

JOINT REGIONAL PLANNING PANEL REPORT

DEVELOPMENT ASSESSMENT REPORT DEVELOPMENT APPLICATION NO. 1031/14

Subdivision (123 residential lots, roads and dedication of public reserves)

1452 Solitary Islands Way (Lot 198, DP 1191172 and Lot 98, DP 1165173), Sandy Beach

PURPOSE:

This report provides an assessment of Development Application 1031/14 for a residential subdivision (123 lots, roads and dedication of public reserves).

Approval of the application, subject to conditions, is recommended.

THE PROPOSAL

The proposed development involves a 123 lot residential subdivision, roads and the dedication of two public reserves.

The development proposes three stages, being stages as follows:

Stage 3	51 lots (lots 301 - 351 and public reserve lots 299 and 300)
Stage 4	39 lots (lots 401 – 439)
Stage 5	33 lots (lots 501 – 533)

The proposed residential lots range in size from 431m² to 1345m², while the two reserve lots to be dedicated to Council are 4905m² and 22.16 hectares in size.

Stages 1 and 2, which have already been developed, were approved under two previous development consents (Development Consent no.1349/07 and Development Consent no.0093/08). In this regard, Development Consent no.1349/07 approved Stage 1, being a 24 residential lot subdivision plus residue and also provided a concept for the remaining stages. Development Consent no.0093/08, submitted as a subsequent development application, approved Stage 2, being an 18 lot residential subdivision and residue.

The proposed development is considered to be consistent with the concept endorsed as part of Development Consent 1349/07.

It is proposed that all access be gained via two access points off Solitary Island Way. One of these access points (the southern one) already exists, providing access to stages 1 and 2 of the development. To allow the proposed development to occur the existing southern access will be required to be upgraded prior to the release of any lots as part of Stage 3.

In the future, access to the subdivision will also be available from another intersection with Solitary Islands Way (to the north). The northern intersection will be constructed as part of a separate subdivision approved to the north of the development site (Development Consent no.0128/15).

THE SITE:

The development site consists of two lots, comprising approximately 32.14 hectares. The property is surrounded by the Pacific Highway to the east, Sandy Beach village to the south and Solitary Islands Way to the west. The site is located approximately 12km north of Coffs harbor and 1.5km south of Woolgoolga.

At its meeting on the 13 December 2012 Council resolved to defer certain lands from the Coffs Harbour Local Environmental Plan 2013. The subject land is part of this deferred area.

The development site is zoned a combination of 2E Tourist Residential, 7B Scenic Buffer and 7A Environmental Protection Habitat and Catchment under the Coffs Harbour Local Environmental Plan 2000.



CONSULTATION:

Statutory Advertising and Notification

The application was advertised and notified in accordance with the provisions of Council's Notification Development Control Plan 2000 between 26 June 2015 and 8 July 2015.

No submissions were received.

State Government Referrals

The application was referred to the NSW Rural Fire Service (RFS) for review and comment as 'integrated development' and to the NSW Office of Environment & Heritage (OEH) for advice in relation to Aboriginal cultural heritage matters. The NSW RFS has issued a conditional Bushfire Safety Authority and the NSW OEH has provided advice to Council regarding the need for an Aboriginal Heritage Impact Permit. The General Terms of Approval from the RFS and the recommendations from OEH have been incorporated into recommended conditions of consent.

Council Departments

Council internal departments have provided comment on the development proposal and their recommended conditions/actions have been incorporated into the evaluation process. No comments were provided that prevent approval of the application.

Further Consultation

No further consultation was undertaken.

STATUTORY MATTERS:

The following Environmental Planning Instruments are relevant to assessment of this application.

- State Environmental Planning Policy No 55 - Remediation of Land
- State Environmental Planning Policy No 71 - Coastal Development
- State Environmental Planning Policy (State & Regional Development) 2011
- Coffs Harbour Local Environmental Plan 2000
- Draft Coffs Harbour Local Environmental Plan 2013

Coffs Harbour Development Control Plan 2000 is also relevant to assessment of this application.

The application is identified as "regional development" under State Environmental Planning Policy (State and Regional Development) 2011 and as a consequence the application is to be determined by the Joint Regional Planning Panel (Northern Region).

Section 79C of the Environmental Planning & Assessment Act 1979 specifies the matters which a consent authority must consider when determining a development application. The consideration of matters is limited in so far as they must be of relevance to the particular application being examined. All of the planning instruments and development control plans specified above are considered in detail in the Section 79C Evaluation provided Appended to this report.

ISSUES:

Flora and Fauna

A flora assessment and a fauna assessment have been submitted with the application. These assessments are revisions of assessments completed as part of the original staged development application.

The original flora assessment identified the presence of seven vegetation communities. No threatened flora species were identified on the site. Three of these vegetation communities, located in the north-eastern section of the site, are likely to constitute Endangered Ecological Communities (Subtropical Coastal Floodplain Forest and Swamp Sclerophyll Forest). The identified vegetation communities occupy approximately 19.4 hectares, of which 15.6 hectares are to be dedicated to Council as public reserve.

The proposed subdivision will involve the removal of 9.2 hectares of vegetation, 2.9 hectares of this being exotic vegetation, with 24 hectares of vegetation retained. The retained vegetation is proposed to be accommodated within two public reserves to be dedicated to Council.

It is considered that the proposal will not have a significant impact on any threatened species, populations or endangered communities, or their habitats, given the highly modified condition of the vegetation to be removed and the fact that the majority of vegetation remaining on the site is proposed to be dedicated to Council.

The proposed development is not expected to have any significant impacts to the biodiversity values of the land.

Aboriginal Cultural Heritage

A revised Salvage Management Plan was submitted as part of the current application. This revised Plan follows a cultural heritage assessment that was prepared as part of the original staged development application and a subsequent Salvage Management Plan. The original assessment and subsequent salvage management plans assess the impact of both the first two stages and the remaining stages considered under this application to Aboriginal cultural heritage values.

The original archaeological assessment located three sites consisting of two artefact scatters and an isolated artefact. All three sites occur within the development footprint. In 2010 the NSW Office of Environment & Heritage issued an Aboriginal Heritage Impact Permit (AHIP) under the *National Parks and Wildlife Act 1974* for the collection and relocation of these artefacts. The artefacts were subsequently collected and handed over to the Coffs Harbour and District Local Aboriginal Land Council. The Land Council has since requested that the items be relocated back to the site, in proximity to their original location.

As part of the assessment process the NSW Office of Environment & Heritage has advised that this Permit has now expired and that the developer would be required to seek a new Permit to enable the management strategies to be utilised in the remaining stages of the development, subject to this application (including the relocation of the already collected items). Further, the assessment reports completed for the site indicate that there is a likelihood of additional items, not subject to the original Permit, being found on the site.

Given that the application was not nominated as 'integrated development' for the purposes of the *National Parks & Wildlife Act 1974*, a recommended advisory note has been imposed on the development consent advising the applicant that they will require an AHIP for the development.

The proposed development is not expected to result in any significant adverse impacts to Aboriginal cultural heritage values, subject to the applicant obtaining any necessary permits under the *National Parks & Wildlife Act 1974*.

Noise

Given that the development site is within close proximity to the Pacific highway the application was accompanied by an acoustic assessment. The assessment concludes that acoustic treatment will need to be incorporated into the design of future dwellings to ensure that road traffic noise will be within acceptable internal levels.

To ensure that future dwellings meet the requirements outlined in the Environmental Criteria for Road Traffic Noise and AS 2107-2000 a recommended condition of consent requires that a 'restriction as to user' be created for all lots, which requires that future residential development utilise Category 1 building materials in accordance with Appendix E of the *'Development Near Rail Corridors and Busy Roads – Interim Guideline 2008'*, prepared by the Department of Planning.

Traffic

It is proposed that access to the development be gained via two access points off Solitary Islands Way. One of these access points (the southern one) already exists, providing access to stages 1 and 2 of the development.

The proposed development will generate the need for the existing southern intersection to be upgraded. This upgrading work will be required as part of Stage 3 works. Once this intersection upgrade is completed the intersection will have the appropriate capacity to cater for the whole development.

In the future, access to the subdivision will also be available from another intersection with Solitary Islands Way (to the north). The northern intersection will be constructed as part of a separate subdivision approved to the north of the development site (Development Consent no.0128/15).

The proposed internal roads all provide for appropriate links to the adjoining approved subdivision and to the existing stages 1 and 2 of the development. The road design provides for the functional and efficient movement of vehicles and pedestrians.

The proposed development is not expected to result in any significant adverse impacts.

SUMMARY:

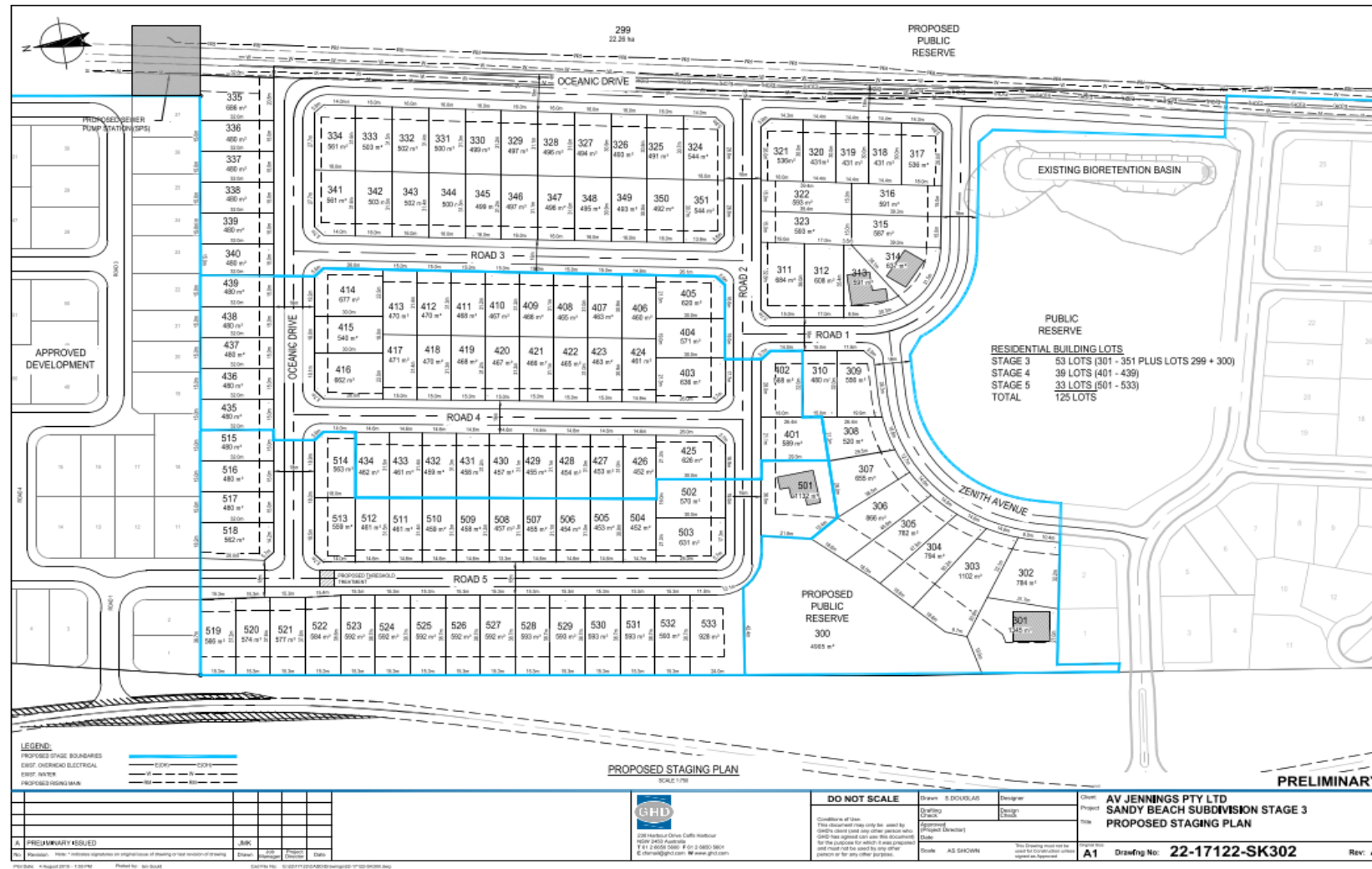
The proposal represents a significant residential development in the Sandy Beach locality.

The proposed development is consistent with current planning controls that apply to the site. The main issues for the development are flora and fauna, traffic, noise and Aboriginal cultural heritage values. The application is considered suitable for approval subject to conditions.

RECOMMENDATION:

- 1. That Development Application No. 1031/14 for Subdivision (123 residential lots, roads and dedication of reserves) be approved, subject to conditions as appended to this report.**

Plans of Proposed Development



**Section 79C Evaluation
Development Application 1031/14**

a. the provisions of,

i. any environmental planning instrument, and

- ***State Environmental Planning Policy No 55—Remediation of Land***

The policy specifies that the consent authority must not consent to the carrying out of any development unless it has considered whether the land on which the development is proposed is contaminated and/or is required to be remediated for its intended use.

A small part of the land located in the western section of the site, where the original dwelling was located, is mapped as former banana lands. A Preliminary Soil Assessment was submitted with the application, which assessed the potential for contamination in this area. The assessment concluded that the land is not contaminated to a degree that would require remediation in accordance with the Plan.

- ***State Environmental Planning Policy (SEPP) No 71 - Coastal Development***

The subject land is located within the 'coastal zone' and part of the site is also mapped as a 'sensitive coastal location'.

The proposed development is considered to be consistent with the aims of the policy and satisfies the relevant matters for consideration and development control provisions. Clauses of particular relevance are discussed further below:

Clause 18 – Master Plan Required Before Certain Consents Can be Granted

Clause 18 requires that Council not grant consent to a residential subdivision where the subject land, or part thereof, is located within a 'sensitive coastal location' unless the minister has adopted a master plan for the land or has waived the requirement for such a Plan.

The applicant has submitted evidence with the application that the Minister has waived the requirement for the preparation of a master plan.

Clause 7 – Application of Clause 8 Matters

Clause 7 requires that the consent authority take matters as listed in Clause 8 into consideration when determining development applications. Clause 8 matters have been taken into consideration in the assessment of the proposed development.

- The proposal is considered to meet the aims of the Policy.
- The proposal will not impede or diminish public access to and along the coastal foreshore.
- The development is considered suitable given its type, location and design and its relationship with the surrounding area.
- Matters pertaining to aboriginal cultural heritage have been appropriately considered as part of the assessment of the application.

- There are no matters pertaining to items of heritage, archaeological or historic significance of relevance for assessment of the application.
- The proposed development will not adversely impact upon the scenic quality of the surrounding locality.
- The development is unaffected by issues of coastal hazards.
- The proposal will not result in significant impacts to flora and fauna present on the site.

Clause 16 – Stormwater

Clause 16 specifies that the consent authority must not grant consent to development where stormwater will, or is likely to, be discharged untreated into the sea, a beach, an estuary, a coastal lake, a coastal creek or other similar body of water.

Stormwater will be directed to Council's reticulated stormwater system and the development is required to accord with Council's WSUD (Water Sensitive Urban Design) Policy. A recommended condition of consent requires the submission and approval of detailed design information for the management of stormwater on the site.

- **State Environmental Planning Policy (State & Regional Development) 2011**

Clause 20 and 21 of this policy state that Council consent functions are to be exercised by regional panels for developments of a class or description included in Schedule 4A of the *Environmental Planning and Assessment Act*.

Schedule 4A 9(b)(ii) 'Coastal Subdivisions' includes subdivisions of land for residential purposes into more than 100 lots where the land is located wholly or partly within a 'sensitive coastal location'.

As the proposal involves a 123 lot residential subdivision on land partly mapped as a 'sensitive coastal location' the application is required to be determined by the Joint Regional Planning Panel (Northern Region) and not Council.

- **Coffs Harbour Local Environmental Plan 2000**

The proposed development is defined as 'subdivision of land'.

Part 2 - Zoning Controls

The subject land is zoned 2E Tourist Zone, 7B Scenic Buffer Zone and 7A Environmental Protection Habitat and Catchment Zone and the 'subdivision of land' is identified as permitted with consent in each zone.

Clause 12 – Koala Habitat

Parts of the subject land are mapped as secondary and tertiary koala habitat. These areas are contained to the northern, southern and eastern sections of the site. The majority of this habitat is incorporated in two reserve areas, which will be dedicated to Council.

Although the revised assessment considers that there is no core koala population existing on the site, there are local records of their occasional presence. The submitted assessment suggest that the proposal would not involve the removal of any habitat mapped under Council's Koala Plan of Management, however, Council's assessment has determined that some secondary habitat adjoining proposed Lot 300 (one of the reserve lots) and some adjoining the existing reserve area would need to be removed to create lots, roads and associated infrastructure.

The subdivision is considered unlikely to adversely affect koala habitat populations and it is considered that the proposed development will not fragment existing koala habitat or impact on potential koala movement through the site.

This is subject to dedication of the large areas of land for public reserves and any secondary koala habitat proposed to be removed being replaced at a ratio of 1:1.

Clause 14 – Services

All necessary services are available to the land.

Clause 23 – Environmental Hazards

The subject land is mapped as potential acid sulfate soils classes 3, 4 and 5. A preliminary acid sulfate soil assessment was submitted with the application. The assessment did not find any acid sulfate soils within the proposed development site. An acid sulfate soil management plan is, therefore, not required.

Clause 23A – Flood Prone Land

Clause 23A specifies that a number of matters relating to flooding must be considered before consent can be granted.

Part of the subject site is mapped as flood prone land, with the extent of this being limited to the northern portion of the site adjacent to Double Crossing Creek. This part of the development site will not be used for residential development and forms part of a proposed public reserve to be dedicated to Council.

The development satisfies the provisions of the Clause.

ii. The provisions of any draft environmental planning instrument

• *DRAFT Coffs Harbour Local Environmental Plan 2013*

At it's meeting on the 13 December 2012 Council resolved to defer certain lands from the Coffs Harbour Local Environmental Plan 2013. The subject land is part of this deferred area.

Part 2 – Permitted or Prohibited Development

The subject land is zoned R2 Low Density Residential, E2 Environmental Conservation and RE1 Public Recreation. The proposed development is permitted with consent pursuant to Clause 2.6 – Subdivision Requirements.

Clause 2.6 - Subdivision Requirements

Clause 2.6 specifies that land to which the Plan applies can be subdivided with development consent.

Clause 4.1 - Minimum subdivision lot size

The minimum lot size, as shown on the Minimum Lot Size Map, is 400m² and 40 hectares. All of the proposed residential lots meet the 400m² minimum lot size requirement. The area of land shown as a 40 hectare minimum is proposed to be dedicated to Council as public reserve.

Clause 5.5 - Development within the coastal zone

The matters under this clause have been addressed above under State Environmental Planning Policy 71 – Coastal Development.

Clause 7.1 - Acid sulfate soils

The subject land is mapped as potential acid sulfate soils classes 3, 4 and 5. A preliminary acid sulfate soil assessment was submitted with the application. The assessment did not find any acid sulfate soils within the proposed development site. An acid sulfate soil management plan is, therefore, not required.

Clause 7.2 - Earthworks

Clause 7.2 specifies a number of matters that must be considered for development proposals that involve earthworks. The proposed development will involve some cut and fill to address the potentially high watertable in places. The proposed earthworks are considered to be consistent with the requirements of the Clause.

Clause 7.3 – Flood planning

Clause 7.3 specifies that a number of matters relating to flooding must be considered before consent can be granted.

Part of the subject site is mapped as flood prone land, with the extent of this being limited to the northern portion of the site adjacent to Double Crossing Creek. This part of the development site will not be used for residential development and forms part of a proposed public reserve to be dedicated to Council.

The development satisfies the provisions of the Clause.

Clause 7.8 – Koala Habitat

Parts of the subject land are mapped as secondary and tertiary koala habitat. These areas are contained to the northern, southern and eastern sections of the site. The majority of this habitat is incorporated in two reserve areas, which will be dedicated to Council.

Although the revised assessment considers that there is no core koala population existing on the site, there are local records of their occasional presence. The submitted assessment suggest that the proposal would not involve the removal of any habitat mapped under Council's Koala Plan of Management, however, Council's assessment has determined that some secondary habitat adjoining proposed Lot 300 (one of the reserve lots) and some adjoining the existing reserve area would need to be removed to create lots, roads and associated infrastructure.

The subdivision is considered unlikely to adversely affect koala habitat populations and it is considered that the proposed development will not fragment existing koala habitat or impact on potential koala movement through the site.

This is subject to dedication of the large areas of land for public reserves and any secondary koala habitat proposed to be removed being replaced at a ratio of 1:1.

Clause 7.11 - Essential services

All services that are essential for the development are available and adequate as required by this provision.

iii. any Development Control Plan (DCP)

• **Coffs Harbour Development Control Plans 2000**

Notification Development Control Plan

The proposed development has been advertised and notified in accordance with the requirements of this component for a period of 14 days and no submissions were received.

Subdivision Development Control Plan

The proposed development is consistent with the relevant provisions of the Plan.

- *Subdivision and Road Design*

The proposed subdivision recognises the environmental constraints of the land. In this regard a large part of the land parcel, which is zoned 7A Environmental Protection will be dedicated to Council as public reserve.

The proposed road layout provides for appropriate links to the adjoining approved subdivision and to the existing stages 1 and 2 of the development. The road design provides for the functional and efficient movement of vehicles and pedestrians.

- *Energy Efficiency – Lot Orientation*

The majority of the proposed internal road lengths run in a north south direction. It is considered that the proposed lots can easily accommodate future residential development that could achieve appropriate energy efficiency.

- *Density (Minimum Lot Size)*

All proposed lots have a minimum frontage of 4 metres to a public road.

- *Residential 2B, 2C, 2D, 2E*

The proposed residential lots range in size from 431m² to 1345m². Having regard to the residential housing provisions contained within the Hearn Lake / Sandy Beach Development Control Plan, it is considered that the proposed lots are of an appropriate size to accommodate future residential development.

- *Services*

The proposed development can be adequately serviced with necessary services.

- *Sediment and Erosion Control*

Details of proposed sediment and erosion measures have been provided with the application. Recommended conditions ensure that appropriate sediment and erosion measures are maintained at appropriate points during the development.

- *Street Tree Masterplan*

A recommended condition requires the submission of a detailed landscape plan, which would detail street tree plantings.

- *Developer Contributions*

Relevant contributions for the development are detailed in the recommended conditions.

Hearnes Lake / Sandy Beach Development Control Plan

The relevant provisions of the DCP are discussed below:

- *Density*

The subject land is located within the western precinct and the DCP shows a target density of 141 lots across the whole parent land parcel.

The proposed development with 123 lots, plus the lots already created as part of the two previous stages will bring the density to 165 residential lots. Whilst this represents more lots than originally envisaged, it is considered that the lot layout responds appropriately to the site attributes and constraints. The proposed variation to the target density is considered to be appropriate in the circumstances.

- *Housing Mix*

It is considered that the proposed lots will allow for the appropriate siting of future dwellings and ancillary structures.

- *Urban Design*

The proposed subdivision layout provides for a legible and efficient layout, providing for appropriate links to adjacent proposed public reserves. A recommended condition of consent requires the submission of a detailed landscape plan.

- *Timing of Development*

Recommended conditions of consent will ensure that the development does not proceed until necessary infrastructure is in place.

- *Water Quality*

Recommended conditions of consent will ensure that appropriate sediment and erosion measures are maintained throughout the development construction stages.

A Stormwater Management Plan that addresses the discharge and treatment of stormwater was submitted with the application. Stormwater will be discharged via two points along Oceanic Drive, one being the existing bio-retention basin constructed as part of the first two stages and the other to a proposed new bio-retention basin near the eastern boundary (in land to be dedicated to Council). The proposed development will also incorporate swale drainage. It is considered that the proposed measures will satisfactorily address stormwater quantity and quality.

- *Energy Efficient Design*

The majority of the proposed internal road lengths run in a north south direction. It is considered that the proposed lots can easily accommodate future residential development that could achieve appropriate energy efficiency.

- *Floodplain Management*

Part of the subject site is mapped as flood prone land, with the extent of this being limited to the northern portion of the site adjacent to Double Crossing Creek. This part of the development site will not be used for residential development and forms part of a proposed public reserve to be dedicated to Council.

- *Potentially Contaminated Land*

A small part of the land located in the western section of the site, where the original dwelling was located, is mapped as former banana lands. A Preliminary Soil Assessment was submitted with the application, which assessed the potential for contamination in this area. The assessment concluded that the land is not contaminated to a degree that would require remediation.

- *Cultural Heritage*

The subject site is located within the western precinct area and the application was accompanied by a Revised Salvage Management Plan. Aboriginal cultural heritage matters are discussed further below under section (b).

- *Natural and Habitat Areas*

The proposed development involves the dedication to Council of a large area of land that is considered to have biodiversity values. Where practicable, perimeter roads have been provided to separate the future residential areas from the natural areas. A recommended condition requires the submission of an addendum to the Vegetation Management Plan, approved as part of the original staged development application, for the land proposed to be dedicated to Council as public reserve.

- *Bushfire Hazard*

The application was accompanied by a bushfire assessment report, which was referred to the NSW Rural Fire Service as 'integrated development'. The Service has issued a conditional Bushfire Safety Authority.

- *Noise*

Given the proximity of the land to the Pacific highway the application was accompanied by an acoustic assessment. Acoustic considerations are discussed further below under section (b).

- *Road Design and Access Control*

The proposed roads and access arrangements are considered to be consistent with those shown in the masterplan.

- *Road Design for Bus Access*

Whilst the DCP shows a bus shelter within the development footprint, a bus stop has already been constructed along Solitary Islands Way. The development does not propose any additional bus shelters. Given the proximity of the existing stop, this is considered satisfactory.

- *Pedestrian and Cycleway Paths*

The DCP shows the western precinct cycleway going through the site. This cycleway, which will adjoin one of the proposed internal roads and one of the reserves to be dedicated to Council, will be constructed by Council under the applicable contributions plan.

iv. the regulations (to the extent that may prescribe matters for the purposes of this paragraph), that apply to the land to which the development application relates,

The Regulations do not prescribe any matters relevant to the proposed development.

v. any coastal zone management plan (within the meaning of the Coastal Protection Act 1979), that apply to the land to which the development application relates,

Council adopted the Coffs Harbour Coastal Zone Management Plan at its meeting of 14 February 2013. The plan provides the basis for future management and strategic land use planning of the Coffs Harbour coastal zone. The development site is within the study area of the plan but is not within any area covered by specific management strategies contained within the plan.

The Coffs Harbour Coastal Processes and Hazard Definition Study 2010 was prepared prior to, and informed the Coastal Zone Management Plan and identified likelihood of hazards occurring, such as beach erosion, coastal inundation and the impacts of sea level rise on these hazards by 2100. The Hazard Study does not identify any coastal processes that would impact on the development site.

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

Flora and Fauna

A flora assessment and a fauna assessment have been submitted with the application. These assessments are revisions of assessments completed as part of the original staged development application.

The original flora assessment identified the presence of seven vegetation communities. No threatened flora species were identified on the site. Three of these vegetation communities, located in the north-eastern section of the site, are likely to constitute Endangered Ecological Communities (Subtropical Coastal Floodplain Forest and Swamp Sclerophyll Forest). The identified vegetation communities occupy approximately 19.4 hectares, of which 15.6 hectares are to be dedicated to Council as public reserve.

The proposed subdivision will involve the removal of 9.2 hectares of vegetation, 2.9 hectares of this being exotic vegetation, with 24 hectares of vegetation retained. The retained vegetation is proposed to be accommodated within two public reserves to be dedicated to Council.

Whilst there are direct impacts associated with the removal of 9.2 hectares of vegetation, and indirect impacts associated with the development, the revised assessment submitted with the current application concludes that the proposal will not have a significant impact on any threatened species, populations or endangered communities, or their habitats, given the highly modified condition of the vegetation to be removed and that the majority of vegetation remaining on the site is proposed to be dedicated to Council.

The original fauna assessment recorded seven threatened species on the site, including the osprey, masked owl, grey headed flying-fox, hoary wattled bat, little bent-wing bat and greater broad-nosed bat. The following migratory species, as listed under the EPBC Act, were also recorded on the site: Australian wood duck, cattle egret, brown goshawk, brahminy kite, whistling kite, osprey, masked lapwing, rainbow bee-eater and cicadabird.

The original assessment concluded that the proposed subdivision would not have a significant impact on threatened fauna species, populations or endangered communities, or their habitats, or critical habitat.

The revised fauna assessment identified an additional three threatened fauna species as likely to occur and confirmed the presence of another (varied sittella). The revised assessment also confirmed that the development would involve the removal of two hollow-bearing trees and one farm dam, which are believed to be providing shelter and a water source for fauna recorded on the site.

Parts of the subject land are mapped as secondary and tertiary koala habitat. These areas are contained to the northern, southern and eastern sections of the site. The majority of this habitat is incorporated in two reserve areas, which will be dedicated to Council.

Although the revised assessment considers that there is no core koala population existing on the site, there are local records of their occasional presence. The submitted assessment suggest that the proposal would not involve the removal of any habitat mapped under Council's Koala Plan of Management, however, Council's assessment has determined that some secondary habitat adjoining proposed Lot 300 (one of the reserve lots) and some adjoining the existing reserve area would need to be removed to create lots, roads and associated infrastructure.

The subdivision is considered unlikely to adversely affect koala habitat populations and it is considered that the proposed development will not fragment existing koala habitat or impact on potential koala movement through the site.

This is subject to dedication of the large areas of land for public reserves and any secondary koala habitat proposed to be removed being replaced at a ratio of 1:1.

A Vegetation Management Plan (VMP) was submitted with the original staged development application and a further addendum was prepared as part of the subsequent development application for stage 2. A recommended condition of consent requires the submission and approval of an addendum to the approved VMP to cover the stages subject to this application. This addendum will be required to address, amongst other things, details of required offset plantings.

The proposed development is not expected to have any significant impacts to the biodiversity values of the land.

Aboriginal Cultural Heritage

A revised Salvage Management Plan was submitted as part of the current application. This revised Plan follows a cultural heritage assessment that was prepared as part of the original staged development application and a subsequent Salvage Management Plan. The original assessment and subsequent salvage management plans assess the impact of both the first two stages and the remaining stages considered under this application to Aboriginal cultural heritage values.

The original archaeological assessment located three sites consisting of two artefact scatters and an isolated artefact. All three sites occur within the development footprint. In 2010 the NSW Office of Environment & Heritage issued an Aboriginal Heritage Impact Permit (AHIP) under the *National Parks and Wildlife Act 1974* for the collection and relocation of these artefacts. The artefacts were subsequently collected and handed over to the Coffs Harbour and District Local Aboriginal Land Council. The Land Council has since requested that the items be relocated back to the site, in proximity to their original location.

As part of the assessment process the NSW Office of Environment & Heritage has advised that this Permit has now expired and that the developer would be required to seek a new Permit to enable the management strategies to be utilised in the remaining stages of the development, subject to this application (including the relocation of the already collected items). Further, the assessment reports completed for the site indicate that there is a likelihood of additional items, not subject to the original Permit, being found on the site.

Given that the application was not nominated as 'integrated development' for the purposes of the *National Parks & Wildlife Act 1974*, a recommended advisory note has been imposed on the development consent advising the applicant that they will require an AHIP for the development.

The proposed development is not expected to result in any significant adverse impacts to Aboriginal cultural heritage values, subject to the applicant obtaining any necessary permits under the *National Parks & Wildlife Act 1974*.

Noise

Given that the development site is within close proximity to the Pacific highway the application was accompanied by an acoustic assessment. The assessment concludes that acoustic treatment will need to be incorporated into the design of future dwellings to ensure that road traffic noise will be within acceptable internal levels.

To ensure that future dwellings meet the requirements outlined in the Environmental Criteria for Road Traffic Noise and AS 2107-2000 a recommended condition of consent requires that a 'restriction as to user' be created for all lots, which requires that future residential development utilise Category 1 building materials in accordance with Appendix E of the *'Development Near Rail Corridors and Busy Roads – Interim Guideline 2008'*, prepared by the Department of Planning.

Traffic

It is proposed that access to the development be gained via two access points off Solitary Islands Way. One of these access points (the southern one) already exists, providing access to stages 1 and 2 of the development.

The proposed development will generate the need for the existing southern intersection to be upgraded. This upgrading work will be required as part of Stage 3 works. Once this intersection upgrade is completed the intersection will have the appropriate capacity to cater for the whole development.

In the future, access to the subdivision will also be available from another intersection with Solitary Islands Way (to the north). The northern intersection will be constructed as part of a separate subdivision approved to the north of the development site (Development Consent no.0128/15).

The proposed internal roads all provide for appropriate links to the adjoining approved subdivision and to the existing stages 1 and 2 of the development. The road design provides for the functional and efficient movement of vehicles and pedestrians.

The proposed development is not expected to result in any significant adverse impacts.

c. the suitability of the site for the development,

The attributes of the site are considered to be conducive to the proposed residential subdivision.

d. any submissions made in accordance with this Act or the regulations,

The application was advertised and notified in accordance the Council's Notification Development Control Plan 2000 for a period of 14 days and no submissions were received.

The application was referred to the NSW Rural Fire Service (RFS) for review and comment as 'integrated development' and to the NSW Office of Environment & Heritage (OEH) for advice in relation to Aboriginal cultural heritage matters. The NSW RFS has issued a conditional Bushfire Safety Authority and the NSW OEH has provided advice to Council regarding the need for an AHIP. The General Terms of Approval from the RFS and the recommendations from OEH have been incorporated into recommended conditions of consent.

e. the public interest:

The proposed development does not present any issues that are contrary to the public interest.

Proposed Conditions Development Application 1031/14

ADMINISTRATIVE CONDITIONS

1. Development Description:

Development consent is granted only to carrying out the development described in detail below:

- (1) Subdivision (123 residential lots, roads and dedication of public reserves)

2. Prescribed Conditions:

The proponent shall comply with the prescribed conditions of development approval under Clauses 97A, 98, 98A - E of *Environmental Planning and Assessment Regulation 2000* as are of relevance to this development.

3. Development in Accordance with Plans:

The development is to be implemented in accordance with the plans set out in the following table except where modified by any conditions of this consent (Development Consent No 1031/14).

Plan No.	Prepared by	Dated
Proposed Staging Plan	GHD	7 September 2015

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

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

4. Development in Accordance with Documents:

The development shall be undertaken in accordance with the following documents:

- (1) Statement of Environmental Effects, prepared by GHD and dated June 2014 (including any amendments to);
- (2) Flora Assessment, prepared by Idyll Spaces, dated 2014;
- (3) Fauna Assessment, prepared by Kendall and Kendall Environmental Consultants, dated 2014;
- (4) Road Traffic Noise Assessment, prepared by GHD Pty Ltd, dated May 2015;
- (5) Traffic Impact Study, prepared by Roadnet, dated 2005;
- (6) Stormwater Management Plan, prepared by GH, dated June 2015;
- (7) Cultural Heritage Documentation, Archaeological Surveys Pty Ltd;
- (8) Management Plan for the Salvage of Artefactual Material, prepared by John Appleton, July 2007;
- (9) Revised Salvage Management Plan, prepared by John Appleton, July 2015;
- (10) Acid Sulfate Soil Assessment, prepared by Coffey Geotechnics, dated 2007;
- (11) Preliminary Soil Assessment, prepared by GHD, dated 2008;
- (12) Bushfire Hazard Assessment, prepared by GHD, dated 2014;

5. Inconsistency between Documents:

In the event of any inconsistency between:

- (1) The conditions of this approval and the drawings/documents referred to in conditions 3 and 4, the conditions of this approval prevail; and
- (2) Any drawing/document listed in conditions 3 and 4 and any other drawing/document listed in conditions 3 and 4, the most recent document shall prevail to the extent of inconsistency.

6. Staging of Development:

This development consent acknowledges that the construction of the project will be staged.

Stage three works to comprise:

- 51 residential lots (Lots 301 – 351);
- Public reserves; and
- Associated roads and infrastructure

Stage four works to comprise:

- 39 residential lots (Lots 401 – 439); and
- Associated roads and infrastructure

Stage five works to comprise:

- 33 residential lots (Lots 401 – 439); and
- Associated roads and infrastructure.

PRIOR TO ISSUE OF CONSTRUCTION CERTIFICATE

7. Construction Certificate:

No subdivision works are to commence on site until a Civil Works Construction Certificate has been issued for the work and Council has been notified that a Principal Certifying Authority has been appointed.

8. Stormwater and Drainage Works Design:

Design plans of the stormwater drainage systems and treatment measures within the proposed subdivision, prepared by a qualified practicing Civil Engineer and in accordance with the requirements of Council, shall be submitted to and approved by the Certifying Authority **prior to the issue of a Construction Certificate.**

A plan of any required interallotment drainage and easements to facilitate this drainage is to be approved by Council. Design details are to include consideration of the impact of concentration of stormwater on receiving land parcels.

9. Stormwater Management Plan:

A Stormwater Management Plan complying with the relevant controls of Council's Water Sensitive Urban Design Policy being submitted to and approved by Council **prior to issue of the Construction Certificate**.

Please refer to the WSUD Information Sheet, Policy and Guideline available on Council's web site www.coffsharbour.nsw.gov.au.

The design is to incorporate a detention system that achieves compliance with the Coffs Harbour City Council WSUD Policy targets. Design details are to include calculations showing the effect of the proposed development on design stormwater run-off flow rates and the efficiency of proposed measures to limit the flows.

The design shall be accompanied by an Operation and Maintenance Plan for the system.

10. Road Design and Services:

The following works:

- (a) roads;
- (b) footpaths and pathways;
- (c) water supply;
- (d) sewerage;
- (e) stormwater drainage, including WSUD requirements;
- (f) interallotment drainage;

shall be provided to serve the development with the works conforming with the standards and requirements set out in Council's Development Design and Construction specifications and relevant policies (Water Sensitive Urban Design).

Plans and specifications are to be submitted to Council and approved **prior to issue of the Construction Certificate**. Plan submissions are to be accompanied by payment of prescribed fee.

Plans and specifications submitted later than six (6) months from the date of development consent shall comply with Council's current specifications at a date six (6) months prior to submission.

All work is to be at the developer's cost.

11. Intersection Upgrade:

Access to the development from the existing southern access (intersection of Seacrest Boulevard and Solitary Islands Way) being upgraded by the construction of an roundabout **prior to issue of the Subdivision Certificate for Stage 3 of the development**.

Plans and specifications of the works are to be submitted to and approved by Council **prior to issue of the Construction Certificate for Stage 3**.

12. Street Names:

A street name application being submitted to Council **prior to issue of the Construction Certificate**.

13. Fill:

Contour plans indicating the location of proposed fill areas in the subdivision being submitted and approved by Council **prior to issue of the Construction Certificate**.

Contour plans are to include a clear description of impact of changes proposed on water movement both to and from the site on all adjacent land and to show stormwater discharge points.

14. Tree Protection Plan:

A Tree Protection Plan, prepared in accordance with the Australian Standard AS 4970-2009 '*Protection of Trees on Development Sites*', shall be submitted to and approved by Council **prior to issue of a Construction Certificate**. The plan shall address the interface between areas of retained vegetation and the subdivision footprint.

15. Landscape Plan:

A Landscape Plan for the proposed public reserves shall be submitted to and approved by Council **prior to the issue of a Construction Certificate**. The Plan shall contain details of:

- Boundary treatment to the reserve areas, which is consistent with the existing reserve; and
- Bio retention basin planting and area rehabilitation.

16. Vegetation Management Plan:

An addendum to the existing approved Vegetation Management Plan March 2010 (VMP) for the proposed Stages 3-5 shall be submitted to and approved by Council **prior to issue of a Construction Certificate**. The addendum shall be prepared in accordance with and detail the following:

- Councils standards for drafting Preliminary Vegetation Management Plans (<http://www.coffsharbour.nsw.gov.au/places-for-living/land-use/Pages/InformationSheets.aspx>);
- The recommendations detailed within the approved Updated Flora Assessment, prepared by Idyll Spaces June 2014 and Reviewed Fauna Assessment by Kendall & Kendall May 2014;
- Planning for Bushfire Protection NSW Rural Fire Service requirements;
- Details of any proposed Aboriginal artefact relocation into public reserves;
- Proposed compensatory plantings (for loss of mapped Koala Habitat subject to Coffs Harbour Koala Plan of Management 1999):
 - i. Replacement ratios;
 - ii. Habitat enrichment requirements (increased diversity of resource species)
- any proposed artificial hollow replacement (replaced at a ratio of 1:4). Details to include design, placement location and target species specifics.

PRIOR TO COMMENCEMENT OF WORKS

17. Site Notice:

Prior to commencement of works a site notice(s) shall be prominently displayed at the boundaries of the site for the purposes of informing the public of the development details including but not limited to:

- (1) Details of the Principal Contractor and Principal Certifying Authority for all stages of the development;
- (2) The approved hours of work;
- (3) The name of the site/project manager, the responsible managing company (if any), its address and 24 hour contact phone number for any inquiries, including construction noise complaints are to be displayed on the site notice; and
- (4) To state that unauthorised entry to the site is not permitted.

18. Erosion and Sediment Control:

Prior to commencement of work on the site for each stage of the development, erosion and sedimentation control measures are to be installed and operational including the provision of a “shake down” area where required to the satisfaction of the Principal Certifying Authority.

DURING CONSTRUCTION

19. Approved Plans to be On-Site:

A copy of the approved and certified plans, specifications and documents incorporating the conditions of approval and certification shall be kept on the site at all times and shall be readily available for perusal by any officer of Council or the Principal Certifying Authority.

20. Importation of Fill:

The only fill material that may be received at the development is:

- a) Virgin excavated natural material (within the meaning of the Protection of the Environment Operations (POEO) Act);
- b) Any other waste-derived material the subject of a resource recovery exemption under Clause 51A of the Protection of the Environment Operations (Waste) Regulation 2005 that is permitted to be used as fill material, excluding waste tyre.

Any waste-derived material the subject of a resource recovery exemption received at the development site must be accompanied by documentation as to the material's compliance with the exemption conditions and must be provided to the Principal Certifying Authority on request.

21. Erosion and Sediment Control:

All erosion and sediment control measures, as designed in accordance with the approved plans are to be effectively implemented and maintained at or above design capacity for the duration of the construction works for each stage of the project, and until such time as all ground disturbance by the works has been stabilised and rehabilitated so that it no longer acts as a source of sediment.

22. Cultural Heritage:

In the event that future works during any stage of the development disturb Aboriginal Cultural materials, works at or adjacent to the material must stop immediately. Temporary fencing must be erected around the area and the material must be identified by an independent and appropriately qualified archaeological consultant. The Office of Environment and Heritage (OEH), Northern Aboriginal Heritage Unit and the Aboriginal Stakeholder groups must be informed. These groups are to advise on the most appropriate course of action to follow. Works must not resume at the location without the prior written consent of the OEH and Northern Aboriginal Heritage Unit and the Aboriginal Stakeholder groups.

23. Temporary Protection Fencing:

Prior to commencement of construction works all temporary protection fencing shall be installed and sign posted 24 hours prior to work commencing. Installation of fencing shall be undertaken in accordance with the approved Tree Protection Plan.

24. Dust Control Measures:

Adequate measures being taken to prevent dust from affecting the amenity of the neighbourhood during construction. In particular, the following measures must be adopted:

- (1) Physical barriers being erected at right angles to the prevailing wind direction or being placed around or over dust sources to prevent wind or activity from generating dust emissions;
- (2) Earthworks and scheduling activities shall be managed to coincide with the next stage of development to minimise the amount of time the site is left cut or exposed;
- (3) All materials shall be stored or stockpiled at the best locations;
- (4) The work area being dampened slightly to prevent dust from becoming airborne but not to the extent that runoff occurs;
- (5) All vehicles carrying spoil or rubble to or from the site shall at all times be covered to prevent the escape of dust or other materials;
- (6) All equipment wheels shall be washed before exiting the site using manual or automated sprayers and drive through washing bays (if applicable);
- (7) Gates shall be closed between vehicle movements and shall be fitted with shade cloth; and
- (8) Cleaning of footpaths and roadways shall be carried out regularly by manual dry sweep or by use of a cleaning vehicle.

PRIOR TO ISSUE OF SUBDIVISION CERTIFICATE**25. Part 4A Certificate:**

Prior to the registration of the final subdivision plan at Land and Property Information NSW a Part 4A Certificate (Subdivision Certificate) shall be obtained from Council under section 109D(1)(d) of the *Environmental Planning and Assessment Act 1979*.

26. Restriction on Title:

A restriction on title under Section 88B of the Conveyancing Act 1919, being registered on the title of all lots, to the effect that:

- a. any application for future residential development on these affected lots be accompanied by information that demonstrates that the buildings will be constructed using Category 1 building materials, in accordance with Appendix E of the 'Development Near Rail Corridors and Busy Roads – Interim Guideline 2008', prepared by the Department of Planning.

Any section 88B instrument creating restrictions as to user, rights of carriageway or easements which benefit Council shall contain a provision enabling such restrictions, easements or rights of carriageway to be revoked, varied or modified only with the consent from Council.

Details of the Restriction(s) are to accompany the application for Subdivision Certificate.

27. Section 94 Monetary Contributions:

Payment to Council of contributions, at the rate current at the time of payment, towards the provision of the following public services or facilities:

Note 1 - The contributions are to be paid **prior to release of any Subdivision Certificate** unless other arrangements acceptable to Council are made.

Note 2 - The rates will be adjusted in accordance with the procedures set out in Council's Section 94 Contributions Plans. The applicant is advised to confirm the contribution rate applicable at the time of payment as rates are revised at least annually.

Note 3 - If the development is to be staged, contributions are to be paid on a pro rata basis in respect of each stage.

The current contribution rate is:	Per Lot
Coordination and Administration	\$ 520.08
Coffs Harbour Road Network	\$527.15
Surf Rescue Facilities	\$71.31
District Open Space	\$3,740.84
Neighbourhood Open Space	\$1,378.26
Transport and Traffic	\$2,009.36
Development Studies	\$30.48
Sub-district Open Space	\$1,137.51
Roads and Traffic Facilities – Western Precinct	\$4,684.93

The Section 94 contribution is currently \$1,720,190.24 for the 122 additional lots proposed in the subdivision.

Contributions have been imposed under the following plans:

- Coffs Harbour Open Space 2014.
- Coffs Harbour Road Network 2014.
- Surf Rescue Facilities 2013.
- Coffs Harbour Administration Levy 2014
- Hearn's Lake/Sandy Beach Release Area 2014

The Contribution Plans may be inspected at the Council Administration Offices, 2 Castle Street, Coffs Harbour or on Council's web site, www.coffsharbour.nsw.gov.au.

28. Water and Sewerage Services – Developer Services Charges:

The **Subdivision Certificate not being released** until a Certificate of Compliance pursuant to Division 5 of Part 2 of Chapter 6 of the Water Management Act 2000 evidencing that adequate arrangements have been made for the provision of water and sewerage services to and within the development is produced to Council.

29. Access and Services:

The following works:

- (a) roads;
- (b) footpaths and pathways;
- (c) water supply;
- (d) sewerage;
- (e) stormwater drainage, including WSUD requirements;
- (f) interallotment drainage;

being constructed in accordance with the approved plans and specifications and completed **prior to issue of the Subdivision Certificate**.

30. Connecting Road Construction:

Roads connecting the development to being constructed in accordance with Council's Technical Guidelines for Subdivision and Development. The construction works are to be completed (or satisfactory arrangements for their completion being made with Council) **prior to the issue of Subdivision Certificate**.

31. Services:

The Subdivision being provided with underground reticulated electricity and telephone cables. The applicant shall provide a letter from the relevant electricity energy provider stating that satisfactory arrangements have been made for the supply of electricity and a letter from Telstra stating that satisfactory arrangements have been made for telecommunications infrastructure in the subdivision / development. These letters are to be provided to Council **prior to release of the Subdivision Certificate**.

Street lighting being provided to the requirements of the relevant electricity energy provider with all work being completed **prior to release of the Subdivision Certificate**.

32. Vehicle Access Restriction:

Vehicle access to lots 519 to 533 from Solitary Islands Way being prohibited. A restriction as to user which requires Council's consent to any variation or removal is to be imposed on the title of these lots and clearly shown by notation on the Subdivision Certificate.

33. Stormwater Management Certification:

Prior to issue of Subdivision Certificate the consultant design engineer / landscape architect shall issue a certificate to the Principal Certifying Authority to the effect that the stormwater treatment system has been installed and complies with the approved design.

34. Work as Executed Plan:

Prior to the issue of Subdivision Certificate, a work as executed plan endorsed by a Registered Surveyor or Consulting Engineer (hard or digital format) being submitted to Council certifying that:

- All drainage lines, sewer lines, services, and structures are wholly contained within the relevant easement;
- The plans accurately reflect the work as executed.

35. Water Services and Sewer Junction:

A water service and sewer junction being provided (or being available) within each lot **prior to issue of Subdivision Certificate**, with the works conforming to the requirements of Coffs Water.

36. Fill - Certification:

Prior to the release of the Subdivision Certificate, a fill report along with a final contour plan is to be submitted to Council showing the location, depth, and type of fill located on the site. Alternatively, where no fill has been placed on the site, a written statement to that effect is to be submitted to Council.

37. Sediment and Erosion Control:

Prior to the issue of a Subdivision Certificate the site shall be stabilised to the Principal Certifying Authority's satisfaction, which as a minimum, shall be at least 50% grass cover or application of mulch or hydroseeding to all disturbed areas.

38. Dedication of Land to Council:

The proponent must make necessary arrangements for the dedication to Council at no cost to Council of the land shown as lots 299 and 300 on the 'Proposed Staging Plan', date stamped 7 September 2015 at the time of registration of the Subdivision Certificate.

Prior to the issue of a Subdivision Certificate for the relevant stage of the subdivision, a deed of agreement must be prepared with Council to allow the proponent to carry out management and maintenance works on the open space area for two years after the dedication of the land. All necessary rehabilitation work must be undertaken to the satisfaction of Council prior to management passing to Council.

All costs are to be born by the proponent.

39. Dedication of Internal Roads:

All internal roads shall be constructed by the proponent and dedicated to Council as public roads following registration of the Plan of Subdivision. Upon dedication and at the end of the maintenance period Council will be responsible for the on-going maintenance of the roads.

40. Vegetation Management plan

Prior to issue of Subdivision Certificate prescribed initial works (other than maintenance works) in accordance with Vegetation Management Plan (VMP) and associated addendums shall be completed. A Certificate of Completion shall be submitted with any Subdivision Certificate application.

GENERAL TERMS OF APPROVAL

NSW Rural Fire Service

Asset Protection Zones

1. At the issue of subdivision certificate and in perpetuity the entire property of lots 301-616 shall be managed as an inner protection area (IPA) as outlined within section 4.1.3 and Appendix 5 of 'Planning for Bush Fire Protection 2006' and the NSW Rural Fire Service's document 'Standards for asset protection zones'.
2. At the issue of subdivision certificate and in accord with the Proposed Lot Layout Plans, prepared by GHD, reference 22-17122-SK105, revision A, undated, a section 88B easement under the 'Conveyancing Act 1919' is to be created for each lot requiring an asset protection zone. The easement is to provide an asset protection zone (APZ) and is to restrict the user from constructing any dwelling within the area as follows;
 - Lot 301, lots 303-306 inclusive shall provide a 15m easement from the North Western boundary,
 - Lot 301 and lot 501 shall provide a 15m easement from the Western boundary,
 - Lots 515-528 inclusive and lot 616 shall provide a 9m easement from the Western boundary,
 - Lot 528 shall provide a 9m easement from the Southern boundary,
 - Lot 601 shall provide a 9m easement from the Eastern boundary.

The easement shall be managed as an inner protection area (IPA) as outlined within section 4.1.3 and Appendix 5 of 'Planning for Bush Fire Protection 2006' and the NSW Rural Fire Service's document 'Standards for asset protection zones'.

Water and Utilities

3. Water, electricity and gas are to comply with section 4.1.3 of 'Planning for Bush Fire Protection 2006'.

Access

4. The Eastern portion of Oceanic Drive is considered a perimeter road, where the roadway is adjacent to proposed Lot 299, and shall meet perimeter road requirements.
5. Public road access shall comply with the following requirements of section 4.1.3 (1) of 'Planning for Bush Fire Protection 2006'.
 - (a) Urban perimeter roads are two-way, with a carriageway 8 metres minimum kerb to kerb.
 - (b) The perimeter road is linked to the internal road system at an interval of no greater than 500 metres.
 - (c) Traffic management devices are constructed to facilitate unobstructed access by emergency services vehicles.
 - (d) Public roads have a cross fall not exceeding 3 degrees.
 - (e) Non perimeter road widths comply with Table 4.1 in 'Planning for Bush Fire Protection 2006'.

- (f) Curves of roads (other than perimeter roads) are a minimum inner radius of 6 metres.
- (g) The minimum distance between inner and outer curves is 6 metres.
- (h) Maximum grades for sealed roads do not exceed 15 degrees and an average grade of not more than 10 degrees or other gradient specified by road design standards, whichever is the lesser gradient.
- (i) There is a minimum vertical clearance to a height of 4 metres above the road at all times.
- (j) The capacity of road surfaces and bridges is sufficient to carry fully loaded fire fighting vehicles (approximately 15 tonnes for areas with reticulated water, 28 tonnes or 9 tonnes per axle for all other areas). Bridges clearly indicate load rating.
- (k) Public roads greater than 6.5 metres wide locate hydrants outside of parking reserves to ensure accessibility to reticulated water supply for fire suppression.
- (l) Public roads between 6.5 metres and 8 metres wide are 'No Parking' on one side with services (hydrants) located on this side to ensure accessibility to reticulated water for fire suppression.
- (m) Public roads 5.5 to 6.5 metres wide (kerb to kerb) provide parking within parking bays located outside the kerb to kerb space and located services outside of the parking bays to ensure accessibility to reticulated water for fire suppression.
- (n) Parking bays are a minimum of 2.6 metres wide from kerb to edge of road pavement. No services are located within the parking bays.
- (o) Public roads directly interfacing the bush fire hazard vegetation provide roll top kerbing to the hazard side of the road.

ADVISORY NOTES

1. The NSW Office of Environments & Heritage has advised that the subdivision works will require an Aboriginal Heritage Impact Permit (AHIP) issued under the *National Parks & Wildlife Act 1974*. This permit is required to be obtained prior to any work commencing on site.