

From: "Callan Obst"
Sent: Mon, 4 Oct 2021 20:48:50 +1100
To: "James Hamilton"
Subject: Re: DA2021/0547 - 3 Dunes Court Yamba
Importance: High

To James Hamilton and Who it May Concern,

RE DA2021/0547 - 3 Dunes Court Yamba

Name- Callan Obst
Address- Yamba, NSW

I have had a look at the revised plans and have the following concerns-

1- A major concern is around the potential for parking in this cul de sac. With 4 units, this has the potential to require significant parking allocations for the number of people that may reside in 4 separate units. There are 7 parking spaces for 4 dwellings. Plus 2 visitor parking spaces bringing it to 9. The issue is that most residences are going to need a minimum of two car spaces (8) and then a space for a visitor park each- and when this over flows due to a gathering hosted by a resident- there is very small amounts of public parking on this street. In the short time I have resided in this street, it has been quite obvious how little street parking there is, and if this fills on one side and in the worst case on both sides of the street- I am concerned it will create an unsafe area for pedestrians and vehicles to pass one another.

2- All other current plans for this street to my knowledge are single dwellings that would contribute to a community atmosphere once complete. Having 4 units on this block in my view jeopardises this community atmosphere with the image of likely holiday villa type units. 4 separate units on one block with transient members would likely negatively impact this safe community cul de sac.

3- Increased traffic flow for narrow street- With 4 separate units on this block, this would contribute to increased traffic in both directions, and with a narrow street it may impact the safety of vehicles passing one another. Particularly with all those vehicles coming out of the one proposed driveway. There are no footpaths on the street, and thus if vehicles are to be parked on the edge of the street, it poses a safety risk for pedestrians moving up and down the street.

4- Impact on the street scape. With single dwellings on each block currently and again, to my knowledge proposed (other than this particular submission)- 4 dwellings on one block in my view would negatively effect the street scape and not match the rest of this development.

5- Private access for two of the dwellings to River Street- This seems quite out of character for the rest of the Dunes Court development that for all other allotments which must enter from Dunes Court.

6- The Dunes Court development is bound by a building guidelines covenant that all occupants must adhere to. The following areas are copied from the Dunes Design Guidelines and I believe conflict with this approved application.

VISION- The Dunes Estate, Yamba draws on the beauty of the surrounding coastline to create a natural, liveable community that promotes healthy lifestyles and sustainable living. 'Liveable community'- with 4 units on a single block?

CHARACTER- Welcoming and encouraging of social interaction. Interpretation- Connecting to the street with habitable spaces on the street. A visible front entry. This submission has 4 dwellings on one block, two of which with their own separate entry to river street. I don't see this to be welcoming nor encouraging social interaction with the rest of the Dunes Court community. In terms of the visible front entry- it doesn't seem possible with 4 dwellings. This doesn't encourage connection to the street at all.

If Multi-Occupancy- Each dwelling must have a clearly defined and separate entry point. On the plan it seems as if each of the 4 dwellings use the same entry point (vehicular).

HOME DESIGN GUIDELINES- The quality of the area between your home and the street and between you and your neighbour is important in ensuring the character of The Dunes. Quality- of area between 'your home' - I find it difficult to see much 'quality' between the 4 dwellings on one block.

Kind Regards,

Callan Obst

On 30 Sep 2021, at 11:58 am, James Hamilton wrote:

Good morning,

In response to your submission, the developer has amended the proposed development. The amendment has resulted in a reduction of 1 unit and the front dwelling being reduced to single storey. Please see attached revised plans and statement of environmental effects.

Please provide any comments in addition to your previous submission by no later than 4.00pm Thursday 7 October 2021.

This application will be considered by Council at their October 2021 committee and full Council meetings. A copy of the report and recommendation will be sent to you before the meeting inviting you to make a deputation at the committee meeting on 19 October 2021.

Should you have any further questions please contact me.

Regards
James

James Hamilton
Development Planner

From: "Timo Jauristo"
Sent: Thu, 7 Oct 2021 10:27:41 +1100
To: "James Hamilton"
Subject: 3 Dunes Court Yamba DA - objections

Dear James,

Many thanks for sending the updated proposal for 3 Dunes Court. I recognize that some positive changes have been made, which we appreciate. However, we are disappointed that a number of issues do not seem to have been addressed at all, several of which are outlined below.

1. Parking and congestion

The proposal states that while the development will increase traffic in the area of Dunes Court, this increased traffic is not considered to be of a detrimental impact. I disagree with that statement.

The southern end of Dunes Court is a small cul-de-sac with 15 lots. The only access to their homes are via driveways off the southern half of Dunes Court. While the addition of one more visitor car park in the proposal is welcome, it does not materially improve traffic flow, possible congestion or increased on-street parking and the consequent impact on pedestrian safety.

2. Change in the development's aims

Previously the proposal stated that the development "will provide diversified housing supporting the population of Yamba and the Clarence Valley LGA." Now it has been changed to " the subject development is proposed to provide short-term residential tourist accommodation." This change in aims is even more likely to cause problems for our small cul-de-sac with tourists from four townhouses coming and going at all times.

3. The bulk and scale of this development does not represent other developments in the estate.

The proposal states that it is " unreasonable to assume that the majority of the estate will be developed for single residential dwelling use". This is also something I disagree with. The estate was actually marketed as a residential estate (notwithstanding the zoning) with the term "your home" mentioned over 20 times in the marketing material. Also many of the blocks in the estate have already been developed. Simply drive along Dunes Court and you will see only single residential dwellings built or in the process of being built.

4. Misrepresentation of blocks along Rocky Laurie Drive

Figures 2 and 3 on page 9 of the proposal showing blocks on the eastern side of the estate are still being incorrectly portrayed. These figures show 4 large blocks, where in fact there are 6 smaller blocks all of which are planning to build either single or two dwelling residences, all with the entrances coming off the small cul-de-sac.

Although this development certainly does not represent other developments in the estate and does not belong in Dunes Court, it is the matter of high traffic movement, parking and pedestrian safety that we are most concerned with.

We strongly urge Council to take these objections into consideration when considering the approval of this development proposal.

regards

From: "Mick Read"
Sent: Fri, 8 Oct 2021 13:39:09 +1100
To: "James Hamilton"
Subject: RE: DA2021/0547 - 3 Dunes Court Yamba

Hi James,

Thanks for the email notification and opportunity to again provide comment.

Sorry for the late reply.

For now its just the two pedestrian access points to River Street. Certainly the one private one (for one unit only) should not be allowed.

My concern with allowing any would be that then any of the houses on that side may do the same thing, therefor taking away from the current aspect and look of the estate.

I don't see the units storing the 3 large wheelie bins in their garage so hope some spare space can be found for them to store the garbage. Imagine a red bin in the garage for two weeks? Tourists may not recycle into the green bin as well as permanent occupants.

Take care.

Thanks and Regards,

Michael.

Sent from [Mail](#) for Windows

From: [James Hamilton](#)
Sent: Thursday, 30 September 2021 11:59 AM
Subject: DA2021/0547 - 3 Dunes Court Yamba
Importance: High

Good morning,

In response to your submission, the developer has amended the proposed development. The amendment has resulted in a reduction of 1 unit and the front dwelling being reduced to single storey. Please see attached revised plans and statement of environmental effects.

Please provide any comments in addition to your previous submission by no later than 4.00pm Thursday 7 October 2021.

This application will be considered by Council at their October 2021 committee and full Council meetings. A copy of the report and recommendation will be sent to you before the meeting inviting you to make a deputation at the committee meeting on 19 October 2021.

Should you have any further questions please contact me.

Regards

From: "Czes & Glen Czarnota"
Sent: Sun, 10 Oct 2021 11:19:01 +1100
To: "James Hamilton" "Council Email"
<Council@clarence.nsw.gov.au>
Subject: Objection Revised DA 3 The Dunes YAMBA
Attachments: cvc 3 dunes da 2.docx

Hi James

Apols for the delay but it has taken some time and I have had some difficulty in understanding this bulky revised DA and accessing, matching, and comparing CVC DA regulations, zones etc.

Please find attached our response to the revised DA for 3 The Dunes YAMBA.

If you need any further information feel free to give me a call.

Cheers

Czes

October 2021

council@clarence.nsw.gov.au

Attention: James Hamilton

Re Revised Proposed DA2021/0547, 3 Dunes Court Yamba 2464

Dear Clarence Valley Council

Thank you for the opportunity to respond to the revised proposed development for 3 Dunes Court, Yamba.

It is encouraging to see that the revised DA has made an attempt to address our major areas of concern. Unfortunately, the steps taken do not ameliorate the issues to a sufficient degree, ie the number of units compared with the general lack of parking facilities to cater for the immediate residents and the effect this will have on the neighbours in The Dunes. Although it is difficult to ascertain the full impact of the proposals without the size specifications being provided on what has been modified.

I would also like Council to please note that The Dunes site plans included in the revised DA are **outdated and inaccurate**. This is important as some of the logic in the revised DA relies on this inaccurate information.

In particular, there are 22 blocks in the Dunes development, not 20 as shown in the site plans. The larger 3 blocks on Rocky Laurie Drive were split in two to provide 6 blocks. Consequently, this leaves 3 Dunes Court as by far the largest block in the development at over 1,100 square metres.

Some of the logic in the revised documentation implies that the 3 Dunes Court DA is in keeping with the general development of the area. This is not the case as all of the DA's approved so far in Dunes Court have all been for single dwellings, all of which have double garages and adequate off street parking.

Consequently, the proposed multi dwelling DA at 3 Dunes Court is not compatible with the design of adjacent developments in The Dunes.

In summary I would like to add that while this DA might meet the strict letter of the law it does not meet the intent of the regulations, which is to consult, be reasonable, and achieve a favourable result for all involved.

If you require any further information please contact me.

Yours sincerely

Czes and Glen Czarnota

From: "Kim"
Sent: Wed, 18 Aug 2021 11:39:03 +1000
To: "James Hamilton"
Subject: Kim Warwick Submission re 3 Dunes Court
Attachments: Submission to Council - 3 Dunes Court, Yamba.docx

James I have sent my submission as a Word document. Hopefully both pages are intact.

Regards,

Kim

Kim Warwick

Kim & Allana Warwick

Clarence Valley Council
50 River Street
Macleay NSW 2463
Attn James Hamilton, Development Assessment

Friday 13 August 2021

BY EMAIL: council@clarence.nsw.gov.au

Cc: _____

Dear Mr Hamilton,

RE: 3 DUNES COURT, YAMBA - PROPOSED DEVELOPMENT OF 5 TOWNHOUSES

1. We refer to the Development Application currently before Council for 5 townhouses at 3 Dunes Court, Yamba (the 'Proposed Development'), proposed by Thinking Property Pty Ltd (the 'Applicant'). In particular we refer to revision no. 2 of the Statement of Environmental Effects ('SEE') dated 23 June 2021 and the drawings prepared by RedDog Architects – Issue A dated 1 June 2021.
2. Mt Corella Investments Pty Ltd recently purchased lot 2B in Dunes Court and respectfully requests Council consider the below submissions and reject the development in its current form.

Submissions

3. It is our view that the Proposed Development represents an unacceptable use of the subject site and falls short of the standard required of developments of this nature as set out in the Clarence Valley Council Development Control Plan for Development in Environmental Protection, Recreation and Special Use Zones 2011 (23 December 2011) (the 'CVCDCP') as set out below.

Private Open Space Requirements

4. The Private Open Space ('POS') requirements as set out in clause C15.2 of the CVCDCP are expressed definitively i.e. ALL dwellings MUST satisfy the requirements set out therein. Here, the Applicant seeks relaxation of these mandatory requirements as set out in Appendix D of the SEE.
5. The Proposed Development does not comply with the POS requirements in a number of significant respects, including that for Townhouse 5 the proposed POS:
 - a. is within the building setback;
 - b. has the only visitor carpark for the complex located in the middle of it;
 - c. is not a regular shape (at ground level);
 - d. is split between 2 areas, rather than being provided in a single area as required.
6. Clearly the non-compliances sought excused by the Applicant are more than mere "numerical" non-compliances and we urge Council to reject the proposal on this basis.
7. Moreover, the justification provided in Appendix D of the SEE does not provide compelling reasons or identify any discernable benefit to warrant relaxation of the POS requirements by Council.
8. It is our submission that the relaxation is required to enable the construction of an additional townhouse and that this materially contributes to the unacceptability of the proposal.
9. On the bases set out above we oppose the application for relaxation to the POS requirements.

Visitor Parking Requirements

Kim & Allana Warwick

10. The development does not provide a compliant solution for visitor parking, and the reasoning given to excuse the non-compliance at [F3] of section 4.7.1.4 Part F – Parking and Vehicular Access Controls of the SEE is factually inaccurate on the basis that:
- i. There is no excess carparking provided for the 3 bedroom townhouses because it is not possible to provide 1.5 spaces to a single townhouse. Each townhouse, based on the current design, would require 2 spaces. If communal parking were provided this would not be the case, but it is not and therefore it cannot reasonably be suggested that the nominal additional private parking or the additional carparks should be considered as replacement for the mandated amount of visitor parking.
 - ii. The statement that demand for parking will diminish between 8:30am and 5:30pm is inconsistent with the “tourist” designation of the lot. People on holidays, and their visitors, by definition do not work.
 - iii. There will be no safe or feasible parking available in Dunes Court due to the narrow width of the roadway, and the fact that the cul-de-sac now has multiple driveway entrances due to the recently sealed subdivision of lots 17, 18 and 19 from 3 lots into 6.
11. In summary any suggestion that a single visitor carpark for the proposed complex is in any way adequate, particularly given that the development is described as “tourist”, is incorrect and we raise our objection to Council granting the requested variation to the DCP requirements.

Amenity & Streetscape

12. The overall bulk of the development presents from the primary street frontage of Dunes Court as large, unarticulated (in any meaningful sense) bulky buildings. The design clearly contravenes the requirements of section 4.1 of the CVCDP that relevantly requires that:
- a. New development shall face the street; and
 - b. Long walls should be broken into sections by the use of bay windows, verandahs, balconies or wall offsets (amongst other things); and
 - c. The main entry to a building should be visible from the street to convey a sense of address.
13. It appears from the plans provided that rather than addressing streetscape requirements on the primary frontage of Dunes Court, it has “turned its back” to Dunes Court and seeks to address River Street as the primary frontage. If permitted, this will be the only development on the southern side of River Street that does so, and it is our submission that if permitted this development will be detrimental to the streetscape of both River Street AND Dunes Court.

Summary

14. It is our submission that due to the nature of the non-compliances the Proposed Development represents over-development of the site with built elements, is inconsistent with the intent and express provisions of the CVCDP and consequently ought be rejected by Council.
15. Please contact us on should you have any queries. _____

Your faithfully,

Kim & Allana Warwick

From: "Peter Russell"
Sent: Fri, 13 Aug 2021 13:53:00 +1000
To: "Council Email" <Council@clarence.nsw.gov.au>;"James Hamilton"
Subject: 3 Dunes Court , Yamba - DA Objection
Attachments: 3 Dunes Court DA - Objection to Council.pdf

Hi James,
Per earlier email , please find enclosed my objection to the DA.

Regards,
Peter Russell

council@clarence.nsw.gov.au
cc James.Hamilton@clarence.nsw.gov.au

13th August 2021

Dear James,

DA – 3 Dunes Court , Yamba

I have reviewed the DA for 3 Dunes Court, Yamba , and I would like to draw attention to a couple of areas of significant concern.

As you know the Dunes Estate is a development at the south east of Yamba , which consists of primarily single and duplex dwellings. Lot 3 is by the south east cul-de-sac end, and the following points highlight the impact of the proposed 5 dwellings on the single site.

I would be grateful if you would consider the following objection areas when reviewing the DA:

1. Brush Fence and walkway to River Street.

The DA seeks to introduce a walkway to River Street and have two new stone gates. This will break up the existing brush fence. This proposal however is in complete contravention of Dunes Design Guidelines which all owners of the Dunes Estate agreed to as part of their property settlement. The guidelines state that the brush fence could not be altered.

2. Increased Traffic & Parking.

The southern end of the Dunes Estate is a small cul-de-sac with 15 lots, all with driveways feeding off. This includes the 6 beachfront blocks whose access is directly via the cul-de-sac. The DA shows parking for at 9 cars for the proposed five dwellings at 3 Dunes Court. I believe the resulting car movements in and out of the proposed development and possible congestion is not appropriate for a small cul-de-sac in a residential area.

The DA claims that there is adequate on-street parking in Dunes Court for further cars. However, I would strongly disagree. With 15 driveways already coming off a 6 metre wide road I believe any overflow parking from the proposed development could block two-way traffic movement in the street, and also pedestrian access if cars park on the verge. Other houses may have a car parked in the street, however with 5 dwellings at Lot3 the scope for many cars requiring to park on the street is significant.

My concerns relate to the overdevelopment of Lot 3. A five dwelling development accessed by a small cul-de-sac in a mainly one and two dwelling estate is too much. I hope you review my concerns and strongly urge Council to reject the DA as proposed.

Let me know if you have any questions on the above.

Regards,
Peter Russell

From: "Tess Walls"
Sent: Fri, 13 Aug 2021 10:44:20 +1000
To: "James Hamilton" "Council Email" <Council@clarence.nsw.gov.au>
Cc: "Stewart Walls"
Subject: 210813 Submission on Proposed Development - 3 Dunes Court, Yamba
Attachments: 210813 Submission on Proposed Development - 3 Dunes Court, Yamba.docx

Dear Mr Hamilton and Members of the NSW Clarence Council,

Please find attached our submissions relating to the below

RE: 3 DUNES COURT, YAMBA - PROPOSED DEVELOPMENT OF 5 TOWNHOUSES

If you have any queries, please don't hesitate to contact me

Warm regards

Tess

Tess Walls

Mt Corella Investments Pty Ltd
ACN 627 309 308

Clarence Valley Council
50 River Street
Macleay NSW 2463
Attn James Hamilton, Development Assessment

Friday 13 August 2021

BY EMAIL: council@clarence.nsw.gov.au
Cc: James.Hamilton

Dear Mr Hamilton,

RE: 3 DUNES COURT, YAMBA - PROPOSED DEVELOPMENT OF 5 TOWNHOUSES

1. We refer to the Development Application currently before Council for 5 townhouses at 3 Dunes Court, Yamba (the 'Proposed Development'), proposed by Thinking Property Pty Ltd (the 'Applicant'). In particular we refer to revision no. 2 of the Statement of Environmental Effects ('SEE') dated 23 June 2021 and the drawings prepared by RedDog Architects – Issue A dated 1 June 2021.
2. Mt Corella Investments Pty Ltd recently purchased lot 2B in Dunes Court and respectfully requests Council consider the below submissions and reject the development in its current form.

Submissions

3. It is our view that the Proposed Development represents an unacceptable use of the subject site and falls short of the standard required of developments of this nature as set out in the Clarence Valley Council Development Control Plan for Development in Environmental Protection, Recreation and Special Use Zones 2011 (23 December 2011) (the 'CVCDP') as set out below.

Private Open Space Requirements

4. The Private Open Space ('POS') requirements as set out in clause C15.2 of the CVCDP are expressed definitively i.e. ALL dwellings MUST satisfy the requirements set out therein. Here, the Applicant seeks relaxation of these mandatory requirements as set out in Appendix D of the SEE.
5. The Proposed Development does not comply with the POS requirements in a number of significant respects, including that for Townhouse 5 the proposed POS:
 - a. is within the building setback;
 - b. has the only visitor carpark for the complex located in the middle of it;
 - c. is not a regular shape (at ground level);
 - d. is split between 2 areas, rather than being provided in a single area as required.
6. Clearly the non-compliances sought excused by the Applicant are more than mere "numerical" non-compliances and we urge Council to reject the proposal on this basis.
7. Moreover, the justification provided in Appendix D of the SEE does not provide compelling reasons or identify any discernable benefit to warrant relaxation of the POS requirements by Council.
8. It is our submission that the relaxation is required to enable the construction of an additional townhouse and that this materially contributes to the unacceptability of the proposal.
9. On the bases set out above we oppose the application for relaxation to the POS requirements.

Visitor Parking Requirements

10. The development does not provide a compliant solution for visitor parking, and the reasoning given to excuse the non-compliance at [F3] of section 4.7.1.4 Part F – Parking and Vehicular Access Controls of the SEE is factually inaccurate on the basis that:

Mt Corella Investments Pty Ltd
ACN 627 309 308

- i. There is no excess carparking provided for the 3 bedroom townhouses because it is not possible to provide 1.5 spaces to a single townhouse. Each townhouse, based on the current design, would require 2 spaces. If communal parking were provided this would not be the case, but it is not and therefore it cannot reasonably be suggested that the nominal additional private parking or the additional carparks should be considered as replacement for the mandated amount of visitor parking.
 - ii. The statement that demand for parking will diminish between 8:30am and 5:30pm is inconsistent with the "tourist" designation of the lot. People on holidays, and their visitors, by definition do not work.
 - iii. There will be no safe or feasible parking available in Dunes Court due to the narrow width of the roadway, and the fact that the cul-de-sac now has multiple driveway entrances due to the recently sealed subdivision of lots 17, 18 and 19 from 3 lots into 6.
11. In summary any suggestion that a single visitor carpark for the proposed complex is in any way adequate, particularly given that the development is described as "tourist", is incorrect and we raise our objection to Council granting the requested variation to the DCP requirements.

Amenity & Streetscape

12. The overall bulk of the development presents from the primary street frontage of Dunes Court as large, unarticulated (in any meaningful sense) bulky buildings. The design clearly contravenes the requirements of section 4.1 of the CVCDP that relevantly requires that:
- a. New development shall face the street; and
 - b. Long walls should be broken into sections by the use of bay windows, verandahs, balconies or wall offsets (amongst other things); and
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13. It appears from the plans provided that rather than addressing streetscape requirements on the primary frontage of Dunes Court, it has "turned its back" to Dunes Court and seeks to address River Street as the primary frontage. If permitted, this will be the only development on the southern side of River Street that does so, and it is our submission that if permitted this development will be detrimental to the streetscape of both River Street AND Dunes Court.

Summary

14. It is our submission that due to the nature of the non-compliances the Proposed Development represents over-development of the site with built elements, is inconsistent with the intent and express provisions of the CVCDP and consequently ought be rejected by Council.
15. Please contact us on should you have any queries. _____

Your faithfully,

Alastair Stewart Walls
Directors
Mt Corella Investments Pty Ltd.

Theresa Ann Walls

From: "Timo Jauristo"
Sent: Thu, 12 Aug 2021 16:09:08 +1000
To: "Council Email" <Council@clarence.nsw.gov.au>
Cc: "James Hamilton"
Subject: Submission about DA for 3 Dunes Court, Yamba
Attachments: 3 Dunes Court DA - submission to Council.docx

Please find attached my wife and my submission regarding the DA for 3 Dunes Court. We own an adjoining property

regards
Timo Jauristo

Dear James,

Thank you for giving me the opportunity to voice my concerns relating to the development application for 3 Dunes Court, Yamba.

Our main objection to the DA is the over-development of Lot 3 and its impact on the small cul-de-sac at the southern end of the Dunes Estate, which consists mainly of single and two dwelling sites.

I have outlined three main concerns, which I hope you will consider when reviewing the DA for the proposed 5 dwelling development.

1. Increased Traffic.

The southern end of the Dunes Estate is a small cul-de-sac with 15 lots, all with driveways off the south half of Dunes Court. This includes the 6 newly registered beachfront blocks whose access is directly via the cul-de-sac. In the applicant's Statement of Environmental Effects these lots were shown as only three large blocks of land along Rockie Laurie Drive. They have not considered that these 3 lots have been subsequently subdivided into 6 lots and sold.

The DA shows parking for at least 9 cars for the proposed five dwellings at 3 Dunes Court. I believe the resulting car movements in and out of the proposed development and possible congestion is not ideal or appropriate for a small cul-de-sac in a mainly residential area.

The proposal also claims there is adequate on-street parking in Dunes Court for further cars. However, I would disagree. With 15 driveways already coming off a 6 metre wide road I believe any overflow parking from the proposed development could block two-way traffic in the street and pedestrian access if cars park on the verge.

2. Privacy and Overlooking

The Proposed development for 3 Dunes Court shows scant regard for the privacy of neighbouring lots, particularly Lot 4A which is owned by my wife and I.

Townhouses 3 and 4 have first floor balconies and windows close to the boundary and look directly into Lots 4A and 4B. As we intend to build a house on our lot this lack of privacy is very concerning. Townhouses 1 and 5 have first floor balconies and windows close to the boundary looking into Lot 2.

None of the balconies seem to show any sort of screening to ameliorate these concerns and none of the windows are high enough to prevent overlooking.

3. Alterations to the Existing Brush Fence and the Through Site Link to River Street

The proposal seeks to introduce a through site line to River Street and have two new gates with masonry features installed, breaking up the continuity of the existing brush fence. This is in complete contravention of Dunes Design Guidelines which all owners of the Dunes Estate agreed to as part of their property settlement. The guidelines state that the brush fence could not be altered. In particular, installing these gates with masonry features would ruin the whole integrity of the fence and the appearance of the subdivision from River Street.

In summary, all our concerns relate to the overdevelopment of Lot 3. A five dwelling development accessed by a small cul-de-sac in a mainly one and two dwelling estate is just too much. We hope you take our concerns relating to the proposed development under consideration

and strongly urge Council to reject the development application as proposed for five dwellings on Lot 3 Dunes Court, Yamba.

Please feel free to contact me to discuss further.

Regards Timo Jauristo

From: "Heather Read"
Sent: Tue, 10 Aug 2021 19:57:16 +1000
To: "Council Email" <Council@clarence.nsw.gov.au>
Subject: Fwd: Att:James Hamilton DA2001/0546
Attachments: Att:James Hamilton DA2001/0546

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From: postmaster@outlook.com <postmaster@outlook.com>
Sent: Tuesday, August 10, 2021 4:52:50 PM
To: council@clarence.nsw.gov <council@clarence.nsw.gov>
Subject: Undeliverable: Att:James Hamilton DA2001/0546

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council@clarence.nsw.gov (council@clarence.nsw.gov)

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Contact the recipient by some other means (by phone, for example) and ask them to tell their email admin that it appears that their domain isn't properly registered at their domain registrar. Give them the error details shown below. It's likely that the recipient's email admin is the only one who can fix this problem.

For more information and tips to fix this issue see this article:
<https://go.microsoft.com/fwlink/?LinkId=389361>.

Diagnostic information for administrators:

Generating server: SYXPR01MB1999.ausprd01.prod.outlook.com

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Remote Server returned '550 5.4.310 DNS domain clarence.nsw.gov does not exist

[Message=InfoDomainNonexistent] [LastAttemptedServerName=clarence.nsw.gov] [SY4AUS01FT022.eop-AUS01.prod.protection.outlook.com]'

Original message headers:

ARC-Seal: i=1; a=rsa-sha256; s=arcselector9901; d=microsoft.com; cv=none;

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s=arcselector9901;

h=From:Date:Subject:Message-ID:Content-Type:MIME-Version:X-MS-Exchange-
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bh=0Jjs2fKPCbuaBWGZAKDWmeOoPdOdV6tfVGWR4xAs7ds=;

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15.20.4394.16; Tue, 10 Aug 2021 06:52:21 +0000

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06:52:21 +0000

From: Heather Read <heather_read80@hotmail.com>

To: "council@clarence.nsw.gov" <council@clarence.nsw.gov>

Subject: Att:James Hamilton DA2001/0546

Thread-Topic: Att:James Hamilton DA2001/0546

Thread-Index: AQHXjay0XQ9f2fK2i0mH0xeLEolm5A==

Date: Tue, 10 Aug 2021 06:52:20 +0000

Message-ID:

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X-MS-TNEF-Correlator:

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From: "Heather Read"
Sent: Tue, 10 Aug 2021 16:52:20 +1000
To: "council@clarence.nsw.gov" <council@clarence.nsw.gov>
Subject: Att:James Hamilton DA2001/0546

Dear James and whom else this may concern,

We will be building our family house at number ... and I am writing this email as I have major concerns regarding the development application of this property.

Firstly, this is a residential area with many small children living in the street and my main concern is safety of children.

With potentially 10-12 + cars coming and going from just one property, there is not enough room to safely and comfortably park on the premises.

Therefore vehicles will be parking on the street obstructing traffic or parking on the nature strips.

As you can clearly see from this photo, the street is too narrow for 2 vehicles to park on either side of the street still allowing cars to safely drive through.

I would hope we would never have to deal with a situation where a child was badly hurt by not having ensured our street was much safer.

On that note, My father is disabled and will come into this street to visit us regularly on his motorised scooter. I would like to make sure that all visiting cars are parked in visitor car parks on the property of the DA we are speaking of. One visitor carpark is not enough for 5 units.

The Design Guidelines, set out by First National when we purchased the property, have been obscured with this DA, whereas all the other properties seem to have followed the rules creating or planning to create a beautiful home.

There are many more things I can think of that don't seem right, like two separate private pedestrian accesses onto River street. Also having to drive underneath the front unit and not having space to turn around, which is dangerous when reversing out.

I would like to request an extension of this time frame to submit any concerns or complaints as there are neighbours that have not yet seen the DA and would like to voice their concerns.

Thankyou for considering our concerns seriously. I look forward to hearing from you .

Yours Faithfully,
Heather Read.



From: "Mick Read"
Sent: Tue, 10 Aug 2021 16:00:00 +1000
To: "Council Email" <Council@clarence.nsw.gov.au>
Subject: DA2021/0547 concerns

Hi,

Referring to DA application in Dunes Court with 5 Town houses. DA2021/0547.

A few concerns as per below:

- Lack of car parking. This issue would be even worse if these town houses are to be holiday rented.
- Safety of pedestrians due to lack of parking.
- 2 pedestrian access points onto River street (takes away from the completed fence line and why does one individual unit get a private access to the street and make another gap in the fence?)
- Does not fit in with the rest of the Dunes Estate current buildings.
- Possible conflict of interest for the Dunes Estate review panel.
- Town House 5, are all the cars supposed to drive under this Townhouse?
- Lack of notification to other residents in Dunes Court.
- Site over developed.

More time to give more constructive comments would be greatly appreciated as well as more details as what is being over developed.

Thanks and Regards,
Michael Read

From: "STEVE BRAILSFORD"
Sent: Tue, 10 Aug 2021 14:36:11 +1000
To: "Council Email" <Council@clarence.nsw.gov.au>
Cc: "Mandy Cronin"
Subject: Submission re DA2021_0547
Attachments: Submission re DA2021_0547.pdf

Hi,

Please find attached a submission for DA2021_0547.

No reportable political donations or gifts have been made within 2 years of the application being made or at any other time.

Regards

Steve Brailsford

Steven and Sally Brailsford

Our Ref : 3 Dunes Court DA
Your Ref : DA2021/0547
9 August 2021

The General Manager
Clarence Valley Council
Locked Bag 23
Grafton NSW 2460
Attention: James Hamilton

Dear Sir,

RE: Submission regarding DA2021/0547 – Proposed 5 Unit Development, 3 Dunes Court Yamba, Lot 16 in DP1261938

We wish to provide a submission to object to the abovementioned proposal currently under consideration by Council.

The development as outlined in the proposal does not meet the requirements of a number of registered restrictions on the use of land and various planning documents including:

- 1) The restrictions on use of land as set out in the section 88B instrument of DP1261938
- 2) The Dunes Design Guidelines (The “Guidelines”) issued by Beachside Pty Ltd ACN 000329224 also referenced and numbered 7 in the 88B instrument of DP1261938
- 3) The Clarence Valley Council Development Control Plan – Development in E and other zones 2011

Pedestrian access to River Street (shown on the site plan) not in compliance with the 88B instrument of DP1261938

The proposal shows pedestrian access to River Street in 2 locations. Attachment A shows a copy of the 88B instrument as part of DP1261938. Restrictions on the use of land numbered 6 applies to Lot 16.

Req:8690645 /Doc:DP 1261938 8 /Rev:22-Sep-2020 /88B LRS /Pge:ALL /Prt:22-Sep-2020 12:50 /Req:1 of 6
Office of the Registrar-General /Doc:INSTRUMENT /Ref:70K:418911

ePlan

INSTRUMENT SETTING OUT TERMS OF EASEMENTS RESTRICTIONS ON THE USE OF LAND AND POSITIVE COVENANTS INTENDED TO BE CREATED PURSUANT TO SECTION 88B OF THE CONVEYANCING ACT 1919.

Lengths are in metres

(Sheet 1 of 6 sheets)

PLAN:

DP1261938

Subdivision of Lot 104 DP1047026
Covered by Subdivision
Certificate No.

DP1261938

Full name and address of proprietor of the land

BEACHSIDE PTY LTD
Suite 7, Lingate House
409- 411 New South Head Road
DOUBLE BAY NSW 2028

PART 1 (CREATION)

Number of item shown in the intention panel on the plan	Identity of easement, profit à prendre, restriction or positive covenant to be created and referred to in the plan.	Burdened lot(s) or parcel(s):	Benefited lot(s), road(s), bodies or Prescribed Authorities:
1.	Easement for Sewage Variable width (S)	Lot 1 to Lot 12 inclusive Lot 14 to Lot 19 inclusive	Clarence Valley Council
2.	Easement for Sewage 3.25 wide (S2)	Lot 11	Clarence Valley Council
3.	Easement for Drainage variable width (D)	Lot 9 and Lot 19	Clarence Valley Council
4.	Easement for Drainage 4 wide (D2)	Lot 1 Lot 9	Clarence Valley Council Lot 19, Lot 10
5.	Easement for Underground	Lot 4	Essential Energy Lots 1 to 10 inclusive
6.	Restriction(s) on the use of land	Lots 11 to 19 inclusive	Clarence Valley Council
7.	Restriction(s) on the use of land	Lots 1 to 19 inclusive	Every other lot Beachside Pty Ltd

Terms of this restriction does not allow direct access to River Street or Rocky Laurie Drive:

Terms of Restriction(s) on use of land numbered 6 in the plan:

The proprietor for the time being of each lot burdened shall not be able to directly access either River Street or Rocky Laurie Drive by crossing lines B-C D-E-F-G as shown on sheet 1 of the plan.

The pedestrian access is Not in compliance with the 88B instrument of DP1261938

The Dunes Design Guidelines as referred to as Item numbered 7 of the 88B instrument of DP1261938 applies to lot 16:

Terms of Restriction(s) on use of land numbered 7 in the plan:

No development is permitted on each lot burdened unless it:

1. complies with The Dunes Design Guidelines issued by Beachside Pty Ltd ACN 000 329 224; and
2. has received approval from The Dunes Design Panel in accordance with The Dunes Design Guidelines.

The Guideline states at section 3.Fences and Letterboxes:

- Front and side fences forward of the building line should have a maximum height of 1.2 metres except on corner allotments.
- All boundary fencing as constructed by the developer must remain and not be altered. Owners are responsible for maintaining fencing and if required replacing to original, as built specifications.

The proposed pedestrian access shown to River Street would require alteration to the existing boundary fence and does not meet the terms as setout in the Guidelines (and therefore restriction on the use of land numbered item 7 of the 88B instrument)

The pedestrian access is Not in compliance with the 88B instrument of DP1261938 or the "Guidelines"

Non-compliance with the DCP - Clarence Valley Council Development Control Plan – Development in E and other zones 2011

The land (Lot 16 in DP1261938) is currently zoned SP3 under the Clarence Valley LEP 2011.

The proposal is for 5 multi unit dwellings.

The following items of the proposal are not consistent with the DCP:

DCP reference	Proposal particulars	DCP Requirement not satisfied	Comment
A2 - Objectives	5 Multi dwelling units on base parcel of 1155m ²	"..appropriate scale and form to minimize impacts on the environment."	Proposal is not consistent with approved development in the subdivision which is primarily single dwellings. 5 dwellings on the limited parcel is counter to the residential family character of the existing approved development. Traffic generation, parking and scale of buildings are not consistent with given constraints of the locality and site.

DCP reference	Proposal particulars	DCP Requirement not satisfied	Comment
C4.1. Presentation to the street	Units have various entry aspects not aligned to the street	New development should face the street- The main entry to a building should be visible from the street	The entries to the units have various entry aspects not aligned to the street
C15.2 Private Open Space Requirements – SP3 zone	Units appear to have less than 50m ² (TH5), irregular shape (TH3, TH5), smallest dimension < 4.5 metres (TH1, TH3, TH4, TH5), Areas with level changes (Pools etc on each unit), Located within the front setback (TH5), located on West side of dwelling (TH5),	Min area 50m ² Regular shape Minimum dimension of 4.5 metres Level areas Located behind the front setback Located on North or East side of dwelling	Private open space proposal does not meet the requirements as set out in the DCP.
PART F. PARKING AND VEHICULAR ACCESS CONTROLS – Table F1	1 visitor car space provided within front setback	For Multi Dwelling housing: 1 visitor space per 2 units.	For 5 units the required number of visitor car spaces is 3 (rounded up as per F2.2)
F6. Access to the Site	Constricted driveway between proposed garages	1. All vehicles must enter and leave in a forward direction	Appears to be inadequate turning paths for maneuvering and turning to exit in the forward direction

Pool setback non-compliance with Exempt And Complying Development Codes SEPP 2008

The minimum dimension from the water line of a pool should be a minimum of 1m from a side or rear boundary as per 3.28 Development standards for Swimming pools. Minimum distances to pool fences are given in Swimming Pools Act 1992, Swimming Pools Regulation 2018 and AS1926.1-2012 and appear to be non-compliant.

Yours Sincerely

Steve and Sally Brailsford

Attachment A – DP12613938, 88B instrument

ePlan

INSTRUMENT SETTING OUT TERMS OF EASEMENTS RESTRICTIONS ON THE USE OF LAND AND POSITIVE COVENANTS INTENDED TO BE CREATED PURSUANT TO SECTION 88B OF THE CONVEYANCING ACT 1919.

Lengths are in metres

(Sheet 1 of 6 sheets)

PLAN:

DP1261938

Subdivision of Lot 104 DP1047026
 Covered by Subdivision
 Certificate No.

Full name and address of proprietor of the land

BEACHSIDE PTY LTD
 Suite 7, Lingate House
 409- 411 New South Head Road
 DOUBLE BAY NSW 2028

DP1261938

PART 1 (CREATION)

Number of item shown in the intention panel on the plan	Identity of easement, profit à prendre, restriction or positive covenant to be created and referred to in the plan.	Burdened lot(s) or parcel(s):	Benefited lot(s), road(s), bodies or Prescribed Authorities:
1.	Easement for Sewage Variable width (S)	Lot 1 to Lot 12 inclusive Lot 14 to Lot 19 inclusive	Clarence Valley Council
2.	Easement for Sewage 3.25 wide (S2)	Lot 11	Clarence Valley Council
3.	Easement for Drainage variable width (D)	Lot 9 and Lot 19	Clarence Valley Council
4.	Easement for Drainage 4 wide (D2)	Lot 1 Lot 9	Clarence Valley Council Lot 19, Lot 10
5.	Easement for Underground powerlines 1 wide(E)	Lot 4	Essential Energy Lots 1 to 19 inclusive
6.	Restriction(s) on the use of land	Lots 11 to 19 inclusive	Clarence Valley Council
7.	Restriction(s) on the use of land	Lots 1 to 19 inclusive	Every other lot Beachside Pty Ltd

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ePlan

INSTRUMENT SETTING OUT TERMS OF EASEMENTS RESTRICTIONS ON THE USE OF LAND AND POSITIVE COVENANTS INTENDED TO BE CREATED PURSUANT TO SECTION 88B OF THE CONVEYANCING ACT 1919.

Lengths are in metres

(Sheet 2 of 6 sheets)

PLAN: **DP1261938**

Subdivision of Lot 104 DP1047026

PART 2 (TERMS)

Terms of Easement numbered 5 in the plan:

Easement for underground powerlines the terms of which are set out in Part B of Memorandum AG189384 as registered at Land and Property Information New South Wales.



Terms of Restriction(s) on use of land numbered 6 in the plan:

The proprietor for the time being of each lot burdened shall not be able to directly access either River Street or Rocky Laurie Drive by crossing lines B-C D-E-F-G as shown on sheet 1 of the plan.

Terms of Restriction(s) on use of land numbered 7 in the plan:

No development is permitted on each lot burdened unless it:

1. complies with The Dunes Design Guidelines issued by Beachside Pty Ltd ACN 000 329 224; and
2. has received approval from The Dunes Design Panel in accordance with The Dunes Design Guidelines.

DP1261938

INSTRUMENT SETTING OUT TERMS OF EASEMENTS RESTRICTIONS ON THE USE OF LAND AND POSITIVE COVENANTS INTENDED TO BE CREATED PURSUANT TO SECTION 88B OF THE CONVEYANCING ACT 1919.

All lengths are in metres

(Sheet 3 of 6 sheets)

PLAN: **DP1261938**

Subdivision of Lot 104 DP1047026

Name of person(s) or authorities empowered to release, vary or modify Easement, Profit a Prendre, restriction, or positive covenant numbered 1 in the above plan:

Clarence Valley Council

Name of person(s) or authorities empowered to release, vary or modify Easement, Profit a Prendre, restriction, or positive covenant numbered 2 in the above plan:

Clarence Valley Council

Name of person(s) or authorities empowered to release, vary or modify Easement, Profit a Prendre, restriction, or positive covenant numbered 3 in the above plan:

Clarence Valley Council

Name of person(s) or authorities empowered to release, vary or modify Easement, Profit a Prendre, restriction, or positive covenant numbered 4 in the above plan:

Clarence Valley Council

Name of person(s) or authorities empowered to release, vary or modify Easement, Profit a Prendre, restriction, or positive covenant numbered 5 in the above plan:

Essential Energy

Name of person(s) or authorities empowered to release, vary or modify Easement, Profit a Prendre, restriction, or positive covenant numbered 6 in the above plan:

Clarence Valley Council

Name of person(s) or authorities empowered to release, vary or modify Easement, Profit a Prendre, restriction, or positive covenant numbered 7 in the above plan:

Beachside Pty Ltd.

DP1261938

ePlan

**INSTRUMENT SETTING OUT TERMS OF EASEMENTS RESTRICTIONS ON
THE USE OF LAND AND POSITIVE COVENANTS INTENDED TO BE
CREATED PURSUANT TO SECTION 88B OF THE CONVEYANCING ACT
1919.**

All lengths are in metres

(Sheet 4 of 6 sheets)

PLAN:

Subdivision of Lot 104 DP1047026

DP1261938

DP1261938

SIGNED by Beachside Pty Ltd ACN 000 329)
224 in accordance with Section 127 of the)
Corporations Act 2001:)

STEPHEN BURCHER
Name of director (print)

KIM AUSWILD
Name of director/~~company~~
secretary
(print)

INSTRUMENT SETTING OUT TERMS OF EASEMENTS RESTRICTIONS ON THE USE OF LAND AND POSITIVE COVENANTS INTENDED TO BE CREATED PURSUANT TO SECTION 88B OF THE CONVEYANCING ACT 1919.

All lengths are in metres

(Sheet 5 of 6 sheets)

PLAN: **DP1261938**

Subdivision of Lot 104 DP1047026

DP1261938

Clarence Valley Council by its authorised delegate pursuant to Section 377 Local Government Act 1919

Signature:.

Delegated Officer: CARMEN LANDERS

ACTING DEVELOPMENT SERVICES COORDINATOR.....(Name and Title)

I certify that I am an eligible witness and that the delegate signed in my presence.

.....(Signature of Witness)

PATRICK RIDGWAY.... (Name of Witness)

Address of witness:

50 RIVER STREET.....

MACLEAN NSW 2463.....



ePlan

INSTRUMENT SETTING OUT TERMS OF EASEMENTS RESTRICTIONS ON THE USE OF LAND AND POSITIVE COVENANTS INTENDED TO BE CREATED PURSUANT TO SECTION 88B OF THE CONVEYANCING ACT 1919.

All lengths are in metres

(Sheet 6 of 6 sheets)

PLAN:

Subdivision of Lot 104 DP1047026

DP1261938

DP1261938

EXECUTED BY ESSENTIAL ENERGY

By its duly appointed attorney under Power of attorney Book 4745 No. 85 In the presence of:

.....
Signature of Witness

.....
Signature of Attorney

melinda white
.....

martin English
.....

Name of Witness

Name and title of Attorney

Head of legal
.....

.....
Address of Witness

Signature of Attorney

REGISTERED  16.9.2020

From: "Trudi Roberts"
Sent: Tue, 10 Aug 2021 13:41:37 +1000
To: "Council Email" <Council@clarence.nsw.gov.au>
Subject: objection to DA 2021/0547
Attachments: DA objection.docx

Please find attached objection to DA 2021/0547.
 Thank you
 Trudi Roberts

 This message is intended for the addressee named and may contain
 privileged information or confidential information or both. If you
 are not the intended recipient please delete it and notify the sender.

James Hamilton
9 August 2021
c/o Clarence Valley Council
Trudi and Correy Roberts

To Clarence Valley Council

Objection to proposed development at 3 Dunes Court Yamba

application no : DA2021/0547

We are writing to object to the proposed development (application no : DA2021/0547), a 5 unit multi dwelling and swimming pools at 3 Dunes Court Yamba NSW 2464.

We believe the proposed development lacks parking spaces for a 5 unit complex. Realistically each property may have 2-3 cars per unit. There are not enough parking spaces within the complex and these cars will then have to park in the street. The street is narrow and all other residences have had to factor off street parking into their design.

We are currently building a house in Dunes Court. When choosing to buy land in this estate we were under the impression that the estate had a vision of sustainable living. With the land being only 1155m², 5 dwellings, access roads, parking and paths do not lend itself to this vision.

We also feel this development application does not seem respectful of the rights of the immediate adjoining neighbours. Five dwellings bring potentially 15 people into such a small space. What will the noise levels be for adjoining neighbours? Where will the 15 garbage bins be located? How will a garbage truck collect all these bins when the street will potentially be full of resident's cars?

Thank you for considering our objection to this development.

Your sincerely

Trudi and Correy Roberts

From: "Isaac Petersen"
Sent: Mon, 09 Aug 2021 14:19:43 +1000
To: "Council Email" <Council@clarence.nsw.gov.au>
Subject: Concerns with #3 Dunes Ct - 1 visitor's car space

To whom it may concern.

I am the property owner at .. Dunes Ct.

I heard that at #3 they are planning to build 5 apartments and have only one visitors car space. To me that sounds ridiculous to have only one visitors car space and doesn't sound legal so I am not for this.

That will be a lot of cars parked on the narrow street and we don't have footpaths so this will be very dangerous, especially with young kids!!

Can they even build 5 apartments on that site? Sounds excessive.

Anyway thanks for taking the time to read this.

Cheers

Isaac

From: "Callan Obst"
Sent: Sun, 8 Aug 2021 18:41:23 +1000
To: "Council Email" <Council@clarence.nsw.gov.au>
Subject: DA Submission RE DA2021/0547 *Additional point*

To James Hamilton and Who it May Concern,

I am emailing a submission in regards to the Development Application DA2021/0547 for 'five unit multi dwelling and swimming pools', for Lot 16 (3) Dunes Court, Yamba, NSW. I would like to express my concerns in regard to this DA submission.

Name- Callan Obst & Rowee Clark
Address- Yamba, NSW

1- Our first concern is around the potential for parking in this cul de sac. With 5 units, this has the potential to require significant parking allocations for the number of people that may reside in 5 separate units. In the plans I have obtained, I only see one visitor parking space for 5 dwellings. This seems insufficient, and thus build up of cars would be on the street. With a narrow street, I am concerned parking would be pushed up and down the street and create an unsafe area for pedestrians and other vehicles to pass.

2- All other current plans for this street to my knowledge are single dwellings that would contribute to a community atmosphere once complete. Having 5 units on this block in my view jeopardises this community atmosphere with the image of likely holiday villa type units. 5 separate units on one block with transient members would likely negatively impact this safe community cul de sac.

3- Increased traffic flow for narrow street- With 5 separate units on this block, this would contribute to increased traffic in both directions, and with a narrow street it may impact the safety of vehicles passing one another. Particularly with all those vehicles coming out of the one proposed driveway. There are no footpaths on the street, and thus if vehicles are to be parked on the edge of the street, it poses a safety risk for pedestrians moving up and down the street.

4- Impact on the street scape. With single dwellings on each block currently and again, to my knowledge proposed (other than this particular submission)- 5 dwellings on one block in my view would negatively effect the street scape and not match the rest of this development.

****ADDITION**** 5- The Dunes Court development is bound by building guidelines that all occupants must adhere to. The following areas are copied from the Dunes Design Guidelines and we believe conflict with this approved application.

VISION- The Dunes Estate, Yamba draws on the beauty of the surrounding coastline to create a natural, liveable community that promotes healthy lifestyles and sustainable living. 'Liveable community'- with 5 units on a single block?

CHARACTER- Welcoming and encouraging of social interaction. Interpretation- Connecting to the street with habitable spaces on the street. A visible front entry. This submission has 5 dwellings on one block, two of which with their own separate entry to river street. We don't see this to be welcoming or encouraging social interaction with the rest of the Dunes Court community. In terms of the visible front entry- it doesn't seem possible with 5 dwellings. This doesn't encourage connection to the street at all.

HOME DESIGN GUIDELINES- The quality of the area between your home and the street and between you and your neighbour is important in ensuring the character of The Dunes. Quality-of area between 'your home' - we find it difficult to believe there can be much 'quality' between 5 dwellings on one block.

Garage setback behind the front building wall reduces visual dominance & It is preferred that garages and carports do not project forward of the front building wall. [SEP] - In the proposal we have seen- The first visible thing on the block- is a visitors carpark. This does not seem to align with the guidelines.

If Multi-Occupancy- Each dwelling must have a clearly defined and separate entry point. On the plan it seems as if each of the 5 dwellings use the same entry point (vehicular).

Kind Regards,

Callan Obst and Rowee Clark

I have searched on the Clarence Valley Council website and assume this email address is the one to enter submissions against current development applications? If not, may you pass on the information to formally do so?

Also, may I request images of the submission for further critiquing. The images I have obtained has rough outlines of the locations of dwellings and basic landscaping locations.

We look forward to hearing a response from you shortly to confirm this was lodged correctly, as submissions close on the 10th of August at 4pm.

From: "Czes & Glen Czarnota"
Sent: Sun, 8 Aug 2021 18:50:45 +1000
To: "James Hamilton"
Cc: "Council Email" <Council@clarence.nsw.gov.au>
Subject: Objection to proposed DA at 3 Dunes Court YAMBA NSW
Attachments: 3 dunes court da object.docx

Hi James

Please find attached our objection to the proposed DA for 3 Dunes Court YAMBA.

If you need any further information please contact me.

Cheers

Czes

8 August 2021

DA20221/0547

council@clarence.nsw.gov.au

Dear Clarence Valley Council

Attention: James Hamilton

RE - Submission to DA2021/0547 for proposed development of five unit multi dwelling & swimming pools at 3 Dunes Court YAMBA NSW 2464 on lot 16 DP 1261938 by R Ruralcert Pty Ltd

Objection

We as neighbours and future residents of The Dunes Estate would like to express our objection to the proposed development at 3 Dunes Court YAMBA. In particular, we object to the lack of parking facilities for both residents and visitors for the number of units proposed, and the effect this will have on the on street parking and the residents of The Dunes.

The development proposes 5 Town Houses with a total of 13 bedrooms. The development application states that for these units there will be a total of 8 carparks for the Town Houses and 1 for visitors, a total of 9 car spaces on site. However, if you look at the sizes of the car spaces there are in reality only 5 useable car spaces for the Town Houses and 1 usable visitor car space, a total of 6 for the complex. No other provisions for boats, trailers or vans on site. This is clearly inadequate.

As a result of the inadequate parking facilities on site, any parking overflow will have to use whatever street parking is available in Dunes Court. Which in turn creates another problem. The small cul-de-sac from which the development leads has very limited options for street parking, and any overflow will create congestion and problems for the neighbours. This will be exacerbated further by any other similar multi unit developments that may be proposed for The Dunes in the future.

Background

A requirement of purchasing and building at The Dunes was that, prior to any development application being submitted to council, the application needed to adhere to The Dunes Design Guidelines and be approved by the Dunes Design Committee.

When developing our block, we ensured that we met all the requirements of the guidelines and the plans were approved by the committee, before being forwarded to council.

This DA has presumably been assessed and approved by the committee although it does not meet the guidelines in two areas.

The guidelines state that **all boundary fencing as constructed by the developer must remain and not be altered**. This DA proposes two pedestrian entries off River Street which alters the fence constructed by the developer.

The guidelines also state that **caravans, boats and trailers of any kind must not be parked in the front yard of the lot – be screened from view –and design should incorporate boat/caravan storage in garage or carport**. No allowance has been made in this DA for this type of parking.

The developer of this DA is a member of the 3 man committee which assesses and approves design applications in the first instance, before they go to Council.

In closing I would like to add that the council has an opportunity in considering this DA to set a precedent not only on this application but also on future development in The Dunes, and the impact it will have on the residents.

Thank you for the opportunity to respond to this DA.

If you require any further information please contact me.

Yours sincerely

Czes and Glen Czarnota

James Hamilton
Environment, Development and Strategic Planning
Clarence Valley Council

August 5, 2021.

PROPOSED DEVELOPMENT APPLICATION: DA2021/0547
3 DUNES CRT YAMBA NSW 2464

We are writing to express our objection to the proposed development mentioned above.

Being residents of Dunes Crt Yamba , we are concerned with the limited visitor parking included in the proposal. With a block of 5 units, one visitor car park is not sufficient.

On purchasing our block of land, the covenant states no boats or caravans are to be viewed from the street. We cannot assume that will be the same with visiting cars lining our small Court while people are paying visits to unit residents.

Our home was designed to comply with all the requirements of Clarence Valley Council. There isn't anyway we can see this project fitting those requirements.

We wholeheartedly oppose such little off street parking.

Yours sincerely

RICHARD ADDINSALL

DEBORAH ADDINSALL

DOC # _____
DOC LOC _____
6 AUG 2021
CLARENCE VALLEY COUNCIL