

MEDITERRANEAN MOTEL CRESCENT HEAD

PRELIMINARY ASSESSMENT

1. INTRODUCTION

Hopkins Consultants have been engaged by Wetzcav Pty Ltd to prepare and lodge relevant planning documentation for the expansion of the Mediterranean Motel, which is located at Lot 342 DP 802850, Pacific Street, Crescent Head.

On the 14 February 2006, Hopkins Consultants sent a letter to the Department of Planning requesting confirmation that proposal is a major project under Part 3A of the Environmental Planning and Assessment Act 1979.

Hopkins Consultants received a response from the Department of Planning dated 24th March 2006 (DoP reference: 06-0042). The response outlined that:

- ▶ The Director-General, as a delegate of the Minister, had formed the opinion that proposal is a Project and that Part 3A of the EP&A Act 1979 applies;
- ▶ Pursuant to Section 75E of the EP&A Act 1979, the proponent is required to lodge an application for the Project with the Director-General;
- ▶ The application must include a completed Application Form, a Preliminary Assessment based on the information contained in the Schedule, and the correct fee.

As such this Preliminary Assessment has been prepared to apply for the approval of the Minister to carry out this Project. Accompanying this report is a completed Application Form and cheque to the value of \$1000, being the required fee.

This Preliminary Assessment Report contains a description of:

- ▶ The subject site;
- ▶ The proposal;
- ▶ Planning provisions applying to the proposal;
- ▶ Government and community views;
- ▶ Relevant studies/investigations/strategies; and
- ▶ The 'Key Issues' relating to the proposal;

2. SUBJECT SITE

The Mediterranean Motel and Restaurant is located on Lot 342 DP802850 (the subject site), Pacific Street, Crescent Head. The subject site has an area of 2174m².

The site is located in a tourist facility / residential setting. A holiday cabin development is located on the adjoining allotment to the west of the subject site. Dwellings are situated on the allotments to the south and east of the proposed development. Two motels are located to the west of the subject site, on the opposite side of Pacific Street.

The existing motel comprises 9 motel rooms, a 2 bedroom apartment for the manager, a restaurant and 13 car parking spaces.

The subject site is currently zoned Zone 2 (b1) Residential, under the Kempsey Local Environmental Plan 1987, and motels are not a permitted use under the zone. When the original development consent was sought for the existing motel, the land was

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zoned Zone 2 (v) Village which permitted motels. On this basis, the subject land enjoys non-conforming existing use rights for a motel. Extensions to the motel are therefore permissible with development consent.

A plan illustrating the location and Kempsey LEP zoning of the subject site is contained within Appendix A. A Site Analysis Plan is contained within Appendix B, together with the CT and DP Plan.

3. PROPOSAL

Development consent is sought for the erection of two new additions to the motel, resulting in 16 additional motel rooms, 16 additional carparking spaces and associated landscaping.

The proposed addition adjoins the northern end of the existing building. The northern addition comprises seven motel rooms across two levels, with three new rooms to be located on the first floor and four new rooms on the second floor.

The proposed eastern addition comprises nine motel rooms across two levels, with three new rooms to be located on the first floor and six new rooms on the second floor. The eastern addition also comprises a basement level car park, to be located below natural ground level. The basement level car park will provide the motel with an additional eight car parking spaces.

The existing vehicle access to the subject site will be relocated to the eastern boundary of the site. Access to the land will continue to be via Pacific Street.

The proposed car parking facilities will see an additional 16 spaces provided to service the proposed 16 additional motel rooms. The new spaces are to be located in the following areas of the site:

- ▶ Two spaces immediately north of the proposed vehicle entrance, adjacent to Pacific Street.
- ▶ Four spaces to the east of the proposed eastern addition on the ground level.
- ▶ Eight spaces within the proposed basement car park beneath the eastern addition.
- ▶ The existing car parking spaces will be reconfigured to accommodate an additional two spaces.

Plans of the existing development are provided within Appendix C. Plans of the proposed development are contained within Appendix D.

3.1 ARCHITECTURAL CONCEPT AND SITE DESIGN

Lachlan Miles Design has prepared the architectural plan and site design for the proposed development. The architectural, site design and building design principles applied include:

- ▶ Maintaining and enhancing the current theme via the continuation of arches and white buildings, improved landscaping and creating courtyard spaces.
- ▶ Maximise rooms with northern outlook, other rooms to focus on open spaces within the site.



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- ▶ Maintain the current scale of building line through the additional building forms being separated from the existing building.
- ▶ By reproducing the additional buildings at a smaller scale the prominence of the existing building will be maintained.

3.2 LANDSCAPE PRINCIPLES

InSite Landscape Design has prepared the landscape design principles and landscape plan. The landscape plan particularly focuses on incorporating plant species that co-exist with the current Mediterranean plants.

A selection of plant species characteristic with the 'Mediterranean Building Style' in combination with species already on site will enhance and strengthen the existing theme of the motel complex. Low hedges with trailing groundcovers in raised planter boxes will predominate. Palms will continue to be used to create shade and a sense of scale. Colourful climbers will be trained over walls and screens to create a 'garden' feeling.

A copy of the Landscape Concept Plan for the proposed development is contained within Appendix E.

3.3 ENERGY EFFICIENT DESIGN

The proposed motel extensions have been designed to maximise solar access, and incorporate other energy efficient design principles. Buildings have been limited in the north-east portion of the site to maintain winter solar access to the east neighbour. Solar access from the north to the new building has also been maximised.

3.4 ACCESS AND CAR PARKING

The motel has 13 existing car parking spaces, which currently service the existing nine motel rooms, the managers unit, employee parking and the restaurant.

16 additional motel rooms are proposed. Pursuant to Kempsey Shire Council's Parking Code, one additional space per motel room is required.

Therefore the total car parking spaces required on site will be 29. This total includes 13 existing car parking spaces to service the existing motel rooms, managers unit, employee parking and the restaurant, plus 16 additional spaces to service the proposed additions to the motel.

The existing vehicle access to the subject site will be relocated from its current location to the eastern boundary of the site, to provide an improved access point from Pacific Street.

4. STATUTORY PLANNING PROVISIONS

A number of statutory planning and policy controls apply to the site. Relevant policies include:

- ▶ NSW Coastal Policy 1997, NSW Coastal Design Guidelines & Sustainable Urban Settlement Guidelines;
- ▶ North Coast Regional Environmental Plan;
- ▶ Various State Environmental Planning Policies;

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- ▶ Integrated Development Provisions to the Environmental Planning and Assessment Act;
- ▶ Kempsey Local Environmental Plan 1987;
- ▶ Kempsey Shire Council Development Control Plans;
- ▶ Kempsey Shire Council Contribution Plans.

4.1 REGIONAL POLICIES

- ▶ NSW Coastal Policy 1997;
- ▶ NSW Coastal Design Guidelines;
- ▶ Sustainable Urban Settlement Guidelines; and
- ▶ North Coast Regional Environmental Plan

The proposal is generally consistent with the abovementioned policies and guidelines.

4.2 STATE ENVIRONMENTAL PLANNING POLICIES

4.2.1 SEPP 71

SEPP 71 applies to land the whole or any part of which is within the coastal zone. The subject site is located within 100m of Killick Creek and is within the coastal zone.

Pursuant to Clause 7 of SEPP 71, the matters set out in Clause 8 of SEPP 71 are required to be taken into account by the consent authority when it determines a development application to carry out development on land to which SEPP 71 applies. Table 1 outlines how the proposal is consistent with SEPP 71 Clause 8 Matters for Consideration.

Table 1: SEPP 71 Clause 8 - Matters for Consideration

| Matters for Consideration | How proposal satisfies consideration |
|--|---|
| (a) the aims of this Policy set out in clause 2, | The proposed development is consistent with the aims set out in clause 2 of SEPP 71. |
| (b) existing public access to and along the coastal foreshore for pedestrians or persons with a disability should be retained and, where possible, public access to and along the coastal foreshore for pedestrians or persons with a disability should be improved, | N/A – Does not alter or affect existing public access to and along the foreshore. |
| (c) opportunities to provide new public access to and along the coastal foreshore for pedestrians or persons with a disability, | N/A – No opportunities as land is separated by other private properties from the foreshore. |
| (d) the suitability of development given its type, location and design and its relationship with the surrounding area, | The proposed development is considered to be suitable, given that the motel additions will be in keeping with the existing scale and design of the motel, as well as the surrounding development in the locality. |

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| Matters for Consideration | How proposal satisfies consideration |
|--|---|
| (e) any detrimental impact that development may have on the amenity of the coastal foreshore, including any significant overshadowing of the coastal foreshore and any significant loss of views from a public place to the coastal foreshore, | The proposed development will not have a detrimental impact on the amenity of the coastal foreshore as the subject site is separated from Killick Creek by a minimum of 3 allotments and an approximate distance of 70m. The proposed development would not overshadow the coastal foreshore of Killick Creek, nor would it result in any significant loss of views from a public place to the coastal foreshore. |
| (f) the scenic qualities of the New South Wales coast, and means to protect and improve these qualities, | The proposal would not have a detrimental impact on the scenic qualities of the NSW Coast. |
| (g) measures to conserve animals (within the meaning of the Threatened Species Conservation Act 1995) and plants (within the meaning of that Act), and their habitats, | The proposed development would not impact on animals or plants (within the meaning of the Threatened Species Conservation Act 1995), or their habitats. |
| (h) measures to conserve fish (within the meaning of Part 7A of the Fisheries Management Act 1994) and marine vegetation (within the meaning of that Part), and their habitats | Given the distance of the subject site from Killick Creek, the proposal would not impact on fish, marine vegetation or their habitats. Stormwater will be directed to Councils existing system. |
| (i) existing wildlife corridors and the impact of development on these corridors, | The subject site does not contain an existing wildlife corridor. Additional plantings proposed as part of the landscape concept plan may encourage additional bird species to utilise the subject site. |
| (j) the likely impact of coastal processes and coastal hazards on development and any likely impacts of development on coastal processes and coastal hazards, | The likelihood of coastal processes and coastal hazards impacting on the proposed development is negligible given the distance between the subject site and Killick Creek. The proposed development would not impact on coastal processes or coastal hazards. |
| (k) measures to reduce the potential for conflict between land-based and water-based coastal activities, | N/A |
| (l) measures to protect the cultural places, values, customs, beliefs and traditional knowledge of Aboriginals, | There are no known places or items of cultural significance to the Aboriginal population within the subject site. |
| (m) likely impacts of development on the water quality of coastal waterbodies, | <p>Given the distance of the subject site from Killick Creek and the nature of the proposed development, the proposal would not impact on the water quality of Killick Creek.</p> <p>Works to be undertaken during the construction phase of the project will be subject to the provisions of an approved erosion and sediment control plan.</p> |

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| Matters for Consideration | How proposal satisfies consideration |
|--|--|
| (n) the conservation and preservation of items of heritage, archaeological or historic significance, | There are no items of heritage, archaeological or historic significance known to exist on the subject site. |
| (o) only in cases in which a council prepares a draft local environmental plan that applies to land to which this Policy applies, the means to encourage compact towns and cities, | N/A |
| (p) only in cases in which a development application in relation to proposed development is determined: | |
| (i) the cumulative impacts of the proposed development on the environment, and | There would not be any undue cumulative impacts associated with the proposal in terms of the amenity of the area, the natural environmental conditions of the surrounding locality or the surrounding land uses. |
| (ii) measures to ensure that water and energy usage by the proposed development is efficient. | <p>The proposed additions have been designed to maximize solar access, and incorporate other energy efficient design principles. The energy efficient design of the proposal will minimise long term heating and cooling costs associated with the building.</p> <p>Efficient water usage will be facilitated via the installation of a 3000L rain water tank which will be used to provide water for garden needs. AAA taps and fittings will be installed in each of the proposed motel rooms.</p> |

4.2.2 SEPP (MAJOR PROJECTS)

The subject site is located within the NSW Coastal Zone. Pursuant to State Environmental Planning Policy (Major Projects) 2005 Schedule 2 Clause 1(4) the subject site is considered to be a sensitive coastal location as parts of the site are within 100m of the mean high water mark of Killick Creek.

Pursuant to Clause 6 of State Environmental Planning Policy (Major Projects) 2005 and as advised by Department of Planning (24th March 2006), the proposed additions to the motel are considered to be a Part 3A project, as the development is listed under Schedule 2, Clause 1(f)(i) of the SEPP.

Clause 6 Identification of Part 3A projects

- (1) *Development that, in the opinion of the Minister, is development of a kind:*
 (a) *that is described in Schedule 1 or 2, or...*

Schedule 2 Part 3A projects – specified sites

Clause 1 Coastal Areas

- (1) *Development within the coastal zone for any of the following purposes:...*
 (f) *recreational or tourist facilities (other than internal refits of, or minor alterations or minor additions to, existing facilities):*
 (i) *in the case of facilities wholly or partly in a sensitive coastal*

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location outside the metropolitan coastal zone – that provide accommodation (or additional accommodation) for any number of persons, or...

The project is consistent with SEPP (Major Projects).

4.3 KEMPSEY LOCAL ENVIRONMENTAL PLAN

The land is zoned 2(b1) Residential under KLEP 1987 which does not permit motels. A map illustrating the current zoning of the site is contained within Appendix A.

At the time the existing motel was approved, the land was zoned 2(v) Village which permitted motels. On this basis, the subject land enjoys non-conforming existing use rights for a motel. Extensions to the motel are therefore permissible with development consent.

4.4 DEVELOPMENT CONTROL PLANS

Development Control Plans applicable to the area or to the proposed use include:

- ▶ Development Control Plan No. 22 – Housing Strategy

4.4.1 DCP No. 22 – HOUSING STRATEGY

The provisions of DCP No. 22 are detailed below.

DCP No. 22 applies to urban areas of the Kempsey Shire including land zoned 2(b1) under Kempsey LEP 1987. The DCP particularly applies to all proposals for medium density development, new dwelling houses and subdivision in the Kempsey Shire. Therefore the proposed additions to the motel are not directly controlled by DCP No. 22.

The proposed additions have however been designed to meet the relevant performance objectives of DCP No. 22 relating to building siting and design; streetscape; and landscaping to ensure consistency with surrounding existing and future development.

The General Performance Objectives of DCP No. 22 are addressed in relation to the proposal in Table 2:

Table 2: DCP No. 22 – Local Housing Strategy Performance Objectives

| General Performance Objectives | How Proposal Satisfies Objectives |
|---------------------------------------|---|
| Lot Size and Orientation | NA as no subdivision is proposed. The proposal will result in useable private open space on the site; convenient vehicle access and parking; adequate solar access in accordance with DCP No. 31 – Energy Smart Homes; and access to cooling breezes and other relevant siting and design considerations. |

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| General Performance Objectives | How Proposal Satisfies Objectives |
|---------------------------------------|--|
| Building Siting and Design | <p>(a) The motel extensions have been designed and sited to ensure the privacy and outdoor spaces for both residents and neighbours is maximised as much as is possible; rooms are capable of receiving adequate daylight and the extensions comply with the requirements of DCP No. 31 – Energy Smart Homes;</p> <p>(b) The scale, height and length of the proposed buildings are in keeping with the residential character of the locality. The proposal would not result in a significant loss of amenity to adjacent dwellings and land;</p> <p>(c) The proposed extensions are sited and designed with regard to the natural slope and orientation of the site and adjacent land in that cut and fill is kept to a minimum; the visual impact of the buildings are minimised through the innovative design and siting of buildings, as well as the choice of materials; appropriate erosion and sediment control measures will be implemented; and drainage from the site would not adversely impact on adjoining lands.</p> |
| Private Open Space | <p>(a) Private Open Space areas within the site are of sufficient area to provide for outdoor recreation functions;</p> <p>(b) The location of private open space has been chosen to take account of outlook, and the natural features of the site. The location of private open space would not adversely impact on neighbouring buildings or open space.</p> <p>(c) The orientation of private open space provides for maximum year round solar access with a north eastern aspect.</p> |
| Vehicle Parking | <p>Sufficient and convenient parking is to be provided as part of the proposal. Parking has been designed to take into account: the safety of pedestrians and other road users; the need to meet mean parking requirements such that parked vehicles will not obstruct the passage of vehicles on any carriageway or create traffic hazards; and the street hierarchy and traffic flows in the locality.</p> |
| Streetscape | <p>(a) The design and siting of the proposed additions would enhance the Pacific Street streetscape. The proposal will also provide additional opportunities for effective landscaping of areas visible from the street, as per the landscaping plan contained within Appendix E.</p> <p>(b) NA – no subdivision is proposed.</p> |
| Landscaping | <p>As set out in the landscaping plan for the proposal:</p> <p>(a) the appearance, amenity and energy efficiency of the development will be enhanced through landscaping;</p> <p>(b) Building and landscape elements have been integrated in the design;</p> <p>(c) Landscaping associated with the proposal will be water efficient, as well as providing acoustic and visual privacy, as well as shade. Landscaping will blend the proposed development into the streetscape.</p> <p>(d) Landscaping will utilise appropriate predominantly endemic species.</p> <p>(e)</p> |

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| General Performance Objectives | How Proposal Satisfies Objectives |
|--------------------------------|--|
| Infrastructure and Services | The proposal has been designed to: (a) ensure that the demands generated by the development are not beyond the capacity of the site and associated infrastructure and services; minimise the costs of extension/ connection to infrastructure and services; and ensure that cumulative impacts of the development would not result in the need for significant upgrading or augmentation of any sewage, water or drainage system in the area. |

4.5 DEVELOPMENT STANDARDS

As outlined in the Schedule of Parking Requirements within the Kempsey Shire Council Parking Code, motels require:

- ▶ A minimum of one car parking space per unit
- ▶ A minimum of one car parking space per managers unit
- ▶ A minimum of one car parking space per two employees

The motel currently has 13 existing parking spaces, which currently service the nine existing motel rooms, the managers unit, employee parking and the restaurant.

The proposed car parking facilities will see an additional 16 spaces provided to facilitate the proposed 16 additional motel rooms. The new spaces are proposed to be located in the following areas of the subject site:

- ▶ Two spaces immediately north of the proposed vehicle entrance, adjacent to Pacific Street.
- ▶ Four spaces to the east of the proposed eastern addition on the ground level.
- ▶ Eight spaces within the proposed basement car park beneath the eastern addition.
- ▶ The existing car parking spaces will be reconfigured to accommodate an additional two spaces.

Sheets D-5 and D-6 illustrate the location of the proposed parking spaces.

The proposed additions to the motel will result in a total of 29 car parking spaces provided on the subject site.

4.6 CONTRIBUTION PLANS

Council has in place a number of Contribution Plans that include:

- ▶ Roads and Car Parking;
- ▶ Stormwater Drainage Contribution;
- ▶ Sewerage Augmentation;
- ▶ District Water Supply; and
- ▶ Outdoor Recreation.

It is anticipated that contributions consistent with these plans will be applied as part of the development consent conditions.

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5. GOVERNMENT AND COMMUNITY VIEWS

5.1 KEMPSEY SHIRE COUNCIL

Kempsey Shire Council was consulted early in the process regarding the proposed expansion of the Mediterranean Motel. Council provided information and requirements regarding the site. A copy of the information/requirements provided by Council are contained in Appendix F. Table 3 details how the proposal complies with the requirements provided by Council.

Table 3: Council Requirements

| Council Requirements for Lot 342 DP802850 – 39 Pacific Street Crescent Head | How proposal complies with Council requirements |
|---|---|
| According to Council's records, the land is 2119m ² in area. | NA |
| The land is zoned 2(b1) Residential under KLEP 1987 which prohibits motels. At the time of approval, the land was zoned 2(v) Village which permitted motels. On this basis, the subject land enjoys non-conforming existing use rights for a motel. Extensions to the motel are therefore permissible with development consent. | The proposed extension to the motel is permissible with development consent. |
| As the land enjoys non-conforming existing use rights, under the provisions of the Environmental Planning and Assessment Act, the land may also be used for any other use, even uses which are prohibited under KLEP 1987. Obviously a DA would be required and relevant impacts assessed before any consent is issued. | NA |
| The minimum allotment size required in the zone is 500m ² . | NA |
| Under Council's Local House Strategy the land may also be developed for medium density housing up to two (2) storeys. | NA – However the proposal is no greater than two(2) storeys in height above ground level. |
| Although there are no development standards for motels in a 2(b1) zone, standards applying in other zones which are a good guide include:- | |

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| Council Requirements for Lot 342 DP802850 – 39 Pacific Street Crescent Head | How proposal complies with Council requirements |
|--|--|
| <ul style="list-style-type: none"> ▶ A maximum site coverage of 40% of the allotment (single storey) ▶ A maximum site coverage of 30% of the allotment (two storey) <p>Note: Pursuant to the Definitions set out in Appendix 1 of KSC DCP No. 22, Maximum Site Coverage means the ratio of the area of an allotment covered by buildings to the total area of the allotment expressed as a percentage, whether or not those buildings have enclosing walls.</p> | <p>The proposed additions will result in a two storey motel. Thus the maximum site coverage permitted is 30%.</p> <p>At present the existing site area is 2174m². The existing footprint is 435m². Therefore a maximum of 217.2m² is permitted to ensure the site coverage remains less than 30%.</p> <p>The proposed additions (including courtyards, the motel entry and walkways) have an area of 297m². However excluding the areas of the front courtyard (35 m²), rear courtyard (17 m²), uncovered motel entry (11m²) and uncovered rear walkway (17m²), the area of the proposed additions is 217m², and therefore complies with Council's maximum site coverage requirements for the site.</p> |
| <ul style="list-style-type: none"> ▶ A minimum of one car parking space per unit ▶ A minimum of one car parking space per managers unit ▶ A minimum of one car parking space per two employees | <p>At present there are 13 existing car parking spaces, which currently service the 9 existing motel rooms, the managers unit, employee parking and the restaurant. The proposed car parking facilities will result in an additional 16 spaces provided to facilitate the proposed 16 additional rooms.</p> |
| <p>If you are proposed any expansion to the restaurant, 1 car space per 7m² of any net increase in floor area would be required.</p> | <p>NA – No expansion to the restaurant is proposed.</p> |

5.2 COMMUNITY VIEWS

The views of the local Crescent Head community regarding the proposed development have not been sought as part of the process thus far.

6. RELEVANT STUDIES, INVESTIGATIONS OR STRATEGIES

6.1 DRAFT KILLICK CREEK ESTUARY MANAGEMENT PLAN

The Draft Killick Creek Estuary Management Plan does not contain any information or options pertinent to the proposed expansion of the Mediterranean Motel.

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7. KEY ISSUES

“Key Issues” associated with the proposal could include, but may not be limited to:

- ▶ *non-compliances with known relevant planning controls;*
 - The proposal complies with all relevant planning controls
- ▶ *known community concerns about the development proposed*
 - There are no known community concerns about the proposed development.
- ▶ *potential environmental impacts associated with construction, operation, or occupation of a project*
 - The environmental impacts associated with the construction and operation of the motel are considered to be minimal. Potential environmental impacts associated with stormwater discharge have been dealt with appropriately through the design, and impacts such as erosion and sediment control would be dealt with through the implementation of an appropriate erosion and sediment control plan.
- ▶ *Likely environmental risks*
 - There are no environmental risks associated with the proposal.
- ▶ *Constraints arising from the peculiarities of a project site*
 - The subject site is mapped as being potential acid sulfate soils. A preliminary soils assessment will be undertaken for the site to determine the extent (if any) of acid sulfate soils across the site.
 - The subject site is considered to be adjacent to bushfire prone land (within buffer). A bushfire hazard assessment will be undertaken for the proposal.

8. CONCLUSION

The proposed additions to the Mediterranean Motel are permissible given that the subject site has non-confirming existing use rights for a motel. The proposed development is consistent with applicable State environmental planning instruments, as well as local development plans, standards and codes.

The proposed additions to the Mediterranean Motel are considered to be a suitable scale and design for the subject site. The additions have been architecturally designed to suit the subject site. The proposal would result in a development that is in keeping with the existing motel building and compliments the Pacific Street streetscape.

The updated Mediterranean Motel will provide a range of facilities and services to its guests as well as providing a relaxed holiday accommodation choice.

If any further information is required with regard to this application, please do not hesitate to contact the undersigned.

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Yours faithfully

Naomi Leo
Town Planner

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CRESCENT HEAD**

APPENDIX A

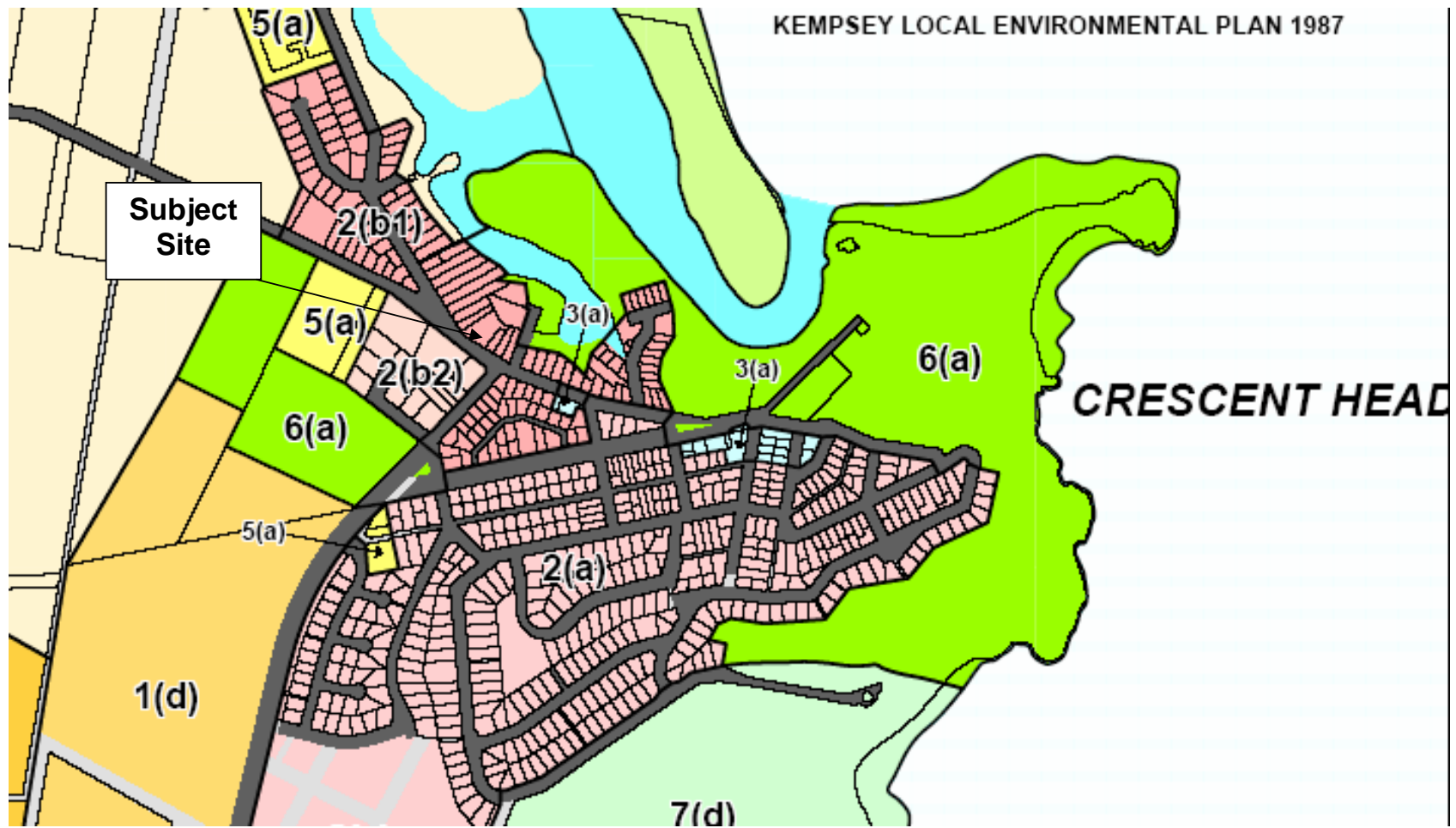
**ARIEL PHOTOGRAPH
&
LEP ZONING**



Aerial View



Aerial View



Kempsey LEP 1987 Zoning Map

**MEDITERRANEAN MOTEL
CRESCENT HEAD**

APPENDIX B

**SITE ANALYSIS PLAN,
CT
&
DEPOSITED PLAN**

PLAN FORM 1

Plan Drawing only to appear in this space

*OFFICE USE ONLY

SIGNATURES, SEALS AND STATEMENTS of intention to dedicate public roads or to create public reserves, drainage reserves, easements, restrictions on the use of land or positive covenants.

Paul Shende
Ken Shepherd

Executed at SYDNEY in my presence by AUSTRALIAN GUARANTEE CORPORATION LIMITED by being signed, sealed and delivered by KENNETH JOHN SHEPHERD

who is personally known to me and who certifies he is BRANCH MANAGER (NEW SOUTH WALES) for the time being of the company and has no notice of revocation of Power of Attorney registered No. 604 Bk 3702

NAMES OF WITNESSES PETER WILLIAM MCRAISTAL

SIGNATURES OF WITNESSES *Witnet*

ADDRESS & OCCUPATION OF WITNESSES
4 RAY ROAD, LEPING
SECURITIES OFFICER

Crown Lands Office Approval

PLAN APPROVED
 Authorised Officer
 Land District
 Paper No.
 Field Book pages

Council Clerk's Certificate

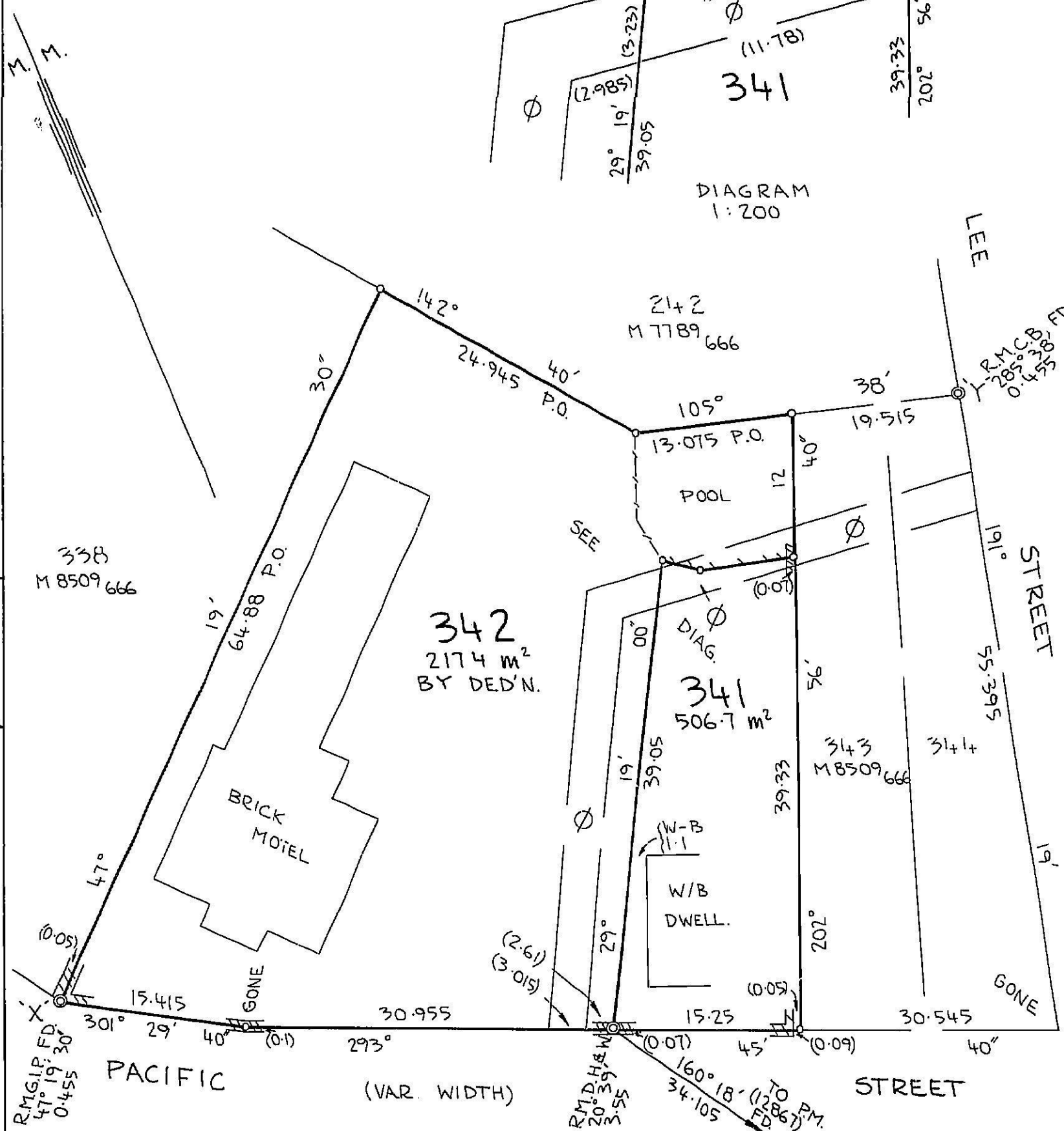
I hereby certify that —
 (a) the requirements of the Local Government Act, 1919 (other than the requirements for the registration of plans), and
 (b) the requirements of Part 3 Division 2 of the Water Board Act 1987 and Water Supply Authorities Act 1987
 have been complied with by the applicant in relation to the proposed SUBDIVISION
 (Insert "new road", "subdivision" or "consolidated lot" set out herein)
 Subdivision No. 1362/89
 Date 11.10.89
 (Signature) *Witnet*
 Council Clerk
 Council File No. 315-89-56

This part of the certificate to be deleted where the application is only for a consolidated lot or the opening of a new road or where the land is to be subdivided is wholly outside the areas of operations of the Metropolitan Water Sewerage and Drainage Board and the Hunter District Water Board.
 † Delete if inapplicable

SURVEYOR'S REFERENCE: 1076

AZIMUTH X-Y
 80° 45' 20" - 95.5 SURVEY
 80° 45' 20" - 95.48 M 8509 666

Ø EASEMENT FOR DRAINAGE
 3 WIDE VIDE D.P. 593711



WARNING: CREASING OR FOLDING WILL LEAD TO REJECTION

DP 802850

Registered: *25/5/1990*

C.A. NO. 1362/89 OF 11-10-1989

Title System: TORRENS.

Purpose: SUBDIVISION.

Ref. Map: MACLEAY SH. 1 *

Last Plan:

PLAN OF SUBDIVISION
 OF PORTIONS 339,
 340, 341 & 342.

Lengths are in metres. Reduction Ratio 1: 400

Mun./Shire City KEMPSEY

Locality: CRESCENT HEAD

Parish: PALMERSTON

County: MACQUARIE

Plans used in preparation of survey/compilation.

M. 8509 666

D.P. 593711

I, PHILLIP BRUCE SMITH
 of 32 BELGRAVE ST. KEMPSEY
P.O. BOX 329

a surveyor registered under the Surveyors Act, 1929, as amended, hereby certify that the survey represented in this plan is accurate and has been made in accordance with the Survey Practice Regulations, 1933 and any special requirements of the Department of Lands, and was completed on

22-8-89

Signature *Paul Shende*
 Surveyor registered under Surveyors Act, 1929, as amended.
 Datum Line of Azimuth, X-Y
 Insert date of survey.

This negative is a photograph made as a permanent record of a document in the custody of the Registrar General this day, 29th May, 1990



10 20 30 40 50 60 70 Table of mm 110 120 130 140

LegalStream Australia Pty Ltd

ABN: 80 002 801 498
Level 10, 135 King Street, SYDNEY NSW 2000, AUSTRALIA * DX654, SYDNEY
Tel: (02) 9231 0122 Fax: (02) 9233 6411 www.legalstream.com.au

An Approved
LPI NSW
Information Broker

LAND AND PROPERTY INFORMATION NEW SOUTH WALES - TITLE SEARCH

FOLIO: 342/802850

| SEARCH DATE | TIME | EDITION NO | DATE |
|-------------|---------|------------|-----------|
| 12/4/2006 | 8:52 AM | 4 | 20/5/2003 |

LAND

LOT 342 IN DEPOSITED PLAN 802850
AT CRESCENT HEAD
LOCAL GOVERNMENT AREA: KEMPSEY
PARISH OF PALMERSTON COUNTY OF MACQUARIE
TITLE DIAGRAM: DP802850

FIRST SCHEDULE

WETZCAV PTY LIMITED (T 9623929)

SECOND SCHEDULE (3 NOTIFICATIONS)

1. LAND EXCLUDES MINERALS AND IS SUBJECT TO RESERVATIONS AND CONDITIONS IN FAVOUR OF THE CROWN - SEE CROWN GRANT(S)
2. EASEMENT(S) AFFECTING THE PART(S) SHOWN SO BURDENED IN THE TITLE DIAGRAM CREATED BY:
Q978983 TO DRAIN WATER 3 WIDE
3. 9623930 MORTGAGE TO NATIONAL AUSTRALIA BANK LIMITED

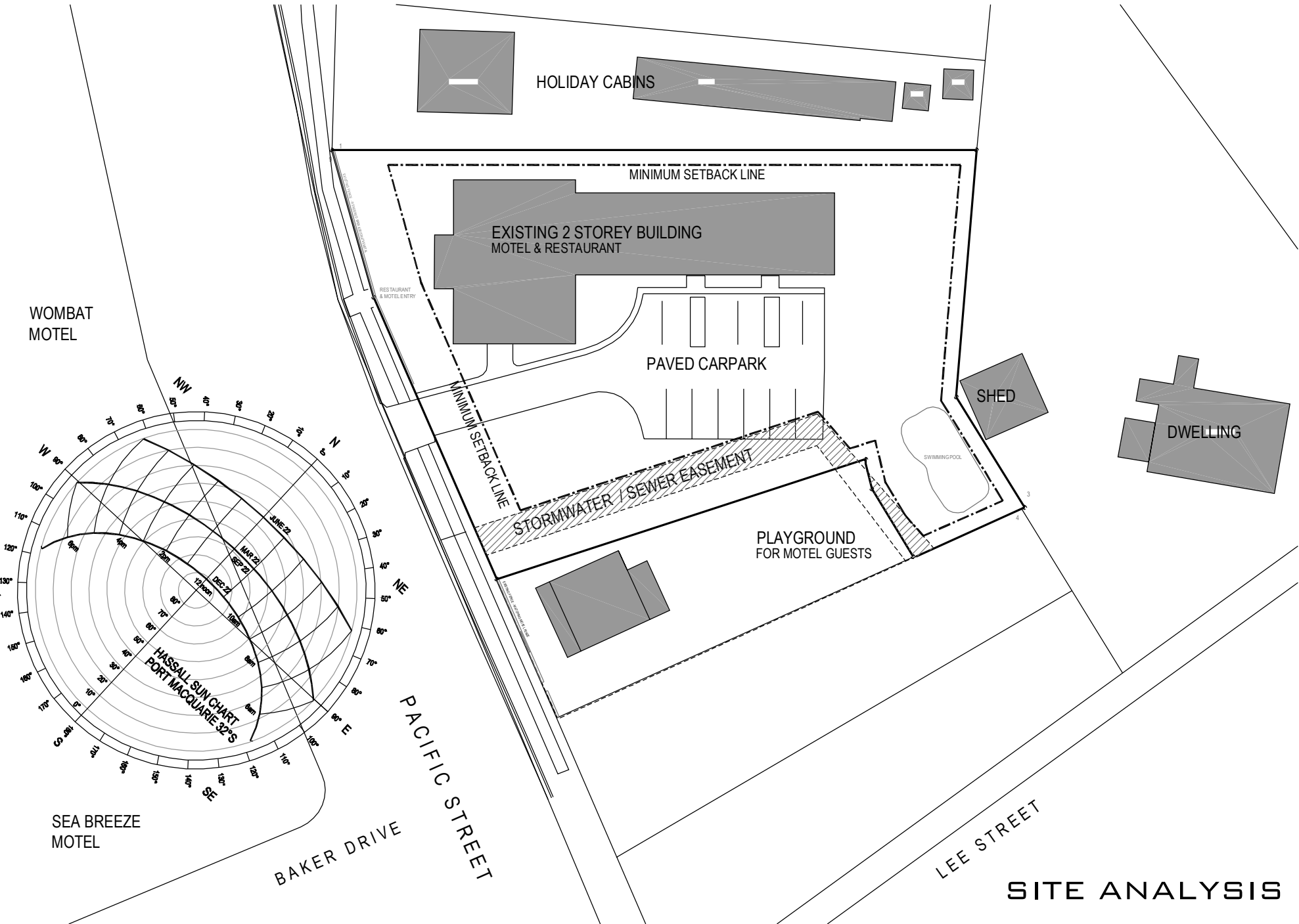
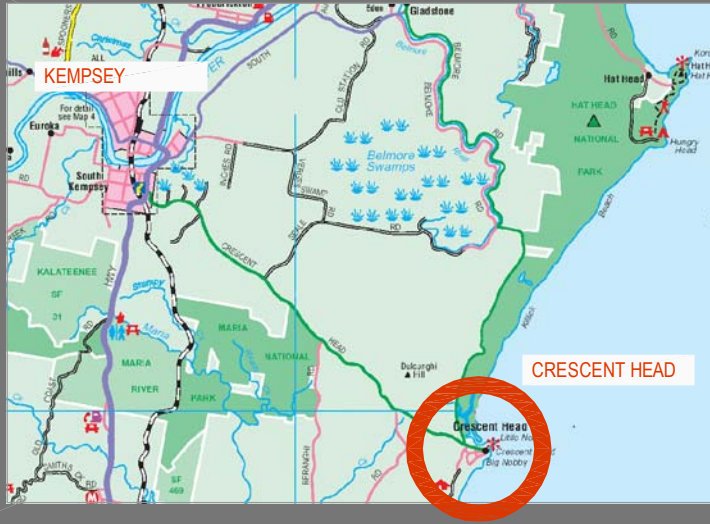
NOTATIONS

UNREGISTERED DEALINGS: NIL

*** END OF SEARCH ***



SOUTHEAST VIEW FROM PACIFIC STREET



BUILT ENVIRONMENT - BUILDING ENVELOPE

| OPPORTUNITIES & CONSTRAINTS | RESPONSE |
|---|--|
| NEIGHBOURING DWELLING & CABINS | BOTH NEIGHBOURING SITES ARE HELD BY THE SAME OWNER AS THE MOTEL. THEY ARE BOTH DEVELOPMENT SITES |
| BUILDING SCALE KEMPSEY DCP22 CONTROLS BUILDING HEIGHT & SCALE IN CRESCENT HEAD, THE EXISTING BUILDING IS LARGER IN SCALE THAN MOST BUILDINGS ON PACIFIC STREET HOWEVER IS IN SCALE WITH DEVELOPMENTS PERMITTED UNDER THE DCP | FROM PACIFIC STREET A. SEPARATE THE EXISTING BUILDING AND ADDITIONAL BUILDING FORMS TO MAINTAIN THE CURRENT SCALE. B. MAINTAIN THE PROMINENCE OF THE EXISTING BUILDING BY DESIGNING ANY ADDITION AS A SMALLER SECONDARY FORMS. |
| CHARACTER THE EXISTING BUILDING IS THEMED AND NAMED 'THE MEDITERRANEAN' | MAINTAIN AND ENHANCE THE CURRENT THEME VIA THE CONTINUATION OF ARCHES & WHITE BUILDINGS, IMPROVED LANDSCAPING AND CREATING COURTYARD TYPE SPACES |
| SITING OF BUILDING IS NOT DIRECTLY CONTROLLED BY LOCAL DCP'S. DCP22 (HOUSING) SETS THE FOLLOWING ENVELOPE RESTRICTIONS FRONT SETBACK = 5.0m SIDE SETBACKS = 1.5m BUILDING HEIGHT = 6.2m TO FLAT CEILINGS | COMPLY WITH THE HOUSING STRATEGY SETBACKS & HEIGHTS TO ENSURE CONSISTENCE WITH SURROUNDING EXISTING & FUTURE DEVELOPMENT |
| STORMWATER EASEMENT AS INDICATED ON THE PLAN, THE EASEMENT IS APPROX 3.0M WITH STARTING 2.0M OFF AND RUNNING PARALLEL WITH THE EAST BOUNDARY | AVOID BUILDING OVER THE EASEMENT. & MAINTAIN SIMPLE ACCESS TO THE EASEMENT & ASSOCIATED INSPECTION POINTS FOR THE LOCAL AUTHORITY |

VIEWS, OUTLOOK & PRIVACY

| OPPORTUNITIES & CONSTRAINTS | RESPONSE |
|---|--|
| OUTLOOK NO SIGNIFICANT VIEWS BEYOND THE SITE SOME TREE LINE VIEWS TO THE NORTH-EAST | MAXIMISE ROOMS WITH NORTHERN OUTLOOK. OTHER ROOMS TO FOCUS ON OPEN SPACES WITHIN THE SITE (COURTYARDS & RECREATION AREAS) |
| PRIVACY - EXISTING MOTEL ROOMS LACK PRIVACY FROM ACCESS BALCONIES | IMPROVE THE CURRENT SITUATION WHERE PRACTICAL. PROVIDE PRIVATE BALCONIES AND BETTER SEPARATION BETWEEN SLEEPING AREAS TO ACCESS-WAYS. |
| PRIVACY - NEIGHBOURS | MINIMISE DIRECT OVERLOOKING OF NEIGHBOURING SITES FROM UPPER LEVEL. |
| SAFETY | PROVIDE CASUAL SURVEILLANCE OPPORTUNITIES FROM MOTEL ROOMS & ASSOCIATED BALCONIES TO PACIFIC STREET, CARPARK, ACCESS BALCONIES AND RECREATION AREAS. |

CIRCULATION & SOLAR ACCESS

| OPPORTUNITIES & CONSTRAINTS | RESPONSE |
|---|--|
| SOLAR ACCESS TO EAST NEIGHBOUR | LIMIT BUILDING IN THE NORTH-EAST PART OF THE SITE (EXISTING CARPARK) TO MAINTAIN WINTER SOLAR ACCESS TO THE EAST NEIGHBOUR |
| VEHICLE ACCESS | MOST SUITABLE ADJACENT TO EAST BOUNDARY A. OVER EASEMENT B. AWAY FROM OUTDOOR DINING |
| PEDESTRIAN ACCESS. PEDESTRIAN ACCESS TO THE MOTEL RECEPTION IS CURRENTLY OFF THE VEHICLE ACCESS. | PROVIDE SEPARATE PEDESTRIAN ACCESS TO THE MOTEL RECEPTION |
| SOLAR ACCESS | MAXIMISE SOLAR ACCESS FROM THE NORTH TO NEW BUILDING |

SITE ANALYSIS

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P PROPOSED ADDITIONS TO 'THE MEDITERRANEAN MOTEL'
L PACIFIC STREET CRESCENT HEAD
- PETER RAVANAGH

D-1 SITE ANALYSIS
D-2 EXISTING BUILDING
D-3 EXISTING BUILDING
D-4 SITE PLAN
D-5 LEVEL 1 PLAN

D-6 LEVEL 2 & BASEMENT
D-7 ELEVATIONS 1
D-8 ELEVATIONS 2
D-9 LANDSCAPE PLAN
D-10 LANDSCAPE ELEMENTS

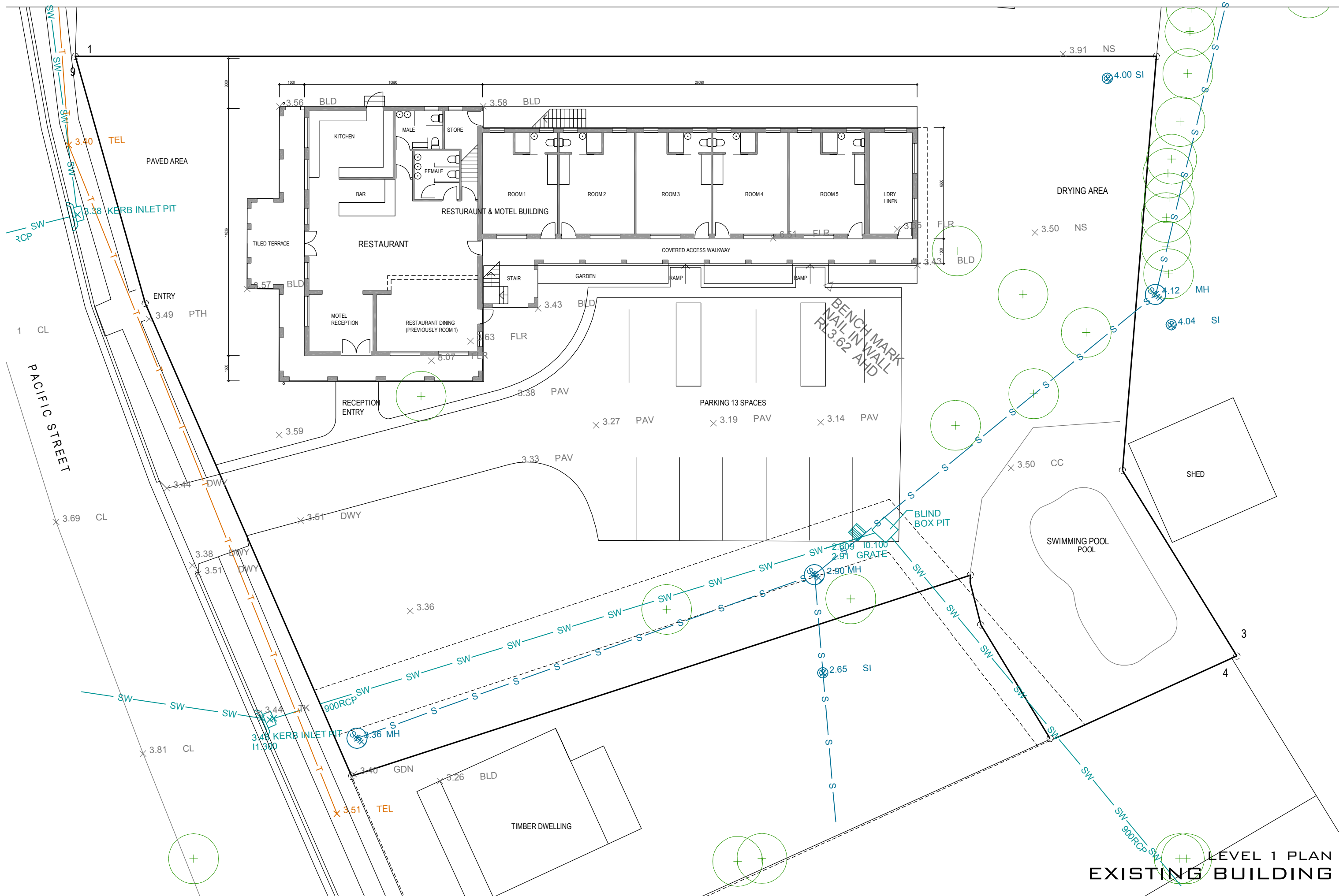
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SCALE 1:500 AT A3
ISSUE A
SHEET D-1



**MEDITERRANEAN MOTEL
CRESCENT HEAD**

APPENDIX C

**EXISTING DEVELOPMENT
PLANS**



LEVEL 1 PLAN
EXISTING BUILDING

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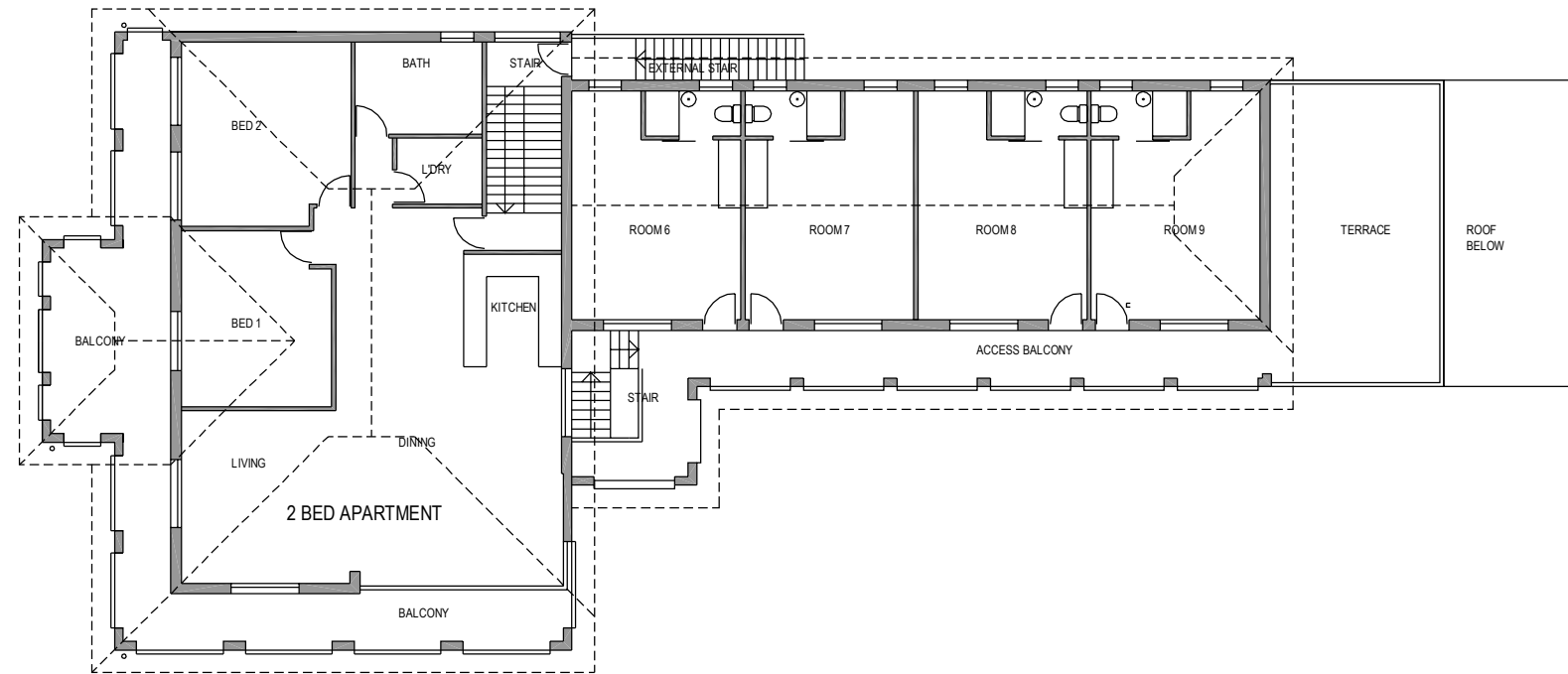
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L 'MEDITERRANEAN MOTEL'
- PACIFIC STREET CRESCENT HEAD
- PETER DAVANAGH

D-1 SITE ANALYSIS
D-2 EXISTING BUILDING
D-3 EXISTING BUILDING
D-4 SITE PLAN
D-5 LEVEL 1 PLAN

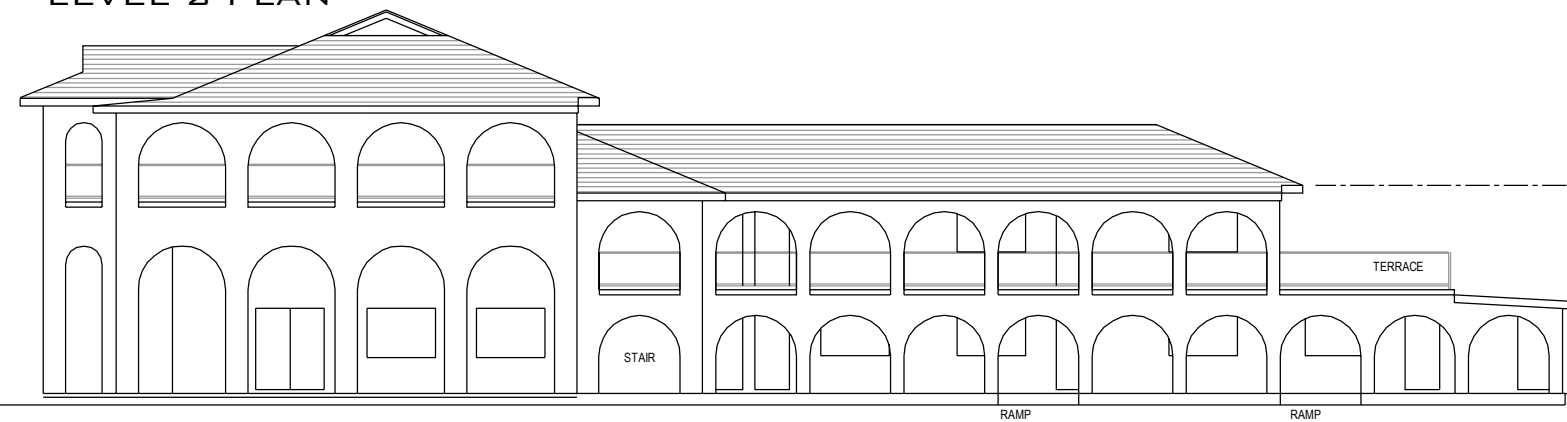
D-6 LEVEL 2 & BASEMENT
D-7 ELEVATIONS 1
D-8 ELEVATIONS 2
D-9 LANDSCAPE PLAN
D-10 LANDSCAPE ELEMENTS

| | |
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| DATE | OCT 2005 |
| SCALE | 1:200 AT A3 |
| ISSUE | A |
| SHEET | D-2 |





LEVEL 2 PLAN



EAST ELEVATION



SOUTH ELEVATION - PACIFIC STREET



PARKING AREA



POOL AREA



FENCE DETAIL

EXISTING BUILDING

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P PROPOSED ADDITIONS TO 'THE MEDITERRANEAN MOTEL'
L PACIFIC STREET CRESCENT HEAD
- PETER SAVANAH

D-1 SITE ANALYSIS
D-2 EXISTING BUILDING
▶ D-3 EXISTING BUILDING
D-4 SITE PLAN
D-5 LEVEL 1 PLAN

D-6 LEVEL 2 & BASEMENT
D-7 ELEVATIONS 1
D-8 ELEVATIONS 2
D-9 LANDSCAPE PLAN
D-10 LANDSCAPE ELEMENTS

| | |
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| SCALE | 1:200 AT A3 |
| ISSUE | A |
| SHEET | D-3 |



**MEDITERRANEAN MOTEL
CRESCENT HEAD**

APPENDIX D

**PROPOSED DEVELOPMENT
PLANS**

SITE BOUNDARIES

| | | |
|---|--------|------------|
| 1 | 64.880 | 47d19'30" |
| 2 | 24.945 | 142d0'40" |
| 3 | 13.075 | 105d38'0" |
| 4 | 12.000 | 202d56'40" |
| 5 | 7.995 | 105d57'30" |
| 6 | 2.610 | 123d22'40" |
| 7 | 39.050 | 29d19'0" |
| 8 | 30.955 | 293d45'40" |
| 9 | 15.415 | 301d29'40" |

| CAR SPACES | |
|----------------|----|
| OFF DRIVE | 2 |
| BASEMENT | 8* |
| COVERED REAR | 4* |
| PAVED EXTERNAL | 11 |
| GRASS AREA | 4 |
| TOTAL | 29 |

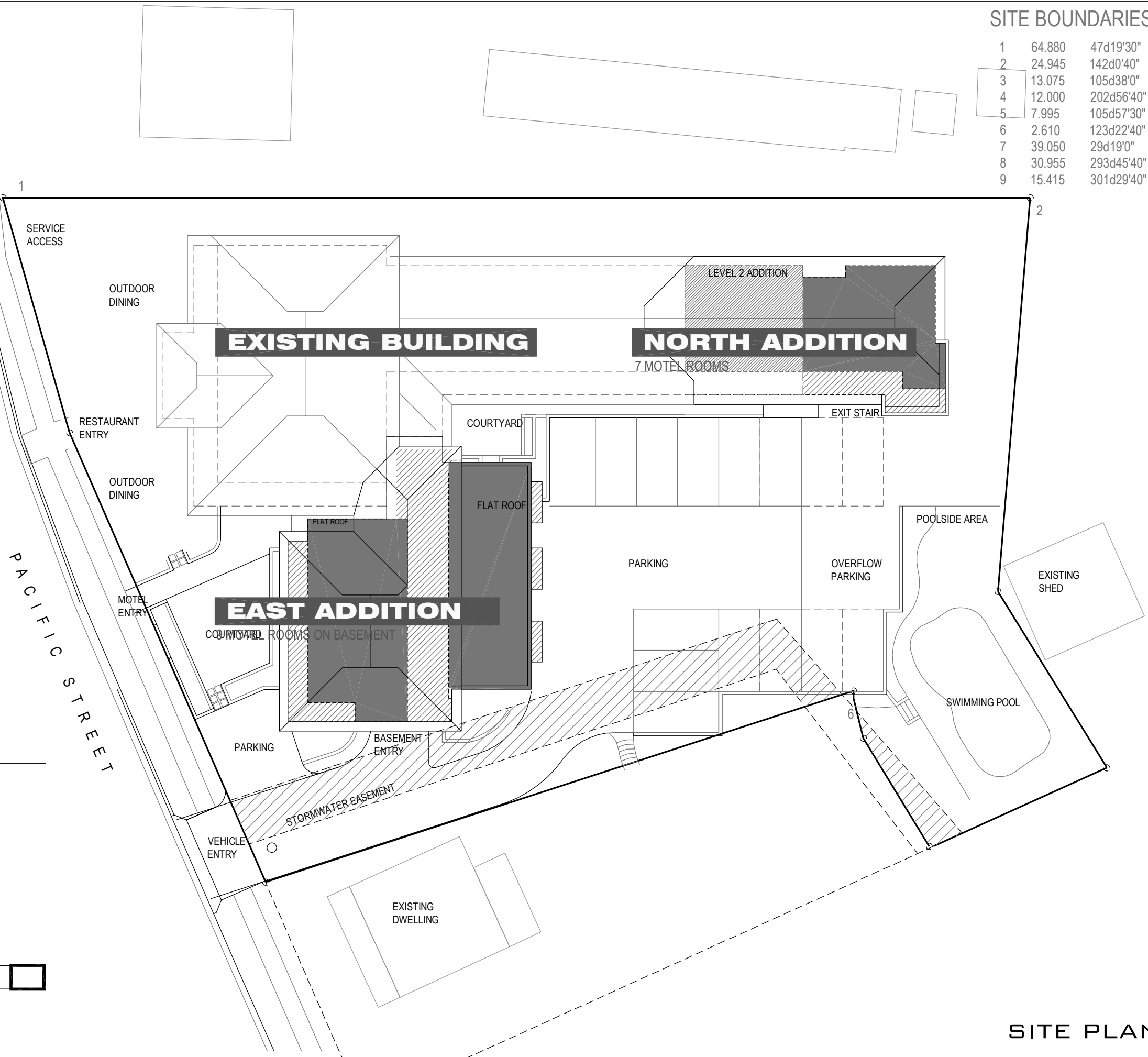
| | |
|------------|----|
| EXISTING | 13 |
| ADDITIONAL | 16 |

*AS2890.1 SMALL SPACES

MOTEL ROOMS

| | |
|------------|----|
| EXISTING | 9 |
| ADDITIONAL | 16 |
| TOTAL | 25 |

NOTE. EXISTING PARKING AISLES ARE NON-COMPLIANT



SITE PLAN

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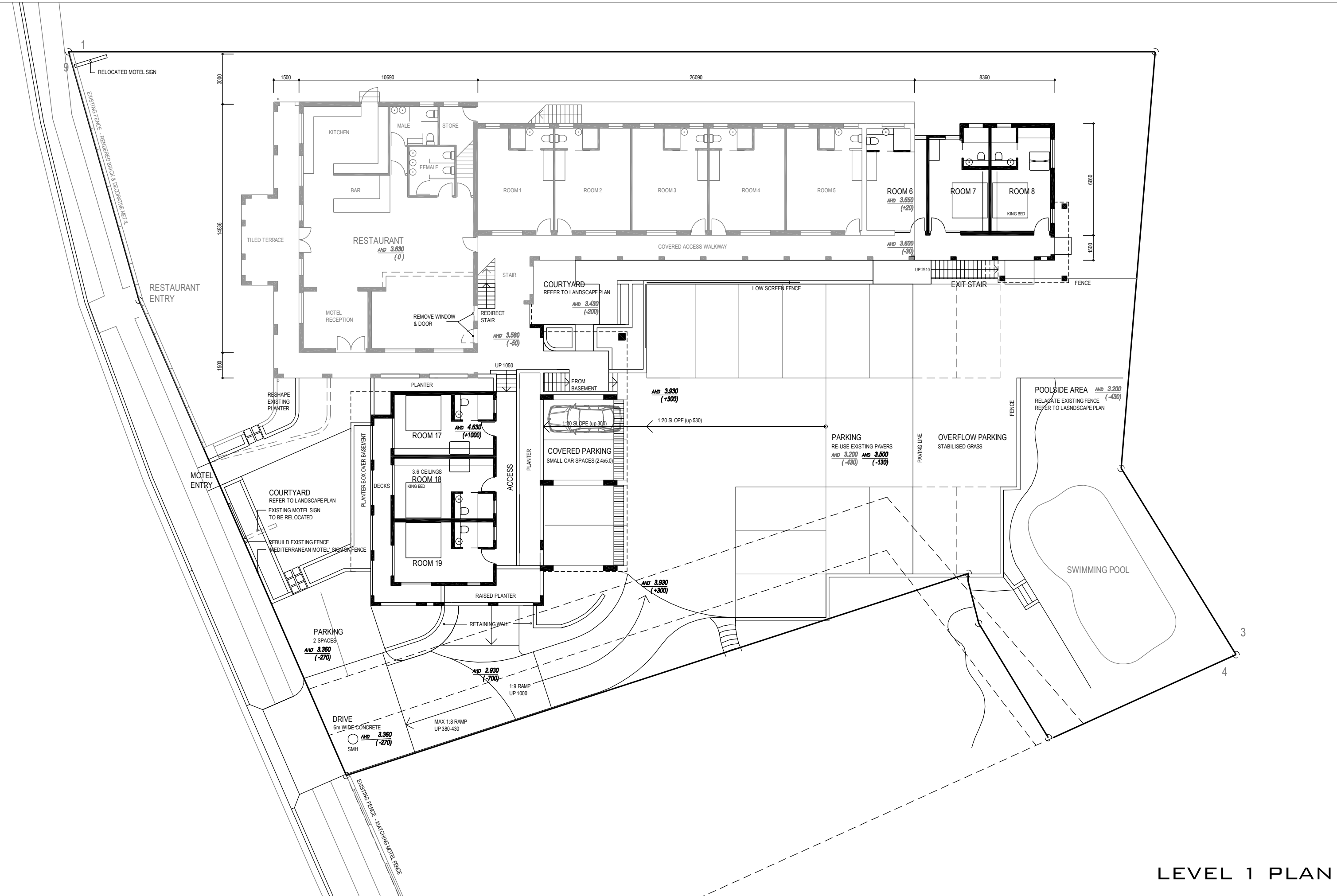
P PROPOSED ADDITIONS TO 'THE
L MEDITERRANEAN MOTEL'
L PACIFIC STREET CRESCENT HEAD
- PETER RAYMOND

D-1 SITE ANALYSIS
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D-7 ELEVATIONS 1
D-8 ELEVATIONS 2
D-9 LANDSCAPE PLAN
D-10 LANDSCAPE ELEMENTS

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| SCALE | 1:250 AT A3 |
| ISSUE | A |
| SHEET | D-4 |





LEVEL 1 PLAN

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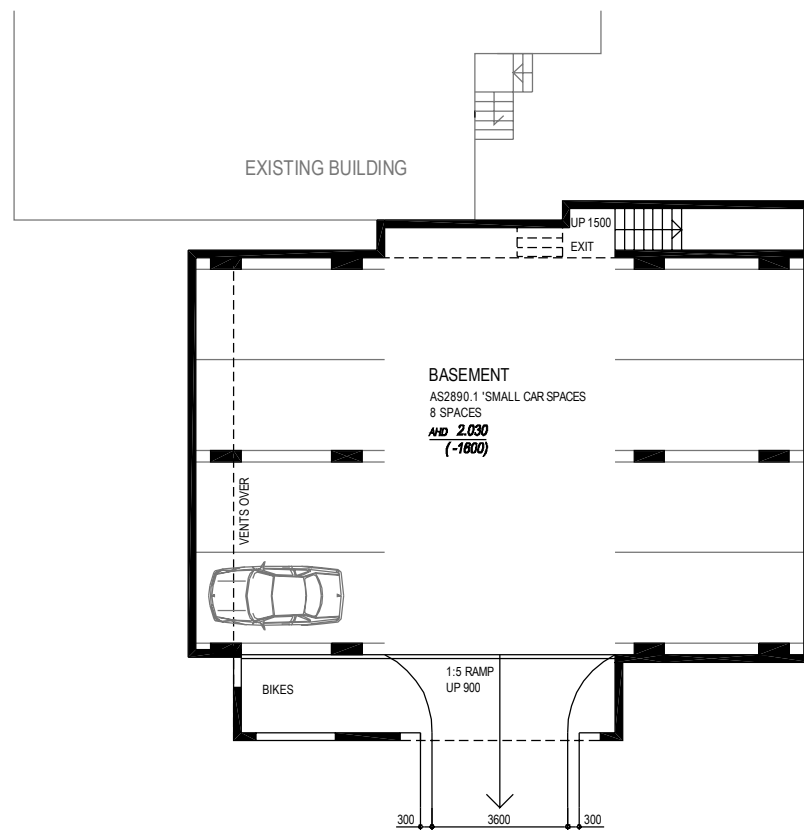
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P PROPOSED ADDITIONS TO 'THE MEDITERRANEAN MOTEL'
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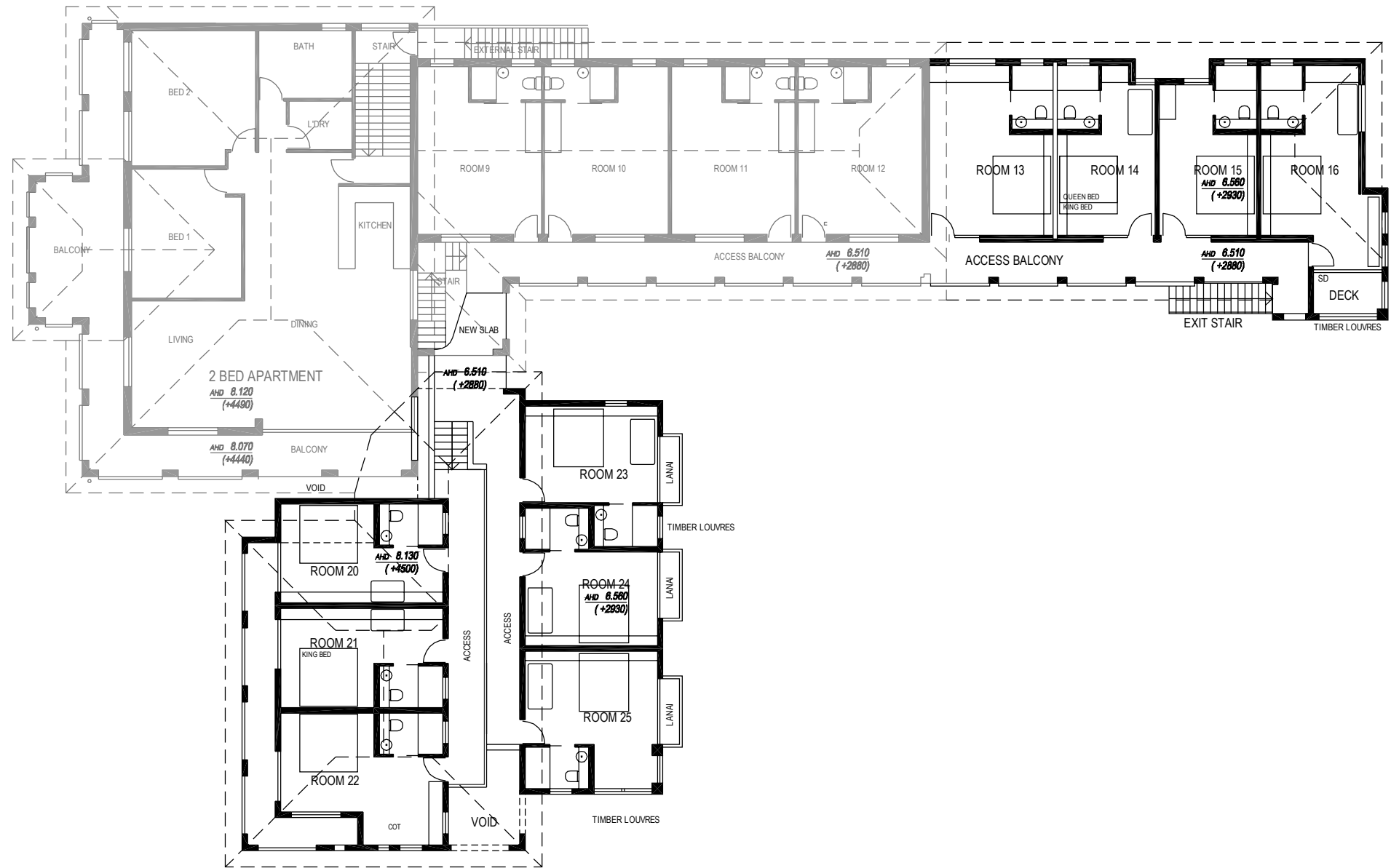
- | | | | |
|-----|-------------------|------|--------------------|
| D-1 | SITE ANALYSIS | D-6 | LEVEL 2 & BASEMENT |
| D-2 | EXISTING BUILDING | D-7 | ELEVATIONS 1 |
| D-3 | EXISTING BUILDING | D-8 | ELEVATIONS 2 |
| D-4 | SITE PLAN | D-9 | LANDSCAPE PLAN |
| D-5 | LEVEL 1 PLAN | D-10 | LANDSCAPE ELEMENTS |

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| ISSUE | A |
| SHEET | D-5 |

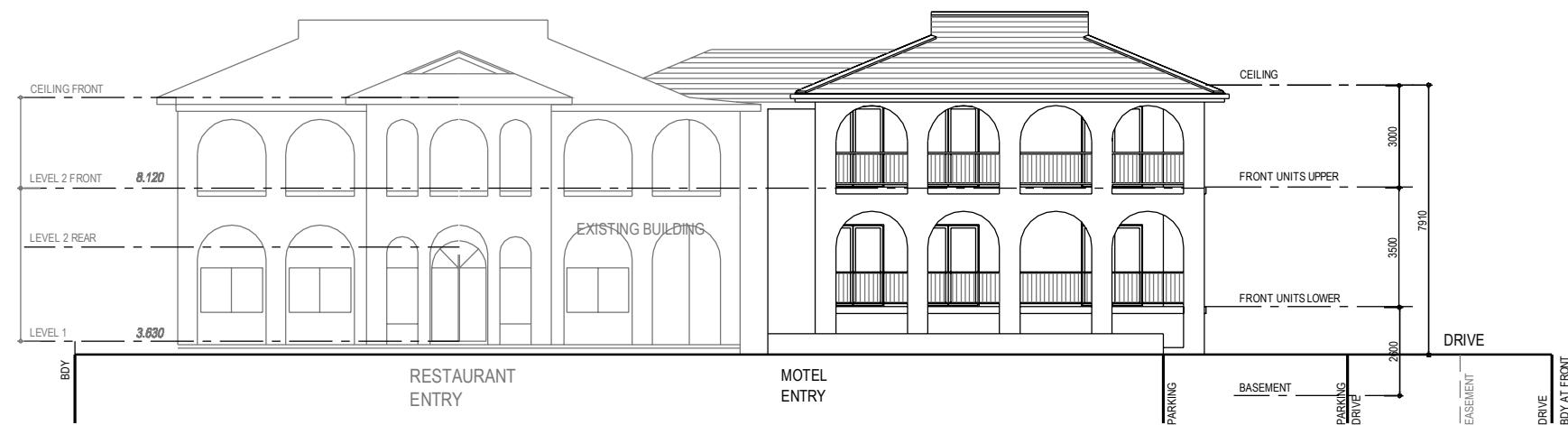




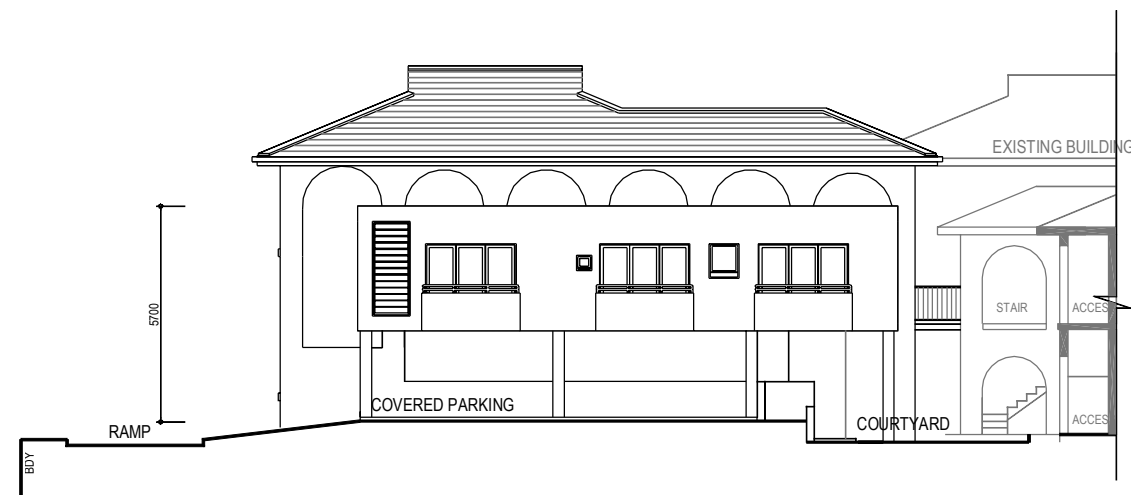
BASEMENT



LEVEL 2 PLAN



SOUTH ELEVATION (PACIFIC DRIVE) - EAST ADDITION



NORTH ELEVATION - EAST ADDITION



EAST ELEVATION - EAST ADDITION



NORTH EAST DETAIL
EAST ADDITION

ELEVATIONS 1

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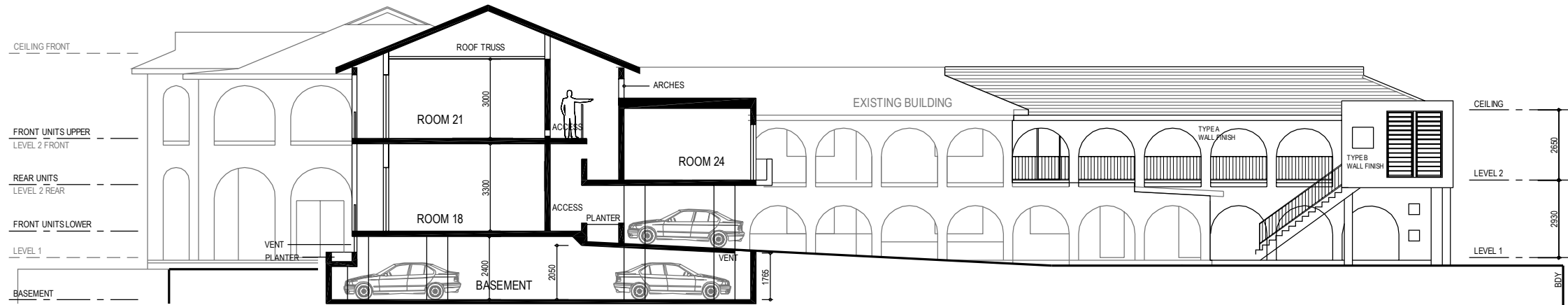
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- PETER RAYMOND

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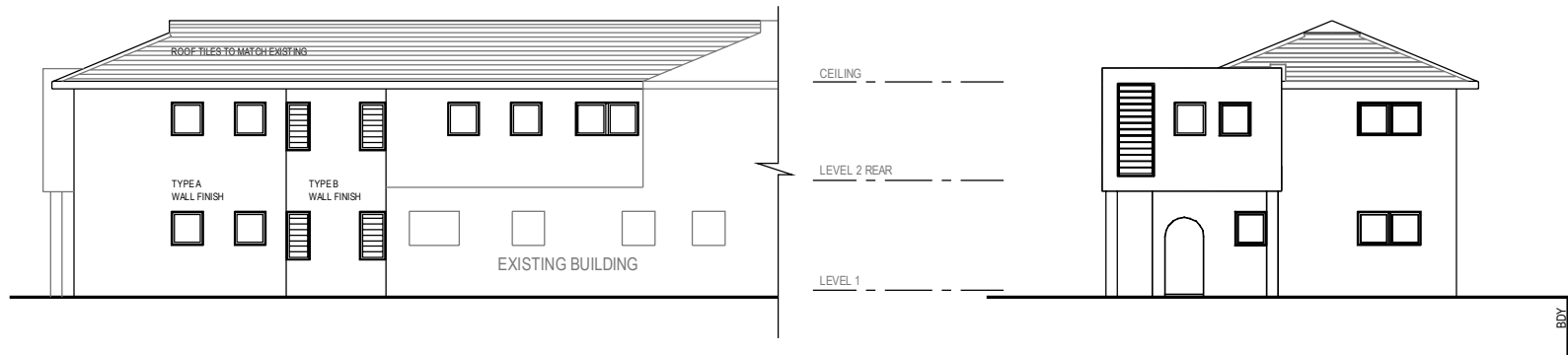
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| SHEET | D-7 |

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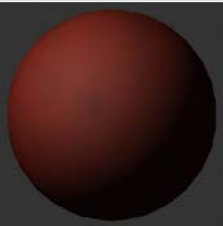

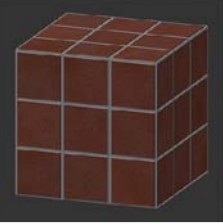


SECTION - EAST ADDITION

EAST ELEVATION - NORTH ADDITION



WEST ELEVATION - NORTH ADDITION

| | |
|---|---|
|  | WHITE COURSE RENDER TO MATCH EXISTING 'TYPE A WALL FINISH' |
|  | TERRACOTTA - RED SMOOTH RENDER 'TYPE B WALL FINISH' |
|  | TERRACOTTA PAINTED CONCRETE ROOF TILES TO MATCH EXISTING |
|  | TERRACOTTA FLOOR TILES SELECTED TO MATCH EXISTING |

EXTERNAL FINISHES



ACCESS VIEW
EAST ADDITION

ELEVATIONS 2

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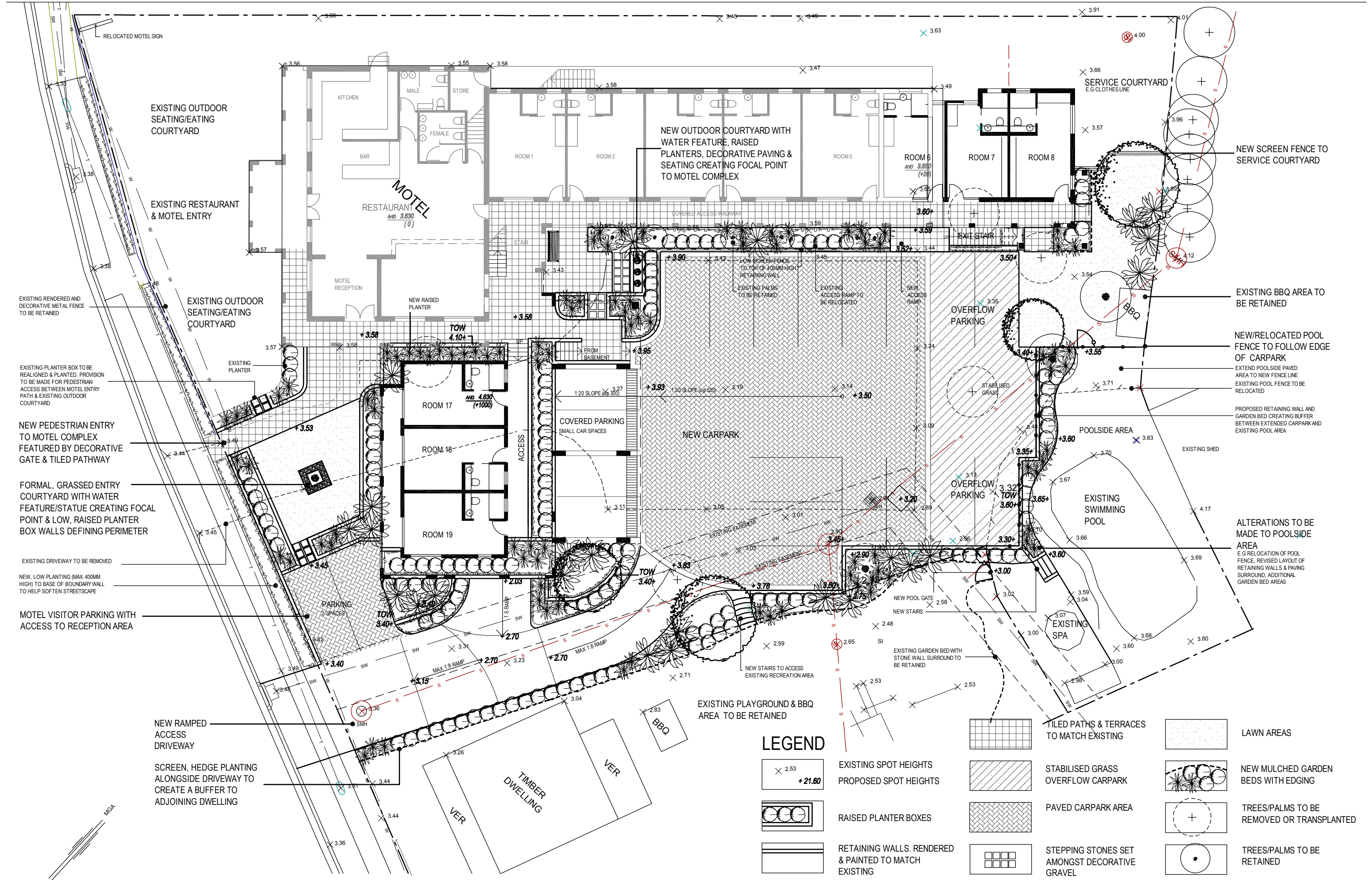
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**MEDITERRANEAN MOTEL
CRESCENT HEAD**

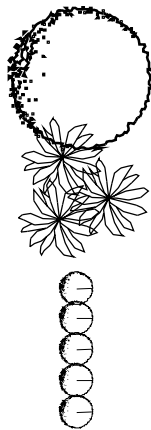
APPENDIX E

LANDSCAPE CONCEPT PLANS



INDICATIVE PLANT SCHEDULE

A SELECTION OF PLANT SPECIES CHARACTERISTIC WITH THE 'MEDITERRANEAN BUILDING STYLE' IN COMBINATION WITH SPECIES ALREADY ON SITE WILL ENHANCE AND STRENGTHEN THE EXISTING THEME OF THE MOTEL COMPLEX. LOW HEDGES WITH TRAILING GROUNDCOVERS IN RAISED PLANTER BOXES WILL PREDOMINATE. PALMS WILL CONTINUE TO BE USED TO CREATE SHADE AND SENSE OF SCALE. COLOURFUL CLIMBERS WILL BE TRAINED OVER WALLS AND SCREENS TO CREATE THAT 'GARDEN' FEELING

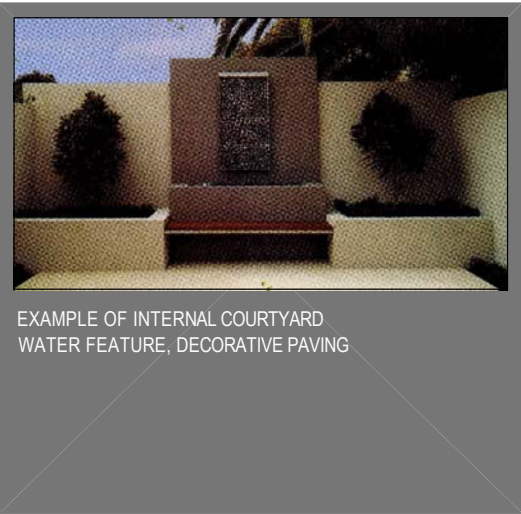


| Botanical Name | Common Name |
|--------------------------------|-------------------------|
| TREES | |
| Plumeria rubra | Frangipani |
| Waterhousia floribunda | Waterhousia |
| PALMS | |
| Archontophoenix cunninghamiana | Bangalow Palm |
| Howea forsterana | Kentia Palm |
| Phoenix roebelinni | Dwarf Date Palm |
| Strelitzia nicholai | Strelitzia |
| HEDGE SHRUBS | |
| Metrosideros 'Fuji Fire' | Dwarf NZ Christmas Bush |
| Murraya paniculata | Orange Jessamine |
| Dodonaea viscosa | Hop Bush |
| Photinia glabra 'Rubens' | Photinia |
| Philodendron 'Xanadu' | Dwarf Philodendron |

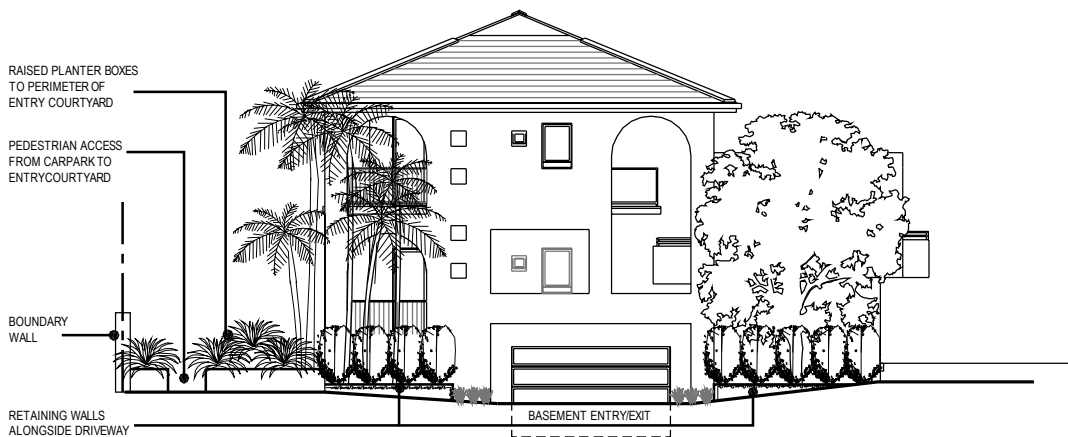


| Botanical Name | Common Name |
|--------------------------------|----------------------|
| ACCENT PLANTS | |
| Cordyline fruticosa | Ti |
| Cordyline 'Red Star' | Red Star |
| Strelitzia parvifolia | Bird of Paradise |
| Yucca spp. | Yucca |
| GROUNDCOVERS & TRAILING PLANTS | |
| Bougainvillea spp. | Bougainvillea |
| Hibbertia scandens | Yellow Guinea Flower |
| Kniphofia spp. | Red Hot Poker |
| Pelargonium spp. | Geranium |
| Ophiopogon japonicus | Mondo Grass |
| Rhoeo spp. | Moses in the Cradle |
| CLIMBERS | |
| Bougainvillea spp. | Bougainvillea |
| Trachelospermum jasminoides | Star Jasmine |

LANDSCAPE IMAGES



EXAMPLE OF ENTRY COURTYARD WATER FEATURE



EAST ELEVATION 1:200



PACIFIC STREET - ELEVATION 1:200

LANDSCAPE ELEMENTS

**MEDITERRANEAN MOTEL
CRESCENT HEAD**

APPENDIX F

**KEMPSEY SHIRE COUNCIL
SITE INFORMATION
&
REQUIREMENTS**

Lot 342 DP 802850 No 35 – 39 Pacific Street Crescent Head

- According to Council's records, the land is 2119 m² in area
- The land is zoned 2(b1) Residential under KLEP 1987 which prohibits motels. At the time of approval, the land was zoned 2(v) Village which permitted motels. On this basis, the subject land enjoys non-conforming existing use rights for a motel. Extensions to the motel are therefore permissible with development consent.
- As the land enjoys non-conforming existing use rights, under the provisions of the Environmental Planning and Assessment Act, the land may also be used for **any** other use, even uses which are prohibited under KLEP 1987. Obviously a DA would be required and relevant impacts assessed before any consent is issued.
- The minimum allotment size required in the zone is 500m²
- Under Council's Local Housing Strategy, the land may also be developed for medium density housing up to two (2) storeys
- Although there are no development standards for motels in a 2(b1) zone, standards applying in other zones which are a good guide include:-
 - A maximum site coverage of 40% of the allotment (single storey)
 - A maximum site coverage of 30% of the allotment (two storey)
 - A minimum of one carparking space per unit
 - A minimum of one carparking space per managers unit
 - A minimum of one carparking space per two employees
- If you are proposing any expansion to the restaurant, 1 carspace per 7m² of any nett increase in floor area would be required
- The approved development plans are attached