

Ordinary Meeting

Meeting Date: Monday, 25 July, 2022

Location: Council Chambers, City Administrative Building, Bridge Road, Nowra

Attachments (Under Separate Cover)

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Monthly Report

Shoalhaven City Council

CL22.302 - Attachment 1

June 2022



Markets

Global Leaders

Stocks plummeted again in the face of more aggressive monetary tightening, disastrous inflation data and a consensus of recession in 2022 or 2023. The US Dow Jones and S&P500 crashed -6.56% and -8.25%. NASDAQ lost -8.65% and ~24% in Q2. MSCI World ex-AUS slumped -7.8% in local terms. Emerging Markets fell -6.7% in \$US. Frontier dived -5.3%. US 10-year bonds reached a decade-high 3.5% before closing at 3.02% (+17bp). High yield weakened to 587bp spread (+165bp).

Russia, excluded from payment systems, was assessed as defaulting on \$US bond payments.

COVID19 deaths passed 6.36m (+50k), from 554m reported cases (+3m). The world reached 61% 2nd vaccination (+1%). Low-income countries have 19% first doses.

US unemployment was steady at 3.6% in May with non-farm Payrolls eased to +390k. Participation rose to 62.3% (+0.1%). Youth unemployment was 7.8% (-0.1%). *GDPNow* suggests a near-breakeven +0.1% quarter, on the brink of a surprise technical recession. Inflation hit a 40-year high +8.6% YoY (+0.3%) after a +1% month; core inflation eased to +6% (easing -0.2% despite a +0.6% month). Retail sales fell -0.3%.

Eurozone prices rose +0.8% in May to a record +8.1% YoY, with energy +39% YoY. Core CPI was +3.8%, also a record, after a +0.5% month. Retail sales fell -1.3%. China relaxed quarantine rules, attempting to move to recovery after COVID lockdowns. Unemployment eased to 5.9% (-0.2%) with inflation steady at 2.1%. The trade balance improved to +\$US77bn, from +\$51bn.

Japanese inflation was steady at 2½% after +0.2% MoM. Investors sold bonds, fearing the yield cap would break after several days trading above 0.25%. Bank of Japan pledged “unlimited” support.

Domestic News

The RBA’s June meeting raised rates by +0.5%, the first 50bp hike since 2000, and left +50bp open for future meetings. There is a radical change in rhetoric since the election. 2-year yields soared to 3%, from 2.73%. 10-year bonds closed 3.69% (+34bp) after hitting 4.2% intra-month. The ASX200 slumped -8.8% with the Small Ordinaries -13.1%. The ASX200 is now lower than the 2007 peak. CoreLogic reported -0.4% from property in June with Sydney and Melbourne down but other capitals higher. The capitals average +8% YoY.

Unemployment remained 3.9%, matching 48-year lows, with 66.7% participation (+0.3%). Employment rose +61k (fulltime +69k) to 13½m, +386k YoY. Underemployment fell -0.4% to 5.7%. Youth unemployment was steady at 8.8%. Hours worked rose +0.9%.

April’s trade surplus rose to \$10.5bn (+8%). Retail sales were +0.9% in May, matching April. Building approvals rose +9.9% but are -21% YoY. 2021’s population passed 25½m.

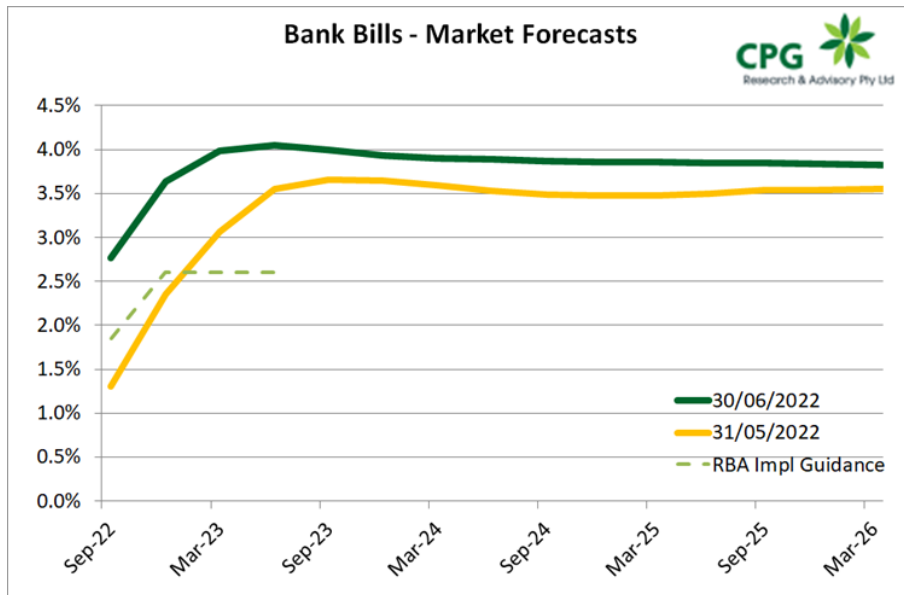
Household net wealth reached a record \$14.9 tr (+1.2%) after debt of \$2.6tr, with dwellings reaching \$10tr for the first time. Capital investment fell to 22.7% of GDP. April loan demand fell -6.4% for housing, and -8.5% for business construction.

Other Markets

WTI oil declined to \$US106/bbl (-5%). Gold eased to \$US1807/oz (-1.6%). Iron ore slid to \$US122/t (-10.4%). Base metals slumped with Nickel -20.1%, Zinc -18.3%, Aluminium -14.9%, Copper -13.2% and Tin -22.4%. \$A fell to US69c (-4.1%).



The market expects rates to rise monthly moves larger than +25bp, ultimately reaching 3½% in early 2023. This is well above the RBA's stated path to "normalisation" at 2½%.



Fixed Interest Markets

Spreads were wider in line with broad-based selloff in risk assets, with the ASX down over 10% intra-month. During the month, new post-COVID wides were set in the major indices, especially Australia:

Credit Indices	30 Jun 22	31 May 22	31 Dec 19
iTraxx Australia 5 Yr CDS	130bp	108bp	47bp
iTraxx European 5 Yr CDS	121bp	87bp	44bp
CDX IG North American 5 Yr CDS	101bp	79bp	45bp
CDX HY North American 5 Yr CDS	577bp	457bp	280bp

Physical high yield **widened** from +422bp in May to +587bp (*BoAMLHY Index, option-adjusted*). We **upgrade High yield to Overweight** after reaching the 2018 panic peak spread. **Bank senior spreads were wider**, led by derivatives.

Global bonds plummeted in early June, setting multi-year highs. US bonds weakened to 2.98% (+13bp). However, they had crashed to 3.5% ahead of the Fed meeting and had briefly triggered a 2-10 inversion often regarded as a recession predictor; **bond markets welcomed the Fed's belated aggressiveness** in fighting inflation with a 75bp rate hike. **Australian 10-year bonds closed at 3.69% (+34bp) after reaching the 4% mark.** 2-year bond yields sold off again to 2.99% (vs 2.74% in May), after touching 3½%. 5-year bonds traded to 3.46% (+33bp).

3m BBSW at 180bp at month end factors in a 50bp July increase to 1.35% and then another 75bp at the next two meetings. **We encourage lengthening portfolios.**

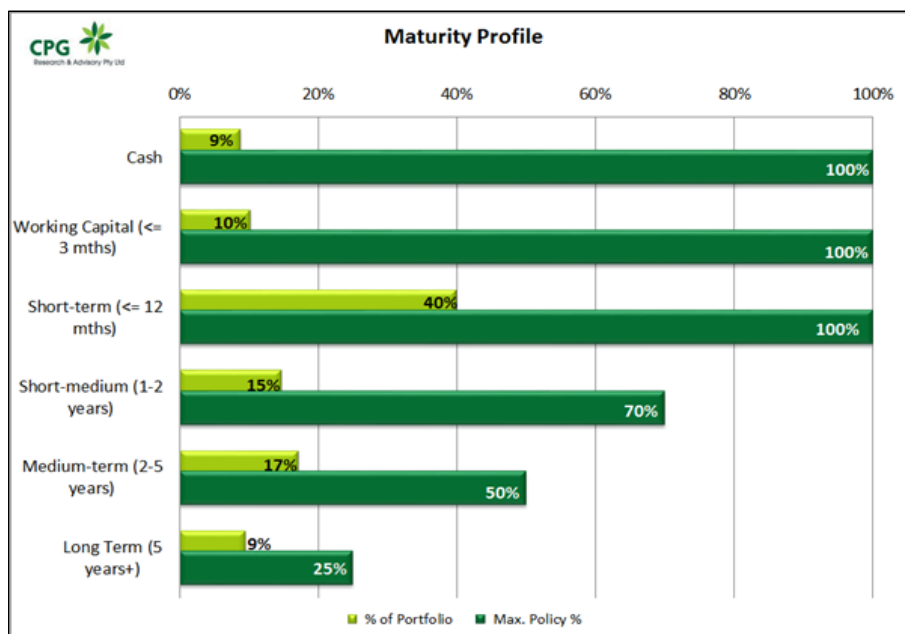


Council's Portfolio

The yield curve looks for multiple rates hike through CY22. The RBA increased rates by 50bp in June, followed by another 50bp after month end at its July meeting. .

The portfolio has a 9% of investments available at-call. A further 10% of assets mature within 3 months, with an additional 40% of assets maturing within 3-12 months. There is a longer-term allocation of 17% in 2-5 years maturity FRNs plus the TCorpIM Long-Term Growth Fund. **Fixed rate securities are now good relative value against deposits**, with many more highly rated options available.

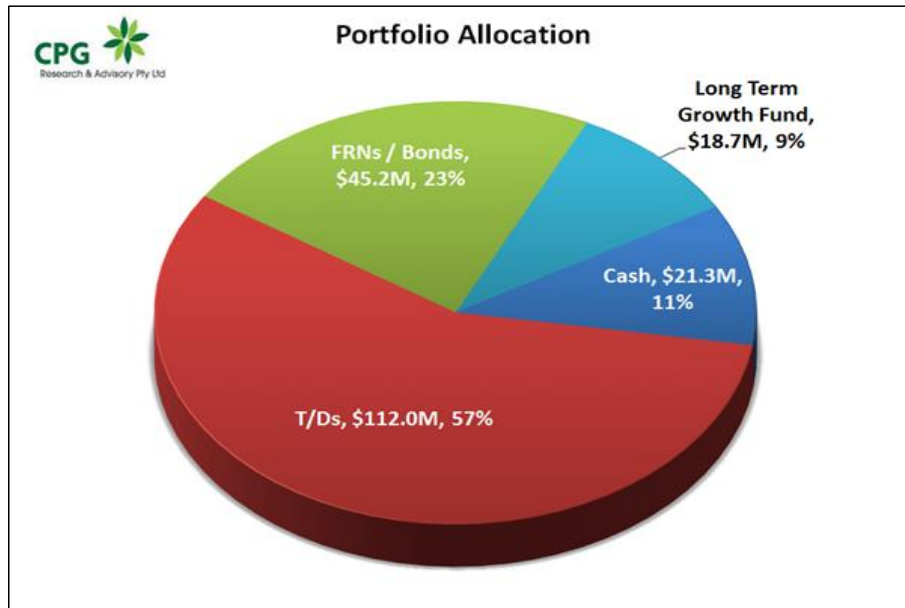
All investments are within the current Minister's Order, having closed out legacy fund positions at their peak. Council now holds ~\$19m in LTGF, coincident with securing loans from TCorp and adopting TCorpIM policy rules.



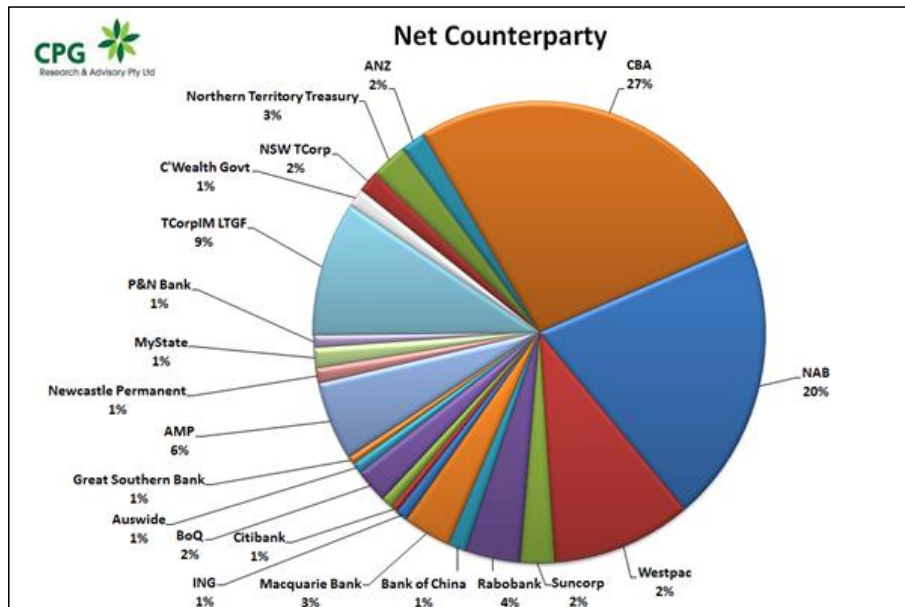
Council's investments are well spread across maturities and diversified across the highly rated part of the eligible fixed interest universe. **Capacity is effective unconstrained at all durations.**

Council's portfolio is primarily in deposits (at 57%) along with a substantial liquid portfolio. Of the FRNs, market liquidity is very strong with demand for all bank securities. A more diverse range of banks have come to market, including recent covered bonds.

Cash increased to 11% (including AMP 31-day Notice Account), surplus to immediate needs.



The investment portfolio is well diversified in complying assets across the entire credit spectrum, with **major banks the largest exposures**.



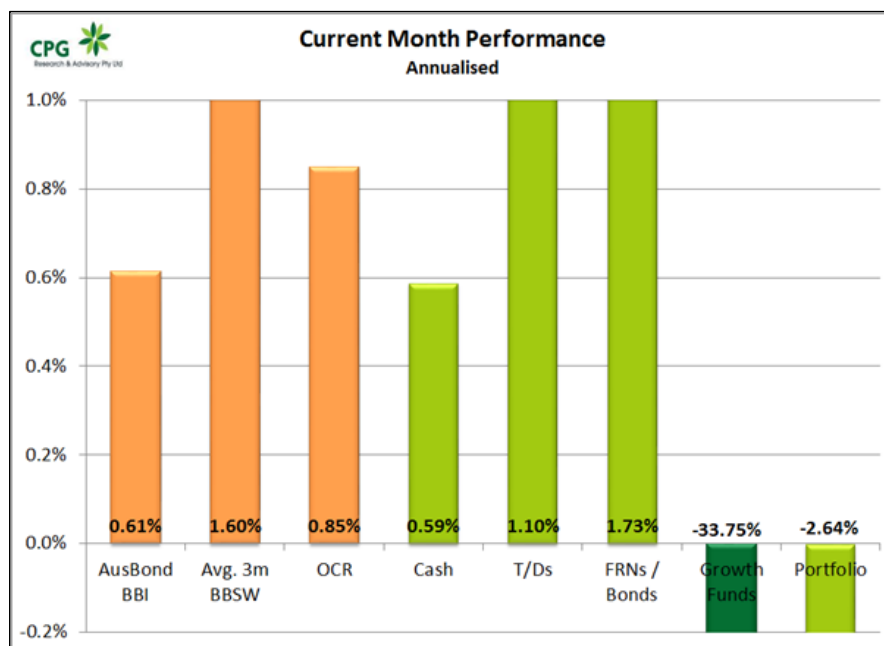


Returns - Accrual

Actual	1 month	3 months	6 months	FYTD	1 year	2 years	3 years	4 years	5 years
Official Cash Rate	0.07%	0.11%	0.11%	0.18%	0.18%	0.17%	0.33%	0.61%	0.79%
Avg. 3m BBSW	0.13%	0.25%	0.27%	0.29%	0.29%	0.17%	0.36%	0.73%	0.95%
AusBond Bank Bill Index	0.05%	0.07%	0.08%	0.10%	0.10%	0.08%	0.33%	0.74%	0.95%
Council Cash	0.05%	0.10%	0.16%	0.29%	0.29%	0.34%	0.61%	0.98%	1.19%
Council T/Ds	0.09%	0.24%	0.50%	1.08%	1.08%	1.36%	1.72%	2.09%	2.32%
Council FRNs / Bonds	0.14%	0.34%	0.58%	1.54%	1.54%	1.30%	1.53%	1.94%	2.21%
Council Growth Funds	-3.33%	-5.86%	-10.79%	-6.97%	-6.97%	-	-	-	-
Council Total Portfolio	-0.22%	-0.33%	-0.64%	0.23%	0.23%	0.78%	1.22%	1.64%	1.88%
Annualised	1 month	3 months	6 months	FYTD	1 year	2 years	3 years	4 years	5 years
Official Cash Rate	0.85%	0.43%	0.27%	0.18%	0.18%	0.17%	0.33%	0.61%	0.79%
Avg. 3m BBSW	1.60%	1.00%	0.56%	0.29%	0.29%	0.17%	0.36%	0.73%	0.95%
AusBond Bank Bill Index	0.61%	0.28%	0.17%	0.10%	0.10%	0.08%	0.33%	0.74%	0.95%
Council Cash	0.59%	0.42%	0.32%	0.29%	0.29%	0.34%	0.61%	0.98%	1.19%
Council T/Ds	1.10%	0.96%	1.02%	1.08%	1.08%	1.36%	1.72%	2.09%	2.32%
Council FRNs / Bonds	1.73%	1.38%	1.16%	1.54%	1.54%	1.30%	1.53%	1.94%	2.21%
Council Growth Funds	-33.75%	-21.52%	-20.57%	-6.97%	-6.97%	-	-	-	-
Council Total Portfolio	-2.64%	-1.33%	-1.29%	0.23%	0.23%	0.78%	1.22%	1.64%	1.88%

The Overall portfolio annualised -2.64% p.a. for the month of June 2022, as growth assets fell. **Fixed interest including cash returned a steady +9bp (1.04% p.a.) pre-Growth**, exceeding the benchmark AusBond Bank Bill Index (+0.61% p.a.) by **+43bp p.a.** Monthly results will depend on stockmarket direction as well as rising yields, but the BBI will shortly pass portfolio returns.

Deposits moved slightly up to ~1.11%. It is now likely that benchmark rates will accelerate upwards in FY23 to meet and pass current returns – FRNs will rise with the benchmark. As always, **we stress that annualised growth numbers have little meaning**, and the actual decline was modest.





Credit Quality

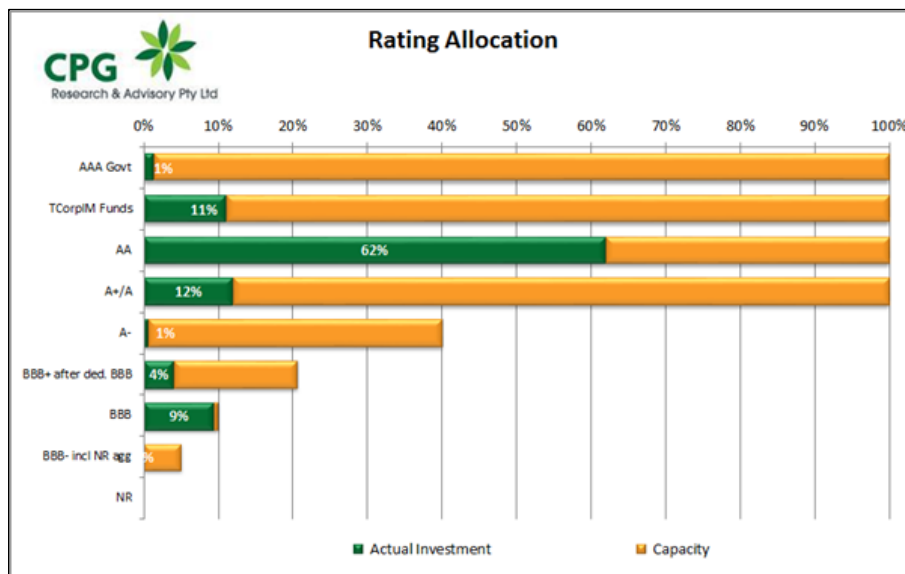
Allocations were very conservative. Further BBB capacity was released after maturities. These now use the TCorp's criteria embedded in the new Investment Policy in order to access concessional loans.

We have tested the portfolio provided against Council's new Investment Policy:

There is no overweight in any category:

Rating Category	Actual	Per C/Party	Aggregate	Actual Investment	Capacity
AAA Govt	1%	100%	100%	1%	99%
TCorpIM Funds	11%	100%	100%	11%	89%
AA	62%	100%	100%	62%	38%
A+/A	12%	30%	100%	12%	88%
A-	1%	20%	40%	1%	39%
BBB+ after ded. BBB	4%	10%	21%	4%	17%
BBB	9%	5%	10%	9%	1%
BBB- incl NR agg	0%	\$250,000	5%	0%	5%
NR	0%	\$250,000	incl in BBB-		

This table reflects the current Policy. BBB capacity is effectively unconstrained for the time being, and new investments can be made at will – with larger amounts potentially funded by the sale of BBB FRNs such as CUA 2023 (now Great Southern Bank).

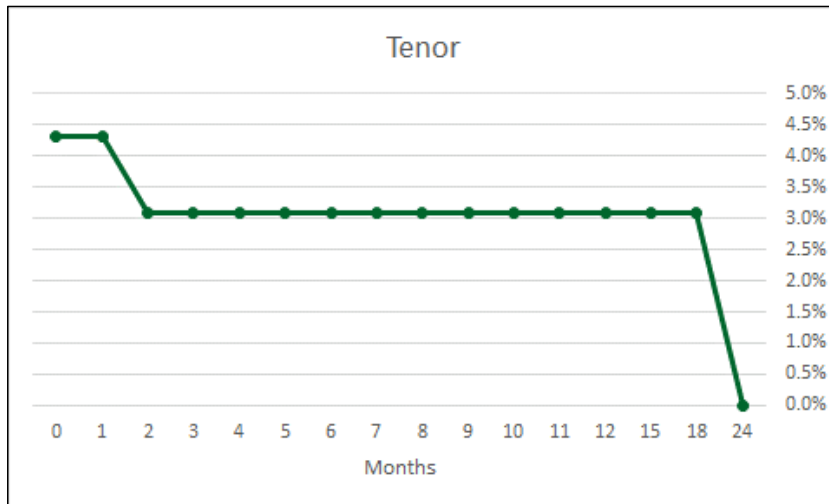




Tenor

The new Policy restricted both aggregate amount, and remaining term (tenor).

The only area requiring attention are the longer BBB holdings. TCorp allow BBB-range names, but limit them to 12 months where not BBB+. The initial projection at commencement date followed this path over time:



We note

- ▶▶ All but around \$4m of long-tenor BBB is in FRN form and currently either short dated saleable – we now recommend the switch of “legacy” assets, as the spreads tighter for short-dated FRNs and returns would increase by sale.
- ▶▶ While we recommend sale of the CUA (Great Southern Bank) 2023 (BBB, at the lower-of rating), it is complying (1-year tenor) asset. There is no longer an aggregate overweight to BBBs, although there had briefly been some following some ADI downgrades.
- ▶▶ The long-dated MyState deposit maturing in 2023 is now also below 12-month tenor.
- ▶▶ Newcastle Permanent 2025 should become saleable over the medium term, but there is no compulsion to switch it given a heavy cash balance.

TCorp has approved the rapidly declining “legacy” / grandfathered holding.



Other Compliance

We have tested the portfolio provided against Council's current investment policy and report the following:

All Counterparties comply barring AMP which is very slightly above limit and redeemable at will. The fixed interest portfolio is entirely rated. TCorpIM LTGF is the only unrated asset.

Counterparties	Exposure \$M	FCS	Net	Rating	Policy Limit	Actual	Capacity
TCorpIM Cash Fund	\$0.00M	\$0.00M	\$0.00M	AAA	100%	0%	\$197.18M
NSW TCorp	\$3.08M	\$0.00M	\$3.08M	AAA	100%	2%	\$194.10M
Northern Territory Treas	\$5.00M	\$0.00M	\$5.00M	AA-	100%	3%	\$192.18M
Suncorp Cov	\$0.00M	\$0.00M	\$0.00M	AAA	100%	0%	\$197.18M
ANZ	\$3.50M	\$0.00M	\$3.50M	AA-	100%	2%	\$193.68M
CBA	\$53.82M	\$0.25M	\$53.57M	AA-	100%	27%	\$143.61M
NAB	\$40.30M	\$0.25M	\$40.05M	AA-	100%	20%	\$157.13M
Westpac	\$20.00M	\$0.25M	\$19.75M	AA-	100%	10%	\$177.43M
Suncorp	\$4.80M	\$0.00M	\$4.80M	A+	100%	2%	\$192.38M
Rabobank	\$8.00M	\$0.25M	\$7.75M	A	100%	4%	\$189.43M
Bank of China	\$2.50M	\$0.00M	\$2.50M	A	100%	1%	\$194.68M
Macquarie Bank	\$7.00M	\$0.25M	\$6.75M	A	100%	3%	\$190.43M
ING	\$2.00M	\$0.25M	\$1.75M	A	100%	1%	\$195.43M
Citibank	\$1.00M	\$0.00M	\$1.00M	A-	20%	1%	\$38.44M
Bendigo-Adelaide	\$1.65M	\$0.00M	\$1.65M	BBB+	10%	1%	\$18.07M
BoQ	\$5.00M	\$0.25M	\$4.75M	BBB+	10%	2%	\$14.97M
Auswide	\$1.50M	\$0.00M	\$1.50M	BBB+	10%	1%	\$18.22M
Great Southern Bank	\$1.10M	\$0.00M	\$1.10M	BBB	5%	1%	\$8.76M
AMP	\$11.18M	\$0.25M	\$10.93M	BBB	5%	6%	-\$1.07M
Newcastle Permanent	\$2.10M	\$0.00M	\$2.10M	BBB	5%	1%	\$7.76M
MyState	\$3.00M	\$0.25M	\$2.75M	BBB	5%	1%	\$7.11M
P&N Bank	\$2.00M	\$0.25M	\$1.75M	BBB	5%	1%	\$8.11M
TCorpIM LTGF	\$18.66M	\$0.00M	\$18.66M	NR	100%	9%	\$178.52M
	\$197.18M		\$194.68M			99%	
C'Vealth Govt		\$2.5M	\$2.50M	AAA	100%	1%	
Total	\$197.18M		\$197.18M			100%	

We have also tested Council's current investment exposure against the lower rated counterparties' net assets as Council's Policy prescribes maximum concentration.

We report the following:

All counterparties comply with the net assets % threshold for an individual counterparty.

Counterparties	Exposure \$M	Rating	Max port %	Actual	Net Assets \$M	Max allowed % of net assets	Net Exposure	
Bendigo-Adelaide	\$1.65M	BBB+	10%	1%	\$6,354	2%	0.026%	1.97%
BoQ	\$5.00M	BBB+	10%	3%	\$6,197	2%	0.081%	1.92%
Auswide	\$1.50M	BBB+	10%	1%	\$257	2%	0.585%	1.42%
Great Southern Bank	\$1.10M	BBB	10%	1%	\$1,159	2%	0.095%	1.91%
AMP	\$11.18M	BBB	10%	6%	\$5,362	2%	0.208%	1.79%
Newcastle Permanent	\$2.10M	BBB	10%	1%	\$1,034	2%	0.203%	1.80%
MyState	\$3.00M	BBB	10%	2%	\$415	2%	0.723%	1.28%
P&N Bank	\$2.00M	BBB	10%	1%	\$461	2%	0.434%	1.57%
Qbank	\$0.00M	BBB-	10%	0%	\$85	2%	0.000%	2.00%



These are before application of the government insurance scheme (FCS), although the difference is trivial. TCorp's convention is to calculate allocation on a gross basis, and they set their recommended limits accordingly.

Again, any excess is grandfathered by TCorp's loan approvals and will be run off. ME Bank's purchase by BoQ has them rated split-A. There were no current ME Bank investments, so the merger had no effect on compliance.

Term Deposits

At month-end, deposits accounted for approximately 57% of the total investment portfolio. The weighted average duration of the deposit portfolio is ***~0.7 year, or 8 months.*** ***This is the shortest for many years – a desirable situation given a soaring yield curve.***

Patience has been rewarded, with yields rising in deposits throughout FY22, and accelerating in early June before plunging again as the more aggressive central banks brought recession fears.

The current yield of 1.11% is now well below comparable term rates currently available – ***all new investments will be highly accretive.*** Market deposit rates rose quickly again, and higher rated had a brief period of very high spreads. ***The gap between A-rated and lower deposits is very variable – higher rated ADIs are providing exceptional rates in June, above even unrated ADIs with ING most interesting under the current Policy.***

With high grade specials ended, ***we anticipate generally higher margins from bonds and FRNs*** with protection against more rapid Official Rate increases than expected for interest rate sceptics. While a high promotional deposit rate can be withdrawn at will, it takes much longer to materially rerate FRN margins.

We note (typically short-dated) broker specials for deposits around short-term investment requirements are advised in the T/D daily rate sheet regularly. Relevant portfolio data follows:

Term Deposit Statistics

Percentage of total portfolio	57%
Weighted Average Yield	1.11%
Weighted Average Duration	0.7 yrs

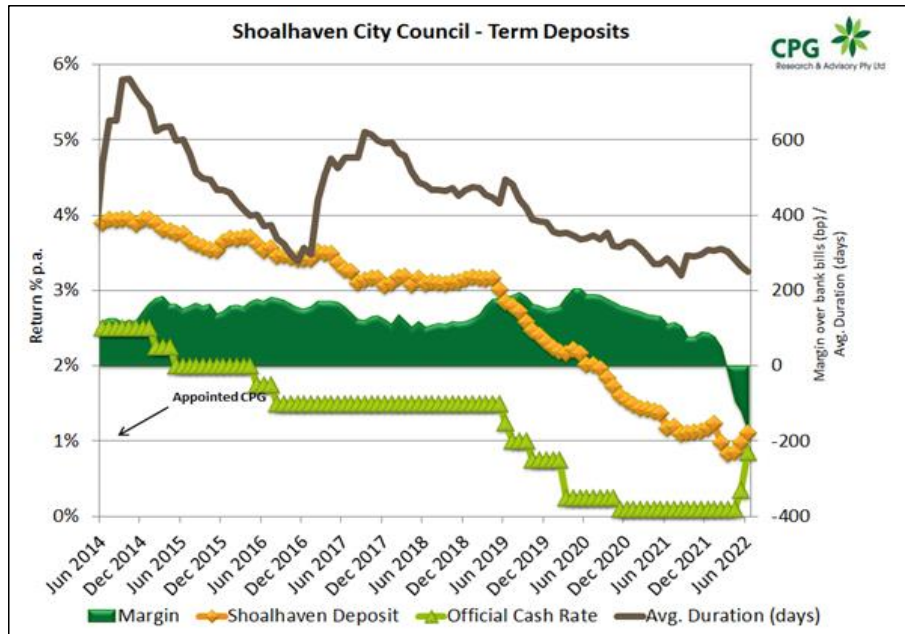
Credit Quality of Deposits

AAA^	0%
AA	77%
A	8%
BBB	15%
Unrated ADI	0%
Total	100%

^ Calculation excludes the Financial Claims Scheme (FCS)



We refer to the detailed analysis in our June **Fixed Interest Analytics**. We also revisit some prior analysis. Duration has since been relatively static just under the 1-year area. **Deposit margins have consistently exceeded 100bp since early 2019**, and widened again in April. However, they contracted since May as the benchmark soared faster than Council's weighted average rates can adjust.



Importantly, Council entered the rising interest rate cycle with the shortest investment duration ever seen during our term.

The 2021 Policy will restrict longer deposits in future, pushing the portfolio towards higher rated bonds – a sector not used at all during historically low interest rates.

Council has directed some new investments to FRNs in 2022, participating directly in future interest rate movements. FRNs had been a “low start” asset – interest rates are currently low. However, even before the 50bp J rate hike, FRNs had become the higher yielding asset.

By contrast, T/Ds and bonds have greater risk of being under benchmark for a period at the end of life, and in general any from the zero-rate policy era will now be below benchmark for the remainder of their investment terms.

We note that term had run off significantly by 2022, from around 2 years to well under 1 year.



Credit: FRNs & Fixed Bonds

Senior major FRN spreads reached as high as +110 for majors and +140bp for lower-rated FRNs – the same margins apply to bonds above the swap curve.

Deposits were particularly generous at month end, and certainly they can be used while the opportunity is there. Deposit offers can be withdrawn at will, and +100bp fall to +40bp; bond spreads are set by the market rather than by banks' quarter end reporting and will persist longer. **We expect bonds will be the most attractive yields over 2H22.**

Investors can target nearly +200 with moderate credit quality (outside Council's current Policy) – more like **+150bp in high grade securities** permitted by the Policy. This contrasts with A or AA T/D spreads that have typically been in the +40s in recent weeks before spiking at financial year end. While higher returns **would require sales and rollovers, even a buy-and-hold approach would benefit from bonds.** *Despite a prohibition on lower ratings, securities dominate potential returns.*

We note further **new issues indicated in the +80s for AAA covered FRNs and bonds, +100s for longer FRNs and bonds even at the highest grades.**

Long bonds weakened dramatically in CY22. 10-year bonds closed 3.69% (+34bp) after hitting 4.2% intra-month. This is a capital loss *well into in the teens* since the 1.6% recent lows – **bonds are a high volatility asset.** Avoiding NSWTC's "Sustainability Bond" has avoided massive losses.

The global inflation outlook continues to trend towards more persistently high numbers and a broader range of countries caught – **that has driven dramatic derating of bonds, until June's recession fears started to overwhelm inflation concerns.** With the recent spike in commodity prices, and particularly energy, the second round of fuel shortage has seen inflation hitting new highs since the Ukraine War began. *The issue for central banks is whether this drives a third round through wages and inflation expectations.*

We refer to the detailed analysis in our June ***Fixed Interest Analytics.***

The highest returns from fixed interest in the Minister's Order are likely to be from new **bonds outside the major banks. Lower rated assets effectively prohibited by TCorp's duration limits.** ME Bank's purchase by BoQ has them rated split-A. The ME Bank brand is now ended, an upgrade may help broaden the accessible universe slightly as well as creating BBB+ capacity. **We expect rating agencies will be cautious with upgrades during a recession and/or default cycle driven by higher rates.**

Foreign institutions, covered bonds and A-rated bonds will be the major beneficiaries of TCorp rules.

The CUA 2023 (now Great Southern Bank) is an obvious choice to immediately reduce BBB counterparty exposure, and **selling the Auswide 2023 also has Policy benefits.**

The spread between AA and the larger BBB names is back to pre-GFC levels, widening to +30s at the long end. It is above +20bp for even shorter dated securities, **which is again reasonable.**



TCorpIM L/T Growth Fund

Council invested \$20m in the Long-term Growth Fund in June 2021.

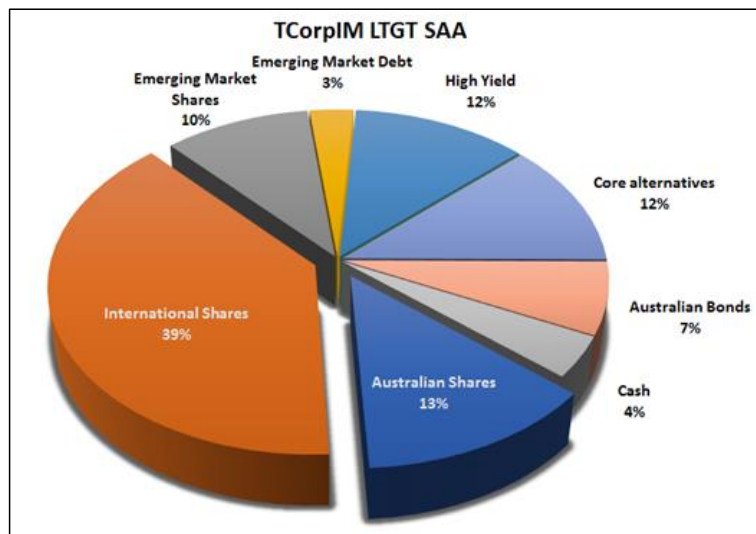
The TCorpIM Long-Term Growth Fund lost -3.33% net actual in June. A weaker \$A in the month (-4.1%) is helpful for absolute and relative performance, as was a tilt to emerging markets as China rallied strongly. Most global stocks plummeted again, with the worst month for NASDAQ since the GFC.

TCorpIM's lower equity allocation also helps relative outperformance against the true 70/30 peers in a falling market, although Australia was the major detractor. We estimate the **median 70/30 fund returned -5.2%, well below the TCorpIM LTGF in June.**

2022 has opened with a number of escalating risks, all manifesting at once. Inflation is very high, and still rising – Europe has been especially hard hit by energy prices and shortages. Base metals are soaring. This is **driving central banks to raise interest rates**, or at least guide imminent tightening. **Russia's war** could conceivably draw in other countries. US contracted an annualized -1.6% in Q1

Also hurting balance funds was the **further weakness in bonds** early in the month, which exacerbated losses from stocks.

The strategic asset allocation is as follows:



The US Dow Jones and S&P500 dived -6.56% and -8.25%. NASDAQ lost -8.65%, including ~24% in Q2. MSCI World ex-AUS slumped -7.8% in local terms. Emerging Markets fell -6.7% in \$US. Frontier lost -5.3%.

GDPNow's latest estimate of Q2 growth is -2.1%, down from +1.3%, signalling a recession.

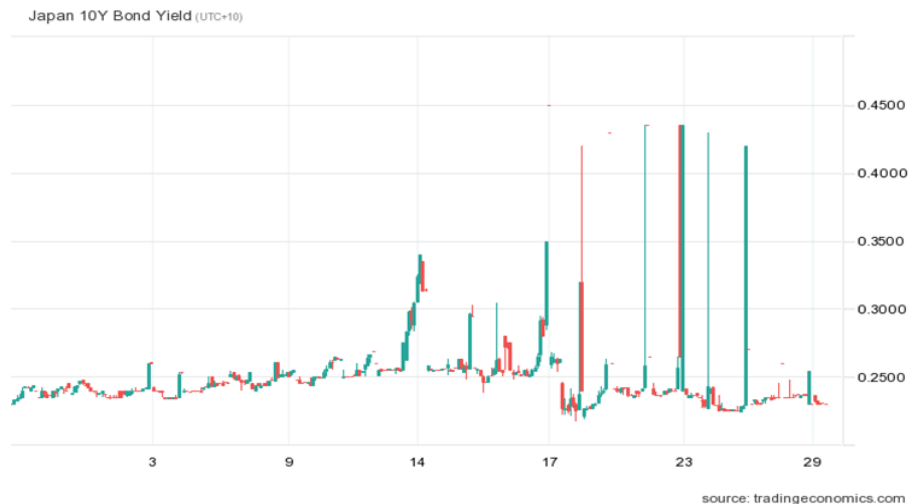


Fixed Interest Outlook

2022's disastrous bond losses continued with what looks like a record month of bond losses, before the shock +75bp rates decision at the Federal Reserve meeting apparently triggered a sharp reversal. Fed Chair Powell also indicated a surprising indifference to markets, recession prospects or employment in the face of 1980s-style inflation.

In some ways, the most interesting bond markets were the ones that did not sell off in June. Russian yields rallied strongly – despite defaulting on payments on \$US bonds.

And Japanese 10yr bonds continue to bump against the Bank of Japan's 0.25% rate ceiling after briefly trading through it.



The BoJ is setting records for bond purchases. The RBA was buying \$A5bn a week at the depths of the COVID19 lockdown – with only 5x the population **the BoJ bought 25 times the amount in a week!** The BoJ owns half their bonds (with 42% owned by “captive” holders: Banks, insurance companies and pension funds). Of the bonds around 10-year term, they own over 80%.

It is hard to see how this ends in anything but a disorderly reset of policy – after running out of bonds to buy, *then what?* It's no coincidence that foreign investors sold record JGBs. This looks a lot like when **a run on the RBA saw yield curve control abandoned last November**. The BoJ is not giving up as easily, doubling down on its commitments.

But in USA and Australia, there was at least a brief respite.

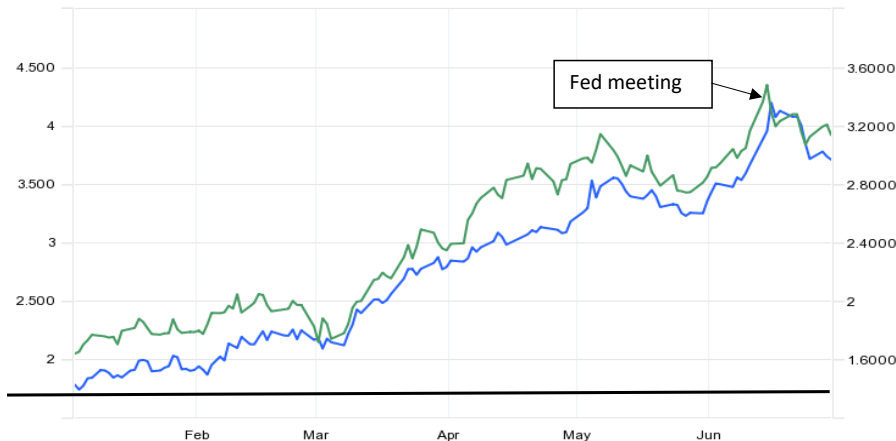
We have previously argued that it is **preferable to tighten early and fast**. The **shock value** of large, early hikes is an important policy tool. If the aim is to modify demand, raising rates to 0.3% does not achieve this. The Fed Funds Rate has shot up to 1.75%, and the **market liked the new Fed. The quicker**



we reach a terminal rate, the lower this rate is likely to be. The Fed went with +75bp in June, and hints at a debate between +50 or +75bp in July. (They meet every 6 weeks, so +75bp is a pace equivalent to the RBA's +50bp in June.)

Is this turning point a coincidence? We think not.

Australia 10Y | US 10Y (UTC+10)



source: tradingeconomics.com

And if the only barrier to aggressive tightening was fear of asset prices, then this last impediment is gone if the market welcomes it.

Yes, bond prices rallied (yields fell). But that was not because investors were thrilled that the Fed had fixed the inflation problem with their new-found hawkishness. Instead, **investors believe that there will be a recession that truncates the interest rate cycle.** US stocks fell -9% in the month, with the S&P500 -25% from its peak at one point. NASDAQ's -22% fall in Q2 was the worst since the Lehman bankruptcy. But even stocks rallied strongly after the new, hawkish Fed. Stocks welcoming recession fears is back to the old "bad news is good news" mentality.

Weakness in risk assets during the month also took high yield to post-COVID wides, and wider than the 2018 panic. Both risk assets and defensive had a rough month – and notably, they again moved in unison both up and down. Interestingly, credit did not have the same late rally, closing on its wides.

Meanwhile, credit spreads widened again – around March 2020's month-end levels. **3-year bonds are estimated at +110bp for majors; +140s for the larger BBB+ banks.** Adding a 3-year swap of 3½%, that's 4½% to almost 5% for a 3-year investment. After allowing for the time to ramp-up from under 1%, it is difficult to see how the benchmark rate could average this high. At 5 years, bank paper could go into the 5's.

This is a great yield if inflation eventually normalises or central banks abandon inflation in the face of recessions.



Portfolio Listing

Shoalhaven City Council as at 30/06/2022						
Authorised Deposit-Taking Institution (ADI)	ST Rating	Security Type	Principal/ Current MF Value	Term	Interest Rate	Maturity Date
Commonwealth Bank Australia	A-1+	TD	\$4,000,000.00	315	0.40%	6-Jul-22
Commonwealth Bank Australia	A-1+	TD	\$4,000,000.00	322	0.40%	13-Jul-22
Westpac Bank	A-1+	TD	\$2,000,000.00	1826	2.83%	24-Aug-22
Westpac Bank	A-1+	TD	\$2,000,000.00	1826	3.00%	24-Aug-22
Rabobank	A-1	TD	\$2,000,000.00	1826	3.39%	13-Sep-22
Police and Nurses Bank	A-2	TD	\$2,000,000.00	1836	3.51%	28-Sep-22
Macquarie Bank	A-1+	TD	\$1,000,000.00	266	0.40%	5-Oct-22
Commonwealth Bank Australia	A-1+	TD	\$3,000,000.00	384	0.38%	12-Oct-22
National Australia Bank	A-1+	TD	\$3,000,000.00	272	0.65%	18-Oct-22
Commonwealth Bank Australia	A-1+	TD	\$7,500,000.00	430	0.43%	10-Nov-22
AMP Bank	A-2	TD	\$2,500,000.00	365	1.20%	16-Nov-22
National Australia Bank	A-1+	TD	\$2,000,000.00	333	0.70%	5-Dec-22
Commonwealth Bank Australia	A-1+	TD	\$5,000,000.00	372	0.57%	7-Dec-22
ING Bank (Australia) Ltd	A-1	TD	\$2,000,000.00	365	0.60%	14-Dec-22
National Australia Bank	A-1+	TD	\$2,000,000.00	384	0.58%	14-Dec-22
Commonwealth Bank Australia	A-1+	TD	\$7,500,000.00	120	0.45%	14-Dec-22
National Australia Bank	A-1+	TD	\$3,000,000.00	302	0.85%	4-Jan-23
AMP Bank	A-2	TD	\$2,500,000.00	395	1.30%	16-Jan-23
AMP Bank	A-2	TD	\$2,000,000.00	365	1.30%	20-Jan-23
Bank of Qld	A-2	TD	\$5,000,000.00	1827	0.92%	21-Feb-23
Westpac Bank	A-1+	TD	\$5,000,000.00	1826	0.94%	22-Feb-23
National Australia Bank	A-1+	TD	\$3,000,000.00	400	1.00%	12-Apr-23
MyState	A-2	TD	\$3,000,000.00	730	0.56%	4-May-23
Commonwealth Bank Australia	A-1+	TD	\$4,000,000.00	365	3.02%	11-May-23
National Australia Bank	A-1+	TD	\$3,000,000.00	730	0.60%	31-May-23
Commonwealth Bank Australia	A-1+	TD	\$2,000,000.00	365	3.20%	6-Jun-23
National Australia Bank	A-1+	TD	\$3,000,000.00	735	0.55%	15-Jun-23
National Australia Bank	A-1+	TD	\$3,000,000.00	729	0.65%	21-Jun-23
National Australia Bank	A-1+	TD	\$3,000,000.00	767	0.57%	17-Jul-23
Rabobank	A-1	TD	\$2,000,000.00	1828	3.40%	23-Aug-23
National Australia Bank	A-1+	TD	\$3,000,000.00	827	0.60%	15-Sep-23
National Australia Bank	A-1+	TD	\$4,000,000.00	759	0.65%	16-Oct-23
Westpac Bank	A-1+	TD	\$4,000,000.00	827	0.55%	12-Dec-23
Rabobank	A-1	TD	\$2,000,000.00	1826	3.13%	21-Feb-24
Westpac Bank	A-1+	TD	\$4,000,000.00	1827	2.21%	19-Jun-24
Total Term Deposits			\$112,000,000.00			

CL22.302 - Attachment 1



Authorised Deposit-Taking Institution (ADI)	ST Rating	Security Type	Principal/ Current MF Value	Term	Interest Rate	Maturity Date
Credit Union Australia	A-2	FRN	\$1,100,000.00	1096	2.28%	21-Feb-23
Westpac Bank	A-1+	FRN	\$2,000,000.00	1826	2.07%	6-Mar-23
Auswide Bank	A-2	FRN	\$1,500,000.00	1095	2.85%	17-Mar-23
National Australia Bank	A-1+	FRN	\$2,300,000.00	1826	2.13%	26-Feb-24
Bank of China	A-2	FRN	\$2,500,000.00	1096	1.28%	28-Apr-24
National Australia Bank	A-1+	FRN	\$2,000,000.00	1827	2.76%	19-Jun-24
Westpac Bank	A-1+	FRN	\$1,000,000.00	1919	1.90%	16-Aug-24
ANZ	A-1+	FRN	\$3,500,000.00	1827	1.94%	29-Aug-24
Citibank	A-1	FRN	\$1,000,000.00	1827	1.88%	14-Nov-24
Northern Territory Treasury Bond	A-1+	Fixed Rate	\$3,000,000.00	1206	1.00%	15-Dec-24
Newcastle Permanent Building Society	A-2	FRN	\$2,100,000.00	1827	1.97%	4-Feb-25
Macquarie Bank	A-1	FRN	\$2,000,000.00	1827	2.03%	12-Feb-25
Bendigo Bank	A-2	FRN	\$1,650,000.00	1096	2.78%	17-Mar-25
Macquarie Bank	A-1	FRN	\$4,000,000.00	1827	1.96%	9-Dec-25
Northern Territory Treasury Bond	A-1+	Fixed Rate	\$2,000,000.00	1571	1.20%	15-Dec-25
Suncorp Metway Ltd Bank	A-1	FRN	\$2,100,000.00	1826	2.04%	24-Feb-26
CBA	A-1+	FRN	\$2,750,000.00	1826	1.03%	14-Jan-27
Suncorp Metway Ltd Bank	A-1	FRN	\$2,700,000.00	1826	1.31%	25-Jan-27
Rabobank	A-1	FRN	\$2,000,000.00	1826	1.26%	27-Jan-27
National Australia Bank	A-1+	FRN	\$4,000,000.00	1827	0.80%	25-Feb-27
Total Senior Securities			\$45,200,000.00			
			\$157,200,000.00			
Shoalhaven City Council as at 30/06/2022						
Grandfathered	ST Rating	SecurityType	Current Valuation			Maturity Date
TCorpIM Long Term Growth Fund	NR	MF	\$18,659,743.51			T+2
			\$18,659,743.51			
Product	ST Rating	SecurityType	Current Valuation			Maturity Date
AMP At Call	A-2	Cash	\$688.61		0.60%	At-Call
AMP Notice Account	A-2	Cash	\$4,174,829.70		1.40%	31 Days
State Insurance Regulatory Authority		Cash	\$3,077,000.00			At-Call
CBA Operating Account	A-1+	Cash	\$3,858,040.37		0.60%	At-Call
CBA Business Online Saver	A-1+	Cash	\$10,208,108.02		0.45%	At-Call
			\$21,318,666.70			
Total Investment Portfolio			\$197,178,410.21			

Disclaimer

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All information and recommendations expressed herein constitute judgements as of the date of this report and may change without notice. Staff and associates may hold positions in the investments discussed, and these could change without notice.



Draft Adaptation Plan 2022 - 2027

Preparing for a climate resilient Shoalhaven



CL22.309 - Attachment 1

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Acknowledgement of Country



We would like to acknowledge the Traditional Custodians of the land in which we gather upon today. We acknowledge their continuing connections to the land, culture and community. We pay respect to Elders past, present and future.

DRAFT

CL22.309 - Attachment 1

Introduction

The climate in New South Wales, and the rest of the world, is already changing. As average temperatures continue to rise, extreme weather events are becoming more frequent and intense, and long-term changes to weather patterns are evolving.

Council's operations, assets and the services we deliver to the community are vulnerable to a range of climate hazards, including storms, heatwaves, bushfire, drought, coastal inundation and flooding. Adapting and building resilience to climate change and the overall health and wellbeing of our community are important issues for Council, and Council is committed to integrating risk management into all its operations, decision making processes and governance structures.

Council has been assessing and responding to climate change risks for over a decade. In 2010 Council completed its first Climate Change Risk Assessment and developed a responding Adaptation Plan detailing actions and adaptation measures to help reduce the impacts of climate change. In June 2021, Council completed an updated Climate Change Risk Assessment, to ensure that the actions and measures we are taking remain effective against future changes.

This Plan details the climate change risks which have been identified as part of this assessment and outlines the measures Council will take to address these risks and work toward a more resilient Shoalhaven community.

The Plan has been developed in line with the Department of Planning, Industry and Environment 'Climate Risk Ready NSW Guide: Practical guidance for the NSW Government sector to assess and manage climate change risks' (2020).

Purpose of this plan

Climate change adaptation is action taken to prepare for actual or expected changes in the climate in order to minimise harm. It is about adjusting the way we behave and do business in a manner which considers and prepares for the future climate.

This Plan has been prepared to address climate risks which will impact Council and our community, and identifies actions which either:

- Increase Council's resilience to deal with the stated risk, or
- Reduce the likelihood of the risk occurring.

Mitigation versus adaptation

Climate change action is typically divided into two categories: adaptation and mitigation. Adaptation focuses on living and coping with the impacts of climate change, while mitigation focuses on dealing with the causes of climate change, most commonly by taking action to reduce greenhouse gas emissions.

As an Adaptation Plan, this document focuses primarily on actions that will help Council and our community better adapt to the changing climate. However, Council is also taking action to mitigate climate change and reduce our emissions through a number of initiatives, as outlined in Council's Sustainable Energy Policy and Strategy (2020). These include:

- A commitment to reduce corporate greenhouse gas emissions, with a key target of achieving net zero emissions by 2050*.
- Improving energy efficiency across Council assets and infrastructure to reduce energy-related emissions.
- Increasing renewable energy generation across Council assets to reduce our reliance on fossil-fuels.

- Trialing Electric Vehicles to reduce transport emissions.

* Council's Sustainable Energy Policy will be reviewed in 2022. This review will consider recommendations to strengthen Council's net zero emissions target, in line with the findings of the Intergovernmental Panel on Climate Change Sixth Assessment Report.

The figure below outlines some of the different mitigation and adaptation actions, including actions which incorporate both approaches.

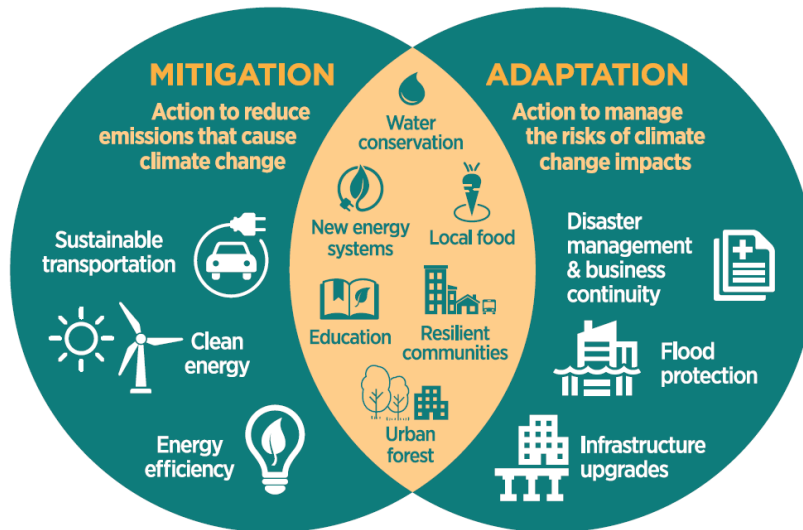


Figure 1 Environment, Energy and Science (in Department of Planning, Industry and Environment) 2021, "Climate Risk Ready NSW Guide. Practical guidance for the NSW Government sector to assess and manage climate change risks".

Vision

This Adaptation Plan is aligned with Council's vision, as set out in the Community Strategic Plan 'Shoalhaven 2027', that

"We will work together in Shoalhaven to foster a safe and attractive community for people to live, work, stay and play; where sustainable growth, development and environmental protection are managed to provide a unique and relaxed lifestyle."

The actions outlined in this Plan will assist Council to achieve the following priorities:

1. Resilient, safe, accessible and inclusive communities

1.1 Support inclusive, safe and connected communities

1.1.1 Our communities are safer and more resilient

2. Sustainable liveable environments

2.1 Manage our infrastructure and assets for long term sustainability to meet community need

2.1.1 Public infrastructure is maintained for its current purpose and for future generations

2.1.2 Infrastructure is planned for the long term

2.2 *Manage growth and development with respect for environmental and community values*

2.2.2 Environmentally sound and climate resilient development

2.3 *Protect the natural environment and enhance sustainability*

2.3.1 Adapting to climate change and work collaboratively to mitigate our impacts

3. Thriving local economies

3.2 *Deliver, safe, vibrant, and attractive public spaces*

4. Effective, Responsible & Authentic Leadership

4.1 *Deliver reliable, high quality services*

4.1.1 Our community continues to have access to high quality public services

4.2 *Provide transparent leadership through effective government and administration*

4.2.1 Decision-makers lead, govern and regulate in an ethical, equitable, transparent and accountable way

4.3 *Inform and engage with the community about the decisions that effect their lives*

4.3.2 Increased awareness of the key issues impacting our community

Climate change trends

According to the Intergovernmental Panel on Climate Change (2021) each of the last four decades have been successively warmer than the last, and surface temperatures will continue to increase until at least the mid-century. The rise in Australia's average temperatures has also accelerated in recent decades, with current temperatures now 1.4°C higher than they were in the 1950s, and further warming still expected.

The CSIRO and the Bureau of Meteorology have reported that extreme weather across Australia is occurring more frequently and with greater intensity, and there have been longer-term changes to weather patterns. Rising sea levels around Australia are also increasing the risk of inundation and damage to coastal infrastructure and communities.

As global temperatures increase, extreme weather and climate impacts such as heatwaves, fire weather, heavy rainfall, and more severe flooding are all occurring more frequently and with greater intensity, and the likelihood of compounding extreme weather events happening at the same time or in succession is increasing.

Our region and climate

Shoalhaven is located on the coastal plain of the south coast of New South Wales bounded by the Illawarra escarpment to the west and the Pacific Ocean to the east.

At a regional level, Shoalhaven City Council sits within the Illawarra region, which is typically characterised by a mostly cool temperate climate, with an average annual rainfall slightly under 1100 mm. Temperatures across Shoalhaven are generally mild with average temperatures of 15.5C and 26.5C for June and January respectively. Rainfall is more pronounced during the summer and autumn months and the average run-off of 310 mm is the second highest in the state. Lower evaporation in autumn and winter results in substantially more run-off during these seasons when compared to summer.

The Shoalhaven coastline is approximately 165 kilometres long, and the proportion managed by Shoalhaven City Council is larger than any other local government area in New South Wales. As a coastal council, Shoalhaven is vulnerable to the impacts of sea level rise, coastal inundation and storm surge. The surrounding forested areas and mountainous regions are also at risk of bushfire, and high levels of precipitation and run-off have implications for flood events.

Environment and industry

Crown Land, State Forest and National Park make up 64% of the Shoalhaven land area providing significant habitat for flora and fauna. Diverse coastline habitats represented by beaches, estuaries, wetlands and lakes along the coast are important for both the biodiversity values of the Shoalhaven and commercially for recreational and fishing opportunities. Tourism and primary industries such as dairy, forestry and fisheries provide an important economic base for the region.

Expected regional climatic changes

According to the Department of Environment, Climate Change and Water NSW *Climate Impact Profile*, the Shoalhaven and Illawarra region is expected to experience a number of climatic changes in the near and far future.

Temperatures are virtually certain to rise

Both minimum and maximum daily temperatures are very likely to increase by 1.5-3.0°C throughout the region. The increase is projected to be greatest in spring, autumn, and winter. The region is also expected to experience more hot days in the future, with the greatest increase projected West of Nowra with an additional 1–5 hot days per year in the near future and 5–10 additional hot days per year by 2070.

Summer rainfall is likely to increase substantially

The region is likely to experience a substantial increase in summer rainfall and a slight to moderate increase in spring and autumn rainfall.

Sea level is virtually certain to rise

2010 climate models for NSW predicted a sea level rise of 0.4 m above the 1990 mean sea level by 2050 and a 0.9 m rise by 2100. However, according to the Intergovernmental Panel on Climate Change (IPCC) Sixth Assessment Report released in 2021, relative sea level across Australia has risen at a higher rate than the global average in recent decades. It is a trend predicted to continue into the next century, contributing to increased coastal flooding and shoreline retreat along sandy coasts.

Flooding behaviour is likely to change

The combination of rising sea levels and catchment-driven flooding is likely to increase flood frequency, height, and extent in the lower portions of coastal floodplains. Run-off is likely to decrease moderately in spring but increase substantially in summer.

Fire regimes are likely to change

Higher temperatures and changes to rainfall patterns are likely to result in an increase in average and severe fire weather and fire frequency. Very high to extreme fire danger days are projected to increase by 10-50% and the conditions conducive to large and intense fires (such as prolonged drought, low humidity, number of days with high temperature and high wind speeds) will likely increase.

Increased evaporation is likely in all seasons, leading to drier conditions in spring and winter

Evaporation is likely to increase by up to 50% in spring and summer as a result of increased temperatures. Projected increases in temperature and evaporation, combined with projected changes to rainfall, are likely to result in drier soil conditions in winter and spring.

Short-term droughts are projected to become more severe

Changes in rainfall, evaporation and run-off are expected to result in more severe short-term drought, while medium and long-term droughts are projected to become less severe.

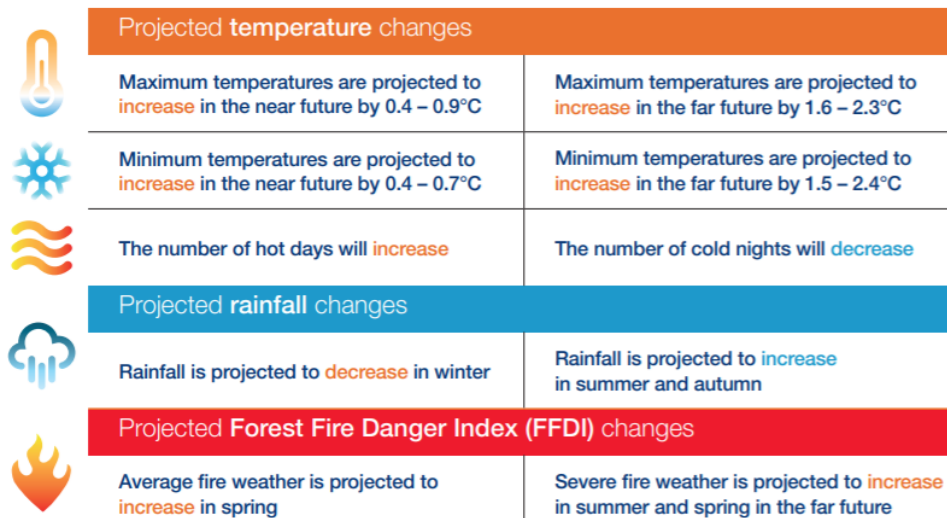


Figure 2 Illawarra Climate Snapshot 2014

Preparing for a changing climate

Climate Risk Ready NSW

Local governments and other agencies can prepare for and address climate change risks by undertaking risks assessments and integrating risks into enterprise risk management frameworks and procedures.

In line with the advice of the Department of Planning, Industry and Environment 'Climate Risk Ready NSW' guide, Council has adopted the recommended four-step process for climate change risk assessment and management. This process draws on national and international leading practice in climate risk management, and industry and government experience, and is aligned to ISO 31000:2018 Risk Management – Guidelines, and NSW Treasury Internal Audit and Risk Management Policy.



Figure 3 Climate Risk Ready NSW Recommended Process

This Adaptation Plan details the approach Council has taken to achieve steps one and two above and outlines the actions Council will take to complete the final two steps by treating the risks identified and continuing to monitor and review these risks into the future.

Climate Change Risk Assessment

On 30 June 2021, Council completed a Climate Change Risk Assessment workshop facilitated by Statewide Mutual. The process was undertaken using the latest available climate data and considered the projected climate impacts specific to the local region. The Australian Standard for Risk management – ISO 31000 was central to the process and provided the framework for assessing climate change impacts. The workshop involved a range of nineteen technically skilled staff from across all areas of Council, who helped identify and assess climate risks against a 'possible consequence' model.

The Climate Change Risk Assessment process was broken down into three stages:

1. Research on the relevant climate data
2. Workshop facilitation, and
3. Development of a report outlining the risk assessment results.

The assessment made use of the data and scenarios available at the time of the assessment, including NARClIM Regional Climate Modelling for key catchment areas and climate change projections at a regional scale. However, it is understood that there is a level of uncertainty regarding climate change projections, including those for New South Wales. The 'Climate Risk Ready NSW' guide therefore recommends that Climate Change Risk Assessments should be completed every five years, to ensure that adaptation planning can remain responsive and appropriate to the latest data and information available.

Report findings

The workshop and report identified twenty-eight climate change risks to Council, with impacts considered in relation to the following functional areas:

- Council Infrastructure and Assets
- Environment Management and Protection
- Corporate Services
- Emergency Management and Natural Disaster Preparedness
- Community Services
- Land-use Planning and Development

The risk assessment process considered the likelihood of risks occurring, the adequacy of any current controls or adaptation initiatives that Council has in place to mitigate these risks, and the consequence of the risk to determine a rating of low, medium, high, or extreme.

The report recommended that Council develop responding adaptation measures for all risks rated high or extreme, and develop measures for any medium risks, as appropriate.

Risk evaluation

In line with Council's Risk Management Policy, Council is committed to manage risk across the organisation through an enterprise risk management framework consistent with the current Australian Standard for risk management (AS ISO 31000:2018). As part of this framework, Council evaluates all risks using its adopted evaluation matrix, which ensures that risks are evaluated consistently and can be included in Council's Corporate Risk Register for ongoing monitoring and reporting.

The risk evaluation matrix adopted by Statewide Mutual as part of the initial Climate Change Risk Assessment workshop was not consistent with Council's risk assessment approach. Following a report and recommendations from the Executive Management Team and Council's Audit Risk & Improvement Committee, each risk identified in the report was therefore re-evaluated in line with Council's corporate risk

evaluation matrix. Risks with identical controls and adaptive measures were also combined as part of this re-evaluation.

The evaluation resulted in a total of twenty-six risks, with 3 risks rated high, 19 rated medium, and 4 rated low. These risks and rating are detailed in the table below.

Risks and ratings

ID	Risk statement	Current controls	Adequacy	Risk rating
R1	There is a risk that sea level rise will cause an increase in flooding and adverse environmental impacts as a result of tidal inundations, wave action and storm surges in low lying areas, impacting infrastructure, assets, existing land uses and natural areas.	Local Environmental Plan (LEP) / Development Control Plan (DCP) / Coastal Management Program Risk Assessments / Sea Level Rise Projections and Policy Framework / Asset Management Plans	Mostly beneficial (reduces consequence)	High
R2	There is a risk that sea level rise will cause an increase in adverse environmental impacts including coastal erosion processes as a result of tidal inundations, wave action and storm surges impacting infrastructure, assets, existing land uses and natural areas.	LEP / DCP / Coastal Management Program / Asset Management Plans / Sea Level Rise Projections and Policy Framework	Mostly beneficial (reduces consequence)	High
R3	There is a risk that sea level rise will lead to adverse impacts on existing land uses	LEPs and DCPs / Sea Level Rise Projections and Policy Framework	Mostly beneficial (reduces consequence)	High
R4	Climate change will lead to an increase in average and severe fire weather days that will affect Council's ability to access and deliver services including local transporting infrastructure, electricity and drinking water.	Emergency Management Plan (EMPLAN) / Asset Management Plans	Mostly beneficial (reduces consequence)	High
R5	Increased intensity and volatility of rainfall events will cause localised flooding resulting in an increased risk to public safety, natural areas, economy, and assets.	Flood Investigations, Floodplain Risk Management Plan / Forward Flood Program / DCP	Some benefit (reduces likelihood)	Medium
R6	As a result of an increase in annual average temperature there will be an increase in both pest and weeds species.	Weed Management Plans	Some benefit (reduces likelihood)	Medium
R7	There is a risk that as a result of increased frequency and intensity of bushfires, ambient temperature rise, and sea level rise, there will be shifts of terrestrial and aquatic ecosystem/biodiversity, resulting in potential decline in biodiversity and natural protection mechanisms	Bushfire Environmental Assessment Code / Threatened flora and fauna species lists / Natural Areas Plans of Management / Coastal Management Plan / Foreshore Policy	Some benefit (reduces likelihood)	Medium
R8	There is a risk that as a result of an increased frequency and intensity of bushfires there will be shifts in terrestrial and aquatic ecosystem/biodiversity, resulting in a potential decline in biodiversity.	Shoalhaven Emergency Management Plan (EMPLAN) / Bushfire Environmental Assessment Code	Some benefit (reduces likelihood)	Medium

ID	Risk statement	Current controls	Adequacy	Risk rating
R9	There is a risk that as a result of increase in sea level rise will cause shifts in terrestrial and aquatic ecosystem/biodiversity, resulting in potential decline in biodiversity	Coastal Management Plans, Foreshore Policy / Natural Areas Plans of Management	Some benefit (reduces likelihood)	Medium
R10	Climate change will lead to an increase in bush fire activity that will affect local communication networks.	Recovery into Resilience Program	Mostly beneficial (reduces consequence)	Medium
R11	Increased bush fire risk will lead to an increased adverse impact on the community including sustainability and wellbeing.	Recovery into Resilience Program / Recovery Action Plan	Mostly beneficial (reduces consequence)	Medium
R12	There is a risk that as a result of an increase in ambient temperature, roads, footpaths, and bridges infrastructure will degrade at a greater rate	Asset Management Plans	Some benefit (reduces likelihood)	Medium
R13	Climate change will lead to an increase in bush fire activity that will increase demand for heavy plant, equipment, and resources.	Shoalhaven Emergency Management Plan (EMPLAN)	Highly beneficial	Medium
R14	As a result of an increase in average temperature, that there is a risk that there will be a greater demand for shade/cooling options at Council recreational facilities and public parks.	Master Plans	Some benefit (reduces likelihood)	Medium
R15	There is a risk that as a result of an increase in the number of hot days within the LGA, combined with ageing electricity supply infrastructure, power outages and brown outs may occur with far greater regularity.	Asset Management Plans / Recovery into Resilience Project / Sustainable Energy Policy	Some benefit (reduces likelihood)	Medium
R16	As a result of an increase in the number of hot days annually, there may be increased visitation to the LGA - Impacting coastal attractions, roads, infrastructure, and servicing	Asset Management Plans	Some benefit (reduces likelihood)	Medium
R17	Decreased levels of rainfall may cause severe drought, resulting in impacts on the natural environment economy and liveability of urban areas	Secure Water Yield Assessment / REMS / Drought Management Plan / Demand Management Plan	Some benefit (reduces likelihood)	Medium
R18	As a result of an increase in the number of hot days annually there could be reduced stream flow into the catchment, greater evaporation at water storage areas as well as significantly increased demand on potable water supplies.	Secure Water Yield Assessment / Drought Management Plan / Demand Management Plan / Water Sharing Plan	Highly beneficial	Medium

ID	Risk statement	Current controls	Adequacy	Risk rating
R19	There is a risk that as a result of increases in ambient temperature, sporting fields/leisure centres/community amenities will require greater usage of water	REMS / automated irrigation systems / Asset Management Plans	Mostly beneficial (reduces consequence)	Medium
R20	There is a risk that as a result of a decrease in average rainfall levels, Council will be faced with degraded water quality impacting local economy	Water Sharing Plan / Secure Water Yield Assessment / Water quality monitoring	Mostly beneficial (reduces consequence)	Medium
R21	There is a risk that sea level rise will impact on entrance management of ICOLLs as a result of tidal inundations, wave action and storm surges.	Entrance Management Policies / Coastal Management Plans and Program	Some benefit (reduces likelihood)	Medium
R22	Due to changing patterns to the quantity of rainfall there is a risk of increased water quality issues in ICOLLs and an imbalance between catchment and coastal processes resulting in significant community pressures	Entrance Management Policies / Coastal Management Plans and Program / Water quality monitoring programs	Mostly beneficial (reduces consequence)	Medium
R23	There is a risk that due to an increase in the number of hot days operational staff, contractors and volunteers may be exposed to adverse health risks (heat stress, heat stroke, dehydration) and the associated downtime costs	Work Health and Safety Policy	Mostly beneficial (reduces consequence)	Medium
R24	As a result of an increase in the number of hot days, food safety compliance within local food outlets may be compromised leading to a rise in food safety concerns such as the incidence of foodborne illness.	Food and Environmental Health and Safety Inspections	Mostly beneficial (reduces consequence)	Low
R25	There is a risk that as a result of an increase in the average ambient temperature, Council may be faced with increased usage of facilities and the need for upgrade existing/installation of new A/C systems in Council's buildings	Asset Management Plans	Some benefit (reduces likelihood)	Low
R26	There is a risk that as a result of an increased number of hot days, there may be greater incidents of bitumen bleeding on roads and footpaths infrastructure within the LGA	Asset Management Plans	Some benefit (reduces likelihood)	Low
R27	As a result of a decreased rainfall in winter the potable water storage yields will be less which will create supply issues in Summer.	Secure Water Yield Assessment/ Water restrictions / REMS	Highly beneficial	Low

Adaptative actions

In line with the recommendations of the Climate Change Risk Assessment, adaptive actions have been developed for all risks rated high and medium. These actions build off existing controls that Council has in place to reduce climate risks and were developed in consultation with key areas of council. Lead staff have been assigned to manage these actions accordingly. Actions have also been allocated for short term or medium term delivery.

Risks classified as low do not currently require adaptive actions, however Council will continue to monitor these risks as part of its annual Corporate Risk review process, and should risk factors change, these will be updated and managed accordingly.

High risk - actions and responses

ID	Risk	Adaptive Actions	Lead	Further detail and recommendations	Term
R1	There is a risk that sea level rise will cause an increase in flooding as a result of tidal inundations and storm surges in low lying areas and impacting on all infrastructure, assets, and natural areas	Continue Coastal Management Program risk assessments for council infrastructure. Review and update Sea Level Rise Projections and Policy Framework. Ensure asset management plans are updated to address risks	Coastal Management Program Coordinator	Review current Sea Level Rise Projections and Policy Framework and update as needed based on latest data and projections. Continue Coastal Management Program risk assessments for council assets to identify and prioritise areas, infrastructure, and assets at risk of coastal inundation, storms, and flooding. Ensure the DCP remains consistent with the LEP and NSW Floodplain Development Manual principles with regard to controls for new development to minimise flood risk to people and property. Ensure asset management plans consider risk of storms, sea level rise and inundation for Council assets and infrastructure.	Short term (1 yr - ongoing)
R2	There is a risk that sea level rise will cause an increase in adverse environmental impact including coastal erosion processes as a result of tidal inundations, wave action and storm surges impacting all infrastructure, assets, and natural areas.	Review and update Sea Level Rise Projections and Policy Framework. Continue Coastal Management Program and prioritise interventions to protect at-risk assets	Coastal Management Program Coordinator / Senior Floodplain Engineer	Review current Sea Level Rise Projections and Policy Framework and Coastal Management Program to identify key areas at risk of coastal erosion, develop framework to prioritise risk areas and develop management strategies which protect against coastal erosion. Investigate use of physical climate risk analysis platforms, such as XDI, and liaise with NSW Department of Planning and Environment regarding expansion of XDI platform to include local government assets.	Short term (1 yr - ongoing)
R3	Climate change will lead to an increase in average and severe fire weather days that will affect Council's ability to access services including local transporting infrastructure, electricity and drinking water.	Review Emergency Management Plan, liaise with Rural Fire Service regarding preventative measures. Resilience plans and resilience projects to protect infrastructure	Local Emergency Management Officer	Identify essential infrastructure and supply routes required to provide services to community in bushfire emergency. Ensure resilience plans and resilience projects include provisions to protect key infrastructure. Liaise with RFS regarding measures to protect these assets, e.g. fuel reduction burning/establishing fire breaks to reduce risk of road closure and identify alternative access or supply routes to service communities if required.	Short term (1 yr - ongoing)

Medium risk - actions and responses

ID	Risk	Adaptive Actions	Lead	Further detail and recommendations	Term
R4	Increased intensity and volatility of rainfall events will cause localised flooding resulting in an increased risk to public safety, natural areas, economy, and assets.	Continue current controls and flood investigations including modelling scenarios for projected sea level rise and increased rainfall intensity	Senior Floodplain Engineer	Continue to undertake flood investigations (Flood Studies, Floodplain Risk Management Study & Plan) in accordance with the Floodplain Risk Management process based on the priorities in Council's forward Flood Program. Flood investigations include modelling scenarios with projected sea level rise and increased rainfall intensity. Identify and prioritise mitigation measures for implementation across the Shoalhaven. Ensure Council's asset management plans for flood mitigation assets consider climate change impacts and is regularly updated. Ensure the DCP remains consistent with the LEP and NSW Floodplain Development Manual principles regarding controls for new development to minimise flood risk to people and property.	Short term (1 yr - ongoing)
R5	As a result of an increase in annual average temperature there will be an increase in both pest and weeds species.	Establish priority weed management control plans	Lead - Land Management	Review advice from Local Land Services, Biosecurity Act and South East Regional Strategic Pest Management Plan/South East Regional Strategic Weed Management Plan to identify current priority pest and weed species and inform management plans. Identify conditions which facilitate pest and weed establishment and monitor incidence of new species. Work with Bushcare teams to gather supporting data and information on pest and weed incidence.	Medium term (1-3 years)
R6	There is a risk that as a result of ambient temperature there will be shifts of terrestrial and aquatic ecosystem/biodiversity, resulting in potential decline in biodiversity.	Monitor and contribute to state-wide recovery management plans and prepare local plans as necessary. Consider biodiversity in urban greening strategy.	Lead - Land Management	Monitor and contribute to state-wide threatened/endangered species management plans. Consider local ecosystems/habitat at risk and establish local management plans as necessary. Identify alternative habitat locations for at-risk species. Identify areas with low urban tree cover and prioritise for revegetation programs, develop programs to promote and support rural tree planting and revegetation. Identify urban refuges protected from predation (feral cats, fox) and manage these to maintain predator exclusion. Consider environmental water allocations required for at-risk aquatic ecosystems.	Medium term (1-3 years)
R7	There is a risk that as a result of an increased frequency and intensity of bushfires there will be shifts in terrestrial and aquatic ecosystem/biodiversity, resulting in a potential decline in biodiversity.	Monitor and contribute to state-wide recovery management plans and prepare local plans as necessary. Consider biodiversity in urban greening strategy. Investigate cool burning practices.	Lead - Land Management	Review State Government advice and recommendations including the Saving Our Species management program to identify and contribute to protection of threatened and endangered species and ecosystems/habitat at risk. Establish reserves in bushfire protected areas. Investigate 'cool burning' - environmental and cultural burning to reduce bushfire intensity within natural areas.	Medium term (1-3 years)
R8	There is a risk that as a result of increase in sea level rise will cause shifts in terrestrial and aquatic ecosystem/biodiversity, resulting in potential decline in biodiversity and natural protection mechanisms	Monitor and contribute to state-wide recovery management plans and prepare local plans as necessary. Establish management plans for threatened or endangered species. Include in urban greening/biodiversity strategy	Lead - Land Management	Review threatened and endangered species and key ecosystems/habitat utilised, review current known distribution of species, map projected changes to habitat/area due to projected sea level rise, monitor and contribute to state-wide recovery management plans and prepare local plans as necessary.	Medium term (1-3 years)
R9	Climate change will lead to an increase in bush fire activity that will affect local communication networks.	Continue current measures and Recovery into Resilience project. Liaise with Telcos regarding contingency plans for network disruptions.	Local Emergency Management Officer	Continue implementation of recovery into resilience program to install off-grid systems and satellite communication networks on key buildings which community members can access when bushfires or emergencies disrupt services. Ensure the community are informed and aware of these facilities. Liaise with Telcos regarding contingency and management plans to avoid network disruptions.	Short term (1 yr - ongoing)

ID	Risk	Adaptive Actions	Lead	Further detail and recommendations	Term
R10	Increased bush fire risk will lead to an increased adverse impact on the community including sustainability and wellbeing.	Continue current programs and review Recovery Action Plan and assistance measures	Manager - Community Connections / Local Emergency Management Officer	Continue Bushfire Recovery Shoalhaven and recovery into resilience programs and review Recovery Action Plan and assistance measures available. Continue to work with RFS and community to understand and prepare for bushfire, advocate for greater support and funding from State and Federal Government to prepare for and mitigate impacts of bushfire.	Short term (1 yr - ongoing)
R11	There is a risk that as a result of an increase in ambient temperature, roads, footpaths, and bridges infrastructure will degrade at a greater rate	Review current inspection, maintenance and defect response for assets and assess budget requirements. Refer to Practice Note 12.2: Climate Resilient Materials for Infrastructure Assets	Roads Assets Manager	Ensure asset management plans consider these risks and review current inspection, maintenance and defect response for roads, footpaths, and bridges. Refer to Practice Note 12.2: Climate Resilient Materials for Infrastructure Assets - Institute of Public Works Engineering Australasia (ipwea.org) for advice on climate resilient materials. If incidence of asset degradation is increasing, allocate additional budget as required. Ensure Council adheres to Australian Industry best practice standards and monitor the market for products with increased heat resistance	Medium term (1-3 years)
R12	Climate change will lead to an increase in bush fire activity that will increase demand for heavy plant, equipment, and resources.	Review infrastructure condition and capacity to service heavy plants and equipment for key access routes and prioritise for renewal	Local Emergency Management Officer / Section Manager - Works & Services	Review Emergency Management Plan, work with RFS and relevant authorities to determine access requirement for Plant and equipment in response to increased bushfire activity, including roads, footpaths, and bridges. Review infrastructure condition and capacity to service heavy plants and equipment for key access routes and prioritise for renewal or reinforcement where required. Advocate to state and federal government for funding support for these works.	Medium term (1-3 years)
R13	As a result of an increase in average temperature, that there is a risk that there will be a greater demand for shade/cooling options at Council recreational facilities and public parks.	Include requirement to install shade structures/trees for all new playgrounds, review current provision of shade at existing recreational spaces. Develop urban greening strategy.	Manager - Community Planning & Projects	Review and identify urban heat and low canopy cover hot spots across open spaces and prioritise for upgrade/installation of trees and shade structures. Ensure new parks and recreational spaces include shade trees and cooling structures in planning/installation. Advocate for funding for urban greening strategy and develop council strategy.	Short term (1 year)
R14	There is a risk that as a result of an increase in the number of hot days within the LGA, combined with ageing electricity supply infrastructure, power outages and brown outs may occur with far greater regularity.	Continue current controls and liaise with Endeavour Energy regarding current management plans and upgrades to reduce power outages	Manager - Community Connections / Asset Custodians	Liaise with Endeavour Energy to identify areas at risk of power outage and current management plans and upgrades to reduce risk. Communicate the location of buildings and infrastructure which can be accessed by community during periods of power outage. Continue to diversify council electricity resources and increase provision of off-grid systems (including energy capture and battery storage) on council and community buildings. Encourage uptake of solar PV and battery systems for community members.	Short term (1 yr - ongoing)
R15	As a result of an increase in the number of hot days annually, there may be increased visitation to the LGA - Impacting coastal attractions, roads, infrastructure, and servicing	Increase service levels during warmer months. Continue current tourist dispersal programs	Roads Assets Manager / Tourism Manager	Monitor tourist visitation and identify infrastructure and assets under pressure - ensure asset management plans consider risks and increase servicing requirements during periods of high-use. Continue responsible marketing campaigns including 100 beaches campaign to avoid hotspots and disperse visitation throughout the region. Include tourism considerations in community infrastructure plans and consider social licence in destination management plans.	Short term (1 yr - ongoing)
R16	Decreased levels of rainfall may cause severe drought, resulting in impacts on the natural environment economy and liveability of urban areas	Continue current controls. Review REMS program and recycled water supply and capacity to meet needs in times of drought.	Section Manager - Water Asset Planning & Development	Continue recommendations of Shoalhaven Water Secure Yield Assessment regarding water security. Work with state authorities and the community to engage and educate regarding water saving and usage, employ water restrictions as required, continue REMS project to enable fit-for-purpose use of recycled water for irrigation and farms. Advocate to state and federal government regarding drought support and relief funding for community.	Medium term (1-3 years)

ID	Risk	Adaptive Actions	Lead	Further detail and recommendations	Term
R17	As a result of an increase in the number of hot days annually there would be reduced stream flow into the catchment, greater evaporation at water storage areas as well as a significant increase demand on potable water supplies.	Continue current controls and water efficiency education program for residents. Implement restrictions as required.	Section Manager - Water Asset Planning & Development	Continue recommendations of Shoalhaven Water Secure Yield Assessment regarding water security. Monitor and review projected rainfall to prepare for incidences of reduced stream flow. Review and expand use of recycled water for appropriate uses where possible and review triggers for introduction of water restrictions. Develop/continue internal program to improve water efficiency across council assets, and external water efficiency education program for community members.	Medium term (1-3 years)
R18	There is a risk that as a result of increases in ambient temperature, sporting fields/leisure centres/community amenities will require greater usage of water	Continue current controls and investigate potential to expand use of recycled water for priority/high-use grounds	Manager - Shoalhaven Swim Sport Fitness / Section Manager - Water Asset Planning & Development	Ensure asset management plans consider these risks and irrigation schedules are optimised and responsive to temperature and wind conditions. Diversify water-use to include reclaimed/recycled water. Identify sporting fields without access to reclaimed/recycled water and investigate options to access recycled water for irrigation. Review current grass/turf species, water requirements and provision for playing standards.	Medium term (1-3 years)
R19	There is a risk that as a result of a decrease in average rainfall levels, Council will be faced with degraded water quality impacting local economy	Continue current controls/monitor water quality	Environmental Health Lead / Section Manager - Water Asset Planning & Development	Monitor and review projected rainfall to prepare for incidences of reduced stream flow. Continue water quality monitoring in line with legislative requirements.	Medium term (1-3 years)
R20	There is a risk that sea level rise will impact on entrance management of ICOLLS (Intermittently Closed and Open Lakes and Lagoons) as a result of tidal inundations, wave action and storm surges.	Review current entrance management policies, licence requirements	Environmental Health Lead / Coastal Management Program Coordinator	Review current entrance management policies and licence requirements as required to ensure these documents remain current and fit for purpose. Consider impacts and update plans and policy accordingly.	Medium term (1-3 years)
R21	Due to changing patterns to the quantity of rainfall there is a risk of increased water quality issues in ICOLLS and an imbalance between catchment and coastal processes resulting in significant community pressures	Continue current controls, review current crown land license requirements, and entrance management plans	Environmental Health Lead / Coastal Management Program Coordinator	Continue to test and monitor water quality within ICOLLS and review current crown land license requirements, entrance management plans and triggers for opening ICOLLS	Medium term (1-3 years)
R22	There is a risk that due to an increase in the number of hot days operational staff, contractors and volunteers may be exposed to adverse health risks (heat stress, heat stroke, dehydration) and the associated downtime costs	Continue current controls, Work Health and Safety Policy	Chief Safety Officer	Continue to include triggers in Work Health and Safety Policy to protect workers in adverse heat or weather conditions. WHS Management System includes controls in place for extreme heat events including provision of long sleeve shirts and long pants, availability of cool drinking water, hydration sachets etc. Enable varied starting times to optimise work during safe periods of the day.	Short term (1 year)

Implementation, monitoring and review

Incorporating risks

In line with Council's Risk Management Policy, Shoalhaven City Council is committed to integrating risk management into all its operations, decision making processes and governance structures to enable the council to identify and manage risks while maximising opportunities to benefit the community.

The risks identified in this Plan will be managed through Council's Enterprise Risk Management (ERM) Framework, and included in Council's Corporate Risk Register, where they will be reviewed and monitored on a continuous cycle. The risks and linked actions have been assigned to the most appropriate work team, as agreed with the Executive Management Team, and will be reviewed as required, relevant to their risk rating, during the quarterly Risk Management meetings held with relevant managers and staff.

In line with Council's risk management framework, risks rated as high or extreme will be reviewed every six months and have sign off at Director level, while medium or low-level risks will be reviewed on an annual cycle.

Review

The Director of City Services has overall responsibility for this Plan and a report will be prepared annually on implementation of the actions included in this Plan to the Executive Management Team.

In line with the recommendations of the Climate Risk Ready NSW guide, this Adaptation Plan will be reviewed and updated every 5 years to ensure Council's adaptation responses remain valid and relevant to local priorities and climatic conditions. An updated Climate Change Risk Assessment will be completed in 2027.

Appendix 1 - Terms and References

Acronyms

CMP	Coastal Management Plan
CSIRO	Commonwealth Scientific and Industrial Research Organisation
DCP	Development Control Plan
EMPLAN	Emergency Management Plan
ICOLLS	Intermittently Closed and Open Lakes and Lagoons
IPCC	Intergovernmental Panel on Climate Change
LEP	Local Environmental Plan
NARClIM	NSW and Australian Regional Climate Modelling
REMS	Reclaimed Water Management System
RFS	Rural Fire Service

Definitions

Climate change

Climate change is the long-term change in climate patterns at the global and regional scale. Current climate change is largely driven by human activities which increase greenhouse gases in the atmosphere.

Climate change adaptation

Adapting to life in a changing climate. The process of adjustment to actual or expected climate impacts.

Climate change mitigation

Taking action to reduce and stabilise greenhouse gas emissions in the atmosphere, thereby limiting further contribution to climate change and reducing future impacts.

Greenhouse gas emissions

Greenhouse gases are compound gases that trap heat or longwave radiation in the atmosphere. Their presence in the atmosphere makes the Earth's surface warmer, driving climate change.

Net zero emissions

An overall balance between greenhouse gas emissions produced and greenhouse gas emissions taken out of the atmosphere. Achieving net-zero emissions means that some greenhouse gases may still be released, but these can be offset by removing an equivalent amount of greenhouse gases from the atmosphere and storing it permanently in soil, plants, or materials.

References

Department of Planning, Industry and Environment, 2021: "Climate Risk Ready NSW Guide. Practical guidance for the NSW Government sector to assess and manage climate change risks."

Department of Environment, Climate Change and Water, 2011: "NSW Climate Impact Profile Technical Report", Office of Environment and Heritage.

IPCC, 2021: Climate Change 2021: "The Physical Science Basis. Contribution of Working Group I to the Sixth Assessment Report of the Intergovernmental Panel on Climate Change".

Office of Environment and Heritage, 2014: "Adapt NSW: Illawarra Climate Change Snapshot".

Appendix 2 - Council's Corporate Risk Evaluation Framework

Risk Rating Table					
Likelihood	Consequence				
	Negligible	Minor	Moderate	Major	Severe
Almost Certain 5	M	M	H	E	E
Likely 4	L	M	H	H	E
Possible 3	L	M	H	H	H
Unlikely 2	L	L	M	M	H
Rare 1	L	L	L	L	M

Likelihood Rating Table			
Descriptor	Description	Frequency	Level
Almost Certain	The event will probably occur in some circumstances	Once a year or more	5
Likely	This event may occur at some time	Once every 1 - 5 years	4
Possible	The event is not expected to occur	Once every 5 to 20 years	3
Unlikely	The event is likely to occur in exceptional circumstances	Once every 20 to 100 years	2
Rare	The event is highly unlikely to occur in the foreseeable future	>100 years	1

2. Consequence Rating table					
Category	Negligible (1)	Minor (2)	Moderate (3)	Major (4)	Severe (5)
Community	No injuries or fatalities. Small number displaced for short duration. Little or no disruption to community. No measurable impact on the environment. Little or no financial loss in the community. Little or no personal support required.	Small number of minor injuries requiring first aid. Some displacement of people (<24hrs). Some minor disruption (<24hrs). Some personal support required. Some damage. Some financial loss.	Medical treatment required – some hospitalisation. Localised displacement of people. Normal community functioning with some medium term inconvenience. Localised damage rectified by routine arrangements. Significant financial loss. Personal support provided by local	Extensive injuries. Large number displaced for >24hrs. External resources required for personal support. Significant damage that requires external resources. Community only partially functioning, some services unavailable. Significant financial loss – some financial assistance required.	Large numbers of severe injuries requiring hospitalisation. General and widespread displacement for extended duration. Community unable to function without significant support. Extensive damage. Extensive personal support.
Contractual & Legal	Isolated non-compliance or breach. Negligible financial impact.	Contained non-compliance or breach with short term significance and minor financial impact.	Serious breach involving statutory authority or investigation. Prosecution possible with significant financial impact.	Major breach with fines and litigation. Long term significance and major financial impact.	Extensive fines and litigation with possible class action. Threat to viability of programs or services.
Environment	Minimal environmental impact – isolated release only	Minor onsite environmental release immediately contained	Moderate on-site environmental impact contained with assistance	Off-site environmental impact contained with external assistance	Severe off-site environmental impact to one or more ecosystems; Requires LT remediation
Financial	Negligible financial loss (up to 1% of Council's budget). No impact on program or business operation	Minor financial loss (up to 3% of Council's budget). Minimal impact on business operation.	Significant financial loss (up to 10% of Council's budget). Considerable impact on business operation.	Major financial loss (up to 20% of Council's budget). Severe impact on business operation.	Extensive financial loss (>20% of Council's budget). Long term consequences for operations.
Industrial Relations	Isolated, internal or minimal impact on staff morale or performance. Minimal loss to organisation.	Contained impact on staff morale or performance of short term significance. Medium loss to organisation.	Significant impact on staff morale or performance of medium term significance. Significant loss to organisation.	Major impact on staff morale or performance of long term significance. Very high loss to organisation.	Extensive impact on organisational morale or performance of long term significance. Threat to viability of programs or services.
Information Technology	No measurable operational impact to organisation	Minor downtime or outage in single area of organisation. Address with local management and resources.	Significant downtime or outage in multiple areas of organisation. Substantial management required and local resources.	Loss of critical functions across multiple areas of organisation. Long term outage. Extensive management required and extensive resources.	Extensive and total loss of functions across organisation. Disaster management required.
Property & Infrastructure	Isolated or minimal loss. Short term impact. Repairable through normal operations.	Minor loss with limited downtime. Short term impact. Most repairable through normal operation.	Significant loss with temporary disruption of services. Medium term impact on organisation.	Critical loss or event requiring replacement of property or infrastructure. Long term impact on the organisation.	Disaster with extensive loss and long-term consequences. Threat to viability of service or operation.
Reputation	Public awareness may exist but there is little public concern. Resolved by day to day management process.	Attention from local media, and/or heightened local concern	Significant and sustained adverse local media attention. Serious concerns expressed and large decrease in support from the public.	Significant adverse national media attention. Significant decrease in public support. Damage to reputation at a national level.	Subject or sustained adverse publicity in multiple media. Significant long-term detrimental effect on business areas.
WHS	Minor injury with no treatment required	Minor injury with first aid treatment required	Medical attendance, time off work	Serious illness, injury or death of employee, contractor or members of the public	Multiple fatalities or permanent disability of employees, contractor or members of the public
Positive Consequences	Small benefit, low financial gain	Minor improvement to image, some financial gain	Some enhancement to reputation, high financial gain	Enhanced reputation, major financial gain	Significantly enhanced reputation, huge financial gain



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shoalhaven.nsw.gov.au

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	Planning Report S4.15 Environmental Planning & Assessment Act 1979
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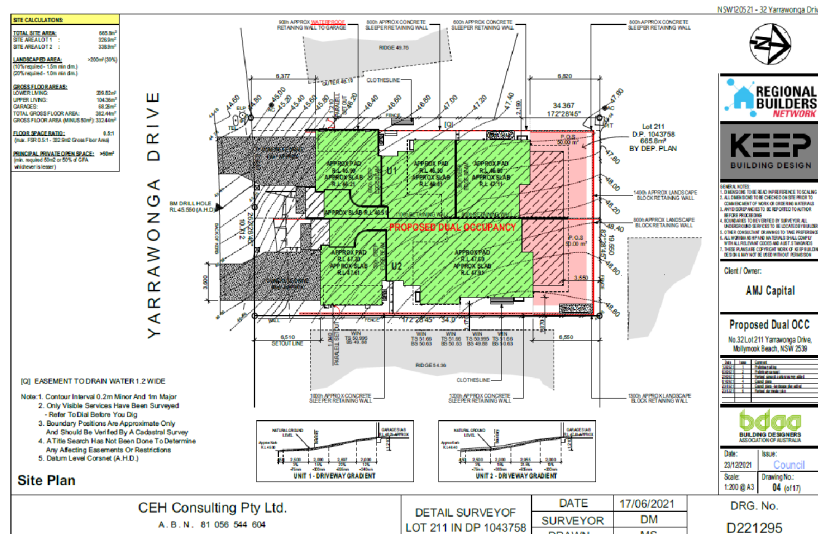
DA Number	DA21/2359
Property	32 Yarrawonga Dr Mollymook Beach – Lot 211 DP 1043758
Applicant(s)	Buildcert
Proposal	Construction of two storey attached dual occupancy
Zone	R1 General Residential
Date of Application	10/11/2021
Recommendation	Approval Subject to Conditions of Consent

Proposal

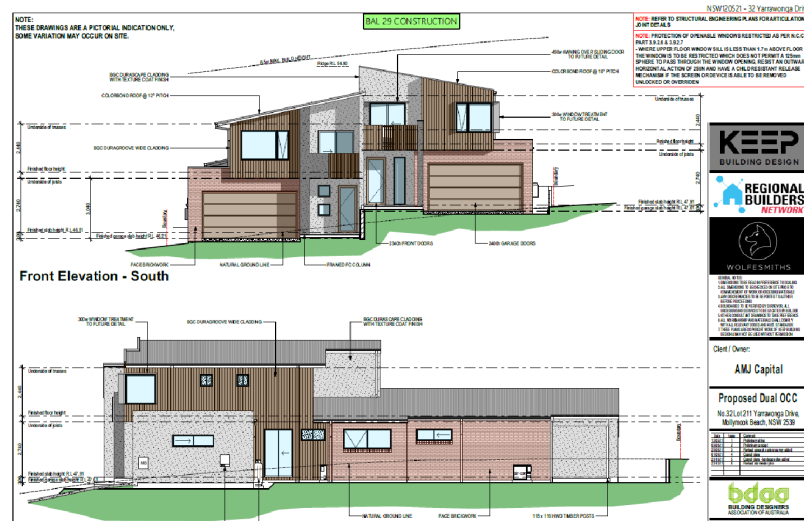
The application seeks approval to construct a two storey attached dual occupancy. The key aspects of the proposal include:

- Construction of a two-storey attached dual occupancy.
- The proposed dwelling has an overall maximum building height of approximately 7.8 metres when measured from natural ground level to the apex of the roof.
- The proposed units will be constructed of brick veneer, vertical cladding, rendered façade with a skillion metal roof.
- The floor plan for each unit has 4 bedrooms, centrally located bathroom and laundry, open kitchen, dining area and living area that allows direct access to the outdoor alfresco area.
- The proposed floor area for Unit 1 is 255.78m² and Unit 2 is 257.77m².
- Earthworks with an approximate cut of 1.5m and fill of 750mm. Retaining walls will be used adjacent to the eastern boundary, rear northern and rear western boundary.
- Torrens Subdivision of the two lots. Lot 1= 326.9m² and Lot 2 = 338.9m².

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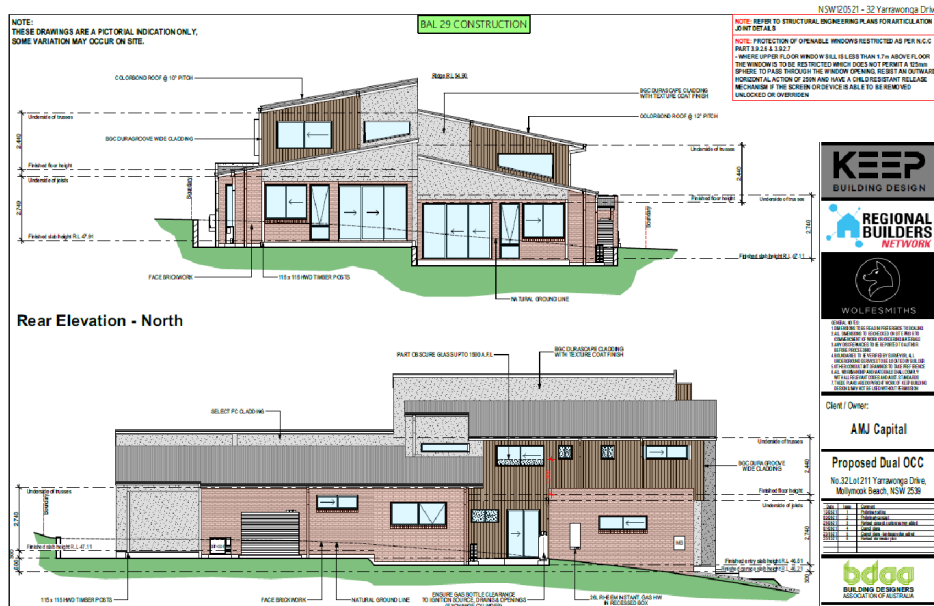


Site Plan



South & East Elevations

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Subject Site and Surrounds

The subject site is located on the southern side of Yarrawonga Drive, approximately 250 metres south of Garside Road, Mollymook Beach. The site is rectangular in shape and has a frontage to Amaroo Drive 19.79 metres, a depth of 34 metres and total area of 665m² and is currently vacant.

Topographically, the land slopes from the northeast to the south west with a cross fall of approximately 4 metres.

The site is affected by a drainage easement on the western boundary of the site. The site is also affected by a number of restrictive covenants regarding design and construction of a dwelling. The proposal is generally consistent with the restrictions.

The site is in the R2 Low Density Residential Zone and is a vacant and cleared lot. Lots adjoining the site to the east and west are single storey dwellings and the overall character of the street is a mix of single storey and two storey dwellings.

This lot was part of the older subdivision and the emerging built form character is similar to the wider surrounding character particularly the newer subdivision area that adjoins to the south west

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which incorporates more modern designs that have skillion roofs and mixed building material cladding.

[Aerial Photo / Locality Plan](#)



CL22.314 - Attachment 1

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Deposited Plan

Several restrictions in the 88b apply to the lot, the proposed dual occupancy is compliant with the restrictions.

Site Visit



Fig 1: View looking north through subject site

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Fig 2: View looking north-east to existing adjoining development



Fig 3: View looking to existing development to the western boundary of subject site

Background and History

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Pre-application discussions

There have been no pre-application discussions prior to lodgement of the application.

Amendments during the process

A small amendment to the stormwater drainage plan was made as recommended by Council's Development Engineer.

Planning Application History

There is no directly relevant history or background for this application.

Consultation and Referrals

Internal Referrals

The application was referred internally to the following Council areas:

Referral	Recommendation	Comment
Development Engineer	No objection subject to imposition or relevant conditions of consent	Conditions to be included on consent
Shoalhaven Water	No objection subject to imposition or relevant conditions of consent	Standard conditions regarding compliance with Shoalhaven Water requirements to be imposed on consent.
GIS	No objection subject to imposition of relevant conditions of consent	Conditions to be included on consent

External Referrals

The application was referred externally to the following external authorities:

Agency	Recommendation	Comment
Rural Fire Service	General terms of approval (GTAs) for the integrated development and BFSA have been provided.	Condition for compliance with GTAs will be included in the consent.

Assessment

Economic/Social/Environmental Impacts

The application is assessed under Section 4.15 of the Environmental Planning and Assessment Act 1979, including the following matters:

(a) Environmental Planning Instruments and DCPs.

Biodiversity Conservation Act 2016 and Biodiversity Conservation Regulation 2017

A site inspection has been undertaken along with a desktop review and it is concluded that the proposed development is unlikely to have a significant impact.

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A review of the proposed development against the BOS triggers has concluded that the proposal does not trigger entry into the BOS.

State Environmental Planning Policy (Biodiversity and Conservation) 2021

Chapter 3 Koala Habitat Protection 2020

Question	Yes		No	
1. Does the subject site have a site area >1ha or does the site form part of a landholding >1ha in area?	<input type="checkbox"/>	Proceed to Question 2	<input checked="" type="checkbox"/>	Assessment under SEPP not required.

Chapter 4 Koala Habitat Protection 2021

Question	Yes		No	
1. Is there an approved koala plan of management for the subject land?	<input type="checkbox"/>	Proceed to Question 2	<input checked="" type="checkbox"/>	Proceed to Question 3
2. Is the proposed development consistent with the approved koala plan of management that applies to the land?	<input type="checkbox"/>	Proposal satisfactory under SEPP.	<input type="checkbox"/>	Application cannot be supported.
3. Has information been provided to Council by a suitably qualified consultant that demonstrates that the land the subject of the development application: a) Does not include any trees belonging to the koala use tree species listed in Schedule 2 of the SEPP for the relevant koala management area, or b) Is not core koala habitat, or c) There are no trees with a diameter at breast height over bark of more than 10cm, or d) The land only includes horticultural or agricultural plantations	<input type="checkbox"/>	Proposal satisfactory under SEPP as (a), (b), (c) or (d) is satisfied.	<input checked="" type="checkbox"/>	Proceed to Question 4
4. Is the proposed development likely to have an impact on koalas or koala habitat?	<input type="checkbox"/>	Proceed to Question 5	<input checked="" type="checkbox"/>	Proposal satisfactory under SEPP.

State Environmental Planning Policy (Resilience and Hazards) 2021

Chapter 4 Remediation of Land

Question	Yes		No	
1. Does the proposal result in a new land use being a residential, educational, recreational, hospital, childcare or other		Proceed to Question 2	<input checked="" type="checkbox"/>	Assessment under SEPP 55 and DCP not required.

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Question	Yes	No
use that may result in exposure to contaminated land?	<input type="checkbox"/>	

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

A valid BASIX Certificate has been submitted with the development application. The certificate demonstrates compliance with the provisions of the SEPP and is consistent with commitments identified in the application documentation. A condition is recommended ensuring the measures detailed in the BASIX certificate are implemented.

Local Environmental Plans

Shoalhaven Local Environmental Plan 2014

Land Zoning

The land is zoned R2 Low Density Residential under the SLEP 2014.

Characterisation and Permissibility

The proposal is best characterised as dual occupancy under the SLEP 2014. The proposal is permitted within the zone with the consent of Council.

Zone objectives

The objectives of the zone are:

- To provide for the housing needs of the community within a low density residential environment.
- To enable other land uses that provide facilities or services to meet the day to day needs of residents.
- To provide an environment primarily for detached housing and to ensure that other development is compatible with that environment.

The proposed development is considered consistent with the zone objectives.

The relevant matters to be considered under Shoalhaven Local Environmental Plan 2014 for the proposed development are outlined below.

Principal Development Standards	Comment	Compliance
4.1A Minimum lot sizes for dual occupancies, manor houses, multi dwelling housing and Residential Flat Buildings	The lot is 665m ² and the therefore the proposed attached dual occupancy is permissible as it is >500m ² . Given the above a Torrens subdivision is permissible in accordance with 4.1(A) (4).	Yes
4.3 Height of Buildings	The property is situated within an area where there is no maximum building height specified hence 4.3 (2A) is applicable where there is no maximum height for any land, the height of a building on the land is not to exceed 8.5 metres. The proposal has a maximum height of 7.8m and as such is	Yes

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	consistent with the 8.5m height limit.	
Miscellaneous Provisions	Comment	Compliance
5.10 Heritage Conservation	The site is not an identified heritage item, is not situated in the immediate vicinity of an item, or is situated in a heritage conservation area and as such the provisions of cl.5.10 do not apply to the proposal.	N/A
Additional Local Provisions	Comment	Compliance
7.1 Acid Sulphate Soils	The site is mapped as being Class 5 meaning that development consent is required for any works within 500 metres of adjacent Class 1, 2, 3 or 4 land that is below 5 metres AHD. The proposal is satisfactory with regard for the objectives and provisions of cl.7.1	Yes
7.2 Earthworks	The proposed dwellings have been appropriately sited to minimise cut and fill with site disturbance being limited to the amount required to accommodate footings and services. The proposal is satisfactory in regard the objectives and provisions of cl.7.2	Yes

Shoalhaven Development Control Plan 2014

The relevant matters to be considered under Shoalhaven Development Control Plan 2014 for the proposed development are outlined below.

Generic Chapters
G1: Site Analysis, Sustainable Design and Building Materials
Chapter G1 defines the controls in relation to the management of the built and natural environment in particular in relation to site analysis, energy efficiency and solar access, as well as building materials in rural and coastal areas. A suitable site analysis plan and elevations showing the proposed materials have been submitted as part of the application and is deemed acceptable.
G2: Sustainable Stormwater Management and Erosion/Sediment Control
Chapter G2 gives applicants guidance about how to implement sustainable stormwater management in the development application process, provide design principles for stormwater management that assist development and outline controls for the management of stormwater (including water quality, waterway stability, detention, erosion and sediment control). In this regard, Council's Development Engineer has reviewed the plans of the proposed development and provided conditions accordingly.
Standard conditions regarding erosion and sediment control are to be included in any consent issued.
G5: Biodiversity Impact Assessment
The lot adjoins a vacant R1 zoned lot to the west which is still in part in its natural state which Council's Environmental Assessment Officer (EAO) has advised has a tree that is a Powerful Owl

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nesting tree. The tree is about 100m from the proposed site and the EAO has assessed the impact as being minor considering the lot is clear of vegetation, the distance from the proposed development is >100m and it has minimal outlook to the bushland in question therefore, the application does not meet the criteria for the completion of a Flora and Fauna Assessment as per DCP Chapter G5. Staff have reviewed the thresholds into the Biodiversity Offset Scheme and can confirm that the application does not trigger entry into the scheme.

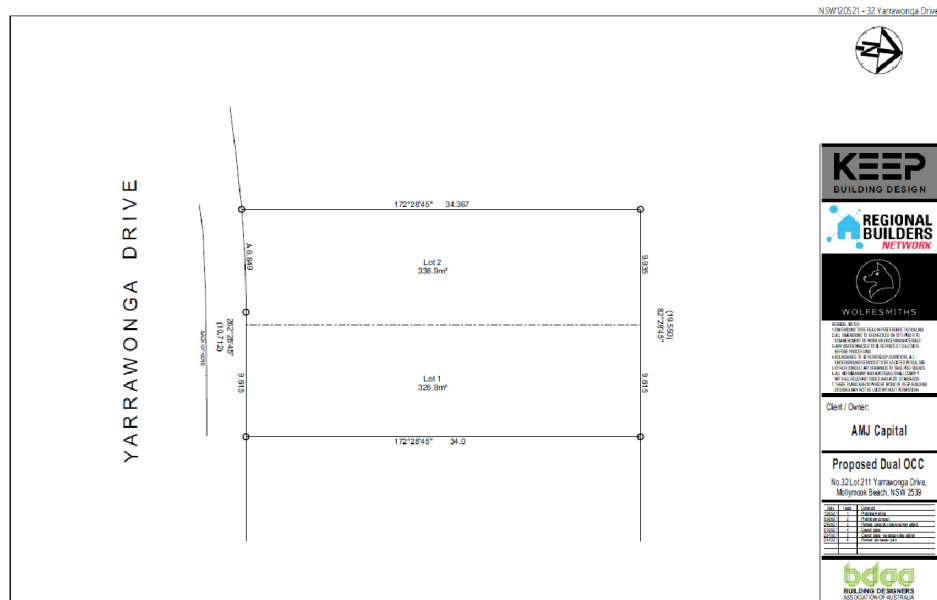
G7: Waste Minimisation and Management Controls

The provisions of Chapter G7 apply to the proposed development. A Waste Minimisation and Management Plan (WMMP) was provided with the application. Any consent issued should include standard conditions requiring compliance with this WMMP.

G11: Subdivision

The application is for dual occupancy with Torrens title subdivision. The application is proposing to result in two lots as follows:

Lot 1= 326.9m² and Lot 2 = 338.9m².



5.24 Dual Occupancy subdivision

- A condition will be included in the consent requiring the dual occupancy to be completed prior to subdivision certificate being issued.
- A condition will be included requiring all conditions to be met prior to the issue of an occupation certificate.
- Kerb and guttering is existing and the development Engineer has provided conditions for the driveway cross over approvals.
- Each lot has legal and practical access.

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<ul style="list-style-type: none"> No views will be affected.
G13: Medium Density and other Residential Development
The applicant has provided a basic assessment of the proposal against the relevant Performance Criteria of Chapter G13 in the submitted Statement of Environmental Effects (SEE). A detailed assessment against the Acceptable Solutions is provided the Appendix 1.
G21: Car Parking and Traffic
The provisions of Chapter G21 apply to the proposed development. There is provision for a minimum of four car spaces (2 for each dwelling) on the site which is consistent with the car parking requirements for a two x 4 bedroom dwellings.

Planning Agreement or Draft Planning Agreement

There are no draft environmental planning instruments that are on exhibition or have been exhibited but not yet gazetted that apply to the site or that relate to the proposed works.

(b) Other Impacts of the Development

The proposed development will not cause any unacceptable amenity impacts to neighbouring properties or visual impacts to the streetscape. It is considered that the proposal will have no significant detrimental effect relating to environmental, social or economic impacts on the locality, subject to appropriate conditions being imposed.

(c) Suitability of the Site for the Development

The proposal is deemed to be a suitable development of the site and is not considered to give rise to any adverse amenity impacts to the adjoining properties or visual impacts to the streetscape.

(d) Consultation

Community Consultation

The proposal was notified by way of letter to surrounding neighbours for a period of 14 days. Fifteen(15) submissions have been received from a total of 11 objectors. One submitter made 3 submissions and 2 submitters made 2 submissions.

Issue	Planning comment / response
Driveway & garage door width	<p>The acceptable control (A25.2) states that the "The cumulative garage facades addressing the street shall not exceed 9m, or 50% of the length of the frontage, whichever is the lesser." The intent of the control is to add visual interest, provide for passive surveillance and ensure garages do not dominate the design.</p> <p>The garage facades' measure a total of 12.01m, and the frontage of the lot is 18.5m of which 50% is 9.25m, and the frontage of the building is 17.3m of which 50% is 8.65m.</p> <p>The applicant has requested Council to vary this control and undertake a merit-based assessment stating that:</p> <ul style="list-style-type: none"> The proposed double garages are offset in excess

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	<p>of 2m and are considered to be maintained within the front façade of each dwelling appropriately.</p> <ul style="list-style-type: none"> Each unit provides substantial front wall articulation to lessen the visual impact of garage wall openings from the public domain. The garage element is not considered to be the main point of visual focus when viewed from the street. <p>Irrespective of the frontage measurement, the garages are recessed, and the design of the frontage includes a portico and a balcony for each dwelling, which provide visual interest and address the street frontage appropriately. It is considered that the garages do not dominate the street frontage and the design meets the performance criteria of the control.</p> <p>The provision of two driveways is considered acceptable. The road network is suitable to accommodate separate driveways in this location. Noting that the proposal includes Torrens subdivision, there is also a practical benefit in separating the driveway as it is not necessary to have reciprocal rights of carriageway.</p>
Water tank for Unit 2 will not allow for input	The tank is offset from the house in the corner of the yard. Council's Development Engineer has reviewed the stormwater drainage and has not raised the tank location as being an issue.
Side boundary setbacks inadequate	The setbacks are a minimum 1.04m to the eastern side boundary and 1.21m to the western boundary which meet the DCP requirements.
Privacy	<p>There is no privacy or overlooking issues to adjoining neighbours as the rear living areas and Private Open Space (POS) are on the ground floor and the dwellings have been set down into the site. One of the neighbours across the road is concerned about overlooking from the front deck. Given the distance between houses and the fact that it is a small upper floor deck off a bedroom/rumpus room and facing a public road there will be no privacy impacts.</p> <p>Most front yards are visible to the public.</p>
Solar Access	The applicant has provided shadow diagrams that indicate that the house to east which has solar panels on the roof will receive a minimum of three hours sunlight on June 21. In addition, given the north south orientation, and the shadow diagrams provided, the neighbour to the west will receive adequate sunlight to north facing windows as defined in the DCP.
Parking	Many of the submitters are concerned about the parking

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	of cars related to the dual occupancy having 4 bedrooms each. The plans indicate two car parking spaces for each dwelling which complies with Councils DCP parking requirements for dual occupancies.
Traffic	Concerns raised of increased traffic impacting on the amenity of what is now a quiet street and compromising access for emergency services and Council services. The dual occupancy development is not expected increase traffic to a point that will have any adverse impacts on the road network. The impacts of traffic would have been a consideration at the subdivision stage when the road layout was designed and would have considered the ability of lots to have dual occupancy developments.
Amenity impacts	Concerns over amenity impacts and overdevelopment on the surrounding low density neighbourhood will be adversely impacted by dual occupancy development. The lots are zoned R2 which allow for dual occupancy development with Council approval and it is also allowable as complying development.
Character & Values	<p>Concerns raised that the proposed dual occupancies are of a bulk and scale which is out of character with the single storey well-kept, owner-occupied homes in the area.</p> <p>It is considered that the proposed two storey modern design is consistent with the character of residential development in the vicinity which also use similar pitched roofs and mixed building material cladding. There are several two storey dwellings in Yarrawonga drive (see photos of two storey development below), most are towards the eastern end however the house across the road on the corner is a two storey dwelling on its secondary frontage and the one directly across the road is a cape cod two storey home. The proposed dual occupancies will not look out of place and are sympathetic to the surrounding built form.</p> <p>The future type of occupation whether it be owner occupied or a rental is not relevant to development assessment.</p> <p>The impact on housing value is not a development consideration. Dual occupancy development is a permissible use in the R2 zone. There have been many dual occupancy developments in the Mollymook area which have had no adverse impacts on house values but provide for a diversity of much needed housing in the area.</p>

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	<div>  <p>37 Yarrawonga Dr</p> </div> <div>  <p>13 Yarrawonga Dr</p> </div> <div>  <p>28 Yarrawonga Dr</p> </div> <div>  <p>10 Yarrawonga Dr</p> </div> <div>  <p>4 Yarrawonga Dr</p> </div> <div>  <p>8 Yarrawonga Dr</p> </div>
Holiday Letting	The potential for holiday letting is not a consideration for development approval and is allowable under the SEPP Affordable Rental Housing – Short Term Accommodation which applies to the entire State.
FSR	The applicant has requested a 10% variation to the FSR control. The proposal complies with Council's DCP Performance Criteria as discussed in Chapter G13 assessment.
Earthworks	Concerns raised by neighbours that earthworks and retaining walls will create privacy issues and compromise their dwellings and land. As discussed above the dwellings are cut down into the site and are not sitting on fill and with the addition of the existing fencing in place, their ground floor living area windows and alfresco areas which face the rear will not cause any privacy impacts. The upstairs rooms are bedrooms and have small high set windows and obscure glass in part to provide privacy for

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	<p>neighbours and occupants. Bedroom windows are not considered to cause privacy impacts given their use (sleeping, dressing).</p> <p>In relation to the retaining walls these are offset from the rear and side boundaries and conditions will be included in the consent to ensure they are contained within the property boundaries and engineering details will be required at the CC stage.</p>
Noise	<p>Concerns about the increase in noise from the development. This is not a consideration for development assessment under the EPA Act. Other legislation regulates noise in residential settings.</p>

A further submission was received from an objector by email on 10.1.2022 as a result of the revised plans that were uploaded to DA tracking. The change was the location of the stormwater tank to relocate it out of the easement. The objector raised concerns that this will block access to the rear yard, however access to the rear yard is available through the rear living and alfresco area which is acceptable. The objector raised other concerns related to stormwater overflow, outdoor step safety, use of gravel on driveways and the two driveway entrances (which have previously been raised and addressed).

A further email submission was received from 4 of the previous objectors in relation to noncompliance the DCP in relation to the front setback and demanding that it is setback at 7.5m. a response was provided a link to the latest version of the DCP noting also the neighbouring building at 34 Yarrawonga was approved with a 6m setback to the dwelling.

Another submission was received on 24.1.2022 which raised similar issues as the previously received submissions.

The Ulladulla Community Forum made a submission on 19.12.2021 requesting Council hold off on the determination of the two dual occupancy (DA21/2359 & DA21/2348) DAs until after their meeting on 7 February 2022. Council responded advising that that there were timeframes that Council must abide by in determining applications and that we cannot hold applications without a good reason.

A further email submission from the Forum was received on 3.2.2022 and 15.2.2022, stating that the Forum had visited both sites believing the proposed two dual occupancies were too bulky for the sites and would detract from the well cared for streetscape, due to most housing being single storey. The Forum had resolved that the proposed sizes of both dual occupancy DAs were not appropriate for the area given the current streetscape and that there would be issues with parking, garbage truck movements and delivery trucks. These are similar issues to what was raised during the notification period and have been addressed above.

A further 13 submissions, 4 from previous submitters, have been received since the notification period has ended which raise similar issues to the ones received during the notification period and addressed above.

The applicant has provided a response to the submissions which is summarised below.

- Solar access to north facing windows of 31 Yarrawonga Dr remain predominantly undeterred.

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- The design responds to the topography of the land, minimizing excessive earthworks.
- The design provides articulation, a modernized design form, is sympathetic to the desired future character of the area and the bulk is not considered to be excessive for the locality.
- The FSR and scale is appropriate, the breakup of the front wall lessens the visual effect of the bulk.
- The two driveways on 32 Yarrawonga Dr are appropriate given the slope, sight lines and safety have been considered.
- Both developments are car parking compliant with ample space on site to mitigate the need to park on the roadway.
- Setbacks are compliant and balconies off upper floor bedrooms do not pose privacy impacts and allow for passive surveillance.
- Each dwelling achieves sufficient POS, landscaping, and residential amenity.
- Dual occupancy development is permissible in the low density zone.
- Neighbouring solar panels receive more than 4 hours solar mid winter.
- Not anticipated that each dwelling is likely to generate a high volume of vehicle usage.
- The established roadway is considered sufficient to cater for increased traffic demand which would have been assessed at the subdivision stage.
- Retaining walls do not infringe on neighbouring properties and will have appropriate drainage and structural reinforcement.

The design corresponds with the intentions of the locality and zone establishing a variety of housing types and densities

(e) The Public Interest

It is considered that the proposal will have no detrimental effect on the public interest, subject to appropriate conditions being proposed.

Developer Contributions

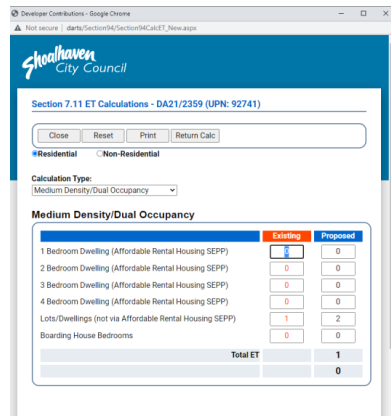
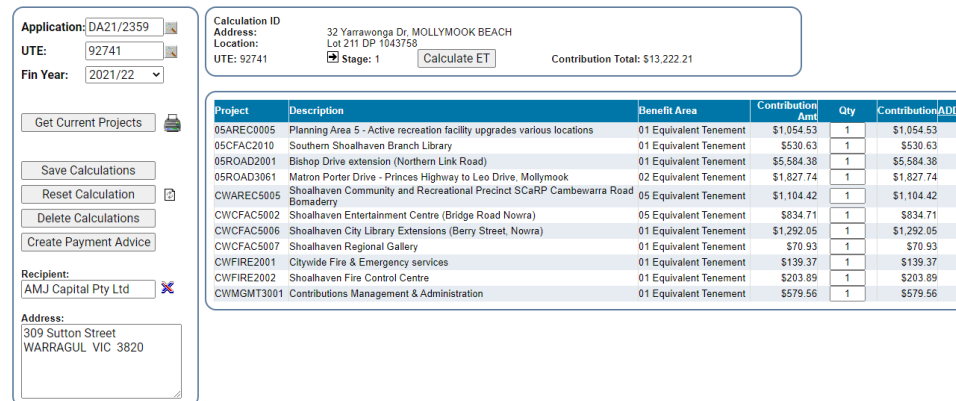
Section 7.11 Contributions

Shoalhaven Contribution Plan 2019

The proposed development is considered to increase the demand for community facilities in accordance with the Shoalhaven Contributions Plan 2019 (the Plan). The development is most aptly characterised as an Medium Density/Dual Occupancy development for the purpose of calculating contributions under the Plan.

Section 7.11 contributions will be levied for a dual occupancy (2 x 4 bedroom units).

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Project	Description	Benefit Area	Contribution Amt	Qty	ContributionADD
05AREC0005	Planning Area 5 - Active recreation facility upgrades various locations	01 Equivalent Tenement	\$1,054.53	1	\$1,054.53
05CFAC2010	Southern Shoalhaven Branch Library	01 Equivalent Tenement	\$530.63	1	\$530.63
05ROAD2001	Bishop Drive extension (Northern Link Road)	01 Equivalent Tenement	\$5,584.38	1	\$5,584.38
05ROAD3061	Matron Porter Drive - Princes Highway to Leo Drive, Mollymook	02 Equivalent Tenement	\$1,827.74	1	\$1,827.74
05AREC5005	Shoalhaven Community and Recreational Precinct SCaRP Cambewarra Road Bomaderry	05 Equivalent Tenement	\$1,104.42	1	\$1,104.42
CWCFAC5002	Shoalhaven Entertainment Centre (Bridge Road Nowra)	05 Equivalent Tenement	\$834.71	1	\$834.71
CWCFAC5006	Shoalhaven City Library Extensions (Berry Street, Nowra)	01 Equivalent Tenement	\$1,292.05	1	\$1,292.05
CWCFAC5007	Shoalhaven Regional Gallery	01 Equivalent Tenement	\$70.93	1	\$70.93
CWFIRE2001	Citywide Fire & Emergency services	01 Equivalent Tenement	\$139.37	1	\$139.37
CWFIRE2002	Shoalhaven Fire Control Centre	01 Equivalent Tenement	\$203.89	1	\$203.89
CWIMGMT3001	Contributions Management & Administration	01 Equivalent Tenement	\$579.56	1	\$579.56

Conclusion

Subject to the conditions of consent the proposal is considered to be consistent with regard to the Matters for Consideration under Section 4.15(1) of the *Environmental Planning and Assessment Act 1979*. The proposed development is consistent with relevant SEPPs, and the provisions of *Shoalhaven LEP 2014* and *Shoalhaven DCP 2014* because the proposal will not generate any significant adverse impacts to surrounding neighbours or the environment. Accordingly, the proposal is recommended for approval.

Recommendation

This application has been assessed having regard to Section 4.15 (Matters for consideration) under the *Environmental Planning and Assessment Act 1979*. As such, it is recommended that Development Application No. DA21/2359 for a two storey attached dual occupancy at 32 Yarrawonga Drive Mollymook Beach (Lot 211 DP1043758) be approved subject to the conditions outlined in the development consent.

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CL22.314 - Attachment 1

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Appendix 1

Assessment Table G13 Medium Density & Other Residential Development

4 Objectives

The **objectives** are to:

- i. Ensure a comprehensive design-oriented approach to housing resulting in high quality urban design, **development** and residential amenity.
- ii. Set appropriate environmental criteria for energy efficiency, solar access, light spill, privacy, noise, vehicular access, parking and open space.
- iii. Allow for efficient use of existing services and facilities, including utility services, transport systems and community facilities.
- iv. Maintain and enhance the amenity of existing and future residential areas.
- v. Promote wider and more **affordable housing** choice in Shoalhaven.
- vi. Allow opportunities for home **owners** to receive rental income or provide relatives with self-contained accommodation.
- vii. Implement agreed strategic directions and respond to demographic needs (e.g. the ageing population).

5 Medium Density Development

5.1 Principle Controls

5.1.1 Minimum Lots Size

The specific objectives are to:

- i. Ensure the **development** site is of a sufficient size and shape to achieve required **Development Control Plan** provisions (e.g. **landscaped areas**, **private open space**, car parking, **building** separation, on-site **effluent** disposal (where required), services and the like) in a practical and efficient way.
- ii. Ensure that any **lot** consolidation/ amalgamation avoids the isolation of smaller **lots** surrounded by larger **developments**.
- iii. Encourage **development** that responds to the site and surrounding streetscape characteristics.
- iv. Preserve and enhance the amenity and environmental character of the **locality** and minimise adverse impacts on residents and neighbours.
- v. Encourage the sharing of facilities and services such as car parking and **waste** collection.

Performance Criteria	Acceptable Solution	Complies / Does not comply / Variation required
P1.1 To promote good built form outcomes and the efficient utilisation of land, lot consolidation/ amalgamation avoids the isolation of smaller lots that would prevent future medium density development on those lots.	<i>Additional Provisions - Dual Occupancy</i> A1.1 The minimum lot size of the development site meets the requirements of Shoalhaven LEP 2014, and the following minimum standards: • Dual occupancy (attached) - 500m2. • Dual occupancy (detached) - 700m2.	✓ Complies The application proposes an attached dual occupancy on 665m ² .
P1.2 To create lots of an appropriate size for the purpose including:	Note: Despite A1.1 above, the minimum lot size of the existing lot for the purpose of a dual	

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Performance Criteria	Acceptable Solution	Complies / Does not comply / Variation required
<ul style="list-style-type: none"> Provision for building footprint, landscaping, car parking, driveway, private recreation areas, manoeuvring on sites, setbacks, services and the like. Preservation of the integrity of existing or desired future streetscape and neighbourhood character to enable consistent and visually harmonious development within the locality. Provision of high quality amenity for residents and neighbours. Accommodating on-site sewage storage and disposal where a reticulated sewerage scheme is not available. 	<p>occupancy development in the R3 zone must comply with Clause 4.1B of Shoalhaven LEP 2014.</p> <p>A1.2 Minimum lot sizes, where a reticulated sewerage scheme is not available, must be increased to accommodate on-site disposal of effluent in accordance with Chapter G8: Onsite Sewage Management of this Development Control Plan.</p> <p>A1.3 A development application for a dual occupancy in the R3 Medium Density Residential zone must be accompanied by supporting written evidence to Council's satisfaction, showing that lot consolidation/amalgamation is not feasible as a result of negotiations and reasonable financial offers. Written evidence should include (not exclusively) current market valuations, letters of offer and written refusals.</p> <p>Note: If the proposed dual occupancy is located in the R3 zone, Clause 4.1B of Shoalhaven LEP 2014 requires the applicant to satisfy Council that the amalgamation of the lot with other land in the R3 zone for the purpose of medium density development is not feasible.</p> <p><i>Additional Provisions – Multi Dwelling Housing, Multi Dwelling Housing (Terraces) and Manor Houses</i></p> <p>A1.4 The development site for multi dwelling housing, multi dwelling housing (terraces) or a manor house must be:</p> <ul style="list-style-type: none"> Of an appropriate size and dimension; or <p>Note: A site may need to be a product of amalgamation with other land in the zone to be</p>	

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Performance Criteria	Acceptable Solution	Complies / Does not comply / Variation required
	<p>considered an appropriate size and dimension.</p> <ul style="list-style-type: none"> Accompanied by supporting written evidence to Council's satisfaction, showing that lot consolidation/ amalgamation is not feasible as a result of negotiations and reasonable financial offers. Written evidence should include (not exclusively) current market valuations, letters of offer and written refusals. 	

5.1.2 Density

The specific objectives are to:

- Minimise adverse impacts of higher density development in residential areas.
- Ensure that the bulk and scale of new development is compatible with existing streetscape amenity and the existing or desired future character of the area.

Performance Criteria	Acceptable Solution	Complies / Does Not Comply / Variation Required
<p>P2 The bulk and scale of new development, particularly on the perimeter of the development site, or where that locality or development site has heritage significance and/or distinctive character, is:</p> <ul style="list-style-type: none"> Compatible, consistent and sympathetic to the bulk and scale of existing development in the locality. Sympathetic with the streetscape and complements the existing and desired future character of the area. 	<p>A2.1 The maximum floor space ratio or gross floor area complies with Table 1 below.</p>	<p>Non-compliant with table - AS, complies with PCs.</p> <p>GFA is 367.73m2 and lot is 665m2.</p> <p>FSR: 0.55:1</p> <p>The applicant has requested that Council consider a variation to the requirement based on merit and has provided the following justification.</p> <ul style="list-style-type: none"> The proposed development is of an appropriate scale in respect to established development in the immediate locality. There are adequate setbacks from the boundaries and appropriate articulation of the front façade which break up the front wall which

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Performance Criteria	Acceptable Solution	Complies / Does Not Comply / Variation Required
		<p>materiality lessens the visual effect of bulk form when viewed from the public domain.</p> <ul style="list-style-type: none"> The dwelling is of a contemporary design, assimilating to the emerging character of dwelling development within the locality. The development is considered sympathetic to the desired future character of the area. <p>This is a minor 10% variation from the development control and considering the justification put forward above is supportable. The bulk and scale of the development is appropriate and sympathetic to the surrounding area which is a mix of one and two storey development. It is also sympathetic to the existing and future streetscape, and the character of the area.</p>

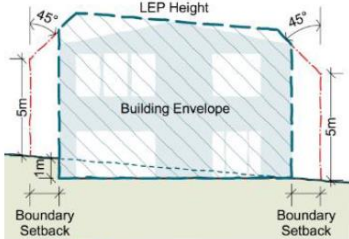
5.1.3 Building Envelope, Heights and Setbacks

The specific **objectives** are to:

- Provide practical **building envelopes** for **development** to ensure that the height and **scale** of new **development** is not excessive, relates well to the local context/streetscape and is compatible with the existing or desired future environmental character within the locality.
- Minimise the visual impacts of elements of the **development** that exaggerate the built form and impacts negatively on desired future streetscapes.
- Encourage design that creates desirable living conditions and ensures that the amenity of surrounding properties is properly considered and not adversely impacted.
- Allow adequate separation between **dwellings** (within the **development**) and adjoining properties to promote natural light, solar access, ventilation, landscaping and privacy.
- Retain the amenity of the public domain.

P3.1 The bulk and scale of development is compatible with the existing or desired future character of the area and minimises adverse amenity impacts on neighbours, the streetscape and public domain.	A3.1 Buildings are sited within a building envelope determined by the following method: planes are projected at 45 degrees from a height of 5m above ground level (existing) at the front, side and rear boundary. See Figure 2 .	<p>✓ Complies</p> <p>The building is sited within the building envelope.</p>
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<p>P3.2 Development enables view sharing with neighbours and the public domain.</p>	 <p>Figure 2: Building envelope</p> <p>Note:</p> <ol style="list-style-type: none"> Exemptions to building envelope encroachments include gutter, fascias, downpipes, eaves up to 0.6m, aerials and masonry chimneys. For site slopes greater than 10%, or involving cut, fill or site excavations, the ground level (existing) and proposed building levels must be clearly identified on the plans and verified by a registered surveyor. 	
<p>P4 The height of development:</p> <ul style="list-style-type: none"> Is compatible with the existing or desired future character of the area. Minimises adverse amenity impacts associated with overlooking and overshadowing of adjoining properties. Relates to the land form, with minimal cut and fill 	<p>A4.1 Building heights must comply with Clause 4.3 of Shoalhaven LEP 2014 or Shoalhaven LEP (Jerberra Estate) 2014.</p> <p>A4.2 Development on wedged-shaped lots within cul-de-sacs shall maintain a single dwelling street presentation.</p> <p>A4.3 Any two-storey dwelling component is to be located to minimise the shading of adjacent private open space.</p> <p>A4.4 The difference in building height between existing buildings and new development is compatible when viewed from the public domain.</p> <p><i>Additional Provisions - Dual Occupancy</i></p> <p>A4.5 For dual occupancy (detached), the dwelling furthest from the street (or adjacent to a side street for a corner lot) shall be of single storey construction unless it can be demonstrated that</p>	<p>✓ Complies 8.5m height limit. A maximum height of 7.8m is proposed.</p> <p>N/A</p>

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	there will be no adverse amenity impacts (i.e. overlooking and overshadowing). A4.6 For dual occupancy development on a battle-axe lot, both dwellings are to be of single storey construction.	
<p>P5.1 The front setback is generally consistent with adjoining development and does not undermine the integrity of the prevailing building lines.</p> <p>P5.2 The location and siting of the building complements the existing setbacks in proximity to the site, foreshore (if applicable) and the streetscape.</p> <p>P5.3 The proposed development is setback and of a scale that is relative to the street reserve width, in such a way to ensure pedestrians do not feel buildings are overbearing.</p> <p>P5.4 Setbacks avoid loss of view, undue overshadowing and provide/maintain privacy (visual and acoustic) and traffic safety.</p> <p>P5.5 Setbacks are progressively increased to reduce bulk and overshadowing while maintaining adequate daylight and sunlight.</p> <p>P5.6 Adequate levels of light and ventilation to adjoining buildings, landscaping, services and infrastructure are protected.</p> <p>P5.7 The proposal maintains adequate provision for on-site car parking.</p>	<p>Note:</p> <p>1. The acceptable solutions for setbacks may need to be increased or modified depending upon factors such as:</p> <ul style="list-style-type: none"> Slope of the land. Requirements for asset protection zones. Foreshore setbacks. The requirement for effluent disposal areas to be contained wholly within the lot boundaries on unsewered residential lots. Location of existing buildings. The shape of the lot. Desire to create streetscape and visual interest. <p>2. Down pipes, fascias, flues, pipes, domestic fuel tanks, cooling or heating appliances or other services, screens or sunblinds, light fittings, electricity or gas meters may encroach into the side or rear setback.</p> <p>3. Additional building line and setback controls are included in the following Chapters of this Development Control Plan:</p> <ul style="list-style-type: none"> Chapter G6: Coastal Management Areas. Chapter V2: Building Lines. Chapter V3: Miscellaneous Site Specific Issues. Other area specific chapters 	<p>✓ Complies</p> <p>Unit 1:</p> <p>Dwelling to frontage: 6.07m – worked out 6.377 wall projecting 0.36m on the plan so 6.07m (5.92m stated in SEE)</p> <p>Articulation to front boundary: 5.41m</p> <p>Garage to frontage: 6.37m</p> <p>West side boundary: 1.2m (ground floor); 3.3m (first floor)</p> <p>Rear boundary: 6.82m</p> <p>Unit 2:</p> <p>Dwelling to frontage: 6.05m Articulation to front boundary: 5.5m</p> <p>Garage to frontage: 6.5m</p> <p>East side boundary: 1.04m (ground floor); 3.0m (first floor)</p> <p>Rear boundary: 6.55m</p>

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	<p><i>Additional Provisions - Dual Occupancy</i> A5.1 Dual occupancy development in the R1, R2, R3 and RU5 zones shall comply with the setback provisions in Table 2 and Figure 3 below.</p> <p>A5.2 Dual occupancy development in the RU1, RU2, RU4, E3, E4 and R5 zones shall comply with the setback provisions in Table 3 below.</p> <p>A5.3 Garages must be setback a further 1m behind the front building line.</p> <p><i>Additional Provisions - Multi Dwelling Housing, Multi Dwelling Housing (Terraces), Attached Dwellings, Semi-Detached Dwellings, Manor Houses and Integrated Housing Development</i> A5.4 Setbacks shall comply with the provisions in Table 4 below. Refer also to Figure 4.</p> <p><i>Additional Provisions - Integrated Housing Development</i> A5.5 Despite, A5.4 above, walls may be built to internal side and rear boundaries where: <ul style="list-style-type: none"> • Maximum wall height is 3.5m unless matching an existing or simultaneously constructed wall. • Maximum wall length is 50% of each of the abutting property boundaries. </p> <p>Note: Internal side and rear boundaries refer to those boundaries that are proposed within an integrated housing development but does not include those boundaries located on the periphery of the site.</p>	<p>✓ Complies</p> <p>- N/A</p> <p>- N/A</p>
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5.1.4 Landscaping

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The specific objective is to:

- i. Ensure that landscaping maximises amenity for future residents, neighbouring [dwellings](#) and the public domain.
- ii. Ensure the provision of adequate and appropriate landscaping that is sympathetic to the local character.

Performance Criteria	Acceptable Solution	Complies / Does Not Comply / Variation Required
<p>P6.1 Sufficiently dimensioned landscaping provides amenity to residents, effective screening and enables tree and large shrub planting.</p> <p>P6.2 A suitably sized deep soil planting area encourages:</p> <ul style="list-style-type: none"> • Mature tree and shrub growth. • Opportunity for surface water to infiltrate naturally to groundwater. <p>P6.3 Unpaved or unsealed areas are maximised and are designed to facilitate on-site infiltration of stormwater run-off subject to soil/drainage conditions.</p> <p>P6.4 Major existing trees are retained wherever practicable through appropriate siting of dwellings, structures and driveways.</p> <p>P6.5 Provision is made for appropriate street tree planting having regard to the appearance and role of the street, solar access requirements and utility services.</p> <p>P6.6 The visual impact of ancillary landscaping or retaining structures is considered</p>	<p>A6.1 At least 10% of the site area is to include high quality formal landscaping, which:</p> <ul style="list-style-type: none"> • Has a minimum dimension of 1.5m in any direction. • Consists of 100% deep soil planting. • Is provided with an automated watering system. <p>A6.2 In addition to the formal landscaping area required at A6.1, a further area of at least 20% of the site is to be provided, which:</p> <ul style="list-style-type: none"> • Has a minimum dimension of 1m in any direction. • Is inclusive of 40% deep soil planting. • Can include landscaped areas, decks, terraces, alfresco areas, swimming pools or other recreation areas / structures. <p>A6.3 At least 35% of the front setback is to be landscaped.</p> <p>A6.4 The landscaping provided at A6.1, A6.2 and A6.3 excludes any encroachments (i.e. any part of a building or structure), hardstand areas and any areas used for storage, clothes drying, and water tanks.</p> <p>A6.5 Retaining walls greater than 0.6m within the front setback are to be softened by planting for a minimum depth of 600mm on the low side of the retaining wall, for the</p>	<p>✓ Complies</p> <p>The site has a minimum landscape area of approximately 200m² which equates to 30%. There is 40% coverage in the front setback.</p> <p>Adequate landscaping has been provided to satisfy minimum requirements</p>

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Performance Criteria	Acceptable Solution	Complies / Does Not Comply / Variation Required
	entire length of the retaining wall..	

5.2 Siting the Development

5.2.1 Local Character & Context

The specific **objectives** are to:

- Ensure that **development** enhances and makes a positive contribution to the character of existing **buildings** and streetscapes.
- Ensure that development is sensitive to the landscape, built form and environmental conditions of the locality, particularly where there is a distinctive character, **view** or **heritage significance**.
- Retain, incorporate and sympathetically treat existing **dwellings** or **buildings** that contribute to streetscape character (including items of heritage or conservation significance).
- Encourage the sharing of **views**, while not restricting the reasonable **development** potential of a site.
- Minimise the impact on adjoining or adjacent properties by considering the cumulative impacts of **development** (including cluster or grouped **development**).

Performance Criteria	Acceptable Solution	Complies / Does not comply / Variation required
P7 The scale and appearance of new development is compatible with, and sympathetic to, existing and future desired: <ul style="list-style-type: none"> Development in the locality; and Amenity and character of the locality; Particularly where the development site or its surrounds has some heritage significance or distinctive character.	A7.1 The development must consider/ address the following: <ul style="list-style-type: none"> The local character/context of the area and streetscape. How the proposal is sympathetic and compatible with the existing or future desired character, development, and amenity of the locality. 	✓ Complies The proposal is consistent with the zone and existing local character. The proposal has been designed to be sympathetic to the surrounding area. It is compatible with the surrounding built form and incorporates design elements derived from the immediate surrounds and is consistent with the future development of the area. The proposed building is well articulated and incorporates a variety of building materials and integrates variations to the façade walls to create interest and articulation.
	Note: Where planning controls anticipate a change of character for an area, compatibility with the desired future character of the area should be regarded as more relevant than compatibility with the existing character.	
	<ul style="list-style-type: none"> How the visual appearance and articulation of the development contributes to the existing streetscape and character of the local area. 	

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Performance Criteria	Acceptable Solution	Complies / Does not comply / Variation required
	<p>A7.2 The development must demonstrate that items of heritage or conservation significance are retained and sympathetically treated.</p> <p>Note: If the property is a heritage item, within a heritage conservation area or in the vicinity of a heritage item, the applicant must comply with Clause 5.10 Heritage Conservation of Shoalhaven LEP 2014. Area Specific chapters of this Development Control Plan may also include additional provisions relating to heritage (e.g. Kangaroo Valley, Berry, Milton).</p>	
P8 Existing views from the private or public domain (including heritage or familiar dominant landmarks that are recognised and valued by the community) are not substantially or unreasonably affected where it is possible to design for the sharing of views .	<p>A8.1 Any reduction in views from existing dwellings or the public domain is not to be severe or devastating based on the following NSW Land & Environment Court Planning Principles:</p> <ul style="list-style-type: none"> • Views – General principles. • Views - Impact on public domain views. 	- N/A
P9 The number, location and distribution of existing and proposed developments do not significantly alter the amenity and character of the area through concentrated localised areas of higher density development .	<p><i>Additional Provisions - Dual Occupancy, Multi Dwelling Housing, Multi Dwelling Housing (Terraces) and Manor Houses</i></p> <p>A9.1 With the exception of land in the R3 Medium Density Residential zone, the cumulative impact of the development must be considered where:</p> <ul style="list-style-type: none"> • More than three (3) consecutive dual occupancy, multi dwelling housing, multi dwelling housing (terraces) or manor house developments (total, not per development type) are proposed within a street, including in a cul-de-sac; and/or 	<p>✓ Complies</p> <p>There is another attached dual occupancy proposed two doors up from the subject site and a detached dual occupancy that has been built over the road that is now subdivided. There are no other attached dual occupancies in the vicinity and therefore not considered to be concentrated localised area of higher density and not expected to impact on the amenity of surrounding dwelling houses.</p> <p>There will not be more than 3 consecutive dual</p>

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Performance Criteria	Acceptable Solution	Complies / Does not comply / Variation required
	<ul style="list-style-type: none"> Neighbouring dual occupancies or multi dwelling housing is proposed in the head of a cul-de-sac. <p>Note:</p> <ul style="list-style-type: none"> Secondary dwellings under State Environmental Planning Policy (Affordable Rental Housing) 2009 are considered a dual occupancy for the purpose of limiting clusters of development. Cul-de-sac in this context also includes the entire street leading to and including the turning area of the cul-de-sac. <p>A9.2 A development application that proposes clustering of development must satisfy Council that waste servicing, parking and amenity considerations can be achieved.</p> <p>A9.3 Building design shall attempt to reduce the impact of clustering by providing individual dwelling architecture that is sympathetic with the existing or desired future streetscape.</p>	occupancies proposed or existing in the street.

5.2.2 Orientation and Siting

The specific objective is to:

- Encourage the concurrent planning of the subdivision layout and the **dwelling** siting and design.
- Allow flexibility in the siting of **dwellings**.
- Ensure that design and site placement of **dwellings** is compatible with and enhances the existing and future streetscape.
- Locate **dwellings** to ensure minimal loss of amenity (e.g. privacy, **views**, overshadowing, solar access or the like) to adjoining **development**.
- Achieve a site layout that provides a pleasant, attractive, manageable and resource efficient living environment.

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Performance Criteria	Acceptable Solution	Complies / Does Not Comply / Variation Required
<p>P10.1 The site analysis informs the site design and layout.</p> <p>P10.2 The site layout integrates with the surrounding environment through:</p> <ul style="list-style-type: none"> Adequate pedestrian, cycle and vehicle links to street and open space networks. Buildings that face and address streets and the public domain. Buildings, streetscape and landscape design that relates to the site topography and to the surrounding neighbourhood character. <p>P10.3 The site layout enhances personal safety and minimises potential for crime and vandalism.</p>	<p>A10.1 A site analysis plan is submitted with the development application which:</p> <ul style="list-style-type: none"> Meets the requirements of Chapter G1: Site Analysis, Sustainable Design and Building Materials Rural, Coastal and Environmental Areas of this Development Control Plan. Clearly provides the following detail for the site and adjoining/adjacent development: <ul style="list-style-type: none"> Height and use of buildings. Front setbacks. Driveways. Boundary treatments (including retaining walls). Easements. Stormwater management. <p>A10.2 The proposed site layout responds to and implements the findings of the site analysis prepared in accordance with A10.1.</p>	<p>✓ Complies</p>

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Performance Criteria	Acceptable Solution	Complies / Does Not Comply / Variation Required
<p>P11.1 The frontage, entries and habitable room windows of dwellings address the street.</p> <p>P11.2 The design and orientation of the dwellings:</p> <ul style="list-style-type: none"> Enhance the streetscape. Complement existing development in the vicinity. Provide visual interest. Allow casual surveillance of public or communal streets or public domain. 	<p>A11.1 Each dwelling adjacent to the street frontage must:</p> <ul style="list-style-type: none"> Address the street by having a front door facing the street at the ground level where dwellings are adjacent to the primary frontage. Ensure that any walls facing a street frontage (including secondary frontages) include a window to a habitable room on each level. Ensure upper level windows, balconies or terraces overlook the public domain. Provide surveillance of the street and entrance to the development. <p>A11.2 In addition to A11.1 and where practical, the front door of all other dwellings are to be visible from the street.</p> <p><i>Additional Provisions - Dual Occupancy</i></p> <p>A11.3 On corner lots where practicable, one dwelling is to address the primary frontage and the other dwelling is to address the secondary frontage.</p>	<p>✓ Complies</p>

5.2.3 Vehicle and Pedestrian Access

The specific objectives are to:

- Allow service vehicles access where necessary.
- Encourage driveway design that minimises visual impact, stormwater runoff and retains established **trees** and vegetation.
- Encourage an approach to access design that considers the site and its elements holistically (e.g. landscaping).
- Provide adequate and safe vehicular and pedestrian access from the street to the site, all **dwelling**s and **parking spaces**.

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Performance Criteria	Acceptable Solution	Complies / Does Not Comply / Variation Required
<p>P12.1 Access arrangements are suitable for the development.</p> <p>P12.2 The design of the site and driveways, including manoeuvring areas, has regard to the safety of pedestrians, cyclists and vehicles.</p> <p>P12.3 Multiple driveways are avoided.</p>	<p>A12.1 The site is designed to encourage pedestrian access by providing a continuous path of travel from the street to each dwelling.</p> <p><i>Additional Provisions - Dual Occupancy</i></p> <p>A12.2 In sites with a single frontage, both dwellings are to utilise a common access point from the public road unless Council is satisfied (in non-rural areas) that separate access points would result in a better design outcome.</p> <p>A12.3 For corner allotments, each dwelling is to have a separate road presentation and driveway access.</p>	<p>✓ Complies</p> <p>Proposing two driveway design and the Development Engineer has reviewed the proposal and has no objections subject to conditions of consent.</p>
<p>P13.1 The visual dominance of driveways is minimised by:</p> <ul style="list-style-type: none"> The selection of paving materials e.g. decorative paving and brick banding. Breaking up the appearance of driveways with landscaping and screen planting. <p>P13.2 Driveways are designed to:</p> <ul style="list-style-type: none"> Minimise the volume of stormwater runoff. Increase the area available for landscaping. Retain established trees and vegetation. Accommodate public services and infrastructure. 	<p>A13.1 Driveways must be designed to:</p> <ul style="list-style-type: none"> Be all-weather and service every dwelling. Minimise the hardstand/paved footprint. Be setback a minimum of 0.5m from the side and/or rear boundary to accommodate appropriate landscape elements. Accommodate all public services and infrastructure (e.g. street gully pits). Avoid a gun-barrel effect down the side boundary. Where a gun-barrel driveway cannot be avoided, the driveway must be curved and landscaped to Council's satisfaction to break up the appearance of the gun-barrel design. A grade no greater than 20%. Maximise the availability of on-street parking. Achieve minimum sight lines for pedestrian safety in accordance with AS2890.1 (Figure 3.3). 	<p>✓ Complies</p>

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Performance Criteria	Acceptable Solution	Complies / Does Not Comply / Variation Required
	Note: <ul style="list-style-type: none"> A long section of the driveway (including the secondary frontage on corner lots) must be provided prior to the issue of the construction certificate. 	

5.3 Amenity

5.3.1 Building Separation and Visual/Acoustic Privacy

The specific objectives are to:

- Enable adequate solar access, natural ventilation and **landscaped areas** between **dwelling**s.
- Ensure the design of the site and **buildings** minimises impacts on the amenity of future and adjoining residents in relation to visual privacy, overlooking and noise.
- Ensure the thoughtful location of noise generating plant, equipment and sources.

Performance Criteria	Acceptable Solution	Complies / Does Not Comply / Variation Required
<p>P14.1 Adequate separation between buildings is provided in proportion to the height and scale of the building.</p> <p>P14.2 Direct overlooking of main internal living areas and private open space of other dwellings and adjoining properties is minimised by building layout, location and design of windows, balconies, screening devices, landscaping or other effective means.</p>	<p>A14.1 All dwellings shall be designed and orientated to minimise overlooking of adjoining/ surrounding dwellings and private open space.</p> <p>A14.2 Habitable windows shall not be located adjacent to a shared driveway at the ground level.</p> <p>A14.3 Direct views between living area windows of adjacent dwellings shall be screened or obscured where:</p> <ul style="list-style-type: none"> Ground and first floor windows are located within the privacy sensitive zone area, being a 9m radius from any part of the window of the adjacent dwelling (Figure 6). In the case of a dwelling with three or more storeys, windows are within the privacy 	<p>✓ Complies</p> <p>The design and siting of the dwelling ensures that there are no opportunities for overlooking and that existing residential amenity of surrounding lots are maintained.</p>

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Performance Criteria	Acceptable Solution	Complies / Does Not Comply / Variation Required
	<p>sensitive zone described by a 12m radius (Figure 6).</p> <p>A14.4 Direct views from living areas of dwellings into the principal area of private open space of adjacent dwellings shall be screened or obscured where located within a privacy sensitive zone within a 12m radius from the living area windows (Figure 7).</p> <p>A14.5 Separation distances for dwellings with three or more storeys shall meet the following minimum standards:</p> <ul style="list-style-type: none"> 9m between walls with windows to habitable rooms, where adequate privacy and solar access is demonstrated. 12m between walls with windows to habitable rooms. 	
P15 Site layout and building design protects the amenity of residents and/or adjoining properties by minimising noise transfer and nuisance.	<p>A15.1 Dwellings adjacent to high levels of external noise shall be designed to minimise the entry of that noise.</p> <p>A15.2 The following shall be located away from the habitable rooms and private open space of dwellings:</p> <ul style="list-style-type: none"> Communal swimming pools and ancillary facilities. Communal open space areas. Parking areas and vehicle access. <p>A15.3 Shared walls and floors between</p>	- N/A

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Performance Criteria	Acceptable Solution	Complies / Does Not Comply / Variation Required
	<p>dwellings shall be constructed to limit noise transmission and, where possible, bedrooms of one dwelling are not to adjoin living area or garages of adjacent dwellings.</p> <p>A15.4 All noise generating (mechanical) plant and equipment must:</p> <ul style="list-style-type: none"> • Not exceed an LAeq (15min) of 5dB(A) above background noise at the property boundary. • Be acoustically screened (where appropriate). • Be sited to minimise noise impacts. • Be located at least 3m away from bedroom windows. <p>Note: Noise generating equipment includes, but is not limited to, air conditioning units, swimming pool filters, hot water systems, fixed vacuum systems, driveway entry shutters, plant rooms, service areas, building services and the like.</p> <p><i>Additional Provisions - Multi Dwelling Housing and Manor Houses</i></p> <p>A15.5 Where visitor parking areas are required, they are to be located at least 3m away from bedroom windows or the affected windows are to be provided with double glazing or other suitable acoustic treatments.</p>	

5.3.2 Solar and Daylight Access

The specific objectives are to:

- Ensure that appropriate levels of solar and daylight access are provided to residents and maintained for surrounding **development**.

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Performance Criteria	Acceptable Solution	Complies / Does Not Comply / Variation Required
P16 Dwellings are sited and designed to maximise solar access to living areas and private open space .	<p>A16.1 Dwellings are to be:</p> <ul style="list-style-type: none"> Oriented to make appropriate use of solar energy by maximising solar access to north-facing windows. Sited and designed to ensure that the energy efficiency of existing dwellings on adjoining lots is not unreasonably reduced. Designed to locate living areas and private open space on the northern side of the development and non-habitable areas to the south and west of dwellings. <p>A16.2 The number of single aspect south facing dwellings shall be limited.</p>	<p>✓ Complies</p> <p>Dwellings makes use of northern orientation with a deck area and direct access from a living area.</p>

5.3.3 Private Open Space

The specific **objectives** are to:

- i. Ensure that the **private open space** provided for a **dwelling** is useable and meets user requirements for privacy, safety, access, active and passive outdoor recreational activities and landscaping.

Locate **private open space** to take account of outlook, natural features of the site, solar access and neighbouring **buildings** or public domain.

Performance Criteria	Acceptable Solution	Complies / Does Not Comply / Variation Required
<p>P17 Private open space is:</p> <ul style="list-style-type: none"> Functional and useable for residents all year round. Dimensioned to suit the projected requirements of the residents, and to accommodate outdoor recreational needs and service functions. Capable of serving as an extension of the function of the dwelling for relaxation, dining, entertainment, active recreation and children's play. Located to take advantage of outlook and 	<p>A17.1 A minimum area of private open space shall be provided for each dwelling in accordance with Table 5.</p> <p>A17.2 Private open space shall have direct access from a living area.</p> <p>A17.3 Where the private open space of a dwelling is provided at the ground level, it shall:</p> <ul style="list-style-type: none"> Include a defined hardstand area (e.g. concrete, paving, decking) of 	<p>✓ Complies</p> <p>Minimum POS areas are satisfied.</p>

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Performance Criteria	Acceptable Solution	Complies / Does Not Comply / Variation Required
<p>natural features of the site.</p> <ul style="list-style-type: none"> Located to mitigate against external noise. Designed to take account of the impact of adjoining dwellings on privacy and overshadowing. 	<p>usable space which:</p> <ul style="list-style-type: none"> Is setback at least 1.2m from an external boundary. Has a minimum dimension of 5m x 4m, of which 50% shall be covered to provide protection from the elements. Have a minimum dimension of 2m for all other areas. Have a gradient no steeper than 1:20. Be adequately screened to provide privacy to residents. 	
	<p>Note: The usable private open space area excludes obstructions such as stairs, storage areas, clothes drying facilities, bin storage areas, hot water systems, effluent disposal, above ground rainwater tanks and the like.</p>	
	<p>A17.4 Where the private open space of a dwelling is provided at an upper level, it shall have a minimum dimension of 2m x 3m which is covered to provide protection from the elements.</p>	

5.3.4 Storage and Laundry Facilities

The specific objectives are to:

- Improve the functionality of **dwelling**s by ensuring adequate storage areas are provided.
- Ensure that the location of storage areas does not impact on amenity, accessibility or the functionality of other spaces associated with the **dwelling**.
- Ensure laundry and clothes drying facilities are integrated into the **development**, can be conveniently reached, require minimal maintenance and do not detrimentally impact the streetscape.
- Ensure internal storage of an appropriate size is provided to each **dwelling**.

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Performance Criteria	Acceptable Solution	Complies / Does Not Comply / Variation Required
<p>P18.1 External clothes drying facilities are provided for each dwelling that are:</p> <ul style="list-style-type: none"> Adequate and easily accessible. Well located. Visually screened from the public domain. <p>P18.2 A laundry is provided within each dwelling.</p>	<p>A18.1 Separate laundry and external clothes drying facilities shall be provided for each dwelling.</p> <p>A18.2 External clothes drying facilities are to be:</p> <ul style="list-style-type: none"> Provided at a rate of 16m of line per dwelling. Located behind the front building line. Screened from view from the public domain. 	<p>✓ Complies</p> <p>Laundry & clothes drying facilities are provided to each dwelling</p>
<p>P19 Adequate space is provided to accommodate the laundry facilities, vehicle/s and associated circulation space in a garage</p>	<p>A19.1 Where laundry facilities are provided in a garage, a clear space of at least 1.2m must be provided between any fixed laundry benches/appliances and the car space (minimum of 5.5m long) as shown in Figure 8.</p>	<p>✓ Complies</p>
<p>P20.1 Adequate, well-designed storage areas are provided for each dwelling.</p> <p>P20.2 Storage areas are sympathetically integrated into the building design.</p>	<p>A20.1 In addition to storage in kitchens, bathrooms and bedrooms, the following storage is to be provided per dwelling:</p> <ul style="list-style-type: none"> 1 bed: 6m³ 2 bed: 8m³ 3+ bed: 10m³ <p>A20.2 At least 50% of the required storage in A20.1 is to be located within the dwelling (excluding the garage).</p> <p>A20.3 Storage areas not located in a dwelling are to be secure and clearly allocated to specific dwellings if in a common area.</p> <p>A20.4 Where located in a garage or basement car park, storage areas must not encroach upon allocated car parking spaces.</p>	<p>✓ Complies</p> <p>Adequate storage to satisfy minimum requirements is provided to both dwellings</p>

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Performance Criteria	Acceptable Solution	Complies / Does Not Comply / Variation Required

5.3.5 Car and Bicycle Parking

The specific objectives are to:

- i. Provide convenient, accessible and safe parking to meet the needs of residents and visitors.

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Performance Criteria	Acceptable Solution	Complies / Does Not Comply / Variation Required
P21 Parking is suitable for the development .	<p>A21.1 Car parking is:</p> <ul style="list-style-type: none"> • Provided in accordance with Chapter G21: Car Parking and Traffic of this Development Control Plan. • Wholly accommodated within the site. <p>Note: Bedrooms and rooms capable of adaptation for bedrooms (e.g. study, media room) will be counted for parking and contributions requirements.</p> <p>A21.2 For open car spaces, the maximum allowable grades are:</p> <ul style="list-style-type: none"> • Longitudinal - 5%. • Cross fall - 6.25%. <p><i>Additional Provisions - Multi Dwelling Housing, Multi Dwelling Housing (Terraces) and Manor Houses</i></p> <p>A21.3 Secure undercover bicycle parking/ storage shall be provided at a rate of 1 bicycle per dwelling.</p> <p>Note: This space may be included in the storage space required at A20.1 and A20.2.</p>	<p>✓ Complies</p> <p>2 garaged car spaces provided to each dwelling. Gradients meet Council requirements. Development Engineer has reviewed and is satisfied with the proposed plans. Conditions to be included in the consent.</p>

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Performance Criteria	Acceptable Solution	Complies / Does Not Comply / Variation Required
P22 Car parking arrangements are suitable for, and consider, the surrounding road network.	<p><i>Additional Provisions - Dual Occupancy</i></p> <p>A22.1 To mitigate the adverse impacts on the surrounding road network, tandem parking in a dual occupancy development shall be limited to access streets and laneways only.</p> <p>A22.2 Where tandem parking is proposed within the front setback, the setback must be increased to at least 5.5m to promote accessibility and accommodate the front vehicle wholly within the site.</p> <p>A22.3 A vehicle parked in a tandem parking space must not impede access to an approved parking space for another dwelling.</p>	<p>✓ Complies</p> <p>Tandem parking proposed and street is suitable. Development Engineer has reviewed and has no objections subject to conditions of consent.</p>

5.4 Configuration and Design

5.4.1 Building Form, Design and Materials

The specific objective is to:

- Ensure the provision of low maintenance development that will retain an attractive appearance.
- Ensure that new development enhances and makes a positive contribution to the character of existing buildings and streetscapes and reinforces the built form and environmental conditions of the locality.
- Ensure that in rural/environmental areas or areas of scenic value, buildings complement the existing landscape value rather than detracting from it, particularly where visible from public vantage points.
- Ensure mailboxes are designed to be conveniently reached and require minimal maintenance.

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Performance Criteria	Acceptable Solution	Complies / Does Not Comply / Variation Required
<p>P23.1 A dual occupancy (attached) appears as a single dwelling.</p> <p>P23.2 Within rural and environmental protection zones, buildings are of a size and bulk that is compatible with the surrounding rural or environmental context in which they are located.</p>	<p><i>Additional Provisions - Dual Occupancy (Attached)</i></p> <p>A23.1 A dual occupancy (attached) is physically attached by a shared wall or connected by a roofed over structure that provides an all-weather link between the dwellings, and integrates the total development giving the outward appearance of a single dwelling. A covered walkway/breezeway will not be supported as an attachment.</p> <p>A23.2 In the RU1, RU2, RU4, E3, E4 and RU5 zones and in addition to A23.1, both dwellings must form an integrated building design. The linkage shall form part of the roofline and result in a continuous roof profile with identical pitch and continuity of design for the whole building.</p> <p>A23.3 Despite A23.2, any extension to an existing dwelling to enable a dual occupancy (attached) in the RU1, RU2, RU4, E3, E4 and RU5 zones must have a compatible design relationship with the existing dwelling. This shall be characterised by a continuous or complementary roof profile with similar pitch and continuity of design for the whole building.</p>	<p>✓ Complies</p> <p>Each dwelling is attached via a shared wall.</p>

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Performance Criteria	Acceptable Solution	Complies / Does Not Comply / Variation Required
<p>P24.1 The selection of building materials and design complements existing development, and is sympathetic to the streetscape and existing landscape.</p> <p>P24.2 Roof treatments are integrated into the building design and make a positive contribution to the streetscape.</p> <p>P24.3 Building walls use modulation and articulation, and are limited in length to minimise massing and bulk issues as well as impact on neighbours and the public domain/streetscape.</p> <p>P24.4 The building design, detailing and finish provide an appropriate scale to the street, add visual interest and enable differentiation between dwellings when viewed from the public domain.</p> <p>P24.5 External metallic wall and roof materials are suitable and minimise reflectivity.</p> <p>P24.6 The development incorporates passive environmental design.</p>	<p>A24.1 New development, including alterations and additions, shall complement existing built form and be sympathetic to the streetscape.</p> <p>A24.2 Roof design is to be integrated harmoniously with the overall building form through the incorporation of:</p> <ul style="list-style-type: none"> • Complimentary building materials. • Design proportionate to overall building size, scale and form. • Balanced composition of solid and void elements. • Integration of service elements. • <p>A24.3 Building design shall use detail, modulation and articulation of building elements to:</p> <ul style="list-style-type: none"> • Enable each dwelling to be identified from a public road. • Articulate facades and to minimise the length of unbroken walls and glazed areas. <p>A24.4 Buildings shall have a maximum unarticulated length of 15m to a public street frontage.</p> <p>A24.5 In rural/environmental areas or areas of scenic value, the external building materials and colours are to blend with the surrounding landscape.</p> <p>A24.6 External metallic walls and roof surfaces shall consist of colours and finishes that will minimise the reflectivity of the surface when viewed from the public domain or another dwelling.</p> <p><i>Additional Provisions - Dual Occupancy</i> A24.7 Variation to each dwelling must be provided to present different but compatible design elements.</p> <p>A24.8 Mirror reversed facades fronting the street are to be avoided.</p> <p>A24.9 Both dwellings in a dual occupancy (attached) shall be constructed using</p>	<p>✓ Complies</p> <p>The proposed building is designed to appear as a single building. It is well articulated and incorporates a variety of building materials and integrates variations to the façade walls to create interest and articulation.</p> <p>✓ Complies Page 25 of 52</p> <p>The proposal provides enough variation to differentiate between the two dwellings whilst maintaining a consistency with colours and materials.</p>

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Performance Criteria	Acceptable Solution	Complies / Does Not Comply / Variation Required
<p>P25 Garages and parking structures are sited and designed to:</p> <ul style="list-style-type: none"> • Add visual interest. • Provide opportunity for passive surveillance. • Not dominate the street frontage. 	<p>A25.1 Garages are compatible with design of the building.</p> <p><i>Additional Provisions - Dual Occupancy</i></p> <p>A25.2 The cumulative width of garage facades addressing the street must not exceed 9m or 50% of the length of the frontage, whichever is the lesser.</p> <p>A25.3 Co-joining of double garages is not supported unless one double garage is offset from the other by at least 2m.</p>	<p>Non-compliant with AS but will comply with PC.</p> <p>The garage facades' measure a total of 12.01m, and the frontage of the lot is 18.5m of which 50% is 9.25m, and the frontage of the building is 17.3m of which 50% is 8.65m.</p> <p><u>Applicant Request</u> The applicant has requested that Council undertake a merit based assessment of the proposal and provided the following justification for the variation.</p> <ul style="list-style-type: none"> • The proposed double garages are offset in excess of 2m and are considered to be maintained within the front façade of each dwelling appropriately. • Each unit provides substantial front wall articulation to lessen the visual impact of garage wall openings from the public domain. • The garage element is not considered to be the main point of visual focus when viewed from the street. <p><u>Comment</u> The garages are recessed, and the design of the frontage includes a portico and a balcony for each dwelling, which provide visual interest and address the street frontage appropriately. It is considered that the garages do not dominate the street frontage and the design meets the performance criteria of the control. The request to vary the restriction is supported.</p>

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Performance Criteria	Acceptable Solution	Complies / Does Not Comply / Variation Required
P26 Mailboxes, numbering and external storage facilities, as well as associated signage, are sited and designed for attractive visual appearance and efficient and convenient use.	<p>A26.1 Individual mailboxes shall be located close to each dwelling entry, or a mailbox structure located close to the major pedestrian entry to the site, that complies with the requirements of Australia Post.</p> <p>A26.2 Adequate numbering system and signage is to be provided.</p>	✓ Complies

5.4.2 Fences and Walls

The specific objectives are to:

- To ensure boundary fencing is of a high quality, promotes safety and surveillance and does not detract from the streetscape or public domain.

Performance Criteria	Acceptable Solution	Complies / Does Not Comply / Variation Required
<p>P27.1 Front fences and walls:</p> <ul style="list-style-type: none"> Enable some outlook from buildings to the street for safety and surveillance. Do not impede the safety of pedestrians and cyclists with the movement of vehicles between the property and the roadway. Avoid negatively impacting on the aesthetic and spatial quality of the street. Assist in highlighting entrances and in creating a sense of communal identity within the streetscape. Are designed and detailed to provide visual interest to the streetscape. Are constructed of materials compatible with the proposed development and with examples of fences and walls in the streetscape to offer a sense of continuity. Are compatible with facilities in the street frontage area, such as mailboxes and waste collection areas. 	<p>A27.1 Front fences and walls along the primary frontage (see Figure 9), shall be no higher than 1.2m (averaged for sloping sites).</p> <p>A27.2 On a corner lot, the fence or wall along the secondary frontage, behind the front building line (see Figure 9), shall be no higher than 1.8m.</p> <p>A27.3 Despite A27.2, the front fence or wall for a rear dual occupancy dwelling on a corner lot shall be no higher than 1.2m (see Figure 10).</p> <p>A27.4 A fence or wall along a primary or secondary frontage must contain:</p> <ul style="list-style-type: none"> Open elements that make it at least 50% transparent; or Where there are solid panels, articulated elements such as landscape screening, setbacks and varied materials. 	- N/A

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Performance Criteria	Acceptable Solution	Complies / Does Not Comply / Variation Required
<ul style="list-style-type: none"> Do not impede safe sight distances for road users and pedestrians along the adjoining roadway. <p>P27.2 The use and/or design of fences and walls in streetscapes of significance are appropriate to the heritage or environmental context.</p>	<p>A27.5 Despite A27.1 and A27.3, front fences and walls higher than 1.2m will only be supported where all the following is satisfied:</p> <ul style="list-style-type: none"> The site is located on a classified road with high traffic volumes. The site is not located in an area with an established heritage character. The fence and/or wall does not exceed 10m in length without some articulation or detailing to provide visual interest. Landscape planting is included within a 1.5m setback between the fence/wall and the boundary to achieve mature heights of at least 1.5m. <p>A27.6 Fences and walls along a primary or secondary frontage shall maintain appropriate sight distances for road users and pedestrians in accordance with the relevant Australian Standards.</p> <p>A27.7 The design and materials of front fences or walls is to be compatible with the surrounding streetscape.</p> <p>A27.8 Solid metal fencing shall not be erected along a primary or secondary frontage.</p>	

5.4.3 Universal Design

The specific **objectives** are to:

- Ensure a suitable proportion and wider variety of **dwellings** include layouts and design features to accommodate the changing access and mobility requirements of residents and visitors.
- Promote ageing in place by extending the usability of **dwellings** to meet 'whole of life' needs of the **community**.

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Performance Criteria	Acceptable Solution	Complies / Does Not Comply / Variation Required
<p>P28.1 Ensure that a suitable proportion and wider variety of dwellings include layouts and design features to accommodate the changing access and mobility requirements of residents and visitors.</p> <p>P28.2 Promote ageing in place by extending the usability of dwellings to meet 'whole of life' needs of the community.</p> <p>P28.3 The required proportion of new Class 1a or 2 dwellings achieve appropriate levels of accessibility or are designed to be 'easily and affordably adaptable'.</p> <p>Note: 'Easily and affordably adaptable' includes the future installation or alterations of inclusions to comply with the requirements of a silver standard as outlined in the 'Livable Housing Design Guidelines'. It does not include alterations and additions resulting in a change to the configuration of a room but may include, for example, the installation of a future domestic elevator or lift meeting compliance with a silver standard as outlined in the 'Livable Housing Design Guidelines'.</p> <p>P28.4 Access is provided from the car parking space located on the premises to the principal entrance of the dwelling and access to and within the following areas:</p> <ul style="list-style-type: none"> • A bedroom. • Laundry. • A bathroom that includes a shower, • WC and vanity. • Kitchen. • A living area. 	<p>A28.1 All Class 1a and 2 developments, as defined in the Building Code of Australia, should provide accessible or adaptable housing at the following rate:</p> <ul style="list-style-type: none"> • Developments containing 3-10 dwelling – 1 dwelling. • Developments containing 11 – 40 dwellings – 2 dwellings. • Development containing 41 – 60 dwellings – 3 dwellings. • Development containing 61 – 80 dwellings – 4 dwellings. • Developments containing 81 – 100 dwellings – 5 dwellings. <p>A28.2 The required proportion of new Class 1a or 2 dwellings, should be designed so the dwelling can be easily and affordably adaptable at a later date. In this regard the Silver Standard for accessibility as outlined in the Livable Housing Design Guidelines.</p>	<p>- N/A</p>

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Performance Criteria	Acceptable Solution	Complies / Does Not Comply / Variation Required
<ul style="list-style-type: none"> An external private open space. 		

5.5 Environment

5.5.1 Water Management and Conservation

The specific [objectives](#) are to:

- Ensure the protection of public health, surrounding land and the natural environment including soils, groundwater and surface waters.
- Encourage harvesting of rainwater and the incorporation of pervious areas.

Performance Criteria	Acceptable Solution	Complies / Does Not Comply / Variation Required
<p>P29 Stormwater is appropriately accommodated in the design including:</p> <ul style="list-style-type: none"> Stormwater from roofed areas is collected, stored and/ or conveyed to appropriate discharge points or disposal areas. Paved areas associated with buildings and driveways are graded and drained to minimise the discharge of surface water onto adjoining land. Permeable areas are utilised to reduce stormwater runoff. 	<p>A29.1 Roof water is to be collected by gutter and downpipe systems, or other equivalent means, and conveyed to an approved discharge point in accordance with the requirements of Part 3.1.2 of the Building Code of Australia. This could be:</p> <ol style="list-style-type: none"> A gutter or table drain in a road reserve, or A stormwater easement or easement to drain water, or A disposal/absorption trench, where (a) and (b) above are not available, and soil conditions are suitable, or A water tank / on-site detention system with an overflow connected to a disposal method in (a), (b) or (c) above. <p>A29.2 Surface water from paved areas including driveways is to be directed to an approved discharge point (see A29.1) that minimises impact on adjoining land.</p> <p>Note: The method selected for the discharge point in A29.1 and A29.2 above will be assessed against</p>	<p>✓ Complies</p> <p>The Development Engineer has reviewed the plans and small changes have been made as suggested to ensure that the stormwater is draining to the street and the rainwater tank is located outside of the drainage easement adjacent to the western boundary.</p>

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Performance Criteria	Acceptable Solution	Complies / Does Not Comply / Variation Required
	the suitability and hydraulic capability including pipe size and/or soil type.	
	A29.3 Where the area of buildings , pavement and other impervious areas exceeds 65% of the site area , the proposal is to include details of the methods to be used to harvest rainwater and minimise increased runoff to surrounding land and public stormwater infrastructure. The details are to include assessment of predevelopment and post development stormwater flows.	

5.5.2 Servicing

The specific **objectives** are to:

- i. Ensure residential areas are provided with essential services in a timely, cost effective and efficient manner

Performance Criteria	Acceptable Solution	Complies / Does Not Comply / Variation Required
P30.1 Development is adequately and safely serviced.	A30.1 Services and utilities including electricity, gas, water, sewer, roads and drainage must be available for the initial development and ongoing development needs.	✓ Complies The proposal is able to be connected to the various services.
P30.2 The design and provision of public utilities, including sewerage, water, electricity, street lighting, telecommunication/ internet and gas services conform to the cost-effective performance measures of the relevant servicing authority.	A30.2 Where connection to the services outlined in A30.1 is not available, the development application must provide alternatives to Council's satisfaction.	
P30.3 Compatible public utility services are co-ordinated in common trenching in order to minimise construction costs for underground services.	Note: Refer to Chapter G8: Onsite Sewage Management of this Development Control Plan for further details on the management of sewerage in areas without reticulated services.	
P30.4 Water supply for domestic and firefighting purposes is appropriate for the location and development type	A30.3 Individual water meters will be required to assist the individual billing of each dwelling . <i>Additional Provisions - Dual Occupancy</i>	

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Performance Criteria	Acceptable Solution	Complies / Does Not Comply / Variation Required
	A30.4 In the case of dual occupancy (detached) , the electricity service to the dwelling furthest from the street is to be underground (excluding corner lots).	

5.5.3 Waste Management

The specific **objectives** are to:


- Ensure **waste storage and recycling areas** are designed to be conveniently reached and require minimal maintenance.
- Ensure **waste storage and recycling areas** are attractive and compliment the streetscape.
- Ensure appropriate kerbside frontage is provided for bin presentation and collection.

Performance Criteria	Acceptable Solution	Complies / Does Not Comply / Variation Required
<p>P31.1 Bin storage, presentation and collection arrangements:</p> <ul style="list-style-type: none"> Are appropriate for the nature of the development. Consider site configuration and adequate street frontage, especially lots at the head of cul-de-sacs and battle-axe lots. <p>P31.2 Bin storage is sited and designed for attractive visual appearance and for</p> <ul style="list-style-type: none"> efficient and convenient use. 	<p>A31.1 For each dwelling in a development, the kerbside frontage required for waste collection is at least 1m per bin, 0.5m separation between bins and 1m behind each bin.</p> <p>Note: If kerbside bin collection is not a suitable option, alternative waste collection options must be considered including an onsite storage and collection area (including safe access and/or turning circle). Refer to Chapter G7: Waste Minimisation and Management Controls of this Development Control Plan for more information.</p> <p>A31.2 Bin storage area/s are required and must be identified on the site plan for all developments, regardless of whether waste is collected from the kerbside or via alternative waste servicing options.</p> <p>A31.3 Bin storage areas must be located behind the front building line and where visible from the street, must be appropriately screened to conceal</p>	<p>✓ Complies</p> <p>Adequate kerbside space available for kerbside collection and adequate space provided within sites for bin storage.</p>

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Performance Criteria	Acceptable Solution	Complies / Does Not Comply / Variation Required
	<p>the contents from the public domain and adjacent properties.</p> <p>A31.4 Where a bin storage area is also the waste collection area or where a communal waste storage and recycling area is provided, it shall be:</p> <ul style="list-style-type: none"> • Provided with a water tap for wash down purposes and drained to connect to the main sewer. • Roofed to comply with Council's requirements. • Readily accessible from within the site and serviceable from the adjoining roadway. <p>A31.5 Bins must be able to be easily manoeuvred from the bin storage area for presentation at the kerbside.</p>	N/A

Planning Report – S4.15 Assessment – 36 Yarrawonga Dr Mollymook Beach – Lot 304 DP 1234415

	Planning Report S4.15 Environmental Planning & Assessment Act 1979
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DA Number	DA21/2348
Property	36 Yarrawonga Dr Mollymook Beach
Applicant(s)	Buildcert Planning
Proposal	Construction of two storey attached dual occupancy with Torrens subdivision
Zone	R1 General Residential
Date of Application	8/11/2021
Recommendation	Approval Subject to Conditions

Proposal

The application seeks approval to construct an attached two storey attached dual occupancy, retaining walls with Torrens Title subdivision. The key aspects of the proposal include:

- Construction of a two storey attached dual occupancy, with retaining walls with Torrens subdivision.
- Each unit addressing the street frontage by a single garage door, considered window fenestration, front wall articulation and portico entry.
- Both units have covered outdoor living areas and level open space areas accessed from the main internal living areas.
- Each unit has 4 bedrooms, centrally located bathroom and laundry, open plan kitchen, dining area and living area.
- Proposed GFA of Unit 1 is 203.25m² and Unit 2 is 205.52m².
- Overall maximum height is 7.3m.
- Earthworks propose a cut of 1.5m and fill <300m.
- Each unit provided with a minimum 4,000L rainwater tank.
- Torrens title subdivision: Lot 1 = 411.4m², Lot 2 = 318.7m².

Subject Site and Surrounds

The subject site is located on the northern side Yarrawonga Drive, approximately 172 metres west of Kooralbyn Way, in Mollymook Beach. The site is rectangular in shape and has a frontage to Yarrawonga Drive 20 metres, a depth of 35 metres and total area of 730.10m² and is currently vacant.

Topographically, the land slopes from the North East to the South west with a cross fall of approximately 5m.

The site is affected by a sewer easement on the western and southern boundary of the site. The site is also affected by a number of restrictive covenants regarding design and construction of a dwelling. The proposal is generally consistent with the restrictions.

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The site is in the R1 General Residential zone and is a vacant and cleared lot. Lots adjoining the site to the east is a single storey dwelling and to the north is vacant land that is cleared immediately adjoining lot but contains native forest that adjoins houses that face Garside Rd.

This area was part of the new land release extension of the Yarrawonga Estate and the emerging built form character is similar to the wider surrounding character which consists of recently constructed single storey and two storey residential dwellings.

Aerial Photo / Locality Plan



CL22.314 - Attachment 2

Planning Report – S4.15 Assessment – 36 Yarrawonga Dr Mollymook Beach – Lot 304 DP 1234415



Fig 1: View looking east through subject site



Fig 2: View looking north towards the adjoining undeveloped bushland lot

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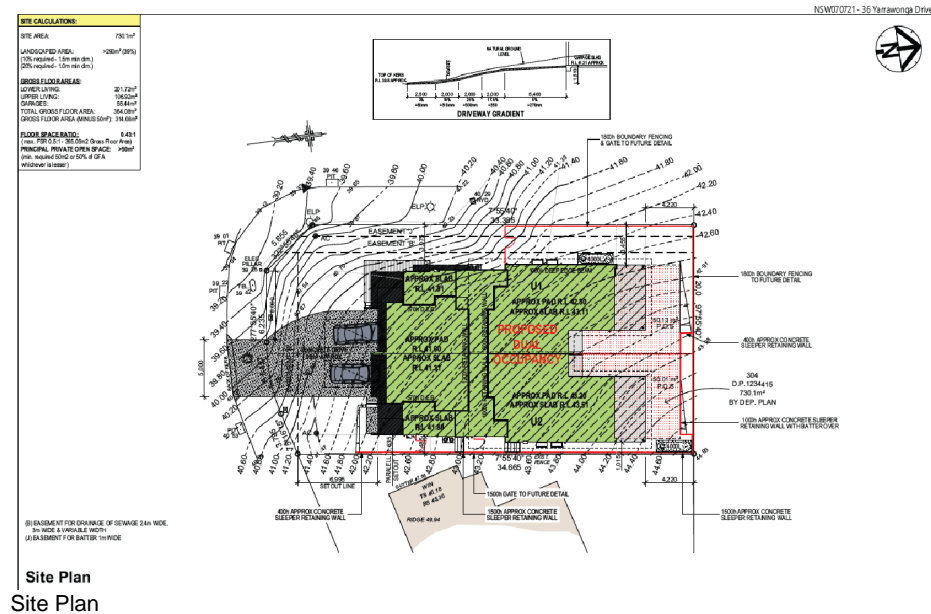
Fig 3: View looking to existing development to the eastern and front southern boundary of subject site



Fig 4: View looking north-east towards existing development to the east of subject site

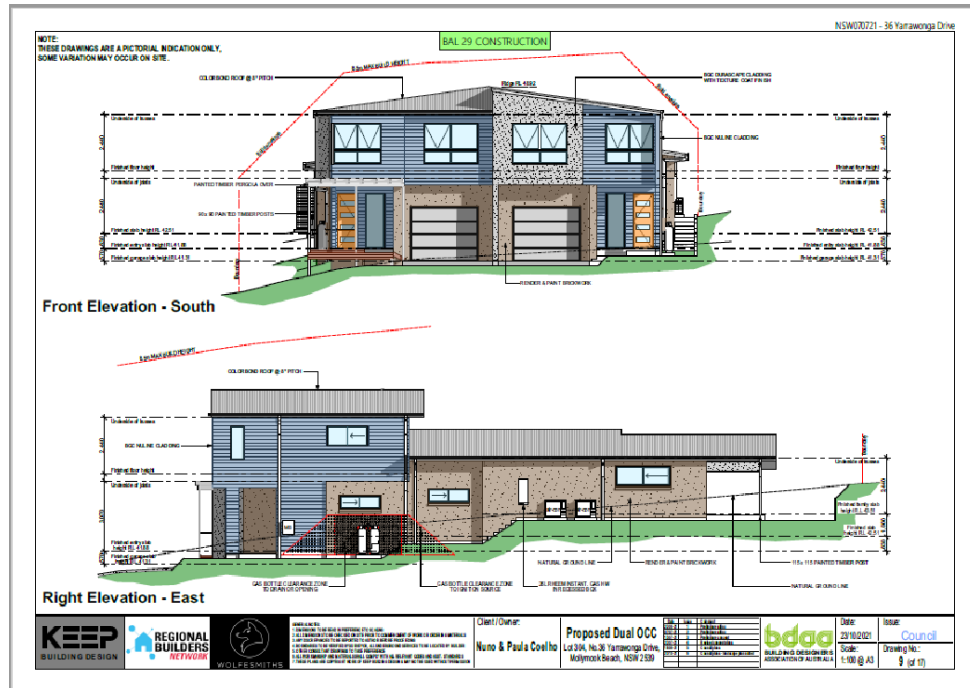
CL22.314 - Attachment 2

Planning Report – S4.15 Assessment – 36 Yarrawonga Dr Mollymook Beach – Lot 304 DP 1234415

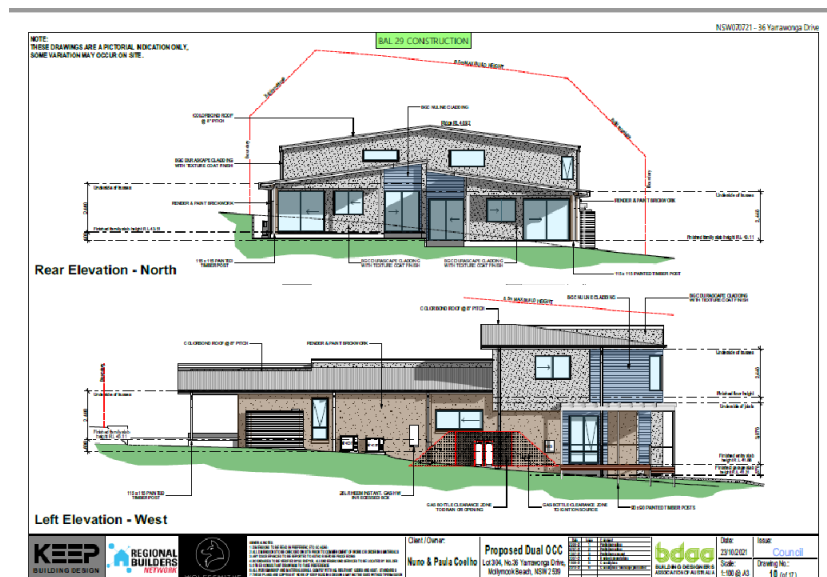


CL22.314 - Attachment 2

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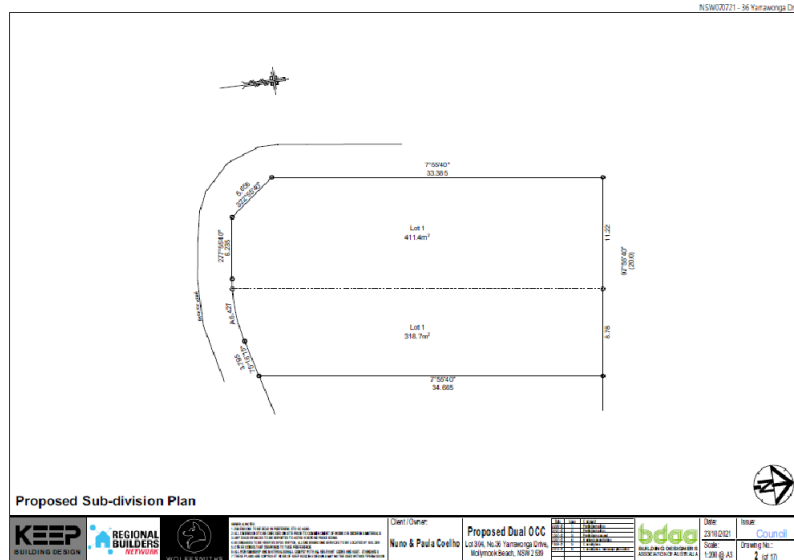


South & East Elevations



Planning Report – S4.15 Assessment – 36 Yarrawonga Dr Mollymook Beach – Lot 304 DP 1234415

North & West Elevations



Subdivision Plan

Background and History

Pre-application discussions

There have been no pre-application discussions prior to lodgement of the application.

Amendments during the process

No amendments occurred during the application process

Planning Application History

There is no directly relevant history or background for this application.

Consultation and Referrals

Internal Referrals

The application was referred internally to the following Council areas:

Referral	Recommendation	Comment
Development Engineer	No objection subject to imposition or relevant conditions of consent	Conditions to be included on consent
Shoalhaven Water	No objection subject to imposition of relevant	Standard conditions regarding compliance with Shoalhaven Water

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	conditions of consent	requirements to be imposed on consent.
GIS	No objection subject to imposition of relevant conditions of consent	Conditions to be included on consent

External Referrals

The application was referred externally to the following external authorities:

Agency	Recommendation	Comment
Rural Fire Service – Integrated Development	General terms of approval (GTAs) for the integrated development and BFSA have been provided.	Condition for compliance with GTAs will be included in the consent.

Assessment

Economic/Social/Environmental Impacts

The application is assessed under Section 4.15 of the Environmental Planning and Assessment Act 1979, including the following matters:

(a) Environmental Planning Instruments and DCPs.

Biodiversity Conservation Act 2016 and Biodiversity Conservation Regulation 2017

A site inspection has been undertaken along with a desktop review and it is concluded that the proposed development is unlikely to have a significant impact.

A review of the proposed development against the BOS triggers has concluded that the proposal does not trigger entry into the BOS.

State Environmental Planning Policy (Biodiversity and Conservation) 2021

Chapter 3 Koala Habitat Protection 2020

Question	Yes		No	
1. Does the subject site have a site area >1ha or does the site form part of a landholding >1ha in area?	<input type="checkbox"/>	Proceed to Question 2	<input checked="" type="checkbox"/>	Assessment under SEPP not required.

Chapter 4 Koala Habitat Protection 2021

Question	Yes		No	
1. Is there an approved koala plan of management for the subject land?	<input type="checkbox"/>	Proceed to Question 2	<input checked="" type="checkbox"/>	Proceed to Question 3
2. Is the proposed development consistent with the approved koala plan of management that applies to the land?	<input type="checkbox"/>	Proposal satisfactory under SEPP.	<input type="checkbox"/>	Application cannot be supported.

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Question	Yes		No	
<p>3. Has information been provided to Council by a suitably qualified consultant that demonstrates that the land the subject of the development application:</p> <p>a) Does not include any trees belonging to the koala use tree species listed in Schedule 2 of the SEPP for the relevant koala management area, or</p> <p>b) Is not core koala habitat, or</p> <p>c) There are no trees with a diameter at breast height over bark of more than 10cm, or</p> <p>d) The land only includes horticultural or agricultural plantations</p>	<input type="checkbox"/>	Proposal satisfactory under SEPP as (a), (b), (c) or (d) is satisfied.	<input checked="" type="checkbox"/>	Proceed to Question 4
<p>4. Is the proposed development likely to have an impact on koalas or koala habitat?</p>	<input type="checkbox"/>	Proceed to Question 5	<input checked="" type="checkbox"/>	Proposal satisfactory under SEPP.

**State Environmental Planning Policy (Resilience and Hazards) 2021
Chapter 4 Remediation of Land**

Question	Yes		No	
<p>1. Does the proposal result in a new land use being a residential, educational, recreational, hospital, childcare or other use that may result in exposure to contaminated land?</p>	<input type="checkbox"/>	Proceed to Question 2	<input checked="" type="checkbox"/>	Assessment under SEPP 55 and DCP not required.

<p>2. Development consent must not be granted unless:</p> <p>(a) Where practicable, vehicular access to the land is provided by a road other than the classified road,</p> <p>(b) the safety, efficiency and ongoing operation of the classified road will not be adversely affected by the development as a result of:</p> <p>(i) the design of the vehicle access to the land, or</p> <p>(ii) the emission of smoke or dust from the development, or</p>	
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Planning Report – S4.15 Assessment – 36 Yarrawonga Dr Mollymook Beach – Lot 304 DP 1234415

(iii) the nature, volume or frequency of vehicles using the classified road to gain access to the land.	
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State Environmental Planning Policy (Building Sustainability Index: BASIX) 2004

A valid BASIX Certificate has been submitted with the development application. The certificate demonstrates compliance with the provisions of the SEPP and is consistent with commitments identified in the application documentation. A condition is recommended ensuring the measures detailed in the BASIX certificate are implemented.

Local Environmental Plans

Shoalhaven Local Environmental Plan 2014

Land Zoning

The land is zoned R1 General Residential under the SLEP 2014.

Characterisation and Permissibility

The proposal is best characterised as dual occupancy under the SLEP 2014. The proposal is permitted within the zone with the consent of Council.

Zone objectives

The objectives of the zone are:

- To provide for the housing needs of the community.
- To provide for a variety of housing types and densities.
- To enable other land uses that provide facilities or services to meet the day to day needs of residents.
- To identify land suitable for future urban expansion.

The proposed development is considered consistent with the zone objectives.

The relevant matters to be considered under Shoalhaven Local Environmental Plan 2014 for the proposed development are outlined below.

Principal Development Standards	Comment	Compliance
4.3 Height of Buildings	The property is situated within an area where there is no maximum building height specified hence 4.3 (2A) is applicable where there is no maximum height for any land, the height of a building on the land is not to exceed 11 metres. The proposal has a maximum height of 7.3m and as such is under the 11m height limit.	Yes
4.1A Minimum lot size for dual occupancies	The lot is 730.1m ² and they are proposing and attached dual occupancy. They are proposing to subdivide the lots as part of the application.	Yes
Miscellaneous Provisions	Comment	Compliance
5.10 Heritage Conservation	The site is not an identified heritage item, is not situated in the immediate vicinity of an item, or is situated in a heritage conservation area and as	N/A

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	such the provisions of cl.5.10 do not apply to the proposal.	
Additional Local Provisions	Comment	Compliance
7.1 Acid Sulphate Soils	The site is mapped as being Class 5 meaning that development consent is required for any works within 500 metres of adjacent Class 1, 2, 3 or 4 land that is below 5 metres AHD. The proposal is satisfactory with regard for the objectives and provisions of cl.7.1	Yes
7.2 Earthworks	The proposed dwellings have been appropriately sited to minimise cut and fill with site disturbance being limited to the amount required to accommodate footings and services. The proposal is satisfactory in regard the objectives and provisions of cl.7.2	Yes

Shoalhaven Development Control Plan 2014

The relevant matters to be considered under Shoalhaven Development Control Plan 2014 for the proposed development are outlined below.

Generic Chapters
G1: Site Analysis, Sustainable Design and Building Materials Chapter G1 defines the controls in relation to the management of the built and natural environment in particular in relation to site analysis, energy efficiency and solar access, as well as building materials in rural and coastal areas. A suitable site analysis plan and elevations showing the proposed materials have been submitted as part of the application and is deemed acceptable.
G2: Sustainable Stormwater Management and Erosion/Sediment Control Chapter G2 gives applicants guidance about how to implement sustainable stormwater management in the development application process, provide design principles for stormwater management that assist development and outline controls for the management of stormwater (including water quality, waterway stability, detention, erosion and sediment control). In this regard, Council's Development Engineer has reviewed the plans of the proposed development and provided conditions accordingly. Standard conditions regarding erosion and sediment control are to be included in any consent issued.
G5: Biodiversity Impact Assessment The lot adjoins a vacant R1 zoned lot to the west which is still in part in its natural state which Council's Environmental Assessment Officer (EAO) has advised has a tree that is a Powerful Owl nesting tree. The tree is about 100m from the proposed site and the EAO has assessed the impact as being minor considering the lot is clear of vegetation, the distance from the proposed development is >100m and it has minimal outlook to the bushland in question therefore , the

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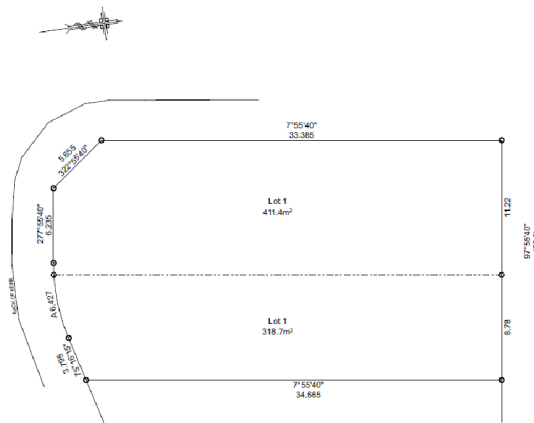
application does not meet the criteria for the completion of a Flora and Fauna Assessment as per DCP Chapter G5. Staff have reviewed the thresholds into the Biodiversity Offset Scheme and can confirm that the application does not trigger entry into the scheme.

G7: Waste Minimisation and Management Controls

The provisions of Chapter G7 apply to the proposed development. A Waste Minimisation and Management Plan (WMMP) was provided with the application. Any consent issued should include standard conditions requiring compliance with this WMMP.

G11: Subdivision

The application is for dual occupancy with Torrens title subdivision. The application is proposing to result in two lots as follows: Lot 1: 411.4m², Lot 2: 318.7m²



5.24 Dual Occupancy subdivision

- A condition will be included in the consent requiring the dual occupancy to be completed prior to subdivision certificate being issued.
- A condition will be included requiring all conditions to be met prior to the issue of an occupation certificate.
- Kerb and guttering is existing and the development Engineer has provided conditions for the driveway cross over approvals.
- Each lot has legal and practical access.
- No views will be affected.

G13: Medium Density and other Residential Development

The applicant has provided a basic assessment of the proposal against the relevant Performance Criteria of Chapter G13 in the submitted Statement of Environmental Effects (SEE). A detailed assessment against the Acceptable Solutions is provided at Appendix 1.

G21: Car Parking and Traffic

The provisions of Chapter G21 apply to the proposed development. There is provision for a

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minimum of four car spaces (2 for each dwelling) on the site which is consistent with the car parking requirements for a two 4 x bedroom dwellings.

Planning Agreement or Draft Planning Agreement

There are no draft environmental planning instruments that are on exhibition or have been exhibited but not yet gazetted that apply to the site or that relate to the proposed works.

(b) Other Impacts of the Development

The proposed development will not cause any unacceptable amenity impacts to neighbouring properties or visual impacts to the streetscape. It is considered that the proposal will have no significant detrimental effect relating to environmental, social or economic impacts on the locality, subject to appropriate conditions being imposed.

(c) Suitability of the Site for the Development

The proposal is deemed to be a suitable development of the site and is not considered to give rise to any adverse amenity impacts to the adjoining properties or visual impacts to the streetscape.

(d) Consultation

Community Consultation

The proposal was notified by way of letter to surrounding neighbours for a period of 14 days. Thirteen (13) submissions have been received from a total of 9 submitters. One submitter made 3 submissions and 2 submitters made 2 submissions.

Issue	Planning comment / response
Side boundary setbacks inadequate	The setbacks are 1.015m to the eastern side boundary and 3.455m to the western boundary which meet the DCP requirements
Privacy	There is no privacy or overlooking issues to adjoining neighbours as the rear living areas and Private Open Space (POS) are on the ground floor and the dwellings have been set down into the site. The fences between properties will provide privacy. One of the neighbours across the road is concerned about overlooking from the front deck and first floor verandahs. Given the distance between houses and the fact that it is an entry deck and facing a public road there will be no privacy impacts.
Solar Access	The applicant has provided shadow diagrams that indicate that the house to east which has solar panels on the roof will receive a minimum of three hours sunlight on June 21.
Parking	Many of the submitters are concerned about the parking of cars related to the dual occupancy having 4 bedrooms each. The plans indicate two car parking spaces for each dwelling which complies with Councils DCP requirements for dual occupancies. The parking rate includes visitor parking.
Traffic	Concerns raised about increased traffic impacting on the

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	amenity of what is now a quiet street and compromising access for emergency services and Council services. The dual occupancy development is not expected increase traffic to a point that will have any adverse impacts on the road network. The impacts of traffic would have been a consideration at the subdivision stage when the road layout was designed and would have considered the ability of lots to have dual occupancy developments.
Amenity impacts	Concerns over amenity impacts on the surrounding low density neighbourhood will be adversely impacted. The lots are zoned R1 and R2 in the locality both of which allow for dual occupancy development with Council approval and also as complying development.

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Concerns raised that the proposed dual occupancies are of a bulk and scale which is out of character with the single storey well-kept, owner-occupied homes in the area.

It is considered that the proposed two storey modern design is consistent with the character of residential development in the vicinity which also use similar pitched roofs and mixed building material cladding. There are several substantial two storey homes in the vicinity that are of a similar bulk and scale.

The future type of occupation whether it be owner occupied or a rental is not relevant to development assessment.

The impact on housing value is not a planning consideration (section 4.15 consideration). Land valuation is a complex area and attributable to a number of considerations.

Dual occupancy development is a permissible use in the R2 zone. There have been many dual occupancy developments in the Mollymook area which have had no adverse impacts on house values but provide for a diversity of much needed housing in the area.

Character, Tenancy & Values



37 Yarrawonga Dr



13 Yarrawonga Dr



28 Yarrawonga Dr



10 Yarrawonga Dr



4 Yarrawonga Dr



8 Yarrawonga Dr

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Holiday Letting	The potential for holiday letting is not a consideration for development approval and is allowable under the SEPP Affordable Rental Housing – Short Term Accommodation which applies to the entire State.
Earthworks & Retaining Walls	<p>Concerns of retaining wall on the boundary could destabilise existing fencing and impact on the neighbouring properties.</p> <p>There is a proposed cut into the rear of the site that is to be retained by a retaining wall along the side and rear boundaries which is 1.5m at its deepest point gradually reducing over the length of the boundary down to 400mm. Conditions will be place in the consent to ensure the retaining wall is appropriately engineered and contained within the site boundaries, and that an assessment is made of on the impact of any excavation that is within 0.9m and extends below any structures foundations.</p>

Ulladulla Community Forum made a submission on 19.12.2021 requesting Council hold off on the determination of the two dual occupancy (DA21/2359 & DA21/2348) DAs until after their meeting on 7 February 2022. Council responded advising that that there were timeframes that Council must abide by in determining applications and that we cannot hold applications without a good reason.

A further email submission from the Forum was received on 3.2.2022 and 15.2.2022, stating that the Forum had visited both sites believing the proposed two dual occupancies were too bulky for the sites and would detract from the well cared for streetscape, due to most housing being single storey owner occupied dwellings. The Forum had resolved that the proposed sizes of both dual occupancy DAs were not appropriate for the area given the current streetscape and that there would be issues with parking, garbage truck movements and delivery trucks. These are similar issues to what was raised during the notification period and have been addressed above.

A further 13 submissions, 4 from previous submitters, have been received since the notification period has ended which raise similar issues to the ones received during the notification period and addressed above.

The applicant has provided a response to the submissions which is summarised below.

- Solar access to north facing windows of 31 Yarrawonga Dr remain predominantly undeterred.
- The design responds to the topography of the land, minimizing excessive earthworks.
- The design provides articulation, a modernized design form, is sympathetic to the desired future character of the area and the bulk is not considered to be excessive for the locality.
- The FSR and scale is appropriate, the breakup of the front wall lessens the visual effect of the bulk.
- The two driveways on 32 Yarrawonga Dr are appropriate given the slope, sight lines and safety have been considered.
- Both developments are car parking compliant with ample space on site to mitigate the need to park on the roadway.
- Setbacks are compliant and balconies off upper floor bedrooms do not pose privacy impacts and allow for passive surveillance.

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- Each dwelling achieves sufficient POS, landscaping, and residential amenity.
- Dual occupancy development is permissible in the low density zone.
- Neighbouring solar panels receive more than 4 hours solar mid winter.
- Not anticipated that each dwelling is likely to generate a high volume of vehicle usage.
- The established roadway is considered sufficient to cater for increased traffic demand which would have been assessed at the subdivision stage.
- Retaining walls do not infringe on neighbouring properties and will have appropriate drainage and structural reinforcement.
- The design corresponds with the intentions of the locality and zone establishing a variety of housing types and densities.

(e) The Public Interest

It is considered that the proposal will have no detrimental effect on the public interest, subject to appropriate conditions being proposed.

Developer Contributions

Section 7.11 Contributions

Shoalhaven Contribution Plan 2019

The proposed development is considered to increase the demand for community facilities in accordance with the Shoalhaven Contributions Plan 2019 (the Plan). The development is most aptly characterised as an Medium Density/Dual Occupancy development for the purpose of calculating contributions under the Plan.

Section 7.11 contributions will be levied for a dual occupancy (2 x 4 bedroom units).

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Developer Contributions - Google Chrome

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Shoalhaven City Council

Section 7.11 ET Calculations - DA21/2348 (UPN: 120578)

Close

Reset

Print

Return Calc

Residential

Non-Residential

Calculation Type:

Medium Density/Dual Occupancy

Medium Density/Dual Occupancy

	Existing	Proposed
1 Bedroom Dwelling (Affordable Rental Housing SEPP)	0	0
2 Bedroom Dwelling (Affordable Rental Housing SEPP)	0	0
3 Bedroom Dwelling (Affordable Rental Housing SEPP)	0	0
4 Bedroom Dwelling (Affordable Rental Housing SEPP)	0	0
Lots/Dwellings (not via Affordable Rental Housing SEPP)	1	2
Boarding House Bedrooms	0	0
Total ET		1
		0

Developer Contributions - new Calculation

Application: DA21/2348

UTE: 120578

Fin Year: 2021/22

Calculation ID

Address: 36 Yarrawonga Dr, MOLLYMOOK BEACH

Location: Lot 304 DP 1234415

UTE: 120578

Stage: 1

Calculate ET

Contribution Total: \$13,222.21

Get Projects

Reset Calculation

Save Contributions

Delete Contributions

Create Payment Advice

Recipient:

N M Coelho & P V Coelho

Address:

6 Whale Street

CATHERINE HILL BAY

NSW 2281

CATHERINE HILL BAY

Project	Description	Benefit Area	Contribution Amt	Qty	ContributionADD
05AREC0005	Planning Area 5 - Active recreation facility upgrades various locations	01 Equivalent Tenement	\$1,054.53	1	\$1,054.53
05CFAC2010	Southern Shoalhaven Branch Library	01 Equivalent Tenement	\$530.63	1	\$530.63
05ROAD2001	Bishop Drive extension (Northern Link Road)	01 Equivalent Tenement	\$5,584.38	1	\$5,584.38
05ROAD3061	Matron Porter Drive - Princes Highway to Leo Drive, Mollymook	02 Equivalent Tenement	\$1,827.74	1	\$1,827.74
CWAREC5005	Shoalhaven Community and Recreational Precinct ScaRP Cambewarra Road Bomaderry	05 Equivalent Tenement	\$1,104.42	1	\$1,104.42
CWCFAC5002	Shoalhaven Entertainment Centre (Bridge Road Nowra)	05 Equivalent Tenement	\$834.71	1	\$834.71
CWCFAC5006	Shoalhaven City Library Extensions (Berry Street, Nowra)	01 Equivalent Tenement	\$1,292.05	1	\$1,292.05
CWCFAC5007	Shoalhaven Regional Gallery	01 Equivalent Tenement	\$70.93	1	\$70.93
CWFIRE2001	Citywide Fire & Emergency services	01 Equivalent Tenement	\$139.37	1	\$139.37
CWFIRE2002	Shoalhaven Fire Control Centre	01 Equivalent Tenement	\$203.89	1	\$203.89
CWMGMT3001	Contributions Management & Administration	01 Equivalent Tenement	\$579.56	1	\$579.56

Conclusion

Subject to the conditions of consent the proposal is considered to be consistent with regard to the Matters for Consideration under Section 4.15(1) of the *Environmental Planning and Assessment Act 1979*. The proposed development is consistent with relevant SEPPs, and the provisions of *Shoalhaven LEP 2014* and *Shoalhaven DCP 2014* because the proposal will not generate any

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significant adverse impacts to surrounding neighbours or the environment. Accordingly, the proposal is recommended for approval.

Recommendation

This application has been assessed having regard for Section 4.15 (Matters for consideration) under the Environmental Planning and Assessment Act 1979. As such, it is recommended that Development Application No. DA21/2348 for a two storey attached dual occupancy at 36 Yarrawonga Drive, Mollymook Beach (Lot 304 DP1234415) be approved subject to the conditions outlined in the development consent.

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Appendix 1

a) Assessment Table G13 Medium Density & Other Residential Development

1) 4 Objectives

The **objectives** are to:

- i. Ensure a comprehensive design-oriented approach to housing resulting in high quality urban design, **development** and residential amenity.
- ii. Set appropriate environmental criteria for energy efficiency, solar access, light spill, privacy, noise, vehicular access, parking and open space.
- iii. Allow for efficient use of existing services and facilities, including utility services, transport systems and community facilities.
- iv. Maintain and enhance the amenity of existing and future residential areas.
- v. Promote wider and more **affordable housing** choice in Shoalhaven.
- vi. Allow opportunities for home **owners** to receive rental income or provide relatives with self-contained accommodation.
- vii. Implement agreed strategic directions and respond to demographic needs (e.g. the ageing population).

2)

3) 5 Medium Density Development

5.1 Principle Controls

5.1.1 Minimum Lots Size

The specific objectives are to:

- i. Ensure the **development** site is of a sufficient size and shape to achieve required **Development Control Plan** provisions (e.g. **landscaped areas**, **private open space**, car parking, **building** separation, on-site **effluent** disposal (where required), services and the like) in a practical and efficient way.
- ii. Ensure that any **lot** consolidation/ amalgamation avoids the isolation of smaller **lots** surrounded by larger **developments**.
- iii. Encourage **development** that responds to the site and surrounding streetscape characteristics.
- iv. Preserve and enhance the amenity and environmental character of the **locality** and minimise adverse impacts on residents and neighbours.
- v. Encourage the sharing of facilities and services such as car parking and **waste** collection.

Performance Criteria	Acceptable Solution	Complies / Does not comply / Variation required
P1.1 To promote good built form outcomes and the efficient utilisation of land, lot consolidation/ amalgamation avoids the isolation of smaller lots that would prevent future medium density development on those lots.	<i>Additional Provisions - Dual Occupancy</i> A1.1 The minimum lot size of the development site meets the requirements of Shoalhaven LEP 2014, and the following minimum standards: • Dual occupancy (attached) - 500m2. • Dual occupancy (detached) - 700m2.	✓Complies The application proposes an attached dual occupancy on 730.1 m ² .
P1.2 To create lots of an appropriate size for the purpose including:	Note: Despite A1.1 above, the minimum lot size of the existing lot for the purpose of a dual	

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Performance Criteria	Acceptable Solution	Complies / Does not comply / Variation required
<ul style="list-style-type: none"> Provision for building footprint, landscaping, car parking, driveway, private recreation areas, manoeuvring on sites, setbacks, services and the like. Preservation of the integrity of existing or desired future streetscape and neighbourhood character to enable consistent and visually harmonious development within the locality. Provision of high quality amenity for residents and neighbours. Accommodating on-site sewage storage and disposal where a reticulated sewerage scheme is not available. 	<p>occupancy development in the R3 zone must comply with Clause 4.1B of Shoalhaven LEP 2014.</p> <p>A1.2 Minimum lot sizes, where a reticulated sewerage scheme is not available, must be increased to accommodate on-site disposal of effluent in accordance with Chapter G8: Onsite Sewage Management of this Development Control Plan.</p> <p>A1.3 A development application for a dual occupancy in the R3 Medium Density Residential zone must be accompanied by supporting written evidence to Council's satisfaction, showing that lot consolidation/amalgamation is not feasible as a result of negotiations and reasonable financial offers. Written evidence should include (not exclusively) current market valuations, letters of offer and written refusals.</p> <p>Note: If the proposed dual occupancy is located in the R3 zone, Clause 4.1B of Shoalhaven LEP 2014 requires the applicant to satisfy Council that the amalgamation of the lot with other land in the R3 zone for the purpose of medium density development is not feasible.</p> <p><i>Additional Provisions – Multi Dwelling Housing, Multi Dwelling Housing (Terraces) and Manor Houses</i></p> <p>A1.4 The development site for multi dwelling housing, multi dwelling housing (terraces) or a manor house must be:</p> <ul style="list-style-type: none"> Of an appropriate size and dimension; or <p>Note: A site may need to be a product of</p>	

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Performance Criteria	Acceptable Solution	Complies / Does not comply / Variation required
	<p>amalgamation with other land in the zone to be considered an appropriate size and dimension.</p> <ul style="list-style-type: none"> Accompanied by supporting written evidence to Council's satisfaction, showing that lot consolidation/ amalgamation is not feasible as a result of negotiations and reasonable financial offers. Written evidence should include (not exclusively) current market valuations, letters of offer and written refusals. 	

5.1.2 Density

The specific objectives are to:

- Minimise adverse impacts of higher density development in residential areas.
- Ensure that the bulk and scale of new development is compatible with existing streetscape amenity and the existing or desired future character of the area.

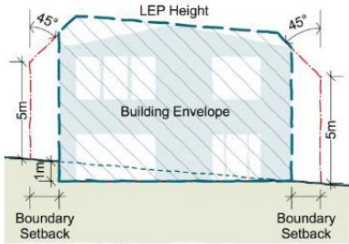
Performance Criteria	Acceptable Solution	Complies / Does Not Comply / Variation Required
<p>P2 The bulk and scale of new development, particularly on the perimeter of the development site, or where that locality or development site has heritage significance and/or distinctive character, is:</p> <ul style="list-style-type: none"> Compatible, consistent and sympathetic to the bulk and scale of existing development in the locality. Sympathetic with the streetscape and complements the existing and desired future character of the area. 	<p>A2.1 The maximum floor space ratio or gross floor area complies with Table 1 below.</p>	<p>✓ Complies</p> <p>GFA proposed is 314m²</p> <p>FSR: 0.43:1</p>

5.1.3 Building Envelope, Heights and Setbacks

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The specific objectives are to:

- Provide practical building envelopes for development to ensure that the height and scale of new development is not excessive, relates well to the local context/streetscape and is compatible with the existing or desired future environmental character within the locality.
- Minimise the visual impacts of elements of the development that exaggerate the built form and impacts negatively on desired future streetscapes.
- Encourage design that creates desirable living conditions and ensures that the amenity of surrounding properties is properly considered and not adversely impacted.
- Allow adequate separation between dwellings (within the development) and adjoining properties to promote natural light, solar access, ventilation, landscaping and privacy.
- Retain the amenity of the public domain.

<p>P3.1 The bulk and scale of development is compatible with the existing or desired future character of the area and minimises adverse amenity impacts on neighbours, the streetscape and public domain.</p> <p>P3.2 Development enables view sharing with neighbours and the public domain.</p>	<p>A3.1 Buildings are sited within a building envelope determined by the following method: planes are projected at 45 degrees from a height of 5m above ground level (existing) at the front, side and rear boundary. See Figure 2.</p>  <p>Figure 2: Building envelope</p> <p>Note:</p> <ol style="list-style-type: none"> Exemptions to building envelope encroachments include gutter, fascias, downpipes, eaves up to 0.6m, aerials and masonry chimneys. For site slopes greater than 10%, or involving cut, fill or site excavations, the ground level (existing) and proposed building levels must be clearly identified on the plans and verified by a registered surveyor. 	<p>✓ Complies</p> <p>The building is sited within the building envelope.</p>
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<p>P4 The height of development:</p> <ul style="list-style-type: none"> Is compatible with the existing or desired future character of the area. Minimises adverse amenity impacts associated with overlooking and overshadowing of adjoining properties. Relates to the land form, with minimal cut and fill 	<p>A4.1 Building heights must comply with Clause 4.3 of Shoalhaven LEP 2014 or Shoalhaven LEP (Jerberra Estate) 2014.</p> <p>A4.2 Development on wedged-shaped lots within cul-de-sacs shall maintain a single dwelling street presentation.</p> <p>A4.3 Any two-storey dwelling component is to be located to minimise the shading of adjacent private open space.</p> <p>A4.4 The difference in building height between existing buildings and new development is compatible when viewed from the public domain.</p> <p><i>Additional Provisions - Dual Occupancy</i></p> <p>A4.5 For dual occupancy (detached), the dwelling furthest from the street (or adjacent to a side street for a corner lot) shall be of single storey construction unless it can be demonstrated that there will be no adverse amenity impacts (i.e. overlooking and overshadowing).</p> <p>A4.6 For dual occupancy development on a battle-axe lot, both dwellings are to be of single storey construction.</p>	<p>✓ Complies</p> <p>11m height limit. A maximum height of 7.3m is proposed.</p> <p>Sited to minimise overshadowing. Shadow diagrams have been provided that indicates that the neighbour to the east receives more than adequate (>3hrs) sunlight on the shortest day of the year.</p> <p>N/A</p>
<p>P5.1 The front setback is generally consistent with adjoining development and does not undermine the integrity of the prevailing building lines.</p> <p>P5.2 The location and siting of the building complements the existing setbacks in proximity to the site, foreshore (if applicable) and the streetscape.</p> <p>P5.3 The proposed development is setback and of a scale that is relative to the street reserve width, in such a way to ensure pedestrians do not feel buildings are overbearing.</p>	<p>Note:</p> <p>1. The acceptable solutions for setbacks may need to be increased or modified depending upon factors such as:</p> <ul style="list-style-type: none"> Slope of the land. Requirements for asset protection zones. Foreshore setbacks. The requirement for effluent disposal areas to be contained wholly within the lot boundaries on unsewered residential lots. Location of existing buildings. The shape of the lot. Desire to create streetscape and visual interest. <p>2. Down pipes, fascias, flues, pipes, domestic fuel tanks,</p>	<p>✓ Complies</p> <p>The front setback to the dwelling is variable from 8m to 9m which complies with Table 2.</p> <p>The side setbacks are 1.015m and 3.455m which complies and 1.65m to the second storey component, which complies.</p> <p>Rear setback is 4.22m which also complies.</p> <p>All setbacks comply with Table 2.</p>

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<p>P5.4 Setbacks avoid loss of view, undue overshadowing and provide/maintain privacy (visual and acoustic) and traffic safety.</p> <p>P5.5 Setbacks are progressively increased to reduce bulk and overshadowing while maintaining adequate daylight and sunlight.</p> <p>P5.6 Adequate levels of light and ventilation to adjoining buildings, landscaping, services and infrastructure are protected.</p> <p>P5.7 The proposal maintains adequate provision for on-site car parking.</p>	<p>cooling or heating appliances or other services, screens or sunblinds, light fittings, electricity or gas meters may encroach into the side or rear setback.</p> <p>3. Additional building line and setback controls are included in the following Chapters of this Development Control Plan:</p> <ul style="list-style-type: none"> • Chapter G6: Coastal • Management Areas. • Chapter V2: Building Lines. • Chapter V3: Miscellaneous Site • Specific Issues. • Other area specific chapters <p><i>Additional Provisions - Dual Occupancy</i></p> <p>A5.1 Dual occupancy development in the R1, R2, R3 and RU5 zones shall comply with the setback provisions in Table 2 and Figure 3 below.</p> <p>A5.2 Dual occupancy development in the RU1, RU2, RU4, E3, E4 and R5 zones shall comply with the setback provisions in Table 3 below.</p> <p>A5.3 Garages must be setback a further 1m behind the front building line.</p> <p><i>Additional Provisions - Multi Dwelling Housing, Multi Dwelling Housing (Terraces), Attached Dwellings, Semi-Detached Dwellings, Manor Houses and Integrated Housing Development</i></p> <p>A5.4 Setbacks shall comply with the provisions in Table 4 below. Refer also to Figure 4.</p> <p><i>Additional Provisions - Integrated Housing</i></p>	
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	<p><i>Development</i></p> <p>A5.5 Despite, A5.4 above, walls may be built to internal side and rear boundaries where:</p> <ul style="list-style-type: none"> • Maximum wall height is 3.5m unless matching an existing or simultaneously constructed wall. • Maximum wall length is 50% of each of the abutting property boundaries. 	
	<p>Note: Internal side and rear boundaries refer to those boundaries that are proposed within an integrated housing development but does not include those boundaries located on the periphery of the site.</p>	

5.1.4 Landscaping

The specific objective is to:

- Ensure that landscaping maximises amenity for future residents, neighbouring **dwellings** and the public domain.
- Ensure the provision of adequate and appropriate landscaping that is sympathetic to the local character.

Performance Criteria	Acceptable Solution	Complies / Does Not Comply / Variation Required
<p>P6.1 Sufficiently dimensioned landscaping provides amenity to residents, effective screening and enables tree and large shrub planting.</p> <p>P6.2 A suitably sized deep soil planting area encourages:</p> <ul style="list-style-type: none"> • Mature tree and shrub growth. • Opportunity for surface water to infiltrate naturally to groundwater. <p>P6.3 Unpaved or unsealed areas are maximised and are designed to facilitate on-site infiltration of stormwater run-off subject to soil/drainage conditions.</p>	<p>A6.1 At least 10% of the site area is to include high quality formal landscaping, which:</p> <ul style="list-style-type: none"> • Has a minimum dimension of 1.5m in any direction. • Consists of 100% deep soil planting. • Is provided with an automated watering system. <p>A6.2 In addition to the formal landscaping area required at A6.1, a further area of at least 20% of the site is to be provided, which:</p> <ul style="list-style-type: none"> • Has a minimum dimension of 1m in any direction. • Is inclusive of 40% deep soil planting. 	<p>✓ Complies</p> <p>Adequate landscaping has been provided to satisfy minimum requirements.</p> <p>The street tree will need to be relocated and a condition will be included in the consent.</p> <p>Retaining walls proposed at the rear and adjacent to eastern side boundary. Appropriate conditions will be included in the consent.</p>

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Performance Criteria	Acceptable Solution	Complies / Does Not Comply / Variation Required
<p>P6.4 Major existing trees are retained wherever practicable through appropriate siting of dwellings, structures and driveways.</p> <p>P6.5 Provision is made for appropriate street tree planting having regard to the appearance and role of the street, solar access requirements and utility services.</p> <p>P6.6 The visual impact of ancillary landscaping or retaining structures is considered</p>	<ul style="list-style-type: none"> Can include landscaped areas, decks, terraces, alfresco areas, swimming pools or other recreation areas / structures. <p>A6.3 At least 35% of the front setback is to be landscaped.</p> <p>A6.4 The landscaping provided at A6.1, A6.2 and A6.3 excludes any encroachments (i.e. any part of a building or structure), hardstand areas and any areas used for storage, clothes drying, and water tanks.</p> <p>A6.5 Retaining walls greater than 0.6m within the front setback are to be softened by planting for a minimum depth of 600mm on the low side of the retaining wall, for the entire length of the retaining wall..</p>	

5.2 Siting the Development

5.2.1 Local Character & Context

The specific **objectives** are to:

- Ensure that **development** enhances and makes a positive contribution to the character of existing **buildings** and streetscapes.
- Ensure that development is sensitive to the landscape, built form and environmental conditions of the locality, particularly where there is a distinctive character, **view** or **heritage significance**.
- Retain, incorporate and sympathetically treat existing **dwelling**s or **buildings** that contribute to streetscape character (including items of heritage or conservation significance).
- Encourage the sharing of **views**, while not restricting the reasonable **development** potential of a site.
- Minimise the impact on adjoining or adjacent properties by considering the cumulative impacts of **development** (including cluster or grouped **development**).

Performance Criteria	Acceptable Solution	Complies / Does not comply / Variation required
P7 The scale and appearance of new development is compatible with, and sympathetic to, existing and future	<p>A7.1 The development must consider/ address the following:</p> <ul style="list-style-type: none"> The local character/context of the area and 	✓ Complies

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Performance Criteria	Acceptable Solution	Complies / Does not comply / Variation required
<p>desired:</p> <ul style="list-style-type: none"> Development in the locality; and Amenity and character of the locality; <p>Particularly where the development site or its surrounds has some heritage significance or distinctive character.</p>	<p>streetscape.</p> <ul style="list-style-type: none"> How the proposal is sympathetic and compatible with the existing or future desired character, development, and amenity of the locality. 	<p>The proposal is consistent with the zone and existing local character.</p> <p>The proposal has been designed to be sympathetic to the surrounding area. It is compatible with the surrounding built form and incorporates design elements derived from the immediate surrounds and is consistent with the future development of the area.</p> <p>The proposed building is well articulated and incorporates a variety of building materials and integrates variations to the façade walls to create interest and articulation.</p>
	<p>Note: Where planning controls anticipate a change of character for an area, compatibility with the desired future character of the area should be regarded as more relevant than compatibility with the existing character.</p>	
	<ul style="list-style-type: none"> How the visual appearance and articulation of the development contributes to the existing streetscape and character of the local area. <p>A7.2 The development must demonstrate that items of heritage or conservation significance are retained and sympathetically treated.</p>	
	<p>Note: If the property is a heritage item, within a heritage conservation area or in the vicinity of a heritage item, the applicant must comply with Clause 5.10 Heritage Conservation of Shoalhaven LEP 2014. Area Specific chapters of this Development Control Plan may also include additional provisions relating to heritage (e.g. Kangaroo Valley, Berry, Milton).</p>	

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Performance Criteria	Acceptable Solution	Complies / Does not comply / Variation required
P8 Existing views from the private or public domain (including heritage or familiar dominant landmarks that are recognised and valued by the community) are not substantially or unreasonably affected where it is possible to design for the sharing of views .	A8.1 Any reduction in views from existing dwelling s or the public domain is not to be severe or devastating based on the following NSW Land & Environment Court Planning Principles : <ul style="list-style-type: none"> Views – General principles. Views - Impact on public domain views. 	N/A
P9 The number, location and distribution of existing and proposed developments do not significantly alter the amenity and character of the area through concentrated localised areas of higher density development .	<p><i>Additional Provisions - Dual Occupancy, Multi Dwelling Housing, Multi Dwelling Housing (Terraces) and Manor Houses</i></p> <p>A9.1 With the exception of land in the R3 Medium Density Residential zone, the cumulative impact of the development must be considered where:</p> <ul style="list-style-type: none"> More than three (3) consecutive dual occupancy, multi dwelling housing, multi dwelling housing (terraces) or manor house developments (total, not per development type) are proposed within a street, including in a cul-de-sac; and/or Neighbouring dual occupancies or multi dwelling housing is proposed in the head of a cul-de-sac. <p>Note:</p> <ul style="list-style-type: none"> Secondary dwellings under State Environmental Planning Policy (Affordable Rental Housing) 2009 are considered a dual occupancy for the purpose of limiting clusters of development. Cul-de-sac in this context also includes the entire street leading to and including the turning area of the cul-de-sac. <p>A9.2 A development application that proposes</p>	<p>✓ Complies</p> <p>There is another attached dual occupancy proposed two doors up from the subject site and a detached dual occupancy that has been built over the road that is now subdivided. There are no other attached dual occupancies in the vicinity and therefore not considered to be a concentrated localised area of higher density and not expected to impact on the amenity of surrounding dwelling houses.</p> <p>There will not more than 3 consecutive dual occupancies proposed or existing in the street.</p>

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Performance Criteria	Acceptable Solution	Complies / Does not comply / Variation required
	<p>clustering of development must satisfy Council that waste servicing, parking and amenity considerations can be achieved.</p> <p>A9.3 Building design shall attempt to reduce the impact of clustering by providing individual dwelling architecture that is sympathetic with the existing or desired future streetscape.</p>	

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5) 5.2.2 Orientation and Siting

The specific objective is to:

- i. Encourage the concurrent planning of the subdivision layout and the **dwelling** siting and design.
- ii. Allow flexibility in the siting of **dwellings**.
- iii. Ensure that design and site placement of **dwellings** is compatible with and enhances the existing and future streetscape.
- iv. Locate **dwellings** to ensure minimal loss of amenity (e.g. privacy, **views**, overshadowing, solar access or the like) to adjoining **development**.
- v. Achieve a site layout that provides a pleasant, attractive, manageable and resource efficient living environment.

Performance Criteria	Acceptable Solution	Complies / Does Not Comply / Variation Required
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Performance Criteria	Acceptable Solution	Complies / Does Not Comply / Variation Required
<p>P10.1 The site analysis informs the site design and layout.</p> <p>P10.2 The site layout integrates with the surrounding environment through:</p> <ul style="list-style-type: none"> Adequate pedestrian, cycle and vehicle links to street and open space networks. Buildings that face and address streets and the public domain. Buildings, streetscape and landscape design that relates to the site topography and to the surrounding neighbourhood character. <p>P10.3 The site layout enhances personal safety and minimises potential for crime and vandalism.</p>	<p>A10.1 A site analysis plan is submitted with the development application which:</p> <ul style="list-style-type: none"> Meets the requirements of Chapter G1: Site Analysis, Sustainable Design and Building Materials Rural, Coastal and Environmental Areas of this Development Control Plan. Clearly provides the following detail for the site and adjoining/adjacent development: <ul style="list-style-type: none"> Height and use of buildings. Front setbacks. Driveways. Boundary treatments (including retaining walls). Easements. Stormwater management. <p>A10.2 The proposed site layout responds to and implements the findings of the site analysis prepared in accordance with A10.1.</p>	<p>✓ Complies</p>

Performance Criteria	Acceptable Solution	Complies / Does Not Comply / Variation Required
<p>P11.1 The frontage, entries and habitable room windows of dwellings address the street.</p> <p>P11.2 The design and orientation of the dwellings:</p> <ul style="list-style-type: none"> Enhance the streetscape. Complement existing development in the vicinity. Provide visual interest. Allow casual surveillance of public or communal streets or public domain. 	<p>A11.1 Each dwelling adjacent to the street frontage must:</p> <ul style="list-style-type: none"> Address the street by having a front door facing the street at the ground level where dwellings are adjacent to the primary frontage. Ensure that any walls facing a street frontage (including secondary frontages) include a window to a habitable room on each level. Ensure upper level windows, balconies or terraces overlook the public domain. Provide surveillance of the street and entrance to the development. <p>A11.2 In addition to A11.1 and where practical, the front door of all other dwellings are to be visible from the street.</p> <p><i>Additional Provisions - Dual Occupancy</i></p> <p>A11.3 On corner lots where practicable, one dwelling is to address the primary frontage and the other dwelling is to address the secondary frontage.</p>	<div>✓ Complies</div> <div>✓ Complies</div> <p>The proposed dual occupancy is on a corner and both address the Yarrowonga frontage. The secondary road currently terminates at the end of the allotment and future development in this area is uncertain due to biodiversity values of the land. The presentation of the dual occupancy to the street and secondary street is acceptable. They are planning landscape shrubbery along the boundary which extends from the front and around the</p>

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Performance Criteria	Acceptable Solution	Complies / Does Not Comply / Variation Required
		secondary frontage which will soften the look from the streetscape of the secondary frontage.

6) 5.2.3 Vehicle and Pedestrian Access

The specific objectives are to:

- Allow service vehicles access where necessary.
- Encourage driveway design that minimises visual impact, stormwater runoff and retains established trees and vegetation.
- Encourage an approach to access design that considers the site and its elements holistically (e.g. landscaping).
- Provide adequate and safe vehicular and pedestrian access from the street to the site, all dwellings and parking spaces.

Performance Criteria	Acceptable Solution	Complies / Does Not Comply / Variation Required
<p>P12.1 Access arrangements are suitable for the development.</p> <p>P12.2 The design of the site and driveways, including manoeuvring areas, has regard to the safety of pedestrians, cyclists and vehicles.</p> <p>P12.3 Multiple driveways are avoided.</p>	<p>A12.1 The site is designed to encourage pedestrian access by providing a continuous path of travel from the street to each dwelling.</p> <p><i>Additional Provisions - Dual Occupancy</i></p> <p>A12.2 In sites with a single frontage, both dwellings are to utilise a common access point from the public road unless Council is satisfied (in non-rural areas) that separate access points would result in a better design outcome.</p> <p>A12.3 For corner allotments, each dwelling is to have a separate road presentation and driveway access.</p>	<p>✓ Complies</p>
<p>P13.1 The visual dominance of driveways is minimised by:</p> <ul style="list-style-type: none"> The selection of paving materials e.g. decorative paving and brick banding. 	<p>A13.1 Driveways must be designed to:</p> <ul style="list-style-type: none"> Be all-weather and service every dwelling. Minimise the hardstand/paved footprint. Be setback a minimum of 0.5m from the side 	<p>✓ Complies.</p> <p>The Development Engineer has reviewed the</p>

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Performance Criteria	Acceptable Solution	Complies / Does Not Comply / Variation Required
<ul style="list-style-type: none"> Breaking up the appearance of driveways with landscaping and screen planting. <p>P13.2 Driveways are designed to:</p> <ul style="list-style-type: none"> Minimise the volume of stormwater runoff. Increase the area available for landscaping. Retain established trees and vegetation. Accommodate public services and infrastructure. 	<p>and/or rear boundary to accommodate appropriate landscape elements.</p> <ul style="list-style-type: none"> Accommodate all public services and infrastructure (e.g. street gully pits). Avoid a gun-barrel effect down the side boundary. Where a gun-barrel driveway cannot be avoided, the driveway must be curved and landscaped to Council's satisfaction to break up the appearance of the gun-barrel design. A grade no greater than 20%. Maximise the availability of on-street parking. Achieve minimum sight lines for pedestrian safety in accordance with AS2890.1 (Figure 3.3). <p>Note:</p> <ul style="list-style-type: none"> A long section of the driveway (including the secondary frontage on corner lots) must be provided prior to the issue of the construction certificate. 	application and provided conditions for the driveways.

7) 5.3 Amenity

5.3.1 Building Separation and Visual/Acoustic Privacy

The specific objectives are to:

- Enable adequate solar access, natural ventilation and **landscaped areas** between **dwelling**s.
- Ensure the design of the site and **buildings** minimises impacts on the amenity of future and adjoining residents in relation to visual privacy, overlooking and noise.
- Ensure the thoughtful location of noise generating plant, equipment and sources.

Performance Criteria	Acceptable Solution	Complies / Does Not Comply / Variation Required
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Performance Criteria	Acceptable Solution	Complies / Does Not Comply / Variation Required
<p>P14.1 Adequate separation between buildings is provided in proportion to the height and scale of the building.</p> <p>P14.2 Direct overlooking of main internal living areas and private open space of other dwellings and adjoining properties is minimised by building layout, location and design of windows, balconies, screening devices, landscaping or other effective means.</p>	<p>A14.1 All dwellings shall be designed and orientated to minimise overlooking of adjoining/ surrounding dwellings and private open space.</p> <p>A14.2 Habitable windows shall not be located adjacent to a shared driveway at the ground level.</p> <p>A14.3 Direct views between living area windows of adjacent dwellings shall be screened or obscured where:</p> <ul style="list-style-type: none"> Ground and first floor windows are located within the privacy sensitive zone area, being a 9m radius from any part of the window of the adjacent dwelling (Figure 6). In the case of a dwelling with three or more storeys, windows are within the privacy sensitive zone described by a 12m radius (Figure 6). <p>A14.4 Direct views from living areas of dwellings into the principal area of private open space of adjacent dwellings shall be screened or obscured where located within a privacy sensitive zone within a 12m radius from the living area windows (Figure 7).</p> <p>A14.5 Separation distances for dwellings with three or more storeys shall meet the following minimum standards:</p>	<p>✓ Complies</p> <p>The design and siting of the dwelling ensures that there are no opportunities for overlooking and that existing residential amenity of surrounding lots is maintained. The fence between the dwellings will provide privacy between the POS/alfresco areas.</p>

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Performance Criteria	Acceptable Solution	Complies / Does Not Comply / Variation Required
	<ul style="list-style-type: none"> 9m between walls with windows to habitable rooms, where adequate privacy and solar access is demonstrated. 12m between walls with windows to habitable rooms. 	
P15 Site layout and building design protects the amenity of residents and/or adjoining properties by minimising noise transfer and nuisance.	<p>A15.1 Dwellings adjacent to high levels of external noise shall be designed to minimise the entry of that noise.</p> <p>A15.2 The following shall be located away from the habitable rooms and private open space of dwellings:</p> <ul style="list-style-type: none"> Communal swimming pools and ancillary facilities. Communal open space areas. Parking areas and vehicle access. <p>A15.3 Shared walls and floors between dwellings shall be constructed to limit noise transmission and, where possible, bedrooms of one dwelling are not to adjoin living area or garages of adjacent dwellings.</p> <p>A15.4 All noise generating (mechanical) plant and equipment must:</p> <ul style="list-style-type: none"> Not exceed an LAeq (15min) of 5dB(A) above background noise at the property boundary. Be acoustically screened (where appropriate). Be sited to minimise noise impacts. Be located at least 3m away from bedroom 	N/A

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Performance Criteria	Acceptable Solution	Complies / Does Not Comply / Variation Required
	<p>windows.</p> <p>Note: Noise generating equipment includes, but is not limited to, air conditioning units, swimming pool filters, hot water systems, fixed vacuum systems, driveway entry shutters, plant rooms, service areas, building services and the like.</p> <p><i>Additional Provisions - Multi Dwelling Housing and Manor Houses</i> A15.5 Where visitor parking areas are required, they are to be located at least 3m away from bedroom windows or the affected windows are to be provided with double glazing or other suitable acoustic treatments.</p>	

8) 5.3.2 Solar and Daylight Access

The specific objectives are to:

- i. Ensure that appropriate levels of solar and daylight access are provided to residents and maintained for surrounding **development**.

Performance Criteria	Acceptable Solution	Complies / Does Not Comply / Variation Required
P16 Dwellings are sited and designed to maximise solar access to living areas and private open space .	<p>A16.1 Dwellings are to be:</p> <ul style="list-style-type: none"> Oriented to make appropriate use of solar energy by maximising solar access to north-facing windows. Sited and designed to ensure that the energy efficiency of existing dwellings on adjoining lots is not unreasonably reduced. Designed to locate living areas and private open space on the northern side of the development and non-habitable areas to the south and west of dwellings. 	<p>✓ Complies</p> <p>Dwellings makes use of northern orientation and the applicant have provided shadow diagrams that indicate that the house to the east (which has solar panels on the roof) receives at least 3 hours sunlight on the shortest day of the year.</p>

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Performance Criteria	Acceptable Solution	Complies / Does Not Comply / Variation Required
	A16.2 The number of single aspect south facing dwellings shall be limited.	

5.3.3 Private Open Space

The specific objectives are to:

- i. Ensure that the private open space provided for a dwelling is useable and meets user requirements for privacy, safety, access, active and passive outdoor recreational activities and landscaping.

Locate private open space to take account of outlook, natural features of the site, solar access and neighbouring buildings or public domain.

Performance Criteria	Acceptable Solution	Complies / Does Not Comply / Variation Required
P17 Private open space is: <ul style="list-style-type: none"> Functional and useable for residents all year round. Dimensioned to suit the projected requirements of the residents, and to accommodate outdoor recreational needs and service functions. Capable of serving as an extension of the function of the dwelling for relaxation, dining, entertainment, active recreation and children's play. Located to take advantage of outlook and natural features of the site. Located to mitigate against external noise. Designed to take account of the impact of adjoining dwellings on privacy and overshadowing. 	<p>A17.1 A minimum area of private open space shall be provided for each dwelling in accordance with Table 5.</p> <p>A17.2 Private open space shall have direct access from a living area.</p> <p>A17.3 Where the private open space of a dwelling is provided at the ground level, it shall:</p> <ul style="list-style-type: none"> Include a defined hardstand area (e.g. concrete, paving, decking) of usable space which: <ul style="list-style-type: none"> Is setback at least 1.2m from an external boundary. Has a minimum dimension of 5m x 4m, of which 50% shall be covered to provide protection from the elements. Have a minimum dimension of 2m for all other areas. Have a gradient no steeper than 1:20. Be adequately screened to provide privacy 	<p>✓ Complies</p> <p>Minimum POS areas are satisfied.</p>

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Performance Criteria	Acceptable Solution	Complies / Does Not Comply / Variation Required
	to residents.	
	Note: The usable private open space area excludes obstructions such as stairs, storage areas, clothes drying facilities, bin storage areas, hot water systems, effluent disposal, above ground rainwater tanks and the like.	
	A17.4 Where the private open space of a dwelling is provided at an upper level, it shall have a minimum dimension of 2m x 3m which is covered to provide protection from the elements.	

9)

10) 5.3.4 Storage and Laundry Facilities

The specific objectives are to:

- Improve the functionality of **dwelling**s by ensuring adequate storage areas are provided.
- Ensure that the location of storage areas does not impact on amenity, accessibility or the functionality of other spaces associated with the **dwelling**.
- Ensure laundry and clothes drying facilities are integrated into the **development**, can be conveniently reached, require minimal maintenance and do not detrimentally impact the streetscape.
- Ensure internal storage of an appropriate size is provided to each **dwelling**.

Performance Criteria	Acceptable Solution	Complies / Does Not Comply / Variation Required
<p>P18.1 External clothes drying facilities are provided for each dwelling that are:</p> <ul style="list-style-type: none"> Adequate and easily accessible. Well located. Visually screened from the public domain. <p>P18.2 A laundry is provided within each dwelling.</p>	<p>A18.1 Separate laundry and external clothes drying facilities shall be provided for each dwelling.</p> <p>A18.2 External clothes drying facilities are to be:</p> <ul style="list-style-type: none"> Provided at a rate of 16m of line per dwelling. Located behind the front building line. Screened from view from the public domain. 	<p>✓ Complies</p> <p>Laundry & clothes drying facilities are provided to each dwelling.</p>

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Performance Criteria	Acceptable Solution	Complies / Does Not Comply / Variation Required
P19 Adequate space is provided to accommodate the laundry facilities, vehicle/s and associated circulation space in a garage	A19.1 Where laundry facilities are provided in a garage, a clear space of at least 1.2m must be provided between any fixed laundry benches/appliances and the car space (minimum of 5.5m long) as shown in Figure 8 .	✓ Not applicable
<p>P20.1 Adequate, well-designed storage areas are provided for each dwelling.</p> <p>P20.2 Storage areas are sympathetically integrated into the building design.</p>	<p>A20.1 In addition to storage in kitchens, bathrooms and bedrooms, the following storage is to be provided per dwelling:</p> <ul style="list-style-type: none"> • 1 bed: 6m³ • 2 bed: 8m³ • 3+ bed: 10m³ <p>A20.2 At least 50% of the required storage in A20.1 is to be located within the dwelling (excluding the garage).</p> <p>A20.3 Storage areas not located in a dwelling are to be secure and clearly allocated to specific dwellings if in a common area.</p> <p>A20.4 Where located in a garage or basement car park, storage areas must not encroach upon allocated car parking spaces.</p>	<p>✓ Complies</p> <p>Adequate storage to satisfy minimum requirements is provided to both dwellings under the stairs.</p>

5.3.5 Car and Bicycle Parking

The specific objectives are to:

- Provide convenient, accessible and safe parking to meet the needs of residents and visitors.

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Performance Criteria	Acceptable Solution	Complies / Does Not Comply / Variation Required
P21 Parking is suitable for the development .	<p>A21.1 Car parking is:</p> <ul style="list-style-type: none"> • Provided in accordance with Chapter G21: Car Parking and Traffic of this Development Control Plan. • Wholly accommodated within the site. 	<p>✓ Complies</p> <p>2 car spaces provided to each dwelling. A double garage and a tandem spot outside the garage that complies with the grades.</p>
	<p>Note: Bedrooms and rooms capable of adaptation for bedrooms (e.g. study, media room) will be counted for parking and contributions requirements.</p>	
	<p>A21.2 For open car spaces, the maximum allowable grades are:</p> <ul style="list-style-type: none"> • Longitudinal - 5%. • Cross fall - 6.25%. <p><i>Additional Provisions - Multi Dwelling Housing, Multi Dwelling Housing (Terraces) and Manor Houses</i></p>	
	<p>A21.3 Secure undercover bicycle parking/ storage shall be provided at a rate of 1 bicycle per dwelling.</p>	
	<p>Note: This space may be included in the storage space required at A20.1 and A20.2.</p>	

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Performance Criteria	Acceptable Solution	Complies / Does Not Comply / Variation Required
P22 Car parking arrangements are suitable for, and consider, the surrounding road network.	<p><i>Additional Provisions - Dual Occupancy</i></p> <p>A22.1 To mitigate the adverse impacts on the surrounding road network, tandem parking in a dual occupancy development shall be limited to access streets and laneways only.</p> <p>A22.2 Where tandem parking is proposed within the front setback, the setback must be increased to at least 5.5m to promote accessibility and accommodate the front vehicle wholly within the site.</p> <p>A22.3 A vehicle parked in a tandem parking space must not impede access to an approved parking space for another dwelling.</p>	<p>✓ Complies</p> <p>Tandem parking proposed and street is an access street and not busy. The application was referred to the Development Engineer for review and they have reviewed the car parking layout and are happy with what is proposed.</p>

5.4 Configuration and Design

5.4.1 Building Form, Design and Materials

The specific objective is to:

- Ensure the provision of low maintenance development that will retain an attractive appearance.
- Ensure that new development enhances and makes a positive contribution to the character of existing buildings and streetscapes and reinforces the built form and environmental conditions of the locality.
- Ensure that in rural/environmental areas or areas of scenic value, buildings complement the existing landscape value rather than detracting from it, particularly where visible from public vantage points.
- Ensure mailboxes are designed to be conveniently reached and require minimal maintenance.

Performance Criteria	Acceptable Solution	Complies / Does Not Comply / Variation Required
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Performance Criteria	Acceptable Solution	Complies / Does Not Comply / Variation Required
<p>P23.1 A dual occupancy (attached) appears as a single dwelling.</p> <p>P23.2 Within rural and environmental protection zones, buildings are of a size and bulk that is compatible with the surrounding rural or environmental context in which they are located.</p>	<p><i>Additional Provisions - Dual Occupancy (Attached)</i></p> <p>A23.1 A dual occupancy (attached) is physically attached by a shared wall or connected by a roofed over structure that provides an all-weather link between the dwellings, and integrates the total development giving the outward appearance of a single dwelling. A covered walkway/breezeway will not be supported as an attachment.</p> <p>A23.2 In the RU1, RU2, RU4, E3, E4 and RU5 zones and in addition to A23.1, both dwellings must form an integrated building design. The linkage shall form part of the roofline and result in a continuous roof profile with identical pitch and continuity of design for the whole building.</p> <p>A23.3 Despite A23.2, any extension to an existing dwelling to enable a dual occupancy (attached) in the RU1, RU2, RU4, E3, E4 and RU5 zones must have a compatible design relationship with the existing dwelling. This shall be characterised by a continuous or complementary roof profile with similar pitch and continuity of design for the whole building.</p>	<p>✓ Complies</p> <p>Each dwelling is attached via a shared wall.</p>

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Performance Criteria	Acceptable Solution	Complies / Does Not Comply / Variation Required
<p>P24.1 The selection of building materials and design complements existing development, and is sympathetic to the streetscape and existing landscape.</p> <p>P24.2 Roof treatments are integrated into the building design and make a positive contribution to the streetscape.</p> <p>P24.3 Building walls use modulation and articulation, and are limited in length to minimise massing and bulk issues as well as impact on neighbours and the public domain/streetscape.</p> <p>P24.4 The building design, detailing and finish provide an appropriate scale to the street, add visual interest and enable differentiation between dwellings when viewed from the public domain.</p> <p>P24.5 External metallic wall and roof materials are suitable and minimise reflectivity.</p> <p>P24.6 The development incorporates passive environmental design.</p>	<p>A24.1 New development, including alterations and additions, shall complement existing built form and be sympathetic to the streetscape.</p> <p>A24.2 Roof design is to be integrated harmoniously with the overall building form through the incorporation of:</p> <ul style="list-style-type: none"> • Complimentary building materials. • Design proportionate to overall building size, scale and form. • Balanced composition of solid and void elements. • Integration of service elements. • <p>A24.3 Building design shall use detail, modulation and articulation of building elements to:</p> <ul style="list-style-type: none"> • Enable each dwelling to be identified from a public road. • Articulate facades and to minimise the length of unbroken walls and glazed areas. <p>A24.4 Buildings shall have a maximum unarticulated length of 15m to a public street frontage.</p> <p>A24.5 In rural/environmental areas or areas of scenic value, the external building materials and colours are to blend with the surrounding landscape.</p> <p>A24.6 External metallic walls and roof surfaces shall consist of colours and finishes that will minimise the reflectivity of the surface when viewed from the public domain or another dwelling.</p> <p><i>Additional Provisions - Dual Occupancy</i> A24.7 Variation to each dwelling must be provided to present different but compatible design elements.</p> <p>A24.8 Mirror reversed facades fronting the street are to be avoided.</p> <p>A24.9 Both dwellings in a dual occupancy (Attached) shall be constructed using</p>	<p>✓ Complies</p> <p>The proposed building is designed to appear as a single building. It is well articulated and incorporates a variety of building materials and integrates variations to the façade walls to create interest and articulation.</p>

Planning Report – S4.15 Assessment – 36 Yarrawonga Dr Mollymook Beach – Lot 304 DP 1234415

Performance Criteria	Acceptable Solution	Complies / Does Not Comply / Variation Required
<p>P25 Garages and parking structures are sited and designed to:</p> <ul style="list-style-type: none"> Add visual interest. Provide opportunity for passive surveillance. Not dominate the street frontage. 	<p>A25.1 Garages are compatible with design of the building.</p> <p><i>Additional Provisions - Dual Occupancy</i></p> <p>A25.2 The cumulative width of garage facades addressing the street must not exceed 9m or 50% of the length of the frontage, whichever is the lesser.</p> <p>A25.3 Co-joining of double garages is not supported unless one double garage is offset from the other by at least 2m.</p>	<p>✓ Complies</p> <p>Each garage facade is 4.97m wide which totals 9.94 and the lot frontage is 20m of which 50% is 10m, the total building frontage is 15.53 of which 50% is 7.765m.</p> <p>Irrespective of the frontage measurement, the garages are recessed, and the design of the frontage includes a portico and a balcony for each dwelling, which provide visual interest and address the street frontage appropriately. It is considered that the garages do not dominate the street frontage and the design meets the performance criteria of the control.</p>
<p>P26 Mailboxes, numbering and external storage facilities, as well as associated signage, are sited and designed for attractive visual appearance and efficient and convenient use.</p>	<p>A26.1 Individual mailboxes shall be located close to each dwelling entry, or a mailbox structure located close to the major pedestrian entry to the site, that complies with the requirements of Australia Post.</p> <p>A26.2 Adequate numbering system and signage is to be provided.</p>	<p>✓ Complies</p> <p>Conditions included in the consent.</p>

5.4.2 Fences and Walls

The specific objectives are to:

Planning Report – S4.15 Assessment – 36 Yarrawonga Dr Mollymook Beach – Lot 304 DP 1234415

- i. To ensure boundary fencing is of a high quality, promotes safety and surveillance and does not detract from the streetscape or public domain.

Performance Criteria	Acceptable Solution	Complies / Does Not Comply / Variation Required
<p>P27.1 Front fences and walls:</p> <ul style="list-style-type: none"> Enable some outlook from buildings to the street for safety and surveillance. Do not impede the safety of pedestrians and cyclists with the movement of vehicles between the property and the roadway. Avoid negatively impacting on the aesthetic and spatial quality of the street. Assist in highlighting entrances and in creating a sense of communal identity within the streetscape. Are designed and detailed to provide visual interest to the streetscape. Are constructed of materials compatible with the proposed development and with examples of fences and walls in the streetscape to offer a sense of continuity. Are compatible with facilities in the street frontage area, such as mailboxes and waste collection areas. Do not impede safe sight distances for road users and pedestrians along the adjoining roadway. <p>P27.2 The use and/or design of fences and walls in streetscapes of significance are appropriate to the heritage or environmental context.</p>	<p>A27.1 Front fences and walls along the primary frontage (see Figure 9), shall be no higher than 1.2m (averaged for sloping sites).</p> <p>A27.2 On a corner lot, the fence or wall along the secondary frontage, behind the front building line (see Figure 9), shall be no higher than 1.8m.</p> <p>A27.3 Despite A27.2, the front fence or wall for a rear dual occupancy dwelling on a corner lot shall be no higher than 1.2m (see Figure 10).</p> <p>A27.4 A fence or wall along a primary or secondary frontage must contain:</p> <ul style="list-style-type: none"> Open elements that make it at least 50% transparent; or Where there are solid panels, articulated elements such as landscape screening, setbacks and varied materials. <p>A27.5 Despite A27.1 and A27.3, front fences and walls higher than 1.2m will only be supported where all the following is satisfied:</p> <ul style="list-style-type: none"> The site is located on a classified road with high traffic volumes. The site is not located in an area with an established heritage character. The fence and/or wall does not exceed 10m in length without some articulation or detailing to provide visual interest. Landscape planting is included within a 1.5m setback between the fence/wall and the 	N/A

Planning Report – S4.15 Assessment – 36 Yarrawonga Dr Mollymook Beach – Lot 304 DP 1234415

Performance Criteria	Acceptable Solution	Complies / Does Not Comply / Variation Required
	<p>boundary to achieve mature heights of at least 1.5m.</p> <p>A27.6 Fences and walls along a primary or secondary frontage shall maintain appropriate sight distances for road users and pedestrians in accordance with the relevant Australian Standards.</p> <p>A27.7 The design and materials of front fences or walls is to be compatible with the surrounding streetscape.</p> <p>A27.8 Solid metal fencing shall not be erected along a primary or secondary frontage.</p>	

5.4.3 Universal Design

The specific **objectives** are to:

- Ensure a suitable proportion and wider variety of **dwelling**s include layouts and design features to accommodate the changing access and mobility requirements of residents and visitors.
- Promote ageing in place by extending the usability of **dwelling**s to meet 'whole of life' needs of the **community**.

Performance Criteria	Acceptable Solution	Complies / Does Not Comply / Variation Required
<p>P28.1 Ensure that a suitable proportion and wider variety of dwellings include layouts and design features to accommodate the changing access and mobility requirements of residents and visitors.</p> <p>P28.2 Promote ageing in place by extending the usability of dwellings to meet 'whole of life' needs of the community.</p> <p>P28.3 The required proportion of new Class 1a or 2 dwellings achieve appropriate levels of accessibility</p>	<p>A28.1 All Class 1a and 2 developments, as defined in the Building Code of Australia, should provide accessible or adaptable housing at the following rate:</p> <ul style="list-style-type: none"> Developments containing 3-10 dwelling – 1 dwelling. Developments containing 11 – 40 dwellings – 2 dwellings. Development containing 41 – 60 dwellings – 3 dwellings. Development containing 61 – 80 	N/A

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Performance Criteria	Acceptable Solution	Complies / Does Not Comply / Variation Required
<p>or are designed to be 'easily and affordably adaptable'.</p> <p>Note: 'Easily and affordably adaptable' includes the future installation or alterations of inclusions to comply with the requirements of a silver standard as outlined in the 'Livable Housing Design Guidelines'. It does not include alterations and additions resulting in a change to the configuration of a room but may include, for example, the installation of a future domestic elevator or lift meeting compliance with a silver standard as outlined in the 'Livable Housing Design Guidelines'.</p> <p>P28.4 Access is provided from the car parking space located on the premises to the principal entrance of the dwelling and access to and within the following areas:</p> <ul style="list-style-type: none"> • A bedroom. • Laundry. • A bathroom that includes a shower, • WC and vanity. • Kitchen. • A living area. • An external private open space. 	<p>dwelling – 4 dwellings.</p> <ul style="list-style-type: none"> • Developments containing 81 – 100 dwellings – 5 dwellings. <p>A28.2 The required proportion of new Class 1a or 2 dwellings, should be designed so the dwelling can be easily and affordably adaptable at a later date. In this regard the Silver Standard for accessibility as outlined in the Livable Housing Design Guidelines.</p>	

5.5 Environment

5.5.1 Water Management and Conservation

The specific objectives are to:

- Ensure the protection of public health, surrounding land and the natural environment including soils, groundwater and surface waters.
- Encourage harvesting of rainwater and the incorporation of pervious areas.

Planning Report – S4.15 Assessment – 36 Yarrawonga Dr Mollymook Beach – Lot 304 DP 1234415

Performance Criteria	Acceptable Solution	Complies / Does Not Comply / Variation Required
<p>P29 Stormwater is appropriately accommodated in the design including:</p> <ul style="list-style-type: none"> Stormwater from roofed areas is collected, stored and/ or conveyed to appropriate discharge points or disposal areas. Paved areas associated with buildings and driveways are graded and drained to minimise the discharge of surface water onto adjoining land. Permeable areas are utilised to reduce stormwater runoff. 	<p>A29.1 Roof water is to be collected by gutter and downpipe systems, or other equivalent means, and conveyed to an approved discharge point in accordance with the requirements of Part 3.1.2 of the Building Code of Australia. This could be:</p> <ul style="list-style-type: none"> a) A gutter or table drain in a road reserve, or b) A stormwater easement or easement to drain water, or c) A disposal/absorption trench, where (a) and (b) above are not available, and soil conditions are suitable, or d) A water tank / on-site detention system with an overflow connected to a disposal method in (a), (b) or (c) above. <p>A29.2 Surface water from paved areas including driveways is to be directed to an approved discharge point (see A29.1) that minimises impact on adjoining land.</p> <p>Note: The method selected for the discharge point in A29.1 and A29.2 above will be assessed against the suitability and hydraulic capability including pipe size and/or soil type.</p> <p>A29.3 Where the area of buildings, pavement and other impervious areas exceeds 65% of the site area, the proposal is to include details of the methods to be used to harvest rainwater and minimise increased runoff to surrounding land and public stormwater infrastructure. The details are to include assessment of predevelopment and post</p>	<p>✓ Complies.</p> <p>Engineer has reviewed the stormwater and provided comments. The impervious areas are 415m2 which is 57% which complies.</p>

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Performance Criteria	Acceptable Solution	Complies / Does Not Comply / Variation Required
	development stormwater flows.	

5.5.2 Servicing

The specific objectives are to:

- i. Ensure residential areas are provided with essential services in a timely, cost effective and efficient manner

Performance Criteria	Acceptable Solution	Complies / Does Not Comply / Variation Required
<p>P30.1 Development is adequately and safely serviced.</p> <p>P30.2 The design and provision of public utilities, including sewerage, water, electricity, street lighting, telecommunication/ internet and gas services conform to the cost-effective performance measures of the relevant servicing authority.</p> <p>P30.3 Compatible public utility services are co-ordinated in common trenching in order to minimise construction costs for underground services.</p> <p>P30.4 Water supply for domestic and firefighting purposes is appropriate for the location and development type</p>	<p>A30.1 Services and utilities including electricity, gas, water, sewer, roads and drainage must be available for the initial development and ongoing development needs.</p> <p>A30.2 Where connection to the services outlined in A30.1 is not available, the development application must provide alternatives to Council's satisfaction.</p> <p>Note: Refer to Chapter G8: Onsite Sewage Management of this Development Control Plan for further details on the management of sewerage in areas without reticulated services.</p> <p>A30.3 Individual water meters will be required to assist the individual billing of each dwelling.</p> <p><i>Additional Provisions - Dual Occupancy</i></p> <p>A30.4 In the case of dual occupancy (detached), the electricity service to the dwelling furthest from the street is to be underground (excluding corner lots).</p>	<p>✓ Complies</p> <p>The proposal is able to be connected to the various services.</p>

5.5.3 Waste Management

The specific objectives are to:

- i. Ensure waste storage and recycling areas are designed to be conveniently reached and require minimal maintenance.

Planning Report – S4.15 Assessment – 36 Yarrawonga Dr Mollymook Beach – Lot 304 DP 1234415

- ii. Ensure **waste storage and recycling areas** are attractive and compliment the streetscape.
- iii. Ensure appropriate kerbside frontage is provided for bin presentation and collection.

Performance Criteria	Acceptable Solution	Complies / Does Not Comply / Variation Required
<p>P31.1 Bin storage, presentation and collection arrangements:</p> <ul style="list-style-type: none">Are appropriate for the nature of the development.Consider site configuration and adequate street frontage, especially lots at the head of cul-de-sacs and battle-axe lots. <p>P31.2 Bin storage is sited and designed for attractive visual appearance and for</p> <ul style="list-style-type: none">efficient and convenient use.	<p>A31.1 For each dwelling in a development, the kerbside frontage required for waste collection is at least 1m per bin, 0.5m separation between bins and 1m behind each bin.</p> <p>Note: If kerbside bin collection is not a suitable option, alternative waste collection options must be considered including an onsite storage and collection area (including safe access and/or turning circle). Refer to Chapter G7: Waste Minimisation and Management Controls of this Development Control Plan for more information.</p>	<p>✓ Complies</p> <p>Adequate kerbside space available for kerbside collection and adequate space provided within sites for bin storage.</p>
	<p>A31.2 Bin storage area/s are required and must be identified on the site plan for all developments, regardless of whether waste is collected from the kerbside or via alternative waste servicing options.</p> <p>A31.3 Bin storage areas must be located behind the front building line and where visible from the street, must be appropriately screened to conceal the contents from the public domain and adjacent properties.</p> <p>A31.4 Where a bin storage area is also the waste collection area or where a communal waste storage and recycling area is provided, it shall be:</p> <ul style="list-style-type: none">Provided with a water tap for wash down purposes and drained to connect to the main sewer.Roofed to comply with Council's	<p>N/A</p>

Planning Report – S4.15 Assessment – 36 Yarrawonga Dr Mollymook Beach – Lot 304 DP 1234415

Performance Criteria	Acceptable Solution	Complies / Does Not Comply / Variation Required
	<p>requirements.</p> <ul style="list-style-type: none"> Readily accessible from within the site and serviceable from the adjoining roadway. <p>A31.5 Bins must be able to be easily manoeuvred from the bin storage area for presentation at the kerbside.</p>	



Bridge Rd, Nowra NSW 2541 | 02 4429 3111
Deering St, Ulladulla NSW 2539 | 02 4429 8999

Address all correspondence to

The Chief Executive Officer, PO Box 42, Nowra NSW 2541 Australia
council@shoalhaven.nsw.gov.au | DX5323 Nowra | Fax 02 4422 1816

shoalhaven.nsw.gov.au     

**NOTICE TO APPLICANT OF DETERMINATION OF APPLICATION
DEVELOPMENT CONSENT**

Environmental Planning and Assessment Act, 1979
DA21/2359

TO:

Buildcert Planning
104 Hannell Street
WICKHAM NSW 2293

being the applicant(s) for DA21/2359 relating to:

32 Yarrawonga Dr, MOLLYMOOK BEACH - Lot 211 - DP 1043758

APPROVED USE AND OR DEVELOPMENT:

Attached Dual Occupancy & Torrens Title Subdivision

DETERMINATION DATE:

TBA

Pursuant to the Section 4.18 of the Act, notice is hereby given that the above application has been determined by granting consent, subject to the conditions listed below.

CONSENT TO OPERATE FROM:

TBA

CONSENT TO LAPSE ON:

TBA

This consent is valid for five years from the date hereon.

In accordance with Section 4.53 of the Act, development consent for the use of the land or the erection of a building does not lapse if building, engineering or construction work relating to the building or work or the use is physically commenced on the land to which the consent applies before the lapse date.

DETAILS OF CONDITIONS:

The conditions of consent and reasons for such conditions are set out as follows:

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PART A: GENERAL CONDITIONS

1. General

The consent relates to attached dual occupancy with Torrens title subdivision as documented on the stamped plans/documentation, or as modified by the conditions of this consent. The development must be carried out in accordance with this consent. If there is inconsistency between the stamped plans/documentation and the conditions of consent, the conditions prevail to the extent of that inconsistency.

Stamped plans/documents	Ref/sheet no.	Prepared by	Dated
Site Plan	Drawing No 04	Keep Design Building	1.09.2021
Subdivision Plan	Drawing No 03	Keep Design Building	1.09.2021
Cover Page and Basix Commitments	Drawing No 01	Keep Design Building	23.12.2021
Lower Floor Plan	Drawing No 07	Keep Design Building	23.12.2021
Upper Floor Plan	Drawing No 08	Keep Design Building	23.12.2021
Front - South Elevations & Right - East Elevations	Drawing No 09	Keep Design Building	1.09.2021
Rear – North Elevations & Left – West Elevations	Drawing No 10	Keep Design Building	1.09.2021
Section 1-1	Drawing No 15	Keep Design Building	23.12.2021
Site Management / Concept Stormwater Plan	Drawing No 10	Keep Design Building	1.09.2021
Concept Landscape Plan	Drawing No 17	Keep Design Building	23.12.2021
Basix Certificate – Unit 1	Certificate No: 1236708S	Keep Design Building	2.9.2021
Basix Certificate – Unit 2	Certificate No: 1236710S_02	Keep Design Building	2.9.2021

Note: Any alteration to the plans and/or documentation must be submitted for the approval of Council. Such alterations may require the lodgement of an application to amend the consent under section 4.55 of the Environmental Planning and Assessment Act, or a new development application.

2. Prescribed Conditions

CL22.314 - Attachment 3

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The development must comply with the [Prescribed Conditions of Development Consent](#), Division 8A, *Environmental Planning and Assessment Regulation 2000*, as applicable.

3. **Occupation / Use**

The development must not be occupied or used before an Occupation Certificate has been issued by the Certifier. If an Occupation Certificate is not required, the use must not commence until all conditions of development consent have been met or other satisfactory agreements have been made with Council (i.e. a security).

4. **Shoalhaven Water - Certificate of Compliance**

A Certificate of Compliance must be obtained to verify that all necessary requirements for matters relating to water supply and sewerage (where applicable) for the development have been made with Shoalhaven Water. A Certificate of Compliance must be obtained from Shoalhaven Water after satisfactory compliance with all conditions as listed on the Notice of Requirements and prior to the issue of an Occupation Certificate, Subdivision Certificate or Caravan Park Approval, as the case may be.

PART B: INTEGRATED DEVELOPMENT AND CONCURRENCE CONDITIONS

5. **NSW Rural Fire Service**

The conditions of the General Terms of Approval issued by the NSW Rural Fire Service, Reference No: DA20211128005209-Original-1 dated 5 April 2022 are included as conditions of this consent and must be complied with.

PART C: PRIOR TO THE COMMENCEMENT OF WORKS

6. **Construction Certificate**

A Construction Certificate must be obtained from either Council or an accredited certifier before any building work can commence.

7. **Appointment of Principal Certifier**

Prior to the commencement of building or subdivision work, a Principal Certifier must be appointed.

8. **Notice of Commencement**

Notice must be given to Council at least two (2) days prior to the commencement of building or subdivision work by completing and returning the form '[Commencement Notice for Building or Subdivision Work and Appointment of Principal Certifying Authority](#)'

9. **Toilet Facilities - Temporary**

Toilet facilities must be available or provided at the work site before works begin and must be maintained until the works are completed at a ratio of one toilet plus one additional toilet for every 20 persons employed at the site. Each toilet must:

- a) be a standard flushing toilet connected to a public sewer, or
- b) have an onsite effluent disposal system approved under the *Local Government Act 1993*, or
- c) be a temporary chemical closet approved under the *Local Government Act 1993*.

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10. Run-off and Erosion Controls

Prior to the commencement of site works, run-off and erosion controls must be implemented to prevent soil erosion, water pollution or the discharge of loose sediment on the surrounding land by:

- a) diverting uncontaminated run-off around cleared or disturbed areas.
- b) erecting a silt fence and providing any other necessary sediment control measures that will prevent debris escaping into drainage systems, waterways or adjoining properties.
- c) preventing the tracking of sediment by vehicles onto roads.
- d) stockpiling topsoil, excavated materials, construction and landscaping supplies and debris within the lot.

Note: all implemented measures must not cause water pollution as defined by the [Protection of the Environment Operations Act \(POEO\)](#).

11. Access Driveway Design Standards - Urban

Prior to the commencement of works within the road reserve, engineering design plans for works within the road reserve must be prepared by a suitably qualified person and approved by Council. The layback/footpath crossing design must comply with the following:

- a) Council's Engineering Design Standard Drawings.
- b) Constructed using 20 MPa reinforced concrete, reinforced with SL72 mesh, on a 75mm compacted fine crushed rock base with centrally placed slab of minimum 3 metres width and minimum 100mm depth.
- c) Removal of sufficient width of existing road seal and pavement to allow placing of formwork and laying/compaction of suitable pavement material for the driveway layback with a minimum 300mm offset to the kerb lip line.

12. Works within the Road Reserve

Prior to undertaking any works within an existing road reserve, the developer must obtain the consent of Council under *section 138 of the Roads Act, 1993*.

The following details must be submitted to Council as part of the application:

- a) Any civil works design required by this consent.
- b) Evidence of the contractor's Public Liability Insurance to an amount of \$20 million.
- c) Name and contact information of the person responsible for all relevant works.
- d) A Traffic Control Plan prepared, signed and certified by a person holding the appropriate Transport for NSW (TfNSW) accreditation.

13. Dilapidation Report

Prior to the commencement of work, the developer must engage a competent person to prepare a dilapidation report in respect of the neighbouring premises and adjacent public infrastructure, including adjacent kerbs, gutters, footpaths (formed or unformed), driveways (formed or unformed), carriageway, reserves and the like to document evidence of any existing damage.

The dilapidation report must consider the impact of any excavation work that extends below the level of the base of the footings of any structure within 0.9metres of the shared boundary.

Before works commence, a copy of the dilapidation report must be provided to the Certifier and Council. The dilapidation report will be the benchmark for necessary repairs to damage caused

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during the development works. All repairs must be completed by the developer at the developer's cost.

Not less than seven (7) days before works commence, the developer must notify the owner of any affected property of the intention to carry out approved works. The developer must also furnish the owner with details of the approved work.

However, if the occupier or owner of any neighbouring dwelling does not permit reasonable access for the purposes for the preparation of the dilapidation report, written evidence of the efforts taken to secure access may be submitted to the *Principal Certifier* and the *Principal Certifier* may waive the requirement in relation to the relevant property.

Note: A dilapidation report can comprise of video footage and photos of adjacent public infrastructure and relevant structures on adjoining properties.

PART D: PRIOR TO THE ISSUE OF A CONSTRUCTION CERTIFICATE

14. **Evidence**

A Construction Certificate must not be issued until the Certifier has received notification from, or evidence of, any Council approval that is required Prior to the Commencement of Works.

15. **Local Infrastructure Contributions**

This development will generate a need for the additional services and/or facilities described in Shoalhaven Contributions Plan 2019 and itemised in the following table:

Project	Description	Rate	Qty	Total	GST	GST Incl
05 AREC 0005	Planning Area 5 - Active recreation facility upgrades various locations	\$1,054.53	1	\$1,054.53	\$0.00	\$1,054.53
05 CFAC 2010	Southern Shoalhaven Branch Library	\$530.63	1	\$530.63	\$0.00	\$530.63
05 ROAD 2001	Bishop Drive extension (Northern Link Road)	\$5,584.38	1	\$5,584.38	\$0.00	\$5,584.38
05 ROAD 3061	Matron Porter Drive - Princes Highway to Leo Drive, Mollymook	\$1,827.74	1	\$1,827.74	\$0.00	\$1,827.74
CW AREC 5005	Shoalhaven Community and Recreational Precinct SCaRP Cambewarra Road Bomaderry	\$1,104.42	1	\$1,104.42	\$0.00	\$1,104.42
CW CFAC 5002	Shoalhaven Entertainment Centre (Bridge Road Nowra)	\$834.71	1	\$834.71	\$0.00	\$834.71
CW CFAC 5006	Shoalhaven City Library Extensions (Berry Street, Nowra)	\$1,292.05	1	\$1,292.05	\$0.00	\$1,292.05
CW CFAC 5007	Shoalhaven Regional Gallery	\$70.93	1	\$70.93	\$0.00	\$70.93
CW FIRE 2001	Citywide Fire & Emergency services	\$139.37	1	\$139.37	\$0.00	\$139.37
CW FIRE 2002	Shoalhaven Fire Control Centre	\$203.89	1	\$203.89	\$0.00	\$203.89
CW MGMT 3001	Contributions Management & Administration	\$579.56	1	\$579.56	\$0.00	\$579.56
				Sub Total:		\$13,222.21
				GST Total:		\$0.00
				Estimate Total:		\$13,222.21

The total contribution, identified in the above table or as indexed in future years, must be paid to Council prior to the issue of a Construction Certificate. Evidence of payment must be provided to the Certifying Authority.

Contributions Plan 2019 can be accessed on Councils website www.shoalhaven.nsw.gov.au or may be inspected on the public access computers at the libraries and the Council Administrative Offices, Bridge Road, Nowra and Deering Street, Ulladulla.

16. **Access Driveway Design Standards - Urban**

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Prior to the issue of a Construction Certificate, certified engineering design plans must be prepared by a professional engineer, (as defined in the National Construction Code) or surveyor and approved by the Certifier. The access driveway design must comply with the following:

- a) Council's Engineering Design Standard Drawings.
- b) Constructed using 20 MPa reinforced concrete, reinforced with SL72 mesh, on a 75mm compacted fine crushed rock base with centrally placed slab of minimum 3 metres width and minimum 100m depth.
- c) Removal of sufficient width of existing road seal and pavement to allow placing of formwork and laying/compaction of suitable pavement material for the driveway layback with a minimum 300mm offset to the kerb lip line.

17. Stormwater - New Urban Dwellings

Prior to the issue of a Construction Certificate stormwater plans must be prepared by a Licensed Plumber or professional engineer (as defined in the National Construction Code) and submitted to Council for approval under s68 of the *Local Government Act 1993*.

Drainage must be designed and constructed in accordance with:

- a) the approved concept plans prepared by KEEP Building Design dated 23/12/2021
- b) the National Construction Code
- c) Council's [Engineering Design Specifications](#)
- d) [Development Control Plan G2](#)

18. On-Site Detention – Infill Subdivision and Development

Prior to the issue of a Subdivision Works Certificate, certified engineering design plans and specifications must be prepared by professional engineer, (as defined in the National Construction Code) or surveyor and approved by the Certifier.

The on-site stormwater detention (OSD) design must comply with the following:

- a) Designed such that stormwater runoff from the site for design storm events up to and including the 1% AEP does not exceed the pre-developed conditions.

19. Long Service Levy

Prior to the issue of a Construction Certificate any long service levy payable under the [Building and Construction Industry Long Service Payments Act 1986](#) and prescribed by the [Building and Construction Industry Long Service Payments Regulation 2017](#) must be paid or, where such a levy is payable by instalments, the first instalment of the levy must be paid. Council is authorised to accept payment. Proof of payment must be submitted to the Certifying Authority.

20. Street Numbering of Dwellings

Street numbering must comply with the State Governments Comprehensive Property Addressing System (CPAS), and Council's Property Address Numbering Policy.

Street numbering for the development must be as follows:

Unit 1 – 32B Yarrawonga Drive Mollymook Beach

Unit 2 – 32A Yarrawonga Drive Mollymook Beach

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The allocated numbers must be shown on the engineering plans with the Construction Certificate. Where plans and details are provided to service suppliers, numbers must be in accordance with the above.

21. Retaining Walls - Design

Prior to the issue of a Construction Certificate for approved retaining walls exceeding 0.6m in height above ground level (existing) and/or within 1m of a property boundary, detailed design plans must be prepared and submitted to the Certifier for approval. The retaining walls must satisfy the following:

- a) For retaining walls exceeding 0.6m in height above natural ground level (existing) a professional engineer has certified the retaining walls as structurally sound, including in relation to (but not limited to) the ability to withstand the forces of lateral soil load; and
- b) For retaining walls less than 0.6m in height above natural ground level (existing) the Certifier must be satisfied that the retaining walls are structurally sound, including in relation to (but not limited to) the ability to withstand the forces of lateral soil load.
- c) Retaining walls, footings and drainage must be contained wholly within the development site.

Construction within a registered easement is prohibited.

Retaining walls not shown on the approved plan must meet the criteria for Exempt retaining walls and comply with the relevant criteria listed in *State Environmental Planning Policy (Exempt and Complying Development Codes) 2008*, or be approved by way of Complying Development prior to construction and comply with the relevant criteria listed in *State Environmental Planning Policy (Exempt and Complying Development Codes) 2008*.

22. Shoalhaven Water – Prior to the Issue of a Construction Certificate

Prior to the issue of a Construction Certificate, all conditions listed on the Shoalhaven Water Notice of Requirements under the heading "Prior to the Issue of a Construction Certificate" must be complied with and accepted by Shoalhaven Water. Written notification must be issued by Shoalhaven Water and provided to the Certifier.

23. Erosion and Sediment Control Plan (ESCP)

Prior to the issue of a Construction Certificate, an Erosion and Sediment Control Plan (ESCP) must be prepared by a Professional Engineer, (as defined in the National Construction Code) in accordance with the Landcom Manual – Soils and Construction, Managing Urban Stormwater, Vol 1, 4th Edition March 2004 to the satisfaction of the Certifier.

All implemented measures must:

- a) not cause water pollution as defined by the [Protection of the Environment Operations Act \(POEO\)](#).
- b) be maintained at all times.
- c) not be decommissioned until at least 70% revegetation cover has been established.

24. Existing Infrastructure

Any required alterations or repair of damaged infrastructure will be at the developer's expense.

Note: it is recommended prior to the issue of a Construction Certificate, all infrastructure, existing and proposed, is to be shown accurately on construction plans with clearances clearly labelled

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confirming that the proposed works do not affect any existing infrastructure this will potentially prevent unexpected costs and expenses.

25. **External Lighting**

Any external lighting is to be designed to minimise glare and nuisance to neighbours, details of which are to be shown on the Construction Certificate drawings.

PART E: PRIOR TO THE ISSUE OF A SUBDIVISION WORKS CERTIFICATE

NIL

PART F: DURING WORKS

26. **Hours for Construction**

Construction may only be carried out between 7.00am and 5.00pm on Monday to Saturday and no construction is to be carried out at any time on a Sunday or a public holiday. Proposed changes to hours of construction must be approved by Council in writing.

27. **Noise**

The noise from all demolition and construction activities associated with the approved development must comply with the work practices as outlined in the NSW Department of Environment & Climate Change Interim Construction Noise Guideline. The LA10 level measured over a period of not less than 15 minutes during works must not exceed the background (LA90) noise level by more than 10dB(A) when assessed at any sensitive noise receiver.

28. **Aboriginal Objects Discovered During Excavation**

If an Aboriginal object (including evidence of habitation or remains) is discovered during the course of the work:

All excavation or disturbance of the area must stop immediately.

Additional assessment and approval pursuant to the National Parks and Wildlife Act 1974 may be required prior to works continuing the affected area(s) based on the nature of the discovery.

Work may recommence in the affected area(s) if Heritage NSW advises that additional assessment and/or approval is not required (or once any required assessment has taken place or any required approval has been given).

The Heritage NSW must be advised of the discovery in accordance with section 89A of the [National Parks and Wildlife Act 1974](#).

29. **Archaeology Discovered During Excavation**

If any object having interest due to its age or association with the past is uncovered during the course of the work:

All work must stop immediately in that area.

Work may recommence in the affected area(s) if Heritage NSW advises that additional assessment and/or approval is not required (or once any required assessment has taken place or any required approval has been given).

In accordance with the *Heritage Act 1997*, the Heritage NSW must be advised of the discovery.

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30. Survey Report – Height

In order to ensure compliance with approved plans, a Survey Certificate to Australian Height Datum must be prepared by a Registered Surveyor as follows:

- a) At the completion of the first structural floor level indicating the level of that floor and the relationship of the building to the boundaries.
- b) At the completed height of the building, prior to the placement of concrete in form work, or the laying of roofing materials.
- c) At completion, the relationship of the building and any penetrations thereto, to the boundaries.
- d) Progress certificates in response to points (a) through to (c) must be provided to the Certifier at the time of carrying out relevant progress inspections. Under no circumstances will work be allowed to proceed should such survey information be unavailable or reveal discrepancies between the approved plans and the proposed works.

31. Maintenance of Site and Surrounds

During works, the following maintenance requirements must be complied with:

All materials and equipment must be stored wholly within the work site unless an approval to store them elsewhere is held.

Waste materials (including excavation, demolition and construction waste materials) must be managed on the site and then disposed of at a waste management facility.

Where tree or vegetation protection measures are in place, the protected area must be kept clear of materials and / or machinery.

The developer must maintain the approved soil water management / erosion and sediment control measures to the satisfaction of the Certifier for the life of the construction period and until runoff catchments are stabilised.

During construction:

- a) all vehicles entering or leaving the site must have their loads covered, and
- b) all vehicles, before leaving the site, must be cleaned of dirt, sand and other materials, to avoid tracking these materials onto public roads.

At the completion of the works, the work site must be left clear of waste and debris.

32. Waste Management Plan

All waste must be contained within the site during construction and then be recycled in accordance with the approved Waste Management Plan (WMP) or removed to an authorised waste disposal facility. Waste must not be placed in any location or in any manner that would allow it to fall, descend, blow, wash, percolate or otherwise escape from the site. Compliance with the WMP must be demonstrated by the submission of tip receipts to the Certifier.

Note: "Waste" is defined in the Dictionary to the *Protection of the Environment Operations Act 1997* (POEO Act).

33. Earthworks and Excavation

Approved earthworks (including any structural support or other related structure for the purposes of the development):

- a) must not cause a danger to life or property or damage to any adjoining building or structure on the lot or to any building or structure on any adjoining lot.

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- b) must not redirect the flow of any surface or ground water or cause sediment to be transported onto an adjoining property.
- c) that is fill brought to the site, must contain only virgin excavated natural material (VENM) or excavated natural material (ENM) as defined in Part 3 of schedule 1 to the Protection of the Environment Operations Act 1997 (POEO Act).
- d) Documentation must be provided to the Certifier certifying that imported fill material is not contaminated and does not contain contaminants such as asbestos, chemicals or building waste.
- e) that is excavated soil to be removed from the site, must be disposed of in accordance with any requirements under the Protection of the Environment Operations (Waste) Regulation 2005.
- f) Any excavation must be carried out in accordance with Excavation Work: Code of Practice (ISBN 978-0-642-78544-2) published by Safe Work Australia in October 2018

PART G: PRIOR TO THE ISSUE OF AN OCCUPATION CERTIFICATE

34. Compliance

The Occupation Certificate must not be issued until all relevant conditions of development consent have been met or other satisfactory arrangements have been made with council (i.e. a security).

35. Air-Conditioning Systems - Noise Controls

Prior to the Issue of an Occupation Certificate, air conditioning must be installed in accordance with manufacturer's instructions and operated at all times so as not to cause "Offensive Noise" as defined by the *Protection of the Environment Operations Act 1997 (POEO Act)*

Domestic air conditioners must not emit noise that can be heard within any room in any other residential premises (that is not a garage, storage area, bathroom, laundry, toilet or pantry) whether or not any door or window to that room is open—

before 8 am or after 10 pm on any Saturday, Sunday or public holiday, or
before 7 am or after 10 pm on any other day.

36. BASIX

Prior to the issue of an Occupation Certificate, documentary evidence prepared by a suitably qualified person must be submitted to the Certifier confirming that all commitments listed in the BASIX Certificate(s) are fulfilled in accordance with Clause 97A of the *Environmental Planning and Assessment Regulation 2000*.

37. Colours and Materials

The development must be constructed in accordance with the approved schedule of colours and building materials and finishes.

38. Landscaping Compliance

Prior to the issue of an Occupation Certificate, the developer must provide the Certifier with written evidence from a suitably qualified landscape professional that all landscape works have been completed in accordance with the approved landscape plans.

The Certifier must be satisfied that any required Street trees have been installed in accordance with requirements.

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39. **Letter Boxes**

A letterbox structure(s) must be provided and be designed to comply with the requirements of Australia Post, located close to the major pedestrian entry to the site, and built from materials that are non-reflective and blend in with the approved development.

40. **Retaining Walls – Certification**

Prior to the issue of an Occupation Certificate, the Certifier must be satisfied that all retaining walls have been constructed in accordance with the relevant retaining wall plans and specifications, and in accordance with the requirements of any other conditions of this consent.

41. **Evidence of Compliance with Bushfire Measures**

Prior to the issue of Occupation Certificate, certification must be provided by a BPAD Level 3 accredited consultant to the satisfaction of the Certifier, that the bushfire measures required by the approval have been installed to their satisfaction.

42. **Shoalhaven Water – Certificate of Compliance**

Prior to the issue of any Occupation Certificate, a Certificate of Compliance under section 307 of the Water Management Act 2000 must be obtained from Shoalhaven Water to verify satisfactory compliance with all conditions for the supply of water and sewerage, as listed on the Notice of Requirements.

If the development is to be completed in approved stages, or application is subsequently made for staging of the development, separate Compliance Certificates must be obtained for each stage of the development.

43. **Driveway – Evidence of completion**

Prior to the issue of a full Occupation Certificate, all driveway works internal to the site as shown on the approved plans must be completed.

44. **Works as Executed - Stormwater Drainage**

Prior to the issue of the Occupation Certificate, Works as Executed Plans and certification must be submitted to the Council by a licenced plumber/ registered surveyor / professional engineer (as defined in the National Construction Code) certifying compliance of all drainage works with the approved design plans and the National Construction Code.

The Works as Executed dimensions and levels must be shown in red on a copy of the approved Construction Certificate plans. This plan must verify surface and invert levels on all pits, invert levels and sizes of all pipelines, and finished surface levels on all paved areas. All levels must relate to Australian Height Datum.

Where the system includes an underground tank, a certificate of structural adequacy must be prepared and provided by a professional engineer (as defined in the National Construction Code).

45. **Works in the Road Reserve - Evidence of completion**

Prior to the issue of a full Occupation Certificate, the developer must provide the Certifier with a Construction Inspection Ticket Completion provided by council, confirming compliance with the requirements of section 138 of the *Roads Act 1993*.

46. **Dilapidation Report – Evidence**

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Prior to the issue of an Occupation Certificate, the developer must provide the Certifier and Council with evidence that any damage to neighbouring premises or adjacent public infrastructure, not previously identified as existing damage in the Dilapidation Report, has been repaired by the developer to the satisfaction of Council.

PART H: PRIOR TO THE ISSUE OF A SUBDIVISION / STRATA CERTIFICATE

47. Subdivision Certificate

A Subdivision Certificate must be obtained from Council or an accredited certifier prior to lodgement of the Final Plan of Survey with NSW Land Registry Services.

48. Schedule of Compliance

The Subdivision Certificate must not be issued until all relevant conditions of development consent have been met or other satisfactory arrangements have been made with Council (i.e. a security). A schedule of compliance in table format must be submitted with the application for a Subdivision Certificate. The schedule must provide evidence of how all relevant conditions of development consent have been fulfilled.

49. Boundary Fencing

Fencing must be provided along all dividing property boundaries located behind the building line before the Subdivision / Strata Certificate for the site is obtained.

50. On-site Detention System

Prior to the issue of the Subdivision Certificate, the developer must:

create a restriction on use under the *Conveyancing Act 1919* over the on-site detention system and provide it to the Certifier as follows:

- i. The registered proprietor of the lot burdened must not make or permit or suffer the making of any alterations to any on-site stormwater detention system on the lot(s) burdened without the prior consent in writing of the authority benefited. The expression 'on-site stormwater detention system' must include all ancillary gutters, pipes, drains, walls, kerbs, pits, grates, tanks, chambers, basins and surfaces designed to temporarily detain stormwater as well as all surfaces graded to direct stormwater to those structures. Name of the authority having the power to release, vary or modify the restriction referred to is Shoalhaven City Council.
- ii. create a positive covenant under the *Conveyancing Act 1919*, requiring the property owner(s) to undertake maintenance in accordance with the Construction Certificate approved On-Site Stormwater Detention System and Maintenance Schedule.
- iii. provide a certificate from a professional engineer, (as defined in the National Construction Code) to verify the structural adequacy of the on-site detention facility and that the facility has been constructed in accordance with the approved Construction Certificate plans.

51. Utility Services

Prior to the issue of a Subdivision / Strata Certificate, utility services must be provided in accordance with the following:

- i. The provision of electricity to service allotments and street lighting in the subdivision must be in accordance with the requirements of Endeavour Energy who are to confirm in writing that conditions of supply have been met.
- ii. The submission of a Telecommunications Infrastructure Provisioning Confirmation from an approved telecommunications carrier to the Certifier or Council (as applicable)

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confirming that satisfactory arrangements have been made for the provision of telecommunication services to all individual lots.

- iii. A Certificate of Compliance under Section 307 of Division 5 of Part 2 of Chapter 6 of the *Water Management Act 2000* must be obtained to verify that all necessary requirements for matters relating to water supply and sewerage (where applicable) for the development have been made with Shoalhaven Water. A Certificate of Compliance must be obtained from Shoalhaven Water after satisfactory compliance with all conditions as listed on the Notice of Requirements and prior to the issue of a Subdivision Certificate, as the case may be.

If development is to be completed in approved stages or application is subsequently made for staging of the development, separate Compliance Certificates must be obtained for each stage of the development.

Note: Relevant details, including monetary contributions (where applicable) under the Water Management Act 2000, are given on the attached Notice issued by Shoalhaven Water. For further information and clarification regarding the above please contact Shoalhaven Water's Development Unit on (02) 4429 3547.

52. Prior to the issue of a Subdivision Certificate:

- a) all existing easements must be acknowledged on the final subdivision plan.
- b) all existing restriction on the use of land must be acknowledged on the final subdivision plan.
- c) a minimum one (1) metre wide easement to drain water must be created over any encroaching drainage pipes.
- d) A minimum one (1) metre wide easement for services must be created over any encroaching utility service.

53. Restrictions – Easements and Restrictions on Use of Land

An Instrument must be prepared under section 88B of the Conveyancing Act 1919 which will provide for the following Restrictions on the land when the subdivision is registered: where there is shared infrastructure, landscaping, structures, and the like, arrangements must be made for access and maintenance.

The Instrument must contain a provision that it cannot be varied, modified or released without the consent of the relevant parties as appropriate and without the consent of the Shoalhaven City Council.

The Instrument must not contain any restriction that prohibits development on the site allowed under the relevant environmental planning instruments.

A draft 88B Instrument must be submitted to the Certifier for approval before an Subdivision Certificate is issued.

PART I: ONGOING USE OF THE DEVELOPMENT

54. Overland Stormwater Flow, Redirecting and/or Concentrating Stormwater

All excavation, backfilling and landscaping works must not result in:

any change to the overland stormwater flow path on your property and or a neighbouring property. If any change to the overland flow path occurs on a property, the stormwater runoff shall be collected and directed to a legal point of discharge.

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the redirection and/or concentration of stormwater flows onto neighbouring properties.

PART J: OTHER COUNCIL APPROVALS AND CONSENTS

Consent is given under Section 68 of the Local Government Act 1993 for water supply, sewerage and stormwater drainage work as detailed in the approved documentation, subject to the following conditions:

1. Approval to Connect to the Reticulated Sewerage System

Approval for Sewerage, Plumbing and Stormwater Drainage is granted subject to the following conditions:

All plumbing and drainage work must comply with the Plumbing Code of Australia and AS/NZS 3500.1 Water services– 3500.2 Sanitary Plumbing and Drainage– 3500.4 Heated Water Services and 3500.3 Stormwater Drainage.

- a) In accordance with the *Plumbing and Drainage Act 2011*, plumbers and drainers must submit the following documents to Shoalhaven City Council and to the person for whom the work was carried out.
 - i) Notice of Work no later than two (2) business days prior to the commencement of any work.
 - ii) A Certificate of Compliance for drainage works must be provided within seven days (7) after the external drainage works have been completed.

A sewer service diagram, one for each dwelling, must be provided within seven days (7) of the drainage works have been completed..

2. Inspections

Council, as the water authority, must be given at least 24 hours' notice to allow for the inspection of:

Type of Inspection:	Stage of Construction:
Internal Drainage	All internal drainage pipework, including stackwork, installed and under test as per AS 3500.2 Section 15, including any required bedding material as per AS3500.2 Section 5, and prior to any backfilling of the drainage lines. All pipework must be visible to the inspector.
Hot and Cold-Water Service (appropriately colour coded or identification markings)	All pipework installed and under hydraulic / pressure test, as per AS 3500.1 Section 18 - 18.3 – 18.3.1 prior to the installation of any insulation or any internal lining. Non – Drinking Water Service – Rainwater Lines to be installed as per AS 3500.1 Section 9.
External Drainage	Pipework installed and under test as per AS 3500.2 Section 15, including any required bedding material as per AS3500.2 Section 5. All pipework must be visible to the inspector.
Final Inspection of Drainage Works	All drainage works, including stormwater installed as per AS 3500.3 where Council is the Principal Certifier, to be completed prior to the issue of an Occupation Certificate.

3. Before Commencing Construction

The builder must locate the position and depth of the sewer junction before commencing construction, to ensure that the top of the overflow gully is a minimum of 900mm above the soffit of the sewer main. Copies of sewer main diagrams issued by Council must be treated as a guide only when locating the junction position

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4. **Yard Gully**

Must be installed as per AS3500.2 – Section 4. A minimum height of 150mm must be maintained between the top of the overflow yard gully riser and the lowest fixture connected to the drain. The height must be measured vertically from the overflow level of the gully riser, or from the invert level of the overflow pipe, to the appropriate point given in National Construction Code. The minimum height between the top of the overflow yard gully riser, or the invert of the overflow pipe, and the surrounding ground surface level must be 75mm, except where the gully riser is located in a path or a paved area where it must be finished at a level so as to prevent the ponding and ingress of water into the drainage system.

5. **Works as Executed - Stormwater Drainage**

Works as Executed Plans and certification must be submitted to the Council by a licenced plumber/ registered surveyor / professional engineer (as defined in the National Construction Code) certifying compliance of all drainage works with the approved design plans and the National Construction Code.

The Works as Executed be shown in red on a copy of the approved plans. This plan must verify locations &-sizes of all pipelines.

Where the system includes an underground tank, a certificate of structural adequacy must be prepared and provided by a professional engineer (as defined in the National Construction Code).

6. **Rainwater Facility**

Water stored in the tank must be plumbed into the dwelling such that it is supplied to each of the fixtures listed in the BASIX Certificate for the property. Plumbing must be in accordance with the current edition of AS 3500.1 Water Services – Section 16.

It will be necessary to install, maintain and repair the facility so that it functions in a safe and efficient manner in accordance with the current editions of AS 3500.1 Water Services, the New South Wales Code of Practice Plumbing and Drainage and in accordance with the following:

The tank inlet must be located a minimum of 500mm below the outlet of the eave gutter.

The tank is to be installed on a firm flat and stable platform in accordance with manufacturer's recommendations. Tanks located over fill material should be placed on a concrete slab.

Pumps must be located and installed to minimize any potential noise nuisance to surrounding residents, and in the case of a permanent electric pump, must be installed by a licensed electrician. Pump performance must achieve a minimum 300 Kpa output.

Overflow from the tank must be directed into the approved storm water system.

Any town water top-up of the tank must be by indirect connection by means of a visible "air gap", external to the rainwater tank, in accordance with the provisions of the National Plumbing and Drainage Code, AS3500.1 – Minimum air gap requirements.

Marking and labelling of rainwater services must be in accordance with AS 3500.1 Section 16.

The charged line to the above ground rainwater tank is to have a flush point installed at the lowest reduced level (RL) into a 450mm x 450mm pit to enable the line to be flushed. This is to prevent the line becoming blocked.

For partially buried or fully buried rainwater tanks the property owner is required to have a dual check valve with atmospheric port valve installed at the boundary water meter. Zone protection will be required at the tank or cross connection point to be installed in accordance with AS3500.1 – Section 4.

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7. **Stormwater**

Stormwater from the new urban dwelling is to be conveyed to the street gutter via drainage designed and constructed in accordance with *AS/NZS 3500 Plumbing and Drainage* - Part 3: Stormwater drainage and the Building Code of Australia.

PART K: REASONS FOR CONDITIONS

The application has been assessed as required by section 4.15 of the *Environmental Planning and Assessment Act 1979* and has been determined by the granting of conditional development consent.

Statutory requirements

The development proposal, subject to the recommended conditions, is consistent with:

the objects of the Environmental Planning and Assessment Act, 1979.

the aims, objectives and provisions of the applicable environmental planning instruments,

the aims, objectives and provisions of Shoalhaven Development Control Plan 2014 (SDCP 2014).

the aims, objectives and provisions of relevant Council policies.

Public notification

The application was publicly notified in accordance with the *Environmental Planning and Assessment Regulation 2000* and Council's Community Consultation Policy for Development Applications (Including Subdivision) and the Formulation of Development Guidelines and Policies (POL 16/230).

Submissions

Any submissions received during the public notification period are available on [DA Tracking](#)

Community views

Issues and concerns raised by the community in submissions have been considered in the assessment of the application and, where appropriate, conditions have been included in the determination to mitigate any impacts.

Suitability of the Site

The application has been approved because the development proposal is considered to be suitable for the site.

The relevant public authorities and the water supply authority have been consulted and their requirements met, or arrangements made for the provision of services to the satisfaction of those authorities.

The increased demand for public amenities and services attributable to the development has been addressed by the requirement to pay contributions in accordance with section 7.11 of the *Environmental Planning and Assessment Act 1979* and Council's Contribution Plan 2019. Contributions under Section 307 of the Water Management Act 2000 have been applied as required.

Impacts of the Development

The application was considered to be suitable for approval. Conditions have been imposed to ensure that:

the development will not result in unacceptable adverse impacts on the natural and built environments.

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the amenity and character of land adjoining and in the locality of the development is protected.
any potential adverse environmental, social or economic impacts of the development are minimised.
all traffic, car parking and access arrangements for the development will be satisfactory.
the development does not conflict with the public interest.

PART L: RIGHTS OF REVIEW AND APPEAL

Determination under Environmental Planning and Assessment Act, 1979

Division 8.2 of the EP&A Act, 1979 confers on an applicant who is dissatisfied with the determination a right to request the council to review its determination. The request and determination of the review must be undertaken within the prescribed period.

Division 8.3 of the EP&A Act, 1979 confers on an applicant who is dissatisfied with the determination of a consent authority a right of appeal to the Land and Environment Court which can be exercised within the prescribed period.

An appeal under Division 8.3 of the EP&A Act, 1979 by an objector may be made only within the prescribed period.

Approvals under Local Government Act, 1993

Section 100 of the Local Government Act, 1993 provides that an applicant may request Council to review its determination of an application.

Section 176 of the Local Government Act, 1993 provides that an applicant who is dissatisfied with the determination of the Council may appeal to the Land and Environment Court. The appeal must be made within the prescribed period.

PART M: GENERAL ADVICE

In this consent the term developer means any person or corporation who carries out the development pursuant to that consent.

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Disability Discrimination Act 1992

This application has been assessed in accordance with the *Environmental Planning & Assessment Act, 1979*. No guarantee is given that the proposal complies with the *Disability Discrimination Act 1992*.

The applicant/owner is responsible to ensure compliance with this and other anti-discrimination legislation.

The *Disability Discrimination Act 1992* covers disabilities not catered for in the minimum standards called up in the Building Code of Australia which references *Australian Standard AS1428.1 - "Design for Access and Mobility"*.

Disclaimer –Conveyancing Act 1919 – Division 4 – Restrictions on the Use of Land

The applicant should note that there could be covenants in favour of persons other than Council restricting what may be built or done upon the subject land. The applicant is advised to check the position before commencing any work.

Under Clause 1.9A of *Shoalhaven Local Environmental Plan 2014* agreements, covenants or instruments that restrict the carrying out of the proposed development do not apply to the extent necessary to enable the carrying out of that development, other than where the interests of a public authority is involved.

DBYD Enquiry - 'Dial Before You Dig'

In order to avoid risk to life and property it is advisable that an enquiry be made with "Dial Before You Dig" on 1100 or www.dialbeforeyoudig.com.au prior to any excavation works taking place to ascertain the location of underground services. You must also contact your Local Authority for locations of Water and Sewer Mains.

Existing and proposed Swimming Pool/ Spa Barrier

Existing and proposed swimming pools or spas on the premises must comply with the provisions of the *Swimming Pools Act 1992*, *Swimming Pools Regulation 2018* and comply with all the relevant Australian Standards.

SIGNED on behalf of Shoalhaven City Council:



Bridge Rd, Nowra NSW 2541 | 02 4429 3111
Deering St, Ulladulla NSW 2539 | 02 4429 8999

Address all correspondence to
The Chief Executive Officer, PO Box 42, Nowra NSW 2541 Australia
council@shoalhaven.nsw.gov.au | DX5323 Nowra | Fax 02 4422 1816

shoalhaven.nsw.gov.au     

NOTICE TO APPLICANT OF DETERMINATION OF APPLICATION DEVELOPMENT CONSENT

Environmental Planning and Assessment Act, 1979
DA21/2348

TO:

Buildcert Planning
104 Hannell Street
WICKHAM NSW 2293

being the applicant(s) for DA21/2348 relating to:

36 Yarrawonga Dr, MOLLYMOOK BEACH - Lot 304 - DP 1234415

APPROVED USE AND OR DEVELOPMENT:

Attached Dual Occupancy I & Torrens Title Subdivision

DETERMINATION DATE:

TBA

Pursuant to the Section 4.18 of the Act, notice is hereby given that the above application has been determined by granting consent, subject to the conditions listed below.

CONSENT TO OPERATE FROM:

TBA

CONSENT TO LAPSE ON:

TBA

This consent is valid for five years from the date hereon.

In accordance with Section 4.53 of the Act, development consent for the use of the land or the erection of a building does not lapse if building, engineering or construction work relating to the building or work or the use is physically commenced on the land to which the consent applies before the lapse date.

DETAILS OF CONDITIONS:

The conditions of consent and reasons for such conditions are set out as follows:

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PART A: GENERAL CONDITIONS

1. General

The consent relates to attached dual occupancy with Torrens title subdivision as documented on the stamped plans/documentation, or as modified by the conditions of this consent. The development must be carried out in accordance with this consent. If there is inconsistency between the stamped plans/documentation and the conditions of consent, the conditions prevail to the extent of that inconsistency.

Stamped plans/documents	Ref/sheet no.	Prepared by	Dated
Site Plan	Drawing No 6	Keep Design Building	12.4.2022
Subdivision Plan	Drawing No 2	Keep Design Building	12.4.2022
Cover Page and Basix Commitments	Drawing No 1	Keep Design Building	12.4.2022
Lower Floor Plan	Drawing No 7	Keep Design Building	12.4.2022
Upper Floor Plan	Drawing No 8	Keep Design Building	12.4.2022
Front – South Elevation & Right - East Elevation	Drawing No 9	Keep Design Building	12.4.2022
Rear – North Elevation & Left - West Elevation	Drawing No 10	Keep Design Building	23.10.2021
Section 1-1	Drawing No 15	Keep Design Building	23.10.2021
Site Management / Concept Stormwater Plan	Drawing No 4	Keep Design Building	12.4.2022
Concept Landscape Plan	Drawing No 17	Keep Design Building	12.4.2022
Basix Certificate – Unit 1	Certificate No: 1236708S	Keep Design Building	2.9.2021
Basix Certificate – Unit 2	Certificate No: 1236710S_02	Keep Design Building	2.9.2021

Note: Any alteration to the plans and/or documentation must be submitted for the approval of Council. Such alterations may require the lodgement of an application to amend the consent under

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section 4.55 of the Environmental Planning and Assessment Act, or a new development application.

2. **Prescribed Conditions**

The development must comply with the [Prescribed Conditions of Development Consent](#), Division 8A, *Environmental Planning and Assessment Regulation 2000*, as applicable.

3. **Occupation / Use**

The development must not be occupied or used before an Occupation Certificate has been issued by the Certifier. If an Occupation Certificate is not required, the use must not commence until all conditions of development consent have been met or other satisfactory agreements have been made with Council (i.e. a security).

4. **Shoalhaven Water - Certificate of Compliance**

A Certificate of Compliance must be obtained to verify that all necessary requirements for matters relating to water supply and sewerage (where applicable) for the development have been made with Shoalhaven Water. A Certificate of Compliance must be obtained from Shoalhaven Water after satisfactory compliance with all conditions as listed on the Notice of Requirements and prior to the issue of an Occupation Certificate, Subdivision Certificate or Caravan Park Approval, as the case may be.

PART B: INTEGRATED DEVELOPMENT AND CONCURRENCE CONDITIONS

5. **NSW Rural Fire Service**

The conditions of the General Terms of Approval issued by the NSW Rural Fire Service, Reference No: DA20211128005208-Original-1 dated 19 April 2022 are included as conditions of this consent and must be complied with.

PART C: PRIOR TO THE COMMENCEMENT OF WORKS

6. **Construction Certificate**

A Construction Certificate must be obtained from either Council or an accredited certifier before any building work can commence.

7. **Appointment of Principal Certifier**

Prior to the commencement of building or subdivision work, a Principal Certifier must be appointed.

8. **Notice of Commencement**

Notice must be given to Council at least two (2) days prior to the commencement of building or subdivision work by completing and returning the form '[Commencement Notice for Building or Subdivision Work and Appointment of Principal Certifying Authority](#)'

9. **Toilet Facilities - Temporary**

Toilet facilities must be available or provided at the work site before works begin and must be maintained until the works are completed at a ratio of one toilet plus one additional toilet for every 20 persons employed at the site. Each toilet must:

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- a) be a standard flushing toilet connected to a public sewer, or
- b) have an onsite effluent disposal system approved under the *Local Government Act 1993*, or
- c) be a temporary chemical closet approved under the *Local Government Act 1993*.

10. Run-off and Erosion Controls

Prior to the commencement of site works, run-off and erosion controls must be implemented to prevent soil erosion, water pollution or the discharge of loose sediment on the surrounding land by:

- a) diverting uncontaminated run-off around cleared or disturbed areas.
- b) erecting a silt fence and providing any other necessary sediment control measures that will prevent debris escaping into drainage systems, waterways or adjoining properties.
- c) preventing the tracking of sediment by vehicles onto roads.
- d) stockpiling topsoil, excavated materials, construction and landscaping supplies and debris within the lot.
- e) Note: all implemented measures must not cause water pollution as defined by the [Protection of the Environment Operations Act](#) (POEO).

11. Access Driveway Design Standards - Urban

Prior to the commencement of works within the road reserve, engineering design plans for works within the road reserve must be prepared by a suitably qualified person and approved by Council. The layback/footpath crossing design must comply with the following:

- a) Council's Engineering Design Standard Drawings.
- b) Constructed using 20 MPa reinforced concrete, reinforced with SL72 mesh, on a 75mm compacted fine crushed rock base with centrally placed slab of minimum 3 metres width and minimum 100mm depth.
- c) Removal of sufficient width of existing road seal and pavement to allow placing of formwork and laying/compaction of suitable pavement material for the driveway layback with a minimum 300mm offset to the kerb lip line.

12. Works within the Road Reserve

Prior to undertaking any works within an existing road reserve, the developer must obtain the consent of Council under *section 138 of the Roads Act, 1993*.

- a) The following details must be submitted to Council as part of the application:
- b) Any civil works design required by this consent.
- c) Evidence of the contractor's Public Liability Insurance to an amount of \$20 million.
- d) Name and contact information of the person responsible for all relevant works.
- e) A Traffic Control Plan prepared, signed and certified by a person holding the appropriate Transport for NSW (TfNSW) accreditation.

13. Dilapidation Report

Prior to the commencement of work, the developer must engage a competent person to prepare a dilapidation report in respect of the neighbouring premises and adjacent public infrastructure,

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including adjacent kerbs, gutters, footpaths (formed or unformed), driveways (formed or unformed), carriageway, reserves and the like to document evidence of any existing damage.

The dilapidation report must consider the impact of any excavation work that extends below the level of the base of the footings of any structure within 0.9metres of the shared boundary.

Before works commence, a copy of the dilapidation report must be provided to the Certifier and Council. The dilapidation report will be the benchmark for necessary repairs to damage caused during the development works. All repairs must be completed by the developer at the developer's cost.

Not less than seven (7) days before works commence, the developer must notify the owner of any affected property of the intention to carry out approved works. The developer must also furnish the owner with details of the approved work.

However, if the occupier or owner of any neighbouring dwelling does not permit reasonable access for the purposes for the preparation of the dilapidation report, written evidence of the efforts taken to secure access may be submitted to the *Principal Certifier* and the *Principal Certifier* may waive the requirement in relation to the relevant property.

Note: A dilapidation report can comprise of video footage and photos of adjacent public infrastructure and relevant structures on adjoining properties.

PART D: PRIOR TO THE ISSUE OF A CONSTRUCTION CERTIFICATE

14. Evidence

A Construction Certificate must not be issued until the Certifier has received notification from, or evidence of, any Council approval that is required Prior to the Commencement of Works.

15. Local Infrastructure Contributions

This development will generate a need for the additional services and/or facilities described in Shoalhaven Contributions Plan 2019 and itemised in the following table:

Project	Description	Rate	Qty	Total	GST	GST Incl
05 AREC 0005	Planning Area 5 - Active recreation facility upgrades various locations	\$1,054.53	1	\$1,054.53	\$0.00	\$1,054.53
05 CFAC 2010	Southern Shoalhaven Branch Library	\$530.63	1	\$530.63	\$0.00	\$530.63
05 ROAD 2001	Bishop Drive extension (Northern Link Road)	\$5,584.38	1	\$5,584.38	\$0.00	\$5,584.38
05 ROAD 3061	Matron Porter Drive - Princes Highway to Leo Drive, Mollymook	\$1,827.74	1	\$1,827.74	\$0.00	\$1,827.74
CW AREC 5005	Shoalhaven Community and Recreational Precinct SCArP Cambewarra Road Bomaderry	\$1,104.42	1	\$1,104.42	\$0.00	\$1,104.42
CW CFAC 5002	Shoalhaven Entertainment Centre (Bridge Road Nowra)	\$834.71	1	\$834.71	\$0.00	\$834.71
CW CFAC 5006	Shoalhaven City Library Extensions (Berry Street, Nowra)	\$1,292.05	1	\$1,292.05	\$0.00	\$1,292.05
CW CFAC 5007	Shoalhaven Regional Gallery	\$70.93	1	\$70.93	\$0.00	\$70.93
CW FIRE 2001	Citywide Fire & Emergency services	\$139.37	1	\$139.37	\$0.00	\$139.37
CW FIRE 2002	Shoalhaven Fire Control Centre	\$203.89	1	\$203.89	\$0.00	\$203.89
CW MGMT 3001	Contributions Management & Administration	\$579.56	1	\$579.56	\$0.00	\$579.56
				Sub Total:		\$13,222.21
				GST Total:		\$0.00
				Estimate Total:		\$13,222.21

The total contribution, identified in the above table or as indexed in future years, must be paid to Council prior to the issue of a Construction Certificate. Evidence of payment must be provided to the Certifying Authority.

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Contributions Plan 2019 can be accessed on Councils website www.shoalhaven.nsw.gov.au or may be inspected on the public access computers at the libraries and the Council Administrative Offices, Bridge Road, Nowra and Deering Street, Ulladulla.

16. Access Driveway Design Standards - Urban

- a) Prior to the issue of a Construction Certificate, certified engineering design plans must be prepared by a professional engineer, (as defined in the National Construction Code) or surveyor and approved by the Certifier. The access driveway design must comply with the following:
- b) Council's Engineering Design Standard Drawings.
- c) Constructed using 20 MPa reinforced concrete, reinforced with SL72 mesh, on a 75mm compacted fine crushed rock base with centrally placed slab of minimum 3 metres width and minimum 100m depth.
- d) Removal of sufficient width of existing road seal and pavement to allow placing of formwork and laying/compaction of suitable pavement material for the driveway layback with a minimum 300mm offset to the kerb lip line.

17. Stormwater - New Urban Dwellings

Prior to the issue of a Construction Certificate stormwater plans must be prepared by a Licensed Plumber or professional engineer (as defined in the National Construction Code) and submitted to Council for approval under s68 of the *Local Government Act 1993*.

Drainage must be designed and constructed in accordance with:

- i. the approved concept plans prepared by KEEP Building Design dated 23/10/2021
- ii. the National Construction Code
- iii. Council's [Engineering Design Specifications](#)
- iv. [Development Control Plan G2](#)

18. On-Site Detention – Infill Subdivision and Development

Prior to the issue of a Construction Certificate, certified engineering design plans and specifications must be prepared by professional engineer, (as defined in the National Construction Code) or surveyor and approved by the Certifier.

The on-site stormwater detention (OSD) design must comply with the following:

- a) Designed such that stormwater runoff from the site for design storm events up to and including the 1% AEP does not exceed the pre-developed conditions.

19. Long Service Levy

Prior to the issue of a Construction Certificate any long service levy payable under the [Building and Construction Industry Long Service Payments Act 1986](#) and prescribed by the [Building and Construction Industry Long Service Payments Regulation 2017](#) must be paid or, where such a levy is payable by instalments, the first instalment of the levy must be paid. Council is authorised to accept payment. Proof of payment must be submitted to the Certifying Authority.

20. Street Numbering of Dwellings

Street numbering must comply with the State Governments Comprehensive Property Addressing System (CPAS), and Council's Property Address Numbering Policy.

Street numbering for the development must be as follows:

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Unit 1 – 36B Yarrawonga Drive Mollymook Beach

Unit 2 – 36A Yarrawonga Drive Mollymook Beach

The allocated numbers must be shown on the engineering plans with the Construction Certificate. Where plans and details are provided to service suppliers, numbers must be in accordance with the above.

21. Retaining Walls - Design

Prior to the issue of a Construction Certificate for approved retaining walls exceeding 0.6m in height above ground level (existing) and/or within 1m of a property boundary, detailed design plans must be prepared and submitted to the Certifier for approval. The retaining walls must satisfy the following:

- a) For retaining walls exceeding 0.6m in height above natural ground level (existing) a professional engineer has certified the retaining walls as structurally sound, including in relation to (but not limited to) the ability to withstand the forces of lateral soil load; and
- b) For retaining walls less than 0.6m in height above natural ground level (existing) the Certifier must be satisfied that the retaining walls are structurally sound, including in relation to (but not limited to) the ability to withstand the forces of lateral soil load.
- c) Retaining walls, footings and drainage must be contained wholly within the development site.
- d) Construction within a registered easement is prohibited.

Retaining walls not shown on the approved plan must meet the criteria for Exempt retaining walls and comply with the relevant criteria listed in *State Environmental Planning Policy (Exempt and Complying Development Codes) 2008*, or be approved by way of Complying Development prior to construction and comply with the relevant criteria listed in *State Environmental Planning Policy (Exempt and Complying Development Codes) 2008*.

22. Shoalhaven Water – Prior to the Issue of a Construction Certificate

Prior to the issue of a Construction Certificate, all conditions listed on the Shoalhaven Water Notice of Requirements under the heading "Prior to the Issue of a Construction Certificate" must be complied with and accepted by Shoalhaven Water. Written notification must be issued by Shoalhaven Water and provided to the Certifier.

23. Erosion and Sediment Control Plan (ESCP)

Prior to the issue of a Construction Certificate, an Erosion and Sediment Control Plan (ESCP) must be prepared by a Professional Engineer, (as defined in the National Construction Code) in accordance with the Landcom Manual – Soils and Construction, Managing Urban Stormwater, Vol 1, 4th Edition March 2004 to the satisfaction of the Certifier.

All implemented measures must:

- a) not cause water pollution as defined by the [Protection of the Environment Operations Act](#) (POEO).
- b) be maintained at all times.
- c) not be decommissioned until at least 70% revegetation cover has been established.

24. Existing Infrastructure

Any required alterations or repair of damaged infrastructure will be at the developer's expense.

Note: it is recommended prior to the issue of a Construction Certificate, all infrastructure, existing and proposed, is to be shown accurately on construction plans with clearances clearly labelled

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confirming that the proposed works do not affect any existing infrastructure this will potentially prevent unexpected costs and expenses.

25. **External Lighting**

Any external lighting is to be designed to minimise glare and nuisance to neighbours, details of which are to be shown on the Construction Certificate drawings.

PART E: PRIOR TO THE ISSUE OF A SUBDIVISION WORKS CERTIFICATE

NIL

PART F: DURING WORKS

26. **Hours for Construction**

Construction may only be carried out between 7.00am and 5.00pm on Monday to Saturday and no construction is to be carried out at any time on a Sunday or a public holiday. Proposed changes to hours of construction must be approved by Council in writing.

27. **Noise**

The noise from all demolition and construction activities associated with the approved development must comply with the work practices as outlined in the NSW Department of Environment & Climate Change Interim Construction Noise Guideline. The LA10 level measured over a period of not less than 15 minutes during works must not exceed the background (LA90) noise level by more than 10dB(A) when assessed at any sensitive noise receiver.

28. **Aboriginal Objects Discovered During Excavation**

If an Aboriginal object (including evidence of habitation or remains) is discovered during the course of the work:

- a) All excavation or disturbance of the area must stop immediately.
- b) Additional assessment and approval pursuant to the National Parks and Wildlife Act 1974 may be required prior to works continuing the affected area(s) based on the nature of the discovery.

Work may recommence in the affected area(s) if Heritage NSW advises that additional assessment and/or approval is not required (or once any required assessment has taken place or any required approval has been given).

The Heritage NSW must be advised of the discovery in accordance with section 89A of the [National Parks and Wildlife Act 1974](#).

29. **Archaeology Discovered During Excavation**

If any object having interest due to its age or association with the past is uncovered during the course of the work:

All work must stop immediately in that area.

Work may recommence in the affected area(s) if Heritage NSW advises that additional assessment and/or approval is not required (or once any required assessment has taken place or any required approval has been given).

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In accordance with the *Heritage Act 1997*, the Heritage NSW must be advised of the discovery.

30. **Survey Report – Height**

In order to ensure compliance with approved plans, a Survey Certificate to Australian Height Datum must be prepared by a Registered Surveyor as follows:

- a) At the completion of the first structural floor level indicating the level of that floor and the relationship of the building to the boundaries.
- b) At the completed height of the building, prior to the placement of concrete in form work, or the laying of roofing materials.
- c) At completion, the relationship of the building and any penetrations thereto, to the boundaries.

Progress certificates in response to points (a) through to (c) must be provided to the Certifier at the time of carrying out relevant progress inspections. Under no circumstances will work be allowed to proceed should such survey information be unavailable or reveal discrepancies between the approved plans and the proposed works.

31. **Maintenance of Site and Surrounds**

During works, the following maintenance requirements must be complied with:

- a. All materials and equipment must be stored wholly within the work site unless an approval to store them elsewhere is held.
- b. Waste materials (including excavation, demolition and construction waste materials) must be managed on the site and then disposed of at a waste management facility.
- c. Where tree or vegetation protection measures are in place, the protected area must be kept clear of materials and / or machinery.
- d. The developer must maintain the approved soil water management / erosion and sediment control measures to the satisfaction of the Certifier for the life of the construction period and until runoff catchments are stabilised.

During construction:

- a. all vehicles entering or leaving the site must have their loads covered, and
- b. all vehicles, before leaving the site, must be cleaned of dirt, sand and other materials, to avoid tracking these materials onto public roads.
- c. At the completion of the works, the work site must be left clear of waste and debris.

32. **Waste Management Plan**

All waste must be contained within the site during construction and then be recycled in accordance with the approved Waste Management Plan (WMP) or removed to an authorised waste disposal facility. Waste must not be placed in any location or in any manner that would allow it to fall, descend, blow, wash, percolate or otherwise escape from the site. Compliance with the WMP must be demonstrated by the submission of tip receipts to the Certifier.

Note: "Waste" is defined in the Dictionary to the Protection of the Environment Operations Act 1997 (POEO Act).

33. **Earthworks and Excavation**

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Approved earthworks (including any structural support or other related structure for the purposes of the development):

- i. must not cause a danger to life or property or damage to any adjoining building or structure on the lot or to any building or structure on any adjoining lot.
- ii. must not redirect the flow of any surface or ground water or cause sediment to be transported onto an adjoining property.
- iii. that is fill brought to the site, must contain only virgin excavated natural material (VENM) or excavated natural material (ENM) as defined in Part 3 of schedule 1 to the Protection of the Environment Operations Act 1997 (POEO Act).
- iv. Documentation must be provided to the Certifier certifying that imported fill material is not contaminated and does not contain contaminants such as asbestos, chemicals or building waste.
 - a. that is excavated soil to be removed from the site, must be disposed of in accordance with any requirements under the *Protection of the Environment Operations (Waste) Regulation 2005*.
 - b. Any excavation must be carried out in accordance with *Excavation Work: Code of Practice* (ISBN 978-0-642-78544-2) published by Safe Work Australia in October 2018

PART G: PRIOR TO THE ISSUE OF AN OCCUPATION CERTIFICATE

34. Compliance

The Occupation Certificate must not be issued until all relevant conditions of development consent have been met or other satisfactory arrangements have been made with council (i.e. a security).

35. Air-Conditioning Systems - Noise Controls

Prior to the Issue of an Occupation Certificate, air conditioning must be installed in accordance with manufacturer's instructions and operated at all times so as not to cause "Offensive Noise" as defined by the *Protection of the Environment Operations Act 1997 (POEO Act)*

Domestic air conditioners must not emit noise that can be heard within any room in any other residential premises (that is not a garage, storage area, bathroom, laundry, toilet or pantry) whether or not any door or window to that room is open—

before 8 am or after 10 pm on any Saturday, Sunday or public holiday, or

before 7 am or after 10 pm on any other day.

36. BASIX

Prior to the issue of an Occupation Certificate, documentary evidence prepared by a suitably qualified person must be submitted to the Certifier confirming that all commitments listed in the BASIX Certificate(s) are fulfilled in accordance with Clause 97A of the *Environmental Planning and Assessment Regulation 2000*.

37. Colours and Materials

The development must be constructed in accordance with the approved schedule of colours and building materials and finishes.

38. Landscaping Compliance

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Prior to the issue of an Occupation Certificate, the developer must provide the Certifier with written evidence from a suitably qualified landscape professional that all landscape works have been completed in accordance with the approved landscape plans.

The Certifier must be satisfied that any required Street trees have been installed in accordance with requirements.

39. **Letter Boxes**

A letterbox structure(s) must be provided and be designed to comply with the requirements of Australia Post, located close to the major pedestrian entry to the site, and built from materials that are non-reflective and blend in with the approved development.

40. **Retaining Walls – Certification**

Prior to the issue of an Occupation Certificate, the Certifier must be satisfied that all retaining walls have been constructed in accordance with the relevant retaining wall plans and specifications, and in accordance with the requirements of any other conditions of this consent.

41. **Evidence of Compliance with Bushfire Measures**

Prior to the issue of Occupation Certificate, certification must be provided by a BPAD Level 3 accredited consultant to the satisfaction of the Certifier, that the bushfire measures required by the approval have been installed to their satisfaction.

42. **Shoalhaven Water – Certificate of Compliance**

Prior to the issue of any Occupation Certificate, a Certificate of Compliance under section 307 of the Water Management Act 2000 must be obtained from Shoalhaven Water to verify satisfactory compliance with all conditions for the supply of water and sewerage, as listed on the Notice of Requirements.

If the development is to be completed in approved stages, or application is subsequently made for staging of the development, separate Compliance Certificates must be obtained for each stage of the development.

43. **Driveway – Evidence of completion**

Prior to the issue of a full Occupation Certificate, all driveway works internal to the site as shown on the approved plans must be completed.

44. **Works as Executed - Stormwater Drainage**

Prior to the issue of the Occupation Certificate, Works as Executed Plans and certification must be submitted to the Council by a licenced plumber/ registered surveyor / professional engineer (as defined in the National Construction Code) certifying compliance of all drainage works with the approved design plans and the National Construction Code.

The Works as Executed dimensions and levels must be shown in red on a copy of the approved Construction Certificate plans. This plan must verify surface and invert levels on all pits, invert levels and sizes of all pipelines, and finished surface levels on all paved areas. All levels must relate to Australian Height Datum.

Where the system includes an underground tank, a certificate of structural adequacy must be prepared and provided by a professional engineer (as defined in the National Construction Code).

45. **Works in the Road Reserve - Evidence of completion**

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Prior to the issue of a full Occupation Certificate, the developer must provide the Certifier with a Construction Inspection Ticket Completion provided by council, confirming compliance with the requirements of section 138 of the *Roads Act 1993*.

46. Dilapidation Report – Evidence

Prior to the issue of an Occupation Certificate, the developer must provide the Certifier and Council with evidence that any damage to neighbouring premises or adjacent public infrastructure, not previously identified as existing damage in the Dilapidation Report, has been repaired by the developer to the satisfaction of Council.

PART H: PRIOR TO THE ISSUE OF A SUBDIVISION / STRATA CERTIFICATE

47. Subdivision Certificate

A Subdivision Certificate must be obtained from Council or an accredited certifier prior to lodgement of the Final Plan of Survey with NSW Land Registry Services.

48. Schedule of Compliance

The Subdivision Certificate must not be issued until all relevant conditions of development consent have been met or other satisfactory arrangements have been made with Council (i.e. a security). A schedule of compliance in table format must be submitted with the application for a Subdivision Certificate. The schedule must provide evidence of how all relevant conditions of development consent have been fulfilled.

49. Boundary Fencing

Fencing must be provided along all dividing property boundaries located behind the building line before the Subdivision / Strata Certificate for the site is obtained.

50. On-site Detention System

Prior to the issue of the Subdivision Certificate, the developer must:

create a restriction on use under the *Conveyancing Act 1919* over the on-site detention system and provide it to the Certifier as follows:

- i. The registered proprietor of the lot burdened must not make or permit or suffer the making of any alterations to any on-site stormwater detention system on the lot(s) burdened without the prior consent in writing of the authority benefited. The expression 'on-site stormwater detention system' must include all ancillary gutters, pipes, drains, walls, kerbs, pits, grates, tanks, chambers, basins and surfaces designed to temporarily detain stormwater as well as all surfaces graded to direct stormwater to those structures. Name of the authority having the power to release, vary or modify the restriction referred to is Shoalhaven City Council.
- ii. create a positive covenant under the *Conveyancing Act 1919*, requiring the property owner(s) to undertake maintenance in accordance with the Construction Certificate approved On-Site Stormwater Detention System and Maintenance Schedule.
- iii. provide a certificate from a professional engineer, (as defined in the National Construction Code) to verify the structural adequacy of the on-site detention facility and that the facility has been constructed in accordance with the approved Construction Certificate plans.

51. Utility Services

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Prior to the issue of a Subdivision / Strata Certificate, utility services must be provided in accordance with the following:

- a) The provision of electricity to service allotments and street lighting in the subdivision must be in accordance with the requirements of Endeavour Energy who are to confirm in writing that conditions of supply have been met.
- b) The submission of a Telecommunications Infrastructure Provisioning Confirmation from an approved telecommunications carrier to the Certifier or Council (as applicable) confirming that satisfactory arrangements have been made for the provision of telecommunication services to all individual lots.
- c) A Certificate of Compliance under Section 307 of Division 5 of Part 2 of Chapter 6 of the *Water Management Act 2000* must be obtained to verify that all necessary requirements for matters relating to water supply and sewerage (where applicable) for the development have been made with Shoalhaven Water. A Certificate of Compliance must be obtained from Shoalhaven Water after satisfactory compliance with all conditions as listed on the Notice of Requirements and prior to the issue of a Subdivision Certificate, as the case may be.

If development is to be completed in approved stages or application is subsequently made for staging of the development, separate Compliance Certificates must be obtained for each stage of the development.

Note: Relevant details, including monetary contributions (where applicable) under the Water Management Act 2000, are given on the attached Notice issued by Shoalhaven Water. For further information and clarification regarding the above please contact Shoalhaven Water's Development Unit on (02) 4429 3547.

52. **Prior to the issue of a Subdivision Certificate:**

- a) all existing easements must be acknowledged on the final subdivision plan.
- b) all existing restriction on the use of land must be acknowledged on the final subdivision plan.
- c) a minimum one (1) metre wide easement to drain water must be created over any encroaching drainage pipes.
- d) A minimum one (1) metre wide easement for services must be created over any encroaching utility service.

53. **Restrictions – Easements and Restrictions on Use of Land**

An Instrument must be prepared under section 88B of the Conveyancing Act 1919 which will provide for the following Restrictions on the land when the subdivision is registered:

- a) where there is shared infrastructure, landscaping, structures, and the like, arrangements must be made for access and maintenance.
- b) The Instrument must contain a provision that it cannot be varied, modified or released without the consent of the relevant parties as appropriate and without the consent of the Shoalhaven City Council.
- c) The Instrument must not contain any restriction that prohibits development on the site allowed under the relevant environmental planning instruments.
- d) A draft 88B Instrument must be submitted to the Certifier for approval before an Subdivision Certificate is issued.

PART I: ONGOING USE OF THE DEVELOPMENT

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54. Overland Stormwater Flow, Redirecting and/or Concentrating Stormwater

All excavation, backfilling and landscaping works must not result in:

any change to the overland stormwater flow path on your property and or a neighbouring property. If any change to the overland flow path occurs on a property, the stormwater runoff shall be collected and directed to a legal point of discharge.

the redirection and/or concentration of stormwater flows onto neighbouring properties.

PART J: OTHER COUNCIL APPROVALS AND CONSENTS

Consent is given under Section 68 of the Local Government Act 1993 for water supply, sewerage and stormwater drainage work as detailed in the approved documentation, subject to the following conditions:

1. Approval to Connect to the Reticulated Sewerage System

Approval for Sewerage, Plumbing and Stormwater Drainage is granted subject to the following conditions:

All plumbing and drainage work must comply with the Plumbing Code of Australia and AS/NZS 3500.1 Water services– 3500.2 Sanitary Plumbing and Drainage– 3500.4 Heated Water Services and 3500.3 Stormwater Drainage.

a) In accordance with the *Plumbing and Drainage Act 2011*, plumbers and drainers must submit the following documents to Shoalhaven City Council and to the person for whom the work was carried out.

- i) Notice of Work no later than two (2) business days prior to the commencement of any work.
- ii) A Certificate of Compliance for drainage works must be provided within seven days (7) after the external drainage works have been completed.

A sewer service diagram, one for each dwelling, must be provided within seven days (7) of the drainage works have been completed..

2. Inspections

Council, as the water authority, must be given at least 24 hours' notice to allow for the inspection of:

Type of Inspection:	Stage of Construction:
Internal Drainage	All internal drainage pipework, including stackwork, installed and under test as per AS 3500.2 Section 15, including any required bedding material as per AS3500.2 Section 5, and prior to any backfilling of the drainage lines. All pipework must be visible to the inspector.
Hot and Cold-Water Service (appropriately colour coded or identification markings)	All pipework installed and under hydraulic / pressure test, as per AS 3500.1 Section 18 - 18.3 – 18.3.1 prior to the installation of any insulation or any internal lining. Non – Drinking Water Service – Rainwater Lines to be installed as per AS 3500.1 Section 9.
External Drainage	Pipework installed and under test as per AS 3500.2 Section 15, including any required bedding material as per AS3500.2 Section 5. All pipework must be visible to the inspector.
Final Inspection of Drainage Works	All drainage works, including stormwater installed as per AS 3500.3 where Council is the Principal Certifier, to be completed prior to the issue of an Occupation Certificate.

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3. **Before Commencing Construction**

The builder must locate the position and depth of the sewer junction before commencing construction, to ensure that the top of the overflow gully is a minimum of 900mm above the soffit of the sewer main. Copies of sewer main diagrams issued by Council must be treated as a guide only when locating the junction position

4. **Yard Gully**

Must be installed as per AS3500.2 – Section 4. A minimum height of 150mm must be maintained between the top of the overflow yard gully riser and the lowest fixture connected to the drain. The height must be measured vertically from the overflow level of the gully riser, or from the invert level of the overflow pipe, to the appropriate point given in National Construction Code. The minimum height between the top of the overflow yard gully riser, or the invert of the overflow pipe, and the surrounding ground surface level must be 75mm, except where the gully riser is located in a path or a paved area where it must be finished at a level so as to prevent the ponding and ingress of water into the drainage system.

5. **Works as Executed - Stormwater Drainage**

Works as Executed Plans and certification must be submitted to the Council by a licenced plumber/ registered surveyor / professional engineer (as defined in the National Construction Code) certifying compliance of all drainage works with the approved design plans and the National Construction Code.

The Works as Executed be shown in red on a copy of the approved plans. This plan must verify locations &-sizes of all pipelines.

Where the system includes an underground tank, a certificate of structural adequacy must be prepared and provided by a professional engineer (as defined in the National Construction Code).

6. **Rainwater Facility**

Water stored in the tank must be plumbed into the dwelling such that it is supplied to each of the fixtures listed in the BASIX Certificate for the property. Plumbing must be in accordance with the current edition of AS 3500.1 Water Services – Section 16.

It will be necessary to install, maintain and repair the facility so that it functions in a safe and efficient manner in accordance with the current editions of AS 3500.1 Water Services, the New South Wales Code of Practice Plumbing and Drainage and in accordance with the following:

The tank inlet must be located a minimum of 500mm below the outlet of the eave gutter.

The tank is to be installed on a firm flat and stable platform in accordance with manufacturer's recommendations. Tanks located over fill material should be placed on a concrete slab.

Pumps must be located and installed to minimize any potential noise nuisance to surrounding residents, and in the case of a permanent electric pump, must be installed by a licensed electrician. Pump performance must achieve a minimum 300 Kpa output.

Overflow from the tank must be directed into the approved storm water system.

Any town water top-up of the tank must be by indirect connection by means of a visible "air gap", external to the rainwater tank, in accordance with the provisions of the National Plumbing and Drainage Code, AS3500.1 – Minimum air gap requirements.

Marking and labelling of rainwater services must be in accordance with AS 3500.1 Section 16.

Determination Notice - Page 16 of 18 - DA21/2348

The charged line to the above ground rainwater tank is to have a flush point installed at the lowest reduced level (RL) into a 450mm x 450mm pit to enable the line to be flushed. This is to prevent the line becoming blocked.

For partially buried or fully buried rainwater tanks the property owner is required to have a dual check valve with atmospheric port valve installed at the boundary water meter. Zone protection will be required at the tank or cross connection point to be installed in accordance with AS3500.1 – Section 4.

7. **Stormwater**

Stormwater from the new urban dwelling is to be conveyed to the street gutter via drainage designed and constructed in accordance with *AS/NZS 3500 Plumbing and Drainage* - Part 3: Stormwater drainage and the Building Code of Australia.

PART K: REASONS FOR CONDITIONS

The application has been assessed as required by section 4.15 of the *Environmental Planning and Assessment Act 1979* and has been determined by the granting of conditional development consent.

Statutory requirements

The development proposal, subject to the recommended conditions, is consistent with:

the objects of the Environmental Planning and Assessment Act, 1979.

the aims, objectives and provisions of the applicable environmental planning instruments,

the aims, objectives and provisions of Shoalhaven Development Control Plan 2014 (SDCP 2014).

the aims, objectives and provisions of relevant Council policies.

Public notification

The application was publicly notified in accordance with the *Environmental Planning and Assessment Regulation 2000* and Council's Community Consultation Policy for Development Applications (Including Subdivision) and the Formulation of Development Guidelines and Policies (POL 16/230).

Submissions

Any submissions received during the public notification period are available on [DA Tracking](#)

Community views

Issues and concerns raised by the community in submissions have been considered in the assessment of the application and, where appropriate, conditions have been included in the determination to mitigate any impacts.

Suitability of the Site

The application has been approved because the development proposal is considered to be suitable for the site.

The relevant public authorities and the water supply authority have been consulted and their requirements met, or arrangements made for the provision of services to the satisfaction of those authorities.

The increased demand for public amenities and services attributable to the development has been addressed by the requirement to pay contributions in accordance with section 7.11 of the *Environmental*

Determination Notice - Page 17 of 18 - DA21/2348

Planning and Assessment Act 1979 and Council's Contribution Plan 2019. Contributions under Section 307 of the *Water Management Act 2000* have been applied as required.

Impacts of the Development

The application was considered to be suitable for approval. Conditions have been imposed to ensure that:

the development will not result in unacceptable adverse impacts on the natural and built environments.

the amenity and character of land adjoining and in the locality of the development is protected.

any potential adverse environmental, social or economic impacts of the development are minimised.

all traffic, car parking and access arrangements for the development will be satisfactory.

the development does not conflict with the public interest.

PART L: RIGHTS OF REVIEW AND APPEAL

Determination under Environmental Planning and Assessment Act, 1979

Division 8.2 of the EP&A Act, 1979 confers on an applicant who is dissatisfied with the determination a right to request the council to review its determination. The request and determination of the review must be undertaken within the prescribed period.

Division 8.3 of the EP&A Act, 1979 confers on an applicant who is dissatisfied with the determination of a consent authority a right of appeal to the Land and Environment Court which can be exercised within the prescribed period.

An appeal under Division 8.3 of the EP&A Act, 1979 by an objector may be made only within the prescribed period.

Approvals under Local Government Act, 1993

Section 100 of the Local Government Act, 1993 provides that an applicant may request Council to review its determination of an application.

Section 176 of the Local Government Act, 1993 provides that an applicant who is dissatisfied with the determination of the Council may appeal to the Land and Environment Court. The appeal must be made within the prescribed period.

PART M: GENERAL ADVICE

In this consent the term developer means any person or corporation who carries out the development pursuant to that consent.

Determination Notice - Page 18 of 18 - DA21/2348

Disability Discrimination Act 1992

This application has been assessed in accordance with the *Environmental Planning & Assessment Act, 1979*. No guarantee is given that the proposal complies with the *Disability Discrimination Act 1992*.

The applicant/owner is responsible to ensure compliance with this and other anti-discrimination legislation.

The *Disability Discrimination Act 1992* covers disabilities not catered for in the minimum standards called up in the Building Code of Australia which references *Australian Standard AS1428.1 - "Design for Access and Mobility"*.

Disclaimer –Conveyancing Act 1919 – Division 4 – Restrictions on the Use of Land

The applicant should note that there could be covenants in favour of persons other than Council restricting what may be built or done upon the subject land. The applicant is advised to check the position before commencing any work.

Under Clause 1.9A of *Shoalhaven Local Environmental Plan 2014* agreements, covenants or instruments that restrict the carrying out of the proposed development do not apply to the extent necessary to enable the carrying out of that development, other than where the interests of a public authority is involved.

DBYD Enquiry - 'Dial Before You Dig'

In order to avoid risk to life and property it is advisable that an enquiry be made with "Dial Before You Dig" on 1100 or www.dialbeforeyoudig.com.au prior to any excavation works taking place to ascertain the location of underground services. You must also contact your Local Authority for locations of Water and Sewer Mains.

Existing and proposed Swimming Pool/ Spa Barrier

Existing and proposed swimming pools or spas on the premises must comply with the provisions of the *Swimming Pools Act 1992*, *Swimming Pools Regulation 2018* and comply with all the relevant Australian Standards.

SIGNED on behalf of Shoalhaven City Council:

NSW120521 - 32 Yarrawonga Drive

DRAWING SCHEDULE	
01	- Cover Page
02	- Site Analysis
03	- Proposed Sub-division Plan
04	- Site Plan
05	- Management / Concept Stormwater
06	- Shadow Profiles
07	- Lower Floor Plan
08	- Upper Floor Plan
09	- Elevations 1
10	- Elevations 2
11	- Lower Floor Coverings Plan
12	- Upper Floor Coverings Plan
13	- Lower Electrical Plan
14	- Upper Electrical Plan
15	- Section Detail
16	- Window Schedule
17	- Landscape Plan

Development Application
BAL 29 CONSTRUCTION

PROPOSED DUAL OCCUPANCY
Lot 211, No.32 Yarrawonga Drive,
Mollymook Beach, NSW 2539

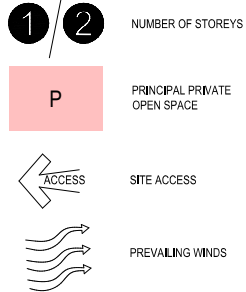


BASIX COMMITMENTS (per unit)	
Water:	201m ² (U1) & 198m ² (U2) of roof surface area diverted to rain tank Min. 3,000L rain tank connected to: - 1 External tap All fixtures to be min. 4 star rated All showers to be min 4 star rated (>4.5 but <= 6.0 L/min)
Thermal Comfort:	<u>ROOF</u> Colorbond (un-ventilated) foil/sarking <u>CEILING</u> Plasterboard - R5.0 Ceiling insulation <u>EXTERNAL WALLS</u> Framed - R3.2 Batts Brick Vanner - R3.1 Batts <u>INTERNAL WALLS</u> No insulation required <u>FLOOR</u> Suspended Timber Floor above open subfloor - R1.8 Batts Suspended Timber Floor above garage - R0.3 Insulation
Glazing:	All windows & sliding doors to be aluminium framed - single clear glazing
Energy:	- HWS = Gas Instantaneous (5.5 star) - 1-Phase air-conditioning (4.0 star-cold zone) to 1 living area and 1 bedroom - Ceiling fan to at least 1 bedroom - Rangehood (ducted to ext.), manual switch - Exhaust fan (ducted to ext.) to bathrooms, manual switch - Exhaust fan (ducted to ext.) to laundry, manual switch - Fluro / LED lighting throughout - Fixed outdoor clothes line - Gas cooktop & electric oven - Well ventilated fridge space (as defined by Basix)

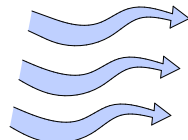
KEEP BUILDING DESIGN	REGIONAL BUILDERS NETWORK		<small>GENERAL NOTES:</small> 1. DIMENSIONS TO BE READ IN PREFERENCE TO SCALING 2. ALL DIMENSIONS TO BE CHECKED ON SITE PRIOR TO COMMENCEMENT OF WORK OR ORDERING MATERIALS 3. ANY DISCREPANCIES TO BE REPORTED TO AUTHOR BEFORE PROCEEDING 4. BOUNDARIES TO BE VERIFIED BY SURVEYOR. ALL UNDERGROUND SERVICES TO BE LOCATED BY BUILDER 5. OTHER CONSULTANT DRAWINGS TO TAKE PREFERENCE 6. ALL WORKMANSHIP AND MATERIALS SHALL COMPLY WITH ALL RELEVANT CODES AND AUSTRALIAN STANDARDS 7. THESE PLANS ARE COPYRIGHT WORK OF KEEP BUILDING DESIGN & MAY NOT BE USED WITHOUT PERMISSION	Client / Owner: AMJ Capital	Proposed Dual OCC No.32 Lot 211 Yarrawonga Drive, Mollymook Beach, NSW 2539	<table border="1"> <tr> <th>Date</th> <th>Issue</th> <th>Comment</th> </tr> <tr> <td>12-05-21</td> <td>1</td> <td>Preliminary sketch</td> </tr> <tr> <td>03-06-21</td> <td>2</td> <td>Preliminary concept</td> </tr> <tr> <td>09-06-21</td> <td>3</td> <td>Revised concept, contour survey added</td> </tr> <tr> <td>07-08-21</td> <td>4</td> <td>Control plans</td> </tr> <tr> <td>23-10-21</td> <td>5</td> <td>Control plans - landscape plan added</td> </tr> <tr> <td>05-12-21</td> <td>6</td> <td>Revised stormwater plan</td> </tr> </table>	Date	Issue	Comment	12-05-21	1	Preliminary sketch	03-06-21	2	Preliminary concept	09-06-21	3	Revised concept, contour survey added	07-08-21	4	Control plans	23-10-21	5	Control plans - landscape plan added	05-12-21	6	Revised stormwater plan	 BUILDING DESIGNERS ASSOCIATION OF AUSTRALIA	Date: 23/12/2021 Scale:	Issue: Council Drawing No.: 01 (of 17)
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NSW120521 - 32 Yarrawonga Drive

LEGEND:

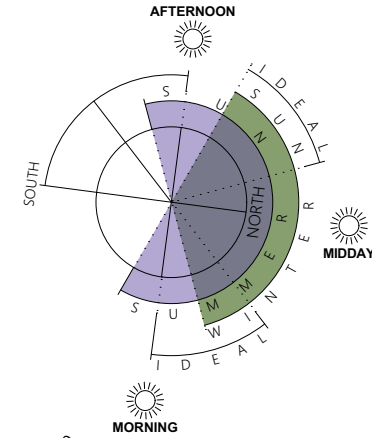


WINTER COLD
SOUTHERLY WINDS

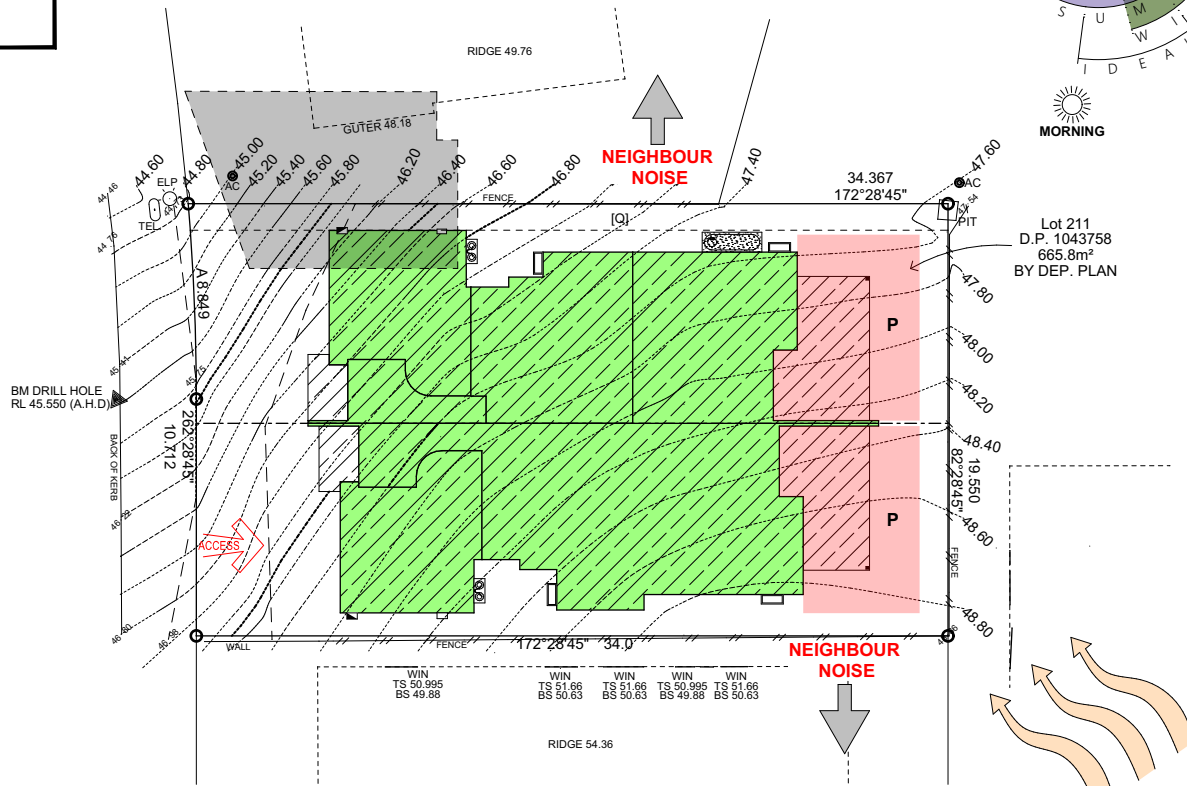


NEIGHBOUR
NOISE

NEIGHBOUR
NOISE



YARRAWONGA DRIVE



TEMPERATE NORTH EAST
BREEZE

KEEP
BUILDING DESIGN

**REGIONAL
BUILDERS
NETWORK**

WOLFESMITHS

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Client / Owner:

AMJ Capital

Proposed Dual OCC

No.32 Lot 211 Yarrawonga Drive,
Mollymook Beach, NSW 2539

Date	Issue	Comment
12/05/21	1	Preliminary plan
09/06/21	2	Preliminary concept
29/06/21	3	Revised concept, contour survey added
01/08/21	4	Council plans
28/10/21	5	Second plans - landscape plan added
23/12/21	6	Revised stormwater plan

bdaa
BUILDING DESIGNERS
ASSOCIATION OF AUSTRALIA

Date:

23/12/2021

Issue:

Council

Scale:

1:200 @ A3

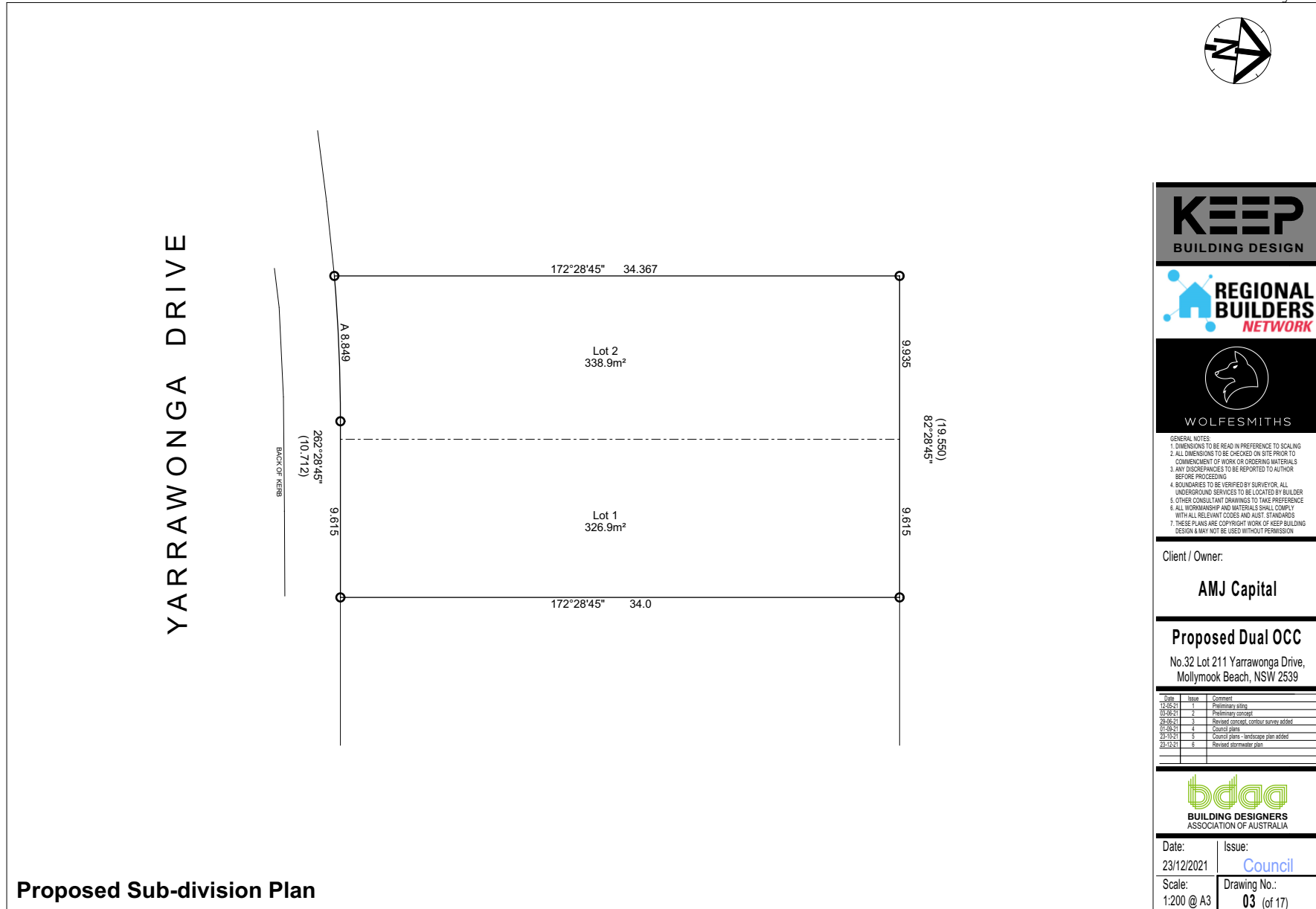
Drawing No.:

02 (of 17)

Site Analysis

CL22.314 - Attachment 5

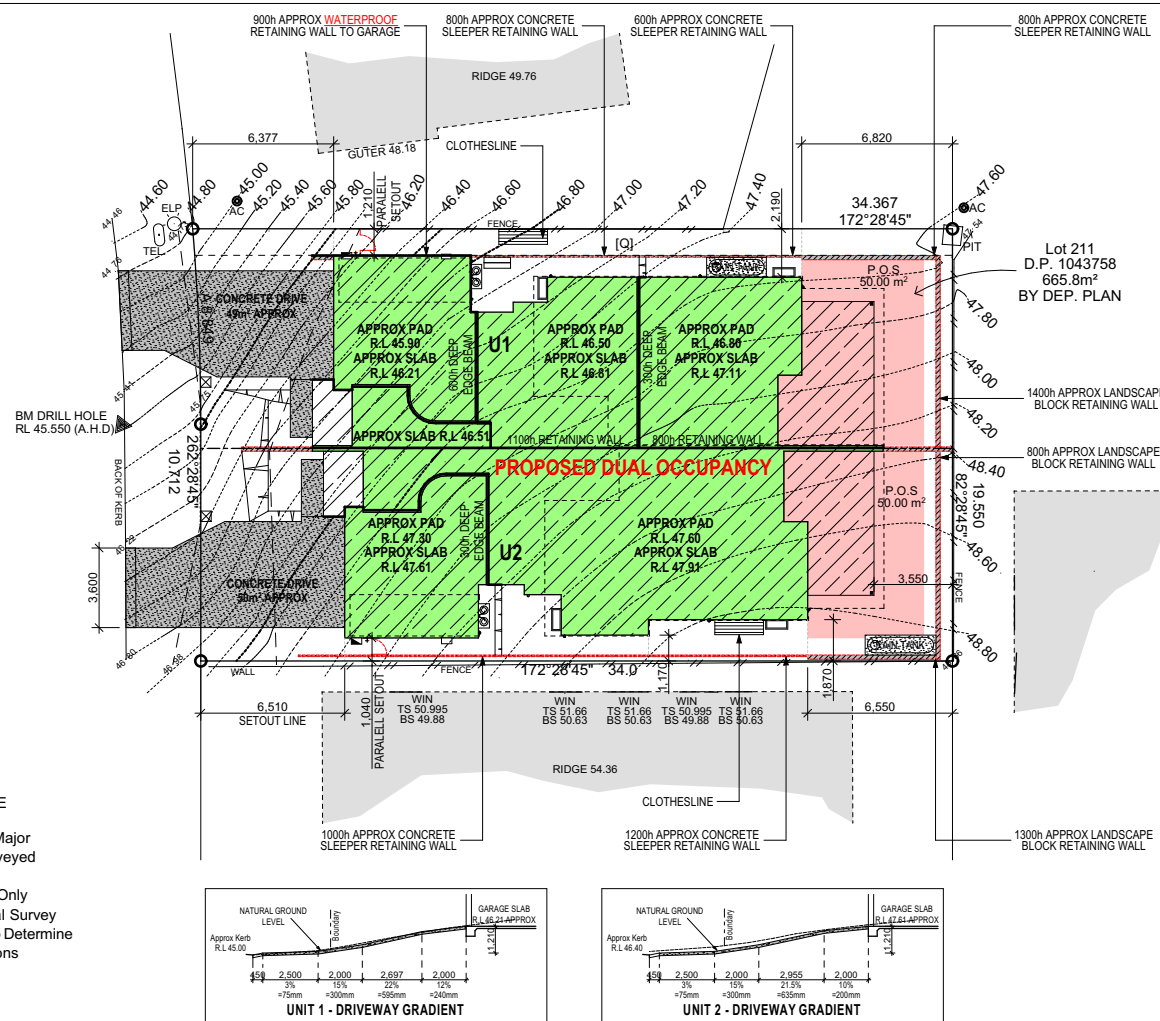
NSW120521 - 32 Yarrawonga Drive



NSW120521 - 32 Yarrowonga Drive

SITE CALCULATIONS:	
TOTAL SITE AREA:	665.8m ²
SITE AREA LOT 1 :	326.9m ²
SITE AREA LOT 2 :	338.9m ²
LANDSCAPED AREA:	>200m ² (30%)
(10% required - 1.5m min dim.)	
(20% required - 1.0m min dim.)	
GROSS FLOOR AREAS:	
LOWER LIVING:	209.82m ²
UPPER LIVING:	104.36m ²
GARAGES:	68.26m ²
TOTAL GROSS FLOOR AREA:	382.44m ²
GROSS FLOOR AREA (MINUS 50m ²):	332.44m ²
FLOOR SPACE RATIO:	0.5:1
(max. FSR 0.5:1 - 332.9m ² Gross Floor Area)	
PRINCIPAL PRIVATE OPEN SPACE:	>50m ²
(min. required 50m ² or 50% of GFA whichever is lesser)	

YARROWONGA DRIVE



[Q] EASEMENT TO DRAIN WATER 1.2 WIDE

- Note: 1. Contour Interval 0.2m Minor And 1m Major
 2. Only Visible Services Have Been Surveyed
 - Refer To Dial Before You Dig
 3. Boundary Positions Are Approximate Only
 And Should Be Verified By A Cadastral Survey
 4. A Title Search Has Not Been Done To Determine
 Any Affecting Easements Or Restrictions
 5. Datum Level Corsnet (A.H.D.)

Site Plan

CEH Consulting Pty Ltd.

A. B. N. 81 056 544 604

CONSULTING LAND, ENGINEERING AND MINING SURVEYORS, TOWN PLANNERS
 'THE LINK' 44 BAAN BAAN STREET DAPTO NSW 2530

PHONE 02 42 614366

msmith@cehconsulting.com.au

FAX 02 42 615243

DETAIL SURVEY OF
 LOT 211 IN DP 1043758
 YARROWONGA DRIVE,
 ULLADULLA, NSW

DATE	17/06/2021
SURVEYOR	DM
DRAWN	MS
CHECKED	MS
SURVEY FILE	

DRG. No.

D221295

SCALE 1:200@A3

Sheet 1 of 1 Sheets



KEEP
BUILDING DESIGN

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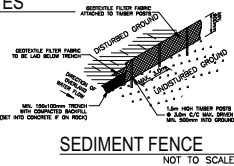


Date:	Issue:
23/12/2021	Council
Scale:	Drawing No.:
1:200 @ A3	04 (of 17)

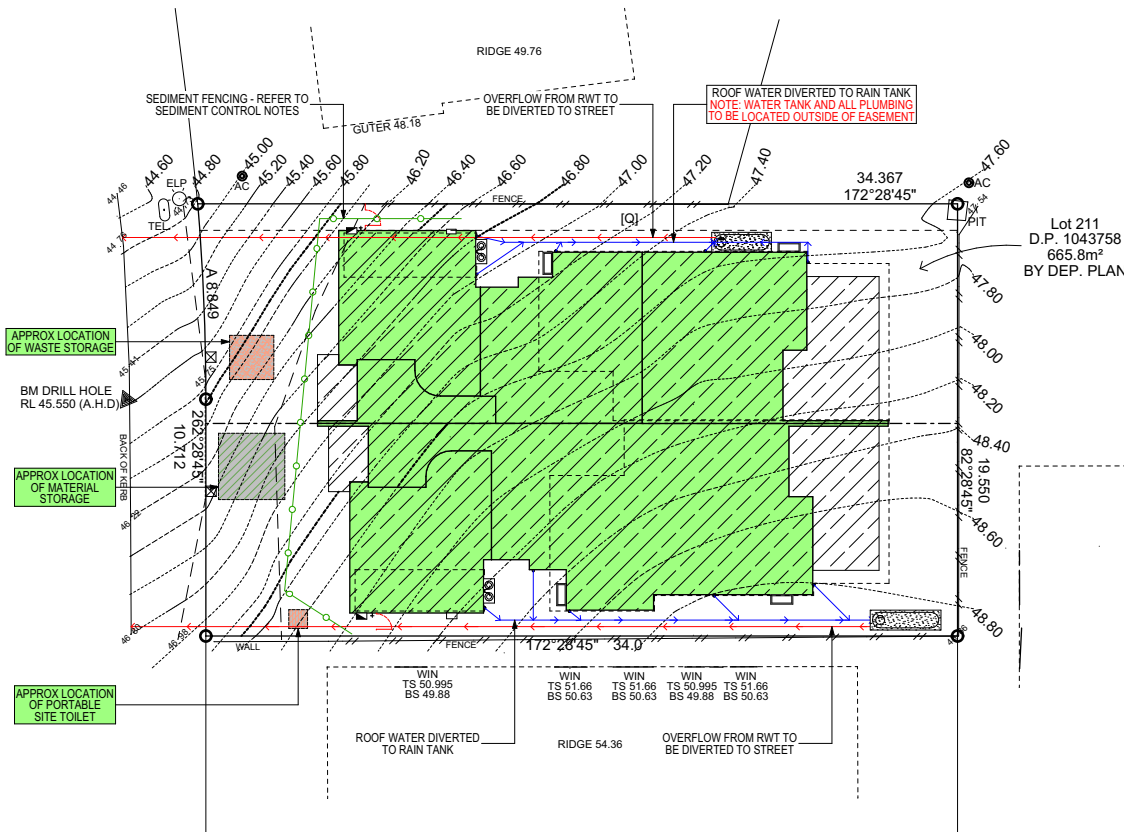
NSW120521 - 32 Yarrowonga Drive

SEDIMENT CONTROL NOTES

1. ALL EROSION AND SEDIMENTATION CONTROL MEASURES, INCLUDING REVEGETATION AND STORAGE OF SOIL AND TOPSOIL, SHALL BE IMPLEMENTED TO THE STANDARDS OF THE SOIL CONSERVATION OF NSW AND INSPECTED DAILY BY THE SITE MANAGER.
2. ALL DRAINAGE WORKS SHALL BE CONSTRUCTED AND STABILIZED AS EARLY AS POSSIBLE DURING DEVELOPMENT.
3. SEDIMENT TRAPS SHALL BE CONSTRUCTED AROUND ALL INLET PITS, CONSISTING OF 300mm WIDE x 300mm DEEP TRENCH.
4. ALL SEDIMENT BASINS AND TRAPS SHALL BE CLEANED WHEN THE STRUCTURES ARE A MAXIMUM OF 80% FULL OF SOL MATERIALS, INCLUDING THE MAINTENANCE PERIOD.
5. ALL DISTURBED AREAS SHALL BE REVEGETATED AS SOON AS THE RELEVANT WORKS ARE COMPLETED.
6. SOIL AND TOPSOIL STOCKPILES SHALL BE LOCATED AWAY FROM DRAINAGE LINES AND AREA WHERE WATER MAY CONCENTRATE. ALL ROADS AND FOOTPATHS TO BE SWEEPED DAILY.
7. FILTER SHALL BE CONSTRUCTED BY STRETCHING A FILTER FABRIC (PROPEX OR APPROVED EQUIVALENT) BETWEEN POST AT 3.0m CENTRES. FABRIC SHALL BE BURIED 150mm ALONG ITS LOWER EDGE.
8. DUST PREVENTION MEASURES TO BE MAINTAINED AT ALL TIMES.



YARROWONGA DRIVE



Site Management / Concept Stormwater Plan



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Date:	Issue:
23/12/2021	Council
Scale:	Drawing No.:
1:200 @ A3	05 (of 17)

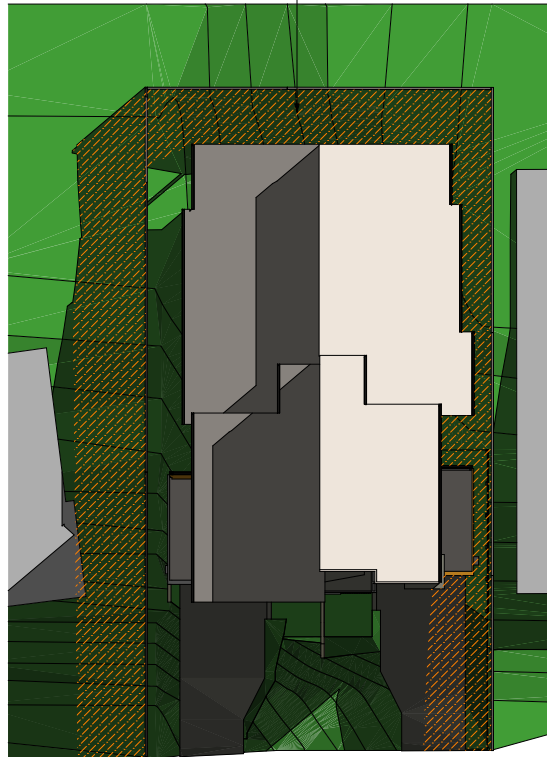
CL22.314 - Attachment 5

NSW120521 - 32 Yarrowonga Drive

Shadow Diagrams - June 21st

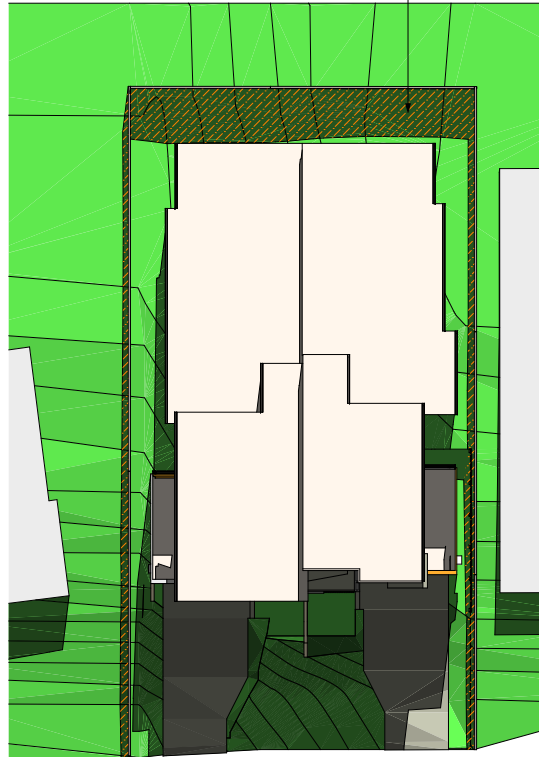


shadows cast by 1800h fencing
to common boundaries



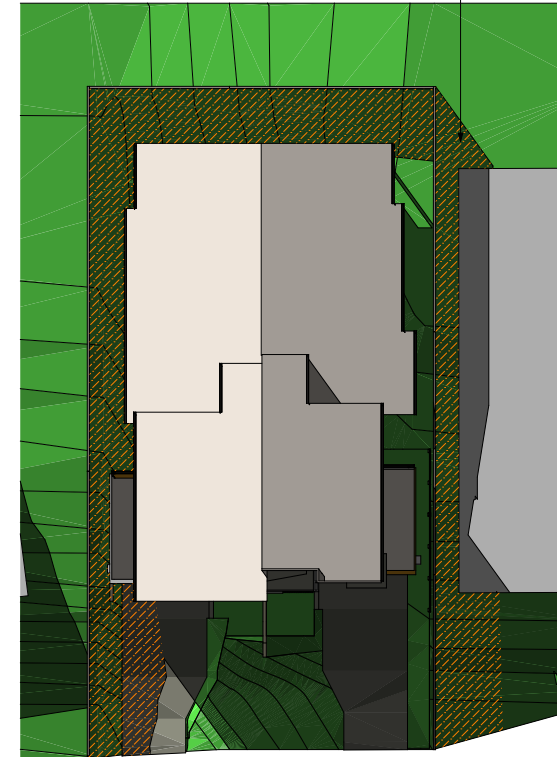
9am

shadows cast by 1800h fencing
to common boundaries



12pm

shadows cast by 1800h fencing
to common boundaries



3pm

KEEP
BUILDING DESIGN

**REGIONAL
BUILDERS
NETWORK**



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bdga
BUILDING DESIGNERS
ASSOCIATION OF AUSTRALIA

Date:

23/12/2021

Scale:

1:250 @ A3

Issue:

Council

Drawing No.:

06 (of 17)

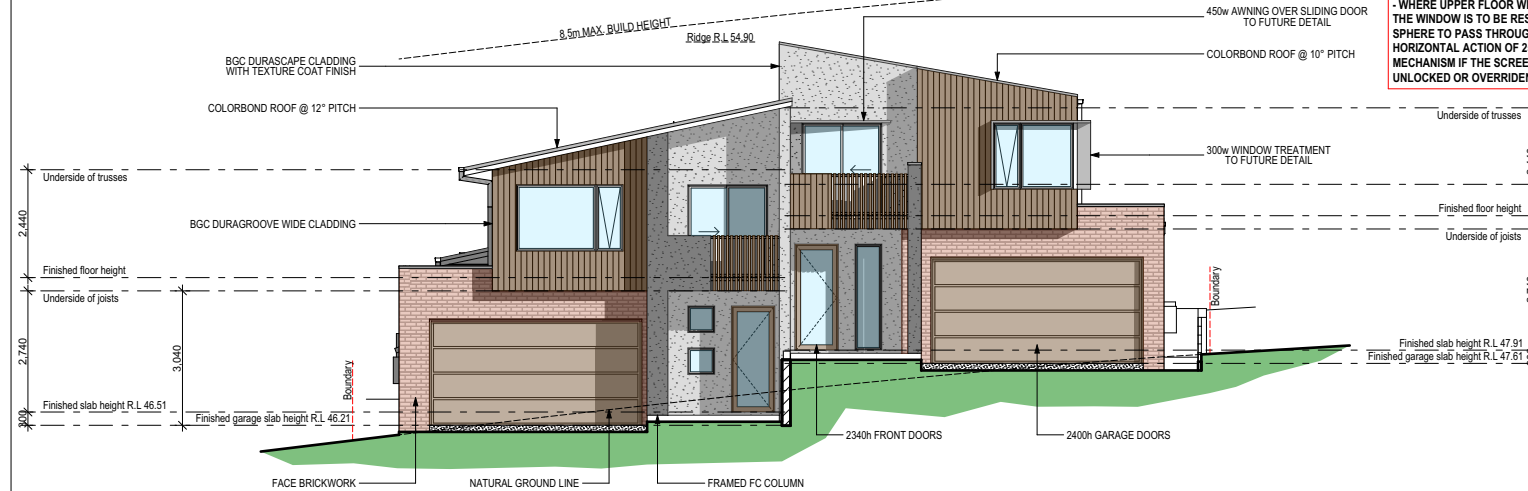
NSW120521 - 32 Yarrowonga Drive

NOTE:
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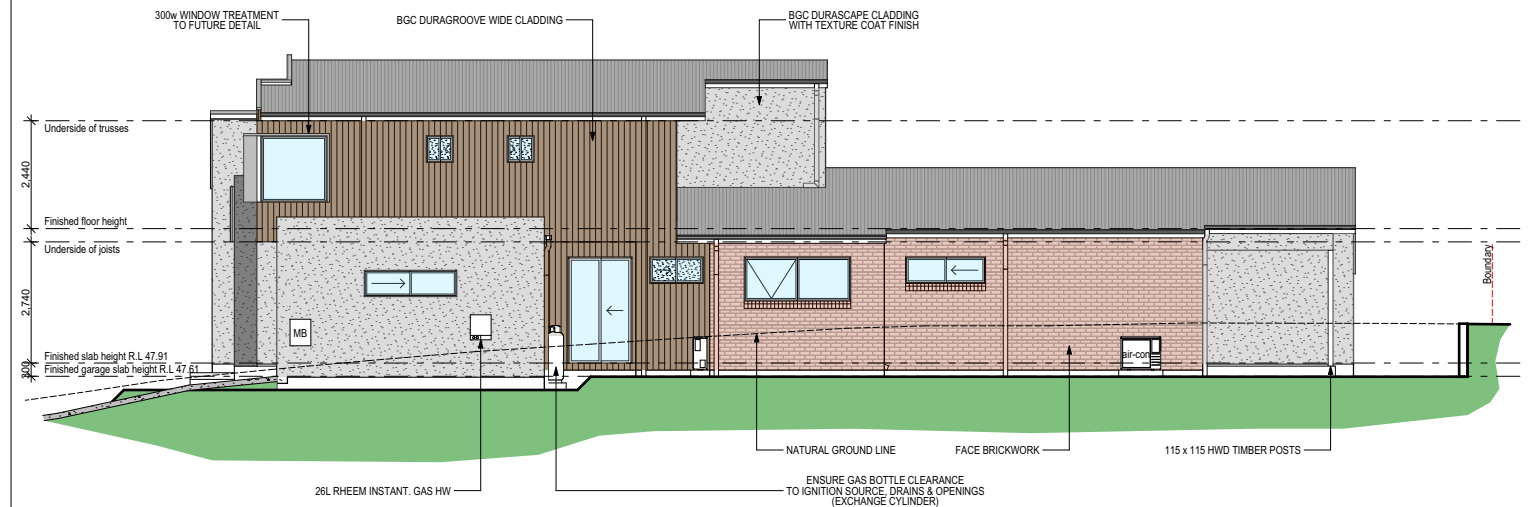
BAL 29 CONSTRUCTION

NOTE: REFER TO STRUCTURAL ENGINEERING PLANS FOR ARTICULATION
JOINT DETAILS

NOTE: PROTECTION OF OPENABLE WINDOWS RESTRICTED AS PER N.C.C
PART 3.9.2.6 & 3.9.2.7
- WHERE UPPER FLOOR WINDOW SILL IS LESS THAN 1.7m ABOVE FLOOR
THE WINDOW IS TO BE RESTRICTED WHICH DOES NOT PERMIT A 125mm
SPHERE TO PASS THROUGH THE WINDOW OPENING, RESIST AN OUTWARD
HORIZONTAL ACTION OF 250N AND HAVE A CHILD RESISTANT RELEASE
MECHANISM IF THE SCREEN OR DEVICE IS ABLE TO BE REMOVED
UNLOCKED OR OVERRIDDEN



Front Elevation - South



Right Elevation - East



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Date:
23/12/2021

Issue:
Council

Scale:
@ A3

Drawing No.:
09 (of 17)

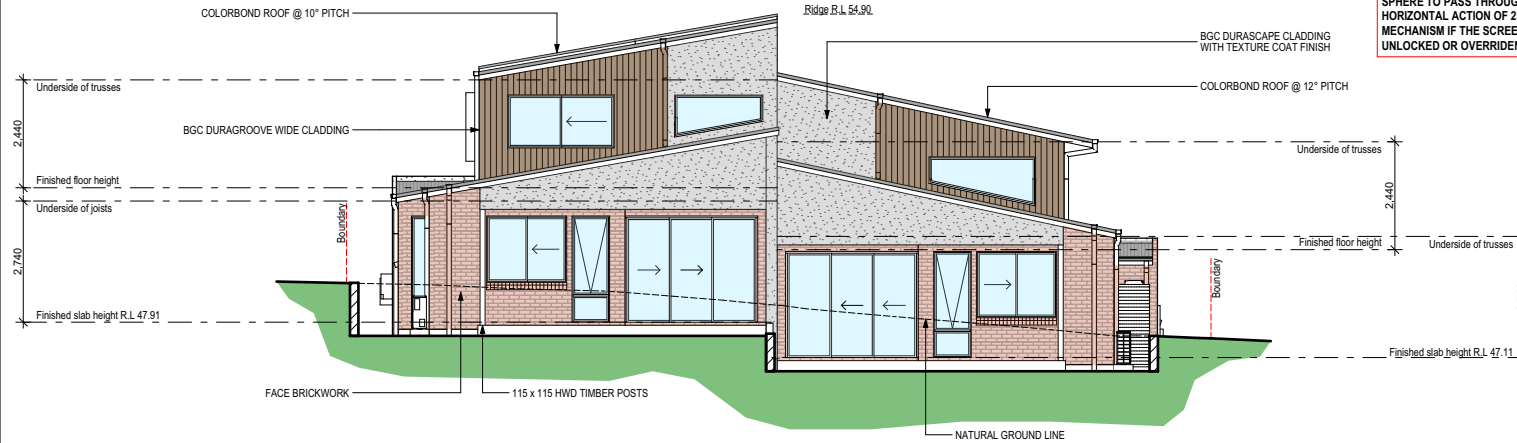
NSW120521 - 32 Yarrowonga Drive

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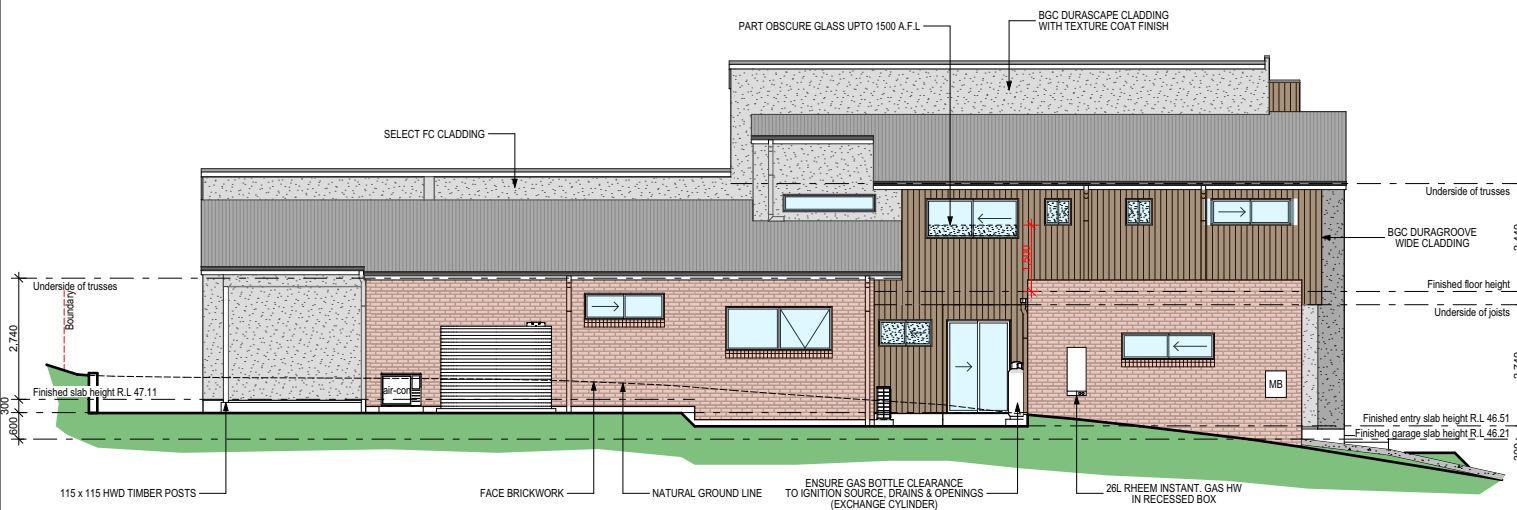
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Rear Elevation - North



Left Elevation - West

KEEP
BUILDING DESIGN

REGIONAL BUILDERS NETWORK

WOLFESMITHS

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Proposed Dual OCC

No.32 Lot 211 Yarrowonga Drive,
Mollymook Beach, NSW 2539

Date	Issue	Comment
12/05/21	1	Preliminary siting
18/06/21	2	Preliminary concept
29/06/21	3	Revised concept, contour survey added
01/08/21	4	Concept plans
28/10/21	5	Second plans - landscape plan added
23/12/21	6	Revised stormwater plan



















bdaa
BUILDING DESIGNERS
ASSOCIATION OF AUSTRALIA


















Date:
23/12/2021

Issue:
Council

Scale:
1:100 @ A3

Drawing No.:
10 (of 17)

Unit 1 - Aluminium Framed Windows & Doors							
Location	Door / Window Type	External View	Height	Width	Area (m2)	Wall Type	Notes
U1 - W18 Nook	Fixed Window		600	610	0.37	90mm WALL	1450 HEAD HEIGHT
U1 - W18 Nook	Fixed Window		600	610	0.37	90mm WALL	2400 HEAD HEIGHT
U1 - W19 Garage	Sliding Window		600	2,100	1.26	240 Brick Veneer	
U1 - W20 Laundry	Sliding glass door		2,100	1,450	3.05	90mm WALL	
U1 - W21 Ensuite	Sliding Window		600	1,210	0.73	90mm WALL	OBSURE
U1 - W22 Master	Awning Window		1,000	2,410	2.41	240 Brick Veneer	
U1 - W23 Meals	Sliding Window		600	1,810	1.09	240 Brick Veneer	
U1 - W24 Kitchen	Sliding Window		1,500	1,810	2.72	240 Brick Veneer	
U1 - W25 Kitchen	Awning Window		2,400	850	2.04	240 Brick Veneer	
U1 - W26 Family	Sliding door Multi-panels		2,400	3,000	7.20	240 Brick Veneer	
U1 - W27 Bed 2	Sliding glass door		2,100	1,810	3.80	90mm WALL	
U1 - W28 Bed 3	Fixed Window		1,500	1,800	2.70	90mm WALL	Single Window
U1 - W28 Bed 3	Awning Window		1,500	610	0.92	90mm WALL	
U1 - W29 Bed 3	Sliding Window		600	1,810	1.09	90mm WALL	
U1 - W30 Bath	Sliding Window		600	610	0.37	90mm WALL	OBSURE
U1 - W31 Bath	Sliding Window		600	610	0.37	90mm WALL	OBSURE
U1 - W32 Bed 4	Sliding Window		900	2,100	1.89	90mm WALL	
U1 - W33 Bed 4	Fixed Window	Refer to elevation	600	2,410	1.45	90mm WALL	CUSTOM SHAPE FG
U1 - W34 Void	Awning Window		400	2,100	0.84	90mm WALL	2200 HEAD HEIGHT

Unit 2 - Aluminium Framed Windows & Doors							
Location	Door / Window Type	External View	Height	Width	Area (m2)	Wall Type	Notes
U2 - W01 Nook	Awning Window		2,400	610	1.46	90mm WALL	
U2 - W02 Garage	Sliding Window		600	2,100	1.26	90mm WALL	
U2 - W03 Laundry	Sliding glass door		2,400	1,450	3.48	90mm WALL	
U2 - W04 Ensuite	Sliding Window		600	1,210	0.73	90mm WALL	AWNING WINDOW
U2 - W05 Master	Awning Window		1,000	2,410	2.41	240 Brick Veneer	
U2 - W06 Master	Awning Window		2,400	400	0.96	240 Brick Veneer	
U2 - W07 Meals	Sliding Window		600	1,810	1.09	240 Brick Veneer	
U2 - W08 Kitchen	Sliding Window		1,500	1,810	2.72	240 Brick Veneer	
U2 - W09 Kitchen	Awning Window		2,400	850	2.04	240 Brick Veneer	
U2 - W10 Family	Sliding door Multi-panels		2,400	3,000	7.20	240 Brick Veneer	
U2 - W11 Bed 2	Sliding glass door		2,100	1,810	3.80	90mm WALL	
U2 - W12 Bed 3	Fixed Window		1,500	1,200	1.80	90mm WALL	Single Window
U2 - W12 Bed 3	Awning Window		1,500	610	0.92	90mm WALL	
U2 - W13 Bed 3	Fixed Window		1,500	1,500	2.25	90mm WALL	PART OBSURE
U2 - W14 Bath	Sliding Window		600	610	0.37	90mm WALL	OBSURE
U2 - W15 Bath	Sliding Window		600	610	0.37	90mm WALL	OBSURE
U2 - W16 Bed 4	Sliding Window		1,200	2,410	2.89	90mm WALL	
U2 - W17 Void	Fixed Window	Refer to elevation	600	2,000	1.20	90mm WALL	CUSTOM SHAPE FG
					71.62 m²		

NSW120521 - 32 Yarrawonga Drive

NOTE:
WINDOWS RESTRICTED AS PER N.C.C 2019

NOTE:
- ALL GLAZING TO COMPLY WITH AS1288-94 WINDOWS AND DOORS
- NOMINAL SIZES ONLY. ACTUAL SIZES AND STYLES TO BE CONFIRMED WITH MANUFACTURER

NOTE: GLAZED WINDOWS & DOORS AS PER BASIX CERTIFICATE



GENERAL NOTES:
1. DIMENSIONS TO BE READ IN PREFERENCE TO SCALING
2. ALL DIMENSIONS TO BE CHECKED ON SITE PRIOR TO COMMENCEMENT OF WORK OR ORDERING MATERIALS
3. ANY DISCREPANCIES TO BE REPORTED TO AUTHOR BEFORE PROCEEDING
4. BOUNDARIES TO BE VERIFIED BY SURVEYOR. ALL UNDERGROUND SERVICES TO BE LOCATED BY BUILDER
5. OTHER CONSULTANT DRAWINGS TO TAKE PRECEDENCE
6. ALL WORKMANSHIP AND MATERIALS SHALL COMPLY WITH ALL RELEVANT CODES AND AUSTRALIAN STANDARDS
7. THESE PLANS ARE COPYRIGHT WORK OF KEEP BUILDING DESIGN & MAY NOT BE USED WITHOUT PERMISSION

Client / Owner:

AMJ Capital

Proposed Dual OCC

No.32 Lot 211 Yarrawonga Drive,
Mollymook Beach, NSW 2539

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12-05-21	1	Preliminary siting
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Date:

23/12/2021

Issue:

Council

Scale:









Drawing No.:

16 (of 17)

BAL 29 CONSTRUCTION

CL22.314 - Attachment 5

NSW120521 - 32 Yarrawonga Drive



LANDSCAPE SCHEDULE			
	Letterbox	By builder	(approx.) Quantities
	Approx. position of clothesline	By builder	
	Concrete pavers	By builder	
	Colored concrete driveway	By builder	
	Approx position of garbage bins	By owner	
	Turf areas	By builder	110m2
	Garden bed with mulch	By builder	63m2
	Small riverstone / gravel or similar	By builder	45m2

NOTE:

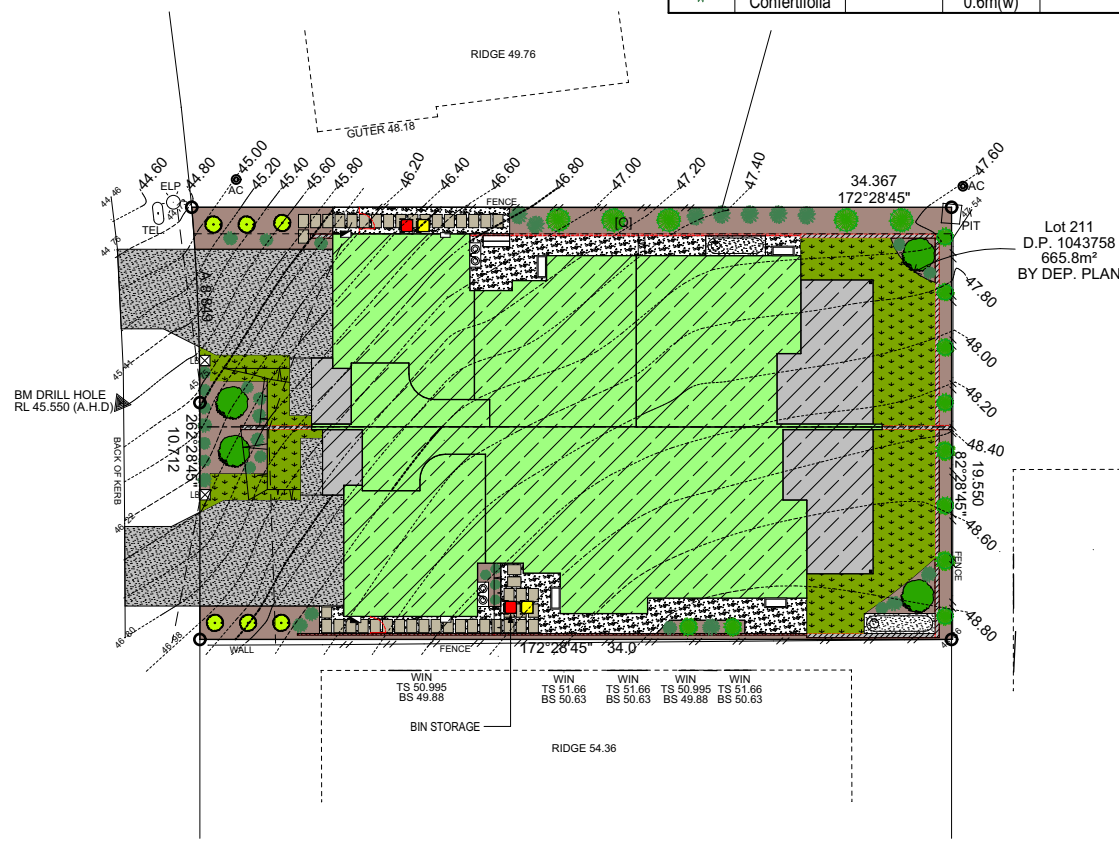
- * SOIL PREPARATION - ADD GYPSUM OR LIQUID GROUND BREAKER AS REQUIRED.
- * GARDEN BEDS TO BE MOUNDED UP MIN. 300mm. SOILS TO BE MIXED WITH COMPOST PRIOR TO PLANTING.
- * IMPORTED SOILS TO BE SANDY LOAM MIX OR SIMILAR.
- * ORGANIC MULCH TO GARDEN BED

NOTE:

- * PLANT SELECTION, POSITIONING & QUANTITIES TO BE CONFIRMED BY BUILDER / CONTRACTOR

PLANTING SCHEDULE						
Symbol	Botanical Name	Common Name	Mature Height & Width	Pot Size	Native or Exotic	Quantity
	TBC		5.0m(h) x 3.0m(w)	45 Ltr.	TBC	4
	Syzygium Australe	Resilience Lilly Pilly	4.0m(h) x 2.0m(w)	25 Ltr.	Native	12
	Alpinia Caerulea	Native Ginger	2.0m(h) x 1.5m(w)	300mm	Native	13
	Lomandra Confertifolia	Mat Rush	0.4(h) x 0.6m(w)	200mm	Native	37

YARRAWONGA DRIVE



Concept Landscape Plan



GENERAL NOTES:

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3. ANY DISCREPANCIES TO BE REPORTED TO AUTHOR OF DESIGN PROCEDURE
4. BOUNDARIES TO BE VERIFIED BY SURVEYOR, ALL UNDERGROUND SERVICES TO BE LOCATED BY BUILDER
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Client / Owner:
AMJ Capital

Proposed Dual OCC
No.32 Lot 211 Yarrawonga Drive,
Mollymook Beach, NSW 2539

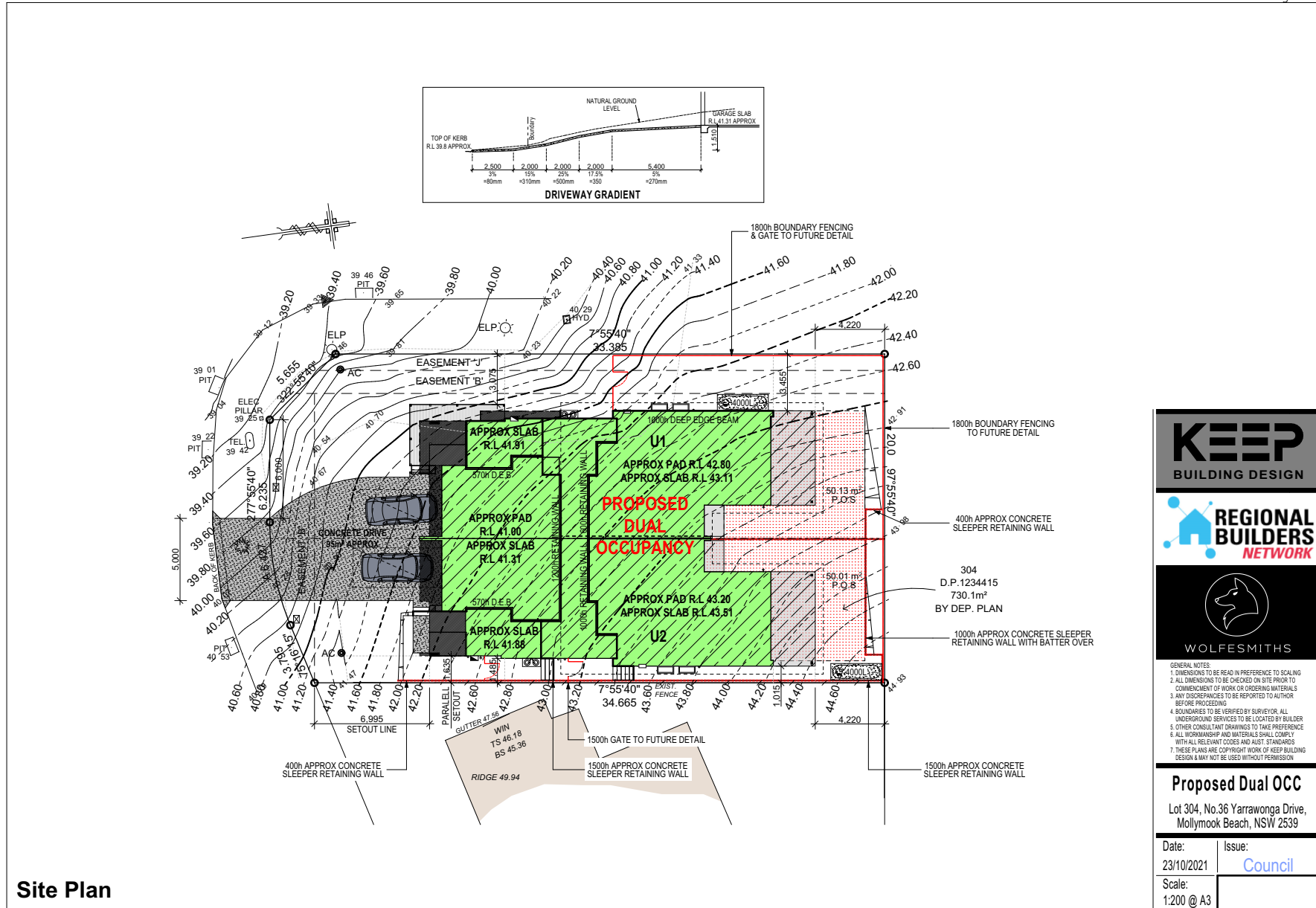
Date	Issue	Comment
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Date: 23/12/2021

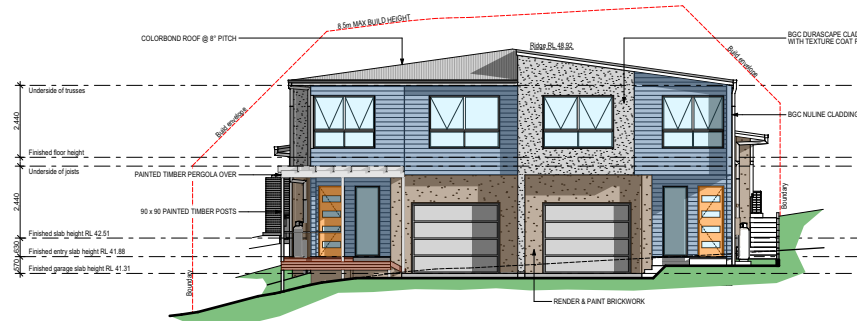
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1	Issue:	Council
3	Drawing No.:	17 (of 17)

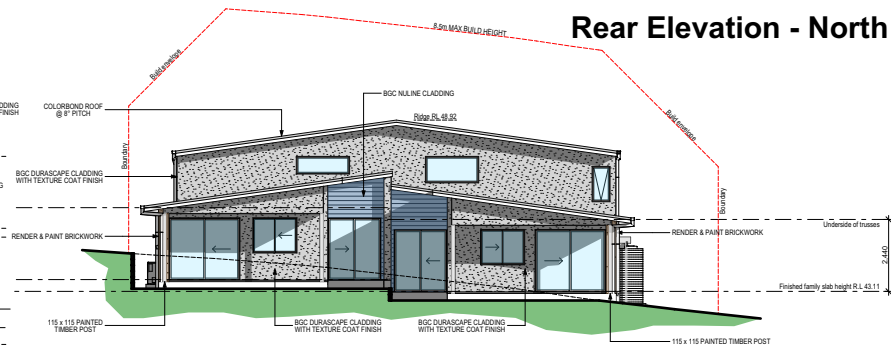


NSW070721 - 36 Yarrawonga Drive

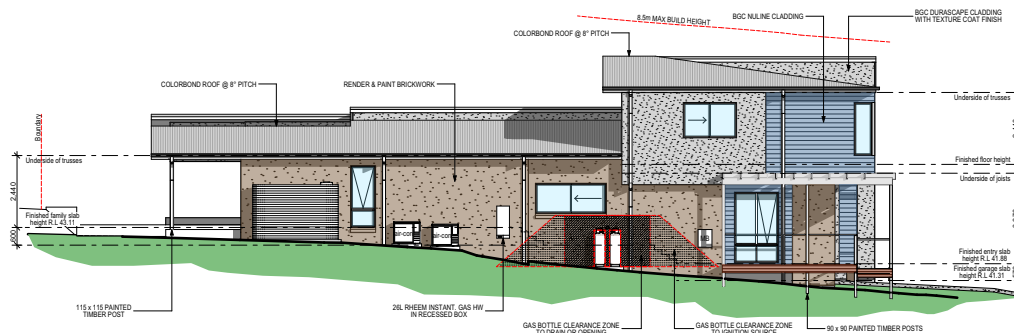
Front Elevation - South



Rear Elevation - North



Right Elevation - East



Left Elevation - West




GENERAL NOTES
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Proposed Dual OCC

Lot 304, No.36 Yarrawonga Drive,
Mollymook Beach, NSW 2539

Date: 23/10/2021	Issue: Council
Scale: 1:150 @ A3	

Planning Report – S4.15 Assessment - 13 The Bastion, MANYANA - Lot 871 DP 263106

	Planning Report S4.15 Environmental Planning & Assessment Act 1979
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DA Number	DA22/1281
Property	13 The Bastion, MANYANA - Lot 871 DP 263106
Applicant(s)	Kate Wheeler - Le Mottee Group Pty Limited
Owner(s)	JFPG011 Pty Ltd

Conflict of interest declaration

I have considered the potential for a conflict of interest under the [Code of Conduct](#) and to the best of my knowledge no pecuniary and/or significant non-pecuniary conflict of interest exists.

NOTE: If you determine that a non-pecuniary conflict of interest is less than significant and does not require further action, you must provide a written explanation of why you consider that the conflict does not require further action in the circumstances. This statement should then be countersigned by the section manager.

Name

Choose an item.

14/04/2022

Detailed Proposal

Attached Dual Occupancy

Each unit of the proposed dual occupancy contains the following over two levels:

Ground Floor:

- One (1) bedroom with robe;
- Open plan kitchen, dining and living;
- Bathroom;
- Laundry;
- Alfresco adjoining kitchen, dining and living; and
- Single lock up garage.

First Floor:

- Three (3) bedrooms with robes, master with ensuite;
- Sitting area; and
- First Floor bathroom with separate toilet; and
- Balcony to the front.

Subject Site and Surrounds

Site Description

The site is located on the south side of The Bastion Manyana. It has an 18m frontage to The Bastion with a depth of 37m and total area of 665.9m². The lot is zoned R2 Low Density Residential and surrounded by low density development which is a mix of one and two storey dwellings. The lot is reasonably flat with a slight slope from the west to east. The lot is currently vacant. The lot is approximately 860m from Manyana Beach and 2 km from the junction of Innyada Drive and Bendalong Road.

Planning Report – S4.15 Assessment - 13 The Bastion, MANYANA - Lot 871 DP 263106

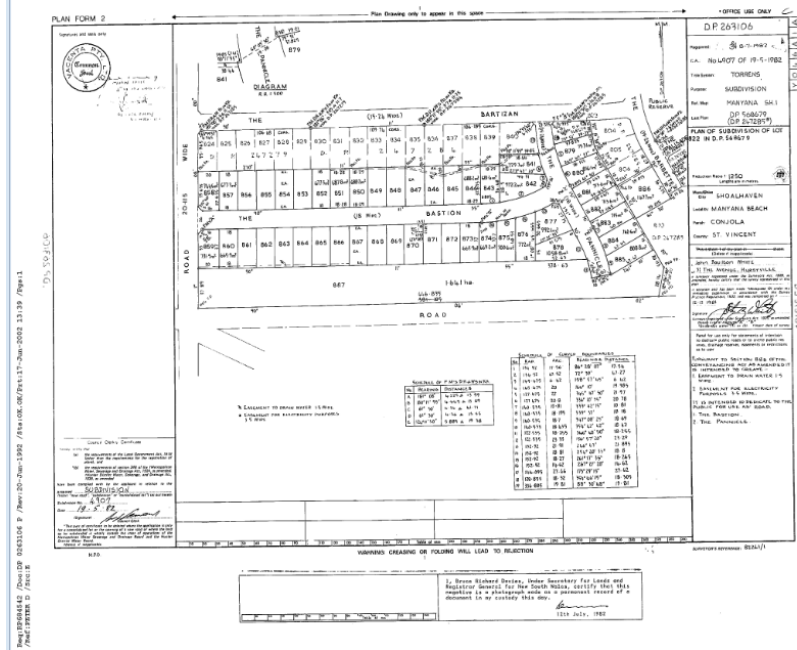


Aerial Map

CL22.315 - Attachment 1

Planning Report – S4.15 Assessment - 13 The Bastion, MANYANA - Lot 871 DP 263106

Deposited Plan and 88B Instrument



Site Visit



Photo 1: Neighbours to the east



Photo 2: Front verge

CL22.315 - Attachment 1

Planning Report – S4.15 Assessment - 13 The Bastion, MANYANA - Lot 871 DP 263106



Photo 3: Looking north from the site



Photo 4: Site view to the east



Photo 5: Neighbour to the east



Photo 6: Neighbour to the west and electricity substation

Site History and Previous Approvals

No history of previous development on the lot.

Post-Lodgement

The following provides details on pre-lodgement discussions, post-lodgement actions:

- No informal enquiries or formal pre lodgement discussions were held prior to lodgement.
- The application was lodged on 9 March 2022.
- The application was referred for technical comment on 21 March 2022.
- No further information was requested from the applicant.

Planning Report – S4.15 Assessment - 13 The Bastion, MANYANA - Lot 871 DP 263106

Consultation and Referrals

Internal Referrals

Referral	Recommendation	Comment
Development Engineer	<p>Stormwater Drainage:</p> <ul style="list-style-type: none"> For each dwelling, it is proposed that roof stormwater is discharge to a rainwater tank with overflow, and water captured in a driveway grated drain, directed to an absorption trench before being directed to the street stormwater network. The absorption trenches do not appear necessary because the stormwater can be directed straight to the street. Apart from the absorption trenches, the stormwater system is acceptable. The absorption trenches will be conditioned to be removed. Per DCP Chapter G2 OSD will be required and will be conditioned. <p>Roads/Access:</p> <ul style="list-style-type: none"> Access point is acceptable. Sight distances appear acceptable. It is proposed that 4 spaces are provided: 2 garages spaces and 2 stacked parking spaces. This is acceptable per the DCP. A driveway long section of the proposed driveway pursuant to Council's Standard Drawings will be conditioned. Per DCP Chapter G21, the longitudinal grade for stacked parking must not exceed 5%. The stacked parking can be demonstrated on the 	Conditions to be included in the consent

Planning Report – S4.15 Assessment - 13 The Bastion, MANYANA - Lot 871 DP 263106

	longitudinal section. This will be conditioned.	
Shoalhaven Water	Request for COC application sent SW Notice conditions include S64 charges, meters and long conduit Conditions provided.	Conditions to be included in the consent.
GIS	The numbering for the proposed dual occupancy development with reference to the lodged Suite of Architectural Plans D22/98786 is: Unit 1 – 13A The Bastion, Manyana Unit 2 – 13B The Bastion, Manyana The primary address and the for the common property is 13 The Bastion, Manyana	Condition to be included in the consent.

Statutory Considerations

Environmental Planning and Assessment Act 1979

S4.14 Consultation and Development on Bushfire Prone Land

The land is mapped as bushfire prone. An assessment has been made of the development. The proposal is considered satisfactory subject to the imposition of conditions of consent.

Biodiversity Conservation Act 2016 and Biodiversity Conservation Regulation 2017

The purpose of the Act is to maintain a healthy, productive and resilient environment for the greatest well-being of the community, now and into the future, consistent with the principles of ecologically sustainable development (described in section 6 (2) of the Protection of the Environment Administration Act 1991).

A valid Biodiversity Offset Scheme Entry Threshold (BOSET) tool has been submitted as part of the application which shows the proposed development does not trigger the Biodiversity Offsets Scheme (BOS).

A site inspection has been undertaken along with a desktop review and it is concluded that the proposed development is unlikely to have a significant impact.

A review of the proposed development against the BOS triggers has concluded that the proposal does not trigger entry into the BOS.

Shoalhaven Contribution Plan 2019

The proposed development is considered to increase the demand for community facilities in accordance with the Shoalhaven Contributions Plan 2019 (the Plan). The development is most aptly characterised as an Medium Density/Dual Occupancy development for the purpose of calculating contributions under the Plan.

Planning Report – S4.15 Assessment - 13 The Bastion, MANYANA - Lot 871 DP 263106

Section 7.11 ET Calculations - DA22/1281 (UPN: 24500)

Close
Reset
Print
Return Calc

☒ Residential
☐ Non-Residential

Calculation Type:
Medium Density/Dual Occupancy

Medium Density/Dual Occupancy

	Existing	Proposed
1 Bedroom Dwelling (Affordable Rental Housing SEPP)	0	0
2 Bedroom Dwelling (Affordable Rental Housing SEPP)	0	0
3 Bedroom Dwelling (Affordable Rental Housing SEPP)	0	0
4 Bedroom Dwelling (Affordable Rental Housing SEPP)	0	0
Lots/Dwellings (not via Affordable Rental Housing SEPP)	1	2
Boarding House Bedrooms	0	0
Total ET		1
		0

Developer Contributions - New Calculation

Application: DA22/1281
UTE: 24500
Fin Year: 2021/22

Calculation ID
Address: 13 The Bastion, MANYANA
Location: Lot 871 DP 263106
UTE: 24500
Stage: 1
Calculate ET
Contribution Total: \$8,282.24

Get Current Projects
Save Calculations
Reset Calculation
Delete Calculations
Create Payment Advice

Recipient:
JFPG011 Pty Ltd
Address:
50 Hunter Street
NEWCASTLE NSW 2300

Project	Description	Benefit Area	Contribution Amt	Qty	Contribution ADD
05AREC0005	Planning Area 5 - Active recreation facility upgrades various locations	01 Equivalent Tenement	\$1,054.53	1	\$1,054.53
05CFAC2010	Southern Shoalhaven Branch Library	01 Equivalent Tenement	\$530.63	1	\$530.63
05OREC0004	Manyana/Cunjurong	01 Equivalent Tenement	\$2,472.15	1	\$2,472.15
CWIREC5005	Shoalhaven Community and Recreational Precinct SCaRP Cambewarra Road Bonaderry	05 Equivalent Tenement	\$1,104.42	1	\$1,104.42
CWCFAC5002	Shoalhaven Entertainment Centre (Bridge Road Nowra)	05 Equivalent Tenement	\$834.71	1	\$834.71
CWCFAC5006	Shoalhaven City Library Extensions (Berry Street, Nowra)	01 Equivalent Tenement	\$1,292.05	1	\$1,292.05
CWCFAC5007	Shoalhaven Regional Gallery	01 Equivalent Tenement	\$70.93	1	\$70.93
CWFIRE2001	Citywide Fire & Emergency services	01 Equivalent Tenement	\$139.37	1	\$139.37
CWFIRE2002	Shoalhaven Fire Control Centre	01 Equivalent Tenement	\$203.89	1	\$203.89
CWMGMT3001	Contributions Management & Administration	01 Equivalent Tenement	\$579.56	1	\$579.56

Illawarra Shoalhaven Regional Plan 2041

The proposal is consistent with the objectives of the Plan by promoting housing diversity in the region.

Planning Report – S4.15 Assessment - 13 The Bastion, MANYANA - Lot 871 DP 263106

4.15 Assessment

The following provides an assessment of the submitted application against the matters for consideration under section 4.15 of the EP&A Act.

(a) Any planning instrument, draft instrument, DCP and regulations that apply to the land

i) Environmental Planning Instruments

Instrument
Shoalhaven LEP 2014
State Environmental Planning Policy (Building Sustainability Index: BASIX) 2004

S4.14 EP&A Act Consultation and Development on Certain Bushfire Prone Land

The land is mapped as bushfire prone and the applicant has provided a Bushfire Assessment Report from a Bpad Level 2 consultant that determines the development as BAL 12.5.

Southern Bushfire Solutions has conducted a detailed assessment of the proposal in accordance with NSW Planning for Bushfire Protection 2019. Recommendations are made for the proposal to comply where necessary.

BAL Determination

Area FDI: Illawarra-Shoalhaven Fire Area (Shoalhaven Council) FDI = 100				
Hazard	Vegetation Classification	Effective Slope	Distance	BAL
A	Managed land	-	>100m	LOW
B	Managed land	-	>100m	LOW
C	Dry Sclerophyll Forest	0-5° Downslope	65m	BAL-12.5
D	Managed land	-	>100m	LOW

The dominant Bushfire Attack Level (BAL) for this proposal is determined to be:

BAL- 12.5

NOTE: This BAL determination is only valid for a period of 12 months from the date of issue.

SEPP (Resources and Energy) 2021

Question	Yes	No
1. Is the proposal for residential subdivision or a listed purpose (the list provided in Table 1 of the contaminated land assessment guidelines)?	Proceed to Question 3	⊖ Proceed to Question 2

Planning Report – S4.15 Assessment - 13 The Bastion, MANYANA - Lot 871 DP 263106

Question	Yes	No
2. Does the proposal result in a change of use (that is the establishment of a new use)?	Proceed to Question 3	⊗ Assessment under SEPP 55 and DCP not required.
3. Does the application proposed a new: <ul style="list-style-type: none"> ▪ Child care facility ▪ Educational use ▪ Recreational use ▪ Health care use ▪ Place of public worship ▪ Residential use in a commercial or industrial zone 	Proceed to Question 5	⊗ Proceed to Question 4
4. Review the property file and conduct a site inspection of the site and surrounding lands. Is there any evidence that the land has been used for a listed purpose?	Proceed to Question 5	⊗ Proposal satisfactory under SEPP 55 and DCP.
5. Is the proposed land use likely to have any exposure path to contaminants that might be present in soil or groundwater?	Request contaminated site assessment	⊗ Proposal satisfactory under SEPP 55 and DCP.

SEPP (Biodiversity and Conservation) 2021

The Site Investigation Area for Koala Plans of Management identifies the area where best to concentrate surveying for Koala's. These map does not depict 'core koala habitat' but predicts where koala habitat may be present. Not applicable to this site.

The objective of the SEPP is to protect the biodiversity values of trees and other vegetation and to preserve the amenity of the area through the preservation of trees and other vegetation. It is considered that the proposed development does not unduly impact upon any existing biodiversity or trees or vegetation on the site.

SEPP (Building Sustainability Index: BASIX) 2004

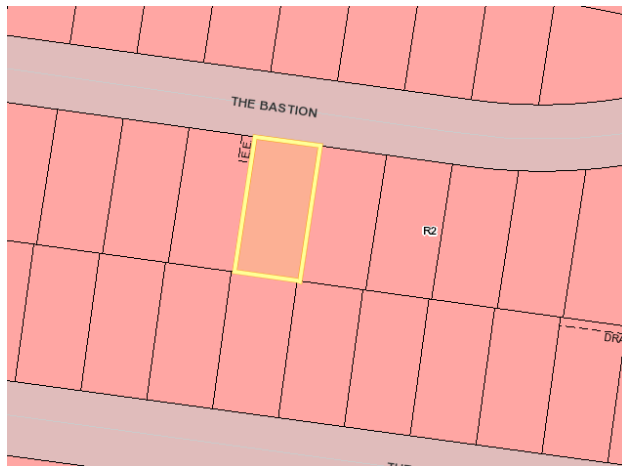
A valid BASIX certificate has been submitted as part of the application. The certificate demonstrates compliance with the provisions of the SEPP and is consistent with commitments identified in the application documentation.

Shoalhaven LEP 2014

Land Zoning

The land is zoned R2 Low Density Residential under the SLEP 2014.

Planning Report – S4.15 Assessment - 13 The Bastion, MANYANA - Lot 871 DP 263106



Zone Map

Characterisation and Permissibility

The proposal is best characterised as Attached Dual Occupancy under the SLEP 2014. The proposal is permitted within the zone with the consent of Council.

Zone objectives

Objective	Comment
<ul style="list-style-type: none"> To provide for the housing needs of the community within a low density residential environment. 	The proposal will provide for the needs of the community
<ul style="list-style-type: none"> To enable other land uses that provide facilities or services to meet the day to day needs of residents. 	N/A
<ul style="list-style-type: none"> To provide an environment primarily for detached housing and to ensure that other development is compatible with that environment. 	The proposed development is compatible with the detached housing character of the area.

SLEP 2014 Clauses

Clause	Comments	Complies/ Consistent
Part 2 Permitted or prohibited development		

Planning Report – S4.15 Assessment - 13 The Bastion, MANYANA - Lot 871 DP 263106

Part 4 Principal development standards		
4.1A Exceptions to minimum lot sizes for dual occupancies and multi dwelling housing	The lot is 665.9m ² and therefore complies with the requirement of an attached dual occupancy lot being greater than 500m ² .	Complies
4.3 Height of buildings	The LEP maximum height of building is 8.5m. The proposed development is 8.01m.	Complies
Part 7 Additional local provisions		
7.1 Acid sulfate soils	The lot is Class 5 Acid Sulfate Soils and not within 500m of any lower class of soils	Complies
7.2 Earthworks	Minor Earthworks will be involved, no retaining walls are proposed.	

ii) Draft Environmental Planning Instrument

<http://www.planning.nsw.gov.au/Policy-and-Legislation/State-Environmental-Planning-Policies-Review>

iii) Any Development Control Plan

Shoalhaven DCP 2014

Chapter 2 General and Environmental Considerations	
Potentially Contaminated Land	N/A
European Heritage	N/A
Aboriginal Cultural Heritage	N/A
Crime Prevention Through Environmental Design	N/A

Generic Chapters
G1: Site Analysis, Sustainable Design and Building Materials
An appropriate Site Analysis Plan has been provided.
G2: Sustainable Stormwater Management and Erosion/Sediment Control
A stormwater plan has been provided and reviewed by the Development Engineer who has provided conditions to be included in the consent.

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G3: Landscaping Design Guidelines
A landscaping plan has been provided that indicates deep soil zones and landscaped areas that comply.
G4: Removal and Amenity of Trees
No trees are proposed to be removed as part of this application.
G7: Waste Minimisation and Management Controls
A WMMP has been provided that complies.
G13: Medium Density and other Residential Development
See detailed assessment Appendices below.
G21: Car Parking and Traffic
The proposal requires two car parking spaces for each dwelling on the site. They are providing one in each garage and a stacked parking spot in the driveway outside which complies with DCP requirements.

ilia) Any planning agreement that has been entered into under section 7.4, or any draft planning agreement that a developer has offered to enter into under section 7.4

iv) Environmental Planning and Assessment Regulation 2000

N/A

v) REPEALED

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

Head of Consideration	Comment
Natural Environment	The proposed dual occupancy will not have any adverse impacts on the natural environment.
Built Environment	The development will be compatible with the character of the surrounding residential area.
Social Impacts	The dual occupancy will contribute to the housing stock available in the area.
Economic Impacts	Employment related to the construction of the development will provide economic benefits to the tradesmen and the wider community.

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(c) Suitability of the site for the development

The site is considered suitable for the proposed development for the following reasons:

- Compliant with objectives and requirements of SLEP 2014
- Compliant with objectives and acceptable solutions outlined in SDCP 2014
- The proposal raises no adverse impacts
- The proposal is compatible with surrounding land uses

(d) Submissions made in accordance with the Act or the regulations

The DA was notified in accordance with Council's Community Consultation Policy for Development Applications. Submissions were received by Council objecting to the proposal. The concerns raised are outlined below:

Summary of Public Submissions	
<p>The application was notified from 18.3.2022 until 4.4.2022. A total of thirty (30) were received in objection, two (2) of which were from the same objectors. This includes two (2) submissions from the Red Head Village Association.</p> <p>One (1) submission was received in support.</p>	
Objection Raised	Comment
Holiday Letting	<p><u>Issue</u></p> <p>Concerns that the proposed development would be used for holiday letting for a large number of people, which impacts on the amenity of the neighbourhood</p> <p><u>Comment</u></p> <p>The potential for holiday letting is not a consideration for development approval for a dual occupancy application.</p> <p>Holiday letting is exempt development in dwellings, including dual occupancy dwellings, under SEPP (Housing) 2021 – Short Term Accommodation which applies to the entire State.</p>
Character of Locality	<p><u>Issue</u></p> <p>The proposal is of a bulk and scale that is inconsistent with the surrounding coastal character of the area. RHVA has provided a map of the street identifying the 6 two storey dwellings in the street.</p> <p><u>Comment</u></p>

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	<p>The proposed dual occupancy complies with the DCP building envelope, setbacks and FSR requirements. The design is sympathetic to the eclectic mix of one and two storey dwellings in the street. There are more than 6 two storey dwellings in the street as no 34 and 7 are also two storey dwellings.</p>
Bushfire	<p><u>Issue</u></p> <p>Many raised concerns about increasing density considering the recent bushfires putting further responsibility on the neighbourhood and evacuation during bushfires, especially if it is used for holiday makers.</p> <p><u>Comment</u></p> <p>Dual occupancy development is permissible, and the lot is mapped as bushfire prone. An assessment and a bushfire report from a Bad qualified consultant has been provided and an assessment in accordance with the legislation has been undertaken and conditions included in the consent. The application is for an attached dual occupancy whether it may be used for holiday makers is not a consideration as part of this process.</p>
Precedent	<p><u>Issue</u></p> <p>Allowing a dual occupancy development will set a precedent for more dual occupancies in the area.</p> <p><u>Comment</u></p> <p>Dual occupancy development is permissible in the R2 zone and was permissible in the previous zoning that applied to the land.</p>
R2 Zoning	<p><u>Issue</u></p> <p>Dual occupancy development is not consistent with the objectives of the R2 Low Density Residential zone which has as one of the objectives 'to provide an environment primarily for detached housing and to ensure that other development is compatible with that environment'.</p> <p><u>Comment</u></p> <p>Detached and attached dual occupancies are a mandated land use type in the R2 Low Density Residential zone. The objective says primarily for detached housing and not entirely. The attached dual occupancy is of a compatible bulk and scale to other two storey development in the area and complies with DCP</p>

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	requirements for bulk & scale, FSR and setbacks.
Solar Access and Privacy	<p><u>Issue</u></p> <p>The adjoining neighbours have raised concerns regarding solar access and privacy impacts to their properties.</p> <p><u>Comment</u></p> <p>The applicant has provided shadow diagrams that indicate that the neighbouring properties receive a minimum 3 hours sunlight between 9am and 3pm on 21 Jun which complies with the DCP and the Planning Principle for Sunlight Access. The main living areas and private open space are on the ground floor and fencing between properties will provide privacy to neighbours, which is compliant with the DCP. There is a small sitting room which adjoins the front balcony and overlooks the street frontage not any neighbouring dwellings.</p>
Infrastructure	<p><u>Issue</u></p> <p>Potential for dual occupancy development to increase the demand on local infrastructure.</p> <p><u>Comment</u></p> <p>The existing infrastructure is considered adequate for the proposed dual occupancy development which is a permissible use in the zone.</p>
Noise	<p><u>Issue</u></p> <p>Noise from holiday makers using the dwellings.</p> <p><u>Comment</u></p> <p>Whether the proposed dwellings are use for holiday letting is not a consideration for the development application as discussed above.</p>
Parking & Increased Traffic	<p><u>Issue</u></p> <p>Inadequate car parking and increased traffic will impact on the surrounding amenity.</p> <p><u>Comment</u></p> <p>The application provides for two car parking spaces on site for each dwelling which complies with the DCP requirements. The traffic generated from two dwellings will not have a significant impact on the surrounding road network.</p>
Adaptable Housing	<u>Issue</u>

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	<p>No adaptable unit has been provided</p> <p><u>Comment</u></p> <p>In accordance with the DCP, adaptable units are not required in a dual occupancy development only where 3 or more dwellings are proposed.</p>
Property Values	<p><u>Issue</u></p> <p>The proposal will impact on property values.</p> <p><u>Comment</u></p> <p>Impacts on property values is not a consideration for the development application. The proposal is permissible in the zone and compliant with the DCP.</p>
Clearing of Trees	<p><u>Issue</u></p> <p>That trees have already been cleared from the property.</p> <p><u>Comment</u></p> <p>The land is zoned R2 and it is possible that the trees were removed in accordance with Council's DCP Chapter 4 exemption policy which allows removal of trees where a tree is closer than its own height from an approved building – these being the neighbouring dwellings to the east and west.</p>
Subdivision Potential	<p><u>Issue</u></p> <p>The ability to subdivide duplexes is effectively abandoning the minimum allotment control for the whole of Manyana.</p> <p><u>Comment</u></p> <p>Subdivision of dual occupancies in the R2 zone is permissible under Clause 4.1A of Shoalhaven LEP.</p>
Neighbouring ground level calculations	<p><u>Issue</u></p> <p>That the survey ground level heights on the neighbouring dwelling are incorrect. As the RL is 29 and not 30.3 which is misleading</p> <p><u>Comment</u></p> <p>The 30.3G is the level of the gutter of the dwelling not the ground as indicated by the G.</p>

The applicant was requested to review the submissions and provide a response. Their response is saved in the file at D22/172531.

The following is a summary of their response:

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- Acknowledge no dual occupancies in the immediate area but nothing in the LEP that prohibits the development of the site.
- Proposal in keeping with the bulk and scale of new development in the area and is consistent with the established and desired future character of Manyana.
- Will not set a precedent for inappropriate development as permitted in the zone and mirrors existing development styles in the area.
- The proposal complies with the objectives of the R2 Low Density Residential Zone.
- Considerations have been given to design elements to improve the amenity and bulk and scale through ample setbacks and landscaping.
- Overall size, scale and character is similar to single dwellings located in Manyana.
- Provided some comparison photos:



Figure 1: Existing Single Dwelling façade at 13 The Pannicle, Manyana (source: Google Earth).



Figure 2: Existing Single Dwelling façade at 9 The Barbette, Manyana (source: Google Earth).



Figure 3: Existing Single Dwelling façade at 9 The Bounty, Manyana (source: Google Earth).



Figure 4: Proposed dual occupancy Façade at 13 The Bastion, Manyana (source: Hotondo Homes South Coast).

- Provides adequate separation between dwellings adjoining dwellings and will not compromise the existing access to natural light, landscaping and privacy.
- The ground floor will be screened by existing fencing.
- The application is for the erection of a dual occupancy only not an Air bob. Use for the purpose of holiday letting is outside the scope of this proposal and not a valid consideration.
- Most likely to be used for long term residential.
- Proposal will not result in congested streets, illegal parking or damaged nature strips given there is ample off street parking.
- Not appropriate for Council to equate dual occupancy developments with the potential to attract anti social behaviour.
- Both dwellings will be ultimately occupied and operate as autonomous dwellings.

(e) The Public Interest

The public interest has been taken into consideration, including assessment of the application with consideration of relevant policies and process.

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Delegations

Guidelines for use of Delegated Authority

The Guidelines for use of Delegated Authority have been reviewed and the assessing officer does not have the Delegated Authority to determine the Development Application.

Given the number of submissions in objections received is 30 and the development must be approved by the Section Manager of City Development.

Recommendation

This application has been assessed having regard for Section 4.15 (Matters for consideration) under the Environmental Planning and Assessment Act 1979. As such, it is recommended that Development Application No. DA22/1281 be approved subject to appropriate conditions of consent.

Choose an item.
Choose an item.
City Development
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CL22.315 - Attachment 1

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Appendix – Assessment Checklist: Chapter G13: Medium Density and Other Residential Development

5 Medium Density Development	
5.1 Principle Controls	
5.1.1 Minimum Lot Size	
<p>P1.1 To promote good built form outcomes and the efficient utilisation of land, lot consolidation/ amalgamation avoids the isolation of smaller lots that would prevent future medium density development on those lots.</p> <p>P1.2 To create lots of an appropriate size for the purpose including:</p> <ul style="list-style-type: none"> • Provision for building footprint, landscaping, car parking, driveway, private recreation areas, manoeuvring on sites, setbacks, services and the like. • Preservation of the integrity of existing or desired future streetscape and neighbourhood character to enable consistent and visually harmonious development within the locality. • Provision of high quality amenity for residents and neighbours. • Accommodating on-site sewage storage and disposal where a reticulated sewerage scheme is not available. 	<p>The proposed lot is 665 m2. Dual occupancy attached is permissible on a lot greater than 500m2 in the R2 Low Density Residential Zone.</p> <p>Complies.</p>
5.1.2 Density	
<p>P2 The bulk and scale of new development, particularly on the perimeter of the development site, or where that locality or development site has heritage significance and/or distinctive character, is:</p> <ul style="list-style-type: none"> • Compatible, consistent and sympathetic to the bulk and scale of existing development in the locality. • Sympathetic with the streetscape and complements the existing and desired future character of the area. 	<p>The proposed two storey attached dual occupancy complies with the FSR and building envelope requirements of the DCP and will be an appropriate bulk and scale to the surrounding area which is an eclectic mix of one and two storey dwelling houses.</p> <p>The proposed design will complement the existing and desired future streetscape.</p> <p>The proposed development has an FSR of 0.5:1 which complies.</p> <p>GFA is 326m2 and lot is 665m2.</p> <p>Garages total 40m2 which is concessional as less than 50m2.</p> <p>Complies.</p>

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5.1.3 Building Envelope, Heights and Setbacks	
<p>P3.1 The bulk and scale of development is compatible with the existing or desired future character of the area and minimises adverse amenity impacts on neighbours, the streetscape and public domain.</p> <p>P3.2 Development enables view sharing with neighbours and the public domain.</p>	As above
<p>P4 The height of development:</p> <ul style="list-style-type: none"> • Is compatible with the existing or desired future character of the area. • Minimises adverse amenity impacts associated with overlooking and overshadowing of adjoining properties. • Relates to the land form, with minimal cut and fill. 	<p>The maximum height is 8.01m which is under the LEP maximum height of 8.5m.</p> <p>Shadow diagrams have been provided which indicate that adverse impacts from overshadowing and privacy have been minimised. No north facing living room windows will be affected by overshadowing and the POS of the neighbour to the east will receive ample sunlight during the morning.</p> <p>Complies.</p>
<p>P5.1 The front setback is generally consistent with adjoining development and does not undermine the integrity of the prevailing building lines.</p> <p>P5.2 The location and siting of the building complements the existing setbacks in proximity to the site, foreshore (if applicable) and the streetscape.</p> <p>P5.3 The proposed development is setback and of a scale that is relative to the street reserve width, in such a way to ensure pedestrians do not feel buildings are overbearing.</p> <p>P5.4 Setbacks avoid loss of view, undue overshadowing and provide/maintain privacy (visual and acoustic) and traffic safety.</p> <p>P5.5 Setbacks are progressively increased to reduce bulk and overshadowing while maintaining adequate daylight and sunlight.</p> <p>P5.6 Adequate levels of light and ventilation to adjoining buildings, landscaping, services and infrastructure are protected.</p> <p>P5.7 The proposal maintains adequate provision for on-site car parking.</p>	<p>Front setback = 11.006m</p> <p>Side setbacks are 0.9 to ground floor and 1.2m to first floor.</p> <p>Rear setback is 10.3m</p> <p>Garage is 1.29m behind the front building line.</p> <p>Setback is between the two neighbouring houses and considered appropriate.</p> <p>Complies.</p>
5.1.4 Landscaping	
P6.1 Sufficiently dimensioned landscaping provides amenity to residents, effective	284m2 of landscaped areas provided.

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<p>screening and enables tree and large shrub planting.</p> <p>P6.2 A suitably sized deep soil planting area encourages:</p> <ul style="list-style-type: none"> • Mature tree and shrub growth. • Opportunity for surface water to infiltrate naturally to groundwater. <p>P6.3 Unpaved or unsealed areas are maximised and are designed to facilitate on-site infiltration of stormwater run-off subject to soil/drainage conditions.</p> <p>P6.4 Major existing trees are retained wherever practicable through appropriate siting of dwellings, structures and driveways.</p> <p>P6.5 Provision is made for appropriate street tree planting having regard to the appearance and role of the street, solar access requirements and utility services.</p> <p>P6.6 The visual impact of ancillary landscaping or retaining structures is considered.</p>	<p>43% impervious areas on the lot.</p> <p>Complies.</p>
5.2 Siting the Development	
5.2.1 Local Character and Context	
<p>P7 The scale and appearance of new development is compatible with, and sympathetic to, existing and future desired:</p> <ul style="list-style-type: none"> • Development in the locality; and • Amenity and character of the locality; <p>Particularly where the development site or its surrounds has some heritage significance or distinctive character.</p>	<p>The proposed dual occupancy is of an appropriate scale for the area given there are other two storey dwellings in the vicinity.</p> <p>Complies.</p>
<p>P8 Existing views from the private or public domain (including heritage or familiar dominant landmarks that are recognised and valued by the community) are not substantially or unreasonably affected where it is possible to design for the sharing of views.</p>	<p>No views will be affected.</p> <p>Complies</p>
<p>P9 The number, location and distribution of existing and proposed developments do not significantly alter the amenity and character of the area through concentrated localised areas of higher density development.</p>	<p>No other dual occupancies adjoining the development.</p> <p>The building faces and addresses the street and architecture sympathetic to the eclectic styles surrounding the development and neighbourhood character.</p>

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	Complies.
5.2.2 Orientation and Siting	
<p>P10.1 The site analysis informs the site design and layout.</p> <p>P10.2 The site layout integrates with the surrounding environment through:</p> <ul style="list-style-type: none"> • Adequate pedestrian, cycle and vehicle links to street and open space networks. • Buildings that face and address streets and the public domain. • Buildings, streetscape and landscape design that relates to the site topography and to the surrounding neighbourhood character. <p>P10.3 The site layout enhances personal safety and minimises potential for crime and vandalism.</p>	Complies.
<p>P11.1 The frontage, entries and habitable room windows of dwellings address the street.</p> <p>P11.2 The design and orientation of the dwellings:</p> <ul style="list-style-type: none"> • Enhance the streetscape. • Complement existing development in the vicinity. • Provide visual interest. • Allow casual surveillance of public or communal streets or public domain. 	<p>Frontage addresses the front street.</p> <p>Complements existing development and provides casual surveillance of the public domain.</p> <p>Complies</p>
5.2.3 Vehicle and Pedestrian Access	
<p>P12.1 Access arrangements are suitable for the development.</p> <p>P12.2 The design of the site and driveways, including manoeuvring areas, has regard to the safety of pedestrians, cyclists and vehicles.</p> <p>P12.3 Multiple driveways are avoided.</p>	<p>Single driveway access proposed. Development Engineer has reviewed and provided conditions to be included in the consent.</p> <p>Complies</p>
<p>P13.1 The visual dominance of driveways is minimised by:</p> <ul style="list-style-type: none"> • The selection of paving materials e.g. decorative paving and brick banding. • Breaking up the appearance of driveways with landscaping and screen planting. <p>P13.2 Driveways are designed to:</p>	Complies

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<ul style="list-style-type: none"> • Minimise the volume of stormwater runoff. • Increase the area available for landscaping. • Retain established trees and vegetation. • Accommodate public services and infrastructure. 	
5.3 Amenity	
5.3.1 Building Separation and Visual/Acoustic Privacy	
<p>P14.1 Adequate separation between buildings is provided in proportion to the height and scale of the building.</p> <p>P14.2 Direct overlooking of main internal living areas and private open space of other dwellings and adjoining properties is minimised by building layout, location and design of windows, balconies, screening devices, landscaping or other effective means.</p>	<p>Fencing between dual occupancies and the neighbouring dwellings will provide privacy to POS and living areas. The first floor contains mostly bedrooms, main living rooms are on the ground floor. There is a sitting room on the first floor that adjoins the front balcony which overlooks the street and bedroom windows on the first floor on the side elevations are high set to enhance privacy.</p> <p>Complies</p>
P15 Site layout and building design protects the amenity of residents and/or adjoining properties by minimising noise transfer and nuisance.	<p>Adjoining residents' amenity is protected.</p> <p>Complies</p>
5.3.2 Solar and Daylight Access	
P16 Dwellings are sited and designed to maximise solar access to living areas and private open space.	<p>Dwelling is designed with living areas for unit 1 facing east and south.</p> <p>Unit 2 has the living areas facing west and south.</p> <p>The dwellings have been oriented this way to provide access to the POS at the rear.</p> <p>Complies</p>
5.3.3 Private Open Space	
<p>P17 Private open space is:</p> <ul style="list-style-type: none"> • Functional and useable for residents all year round. • Dimensioned to suit the projected requirements of the residents, and to accommodate outdoor recreational needs and service functions. • Capable of serving as an extension of the function of the dwelling for relaxation, dining, entertainment, active recreation and children's play. 	<p>The POS is functional and usable, and the alfresco areas adjoin the dining/living areas.</p> <p>Privacy will be maintained by the fencing between units and adjoining neighbours.</p> <p>Complies</p>

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<ul style="list-style-type: none"> • Located to take advantage of outlook and natural features of the site. • Located to mitigate against external noise. • Designed to take account of the impact of adjoining dwellings on privacy and overshadowing. 	
5.3.4 Storage and Laundry Facilities	
<p>P18.1 External clothes drying facilities are provided for each dwelling that are:</p> <ul style="list-style-type: none"> • Adequate and easily accessible. • Well located. • Visually screened from the public domain. <p>P18.2 A laundry is provided within each dwelling.</p>	<p>Laundries are provided to each dwelling. Drying facilities provided for both dwellings.</p>
<p>P19 Adequate space is provided to accommodate the laundry facilities, vehicle/s and associated circulation space in a garage.</p>	N/A
<p>P20.1 Adequate, well-designed storage areas are provided for each dwelling.</p> <p>P20.2 Storage areas are sympathetically integrated into the building design.</p>	<p>Adequate storage provided under the stairs. Complies</p>
5.3.5 Car and Bicycle Parking	
<p>P21 Parking is suitable for the development.</p>	<p>Parking is suitable for the development. One space within the enclosed garage and a stacked space in the driveway. Complies</p>
<p>P22 Car parking arrangements are suitable for, and consider, the surrounding road network.</p>	<p>Car parking suitable for the surrounding network. Complies</p>
5.4 Configuration and Design	
5.4.1 Building Form, Design and Materials	
<p>P23.1 A dual occupancy (attached) appears as a single dwelling.</p> <p>P23.2 Within rural and environmental protection zones, buildings are of a size and bulk that is compatible with the surrounding rural or environmental context in which they are located.</p>	<p>The attached dual occupancy appears as a single dwelling.</p> <p>The dwelling uses modulation and articulation and will provide visual interest when viewed from the street.</p> <p>The building materials will be similar. Complies with the performance criteria.</p>

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<p>P24.1 The selection of building materials and design complements existing development, and is sympathetic to the streetscape and existing landscape.</p> <p>P24.2 Roof treatments are integrated into the building design and make a positive contribution to the streetscape.</p> <p>P24.3 Building walls use modulation and articulation, and are limited in length to minimise massing and bulk issues as well as impact on neighbours and the public domain/streetscape.</p> <p>P24.4 The building design, detailing and finish provide an appropriate scale to the street, add visual interest and enable differentiation between dwellings when viewed from the public domain.</p> <p>P24.5 External metallic wall and roof materials are suitable and minimise reflectivity.</p> <p>P24.6 The development incorporates passive environmental design.</p>	
<p>P25 Garages and parking structures are sited and designed to:</p> <ul style="list-style-type: none"> • Add visual interest. • Provide opportunity for passive surveillance. • Not dominate the street frontage. 	<p>Garages is appropriate for the development and do not dominate the street frontage.</p> <p>Complies</p>
<p>P26 Mailboxes, numbering and external storage facilities, as well as associated signage, are sited and designed for attractive visual appearance and efficient and convenient use.</p>	<p>Condition will be included in the consent.</p>
<p>5.4.2 Fences and Walls</p>	
<p>P27.1 Front fences and walls:</p> <ul style="list-style-type: none"> • Enable some outlook from buildings to the street for safety and surveillance. • Do not impede the safety of pedestrians and cyclists with the movement of vehicles between the property and the roadway. • Avoid negatively impacting on the aesthetic and spatial quality of the street. • Assist in highlighting entrances and in creating a sense of communal identity within 	<p>N/A</p>

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<p>the streetscape. • Are designed and detailed to provide visual interest to the streetscape.</p> <ul style="list-style-type: none"> • Are constructed of materials compatible with the proposed development and with examples of fences and walls in the streetscape to offer a sense of continuity. • Are compatible with facilities in the street frontage area, such as mailboxes and waste collection areas. • Do not impede safe sight distances for road users and pedestrians along the adjoining roadway. <p>P27.2 The use and/or design of fences and walls in streetscapes of significance are appropriate to the heritage or environmental context.</p>		
5.4.3 Universal Design		
<p>P28.1 The required proportion of new Class 1a or 2 dwellings achieve appropriate levels of accessibility or are designed to be 'easily and affordably adaptable'.</p> <p>P28.2 Access is provided from the car parking space located on the premises to the principal entrance of the dwelling and access to and within the following areas:</p> <ul style="list-style-type: none"> • A bedroom • Laundry. • A bathroom that includes a shower, WC and vanity. • Kitchen. • A living area. • An external private open space. 	<p>A28.1 All Class 1a and 2 developments, as defined in the Building Code of Australia, should provide accessible or adaptable housing at the following rate:</p> <ul style="list-style-type: none"> • Developments containing 3-10 dwelling – 1 dwelling. • Developments containing 11 – 40 dwellings – 2 dwellings. • Development containing 41 – 60 dwellings – 3 dwellings. • Development containing 61 – 80 dwellings – 4 dwellings. • Developments containing 81 – 100 dwellings – 5 dwellings. <p>A28.2 The required proportion of new Class 1a or 2 dwellings, should be</p>	N/A

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	designed so the dwelling can be easily and affordably adaptable at a later date. In this regard the Silver Standard for accessibility as outlined in the Livable Housing Design Guidelines.	
5.5 Environment		
5.5.1 Water Management and Conservation		
<p>P29 Stormwater is appropriately accommodated in the design including:</p> <ul style="list-style-type: none">• Stormwater from roofed areas is collected, stored and/ or conveyed to appropriate discharge points or disposal areas.• Paved areas associated with buildings and driveways are graded and drained to minimise the discharge of surface water onto adjoining land.• Permeable areas are utilised to reduce stormwater runoff.	<p>Development Engineer has reviewed the proposed plans and stormwater will be conditioned to drain to the street. Conditions to be included in the consent.</p> <p>Complies</p>	
5.5.2 Servicing		
<p>P30.1 Development is adequately and safely serviced.</p> <p>P30.2 The design and provision of public utilities, including sewerage, water, electricity, street lighting, telecommunication/ internet and gas services conform to the cost-effective performance measures of the relevant servicing authority.</p> <p>P30.3 Compatible public utility services are co-ordinated in common trenching in order to minimise construction costs for underground services.</p> <p>P30.4 Water supply for domestic and firefighting purposes is appropriate for the location and development type.</p>	<p>Complies</p>	
5.5.3 Waste Management		
<p>P31.1 Bin storage, presentation and collection arrangements:</p>	<p>A31.1 For each dwelling in a development, the kerbside frontage required for waste</p>	<p>WMMP has been provided and complies. Bin storage shown behind the front building line.</p> <p>Complies</p>

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<ul style="list-style-type: none"> • Are appropriate for the nature of the development. • Consider site configuration and adequate street frontage, especially lots at the head of cul-de-sacs and battle-axe lots. <p>P31.2 Bin storage is sited and designed for attractive visual appearance and for efficient and convenient use.</p>	<p>collection is at least 1m per bin, 0.5m separation between bins and 1m behind each bin.</p> <p>A31.2 Bin storage area/s are required and must be identified on the site plan for all developments, regardless of whether waste is collected from the kerbside or via alternative waste servicing options.</p> <p>A31.3 Bin storage areas must be located behind the front building line and where visible from the street, must be appropriately screened to conceal the contents from the public domain and adjacent properties.</p> <p>A31.4 Where a bin storage area is also the waste collection area or where a communal waste storage and recycling area is provided, it shall be:</p> <ul style="list-style-type: none"> • Provided with a water tap for wash down purposes and drained to connect to the main sewer. • Roofed to comply with Council's requirements. • Readily accessible from within the site and serviceable from the adjoining roadway. <p>A31.5 Bins must be able to be easily manoeuvred from the bin storage area for</p>	
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Planning Report – S4.15 Assessment - 13 The Bastion, MANYANA - Lot 871 DP 263106

	presentation at the kerbside.	
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CL22.315 - Attachment 1



Bridge Rd, Nowra NSW 2541 | 02 4429 3111
Deering St, Ulladulla NSW 2539 | 02 4429 8999

Address all correspondence to

The Chief Executive Officer, PO Box 42, Nowra NSW 2541 Australia
council@shoalhaven.nsw.gov.au | DX5323 Nowra | Fax 02 4422 1816

shoalhaven.nsw.gov.au     

NOTICE TO APPLICANT OF DETERMINATION OF APPLICATION DEVELOPMENT CONSENT

Environmental Planning and Assessment Act, 1979
DA22/1281

TO:

Kate Wheeler - Le Mottee Group Pty Limited
PO Box 363
Raymond Terrace NSW 2324

being the applicant(s) for DA22/1281 relating to:

13 The Bastion, MANYANA - Lot 871 - DP 263106

APPROVED USE AND OR DEVELOPMENT:

Attached Dual Occupancy

DETERMINATION DATE:

TBA

Pursuant to the Section 4.18 of the Act, notice is hereby given that the above application has been determined by granting consent, subject to the conditions listed below.

CONSENT TO OPERATE FROM:

TBA

CONSENT TO LAPSE ON:

TBA

This consent is valid for five years from the date hereon.

In accordance with Section 4.53 of the Act, development consent for the use of the land or the erection of a building does not lapse if building, engineering or construction work relating to the building or work or the use is physically commenced on the land to which the consent applies before the lapse date.

DETAILS OF CONDITIONS:

The conditions of consent and reasons for such conditions are set out as follows:

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PART A: GENERAL CONDITIONS

1. General

The consent relates to an attached dual occupancy as documented on the stamped plans/documentation, or as modified by the conditions of this consent. The development must be carried out in accordance with this consent. If there is inconsistency between the stamped plans/documentation and the conditions of consent, the conditions prevail to the extent of that inconsistency.

Stamped plans/documents	Ref/sheet no.	Prepared by	Dated
Site Plan	DA030 Issue A Project No 21146	ELK	23.2.2022
Ground Floor Plan	DA100 Issue A Project No 21146	ELK	23.2.2022
First Floor Plan	DA110 Issue A Project No 21146	ELK	23.2.2022
North & East Elevation	DA300 Issue A Project No 21146	ELK	23.2.2022
South & West Elevation	DA301 Issue A Project No 21146	ELK	23.2.2022
Section Plan	DA400 Issue A Project No 21146	ELK	23.2.2022
Sediment Control Plan	DA960 Issue A Project No 21146	ELK	23.2.2022
Landscape Plan	Job No JFPG131221 Sheets 1 to 3	ELK	20.12.2021
Basix Certificate	Certificate No: 1275006M_02	Energy Advance	17.2.2022

Note: Any alteration to the plans and/or documentation must be submitted for the approval of Council. Such alterations may require the lodgement of an application to amend the consent under section 4.55 of the Environmental Planning and Assessment Act, or a new development application.

CL22.315 - Attachment 2

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2. **Prescribed Conditions**

The development must comply with the [Prescribed Conditions of Development Consent](#), Division 8A, *Environmental Planning and Assessment Regulation 2000*, as applicable.

3. **Occupation / Use**

The development must not be occupied or used before an Occupation Certificate has been issued by the Certifier. If an Occupation Certificate is not required, the use must not commence until all conditions of development consent have been met or other satisfactory agreements have been made with Council (i.e. a security).

4. **Shoalhaven Water - Certificate of Compliance**

A Certificate of Compliance must be obtained to verify that all necessary requirements for matters relating to water supply and sewerage (where applicable) for the development have been made with Shoalhaven Water. A Certificate of Compliance must be obtained from Shoalhaven Water after satisfactory compliance with all conditions as listed on the Notice of Requirements and prior to the issue of an Occupation Certificate, Subdivision Certificate or Caravan Park Approval, as the case may be.

5. **Bushfire – Asset Protection Zone**

The entire property must be managed as an inner protection area (IPA) in accordance with Appendix 4 – Asset Protection Zone, Standards of Planning for Bushfire Protection 2019 and the NSW Rural Fire Service Standards for Asset Protection Zones.

6. **Bushfire - Building works**

New construction must comply with:

- a) AS3959 Construction of Buildings in Bushfire Prone Areas
- b) BAL 12.5
- c) Planning for Bush Fire Protection 2019

PART B: INTEGRATED DEVELOPMENT AND CONCURRENCE CONDITIONS

NIL

PART C: PRIOR TO THE COMMENCEMENT OF WORKS

7. **Construction Certificate**

A Construction Certificate must be obtained from either Council or an accredited certifier before any building work can commence.

8. **Appointment of Principal Certifier**

Prior to the commencement of building or subdivision work, a Principal Certifier must be appointed.

9. **Notice of Commencement**

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Notice must be given to Council at least two (2) days prior to the commencement of building or subdivision work by completing and returning the form '[Commencement Notice for Building or Subdivision Work and Appointment of Principal Certifying Authority](#)'

10. Toilet Facilities - Temporary

Toilet facilities must be available or provided at the work site before works begin and must be maintained until the works are completed at a ratio of one toilet plus one additional toilet for every 20 persons employed at the site. Each toilet must:

- a) be a standard flushing toilet connected to a public sewer, or
- b) have an onsite effluent disposal system approved under the *Local Government Act 1993*, or
- c) be a temporary chemical closet approved under the *Local Government Act 1993*.

11. Run-off and Erosion Controls

Prior to the commencement of site works, run-off and erosion controls must be implemented to prevent soil erosion, water pollution or the discharge of loose sediment on the surrounding land by:

- a) diverting uncontaminated run-off around cleared or disturbed areas.
- b) erecting a silt fence and providing any other necessary sediment control measures that will prevent debris escaping into drainage systems, waterways or adjoining properties.
- c) preventing the tracking of sediment by vehicles onto roads.
- d) stockpiling topsoil, excavated materials, construction and landscaping supplies and debris within the lot.

Note: all implemented measures must not cause water pollution as defined by the [Protection of the Environment Operations Act](#) (POEO).

12. Works within the Road Reserve

Prior to undertaking any works within an existing road reserve, the developer must obtain the consent of Council under *section 138 of the Roads Act, 1993*.

The following details must be submitted to Council as part of the application:

- a) Any civil works design required by this consent.
- b) Evidence of the contractor's Public Liability Insurance to an amount of \$20 million.
- c) Name and contact information of the person responsible for all relevant works.
- d) A Traffic Control Plan prepared, signed and certified by a person holding the appropriate Transport for NSW (TfNSW) accreditation.
- e) Where the Traffic Control Plan requires a reduction of the speed limit, a 'Application for Speed Zone Authorisation' must be obtained from the relevant road authority.

13. Dilapidation Report

Prior to the commencement of work, the developer must engage a competent person to prepare a dilapidation report in respect of the neighbouring premises and adjacent public infrastructure, including adjacent kerbs, gutters, footpaths (formed or unformed), driveways (formed or unformed), carriageway, reserves and the like to document evidence of any existing damage.

The dilapidation report must consider the impact of any excavation work that extends below the level of the base of the footings of any structure within 0.9metres of the shared boundary.

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Before works commence, a copy of the dilapidation report must be provided to the Certifier and Council. The dilapidation report will be the benchmark for necessary repairs to damage caused during the development works. All repairs must be completed by the developer at the developer's cost.

Not less than seven (7) days before works commence, the developer must notify the owner of any affected property of the intention to carry out approved works. The developer must also furnish the owner with details of the approved work.

However, if the occupier or owner of any neighbouring dwelling does not permit reasonable access for the purposes of the preparation of the dilapidation report, written evidence of the efforts taken to secure access may be submitted to the *Principal Certifier* and the *Principal Certifier* may waive the requirement in relation to the relevant property.

Note: A dilapidation report can comprise of video footage and photos of adjacent public infrastructure and relevant structures on adjoining properties.

PART D: PRIOR TO THE ISSUE OF A CONSTRUCTION CERTIFICATE

14. Evidence

A Construction Certificate must not be issued until the Certifier has received notification from, or evidence of, any Council approval that is required Prior to the Commencement of Works.

15. Local Infrastructure Contributions

This development will generate a need for the additional services and/or facilities described in Shoalhaven Contributions Plan 2019 and itemised in the following table:

Project	Description	Rate	Qty	Total	GST	GST Incl
05 AREC 0005	Planning Area 5 - Active recreation facility upgrades various locations	\$1,054.53	1	\$1,054.53	\$0.00	\$1,054.53
05 CFAC 2010	Southern Shoalhaven Branch Library	\$530.63	1	\$530.63	\$0.00	\$530.63
05 OREC 0004	Manyana/Cunjurong	\$2,472.15	1	\$2,472.15	\$0.00	\$2,472.15
CW AREC 5005	Shoalhaven Community and Recreational Precinct SCaRP Cambewarra Road Bomaderry	\$1,104.42	1	\$1,104.42	\$0.00	\$1,104.42
CW CFAC 5002	Shoalhaven Entertainment Centre (Bridge Road Nowra)	\$834.71	1	\$834.71	\$0.00	\$834.71
CW CFAC 5006	Shoalhaven City Library Extensions (Berry Street, Nowra)	\$1,292.05	1	\$1,292.05	\$0.00	\$1,292.05
CW CFAC 5007	Shoalhaven Regional Gallery	\$70.93	1	\$70.93	\$0.00	\$70.93
CW FIRE 2001	Citywide Fire & Emergency services	\$139.37	1	\$139.37	\$0.00	\$139.37
CW FIRE 2002	Shoalhaven Fire Control Centre	\$203.89	1	\$203.89	\$0.00	\$203.89
CW MGMT 3001	Contributions Management & Administration	\$579.56	1	\$579.56	\$0.00	\$579.56
Sub Total:					\$8,282.24	
GST Total:					\$0.00	
Estimate Total:					\$8,282.24	

The total contribution, identified in the above table or as indexed in future years, must be paid to Council prior to the issue of a Construction Certificate. Evidence of payment must be provided to the Certifying Authority.

Contributions Plan 2019 can be accessed on Council's website www.shoalhaven.nsw.gov.au or may be inspected on the public access computers at the libraries and the Council Administrative Offices, Bridge Road, Nowra and Deering Street, Ulladulla.

16. Long Service Levy

Prior to the issue of a Construction Certificate any long service levy payable under the [Building and Construction Industry Long Service Payments Act 1986](#) and prescribed by the [Building and Construction Industry Long Service Payments Regulation 2017](#) must be paid or, where such a levy

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is payable by instalments, the first instalment of the levy must be paid. Council is authorised to accept payment. Proof of payment must be submitted to the Certifying Authority.

17. Street Numbering of Dwellings

Street numbering must comply with the State Governments Comprehensive Property Addressing System (CPAS), and Council's Property Address Numbering Policy.

Street numbering for the development must be as follows:

Unit 1 – 13A The Bastion, Manyana

Unit 2 – 13B The Bastion, Manyana

The allocated numbers must be shown on the engineering plans with the Construction Certificate. Where plans and details are provided to service suppliers, numbers must be in accordance with the above.

18. Access Driveway Design Standards - Urban

Prior to the issue of a Construction Certificate, certified engineering design plans must be prepared by a professional engineer, (as defined in the National Construction Code) or surveyor and approved by the Certifier. The access driveway design must comply with the following:

- a) Council's Engineering Design Standard Drawings.
- b) Provide a stacked parking space in front of each unit compliant with AS2890.1.
- c) Constructed using 20 MPa reinforced concrete, reinforced with SL72 mesh, on a 75mm compacted fine crushed rock base with centrally placed slab of minimum 3 metres width and minimum 100mm depth.
- d) Removal of sufficient width of existing road seal and pavement to allow placing of formwork and laying/compaction of suitable pavement material for the driveway layback with a minimum 300mm offset to the kerb lip line.

19. On-Site Detention – Infill Subdivision and Development

Prior to the issue of a Construction Certificate, certified engineering design plans and specifications must be prepared by professional engineer, (as defined in the National Construction Code) or surveyor and approved by the Certifier.

The on-site stormwater detention (OSD) design must comply with the following:

- a) Designed such that stormwater runoff from the site for design storm events up to and including the 1% AEP does not exceed the pre-developed conditions.

20. Shoalhaven Water – Prior to the Issue of a Construction Certificate

Prior to the issue of a Construction Certificate, all conditions listed on the Shoalhaven Water Notice of Requirements under the heading "Prior to the Issue of a Construction Certificate" must be complied with and accepted by Shoalhaven Water. Written notification must be issued by Shoalhaven Water and provided to the Certifier.

21. Section 68 Application

Prior to the issue of a Construction Certificate, an approval to carry out water supply works, sewerage works, and stormwater drainage works must be obtained from Council under section 68 of the *Local Government Act 1993*.

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22. Stormwater - New Urban Dwellings

Prior to the issue of a Construction Certificate stormwater plans must be prepared by a Licensed Plumber or professional engineer (as defined in the National Construction Code) and submitted to Council for approval under s68 of the *Local Government Act 1993*.

a) Drainage must be designed and constructed in accordance with:

- i) the approved concept plans prepared by Le Mottee Group dated 17/02/22, excluding the proposed absorption trenches.
- ii) the National Construction Code
- iii) Council's [Engineering Design Specifications](#)
- iv) [Development Control Plan G2](#)

The designed absorption trenches must not be constructed. Stormwater must be conveyed directly to the street gutter or registered drainage easement, as appropriate for the site conditions.

23. Design Standards – Works Within Road Reserve

Prior to the issue of a Construction Certificate, all civil works proposed within road reserves must be approved by Council.

24. Erosion and Sediment Control Plan (ESCP)

Prior to the issue of a Construction Certificate, an Erosion and Sediment Control Plan (ESCP) must be prepared by a Professional Engineer, (as defined in the National Construction Code) in accordance with the Landcom Manual – Soils and Construction, Managing Urban Stormwater, Vol 1, 4th Edition March 2004 to the satisfaction of the Certifier.

All implemented measures must:

- a) not cause water pollution as defined by the [Protection of the Environment Operations Act](#) (POEO).
- b) be maintained at all times.
- c) not be decommissioned until at least 70% revegetation cover has been established.

25. Existing Infrastructure

Any required alterations or repair of damaged infrastructure will be at the developer's expense.

Note: it is recommended prior to the issue of a Construction Certificate, all infrastructure, existing and proposed, is to be shown accurately on construction plans with clearances clearly labelled confirming that the proposed works do not affect any existing infrastructure this will potentially prevent unexpected costs and expenses.

PART E: PRIOR TO THE ISSUE OF A SUBDIVISION WORKS CERTIFICATE

NIL

PART F: DURING WORKS

26. Hours for Construction

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Construction may only be carried out between 7.00am and 5.00pm on Monday to Saturday and no construction is to be carried out at any time on a Sunday or a public holiday. Proposed changes to hours of construction must be approved by Council in writing.

27. Noise

The noise from all construction activities associated with the approved development must comply with the work practices as outlined in the NSW Department of Environment & Climate Change Interim Construction Noise Guideline. The LA10 level measured over a period of not less than 15 minutes during works must not exceed the background (LA90) noise level by more than 10dB(A) when assessed at any sensitive noise receiver.

28. Aboriginal Objects Discovered During Excavation

If an Aboriginal object (including evidence of habitation or remains) is discovered during the course of the work:

- a) All excavation or disturbance of the area must stop immediately.
- b) Additional assessment and approval pursuant to the National Parks and Wildlife Act 1974 may be required prior to works continuing the affected area(s) based on the nature of the discovery.
- c) Work may recommence in the affected area(s) if Heritage NSW advises that additional assessment and/or approval is not required (or once any required assessment has taken place or any required approval has been given).
- d) The Heritage NSW must be advised of the discovery in accordance with section 89A of the [National Parks and Wildlife Act 1974](#).

29. Archaeology Discovered During Excavation

If any object having interest due to its age or association with the past is uncovered during the course of the work, All work must stop immediately in that area.

Work may recommence in the affected area(s) if Heritage NSW advises that additional assessment and/or approval is not required (or once any required assessment has taken place or any required approval has been given).

In accordance with the *Heritage Act 1997*, the Heritage NSW must be advised of the discovery.

30. Maintenance of Site and Surrounds

During works, the following maintenance requirements must be complied with:

- a) All materials and equipment must be stored wholly within the work site unless an approval to store them elsewhere is held.
- b) Waste materials (including excavation, demolition and construction waste materials) must be managed on the site and then disposed of at a waste management facility.
- c) Where tree or vegetation protection measures are in place, the protected area must be kept clear of materials and / or machinery.
- d) The developer must maintain the approved soil water management / erosion and sediment control measures to the satisfaction of the Certifier for the life of the construction period and until runoff catchments are stabilised.

During construction:

- a) all vehicles entering or leaving the site must have their loads covered, and

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- b) all vehicles, before leaving the site, must be cleaned of dirt, sand and other materials, to avoid tracking these materials onto public roads.

At the completion of the works, the work site must be left clear of waste and debris.

31. Waste Management Plan

All waste must be contained within the site during construction and then be recycled in accordance with the approved Waste Management Plan (WMP) or removed to an authorised waste disposal facility. Waste must not be placed in any location or in any manner that would allow it to fall, descend, blow, wash, percolate or otherwise escape from the site. Compliance with the WMP must be demonstrated by the submission of tip receipts to the Certifier.

Note: "Waste" is defined in the Dictionary to the Protection of the Environment Operations Act 1997 (POEO Act).

32. Earthworks and Excavation

- a) Approved earthworks (including any structural support or other related structure for the purposes of the development):

- i) must not cause a danger to life or property or damage to any adjoining building or structure on the lot or to any building or structure on any adjoining lot.
- ii) must not redirect the flow of any surface or ground water or cause sediment to be transported onto an adjoining property.
- iii) that is fill brought to the site, must contain only virgin excavated natural material (VENM) or excavated natural material (ENM) as defined in Part 3 of schedule 1 to the *Protection of the Environment Operations Act 1997 (POEO Act)*.

Documentation must be provided to the Certifier certifying that imported fill material is not contaminated and does not contain contaminants such as asbestos, chemicals or building waste.

- iv) that is excavated soil to be removed from the site, must be disposed of in accordance with any requirements under the *Protection of the Environment Operations (Waste) Regulation 2005*.

Any excavation must be carried out in accordance with Excavation Work: Code of Practice (*ISBN 978-0-642-78544-2*) published by Safe Work Australia in October 2018

33. Street Trees - Existing

Unless prior written approval is obtained from Council:

- a) Street trees at the frontage of the property must be retained and protected during construction
- b) Excavation inside the drip line of any street tree is not permitted.
- c) The developer will be responsible for all costs associated with any necessary tree works.

PART G: PRIOR TO THE ISSUE OF AN OCCUPATION CERTIFICATE

34. Compliance

The Occupation Certificate must not be issued until all relevant conditions of development consent have been met or other satisfactory arrangements have been made with council (i.e. a security).

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35. Air-Conditioning Systems - Noise Controls

Prior to the Issue of an Occupation Certificate, air conditioning must be installed in accordance with manufacturer's instructions and operated at all times so as not to cause "Offensive Noise" as defined by the *Protection of the Environment Operations Act 1997 (POEO Act)*

Domestic air conditioners must not emit noise that can be heard within any room in any other residential premises (that is not a garage, storage area, bathroom, laundry, toilet or pantry) whether or not any door or window to that room is open—

- a) before 8 am or after 10 pm on any Saturday, Sunday or public holiday, or
- a) before 7 am or after 10 pm on any other day.

36. BASIX

Prior to the issue of an Occupation Certificate, documentary evidence prepared by a suitably qualified person must be submitted to the Certifier confirming that all commitments listed in the BASIX Certificate(s) are fulfilled in accordance with Clause 97A of the *Environmental Planning and Assessment Regulation 2000*.

37. Letter Boxes

A letterbox structure(s) must be provided and be designed to comply with the requirements of Australia Post, located close to the major pedestrian entry to the site, and built from materials that are non-reflective and blend in with the approved development.

38. Shoalhaven Water – Certificate of Compliance

Prior to the issue of any Occupation Certificate, a Certificate of Compliance under section 307 of the Water Management Act 2000 must be obtained from Shoalhaven Water to verify satisfactory compliance with all conditions for the supply of water and sewerage, as listed on the Notice of Requirements.

If the development is to be completed in approved stages, or application is subsequently made for staging of the development, separate Compliance Certificates must be obtained for each stage of the development.

39. Driveway – Evidence of completion

Prior to the issue of a full Occupation Certificate, all driveway works internal to the site as shown on the approved plans must be completed.

40. Works as Executed - Stormwater Drainage

Prior to the issue of the Occupation Certificate, Works as Executed Plans and certification must be submitted to the Council by a licenced plumber/ registered surveyor / professional engineer (as defined in the National Construction Code) certifying compliance of all drainage works with the approved design plans and the National Construction Code.

The Works as Executed dimensions and levels must be shown in red on a copy of the approved Construction Certificate plans. This plan must verify surface and invert levels on all pits, invert levels and sizes of all pipelines, and finished surface levels on all paved areas. All levels must relate to Australian Height Datum.

Where the system includes an underground tank, a certificate of structural adequacy must be prepared and provided by a professional engineer (as defined in the National Construction Code).

41. On-site Detention System

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Prior to the issue of the Occupation Certificate, the developer must:

- a) create a restriction on use under the *Conveyancing Act 1919* over the on-site detention system and provide it to the Certifier as follows:
 - i) The registered proprietor of the lot burdened must not make or permit or suffer the making of any alterations to any on-site stormwater detention system on the lot(s) burdened without the prior consent in writing of the authority benefited. The expression 'on-site stormwater detention system' must include all ancillary gutters, pipes, drains, walls, kerbs, pits, grates, tanks, chambers, basins and surfaces designed to temporarily detain stormwater as well as all surfaces graded to direct stormwater to those structures. Name of the authority having the power to release, vary or modify the restriction referred to is Shoalhaven City Council.
- b) create a positive covenant under the *Conveyancing Act 1919*, requiring the property owner(s) to undertake maintenance in accordance with the Construction Certificate approved On-Site Stormwater Detention System and Maintenance Schedule.

provide a certificate from a professional engineer, (as defined in the National Construction Code) to verify the structural adequacy of the on-site detention facility and that the facility has been constructed in accordance with the approved Construction Certificate plans.

42. Works in the Road Reserve - Evidence of completion

Prior to the issue of a full Occupation Certificate, the developer must provide the Certifier with a Construction Inspection Ticket provided by council, confirming compliance with the requirements of section 138 of the *Roads Act 1993*.

43. Dilapidation Report – Evidence

Prior to the issue of an Occupation Certificate, the developer must provide the Certifier and Council with evidence that any damage to neighbouring premises or adjacent public infrastructure, not previously identified as existing damage in the Dilapidation Report, has been repaired by the developer to the satisfaction of Council.

PART H: PRIOR TO THE ISSUE OF A SUBDIVISION / STRATA CERTIFICATE

NIL

PART I: ONGOING USE OF THE DEVELOPMENT

44. Overland Stormwater Flow, Redirecting and/or Concentrating Stormwater

All excavation, backfilling and landscaping works must not result in:

- a) any change to the overland stormwater flow path on your property and or a neighbouring property. If any change to the overland flow path occurs on a property, the stormwater runoff shall be collected and directed to a legal point of discharge.

the redirection and/or concentration of stormwater flows onto neighbouring properties.

PART J: OTHER COUNCIL APPROVALS AND CONSENTS

NIL

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PART K: REASONS FOR CONDITIONS

The application has been assessed as required by section 4.15 of the *Environmental Planning and Assessment Act 1979* and has been determined by the granting of conditional development consent.

Statutory requirements

The development proposal, subject to the recommended conditions, is consistent with:

- a) the objects of the Environmental Planning and Assessment Act, 1979.
- b) the aims, objectives and provisions of the applicable environmental planning instruments,
- c) the aims, objectives and provisions of Shoalhaven Development Control Plan 2014 (SDCP 2014).
- d) the aims, objectives and provisions of relevant Council policies.

Public notification

The application was publicly notified in accordance with the *Environmental Planning and Assessment Regulation 2000* and Council's Community Consultation Policy for Development Applications (Including Subdivision) and the Formulation of Development Guidelines and Policies (POL 16/230).

Submissions

Any submissions received during the public notification period are available on [DA Tracking](#)

Community views

Issues and concerns raised by the community in submissions have been considered in the assessment of the application and, where appropriate, conditions have been included in the determination to mitigate any impacts.

Suitability of the Site

The application has been approved because the development proposal is considered to be suitable for the site.

The relevant public authorities and the water supply authority have been consulted and their requirements met, or arrangements made for the provision of services to the satisfaction of those authorities.

The increased demand for public amenities and services attributable to the development has been addressed by the requirement to pay contributions in accordance with section 7.11 of the *Environmental Planning and Assessment Act 1979* and Council's Contribution Plan 2019. Contributions under Section 307 of the Water Management Act 2000 have been applied as required.

Impacts of the Development

The application was considered to be suitable for approval. Conditions have been imposed to ensure that:

- a) the development will not result in unacceptable adverse impacts on the natural and built environments.
- b) the amenity and character of land adjoining and in the locality of the development is protected.
- c) any potential adverse environmental, social or economic impacts of the development are minimised.
- d) all traffic, car parking and access arrangements for the development will be satisfactory.

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e) the development does not conflict with the public interest.

PART L: RIGHTS OF REVIEW AND APPEAL

Determination under Environmental Planning and Assessment Act, 1979

Division 8.2 of the EP&A Act, 1979 confers on an applicant who is dissatisfied with the determination a right to request the council to review its determination. The request and determination of the review must be undertaken within the prescribed period.

Division 8.3 of the EP&A Act, 1979 confers on an applicant who is dissatisfied with the determination of a consent authority a right of appeal to the Land and Environment Court which can be exercised within the prescribed period.

An appeal under Division 8.3 of the EP&A Act, 1979 by an objector may be made only within the prescribed period.

Approvals under Local Government Act, 1993

Section 100 of the Local Government Act, 1993 provides that an applicant may request Council to review its determination of an application.

Section 176 of the Local Government Act, 1993 provides that an applicant who is dissatisfied with the determination of the Council may appeal to the Land and Environment Court. The appeal must be made within the prescribed period.

PART M: GENERAL ADVICE

In this consent the term developer means any person or corporation who carries out the development pursuant to that consent.

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Disability Discrimination Act 1992

This application has been assessed in accordance with the *Environmental Planning & Assessment Act, 1979*. No guarantee is given that the proposal complies with the *Disability Discrimination Act 1992*.

The applicant/owner is responsible to ensure compliance with this and other anti-discrimination legislation.

The *Disability Discrimination Act 1992* covers disabilities not catered for in the minimum standards called up in the Building Code of Australia which references *Australian Standard AS1428.1 - "Design for Access and Mobility"*.

Disclaimer –Conveyancing Act 1919 – Division 4 – Restrictions on the Use of Land

The applicant should note that there could be covenants in favour of persons other than Council restricting what may be built or done upon the subject land. The applicant is advised to check the position before commencing any work.

Under Clause 1.9A of *Shoalhaven Local Environmental Plan 2014* agreements, covenants or instruments that restrict the carrying out of the proposed development do not apply to the extent necessary to enable the carrying out of that development, other than where the interests of a public authority is involved.

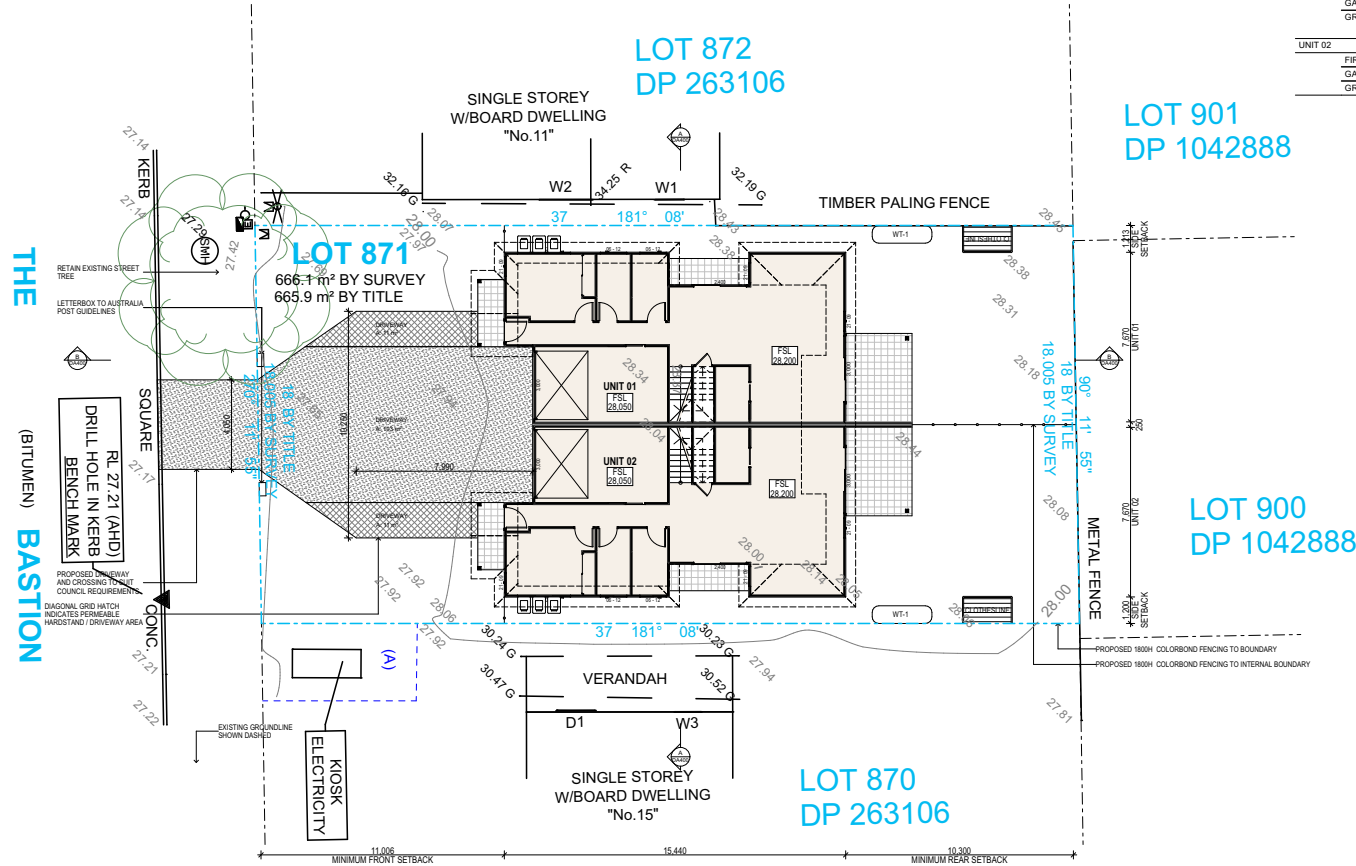
DBYD Enquiry - 'Dial Before You Dig'

In order to avoid risk to life and property it is advisable that an enquiry be made with "Dial Before You Dig" on 1100 or www.dialbeforeyoudig.com.au prior to any excavation works taking place to ascertain the location of underground services. You must also contact your Local Authority for locations of Water and Sewer Mains.

Existing and proposed Swimming Pool/ Spa Barrier

Existing and proposed swimming pools or spas on the premises must comply with the provisions of the *Swimming Pools Act 1992*, *Swimming Pools Regulation 2018* and comply with all the relevant Australian Standards.

SIGNED on behalf of Shoalhaven City Council:



AREA CALCULATION (m2)		AREAS	
		SITE AREA	665.9m ²
		FLOOR SPACE RATIO (MAX 0.50)	0.48
		TOTAL GFA	314m ²
		LANDSCAPE	282m ²
UNIT 01		DEEP SOIL	122m ²
		DRIVEWAY	125m ²
		LANDSCAPING	282m ²
		DEEP SOIL	122m ²
		LANDSCAPING	18.3%
UNIT 02		FIRST FLOOR	73
		GARAGE	20
		GROUND FLOOR	84

SITE LEGEND	
WT-1	4,000 LITRE ABOVE GROUND WATER STORAGE TANK TO ENGINEERS AND BASIX DETAILS
WT-2	4,000 LITRE UNDER GROUND WATER STORAGE TANK TO ENGINEERS AND BASIX DETAILS
RW	RETAINING WALLS TO ENGINEERS SPECIFICATIONS & DETAILS
	EXISTING TREE TO BE RETAINED
	PROPOSED BUILDING FOOTPRINT
	EXISTING BUILDING FOOTPRINT

- SITE NOTES**
1. GFA (GROSS FLOOR AREA) AS DEFINED BY THE LOCAL COUNCIL
 2. PLEASE REFER TO CONSULTING ENGINEERS DRAWINGS FOR STORMWATER DETAILS
 3. FOR ROADWAY, DRIVEWAY AND RETAINING WALL DESIGN & LEVELS REFER TO CIVIL ENGINEERS DOCUMENTATION
 4. DOWNPIPE POSITIONS ARE INDICATIVE ONLY. POSITION OF DOWNPIPES TO BE CONFIRMED BY HYDRAULIC ENGINEER OR BUILDER
 5. FOR LANDSCAPE DESIGN & FENCE LOCATIONS REFER TO LANDSCAPE DESIGNERS DOCUMENTATION



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Issue
P1 For Review
P2 For Review
P3 For Review
P4 For Information
P5 For Information
P6 For Review
A For Development Application

Date
22/11/2021
31/12/2021
7/12/2021
14/12/2021
22/12/2021
14/02/2022
23/02/2022

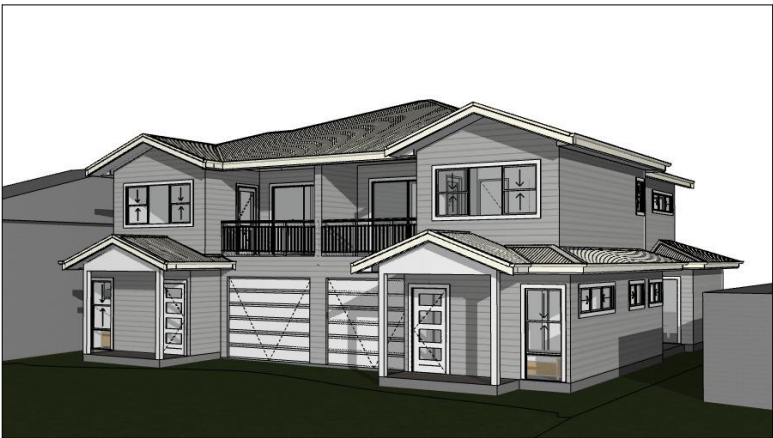
Project
Dual Occupancy
Location
13 The Bastion
Manyana
Client
Joanne Hands

Drawing
SITE PLAN
Scale
1:200 @ A3
DRAWN
PV

QA CHECKED
SV

Drawing Number
DA030
Issue
A
Project Number
21146

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PROPOSED DEVELOPMENT AS SEEN FROM THE STREET



PROPOSED DEVELOPMENT AS SEEN FROM THE REAR



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Issue	Description	Date
P1	For Review	3/12/2021
P2	For Review	7/12/2021
P3	For Review	14/12/2021
P4	For Information	22/12/2021
P5	For Review	14/02/2022
A	For Development Application	23/02/2022

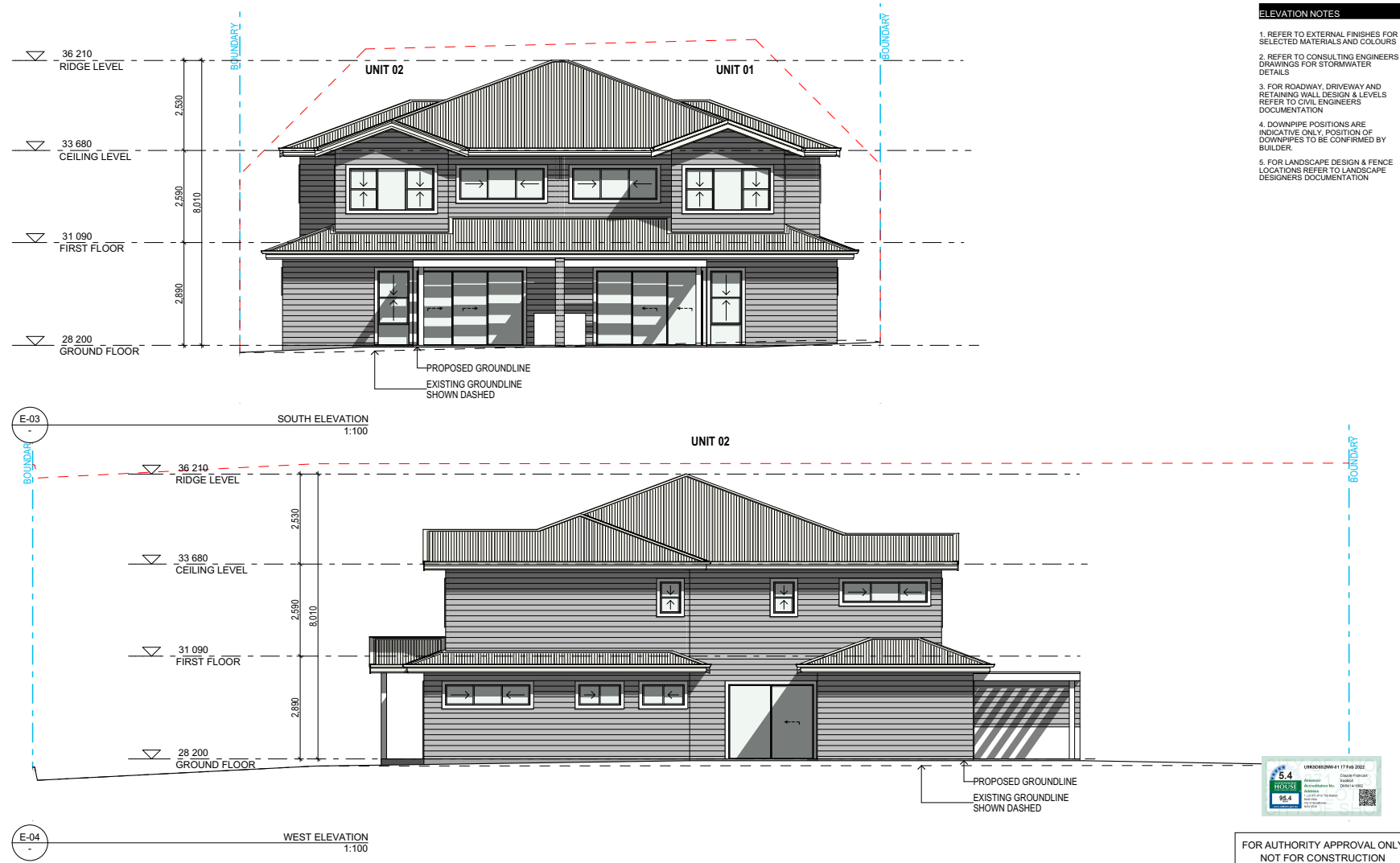
Project
Dual Occupancy
Location
13 The Bastion
Manyana
Client
Joanne Hands

Drawing
ELEVATIONS
Scale
1:100 @ A3
DRAWN
PV

QA CHECKED
SV

Drawing Number
DA300
Issue
A
Project Number
21146





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P1	For Review	3/12/2021
P2	For Review	7/12/2021
P3	For Review	14/12/2021
P4	For Information	22/12/2021
P5	For Review	14/02/2022
A	For Development Application	23/02/2022

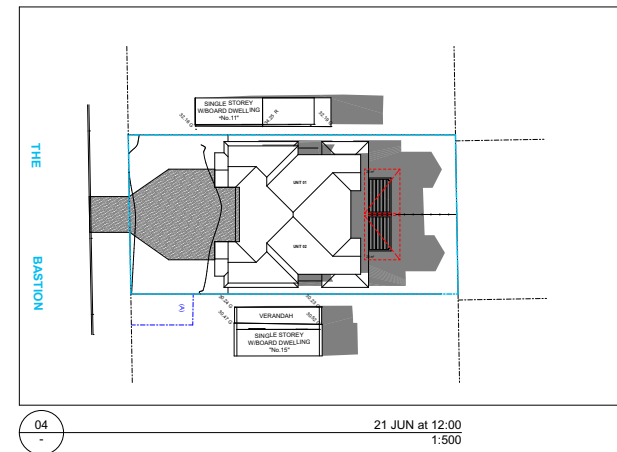
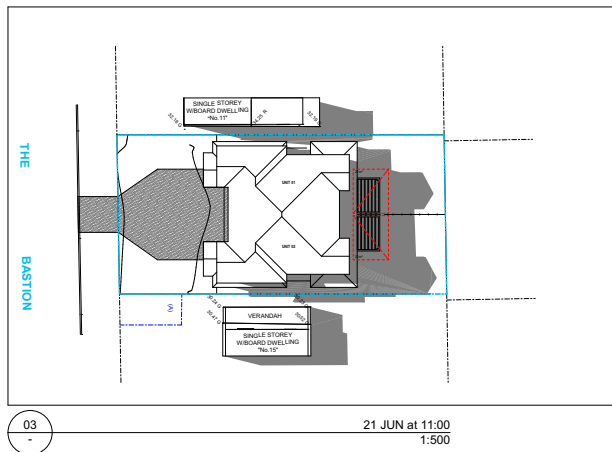
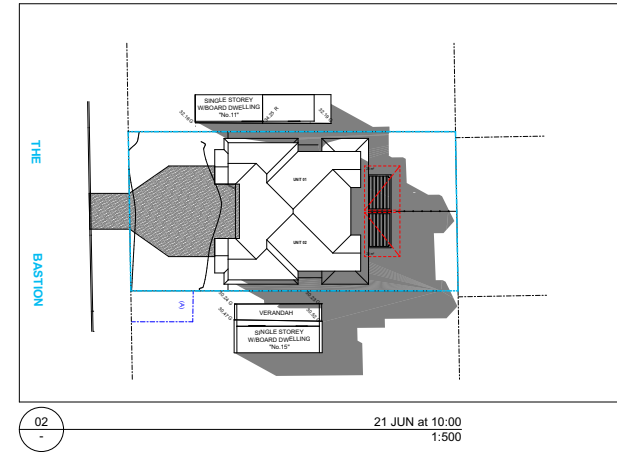
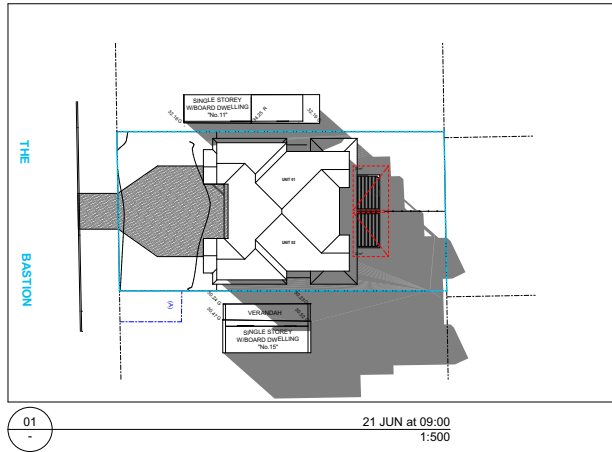
Project
Dual Occupancy
Location
13 The Bastion
Manyana
Client
Joanne Hands

Drawing
ELEVATIONS
Scale
1:100 @ A3
DRAWN
PV

QA CHECKED
SV

Drawing Number
DA301
Issue
A
Project Number
21146

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P2	For Review	14/02/2022
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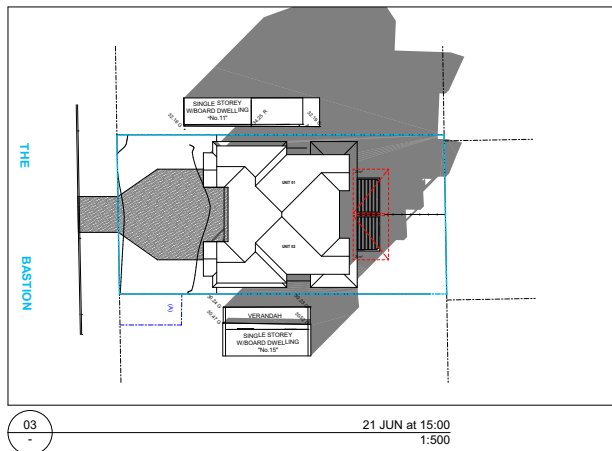
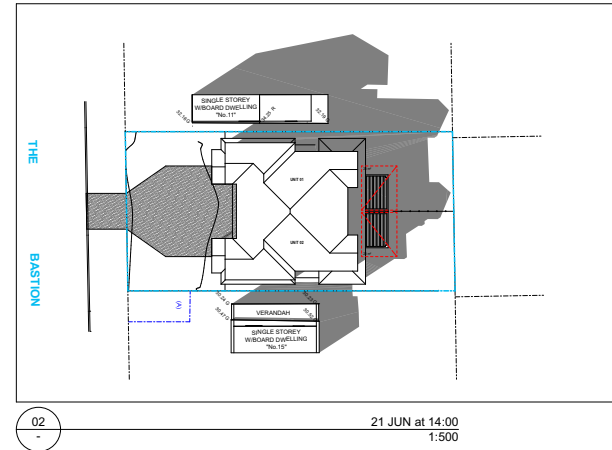
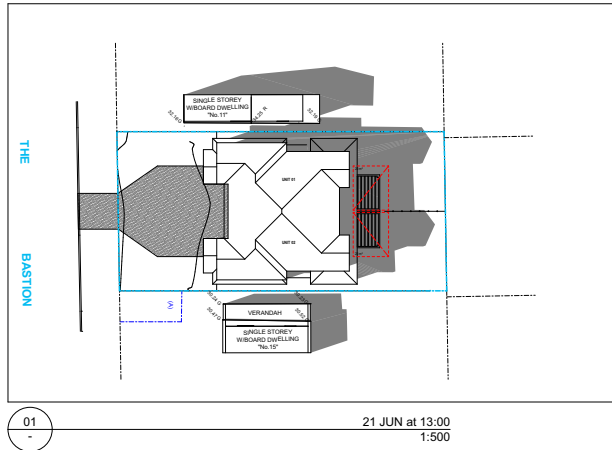
Project
Dual Occupancy
Location
13 The Bastion
Manyana
Client
Joanne Hands

Drawing
EXTERNAL SHADOW
DIAGRAMS
Scale
1:500 @ A3
DRAWN
PV

QA CHECKED
SV

Drawing Number
DA900
Issue
A
Project Number
21146





Summary of BASIX Commitments for 21146	
	Commitment
Water	
Total area of garden and lawn (m2)	252
Area of indigenous planting within total garden (m2) required	0
Rainwater tank capacity (litres)	4000
Area of roof connected to tank (m2)	100
Connected to all toilets in the development?	Yes
Connected to at least one outdoor tap?	Yes
Connected to washing machine?	Yes
Rating of all showerheads installed	3 Star (> 7.5 but <= 9 L/min)
Rating of all toilet cisterns installed	3 Star
Rating of bathroom tap fittings	3 Star
Rating of kitchen tap fittings	3 Star
Thermal Performance	
Refer to Universal Certificate	Pass
Energy	
Active cooling to living areas	3-Phase AC (EER 3.0-3.5)
Active cooling to bedroom areas	3-Phase AC (EER 3.0-3.5)
Active heating to living areas	3-Phase AC (EER 3.0-3.5)
Active heating to bedroom areas	3-Phase AC (EER 3.0-3.5)
Hot water system	Gas Instantaneous
Low energy lighting (If required refer to BASIX certificate)	Yes
Bathroom ventilation	Ducted (manual switch on/off)
Kitchen ventilation	Ducted (manual switch on/off)
Laundry ventilation	Ducted (manual switch on/off)
Cooktop and oven	Gas Cooktop / Electric Oven
Outdoor Clothesline	Yes
Indoor or Sheltered Clothesline	Yes
Well Ventilated Fridge Space	Yes

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13 The Bastion
Manyana
Client
Joanne Hands

Drawing
EXTERNAL SHADOW
DIAGRAMS
Scale
1:500 @ A3
DRAWN
PV
QA CHECKED
SV

Drawing Number
DA901
Issue
A
Project Number
21146

