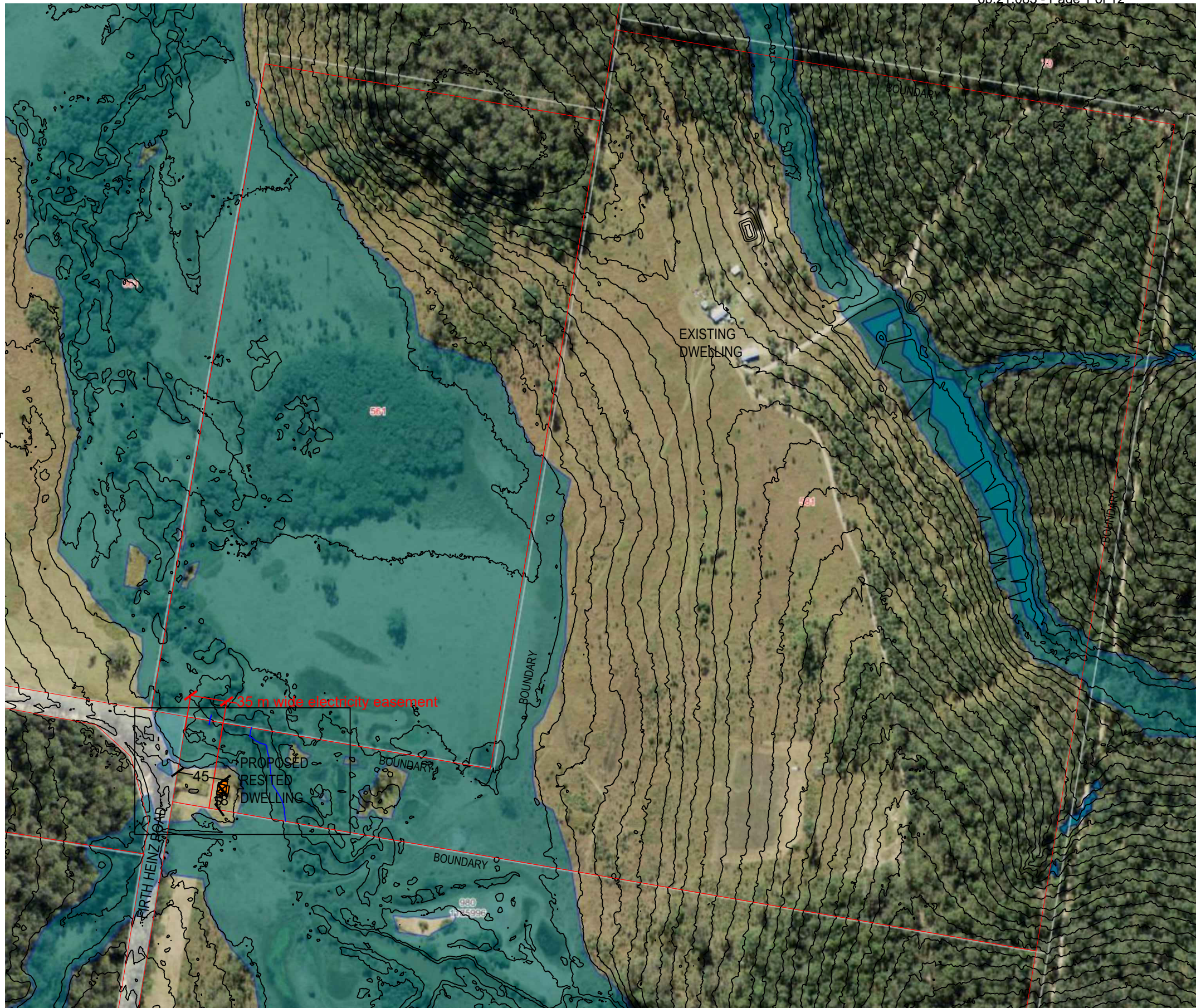
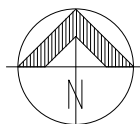


- ALL WORK MUST COMPLY WITH THE BCA AND THE FOLLOWING CLAUSES
 All excavations and fill must comply with Part 3.1.1 EARTHWORKS.
1. Drainage must comply with Part 3.1.3 DRAINAGE
 2. TERMITE RISK MANAGEMENT must comply with Part 3.1.4
 - a) A termite barrier or combination of barriers is installed in accordance with
 - i) AS3660.1 or
 - ii) 3.1.3.3 for concrete slabs on ground
 - b) A durable notice must be permanently fixed to the building in a prominent location, such as a meter box or the like, indicating-
 - i) the method of protection; and
 - ii) the date of installation of the system; and
 - iii) where a chemical barrier is used, its life expectancy as listed on the National registration Authority label; and
 - iv) the installer's or manufacturers recommendations for the scope and frequency of future inspections for termite activity.
 3. Filling under slabs must comply with Part 3.2.2 and clause 3.2.2.2
 4. Vapour barriers must comply with clause 3.2.2.6
 5. Concrete and reinforcing must comply with clauses 3.2.3.1 & 3.2.3.2 inclusive.
 6. Footing and slab construction must comply with Part 3.2.5 Clause 3.2.5.1, or AS 2870 - Refer to Engineer's detail.
 7. Timber frame is manufactured to comply with AS 1684.2-1999 National Timber Framing Code and certificate will be provided by Truss and Frame manufacturer when selected. Roof cladding must comply with Part 3.5.1 & 3.5.2
 8. Gutters and downpipes must comply with Part 3.5.3
 9. Timber wall cladding to comply with Part 3.5.4 & Clause 3.5.4.2
 10. Glazing to windows must comply with Part 3.6.
 11. Smoke alarms must comply with Part 3.7.5.
 12. Wet areas must comply with Part 3.8.1.
 13. Ceiling heights to rooms must comply with Part 3.8.2.
 14. Lighting must comply with Part 3.8.4
 15. All tie-downs to comply with Engineer's detail.
 16. Soil classification to site to comply with Part 3.2.4 - Refer to Engineer's details.
 17. Roof trusses to be designed to Engineer supplied Wind loading. Certification to be provided by Truss manufacturer.
 18. Masonry Wall Ties to comply with Part 3.3
 19. Lintels to comply with Part 3.4
 20. Wall bracing to comply with AS 1684.2-1999 and as per Engineer's detail.
 21. Sub-Floor Ventilation to comply with Part 3.4.1
 22. Stair construction to comply with Part 3.9.1
 23. Balustrades/Railings to comply with Part 3.9.2
 24. All work to comply with Council Standards.
 25. Protection of openable windows in bedrooms to comply with Part 3.9.2.6

- GENERAL NOTES:**
1. The contractor/s to inspect site and verify all levels and dimensions on site prior to commencing any work.
 2. Figured dimensions take precedence over scaled dimensions.
 3. Contractor/s to use architectural drawings for set out.
 4. All discrepancies are to be referred to the client immediately.
 5. All work to be in accordance with BCA, relevant standards & local authority requirements.
 6. Verify location of existing services prior to construction & relocate as required in conjunction with the relevant authority.
 7. Discharge stormwater in accordance with local authority requirements and relevant standards.
 8. Discharge wastewater in accordance with local authority requirements and relevant standards.
 9. Slabs, footings, steelwork, bracing, tie down, retaining walls & articulation joints to be in accordance with engineers details.
 10. Roof and floor framing to be in accordance with the manufacturers specification and to be co-ordinated with the engineering design with regard to slab thickenings and floor support locations.
 11. All timber work is to comply with AS 1684.1999 National Timber Framing Code.
 12. Make good all damaged surfaces on completion of work.

SITE DETAILS
 Site area ~45 Ha
 Proposed overall floor area 103.3m²
 Floor space ratio 0.001:1



Rev	Revision Description	BY	DATE
0	ISSUED FOR CLIENT REVIEW	SN	03/08/21
0	ISSUED FOR DA/CC	SN	14/09/21

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REFER COVER SHEET FOR NOTES UNLESS NOTED OTHERWISE

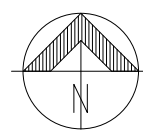
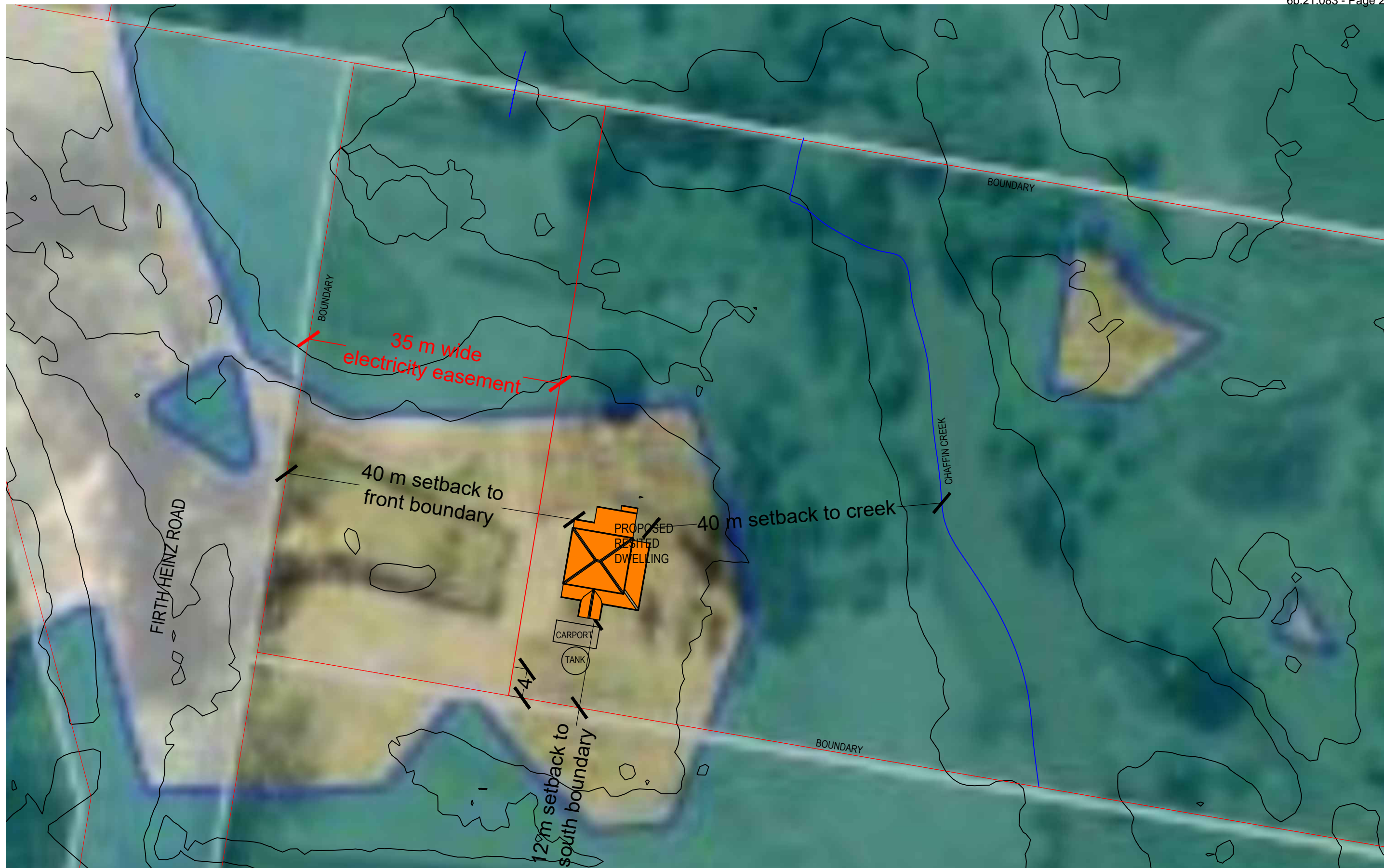
Greg Alderson Associates
 43 Main Street, CLUNES NSW 2480
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 P:(02) 6629 1552 E:office@aldersonassociates.com.au
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Client: Karen Nicholls
 Site address: Lot 981 DP1185996
 581 Firth Heinz Road
 Pillar Valley NSW 2462

Title: SITE PLAN & GENERAL NOTES
 Project: PROPOSED RESITED DWELLING WITH ALTERATIONS

ISSUE FOR DEVELOPMENT APPLICATION

Drawn: SN	Scale: As shown at A3	Scale: 0m 100m 200m Scale 1:4000
Checked: WA	Original Size: A3 No. in set: 01 of 08	
Job Number: 22062	Drawing Number: 22062-DA01	



Rev	Revision Description	BY	DATE
0	ISSUED FOR CLIENT REVIEW	SN	03/08/21
0	ISSUED FOR DA/CC	SN	14/09/21

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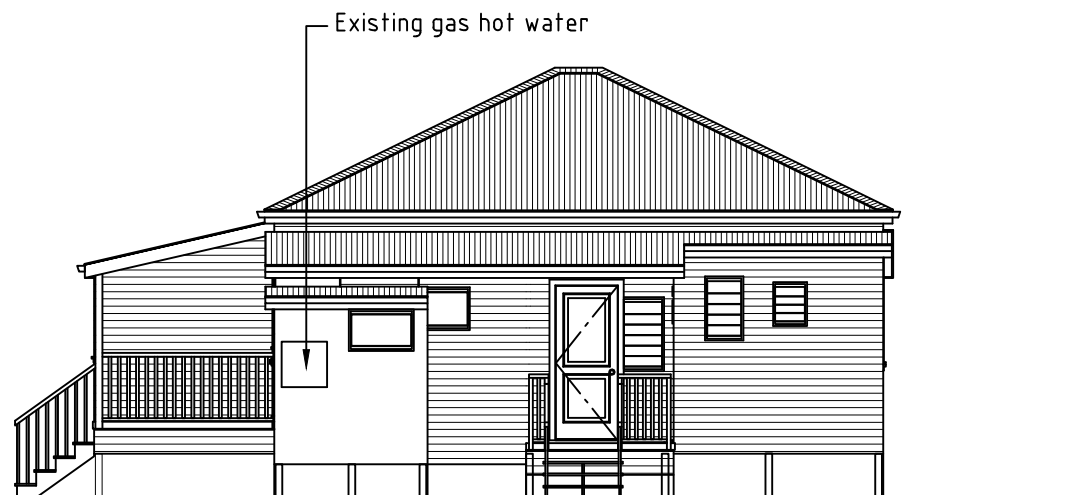
Client: Karen Nicholls

Site address: Lot 981 DP1185996
581 Firth Heinz Road
Pillar Valley NSW 2462

Title: DETAIL SITE PLAN

Project: PROPOSED RESITED DWELLING WITH ALTERATIONS

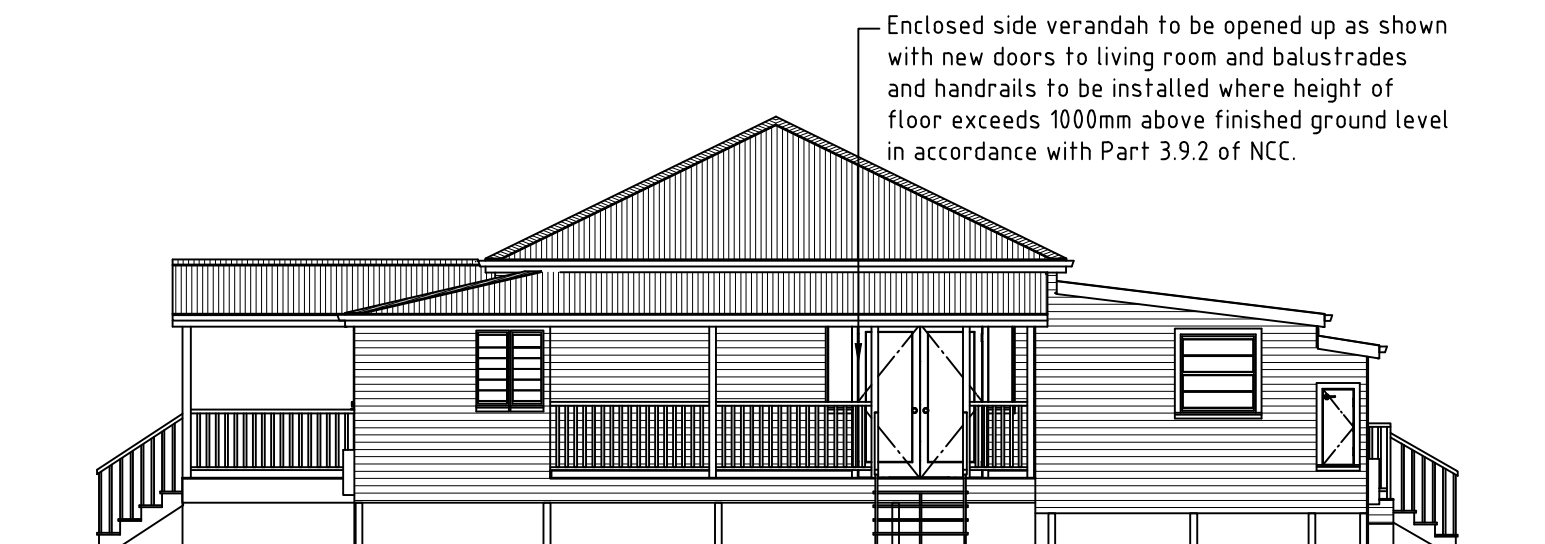
ISSUE FOR DEVELOPMENT APPLICATION		
Drawn: SN	Scale: As shown at A3	<p>Scale 1:500</p>
Checked: WA	Original Size: A3	
Job Number: 22062	No. in set: 02 of 08 Drawing Number: 22062-DA02	



PROPOSED NORTH ELEVATION

1:100 @ A3

Footing locations shown are indicative and engineering details to supercede what is shown.



PROPOSED EAST ELEVATION

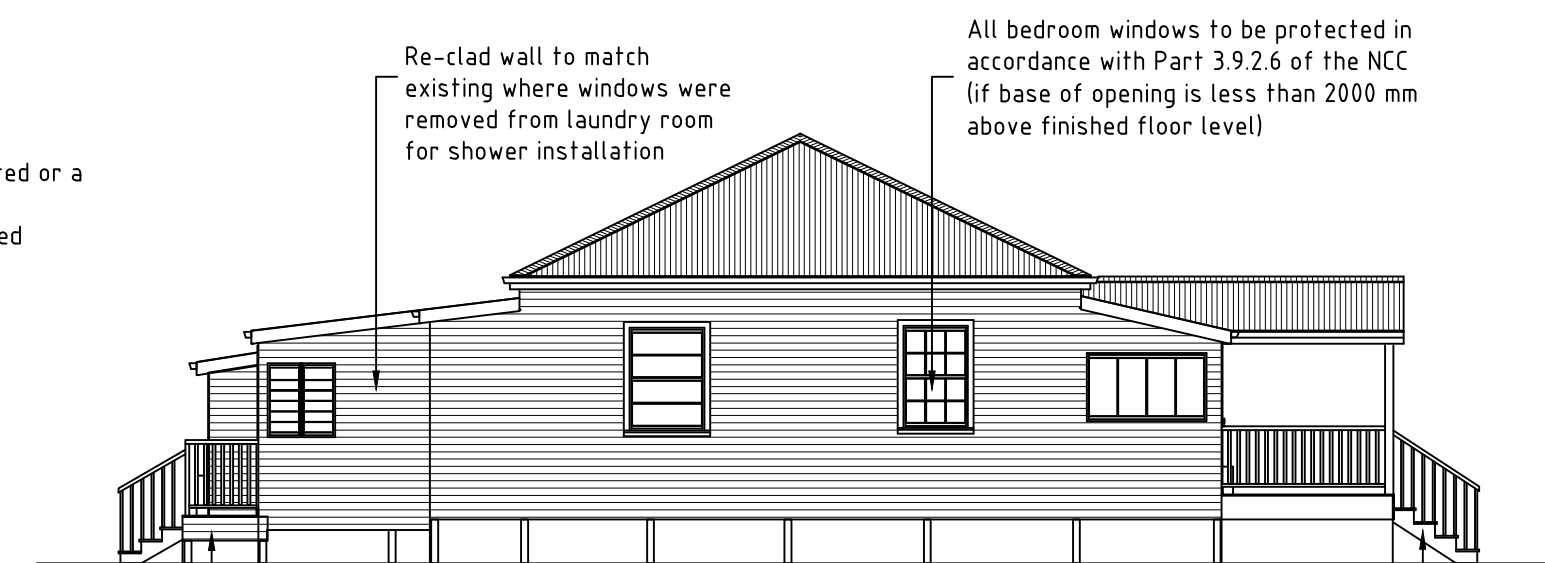
1:100 @ A3

New footings and framing for alterations and additions to engineers specifications



PROPOSED SOUTH ELEVATION

1:100 @ A3



PROPOSED WEST ELEVATION

1:100 @ A3

New landing for laundry door. New steps to have max. 190mm riser and min 240 tread

New steps to have max. 190mm riser and min 240 tread

Rev	Revision Description	BY	DATE
0	ISSUED FOR CLIENT REVIEW	SN	03/08/21
0	ISSUED FOR DA/CC	SN	14/09/21

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Client: Karen Nicholls
Site address: Lot 981 DP1185996
581 Firth Heinz Road
Pillar Valley NSW 2462

Title: PROPOSED ELEVATIONS
Project: PROPOSED RESITED DWELLING WITH ALTERATIONS

ISSUE FOR DEVELOPMENT APPLICATION		
Drawn: SN	Scale: As shown at A3	<p>Scale 1:100</p>
Checked: WA	Original Size: A3	
Job Number: 22062	No. in set: 07 of 08 Drawing Number: 22062-DA07	

SECTION 4.15 EVALUATION FOR DA2021/0864
- Lot 981 DP 1185996- 581 Firth-Heinz Road PILLAR VALLEY NSW 2462

Proposal: Relocation of one (1) additional dwelling to create a detached dual occupancy.

- The dwellings are proposed to have the same access point to the connecting road; however, the existing dwelling can be accessed via the same access off Firth Heinz Road it is currently accessed off Barys Bridge Road and through a private right of carriageway.
- There will be two on-site sewer management systems, being one for each dwelling.
- The additional dwelling consists of two (2) bedrooms, dining, kitchen, a bathroom, two (2) living areas, entry/ porch, enclosed verandah, and a laundry.

(1) Matters for consideration – General

In determining a development application, a consent authority is to take into consideration such of the following matters as are of relevance to the development the subject of the development application:

(a) the provisions of:

(i) any environmental planning instrument, and

State Environmental Planning Policy 55 – Remediation of Land

Clause 7 of the SEPP states that a consent authority must not consent to the carrying out of any development in land unless:

- (a) it has considered whether the land is contaminated, and*
- (b) if the land is contaminated, it is satisfied that the land is suitable in its contaminated state (or will be suitable, after remediation) for the purpose for which the development is proposed to be carried out, and*
- (c) if the land requires remediation to be made suitable for the purpose for which the development is proposed to be carried out, it is satisfied that the land will be remediated before the land is used for that purpose.*

The current use of the land is for a mixed residential and agricultural uses, predominantly for grazing of livestock. Historical imagery indicates that the historical use of the land has been grazing for livestock with the exception of the existing house for residential purposes. Mapping does not identify any cattle dip sites in close proximity to the subject land. Therefore, it is deliberated that the subject land is suitable for the proposed dual occupancy as a continued mixed use of residential and agriculture.

State Environmental Planning Policy (Coastal Management) 2018

The subject land is not located within any areas identified under the SEPP.

Clarence Valley Local Environmental Plan 2011

The subject land is zoned RU2 Rural Landscape under the provisions of the *Clarence Valley Local Environmental Plan 2011* (herein referred to as “the LEP”). The proposed relocation of an

additional dwelling to create a dual occupancy upon the land is permissible with consent in the zone. The proposed development is consistent with the objectives of the zone:

- *To encourage sustainable primary industry production by maintaining and enhancing the natural resource base.*
- *To maintain the rural landscape character of the land.*
- *To provide for a range of compatible land uses, including extensive agriculture.*
- *To provide land for less intensive agricultural production.*
- *To prevent dispersed rural settlement.*
- *To minimise conflict between land uses within the zone and with adjoining zones.*
- *To ensure that development does not unreasonably increase the demand for public services or public facilities.*
- *To ensure development is not adversely impacted by environmental hazards.*

The proposal provides for the housing needs of the community and is consistent with the character of development in rural zones. Additionally, the development is deemed suitable for the land and sustainably utilises existing services.

Clause 4.2B: Erection of dwelling houses and dual occupancies on land in certain rural, residential and environmental protection zones:

The minimum lot size for the subject RU2 zoned land is 40ha and the lot size consists of 44.75ha which is above the minimum lot size and enjoys dwelling eligibility. The land contains an existing dwelling approved dwelling under DA2006/0965 and is considered to have entitlement for the additional dwelling as a detached dual occupancy.

Clause 4.2D: Erection of dual occupancies (detached) and secondary dwellings in Zones RU1, RU2 and R5:

The proposed development will utilise a single driveway access to the Council maintained road and the additional dwelling is 40m from the front boundary and the additional dwelling is situated within 630m of the existing dwelling, to reduce adverse impacts from fluvial flooding experienced on the land. The applicant has applied for a Clause 4.6 Variation to vary the maximum 100m distance applicable to detached dual occupancies, see further discussion below. There is adequate area identified for the effluent disposal. While the surrounding lots predominately contain single dwelling houses, the proposal is not considered to be out of character with the surrounding development and does not present any adverse impacts on scenic amenity.

Clause 4.3: Height of Buildings:

The subject land does not have a maximum building height under the Clarence Valley Local Environmental Plan 2011. The proposed dwelling is not considered out of character with the surrounding development being a single dwelling. The proposed development is not considered to impact on privacy or overshadowing. The development is considered to be generally consistent with the objectives of the clause.

Clause 4.6: Exceptions to development standards:

The applicant has proposed to vary the 100m maximum separation distance between rural detached dual occupancy dwellings under Clause 4.2B. The proposed additional dwelling is to be located approximately 630m from the existing dwelling. The property does not experience flooding in a 1 in 100-year flood, however, there is fluvial flooding from Chaffin Creek which restricts access into the property. The remaining area across the allotment is prone to fluvial flooding, except for the location of the existing dwelling on a ridge which experiences restricted access during fluvial flooding events.

Locating the additional dwelling within 100m of the existing dwelling has been reviewed by the applicant and deemed unsuitable as outlined in their justifications below. The applicant has highlighted the following matters in justifying their request to vary the 100m maximum distance between rural detached dual occupancy dwellings for the subject land as follows:

- a. Flood proof access - Chaffin Creek floods a number of times every year, cutting the access to the majority of the property. The current dwelling has 2 access points, direct onto Firth Heinz Rd and via Barry Bridge Road. Neither of these accesses are accessible in times of flood. This means residents are isolated for a number of days each flood event. Over the last 15 years this is estimated as an average of at least 1 week each year and in some years has been 6 or 7 times in a season. The accesses can flood very quickly and can mean that occupants are unable to access the dwelling. The applicants were flooded out of their home earlier this year and could not gain access for a number of days. It would seem unreasonable and unnecessary in our circumstances, to build within the 100 metres of the existing cottage, as it would require removing existing tea tree crops and would also render the existing council approved house pad useless.
- b. Ease of access - The easiest and most practicable access to the current dwelling is via Barrys Bridge Rd. This is a council maintained road but is maintained at a reduced schedule to Firth Heinz Rd. As such it is often in poor condition e.g it is currently marked 'local traffic only'. The alternative access is through the Property but this crosses swampy, flood susceptible land and is impassable for a number of months each year. The proposed site for the additional dwelling directly fronts Firth Heinz Rd so would overcome the problems with the current access arrangements.
- c. Bush Fire Risk - NSW Rural Fire Service suggest¹ that "The design of a building can be enhanced to reduce the effects of bush fire attack bylocating habitable buildings near the property entrance for easier access/egress". The proposed site access is direct to Firth Heinz Rd rather than via Barry's Bridge Rd or seasonal access through the Property. The proposed site is a reduced bush fire risk than any site within 100m of the current dwelling because it is further from the State forest which lies to the east of the Property.
- d. Power supply is available to the proposed site - The current dwelling is not connected to the electricity grid and running mains power to a site within 100m of the current dwelling has been estimated in excess of \$400,000 making it economically unviable.
- e. Streetscape - The current dwelling does not impact on the visual density of the area because it is not visible from Firth Heinz Rd. If the additional dwelling is sited near the road as proposed it will mean only one dwelling can be seen from the road.

Comment:

The request to vary the *Clarence Valley Local Environmental Plan* 100m maximum separation distance between detached dual occupancy dwellings on rural land has been assessed on its merit, taking into account the above discussion and points raised by the applicant it is considered there are suitable planning grounds to allow the proposal to proceed. Due the fluvial flood prone constraint of the site highlighted above by the Applicant, the proposed building site has been located so that is not impacted by a fluvial flood event. The Applicant has suitably addressed the siting of the dwelling in response to constraints and the building site is appropriate for on-site effluent disposal. The subject land is significantly impacted by fluvial flooding including access. Hence, the proposed dwelling is located 630 metres from the existing dwelling, therefore the Applicant is seeking a variation to Clause 4.2D (2)(c) of the LEP. Furthermore, the location of the

new dwelling within 100metre would pose some impact on the agricultural viability of the land through removal of land area for commercial animal grazing.

Therefore, it is recommended that the variation to the 100m maximum separation distance between detached dual occupancy dwellings on rural land be supported to allow a 630m distance between the existing dwelling and the proposed dwelling for the purposed of a detached dual occupancy on the site.

Clause 5.10: Heritage Conservation:

The subject land is not within a heritage conservation area or in proximity to a heritage item. An AHIMS search of the property did not reveal any items or areas of Aboriginal significance within a 200m radius of the site.

Clause 5.16: Subdivision of, or dwellings on, land in certain rural, residential or environment protection zones:

The proposed development includes the erection of an additional dwelling, and it is not considered to adversely impact on the surrounding preferred land uses. Existing and approved land uses that surround the subject site are mixed agricultural and residential, which are deemed to influence the characteristics of the surrounding area. Therefore, it is considered the proposed development will not adversely impact on the surrounding rural character and is not deemed incompatible with surrounding land uses.

Part 6: Urban Release Areas:

The subject land is not located within an urban release area.

Clause 7.1: Acid Sulfate Soils:

The subject land is not identified under the Acid Sulfate Soils map.

Clause 7.2: Earthworks:

There are no significant earthworks proposed as a result of this proposal. Sediment control fences will be required on-site to minimise the transport of sediment off-site and onto adjoining land for the duration of works. It is considered that the proposal is consistent with the objectives of the zone.

Clause 7.4: Floodplain risk management:

The subject site is not identified as being flood prone, however, the land is affected by fluvial flooding of Chaffin Creek. The proposal does not require fill to be imported to the site. Therefore, this development is not considered to impact on the behavior or intensity of a flood event. All finished floor levels will need to be 500mm above know flood levels for the area, and this information is to be provided prior to issue of the Construction Certificate and conditioned in the consent. The proposed development is generally not inconsistent with the clause.

Clause 7.8: Essential Services:

The subject site has access to reticulated water, electricity and has an application lodged for an onsite wastewater system for the additional dwelling. Storm water will be dispersed across the site, as the site has been deemed to have adequate drainage for subsequent runoff produced by the land. The site has access to Firth Heinz Road, a Council maintained road.

- (ii) **any draft environmental planning instrument that is or has been placed on public exhibition and details of which have been notified to the consent authority (unless the Director-General has notified the consent authority that**

the making of the draft instrument has been deferred indefinitely or has not been approved), and

There are no draft environmental planning instruments that impact on the proposed development.

(iii) any development control plan, and

The Rural Zones Development Control Plan applies to the subject site.

Clause	Control	Complies
C4: Assessment considerations in determining Development Applications	Impact on primary production, adjoining land, vegetation values, water, riparian areas, heritage values and visual rural character. Constraints and access.	The proposal has minimal impact on the agricultural values of the land, it is not considered to significantly impact on the adjoining land, vegetation, and water. There are no identified riparian areas; the AHMIS search reported no items of significance. The proposed dwelling is not considered to adversely impact on the visual rural character of the area. The site has suitable access from a Council road and the proposal has addressed the site constraints such as fluvial flooding, see LEP comments.
C5: Setbacks	Front setback of 10m, rear and side setback of 3m and a setback of 1.5m from services.	Yes the proposed setbacks comply, the front setback is 40m and the side setbacks are 12m and approximately 70m. The dwelling is approximately 40m setback from the creek.
C7: Energy efficiency	Minimum requirements apply. Insulation for walls and roof/ceilings, glazing and hot water system.	A condition of consent to comply with efficiency requirements.
C8: Provision of essential services	Access to electricity, and a Council road. The site does not have access to sewer, or stormwater management.	Yes - the lot has access to telecommunications, electricity and no on-site detention will be required. The lot has frontage to a Council maintained road. There is an application for an additional on-site sewer management system.
C9: Development on flood liable land	Comply with Part D of the DCP	See comments under LEP 7.4 and Part D.
C11: Development of land with Acid Sulfate Soils	Minimise disturbance to acid sulfate soils	N/A
C14: Waste management	Dispose of waste suitably	Yes - the proposed waste management plan is acceptable and has been conditioned to be

Clause	Control	Complies
		complied with, additionally, during the occupation phase of the dwelling the site will be serviced by Council's waste service.
Part D: Floodplain management controls		The proposed development is considered not to adversely impact on flooding conditions. Additionally, the proposed finished floor level has been conditioned.
F2: Number of parking spaces	Identified land use as Dual occupancy. 1 covered space per dwelling, located behind the building setback line.	None proposed, condition to provide minimum of 1 covered car space using exempt SEPP or provide details with Construction Certificate.
Part G: Sustainable water controls	Minimise impact on water quality and hydrology. 3 star rated fixtures and dual flush toilets.	Efficiency requirements to be conditioned.
Part H: Erosion and sediment control	Prevent land degradation and soil erosion	Yes - the submitted erosion and sediment control plan is deemed to be acceptable and has been conditioned as such.
Part R: Biodiversity and habitat controls	Minimise impact on biodiversity and habitat	No clearing is required as part of the proposed development.

- (iia) any planning agreement that has been entered into under section 7.4, or any draft planning agreement that a developer has offered to enter into under section 7.4, and

N/A

- (iv) the regulations (to the extent that they prescribe matters for the purposes of this paragraph), that apply to the land to which the development application relates,

The proposed development is not considered to be inconsistent with the prescribed matters, *Environmental Planning and Assessment Regulation 2000* – Clause 92.

- (b) the likely impacts of that development, including environmental impacts on both the natural and built environments, and social and economic impacts in the locality.**

There is no clearing or major earthworks proposed for the development, furthermore sediment and erosion controls will be implemented during the construction phase on-site which will help maintain water quality. The proposed development is not considered to impact on natural waterways or biodiversity.

The natural and built environment will change over time as the land is developed and used for agricultural purposes. The proposal is consistent with other structures in the surrounding locality. The development is deemed to sustainably utilise the existing infrastructure and services.

The proposed development is not considered to result in significant economic activity or employment generation. The construction of an additional detached dwellings will assist in providing additional housing to meet the needs of the community without compromising the agricultural viability of the land. There may be minor economic benefits if local labour and material are used for construction works. The development is not considered to impact on social wellbeing or cohesion. The detached dual occupancy will result in an additional residential dwelling being constructed to service the community.

(c) the suitability of the site for the development,

The proposal is considered to be in accordance with development in the surrounding area and is providing one additional residential dwelling, which is additional housing to meet the needs of the community that have access to relevant utilities and services. The flood prone constraints of the land have been addressed by locating the additional dwelling outside of the fluvial mapping of Chaffin Creek. However, documentation will be required to be submitted prior to issue of the Construction Certificate to show the finished floor level is above any know flooding levels. It is deliberated that the subject site is considered to be suitable for the proposed development.

(d) any submissions made in accordance with this Act or the regulations,

The proposed development was notified to adjoining landowners and advertised in accordance with the Community Participation Plan (CPP), and no submissions were received regarding the proposal during the exhibition period.

(e) the public interest.

The public interest has been considered as part of this application. On balance the development is not inconsistent with the following objectives of the Act:

- (a) to promote the social and economic welfare of the community and a better environment by the proper management, development and conservation of the State's natural and other resources,*
- (b) to facilitate ecologically sustainable development by integrating relevant economic, environmental and social considerations in decision-making about environmental planning and assessment,*
- (c) to promote the orderly and economic use and development of land,*
- (d) to promote the delivery and maintenance of affordable housing,*
- (e) to promote the protection, conservation and enhancement of native animals and plants, ecological communities and their habitats,*
- (f) to promote good design and amenity of the built environment,*
- (g) to promote the proper construction and maintenance of buildings, including the protection of the health and safety of their occupants,*
- (h) to provide increased opportunity for community participation in environmental planning and assessment.*

The public interest is maintained by the proposal as it is generally consistent with the relevant policies adopted by Council.

Officer: Alexander Clark, Trainee Planner

Date: 3 November 2021

Submission to vary the Clarence Valley Local Environment Plan 2011 (LEP)

Development: Dual Occupancy (detached) at **581 Firth Heinz Rd, Pillar Valley 2462 (Lot 981 DP1185996)** ("the Property") by relocation to the Property of an additional dwelling.

Background

- The Property comprises 44.75 hectares and is zoned as Rural Landscape (RU2) in the LEP.
- A dwelling was approved and completed on the property in 2010 and is currently occupied by the owners/applicants.
- The applicants wish to relocate an additional dwelling to the Property, making the Property 'dual occupancy'.
- The LEP permits dual occupancy with consent for RU2 zoned properties.
- The LEP, clause 4.2D 'Erection of dual occupancies (detached) and secondary dwellings in Zones RU1, RU2, and R5' provides at (2) (c) that "*any dwellings will be situated within 100 metres of each other*" (the Requirement)
- It is proposed to site the additional dwelling on the western boundary of the Property where it abuts Firth Heinz Road. This provides the best access/egress as well as the ability to connect to mains power. The proposed site is further than 100m from the current dwelling.

Variation

That the Requirement be disregarded in assessing this application so the proposed additional dwelling can be sited further than 100m of the current dwelling. The Requirement is unnecessary for this development to meet the objectives of the LEP and the best way to achieve these is to allow the dwellings to be placed further apart.

Supporting reasons

- Flood proof access Chaffin Creek floods a number of times every year, cutting the access to the majority of the property. The current dwelling has 2 access points, direct onto Firth Heinz Rd and via Barry Bridge Road. Neither of these accesses are accessible in times of flood. This means residents are isolated for a number of days each flood event. Over the last 15 years this is estimated as an average of at least 1 week each year and in some years has been 6 or 7 times in a season.
The accesses can flood very quickly and can mean that occupants are unable to access the dwelling. The applicants were flooded out of their home earlier this year and could not gain access for a number of days.
- Ease of access The easiest and most practicable access to the current dwelling is via Barry Bridge Rd. This is a council maintained road but is maintained at a reduced schedule to Firth Heinz Rd. As such it is often in poor condition e.g it is currently marked 'local traffic only'. The alternative access is through the Property but this crosses swampy, flood susceptible land and is impassable for a number of months each year. The proposed site for the additional dwelling directly fronts Firth Heinz Rd so would overcome the problems with the current access arrangements.
- Bush Fire Risk NSW Rural Fire Service suggest¹ that "The design of a building can be enhanced to reduce the effects of bush fire attack bylocating habitable buildings near the property entrance for easier access/egress". The proposed site access is direct to Firth Heinz Rd rather than via Barry's Bridge Rd or seasonal access through the Property. The proposed site is a reduced bush fire risk than any site within 100m of the current dwelling because it is further from the State forest which lies to the east of the Property.

¹ NSW Rural Fire Service publication "Building in bush fire prone areas: Single Dwelling Application Kit", April 2020

- Power supply is available to the proposed site The current dwelling is not connected to the electricity grid and running mains power to a site within 100m of the current dwelling has been estimated in excess of \$400,000 making it economically unviable.
- Streetscape The current dwelling does not impact on the visual density of the area because it is not visible from Firth Heinz Rd. If the additional dwelling is sited near the road as proposed it will mean only one dwelling can be seen from the road.

Proposed site meets the objectives of the LEP

- *To ensure that development is compatible with the primary production potential of the land.* The Property has marginal farming potential and is currently used for small scale certified organic pig rearing and market garden produce. The area required for this Development is less than one acre of the 108 acre property. It does not impact on the current primary production use and would not prevent future primary production use of the property.
- *To ensure that development is compatible with the rural character of the land.* The proposed dwelling is a 100 year old, small weatherboard cottage. It is in keeping with the rural area and will be a lovely addition to the streetscape. The dwelling is of an appropriate modest size and of sympathetic materials to be compatible to the rural character of the area.
- *To ensure that development is compatible with the environmental capabilities of the land.* The area of the proposed development has limited practical use as it is small and separated from the rest of the property by Chaffin Creek. Having a dwelling in this area will ensure that it receives prioritised care and attention e.g weed removal.

Prepared by Karen and Ken Nicholls (applicants)
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