ready access from all properties to the public road system for residents and emergency services
- Ensure the provision of an adequate supply of water and other services to facilitate effective fire fighting

Not all of these objectives are relevant here, given the small scale of the development, but they still must be considered. This proposal will need to meet the objectives listed above along with the Performance Criteria noted in Chapter 4 of *Planning for Bushfire Protection 2006*.

Section 2 Site Assessment

2.1 Site Details

The lot to be assessed is Lot 7 DP 1142473 Reading Street, Port Macquarie.



The site is located within a residential area in the 'Shelley Beach' area to the southeast of the CBD of Port Macquarie on the Mid North Coast of NSW. The boundaries adjoin both developed residential allotments as well as E2 protected land.



Most of the existing lot is heavily vegetated with Swamp Rainforest (classification received from Port Macquarie Hastings Council). The vegetation connects with more heavily vegetated lots to the north and east.

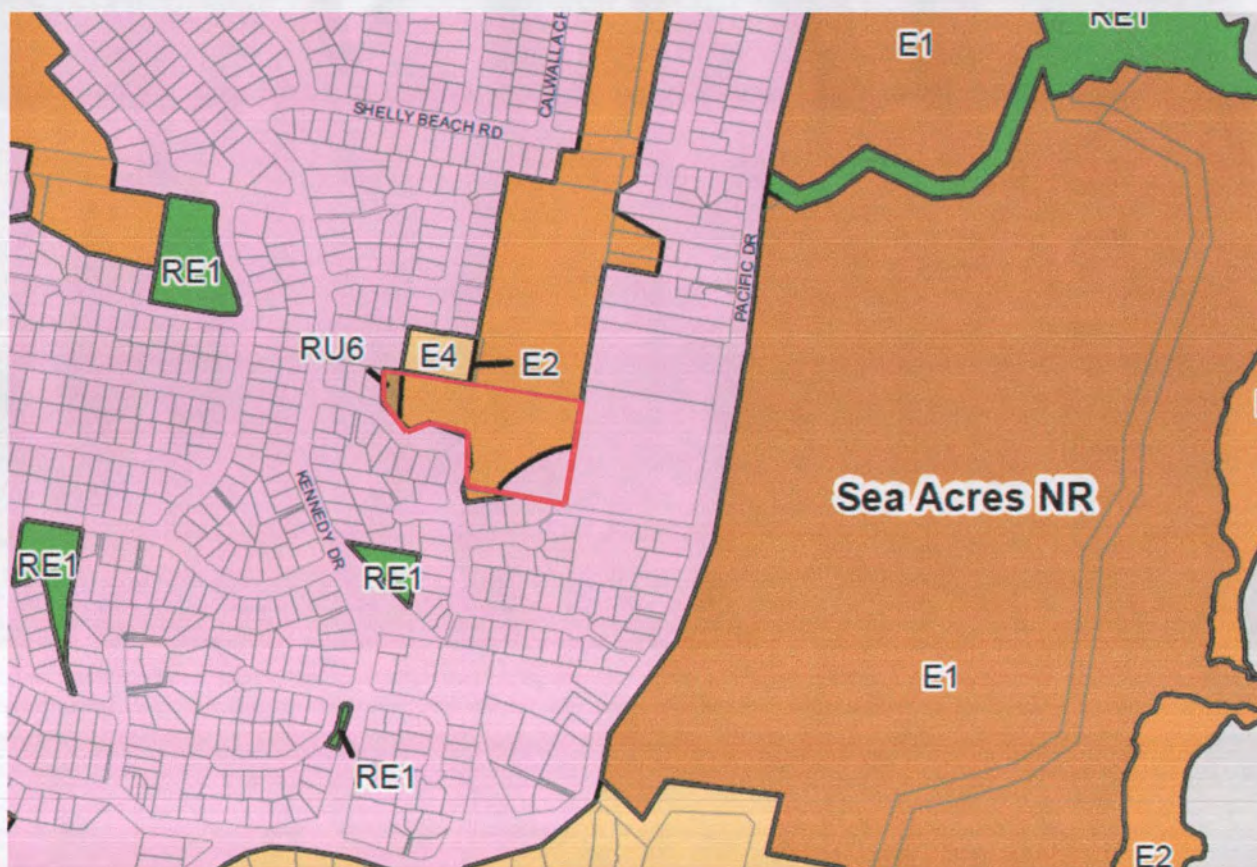
The owners of the adjoining lot (40 Reading St) have cleared and been using some of the site as their APZ against the remaining vegetation (owners of both lots are related). More vegetation will need to be removed to enable this development to proceed.



Existing side yard at 40 Reading St that will become part of the new land subdivision



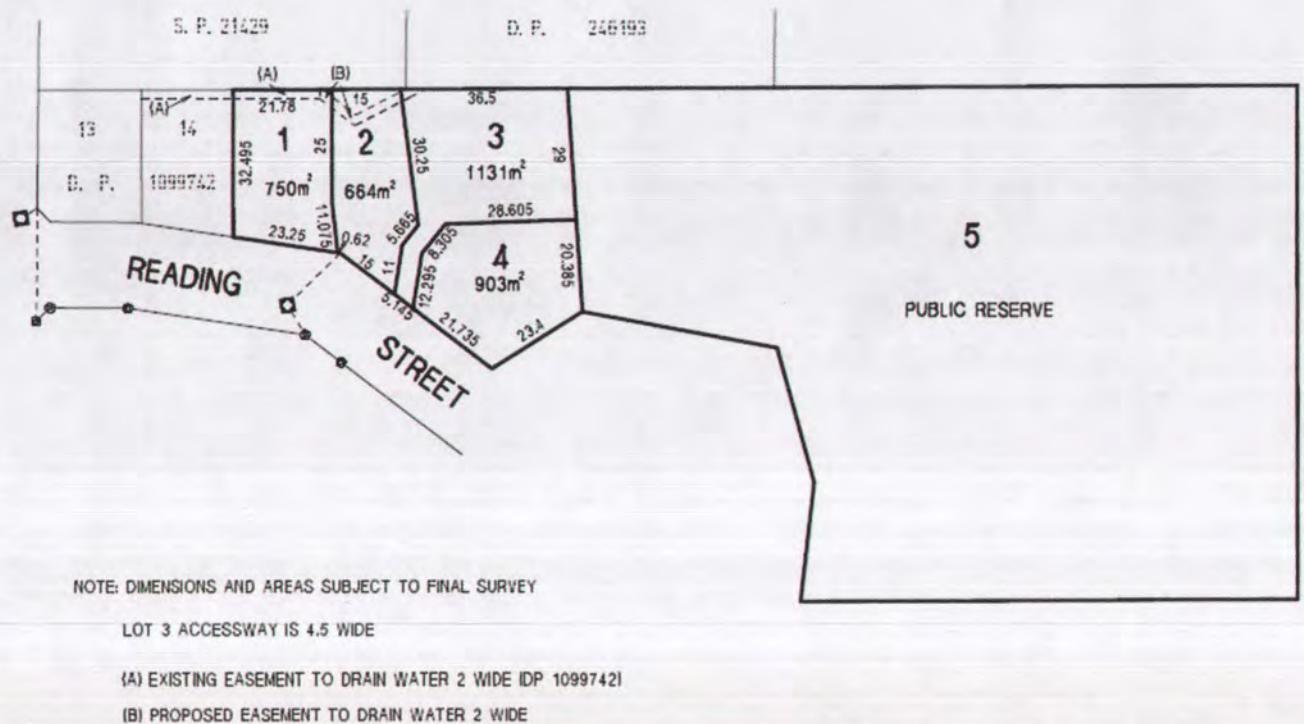
The Local Government Area is Port Macquarie Hastings. The lot is multi zoned with RU6 (Transition), E2 (Environmental Conservation and R1 (Residential) in accordance with Port Macquarie Local Environmental Plan 2011. The zonings will alter with this development to have new areas zoned Residential and the rest E2. The RU6 will become R1.



2.2 Proposed Development

The proposal is relatively straight forward – create five (5) new lots from the one (1) existing lot. New lots 1 – 4 will become Residential lots and Lot 5 will become Public Reserve and handed to Port Macquarie Hastings Council to maintain as part of its existing E2 Conservation.

The new lots will all be accessed from Reading Street. The new subdivision plan is provided below:



Lot 1 – is the existing side yard of 40 Reading St and zoned RU6. Vegetation has already been cleared from this lot. The zoning will change to R1. The lot will be accessed directly from Reading St. There will be 51.5 metres of cleared developed land between this lot and the remaining vegetation.

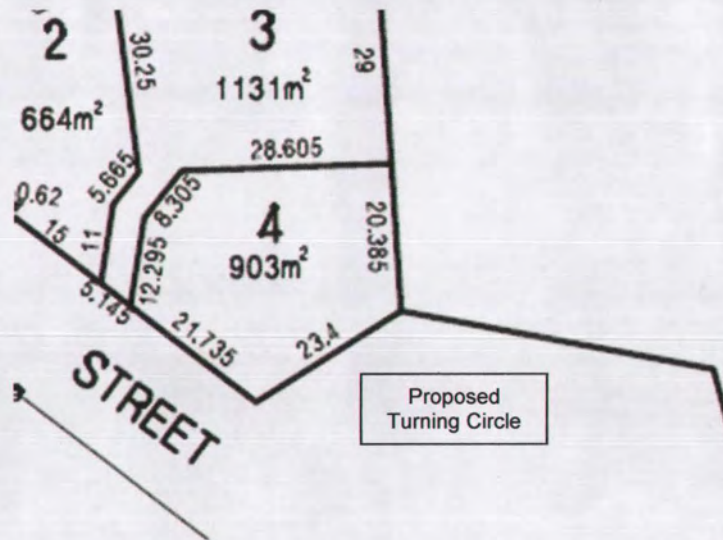
Lot 2 – is part of the existing E2 land. The zoning will change to R1. There will be vegetation removed to allow for construction of future dwellings. There will be 33.7 metres of cleared developed land between this lot and the remaining vegetation.

Lot 3 – is part of the existing E2 land. It is located behind Lot 4 and accessed by a battle-axe driveway. The zoning will change to R1. The existing vegetation will be removed from this lot. The eastern boundary will adjoin the Public Reserve and hazard vegetation. An APZ area will need to be set aside within this lot to provide a buffer from the hazard.

Lot 4 – Is part of the existing E2 land. It is accessed directly from Reading St. The zoning will change to R1. The eastern boundary will adjoin the Public Reserve and hazard vegetation. An APZ area will need to be set aside within this lot to provide a buffer from the hazard.

Lot 5 – is to be given to Port Macquarie Hastings Council as a Public Reserve. This lot will remain as E2 zoned land with the portion of R1 land in the south eastern corner rezoned to E2.

A vehicular turning circle will be created alongside Lot 4 and the Public Reserve in an area already owned and managed by Port Macquarie Hastings Council.



2.3 Hazard Vegetation

The vegetation on and surrounding the subject site was assessed over a distance of 140 metres from the proposed development. The vegetation formations were classified using the system set out in Keith (2004) and Appendix 3 of NSW Rural Fire Service, *Planning for Bushfire Protection*, 2006 and Table 2.3 of AS 3959 - 2009.

Subject Site

The site is heavily vegetated with a Swamp Rainforest which is well connected with a larger vegetation community of the same type that runs north and east from the site. The Swamp Rainforest classification has been given by Port Macquarie Hastings Council who will take over the maintenance of the new Lot 5 Public Reserve.



NOTE: Approximate new lot boundary locations





The western corner of the site area has been cleared and is presently being used by the owners of 40 Reading St as their APZ. This will become new Lot 1. Lots 2 – 4 will be cleared of vegetation. Some understorey clearing has already begun. Lot 5 will remain as is.



NOTE: Approximate boundary location only

Lot 7 Reading St, Port Macquarie NSW

Adjacent to the subject site

The hazard vegetation impacting the new Residential Lots 1-4 is from the new Lot 5 in the east. This has been classified as Swamp Rainforest. It is well connected with larger rainforest communities that grow to the north and east of the site.



Residential allotments and supporting infrastructure is present to the north, west and south of the new lots 1-4 for greater than 140 metres. Hence there is no bushfire hazard to these elevations; the hazard is to the east.

As stated earlier, the hazard vegetation both within the new lots and external to it is classified as a Swamp Rainforest typical of this part of the Mid North Coast of NSW.

For this assessment the classification of Rainforest (F) of Table 2.3 AS3959-2009 will be used.

The vegetation that will remain is generally unmanaged and it is anticipated to remain so.

2.4 Slope

The slope on the site is level. There is a down slope on the new Lot 1 down towards the vegetated lots. Once clearing has occurred, there will be no vegetation on Lots 2-4. This means that all of the new residential lots will be clear of vegetation. The remaining vegetation on Lot 5 is the imposing hazard which is growing on level slopes.



NOTE: Approximate boundary locations only

2.5 Environment and Heritage Issues

There are no known Cultural, Heritage or Environmental issues present on the new residential lots 1-4. New Lot 5 will be set aside as E2 Environmental Conservation land to allow for a continuation of the E2 corridor that has been established to the north and east.

Section 3 Bushfire Hazard Assessment

This bushfire hazard assessment was determined using the site assessment methodology set out in Appendix 3 of *Planning for Bushfire Protection 2006*.

3.1 Vegetation

The vegetation impacting upon each site is made up of a Swamp Rainforest typical of this area. The vegetation is classed as Rainforest F (using Table 2.3 of AS 3959-2009).

Note: This was discussed in more detail in an earlier section of the report.

3.2 Asset Protection Zone Distance and Defendable Space

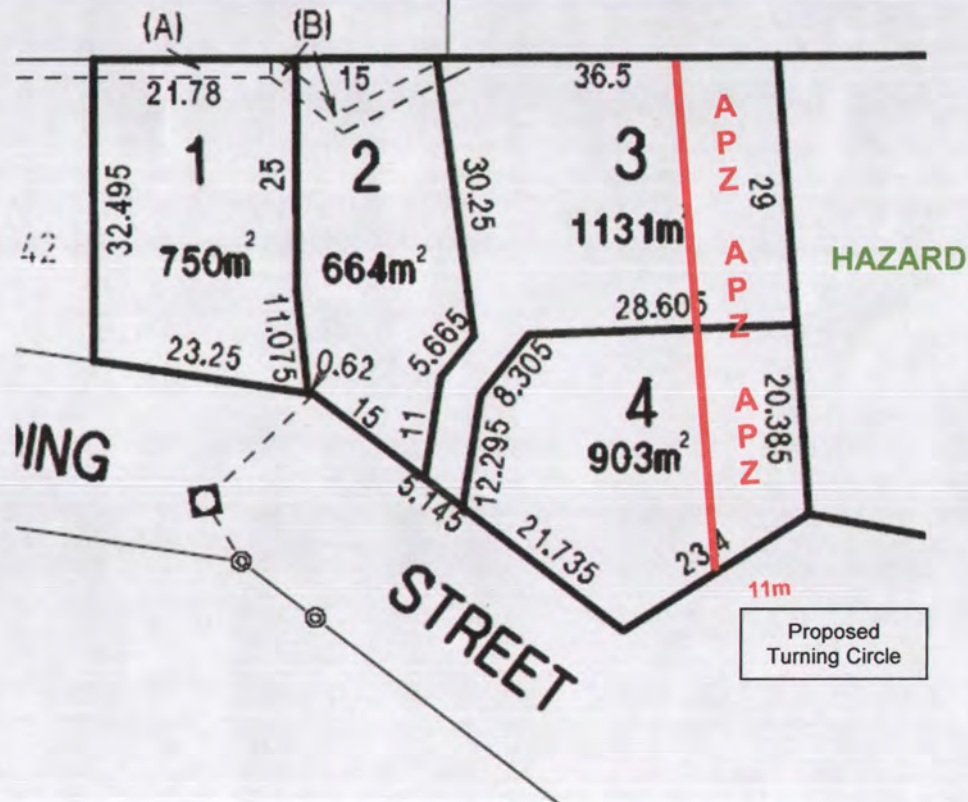
Planning for Bushfire Protection 2006 notes the following distance requirements for APZs. This distance may include both an inner and an outer protection zone.

Subdivision (Table A2.5, Appendix 2, p58)

Rainforest vegetation	Level Slopes	APZ = 10 metres = 10m IPZ
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This report needs to show that this distance can be adequately met for the new lot boundaries; not requiring vegetation removal from an external lot.

Each of the new residential Lots 1-4 will be cleared of any existing vegetation. The hazard impacting is from the vegetation growing on remaining Lot 5. Lots 1 & 2 will have the Lots 4 & 5 to provide a buffer; Lots 4 & 5 will require an 11 metre APZ easement to be set along their eastern boundaries. These lots are large (903 m² and 1131 m²) which allows room for this to be achieved and still offer a sufficient sized building envelope for these lots. This will need to be noted on plans for consent.



	Hazard Direction	Vegetation type	APZ required	Distance available	APZ met?
Lot 1	East	Rainforest	10 metres	51.5 metres of cleared land	Yes
Lot 2	East	Rainforest	10 metres	36.5 metres of cleared land	Yes
Lot 3	East	Rainforest	10 metres	11 metre IPZ to be set on Eastern boundary	Yes
Lot 4	East	Rainforest	10 metres	11 metre IPZ to be set on Eastern boundary	Yes

It is noted that the requirement for Asset Protection Zones as set out in *Planning for Bushfire Protection 2006*, can be satisfied.

3.3 FDI

The subject site is located within the Port Macquarie Hastings Council Local Government Area in the North Coast Region. The Forest Fire Danger Index for the North Coast Region is rated at **80** for use in determining asset protection zone requirements and categories for bushfire attack.

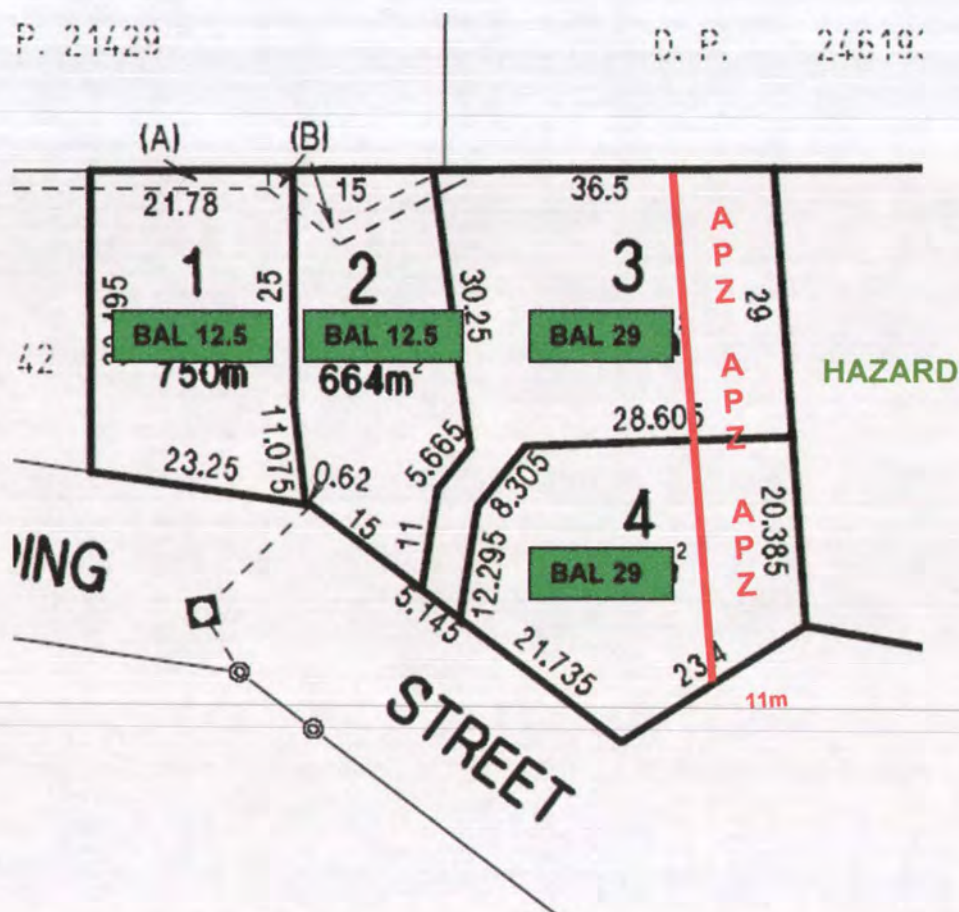
3.4 Category of Bush Fire Attack and Construction Standards

Given that the proposed subdivision does not involve the erection of any new buildings the determination of a Bushfire Attack Level that would be applicable to new buildings is not relevant at this time.

Notwithstanding the above, it is noted that compliance with the minimum Defendable Space / Asset Protection Zone requirements for each of the proposed lots will provide for opportunities for future dwellings to be constructed upon the proposed lots in compliance with the requirements provided for in AS 3959 – 2009.

	Hazard Direction	Impacting Slope	Min. APZ available	Bushfire Attack Level
Lot 1	East - Rainforest	Level	51.5 m	BAL 12.5
Lot 2	East – Rainforest	Level	36.5 m	BAL 12.5
Lot 3	East – Rainforest	Level	11 m	BAL 29
Lot 4	East – Rainforest	Level	11 m	BAL 29

Note – the specific location of any future dwelling on the new lots may result in a different BAL construction level, the BALs given above are based on distances from boundaries, they do not include any side setbacks.

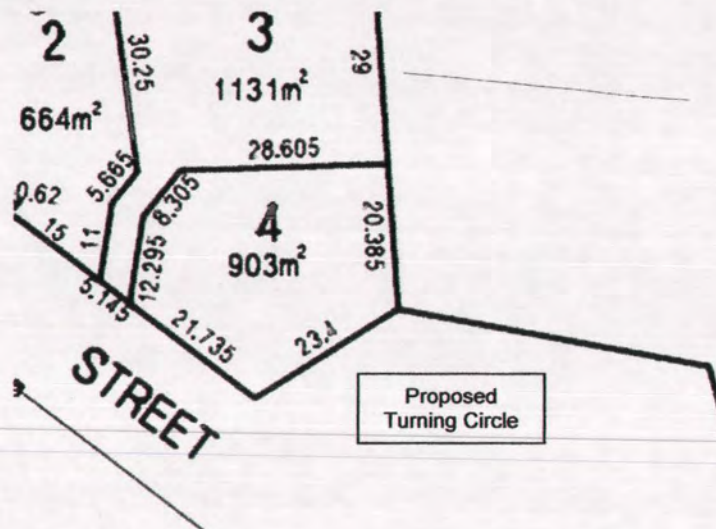


3.5 Access

The existing lots are within an existing residential subdivision so a public road network is already in place to the sites. Each of the new lots will still be accessed via the same Reading St. No changes are considered necessary to Reading St as it is a well maintained 2 way sealed road.



The hazard growing on new Lot 5 can also be accessed via Reading St. As noted earlier, it is proposed that an additional turning circle is created alongside Lot 5 in an area of land already owned by Port Macquarie Hastings Council.



3.6 Services – Gas, Water and Electricity Supply

New power services will need to be added for the additional lots. These are to be underground.

There is reticulated water to this area. The existing water services will need to be expanded to cover the additional lots. Fire hydrant spacing will need to comply with AS 2419.1 – 2005.

3.7 Emergency and Evacuation Management Plan

A formal bushfire emergency/evacuation plan does not need to be prepared for this subdivision. However, any owners of new residences should create their own Bush Fire Survival Plan and ensure all occupants are aware of the risks. Should a bushfire threaten this property, it is essential that all residents are skilled to deal with it. Set procedures with decisions already made will reduce confusion and panic during any emergency.

Section 4 Recommendations

The following measures are recommended to reduce the risk of bushfire on the proposed subdivision. These recommendations are linked to the Performance Criteria set out in *PBP 2006*. It is believed that by implementing these recommendations the aims and objectives of *PBP 2006* will be met.

4.1 Performance Criteria – Defendable Space / Asset Protection Zones

- Radiant levels to not exceed 29 kW/m² on a proposed building
- APZs are managed to prevent fire spread
- APZ maintenance is practical

Recommendation

- The entirety of the new Lots 1-4 are to be treated as Inner Protection Zones and this to remain in place for the life of the building.
- The IPZ will need to be created as the new lots are presently vegetated. They will need to be cleared of all vegetation before any dwelling construction commences. The IPZ requirements also covers future vegetation that may be planted such as gardens
- Lots 3 and 4 will have an 11 metre deep APZ easement from their eastern boundary towards the west. This will be treated as an IPZ with no building allowed in this area.
- The requirements for vegetation within an Inner Protection Zone:
 - The canopy cover must be less than 15%
 - Any canopy must be located more than 5 metres from any roofline.
 - Trees should have lower limbs removed up to a height of 2 metres above the ground (4 metres if emergency vehicles need to park next to or drive around them).
 - Shrubs and gardens need to be 1.5m away from exposed windows and doors.

4.2 Performance Criteria – Access and Egress (Public + Property Access)

- Access to properties recognizes risk to fire fighters and residents
- Safe all weather access to structures
- Road widths and design enables safe access for vehicles
- Roads clearly signposted and buildings clearly numbered

Recommendations

- No new public roads or access roads are required as part of this development

- Ensure the existing public road remains in good working condition after the development has occurred
- New properties are to be clearly numbered

4.3 Performance Criteria – Services – Water, Electricity and Gas

- A water supply reserve dedicated for firefighting purposes is installed and maintained.
- Location of electricity services limits the possibility of ignition of surrounding bushland or the fabric of buildings
- Location of gas services will not lead to ignition of surrounding bushland or the fabric of buildings

Recommendations

- Water supply will need to meet AS 2419.1 – 2005 for fire hydrant spacing and size
- New electrical transmission lines to be located underground

4.4 Performance Criteria – Construction Standards

- The proposed building can withstand bush fire attack in the form of wind, smoke, embers, radiant heat and flame contact.

Recommendation

- It is noted that as the proposed development does not involve the construction of any buildings at this stage, the application of the requirements of Planning for Bushfire Protection 2006 and AS 3959-2009 is not considered relevant in this instance.
- Notwithstanding the above point, based on the shapes and sizes of the proposed lots it is considered that the requirements of *Planning for Bushfire Protection 2006* for the siting, design and construction of any future residential buildings can be satisfied.
- All new dwellings are to be individually assessed to ensure they meet the aims and objectives of *Planning for Bushfire Protection 2006*.

Section 5 Conclusion

The site has been studied, and it has been determined that there is significant vegetation present within 100 metres of the lots which could carry a bushfire in extreme fire conditions – this makes the proposed lots 'bushfire prone'. Any further development of these lots will require additional protection measures to reduce the impact a bushfire could have on the buildings and its occupants.

As this development includes a subdivision of land it is assessed under 100B of the Rural Fires Act. A Bushfire Safety Authority is required before the development can be approved. It is necessary to ensure that the objectives of *Planning for Bushfire Protection 2006* can be met, in particular those relating to Asset Protection Zones and minimum BALs.

The report notes that the proposed development can satisfy the aim and objectives of PBP 2006.

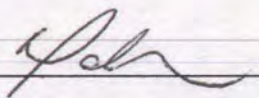
The objectives for PBP 2006 have been met by:

- Exceeding the minimum 10 metre APZ requirement and not more than 29 kW/m² radiant heat for any future new dwellings on the proposed lots. This will provide for defensible space and avoid flame contact and excessive radiant heat.
- Recommending the establishment and maintenance of the Asset Protection Zones.
- Utilizing the existing public road network for safe access and egress for emergency services personnel and home owners
- Providing adequate services of water and locate electricity underground so as to not increase the risk of fire to a building

Whilst the protection measures outlined in this report will greatly improve the chances of a future building surviving a bushfire event, it does not guarantee it. The unpredictable nature of bushfire events precludes any such guarantee. It is the responsibility of the owner to ensure the ongoing maintenance and upkeep of the building, roads and landscaping – without it the whole system will fail.

If there are queries or concerns about the assessment or the recommendations please feel free to contact myself on 0402 318073.

Prepared by Krisann Johnson



May 6, 2015.

UTS Planning for Bushfire Prone Areas
UWS G.Dip. Design for Bushfire Prone Areas



BPAD

Bushfire
Planning & Design
Accredited Practitioner
Level 2

Lot 7 Reading St, Port Macquarie NSW

Appendix G – Statutory Ecological Assessment

Part of the requirements of decisions under the EP&A Act is taken into account in deciding whether there is likely to be a significant effect on threatened species, populations, ecological communities, or their habitats.

Given the characteristics of the site, a detailed ecological assessment has been supplied with the application. A copy is on the following pages.

NOTE: In electronic form, the Statutory Ecological Assessment may be supplied as a separate electronic file.