

Key Environmental Planning Instruments - Compliance Tables

Table 1 - Lake Macquarie City Council Local Environmental Plan 2004 (LMCCLEP 2004)

Section	Applicable Requirement	Concept Plan	Compliance
PART 1 - PRELIMINARY			
3 - Objective of Plan	The objective of this plan is to achieve development of land to which this plan applies that is in accordance with the principles of ecologically sustainable development by:		
	(a) promoting balanced development of that land, and	The proposed development provides for a balanced outcome between the environment, the community, jobs and economic viability and to this end is consistent with ESD Principles.	Yes
	(b) implementing the <i>Lifestyle 2020 Strategy</i> adopted by Council on 27 March 2000.	The proposed development is an opportunity to implement the principles of Lifestyle 2020 see Part 2 Hereunder.	Yes
PART 2 - LIFESTYLE 2020 STRATEGY			
12 - Vision	The vision for land to which this plan applies is described in the <i>Lifestyle 2020 Strategy</i> .	The proposed development is entirely consistent with the six points outlining the 2020 Vision. Indeed the proposed development embraces the concepts of ESD, public access to recreation, community spirit and participation. The existing environment and heritage are respected through the design process.	Yes
13 - Values	The 4 core values of that strategy are sustainability, equity, efficiency and liveability.	The proposed development will comply with the Four Core values of the Plan Sustainability, Equity, Efficiency and Liveability.	Yes
14 - Aims	The aims of the <i>Lifestyle 2020 Strategy</i> are to:		Yes
	(a) provide the community with realistic expectations about the future development patterns for land in Lake Macquarie City, while retaining flexibility for land use decision making in the longer term, and	The proposed development is consistent with this aim of the Strategy.	Yes
	(b) reinforce and strengthen centres so that a wide range of commercial and community services may be provided in	The proposed development is consistent with this aim of the Strategy, The proposed	Yes

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	a timely and accessible manner, and	development will in particular support the existing Morisset town Centre	Yes
	(c) provide local employment opportunities for residents and promote economic development consistent with the City's natural, locational and community resources, and	The proposed development is consistent with this aim of the Strategy. The local community will be targeted for employment opportunities as part of the proposed development.	Yes
	(d) guide the development of urban communities that are compact, distinct and diverse and include a range of housing types and activities, and	The proposed development is consistent with this aim of the Strategy. The proposed development will contribute to the variety of housing within the locality and provide a destination and focal point for the local community.	Yes
	(e) achieve a strong sense of positive community identity, through the development of local communities that are safe and liveable and offer a diversity of uses, economic opportunities and ready access to services, and	The proposed development is consistent with this aim of the Strategy. The proposed development will promote as close association with the existing and establishing community and their use of the site and facilities will be encouraged.	Yes
	(f) develop an attractive urban setting for the City which reflects its physical and natural environment, and visual character, and	The proposed development is consistent with this aim of the Strategy. The design is based on a thorough understanding of the surrounds. The existing tree line adjoining the lake edge will be retained and supported.	Yes
	(g) manage the City's natural environment so that its ecological functions and biological diversity are conserved and enhanced, and contribute to the City's overall well being, and	The proposed development is consistent with this aim of the Strategy. The natural environment has been respected as part of the proposed development, extensive investigations have been undertaken to ensure all impacts are understood and mitigated.	Yes
	(h) manage the City's heritage and economic resources in a way that protects the value of these resources and enhances the City's character, and	The proposed development is consistent with this aim of the Strategy. The existing heritage both indigenous and non indigenous has been respected. No loss of economic resources will result, the lake as a recreational resource will be promoted by the proposed development.	Yes

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	(i) integrate land use with the efficient provision of public and private movement systems.	The proposed development is consistent with this aim of the Strategy.	Yes
PART 3 - GENERAL CONTROLS FOR LAND WITHIN ZONES			
15 - General Controls for Land Within Zones ● Zone 6(2) Tourism and Recreation Zone	Zone Objectives (a) provide land for commercial recreation and tourist uses, and	The proposed development is consistent with this aim of the Strategy.	Yes
	(b) encourage good quality design within the zone, and	The proposed development is consistent with this aim of the Strategy.	Yes
	(c) provide land for good quality tourist development, and	The proposed development is consistent with this aim of the Strategy.	Yes
	(d) provide land for function and entertainment centres, and	The proposed development is consistent with this aim of the Strategy.	Yes
	(e) encourage tourism development that is sensitively designed to complement its location and minimise any adverse impacts on the environment, and	The proposed development is consistent with this aim of the Strategy. The proposed development is an opportunity to establish a world class destination that will promote tourism to the region.	Yes
	(f) provide for sustainable water cycle management.	The proposed development is consistent with this aim of the Strategy.	Yes
PART 5 - SPECIAL CONTROLS FOR THE PROTECTION OF THE ENVIRONMENT OR FOR PARTICULAR LAND			
22 - Foreshore and Building Lines	The objectives of this clause are: (a) preservation and enhancement of the natural features and vegetation near where land meets the high water mark, and	The proposed development is consistent with this aim of the Strategy.	Yes
	(b) restoration of the land below any foreshore building line, so far as practicable, to a natural state, with a minimum intrusion of man-made structures, and	The proposed development is consistent with this aim of the Strategy.	Yes

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	(c) removal of structures and works below any foreshore building line (particularly on redevelopment of land), other than those excepted by clause 23, and	The proposed development is consistent with this aim of the Strategy.	Yes
	(d) conservation and enhancement of waterfront structures of heritage value, and	The proposed development is consistent with this aim of the Strategy.	Yes
	(e) avoidance of adverse ecological effects on the waterways, and	The proposed development is consistent with this aim of the Strategy.	Yes
	(f) enhancement of the visual amenity of Lake Macquarie.	The proposed development is consistent with this aim of the Strategy.	Yes
23 - Foreshore Development and development below DP high water mark	(1) Foreshore development and development for the purpose of utility installations may be carried out only with development consent between a foreshore building line that is fixed with respect to a DP high water mark and the DP high water mark.	Noted	Yes
	(2) Development below DP high water mark may be carried out only with development consent, which must not be granted unless the consent authority is satisfied: <ul style="list-style-type: none"> (a) that all existing structures and works on the land below DP high water mark will be removed before or within a reasonable time after development is carried out, or 	Noted	Yes
	(b) that it is unreasonable or unnecessary in the circumstances of the case for that removal to occur, having regards to the objectives of clause 22 and the provisions of any relevant development control plan.	Noted	Yes
29 - Building Heights	(2) In considering an application for consent to the erection of a building the whole or part of which exceeds 8	The proposed building heights have been derived through a careful analysis of the site	Yes

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	<p>metres, the consent authority must take into consideration whether that height is compatible with the heights of other buildings in the immediate vicinity or locality and is compatible with:</p> <ul style="list-style-type: none"> (a) the site attributes, and existing or proposed uses of the land to which the application relates, and 	attributes and constraints taking particular note of structures around the lake, topography and existing vegetation.	
	<ul style="list-style-type: none"> (b) the other requirements of this plan and the provisions of any relevant development control plan 	The proposed development is consistent with this aim of the Strategy.	Yes
	<p>(3) In the instance of development in proximity to an airport, the heights of buildings must comply with the applicable Obstacle Limitation Surface.</p>	The proposed development is consistent with this aim of the Strategy.	Yes
30 - Control of Pollution	<p>Consent must not be granted to development unless the consent authority is satisfied that all reasonable and practicable control measures will be implemented to minimize pollution likely to arise from carrying out that development.</p> <p>Note: Pollution may be of air, noise or water. Water pollution includes nutrient and sediment loading.</p>	The proposed development is consistent with this aim of the Strategy.	Yes
31 - Erosion and Sediment Control	<p>(1) This clause applies to development that involves or that, in the opinion of the consent authority, may give rise to the exposure of the soil surface of land to the action of wind or water, whether as a consequence of:</p> <ul style="list-style-type: none"> (a) the carrying out of earthworks, or 	The proposed development is consistent with this aim of the Strategy.	Yes
	<ul style="list-style-type: none"> (b) the destruction or removal of vegetation, or 	The proposed development is consistent with this aim of the Strategy.	Yes
	<ul style="list-style-type: none"> (c) the carrying out of any other class of development. 	The proposed development is consistent with this aim of the Strategy.	Yes

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	<p>(2) Consent must not be granted to development to which this clause applies unless:</p> <ul style="list-style-type: none"> <li data-bbox="624 361 1185 472">(a) the consent authority is satisfied that all reasonable and practicable control measures will be carried out to prevent or minimize the effects of erosion and sediment, and 	The proposed development is consistent with this aim of the Strategy.	Yes
	<p>(b) where the area of soil surface exposure is greater than 250 square metres, but less than 2,500 square metres, the consent authority has considered an erosion and sediment control plan complying with erosion and sediment control guidelines adopted by the Council, and whether the consent will include a condition requiring the development to be carried out in accordance with that plan, and</p>	See below.	Yes
	<p>(c) where the area of soil surface exposure is 2,500 square metres or greater, the consent authority has considered a soil and water management plan complying with construction guidelines adopted by the Council, and whether the consent will include a condition requiring the development to be carried out in accordance with that plan.</p>	The proposed development is consistent with this aim of the Strategy. An erosion and sediment control plan complying with the guidelines will be prepared as part of the construction phase.	Yes
32 - Flood Prone Land	<p>(1) Despite any other provision of this plan, a person must not erect a structure or carry out a work on flood prone land without development consent.</p>	The proposed development is consistent with this aim of the Strategy.	Yes
	<p>(2) Before granting consent required by this clause, the consent authority must:</p> <ul style="list-style-type: none"> <li data-bbox="624 1261 1185 1341">(a) consider the contents of any flood management plan or development control plan applying to the land that has been prepared in accordance with 	The proposed development is consistent with this aim of the Strategy. See DCP 1 checklist hereunder.	Yes

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	the principles contained in the flood management manual, which is available from the office of the Council, and		
	(b) be satisfied that to carry out the development in accordance with the consent would be consistent with flood hazard and levels of risk that are acceptable to the community.	The proposed development is consistent with this aim of the Strategy.	Yes
	(3) The consent authority may, by a condition of consent to the carrying out of development referred to in subclause (1), require all floors or levels of the structure or work to be at a height sufficient, in the opinion of the consent authority, to prevent or reduce the incidence of flooding of that structure or work, or of adjoining land.	The proposed development is consistent with this aim of the Strategy.	Yes
33 - Bushfire Considerations	(1) This clause applies to bush fire prone land.	Noted	Yes
	(2) A person must not carry out bush fire hazard reduction work without development consent unless the person is authorised to carry out the work without consent by or under the <i>Rural Fires Act 1997</i> or another Act.	The proposed development is consistent with this aim of the Strategy.	Yes
	(3) Before granting consent required by this clause, the consent authority must: (a) have regard to the relevant provisions of the guidelines provided by the latest edition of the publication <i>Planning for Bushfire Protection</i> approved by the Department and the Rural Fire Service and available at the office of the Council, and	The proposed development is consistent with this aim of the Strategy.	Yes
	(b) be satisfied that: (i) the measures proposed to avoid or mitigate the	The proposed development is consistent with this aim of the Strategy.	Yes

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	threat from bush fire, including the siting of the proposed development, the design of, and materials used in, any structures involved, the clearing of vegetation, and the provision of asset protection zones, landscaping and fire control aids (such as roads and water supplies), are adequate for the locality, and		
	(ii) as far as possible, the potential impact on the environment of mitigation measures proposed is minimised.	The proposed development is consistent with this aim of the Strategy.	Yes
34 - Trees and Native Vegetation	(1) This clause applies to all land except: (a) State forest or other Crown-timber lands within the meaning of the <i>Forestry Act 1916</i> , or	NA	NA
	(b) land within Zone 8.	NA	NA
	(2) Except as provided by subclause (3), a person must not clear any tree or any native vegetation unless in accordance with a development consent that is in force.	Noted	Yes
	(3) Consent is not required for: (a) the clearing of trees or native vegetation authorised or required by or under the <i>Electricity Supply Act 1995</i> , or	Noted	Yes
	(b) the clearing of trees or native vegetation authorised or required by or under the <i>Roads Act 1993</i> , or	Noted	Yes
	(c) the clearing or harvesting of trees grown commercially or domestically for their edible fruit, or	Noted	Yes
	(d) the control of noxious weeds within the meaning of the <i>Noxious Weeds Act 1993</i> , or	Noted	Yes

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	(e) the clearing of commercially grown plantation trees in accordance with the <u>Plantations and Reafforestation Act 1999</u> , or	Noted	Yes
	(f) the clearing of native vegetation without consent if authorised under the <u>Native Vegetation Conservation Act 1997</u> , any other Act or another environmental planning instrument, or	Noted	Yes
	(g) the removal of hazardous dead trees within Zone 2 (1), 2 (2), 3 (1), 3 (2), 4 (1), 4 (2), 4 (3), 5, 6 (1) or 6 (2), except where the trees provide habitat for species listed in Schedule 1 or 2 to the <u>Threatened Species Conservation Act 1995</u> , or	Noted	Yes
	(h) the removal of native vegetation on land, other than in Zone 7 (1), for the purpose of creating or maintaining landscaped and lawn areas where:	Noted	Yes
	(i) the removal, injury or destruction of trees is not involved, and		
	(ii) the area to be cleared is less than 600 square metres in total and is on the same allotment as, and within the curtilage of, a dwelling for which development consent has been granted, and	Noted	Yes
	(iii) the soil surface exposed in any period of 90 consecutive days will not exceed 250 square metres, and	Noted	Yes
	(iv) the slope of the land does not exceed 15 degrees, and	Noted	Yes
	(v) the work does not involve the disturbance of	Noted	Yes

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	native vegetation which is habitat for species listed in Schedule 1 or 2 to the <i>Threatened Species Conservation Act 1995</i> , and		
	(vi) the area is not subject to a development consent that requires the trees or native vegetation to be retained, or	Noted	Yes
	(i) bushfire hazard reduction work, within the meaning of the <i>Rural Fires Act 1997</i> , that is exempted from any requirement for development consent by the operation of that Act, or	Noted	Yes
	(j) the clearing of any tree (other than any tree listed on the Council's <i>Significant Tree Register</i>) or native vegetation that is: <ul style="list-style-type: none"> (i) within 5 metres of the outermost projection of a lawfully used building (being a building that is not exempt development), and 	Noted	Yes
	(ii) on the same allotment as that building, but only if a development consent does not require the tree or native vegetation to be retained, or	Noted	Yes
	(k) the clearing of any tree (other than a tree listed on the Council's <i>Significant Tree Register</i>) or native vegetation that is: <ul style="list-style-type: none"> (i) within 1 metre of a sealed driveway to a lawfully used building (being a building that is not exempt development), and 	Noted	Yes
	(ii) on the same allotment as that building, but only if a development consent does not require the tree or	Noted	Yes

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	native vegetation to be retained, or		
	(l) the clearing of any tree or native vegetation where the Council is satisfied beforehand that the tree or native vegetation ought to be cleared because it is dangerous to life or property, or	Noted	Yes
	(m) the clearing of any tree or native vegetation required by an order given under Division 1 of Part 2 of Chapter 7 of the <u>Local Government Act 1993</u> .	Noted	Yes
	(4) Consent must not be granted for the clearing of any tree or native vegetation unless the consent authority has considered a statement of environmental effects that assesses in respect of the vicinity of the proposed clearing:	Noted	Yes
	(a) soil stability and prevention of land degradation, and		
	(b) water quality and associated ecosystems such as streams, rivers, waterbodies or waterways, and	Noted	Yes
	(c) scenic or environmental amenity, and	Noted	Yes
	(d) vegetation species, vegetation communities, flora and fauna corridors and natural wildlife habitats.	Noted	Yes
35 - Acid Sulfate Soils	A person must not, without development consent, carry out works beyond 1 metre below the natural ground surface (as per Class 3 classification of the subject site), except as provided by subclause (3).	Noted - Consent Will be obtained	Yes
	This clause does not require consent for the carrying out of those works if:	Noted	Yes

Section	Applicable Requirement	Concept Plan	Compliance
	(a) a copy of a preliminary assessment of the proposed works, undertaken in accordance with the <i>Acid Sulfate Soil Manual</i> , has been given to the Council, and		
	(b) the Council has provided written advice to the person proposing to carry out the works confirming that the results of the preliminary assessment indicate the proposed works need not be carried out pursuant to an acid sulfate soils management plan prepared in accordance with the <i>Acid Sulfate Soil Manual</i> .	Noted	Yes
	Consent required by this clause must not be granted unless the consent authority has considered: (a) the adequacy of an acid sulfate soils management plan prepared for the proposed development in accordance with the <i>Acid Sulfate Soil Manual</i> , and	Noted	Yes
	(b) the likelihood of the proposed development resulting in the discharge of acid water, and	Noted	Yes
	(c) any comments from the Department received within 28 days of the consent authority having sent that Department a copy of the development application and the related acid sulfate soils management plan.	Noted	Yes
36 - Mixed-Use Development	(1) Consent must not be granted for mixed use development unless the consent authority is satisfied that: (a) the gross floor area that will be used for commercial, retail or recreation facilities will be not less than 20 percent of the total gross floor area within the site area to which the development application relates, and	Noted - The proposed development is not defined as a Mixed Use development under the LEP	Yes

Section	Applicable Requirement	Concept Plan	Compliance
	(b) the gross floor area that will be used for dwellings and any accommodation for tourists will be not less than 50 percent of that total.	NA	NA
38 - Advertising structure and signs	Despite any other provision of this plan, the erection and use of an advertising sign or advertising structure of a type referred to in Schedule 1 requires consent if it is not exempt development.	Noted - Consent will be obtained as required.	Yes
Schedule 8 clause 42(1) - Land subject to special development requirements (Item No. 2 - Land at Morisset Park, being Lot 38 DP 755242).	A master plan must have been adopted by the Council before consent is granted for any development. This master plan must include recommendations about the following: (a) measures to assess, support, manage and conserve places and items of cultural heritage,	A master plan has been adopted - Kendall Grange Master Plan. The EAR discusses the masterplan in detail.	Yes
	(b) measures to deliver a diversity of social and economic opportunities including employment,	See above	Yes
	(c) a strategy for the staged delivery of social infrastructure and services,	See above	Yes
	(d) measures that will achieve a balance between ecological, visual, scenic, cultural and heritage values and site sensitive development,	See above	Yes
	(e) the application of ESD principles,	See above	Yes
	(f) principles and a detailed strategy for the management of natural features, foreshore processes and hazards,	See above	Yes

Section	Applicable Requirement	Concept Plan	Compliance
	(g) measures to achieve development that is complementary to and reflects the character of surrounding urban developments,	See above	Yes
	(h) the location and design of development in a manner that complements the on-site and surrounding natural environment, including recommendations for the retention of vegetation,	See above	Yes
	(i) the precise location of development within different parts of the site to allow detailed site planning to achieve the most appropriate configuration of buildings, roads and other works to minimise potential environmental and visual impacts,	See above	Yes
	(j) providing for a diversity of built form that considers building height, form, massing, materials, colour and reflectivity, among others, in the design process with the intent of minimising impacts with surrounding developments and the lakeshore environment,	See above	Yes
	(k) meeting the objectives of the NSW Coastal Policy in planning and design across the site,	See above	Yes
	(l) retaining the natural form of the foreshore of Lake Macquarie and providing for public access links to the adjoining Lake Macquarie State Recreation Area,	See above	Yes
	(m) an urban form and structure that encourages walking, cycling and public transport use,	See above	Yes
	(n) the location and design of roads and pedestrian/cycleway systems to maximise the	See above	Yes

Section	Applicable Requirement	Concept Plan	Compliance
	opportunity for public access to foreshore areas.		

Key Environmental Planning Instruments - Compliance Table

Table 2 - Lake Macquarie City Council Development Control Plan No. 1 2006 (DCP No. 1 2006)

Section	Applicable Requirement	Concept Plan	Compliance
PART 1 - INTRODUCTION AND INSTRUCTIONS			
1.4 - Objective of Plan	The objectives of this Plan are to implement the Lifestyle 2020 Strategy (the strategy) by facilitating ecologically sustainable development.		
	The objectives of this Plan support the core values of the strategy of sustainability, equity, efficiency and, liveability to: <ul style="list-style-type: none"> • Promote environmentally sustainable and quality development in the City. 	Noted	Yes
	<ul style="list-style-type: none"> • Provide detailed guidance to prospective applicants of Council's requirements for building, subdivision, and land development. 	Noted	Yes
	<ul style="list-style-type: none"> • Elaborate on the requirements of the Lake Macquarie Local Environmental Plan (LEP) 2004, as a key tool in the LEP's implementation. 	Noted	Yes
	<ul style="list-style-type: none"> • Provide detailed criteria to assist Council in assessing Development Applications (as required by Section 79C(1)(a) of the <i>Environmental Planning and Assessment Act</i>). 	Noted	Yes
PART 2 - GENERAL PRINCIPLES OF DEVELOPMENT			
2.1 - Environmental Responsibility and Land Capability			
2.1.1 Ecological Values	The INTENT of Council's requirements is to conserve the biodiversity of the City and Region.		Yes

	<p>The intent may be achieved where:</p> <p>P1. Impacts of the proposal on native flora and fauna is avoided or minimized.</p>	The proposed development is consistent with the DCP. A detailed Flora and Fauna report has been included with the EAR.	Yes
	<p>P2. Native Flora and Fauna Assessments are conducted with sufficient detail.</p>	The proposed development is consistent with the DCP. A detailed Flora and Fauna report has been included with the EAR.	Yes
	<p>P3. SIGNIFICANT HABITAT, being areas and habitat elements important for significant flora and fauna species, populations, vegetation communities and / or ecological communities, is protected and enhanced on and / or adjoining the site.</p>	The proposed development is consistent with the DCP. A detailed Flora and Fauna report has been included with the EAR.	Yes
	<p>P4. The development proposal assists in meeting the regional objectives and targets set by LHCCREMS and / or the Central Coast Native Vegetation Committee in a Native Vegetation Management Plan</p>	The proposed development is consistent with the DCP. A detailed Flora and Fauna report has been included with the EAR.	Yes
	<p>P7. SIGNIFICANT HABITAT in and around the site is protected from external influences</p>	The proposed development is consistent with the DCP. A detailed Flora and Fauna report has been included with the EAR.	Yes
2.1.3 Scenic Values	<p>The INTENT of Council's requirements is to protect and maintain the scenic values of the City, whether being viewed from land or water.</p>	The proposed development has been the subject of a detailed report addressing the issues of scenic quality and it is considered that the proposed development complies with the requirements of the DCP in this regard.	Yes
	<p>The intent may be achieved where:</p> <p>P1.1 Development is designed to complement, rather than detract from the landscape, whether it is located in an urban, rural or environmental SETTING.</p>	See above	Yes
	<p>P1.2 Development visible from or adjoining the coastline, Lake Macquarie or its waterways, or on ridgelines, maintains and enhances the scenic value of these features.</p>	See above	Yes
2.1.4 Tree Preservation & Management	<p>The INTENT of Council's requirements is to maintain a 'green' City by protecting native and culturally significant vegetation, bushland and understorey vegetation.</p>	The proposed development is consistent with this objective.	Yes
	<p>The intent may be achieved where:</p>	The proposed development is consistent with	Yes

	P1. Development maintains or enhances: • The natural bushland character of the City through the protection of trees and bushland,	this requirement.	
	• Trees or groups of trees that have natural heritage significance and /or aesthetic values for the community,	The proposed development is consistent with this requirement.	Yes
	• STREETSCAPE values where trees form an essential element of the streetscape.	The proposed development is consistent with this requirement.	Yes
	• The integrity and quality of RIPARIAN VEGETATION and the LITTORAL VEGETATION ,	The proposed development is consistent with this requirement.	Yes
	• Ecological Corridors	The proposed development is consistent with this requirement.	Yes
	• Ecological Habitat	The proposed development is consistent with this requirement.	Yes
	• Significant Species and Communities	The proposed development is consistent with this requirement.	Yes
	P2. In the event of an emergency or dangerous situation, evidence is provided to support the removal of the tree.	Noted	Yes
2.1.5 Bushfire Risk	The INTENT of Council's requirements is to plan for the protection of people, property and the environment from bushfire hazards.	The proposed development will comply, a Bushfire Threat Assessment has been prepared and include with the concept plan documentation.	Yes
	The intent may be achieved where: P1.1 The siting and design of the development minimizes the risk of bushfire to people and property.	The proposed development will comply, a Bushfire Threat Assessment has been prepared and include with the concept plan documentation.	Yes
	P1.2 Where risk is identified, the development plans for the long-term management of the BUSHFIRE RISK .	The proposed development will comply, a Bushfire Threat Assessment has been prepared and include with the concept plan documentation.	Yes
	P2. Bushfire risk is managed in conjunction with the preservation of the ecological values of the site and adjoining lands.	The proposed development will comply, a Bushfire Threat Assessment has been prepared and include with the concept plan documentation.	Yes
	P3. Development proposed in grasslands shall be designed and sited to minimize the risk of bushfire to people,	The proposed development will comply, a Bushfire Threat Assessment has been	Yes

	property and the environment.	prepared and included with the concept plan documentation.	
2.1.6 Water Bodies, Waterways and Wetlands	The INTENT of Council's requirements is to protect the quality of receiving waters and the ecosystems that rely on those waters.		
	<p>The intent may be achieved where:</p> <p>P1.1 The water cleaning, hydraulic and ecological functions and habitats of WATER BODIES, WATERWAYS and WETLANDS, and associated landforms and vegetation (such as riparian, littoral and dune areas) are preserved.</p>	Noted and addressed in the EAR	Yes
	<p>P1.2 Changes to the water regime including:</p> <ul style="list-style-type: none"> • Alterations to flood frequency • Water temperature • Streamflow • Water quality, <p>among other things that could affect the ecological values of a water body, waterway or wetland are avoided or minimized.</p>	Noted and addressed in the EAR	Yes
	<p>P1.3 Developments are designed to ensure:</p> <ul style="list-style-type: none"> • Watercourses and their associated vegetation are protected. 	Noted and addressed in the EAR	Yes
	<ul style="list-style-type: none"> • The pre-development water quality of receiving waters is maintained or improved. 	Noted and addressed in the EAR	Yes
	<ul style="list-style-type: none"> • Impacts of construction (except for major flood events) are minimized and provision is made for ongoing maintenance of any works or landscaping associated with development. 	Noted - A construction management plan would be prepared to address these matters as part of that phase of the process.	Yes
	<p>P2. Lands adjoining a water body, waterway or wetland (i.e. riparian or littoral areas) are dedicated or managed to protect their ECOLOGICAL PROCESSES, community and scenic values.</p>	The proposed development will be consistent with this requirement.	Yes
	<p>P3. Riparian, littoral areas, water bodies, waterways and</p>	The proposed development will be consistent with this requirement.	Yes

	wetlands are adequately buffered from development.		
	P4. Rehabilitation measures are proposed where a development site includes a degraded water body, waterway or wetland.	Noted	Yes
2.1.7 Flood Management	The INTENT of Council's requirements is to reduce the impact of flooding and flood liability on individual owners, occupiers of flood prone property, and adjoining land and to reduce private and public losses resulting from floods, utilising ecologically positive methods wherever possible.	The proposed development is consistent with this requirement.	Yes
	The intent may be achieved where: P1. The proposal satisfies relevant criteria contained in the adopted Local Flood Study, Floodplain Management Study or Plan that applies to the land.	The proposed development is consistent with this requirement.	Yes
	P2. Adequate risk mitigation measures are applied so that the hydraulic hazard conditions present at the site do not pose an unacceptable level of risk.	The proposed development is consistent with this requirement.	Yes
	P3. The development does not result in unacceptable risks due to impacts on flooding behaviour at other locations.	The proposed development is consistent with this requirement.	Yes
	P4. The proposal incorporates adequate measures to manage risks to life.	The proposed development is consistent with this requirement.	Yes
	P5. New development, buildings and structures on flood prone land (not located in a floodway) are located and designed to meet an acceptable level of risk of flood damage.	The proposed development is consistent with this requirement.	Yes
	P6. Additions or alterations to existing development are located and designed to meet an acceptable level of risk of flood damage.	The proposed development is consistent with this requirement.	Yes
	P7. Development on sites that adjoin potential flood affected areas are located and designed to meet an acceptable level of risk of flood damage.	The proposed development is consistent with this requirement.	Yes
	P8. Development where 100 year ARI flood levels are not	The proposed development is consistent with this requirement.	Yes

	available , and which is or may be flood liable land, is located and designed to meet an acceptable level of risk of flood damage.		
	P9. Construction methods for development on flood prone land (not located in a floodway) shall be designed and located to meet an acceptable level of risk of flood damage.	The proposed development is consistent with this requirement.	Yes
	P10. Drainage solutions for development on flood prone land (not located in a floodway) shall be designed to meet an acceptable level of risk of flood damage.	The proposed development is consistent with this requirement.	Yes
2.1.10 Acid Sulfate Soils	The INTENT of Council's requirements is to safeguard against the disturbance of acid sulfate soils that will result in environmental and property damage.		
	The intent may be achieved where: P1. Disturbance of ACID SULFATE SOILS is minimized so that: <ul style="list-style-type: none">• Water quality is acceptable at receiving waters,• Areas of environmental value are protected,• Property is not detrimentally affected.	Site analysis has identified the presence of Acid Sulphate Soils. An acid sulphate soil management plan has been prepared for the Marina area and a further plan of a similar nature would be prepared for the balance of the site.	Yes
2.1.11 Erosion Prevention & Sediment Control	The INTENT of Council's requirements is to prevent erosion and run-off during site preparation, construction and the on-going use of land.		
	The intent may be achieved where: P1.1 The design, construction and operation of development minimize the exposure of the soil surface to the action of STORMWATER or wind.	The proposed development will comply with this requirement.	Yes
	P1.2 Measures are taken to limit sediment laden stormwater discharges and restrict stormwater flows over exposed areas during construction.	The proposed development will comply with this requirement.	Yes
	P1.3 All stormwater discharges from the site are directed to	The proposed development will comply with this requirement.	Yes

	suitable devices and methods, in the short and long-term, to intercept, retain and remove water borne pollutants.		
2.1.12 Mine Subsidence	The INTENT of Council's requirement is to ensure Mine Subsidence Board concurrence for proposals on affected sites.		
	The intent may be achieved where: P1. Concurrence from the Mine Subsidence Board has been obtained for the development.	The proposed development will comply with the requirements of the Mine Subsidence Board.	Yes
2.1.14 Energy Efficiency	The INTENT of Council's requirements is to reduce the use of non-renewable resources and greenhouse gas-emissions.		
	The intent may be achieved where: P2. For <i>residential development</i> , a BASIX Certificate is to be included with a development application.	The proposed development will meet this requirement.	Yes
	P3. For <i>commercial, retail, industrial and tourist and similar forms of development</i> , buildings are designed so that the: <ul style="list-style-type: none">● Thermal envelope achieves an adequate level of energy efficiency,● Air-conditioning minimizes energy usage,● Lighting minimizes energy usage.	The proposed development will meet this requirement.	Yes
2.1.15 Noise & Vibration	The INTENT of Council's requirements is to ensure that any noise and vibration source, now or in the future will not affect the surrounding population whether they be employees, workers or residents in adjoining or nearby buildings or passersby.		
	The intent may be achieved where: P1. Development is carried out so that no intrusive or offensive impacts from noise are caused to the surrounding population nor or in the future.	The proposed development will meet this requirement and acoustic impact assessment has been prepared and submitted with the application.	Yes
	P2. The construction of development is carried out so that no intrusive or offensive impacts from noise are caused to the	The proposed development will meet this requirement and acoustic impact assessment has been prepared and submitted with the	Yes

	surrounding population, now or in the future.	application.	
	P3. The operation of development is carried out so that no intrusive or offensive impacts from noise are caused to the surrounding population, now or in the future.	The proposed development will meet this requirement and acoustic impact assessment has been prepared and submitted with the application.	Yes
	P4. The work and living spaces of buildings shall not be subject to intrusive or offensive noise impacts.	The proposed development will meet this requirement and acoustic impact assessment has been prepared and submitted with the application.	Yes
	P5. (For Road(s)) Noise generated by vehicles either on the road system or within a development site is not of an intrusive or offensive impact upon the surrounding population.	The proposed development will meet this requirement and acoustic impact assessment has been prepared and submitted with the application.	Yes
	P7. For Multiple Dwellings Housing, Mixed Use Developments and Residential Flat Buildings noise associated with the operation of the development is not offensive.	The proposed development will meet this requirement and acoustic impact assessment has been prepared and submitted with the application.	Yes
	P8. (For Vibration) The design of the development is carried out so that no vibration detrimentally impacts upon the surrounding population or physical structures now or in the future.	The proposed development can meet this requirement.	Yes
	P9. Vibration generated by the rail system is not to result in a negative impact upon the surrounding population or physical structures.	The proposed development can meet this requirement.	Yes
2.1.16 Air Quality	The INTENT of Council's requirements is to protect the air quality of the City.		
	The intent may be achieved where: P1. Development illustrates that when in operation and when all measures proposed to minimize its impact have been employed, no negative emissions will result that would diminish the amenity of adjacent properties, the surrounding area or water bodies, waterways and wetlands.	The proposed development can meet this requirement. An air quality report has been prepared submitted with the application documentation.	Yes
	P2. Development encourages the use of public transport by being located close to rail and bus routes.	The proposed development will make use of the available service.	Yes
	P3. Development reduces vehicle kilometers traveled by the	The proposed development is consistent with the principle. The site is a destination site	Yes

	creation of compact multi-use centres.	and its development is a reflection of the sites location on Lake Macquarie.	
	P4. Development provides for cycling and walking as a mode of transport.	The proposed development will provide for walking and cycling.	Yes
	P5. Development minimizes both workplace and community exposure to toxic chemicals.	The proposed development will be consistent with this requirement.	Yes
	P6. Development minimizes odour nuisance.	The proposed development will be consistent with this requirement.	Yes
2.1.17 Building Waste Management	The INTENT of Council's requirements is to reduce the disposal of construction and demolition waste to landfill by promoting waste avoidance, reuse and recycling.		Yes
	The intent may be achieved where: P1. <ul style="list-style-type: none">• The reuse and recycling of material is maximized,• Waste disposal and landfill is minimized,• Materials for reuse and / or disposal are appropriately stored on-site.• Evidence is provided that the above arrangements have been implemented.	The proposed development will be consistent with this requirement.	Yes
2.2 - Social Impact			
2.2.1 Social Impact Assessment	The INTENT of Council's requirements is to ensure that development will provide positive community benefits to the locality and the City.		
	The intent may be achieved where: P1. Development maintains and / or enhances SOCIAL EQUITY of the community affected by and / or likely to result from the proposed development, both now and into the future.	The proposed development is socially responsible and a report addressing the relevant issues has been prepared and included with the application documentation.	Yes
	P2. Development reflects and enhances the neighbourhood character and the social and cultural characteristics of the local community.	The proposed development is socially responsible and a report addressing the relevant issues has been prepared and included with the application documentation.	Yes
2.3 Economic Impact			
2.3.1 Economic Impact	The INTENT of Council's requirements is to demonstrate		

Assessment	that development will provide positive economic benefits to the locality and the City.		
	<p>The intent may be achieved where:</p> <p>P1.</p> <p>Development:</p> <ul style="list-style-type: none"> • Positively contributes to the economic growth of the City, 	<p>The proposed development will make a significant contribution to the economic growth of the region. A report has been prepared in consideration of this issue and included with the application documentation.</p>	Yes
	<ul style="list-style-type: none"> • Is in accordance with the intentions of the Land Use Zone in which it is proposed to locate, 	<p>The proposed development for tourism is entirely consistent with the objectives of the 6(2) zone under the LEP. In relation to the inconsistency relative to the permanent residential occupancy it is noted that a Section 54 has been issued and that there is general Council support to rezone the land to allow for this purpose.</p>	Yes
	<ul style="list-style-type: none"> • Protects and supports existing development within the local area and community, and 	<p>The proposed development is consistent with this requirement</p>	Yes
	<ul style="list-style-type: none"> • Is in accordance with the Lake Macquarie <u>HIERARCHY OF CENTRES</u>. 	<p>The proposed development is consistent with this requirement, a contribution will be made to the economic growth of the Morisset town centre and the proposed development will not adversely compete with the existing hierarchy.</p>	Yes
	<ul style="list-style-type: none"> • Contributes to the creation of additional local employment and economic benefits. 	<p>The proposed development is entirely consistent with this requirement.</p>	Yes
2.4 Heritage			
2.4.3 Aboriginal Heritage Items and Sites	<p>The INTENT of Council's requirements is to assist the community to protect and conserve Aboriginal cultural, spiritual and sacred sites within the City.</p>		
	<p>The intent may be achieved where:</p> <p>P1.</p> <p>For <u>ABORIGINAL OBJECTS</u> identified in the Department of Environment and Conservation Register, or gazetted <u>ABORIGINAL PLACES</u> under the National Parks and Wildlife Services Act, development is permitted where it has the approval of the Department of Environment and Conservation and the support of the <u>LOCAL ABORIGINAL</u></p>	<p>The proposed development is consistent with this requirement an assessment of heritage has been completed and included with the application documentation.</p>	Yes

COMMUNITY.			
	P2. For sites, relics (objects) and places (Aboriginal places) identified by the Local Aboriginal community or by Lake Macquarie City Council (excluding Aboriginal objects and places referred to in P1. above), development is permitted where it has the support of the local Aboriginal community.	The proposed development is consistent with this requirement an assessment of heritage has been completed and included with the application documentation.	Yes
2.5 - Stormwater Management Infrastructure and On-Site Services			
2.5.1 Essential Infrastructure	The INTENT of Council's requirements is to ensure the provision of essential infrastructure (or where appropriate alternative technologies) to all development and in a manner that minimizes environmental impacts.		
	The intent may be achieved where: P1.1 Essential infrastructure is efficiently provided to all development, including the delivery of: <ul style="list-style-type: none">● A satisfactory supply of water,	The proposed development will comply with this requirement.	Yes
	<ul style="list-style-type: none">● Electricity,	The proposed development will comply with this requirement.	Yes
	<ul style="list-style-type: none">● Communications, including data cabling,	The proposed development will comply with this requirement.	Yes
	<ul style="list-style-type: none">● The sustainable management of sewage,	The proposed development will comply with this requirement.	Yes
	<ul style="list-style-type: none">● Reticulated natural gas.	Not available to the site.	NA
	P1.2 Alternative technology, that achieves comparable or better standard of servicing is provided.	The proposed development will have an adequate level of technology to service the intended development.	Yes
	P2. The location and design of essential infrastructure minimizes adverse environmental impacts in the short and long term.	This proposed development will comply with this requirement.	Yes
	P3. There is a water supply adequate for the intended use and for fire fighting purposes.	The proposed development will comply with this requirement.	Yes

	P4. Essential infrastructure is accessible, easy to maintain, uses available technology and is cost effective based on life cycle costs.	The proposed development will comply with this requirement.	Yes
	P5. Transportation, treatment and disposal of sewage wastes minimize environmental impacts.	The proposed development will comply with this requirement.	Yes
	P6. Development is staged to ensure that each stage is fully serviced before a new area is released.	The proposed development will comply with this requirement.	Yes
	P7. The siting, design and installation of telecommunications towers are not visually obtrusive and do not create an unacceptable risk to human health or the environment.	The proposed development will comply with this requirement.	Yes
2.5.3 Stormwater Management (Drainage System Design)	The INTENT of Council's requirements is to ensure stormwater systems are carefully planned, designed and located to prevent the disturbance, redirection, reshaping or modification of watercourses and associated vegetation and to protect the quality of receiving waters.		
	The intent may be achieved where: <u>Stormwater Planning</u> P1.1 The stormwater drainage system is planned and designed to ensure that natural watercourses and associated vegetation are maintained.	The proposed development has been designed to comply with this requirement. A report addressing stormwater has been included with the application documentation.	Yes
	P1.2 Stormwater planning, including site layout and building design is undertaken to ensure: <ul style="list-style-type: none">• The design of the drainage system takes full account of the existing downstream systems.	The proposed development has been designed to comply with this requirement. A report addressing stormwater has been included with the application documentation.	Yes
	<ul style="list-style-type: none">• A variety of controls are incorporated into the design of the system that minimize the impacts on water quality and quantity of stormwater <u>RUN-OFF</u> from the site.	The proposed development has been designed to comply with this requirement. A report addressing stormwater has been included with the application documentation.	Yes
	<ul style="list-style-type: none">• The system is accessible and easily maintained.	The proposed development has been designed to comply with this requirement. A report addressing stormwater has been included	Yes

		with the application documentation.	
	<ul style="list-style-type: none"> Maintenance access is available to those parts of the system located on private land. 	The proposed development has been designed to comply with this requirement. A report addressing stormwater has been included with the application documentation.	Yes
	<ul style="list-style-type: none"> The selection of materials and methods are based on their suitability, durability and cost-effectiveness, including maintenance costs. 	The proposed development has been designed to comply with this requirement. A report addressing stormwater has been included with the application documentation.	Yes
	<p>P1.3 Development proposals that:</p> <ul style="list-style-type: none"> Incorporate 10 or more dwellings or lots, OR Accommodate 50 or more employees or clients, OR Involve water flows exceeding the equivalent water demand of 50 persons or more, Are designed and constructed in accordance with a comprehensive water cycle strategy. 	The proposed development has been designed to comply with this requirement. A report addressing stormwater has been included with the application documentation.	Yes
	<u>In relation to Water Quality:</u> <p>P2.1 STORMWATER discharge to surface and underground receiving waters during pre and post construction does not degrade the quality of receiving waters.</p>	The proposed development has been designed to comply with this requirement. A report addressing stormwater has been included with the application documentation.	Yes
	<p>P2.2 The stormwater management system optimizes the interception, retention and removal of water borne pollutants before their discharge to receiving waters.</p>	The proposed development has been designed to comply with this requirement. A report addressing stormwater has been included with the application documentation.	Yes
	<p>P2.3 Point sources of pollution in the catchment are identified and their impacts minimized until they can be eliminated.</p>	The proposed development has been designed to comply with this requirement. A report addressing stormwater has been included with the application documentation.	Yes
	<p>P2.4 The stormwater management system minimizes the environmental impact of urban run-off on the quality of surface or ground receiving waters and on other aspects of the environment, such as ecologically valuable areas,</p>	The proposed development has been designed to comply with this requirement. A report addressing stormwater has been included with the application documentation.	Yes

	<u>ECOLOGICAL CORRIDORS</u> and <u>WATER BODIES, WATERWAYS</u> and <u>WETLANDS</u> .		
	<u>For Industrial and Commercial Development</u> P2.5 The <u>FIRST FLUSH</u> is diverted from sensitive areas or treatment systems are installed to minimize polluted run-off entering receiving waters.	The proposed development has been designed to comply with this requirement. A report addressing stormwater has been included with the application documentation.	Yes
	<u>For proposals directly discharging to the Lake and Waterways Zone</u> P2.6 Measures appropriate to the site are incorporated into the design to minimize the impact of stormwater run-off.	The proposed development has been designed to comply with this requirement. A report addressing stormwater has been included with the application documentation.	Yes
	<u>In relation to Water Quantity</u> P3.1 Natural water bodies, waterways and vegetation are retained and protected from increased stormwater flows.	The proposed development has been designed to comply with this requirement. A report addressing stormwater has been included with the application documentation.	Yes
	<u>P3.2</u> For residential developments of more than 2 dwellings or lots and for all commercial and industrial developments on-site detention of stormwater will be required.	The proposed development has been designed to comply with this requirement. A report addressing stormwater has been included with the application documentation.	Yes
	<u>For the MAJOR DRAINAGE SYSTEMS -</u> P4.1 There is the capacity to safely convey: <ul style="list-style-type: none"> • <u>STORMWATER</u> flows resulting from the relevant design storm under normal operating conditions, including partial minor drainage system blockage. 	The proposed development has been designed to comply with this requirement. A report addressing stormwater has been included with the application documentation.	Yes
	<ul style="list-style-type: none"> • Stormwater flows, resulting from more extreme events than its design storm, without any property damage. 	The proposed development has been designed to comply with this requirement. A report addressing stormwater has been included with the application documentation.	Yes
	The design ensures that flow paths would not increase risk to public safety and property.	The proposed development has been designed to comply with this requirement. A report addressing stormwater has been included with the application documentation.	Yes
	Public open space is incorporated into the stormwater management system in the form of detention and retention basins, while not hindering their main function.	NA	NA

	P4.2 Ground floor levels of habitable rooms are 500mm above the design flood level to provide protection of property in accordance with the accepted level of risk.	The proposed development has been designed to comply with this requirement. A report addressing stormwater has been included with the application documentation.	Yes
	<u>For the MINOR DRAINAGE SYSTEM -</u> P5.1 There is capacity to control STORMWATER flows under normal operating conditions for the relevant AVERAGE RECURRENCE INTERVAL (ARI) design storm, including provision for blockages.	The proposed development has been designed to comply with this requirement. A report addressing stormwater has been included with the application documentation.	Yes
	P5.2 Drainage works are well defined, ensuring no hidden flow paths and minimizing undesirable ponding resulting from the design storm for a prolonged period.	The proposed development has been designed to comply with this requirement. A report addressing stormwater has been included with the application documentation.	Yes
	<u>For Site Drainage -</u> P6.1 The system has the capacity to control site surface stormwater flows and any excess flows from upstream properties to prevent stormwater from entering the building in the design event.	The proposed development has been designed to comply with this requirement. A report addressing stormwater has been included with the application documentation.	Yes
	P6.2 The system minimizes undesirable ponding for a prolonged period.	The proposed development has been designed to comply with this requirement. A report addressing stormwater has been included with the application documentation.	Yes
	P6.3 A variety of source control measures are incorporated into the design system, where soil conditions allow, that minimize the quantity of stormwater run-off from the site.	The proposed development has been designed to comply with this requirement. A report addressing stormwater has been included with the application documentation.	Yes
	P6.4 Development is located and designed to prevent water inundation as a result of incidental flooding.	The proposed development has been designed to comply with this requirement. A report addressing stormwater has been included with the application documentation.	Yes
2.5.4 On-site Stormwater Harvesting (Source Controls)	The INTENT of Council's requirements is to ensure that stormwater harvesting (source controls) measures are implemented to maximize stormwater reuse and prevent increases in the quantity of stormwater discharge from the development site which can impact on downstream environments.	The proposed development has been designed to comply with this requirement. A report addressing stormwater has been included with the application documentation.	Yes

	<p>The intent may be achieved where:</p> <p>P1.</p> <p>All residential development, including individual dwellings and multiple dwelling houses is designed to achieve a Site Discharge Index (SDI) that does not exceed 0.1</p>	<p>The proposed development has been designed to comply with this requirement. A report addressing stormwater has been included with the application documentation.</p>	Yes
2.6 - Transport, Parking, Access and Servicing			
2.6.1 Movement Systems	<p>The INTENT of Council's requirements is to ensure that development reflects the Lake Macquarie Hierarchy of Roads, and contributes to quality design and modal choice outcomes.</p>		
	<p>The intent may be achieved where:</p> <p>P1. <u>Function and Structure</u> -</p> <ul style="list-style-type: none"> • The MOVEMENT SYSTEM has a clear structure and conforms to the adopted Road Hierarchy of the City. 	<p>The proposed development has taken account of the existing traffic environment and impacts from the proposed development. A report assessing the impacts has been included with the application documentation.</p>	Yes
	<ul style="list-style-type: none"> • The road component of the system provides clear physical distinctions between each road type. These distinctions are based on function, design, LEGIBILITY, convenience, traffic volumes, vehicle speeds, public safety and AMENITY. 	<p>The proposed development has taken account of the existing traffic environment and impacts from the proposed development. A report assessing the impacts has been included with the application documentation.</p>	Yes
	<ul style="list-style-type: none"> • Provides a logical and efficient extension of infrastructure. 	<p>The proposed development has taken account of the existing traffic environment and impacts from the proposed development. A report assessing the impacts has been included with the application documentation.</p>	Yes
	<ul style="list-style-type: none"> • Internal and external CONNECTIVITY is increased through using a modified grid pattern layout that minimizes culs-de-sac and dead end streets. 	<p>The proposed development has taken account of the existing traffic environment and impacts from the proposed development. A report assessing the impacts has been included with the application documentation.</p>	Yes
	<ul style="list-style-type: none"> • Provides linkages to adjoining, existing and potential development in accordance with an approved STRUCTURE PLAN. 	NA	NA
	<ul style="list-style-type: none"> • The design features of LOCAL ROADS encourage appropriate driver behaviour. 	<p>The proposed development has taken account of the existing traffic environment and impacts from the proposed development. A</p>	Yes

		report assessing the impacts has been included with the application documentation.	
	<ul style="list-style-type: none"> The Movement System incorporates a variety of paths and routes that encourage walking and cycling. 	The proposed development has taken account of the existing traffic environment and impacts from the proposed development. A report assessing the impacts has been included with the application documentation.	Yes
	<ul style="list-style-type: none"> Development adjoining public open space, ecological habitat or ECOLOGICAL CORRIDORS is separated from development by a perimeter road. 	The proposed development complies with the objective.	Yes
	<ul style="list-style-type: none"> Development adjoining Arterial Roads addresses the road frontage. In some instances a Local Road - Access Place may be required to service development fronting a Sub-Arterial Road 	NA	NA
	<p>P2. <u>Safety, Access and Convenience -</u></p> <ul style="list-style-type: none"> Junctions along Collector and Local Roads are spaced to create safe and convenient movement. 	The proposed development has taken account of the existing traffic environment and impacts from the proposed development. A report assessing the impacts has been included with the application documentation.	Yes
	<ul style="list-style-type: none"> Collector and Local Roads provide for convenient resident movement between their homes and higher order roads. 	The proposed development has taken account of the existing traffic environment and impacts from the proposed development. A report assessing the impacts has been included with the application documentation.	Yes
	<ul style="list-style-type: none"> Collector and Local Roads provide opportunities for pedestrian and cycle path network links that encourage walking and cycling. 	The proposed development has taken account of the existing traffic environment and impacts from the proposed development. A report assessing the impacts has been included with the application documentation.	Yes
	<ul style="list-style-type: none"> The MOVEMENT SYSTEM increases opportunities to link pedestrian and cyclist destination such as, schools, centres, employment area, open space areas and recreational activities, public transport stations and stops. 	The proposed development has taken account of the existing traffic environment and impacts from the proposed development. A report assessing the impacts has been included with the application documentation.	Yes
	<ul style="list-style-type: none"> When the site includes areas of ecological value, waterbodies or waterways, public reserves and / or is classed as an high or medium BUSHFIRE RISK area, perimeter roads are provided as a buffer between the development and the risk area. 	The proposed development will meet the objective of this requirement.	Yes

	<ul style="list-style-type: none"> In bushfire risk areas, provision is made for alternative emergency evacuation. 	The proposed development will meet the objective of this requirement.	Yes
	<ul style="list-style-type: none"> Roads adjoining open space facilitate public access and surveillance of the open space area. 	The proposed development will meet the objective of this requirement.	Yes
	<p>P3. <u>Speed and Safety</u> -</p> <ul style="list-style-type: none"> Collector and Local Roads do not operate as through traffic routes for externally generated traffic, and limit local drivers' need to speed in a low speed environment. 	None proposed.	NA
	<ul style="list-style-type: none"> Collector and Local Roads are designed to reduce traffic speeds and volumes to acceptable levels. 	None Proposed.	NA
	<ul style="list-style-type: none"> Measures utilized to restrain traffic speeds and volumes on the users and adjoining dwellings are based on consideration of access, parking, noise, air quality, illumination and aesthetics. 	None Proposed.	NA
	<ul style="list-style-type: none"> Road reserves provide for the cost-effective provision of public utilities and planting opportunities. 	The proposed development will meet the objective of this requirement.	Yes
	<p>P4. <u>Modal Choice</u> -</p> <ul style="list-style-type: none"> Bus routes are direct and safely accessible by pedestrians from all houses and activity centres. 	The proposed development has access to adjacent bus stop.	Yes
	<ul style="list-style-type: none"> The alignment and geometry of the roads that form identified bus routes allow for efficient and unimpeded movement of buses without facilitating high traffic speeds. 	NA	NA
	<ul style="list-style-type: none"> The MOVEMENT SYSTEM facilitates walking and cycling within the NEIGHBOURHOOD and to local activity Centres. 	The proposed development will meet the objectives of this requirement.	Yes
	<p>P5. <u>Urban Design and Character</u> -</p> <ul style="list-style-type: none"> The location and orientation of the Movement System makes best use of: <ul style="list-style-type: none"> The STREETSCAPE that may be created or already exist. The natural topography and vegetation. 	The proposed development responds to this requirement	Yes
		The proposed development acknowledges the	Yes

		topography of the land.	
	- Opportunities for views and vistas.	The proposed development takes advantage of the available views.	Yes
	- Natural drainage and open space systems.	The proposed development is consistent with this requirement.	Yes
	● Road layout maximizes solar access to lots.	The proposed development is consistent with this requirement.	Yes
	P6. <u>Industrial</u> -	NA	NA
	● The Local Road network creates convenient movement and access for vehicles, particularly heavy vehicles.	NA	NA
	● The internal road network facilitates other access modes without encouraging industrial traffic into residential neighbourhoods or vice versa.	NA	NA
2.6.2 Traffic Generating Development	The INTENT of Council's requirements is to apply the Movement System provisions of this DCP to SEPP 11 - Traffic Generating Development proposals.		
	The intent may be achieved where: P1. Development with high traffic generating potential adequately considers transport / land use issues.	The proposed development will comply with this requirement. A traffic impact assessment has been prepared and included with the application documentation.	Yes
2.6.3 Road Design	The INTENT of Council's requirements is to ensure road design reflects: ● The function of the road, ● The needs of road users, ● Sound engineering practices, ● A variety of modes of transport, ● Australian standards	No public roads are proposed. Internals roads are designed adequate for the traffic predicted.	Yes
	The intent is achieved where: P1. ● Development is suitably located on the road hierarchy.	See above	Yes
	● The local road networks are designed to encourage reduced speeds and traffic volumes.	See above	Yes
	● The road network and design of roads facilitates <u>CONNECTIVITY</u> .	See above	Yes

	<ul style="list-style-type: none"> The road hierarchy incorporates on-road cycling facilities. 	See above	Yes
	<ul style="list-style-type: none"> The design of roads ensures stormwater systems protect the quality of the receiving environment. 	See above	Yes
	P2.1 <u>Function and Width</u> -	See above	Yes
	<ul style="list-style-type: none"> The design features of each type of road convey its primary function. 	See above	Yes
	<ul style="list-style-type: none"> The road reserve width is sufficient to cater for all road functions, including: <ul style="list-style-type: none"> safe and efficient movement of all users, Parked vehicles Location, construction and maintenance of public utilities. 	See above	Yes
	P2.2 The nature strip width is adequate for:	See above	Yes
	<ul style="list-style-type: none"> safety visibility pedestrian movement cyclist movement, when not on the road. Landscaping for <u>AMENITY</u>. Noise reduction On-road parking <u>LOT</u> access Utility services. Special site conditions and future requirements. 	See above	Yes
	P2.3 Development provides for the orderly extension of footpaths, kerb and guttering and associated works.	See above - private facilities will ensure a transition to public facilities.	Yes
	P3.1 <u>Designing for Safety</u> - The design facilitates safety for road users, including people with disabilities, older people and young people	No public roads are proposed. Internals roads are designed adequate for the traffic predicted	Yes

	<p>and children, by:</p> <ul style="list-style-type: none"> • Providing a carriageway width that allows vehicles to proceed safely at the operating speed intended for that level of road. 		
	<ul style="list-style-type: none"> • Making allowances for restrictions caused by on-street parking. 	See above	Yes
	<ul style="list-style-type: none"> • Providing a horizontal and vertical alignment that does not result in excessive speeds. 	See above	Yes
	<ul style="list-style-type: none"> • Promoting the safety of pedestrians where it is intended that they use the carriageway, at bus stops and other crossing points. 	See above	Yes
	<ul style="list-style-type: none"> • Promoting the safety of cyclists on roads and pathways, and at crossing points. 	See above	Yes
	P3.2 Speed reduction techniques are used to achieve desired speeds as part of a design for the whole road environment.	See above	Yes
	P3.3 Safe sight distances are provided, based on target speed, road type, access points, and pedestrian and cyclist crossings.	See above	Yes
	<p>P4. <u>Geometric Design</u> -</p> <p>Geometric design of roads, intersections, <u>ACCESS DRIVEWAYS</u> and speed reduction devices are consistent with Council's adopted guidelines.</p>	See above	Yes
	<p>P5. <u>On-Road Parking</u> -</p> <ul style="list-style-type: none"> • On land adjoining Arterial and Sub-Arterial Roads, the vehicle is able to enter or leave the road in a forward direction. 	See above	Yes
	<ul style="list-style-type: none"> • The carriageway width, nature strip width and access driveway dimension, allows for unobstructed and efficient access to individual lots and sites even when a vehicle is parked on the opposite side of the road. 	See above	Yes
	<ul style="list-style-type: none"> • On-road resident and visitor parking is provided according to projected needs, taking into account: 	See above	Yes

	<ul style="list-style-type: none"> - total parking demand, - parking opportunities within lots, - Non-residential and external parking generators. 		
2.6.4 Pedestrian and Cycle Paths	The INTENT of Council's requirement is to ensure the provision of accessible, well-located and designed pedestrian and cycle paths.		
	<p>The intent may be achieved where:</p> <p>P1.</p> <ul style="list-style-type: none"> • Road and path networks provide pedestrian and cyclist paths with connections to adjoining Local and higher order roads, open spaces, transport nodes and activity centres. 	See above	Yes
	<ul style="list-style-type: none"> • A network of pedestrian and cycle paths are provided to encourage walking and cycling in accordance with: <ul style="list-style-type: none"> - identified opportunities to link pedestrian and cycle destinations such as schools, shopping centres, open space areas, public transport stations / stops, local activity centres and employment nodes, 	See above	Yes
	<ul style="list-style-type: none"> - topography - pedestrian and cyclist safety. 	See above	Yes
	<ul style="list-style-type: none"> • The location of pedestrian and cycle paths in a road reserve is determined by the road type, vehicle speeds and volumes. 	See above	Yes
	<ul style="list-style-type: none"> • The use of concrete paths by cyclists will not affect the comfort and safety of pedestrians. 	See above	Yes
	<ul style="list-style-type: none"> • The alignment of paths is designed so that they are: <ul style="list-style-type: none"> - varied to add visual interest and conserve trees, vegetation and other significant features, 	See above	Yes
	<ul style="list-style-type: none"> - located to protect the natural systems of the lake, watercourses and waterways, 	See above	Yes
	<ul style="list-style-type: none"> - of a suitable grade when combined with a mix of community facilities, 	See above	Yes

	<ul style="list-style-type: none"> - Well lit where subject to high night time usage, - Located where there is casual surveillance, - Adequate for passing, - Widened at potential conflict points, - Cost effective. 	<p>See above</p> <p>See above</p> <p>See above</p> <p>See above</p> <p>See above</p>	Yes
2.6.5 Public Transport	<p>The INTENT of Council's requirements is to maximize public transport usage.</p> <p>The intent may be achieved where:</p> <p>P1.</p> <ul style="list-style-type: none"> • Net residential densities, within the WALKABLE CATCHMENT of public transport routes, stops or stations, are set at levels that take advantage of the infrastructure investment and support the economic operation of services. 		
	<ul style="list-style-type: none"> • Connections to public transport routes, including future routes provide for ease of movement and link activity centres within and external to the development. 	<p>The proposed development is a unique site, it is a destination site set around tourism on the lake's edge.</p>	Yes
	<p>P2.</p> <p>The road network facilitates efficient bus routes, and pedestrian access to bus stops and / or railway stations.</p>	<p>Access from the site to the nearby bus stop will be available.</p>	Yes
2.6.6 Vehicle Parking Provisions	<p>The INTENT of Council's requirements is to ensure that development is provided with adequate and well designed on-site car parking.</p> <p>The intent may be achieved where:</p> <p>P1.</p> <ul style="list-style-type: none"> • Development achieves adequate provision of on-site vehicle parking that is clearly defined, safe and easily accessible. 	<p>Car parking has been designed having regard to Council and RTA standards. A traffic and parking study has been prepared and included with the application documentation.</p>	Yes
	<ul style="list-style-type: none"> • The provision of vehicle parking spaces takes into consideration the following matters: <ul style="list-style-type: none"> - Type and size of development, 	<p>Car parking has been designed having regard to Council and RTA standards. A traffic and parking study has been prepared and included with the application documentation.</p>	Yes
	<ul style="list-style-type: none"> - Expected resident, employee and customer users and movements, 	<p>Car parking has been designed having regard to Council and RTA standards. A traffic and parking study has been prepared and included</p>	Yes

		with the application documentation.	
	- Location of development and adequacy of the road network,	Car parking has been designed having regard to Council and RTA standards. A traffic and parking study has been prepared and included with the application documentation.	Yes
	- Capacity of existing road network to cater for street parking,	Car parking has been designed having regard to Council and RTA standards. A traffic and parking study has been prepared and included with the application documentation.	Yes
	- Universal design to provide non-discriminatory access and use,	Car parking has been designed having regard to Council and RTA standards. A traffic and parking study has been prepared and included with the application documentation.	Yes
	- Access to public transport	Car parking has been designed having regard to Council and RTA standards. A traffic and parking study has been prepared and included with the application documentation.	Yes
	P2. On-site vehicle parking:	The proposed development complies with this requirement.	Yes
	<ul style="list-style-type: none"> • Does not detract from the aesthetics or <u>AMENITY</u> of the locality, or surrounding development, 	The proposed development complies with this requirement.	Yes
	<ul style="list-style-type: none"> • Discourages on-street parking where parking will have adverse impacts on traffic management, safety or amenity, 	The proposed development complies with this requirement.	Yes
	<ul style="list-style-type: none"> • Is consistent with convenient and safe pedestrian and cycle access, 	The proposed development complies with this requirement.	Yes
	<ul style="list-style-type: none"> • Ensures stormwater systems protect the quality of receiving environments. 	The proposed development complies with this requirement.	Yes
2.6.7 Car Parking Areas & Structures	The INTENT of Council's requirements is to ensure car parking areas and / or structures are well sited and designed.	The proposed development complies with this requirement.	Yes
	<p>The intent may be achieved where:</p> <p>P1.</p> <p>Car Parking Areas and Structures are designed to:</p> <ul style="list-style-type: none"> • Provide a clear internal movement hierarchy, 	The proposed development complies with this requirement.	Yes
	<ul style="list-style-type: none"> • Be easily negotiated by vehicles and pedestrians, 	The proposed development complies with this requirement.	Yes

	including persons with a disability,		
	<ul style="list-style-type: none"> • Ensure vehicles do not reverse into areas of high pedestrian activity, 	The proposed development complies with this requirement.	Yes
	<ul style="list-style-type: none"> • Ensure traffic congestion does not adversely affect the external traffic system, 	The proposed development complies with this requirement.	Yes
	<ul style="list-style-type: none"> • Optimise safety and security of users, 	The proposed development complies with this requirement.	Yes
	<ul style="list-style-type: none"> • Ensure stormwater systems protect the quality of the receiving environment, 	The proposed development complies with this requirement.	Yes
	<ul style="list-style-type: none"> • Provide a clearly defined, readable, logical pedestrian network. 	The proposed development complies with this requirement.	Yes
	P2. Car Parking areas are landscaped to:	The proposed development complies with this requirement.	Yes
	<ul style="list-style-type: none"> • Provide shade 	The proposed development complies with this requirement.	Yes
	<ul style="list-style-type: none"> • Allow for <u>INFILTRATION</u> of <u>STORMWATER RUN-OFF</u>, 	The proposed development complies with this requirement.	Yes
	<ul style="list-style-type: none"> • Define parking areas, 	The proposed development complies with this requirement.	Yes
	<ul style="list-style-type: none"> • Improve the aesthetics of parking areas. 	The proposed development complies with this requirement.	Yes
	P3. Car Parking Structures are designed and located so they do not dominate the <u>STREETSCAPE</u> or undermine the character and visual attraction of the area or Centre.	The proposed development complies with this requirement.	Yes
	P4. Car parking areas are designed and constructed with an all weather surface to:	The proposed development complies with this requirement.	Yes
	<ul style="list-style-type: none"> • Support the safe movement of vehicles and pedestrians, and 	The proposed development complies with this requirement.	Yes
	<ul style="list-style-type: none"> • Minimize stormwater discharge to receiving environments. 	The proposed development complies with this requirement.	Yes
2.6.8 Vehicle Access	The INTENT of Council's requirements is to provide safe access for vehicles between proposed developments and the Lake Macquarie Road Hierarchy.		
	<p>The intent may be achieved where:</p> <p>P1.</p>	The proposed development complies with this requirement.	Yes

	<ul style="list-style-type: none"> Site access is suitably located and designed to optimize public safety and convenience, 		
	<ul style="list-style-type: none"> Access to the Arterial and Sub-Arterial road network is restricted to optimize the function and efficiency of these roads. 	The proposed development complies with this requirement.	Yes
	P2. Driveways are located as far as possible from intersections.	The proposed development complies with this requirement.	Yes
	P3. All driveways are located and constructed to provide adequate sight lines.	The proposed development complies with this requirement.	Yes
	P4.1 Any on-street parking that is lost due to access and sight lines is replaced off-street.	The proposed development complies with this requirement.	Yes
	P4.2 Driveways provide for appropriate queuing so that traffic operations on external roads are not disturbed.	The proposed development complies with this requirement.	Yes
	P5. Driveways are of a type, construction and width suitable to the development.	The proposed development complies with this requirement.	Yes
	P6. Access to development in the 3(1) urban Centre (Core) and 3(2) Urban Centre (Support) is suitable to the location and enhances the function of the Centre.	NA	NA
2.6.9 Access to Bushfire Risk Area	The INTENT of Council's requirements is to ensure suitable access is provided to areas of bushfire risk.		
	<p>The intent may be achieved where:</p> <p>P1. Roads are designed and constructed to conform with 'Planning for Bushfire Protection 2001' to suit the BUSHFIRE RISK applicable to the land.</p>	The proposed development complies with this requirement.	Yes
2.6.10 Servicing Areas	The INTENT of Council's requirements is to provide appropriate facilities for service vehicles.		
	<p>The intent may be achieved where:</p> <p>P1.</p> <ul style="list-style-type: none"> The layout of development achieves adequate provision for on-site servicing that is clearly defined, safe and easily accessible. 	The proposed development complies with this requirement.	Yes

	<ul style="list-style-type: none"> The service area contains all space necessary for loading, unloading, waste collection, maneuvering and queuing. 	The proposed development complies with this requirement.	Yes
	<ul style="list-style-type: none"> Servicing areas are located completely within the boundary of the site and do not detract from the aesthetics or AMENITY of the area. 	The proposed development complies with this requirement.	Yes
	<ul style="list-style-type: none"> The proposal is designed to contain any potential adverse affects of servicing the development within the site. 	The proposed development complies with this requirement.	Yes
2.6.11 - On-Site Bicycle Facilities	The INTENT of Council's requirements is to provide greater modal choice through the provision of on-site bicycle facilities within retail, commercial, community and industrial developments.		
	<p>The intent may be achieved where:</p> <p>P1.</p> <p>Development provides adequately for bicycle access to the site, and movement within the site, and for secure and convenient bicycle parking/storage facilities, that:</p> <ul style="list-style-type: none"> Are located close to the development's pedestrian entrance, 	The proposed development complies with this requirement.	Yes
	<ul style="list-style-type: none"> Are obvious and clearly signposted, 	The proposed development complies with this requirement.	Yes
	<ul style="list-style-type: none"> Easily and safely accessible from outside the site, 	The proposed development complies with this requirement.	Yes
	<ul style="list-style-type: none"> Do not impede the movement of pedestrians or other vehicles. 	The proposed development complies with this requirement.	Yes
	<p>P2.</p> <p>Adequate bicycle parking, shower cubicles and lockers are provided to meet the needs of users and to encourage bicycle use as a modal choice.</p>	The proposed development complies with this requirement.	Yes
2.6.12 Non-Discriminatory Access and Use	The INTENT of Council's requirements is to ensure equitable access for all members of the community.		
	<p>The intent may be achieved where:</p> <p>P1.</p> <ul style="list-style-type: none"> Non-discriminatory access is provided to, and within, 	The proposed development complies with this requirement.	Yes

	the development from adjoining roads and pedestrian paths, to the extent possible without causing unreasonable hardship.		
	<ul style="list-style-type: none"> Design of building used by a cross-section of the community, such as churches and convention centres, enables equitable access. 	The proposed development complies with this requirement.	Yes
2.7 - Streetscape and the Public Realm			
2.7.1 Streetscape and Local Character	The INTENT of Council's requirements is the enhancement and creation of attractive, pleasant and safe streetscapes.		
	<p>The intent may be achieved where:</p> <p>P1.</p> <p>The STREETSCAPE built form and landscape:</p> <ul style="list-style-type: none"> Achieves an attractive setting with clear character and identity, 	No streets to be dedicated to the public, however the proposed development responds to this principle.	Yes
	<ul style="list-style-type: none"> Respects and responds to existing streetscapes in established areas, 	No streets to be dedicated to the public, however the proposed development responds to this principle.	Yes
	<ul style="list-style-type: none"> Provides for appropriate street tree planting, furniture and the like by taking into account: <ul style="list-style-type: none"> the function of the street, solar access requirements, soil conditions, selection of appropriate species, the location of utilities and other services, (such as street lighting and power poles). 	No streets to be dedicated to the public, however the proposed development responds to this principle.	Yes
	<ul style="list-style-type: none"> Responds to transport networks and links, and 	No streets to be dedicated to the public, however the proposed development responds to this principle.	Yes
	<ul style="list-style-type: none"> Applies universal design for non-discriminatory access and use. 	No streets to be dedicated to the public, however the proposed development responds to this principle.	Yes
	<p>P2.</p> <p>The STREETSCAPE contributes to the established character of Heritage Conservation Areas and Precincts.</p>	NA	NA
	<p>P3.</p> <p>Development for the purposes of:</p>	No streets to be dedicated to the public, however the proposed development responds	Yes

	<ul style="list-style-type: none"> • Large subdivision, • Development on sites over 5000m², • Development in the Urban, Residential, Tourism and Recreation and Industrial Zones, that has a main street FRONTAGE of greater than 32 metres, incorporates suitable streetscape treatments into the design. 	to this principle.	
2.7.2 Landscape	The INTENT of Council's requirements is the provision of quality site landscaping appropriate to the nature and scale of the development proposal that will enhance the city amenity.		
	<p>The intent may be achieved where:</p> <p>P1. <u>Landscape Design Consultant</u> Qualified landscape consultants with suitable training and experience are utilized for different categories of development:</p> <ul style="list-style-type: none"> • Category 1 - Not applicable 	NA	NA
	<ul style="list-style-type: none"> • Category 2 - All documentation is prepared by a Landscape Architect or Landscape Designer with qualifications from an accredited course and two years relevant post graduation experience. 	NA	NA
	<ul style="list-style-type: none"> • Category 3 - All documentation is prepared by a Landscape Architect or Landscape Designer with qualifications from an accredited course and two years relevant post graduation experience. 	The proposed development incorporates extensive landscaping prepared by a suitably qualified landscape architect.	Yes
	<p>P2.</p> <p>The degree of landscape documentation is appropriate to the scale and significance of the proposed development and submitted at the appropriate stage of the development proposal to allow for comment.</p>	Landscape concept plan has been prepared and included with the application documentation.	Yes
	<p>P3.</p> <p>Proposals demonstrate that the landscape design:</p> <ul style="list-style-type: none"> • Is responsive to site characteristics and recognizes the landscape context and reflects and enhances these throughout the design process, 	The proposed development responds to this principle.	Yes
	<ul style="list-style-type: none"> • Supports the retention, regeneration, enhancement and rehabilitation of areas of ecological value and 	The proposed development responds to this principle.	Yes

	ecological corridors,		
	<ul style="list-style-type: none"> Contributes to ENERGY AND WATER EFFICIENCY and addresses micro-climatic conditions, 	The proposed development responds to this principle.	Yes
	<ul style="list-style-type: none"> Supports pedestrian, cyclist and vehicular flows, 	The proposed development responds to this principle.	Yes
	<ul style="list-style-type: none"> Considers the needs of people who are mobility and visually impaired, 	The proposed development responds to this principle.	Yes
	<ul style="list-style-type: none"> Reduces, through design, risk to personal safety and the potential for crime, vandalism and fear, 	The proposed development responds to this principle.	Yes
	<ul style="list-style-type: none"> Retains and protects natural, Aboriginal and / or European Heritage Items and / or places., 	The proposed development responds to this principle.	Yes
	<ul style="list-style-type: none"> Clearly defines spaces' usage. 	The proposed development responds to this principle.	Yes
	<p>Proposals demonstrate, where appropriate to the site or development type, that the landscape design:</p> <ul style="list-style-type: none"> Minimises the impact of, and supports the function of the built form, MOVEMENT SYSTEM and car parking facilities, 	The proposed development responds to this principle.	Yes
	<ul style="list-style-type: none"> Effectively screens service areas, reduces noise impacts and highlights views and vistas, 	The proposed development responds to this principle.	Yes
	<ul style="list-style-type: none"> Is an integrated component of STORMWATER management through the implementation of WATER CYCLE MANAGEMENT. 	The proposed development responds to this principle.	Yes
	<ul style="list-style-type: none"> Minimises bushfire hazard, 	The proposed development responds to this principle.	Yes
	<ul style="list-style-type: none"> Can be reasonably maintained over the life of the development. 	The proposed development responds to this principle.	Yes
2.7.3 Public Open Space	The INTENT of Council's requirements is to ensure the provision of well-located and accessible public open spaces that meet users needs.	Public access is available to the open spaces on the site, however the land is retained in the ownership of the developer and maintained by the developer.	Yes
	<p>The intent may be achieved where:</p> <p>P1. A Section 94 Contribution is made for the provision of public open space.</p>	See above	Yes
	P2.		Yes

	Open Space provides for recreational, aesthetic, environmental and stormwater management needs.		
	Public open space is designed to provide: <ul style="list-style-type: none"> A range of recreational and environmental settings, corridors and focal points, 	This Principle can be met.	Yes
	<ul style="list-style-type: none"> Adequate facilities to meet community needs and expectations based on the population density and demographic structure of the subdivision and / or the local, district or regional area, 	This Principle can be met.	Yes
	<ul style="list-style-type: none"> Protection of existing endemic vegetation and encouragement of natural regeneration. 	This Principle can be met.	Yes
	<ul style="list-style-type: none"> A response to the opportunities and constraints presented by the physical characteristics and environmental values of the land in the proposed use, and facilities provided. 	This Principle can be met.	Yes
	<ul style="list-style-type: none"> For the integration of existing landscape assets e.g. rock outcrops, ponds, native vegetation communities and sites of natural or cultural value, 	This Principle can be met.	Yes
	<ul style="list-style-type: none"> Links between public open spaces to form a legible network, 	This Principle can be met.	Yes
	<ul style="list-style-type: none"> Universal design for non-discriminatory access and use, 	This Principle can be met.	Yes
	<ul style="list-style-type: none"> Public safety and reasonable amenity of adjoining land users in the design of facilities and associated engineering works, 	This Principle can be met.	Yes
	<ul style="list-style-type: none"> For regional, district and neighbourhood open space requirements. 	This Principle can be met.	Yes
	P3. Opportunities to address issues of security and surveillance by measures such as providing adequate road frontage, designing lots and dwellings that view public open space and avoiding long high fences around these areas.	The open space areas will be designed to address this principle	Yes
2.7.4 Pedestrian Networks and Places	The INTENTof Council's requirements is to provide quality pedestrian networks and places that are accessible and designed to meet user needs.	The proposed development is consistent with this principle.	Yes
	The intent may be achieved where:	The proposed development is consistent with this principle and the proposal will be refined	Yes

	P1. Street level design develops a strong link between internal and external pedestrian places.	as part of the project applications.	
	P2. Development has regard to its shadowing and microclimatic impacts on public places.	See above	Yes
	P3. Development has regard to any wind impacts or wind tunnel effects.	See above	Yes
	P4. Design of pedestrian paths and places reinforces the desired character of the area and / or Centre and is of universal design to ensure non-discriminatory access and use.	See above	Yes
	P5. <ul style="list-style-type: none">● Location, design and provision of pedestrian facilities in, and around, development achieves a high level of user:<ul style="list-style-type: none">- Amenity,- Comfort, and- safety	See above	Yes
	<ul style="list-style-type: none">● Development maintains and/or establishes convenient routes through or around sites for pedestrians and cyclists, providing for:<ul style="list-style-type: none">- access to the public transport system, pedestrian/cycle networks,	See above	Yes
	<ul style="list-style-type: none">- access to and along the Lake and its tributaries,	See above	Yes
	<ul style="list-style-type: none">- improved accessibility to and from facilities and services in the local area, Centre and employment nodes.	See above	Yes
	<ul style="list-style-type: none">● Appropriate streetscape design is included in the development including street trees, street furniture, lighting, and paving.	See above	Yes
	P6. Pedestrians, footpaths and pathways are protected from rain and/or sun by shelter that: <ul style="list-style-type: none">● Is continuous and compatible with existing pedestrian	See above	Yes

	shelters in Urban Centre Zones,		
	<ul style="list-style-type: none"> Allows for street trees and other streetscape elements. 	See above	Yes
	P7. Public art is incorporated into development where appropriate.	The proposed development will incorporate public art and this will be detailed as part of future project applications.	Yes
	P8. <ul style="list-style-type: none"> Outdoor dining areas form part of the premises serving patrons, 	The proposed development will incorporate this feature.	Yes
	<ul style="list-style-type: none"> Outdoor dining in pedestrian places and footpaths do not unreasonably impede the free flow of pedestrians. 	The proposed development will be consistent with this requirement.	Yes
	P9. Provision of signage does not restrict movement and reinforces the identity of the area and / or Centre.	The proposed development will be consistent with this requirement.	Yes
2.7.5 Light, Glare and Reflection	The INTENT of Council's requirements is to ensure that light from development and public lighting does not result in obtrusive light, glare and / or reflection.	The site is relatively shielded from surrounding dwellings and it is not anticipated that light spill will be of concern. Nonetheless the issue will be considered as part of the future lighting of the site.	Yes
	<p>The intent may be achieved where:</p> <p>P1. The design, installation and operation of lighting is carried out so that no unreasonable impact from light, glare or reflection is caused to the surrounding neighbourhood.</p>	See above	Yes
2.7.6 Views	The INTENT of Council's requirements is to ensure that development does not unreasonably impact or intentionally obstruct views from areas of high public usage, or from existing or future private development.		
	<p>The intent may be achieved where:</p> <p>P1. For Public Views, development</p> <ul style="list-style-type: none"> Permits and maintains views from public streets and open spaces. 	The proposed development will not restrict existing private or public views.	Yes
	<ul style="list-style-type: none"> Preserves views of significant buildings, environments and landmarks, 	The proposed development is consistent with this principle.	Yes
	<ul style="list-style-type: none"> Maximises views between and over buildings, 	The proposed development is consistent with this principle.	Yes

	<ul style="list-style-type: none"> Maintains the visual character of the City. 	The proposed development with the retention of existing landscaping on site is considered to retain the visual character of the city.	Yes
	<p>P2.</p> <p>Vistas along streets are preserved or enhanced through sensitive landscaping and building location, form and design.</p>	The proposed development is consistent with this principle.	Yes
	<p>P3.</p> <p>For Private Views</p> <p>Development allows for the reasonable sharing of views through the siting, height and design of buildings.</p>	The proposed development is consistent with this principle.	Yes
2.7.7 Signs	<p>The INTENT of Council's requirements is to ensure that the location, size and configuration of signage positively contributes to the amenity of the building and streetscape.</p>		
	<p>The intent may be achieved where:</p> <p>P1.</p> <p>The number, size, shape, extent, placement and content of signs is limited to:</p> <ul style="list-style-type: none"> Allow the reasonable identification of the land use, business, activity or building upon which the sign is to be placed, 	<p>It is in the interest of the proposed development to ensure signage is attractive and appropriately integrated into the development. Future applications for the development will ensure this principle is considered.</p>	Yes
	<ul style="list-style-type: none"> Ensure that the sign is compatible with the design, scale and architectural character of the building or site upon which it is to be placed, 	See above	Yes
	<ul style="list-style-type: none"> Ensure that the sign does not dominate or obscure other signs or result in visual clutter, 	See above	Yes
	<ul style="list-style-type: none"> Ensure that the sign does not endanger the public or diminish the amenity of nearby properties, 	See above	Yes
	<ul style="list-style-type: none"> Ensure signs are not confused with or reduce the effectiveness of traffic control devices, 	See above	Yes
	<ul style="list-style-type: none"> Ensure signs do not cover mechanical ventilation inlet or outlet vents, 	See above	Yes
	<ul style="list-style-type: none"> Ensure advertisement directs the traveling public to that building or place, 	See above	Yes
	<ul style="list-style-type: none"> Ensure structures supporting signs are of a high aesthetic appearance and do not interfere with the 	See above	Yes

	visual amenity of the area,		
	<ul style="list-style-type: none"> • Ensure materials used are durable, fade-proof and of a high aesthetic quality, 	See above	Yes
	<ul style="list-style-type: none"> • Ensure unsightly or objectionable material or language is not displayed, 	See above	Yes
	<ul style="list-style-type: none"> • Ensure the amenity of the area is maintained, 	See above	Yes
	<ul style="list-style-type: none"> • Ensure signs principally display information relating to the business, 	See above	Yes
	<ul style="list-style-type: none"> • Ensure sharing of sign space where appropriate (ie. multi-tenanted residences). 	See above	Yes
	P2. Signage clearly displays the business name and use without visual clutter or proliferation of the façade of the building or site.	See above	Yes
	P3. Pole and / or pylon signs complement the building and / or site in size, character and scale and are integrated into the landscaped area of the development.	See above	Yes
	P4. Signage associated with multiple occupancy / tenancy buildings shall be of a uniform shape, size and character.	See above	Yes
	P5. Signage associated with the sale and / or development of land and / or buildings.	See above	Yes
	P6. The display of special promotional signs is limited to a suitable timeframe.	See above	Yes
2.7.8 Fences	The INTENT of Council's requirements is to ensure that fencing is suitable to the development type, complements the existing streetscape and character of the area and promotes safety and security.	Fencing other than feature walls are unlikely to be a part of the proposed development. Any such fencing will be considered relative to this principle as part of future applications for development.	Yes
	<p>The intent may be achieved where:</p> <p>P1. Fencing and Walls:</p> <ul style="list-style-type: none"> • Are compatible with the existing STREETSCAPE or character of the area including side fences located within the street SETBACK area on corner lots, 	See above	Yes

	<ul style="list-style-type: none"> • Assist the development to address the street, 	See above	Yes
	<ul style="list-style-type: none"> • Assist in safety and casual surveillance, 	See above	Yes
	<ul style="list-style-type: none"> • Assist in highlighting entrances, 	See above	
	<ul style="list-style-type: none"> • Provide for visual interest without intrusion or obscuring of driveways, 	See above	Yes
	<ul style="list-style-type: none"> • Assist in defining vehicle driveways. 	See above	Yes
	P2. Fencing and walls are sympathetic to the character and streetscape of Heritage Conservation Areas and Precincts.	See above	Yes
	P3. Landscape design is used to reduce the impact of fencing associated with industrial and commercial development.	See above	Yes
	P4. Fences lakeward of the FORESHORE BUILDING LINE or in rural and environmentally sensitive areas, preserve the visual character of the location.	See above	Yes
2.7.9 Safety and Security	The INTENT of Council's requirements is to discourage crime and increase casual surveillance, safety and security in all areas of the City.		
	<p>The intent may be achieved where:</p> <p>P1. The proposed development:</p> <ul style="list-style-type: none"> • Maximises actual and perceived safety within the community through design, 	<p>The proposed development will be consistent with this requirement a report has been prepared addressing crime prevention through design and included as part of the documentation submitted.</p>	Yes
	<ul style="list-style-type: none"> • Encourages the public and private use of all spaces to maximize their safety, 	See above	Yes
	<ul style="list-style-type: none"> • Provides for surveillance of public spaces and private entries adjoining public spaces. 	See above	Yes
3.1 - Lake, Waterway and Coastline Development			
3.1.1 Development Adjoining the Lake and Waterways Zone	The INTENT of Council's requirements is to ensure that development maintains and enhances the ecological, community and scenic values of the Lake and its tributaries.		
	The intent may be achieved where:	The proposed development maintains and	Yes

	<p>P1. <u>In general, for all Development - whether for Lakefront Area or Foreshore Area, or other development -</u></p> <ul style="list-style-type: none"> The physical and ecological integrity of the foreshore is preserved and where possible, restored / enhanced. 	enhances the existing foreshore areas adjoining the site and is therefore consistent with this principle.	
	<ul style="list-style-type: none"> Development does not affect the visual character of the setting. 	See comments re visual impacts. It is considered that the proposed retention of edge planting will assist to maintain the visual character of the area. The proposed Marina is considered consistent with the visual outcomes that could be expected from a site zoned for tourism.	Yes
	<ul style="list-style-type: none"> Development does not result in alteration of the natural ground level of the foreshore. 	The proposed development complies with this principle.	Yes
	<ul style="list-style-type: none"> Development provides for management of lands, in private ownership, for its ecological, community or scenic values. 	The proposed development complies with this principle.	Yes
	<ul style="list-style-type: none"> Development or redevelopment on foreshore areas promotes the restoration of the <u>FORESHORE BUILDING LINE</u> and public access. 	The proposed development complies with this principle.	Yes
	<p>P2.1 <u>For Foreshore Area Development -</u> Where setbacks are maintained.</p>	NA	NA
	<p>P2.2 For a <u>DOMESTIC BOATSHED</u> structures are restricted in dimension and use to limit any potential for adverse visual impact.</p>	NA	NA
	<p>P2.3 For a <u>DOMESTIC</u> swimming pool, structures are restricted in height and location to limit any potential for adverse visual impact.</p>	NA	NA
	<p>P2.4 For a <u>fence, wall (free standing) or enclosure</u>, structures are restricted in height, location and materials, to limit any potential for adverse visual impact, environmental impact, scenic quality or accessibility.</p>	See visual impact report included with documentation submitted.	Yes
	<p>P3.1 <u>For Lakefront Area Development -</u> Structures and activities are restricted to appropriate locations.</p>	See above	Yes

	<p>P3.2 For a <u>DOMESTIC</u> jetty (including extensions and rebuilding of existing):</p> <ul style="list-style-type: none"> ● Numbers are restricted. ● Legal access is possible. ● Length and scale dimensions enable water access within acceptable limits. ● Construction details are appropriate. ● Environmental and estuarine management process are protected. 	NA - domestic	NA
	<p>P3.3 For <u>DOMESTIC</u> jetty berthing and mooring poles, vessel size is appropriate to jetty dimensions, and environmental and estuarine management processes are protected.</p>	NA - domestic	NA
	<p>P3.4 For a <u>COMMUNITY JETTY</u>, the need is demonstrated and the number, location and usage is restricted, and environmental and estuarine management processes are protected.</p>	The proposed development complies with this principle.	Yes
	<p>P3.5 For <u>DOMESTIC FORESHORE STABILISATION TREATMENT</u>, work satisfies appropriate engineering and tenure requirements.</p>	The proposed development complies with this principle.	Yes
	<p>P3.6 For a <u>DOMESTIC</u> boat ramp, the location, length, design and use:</p> <ul style="list-style-type: none"> ● Does not unreasonably interfere with the lake or waterway bed. 	NA - domestic	NA
	<ul style="list-style-type: none"> ● Does not cause: <ul style="list-style-type: none"> - stability - ecological and/or - vegetation <p>damage to the foreshore areas adjoining the boat ramp.</p>	NA - domestic	NA
	<ul style="list-style-type: none"> ● Are unobtrusive. 	NA - domestic	NA
	<ul style="list-style-type: none"> ● Does not interfere with pedestrian access. 	NA - domestic	NA
	<p>P3.7 For a <u>domestic slipway</u>, structures are unobtrusive and</p>	NA - domestic	NA

	<p>restricted in length, and does not cause,</p> <ul style="list-style-type: none"> • Stability • Ecological and/or • Vegetation <p><u>Damage to the foreshore areas adjoining the slipway.</u></p>		
3.1.2 Development in or Adjoining the Coastal Zone	<p>The INTENT of Council's requirements is to ensure that development does not adversely impact the City's coastal lands.</p>		
	<p>The intent may be achieved where:</p> <p>P1.</p> <p>Development complies with Part A of the <i>Lake Macquarie Coastline Management Plan 1999</i> and/or a Plan of Management relating to a coastline reserve.</p> <p>The objectives of the Plan are to:</p> <ul style="list-style-type: none"> • Ensure compatibility of development and use with hazards. 	<p>None applicable to proposed development</p>	NA
	<ul style="list-style-type: none"> • Reduce impact of hazards on individual owners and occupiers. 	See above	Yes
	<ul style="list-style-type: none"> • Reduce private and public losses from hazard damage. 	See above	Yes
	<ul style="list-style-type: none"> • Protect and enhance the recreational AMENITY of beaches. 	See above	Yes
	<ul style="list-style-type: none"> • Ensure an appropriate long term balance in utilization and conservation of the coastline. 	See above	Yes
	<p>P2.1 Development adjoining the Coastal Zone -</p> <p>The proposal, its siting, design and construction use are suited to its location.</p>	<p>The proposed development is consistent with this principle.</p>	Yes
	<p>P2.2</p> <p>The proposal illustrates that it is not at risk from hazards associated with coastal lands.</p>	<p>The proposal is consistent with this principle.</p>	Yes
	<p>P2.3</p> <p>The proposal results in the conservation enhancement and appreciation of the coastal corridor.</p>	<p>The proposal is consistent with this principle.</p>	Yes
	<p>P2.4</p> <p>Development on and adjacent to 7(4) land will not detract</p>	NA	NA

	from the scenic values and recreational experience associated with coastal areas and the coastal walk.		
	P2.5 Facilitates and/or increases public access to and public appreciation of the coast.	The proposed development is consistent with this principle providing for a substantial increase in public access to the foreshore and use of proposed facilities on the foreshore.	Yes
	P2.6 Public ownership of coastal land is increased.	Opportunity exists for the foreshore edge to be brought into public ownership.	Yes
3.4 - Housing - Building Siting, Form and Design			Yes
3.4.1 Building Siting and Bulk	The INTENT of Council's requirements is to ensure that the siting and bulk of all housing types provides a consistent streetscape, residential amenity and contributes to the existing residential character or the envisaged future character, where this has been identified by Council.	The objective will be met.	Yes
	The intent may be achieved where: P1. Front Setback - The front SETBACK complements existing setbacks in the street and responds to the context of the locality.	The objective will be met.	Yes
	P2. General Side and/or Rear Setback - Side and rear setbacks maximize outdoor living areas, privacy and solar access.	The objective will be met.	Yes
	P3. Side and/or Rear Setback - Building to the Boundary <ul style="list-style-type: none"> • Building to the boundary maximizes privacy, views and solar access for adjoining properties. 	The objective will be met.	Yes
	P4. Building Siting Building siting relates to the existing landform and minimizes earthworks.	The objective will be met.	Yes
	P5. View Sharing Building bulk and form enables a sharing of views with neighbours.	The objective will be met.	Yes
	P6. Setback to Lake Foreshore Development does not extend beyond the foreshore building line unless for foreshore area development and lakefront area development.	The objective will be met.	Yes

	P7. <u>Site Area and Configuration</u> The site area and configuration is suitable for the type and scale of the development.	The objective will be met.	Yes
	P8. <u>Character of Streetscape</u> The siting and bulk of development contributes to the existing or proposed character of the Streetscape.	The objective will be met.	Yes
	P9. <u>Building Bulk</u> Building bulk is distributed to reduce impacts on neighbours and the street.	The objective will be met.	Yes
3.4.2 Building Heights	The INTENT of Council's requirements is to ensure that building height is compatible with surrounding development and the locality.		
	The intent may be achieved where: P1. <ul style="list-style-type: none">• Development responds to its context and adopts the predominant scale, height and bulk of adjoining buildings.	Building heights are appropriate to the existing topography and site landscaping.	Yes
	<ul style="list-style-type: none">• Proposed development is higher than existing development, a transition of building heights is made between the existing and the proposed.	This objective will be met.	Yes
3.4.3 Site Coverage and Unbuilt Areas	The INTENT of Council's requirements is to achieve a quality living environment and promote on-site stormwater infiltration by restricting site coverage of buildings and hard surfaces.		
	The intent may be achieved where: P1. <ul style="list-style-type: none">• Development maximizes permeable surfaces and maintains a balance between the built and UNBUILT UPON AREAS.	The objective will be met.	Yes
	<ul style="list-style-type: none">• Development provides for unbuilt-upon areas that are of suitable size, dimension and slope that will:<ul style="list-style-type: none">- provide adequate solar access- Assist in retaining existing vegetation- Enhance the existing streetscape- Enhance privacy and views between housing,	The objective will be met.	Yes
		The objective will be met.	Yes
		The objective will be met.	Yes

	other buildings and the street		
	- Accommodate private outdoor area requirements that suit the anticipated needs of the occupants	The objective will be met.	Yes
	- Actively facilitate on-site stormwater infiltration and harvesting for re-use	The objective will be met.	Yes
	- Incorporate suitable measures to minimize run-off directly accessing the Lake or its waterways	The objective will be met.	Yes
	- Provide space for service functions including clothes drying.	The objective will be met.	Yes
3.4.4 Solar Access	The INTENT of Council's requirements is to achieve a quality living environment by ensuring appropriate levels of solar access for new housing and safeguarding solar access to adjoining housing. Good orientation increases the energy efficiency of a home making it more comfortable to live in and cheaper to run.		
	The intent may be achieved where: P1. <ul style="list-style-type: none">• Development is capable of receiving sufficient solar access.	The objective can be met.	Yes
	<ul style="list-style-type: none">• Development aims to maintain existing solar access to the living areas, habitable spaces and private outdoor areas of surrounding housing.	NA	NA
	<ul style="list-style-type: none">• Development meets the solar access requirements of 2.1.14 - Energy Efficiency.	The objective can be met.	Yes
3.4.5 Privacy	The INTENT of Council's requirements is to maximize visual and acoustic privacy for the occupants of new and existing housing.		
	The intent may be achieved where: P1. <u>Visual Privacy</u> - The windows of <u>HABITABLE ROOMS</u> or 'identified' private outdoor areas; <ul style="list-style-type: none">• Do not directly overlook adjacent dwellings habitable room windows, either within or adjoining the proposed development, and	The objective can be met.	Yes
	<ul style="list-style-type: none">• Maintain privacy through building layout, location, screening devices and/or remoteness.	The objective can be met.	Yes

	<p>P2. <u>Acoustic Privacy</u> -</p> <ul style="list-style-type: none"> Site layout separates, by way of acoustic barriers, noise generating areas from sleeping areas. 	The objective can be met.	Yes
	<ul style="list-style-type: none"> Dwellings close to high noise sources are designed to locate noise-sensitive rooms and private outdoor areas away from the noise sources, and are protected by appropriate noise reduction techniques. 	The objective can be met.	Yes
	<ul style="list-style-type: none"> Building design assists in minimizing the transmission of sound through the building structure, particularly to sleeping and living areas. 	The objective can be met.	Yes
3.4.6 Private Outdoor Areas	The INTENT of Council's requirements is to ensure occupants are provided with practical, useable and well located outdoor living environments.	The proposed development provides more than adequate open space.	Yes
	<p>The intent may be achieved where:</p> <p>P1.</p> <p>Private outdoor areas are:</p> <ul style="list-style-type: none"> Clearly defined for private use or occupants. 	See above.	Yes
	<ul style="list-style-type: none"> A useable size and dimension. 	See above.	Yes
	<ul style="list-style-type: none"> A suitable slope. 	See above.	Yes
	<ul style="list-style-type: none"> Directly accessible from a living area. 	See above.	Yes
	<ul style="list-style-type: none"> Capable of receiving sufficient sunlight. 	See above.	Yes
	<ul style="list-style-type: none"> Located beyond the street-front setback. 	See above.	Yes
	<ul style="list-style-type: none"> On corner lots, 50 percent of the required private outdoor area is supplied in a suitable form that does not require solid fencing within the street-front setback. 	See above.	Yes
	<ul style="list-style-type: none"> Accessible from the main living area and of a suitable size and area, while protecting the privacy of adjoining and nearby properties where above ground level. 	See above.	Yes
3.4.7 Communications and Other Household Services	The INTENT of Council's requirements is to minimize the visual impact of communications infrastructure and other ancillary service structures.	The objective will be met	Yes
	<p>The intent may be achieved where:</p>	The objective will be met.	Yes

	P1. <ul style="list-style-type: none"> • Satellite microwave dishes, and aerials or antennas are not visually obtrusive or offensive because of their size, position or prominence. 		
	<ul style="list-style-type: none"> • Other household services, such as solar panels, air conditioning equipment, waste receptacles and rainwater tanks, are not visually obtrusive or offensive because of their size, position or prominence. 	The objective will be met.	Yes
3.4.8 Garages, Sheds and Driveway Access	The INTENT of Council's requirements is to ensure the adequate provision of car parking that is well located and designed, and minimizes the visual impact of garages and driveways on the streetscape and local character.	The objectives can be met.	Yes
	<p>The intent may be achieved where:</p> <p>P1. <u>Vehicle Access and Driveways -</u></p> <ul style="list-style-type: none"> • Do not impede the traffic flow on Arterial, Sub-Arterial or Collector Roads. 	See above.	Yes
	<ul style="list-style-type: none"> • Are provided with an entry/exit point for individual developments. 	See above.	Yes
	<ul style="list-style-type: none"> • Are safe from hazards and does not affect scenic or ecological values. 	See above.	Yes
	<ul style="list-style-type: none"> • Location and length are low-impact and continue the existing pattern in the street. 	See above.	Yes
	<ul style="list-style-type: none"> • Are designed, surfaced and sloped to facilitate ease of access, stormwater infiltration and are separated from pedestrian entry/access routes. 	See above.	Yes
	<ul style="list-style-type: none"> • Where communal, through a right of way or similar arrangements, do not result in over-development of the land, based on but not limited to: <ul style="list-style-type: none"> - Lot sizes - Character of adjoining and nearby development - Slope of the land. 	See above.	Yes
	<p>P2. <u>Car/Vehicle Accommodation -</u></p> <ul style="list-style-type: none"> • Facilitates (including garages and carports) are sited 	See above.	Yes

	and designed so as not to dominate the streetscape/street frontage or other public places.		
	<ul style="list-style-type: none"> Facilities are designed and located to minimize impacts on neighbouring housing. 	See above.	Yes
	<ul style="list-style-type: none"> Driveways and vehicle parking areas ensure a high level of safety and security for residents and visitors at night. 	See above.	Yes
	<p>P3. <u>Parking Spaces</u> –</p> <p>The number of vehicle parking spaces available on site, and along the street frontage, is sufficient to cater for resident and visitor parking needs.</p>	See above.	Yes
3.5 - Housing - Specific Types			
3.5.5 Residential Flat Buildings	The INTENT of Council's requirements is to ensure that Residential Flat Buildings are well sited and achieve a quality living environment for the occupants and residents of surrounding development.	The proposed development has been designed to maximize solar access, views from the site and ground level open space ad landscaping to provide future residents with a high level of amenity.	Yes
	<p>The intent may be achieved where:</p> <p>P1.</p> <ul style="list-style-type: none"> Lot size and street frontage width comply with the requirements detailed in 3.2.2 - Lot Size and Layout 	See above	Yes
	<ul style="list-style-type: none"> The proposal achieves the energy efficiency requirements detailed in 2.1.14 - Energy Efficiency. 	See above	Yes
	<ul style="list-style-type: none"> Vehicle requirements comply with the provisions of 2.6.6 - Vehicle Parking Provision and 2.6.8 - Vehicle Access. 	See above	Yes
	<ul style="list-style-type: none"> The proposal complies with the requirements of 2.7.2 - Landscape. 	See above	Yes
	<ul style="list-style-type: none"> The proposal complies with all housing related Development Principles in section 3.4 - Building Siting, Form, and Design. 	The proposal is consistent with this principle.	Yes
	<ul style="list-style-type: none"> The proposal incorporates stormwater harvesting and complies with the requirements detailed in 2.5.4 - On-Site Stormwater Harvesting. 	The proposal is consistent with this principle.	Yes

	<ul style="list-style-type: none"> Larger developments integrate with the neighbourhood and when on a site over 2500m² comply with the requirements of 3.2 - Subdivision. 	The proposed development is consistent with this principle.	Yes
	<ul style="list-style-type: none"> The proposal complies with the requirements of 2.1.9 - Sloping land and Soils. 	The proposed development is consistent with this principle.	Yes
	P2. The proposal: <ul style="list-style-type: none"> Is orientated to the street. 	The proposed development is consistent with this principle.	Yes
	<ul style="list-style-type: none"> Includes building articulation and design elements that reduce bulk and provide interest to the street. 	The proposed development is consistent with this principle.	Yes
	<ul style="list-style-type: none"> Pedestrian paths, courts, landscape or recreation areas are more prominent than vehicle movement areas and utility spaces. 	The proposed development is consistent with this principle.	Yes
	P3. <ul style="list-style-type: none"> Proposed and existing adjacent dwellings achieve a pleasant, attractive and energy efficient living environment. 	The proposed development is consistent with this principle.	Yes
	<ul style="list-style-type: none"> Proposed and existing adjacent dwellings receive adequate daylight and ventilation. 	The proposed development is consistent with this principle.	Yes
	P4. <ul style="list-style-type: none"> The proposal provides sufficient communal outdoor areas for residents' needs. 	The proposed development is consistent with this principle.	Yes
	<ul style="list-style-type: none"> Additional communal outdoor areas are provided where a significant proportion of dwellings do not have access to a ground floor private outdoor area. 	The proposed development is consistent with this principle.	Yes
	P5. Service structures and communal utility areas, such as car washing, waste disposal and clothes drying facilities are unobtrusively located on the site and environmentally sustainable.	The proposed development will be consistent with this principle and future applications for development will demonstrate compliance.	Yes
	P6. Pedestrian paths and community building entry/entries are clearly visible from the street, well lit and separated (or distinct) from vehicle entry and circulation areas.	The proposed development will be consistent with this principle and future applications for development will demonstrate compliance.	Yes
	P7. <ul style="list-style-type: none"> Vehicle access and parking is safe and convenient for residents, visitors and service providers. 	The proposed development will be consistent with this principle and future applications for development will demonstrate compliance.	Yes

	<ul style="list-style-type: none"> Vehicle parking design and location minimizes impacts on neighbouring dwellings. 	The proposed development complies with this principle.	Yes
	P8. Noise from the development does not unreasonably affect existing or likely future development on adjacent land.	The proposed development is consistent with this principle and an acoustic impact report has been included with the submitted documentation.	Yes
	P9. Safety and security of residents is protected through the appropriate location of Fire Hydrants.	The proposed development will comply with this principle.	Yes
	P10. The development incorporates housing that is accessible to all members of the community.	The proposed development will comply with this principle.	Yes
	P11. Personal safety is protected by development that incorporates Crime Prevention through Environmental Design (CPTED).	The proposed development is consistent with this principle. A report has been included with the submitted documentation addressing crime prevention through environmental design.	Yes
3.7.6 Tourist Accommodation and Tourist Resorts	The intent of Council's requirements is to ensure that Tourist Accommodation and Tourist Resorts are appropriately located and are sited and designed to minimize impact and maintain visual amenity.		
	P1. Tourist Accommodation and Tourist Resorts are in locations compatible with existing landuses and the natural environment.	The proposed development satisfies the acceptable solution criteria of the DCP, being located within the appropriate land use zone.	Yes
	P2. Tourist Accommodation and Tourist Resorts are designed and constructed to ensure compatibility with the surrounding environment and maintain visual amenity.	The proposed concept plan through its opportunities and constraints analysis establishes that the proposed extent of development is compatible with the surrounding environment and will maintain visual amenity.	Yes
	P3. Tourist Accommodation and Tourist Resorts are designed, constructed and operated on the basis of sustainable practices, including building materials, energy efficiency, and self-sufficient water supply and waste disposal.	The proposed development by way of lodgement of the proposed concept plan satisfies the acceptable solution of the DCP for lodgement of a master plan. In particular a detailed analysis of opportunities and constraints has been undertaken. The concept plan has been based on future development achieving sustainable practices and use of appropriate building materials, energy efficient design and self sufficiency	Yes

		have not been excluded by the proposed concept. The concept plan will comply with Basix requirements.	
	P4. Tourist Accommodation and Tourist Resorts are designed and constructed to incorporate <u>UNIVERSAL DESIGN</u>	The proposed development does not prevent compliance with this objective.	Yes

TRINITY POINT- RESPONSE TO NSW COASTAL POLICY

Objectives	Responses
Goal 1 Protect, Rehabilitate & Improve Natural Environment	
1.1 Objective protection of conservation values	
1.1.1 NSW govt to strengthen ecosystem reserve system	NSW Govt responsibility
1.1.2 where privately owned land assessed for inclusion in reserve system	Foreshore already zoned for public reserve
1.1.3 crown lands	NSW Govt responsibility
1.1.4 crown land plans of management	NSW Govt responsibility
1.1.5 Council lands	Council responsibility
1.1.6 Voluntary conservation agreements	No significant habitat/vegetation
1.1.7 wetlands & estuaries conservation	Values to be protected
1.1.8 SEPP 14	No wetlands affected by proposal
1.1.9 appropriate zones for conservation area	No conservation areas proposed
1.1.10 areas adjacent to marine parks	No marine parks adjacent
1.1.11 use regional open space corridors	No corridors affected
1.2 Objective conserve biodiversity	
1.2.1 Investigate conservation significance	Site is of low conservation significance
1.2.2 establish & develop survey priorities & design etc	Fisheries & DECC responsibility
1.2.3 fish populations	NSW Govt responsibility
1.2.4 whale & dolphin strandings	NSW Govt responsibility
1.2.5 review listing of threatened species	NSW Govt responsibility
1.2.6 recovery & threat abatement plans	NSW Govt responsibility
1.2.7 threatening processes identification	NSW Govt responsibility
1.3 Objective improve water quality	
1.3.1 EPA licences	NSW Govt responsibility
1.3.2 non point source pollution	Best practice stormwater management proposed
1.3.3 water quality monitoring programs & studies	NSW Govt responsibility

Objectives	Responses
1.3.4 water quality objectives review responsibilities	NSW Govt responsibility
1.3.5 marine contaminants responsibilities	NSW Govt responsibility
1.3.6 beaches & recreational water monitoring responsibilities	NSW Govt/Council responsibility
1.3.7 coastal water quality responsibilities	Federal/NSW/council responsibility
1.3.8 contaminated stormwater discharges	No untreated stormwater from paved areas will leave the site.
1.3.9 trade waste policies	NSW Govt responsibility
1.3.10 fish kills & algae blooms	NSW Govt responsibility
1.3.11 marine pollution & oil spills	NSW Govt responsibility - The development has been designed to minimise water pollution.
1.3.12 vessel discharges	Designed into marina
1.3.13 investigate reuse of effluents and biosolids	NSW Govt responsibility
1.3.14 groundwater policy	NSW Govt responsibility - proposal will comply
1.3.15 ocean outfalls enquiry	NSW Govt responsibility
1.3.16 sydney ocean outfalls	NSW Govt responsibility
1.3.17 ballast water	NSW Govt responsibility
1.4 objective management of coastlines and estuaries	
1.4.1 rehabilitation research	NSW Govt responsibility
1.4.2 emergency responses	NSW Govt responsibility
1.4.3 coast & estuary management plans preparation	Council responsibility
1.4.4 NSW Coastal management program	NSW Govt responsibility
1.4.5 coastal hazards & development proposals	Hazards addressed by proposal
1.4.6 NSW estuary management program	NSW Govt responsibility
1.4.7 development in or adjacent to estuaries	Appropriate management proposed
1.4.8 Bitou bush control methods for foreshores	NSW Govt responsibility
1.5 objective community restoration of degraded costal areas	
1.5.1 community involvement in coastcare dune care etc	No significant problems on site
1.5.2 catchment management committees	NSW Govt responsibility
Goal 2 Coastal Processes Management	

Objectives	Responses
2.1.1 coastal, floodplain & estuary plans preparation	NSW Govt responsibility
2.1.2 river traffic	NSW Govt responsibility
2.1.3 consideration of hazards in DAs	Considered as part of the development.
2.1.4 acid sulphate soils	Addressed as part of the EAR with appropriate management plan
2.2 Objective climate change consideration	
2.2.1 CSIRO studies collaboration	NSW Govt responsibility
2.2.2 sea levels change policy	NSW Govt responsibility - considered as part of development
2.2.3 sea level monitoring	NSW Govt responsibility
Goal 3 Protect And Enhance The Aesthetic Qualities Of The Coastal Zone	
3.1 objective protection of aesthetic quality	
3.1.1 acquire lands of significant scenic qualities	NSW Govt responsibility
3.1.2 prepare policies for protection of high aesthetic value areas	NSW Govt responsibility
3.2 objective design & development to complement location & aesthetics	Covered by DGRs and project design
3.2.1 guidelines to encourage good development	NSW Govt responsibility
3.2.2 design principles	Development is in accordance with NSW Coastal Design Guidelines
3.2.3 tourist signage	NSW Govt & Council responsibility. The site itself will contain appropriate signage
3.2.4 design & location principles	See comments on Appendix C to coastal policy
3.2.5 waterways management	NSW Govt responsibility
3.3 objective towns identity form & natural beauty	
3.3.1 local and regional housing strategies to encourage compact towns	NSW Govt responsibility
3.3.2 main st programs	NSW Govt & Council responsibility
4 Goal To Protect And Conserve Cultural Heritage	
4.1 objective to manage and conserve cultural places	NSW Govt & Council responsibility

Objectives	Responses
4.1.1 shipwrecks	Federal & NSW Govt responsibility
4.1.2 heritage protection achievement through studies and LEPS	Council responsibility
4.1.3 commonwealth land	Federal responsibility
4.1.4 protection of significant views, street patterns and layout through LEP/DCP etc	Achieved by proposal
4.2 objective aboriginal heritage	
4.2.1 heritage committees	NSW Govt responsibility
4.2.2 assessment of Crown lands	NSW Govt responsibility
4.2.3 criteria for identifying significant coastal sites	NSW Govt responsibility
5 Goal to identify and facilitate the ecologically sustainable development and use of resources	
5.1 Objective to identify opportunities	
5.1.1 land resource mapping	NSW Govt responsibility
5.1.2 industry and tourism requirements in REPs and LEPs	NSW Govt & Council responsibility Proposal is consistent with the desire for a tourism outcome
5.1.3 rural land capability mapping	NSW Govt responsibility
5.1.4 sustainable fisheries	NSW Govt responsibility
5.1.5 fisheries access	Federal / NSW Govt responsibility
5.1.6 fisheries harvesting methods	NSW Govt responsibility
5.1.7 aquaculture	NSW Govt responsibility
5.1.8 minerals exploration facilitation	NSW Govt responsibility
5.1.9 NSW tourism masterplan	NSW Govt responsibility
5.1.10 nature based tourism opportunities recognition	NSW Govt responsibility
5.1.11 tourism guidelines	NSW Govt responsibility
5.2 objective to develop land use management plans	
5.2.1 management planning approaches	NSW Govt responsibility
5.2.2 local government management plans preparation	Council responsibility
5.2.3 REP/LEP/DCP to consider management plans	Council responsibility

Objectives	Responses
5.2.4 aquatic habitat management policy	NSW Govt responsibility
5.2.5 restoration program development and implementation	NSW Govt responsibility
5.2.6 aquaculture processes	NSW Govt responsibility
5.2.7 fisheries stock enhancement	NSW Govt responsibility
5.2.8 provision of mineral and extractive resource information	NSW Govt responsibility
5.2.9 sand mining	NSW Govt responsibility
5.2.10 port management	NSW Govt responsibility
5.2.11 preparation of local tourism plans	Council responsibility
5.3 objective best practise approaches to management	
5.3.1 community participation in committees and trusts	NSW Govt responsibility
5.3.2 state agency actions on ESD	NSW Govt responsibility
5.3.3 aquaculture procedures & permits	NSW Govt responsibility
5.3.4 mineral resources recovery	NSW Govt responsibility
5.3.5 discharge of trade waste to sewerage systems	NSW Govt responsibility
5.3.6 reuse & recycling of effluent and biosolids	NSW Govt responsibility
6 Goal Ecologically Sustainable Human Settlement	
6.1 objective avoid or minimise impacts on environmentally sensitive areas and cultural heritage	
6.1.1 coastal planning strategies recognise suitable areas for growth	Site zoned for tourism under LMCC LEP 2004
6.1.2 councils to prepare land release strategies	Council responsibility
6.1.3 coastal population projections to be published	NSW Govt responsibility
6.1.4 no canal estates	NSW Govt responsibility
6.2 objective compact and contained planned urban development	
6.2.1 planning instrument & DCP provisions	Addressed by DGRs for project
6.2.2 energy efficiency principles eg compact town design	Energy efficient design proposed
6.3 objective rural residential developments location	

Objectives	Responses
6.3.1 rural release strategies	Council responsibility
6.4 objective choice in housing and lifestyles	
6.4.1 encourage choice through strategies	Council responsibility
6.4.2 higher densities encouraged	Council responsibility
7 Goal Appropriate Public Access And Use	
7.1 objective increase public access to foreshores	
7.1.1 acquisition of significant sites	Council identified foreshore edge for acquisition
7.1.2 public facilities	None proposed in Public Ownership
7.1.3 council owned coastal lands	Site foreshore already zoned for public access
7.1.4 recreational vehicles	NA
7.1.5 new tourism development to provide access	Proposal is consistent with objective - See EAR
7.2 objective minimise human risk	
7.2.1 safe recreational use	No significant risk created
7.2.2 safe waterways use	Proposal consistent with safe use
7.2.3 council coastal safety assessment	Council responsibility
7.2.4 developer contributions for surf life saving services	Not appropriate lake side location
7.2.5 beach signs	Not appropriate
7.2.6 cliff hazard warning signs	Appropriate signage will be added as required
8 Goal To Provide Information To Enable Effective Management	
8.1 objective to coordinate and integrate data collection	
8.1.1 sharing land and water use information	NSW Govt responsibility
8.1.2 coastal council activities	NSW Govt responsibility
8.1.3 information gaps	NSW Govt responsibility

Objectives	Responses
8.2 objective compatible data bases	
8.2.1 information exchange processes	NSW Govt responsibility
8.2.2 data bases review	NSW Govt responsibility
8.3 objective information accessibility	
8.3.1 coastal inventories	NSW Govt responsibility
8.3.2 directory of information	NSW Govt responsibility
8.3.3 council SoE reporting	Council responsibility
8.3.4 council annual reports	Council responsibility
8.4 objective education and awareness	
8.4.1 media activities	NSW Govt responsibility
8.4.2 skills improvement	NSW Govt responsibility
9 Goal to provide for integrated planning and management	
9.1 objective government decision making	
9.1.1 national strategy implementation	Commonwealth & state responsibility
9.1.2 plans consistent with coastal policy	NSW Govt responsibility
9.2 objective coastal policy implementation	
9.2.1 management consistent with policy	NSW Govt responsibility
9.2.2 reporting of Coastal policy strategic actions	NSW Govt responsibility
9.2.3 coastal policy review	NSW Govt responsibility
9.3 objective community participation in planning & management	
9.3.1 advice to community groups	Community involved in process prior to and during the assessment phase.

Objectives	Responses
9.3.2 preparation of local government plans	Council responsibility
9.3.3 Council reporting	Council responsibility
9.4 objective national strategy	
9.4.1 commonwealth/state agency participation	Commonwealth & NSW Govt responsibility
9.4.2 state/state agency participation	NSW Govt responsibility
Coastal Policy Appendix C - Development Control	
Table 3 Design and Locational Principles	
Development on beaches and frontal dunes	None proposed.
Rehabilitation works for beaches and dunes	N/A
Undeveloped headlands to be preserved for visual amenity.	The proposed development is not located on a headland. Trinity Point is a point within a coastal lake. The site is also not to be regarded as undeveloped having previously been developed, but with buildings more recently demolished. Notwithstanding this consideration has been given to visual amenity based on the site context, opportunities and constraints.
Height of development on already developed headlands. Limits on height and scale and the visual effect from nearby beaches are the key considerations.	The site is not a headland and there are no beaches adjoining. However, detailed consideration has been given to visual impacts.
Beaches and water front open space protected from overshadowing.	No significant shadowing will affect foreshores.
Tall buildings over 14 metres	Yes
Tall buildings assessment	Visual assessment has concluded that the proposed height is appropriate.
Public setback lines	The proposed setbacks provide for adequate public access taking into account topography, scenic factors and zonings. .
Tourist and recreational development must not compromise the values of adjoining State Recreational Areas.	There are no adjoining State Conservation Areas.

NSW Design Guidelines for Appropriate Buildings in a Coastal Context

Number	Guideline	Comments
1.	Develop risk assessment and responses to address the effects of coastal processes. Locate and design buildings to respond appropriately within the local hazard context.	Buildings located and designed to avoid effects of raised lake water levels and extreme weather conditions. Shoreline recession addressed by providing stabilization through vegetation and foreshore edge and setbacks as buffer to coastal process. Cliff instability addressed by appropriate buffer and setbacks.
2.	Reinforce the clarity of the settlement structure with new buildings that are appropriate in terms of location, uses, scale, height and site configuration.	The proposed development is a specific response to the site being identified as a tourism zoning. The concept plan envisaged built form outcome responds to the zoning by providing for a density, mix of accommodation types and uses to create a viable and vibrant destination. The proposed design in particular provides for a reduced footprint in order to maximize open space and public access. The site characteristics allow this to occur without significant adverse impacts.
3.	Reinforce the desired future character of the settlement.	The proposed development is considered to reinforce the desired future character which is for a tourism related outcome.
4.	Consider the appropriateness of new buildings within the whole streetscape, rather than each building as a stand-alone object.	The proposed built form responds to the existing and proposed street patterns. The proposal responds to the interface with the adjoining residential area.
5.	Maintain consistent street setbacks and street-edge configurations.	The proposed concept plan allows for appropriate setbacks.
6.	Ensure buildings address the street by providing direct on-grade entries to the street for residential, commercial and retail purposes.	The proposed concept plan responds to this.
7.	Rationalise car-related uses on site, such as drive-ways widths and lengths.	Access points are rationalized to that required.
8.	Protect views from public places and streets by maintaining consistent setbacks along streets and not placing buildings in view corridors.	The proposed development will not result in the loss of public views, indeed increased public access over the site will provide people with a greater opportunity to experience views over the lake.
9.	Protect local views and vistas throughout and surrounding the settlement from public places by relating new buildings to the topography, reducing heights to maintain views of the surrounding landscape and maintaining consistent, height, bulk, scale with the street and local context.	The proposed development is considered to respond to this objective, a visual impact assessment has been provided with the EAR submission.
10.	Ensure that controls are coordinated to produce the desired building form and site configuration for	The proposed concept plan represents the guiding parameters for future development proposals

Number	Guideline	Comments
	developments. These controls include uses, building height, building depth, building separation, street setbacks, side and rear setbacks, and floor space ratio.	
11.	Ensure developments and neighbouring properties have:	Will comply
	a. access to daylight	Will comply
	b. access to natural ventilation	Will comply
	c. visual privacy and acoustic privacy	Will comply
	d. private open space	Will comply
	e. a pleasant microclimate	Available
12.	Achieving amenity relates to the design of individual buildings and, in particular, to:	
	a. building orientation and depth	Considered in design and compliance with SEPP 65 will be required
	b. the size of the lot	Appropriate
	c. open-space location, size and connection with the inside of the building	Can be met
	d. carparking, location and access	Appropriate - see concept plan
	e. pedestrian access from the street	Appropriate - see concept plan
	f. street edge configuration and building separation	Appropriate - see concept plan
	g. mature trees, vegetation and soil areas	Has been considered in concept plan