



DIRECTOR SUSTAINABLE DEVELOPMENT SERVICES REPORT

13 March 2007

**DSDS1 DUAL OCCUPANCY & DEMOLITION OF EXISTING DWELLING
LOT2 DP399753 NO.34 MAIN STREET, CRESCENT HEAD
FILE: T6-06-378 DJW {Folio No. *}**

SUMMARY:

Reporting that Council has received an application for the demolition of an existing dwelling and construction of a dual occupancy and for which one objection has been received.

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Applicant: T Tallentire
Subject Property: Lot 2 DP 399753 No 34 Main Street
Crescent Head
Zone: Demolition of Existing Dwelling and Construction of
a Dual Occupancy

Proposed Development

The site contains an existing dwelling which is to be demolished. The front boundary width is 26.82m with a site area of 663.5m². The land falls across the block from the east to the west 3.2metres i.e a slope of 8.7%.

The proposal is to erect a two storey dual occupancy on the subject allotment.

Heads of Consideration:

The proposal has been examined having regard for the Heads of Consideration identified under Section 79 C (1) of the Environmental Planning and Assessment Act with the following matters considered to be of particular relevance to the proposal.

Kempsey Local Environment Plan 1987 (KLEP)

The proposed maybe defined as "dual occupancy building" and is permissible with consent in the 2(a) residential "A" zone under Kempsey Environmental Plan 1987.

The proposal is not contrary to any State Environmental Planning Policies, North Coast Regional Environmental Plan.

State Environmental Planning Policy 71 – Coastal Protection

The subject lot falls within the coastal zone as defined by SEPP 71; however the site is not classified as a sensitive coastal location. Council is required to have regard for the matters as set out by Clause 8. [\(Appendix A – Page G1\)](#)

- a. The proposal is not considered contrary to the aims and objectives as set out in clause 2 of the SEPP.
- b. The proposal is located a substantial distance from any coastal foreshore and will not interfere with any public access to the foreshore.
- c. As the site is not located adjacent to any foreshore there is no requirement to enhance any existing public access.
- d. See comments in body of the report on suitability of the development in the locality.
- e. The site is not located adjacent to any coastal foreshore and therefore will not overshadow any public foreshore reserve.
- f. The surrounding area is predominately urban. The development will not detract from the scenic qualities of the New South Wales Coast line.
- g. The site will require minimal clearing therefore having minimal impact upon threatened species of flora and fauna.
- h. There will be no direct impacts on marine ecosystems.
- i. The lot is situated within an existing subdivision. There will be no impact upon any wildlife corridor.
- j. There is no perceived impacts upon coastal process.
- k. The site has no foreshore frontage so conflict between land and water based activities will not result from this development
- l. Measures to protect the cultural places, values, customs, beliefs and traditional knowledge of aboriginals have been considered.
- m. The applicant is required to treat storm water on site to an acceptable level to minimise impacts on coastal water bodies.
- n. There are no issues related to the conservation and preservation of items of heritage, archaeological or historic significant.

NSW Coastal Policy 1997

The design and location principles as set out in Strategic Action 3.2.7 table 3 of NSW Coastal Policy have been incorporated in DCP Crescent Head. The proposal is considered to be consistent with the principal which seeks to ensure that buildings are consistent with the height and scale of existing development.

DCP Crescent Head - Local Housing Strategy

The proposal has been assessed under the requirements of DCP Crescent Head. The location of the proposal is contained within a defined medium density area.

An assessment of the proposal against the relevant requirements of DCP Crescent Head may be summarised as follows:

STANDARD	REQUIRED	PROPOSED	DEVELOPMENT STANDARD YES/NO	COMPLIANCE PERFORMANCE OBJECTIVE
Front Setbacks	5m	5m Front balcony setback 3.5m	yes	yes*
Side Setback	1.5m & 3m	Western side 1.46m Eastern side 2.5m	No No	yes yes*
Rear	1.8m	> 1.8m	yes	yes
Car Parking & Access	1 covered paces and 1 visitor space	2 covered spaces & two visitor stacked spaces	yes	yes
Private Open Space	25m ²	>25m ²	yes	yes
Safety in Design	Comply with the NSW Department of Planning's document Crime Prevention and the Assessment of Development Application Guidelines.	Complies with surveillance and access control.	yes	yes
Landscaping	170m ²	>170m ²	yes	yes
Height Existing two storey dwelling	6.2m	< 6.2m	yes	yes

Solar Access	2hrs Between 9.00am & 3.00pm	>2hrs	yes	yes
Visual Privacy	Minimal loss of Privacy	Major loss Screens provided	yes	yes
Cut and Fill	1.5m	2.1m	No	yes*
Landscaping	170m ²	>170m ²	yes - to be conditioned and provided with the Construction Certificate	yes
Views	Compliance with Planning Principles for assessment of view sharing	Does meet the principles	yes	yes
Erosion and Sediment Control	Demonstrate control	To be provided with construction Certificate	yes	yes
Density Proposed	Medium 480m ²	660m ²	yes	yes

*see comment [\(Appendix B – Page G3\)](#)

Setbacks:

DCP Crescent Head requires a minimum average setback of 3metres for 2 storey development with a minimum of 1.5m. Any setback less than the minimum average shall justify the proposal having regard to impacts of overshadowing and privacy.

The applicant proposes 2.8m section of the proposed dwelling which is setback 1.46metres from the Western Boundary to accommodate the entry which is 0.04metre less than the required 1.5metre. [\(Appendix C – Page G4\)](#)

The variation is considered to meet the performance objectives as the shadow diagrams demonstrate that there is no increase in over shadowing of adjoining properties or loss of privacy on that elevation.

Secondary Street Frontage setback

DCP Crescent Head requires secondary street boundary setbacks not less than 3 metres unless the setback is consistent with adjoining residences. The

applicant proposes a 3 metre setback on the eastern boundary except for 2.8m section of the proposed dwelling which is setback 2.5metres from the eastern boundary to accommodate the entry to dwelling 2. [\(Appendix D - Page G5\)](#)

The variation is considered to meet the performance objectives due to the adjoining dwelling being setback 1metre from the secondary street frontage and the fact that the shadow diagrams demonstrate compliance with DCP Crescent Head and there is minimal loss of privacy on that elevation.

Loss of Privacy

DCP Crescent Head requires that visual privacy between proposed and existing adjoining dwellings is to be ensured. Overlooking of living spaces in buildings and private open spaces is to be avoided.

The proposed additions have the potential to create a loss of privacy from the proposed rear southern decks. The applicant proposes full height privacy screen wall to the balconies western end to reduce the loss of privacy.

Protection of Views

DCP Crescent Head provides principles to be applied to applications to determine the impact of the development on the views enjoyed by adjoining properties.

Step 1

Where views will be affected:

"Water views are more valuable than land views."

"Whole views are valued more highly than partial views."

Step 2

Where are views obtained from?

"Views across side boundaries cannot be protected by unreasonable requirements."

"Views from sitting positions can not be protected by unreasonable requirements."

" Views across front or rear boundaries from standing position should be protected to a reasonable extent."

Step 3.

Where is the impact?

" Views from living areas and kitchens are more important than from bedrooms and service areas."

The losses of views are from the living and deck area

"Assess view loss in qualitative terms- The loss would be minor"

Step 4.

Is the proposal reasonable?

"Does the proposal comply with other controls in this DCP?"

The proposal requires minor variations to setback controls in the DCP Crescent Head which do not impact on views.

"If it does not comply would a more clever design provide the same development potential and amenity and reduce the impact on views? If not, impact probably considered as capable and view sharing reasonable"

The minor reduction of the views is considered reasonable in this instance and view sharing reasonable. [\(Appendix E – Page G6\)](#)

Retaining Wall

DCP Crescent Head requires retaining walls to be limited to a maximum height of 1.5m unless: -

- Internal or under proposed house
- Geotechnical report assesses site as able to maintain stability
- Engineer to certify walls
- Volume of overburden to be subject to contributions to transport off site

The applicant proposes a 2.66m retaining wall on the southern boundary which reduces on the eastern and western boundaries. The southern boundary incorporates a two tier retaining wall system comprising of upper and lower tier, separated with a .06m garden bed between the two walls. The upper section visible to the adjoining neighbours will be constructed of natural stone or split face block. The lower section of the retaining wall being only visible to the occupants will be constructed of concrete block rendered and painted. The retaining wall incorporates a fence on the eastern elevation this fence has been designed to prevent climbing. [\(Appendix F – Page G7\)](#)

It is considered the retaining walls meet the performance objectives for the following reasons.

- The 2.66m cut height minimises the visual impact of the two storey building to retain views from the properties to the north.
- Retaining walls required to be designed by a Geotechnical Engineer will be made a condition of approval.
- The Geotechnical Engineer will be required to certify the retaining wall as constructed.
- Details of the haulage route will be made a condition of approval.

Applicant's Submission

The applicant has provided supporting documentation which may be summaries as follows: -

[\(Appendix G, part 1, part 2 – Page G8\)](#)

Western Boundary Setback

The Crescent Head Local Housing Strategy Development Control Plan advises that side setbacks be a minimum average of 3metres for 2 storey development, with a minimum of 1.5metres.

In the proposal for 34 Main Street Crescent Head, we have allowed for a 2.65metre setback along the Western Boundary, except for a 2.8m section of the proposed dwelling, (11% of boundary), which is setback 1.46metres from the Western Boundary to accommodate the Entry to Dwelling 1.

Kempsey Council's Crescent Head Development Control Plan also states that any setback less than the minimum average shall justify the proposal having regard to impacts of overshadowing as the portion of the building within the min setback is contained under the eaves line.

Eastern Boundary Setback (Beranghi Street)

The Crescent Head Local Housing Strategy Development Control Plan advises that on Corner Lots the secondary street boundary side setback not less than 3 metres, provided this setback is consistent with adjoining residences.

In the proposal for 34 Main Street Crescent Head, we have allowed for a 3.0 metre setback along the Eastern Boundary, except for a 2.8m section of the proposed dwelling, (11% of boundary), which is setback 2.5metres from the Eastern Boundary to accommodate the Entry to Dwelling 2.

Kempsey Council's Crescent Head DCP also states that any setback less than the minimum average shall justify the proposal having regard to impacts of overshadowing and privacy.

As shown on the ground floor of drawing No. 7644 DA01, the building immediately to the north has residences are not affected by the setback intrusion.

Retaining Wall to Southern Boundary

The Crescent Head Local Housing Strategy DCP advises that: -

The proposal's Southern Boundary incorporates and two tier Retaining wall systems, comprising of an upper and lower tier, separated with a 600mm garden bed between the two walls.

The total retained height of the two tier system is 2.1metres.

The upper section of the retaining wall, being visible to adjoining property, is to be constructed of an attractive Natural Stone of Split face block, in accordance with Crescent Head Character Statement. The upper tier is 1metre in height.

The lower section of the retaining wall, being visible to occupants only, is to be constructed as a reinforced concrete block wall, rendered and painted.

The lower tier is 1.6metres in height. The overall height has become necessary to minimize the visual of the two (2) storey building and retain views from properties to the north as much as possible.

Solar Access to adjoining Properties

The Crescent Head Local Housing Strategy DCP advises that buildings should be designed to allow no more than 2 hours of overshadowing of the living areas of adjacent dwellings and open space areas between 9am and 3pm on 22 June.

The property to the west is only affected by overshadowing in the morning hours in mid winter and to a minor degree in summer. The shadows cast are not to living areas.

The property to the rear of the site is setback 0.39metres the boundary. Due to the difference in levels of the proposed building and its existing southern neighbor the shadows cast in mid winter (worst case scenario) will only reach the base of the existing buildings.

Loss of Visual Privacy

To minimise the loss of visual privacy from properties to the rear (south) of the site, the proposed dwelling include full height fixed screen wall to the western side of the South Decks.

Western elevations windows facing the neighboring property are small and will have opaque glass to bathroom and toilet. Glazing to the entry stair has external louvers.

Loss of Views

Please see photomontage for demonstration of the reduced but not loss of water views to neighboring dwelling.

[\(Appendix H – Page G22\)](#)

Public Exhibition

The proposal was advertised in accordance with Council's Policy, with one (1) objection having been received which may be summarised as follows:

[\(Appendix I – Page G23\)](#)

Objection	Planning Comment
1 As the proposed units will more than likely be for holiday letting, the location of the plunge pools and overlooking balconies will increase noise levels in this area	1 It cannot be assumed that the units will be used for holiday letting. The southern decks have been provided with full height screen walls.
2 There is no height dimensions shown on the plans provided.	2 The building height complies with DCP Crescent Head. See setbacks in the report.
3 There will be increased shading of adjoining properties, especially in winter.	3 Shadow diagrams indicate compliance with DCP Crescent Head.

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| <p>4 The extreme width of the proposed development will block the distant sea views hence reducing the property value and overall amenity.</p> <p>5 The size of the proposed development will also require the removal of the large tree at the front of 34 Main Street which will reduce the overall amenity of the streetscape and reduce the available habitat for bird life.</p> | <p>4 See Protection of Views.</p> <p>5 The existing tree stands approximately 1.5metre from the unit's storeroom wall. The unit's footings may interfere with the existing tree root system. Which intern could course the tree to become unstable.</p> <p>It is considered acceptable to allow the removal of the tree in accordance with Clause 2.4 L of the 'Tree Prevention Order' subject to a condition to require supplementary native planting prior to the issue of the Occupation Certificate. (Appendix J – Page G24)</p> |
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Report Implications:

- **Environmental**

From the information supplied to council, it is not anticipated that there will be any adverse environmental impacts from the proposed Dual Occupancy.

- **Social**

That for the period of construction, the development will provide employment for local trades people and others employed in the building.

- **Economic (Financial)**

The proposal is considered to provide an economic benefit only for the period of construction.

- **Policy or Statutory**

The application has been assessed under Section 79C of the Environmental Planning and Assessment Act 1979, Kempsey Local Environmental Plan 1987 and Development Control Plan Crescent Head.

RECOMMENDATION:

- A. That Development Application T6-06-378 is approved subject to standard conditions:-

1. The applicant is to nominate the haulage route for disposal of overburden, including where it is proposed to place the material and submit details to council prior to release of the Construction Certificate.
2. The Design Engineer is to supervise the excavation works.
3. The development referred to in this application is to be carried out substantially in accordance with the approved development plans as modified by any conditions of this consent.
4. This consent has been issued on the basis that Council has been appointed as the Principal Certifying Authority and Council has accepted the appointment and will be issuing the construction certificate.
5. Two days prior to commencing work Form 7 under Environmental Planning and Assessment Act Regulations, Notice of Commencement of Building or Subdivision work and Appointment of Principal Certifying Authority is to be submitted to Council.
6. The dwelling is not to be occupied prior to the issue of an Occupation/Interim Occupation Certificate by Council.
7. An application for a certificate is enclosed. It is requested that it be completed and returned to Council prior to requesting an inspection. A minimum of 48 hours notice is necessary when requesting the inspection. Appointments will be made in accordance with the inspection program for that area.
8. This consent does not permit commencement of any works. Works are not to commence until such time as a Construction Certificate has been obtained and the appointment of a Principal Certifying Authority.
9. A Construction Certificate shall not be issued until all relevant conditions of this consent have been complied with.

Approval is subject to the condition that the builder or person who does the residential building work complies with the applicable requirements of Part 6 of the Home building Act 1989 whereby a person must not contract to do any residential building work unless a contract of insurance that complies with this Act is in force in relation to the proposed work. It is the responsibility of the builder or person who is to do the work to satisfy Council that they have complied with the applicable requirements of Part 6.

Details are to be submitted to Council prior to work commencing.

Submission of an application(s) to Council pursuant to Section 68 of the Local Government Act 1993 for the following, prior to the issue of a Construction Certificate:-

- a) Carry out water supply
 - b) Carry out sewerage work
 - c) Carry out storm water drainage work
10. Before work commences, the Council must be informed in writing of the name and contractor licence number of the licensee who has been contracted to do or intends to do the work.
 11. All excavation and backfilling are to be executed safely and in accordance with appropriate professional standards, and are to be properly guarded and protected to prevent them from being dangerous to life or property.
 12. A sign is to be provided in a prominent and visible position (on the building or fence) stating "Unauthorised entry to the site is not permitted", together with the name of the person responsible for the site and a contact number outside working hours.
 13. All building work must be carried out in accordance with the provisions of the Building Code of Australia.

Your attention is drawn to the following requirements of the Building Code of Australia.

- a) Structural Engineer's Details for retaining walls, reinforced concrete slab and structural steel work is to be submitted prior to the issue of the construction certificate
- b) Geotechnical Engineer's report shall be submitted to council for the excavation prior to issue of the construction certificate
- c) Protection is to be provided from subterranean termites. Council's Code of Practice outlines methods which may be used. Details of the proposed method or methods are to be submitted for approval prior to commencement of work and suitable certifications are to be submitted prior to the issue of an occupation certificate.
- d) That the floor surface of the wet areas are properly graded and drained and the junctions of the floor with the walls are treated to prevent the penetration of moisture into the walls. An inspection of the treated area is to be arranged

with Council or suitable certification is to be submitted prior to the issue of an occupation certificate.

e) The windows and glass installations within the building shall comply with AS 1288, Part 3.6 BCA Housing Provisions and AS2047. The applicant shall furnish Council with a report from the supplier upon completion of the window and glass installation indicating compliance with the requirements of AS1288 and AS2047.

f) Should the veranda, patio or landing exceed 1 metre in height above the ground then a suitable balustrade is to be provided to the veranda, patio or landing and steps for safety and convenience. Such balustrade to conform with the requirements of

(1) Part 3.9.1. and 3.9.2 of BCA Housing Provisions of the Building Code of Australia.

Note: Spacing of rails not to exceed 125mm.

g) Riser and Going dimensions for stairs shall be in accordance with Clause D2.13 of the Building Code of Australia. In Class 1 and 10 buildings the following will apply:

(R)		Going (G)		Quantity (2R + G)	
max	min	max	min	max	min
190	115	355	240	700	550

Note: Any openings between treads not to exceed 125mm.

h) Details of roof trusses, tie down and roof bracing are to be submitted prior to commencement of any building work on the site.

i) Details of wall bracing to be carried out in accordance with Australian Standard 1684-1999 are to be submitted to Council prior to commencement of work.

j) Kitchen exhaust fans are to be ducted externally of the building or a recirculation hood type be provided.

k) Class 1(a) and 1(b) Buildings

An automatic fire detection and alarm system is to be installed in the building. Such system to conform with Specification E2.2a of the Building Code of Australia or be a smoke alarm system

complying with AS 3786 or listed in the SSL Register of Accredited Products.

The system is to be provided with mains electrical power, have a stand by power supply and installed in each storey to comply with Clause E2.2a (N.S.W. Variation). Details of location of the units are to be provided for approval prior to installation.

- l) All glass in shower doors, shower screens, bath enclosures and associated windows (the lowest sight line of which is less than 1500mm above the floor or bottom of the bath or shower base) shall be Grade A Safety Glass.
 - m) The door to all fully enclosed sanitary compartments must open outwards, or slide, or be readily removable from the outside, in accordance with the requirements of the Building Code of Australia.
 - n) Any sarking used in the roof of the dwelling must have a flammability index not more than 5.
 - o) Earth works must comply with Part 3.1.1 of the Building Code of Australia (Housing Provisions).
 - p) Drainage of the site must comply with Part 3.1.2 of the Building Code of Australia (Housing Provisions).
 - q) Submit amended plans prior to release of the construction certificate indicating the fire separation complying with Part 3.7 of Volume 2 of the BCA
14. The hours of operation of the activity are to be confined to 7.00 a.m. to 6.00 p.m., Mondays to Fridays, and 7.00 a.m. to 12 noon, Saturdays.
15. Construction of a vehicular access from the road formation to the property boundary in accordance with Council's Standard for Access to Urban Properties. Applicant is to consult Mr Tony Castle of Council's Environmental Services Department for requirements before commencing construction.

Treatment of Stormwater

16. Roof waters are to be directed by means of sealed pipes to the street gutter. Details are to be provided with the plans for the required Construction Certificate.
17. Runoff and soil erosion controls shall be installed in accordance with the approved Erosion Control prior to

work commencing on the site. The controls shall incorporate:-

- a) diversion of uncontaminated up site runoff around cleared and/or disturbed areas and areas to be cleared and/or disturbed.
- b) sediment control fences at the down slope perimeter of the cleared and/or disturbed area to prevent unwanted sediment and other debris escaping from the land.
- c) maintenance of all erosion control measures at maximum operational capacity until the land is effectively rehabilitated and stabilised beyond the completion of construction.

Protection of any kerb inlet pit located downstream of the site in accordance with Council's Engineering Guidelines for subdivision and development (drawing No SW20).

Note:

- i) Any roof drainage system is to be connected to the required discharged point at the building frame inspection stage.
 - ii) Any material spilled or deposited on the road reserve or in the gutter is to be removed immediately.
18. Survey Certificate is to be submitted upon completion of the slab formwork to ensure that the ground floor's finished floor height is at or below RL 7.65 metres A.H.D.
 19. Survey Certificate is to be submitted upon completion of the roof framing to ensure the top plate is at or below 13.55 metres AHD and Highest Ridge Point is at or below 15.98 metres AHD
 20. A survey certificate prepared by a registered surveyor being submitted to Council to verify the siting of the building in relation to adjacent boundaries, and work is not to proceed beyond that stage until a written release has been given by Council. The survey is to be submitted at completion of floor slab formwork before concrete is poured.
 21. Submit engineering details of the pre- treatment storm water disposal system prior to issue of the Construction Certificate
 22. Submission of a detailed landscaping plan providing for the establishment of suitable species endemic to the area, including the number and species of plants to be planted

and the means of establishing the landscaping beds prior to release of the Construction Certificate.

23. Provision of a security deposit to Council totalling \$600 to cover any damage sustained to public property including footway and kerb and gutter or road pavement during construction and to ensure satisfactory completion of any works on public property required in connection with this approval. The deposit is to be lodged with Council prior to the issuing of the required Construction Certificate and will be released upon submission of documentary evidence indicating that an Occupation Certificate has been issued.
- 24.
- Insulation in a building must comply with the National BCA provision 3.12.1.1
 - The sealing of a building must comply with the National BCA provision 3.12.3.0 to 3.12.3.5
 - Building Services must comply with the National BCA provisions 3.12.5.0 to 3.12.5.3

Stormwater Drainage

25. The lot currently drains to Main Street but currently contains only one dwelling and garage on 663.5m². The following conditions are to be applied:-
- a) Provision of an interception drain at the boundary of the property to collect all stormwater runoff from areas, piped then discharged to the proposed piped stormwater drainage system to Main Street, strictly in accordance with Development Control plan No 36 Council's Engineering Guidelines for Subdivision and Development. Engineering plans and details are to be submitted to Council for approval prior to the issue of the Construction Certificate.
 - b) Detailed engineering plans providing for a private piped inter-allotment stormwater drainage system located in an appropriately seized easement to convey stormwater flows from No 5 Beranghi Street through this development and incorporating an approved water filter device to carry all existing and proposed flows through to the proposed piped stormwater drainage system to Main Street in accordance with Development Control Plan No 36 Council's Engineering Guideline for Subdivision and Development. Engineering plans and details are to be submitted to Council for approval prior to the issue of the Construction Certificate.
 - c) Convey all existing and proposed storm flows emanating from this development via a piped urban stormwater drainage system through to Council's

stormwater pit in Main Street in accordance with the most recent version of Australian rainfall and Runoff (1987), and incorporating an approved water filter device. Engineering plans and details are to be submitted to Council for approval prior to the issue of the Construction Certificate.

Contributions

26.

- a) The applicant is to pay a contribution towards Outdoor Recreation for each additional dwelling unit after the first unit in accordance with Council's Section 94 Plan for Outdoor Recreation. The contribution is to be paid prior to the issue of the Construction Certification, at the rate prevailing at that time. The current rate is \$422 per additional dwelling unit, i.e $\$422 \times 0.32 \text{ E.T} = \135 total for 2006/2007. (Indexed)
- b) Submission of an application for a Certificate of Compliance pursuant to Section 305 of the Water Management Act 2000 and the lodgement of a Certificate of Compliance indicating that the requirements of Section 306 of the Water Management Act 2000 have met, prior to issue of the Construction Certificate.
- c) You are advised that a Certificate of Compliance pursuant to Division 5 of the Water Management Act 2000 will be issued by Council, subject to the following matters being complied with:-
 - (i) Payment of a contribution towards Water Developer Service Charge at the rate of \$7,468 per equivalent tenement, i.e $\$7,468 \times 0.2 \text{ E.T} = \$1,493.60$ total for 2006/2007. (indexed)
 - (ii) Payment of a contribution towards Sewage Developer Service Charge at the rate of \$6,300 per equivalent tenement, i.e $\$6,300 \times 0.5 \text{ E.T} = \$3,150$ total for 2006/2007. (indexed)

Vehicle Access

- a) Vehicle Access from the existing concrete layback in Main Street to the property boundary is to be via a standard layback and full width concrete paving. Paving to be 125mm thick un-reinforce with construction joints to suit service trenches and comply with Development Control Plan No. 36 Council's Engineering Guidelines for Subdivision and Development. Applicant is to lodge an

application with Council in accordance with Section 138 of the Road Act 1993 to allow for this work to take place in the Main Street road reserve and prior to commencing work onsite.

- b) All internal parking areas, access-ways, turning areas, driveways and ramps are to be constructed in accordance with Council's Parking Code, DCP 36 *Engineering Guidelines for Subdivision and Development* and AS/AN 2890.1 before occupation for the building or commencement of the proposed land use. All such areas to be concrete paved and/or bitumen sealed.

27. Prior to the release of the Occupation Certificate Council shall be satisfied that no less than three (3) native tree species have been planted on site in order to compensate for the tree removal.

B. That the objectors be advised of Councils decision.

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R B Pitt
DIRECTOR SUSTAINABLE DEVELOPMENT SERVICES