



Hearnes Lake/Sandy Beach



Source: National Marine and Science Centre

Development Control Plan



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PART 1 – THE PLAN

PREAMBLE

- This Development Control Plan (DCP) applies to land in Hearn Lake / Sandy Beach under the Coffs Harbour City Local Environmental Plan 2000 (as shown in Map 1).
- This Plan came into force on 7 December 2005.

AMENDMENTS

- This Plan was amended on 7 February 2008.
- This DCP repeals any other DCP made before this DCP, this DCP prevails to the extent of any inconsistency.

OBJECTIVES

The controls in this DCP seek to achieve the following objectives.

Economic Sustainability

- To ensure that the existing community is not burdened by the provision of public utilities and facilities required as a result of future development.
- To equitably provide public utilities in a timely, cost-efficient and effective manner.
- To ensure development contributes to the economic growth of the City and provides links to local employment opportunities.

Social Sustainability

- To provide safe and attractive neighbourhoods that meet the diverse needs of the community and offer a wide choice of housing and leisure opportunities, as well as associated community facilities.
- To improve the accessibility of public transport services and provide infrastructure to encourage walking and cycling, and to lessen the dependence on cars.
- To provide a network of well distributed parks and recreation areas that offer a variety of safe, appropriate and attractive public open spaces.

Environmental Sustainability

- To ensure development complements the conservation of biodiversity by protecting areas of high conservation value.
- To ensure that development takes into account environmental constraints including soil erosion, flooding and bushfire risk, and protects areas of natural and cultural significance.
- To ensure that development incorporates best practice urban water management techniques relating to stormwater quality and quantity, water conservation and re-use, and ecosystem health;
- To ensure that future development does not conflict with the objectives of the Solitary Islands Marine Park.
- To ensure that development does not conflict with the intended outcomes for 'Healthy Modified Lakes' as specified in the Healthy Rivers Commission Final Report on Coastal Lakes.
- To ensure that development is consistent with the aims and objectives of State Environmental Planning Policy 71 – Coastal Protection.

HOW TO USE THIS DCP

The DCP is divided into three parts:

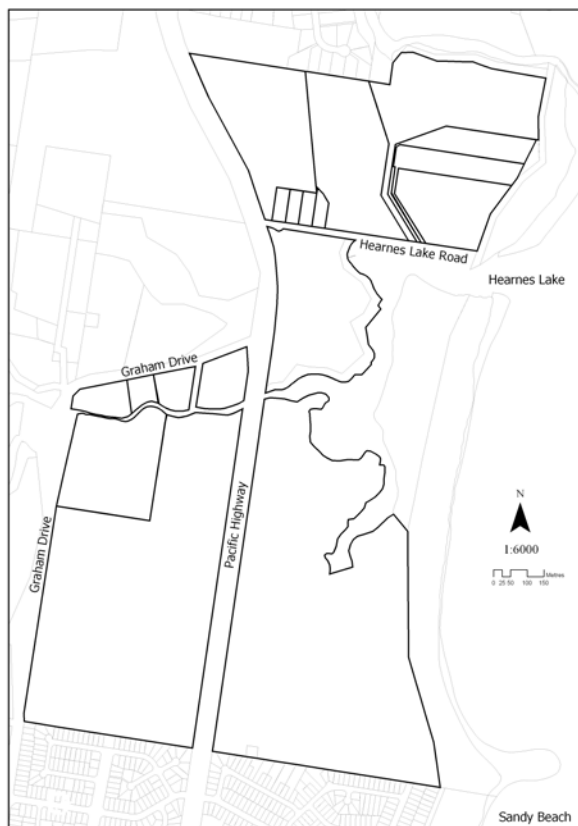
- Part 1 - The Plan; introduction;
- Part 2 - Planning Strategy; sets out the overall strategy for the area;
- Part 3 - Planning Controls; details the specific controls for development within the release area; and
- Part 4 – General Development Controls includes general building, subdivision, environmental and servicing guidelines for development within the study area.

Applicants are to comply with the overall Planning Strategy and detailed Planning Controls unless it can be demonstrated that, in the opinion of Council, an alternative to any or all of the controls will meet the objectives.

PROCEDURES

Part 3 of this DCP contains the specific controls applying to Development within the Hearnese Lake/Sandy Beach area.

Part 4 of this DCP provides more detailed controls in relation to subdivision and low-density residential development. Tourist development is to comply with the prevailing guidelines.



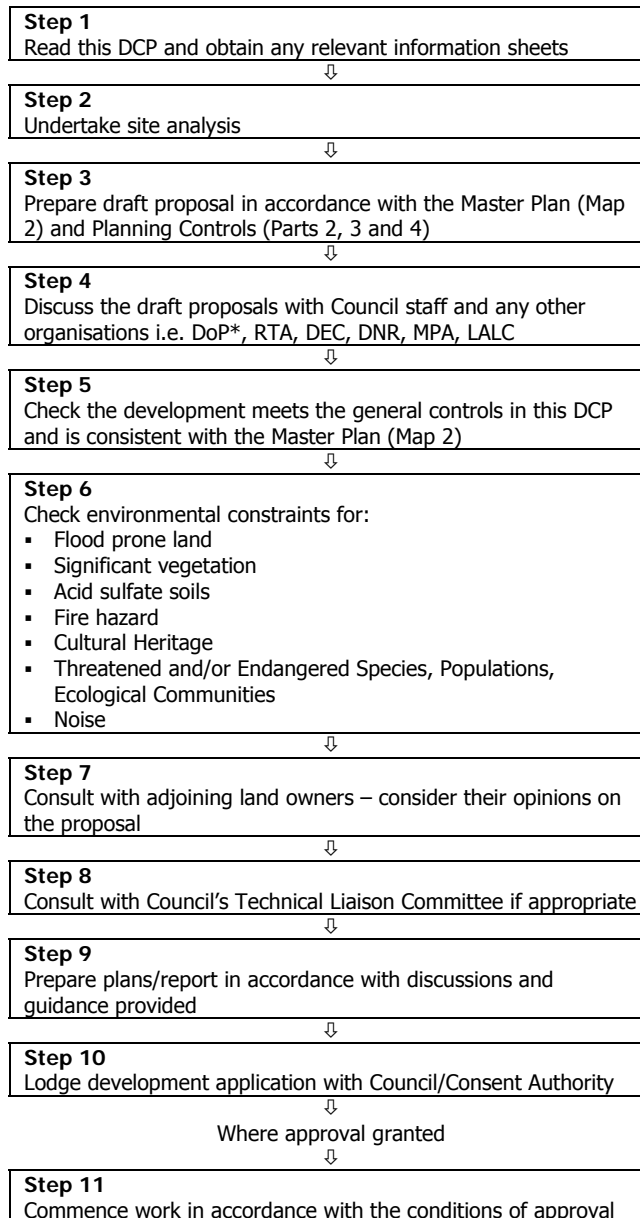
**MAP 1
LOCALITY**

Applicants are also required to comply with the requirements of the Building Sustainability Index (BASIX) for certain types of development. Liaison with the Department of Planning is recommended to assist with development proposals.

Development generally requires the consent of Council. This consent is sought through the lodgement of a development application.

Applicants should follow the step-by-step process shown in the procedures flow chart.

PROCEDURES FLOW CHART



** State Environmental Planning Policy (SEPP) No. 71 – Coastal Protection applies to land within the DCP Study Area. Liaison with the Department of Planning is recommended to assist with development proposals.*

PART 2 – PLANNING STRATEGY: MASTERPLAN

OBJECTIVES

- To provide a framework for a community that is sustainable, safe and vibrant.
- To provide an overall plan for the area that enables the integration of existing and proposed development.

SPECIFIC STRATEGIES

Economic Sustainability

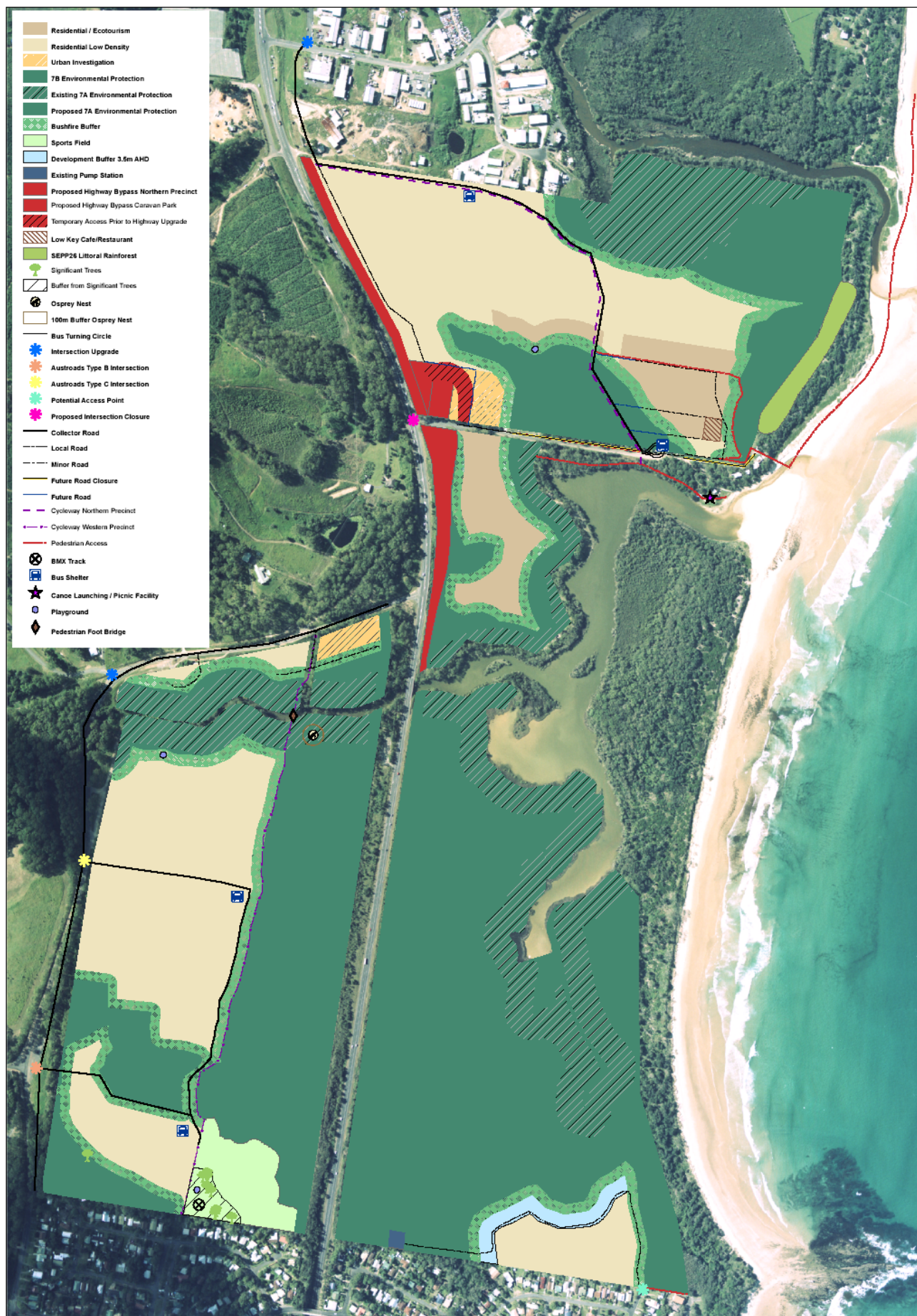
- Provide for an additional population of approximately 1,352 people.
- Enable sustainable residential housing and low-key ecotourism opportunities (refer to Map 5 Target Densities).
- Require developers to provide reticulated water and sewer to new development by extending the existing network (refer to Map 3 Servicing Strategy).
- Require developers to forward fund any works required ahead of Council's Developer Servicing Plans.
- Provide access to retail and commercial services in the townships of Woolgoolga and Moonee Beach.

Social Sustainability

- Require developers to construct a collector road system accordance with the Master Plan.
- Require developers to provide pedestrian access in a timely manner, linking residential areas to the public open space network.
- Ensure that developers provide bus shelters so that all residential areas are generally within 500m from the nearest shelter.
- Provide a sporting field, which incorporates a playground and BMX track (as shown in the Master Plan).
- Ensure that developers provide children's playgrounds so that all residential areas are no further than 500m from the nearest facility.

Environmental Sustainability

- Restrict development from environmental protection areas (see Master Plan) and require the dedication of such land to Council as part of development proposals.
- Require developers to provide perimeter roads adjacent to environmental protection areas for fire fighting purposes, access for maintenance, and for passive surveillance of parkland by residents.
- Ensure development proposals provide bush fire buffers, which do not encroach on environmental protection areas or involve the removal of native vegetation.
- Encourage the use of bush fire buffers for passive recreational activities and/or community facilities where it does not involve negative impacts on environmental values.
- Ensure development demonstrates the achievement of the Stormwater Management Strategy for the release area (see attachment A).
- Utilise innovative Water Sensitive Urban Design strategies to reduce nutrient loading, sedimentation and chemical contamination of local waterways.
- Restrict urban development from land identified with a significant flood risk.
- Utilise acoustic design to ensure highway traffic and Industrial noise does not exceed acceptable levels within residential areas.
- Provide landscaped buffers (utilising local native species) between future residences and the highway/industrial land, and where practicable incorporate essential service corridors.
- To ensure that development does not conflict with the intended outcomes for 'Healthy Modified Lakes' as specified in the Healthy Rivers Commission Final Report on Coastal Lakes.
- To ensure that development is consistent with the aims and objectives of State Environmental Planning Policy 71 – Coastal Protection.



**MAP 2
MASTERPLAN**

HOUSING STRATEGY

- Optimise dwelling yield on areas suitable for urban development;
- Ensure densities comply with those specified on Map 5 – Target Densities;

URBAN DESIGN STRATEGY

- Urban form is to create three precincts as shown on the Master Plan (Map 2);
- Each precinct is to provide for compact walkable neighbourhoods with access to social opportunities and public open space areas;
- A variety of lot sizes and types should be provided to facilitate housing diversity and choice to meet the requirements of people with different housing needs;
- Urban form is to ensure a site-responsive approach that supports and enhances the context in which it is located, particularly the topography and environmental constraints of the land;
- Development shall strengthen local character and identity and promote a sense of community through a range of design techniques.

SERVICING STRATEGY

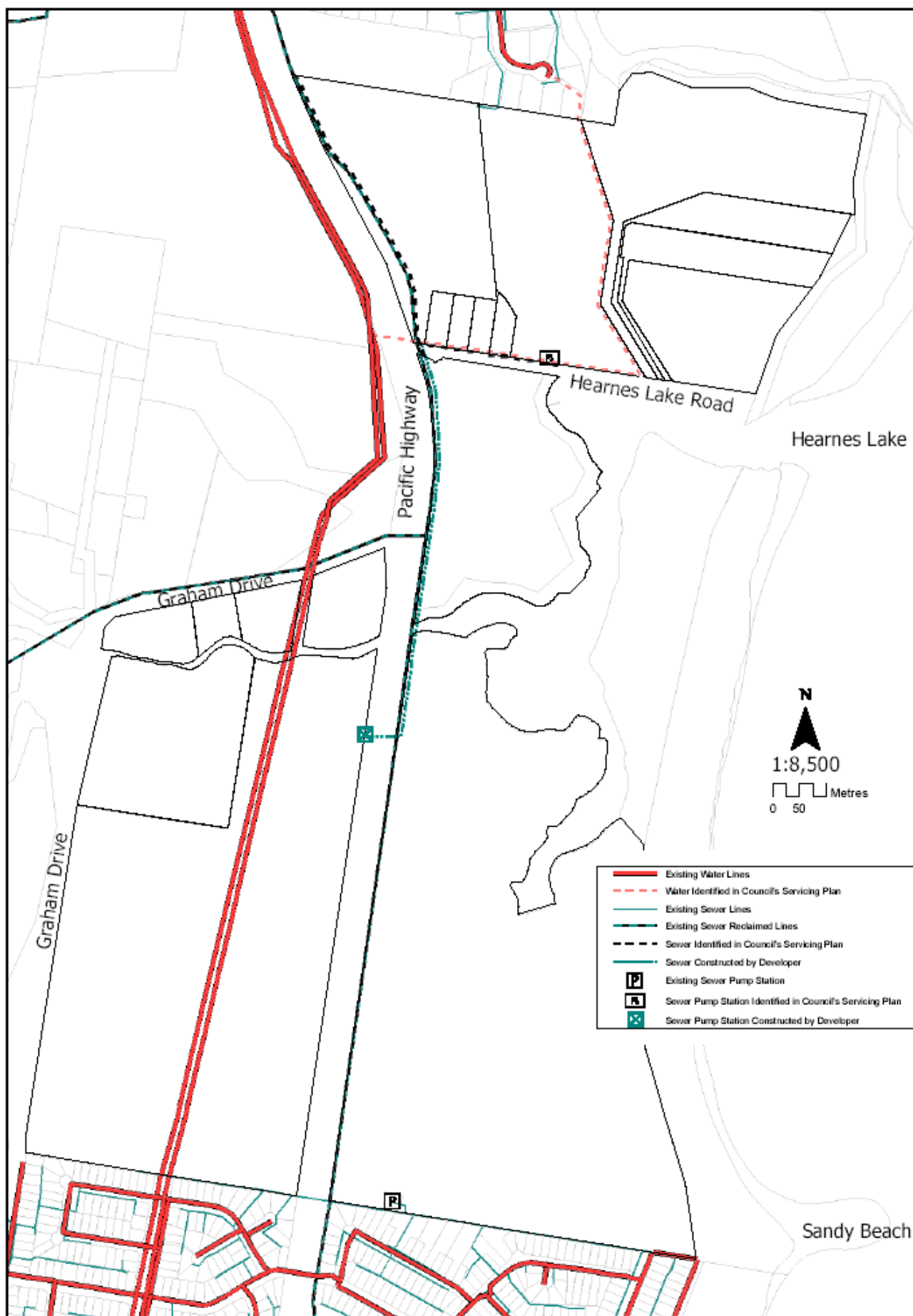
- Require developers to extend water and sewer from the nearest point identified in Council's Water and Wastewater Developer Servicing Plans (see Map 3);
- Where services identified in Council's Water and Wastewater Servicing Plans are not in place at the time the developer wishes to proceed, it will be the developer's responsibility to forward fund these services;
- Development should enable efficient provision of utility services to new localities, and should ensure that innovations in Water Sensitive Urban Design can be incorporated, either at the time of development or in the future.

Northern Precinct

- Require developers to provide pump stations as shown on Map 3;
- Additional pump stations should be avoided where other alternatives are available.

Eastern Precinct

- Public access is to be provided to the existing pump station in the Eastern Precinct for maintenance purposes (see Map 3).



**MAP 3
SERVICES**

BUSINESS STRATEGY

- Provide strong links between proposed neighbourhoods and the town centres of Woolgoolga and Moonee;
- Provide good accessibility through street layouts and promote walking and cycling;
- Enable the development of a low-key Restaurant/Café or General Store in the Northern Precinct.

COMMUNITY FACILITIES STRATEGY

- Investigate the feasibility of relocating and/or improving the existing car parking area near the entrance to Hearnese Lake to cater for the increased visitors to the area.
- Develop a Plan of Management in consultation with the Department of Lands for the foreshore area to enable the provision of low-key community facilities.
- Provide adequate transport and pedestrian linkages to community facilities and open space areas.

TRAFFIC AND TRANSPORT STRATEGY

Hearnese Lake Road

- The DCP assumes that the Roads and Traffic Authority (RTA) will upgrade the Hearnese Lake Road/Pacific Highway Intersection as part of the Coffs Harbour Highway Planning Strategy. Hearnese Lake Road may be closed at the Pacific Highway as part of this upgrade.
- Investigate the feasibility of closing sections of Hearnese Lake Road to provide for environmental benefit to the lake, subject to alternative access being provided to residents.

Bosworth Road/Pacific Highway

- Development of the Northern Precinct being limited to a maximum of 80 lots until such time as Highway Upgrade works are completed or alternative access is provided via the Pacific Highway /Bosworth Road Intersection.
- Development of the northern precinct above 80 lots being restricted to the number of lots to be accommodated by the Pacific Highway/Bosworth Road Intersection in terms of safety and intersection capacity, until such time as the Pacific Highway Bypass works are complete.

Graham Drive/Pacific Highway

- Major development ahead of the Pacific Highway upgrade within the Western Precinct is subject to:
- the upgrade of the Graham Drive/Pacific Highway intersections;
- the construction of two new intersections off Graham Drive to service the development (as shown in the Master Plan);
 - the upgrade of the Morgans Road Intersection.

Eastern Precinct

- It will be the responsibility of the developer to undertake a Traffic Impact Statement to determine any works required to mitigate impacts of the development on the existing local road network;
- The Traffic Impact Statement shall provide emphasis on the following roads/intersections:
 - Ti Tree Road
 - Maple Road
 - Chestnut Avenue
 - Pine Crescent
 - Diamond Head Drive
- It will be the responsibility of the developer to provide facilities (such as cycleways, bus shelters, pedestrian cross over points) identified as being necessary in the Traffic Impact Statement or considered necessary by Council.

General

- It will be the responsibility of the developer to provide a collector road system that reduces the reliance on the Pacific Highway for local trips.
- Provide bus shelters as identified in the Master Plan (Map 2) to service the entire area;
- Provide a bus turning area on Hearn's Lake Road as shown in the Master Plan (Map 2);
- It will be the responsibility of the developer to:
 - extend local road access to the identified collector road system;
 - ensure pedestrian and cycleway linkages are provided to the northern beaches cycleway, local schools, shops, playing field, parks and beaches;
 - implement traffic calming devices at cycleway crossover points on the collector road system;
 - utilise minimum road and verge widths for Hearn's Lake Road to prevent impacts on significant roadside ecology.
- Exclude urban development from known Habitat for Wallum Froglet and other endangered fauna species, and provide sufficient buffers to development;
- Provide bush fire buffers between environmental protection areas and future development without the need to remove high value native vegetation;
- Dedicate land that cannot be developed due to the required bush fire buffers to Council and incorporate into environmental protection areas;
- Where practicable, enable the use of bush fire buffers for activities ancillary to tourist development;
- Require the dedication of environmental protection areas to Council as development occurs;
- Where practicable, seek to incorporate environment protection areas into the Coffs Coast Regional Park;
- Manage environmental protection areas not incorporated into the Coffs Coast Regional Park in accordance with the relevant Plan of Management (PoM):
 - Natural Areas PoM;
 - Coffs Harbour Coastal Reserves PoM;
- Manage environmental protection areas in consultation with the Department of Lands where the land is Crown Land under the management of Council or Vacant Crown Land;
- Manage foreshore areas in consultation with the Marine Parks Authority and ensure that education and/or interpretation signage is provided for residents and visitors to the area;
- Ensure that future development does not degrade the environmental values of the Solitary Islands Marine Park and that future development is consistent with the objectives of the Solitary Islands Marine Park Zoning Plan for Hearn's Lake:

NATURAL ENVIRONMENT STRATEGY

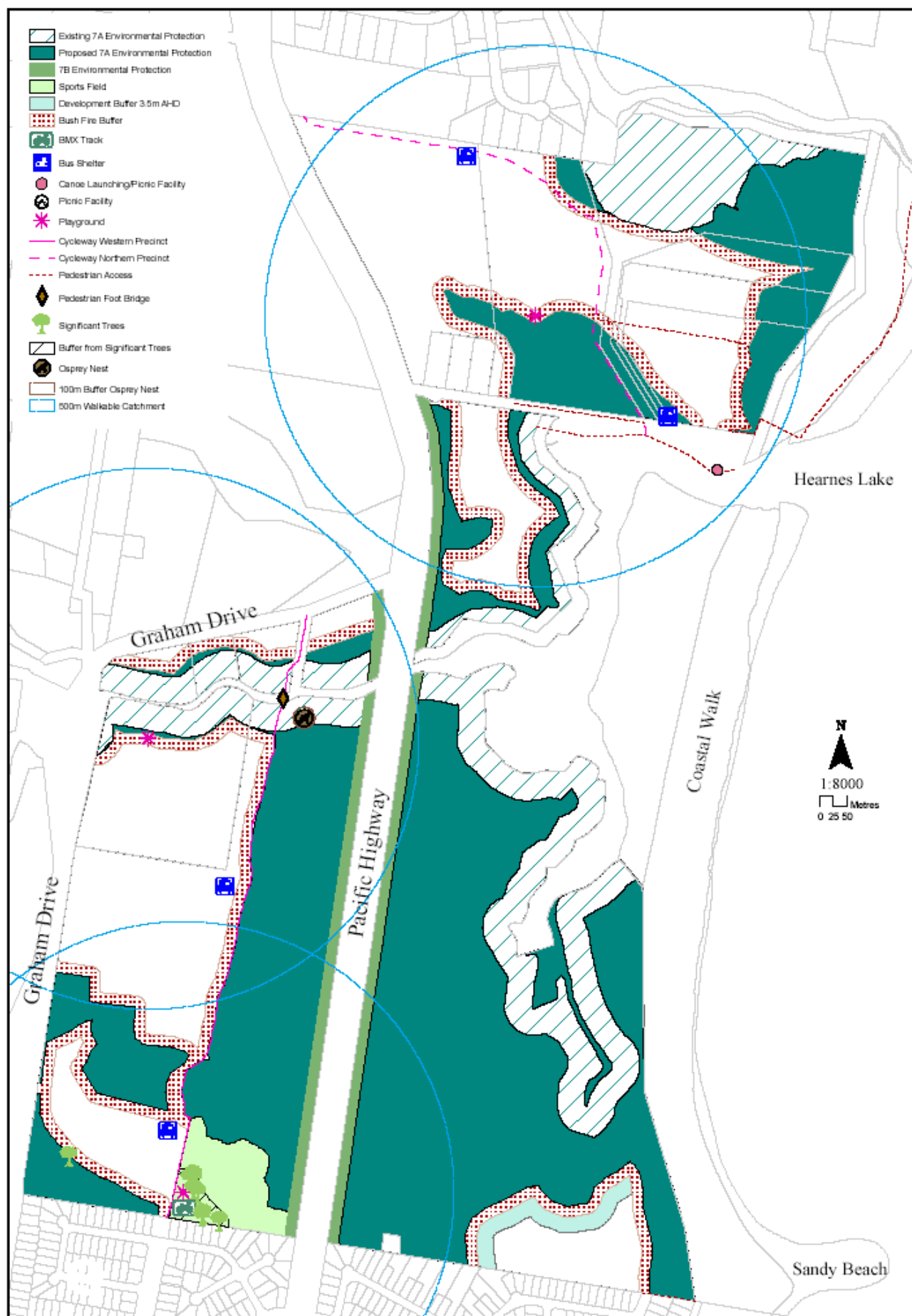
- Protect and enhance environmental protection areas as identified on the Master Plan and Map 4 (includes bush fire buffers, creek buffers, development buffers, significant vegetation and other constrained land);
- Exclude urban development from sensitive areas to protect riparian vegetation, maintain water quality, and provide habitat linkages;
- Eliminate adverse impacts of development upon the aesthetic, recreational and ecological value of the flood plain;
- Protect and enhance high value vegetation;
- Exclude urban development from areas with a high water table where there is likely to be adverse impacts on groundwater or surface water quality;

Habitat Protection Zone Objectives

- The protection of biological diversity, habitat, ecological processes, natural and cultural features; and
- Opportunities for recreational and commercial activities, scientific research, and educational activities.

OPEN SPACE AND RECREATION STRATEGY

- Incorporate environmental protection areas into a network of public open space, as shown on Map 4.
- Establish a sporting field, playground and BMX track with adequate linkages to existing and future residences, open space areas and Sandy Beach Primary School (Map 4).
- Provide children's playgrounds within reasonable walking distance (500m) of all future housing (Map 4).
- Manage open space areas and community land in accordance with the relevant Plan of Management.
- Encourage passive recreation within open space areas (including bush fire buffers) where it does not involve the removal of native vegetation and/or damage to the environmental values of the area.
- Investigate the use of 4WD Vehicles on Hearn's Lake Beach and prohibit such use where it is found to be damaging to significant environmental values of the Solitary Islands Marine Parks and/or surrounding environments.
- Investigate the relocation of the existing car parking area at the entrance to the Lake and the rehabilitation of the area with local native species.



MAP 4
OPEN SPACE NETWORK

PART 3 - PLANNING CONTROLS

DENSITY

- The density of development within each precinct is to be in accordance with the target densities specified on Map 5.

HEIGHT

- Buildings are not to exceed 6m in height.

Note: Height means the distance measured vertically from any point on the eaves/ gutter line of the building to the natural ground level immediately below that point.

HOUSING MIX

General Controls

- Development is to comply with the controls provided below and Part 4 of this DCP;
- Lots must have appropriate area and dimensions to enable efficient siting and construction of a dwelling and ancillary buildings, provision of private outdoor space, convenient vehicle access to a public road and adequate parking.
- Tourist development should be in accordance with the prevailing guidelines;
- Where practicable bush fire buffers can be utilised for recreational activities, community facilities and stormwater treatment.

URBAN DESIGN

- Subdivision layouts should establish legible street and open space networks, and should generally provide for buildings fronting streets to ensure safe, attractive and efficient circulation of pedestrians, cyclists and drivers.
- Development shall connect well to existing or proposed development on adjacent sites.
- Development shall provide open space linkages to adjacent environmental protection and/or open space areas.
- A landscape plan is required detailing treatment of the streetscape utilising local native species and shall include a three-year maintenance plan. The landscape plan shall be submitted to Council prior to the release of the Subdivision Certificate.
- Landscaping requirements shall not be reliant on Council land and is to occur on public land only at the request of Council.
- Residential development utilising 'gated' street formats is strongly discouraged.
- Where retirement or other lifestyle developments are proposed, these must incorporate the majority of their development on public streets, with good linkages to surrounding areas.

TIMING OF DEVELOPMENT

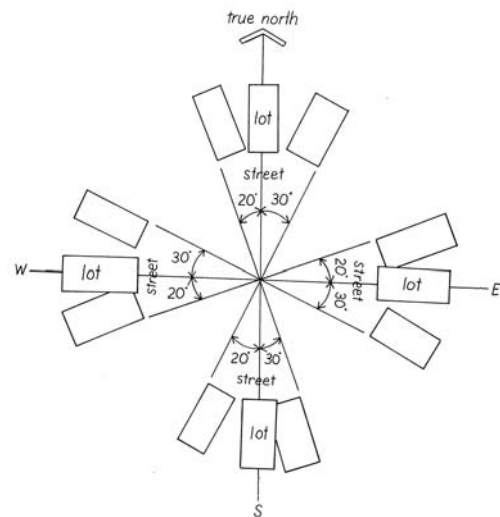
- No development is to occur until adequate road access and reticulated water and sewerage services are available to the land.

WATER QUALITY

- Development involving earthworks or vegetation removal shall be accompanied by an Erosion and Sediment Control Plan in accordance with Council's Policy.
- To ensure protection of water quality, the following buffers are to be provided (as determined by Council and shown on the Master Plan):
 - A minimum of 50m from an RL Level of 3.5 around Hearn's Lake and Double Crossing Creek;
 - 50m from SEPP26 Littoral Rainforests;
 - 50m from SEPP14 Wetlands;
 - 50m from Willis Creek,
 - 20m from all other creeks,
- As part of development proposals the buffers specified above are to be rehabilitated and revegetated using local native species, in accordance with a detailed plan approved by Council, and dedicated as environmental protection land (refer to Master Plan and Map 4);
- Development applications for subdivision are to be accompanied by water quality modelling to assess the impact of development in accordance with the Stormwater Strategy for each precinct (refer to attachments A);
- Development is to incorporate Water Sensitive Urban Design in accordance with Council's adopted policy.
- Development applications for low lying areas are to be accompanied by groundwater monitoring over 12 months and an assessment of the impacts of proposed development, particularly placement of fill, drainage and stormwater facilities with regards to groundwater quality and levels, and the impacts on the estuary.

ENERGY EFFICIENT DESIGN

- Lots are to be orientated to facilitate the siting of dwellings that will have adequate solar access.
- A minimum of 75% of lots in any proposed subdivision for single dwelling allotments, shall be orientated so that the long axis of the lot is within the range shown in the Diagram.



- Residential development shall be designed in accordance with Council's Energy Efficiency Information Sheet.

FLOODPLAIN MANAGEMENT

General

Development will be required to comply with Council's Flood Prone Land Policy, parts of which are summarised below.

Subdivision

- All lots within a Flood prone Area (as defined by Council) must have a house site with a minimum area of 400m², with a minimum width of 15m, above the 100 year flood level.
- Any portion of the lot lower than the 100 year flood level will have a restriction on the construction of non exempt structures.

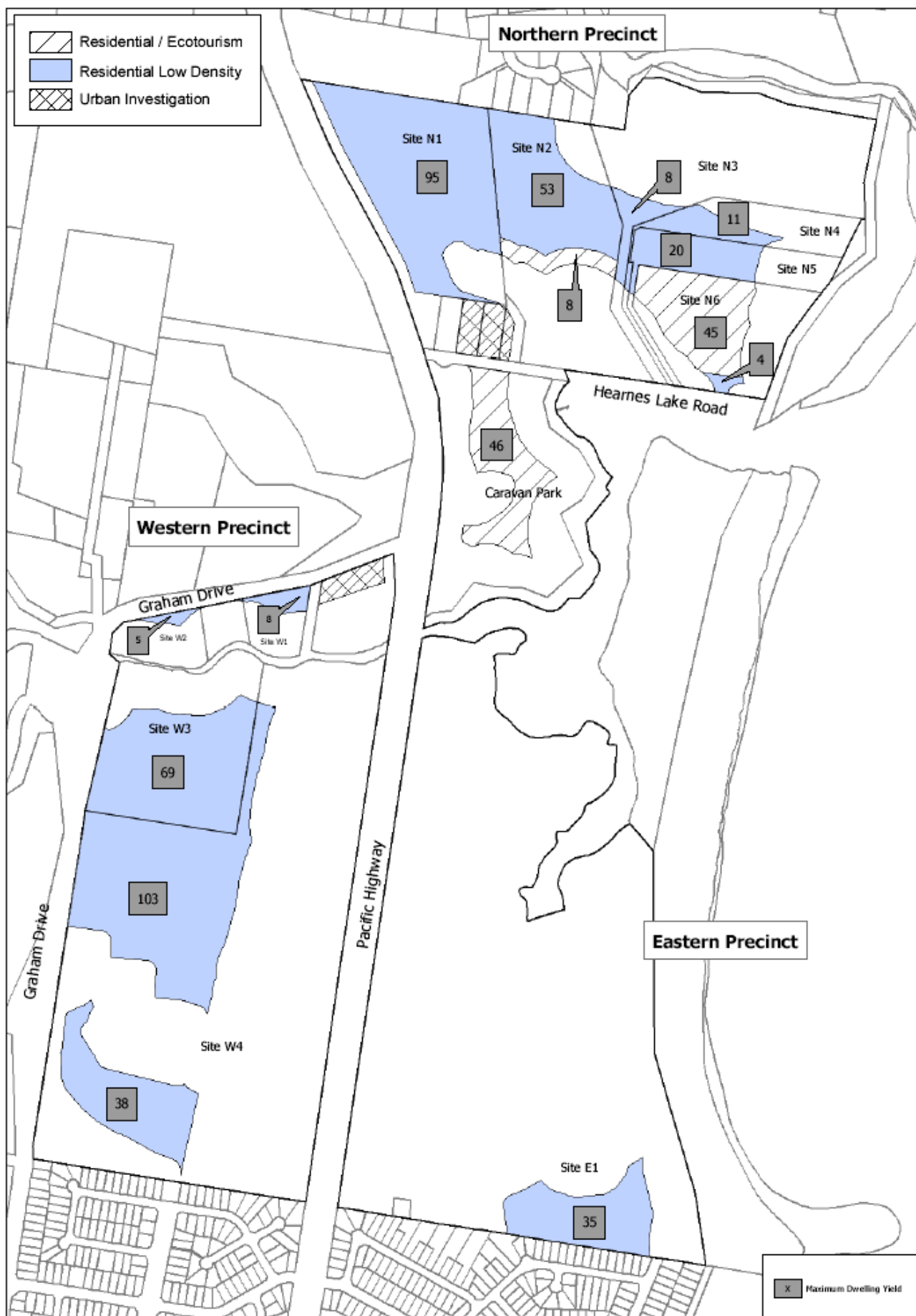
- Where development involves landform modification below the 1% flood level, the proposed development shall comply with the following provisions:
 - A flooding analysis is to be submitted with the development application and approved by Council's Flooding Engineer prior to issue of consent.
 - No filling will be permitted within the High Flood Risk Precinct.
 - Minor filling may be permitted within the 1% flood extent subject to an engineers report certifying the development will not result in any increased flood affectation elsewhere and results in a better planning solution. Minor filling being regarded as filling resulting in the 1% flood line having a more regular shape and/or minor movement of the line to facilitate a more practicable and/or efficient development.
 - No adverse change to the flood behaviour will be permitted, either on properties adjoining the site or elsewhere including upstream and downstream of the site.
- Local perimeter roads should be above the 1% flood level.
- Internal road layouts and subdivision design shall consider flood evacuation issues for pedestrians and vehicles.
- Roads across waterways are to be constructed to Council standards.
- In designing subdivisions, consideration must be given to the requirement for dwelling floor levels to be 500mm above the 1% flood level.
- Where Site Assessment Reports, Remedial Action Plan's, or Validation Reports are required as part of development applications, these are to be prepared in accordance with relevant guidelines prepared by the NSW Environment Protection Authority (EPA) including the following:
 - *Guidelines for Assessing Banana Plantation Sites* (EPA 1997) and;
 - *Guidelines for Consultants Reporting on Contaminated Sites*.
- The National Environmental Protection Council's *National Environment Protection (Assessment of Site Contamination) Measure (1999)* shall also be considered as part of assessment reports.
- Where the detailed site assessment indicates that a Remedial Action Plan (RAP) is required, this Plan shall accompany Development Applications.
- These reports are to be prepared by suitably qualified and experienced professionals.
- Where the aggregate area to be remediated is more than 3 hectares, the development becomes designated development and requires the preparation of an Environmental Impact Statement.
- No remediation is to occur without Council approval; compliance with the abovementioned guidelines; and compliance with SEPP 55 – Remediation of Land.

POTENTIALLY CONTAMINATED LAND

- The following requirements apply to any land with a history of Banana Cultivation and/or Potentially Contaminated Land identified.
- A detailed site assessment report with regard to potential soil and groundwater contamination shall be submitted with development applications for the above land.

General

- Development applications for land being potentially contaminated and/or previously used for banana cultivation shall include as a minimum, consideration of site history and the potential of soil contamination from previous land use.
- Where this consideration identifies soil contamination and/or cannot exclude the possibility of contaminated land, then a detailed site assessment shall be undertaken as above.



MAP 5
TARGET DENSITIES

CULTURAL HERITAGE

Northern Precinct

Site HL1 (see Map 6)

- It will be the responsibility of the developer to undertake an Archaeological Investigation into Site HL1 identified on Map 6.
- The investigation is to involve:
 - The removal of grass cover by controlled burning to minimise ground disturbance;
 - A comprehensive inspection and assessment of the site area following the removal of the grass cover to determine the need for subsurface testing, artefact salvage and/or site protection;
- It will be the responsibility of the developer to obtain an appropriate permit from the Department of Environment and Conservation before undertaking any subsurface testing and/or artefact salvage;
- The Archaeological Investigation must be in accordance with the *National Parks and Wildlife Act 1974* and *Environmental Planning and Assessment Act 1979*;

Site HL2 – Natural Mythological Site

- All development is excluded from land within Site HL2 as shown on Map 6.
- Adjacent development shall not impact on the spiritual/sacred significance of this site and an appropriate buffer between the site and future development is to be provided.

Spur Crests

Lot 21 DP 714858, Lot 1 DP 253878 & Lot 202 DP 1066412

- It will be the responsibility of the developer to undertake an Archaeological Investigation to determine the status of the Spur Crest identified on Map 6 before any disturbance works commence.
- The investigation is to involve:
 - The removal of grass cover by manually 'scrapping off' (to minimise ground disturbance);

- A comprehensive inspection and assessment of the site area;
- Management options are to be developed on the basis of an interpretation and investigation of the results by a person deemed suitably qualified by Council.

Western and Eastern Precincts

General

- An Archaeological Assessment must be undertaken as part of the development application process.
- Archaeological Assessments must:
 - be undertaken by person(s) deemed to be suitably qualified by Council and the local Aboriginal Land Council.

Note: consultants must have an appropriate knowledge/attachment to the Hearn's Lake/Sandy Beach area.

- Comply with the *National Parks and Wildlife Act 1974* and *Environmental Planning and Assessment Act 1979*.
- Consider specific 'links', which are important to the Gumbaingirr Aboriginal community.
- Consultation is to be undertaken with the Local Aboriginal Land Council, Yarrowarra Aboriginal Corporation & Elders of relevant Aboriginal Communities throughout the preparation of the assessment.
- Cultural Heritage Studies are to be forwarded to the LALC and YAC for comments prior to their finalisation.
- A copy of the finalised Cultural Heritage Study is to be given to the LALC and YAC.
- The requirements of the *National Parks and Wildlife Act 1974* must be followed if cultural/sites places are identified on the site and a Section 90 Heritage Impact Permit obtained from the Department of Environment and Conservation ahead of any site disturbance or destruction.

Lot 22 DP 1070182 – Historic Campsite (Peron Camp)

- The Archaeological Assessment must also include an inspection of the former Peron campsite.

NATURAL AND HABITAT AREAS

- Environmental protection areas are to be protected through the provision of buffers (see Water Quality) and by excluding development from flood liable land.
- Land within 100m of any Osprey nest shall be added to environmental protection land and dedicated to Council as development occurs.
- Development applications shall require assessment of natural and habitat areas.
- Development or works on land with Known Habitat for Wallum Froglet and other endangered fauna species will require assessment under the *Threatened Species Conservation Act 1995*. Habitat areas shall be dedicated to Council for environmental protection as development occurs.
- Development shall have regard to Council's Koala Habitat Information Sheet.
- Where practicable, perimeter roads shall be provided adjacent to all environmental protection areas to provide a separation distance between residential development and natural areas. Perimeter roads may be incorporated into bush fire buffers.
- For all environmental protection land required to be dedicated to Council the following applies:
 - A detailed Vegetation Management Plan (VMP) for the rehabilitation/revegetation of environmental protection land is to be submitted and approved by Council;
 - The VMP is to incorporate bush fire buffers and provide management measures for the required buffers;

Note: Bush fire buffers can be utilised for Stormwater Quality Treatment.

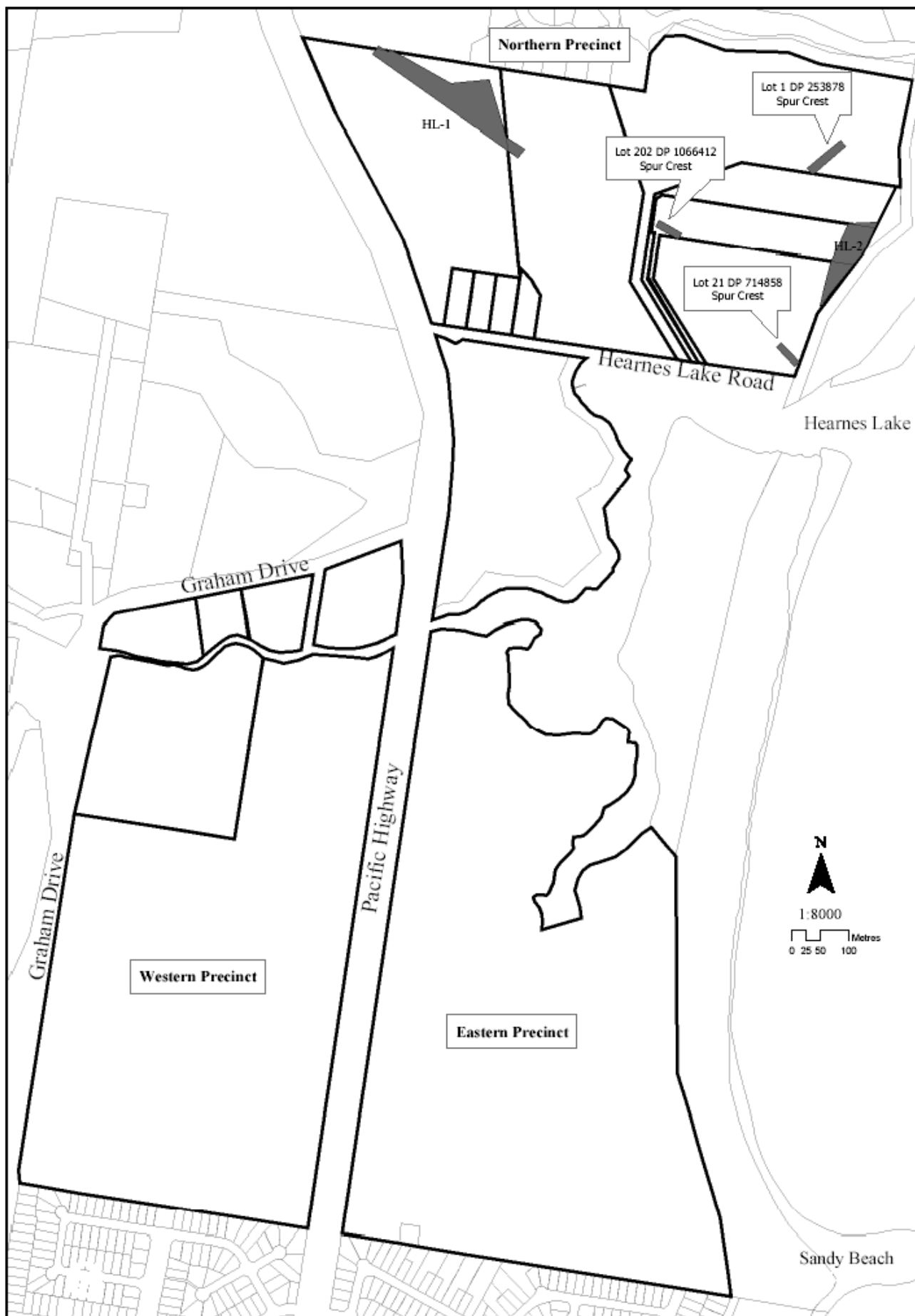
- The VMP is to incorporate the treatment of the highway buffer, using local native species, with an aim to providing a scenic buffer for the travelling public;
 - Initial works identified within the VMP are to be completed prior to release of Subdivision Certificate;
 - Works may be staged but must be commensurate with staging of subdivision; and
 - Follow up maintenance works identified within the VMP are to be costed and contribution paid to Council at the time of dedication.
- Protected areas are to be fenced off prior to commencement of works to prevent degradation of natural vegetation during construction works.

BUSHFIRE HAZARD

- All proposals for subdivision must be accompanied by a Bush Fire Assessment in accordance with Council's Bush Fire Information Sheet.
- Bush fire buffers are to be maintained at all times with minimal fuel loads.

Eastern Precinct

- Beach access is to be provided by the Developer where identified in the Master Plan and on Map 4.



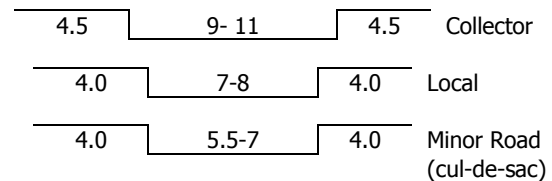
MAP 6
CULTURAL HERITAGE

NOISE

- Applications for subdivision within 300m of the Pacific Highway and/or land adjoining industrial areas will be required to be accompanied by an acoustic report, identifying measures (mounding, acoustic barriers, building design, building materials, etc) to ensure future residents are not subject to unacceptable noise levels.
- Assessment is to be undertaken by an appropriately qualified person, having regard to the following guidelines: *NSW Industrial Noise Policy* (EPA 2000) and the *NSW Environmental Criteria for Road Traffic Noise* (EPA 1999).

- Roads are to be constructed in accordance with the standards in the following table:

	Collector Road	Local	Minor Road
Road Reserve Width	20m	15-16m	13.5-15m
Carriageway Width	9-11m	7-8m	5.5-7m
Verge	4.5 – 5.5m	2 x 4.0m	2 x 4.0m
Minimum Design Speed	50km/h	40km/h	25km/h



Western Precinct/Northern Precinct

- Development applications for land shown as an urban investigation area on the Master Plan are to submit a detailed acoustic report (identifying the above measures) and are to be referred to the Roads and Traffic Authority for comment.

ROAD DESIGN AND ACCESS CONTROL

- Development shall be designed in accordance with the Traffic and Transport Strategy.
- Development shall be designed to incorporate the collector roads shown in the Master Plan (Map 2).
- Land required for a local road shall be dedicated to Council.
- Road design and construction works are to conform to Council's Development Design Specification.
- Road and footpath treatments are to be designed throughout the subdivision to create an attractive streetscape.
- Local native street trees are to be planted and protected with tree guards and maintained for a period of three years.

ROAD DESIGN FOR BUS ACCESS

Development is to provide for:

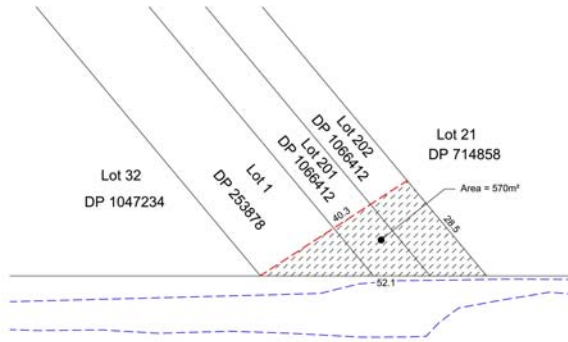
- The safe and efficient movement of buses through the subdivision.
- Staged development which takes into account bus access.
- Appropriate road widths on roads likely to form part of a bus route.
- Bus turning area (Map 7) and bus shelters (Map 4).
- Linking bus routes and bus stops to the pedestrian network.
- The preservation of significant roadside vegetation, particularly along Hearn's Lake Road.

PEDESTRIAN AND CYCLEWAY PATHS

- The developer is to provide cycleways where they pass through the development in accordance with Map 4.
- The developer is to provide footpaths in accordance with Council's requirements.

HEARNES LAKE ROAD

- Properties affected by the realignment of Hearnese Lake Road to provide for a bus turning bay (see Map 7) are to dedicate the required land as development occurs to ensure the provision of public access to beach foreshore areas.



MAP 7
HEARNES LAKE ROAD

PART 4 – GENERAL DEVELOPMENT CONTROLS

RESIDENTIAL LOW DENSITY

OBJECTIVES

The controls in this DCP seek to:

- encourage innovative housing which is pleasant to live in, relates to the desired future neighbourhood character, is responsive to the site and is environmentally sensitive; and
- improve the quality and choice of housing and residential environments to suit the diversity of people's needs and to meet community expectations about health, safety and amenity.

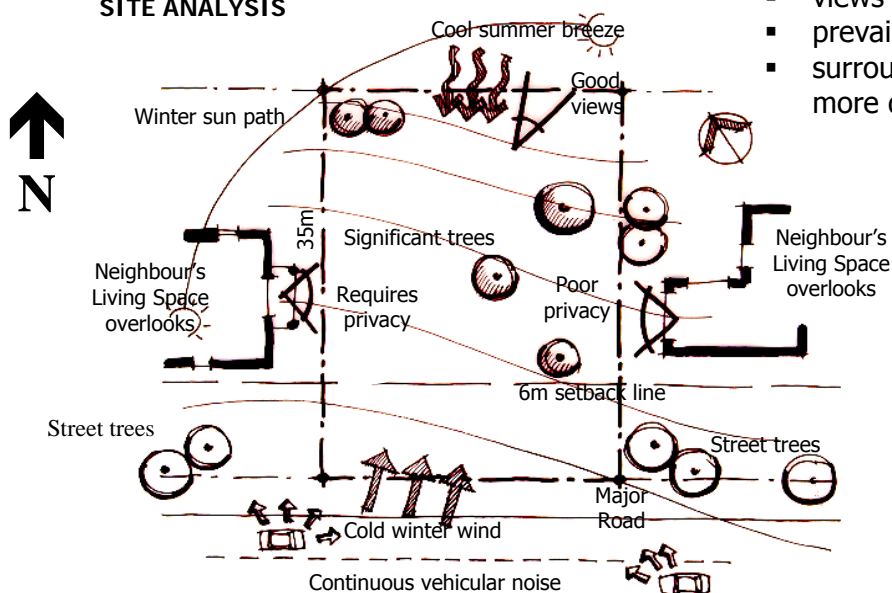
SITE ANALYSIS

Site analysis is required to identify opportunities and constraints for building.

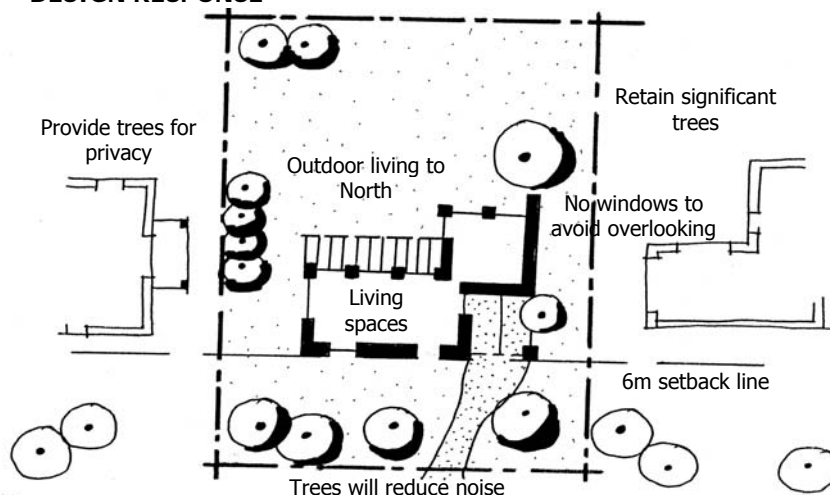
A site analysis plan (at scale 1:200) is to include:

- site dimensions (length, width);
- spot levels or contours;
- north point;
- existing site drainage;
- any contaminated soils or filled areas;
- services (easements, utilities);
- existing trees (height, spread, species);
- views to and from site;
- prevailing winds; and
- surrounding development (where three or more dwellings proposed).

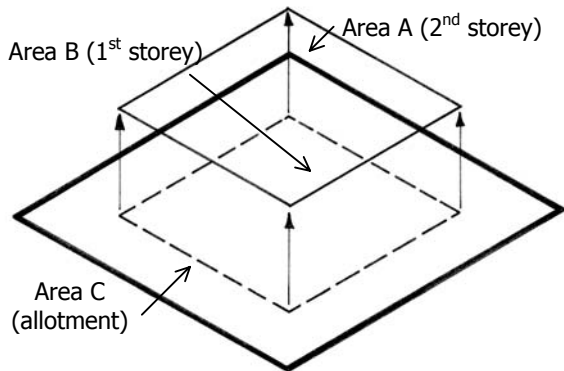
SITE ANALYSIS



DESIGN RESPONSE



- A minimum area of 185m² is to be provided for each dwelling for landscaping.
- For dual occupancy development, the floor area of the proposed dwellings is not to exceed a floor space ratio of 0.4:1. The following diagram indicates this.



$$\frac{\text{Area A} + \text{Area B}}{\text{Area C}} \text{ must not exceed } 0.4$$

Note:

- *The floor area is the sum of the areas of each floor of both dwellings excluding verandahs, all parking areas, storage sheds and the like. The floor area is to be measured from the outer face of the external enclosing walls.*
- *The floor space ratio is the floor area of the proposed dwellings, divided by the area of the existing lot.*

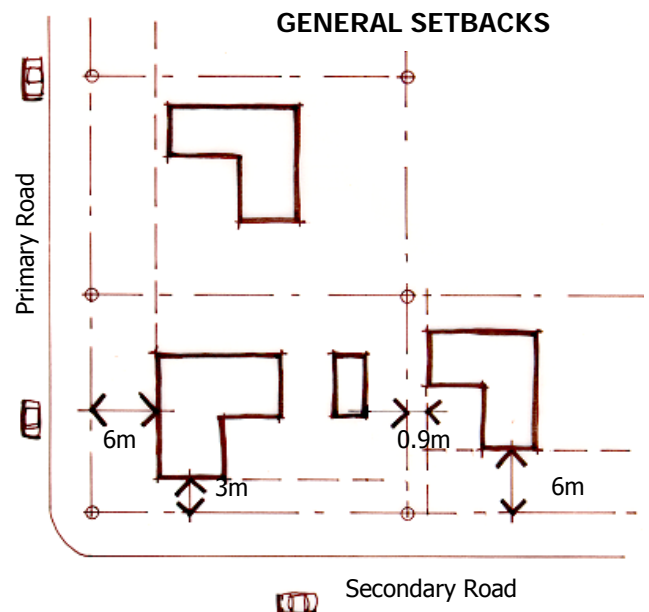
- For three or more dwellings the frontage of the property is to be at least 5.5m wide, so as to provide sufficient area to the side of the driveway for services such as water meter and mail box, as well as landscaping. For every additional dwelling over three, the width of the frontage of the property to the street is to be increased by 1m (i.e. four dwellings, frontage of 6.5m).

Note:

Landscaping is that part of the lot not used for driveways, car spaces or buildings.

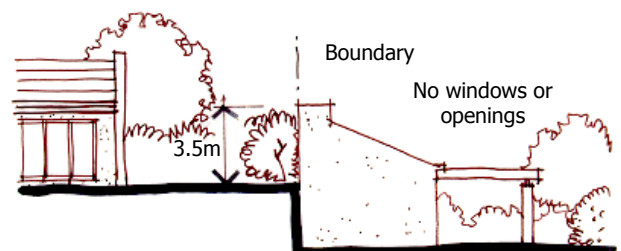
SETBACKS

- Buildings are to be generally setback a minimum of 6m from the front boundary. On corner lots buildings can be setback 3m from the secondary street boundary.



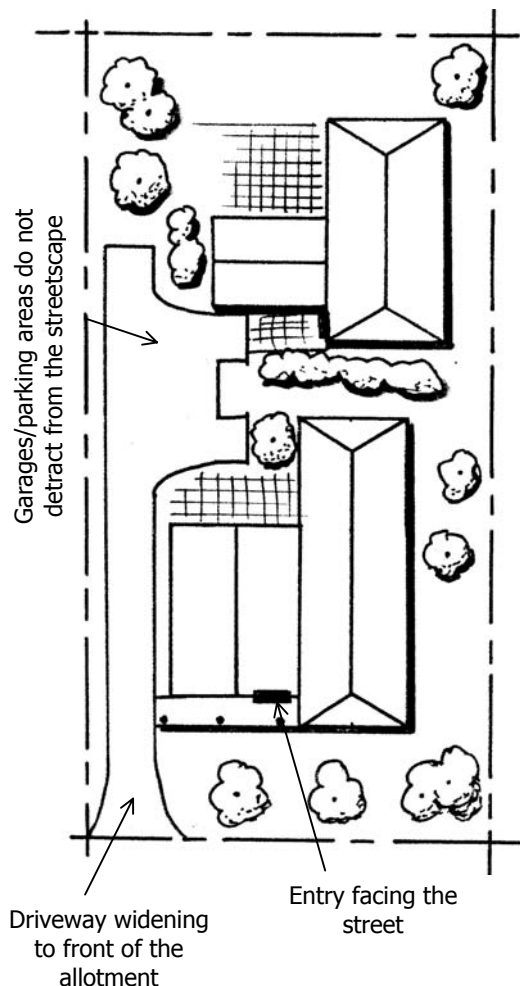
- Buildings are to be setback 20m from creeks and major watercourses.
- Side and rear setbacks are generally 900mm from walls and 675mm to outer edge of roof gutter and eaves.
- Buildings can be built to side and rear boundaries (zero setbacks) where:
 - the building has maximum boundary wall height of 3m, unless matching an existing or simultaneously constructed wall;
 - satisfactory legal arrangements for maintenance of boundary walls are in place;
 - there is no adverse impact upon the amenity of the adjoining properties;
 - there is no interruption to overland drainage paths;
 - generally, should only occur on southern boundary;
 - there are no openings in the boundary wall; and
 - the wall is of fire rated masonry construction.

ZERO SETBACK



- Make the design of buildings interesting and livable by incorporating some or all of these elements:
 - decks;
 - pergolas;
 - verandahs;
 - eaves;
 - lattice; and
 - climate control windows (i.e. louvres or small windows, selected glass).
- Use pier or pole construction on slopes in excess of 20%. A maximum of 1m cut or fill is allowed outside the buildings external walls.
- Buildings are to be designed to enhance the street, by eliminating blank, featureless walls, which detract from the appearance of the street.

DESIRABLE DESIGN FOR DUAL OCCUPANCY



- Buildings should allow for some outlook to streets, lanes or other public space areas to increase surveillance and thereby provide for a safer environment.

- Minimise direct overlooking of living areas and private open space of other dwellings.
- Building design should provide an appropriate scale to the streetscape.
- Garages and parking structures are to be sited and designed so as not to dominate the street frontage.
- Where dual occupancy development is proposed and both dwellings will have frontage to the street, the dwellings are not to be mirror reversed.



Mirror reversing: unacceptable design solution

- Fencing is not to be located along a boundary adjoining public land unless it is no greater than 1.5m high, and includes either a setback for landscaping purposes, or recesses for this same purpose.

Note:

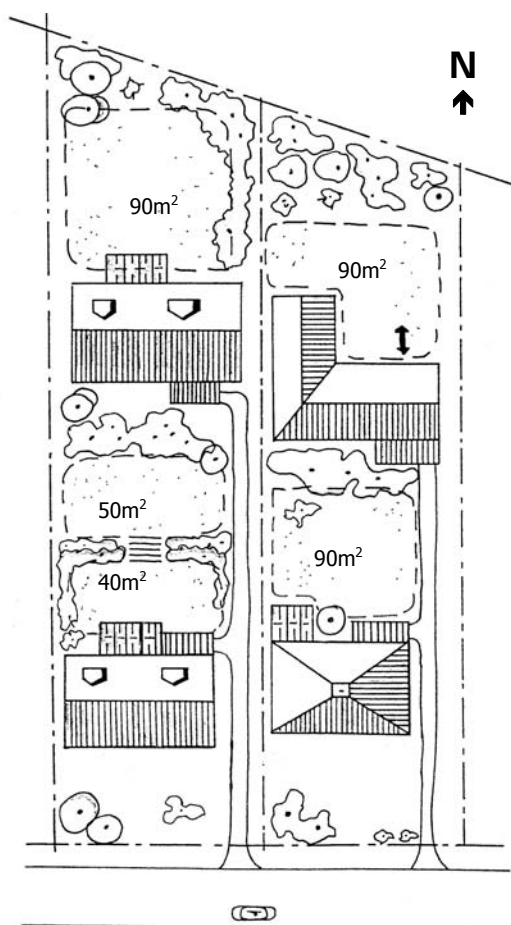
Council is not bound to enforce S88B instruments in private matters such as density and developer preferred building materials.

SOLAR ACCESS

- Buildings should be designed to allow at least two hours of sunshine upon the living areas of adjacent dwellings and open space areas between 9.00 am and 3.00 pm on 22 June.
- Where the possibility of overshadowing may occur, shadow diagrams are to be submitted to illustrate the shadows cast by the proposed building at 9.00am, 12.00 noon and 3.00pm on 22 June.

PRIVATE OPEN SPACE

- Each dwelling is to have private open space with direct connection to indoor living areas through sliding glass doors or other similar openings. This space should be oriented to provide for maximum year round use.
- A minimum of 90m² is to be provided for each dwelling, preferably provided in one area. Consideration may be given to the division of this area into two areas, with the smallest portion being no less than 40m².
- Each open space area is to have a minimum dimension of 4m and a slope not greater than 1 in 8.
- Private open space (including swimming pools) is not to be located at the front of a development adjoining public road, unless details of satisfactory fencing are included with the proposal.



- Dwellings are not to unreasonably compromise the private open space of nearby dwellings.

VEHICLE ACCESS AND PARKING

Parking

- Car parking is to be provided behind the front setback at the following rate:

Dwelling Type (Floorspace)	Parking Requirement per dwelling
Small dwellings ($\leq 100\text{m}^2$)	1 space
Large dwellings ($> 100\text{m}^2$)	2 spaces

- Car parking areas should be incorporated into the building or provided at, or behind, the front setback of the building.
- Where more than one space is required one parking space is allowed between the dwelling and the front boundary.
- The minimum dimensions of car parking spaces should be 2.4m x 5.5m.

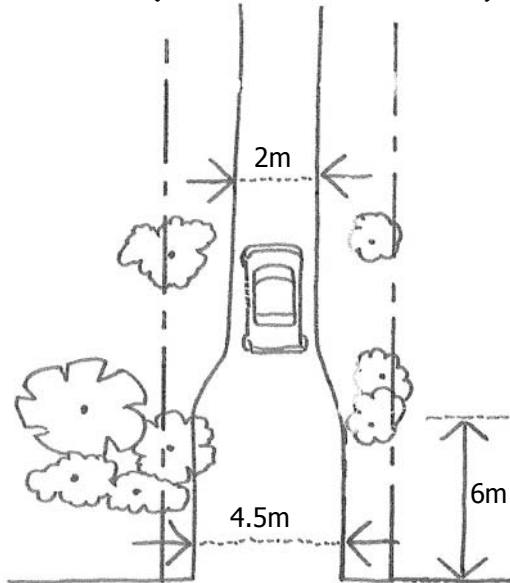
Driveways

- To reduce the impacts of stormwater runoff, improve visual amenity, and maintain on-street car parking driveways should be minimised.
- A driveway, which serves a maximum of three dwellings, is to have a minimum paved width of 2m.
- A shared driveway, which serves three or more dwellings, is to have a minimum paved width of 4.5m at the street, continuing at this width to a depth of 6m.
- Long driveways may require 'passing points' (particularly on busy roads).
- Provision is to be made for vehicles to enter and leave the site in a forward direction, where the site is:
 - steep;
 - fronts a busy road;
 - has three or more dwellings on it;
 - subject to high pedestrian use; or
 - where driveways are more than 30m in length.

Turning areas are to be designed to allow the 85% Design Car Turning Path.

- Driveways should have gradients less than 20% and the driveway grade should not change by more than 11% for every 1.4m of driveway.

DRIVEWAYS (3 OR MORE DWELLINGS)



Note:

For minimum lot frontages and width of battleaxe handles also refer Council's Subdivision DCP.

DEVELOPER CONTRIBUTIONS

- Developer contributions are payable for any development creating two or more dwellings on one lot.

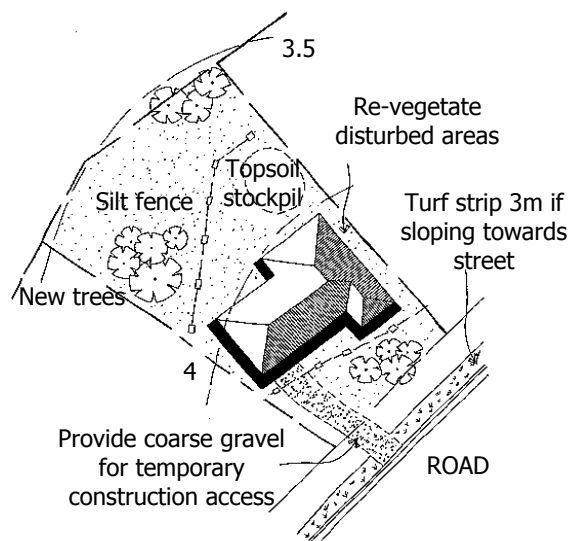
Note:

Developer contributions are a monetary payment to fund increased demand for public facilities generated by the development.

EROSION AND SEDIMENT CONTROL

- For proposals for three or more dwellings an Erosion and Sediment Control Plan is required to be submitted to and approved by Council prior to the release of the construction certificate; refer "Erosion and Sediment Control on Building and Development Sites – Policy and Code of Practice".

- For proposals for two or less dwellings the following is required:
 - three strips of turf parallel to, and against, the kerb;
 - coarse gravel to define a single construction access no more than 3m wide;
 - install sediment fence:
 - along the road frontage immediately upslope of the turf strips or around the low side of the area of construction if the site slopes away from the road;
 - around the low side of stockpiles; and
 - with the ends of the fences turned upslope;
 - all stockpiles of topsoil, sand, aggregate, spoil, vegetation or other material capable of being moved by running water shall be stored clear of any drainage lines, easements or natural watercourses, footpath, kerb or road surface;
 - before roofing material is laid, temporary or permanent guttering and downpipes shall be installed and connected to an approved stormwater disposal system; and
 - all disturbed areas shall be rendered erosion resistant by revegetation or landscaping within four weeks of building activities being completed or suspended.



SERVICES

Water Meters

- A separate water meter is to be provided for each dwelling and is to be readily accessible to Council's meter reader.

Stormwater

- All stormwater is to be directed to the street drainage system, or to an interallotment drainage easement where available. Surface water is not to be directed to neighbouring properties. Stormwater to kerb connections are to be via kerb adapter units. House fencing should not obstruct overland flows of water. House floor levels must be at least 300mm above finished ground level.

Note:

Interallotment drainage via easements may be required.

SUBDIVISION

OBJECTIVES

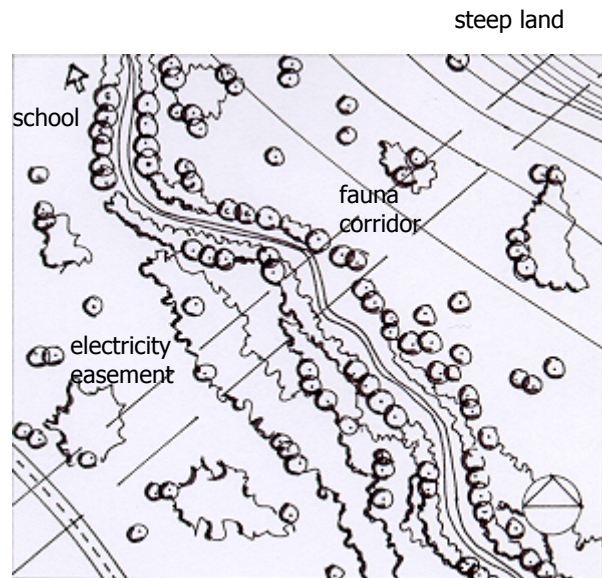
The controls in this DCP seek to:

- provide measures to protect and enhance the natural and built environment by ensuring that subdivision patterns relate to site conditions;
- ensure that subdivisions do not detract from the desired future neighbourhood character of the locality; and
- promote the orderly development of land by ensuring that the appropriate form of subdivision is used (i.e. Torrens, community, strata title) while ensuring that it is adequately serviced.

SITE ANALYSIS

- A site analysis plan is required to identify opportunities and constraints relating to the subdivision pattern and potential end use of the land.
- A site analysis plan should be prepared having regard to the following, where relevant:
 - waterways (creeks, rivers, streams);
 - significant vegetation/habitat/ fauna corridors;
 - flood liable land;
 - steep land/land slip;
 - fire hazard;
 - access points (vehicles, pedestrians, cyclists);
 - soil conditions (acid sulfate, contaminated);
 - surrounding land uses;
 - service connections;
 - easements;
 - archaeological sites;
 - topography (contours to Australian Height Datum at 1m intervals);
 - aspect;
 - drainage systems;
 - existing buildings, driveways, septic tanks and disposal areas; and
 - street and lot layout of locality.

SITE ANALYSIS



creek

DESIGN RESPONSE

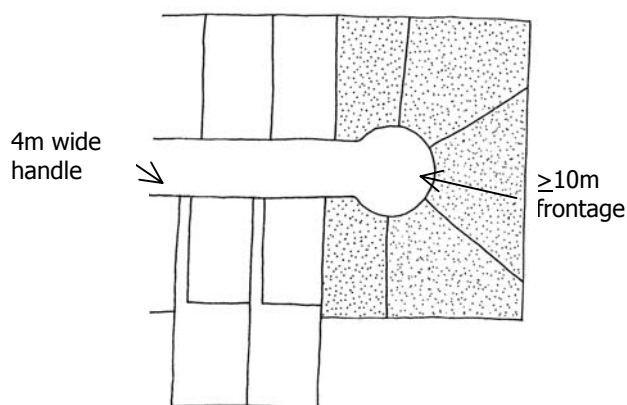


DENSITY

- **Residential and Tourist Development**
shall comply with the target densities in maps of this DCP.
- **Environmental Protection 7A**
The minimum lot size is 40 hectares.
- **Environmental Protection 7B**
There is no minimum lot size within this zone. Lot size is determined having regard to the merit of the subdivision.
- All lots are to have a minimum 4m frontage* to public road**, except:
 - where two 'battle axe handle' shaped lots in a (Torrens title) subdivision will share a single driveway, then the combined widths of the 'handles' of the lots are to be at least 4m wide, and each lot is to have room at its frontage for a water meter and letter box, in addition to accommodating a driveway;
 - lots which have frontage to a cul-de-sac head; these lots are to have a minimum frontage of 10m.

* = *strata and community title lots may achieve such frontage via their common property.*

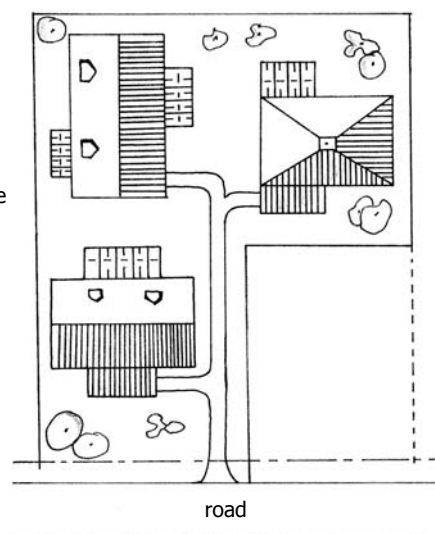
** = *not including a lane.*



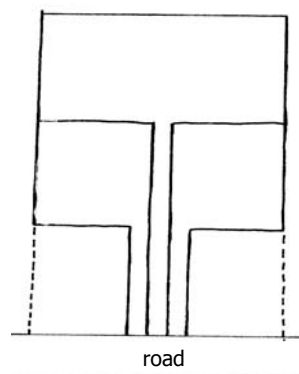
Lots fronting a cul-de-sac head

- A subdivision which will involve a lot having vehicular access to a lane will only be permitted after the lot has been substantially developed (i.e. vacant lots off laneways are not to be created), and the lot adjoining the lane is to have 2m wide frontage fenced and paved to the primary road, to provide for pedestrian access, mailbox, services (water, sewer, electricity, communication).
- Where a subdivision will create more than two lots or two dwellings using a common driveway, then the form of subdivision is to be either strata or community title. In this situation, the common driveway is to be constructed in concrete a minimum of 4.5m wide at the street, continuing at this width to a depth of 6m, and thereafter of minimum width 2m, prior to the issue of the Subdivision Certificate. Adequate room at the frontage to accommodate water meters and letterboxes is also required.

May only be subdivided in strata or community title fashion



- Subdivisions are not permitted where three or more 'battle axe handles' will directly adjoin.



SERVICES

General

▪ Urban Areas

Subdivisions in urban areas are generally required to provide infrastructure to all lots including:

- road;
- footpath;
- kerb and gutter;
- drainage;
- reticulated sewer and water;
- telecommunications;
- street lighting; and
- electricity.

Stormwater Drainage

Stormwater drainage shall be designed and provided in accordance with the Precinct Specific Stormwater Strategy (refer to Attachment A).

The design details will need to be approved by Council before the drainage is provided, and will need to be completed to Council's satisfaction prior to the issue of the Subdivision Certificate.

Stormwater is to be gravity drained to Council's drainage system. In some circumstances inter-allotment drainage easements over downstream properties may be required. This will necessitate a letter of consent from the owner(s) of the downstream properties to be submitted with the development application.

Drainage from sites should reflect the pre-existing or natural situation in terms of location, quantity, quality and velocity.

Utility Services

Utility services must be extended to all lots within a subdivision in accordance with the following table (except for common property in community title and strata subdivisions):

Utility Service	Urban Area	Rural Residential Area	Rural area
Council's water main	Yes	No	No
Council's sewer main	Yes	No	No
Telephone	Yes*	Yes*	No
Electricity	Yes*	Yes*	Yes**

** = In greenfield subdivisions these services must be underground.*

*** = Unless the applicant can demonstrate that alternative methods of providing electricity exists or that the provision of this service is cost prohibitive.*

Conditions on the development consent will outline how, when and to what standard, these services are to be provided.

Street Tree Masterplan

A Street Tree Masterplan will be required for subdivisions on greenfield sites*. The Masterplan aims to guide street tree planting, providing for a more colourful City which complements its natural setting.

** = Where public road is proposed, and may be required for community title subdivisions.*

Planting proposed by the Masterplan is to be determined having regard to:

- site and dwelling boundaries;
- location and canopy of existing trees, noting any trees that overhang the sit;
- adjacent streets and trees;
- any connection to open space networks or proposed public reserves;
- paving materials and drainage treatment;
- details of any existing fencing and walls; and
- location of underground services.

Developer Contributions

In many cases the payment of contributions are required to cover the cost of services and facilities which are provided by Council. These contributions are often levied with subdivision, prior to the issue of the Subdivision Certificate.

Contributions on the development consent will indicate whether these contributions are required.

Council's authority to impose conditions for these payments is derived from the Environmental Planning and Assessment Act and the Water Management Act 2000.

Ordinarily, subdivisions of residential and rural residential land will be required to pay contributions and are outlined in Council's developer contribution plans and Development Servicing Plan 2003.

OFF-STREET CAR PARKING

OBJECTIVES

The controls in this DCP seek to:

- provide detailed parking requirements for individual land use categories; and
- ensure car parking areas relate to site conditions and meet user needs.

DESIGN AND SAFETY

Car parking areas shall be constructed to an all weather hard stand surface and be graded and drained to Council's stormwater system.

Motorists should easily be able to locate the car parking area. Parking spaces should be clearly marked and signposted where appropriate. Vehicles shall be able to enter and leave the site in a forward direction where a development has access along a main route, a steep site or a battle-axe site.

All car parking and manoeuvring areas are to be located on the development site and clear of the footpath and verge.

LANDSCAPING

Proposals for parking areas shall be accompanied by a landscape plan demonstrating means to provide shade and soften the visual impact of any parking structure or parking area. Setbacks shall be determined depending on the urban form, generally major car parks (typically exceeding 100 car spaces) require a continuous landscape setback averaging six metres from the property boundary.

Car parks for developments in residential areas shall not occupy the entire front of the allotment. Existing vegetation may require retention, protection and consideration in the overall car park design. Shade tree planting is required for every eight car spaces and include the boundary of the car park. The use of grass swales to capture pollutants shall be considered (see below).

Adequate area shall be provided for tree growth to accommodate the full trunk growth of the species i.e. a minimum of one metre from the mature growth diameter of the tree.

Pits or diamonds are not permitted, as they are not adequate areas for tree growth. Root barrier and root deflector pits shall be included to protect the surrounding pavement. Alternative shade structures may be considered for internal areas of the car park layout where there is no adequate area for tree growth.

PARKING SPACES

The number of parking spaces required for different land uses should be provided on-site in accordance with Schedule A.

Parking spaces should be designed in accordance with Australian Standard 2890.1 and 2890.2. The attached diagram provides a guideline for designing parking areas.

Car parking for disabled persons shall be provided for business, motel and other developments where disabled access to the building is required. Parking spaces for disabled persons should have a minimum dimension of 5.4m by 3.2m and located as close as practicable to the main entrance of the building.

The minimum vertical clearance for parking areas is 2.3m.

VISITOR/OVERFLOW CAR PARKING REQUIREMENTS FOR ALL RESIDENTIAL DEVELOPMENT

Visitor/overflow car parking is to be provided at a rate of one space per every five dwellings or part thereof.

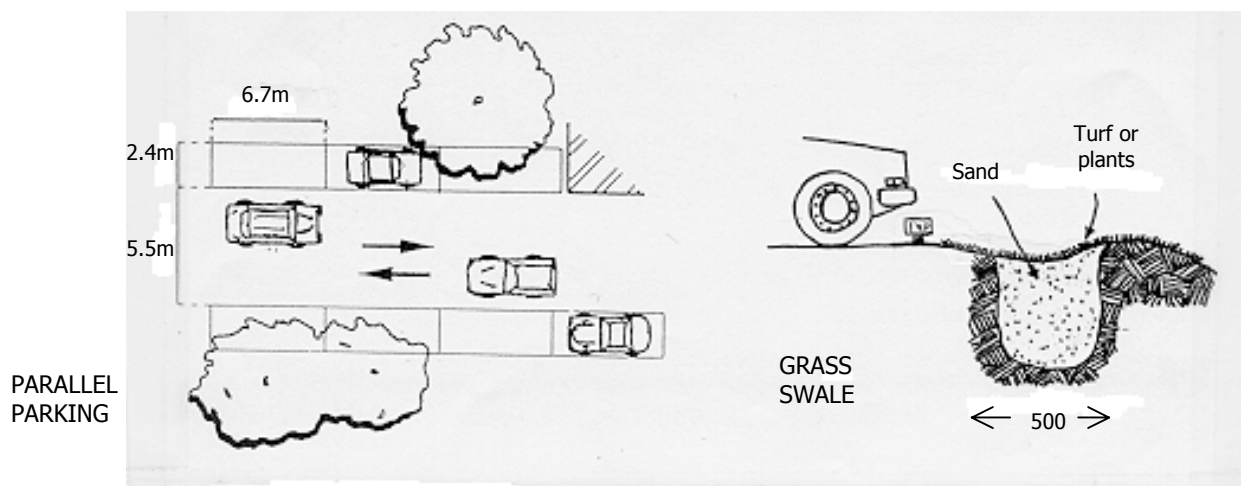
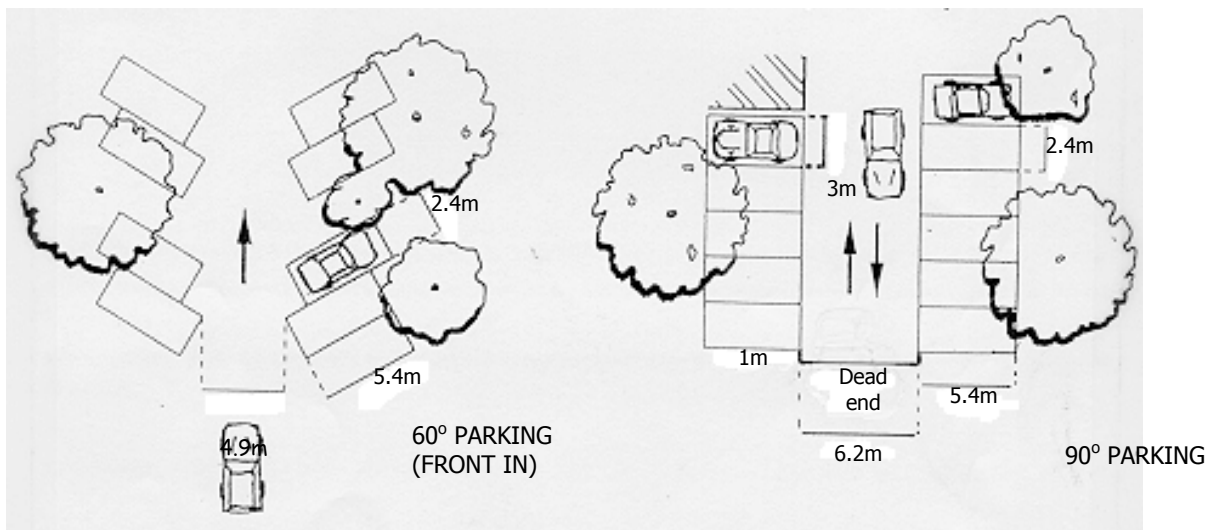
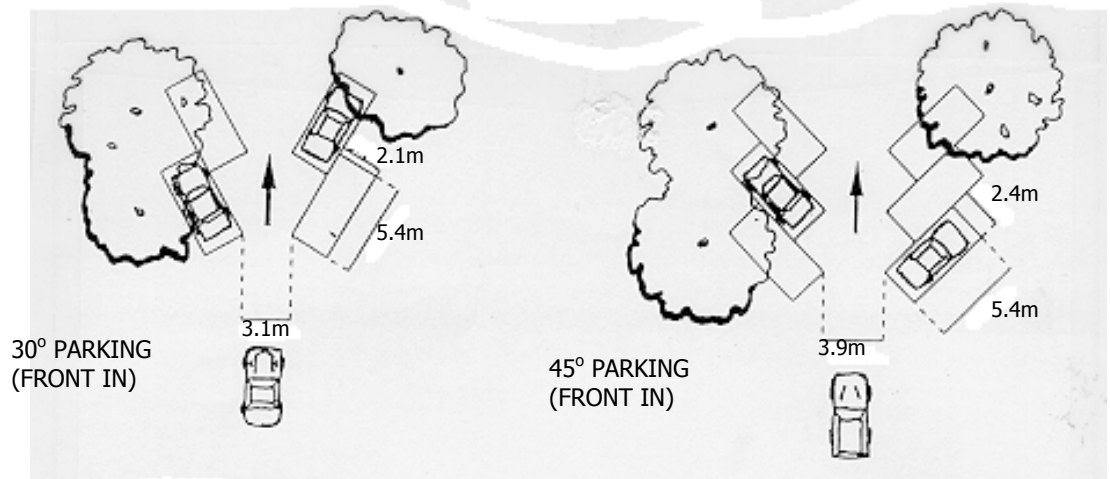
Visitor/overflow car parking is to be provided within the development site. Visitor/overflow parking is to be behind the front setback and freely accessible at all times.

Visitor/overflow car parking where proposed must be clearly detailed in the development documentation.

For additional information on car parking provisions, please refer to the Off Street Car Parking DCP.

ACCESS

Access to parking areas should be designed to minimise conflict between pedestrians, cyclists and traffic. Council may require road or traffic management works to ensure safe access to parking areas. Where developments front a busy road, access to rear lanes (if available) should be provided.



SCHEDULE A - PARKING REQUIREMENTS

The following table provides a summary of the off street car parking requirements for the differing land use categories.

<i>LAND USE</i>	<i>PARKING REQUIREMENTS</i>
RESIDENTIAL	
Dwellings <ul style="list-style-type: none"> Small ($\leq 100\text{m}^2$ GFA) Large ($> 100\text{m}^2$ GFA) Housing for Aged and Disabled Persons (SEPP 5 Provisions) <ul style="list-style-type: none"> Self Contained Units <ul style="list-style-type: none"> Hostels 	1 space (behind building line) 2 spaces (at least 1 space behind building line) PUBLIC 1 space per 5 units PRIVATE 0.5 spaces per small unit ($< 55\text{m}^2$) 0.85 spaces per medium unit ($55 - < 85\text{m}^2$) 1 space per large unit ($> 85\text{m}^2$) PUBLIC OR PRIVATE 1 space per 10 beds + 1 space per 2 employees + 1 space per ambulance
COMMERCIAL AND RETAIL	
Business and Office Premises Shops Service Stations and convenience stores	1 space per 40m^2 GFA 1 space per 23m^2 GLFA Requirements are additive: 6 spaces per work bay (Note: stack parking acceptable) 1 space per 20m^2 GFA of convenience store <i>If restaurant present, then greater of:</i> 1 space per 6.6m^2 GFA, or 1 space per 3 seats)
REFRESHMENTS	
Restaurants	For new development sites: 1 space per 6.6m^2 GFA For change of use of existing premises: 1 space per 23m^2 GFA
RECREATIONAL AND TOURIST FACILITIES	
Recreational facilities <ul style="list-style-type: none"> Squash courts Tennis courts Bowling alleys Bowling greens Gymnasiums 	3 spaces per court 3 spaces per court 3 spaces per alley 30 spaces for first green + 15 spaces for each additional green Regional centres 1 space per 33m^2 GFA Sub-regional centres 1 space per 22.2m^2 GFA (minimum)

LAND USE	PARKING REQUIREMENTS
RECREATIONAL AND TOURIST FACILITIES	
Tourist facilities <ul style="list-style-type: none"> • Motels • Hotels • Caravan parks • Marinas 	<p>1 space per unit + 1 space per 2 employees <i>If restaurant included then add the greater of:</i> 1 space per 13.2m² GFA of restaurant/function room, or 1 space per 6 seats + 1 space for managers residence</p> <p>Subject to parking study (see Note 4)</p> <p>1 space per caravan and tent site + 1 visitor space per 10 long term sites and 1 per 20 short term sites 1 visitor space per 40 tent sites A minimum of 4 visitor spaces must be provided in any caravan park</p> <p>If a survey of a similar existing development has not been undertaken, the following figures may serve as a general guide: 0.6 spaces per wet berth 0.2 spaces per dry storage berth 0.2 spaces per swing mooring 0.5 spaces per marina employee</p>
HEALTH AND COMMUNITY SERVICES	
Child care centres	<p>1 space per staff member + the provision of a safe set-down and pick-up area of 1 space per 10 children, with a minimum of 2 spaces</p>
OTHER	
Other developments not specified	Subject to Parking Study (see Note 4)

Note:

1. Depending on land use type, parking for delivery/service vehicles, courier vehicles, bicycles, buses, taxis should also be provided.
2. For mixed developments the number of car parking spaces should be calculated on the basis of each separate use eg shops with housing above would be calculated on the basis of the number of dwellings and gross floor area.
3. Calculations should be rounded up to the nearest whole number eg if the calculation determines that 2.3 spaces are required then 3 spaces would be required.
4. Where developments are subject to a parking study, the applicant will be required to undertake a parking study of a similar type of development in a similar location to determine the number of parking spaces required for the proposed development. Parking studies must be undertaken by a suitably qualified professional.
5. GFA – Gross Floor Area – see glossary for definition.

GLOSSARY

Gross floor area (GFA): the sum of the areas of each floor of a building where the area of each floor is taken to be the area within the outer face of the external enclosing walls as measured at a height of 1,400 millimetres above each floor level excluding:

- columns, fin walls, sun control devices and any elements, projections or works outside the general line of the outer face of the external wall;
- lift towers, cooling towers, machinery and plant rooms, and ancillary storage space and vertical air-conditioning ducts;
- car parking areas which meet requirements of council and internal access thereto; and
- space for the loading and unloading of goods.

Gross leasable floor area (GLFA): the sum of the area of each floor of a building where the area of each floor is taken to be the area within the internal faces of the walls, excluding stairs, amenities, lifts, corridors and other public areas but including stock storage area.

SIGNS

OBJECTIVES

The controls in this DCP seek to:

- enhance visual amenity;
- provide equity for outdoor advertisers; and
- provide safety guidelines for outdoor advertisers.

PROCEDURES

This part describes the conditions under which a sign may be erected in Coffs Harbour (refer to flow chart). A proposed sign will fall into one of the following three (3) categories:

1. Signs which are Prohibited

Signs, except real estate and temporary signs, are specifically prohibited in Environmental Protection zone Nos 7A, 7B and 7C.

2. Signs requiring Consent

All signs other than those listed in point 3 below require consent. Consent is sought through the lodgement of a development application (refer flow chart).

3. Signs not requiring Consent

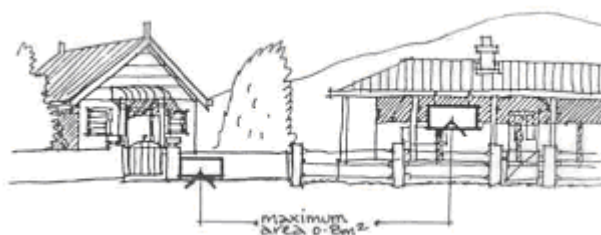
There is no need to apply for consent if the sign falls into the categories in **Table 1**. This means you may erect the sign without Council approval.

Table 1
Signs Allowed Without Consent

Zone	Type of Sign
Residential	One residential sign per allotment Discretionary signs
Open Space	Discretionary signs
Environmental Protection	Real Estate signs Temporary signs

SIGNS NOT REQUIRING CONSENT

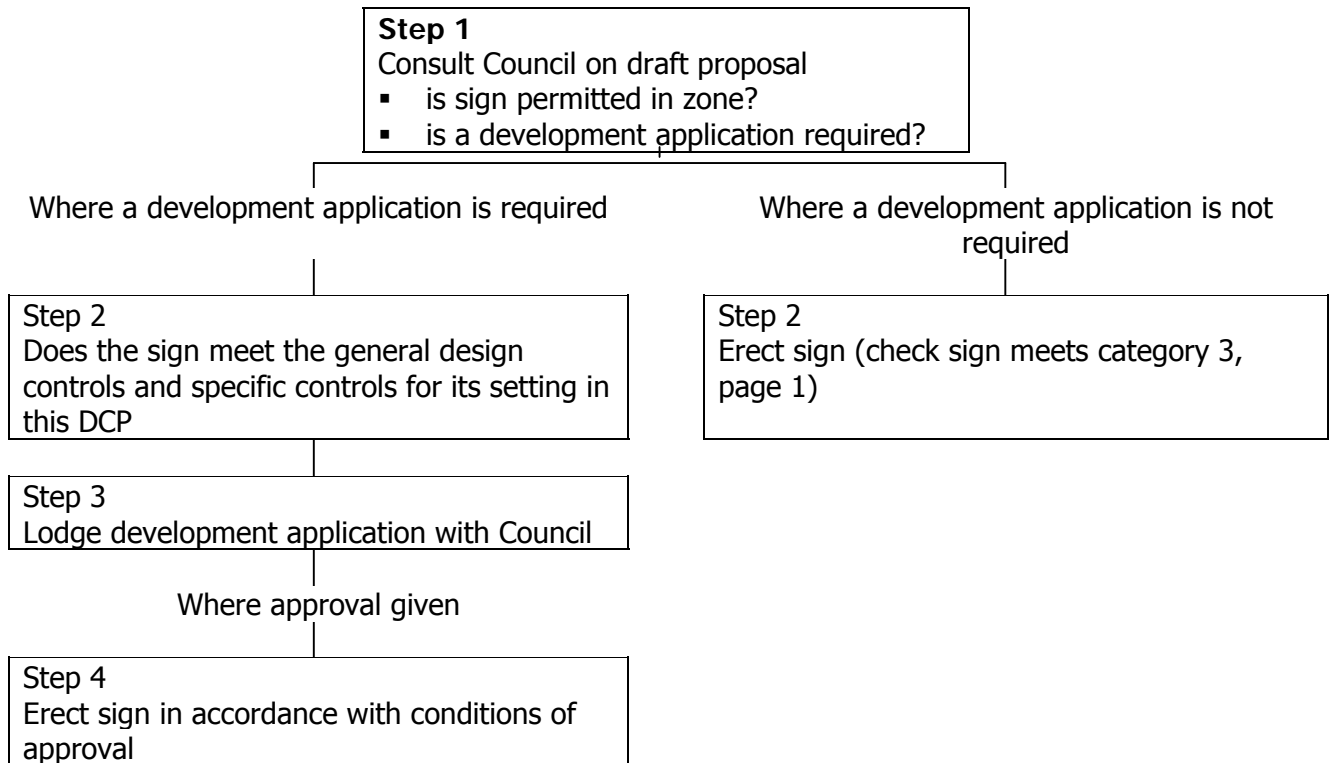
Residential



Tourist



PROCEDURES FLOW CHART



SIGN DICTIONARY

“discretionary advertisement” means:

- (a) an advertisement that is not visible from outside the site where it is located;
- (b) **a real estate sign;**
- (c) **a temporary sign;**
- (d) a public notice displayed by a public authority;
- (e) advertisements behind the glass line of a shop window;
- (f) a single **pylon sign** erected on a site lawfully used for the purpose of a tourist facility; or
- (g) **a painted wall sign.**

“pylon sign” means an advertisement erected on a pole (or pylon) that is independent of a building and has a height of not more than 6m but not less than 2.7m above ground level.

“real estate sign” means a ‘For Sale’ or ‘To Let’ sign erected at or affixed to the property the subject of the sign and:

- (a) in the case of an advertisement in respect of residential or rural premises does not exceed 2.5m² in area;
- (b) in all other cases does not exceed 4.5m² in area; and
- (c) is not displayed for more than 14 days after sale or letting.

“residential sign” means a non-illuminated advertisement not exceeding 0.8m² in area that indicates the name, occupation and other particular matters of the resident(s) of the premises upon which the advertisement is displayed.

“temporary sign” means an advertisement of a temporary nature which:

- (a) concerns any local event of a religious, educational, cultural, political, social, or recreational nature;
- (b) does not include advertising of a commercial nature, except for the name of any sponsor; and
- (c) is not displayed earlier than 28 days before the commencement date of the

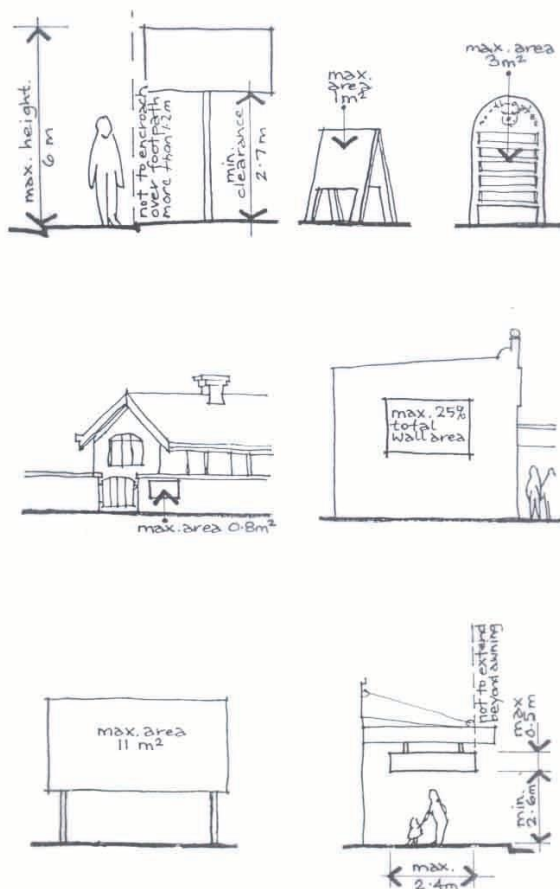
event and is removed within 14 days after the end of the event.

Size of Signs

The size of signs is to be in accordance with the diagram, where specified.

Existing Signs

Where a number of approved signs that would not comply with this DCP exist on a property, an endeavour is to be made to consolidate the number of signs or simplify the sign messages.



TOURIST SETTINGS

- These controls apply to tourist settings:
 - tourist facilities providing accommodation on sites with an area less than 2,000m² are to have no more than two (2) signs per site;

- the size of signs are to be in accordance with the general design control diagram; and
- signs that detract from the architectural appearance of a building are not permitted.

Note:

Signs on larger tourist resort developments and tourist theme developments (with a site area greater than 2,000m²) will be considered on merit having regard to the principles of this DCP.

RESIDENTIAL SETTINGS

- These controls apply to residential settings:
 - signs for commercial, industrial, retail or tourist/recreation activities area:
 - to be located on the building(s) or fence associated with the use;
 - not to exceed dimension standards and design guidelines described in the general design controls;
 - not to be erected on walls facing adjoining residences; and
 - to be below the roof eaves line or parapet line and relate to the architectural appearance of the building and its environs.
 - signs for home occupations and home industries are limited to an area of 0.8m² and are to indicate the name and occupation and other related matters of the resident only.
 - No more than one permanent sign per site should be erected.

RESIDENTIAL



NOTIFICATION

OBJECTIVES

- To encourage public participation in the development control process; and
- To inform the community about potentially sensitive developments.

WHEN WILL DEVELOPMENT BE NOTIFIED/ADVERTISED?

General

- Adjoining landowners will be notified if in the opinion of Council the enjoyment of land (see note) adjoining the development may be detrimentally affected by the proposed development.
- Owners of land other than adjoining land will be notified by advertisement in a local newspaper circulating in the Council area where in the opinion of Council (see note), the enjoyment of that land may be detrimentally affected by the proposed development.

Note:

Council will consider the following in forming its opinion as to whether or not the enjoyment of land may be detrimentally affected by a proposed development:

- *the views to and the views from the land*
- *the overshadowing of the land*
- *the privacy of the land*
- *the likelihood of the land being detrimentally affected by the proposed use*
- *the streetscape.*

The following development is not usually notified:

- *dwellings of single storey construction*
- *minor alterations/additions including internal work*
- *development in rural areas*
- *private swimming pools or outbuildings.*

- Public authorities Council considers may have an interest in the determination of the application will be notified.

Designated Development

Designated development is advertised in accordance with the Environmental Planning and Assessment Act Regulations.

Integrated Development

Integrated Development involving an approval:

- under Section 58 of the Heritage Act 1977;
- under the Water Act 1912; and
- under the Pollution Control Act 1970,

is advertised in accordance with the Environmental Planning and Assessment Act Regulations.

State Development

State Development is advertised in accordance with the Environmental Planning and Assessment Act Regulations.

Notes:

- *A notice to an association for a community, precinct or neighbourhood parcel within the meaning of the Community Land Development Act 1989 or to a body corporate for a parcel within the meaning of the Strata Titles Act 1973 or the Strata Titles (Leasehold) Act 1986 is taken to be a notice under this section to the owner of each lot within the parcel concerned.*
- *If a parcel of adjoining land is owned by more than one person, a notice to one owner is taken to satisfy the requirements of this section.*
- *Notice is not required to be given to an owner of adjoining land if that owner is the person, or one of the persons, who made the application for approval to erect the building.*

CONTAMINATED LAND

Category 1 remediation work, as defined in State Environmental Planning Policy No. 55 - Remediation of Land, is advertised in accordance with the Environmental Planning and Assessment Act Regulations for a period of 30 days.

A notice of completion of a category 1 remediation work must be provided to Council (with a copy to the consent authority if Council was not the consent authority) within 30 days after the completion of the work.

Notice must be given to the Council, at least 30 days prior to the commencement of category 2 remediation work.

FORM OF NOTICE/ ADVERTISEMENT

The following is to be included in a written notice or published advertisement:

- description of the land (including address);
- name of applicant;
- name of consent authority;
- description of development;
- a statement, including the dates, that the application and any accompanying documents may be inspected at Council's office during working hours; and
- a statement that any person during the exhibition period may make a written submission.

In respect of category 2 remediation work of contaminated land, the notice must be in writing and:

- provide the name, address and telephone number of the person who has the duty of ensuring that the notice is given;
- briefly describe the remediation work;
- show why the work is category 2 remediation work;
- provide a property description, street address and map of the location of the land; and

- provide estimates of the dates for the commencement and completion of the work.

Note:

Minimum exhibition period is 14 days (30 days for integrated development).

Where proposal is for integrated development, the notice must contain a statement that it is integrated development and must state the approvals required and relevant approval bodies.

CIRCUMSTANCES IN WHICH NOTICE REQUIREMENTS MAY BE DISPENSED WITH

If:

- a development application is amended, or substituted, or withdrawn and later replaced before it has been determined by Council; and
- Council has notified/advertised the original application, in accordance with the format in this DCP; and
- Council is of the opinion that the amended, substituted or later application differs only in minor respects from the original application,

Council may decide to dispense with further notification/advertising in relation to the amended, substituted or later application.

NOTICE OF DETERMINATION

All persons making written submissions will be given written notice of the determination of the application.

NOTIFICATION/ADVERTISING FEE

A fee to cover Council's costs for notifying or advertising in relation to this DCP may be charged on each application.

Guidelines for Stormwater Quality Management For Hearnes Lake General requirements

The following requirements should be addressed and adhered to when formulating Stormwater Quality Strategies for development within the Hearnes Lake DCP Study Area:

- Stormwater infrastructure is prohibited from all areas within the foreshore buffer outlined within this DCP;
- Stormwater infrastructure is permitted within bush fire buffers as outlined within the DCP; and
- Stormwater provisions need to be determined on a precinct-by-precinct basis, to account for cumulative impacts and identify treatment measures during the ultimate fully developed condition.

SPECIFIC REQUIREMENTS

Development is to demonstrate the achievement of the 'Modified Source and Conveyance Control Treatment Strategy' detailed in the Report prepared by WBM Oceanics: MUSIC Modelling of Hearnes Lake Catchment.

The Modified Source and Conveyance Control Treatment Strategy includes the following stormwater management measures:

- Rainwater tanks;
- Filter strips;
- Vegetated swales;
- Bioretention swales; and
- Downstream storages.

Specific requirements for stormwater quality treatment measures that must be addressed in developing a Stormwater Management Plan for all development within the release area are provided in the following Sections. Figure 0-6 illustrates how the stormwater treatment devices interact may be used in series to meet the requirements of the Modified Source and Conveyance Control Treatment Strategy.

RAINWATER TANKS

A common WSUD measure in residential lots is the rainwater tank. Rainwater tanks (refer Figure 0-1) provide considerable benefit in reducing runoff volumes from roofs generated during frequent smaller storm events. Stormwater stored within these tanks is generally suitable for a number of applications. Laundry, hot water, toilet flushing, irrigation and car washing are common applications for the utilisation of rainwater within residential lots. Provision of the following should be addressed in developing the Stormwater Management Plan:

- rainwater tanks shall be provided for all residential lots;
- rainwater tanks installed on each development shall have a minimum capacity of 5000L; and
- only roof water is to be directed to the rainwater tank, with a minimum of 50% of the roof area draining to the device.



Figure 0-1 Example rainwater tanks

It will also be necessary for the developer to address BASIX requirements for reduced potable water demand.

FILTER STRIPS

Filter strips (refer Figure 0-2) may be required in each precinct along roadways and adjacent to vegetated swales or bioretention swales to filter runoff from roads and other impervious areas (e.g. footpaths, driveways, paving etc).

Within sections of the precinct where gradients are steep and swales and bioretention systems are generally unsuitable, it may be possible to construct filter strips to intercept stormwater at the source. Where surface gradients are unsuitable for the preferred stormwater treatment devices (e.g. vegetated swales and bioretention swales), kerb and gutter shall be constructed with a 1m wide filter strip provided behind to intercept overland flows.

At a minimum, filter strips are to be provided along roadsides where vegetated swales and bioretention swales are to be constructed. A minimum width of 1m is required for filter strips constructed in all development precincts.



Figure 0-2 Example filter strip

VEGETATED SWALES

Vegetated swales may be required throughout each development precinct to convey and filter stormwater along roadsides in areas where the longitudinal gradients are between 2% and 5%. It is important that vegetated swales be constructed with a minimum gradient of 2% to minimise the potential for surface ponding of longitudinal water while gradients in excess of 5% potentially will result in scour. Where possible, vegetated swales shall be constructed upstream of bioretention swales to remove coarse to medium sized particulates. Bioretention swales can also be used as a substitute for vegetated swales where road gradients are less than 2%. The minimum surface area of vegetated swale required throughout each development precinct is:

- Northern Precinct – 3500m²;
- Eastern Precinct – 900m²; and
- Western Precinct – 3600m².

To meet the above requirements, a proportion of roads with longitudinal water gradients between 2% and 5% are required within each development precinct. The minimum and maximum width of vegetated swales permitted in any development precinct is 2m and 3m respectively. A typical section of a vegetated swale is shown in Figure 0-3.

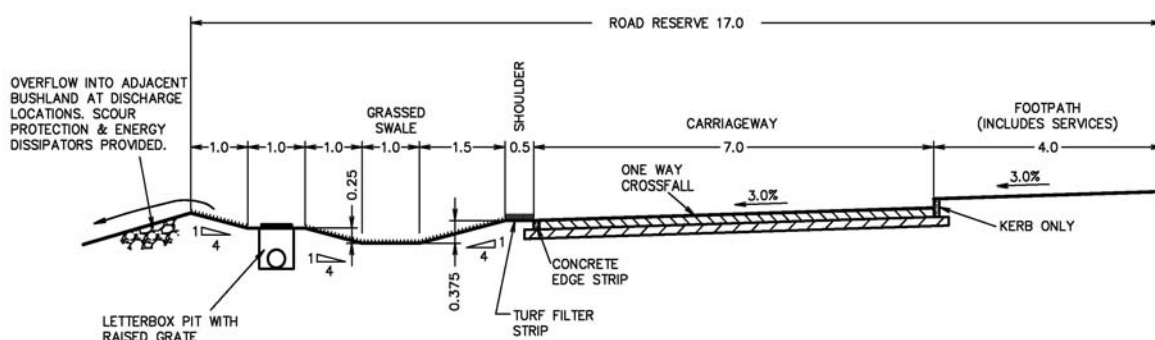


Figure 0-3 Typical section of vegetated swale (dimensions differ for Hearn's Lake application)

BIORETENTION SWALES / BASINS

The key function of bioretention swales is to promote filtration of stormwater into a sub-surface filter medium as well as sedimentation within the storage above the filter media to encourage removal of stormwater pollutants including TSS, nutrients and heavy metals. Typically, bioretention will be most appropriate in areas where the proposed roads are located along the contours and / or longitudinal gradients are less than 2% to provide sufficient storage and volume within the swale. Bioretention swales can be provided along one side of the roadway, receiving runoff from the roads, overflows from residential lot rainwater tanks, and surface flow from upstream vegetated swales. Alternatively, bioretention can be provided as basins where sufficient space is available and where the site topography is unsuitable for bioretention swales. The minimum surface area of bioretention swales / basins required throughout each development precinct is:

- Northern Precinct – 2600m²;
- Eastern Precinct – 600m²;
- Western Precinct – 1800m²; and
- Caravan Park – 1500m².

A proportion of roads with longitudinal gradients less than 2% are required within each development precinct to satisfy the requirements for bioretention swales. The minimum and maximum width of bioretention swales permitted in any development precinct is 2m and 3m respectively. A typical section of a bioretention swale is shown in Figure 0-4.

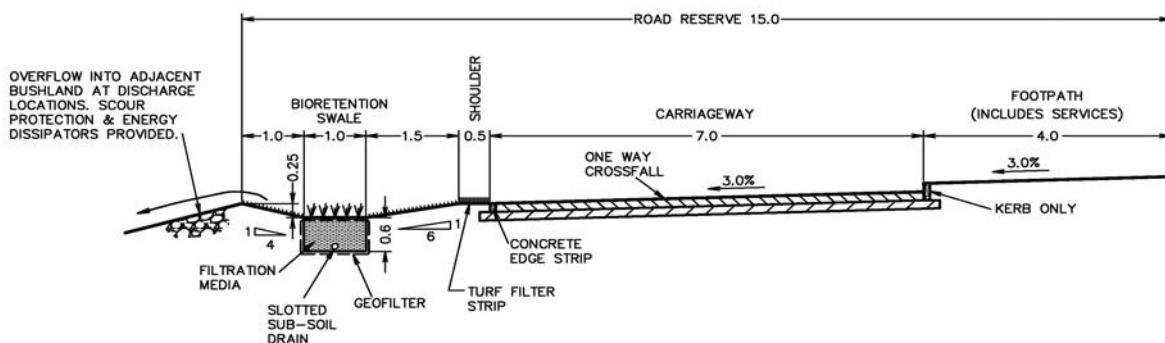


Figure 0-4 Typical section of bioretention swale (dimensions differ for Hearn's Lake application)

DOWNSTREAM STORAGES

Downstream storages such as ponds (refer Figure 0-5) may be constructed to capture stormwater runoff for activities such as irrigation. These storages should be constructed at the downstream end of the catchment (e.g. within the assets protection zone) to provide a final treatment of stormwater runoff before reuse within the development or prior to discharge from the development precinct into Hearn's Lake. The minimum permanent pond volumes required per hectare of development area for each precinct are:

- Northern Precinct – 125m³/ha;
- Eastern Precinct – 150m³/ha;
- Western Precinct – 125m³/ha; and
- Caravan Park – 125m³/ha.



Figure 0-5 Example downstream storage or pond

Ponds located within bush fire buffers are to be constructed by developers and dedicated as Public Land with a five-year Maintenance and Costing Plan. Maintenance bonds may be required as a condition of development consent.

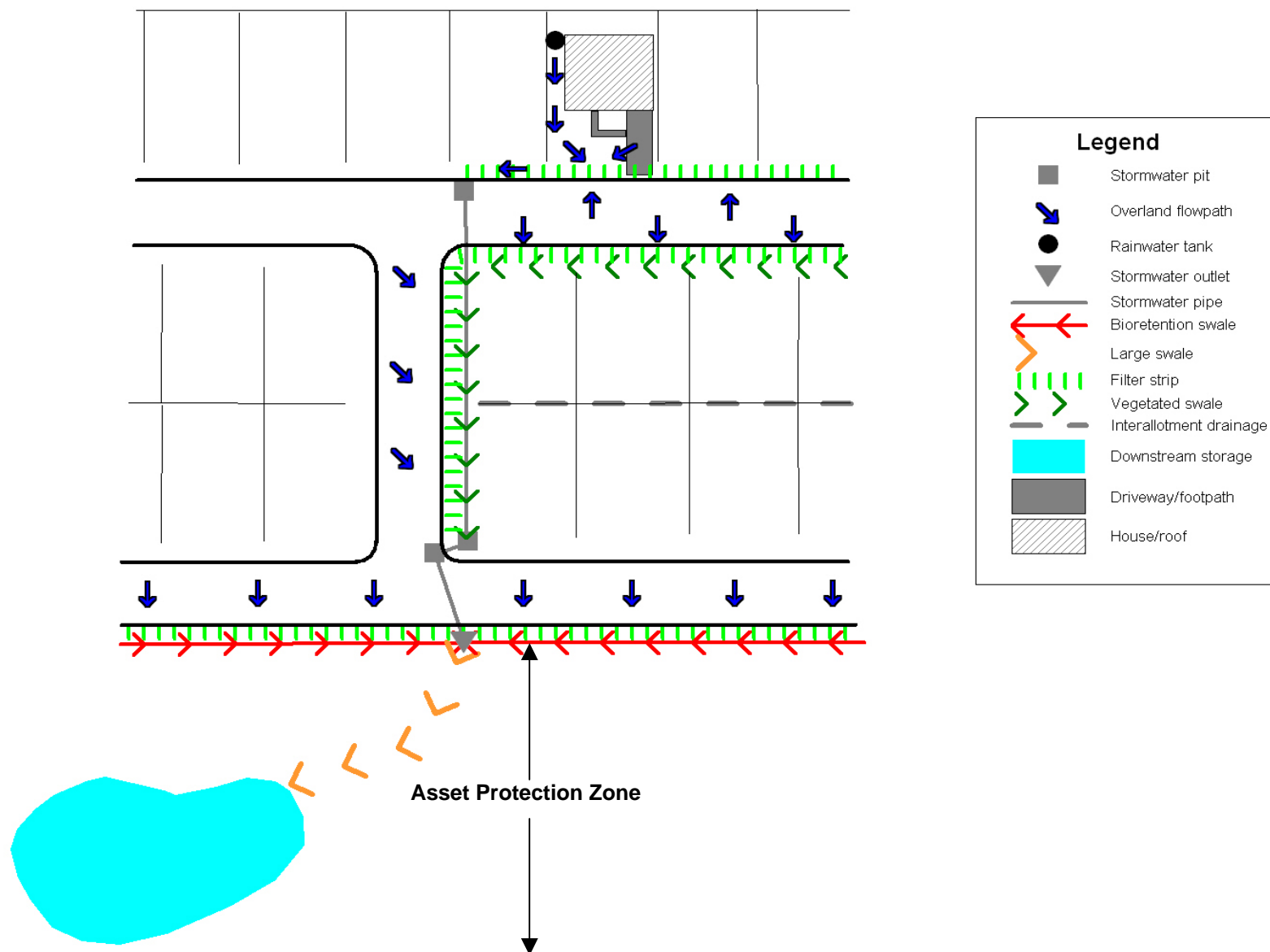


Figure 0-6 Conceptual WSUD layout

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