

JRPP No:	2009NTH016
DA No:	DA 2009/0474
PROPOSED DEVELOPMENT:	Demolition of Dwelling & Construction of Part 3 & 4 Storey Residential Flat Building Comprising 10 Residential Units & Basement Car Parking - Lot 5 DP 18374, 1 Hill Street, Port Macquarie
APPLICANT:	Chris Jenkins design – Architects P/L
REPORT BY:	Patrick Galbraith-Robertson - Development Assessment Planner, Port Macquarie-Hastings Council

Assessment Report and Recommendation

PRECIS

This report considers a Development Application (DA) for a proposed Demolition of Dwelling & Construction of Part 3 & 4 Storey Residential Flat Building Comprising 10 Residential Units & Basement Car Parking at Lot 5 DP 18374, 1 Hill Street, Port Macquarie.

The proposal has been amended during the assessment of the DA.

This assessment report provides an assessment of the proposal in accordance with the requirements of the Environmental Planning and Assessment Act 1979.

Following public exhibition of the proposal no submissions have been received from any members of the public.

The proposal has been considered by Council's nominated SEPP 65 Design Review Panel.

RECOMMENDATION

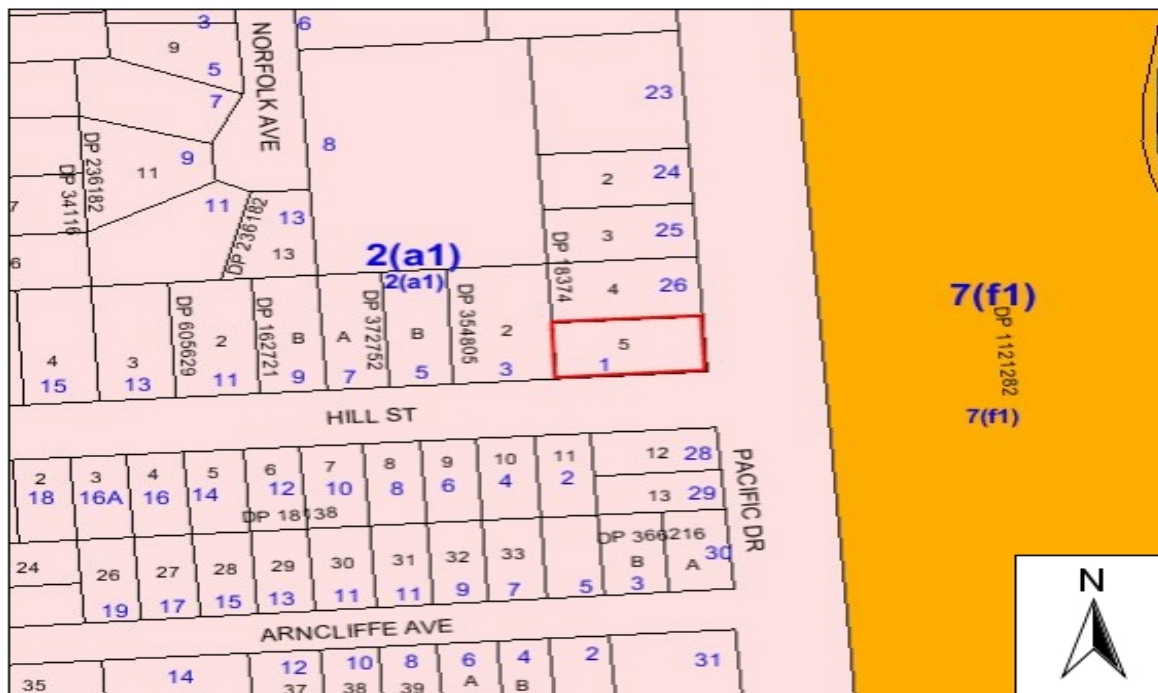
That DA 2009/0474 for Demolition of Dwelling & Construction of Part 3 & 4 Storey Residential Flat Building Comprising 10 Residential Units & Basement Car Parking at Lot 5 DP 18374, 1 Hill Street, Port Macquarie, be determined by granting consent subject to the conditions attached to this report.

1. BACKGROUND

Existing sites features and surrounding development

The site has an area 822 m2.

The site is zoned 2(a1) Residential in accordance with the Hastings Local Environmental Plan 2001 as shown in the following zoning plan:



The site is located on the north-western side of the intersection of Pacific Drive and Hill Street, Port Macquarie. The site is in a prominent position with frontage to Pacific Drive opposite Rocky Beach and the Pacific Ocean.

There is an existing two(2) storey dwelling occupying the site.

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



2. DESCRIPTION OF DEVELOPMENT

The application proposes the following:

- Demolition of the existing dwelling currently occupying the site.
- Construction of Part 3 and 4 Storey Residential Flat Building comprising 10 Residential Units and Basement Carparking.
- Strata subdivision of the residential flat building

Attachments - site plans and elevations

Please refer to attachments at the end of this report.

Application Chronology

8 December 2009 – DA lodged

17 December 2009 – DA registered as Regional Development with Joint Regional Planning Panel (JRPP).

17 December 2009 – Additional information requested from applicant.

11 February 2010 – Briefing of proposal provided to JRPP.

26 March 2010 – Additional information received from applicant.

9 April 2010 - Additional information received from applicant.

21 April 2010 – Proposal considered by Council's nominated SEPP 65 Design Review Panel (DRP).

30 April to 14 May 2010 – Public exhibition of proposal via neighbour notification.

7 May 2010 – SEPP 65 DRP comments forwarded to applicant.

17 May 2010 – Additional information requested from applicant.

28 May 2010 – Additional information received from applicant.

1 June 2010 – Additional information received from applicant.

3. STATUTORY ASSESSMENT

Section 79C(1) Matters for Consideration

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

(a) The provisions (where applicable) of:

(i) any Environmental Planning Instrument:

State Environmental Planning Policy No. 55 – Remediation of Land

In accordance with clause 7, following an inspection of the site and a search of Council records, the subject land is not identified as being potentially contaminated and is suitable for the intended use.

The requirements of this SEPP are therefore satisfied.

State Environmental Planning Policy No. 65 – Design Quality of Residential Flat Development

This SEPP requires consideration in accordance with clause 4, as the proposal comprises 3 or more storeys in a residential flat building with 4 or more dwellings.

In accordance with clause 30, the proposal has been referred to Council's nominated SEPP 65 Design Review Panel (DRP) for comment on 21 April 2010.

The following table provides comments in response to issues raised by DRP:

SEPP 65 Design Review Panel comment	Assessing Officer comment
<p>The proposal is a DA submission, yet it does not satisfy the SEPP 65 design submission requirements for a DA especially in relation to the material and expression of the building, despite this being identified in the previous comments. The DA stage is the only opportunity the panel has to make comment on development proposals.</p> <p>The documentation is not codified or drawn to adequately describe the function of windows and doors, how ventilation is achieved at day or night or how large expanses of glass are protected to prevent overheating of the interior.</p>	<p>Additional design detail incorporated into amended plans which is satisfactory. Note that BASIX requirements are also required to be satisfied.</p>
<p>As the site is elevated in the greater landform, the proposal comes with related development benefits and responsibilities. The building needs to be designed to consider the apartment's expansive outlook as well as the high visibility of the building in the streetscape. The design needs to consider the reading of the building from afar and when approaching from the streets.</p>	<p>Architectural opinion provided from Panel. Additional design detail incorporated into amended plans which is satisfactory.</p>
<p>The panel agrees to accept minor non-compliance of height, providing the proposal addresses the panels other comments.</p>	<p>Agree with supporting additional height. Other issues raised by Panel satisfactorily addressed as detailed in other sections of this table.</p>
<p>While the necessary separation between openings across the north facing boundary has been substantially improved, the windows of bedroom 2 and 3 of apartments 1, 4, and 7 remain unacceptably close to the boundary to achieve RFDC window separations, should the neighbouring property redevelop and</p>	<p>Window design and height of bedroom 2 and 3 of apartments 1, 4, and 7 has been amended to respond the Panel's concerns.</p>

should be rectified.	
<p>The proposal should increase access to and use of deep soil landscape and garden areas. The panel would support privatising portions of the deep soil landscape to ground floor units, as we feel that this would facilitate better use, and ensure that the area is maintained. For unit 3 this could extend the width of the apartment up to the lift wall, providing the window beside the lift is openable for fresh air and natural lighting to the common area. For unit 1 the slab above the lower basement plan could be lowered to create a greater depth of soil, and potentially allow some connection with the deep soil area – enhancing drainage.</p> <p>The existing Banksia in the neighbouring property to the north should be considered in the DA. Current standards require a protected area around the tree that is 12 x the trunk diameter of the tree.</p> <p>There is some concern that the tree species suggested for the western boundary will have very dense canopies, restricting light to the ground and potentially to the neighbouring lot. There are many lighter canopy trees that will provide the desired separation/screening without heavy shading.</p> <p>Generally, the planting palette is skewed toward a rainforest/resort style, which denies the seaside location of the development. A better fit with the streetscape and general locality may be achieved with the inclusion of locally indigenous species in the planting scheme.</p>	<p>Amended plans submitted including amendments to landscaping design which satisfactorily responds to and addresses the Panel's concerns raised.</p>
<p>The panel agrees to support the proportion of stair accessible apartments providing the proposal also addresses the panels other comments.</p> <p>One lift accessible apartment will need to be reconfigured to satisfy disabled adaptability requirements.</p> <p>The access ramp and fire egress stairs which encroach into required setbacks and potential garden areas does not achieve an optimal design solution. The panel</p>	<p>Advice noted regarding support for proportion of other stair accessible apartments. Other issues raised by Panel satisfactorily addressed as detailed in other sections of this table.</p> <p>No adverse impact identified with minor encroachment of fire egress stairs into 6m deep soil zone. Refer to comments later in report under DCP 47 for discussion.</p>

<p>considers that the encroachment into the 6m deep soil zone is unacceptable. The driveway width could be tightened to contain the escape within the building envelope. For such a small car park, one way access and mirrors to achieve necessary sight lines should be considered.</p>	
<p>The Panel supports the owners' aspiration for a high quality building, identifiable as a fine architectural "character" in Port Macquarie.</p> <p>The panel considers that improvements to the building's architectural character and material expression would support this and should include;</p> <ul style="list-style-type: none"> - Expression of the proposal as a 4 storey building fronting Ocean Parade and the corner with Hill Street. - More coherent building massing is requested. The current composition of curved and orthogonal balcony edges and walls makes inefficient interior and exterior spaces and does not consolidate the expression of the building as a whole. - Rooftop elements need further design consideration in their relationship to the overall building form and in specific detail. The penthouse and its roof will be silhouetted against the sky from much of the surrounding areas. - Additional information on architectural resolution of facades, such as partial 1:50 elevations / external wall sections showing materials etc (As noted in SEPP 65) - Additional information on planting character and scale. <p>The panel also adds the following comments.</p> <p>The elevations should be more explicit about what is being proposed. DA drawings should specify the building material and finish. Information about the material, type and configuration of window casements and doors should also be indicated.</p> <p>Further detail is required regarding window</p>	<p>Additional design detail incorporated into amended plans which is satisfactory.</p> <p>Correct property address frontage is Pacific Drive and not Ocean Parade.</p> <p>Architectural opinion provided from Panel regarding expression of building at corner of Hill Street and Pacific Drive, building massing and rooftop elements. Applicant has only made minor changes to architectural design and provided additional details of treatment.</p> <p>Amended plans and details provided are satisfactory in relation to other concerns raised.</p>

<p>and door ventilation at day and night, and appropriate sun protection especially for east and north facing openings.</p> <p>Given the visibility of the west wall in proximity to Hill Street beside a 6m setback, the panel requests that the design of the articulation and architectural expression of the west wall be developed to provide more light and air to the apartments. Consider the use of oriel windows to capture north light.</p> <p>The panel is concerned that the ambition of the curved glass walls may not be realised during construction which is likely to result in the substitution of faceted glazing. The drawings should clarify that curved glass and framing systems would be used. Alternatively, as faceted glazing would not achieve the simplicity proposed in the documentation as submitted and appropriate to such a highly visible site, the configuration should be reconsidered.</p> <p>The topmost floor does not appear to respond to the wonderful 360 degree prospect from the site, focusing exclusively on the ocean outlook at the expense of the hinterland.</p>	
<p>The application requires further revision to address the concerns raised above. The panel needs to see further design development and detail in the documentation to make an informed and complete assessment.</p>	<p>Applicant has provided an amended design plans which satisfy SEPP 65 design principles and generally conform with the requirements of the Department of Planning's Residential Flat Code.</p>

Refer to the assessment tables attached to this report which compares the proposal in relation to the design quality principles of the SEPP and the Department of Planning's publication the Residential Flat Design Code.

The requirements of this SEPP are therefore satisfied.

State Environmental Planning Policy No. 71 – Coastal Protection

The site is located within a coastal zone as defined in accordance with clause 4.

In accordance with clause 7, this SEPP prevails over the Hastings LEP 2001 in the event of any inconsistency.

Having regard to clauses 8 and 12 to 16 inclusive the proposed development will not result in any of the following:

- a) any restricted access (or opportunities for access) to the coastal foreshore;

- b) any identifiable adverse amenity impacts along the coastal foreshore and on the scenic qualities of the coast;
- c) any identifiable adverse impacts on any known flora and fauna (or their natural environment);
- d) subject to any identifiable adverse coastal processes or hazards;
- e) any identifiable conflict between water and land based users of the area;
- f) any identifiable adverse impacts on any items of archaeological/heritage; and
- g) reduce the quality of the natural water bodies in the locality.

In particular, the site is predominately cleared and located within an area zoned for residential purposes. As part of the proposal a new concrete pathway is proposed to be constructed within the Pacific Drive and Hill Street road reserves which have frontage to the development.

The requirements of this SEPP are therefore satisfied.

State Environmental Planning Policy (Building Sustainability Index: BASIX) 2004

In accordance with clause 6, a BASIX certificate number 282139M has been submitted demonstrating that the proposal will comply with the requirements of the SEPP. It is recommended that a condition be imposed to ensure that the commitments are incorporated into the development and certified.

State Environmental Planning Policy (Major Development) 2005

In accordance with clause 13B, the proposed development is a 'regional development' due to:

- the building height of the proposal being greater than 13m and there being no height controls in Council's current Hastings Local Environmental Plan 2001.

In accordance with clause 13F, the determination of the DA is required to be made by a JRPP (as formed under the SEPP). The DA is therefore reported to the JRPP for determination.

Following a determination being made by the JRPP, Council will be required issue the determination notice in accordance with this clause.

The requirements of this SEPP are therefore satisfied subject the JRPP making determination of the DA.

North Coast Regional Environmental Plan

In accordance with clause 2, the proposal is consistent with the aims of this REP.

In accordance with clause 32B(2), the proposal will not contravene any of the aims, objectives or strategic requirements of the following:

- (a) *the NSW Coastal Policy 1997,*
- (b) *the Coastline Management Manual, and*
- (c) *the North Coast: Design Guidelines.*

In accordance with clause 32B(3), the proposal will not impede public access to the nearby foreshore.

In accordance with clause 32B(4), the proposal will not result in beaches or any adjacent open space being overshadowed before 3pm midwinter (standard time) or 6.30pm midsummer (daylight saving time).

In accordance with clause 43, the proposal satisfactory with regard to:

- the density of the dwellings has been maximised without adversely affecting the environmental features of the land,
- site erosion will be capable of being minimised in accordance with required sedimentation and erosion management plans.

In accordance with clause 66, adequate community and welfare services within reasonable proximity which will be available to the future likely residential occupants of the proposed building.

The requirements of this REP are therefore satisfied.

Hastings Local Environmental Plan 2001

In accordance with clause 9, the subject site is zoned 2(a1) Residential. The proposed development for a residential flat building which is best defined as residential flats for the purposes of the LEP, which is a permissible landuse with consent within the 2(a1) zone.

The objectives of the 2 (a1) zone are as follows:

- (a) To identify land suitable for residential purposes.*
- (b) To ensure the provision of services and facilities associated with residential land uses or which are unlikely to affect residential amenity.*
- (c) To ensure a variety of housing choice.*
- (d) To enable appropriate development where allowed with consent.*

The proposal satisfies the objectives of this zone as the landuse is a listed use which is permissible within the zone and will provide a variety of housing choice in an accessible location to existing social infrastructure and public amenities.

In accordance with clause 13, satisfactory arrangements are available for water supply and facilities for removal/disposal of sewage and drainage to the proposal.

In accordance with clause 14, the application includes seeking approval for strata subdivision.

The requirements of this LEP are therefore satisfied.

(ii) any draft instruments that apply to the site or are on exhibition:

Draft Port Macquarie-Hastings Local Environmental Plan 2010

It is proposed to zone the subject site R1 General Residential. The proposed use could best defined as a 'Residential Flat Building' and is permissible with consent in the R1 zone. The proposal is not inconsistent with the draft objectives relating to the R1 zone, floor space ratio and height development standards.

(iii) any Development Control Plan in force:

Port Macquarie Hastings DCP 2006:

DCP 18 – Off-Street Parking Code

The proposal is capable of compliance with all applicable design and access development provisions of this DCP. Refer to further comments under access, transport and traffic section later in this report.

DCP 40 – Advertising of Development

The proposed development has been publicly exhibited via neighbour notification in accordance with the requirements of this DCP.

DCP 41 – Building Construction and Site Management

The proposal is capable of compliance with the standard building construction and site management requirements of this DCP subject to standard conditions of consent recommended as appropriate.

DCP 47 – Flynn's Beach Precinct

As addressed in Appendix 2 of this report, the proposal complies with all applicable development provisions of this DCP with the exception of variations sought to the following:

- Building height being technically 4 and 5 storeys being above the part 3 and 4 storey height limit (4 storey on higher part of site/eastern-most section) that applies to the site.
- Unit 3 front balcony to Hill Street within front 2.4m setback requirement.
- Unit 1, 4 and 7 kitchen windows within north elevation setback of 3 m from north boundary.
- Encroachment of fire exit stairs into 6m wide deep soil zone.

The following assessment comments are provided with regard to the variations sought to the above standard development controls:

Building height being technically 4 and 5 storeys

The height of the building is technically in part 4 and in part 5 storeys which is unable to comply with the maximum 3 and 4 storey standard height limit which applies to the site. This is primarily due to the basement being technically greater than the standard 1.5m height allowance above existing ground level (as defined in the DCP). It is recommended that the variation be supported for the following reasons:

- The height of the proposal would be able to comply with the maximum height limits proposed in Council's Draft Port Macquarie-Hastings Local Environmental Plan 2010.
- The proposed height variation is primarily due to the approximate 1 storey fall across the site from east to west which makes it difficult to achieve the desired higher height limit (4 storeys) on the corner yet achieve all other design criteria of the DCP and SEPP 65.
- The height of the building is consistent with the objectives of the DCP height controls particularly as the development is appropriately scaled for its desired context and will result in a high quality urban design and building outcome for such a prominent well located position.

- The height of the building complies at the Pacific Drive frontage (4 storeys) and wrapping around along significant portion of the Hill Street frontage (4 storeys).
- The building is setback 6m from the western boundary.
- If the building strictly complied with the storey height limits the building would potentially be unnecessarily complicated with regard to internal levels and its relationship to the public domain/streets.
- The topmost level is setback in the from the main building envelope.
- Council's nominated SEPP 65 Design Review Panel supported the variation under SEPP65 which has prevails over this DCP.

Unit 3 front balcony to Hill Street within front 2.4m setback requirement.

The subject balcony is associated with Unit 3 with frontage to Hill Street at the ground floor level. The front setback of this part of the building is setback approximately 1.6m (0.8m encroachment). It is recommended that the variation be supported for the following reasons:

- The encroachment is minor and only relating to a balcony for width of approximately 4.6m;
- The balcony will allow for increased potential for casual surveillance of Hill Street.
- The balcony is in line with planter and main entry ramp therefore unnoticeable in the context of the remainder of the building.
- The setbacks proposed to Pacific Drive comply with the DCP and the subject frontage to Hill Street would best be considered to be the secondary frontage.
- The minor encroachment will be consistent with the setbacks objectives of the DCP.
- Hill Street is a generous wide urban road corridor with a width of approximately 20m.
- Council's nominated SEPP 65 Design Review Panel have not raised any concern with the encroachment under SEPP65 which has prevails of this DCP.

Unit 1, 4 and 7 kitchen windows within north elevation setback of 3 m from north boundary.

The subject windows do not directly face the northern side boundary therefore will be unlikely to result in any unacceptable amenity impacts to the existing neighbouring dwelling or potential development on the site to the north. The kitchen windows could have some potential to lead to increase casual surveillance of the communal area at the rear of the building. The applicant would be required to ensure that the openings are fire protected in accordance with the requirements of the Building Code of Australia.

Encroachment of fire exit stairs into 6m wide deep soil zone.

The subject fire exit stairs are on the western side of the building and technically encroach within the recommended 6m rear deep soil zone which is to extend across the rear western section the site. It is recommended that the variation be supported for the following reasons:

- The amount of deep soil zone provided particularly along the north-western corner of the site exceeds the minimum requirements of the DCP.
- The exit stair is required for fire safety requirements under the Building Code of Australia.
- The encroachment is minor for a length of approximately 2.3m and approximately 1m wide.

- The path providing connection between the fire exit and the front property boundary to Hill Street will be appropriately treated with impervious landscape ground material.
- Substantial landscape plantings will be able to be achieved within the deep soils zone areas and the proposal will be consistent with the deep soil zone DCP objectives.

DCP 48 – Energy Efficient Waterwise

The requirements of this DCP are superseded by SEPP (BASIX).

(iia) any planning agreement that has been entered into under Section 93f or any draft planning agreement that a developer has offered to enter into under Section 93f:

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

iv) any matters prescribed by the Regulations:

NSW Coastal Policy 1997

The proposed development is consistent with the objectives and strategic actions of this policy.

Demolition of buildings AS 2601 – Cl. 66 (b)

Demolition of the existing building on the site is capable of compliance with this Australian Standard and is recommended to be conditioned.

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

Context & Setting

The site is located on the north-western side of the intersection of Pacific Drive and Hill Street, Port Macquarie. The site is in a prominent position with frontage to Pacific Drive being opposite Rocky Beach and the Pacific Ocean.

The proposal will be capable of taking advantage of spectacular ocean views of the Pacific Ocean across the foreshore escarpment to the east of the site.

The site is within an existing residential zoned locality with existing single dwellings to the west and north. The site to the north has had a previous approved 3 storey residential flat building which hasn't commenced construction.

The site is approximately 2 kilometres from the town centre with a foreshore walkway being located on the opposite side of Pacific Drive providing access to all beaches of Port Macquarie.

Other facilities within reasonable proximity include the Eastport High School, Flynns Beach Shops and restaurants, the expanding business area of Lord Street, Council offices, Eastport Bowling Club, cricket and tennis facilities.

Opposite the site on Pacific Drive is a public bus stop.

The built form of the proposal and likely future uses will be unlikely to result in any identifiable adverse environmental impacts upon the immediate locality which is undergoing transition to higher density living.

Access, Transport & Traffic

Roads

Hill Street is a dedicated public sealed road with SA kerb & gutter construction. Hill Street has a posted speed limit of 50 kph with a 12-metre carriageway width within a 20-metre road reserve.

Pacific Drive is a dedicated public sealed road with SA kerb & gutter construction. Pacific Drive has a posted speed limit of 50 kph with a 7-metre carriageway width within 30-metre road reserve. A shared footpath/cycleway path is provided adjacent to the eastern edge of the road.

Traffic

Based upon the RTA's *Guide to Traffic Generating Developments* for medium density residential flat buildings, the development is anticipated to generate 65 daily trips (assuming 10% of the daily traffic in the peak hour and a based upon a peak hour vehicle trip rate of 6.5 trips/hour).

Both Hill Street and Pacific Drive have adequate capacity to accommodate additional traffic generated by the development.

Access

The site currently has two vehicular access driveways on Hill Street and no vehicular access on Pacific Drive. The proposed development will remove both driveways and construct one two-way access driveway to a basement carpark. Driveway access will be from Hill Street providing access to the basement carpark from the south adjacent to the western building edge. Access driveways and carpark ramps shall comply with AS 2890.1. Redundant laybacks should be removed as part of the site redevelopment.

Ground floor pedestrian access is proposed to footpaths to be constructed along the southern and eastern boundaries.

Parking

A total of 16 parking spaces are proposed (15 regular spaces and 1 disabled parking space). Parking spaces are of variable sizes (2.511m, 2.67m, and 2.9m). Based upon AS/NZS 2890.1, a 2.4m space width is required. It is recommended that parking spaces be line marked to a common size and comply with the standard parking envelopes in AS/NZS 2890.1.

If columns are required, column shall be placed in accordance with the standard parking envelope defined in AS/NZS 2890.1.

Manoeuvring

The carpark is designed as a "blind aisle" or "dead end" carpark with limited turn areas. It is recommended that the carpark be gated to minimize vehicle conflicts and to avoid vehicles entering the carpark when spaces are not available.

Limited sight distance is provided in the basement of the carpark. Appropriate measures (mirrors, etc.) shall be incorporated to improve vehicle sight lines within the carpark facility.

The property boundary is approximately 3.5m from the carriageway and will be required to be 100mm above the back of kerb (approx. 3% grade). With the proposed 12.5% grade (1:8) on the ramp, the crest created exceeds the maximum change in grade allowed by AS/NZS 2890.1. A longitudinal plan shall be provided for the carpark ramp section that complies with AS/NZS 2890.1.

Pedestrians

The footway area fronting the development in both Pacific Drive and Hill St shall be regraded to ensure crossfall is from the boundary line to the kerb is in accordance with Port Macquarie Hastings Council current AUSPEC Specifications. A 1.2m wide pedestrian footpath is required for the full frontage of the development (along Pacific Drive and Hill Street) AND kerb ramps within Hill St(north and south) located at the intersection of Pacific Drive.

Pedestrian accesses to the development units and stairwells shall connect between the proposed footpath and appropriate entryways; such work is to be completed and approved by Council prior to issue of Occupation Certificate.

Stormwater

The site is relatively steep and slopes from east to west. The basement carpark is proposed at the 37m RL, and has the potential to trap stormwater, especially in the ramp entry area. Stormwater details are provided with the application to demonstrate the ability for the basement carpark to drain into the proposed stormwater system.

Water

Records indicate that lot 5 has a 20mm water service. This development can be served from the 150mm PVC water main on the opposite side of Hill Street. The 150mm ductile iron water main on the same side of Pacific Drive will not be available for connection.

Individual water meters are to be provided for each unit. These may be located at each unit with a centralised electronic reading console and with a master water meter at the property boundary, or alternatively, individual 20mm water meters may be provided at the road frontage. If there are separate outdoor water service requirements, then an additional water meter will be required for the general use areas.

The final water service sizing will need to be determined by a hydraulic consultant to suit the domestic side of the development, as well as fire service requirements to AS 2419. Any basement sewer pump-out systems will require additional water supply backflow prevention devices. Any rainwater tank re-use or potable water top-up system and related protection requirements are to be detailed on the hydraulic plans.

The aesthetics of the fire hydrant metering and (if required) booster arrangement should be considered by the architect in regard to screening and location whilst maintaining access acceptable to the NSW Fire Brigades.

Sewer

Sewerage facilities are available but will require extension at no cost to Council to serve the proposed development.

Councils' records indicate that the existing junction is located in the north-western corner of the site and the applicant is to ensure that the proposed development will drain to this point including any basement carpark fixtures with 1m clear distance around the vertical inspection shaft or any manhole.

Due to the scope of the development and the increase in load it will be necessary to discharge all sewage to new or existing manholes.

Utilities

Electricity and telecommunications are available to the site.

Earthworks

Construction of the development will require excavation and haulage on public roads of a considerable volume of spoil. An appropriate condition is recommended to address potential damage to Councils road infrastructure.

Soil

According to Council records, soil erosion risk for the site is classified as extreme. Erosion and sediment controls are required.

Public Domain

No adverse impacts on public spaces or access thereto.

Recommend that a condition be imposed requiring construction of a new pathway within the Pacific Drive and Hill Street road reserves.

Heritage

No known items of heritage significance exist on the property. No adverse impacts anticipated.

Flora & Fauna

Construction of the proposed development will not require any removal/clearing of any significant vegetation and therefore will be unlikely to have any significant adverse impacts on biodiversity or threatened species of flora and fauna.

Waste

Satisfactory arrangements are in place for proposed storage and collection of waste and recyclables. No adverse impacts anticipated.

Energy

The proposal includes measures to address energy efficiency and will be required to comply with the requirements of BASIX and the Building Code of Australia. The proposal has been subject to meeting SEPP 65 requirements also. No adverse impacts anticipated.

Noise & Vibration

No adverse impacts anticipated. Condition recommended to restrict construction to standard construction hours.

Safety, Security & Crime Prevention

The proposed development will be unlikely to create any concealment/entrapment areas or crime spots that would result in any identifiable potential loss of safety or security in the area. It is likely that with the nature of the design of the building responding to the public domain areas the increase in housing density will improve natural surveillance within the locality and openings from each dwelling overlook common and private areas.

Social Impact in the Locality

Given the nature of the proposed development and its location the proposal is unlikely to result in any adverse social impacts. The proposal will provide for an alternative form of housing to typical single dwelling lot housing with a mix of 2 and 3 bedroom dwellings with secure basement carparking and storage facilities.

Economic Impact in the Locality

No adverse impacts. Likely positive impacts can be attributed to the construction of the development.

Site Design and Internal Design

The proposed development design is satisfactorily responds to the unique site attributes and will fit into the locality. No adverse impacts likely.

Construction

No potential adverse impacts identified to neighbouring properties with the construction of the proposal.

Cumulative Impacts

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

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

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

Site constraints of slope and the site's existing configuration have been adequately addressed in the design of the proposal taking into consideration of Council's desired outcomes for the site under DCP 47.

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

No submissions have been received from any members of the general public.

(e) The Public Interest:

The proposed development will be in the wider public interest with provision of appropriate additional housing.

4. DEVELOPMENT CONTRIBUTIONS APPLICABLE

1. Development contributions will be required towards augmentation of town water supply and sewerage system head works under Section 64 of the Local Government Act 1993.
2. Development contributions will be required under Section 94 of the Environmental Planning and Assessment Act 1979 towards roads, open space, community cultural services, emergency services and administration buildings.

Refer to draft contribution schedule attached to this report.

5. CONCLUSION

The application has been assessed in accordance with Section 79C of the Environmental Planning and Assessment Act 1979.

Issues raised during assessment and public exhibition of the application have been considered in the assessment of the application.

The site is suitable for the proposed development, is not contrary to the public's interest and will not have a significant adverse social, environmental or economic impact. Consequently, it is recommended that the application be approved, subject to the conditions of consent provided in the attachment section of this report.

6. ATTACHMENTS

PLANS

APPENDIX 1. RECOMMENDED CONDITIONS

APPENDIX 2. PORT MACQUARIE-HASTINGS DEVELOPMENT CONTROL PLAN 2006

APPENDIX 3. STATE ENVIRONMENTAL PLANNING POLICY NO. 65 – DESIGN QUALITY PRINCIPLES

APPENDIX 4. RESIDENTIAL FLAT CODE (DEPARTMENT OF PLANNING)

APPENDIX 5. DRAFT DEVELOPMENT CONTRIBUTIONS CALCULATIONS

APPENDIX 1. RECOMMENDED CONDITIONS

NOTE: THESE ARE DRAFT ONLY

DA NO: 2009/474

A - GENERAL MATTERS

- (1) (DA001) The development is to be carried out in accordance with the plans and supporting documents set out in the following table except where modified by any conditions of this consent.

Plan / Supporting Document	Reference	Prepared by	Date
Basement and mezzanine plan	Drawing No. 0401_DA01_A	Chris Jenkins Design	1/6/10
Ground floor plan	Drawing No. 0401_DA02_B	Chris Jenkins Design	1/6/10
South, north and east elevation	Drawing No. 0401_DA_05_B	Chris Jenkins Design	1/6/10
Sections and west elevation	Drawing No. 0401_DA_06_B	Chris Jenkins Design	1/6/10
Level 1 and 2 floor plan	Drawing No. 0401_DA_03_B	Chris Jenkins Design	22/7/09
Level 3 floor plan	Drawing No. 0401_DA_04_B	Chris Jenkins Design	22/7/09
Landscape Design Report		Rupert G.H Milne Home Landscape Consulting	28/5/10
Landscape principles elevations	Drawing No. 1003_2A	Rupert G.H Milne Home Landscape Consulting	28/5/10
Landscape principles plan	Drawing No. 1003_1A	Rupert G.H Milne Home Landscape Consulting	28/5/10

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

- (2) (DA002) No work shall commence until a Construction Certificate has been issued and the applicant has notified Council of:
- the appointment of a Principal Certifying Authority; and
 - the date on which work will commence.

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

- (3) (DA003) All building work must comply with the provisions of the Building Code of Australia (BCA).

- (4) (DA005) This consent allows the strata-subdivision of the units, subject to the submission of an application for a Strata Certificate, submission of a Strata linen plan and completion of the development in accordance with the terms and conditions of this consent prior to issue of strata certificate.
- (5) (DA006) Approval pursuant to Section 68 of the Local Government Act, 1993 to carry out water supply, stormwater and sewerage works within the development site required by the development consent is to be obtained from Port Macquarie-Hastings Council. A copy of the approval is to be submitted with the application for Construction Certificate.
- (6) (DA007) Approval pursuant to Section 138 of the Roads Act, 1993 to carry out works required by the Development Consent on or within public road is to be obtained from Port Macquarie-Hastings Council. The application for this engineering approval must be made on the prescribed form with payment of fees pursuant to Section 223 of the Roads Act 1993 in accordance with Council's Schedule of Fees and Charges. The application is to include detailed design plans prepared by an appropriately qualified and practising consultant. A copy of the approval is to be submitted with the application for Construction Certificate. Under the provisions of the Local Government Act 1993 and/or the Roads Act 1993, if the activity is staged, the activity or the specified part or aspect of the activity, or any thing associated with the activity or the carrying out of the activity, may be the subject of a further approval.

Such works include, but not be limited to:

- Civil works
 - Traffic management
 - Work zone areas
 - Hoardings
- (7) (DA009) The provision of additional roads and stormwater works within the road reserve or Council's land at no cost to Council necessary to ensure satisfactory transitions to existing work as a result of conditions of this consent. The extent of works required for this development will be determined by Council in conjunction with assessing the application under the Roads Act. Design plans for any such works are to be incorporated in the design for other roads and stormwater systems required for this development.
- (8) (DA010) The developer is responsible for any costs relating to minor alterations and extensions of existing roads, drainage and Council services for the purposes of the development.
- (9) (DA013) The applicant shall provide security to the Council for the payment of the cost of the following:
- (a) making good any damage caused to any property of the Council as a consequence of the doing of anything to which the consent relates,
 - (b) completing any public work (such as road work, kerbing and guttering, footway construction, utility services, stormwater drainage and environmental controls) required in connection with the consent,
 - (c) remedying any defects in any such public work that arise within twelve(12) months after the work is completed.

Such security should be provided to Council prior to the issue of the Construction Certificate or Section 138 of the Roads Act.

The security is to be for such reasonable amount as is determined by the consent authority, being an amount that is the estimated cost plus 30% for building development of public works or \$5000 whichever is the greater of carrying out the development ,by way of:

- (a) deposit with the Council, or
- (b) an unconditional bank guarantee in favour of the Council.

The security may be used to meet any costs referred to above and on application being made to the Council by the person who provided the security any balance remaining is to be refunded to, or at the direction of, that person. Should Council have to call up the bond and the repair costs exceed the bond amount, a separate invoice will be issued. If no application is made to the Council for a refund of any balance remaining of the security within 6 years after the work to which the security relates has been completed the Council may pay the balance to the Chief Commissioner of State Revenue under the Unclaimed Money Act 1995.”

- (10) (DA036) The submission with the application for approval pursuant to Section 138 of the Roads Act of a Plan of Management for any works for the development that impact on any public roads and public land for the construction phase of the development. The plan is to include a Traffic Management Plan and/or Environmental Plan and/or a Work Method Statement for any works or deliveries that impact the normal travel paths of vehicles, pedestrians or cyclists or where any materials are lifted over public areas. The Traffic Control component of the plan is to be designed in accordance with Australian Standard 1742.3 – 2002 RTA “Traffic Control at Worksite Manuals” detailing the location of proposed Work Zone area (Construction Zone) plan, prior to the erection of any signage, giving dimensions from the nearest cross street kerb, the location of any existing regulatory signposting and indicating the period for which the parking restriction is required. Any persons preparing such Traffic Control layout plans shall be RTA accredited or equivalent.
- (11) (DA037) The provision of a footway and gutter crossing in accordance with Council’s Development Control Plan No 18. The design plans must be approved by Council pursuant to Section 138 of the Roads Act.
- (12) (DA038) The provision, at no cost to Council, of concrete foot paving for the full street frontages of the development. For Hill Street and Pacific Drive a 1.2 metre wide footpath is required with design details in accordance with AUSPEC and Council Standard drawing ASD 103. The design plans must be approved by Council pursuant to Section 138 of the Roads Act.
- (13) (DA042) All construction buildings, site fencing/hoarding and materials are to be wholly enclosed within the development site. Approval pursuant to Section 138 of the Roads Act, 1993 for hoardings over public property is to be obtained from Port Macquarie-Hastings Council prior to commencement of any works. At all times the public road is to be free from extraneous building material allowing unobstructed pedestrian movement.
- (14) (DA048) The restoration of any vehicle access rendered redundant by the development, to standard kerb and footpath formation at no cost to Council, in accordance with Council’s current AUSPEC Specifications and Standards. All works must be approved by Council pursuant to Section 138 of the Roads Act.

- (15) (DA052) Roof and surface waters (including from any rainwater tank) are to be disposed of to the:

- street watertable

by means of sealed pipes complying with AS 3500.3. Where Council's kerb and gutter is penetrated such penetration shall be by a Council approved kerb adapter.

Temporary down pipes shall be connected as soon as the roof has been covered and directed so as not to cause a nuisance to adjoining property owners.

- (16) (DA057) Any interruption to the natural overland flow of stormwater drainage which could result in the disruption or deterioration of any other property is not permitted.
- (17) (DA066) All water, sewer and stormwater services necessary to service the development must be provided in accordance with Council's requirements. All services are to be designed and constructed in accordance with Council's AUSPEC Specifications. Council pursuant to Section 68 of the Local Government Act must approve the design plans for the required services.
- (18) (DA097) The demolition of any existing structure shall be carried out in accordance with Australian Standard AS 2601-1991: *The Demolition of Structures*. No demolition materials shall be burnt or buried on site. The person responsible for the demolition works shall ensure that all vehicles leaving the site carrying demolition materials have their loads covered and do not track soil or waste materials onto the road. Should the demolition works obstruct or inconvenience pedestrian or vehicular traffic on an adjoining public road or reserve, separate application shall be made to Council to enclose the public place with a hoarding fence.

Should asbestos be present, its removal shall be carried out in accordance with the National OH&S Committee – Code of Practice for Safe Removal of Asbestos and its Code of Practice for the Management and Control of Asbestos in the Workplace.

- (19) (DA195) Limited sight distance is provided at the base of the carpark ramp. Appropriate measures (mirrors, etc.) shall be placed to improve vehicle sight lines within the carpark facility. In addition, the carpark should be gated to minimize vehicle conflicts. Appropriate measures shall be approved by Council prior to Construction Certificate.
- (20) (DA196) Individual water meters are to be provided for each unit. These may be located at each unit with a centralised electronic reading console and with a master water meter at the property boundary, or alternatively, individual 20mm water meters may be provided at the road frontage. If there are separate outdoor water service requirements, then an additional water meter will be required for the general use areas.
- (21) (DA197) The final water service sizing will need to be determined by a hydraulic consultant to suit the domestic side of the development, as well as fire service requirements to AS 2419. Remember that any basement sewer pump-out systems will require additional water supply backflow prevention devices. Any rainwater tank re-use or potable water top-up system and related protection requirements are to be detailed on the hydraulic plans.
- (22) (DA198) The footway area fronting the development in both Pacific Drive and Hill St shall be regraded to ensure crossfall is from the boundary line to the kerb is in

accordance with Port Macquarie Hastings Council current AUSPEC Specifications. A 1.2 m wide pedestrian footpath is required for the full frontage of the development (along Pacific Drive and Hill Street) AND kerb ramps within Hill Street (north and south) located at the intersection of Pacific Drive. Such work is to be completed and approved by Council prior to issue of occupation certificate.

- (23) (DA199) A 1 metre clear distance is required around any vertical inspection shaft and any manhole.

B - PRIOR TO ISSUE OF A CONSTRUCTION CERTIFICATE

- (1) (DB001) Building work that involves residential building work (within the meaning of the *Home Building Act 1989*) must not be carried out unless the Principal Certifying Authority for the development to which the work relates:
- has been informed in writing of the licensee's (Builder's) name and contractor licence number, and
 - is satisfied that the licensee (Builder) has complied with the requirements of Part 6 of that Act.

A certificate purporting to be issued by an approved insurer under Part 6 of the *Home Building Act 1989* that states that a person is the holder of an insurance policy issued for the purposes of that Part is sufficient evidence that the person has complied with this requirement.

Where it is proposed to undertake residential building work (within the meaning of the *Home Building Act 1989*) as an owner builder such work must not be carried out unless the Principal Certifying Authority for the development to which the work relates has provided a copy of an Owner-Builder Permit (OBP) for the work, if the accepted development costs exceed \$5,000.

- (2) (DB004) Submission to the Principal Certifying Authority prior to the issue of a Construction Certificate detailed design plans for the following works associated with the developments;
- Earthworks, including filling of the land for flood protection in accordance with;
 - AUSPEC Design Specification D6, Port Macquarie-Hastings Council current version.
 - Public parking areas including;
 - Driveways and access aisles;
 - Parking bays;
 - Delivery vehicle service bays & turning areasin accordance with AS/NZS 2890.1
 - Water supply hydraulic plans for internal water supply services and associated works in accordance with AS 3500, NSW Code of Practice and Port Macquarie-Hastings Council Policies.
 - Sewerage reticulation in accordance with AUSPEC Design Specification D12, Port Macquarie-Hastings Council current version.
 - Retaining walls in accordance with;
 - AUSPEC Design Specification D3, Port Macquarie-Hastings Council current version.
 - Stormwater systems in accordance with;

- a. AUSPEC Design Specification D5 & D7, Port Macquarie-Hastings Council current version.
7. Erosion & Sedimentation controls in accordance with AUSPEC D6 & D7, Port Macquarie-Hastings Council current version.
8. Location of all existing utility services including;
 - Conduits for electricity supply and communication services.
 - Water supply
 - Sewerage
 - Stormwater
9. Detailed driveway profile in accordance with AUSPEC Design Specification AS/NZS 2890.1 and Australian Standard Drawings ASD ASD 207, Port Macquarie-Hastings Council current version.

An application and checking fee in accordance with Council's Management Plan shall be payable upon submission of engineering design plans.

11. Provision of a 1.2 m concrete footpath across the full road frontage of the property.
- (3) (DB009) If engineering works are of a value greater than \$25,000, a detailed estimate of cost of the civil engineering works and documentary proof of payment of the levy required by the Building and Construction Industry Long Service Payments Act must be provided to Council prior to any approval of engineering plans.
- (4) (DB012) An Erosion and Sediment Control Management Plan prepared in accordance with the relevant sections of the Department of Housing manual "Soil and Water Management for Urban Development", Port Macquarie-Hastings Council sediment control policies and Council's adopted AUSPEC Design and Construction Guidelines shall be submitted to and approved by the Principal Certifying Authority with the application for construction certificate.

The plan shall include measures to:

- a. Prevent site vehicles tracking sediment and other pollutants from the development site.
- b. Dust control measures.
- c. Safety measures for temporary and permanent water bodies including fencing and maximum batter slopes.
- d. Contingencies in the event of flooding.
- (5) (DB013) The submission with the Section 138 Roads Act application to and approval by Council of details for the disposal of any spoil gained from the site and/or details of the source of fill, heavy construction materials and proposed routes to and from the site, including, but not limited to:
 - The pavement condition of the route/s proposed (excluding collector, sub-arterial and arterial roads) for the haulage of fill material to the site and/or haulage of excess material from the site. The condition report shall include photographs of the existing pavement and pavement deflection test results taken in the travel lanes;
 - Recommended load limits for haulage vehicles and;

- A procedure for monitoring the condition of the pavement during the haulage
- Bond to guarantee public infrastructure is not damaged as a result of construction activity.

and;

Council shall determine the need for and extent of any rectification work on the haulage route/s considered attributable by the haulage of materials to and/or from the site.

Details are to be provided with the application for approval pursuant to Section 138 of the Roads Act 1993.

- (6) (DB023) A certificate from an approved practising chartered professional civil and/or structural engineer certifying the structural adequacy of the proposed structures supporting the public road or retaining walls on the road boundary is to be submitted with the application pursuant to Section 138 of the Roads Act.
- (7) (DB033) The design and construction of the carpark and accesses in accordance with Australian Standard 2890.1. Certification of the design by a suitably qualified consultant is to be provided prior to issue of the Construction Certificate.
- (8) (DB035) A detailed engineering plan showing driveways, parking areas, and the means of access from the road to the proposed development in accordance with Council's adopted AUSPEC Design and Construction Guidelines are to be submitted to the Principal Certifying Authority for approval. Plans are to include site conditions affecting the access, pavement levels in relation to floor levels, and should nominate levels in relation to the kerb (or nominated fixed datum) and grades.
- (9) (DB036) Driveways, access aisles and parking areas shall be provided with an approved surface. Such a surface shall be on a suitable pavement, constructed and maintained in accordance with Council's Development, Design and Construction Manuals (as amended).
- (10) (DB038) Prior to the issue of any Construction Certificate, satisfactory arrangements are to be made with the Water Authority for the provision of water and sewer services to the land. Evidence of such arrangements will be furnishing relevant documentation from the Water Authority.
- (11) (DB040) The existing sewer including junction and/or stormwater drainage shall be located on the site and the position and depth indicated on the plans which accompany the application for the Construction Certificate.
- (12) (DB045) Payment to Council, prior to the issue of the Construction Certificate of the Section 94 contributions set out in the "Notice of Payment – Developer Charges" schedule attached to this consent. The contributions are levied, pursuant to the Environmental Planning and Assessment Act 1979 as amended, and in accordance with the provisions of the following plans:
 - Hastings S94 Administration Building Contributions Plan
 - Hastings Administration Levy Contributions Plan
 - Hastings S94 Major Roads Contributions Plan
 - Hastings S94 Open Space Contributions Plan
 - Community Cultural and Emergency Services Contributions Plan 2005

The plans may be viewed during office hours at the Council Chambers located on the corner of Burrawan and Lord Streets, Port Macquarie, 9 Laurie Street, Laurieton, and High Street, Wauchope.

The attached "Notice of Payment" is valid for the period specified on the Notice only. The contribution amounts shown on the Notice are subject to adjustment in accordance with CPI increases adjusted quarterly and the provisions of the relevant plans. Payments can only be made using a current "Notice of Payment" form. Where a new Notice of Payment form is required, an application in writing together with the current Notice of Payment application fee is to be submitted to Council.

- (13) (DB195) Limited sight distance is provided at the base of the carpark ramp. Appropriate measures (mirrors, etc.) shall be placed to improve vehicle sight lines within the carpark facility. In addition, the carpark should be gated to minimize vehicle conflicts. Appropriate measures shall be approved by Council prior to Construction Certificate.
- (14) (DB196) All sewage from the development is to be discharged to a new or existing manhole.
- (15) (DB197) The plans submitted with the application for Construction Certificate shall identify incorporation of all energy efficient and water use measures in the construction of the building in accordance with BASIX Certificate No 282139M.
- (16) (DB198) A Design Certificate is to be provided with the application for Construction Certificate in accordance with Section 143A of the Environmental Planning and Assessment Regulation 2000.
- (17) (DG026) As part of Notice of Requirements by Port Macquarie-Hastings Council as the Water Authority under Section 306 of the Water Management Act 2000 the payment of a cash contribution, prior to the issue of a Construction Certificate, of the Section 64 contributions, as set out in the "Notice of Payment – Developer Charges" schedule attached to this consent is required. The contributions are levied in accordance with the provisions of the relevant Section 64 Development Servicing Plan towards the following:
 - augmentation of the town water supply headworks
 - augmentation of the town sewerage system headworks

C - PRIOR TO ANY WORK COMMENCING ON SITE

- (1) (DC001) Notification in writing of the builder's name, address, telephone and fax numbers to be submitted to the Principal Certifying Authority prior to work commencing.
- (2) (DC002) A minimum of one (1) week's notice in writing of the intention to commence works on public land is required to be given to Council together with the name of the principal contractor and any major sub-contractors engaged to carry out works. Works shall only be carried out by a contractor accredited with Council.
- (3) (DC003) A copy of the current stamped approved construction plans must be kept on site for the duration of site works and be made available upon request to either the Principal Certifying Authority or an officer of the Council.

- (4) (DC004) Prior to the commencement of any works, a pre-construction meeting shall be organised by the applicant. This meeting is to be attended by the applicant or consultants, principal contractor and Council's development engineer or his representative.
- (5) (DC006) Erosion and sediment controls in accordance with the approved management plan shall be in place prior to the commencement of any works or soil disturbance on the site.
- (6) (DC010) Toilet facilities are to be provided on the work site at the rate of one toilet for every 20 persons or part of 20 persons employed at the site.

Each toilet provided must:

- a. be a standard flushing toilet, connected to a public sewer, or if connection to a public sewer is not available, to an on-site effluent disposal system approved by the Council, or
- b. an approved temporary chemical closet.

The provision of toilet facilities in accordance with this condition must be completed before any other work is commenced.

- (7) (DC013) Signage must be erected in a prominent position on any work site on which work involved in the erection or demolition of a building is being carried out:
 - a. stating that unauthorised entry to the work site is prohibited.
 - b. showing the name of the principal contractor in charge of the work site and a telephone number at which that person may be contacted outside working hours.
 - c. the name and contact details of the principal certifying authority responsible for the site

Any such signage is to be removed when the work has been completed.

- (8) (DC015) If the work involved in the erection or demolition of a building:
 - a. is likely to cause pedestrian or vehicular traffic in a public place to be obstructed or rendered inconvenient, or
 - b. building involves the enclosure of a public place,
 - a hoarding complying with DCP No. 41 - Building Construction and Site Management or a fence which will prevent the unauthorised entry of persons onto the site must be erected between the work site and any public place.

Such hoarding/fencing shall be located within the property boundaries. The location of hoardings/fencing on public land is not permitted unless specific approval under Section 138 of the Roads Act, 1993 has been granted by Council.

- (9) (DC020) Prior to the commencement of work, the location and depth of the sewer main and connection point in relation to the floor level shall be confirmed to ensure that appropriate connection to the sewer can be achieved.
- (10) (DC021) Where a sewer manhole exists within a property, access to the manhole shall be made available at all times. Before during and after construction, the sewer manhole must not be buried, damaged or act as a stormwater collection pit. No structures, including retaining walls, shall be erected within 1.0 metre of the sewer manhole or located so as to prevent access to the manhole.

- (11) (DC027) Prior to the any works commencing on the site a Demolition Waste Management Plan shall be prepared and submitted to Council. Such plan is to detail the nature and volume of all demolition wastes and shall detail the methods disposal of wastes. No work shall commence on the site until the management plan has been approved by Port Macquarie-Hastings Council.

D - DURING WORK

- (1) (DD002) Development works on public property or works to be accepted by Council as an infrastructure asset are not to proceed past the following hold points without inspection and approval by Council. Notice of required inspection must be given 24 hours prior to inspection, by contacting Council's Customer Service Centre on (02) 6581 8111. You must quote your construction certificate number and property description to ensure your inspection is confirmed:
- prior to commencement of site clearing and installation of erosion control facilities;
 - at completion of installation of erosion control measures
 - prior to installing traffic management works
 - at completion of installation of traffic management works
 - at the commencement of earthworks;
 - when trenches are open, stormwater/water/sewer pipes and conduits jointed and prior to backfilling;
 - before pouring of kerb and gutter;
 - prior to the pouring of concrete for sewerage works and/or works on public property;
 - on completion of road gravelling or pavement;
 - prior to sealing and laying of pavement surface course.

All works at each hold point shall be certified as compliant in accordance with the requirements of AUSPEC Specifications for Provision of Public Infrastructure and any other Council approval, prior to proceeding to the next hold point.

Council will undertake random audits of work sites to verify compliance of public works as required.

- (2) (DD006) The capacity and effectiveness of erosion and sediment control measures shall be maintained at all times in accordance with the approved management plan until such time as the site is made stable by permanent vegetation cover or hard surface.
- (3) (DD024) Work on the project being limited to the following hours, unless otherwise permitted by Council:-
- Monday to Saturday from 7.00am to 6.00pm
 - The builder to be responsible to instruct and control his sub-contractors regarding the hours of work.
- (4) (DD028) Building equipment and/or materials shall be contained wholly within the site and shall not be stored or operated on the footpath or roadway, unless specific written approval has been obtained from Council beforehand.
- (5) (DD035) The sewer junction shall be capped off with an approved fitting in conjunction with demolition works and Council notified to carry out an inspection prior to backfilling of this work.

- (6) (DD036) The site shall be left free of wastes and debris following completion of the demolition work.
- (7) (DD037) Dust or airborne particles shall not be allowed to escape from the site. The use of fine mesh dust proof screens, fine water sprays or other approved methods are required.
- (8) (DD038) In buildings constructed prior to 1970, all existing accumulations of dust (eg in ceiling voids, wall cavities, walls, floors etc) shall be removed by the use of an industrial vacuum fitted with a high efficiency particulate air filter.
- (9) (DD039) Demolition works performed on buildings with materials containing asbestos or lead shall be carried out strictly in accordance with the requirements of the Workcover Authority and National OH&S Committee – *Code of Practice for the Safe Removal of Asbestos* and *Code of Practice for the Management and Control of Asbestos in Workplaces*.
- (10) (DD040) All asbestos and lead wastes shall be sealed and disposed of in labelled plastic wrapping or bags at Council's Waste Management Facility in accordance with the directions of the Facility Manager. Arrangements are to be made with Council's Services Division prior to disposal.
- (11) (DD041) All demolition waste is to be disposed of at the Council Waste Management Facility.

At the completion of demolition activities, Waste Management Centre weighbridge dockets are to be provided to Port Macquarie-Hastings Council to demonstrate compliance with this condition.
- (12) (DD044) A garbage receptacle for the reception of all waste materials from the site shall be provided prior to building work commencing and shall be maintained and serviced for the duration of the work.
- (13) (DD047) Stockpiles of topsoil, sand, aggregates, spoil or other material shall be stored clear of any natural drainage path, constructed drainage systems, easement, water bodies, or road surface and located wholly within the site with measures in place to prevent erosion or movement of sediments in accordance with the approved management plan. All spillage of materials, as a result of delivery or handling, must be removed as soon as practicable and placed into suitable receptacles for reclamation or disposal in a manner that does not cause pollution of the environment.
- (14) (DD048) Open and piped drains, gutters, roadways and access ways shall be maintained free of sediment for the duration of the work. When necessary, roadways shall be swept and drains and gutters cleaned of sediment build up.
- (15) (DA082) Adverse dust nuisance to any neighbouring residential properties shall not be generated as a result of the construction of the development.

E - PRIOR TO THE ISSUE OF OCCUPATION CERTIFICATE

- (1) (DE001) The premises shall not be occupied or used in whole or in part until an Occupation Certificate has been issued by the Principal Certifying Authority.
- (2) (DE005) Prior to the release of any bond securities held by Council for infrastructure works associated with developments, a formal written application is to be submitted to Council specifying detail of works and bond amount.

- (3) (DE033) Vehicle ramps, driveways, turning circles and parking spaces being paved, sealed and line marked prior to the issue of the Occupation Certificate or commencement of the approved land use.
- (4) (DE038) Prior to the issuing of the Occupation Certificate provision to the Principal Certifying Authority of documentation from Port Macquarie-Hastings Council being the local roads authority certifying that all matters required by the approval issued pursuant to Section 138 of the Roads Act have been satisfactorily completed.
- (5) (DE040) Certification by a suitably qualified consultant is to be submitted to Council that the construction of the car park and internal accesses is to be in accordance with Council's Development Control Plan No. 18 and Australian Standard 2890.1 prior to issue of the Occupation Certificate.
- (6) (DE045) At the completion of works on private property certification is to be provided to Port Macquarie-Hastings Council from a practising civil or structural engineer that all stormwater works have been undertaken in accordance with the approved plans and Australian Standard 3500.
- (7) (DE051) A Certificate of Compliance under the provisions of Section 307 of the Water Management Act must be obtained prior to the issue of any Occupation or Subdivision Certificate.
- (8) (DE052) Prior to the issue of any Occupation Certificate, submission of relevant documentation from the Water Authority confirming its acceptance of infrastructure works, including work as executed plans in accordance with Port Macquarie-Hastings Council current version of AUSPEC.
- (9) (DE053) Prior to the issuing of any Occupation Certificate provision to the Principal Certifying Authority of a Water Authority and/or Section 68, Sanitary Plumbing and/or Stormwater Drainage Final Certificate issued by Port Macquarie-Hastings Council.
- (10) (DE065) Landscaped areas being completed prior to issue of the Occupation Certificate.
- (11) (DE072) Any necessary alterations to, or relocations of, public utility services to be carried out at no cost to Council and in accordance with the requirements of the relevant authority including the provision of easements over existing and proposed public infrastructure. Any alterations to or relocation of street lighting to be approved in writing from Port Macquarie-Hastings Council.
- (12) (DE073) Ancillary works shall be undertaken at no cost to Council to make the engineering works required by this Consent effective to the satisfaction of Director of Council's Infrastructure Division. Such works shall include, but are not limited to the following:
 - a. The relocation of underground services where required by civil works being carried out.
 - b. The relocation of above ground power and telephone services
 - c. The relocation of street lighting
 - d. The matching of new infrastructure into existing or future design infrastructure
- (13) (DE077) Prior to the issue of an Occupation Certificate, written advice is to be submitted from the electricity authority confirming that its requirements for the provision of electricity services (including street lighting where required) have been satisfied and/or from the telecommunications authority confirming that its

requirements for the provision of telecommunication services (including fibre optic cabling where required) have been satisfied. Any alterations to or relocation of street lighting is to be approved in writing from Port Macquarie-Hastings Council.

- (14) A certifying authority must not issue an occupation certificate to authorise a person to commence occupation or use of residential flat development unless the certifying authority has received a design verification from a qualified designer, in accordance with clause 154A of the Environmental Planning and Assessment Regulation 2000.

F - OCCUPATION OF THE SITE

- (1) (DF006) The basin of the outflow control pit and the debris screen must be cleaned of debris and sediment on a regular basis by the owner.

G - ADVICE

- (1) (DG022) Submission to Council of an application for water meter hire, which is to be referred to the Water Supply section so that a quotation for the installation can be prepared and paid for prior to the issue of a construction certificate. This application is also to include an application for the disconnection of any existing service not required.
- (2) (DG023) In respect of applications for other than separate Class 1 buildings, applicants are required to furnish the following information from an approved Hydraulic Consulting Engineer with the application for the water service:
 - o Hydraulic calculations that address flow, pressure and velocity requirements of AS 3500.1.
 - o A plan to a scale of not less than 1:100 that clearly indicates the position of the water meter on the property, the type of materials and nominal size of all water service pipes, the position of all stop valves, stop taps, backflow prevention devices and other valves, any water storage to be provided including air gap requirements, overflow pipe arrangement and any booster pumps.
 - o Complete details of any fire service, booster pump or irrigation system installation.
- (3) (DG028) Extension or modification of the town sewerage system where necessary to serve the development, at no cost to Council.
- (4) (DG195) Records indicate that Lot 5 has a 20mm water service. This development can be served from the 150mm PVC water main on the opposite side of Hill Street. The 150mm ductile iron water main on the same side of Pacific Drive will not be available for connection.
- (5) (DG196)The aesthetics of the fire hydrant metering and (if required) booster arrangement should be considered by the architect in regard to screening and location whilst maintaining access acceptable to the NSW Fire Brigades.
- (6) (DG197) The applicant is advised to contact Councils Technical Services Section prior to design of civil works within the public road required by this consent to ensure design accords with any future plans that may be Council approved.

APPENDIX 2. PORT MACQUARIE-HASTINGS DEVELOPMENT CONTROL PLAN 2006

DCP No. 47 - Flynn's Beach Precinct – Pacific Drive precinct Block PD 2

Requirement	Proposed	Compliance
3.2.1 Max. part 3 & 4 storeys	Part (technically) 4 & 5 storeys (central section and sub basement carpark > 1.5m above natural ground level)	No
3.2.1 Min. 2.65m floor to ceiling height	Min. 2.7m	Yes
3.2.2 Max. 18m depth building zone	Approx. max. 17m depth building zone (north-south)	Yes
3.2.2 Underground parking beneath building footprint	Underground parking generally beneath building footprint	Yes
3.2.2 Building sited across site frontage	Building sited across frontages to edge of proposed DSZ	Yes
3.2.3 Building aligned with street/kerb	Building aligned with Pacific Drive and Hill Street	Yes
3.2.3 Primary openings oriented to front and back of building	Primary openings oriented to front and back of building and addresses Pacific and Hill Streets	Yes
3.2.3 Min. 3m front setback (both Hill Street and Pacific Drive). Balconies/extrusions can encroach 0.6m.	Min. 3m front setback to Pacific Drive and Hill Street frontages. 0.6m balcony encroachments	Yes
	Unit 3 balcony within 2.4m front setback	No
3.2.3 Min 1.5m north side setback for max. 75% of building depth. Windows in north elevation to be setback 3m from north boundary	Min. 1.5m north side setback for 9.3m (east-west) of building depth	Satisfactory (within 3m side setback)
	3m+ setback for remainder of building Windows in north elevation setback 3 m from north boundary with exception of kitchen window	Yes Yes/No
3.2.3 Min. 6m rear west setback to extend to Hill Street	Min. 6.0m rear setback extends to Hill Street	Yes

3.2.4 Min. 6m DSZ within rear west setback	Approx 6.0m rear DSZ. External fire egress access to basement parking encroaches within DSZ	Yes/No
DSZ should allow for mature tree planting	DSZ will allow for mature tree planting	Yes
3.2.5 Articulation zones	Articulation zones satisfactory	Yes
4.2.2 Accessibility	<p>Main entrance to foyer area is access compliant</p> <p>Unit 1 and 2 appear accessible from Pacific Drive.</p> <p>Internal lift provided which provides access to all levels and units.</p> <p>Access to communal area provided via staircase</p> <p>Wheelchair use can access main foyer from car parking area</p> <p>Unit 3, 6 & 9 have access from foyer via staircase</p>	<p>Yes</p> <p>Yes</p> <p>Yes</p> <p>Variation to access criteria permitted for access to Unit 3, 6 and 9, and communal area given topography (refer point 3 section 4.2.2)</p>
4.2.3 Flexibility	<p>Building has simple and logical structure grid</p> <p>Direct street access for Unit 1 and 2 from Pacific Drive and Unit 3 via staircase from Hill Street</p>	Yes
4.3.1 Facade composition and articulation	<p>Facade composition and articulation satisfactory</p> <p>Main entry clearly defined</p> <p>Schedule of external materials and colours satisfactory.</p>	Yes
4.3.2 Entries	<p>Common entry provides direct physical and visual connection to Hill Street</p> <p>Separate entries for pedestrians and cars</p> <p>Sheltered entrance provided</p> <p>Direct street access for Unit 1 and 2 from Pacific Drive and Unit 3 via staircase from Hill Street</p>	Yes
4.3.3 Balconies	<p>Main balconies for all units achieve min. 1.8m width with 8m2 area</p> <p>Main balconies adjacent to living</p>	<p>Yes</p> <p>Yes</p>

	areas/dwelling	
4.3.4 Awning over building entry	Covered area provided at common entry	Yes
4.3.5 Fences and walls	<p>Max. 1.4m high front fence along Pacific Drive appears suitable</p> <p>Retaining walls and planter boxes fronting Hill Street appear substantial however relate to design of overall building given existing site fall from east to west</p>	<p>Yes</p> <p>Yes</p>
4.3.6 Roof design	<p>Roof design satisfactory</p> <p>Lift overrun doesn't appear to be proposed to extend above building</p>	<p>Yes</p> <p>Yes</p>
4.4.1 Visual privacy	<p>Major windows to front and rear of building and to Pacific and Hills Streets.</p> <p>Unit 3, 6 & 9 main living/dining areas with 6m setback to balcony accessed off these areas north facing & Unit 10 media room setback 4.4m north facing partly</p> <p>Balustrade provided to balconies</p>	<p>Yes</p> <p>No. Complies with SEPP 65 residential flat code separation which has precedence over DCP control</p> <p>Yes</p>
4.4.2 Acoustic privacy	Uses coupled between and within units	Yes
4.4.3 Safety and security	<p>Entrances orientated to street.</p> <p>Direct street access for Unit 1 and 2 from Pacific Drive and to Unit 3 from Hill Street</p> <p>Limited concealment opportunities and casual surveillance satisfactory</p>	<p>Yes</p> <p>Yes</p> <p>Yes</p>
4.4.4 Natural ventilation	<p>Design of all units will provide for satisfactory natural ventilation</p> <p>BASIX certificate submitted</p>	<p>Yes</p> <p>Yes</p>

4.4.5 Apartment layouts	Apartment layouts satisfactory Mix of 2 and 3 bed dwellings	Yes Yes
4.4.6 Stairs, lifts and corridors	Common circulation spaces within buildings satisfactory	Yes
4.5.1 Communal open space	Communal open space area provided in north-west section of site DSZ within rear west setback provided.	Yes Yes
4.5.2 Private open space	Private open space areas for Unit 1 and 2 satisfactory. Permeable surfaces satisfactory.	Yes Yes
4.5.3 Ecology		N/a
4.5.4 Landscaping	Landscape principles plan satisfactory. DSZ will allow for mature tree planting	Yes Yes
4.6.1 Passive solar performance	Design of all units responds to orientation where possible BASIX certificate submitted	Yes Yes
4.6.2 Building materials - timber	Unknown	N/a
4.6.3 Stormwater management	DSZ provided Onsite detention proposed.	Yes Yes
4.6.4 Water conservation	BASIX certificate submitted	Yes
4.6.5 Space heating and cooling	BASIX certificate submitted	Yes
4.7.1 Vehicle access and on-site car parking	Basement carparking Bus stop within 70m. Car park entry from Hill Street 16 parking spaces (1 designated visitor parking space)	Yes Yes Yes Yes
4.7.2 Site facilities	Satisfactory garbage storage provided Site storage satisfactory	Yes Yes

APPENDIX 3. STATE ENVIRONMENTAL PLANNING POLICY NO. 65 – DESIGN QUALITY PRINCIPLES

Requirement	Proposed	Compliance
<p><i>Context</i> Good design responds and contributes to its context. Context can be defined as the key natural and built features of an area. Responding to context involves identifying the desirable elements of a location's current character or, in the case of precincts undergoing a transition, the desired future character as stated in planning and design policies. New buildings will thereby contribute to the quality and identity of the area.</p>	<p>Design of development has responded to and will contribute to the existing key natural and built features of the immediate locality within Flynns Beach. Development is generally consistent with the built form controls of PM-H DCP2006-DCP47 and will be of an appropriate scale, reflecting desirable future aspects within the existing locality undergoing transition. Refer also to comments regarding building height under DCP 47 detailed earlier in this report.</p>	Yes
<p><i>Scale</i> Good design provides an appropriate scale in terms of the bulk and height that suits the scale of the street and the surrounding buildings. Establishing an appropriate scale requires a considered response to the scale of existing development. In precincts undergoing a transition, proposed bulk and height needs to achieve the scale identified for the desired future character of the area.</p>	<p>Design of development is satisfactory in terms of future desired bulk and height controls envisaged by PM-H DCP2006-DCP47 and is suitable to the scale of the existing adjoining and adjacent buildings, adjacent streets and scale of potential re-development of other surrounding sites. Flynns Beach locality is undergoing transition and the development will be consistent with the identified desired future character of the locality.</p>	Yes
<p><i>Built form</i> Good design achieves an appropriate built form for a site and the building's purpose, in terms of building alignments, proportions, building type and the manipulation of building elements. Appropriate built form defines the public domain, contributes to the character of streetscapes and parks, including their views and vistas, and provides internal amenity and outlook.</p>	<p>Design of development is of a satisfactory built form for the site and building's purpose in terms of building alignments, proportions, building type and the manipulation of building elements. Design of development has responded to and will satisfactorily define the existing public domain. Design of development will contribute to existing desired future character of the Pacific Drive and Hill Street streetscapes and a satisfactory amount of internal amenity and outlook will be achieved.</p>	Yes
<p><i>Density</i> Good design has a density appropriate for a site and its context, in terms of floor space yields (or number of units or residents). Appropriate densities are</p>	<p>Density of proposed development is consistent with the built form controls of PM-H DCP2006-DCP47 and will be appropriate to the site and its context within a locality undergoing transition.</p>	Yes

sustainable and consistent with the existing density in an area or, in precincts undergoing a transition, are consistent with the stated desired future density. Sustainable densities respond to the regional context, availability of infrastructure, public transport, community facilities and environmental quality.		
<p><i>Resource, energy and water efficiency</i></p> <p>Good design makes efficient use of natural resources, energy and water throughout its full life cycle, including construction. Sustainability is integral to the design process. Aspects include demolition of existing structures, recycling of materials, selection of appropriate and sustainable materials, adaptability and reuse of buildings, layouts and built form, passive solar design principles, efficient appliances and mechanical services, soil zones for vegetation and reuse of water.</p>	Design of development would be energy efficient. The design incorporates passive solar design principles, is capable of providing efficient appliances and mechanical services and adequate provision of deep soil zone areas have been provided.	
<p><i>Landscape</i></p> <p>Good design recognises that together landscape and buildings operate as an integrated and sustainable system, resulting in greater aesthetic quality and amenity for both occupants and the adjoining public domain. Landscape design builds on the existing site's natural and cultural features in responsible and creative ways. It enhances the development's natural environmental performance by co-ordinating water and soil management, solar access, micro-climate, tree canopy and habitat values. It contributes to the positive image and contextual fit of development through respect for streetscape and neighbourhood character, or desired future character. Landscape design should optimise useability, privacy and social</p>	Landscape design is satisfactory and is integrated with the building design relationship to the public domain.	Yes

<p>opportunity, equitable access and respect for neighbours' amenity, and provide for practical establishment and long term management.</p>		
<p><i>Amenity</i> Good design provides amenity through the physical, spatial and environmental quality of a development. Optimising amenity requires appropriate room dimensions and shapes, access to sunlight, natural ventilation, visual and acoustic privacy, storage, indoor and outdoor space, efficient layouts and service areas, outlook and ease of access for all age groups and degrees of mobility.</p>	<p>Design of development will provide a satisfactory amount of residential amenity with appropriate room dimensions and shapes, adequate access to sunlight, natural ventilation, visual and acoustic privacy, storage, indoor and outdoor space, efficient layouts and service areas, outlook and a satisfactory level of accessibility subject to compliance.</p>	<p>Yes</p>
<p><i>Safety and security</i> Good design optimises safety and security, both internal to the development and for the public domain. This is achieved by maximising overlooking of public and communal spaces while maintaining internal privacy, avoiding dark and non-visible areas, maximising activity on streets, providing clear, safe access points, providing quality public spaces that cater for desired recreational uses, providing lighting appropriate to the location and desired activities, and clear definition between public and private spaces.</p>	<p>Design of development would provide for a satisfactory level of safety and security, both internally to the development and with respect to its relationship with the public domain.</p>	<p>Yes</p>
<p><i>Social dimensions and housing affordability</i> Good design responds to the social context and needs of the local community in terms of lifestyles, affordability, and access to social facilities. New developments should optimise the provision of housing to suit the social mix and needs in the neighbourhood or, in the case of precincts undergoing transition, provide for the desired future community.</p>	<p>Proposed development is generally consistent with controls of PM-H DCP2006-DCP47 and will provide for desired provision of housing mix for future permanent occupants.</p>	<p>Yes</p>

New developments should address housing affordability by optimising the provision of economic housing choices and providing a mix of housing types to cater for different budgets and housing needs.		
<p><i>Aesthetics</i></p> <p>Quality aesthetics require the appropriate composition of building elements, textures, materials and colours and reflect the use, internal design and structure of the development. Aesthetics should respond to the environment and context, particularly to desirable elements of the existing streetscape or, in precincts undergoing transition, contribute to the desired future character of the area.</p>	<p>Design aesthetics of development has appropriate composition of building elements, textures, materials and indicative colours which reflect the use, internal design and structure of the development.</p> <p>Design aesthetics of development has responded to the existing coastal environment and context, particularly to desirable elements for the Pacific Drive and Hill Street streetscapes and other guidelines of PM-H DCP2006-DCP47.</p>	

APPENDIX 4. RESIDENTIAL FLAT CODE (DEPARTMENT OF PLANNING)

Requirement/Rules of thumb	Proposed	Complies
Site analysis plan	Satisfactory site analysis plan submitted	Yes
Min. 25% of open space area of site should be deep soil zone; more is desirable.	>25% of open space area on western side of site is deep soil zone	Yes
Design of fences and walls	Design of walls fronting Hill Street will not have any identifiable adverse impacts on streetscape. Design of front fence along Pacific Drive frontage acceptable in height and design and with no adverse impacts on streetscape identified.	Yes
Min. external and internal areas	Internal and external areas comply with the minimum area requirements.	Yes
Landscape design	Landscape design areas comply.	Yes
Open space should generally be at least 25-30% of site area	Open space areas >25% of site area	Yes
Min. private open space area at ground floor level of 25m ² with min. 4m in 1 direction	Unit 1 & 2 private open space >25m ² with 4m min dimension achieved	Yes
Orientation	Building design including positioning optimises solar access	Yes
Planting on structures		N/a
Stormwater management	Deep soil zones optimised	
Crime risk assessment for >20 dwellings	Ground level entries provided to Pacific Drive units. Visibility, functionality and safety of building and relationship to public domain optimised to reduce potential for crime.	Yes
Visual privacy	Visual privacy requirements comply with exception of Bed 2 and 3 for Unit 1, 4 and 7 facing northern boundary.	No* Refer to comments provided

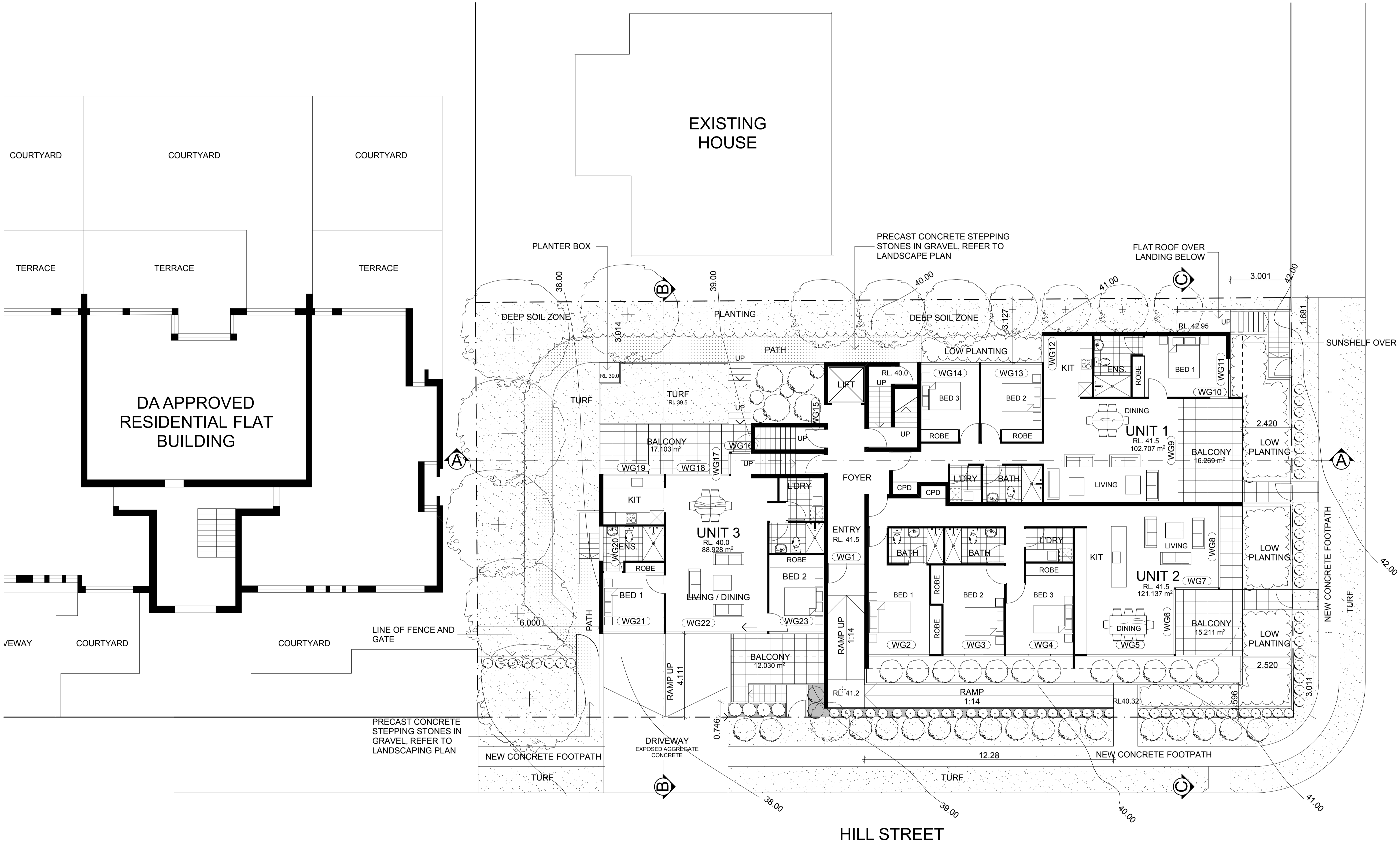
		earlier in report regarding Design Review Panel comments in this regard.
Building entry	Building entries will create desirable residential identity for the development and positively contribute to streetscapes	Yes
Parking	Carparking provided in accordance with DCP 47 & 18	Yes
Barrier free access to at least 20% of dwellings	>20% of units barrier free	Yes
AS 1428 accessibility	AS 1428 accessibility compliance	Yes
General max. width of driveway 6m	6m wide driveway	Yes
Locate vehicle entries away from main pedestrian entries and on secondary frontages	Vehicle entrance off Hill Street	Yes
Single aspect apartments limited in depth to 8m from window		N/a
Back of kitchen should be no more than 8m from a window	All kitchens within 8m of external windows	Yes
Width of cross-over/through apartment over 15m deep should be 4m or greater to avoid deep narrow apartment layouts	All units >4m width	Yes
Apartment mix	Mix of 2 and 3 bed dwellings	Yes
Primary balconies min. 2m depth	Primary balconies > min. 2m depth	Yes
Ceiling heights min. 2.7m	Ceiling heights min. 2.7m	Yes
Flexibility	Unit designs adaptable and flexible to meet future occupant's needs	Yes
Optimise number of ground floor apartments with separate entries and consider requiring percentage of	Ground floor units to Pacific Drive separate entry	Yes

accessible units	Slope declining from east to west prevents direct access to units from Hill Street >25% accessible units provided	
In general, where units are arranged off a double loaded corridor, the number of units accessible from a single core/corridor should be limited to 8.		N/a
Mixed use		N/a
Storage	Storage proposed in basement which complies.	Yes
Acoustic privacy	Acoustic privacy acceptable	Yes
Living rooms and private open spaces for at least 70 % of apartments should receive a min. of 3 hours direct sunlight between 9am and 3pm in mid winter.	All units and private open space areas will receive 3 hrs of direct sunlight between 9am and 3pm in mid winter.	Yes
Limit single-aspect units with southerly aspect to max. 10%		N/a
Building depth 10-18m	Building depths acceptable including corner apartments which will have good natural ventilation	Yes
60% of residential units should be naturally cross ventilated	All units naturally cross-ventilated	Yes
25% of kitchens should have access to natural ventilation	At least 3 units will have kitchens with access to natural ventilation	Yes
Awnings and signage		N/a
Facades	The architectural quality of the eastern and southern facades will positively contribute to the character of the immediate locality and public domain/streets.	Yes
Roof design	Roof design satisfactory	Yes
Energy efficiency	BASIX certificate submitted which is satisfactory	Yes
Maintenance	Maintenance of building capable of being effectively managed	Yes
Waste management	Garbage storage area provided in	Yes

	basement	
Water conservation	Water reuse proposed. Note BASIX requirements require rainwater tank storage and reuse.	Yes

APPENDIX 5 – DRAFT DEVELOPMENT CONTRIBUTIONS CALCULATIONS

Separate attached draft calculations.



GROUND FLOOR PLAN
SCALE 1:100

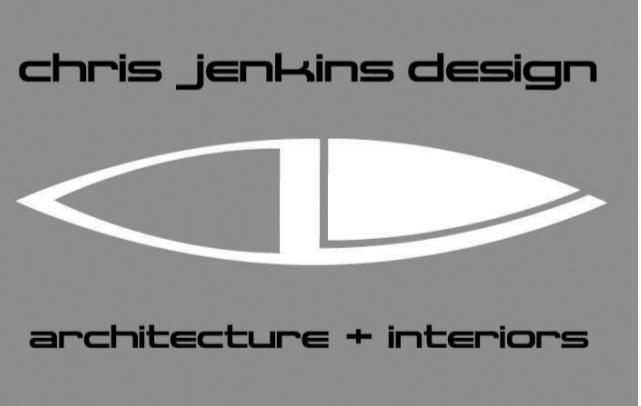
NOTES:
1) REFER TO LANDSCAPE PRINCIPLES PLAN AND ELEVATIONS FOR FURTHER DETAILS ON LANDSCAPING

AREAS: m²

UNIT	INTERNAL AREA	DECK AREA
1	102.71	16.27
2	121.14	15.21
3	88.93	23.13
4	108.79	12.95
5	114.17	20.64
6	93.12	23.82
7	108.79	12.95
8	114.17	20.64
9	93.12	23.82
10	157.50	122.4

C	DA AMENDMENTS	01/06/10	SL
B	MEZZANINE AMENDED & FIRE STAIR	10/02/10	SH
A	LANDSCAPE AMENDED	22/12/09	SH
Issue	Description	Date	Checked

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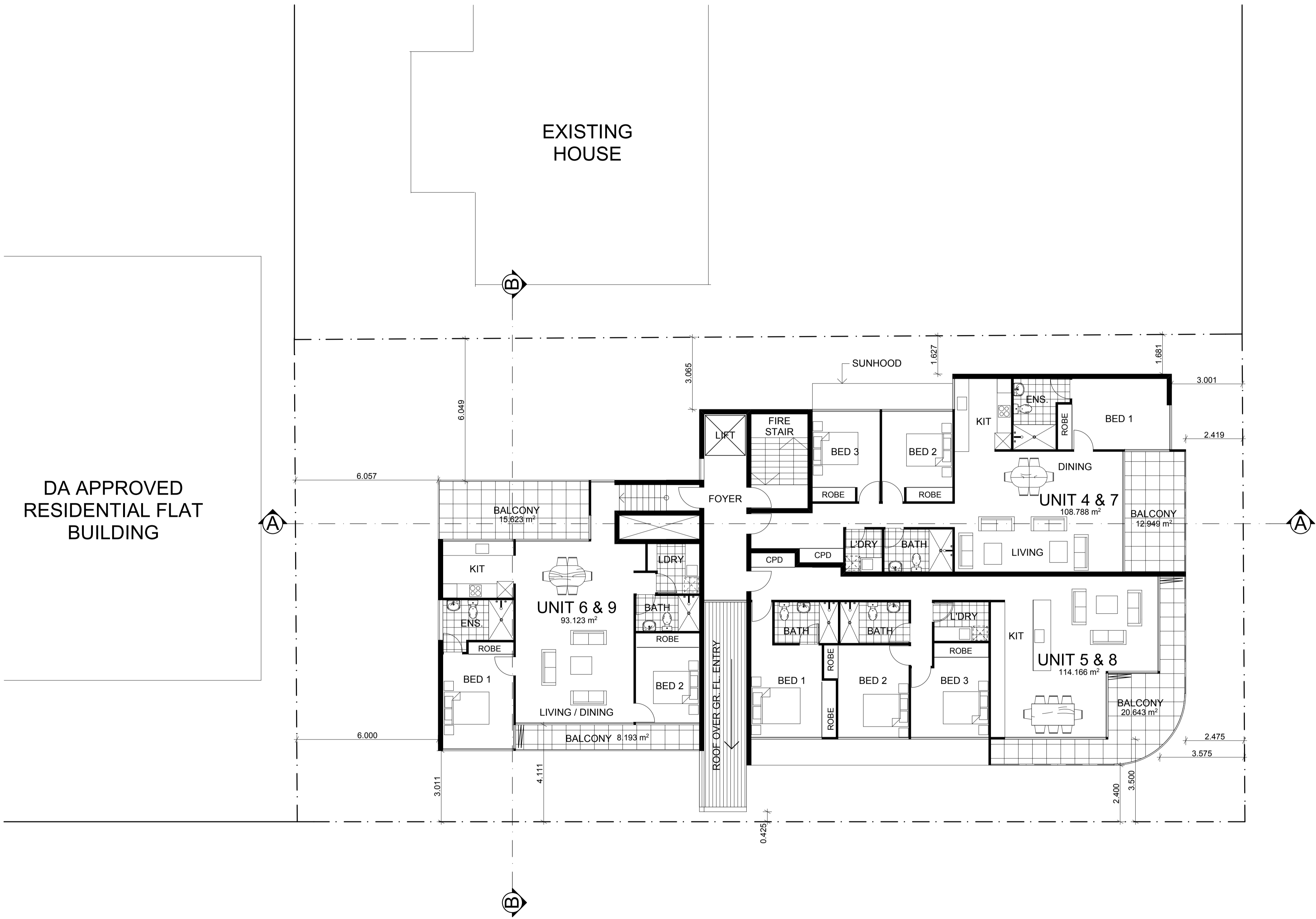
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Project
RESIDENTIAL UNITS
Location
**27 PACIFIC DRIVE
PORT MACQUARIE**
Client

Drawing Title
GROUND FLOOR PLAN

Scale
1:100 @ A1
Drawing Number
0401_DA 02_B
Drawn
SH
DATE
10/02/10





DA APPROVED
RESIDENTIAL FLAT
BUILDING

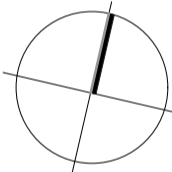
EXISTING
HOUSE

PACIFIC DRIVE

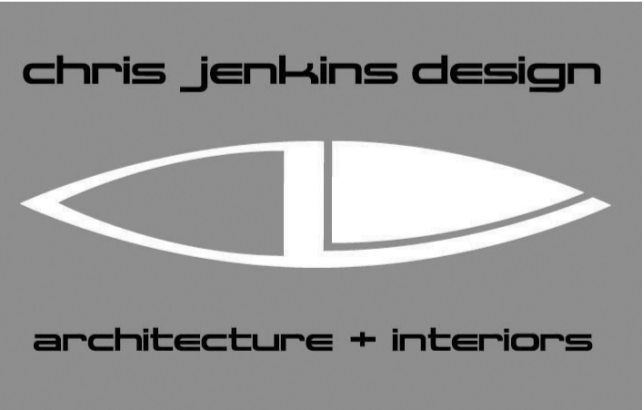
HILL STREET

TYPICAL FLOOR PLAN
LEVEL 1 & 2
SCALE 1:100

AREA m ²		
UNIT	INTERNAL AREA	DECK AREA
1	102.71	16.27
2	121.14	15.21
3	92.23	32.52
4	108.79	12.95
5	114.17	20.64
6	93.12	23.82
7	108.79	12.95
8	114.17	20.64
9	93.12	23.82
10	157.50	122.4



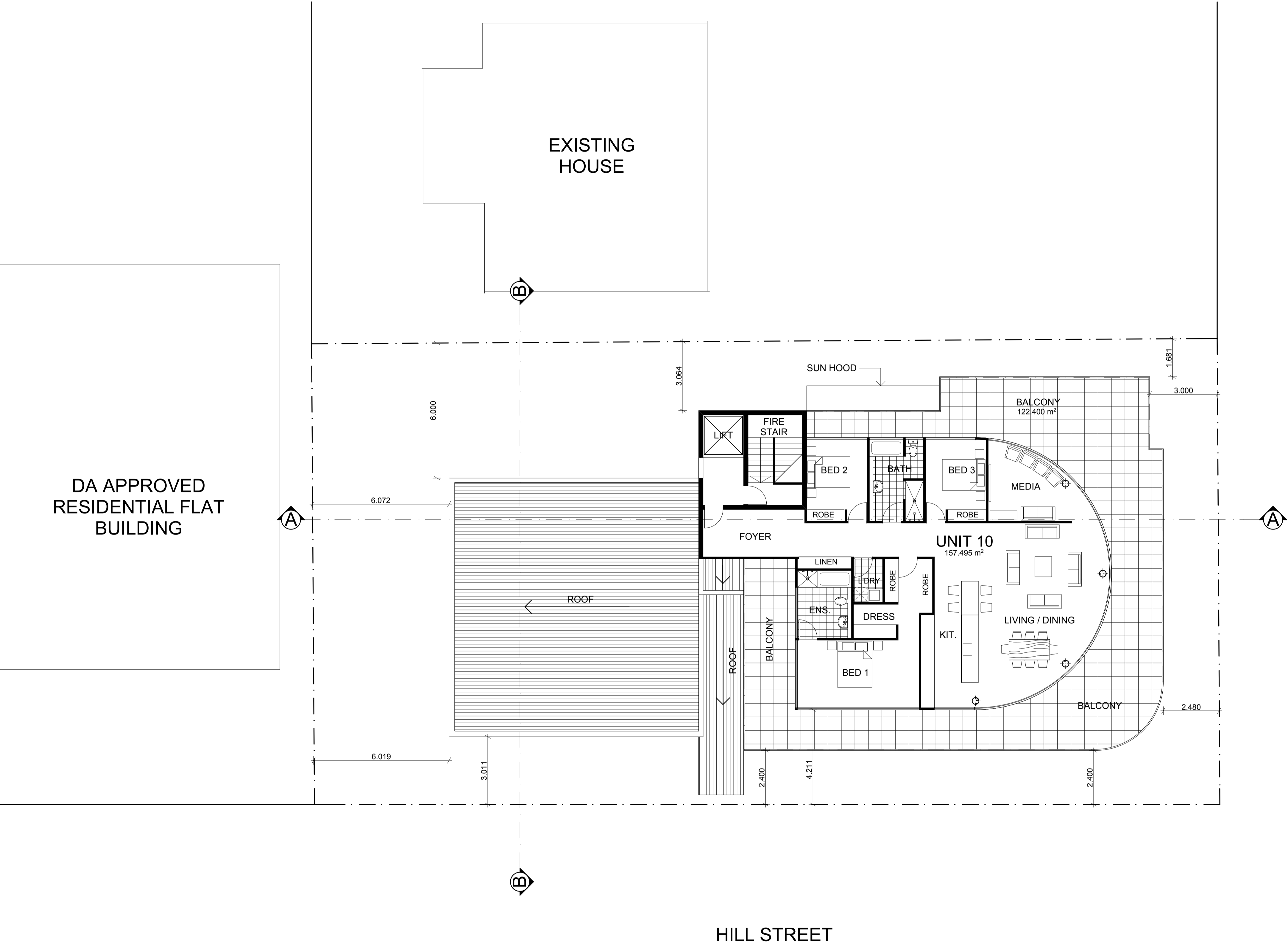
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TYPICAL FLOOR PLAN LEVEL 1 & 2	
Scale 1:100	Drawn SH
Drawing Number 0401_DA 03	DATE 22/07/09



DA APPROVED
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BUILDING

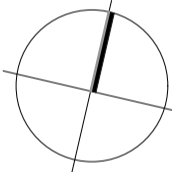
EXISTING
HOUSE

HILL STREET

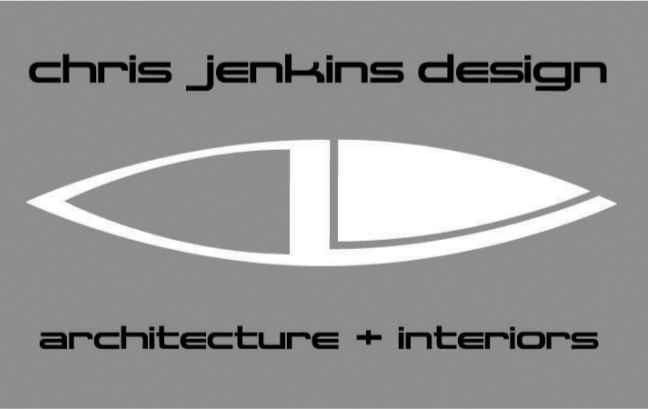
PACIFIC DRIVE

LEVEL 3 FLOOR PLAN
SCALE 1:100

AREA m ²		
UNIT	INTERNAL AREA	DECK AREA
1	102.71	16.27
2	121.14	15.21
3	92.23	32.52
4	108.79	12.95
5	114.17	20.64
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7	108.79	12.95
8	114.17	20.64
9	93.12	23.82
10	157.50	122.4

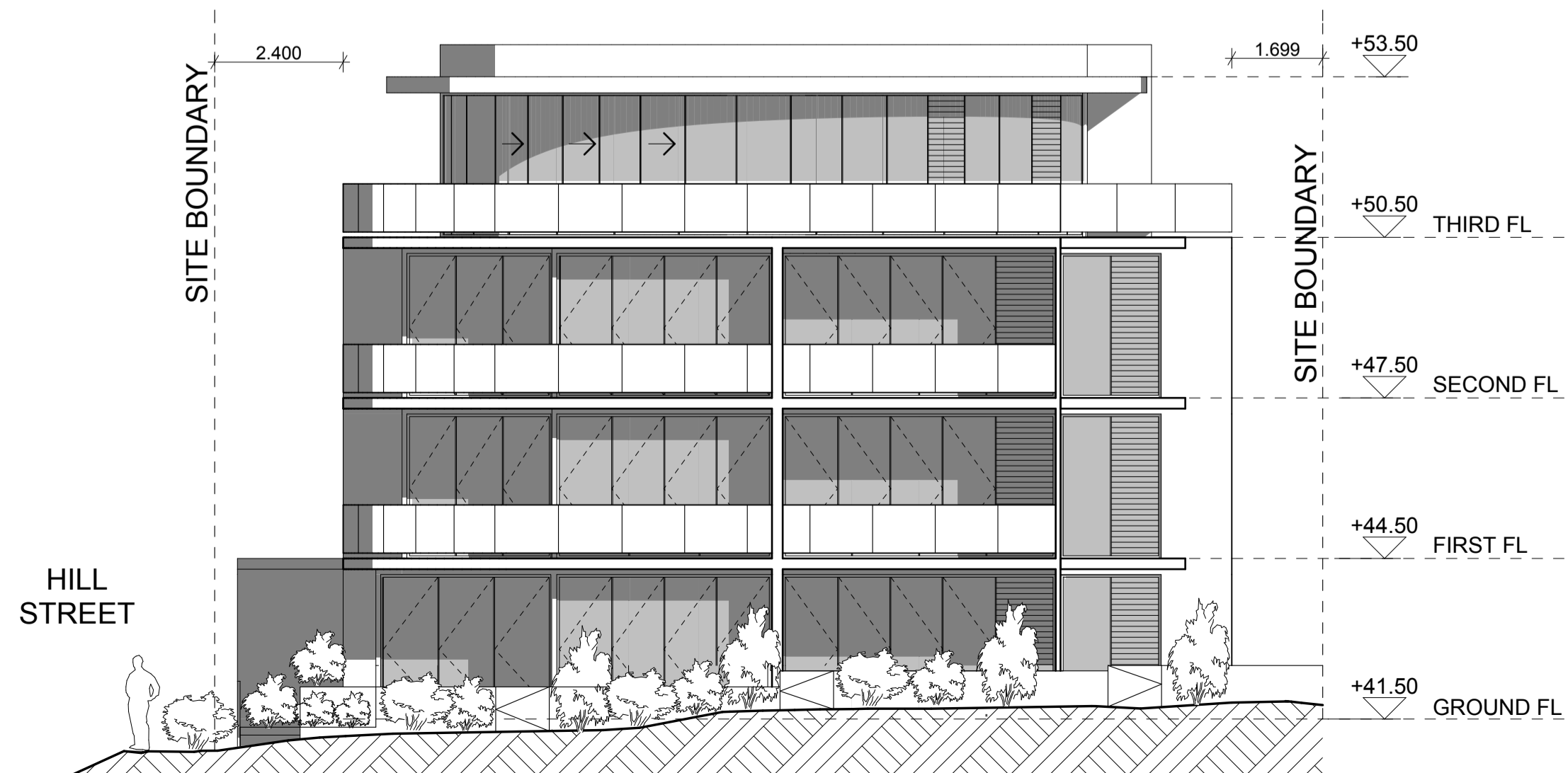
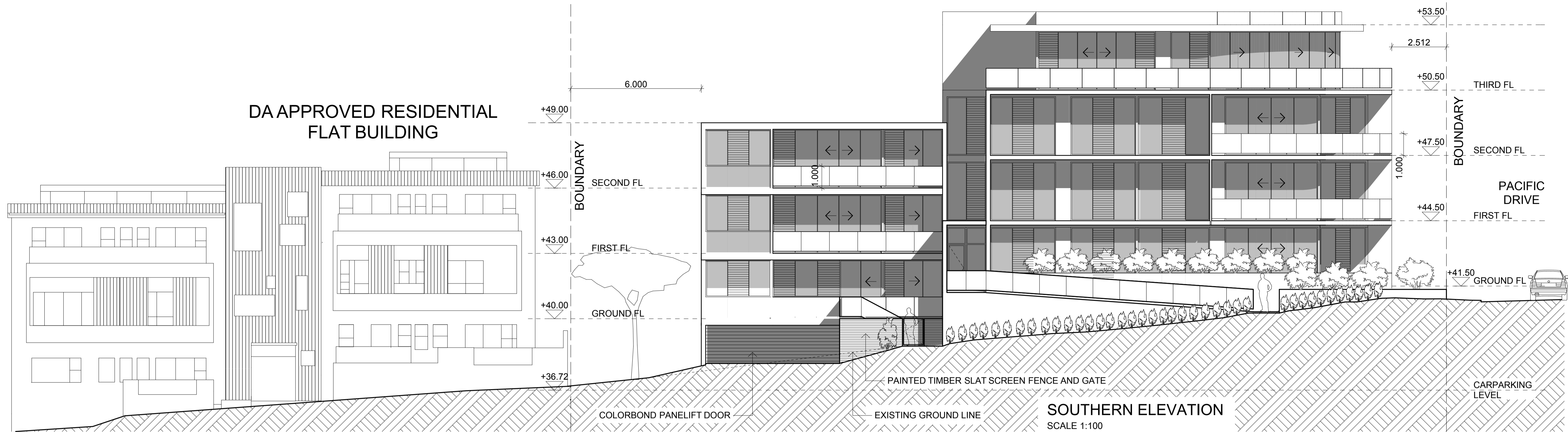


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LEVEL 3 FLOOR PLAN	
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Drawing Number	DATE
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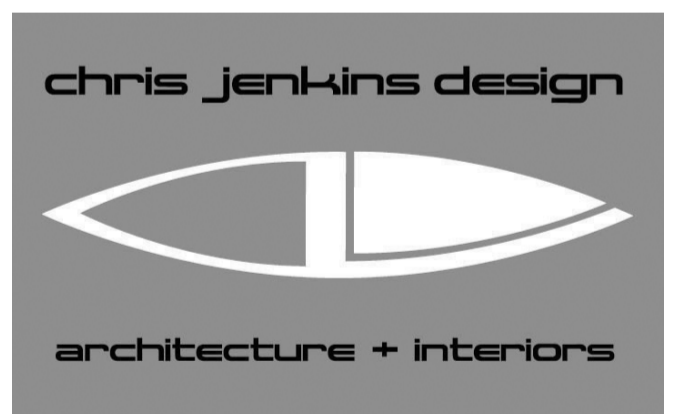


NOTES:

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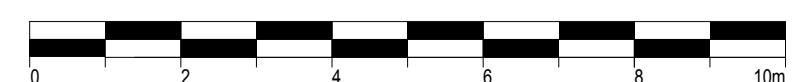
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A	LANDSCAPE AMENDED	22/12/09	SH

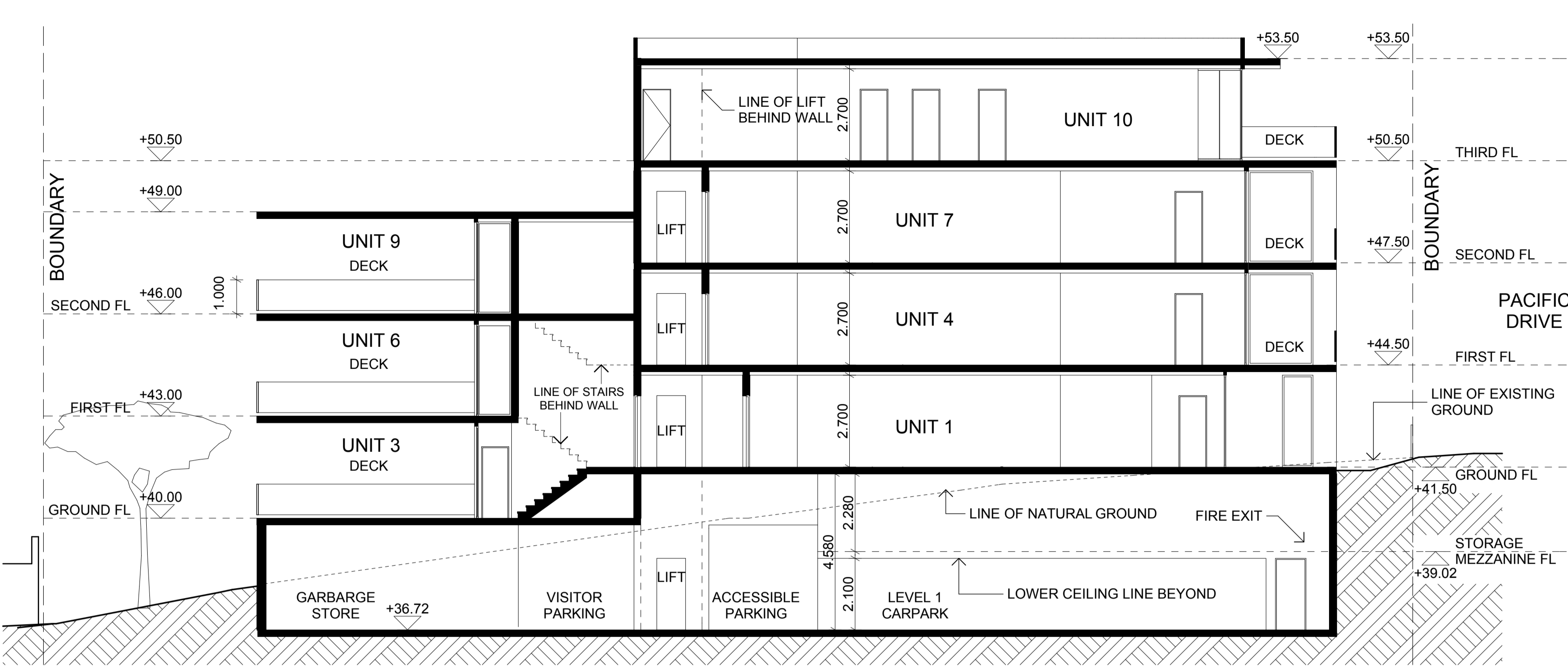
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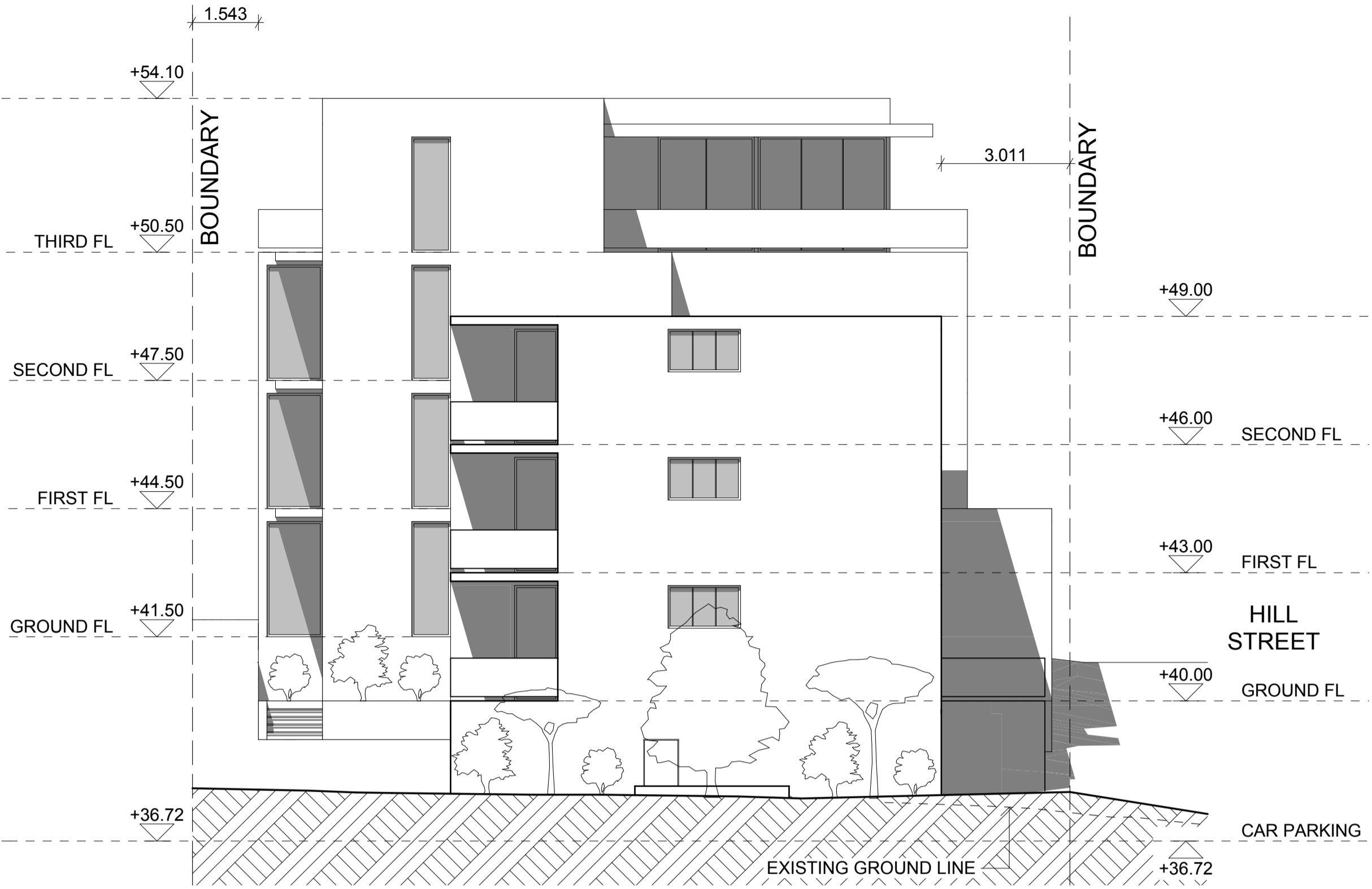
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Project	RESIDENTIAL UNITS
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Scale	1:100 @ A1
Drawn	SH
Drawing Number	0401_DA 05_B
DATE	10/02/10

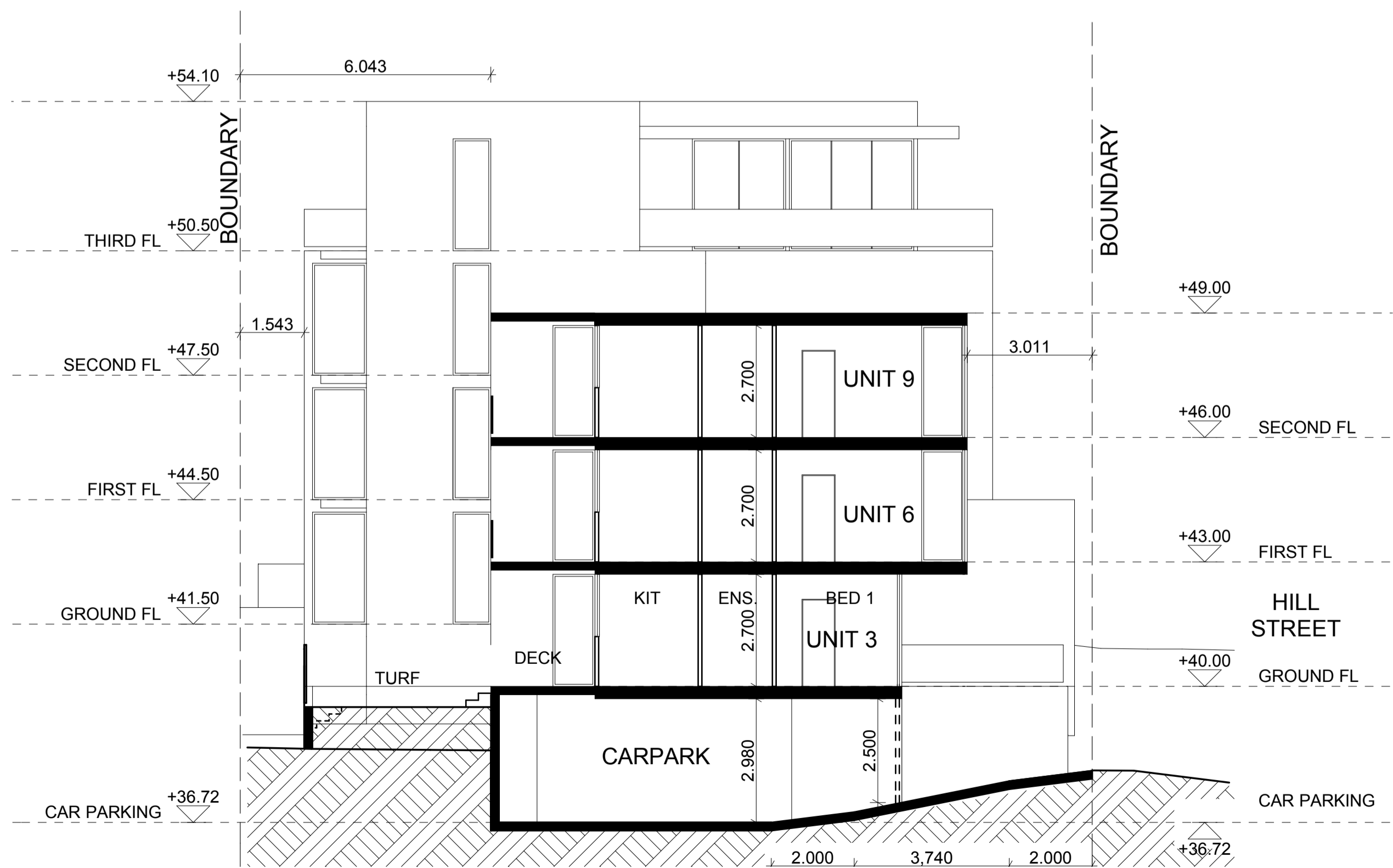




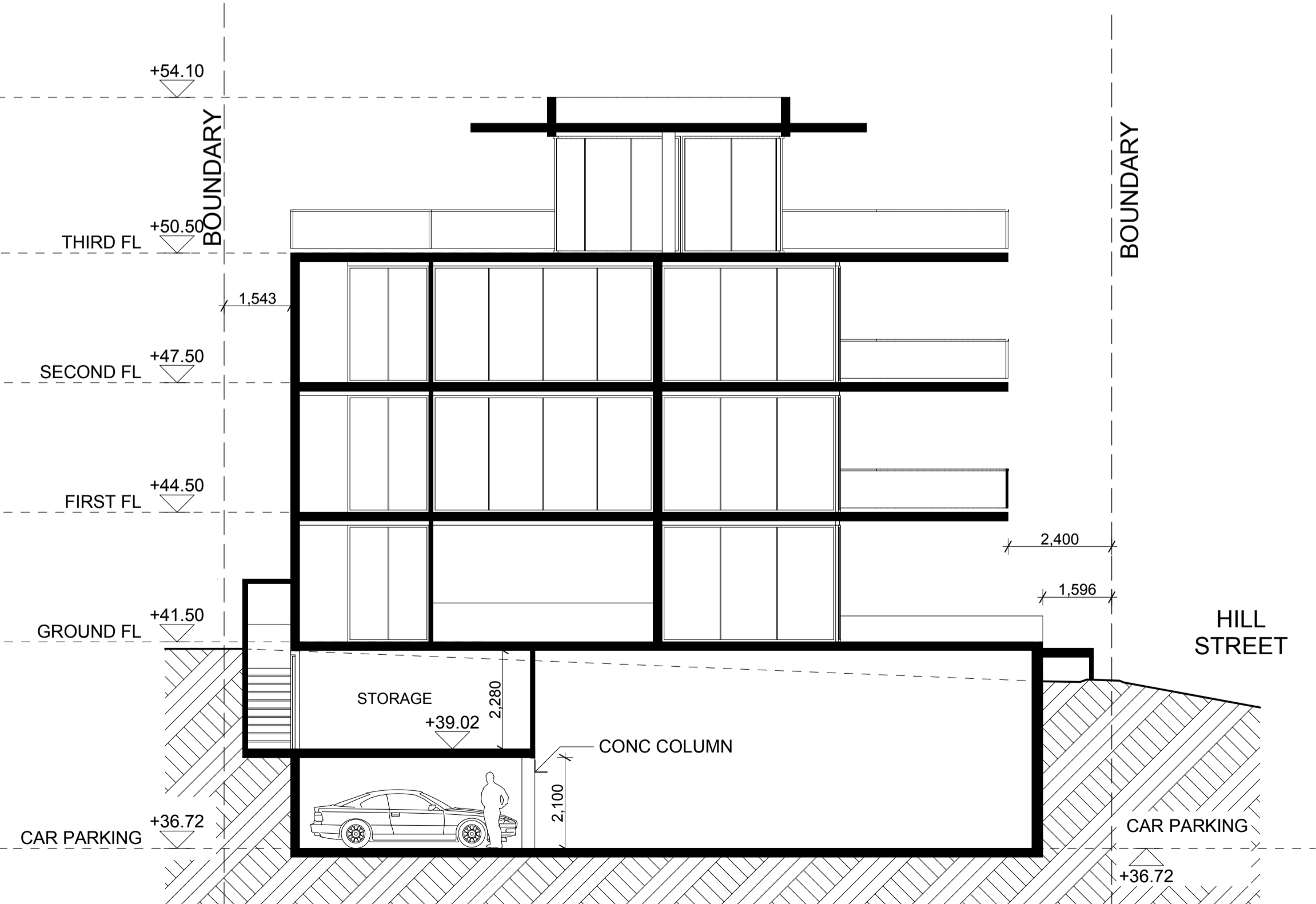
SECTION AA



WESTERN ELEVATION



SECTION BB



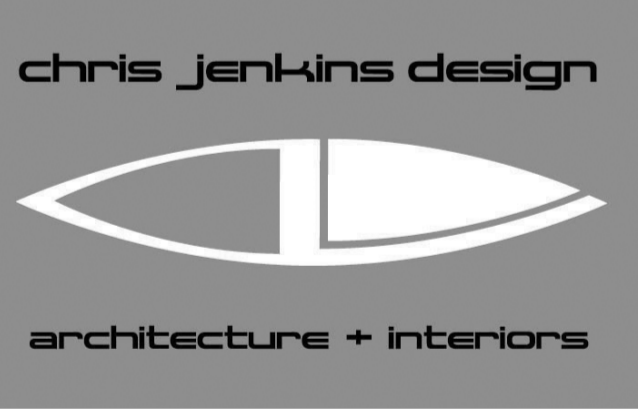
SECTION CC

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Issue	Description	Date	Checked
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Location
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Client

Drawing Title
**SECTION AA, SECTION BB
SECTION CC,
WEST ELEVATION**
Scale
1:100 @ A1
Drawing Number
0401_DA 06_B 10/02/10
Drawn
SH
DATE



Development Contributions Calculation Sheet - Final Consent Issue

Development Details								Contributions Plans Applicable			
DA No.	2009	0474	General S94 Plans		Applies	ET Chargeable	RatePer ET	Contribution Amount			
Address:	1 Hill Street, Port Macquarie		Major Roads		Yes	7.31	\$6,227.00	\$45,519.30			
Dev Description:	Action of Residential Flat building Contain		Open Space		Yes	7.31	\$4,875.00	\$35,636.20			
Lot Number(s):	5		Community Cultural & Emergency Services		Yes	7.31	\$3,767.00	\$27,536.70			
DP Number(s):	18374		Admin Building		Yes	7.31	\$742.00	\$5,424.00			
Stage No:	total		Bushfire - Specific		No						
Applicant:	Chris Jenkins Design		Kings Creek		No						
Contribution Area:	<input type="radio"/> Camden Haven <input type="radio"/> Innes Peninsula <input type="radio"/> Kings Creek <input type="radio"/> Lake Cathie/Bonny Hills <input checked="" type="radio"/> Port Macquarie <input type="radio"/> Rural <input type="radio"/> Sancroft/Thrumster <input type="radio"/> Wauchope		Admin Levy		Yes	2.2% of S94	\$114,116.20	\$2,510.50			
(Planner must Select Contribution Area: Click Once with Mouse)			Specific Contribution Plans and DSPs (Planner Must Select if Plans are Applicable)								
DA Lodged Date:	26/03/2010		S94A Levy Development Cost		Nil	No					
Prepared By:	Pat Galbraith-Robertson		PMQ CBD Car Parking Contribution		<input type="checkbox"/> Applies						
DA Consent Date:			PMQ Gordon Street Car Parking Contribution		<input type="checkbox"/> Applies						
Issue No:	1		Hasings River Drive Traffic Works - 3(s) Zone		<input type="checkbox"/> Applies						
Calc Sheet Date:	26-Mar-2010		Bushfire Additional:		<input type="checkbox"/> Applies						
FINAL CONSENT CALCULATION	<input checked="" type="checkbox"/> Tick for FINAL Consent Calculation		Water 1.6% levy: \$741.20		<input checked="" type="checkbox"/> Applies	8.19	\$8,927.00	\$46,331.10			
			Sewer		<input checked="" type="checkbox"/> Applies	8.25	\$3,715.00	\$30,648.70			
			Car Parking CP								
			No. of Spaces Short:								
			Contribution Total:				\$194,347.70				
			Notice of Payment Re-Issue Fee:		<input type="checkbox"/> Applies						
ET Calculaton for New Development (Proposed)											
Commercial & Industrial New Development			Rate	Units	Water Rate	Sewer Rate	ET Water	ET Sewer	Traffic Facilities m²		
N/A		m2	0	0	0	0	0	0	0		
N/A		m2	0	0	0	0	0	0	0		
N/A		m2	0	0	0	0	0	0	0		
N/A		m2	0	0	0	0	0	0	0		
Total Commercial ETs:					0	0	0	0	0		
New Residential Development			Units	Sec 94 ET	Water ET	Sewer ET					
Number of new residential lots greater than 450m² (excluding Dual Occ & Int Housing)			0	0	0	0					
Number of new residential lots greater than 2000m² (excluding Dual Occ & Int Housing)			0	0	0	0					
1 Bedroom Units (Low Density - Flats, town houses, villas, dual occs, int housing & Permanent Self Contained Caravan Park Sites)			0	0	0	0					
2 Bedroom Units (Low Density - Flats, town houses, villas, dual occs, int housing & Permanent Self Contained Caravan Park Sites)			0	0	0	0					
3 Bedroom Units (Low Density - Flats, town houses, villas, dual occs, int housing & Permanent Self Contained Caravan Park Sites)			0	0	0	0					
4 Bedroom Units (Low Density - Flats, town houses, villas, dual occs, int housing & Permanent Self Contained Caravan Park Sites)			0	0	0	0					
1 Bedroom Units (High Density - 3 or more storeys)			0	0	0	0					
2 Bedroom Units (High Density - 3 or more storeys)			3	2.01	1.5	2.25					
3 Bedroom Units (High Density - 3 or more storeys)			7	6.3	4.69	7					
4 Bedroom Units (High Density - 3 or more storeys)			0	0	0	0					
Motel Unit - Partially Self Contained (Own ensuite but shared facilities for cooking & laundry)			0	0	0	0					
Motel Unit - Self Contained (Own ensuite and kitchen)			0	0	0	0					
Caravan Park - Not Self Contained Site (permanent or transient)			0	0	0	0					
Caravan Park - Partially Self Contained Site (permanent or transient)			0	0	0	0					
Nursing Homes High Dependency/Residential Care Facility (per bed)			0	N/A	0	0					
Nursing Homes Low Dependency/Hostel (per bed)			0	0	0	0					
Aged Unit - Self Contained 1 bedroom with ensuite & kitchen (SEPP - Seniors Living)			0	0	0	0					
Aged Unit - Self Contained 2 bedroom with ensuite & kitchen (SEPP - Seniors Living)			0	0	0	0					
Aged Unit - Self Contained 3 bedroom with ensuite & kitchen (SEPP - Seniors Living)			0	0	0	0					
Boarding House per 1 Occupancy Bedroom Not Self Contained (shared facilities for cooking, laundry & bathrooms)			0	0	0	0					
Boarding House per 1 Occupancy Bedroom Partially Self Contained (Own ensuite - shared cooking & laundry facilities)			0	0	0	0					
Boarding House - Not Self Contained Per Bed (for dormitories/bunkrooms, shared cooking, laundry and bathroom)			0	0	0	0					
Boarding House - Self Contained Per Bed (for dormitories/bunkrooms, Own ensuite per bedroom/dorm/bunkroom with shared cooking and laundry)			0	0	0	0					
New Residential Unit Total:			10	8.31	6.19	9.25					

ET Calculation for Existing Development (Credits)

Commercial & Industrial Existing Development	Rate	Units	Water Rate	Sewer Rate	ET Water	ET Sewer	Traffic Facilities m ²
N/A	m2	0	0	0	0	0	
N/A	m2	0	0	0	0	0	
N/A	m2	0	0	0	0	0	
N/A	m2	0	0	0	0	0	
			Total Commercial ETs:		0	0	0
Existing Residential Development	Units	Sec 94 ET	Water ET	Sewer ET			
Number of existing residential lots greater than 450m ² (excluding Dual Occ & Int Housing)	1	1	1	1			
Number of existing residential lots greater than 2000m ² (excluding Dual Occ & Int Housing)	0	0	0	0			
1 Bedroom Units (Low Density - Flats, town houses, villas, dual occs, Int housing & Permanent Self Contained Caravan Park Sites)	0	0	0	0			
2 Bedroom Units (Low Density - Flats, town houses, villas, dual occs, Int housing & Permanent Self Contained Caravan Park Sites)	0	0	0	0			
3 Bedroom Units (Low Density - Flats, town houses, villas, dual occs, Int housing & Permanent Self Contained Caravan Park Sites)	0	0	0	0			
4 Bedroom Units (Low Density - Flats, town houses, villas, dual occs, Int housing & Permanent Self Contained Caravan Park Sites)	0	0	0	0			
1 Bedroom Units (High Density - 3 or more storeys)	0	0	0	0			
2 Bedroom Units (High Density - 3 or more storeys)	0	0	0	0			
3 Bedroom Units (High Density - 3 or more storeys)	0	0	0	0			
4 Bedroom Units (High Density - 3 or more storeys)	0	0	0	0			
Motel Unit - Partially Self Contained (Own ensuite but shared facilities for cooking & laundry)	0	0	0	0			
Motel Unit - Self Contained (Own ensuite and kitchen)	0	0	0	0			
Caravan Park - Not Self Contained Site (permanent or transient)	0	0	0	0			
Caravan Park - Partially Self Contained Site (permanent or transient)	0	0	0	0			
Nursing Homes High Dependency/Residential Care Facility (per bed)	0	N/A	0	0			
Nursing Homes Low Dependency/Hostel (per bed)	0	0	0	0			
Aged Unit - Self Contained 1 bedroom with ensuite & kitchen (SEPP - Seniors Living)	0	0	0	0			
Aged Unit - Self Contained 2 bedroom with ensuite & kitchen (SEPP - Seniors Living)	0	0	0	0			
Aged Unit - Self Contained 3 bedroom with ensuite & kitchen (SEPP - Seniors Living)	0	0	0	0			
Boarding House per 1 Occupancy Bedroom Not Self Contained (shared facilities for cooking, laundry & bathrooms)	0	0	0	0			
Boarding House per 1 Occupancy Bedroom Partially Self Contained (Own ensuite - shared cooking & laundry facilities)	0	0	0	0			
Boarding House - Not Self Contained Per Bed (for dormitories/bunkrooms, shared cooking, laundry and bathrooms)	0	0	0	0			
Boarding House - Self Contained Per Bed (for dormitories/bunkrooms, Own ensuite per bedroom/bunkroom with shared cooking and laundry)	0	0	0	0			
Existing Residential Unit Total:		1	1	1			

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